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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112<sup>th</sup> CONGRESS, FIRST SESSION

## SENATE—Thursday, July 7, 2011

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, the Earth belongs to You. At creation, You brought order out of chaos and light out of darkness. We wait for You to renew our strength, enabling us to mount up with wings as eagles.

Today reinforce our Senators with the constant assurance of Your presence, renewing their energies and enlarging their vision. Lord, give them hearts that find peace in the knowledge that they are ultimately accountable to You alone. Redeem their failures, reward their integrity, and crown their day with the benediction of Your peace.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 7, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. UDALL thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will resume the motion to proceed to S. 1323, which is a bill to express the sense of the Senate on shared sacrifice in the resulting budget deficit, with the time until 10 a.m. equally divided and controlled between the two leaders or their designees. At 10 a.m., there will be a vote on the motion to invoke cloture to proceed to S. 1323.

### BUDGET NEGOTIATIONS

Mr. REID. Mr. President, today the Senate will consider legislation calling on millionaires and billionaires to contribute to this country's effort to reduce our deficit. The poor, the middle class, children, and seniors have already been asked to make sacrifices to help get our fiscal house in order. This legislation would reaffirm the Senate's commitment to ensuring the extremely wealthy are asked to make similar sacrifices. This principle that all Americans should contribute their fair share as we work together to reduce the deficit is so common sense it should go without saying. Yet Republicans boast of their opposition of having the very affluent not pay their fair share. This is the simple, straightforward statement by my Republican colleagues. Listen to this:

... any agreement to reduce the budget deficit should require that those earning \$1,000,000 or more per year make a more meaningful contribution to the deficit reduction effort.

My Republican colleagues reject that. Democrats believe all Americans, even those who can afford private jets and yachts, should contribute to the

collective effort to reduce the deficit. The question is, Why aren't Republicans willing to do the same? They say it is because they are looking out for the people. That claim is ridiculous. This claim is without foundation, which is preposterous. Let's talk about the millionaires and billionaires Republicans are determined to protect above all else. Less than one-quarter of 1 percent of tax returns filed in the United States each year belong to the people making more than \$1 million—25 percent of 1 percent, one-quarter percent of 1 percent. These same people are the 1 percent of Americans who control 50 percent of this country's wealth. We are speaking of the Warren Buffets of the world. Warren Buffett is my friend. I have great respect and admiration for him, but he is extremely wealthy. What does Warren Buffett, who is the second or third richest man in the world, say about contributing his fair share? He welcomes it. In fact, Mr. Buffett criticized the system in which his secretary gives a greater share of her income to the government each year than a man worth more than \$50 billion. Here he says: "If you're the luckiest 1 percent of humanity, you owe it to the rest of humanity to think about the other 99 percent."

That is what he said. That is what Warren Buffett said about contributing his fair share.

Since the late 1970s, incomes for the lucky 1 percent of America have risen by 281 percent. The last three decades have been very good to the very wealthy. President George W. Bush called these people the haves and have-mores. He also called them his base. Right now, the Republican Party is putting what is good for this very small base ahead of what is very good for this great Nation.

The legislation before us asks only this: that each American be part of the solution rather than part of the problem. In poll after poll, Americans have endorsed this principle. They have said they believe we must address our deficit both by reducing spending and by ending tax breaks to the wealthiest citizens and corporations. We have heard them. Democrats have heard

● This "bullet" symbol identifies statements or insertions which are not spoken by a member of the Senate on the floor.

them. If Warren Buffett chooses to buy a private jet or a whole fleet of them, that is OK, but the American taxpayer should not give him a special tax break for buying his own jet airplane.

Our country is facing a crisis. We face mounting debt brought on by a decade of war and tax breaks for the wealthy. We face the prospect that Republicans will force us to default on our financial obligations for the first time in our Nation's history. Difficult choices must be made. Together, we should consider cutting programs to help real people in very real ways. Eliminating tax breaks for oil companies making record profits, corporations that ship jobs overseas, and the owners of private jets and yachts should be an easy part of this problem to solve. Yet Republicans walked away from the negotiating table when a solution was in sight because they said no to fairness. Democrats had already agreed to trillions in difficult cuts in order to prevent a default crisis and avert a worldwide depression. Then Republicans walked away from the table to help the 1 percent of Americans fortunate enough to not need any extra help.

How do Republicans explain that to their constituents back home? Very carefully. Why? Because as middle-class families struggle to make ends meet, my Republican colleagues are risking the financial future of this country and the world for the sake of people who can afford private jets and yachts. I cannot imagine that conversation. Asking millionaires and billionaires to contribute to solving this Nation's deficit crisis is not unreasonable. It is just plain common sense and simple fairness.

We are going to have a vote in just 20 minutes or so, and probably what my Republican colleagues will do is to vote to allow us to proceed. That would be great if there was some sense that they agreed with what we are trying to do; that is, that they want the millionaires and billionaires to contribute their fair share. But as we know, the rules will only allow us to move to the next step and actually be on the bill. So when we get on the bill, I would tell everyone here, if we can work on an agreement to have some fixed amendments and work on it, I would be happy to do that. It is how we used to do things around here.

But if this means a free-for-all and offering amendments on abortion and war fighting and all this kind of stuff, we can't do that. We need to devote these next few weeks to debate dealing with the deficit problems we have in this country, and they are significant.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### BUDGET DEBATE

Mr. McCONNELL. Mr. President, later this morning, we will have a vote whether to proceed to a nonbinding resolution on whether to raise taxes at a time when 14 million Americans are out of work. I oppose the resolution, but I will vote to move to it so we can finally have a real debate about the economic crisis we face. That is what we were supposed to be doing this week, and that is what we will do. This is an important debate to have as discussions continue over at the White House this morning in connection with the President's request to raise the debt ceiling.

Americans want to know where their elected representatives stand on these issues. Today we will have an opportunity to show them where we stand on entitlement reform, where we stand on government spending, where we stand on balancing the budget, where we stand on our unsustainable deficits and debt.

For too long, Democrats have tried to evade these questions. It has been 799 days since Democrats passed a budget. They have presented no plan to reduce our debt. So today is an opportunity to offer real ideas for addressing our debt and job crisis, to make our positions clear, and, for our part, Republicans intend to offer more than a vague, nonbinding resolution.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to the consideration of S. 1323, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the bill (S. 1323) to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 10 a.m. will be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each.

The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, pending is S. 1323, which is the sense-of-the-Senate resolution. For those who follow the Senate, this is not a law. It will not be a law, if passed. It is merely an expression of sentiment by the Sen-

ate on an issue. It can be summarized very quickly with the sense-of-the-Senate clause, which reads:

It is the sense of the Senate that any agreement to reduce the budget deficit should require that those earning \$1,000,000 or more per year make a more meaningful contribution to the deficit reduction effort.

Why are we even talking about this? Wouldn't everyone in America concede that everyone needs to make a sacrifice if we are going to make this country stronger? Those who can make a greater sacrifice, those who are well-off, with an income of \$1 million or more each year, should do a little more. Why is that such a bold and controversial suggestion? Because, in fact, when we look at the actions taken by Congress over the last 10 years, we have found a political sentiment, primarily from the other side of the aisle—not exclusively, primarily—which says we cannot ask sacrifice of the wealthiest people in America.

I can tell those who are students of American history know when we have had a challenge in this Nation, particularly during wars when our very existence was being challenged, people stepped up from every income level in America and said: I am willing to fight for this country. I am willing to die for this country. I am willing to sacrifice for this country. So why would this be a matter to be debated on the floor of the Senate? Because, in fact, the policies of this country over the last 10 years have said that the wealthiest among us should be spared, time and again, from sacrifice when it comes to the future of our Nation.

That is just plain wrong. Those who are fortunate enough to be well-off, to have a strong income, to enjoy the blessings of liberty, to live in what I feel is the greatest Nation on Earth should be prepared to give back something.

I have spoken to some in our walk of life here in the Senate. We spend time with those who are well-off who finance our campaigns. That is a reality I am not happy with, but a reality. So many of them have said, for goodness sake, Senator, why do you even hesitate to ask me for more taxes? I am prepared to pay those taxes because I feel blessed to live in this country.

So the idea of raising taxes on the wealthiest among us won't change their lifestyle a bit but will help to solve some of our problems. If we don't change the tax cuts that were put in under President George W. Bush, people making \$1 million-plus a year will get a \$200,000 tax break—a \$200,000 tax break—every year. In order to pay for that tax break, some other Americans have to sacrifice. For example, it means about 33 seniors will have to pay \$600 more a year for Medicare under one proposal in the House Republican budget so that we will generate enough money to give a tax break to a person

who is a millionaire. Thirty-three senators will pay \$600 more a year so a millionaire can get a tax break. That is wrong. It is just plain wrong.

I believe we need to ask for shared sacrifice, and that is what this resolution says. Senator MCCONNELL, who was here a few moments ago, said this week:

It's about making Washington make tough choices. It's about Washington taking the hit this time.

Well, the people who are taking the hit in America are not in Washington, they are all across this country. It is low and middle-income Americans who are taking a hit in the current economy. There are still almost 14 million Americans out of work and those who are working have seen the bulk of income growth go to the highest income categories. We have the greatest income disparity in the history of the United States since the Great Depression. Over the past 10 years, the median family income has declined by more than \$2,500. What that means, whether it is New Mexico or Illinois, is that people who are working hard, going to work every single day, making sacrifices, fall further and further behind and live paycheck to paycheck. That is the reality of life for hard-working, middle-income Americans.

So those of us who come to the floor and say spare them—if you are going to spare anyone from further taxation, give them a helping hand—understand the reality of it so they can keep their heads above water, barely. So many Americans live paycheck to paycheck. It is the only way they survive, and that is the reality.

My colleague from Kentucky is right. In Washington we need to make the tough choices and we need to face them with a sense of consensus and compromise. An all-or-nothing approach to the budget isn't going to work. In about an hour and 15 minutes, I am going to be honored to represent, with Senator REID, our majority leader, the Senate Democrats in a meeting with President Obama. We will sit down in the Cabinet Room, as I have before, and we will talk about what we are going to do with this deficit crisis. I will say to the President and those assembled that we have plenty to work with. It was 6 or 7 months ago when the Bowles-Simpson commission, the President's commission on the deficit, gave us a blueprint and said: Here is a way to reach \$4.5 trillion of deficit reduction in a fair way: Put everything on the table. Democrats, suck it up. Put entitlements on the table. Make sure that at the end of the day, these are still programs that serve the public, Social Security is still there making its promised payments. Make sure Medicare covers the health care of elderly Americans. Do it in a fiscally responsible way, but don't run away from it. Don't ignore the problems we face.

Similarly, the Bowles-Simpson commission said to those on the other side of the aisle: Be honest about revenue. We are facing the lowest Federal revenue against our gross domestic product we have seen in 60 years. Is it any wonder we are in deficit? Fifteen percent of our gross domestic product comes to the Federal Government revenue share and we spend 25 percent. So the 10-percent difference is our deficit. It is time to bring the spending down and the revenue up.

Critics will say we can't raise taxes in the midst of a recession. Well, we need to be careful, I agree. Raising taxes in the wrong places could hurt our recovery. Here are some places where it won't hurt, as this resolution says, at the highest income categories. These Americans can afford to pay a little more. They certainly don't need a tax break.

Secondly, take a look at the Tax Code. We have up to \$1.2 trillion a year in tax spending, tax earmarks, credits and deductions that the special interest lobbyists put in the Tax Code. Many of them are absolutely indefensible, and we can't afford them anymore. If we are asking sacrifice across the board from America, we should ask sacrifice from those who are benefiting from these tax loopholes and tax benefits. We can do that. In fact, we may be able to do it if we follow Bowles-Simpson and at the same time reduce the marginal tax rates for all Americans. It can be done.

Let's take a hard look at the Tax Code and remember that 70 percent of Americans do not itemize, which means they do not take advantage of the Tax Code, except in a rare situation where they have a refundable tax credit. These people are not using the Tax Code. Those who use it are in higher income categories. They are using it, they are following the law, and they are avoiding their taxes.

Warren Buffett had a great quote which we should remember while we debate this. November 26, 2006:

There's class warfare, all right, but it's my class, the rich class, that's making war, and we're winning.

Warren Buffett is a man of few words and is listened to carefully because of his wisdom in business and in life, and he hits the nail on the head. He said to me and to many others—and publicly—it is unconscionable that using our Tax Code today, he, Warren Buffett, pays a lower marginal tax rate than the secretaries in his office. That is absolutely wrong. Why should a hard-working person in a business, at a lower level, pay a higher marginal tax rate than the person owning the business, making millions of dollars each year? That is where the Tax Code is wrong, and that is where we can change it, save money, use it to reduce the deficit and reduce marginal income tax rates.

That is what this resolution is all about. It is nothing short of amazing

we are debating the question of whether those who make \$1 million or more each year should pony up and contribute more when it comes to deficit reduction.

The newspapers this morning talk about what may be included in any final agreement. I don't know what will be included. I hope there is an agreement. There is one thing I wish to make clear. I just left a meeting with people who do forecasting—Standard & Poor's, Moody's, Fitch, and the like. They talked about what is going to happen if we do not extend the debt ceiling. Let me lay my cards on the table. The debt ceiling vote every year is a political football. Those who are not in the President's party don't want to vote for it. Why should they, and go home and get slapped around for having voted to extend America's debt. In years gone by, there have been times I didn't vote for it but, in all honesty, I knew in the back of my mind it was going to pass.

Here is the reality: If we reach a stalemate on the debt ceiling now because the President's party doesn't control the Congress—certainly not the House and barely in the Senate—if we don't extend the debt ceiling, what is going to happen is very obvious. The full faith and credit of the United States is going to be called into question, and that has never happened. We have never in our history failed to extend the debt ceiling and to say we stand behind our debts and will make good on payments. If there is any question about that, we know what happens. It is the same thing that happens when a person defaults on their home mortgage. It becomes increasingly difficult to ever get another mortgage and if that person does, he or she faces higher interest rates than ever. That is what America will face if we don't extend the debt ceiling. So these people from these rating agencies came to us and said it will be disastrous if you allow the debt ceiling not to be extended on August 2. That is the reality of the world we live in.

So I would say, as we go into these important and difficult negotiations, as we move toward the moment when we are going to have, I hope, an agreement, let's make it very clear to the world that the United States understands its obligations, will pay its debts, and that we won't face the dire consequences of the opposite being true. That is the reality of what we face today.

I will say one last thing before I yield the floor.

As we structure this deficit rescue or deficit project, let's remember two things are essential. There are vulnerable people in the United States of America who, through no fault of their own, struggle each day to live. Some of them suffer from physical and mental disabilities. Some of them have been

poor their entire lives and come from poor families and have a difficult time and limited education. Some of them are elderly and in nursing homes. These people—the most vulnerable among us—need a helping hand. We have never failed to do that in modern times and we shouldn't in this time of trouble, time of deficit. We can keep our word to the poor among us that we are going to stand by them because we are caring people. We can do it by making certain the Medicaid Program, which provides health insurance for one-third of the children in America and which covers the medical costs of birth of more than 40 percent of children in America and literally provides for millions of seniors to be able to stay in nursing homes and in senior settings, these are the things we need to take care of in the midst of this deficit reduction.

I see my colleague from Tennessee on the Republican side has come to the floor, and there is time available on his side. I didn't know if anyone was coming. I am wrapping up, so I thank my colleague from Tennessee.

I will wrap up by saying we can take care to make sure the safety net is protected, and to make sure as well that we address all levels of spending in our government—every one of them—to make certain that whether it is the defense budget or the budget for programs not related to defense or whether it is entitlement programs, all of these need to be carefully scrutinized. We can cut spending in a responsible, bipartisan way and show we can bring our deficit down, strengthen this economy and, I think in the process, if we do it on a bipartisan basis, we are going to launch an economic recovery that inures to the benefit of all of us. If we don't and this ends up in finger pointing, I don't know who will take the fall for it. No one does. But the best thing we can do is to ignore the political aspect and deal with the reality of the challenge we face.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I appreciate what the Senator from Illinois said and I congratulate him not necessarily for the specifics of what he said but for his general demeanor and attitude throughout this entire discussion about the deficit and the debt. He has been one of those Senators—there have been some on both sides of the aisle—who have made some difficult choices and some difficult decisions and recognizes that at a time when Washington is borrowing 40 cents of every dollar we spend, we have a serious problem and we have to look at our entire fiscal condition in order to solve the problem. The people of this country expect us to do that. So Senator DURBIN has, by his willingness to make some hard decisions, set a pretty good example for all of us in the Senate.

Today, my hope is the meeting the President has with our congressional leaders of both sides succeeds, because if they succeed, our country succeeds. The country expects us to do that. I hope they think big. I hope they swing for the fences and get a result and bring it back to us and let us consider it and hopefully enact it and get on to other business. The debt is a major long-term problem, not just for our grandchildren but for us today. We have a bigger issue facing us which is the fact that we have had persistent unemployment in an economy that is not growing, and that is hurting too many people. So the sooner we swing for the fences and get a result and get our debt under control and deal with it in a bipartisan way, the better for the country and the quicker we will be able to get on to the larger question of jobs.

Of course, economists have made clear to us getting the debt under control has a lot to do with jobs. When our total debt is as high as it is today—nearly 100 percent of our gross domestic product—that probably costs us 1 million jobs a year. We can't solve all of that in 1 day or 1 month, but we can take a big step in the right direction, and that is what our countrymen and women want us to do.

I am glad I was able to be here to hear part of the Senator's speech and I am glad I have a chance to commend him for his leadership on this vexing and important problem we need to deal with.

I thank the President, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, if it meets with the approval of the Senator from Tennessee in leadership on the Republican side, I suggest we yield back all time, and I ask unanimous consent to proceed to the vote.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

#### CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 93, S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

Harry Reid, Richard J. Durbin, Charles E. Schumer, Frank R. Lautenberg, Al Franken, John D. Rockefeller IV, Jack Reed, Sheldon Whitehouse, Sherrod Brown, Bernard Sanders, John F. Kerry, Jeff Merkley, Debbie Stabenow, Daniel K. Akaka, Daniel K. Inouye, Patrick J. Leahy, Benjamin L. Cardin.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN), the Senator from Vermont (Mr. LEAHY), and the Senator from Montana (Mr. TESTER) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from North Carolina (Mr. BURR).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 74, nays 22, as follows:

[Rollcall Vote No. 106 Leg.]

#### YEAS—74

Akaka	Graham	Moran
Alexander	Grassley	Murkowski
Baucus	Hagan	Murray
Begich	Hoeben	Nelson (FL)
Bennet	Hutchison	Pryor
Bingaman	Inouye	Reed
Blumenthal	Johanns	Reid
Boxer	Johnson (SD)	Roberts
Brown (MA)	Kerry	Rockefeller
Brown (OH)	Kirk	Sanders
Cantwell	Klobuchar	Schumer
Cardin	Kohl	Sessions
Carper	Kyl	Shaheen
Casey	Landrieu	Shelby
Coats	Lautenberg	Snowe
Cochran	Levin	Stabenow
Collins	Lieberman	Thune
Conrad	Lugar	Udall (CO)
Coons	Manchin	Udall (NM)
Corker	McCain	Vitter
Cornyn	McCaskill	Warner
Durbin	McConnell	Webb
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wyden
Gillibrand	Mikulski	

#### NAYS—22

Ayotte	Enzi	Paul
Barrasso	Hatch	Portman
Blunt	Heller	Risch
Boozman	Inhofe	Rubio
Chambliss	Isakson	Toomey
Coburn	Johnson (WI)	Wicker
Crapo	Lee	
DeMint	Nelson (NE)	

#### NOT VOTING—4

Burr	Leahy
Harkin	Tester

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 74, the nays are 22. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the time until 6 p.m. today on the motion to proceed be equally divided between the two leaders or their designees; further, that at 2 p.m., Monday, July 11, the Senate resume consideration of the motion to proceed to S. 1323, with the time until 5:30 equally divided between the two leaders or their designees; that at 5:30 p.m. the Senate proceed to vote on the adoption of the motion to proceed to S. 1323.



The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. REID. There will be no more roll-call votes this week.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Will the Senator from Texas yield for a question?

Mrs. HUTCHISON. I will, Mr. President.

Mr. MCCAIN. The Senator from Texas, I am just wondering if a view that she might have might be that we have been terribly overworked this week. I understand we cancelled our Fourth of July recess in order to get back here and get to work and do the people's business.

Is it correct that that was the second vote that we have taken? One was an instruction of the Sergeant at Arms, and this one, another highly controversial issue that was taken up.

I guess my question to the Senator from Texas is, Has this week been a worthwhile expenditure of the taxpayers' dollars?

Mrs. HUTCHISON. Well, I will respond to the distinguished Senator from Arizona that the resolution that was just passed was to go to a sense-of-the-Senate resolution, which, of course, has no force of law. It is, indeed, our second vote this week.

I will say that there is one thing on the minds of the people today, one thing on the minds of the people of America today, and it is, What on Earth is Congress doing? What on Earth is the President doing? What are they doing to address the looming debt crisis? And we were called back in not to recess but so that we could do something meaningful.

When I saw the Senator from Arizona on the Senate floor, he was ready to talk about our international situation and the commitments that we are making certainly. Many people said: No, wait a minute. We have a debt crisis, and we can't wait until August 2 to fulfill it.

So I would just respond to the Senator from Arizona and say, when do the American people get the answer they deserve, which is that Congress and the President are working together, and we are being productive, and we have a budget resolution on the floor, and we are debating it and we are talking about our differences on taxes and spending? I don't think we can tax our

way out of a recession. I don't think we can tax our way out of the budget deficit.

I would just ask the Senator from Arizona if he thinks that we can make meaningful progress staying in session and debating, and if, in fact, that might be an option in the future.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

Mr. MCCAIN. I see the distinguished majority leader waiting, so I will make my comments brief. I know that his agenda is very busy.

I would just say to my friend from Texas that I understand a lot of the inner mechanisms and hidden workings are going on behind the scenes. But when I go back and tell my constituents that we cancelled a week of recess and we had two votes—one to instruct the Sergeant at Arms and the other on a sense-of-the-Senate resolution—I would have liked to have taken up other business that was rejected by Members on this side because they wanted to focus on the deficit. But if we are focusing on that, maybe we should have taken up some issues that directly affect the deficit, such as ethanol subsidies, such as some of the other tax breaks and loopholes and other issues that surround the whole bankruptcy of this country.

I see the majority leader is waiting, so I will yield to my friend from Texas.

Mrs. HUTCHISON. I would just ask unanimous consent that following the majority leader I regain the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. The Senator from Texas will have the floor. I just have a brief comment.

I have known my friend, the senior Senator from Arizona, since 1982 when we were both elected to Congress. His record of public service speaks for itself. But I would say to him, and to everyone within the sound of my voice, we didn't vote on Libya, this important resolution that had been worked on so hard by the distinguished Senator from Arizona and the chairman of the Foreign Relations Committee, because I was told we wouldn't get any votes from the Republicans because they wanted to focus on the deficit.

My friend also recognizes, as he said, that there is work going on behind the scenes, and that is true. There has been a lot of work this week that took place as a result of our being here that would not have taken place but for the fact that we are in session.

We know a lot of the work we accomplish here is not with votes. One reason we have not been having a lot of votes in recent months is because we can't get things on the Senate floor. We have been stopped by my Republican friends. There are meetings going on with the White House and with the Speaker, a

multitude of meetings there, meetings going on between Members of the Senate and Democrats and Republicans in the House of Representatives. So I would say to everyone here it is good we were in session this week. I haven't heard a single person who is not in Congress complain about our being here. It is important we are here. As a result of that, we have been able to move down the road much further on the problems we have with the debt than we would have had we not been in session because there are all kinds of meetings going on around town dealing with how we do this.

We had a meeting right behind us today that started at 9 where we had the head of the Chamber of Commerce in. We had people from Moody's Financial Services. They were here to tell us what they are doing to focus on Republicans being able to help us get through this problem dealing with the debt.

We have to do something about the staggering debt that faces us, and what this resolution we voted on earlier today is all about is making sure there is equal sacrifice in our country; that is, we know we are going to have to make some cuts. We also recognize that we need to do something about equalizing revenue, and that is what is going on.

While what we do in the Senate every week isn't like solving a math problem—there is no perfection—that is the way the Founding Fathers set up this great government of ours. So we are going to continue to work in the next 4 weeks of this work period to solve some of the Nation's problems.

No. 1 on the list is doing something about our staggering debt.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I appreciate what the majority leader has said.

There is a lot going on, and there is the beginning, perhaps, of coming together, hopefully, with the President and the leadership of the House and the Senate. I just hope that we can establish why it is that there is such a divide on how we accomplish the issue of raising the debt ceiling with real reforms that will assure that we will not have to raise the debt ceiling again; that we will cut deficits so the debt will also be cut in this country. We cannot sustain the level of debt we have now. It is the highest we have ever had in the history of this country.

Mr. President, let's face it. We have two basic problems. We have this looming \$14 trillion debt that is about to hit the ceiling, and we have to raise the ceiling. It would be irresponsible to do that without significant reforms that will assure that we are not going to hit it again. But the second problem we have is 9.1 percent unemployment.

So it is not like we are in a vacuum and we can just start taxing our small

businesses, when small business has already had the looming hit of the health care plan that was passed that is going to cause every business in this country significant increases in their cost of doing business.

So when people are out there saying: Why is unemployment still so high? Why is hiring lagging? I think it is because businesses are trying to prepare for this big hit they are going to get in 2014 when the Obama health care plan takes full effect. They are trying to figure out if they are going to pay more for insurance or if they are going to take the fine and pay fines for every employee who doesn't have insurance, which is going to cause chaos in this country. So they are trying to decide.

On top of that, people on the other side of the aisle in Washington, DC, keep talking about increasing taxes, and the President keeps talking about increasing taxes. So no wonder our employers are not saying: Oh, yes, let's just open the floodgates and bring people back to work. They don't know what to expect.

We must generate economic growth, not stifle it. We need businesses to feel confident in the future that they are going to be able to make a profit on top of all the added costs of new taxes and health care reform that is going to hit businesses the hardest.

So we don't have a tax problem in this country. We are not being taxed too little. This government is spending too much. That is the problem we are facing right now. That is why we have a \$14 trillion debt. We have a \$1.6 trillion shortfall between spending and revenue this year.

So I am reminded of what Ronald Reagan once said: We don't have a \$1 trillion debt because we haven't taxed enough. We have a \$1 trillion debt because we spend too much.

Let's look at the spending side of the equation. We cannot continue business as usual in Washington and fix this problem. When President Obama was sworn into office, the national debt was \$10.6 trillion. It was too much then. I think we all agree. Now it is \$14.3 trillion. We are weeks away from officially hitting that \$14.3 trillion debt ceiling.

We have had a monumental addition to the unprecedented number of spending dollars that was the stimulus that passed in February of 2009. Today, the President's Council of Economic Advisers said that 2.4 million jobs were created at a cost of \$666 billion. That is about three-quarters of the stimulus. That is a cost to taxpayers of \$278,000 per job. That is just not reasonable. This is the kind of spending we cannot continue in this country.

I think they say they want to increase taxes, and I hear the President say we must increase taxes on the oil companies, increase taxes on corporate jets. I think if we are fair and across-the-board and we tax oil companies

like we tax every business—sure. Let's even the playing field. If we are going to take away the business deductions every business gets in this country, then, sure, let's take them from every business, including oil. But it is not going to help the deficit because it is not enough to help the deficit.

They say they want to increase taxes in order to reduce the deficit, but what they really want is to increase taxes to permanently increase spending so the big government we have seen grow in the last 2 years, 2½ years will be permanent. That is why they want to increase taxes.

I say there is a way to fix this. First of all, we could pass a balanced budget amendment. A balanced budget amendment to the U.S. Constitution would put us on a budget that we would have to meet like most States in this Nation and every business and every family. We would set the limits. I believe the appropriate limit would be that total Federal expenditures would be limited to 18 percent of the gross domestic product. Then Congress would also have to have caps on spending—about the same, 18 percent of gross domestic product. This would be a spending reform we could adopt that I believe the States would also agree to ratify that would give us a trajectory that would eliminate this deficit and the debt in this country, and we would be on a fiscally responsible path.

Second, if we are going to do this, we have to look at entitlements. That is the reality. We have a nearly bankrupt entitlement system that is ongoing regardless of what the revenue coming in is. The debt limit and the ongoing deficit reduction negotiations need to put entitlement reform on the table. Until yesterday they had refused to do it, but now it seems that perhaps some entitlement reform might be on the table. For instance, one that I have introduced a bill to correct is the Social Security system. Social Security will account for one-fifth of all Federal spending this year. The time for reform is now, and we can do it in a reasonable way.

The amount of Social Security benefits being paid out exceeds the revenue the Social Security payroll is collecting, and we are starting to draw down on the Social Security reserves. When the reserves run out in 2036, Social Security will only be able to pay out 77 percent of the benefits to current and future retirees. That is the law today. It would force a 23-percent cut in benefits. That is the law today.

The Social Security Board of Trustees reported earlier this year that one way to shore up Social Security's assets is to immediately and permanently increase the combined payroll tax on employees and employers from 12.4 to 14.5 percent—in other words, increase payroll taxes by one-sixth during our jobless economic nonrecovery. I do not think that is really feasible.

The trustees also noted that the shortfall could be eliminated by an immediate 13.8 percent cut in core benefits retirees are getting right now—an immediate \$150-per-month cut in every Social Security benefit check right now. That was what the Social Security trustees suggested was a possibility. That is something I think we would unanimously, in this Senate, reject. No one is going to cut benefits \$150 per month right now—nobody. Nobody would do it.

If we are going to address this, I have proposed a plan. Senator KYL and I introduced S. 1213, the Defend and Save Social Security Act. First, everyone knows we are living longer than when the Social Security Act passed. We have a higher quality of life. People want to work longer in most areas. So why not gradually raise the retirement age without impacting those who are about to retire?

Under my bill, anyone who is 58 years of age or older will see no change by the gradual increase of the retirement age. For everyone else, starting in 2016 the normal and early retirement age would increase by 3 months a year, so the normal retirement age would reach 67 by 2019, 68 by 2023, and 69 at 2027, and it stops there. Early retirement would be gradual—3 months a year, increased to 63 by 2019 and 64 by 2023, and it would stop.

Currently, Social Security recipients receive an annual cost-of-living adjustment, a COLA. Under my plan, the COLA would be computed as it is in current law but reduced 1 percent. So the average rate of inflation and COLA has been 2.2 percent every year of an increase. So if we have a 2.2-percent rate of inflation COLA, it would be a 1.2-percent increase in Social Security benefits. What I am saying is that a 1-percent decrease in the COLA is just a 1-percent decrease in the increase.

You would have the gradual raising of the age that would be much more in line with our actuarial table and the reality today, where people are living much longer, and you would also have a slight decrease in the increase in Social Security benefits according to inflation. If we have rampant inflation, then you would have the COLA, just 1 percent less. So if it is 2.2 percent inflation, then you would get a 1.2-percent COLA. Doing that saves the Social Security system, and it closes the 75-year gap. It does not raise taxes on anyone, and it does not cut a core benefit for anyone. That is the way we could fix Social Security right now.

What would that do for our deficit? Here is what it would do. It would achieve a \$416 billion reduction over the next 10 years of our deficit and a \$7.2 trillion savings by 2085. That means we are on the track. That means that over the next 75 years Social Security will be solid and secure without a tax increase on anyone and without a

cut in core benefits to anyone, and no one who is 58 years of age or older will be affected by the adjustment in the retirement age.

We have a chance to do some things. I have gone out and said: Here is a proposal. My colleague, Senator CORKER, has proposed a limit, a cap on spending that is a reasonable limit. Other colleagues—Senator LEE, Senator PAUL, and Senator TOOMEY have suggested other ways to cut spending across the board, just a level goal. They are not cutting specific things, but they are cutting the discretionary spending at reasonable levels. Many Republicans are offering ways to cut back on spending. My colleague, Senator CORNYN from Texas, has put forward a cap on spending and a balanced budget amendment. There are proposals out there that are responsible ways to deal with this deficit that include entitlements and discretionary spending both.

It is time for the President of the United States to sit down at the table and understand that tax increases for kind of a photo-op PR are not going to fill the void. The public relations of cutting back on corporate jet benefits, whatever they are—I don't know what they are; I don't have one—but I think we would probably all agree, if you can afford a corporate jet or a private jet, fine. Whatever the President wants to do, we will do it, and it will do nothing to help the deficit. So why don't we do the meaningful things, which is make meaningful cuts in discretionary spending. Let's attack what everybody knows is the case; that is, Social Security is going bankrupt as we speak. If Congress and the President will speak responsibly about it, we can put that on a glidepath that is within the reasonable actuarial table estimate so that people will work longer, and very gradually increase it—starting in 2016, ending in 2027 at 69. That is gradual.

We cannot procrastinate. We cannot wait. We cannot hope the crisis will pass. And we cannot delay the inevitable. This is the Senate. We were elected to make the tough choices. It is time for us to do it.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Senator from Pennsylvania is recognized.

#### TRADE WITH SOUTH KOREA

Mr. CASEY. Mr. President, I rise today to discuss the Senate's upcoming trade agenda and its impact on Pennsylvania workers and Pennsylvania jobs.

Like so many of our States, Pennsylvania has always played a critically important role in America's manufacturing and commercial heritage. The coal and waterways of our State helped make the Commonwealth legendary for steelmaking and helped turn the United States into an industrial powerhouse. During its heyday, 60 percent of the domestic steel production in the

United States came from Pennsylvania.

During World War II, almost one-third of the Nation's steel came from Pennsylvania, which was a full 20 percent of global production at the time. The then-Governor of Pennsylvania, Arthur James, put it this way: "Pennsylvania was truly the arsenal of democracy and the arsenal of America."

Given its dominance in the steel industry, it is no surprise that the Commonwealth was sixth in the Nation in total war production during the Second World War, leading in shipbuilding and munitions production. More money was spent to expand production capacity in Pennsylvania than in any other State during the war.

We know at the time it did not stop there. It did not stop at the end of the war. After the war was over, these manufacturing facilities were used to make American products and fuel the growth of a thriving middle class.

Today, so many of these plants have gone away, due in part to our failed trade policies. Over the last 30 years, we have seen trade deficits soar, currency manipulation go unchecked, lavish subsidies by foreign governments go ignored, and exploitation of workers in other countries overlooked. That is why I am very concerned that today the Finance Committee is moving forward the pending agreements with South Korea, Colombia, and Panama. For the last several weeks, the Presiding Officer, Senator BROWN, and I have persistently asked the tough, critical questions about the impact of these agreements before they are considered. A review of the impact of past trade agreements offers very little comfort. In 1994, Congress passed the North American Free Trade Agreement. We know it as NAFTA. Since NAFTA's passage, U.S. Trade policies have steadily chipped away at Pennsylvania's manufacturing base.

It is a critical sector for our State and so many others. According to a recent study—and the chart on my left depicts it—from the Industrial Resource Centers, from 1997 to 2010, just 13 years, manufacturing went from 16.4 percent of our gross State product to 12.1 percent, a remarkable drop in just 13 years. What does that mean for the total number of jobs? In total, Pennsylvania lost nearly 300,000 manufacturing jobs. You can see it from the chart, starting in 1997, the drop to 12.1 percent in just those 13 years—300,000 jobs in 13 years.

Despite these alarming numbers and statistics, advocates for the trade deals, including the pending agreement with South Korea, promised significant economic benefits from exploding export potential to job creation. Proponents argue a significant net positive from these agreements every time they are considered. In reality, instead of creating opportunities for Pennsyl-

vania, our trade policies did little more than offshore good-paying jobs, while giving our trading partners unlimited access to our markets.

So we must take the time now to ask the tough questions. Specifically, as a Senator from Pennsylvania, I must ask three basic questions about any trade deal. No. 1, will the agreement protect current Pennsylvania jobs and create new jobs in Pennsylvania and across America? No. 2, will the agreement help create a level playing field for American businesses and workers? No. 3, does the agreement provide new opportunities for American manufacturers to export?

I will focus on the South Korean Free Trade Agreement in the context of each question. First, will the agreement protect and create jobs in Pennsylvania and across the Nation? In these uncertain times, job creation must be our top priority. In Pennsylvania, the manufacturing sector is critical. Manufacturing remains the Commonwealth's largest source of good-paying jobs, with chemical primary metal products, fabricated metal products, food products, and machinery making up the top five manufacturing sectors supporting Pennsylvania families. These benefits extend beyond individual manufacturing businesses in our State—in fact, the economic benefits of a strong manufacturing sector experienced throughout Pennsylvania's economy. According to research commissioned by the Pennsylvania Industrial Resource Centers, every \$1 increase in demand for products manufactured in our State leads to an increase in growth value of \$2.52 across all industries. So one buck in activity can lead to \$2.52 in value.

The manufacturing jobs that are created support middle-income families, and the creation of those jobs and the support they provided for those families in 2008 meant the following: The average annual compensation of a worker in the manufacturing sector was over \$65,000. The average pay for the rest of the workforce was \$10,000 less. Each good-paying job in this country allows for more money to flow back into the economy. Given the importance of manufacturing jobs in Pennsylvania, we must ask ourselves: Will the Korea trade agreement create jobs, especially in the manufacturing sector? I believe it will not create a substantial number of new jobs in this critical sector.

Looking back over the last 20 years, trade-related job expansion has been an unfulfilled promise for Pennsylvania and the Nation. We need to look no further than NAFTA. In 1993, when the agreement was signed, NAFTA promised to deliver hundreds of thousands of jobs across the United States. Leading economists at the time projected NAFTA would bring 170,000 new jobs in the near term alone. These gains were

not realized. Instead, since NAFTA was signed into law through 2002, 525,094 workers were certified as displaced under NAFTA, according to the Department of Labor. I am sure that number has grown since that 2002 data point. Furthermore, when NAFTA was negotiated, leaders suggested that American exports would expand greatly to meet the new-found demands of the open Mexican market with all its new customers. The opposite has occurred.

In 1993, the United States had a small trade surplus. We had a surplus with Mexico. According to the official Census Bureau statistics, by 2010, 17 years later, we were running a trade deficit with Mexico of \$66.4 billion. So a surplus in trade with Mexico became a huge deficit. Trade with Canada also saw a widening trade deficit from \$10 billion in 1993 to \$28 billion in 2010. So there a deficit got bigger; whereas, in the case of Mexico, it went from a surplus to a massive deficit of \$66 billion. The impact of these policies is plainly seen in employment data. Pennsylvania has seen a dramatic decline in manufacturing employment since NAFTA was implemented, losing a total of over 300,000 jobs. With this rosy prediction of NAFTA in mind, a close look at the government's projections of the South Korea agreement should be viewed with great skepticism. While the International Trade Commission predicts our bilateral trade with Korea will improve, the total U.S. trade deficit is predicted to get larger. While proponents of the agreement argue U.S. exports to Korea will increase, they are neglecting to tell the whole truth. Companies will simply shift from exporting to Korea, to creating current customers in other places, rather than increasing total exports.

The second question I ask is, Will this agreement help create a level playing field after enactment? I believe this agreement, South Korea agreement, will fail to create a level playing field for our workers and our companies. Modern trade agreements do more than cut tariffs. These agreements contain hundreds of provisions that make substantial changes to nontrade policies, and the Korea agreement is no exception. According to the group Public Citizen, these nontrade provisions limit the authority granted to elected representatives of the American people over product and food safety, financial regulations, health care and energy regulations, patent terms, and even our tax dollars that can be spent by the government. The agreement allows Korean exporters to take investment disputes out of courts and into unaccountable and secretive international tribunals through a process known as investor-to-state dispute system that is similar to NAFTA.

Additionally, the investment chapters were signed prior to the current fi-

nanacial crisis back in 2007. These specific chapters include rules that prohibit either country from imposing firewalls between the sorts of financial services one firm may offer to limit the spread of risk, for example. Important protections put in place after the financial crisis of 2007 and 2008 could potentially be challenged under the pending agreement. Even more troubling is the issue of Korea's currency. South Korean currency manipulation remains an unaddressed problem. As we have seen in China, an intentionally weakened currency leads to a fundamentally unbalanced trade relationship and brutal conditions for U.S. companies. In a June 17 report, the Economic Policy Institute calculated that if Asian currencies were strengthened to appropriate market-determined levels, if that were done, U.S. gross domestic product would increase by as much as \$285.7 billion or 1.9 percent, creating up to 2.25 million U.S. jobs; that is, if Asian currencies were strengthened to those appropriate levels. Unfortunately, as with other NAFTA-style free-trade agreements, this South Korea agreement is silent on currency. This is unacceptable because South Korea devalued their currency twice, once in 1988, once in 1998. Both interventions devalued their currency by 50 percent or more. South Korea was one of the first countries cited as a currency manipulator by the Treasury Department in 1988. South Korea continues their long history of manipulating their currency. In fact, the most recent Treasury report to Congress on international economic and exchange rate policies, from May 27, 2011, noted that South Korea intervened "heavily" in its currency market during the financial crisis and has continued uninterrupted since. Treasury urged South Korea to "adopt a greater degree of exchange rate flexibility and less intervention." Currency policy has played a central role in China's mercantilist trade policies and has cost the United States thousands of jobs. We should not be cutting tariffs for the country, with South Korea's heavy history on currency manipulation, without language to deal with protecting us in a competitive environment in the devaluations that they have undertaken before.

Additionally, several groups raised the possibility that the agreement could be used to weaken U.S. trade laws. The free trade agreement creates a bilateral commission on trade laws. While our Trade Representative argues that this will not change any existing U.S. trade laws, this avenue could be used by advocates of weaker enforcement in the future.

Finally, I turn to the last question. Does the agreement provide new opportunities for Pennsylvania manufacturers to export their goods? Similar to NAFTA, the benefits of the South

Korea deal have been, in my judgment, overstated, while the risks have been largely ignored. Rather than opening a new market for Pennsylvania farmers and manufacturers, I am concerned that the benefits to the United States are minimal, at best. There are specific reasons this deal fails to deliver for Pennsylvania exporters. First, most of the benefits are based on an overly optimistic projection for agriculture. These projections, compiled by supporters of the agreement, assume that a cut in tariffs will immediately equal a growth in market share.

We know from past experience that Asian markets, including South Korea, have come up with a host of unjustified nontariff restrictions to keep U.S. beef out of their country. These barriers to free trade are likely to limit export potential and are largely unaddressed in the agreement. There are other troubling clauses dealing with the beef industry. The South Korea agreement will allow American beef packagers to use Canadian or Mexican cattle and then export the packaged Mexican or Canadian beef as "American" beef. This policy, while great for beef packagers, undercuts the U.S. ranchers. Given our difficulties in gaining a foothold in these markets, we should rely solely on U.S. cattle, which we know are safe.

Second, one of Pennsylvania's most important sectors—dairy—the competing European Union Free Trade Agreement with South Korea could inhibit our ability to compete in the South Korean market. The text of the European Union agreement specifies that certain types of cheese, including mozzarella, must come from specific regions. As a result, European exporters could challenge U.S. producers selling cheese in South Korea as "mozzarella" or "parmesan." In this sense, the Europeans have negotiated a better agreement, giving European companies an advantage over American companies.

Another problem with the agreement is which goods qualify for the "Made in South Korea" designation—the sticker, so to speak—and are allowed to, therefore, enter the United States duty free. Under the rules of origin in annex 6-A of the agreement, 65 percent of the value of many goods, including automobiles shipped duty free to the United States can come from South Korea and still be considered "Made in South Korea."

This standard is lower than the European Union agreement. The European Union agreement has a 55-percent content standard where content can be foreign and, once again, places our companies at a comparative disadvantage in international competition. Just as the chart depicts, 35 percent Korea plus 65 percent China will equal "Made in Korea." I don't think that is what the American people bargain for when they

expect us to get trade policies right. In a sense, this opens the door—a back door—for products primarily made in places such as North Korea or China to enter the United States of America duty free. That is wrong. It should be changed. We should not broker an agreement that has that in it.

Let me conclude with the three questions I started with. First, will the agreement create a substantial number of new jobs? I am concerned it will not. In previous agreements such as NAFTA, if they are any indication, the U.S.-Korea agreement will lead to job losses, especially in the critical manufacturing sector.

Second, will the agreement help create a level playing field? It will not. The agreement fails to address critical issues such as currency manipulation that have already hurt American businesses and cost us jobs.

Third, does the agreement provide new opportunities for American manufacturers to export? Proponents have overstated the benefits. Certainly industries and firms are likely to benefit, while many others will not. What is clear is that in its failure to address nontariff barriers to trade, the agreement leaves American firms unprotected and on a playing field that is not level.

Instead of moving ahead with a broken model, we need to focus on the bigger picture—formulating a strategy that helps American manufacturers, that leads to job creation to help middle-income families, helping us create the jobs of the future.

To make real sustained progress, Washington needs to have a plan, a strategy. We must develop and commit ourselves to a national manufacturing strategy that includes job-creating trade policies as well.

Recently I convened a roundtable in Pennsylvania with leaders of several southwestern Pennsylvania companies at the Universal Electric Corporation in Canonsburg, Washington County, to listen to their ideas and bring them to Washington, DC, to keep a focus on supporting manufacturing. I heard a number of common themes. First of all, we should develop a national strategy, as I mentioned, for manufacturing. Second, we should make the R&D tax credit permanent. Third, we should crack down—really crack down—on China's currency manipulation and other unfair trade policies so that Pennsylvania companies and their workers have at least a fair shot. Legislation I recently introduced gives us those tools to hold countries accountable for manipulating currencies.

We also need to extend trade adjustment assistance to help workers who have lost their jobs to overseas unfair foreign competition so they can build new skills and find new employment.

Finally, we need to invest in science, technology, engineering, and math, the

so-called STEM discipline, which we know will create many jobs in the future.

Manufacturing is the heart and soul of Pennsylvania and our Nation's economy. Our future depends on developing policies that help our workers and our businesses compete in the global production of goods. Our workers and our businesses can outcompete anyone in the world—any country in the world. We just need to give them a fair shot. We need to give them a strategy. These agreements don't do that.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President I would observe the current Presiding Officer has had the misfortune of being in the chair whenever I am coming down to speak, so I appreciate his patience.

Today, congressional leaders are meeting with the President of the United States to discuss what can be done to reduce the Nation's out-of-control deficit, to deal with our unsustainable debt, to get America back to work and help grow our economy. I congratulate the President for convening this meeting, which will probably be one of the last chances we will have to deal with this deadline of August 2 to deal with the debt limit—a situation wherein we have maxed out our Nation's credit card. Forty-three cents out of every dollar the Federal Government spends today is borrowed money, making the deficit worse and not better and making the debt worse and not better. This is the chance to kick the habit of out-of-control spending here in Washington.

I appreciate the fact the President has moved from his initial position wherein he advocated for Congress to simply raise the debt limit without putting Washington and Congress on a spending diet. I appreciate the fact he has moved in his position. I read today in the daily newspapers that he is putting a lot of things, including Social Security reform, on the table, together with other entitlements. I hope this represents a change of position, a change of attitude, and the President and our negotiators will seize this opportunity to do the kind of grand bargain that will put America back on to a more solid fiscal path. Every child born in the United States today—while being one of the luckiest people in the world being born in the United States of America, but at the same time being burdened—every child born today will be burdened with \$46,000 for their share of the national debt. That is simply wrong and we all know it.

Unfortunately, there has been a lot of discussion about the White House and some of our Democratic colleagues wanting to raise taxes as part of this grand bargain. Indeed, I think that is the notion behind this sense-of-the-Senate resolution the majority leader

has introduced, which is targeted at millionaires and billionaires. The sense-of-the-Senate resolution the majority leader wants us to vote on says it is the sense of the Senate that any agreement to reduce the budget deficit should require that those earning \$1 million or more per year make a more meaningful contribution to deficit reduction.

Unfortunately, this is not real legislation. This won't change anything. This is a sense of the Senate. This is a resolution, which I think is a missed opportunity to actually deal with the issue rather than pretend as though we are treating it seriously.

When the White House proposes that working families and small businesses, among others, suffer a \$400 billion tax increase over the next 10 years, it strikes me that in one sense this is like a diet where a person says, I am going to give up dessert. I am not going to eat dessert. But then that person binges on the buffet. In other words, it is not real. It is not going to work.

To put this in perspective, the Federal Government is currently borrowing \$4 billion every day this year. So actually raising taxes in this amount—while this only amounts to 10 days of what Washington spends—raising taxes by \$400 billion over 10 years, as we can see, won't make a serious dent in the deficit and the debt, and they are very serious job-killing proposals as well. It strikes me as common sense to say if we want more jobs, we make it easier to create jobs. If we want less jobs, we make it harder to create jobs by raising taxes, by excessive regulation, and other obstacles to job creation. The irony is that I am not confident our friends on the other side who propose tax increases as part of this grand bargain actually want to use that increased revenue to pay down the deficit and the debt. To the contrary, I fear what they want to do is continue spending at the current levels. So it is kind of a shell game, saying we are going to cut \$2 trillion but we are going to raise taxes by \$2 trillion. What does that mean? Unless that \$2 trillion in additional revenue is used to pay down the debt, it means it is a wash and government and Washington continue business as usual. I don't think the American people want us to continue doing business as usual. I think they want us to listen to them and to mend our ways.

Let me give a context for how non-serious some of the proposals are, including out of the President of the United States. All of a sudden he focused last week on this depreciation schedule for corporate jets. Depreciation is a normal part of the Tax Code which says if one uses something in a business, one can basically write it down over time. It won't surprise us to find that if a person did that, if a person did what the President said—eliminate depreciation of corporate jets—it

would generate about \$3 billion in revenue to the Federal Treasury over 10 years—\$3 billion over 10 years. But to get a sense of what a minuscule contribution that would make to solving the problem, consider what our annual deficit is. This is in 1 year. This is what \$1.5 trillion looks like. It has 12 zeroes; a 1, a 5, and 11 zeroes after the 5. That is our annual deficit.

The President says to solve this annual deficit, we need to raise \$3 billion in additional revenue from corporate jet owners. Obviously, it is a drop in the bucket. But it is even worse when we look at the debt. The deficit, of course, is the difference between what the Federal Government brings in and what it spends. Right now it is spending about \$1.5 trillion more each year than it brings in, in revenue. That is the deficit. But the accumulation of those deficits represents the debt. This is how much red ink our Federal Government is spending—or where we find ourselves—and that is \$14 trillion. This is the number the President wants us to raise—\$14 trillion. That is like the max on a credit card. If a person is spending too much money, that person bumps up against the credit card limit. The President, in essence, rather than cutting back on spending and making sure we are paying our bills we already owe, wants to raise it so the Federal Government can spend more money.

As I mentioned, this \$14 trillion in debt boils down to \$46,000 for every man, woman, and child in the country. So when the President gives a press conference—and I can't remember how many times he mentions chartered jets—but he talks about \$3 billion in revenue over 10 years, it is a drop in the bucket when dealing with a 1-year deficit, or a deficit each year, currently of \$1.5 trillion, or a \$14 trillion debt. So the fact is we cannot get there from here, even if we did what the President said. It is not serious. It is not honest. It is not candid in terms of what we need to do to get our country back on a solid fiscal pathway.

So let's talk about Federal tax reform. There has been a lot of discussion about that, where we want to take the Tax Code with all of its multiple provisions and get it on the table and take a look at it to make sure it is, in my view, flatter, fairer, and simpler. But right now, the fact of that according to the Committee on Joint Taxation, 51 percent—that is a majority of American households—paid no income tax in 2009. Zero. Zip. Nada. No income tax was paid by 51 percent of the households in America in 2009. Actually, to show how out of whack things have gotten, 30 percent of American households actually made money from the tax system by way of refundable tax credits, the earned income tax credit, among others. So 51 percent of American households paid no income tax in 2009, but 30 percent actually made

money under the current system. According to the Internal Revenue Service, the top 10 percent of wage earners in America paid 70 percent of total income taxes. The top 5 percent of income earners in America paid nearly 60 percent of income taxes, and the top 1 percent paid 38 percent of income taxes.

So what is the President talking about and what is the majority leader trying to do—what point are they trying to make when they suggest we pass a sense-of-the-Senate resolution saying that millionaires should “make a more meaningful contribution to the deficit reduction effort”? What is their point? Is their point that we ought to raise taxes on people who are already paying taxes? Is their point that we should expand the pool of people who do not pay any income tax or should we perhaps expand the pool of people who actually benefit from cash transfers, payments as a result of a refundable tax credit?

Well, I think it is pretty obvious we need tax reform. I am skeptical that we have time between now and Secretary Geithner's stated deadline of August 2 to do what we need to do and to repair and fix our broken tax system. But I think this helps put in context the frankly cynical suggestion that somehow we could solve the problem if we just go after the fat cats and the corporate jet owners. If we just make the millionaires and billionaires pay more money, it will all be all right. Well, I think the American people are smarter than that. When confronted with the facts, I think they can readily conclude and will readily conclude that the system is broken and needs to be fixed. We do not need a bunch of smoke and mirrors and phony arguments about class warfare. That is not going to solve the problem. We need to solve the problem.

Well, let's look at the President's economic record. I know there have been some press reports about that the President said we are making a comeback. I think he called this summer “the summer of recovery,” if I am not mistaken. But, in fact, we know the President's policies are actually making things worse.

All you need to do is look at the number of people who are unemployed in America. There were 12 million people unemployed on his inauguration day. Now it is almost 14 million. Almost 2 million more Americans are unemployed. Is that making things better? No. It is making things worse. And we know there are a lot of people who are taking minimum-wage jobs and other jobs not up to their full potential because they want to provide for their families, so we call those people underemployed. That would make that number even higher. When the President was inaugurated in January of 2009, the unemployment rate was 7.8 percent. Today, it is 9.1 percent. That is a 17-percent increase. In other words, unem-

ployment is worse today than it was when the President was sworn in.

Gas prices. We all know what has happened to gas prices. They have gone through the roof. People are having to deny themselves other discretionary expenditures because they simply have to have the gasoline to be able to drive to work, drive the kids to school, or take care of their daily business. The fact is, when the President was sworn in, gasoline prices were \$1.85. Well, wouldn't it be great if gas prices were \$1.85 today? Instead, they average \$3.58. That is almost a 100-percent increase in gasoline prices since President Obama put his hand on the Bible and was sworn in as President of the United States. It is a 94-percent increase.

Then we were talking about the Federal debt. The Federal debt when the President was sworn in—some people will tell you: Oh, it is all about President Bush and fighting two wars that were not paid for. It is about the Bush tax cuts and other things. Well, I agree there is bipartisan blame when it comes to our national debt, but we ought to link arms and work together to try to solve the problem rather than continue to make it worse. The Federal debt when President Obama was sworn in was \$10.6 trillion. Today, it is \$14.3 trillion. It is 35 percent worse. The debt has gone up by 35 percent since President Obama was sworn in.

I mentioned this factor earlier. As shown on this chart, this is what every American citizen owes in terms of their share of the national debt. When President Obama was sworn in, it was \$34,000. Today, it is 46,000. So, congratulations, everyone within the sound of my voice owes \$11,000 more to the national debt since President Obama became President of the United States.

Then there is health insurance. We have had a lot of debate about health insurance costs. We were told that if we just passed this giant health care bill, health insurance costs would go down, we would fix problems, and we would make sure more people had access to health care. Well, since President Obama became President, health insurance premiums have gone up by 19 percent—19 percent. Did he make it better or did he make it worse?

Well, we need to unburden the economy from higher taxes, excessive regulation, and all the sorts of obstacles that get in the way of small businesses—the primary job-creating engine in our economy—doing what they do best; that is, growing the economy, creating jobs. If our friends across the aisle want more tax revenue, well, the best way to get more revenue is to get more Americans back to work so they pay taxes rather than remain unemployed, losing their homes because they cannot pay their mortgages. That is how we ought to increase revenue, not by raising rates, not by some of

these silly class-warfare arguments that seem to target unpopular sectors of the economy.

And, yes, we need to increase exports to create more jobs. We can do that by ratifying the outstanding trade agreements without adding unnecessary spending to them.

And, yes, when it comes to energy policy, the high price of gasoline—which has gone up 94 percent since President Obama became President of the United States—we can open more domestic energy reserves, more American natural resources, rather than continue to have to import it from places abroad that are not necessarily our friends or which may be in political turmoil or even war, such as Libya. So if we had a rational national energy policy where the EPA, rather than looking for excuses to deny us access to things such as the natural gas discoveries we have found in Texas and around the country—if we had a way to take advantage of and did, in fact, take advantage of more domestic energy production, it could help us put more Americans back to work and help us reduce our dependency on energy from abroad and help bring down this price to one that does not break the backs of the average working families.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I have a correction. My staff told me I undercounted \$14 trillion. I asked ahead of time, but we actually got the number wrong. The number I have on the chart is actually three zeros too few. So just to make sure the record is correct, that is 12 zeros after the "14." That reflects our national debt. I would like to say I made the mistake and it was actually lower, but it actually is much higher, which I think reinforces my point.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, while the Senator is still here, I recall—Senator CORNYN is a member of the Budget Committee and knowledgeable about these issues—that we have had one budget actually presented to the Senate, and that was the President's budget. It was scored by the Congressional Budget Office, which shows that under the President's budget, the debt of the United States would increase by \$13 trillion in 10 years.

I do not know if the Senator is aware, but I would ask him is he aware of how much additional revenue would come to the government if the President's

proposal on corporate jet taxation were to be imposed, and would that make a difference in the \$13,000 trillion that would be added to the debt in the next 10 years?

Mr. CORNYN. Well, Mr. President, responding to my friend from Alabama, the number, I am advised, is roughly \$3 billion in additional revenue to the Treasury, and that would be over 10 years. But, as you can see, it is a drop in the bucket when it comes to the deficit for 1 year, which is \$1.5 trillion, and the national debt of \$14 trillion.

I apologize, I am not used to dealing with numbers that big, which demonstrates that these numbers really have kind of lost their meaning here. I remember Everett Dirksen being quoted as saying: A million here, a million there, and pretty soon you are talking about real money.

The fact is we are not talking about millions, we are not talking about billions, we are talking about trillions. I think most people's minds have a very difficult time conceiving of how big a number that is.

Mr. SESSIONS. I thank the Senator.

Mr. President, I ask unanimous consent that I be permitted to enter into a colloquy with my Republican colleagues for up to 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. If Senator CORNYN could join us, we would be pleased.

Mr. President, the debt situation we are in today is the most serious our Nation has ever faced. A lot of people do not understand it and do not understand how serious it is. Even after World War II, we had growth. We had the baby boomers just coming of age, we had more young people and fewer older people, and the situation was more positive than it is today, even though we had debt after the war. That is just a fact.

I have tried to look at the creation of a budget that would balance in 10 years, bring us into balance in 10 years. It is hard to do. It absolutely can be done. It takes some real effort, but it can be done. We can do it, and we have to do it. But President Obama, during his years as President, is on track to have four consecutive trillion-dollar deficits—the highest deficit we have had previously was the \$450 billion deficit that President Bush had. We have had \$1.2 trillion and \$1.3 trillion.

This September 30, when the fiscal year ends, it is estimated to be \$1.5 trillion for 2011. We take in \$2.2 trillion, we are spending \$3.7 trillion, and 40 cents of every dollar we spend this year is borrowed. It is an unsustainable course.

President Obama appointed a deficit commission. He appointed Erskine Bowles, a former Chief of Staff of President Clinton, as co-chair. He also chose Alan Simpson, a former Republican Senator. They submitted a state-

ment to the Budget Committee that this country faces the most predictable economic crisis in its history. We have to act, they told us.

They were asked when could this crisis happen. Mr. Bowles said it could happen within 2 years—not for our children and grandchildren; he said 2 years, maybe a little sooner or maybe a little later. Alan Simpson popped up and said he thought it could be 1 year; in other words, some sort of economic crisis like we had in 2007 and 2008 or something that could put our economy in a tailspin. It is that serious. The debt trajectory path we are on is unsustainable.

Tomorrow, I have to say, will mark the 800th day this Senate has not had a budget. We are borrowing 40 cents out of every dollar we spend, and we have gone this long without a budget. There is no plan, apparently, to present one. The chairman of the Budget Committee, on which I am ranking Republican, tells us he has one, and he talked to his colleagues and they have agreed on it. But it remains secret.

The Congressional Budget Act explicitly says we should have a budget by April 15. It says the committee should report a budget resolution on April 1. Well, we have not had a markup. Apparently, there is no plan to have one. We are just going to wait and see if secret negotiations can produce something. That is not acceptable at a time in which the debt is the primary threat to the health, security, and welfare of our Nation, and there is no doubt about it.

Admiral Mullen, Chairman of the Joint Chiefs of Staff, said the greatest threat to our national security is our debt. Secretary of State Hillary Clinton made a very similar statement. They are exactly right. There is no dispute about it.

We have had nothing on the floor of the Senate except a resolution saying we should tax the rich—a sense of the Senate, that has no power, no binding authority, no numbers, not how much we are going to attack the rich.

We are in serious condition. I think the American people, if they understood how little has been done in this body this year on the most important issue facing this country, would be even more dissatisfied with the U.S. Congress than they are—more dissatisfied at least with the Senate. I knew the Senator from Missouri before, who is not new to Congress. He was a Republican whip in the House of Representatives. The House has passed a budget this year—an honest budget that changes the debt trajectory of America in a solid way, and it would put us on a new path for prosperity. Everybody doesn't have to agree with everything in it, but they met their responsibility by April 15.

It is great to be here with Senator BLUNT. We are so pleased to have him



in the Senate. I ask him if he would share his thoughts at this time about this situation.

Mr. BLUNT. I will. I also asked the Senator about his view of this budget situation. The Presiding Officer and I were secretaries of state together some time ago and have known each other a long time. I am glad to have him in the chair as we have this discussion.

I don't think the House, until the last Congress, ever failed to pass a budget. I am not sure the Senate didn't always pass a budget until the last Congress, though there were times when the House and Senate could not agree. But at least each side had a plan.

There is an old adage that when you fail to plan, you plan to fail. It sure looks to me that is the trajectory we are on now. Members are more and more talking about maybe we will have another continuing resolution this year. That will be the appropriations process because we have no plan. Of course, as the Senator pointed out, as a person who knows as much about the budget process as anybody in Washington, we passed the April 1 deadline, then we passed a May 1 date, and then a June 1 date, and now we passed the July 1 date. We are up to that 800th day since the Senate passed a plan or had a plan of any kind. We are waiting for a plan to move forward with the work of just funding the government. Clearly, that is not acceptable.

We see the economy continuing to wait for some signs of certainty from the Federal Government, certainty about where our budget is going to be, certainty about our tax structure, certainty about regulations and utility bills. We are just not seeing that happen. In fact, things are getting progressively worse and worse. Gas prices have almost doubled now in the last 30 months. Unemployment is up 17 percent. In fact, there is no statistic I know of that is better than it was in January of 2009.

Has the Senate, in the past, until the last 3 years—has there ever been a time when the Senate didn't even attempt to have a budget?

Mr. SESSIONS. To my knowledge, at no time since I have been here did the Senate not attempt to pass a budget. In the last 2 years, even when our Democratic colleagues had 60 votes—the largest majority in recent memory in the Senate—they only attempted to bring a budget to the floor once. Last year a budget did go to committee. It was marked up by Senator CONRAD. It came to the floor, but the majority leader decided not to bring it up. This year, it seems that Senator CONRAD was told not to have a markup, not to even produce a budget in committee.

It seems to me to indicate a lack of willingness to lead because—would the Senator not agree?—a budget sets the priorities, demonstrates the vision for

the future of the country and what we should spend, what we should tax, and how much debt we can afford to run up. Those are fundamental responsibilities. How would he evaluate the fact that tomorrow we are 800 days without a budget? What does that say about the leadership we have seen in the Senate?

Mr. BLUNT. It shows we have been 800 days without a budget, and basically 800 days without any structure or process of how we spend the people's money. It has been 800 days since the last time we could come up with an appropriations process, so maybe they will suggest we will modify that a little bit and move forward. But that clearly is not good enough. In that 800 days, as the Senator pointed out, we have gone to where we are—we have added 35 percent in a little over 800 days, in 2½ years, to the Federal deficit.

This is not defending anybody else's effort to make the revenue and the expenditures of the Federal Government balance, but we can't continue to spend more than we have. If we don't have a plan, a blueprint, or if we don't have a budget like families have to have—if we don't have a budget at the very least, and we are managing our money, we write checks until the money runs out, and we can't do much more than that.

We are at a point now that we are spending \$3.7 trillion or \$3.8 trillion and collecting \$2.2 trillion. I am like Senator CORNYN on this topic—by the way, everybody else is too, including the Secretary of the Treasury. Nobody knows how much money this is, but we all know if someone is making \$22,000 a year and spending \$37,000 a year, and they have already borrowed more money than anybody should have ever lent them, they can't continue to do that.

There has to be a point where they say: We are going to have to get real. We are making \$22,000, so we better start spending no more than \$22,000, and that includes paying off the money that we have already borrowed when we were spending \$37,000.

There are so many zeros and numbers that if any of us really understood how much money we are talking about and how long it will take to pay it back, we would all be more scared than we are. Certainly, the people we work for would be more scared than they are because we are doing irresponsible things, and as irresponsible as any of those things is not having a plan.

In all those years the Senator spent on the Budget Committee and his leadership there now, he knows if we don't have a plan—the appropriations process doesn't move forward unless we agree first how much money we are going to spend in that process. So, eventually, we just go back and say: Let's go back to last year and modify slightly the terrible job we did last

year, and let's borrow that much more money again.

That is not acceptable.

Mr. SESSIONS. Before the Senator shares his thoughts about the appropriations process from his extensive experience in the leadership of the Congress, just briefly, I want to make sure the American people and our colleagues know what happened.

I see our newly elected colleague from Wisconsin, Senator RON JOHNSON. He won election, you could say, in an upset—a popular, big victory. He campaigned all over his State and talked about the issues we are talking about today.

As a new Member of the Senate, I would love to hear Senator JOHNSON's comments about where he thinks we are today.

Mr. JOHNSON of Wisconsin. First of all, I thank the Senator for his leadership. He has been talking loudly and clearly about the fact that we should not have recessed this week. I know President Obama tried to claim credit for that. It is because of the Senator's leadership and the members of the Republican conference in the Senate who said: No, we are bankrupting America and we need to stay here and start debating this issue.

Unfortunately, that is not what we have been doing this week. It is sad. One word I have used all the time now that I have come to Washington is "unbelievable." It is simply unbelievable that tomorrow will mark 800 days that we haven't passed a budget.

My background is in business for the last 34 years. I have had to produce budgets on time. I have had people produce budgets for me on time. In business—even a small business—it is inconceivable that if you tell a colleague to make sure to have the budget on your desk by April 15 that it wouldn't be there; 99.9 percent of those accountants and controllers would have a budget on time, on April 15.

We are dealing with the United States of America. We are talking about our financial future, the fate of America. The Democrats in the Senate have failed to meet that obligation for 2 years in a row. That is simply unbelievable, and it is so incredibly irresponsible. Really, I think the Senate has been guilty of willful neglect. The phrase I have used is that the Senate has been "fiddling" while America is going broke. That is sad.

As the Senator pointed out as well, what does the financial future of America rest on? Some secret talks—talks between a few individuals going out behind closed doors far from the view of the American public rather than in an orderly process where a plan is presented that can be viewed by the American public, that can be debated openly the way our Founders envisioned on the floor of this Senate, this historic floor; instead of using the process that

we should have been using, what is going to happen? Are we going to have a result, a negotiated settlement drop in our laps a couple days before this deadline date? Is that what is going to happen? Is that really how the financial fate of America is going to be decided?

I personally find that process disgusting. That is why I stood last Tuesday on the floor of the Senate and said unless we start seriously addressing this problem, the bankrupting of America, in the open, in the bright light of day, I was going to begin to object. I was going to begin to withhold my consent.

I was heartened by the support I got from my Republican colleagues because, let's face it, we understand how urgent the situation is. We understand how dire our financial situation is. We are willing to sit down and work with anybody who will seriously address the fact that we are driving America toward bankruptcy. But we need a willing partner, and up to this point in time I haven't seen one.

The fact that the only plan we have seen is the President's budget, 4.25 inches thick, 2,400 pages long—how many thousands of manhours did that document take to produce? It was so unserious it would have added more than \$12 trillion to our Nation's debt in the next 10 years. It would have continued the bankrupting of America. It would have made us go broke. It was so unserious, it failed in the Senate by a vote of 0-97. Not one Democratic Senator found that bill serious enough to give it a vote. That is the only plan I have seen.

I woke up this morning to a couple of news reports, and there was more detail about what the administration might plan to do fed to reporters than fed to a Member of Congress.

I am sorry to be so blunt about this, but that is a disgusting process. The American people deserve far better. I guess today what I am standing here saying is, I want to see a plan, and I want to see a budget, and I want to see it to give us enough time so we can actually analyze it and debate it and pass the real structural reforms so that we can actually solve this problem. I am calling on the President and I am calling on the Democrats in this Senate to produce that plan so we can have an open debate on it. That is kind of how I am thinking.

Mr. BLUNT. I would like to say to both Senator SESSIONS and Senator JOHNSON, who were primary leaders in this idea that we shouldn't go home, that Republicans shouldn't vote to adjourn, that you were going to object to things that didn't relate to the business we need to do, and, of course, that is right.

As Senator JOHNSON was talking, I was thinking the other deadline, the other April 15 deadline, every Amer-

ican had better comply with that one. It is in the law just like the one that we are supposed to comply with.

What if everybody in America decided they were going to miss their legal deadline as well? OK, we are not going to have a budget, and we are not going to pay our taxes. Of course, they would be in trouble. The Senate is not in trouble, but the country is in trouble because the Senate is not doing its job. Neither the House nor the Senate did their jobs in the last Congress, for the first time ever. So that is how we go now into 3 years of no budget, 3 years since we had a working document that we should have to work with. That is important.

What did we do this week? The disappointment to all three of us is we said we wanted to stay this week and deal with these issues, and what did we deal with? We started out by trying to deal with a Libya resolution that apparently wasn't important enough to deal with last Thursday when we were going to take a week to be working in our States, but we will debate the Libya resolution. Then when people on the Republican side said they thought we ought to be debating the reason we were supposed to stay, we still didn't do that. We have this amendment that I think was supposed to be a sense of the Senate, and is a sense of the Senate that millionaires aren't paying enough taxes.

We all understand the politics of that, just like we understand the politics of no accelerated depreciation for business airplanes. Whenever that was done, it was done to try to create more American jobs quicker by a little more demand. I think how that works is that plane is depreciated in 5 years instead of 7 to encourage people to go ahead and buy a plane and keep people who make planes at work. But what is that \$3 billion over 10 years? We are borrowing \$4 billion today, and we try to have this debate as if it is about \$3 billion over 10 years. We are borrowing \$4 billion today, and we want to have this false debate about who is not paying their share.

We are spending too much money is the problem. The problem is not that we are not taxing enough. We are spending almost 25 percent of the capacity of the country to produce goods and services. Until the beginning of 2009, for 40 years the average was 20.6; \$1 out of \$5 was going to the Federal Government, not \$1 out of \$4.

I was asked by some reporters yesterday: Why is this so different than other times when the debt limit has been increased? You mentioned one of them earlier. One of the differences is we have added 35 percent to the debt in about 30 months—35 percent to the debt in 30 months.

Another one is the Federal Government is suffocating the economy by spending too much money. There is no

money left for people to borrow and take a risk and create a job and create an opportunity for somebody else.

On the millionaire tax, 1 percent of all the taxpayers pay 38 percent of all the taxes now. Maybe we ought to get to where 1 or 2 percent just pay all the taxes. We already have 47 percent of the individuals in the country paying no income tax.

By the way, you value what you pay for. If you don't pay any income tax, you don't care about the income tax as much as if you did. So there aren't as many people out there fighting excessive taxation because they have less of a stake in it. But 1 percent of the people in the country already pay 38 percent of the income taxes, and 10 percent pay 70 percent. Maybe we just ought to let that 10 percent pay 100 percent. I guess that would get all the millionaires and billionaires.

And, oh, I remember the tax. Do you remember the millionaires' tax, but only like 155 people would pay or something? It was the alternative minimum tax; 155 people were going to pay that millionaire tax, and now some huge percentage of all Americans pay it because, eventually, once we start down this path, everybody is impacted by higher tax rates.

The frustration of being here and not doing anything all week—we had one vote to compel the Members who didn't come, to come to the Senate, and another vote was cloture on a bill that doesn't matter. The frustration of your leadership and then that result is pretty incredible to me.

But thanks to both Senators for insisting for weeks before last week that we should stay and have a discussion, a debate, a vote on the things that matter. I am sorry that we didn't have that, particularly based on the intensity on the part of both Senators of insisting that we have that kind of debate this week, and we didn't have it.

Mr. JOHNSON of Wisconsin. I would like to pick up on Senator BLUNT's point about just how unserious this week has been.

Just in comparison to business, about 5 years ago I bought a business out of bankruptcy. I watched those business owners over the course of 2 or 3 years struggle to make a go of that business. You would not believe the number of hours those people, those hard-working Americans put in to save that business. It didn't work. They went into reorganization under the bankruptcy laws. I bought that business out of bankruptcy. I saw how incredibly hard my team worked to make that business survive, and it did survive. These are individuals putting in 16, 17, 18, 20 hours a day to make a product, to build a good life for themselves and their families, to provide employment, jobs.

This is the American spirit. That is the entrepreneurial spirit. That is what

Americans do day in and day out, whether they own a business or whether they contribute their effort: their labor to make their business successful, the one they work for successful. That is what Americans do.

What has this President done? What has this Congress done? What has this Senate done?

In the last 6 months since I have been here, we passed six laws, six bills that have become law. Three of those had to do with the continuing resolutions of last year's business: funding the government for this year. Those were laws that should have been passed 1 year ago, but it was left over for us to do that.

We had two bills to extend the PATRIOT Act. If we take a look at how that was even done, it was last minute, rush-rush, very little time for debate. We couldn't even get amendments in there.

Then, of course, the other one is we kind of cleaned up a little bit a little part of the health care law that dealt with 1099s, which would have been a nightmare. It would have cost billions of dollars to comply with and not brought in any revenue. So we finally got that off the books, thankfully.

The other bills we have debated, we spent 16 weeks debating three bills. The total dollar amount of those bills is \$20 billion. That is about ½ percent of what this Federal Government will spend this year. So we have spent 16 weeks debating ½ percent of our \$3.6-trillion-a-year budget. That, in my mind, is the definition of being not serious.

Of course, we have said it has been 799—tomorrow it will be 800—days since we actually passed a budget. This week we spent 15 hours of debate. We call it a sense-of-the-Senate resolution? It should be called the nonsense of the Senate. That is what has been occurring this week, and it is a tragedy. It is a tragedy.

But, again, that is why I stood up and started to object. I will continue to do that until we actually start getting serious, until we actually see a plan, a budget that we can start debating.

Mr. SESSIONS. Well, let me just note that we had a sense-of-the-Senate resolution on the floor, and we had a cloture vote on it that I think everybody voted to go to the bill. That is what the leader wanted to do. We go to the bill. But it is really nothing because if it passes it has no impact and makes no change whatsoever. It basically says we should tax the rich more.

Well, we can debate these issues, but I will just note that the Organization for Economic Cooperation and Development, OECD, which is an organization for the development of world businesses has concluded that the United States has the most progressive tax system in the world. We always thought the Europeans were more hos-

tile to wealth and more socialistic than we were, but that is their analysis.

As Senator BLUNT said, how much more do we want them to pay? Maybe they should pay more. Let's debate it and let's talk about it. But that is not going to fix our problems.

Senator JOHNSON was a successful businessman, an accountant. I have seen his work. I am so glad he is on the Budget Committee. I guess he and Senator ENZI are the only accountants around here, and we are glad the Senator is here. I have seen his work.

He actually adds up numbers and makes spending charts. He showed me one this morning, trying to figure out a way to change America.

But my first question is—the Senator was a successful businessman and he had never been a politician before, so why did the Senator run?

Mr. JOHNSON of Wisconsin. Well, the reason I ran is because we are bankrupting the Nation. I love America. We love America. When I watch what is happening, and when I saw how broken Washington was, when I saw them pass the health care law, from my standpoint that was the straw that broke the camel's back.

Our first child, my daughter Carey, was born with a very serious congenital heart defect. Dedicated doctors and surgeons saved her life the first day. Then 8 months later, when her heart was the size of a plum, another dedicated surgical team of dedicated professionals totally reconstructed the upper chamber of her heart. Her heart operates backwards now. But she is 28 years old, and she is a nurse herself in a neonatal intensive care unit.

When I heard President Obama say these doctors, that they will take out a set of tonsils for a few extra bucks, I found that outrageous. Then when this Congress and this President signed the health care law, I know the result of that. It is designed to lead to a government takeover of our health care system.

All we have to do is take a look at Canada and Britain. We don't have to theorize what that is going to result in. It will lower the quality of care. It will result in rationing, and the medical innovation to save my daughter's life and millions of others—it really is America where medical miracles are created. I think that innovation is going to come to a grinding halt.

So that is just the quality aspect of the health care bill, but it is going to destroy our budget.

I wrote a piece with Douglas Holtz-Eakin, ex-CBO Director. Rather than \$93 billion a year, when this bill kicks in, as it is designed to do, and a large percentage of Americans lose their health care employer coverage and get dumped into the exchanges, we are talking about a \$½ trillion or maybe \$900 billion.

I see we are running out of time, but that is why I ran, because we are bankrupting America.

The ACTING PRESIDENT pro tempore. The Senators have used 30 minutes.

Mr. SESSIONS. I ask unanimous consent that I be given 1 additional minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I just want to say we have in this colloquy Senator BLUNT, who was the second ranking Republican leader in the House and who has dealt with these issues for many years. We are so glad to have him in the Senate—and Senator JOHNSON, a new Senator, passionate and concerned about the future of America, both of them. I think the American people should be proud of the service they have rendered.

We have to change. I believe we can, and we are going to keep fighting toward that end.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio is recognized.

Mr. BROWN of Ohio. Mr. President, I appreciate the Presiding Officer recognizing me. I kind of switched places with him earlier. I was in the chair and listened to some comments from a number of Senators on the other side of the aisle. I did not come to the floor to talk about this, but I just cannot help myself sometimes.

I heard these comparisons. When they talked about the economy, it all started January 20 of 2009, and they compared that day with today. What they left out of that picture is when Barack Obama became President, this economy was going like this. It was not like: He is President. Now things will get better. The 30 days after he was sworn in on January 20, 2009, we lost 700,000 jobs in this country. The next 30 days we lost somewhere in excess of, I believe, 600,000 jobs.

The point is, what happened for the first several months, almost before President Obama could take a breath, before Congress, the House and Senate, controlled by Democrats then, could actually put a program in place and put policies in place that would respond to this terrible economy bequeathed to them and to us by this sort of Republican economic policy. The Republican economic policy was tax cuts for the rich, two wars not paid for, a giveaway to the drug and insurance industry, a bailout to the drug and insurance industry in the name of Medicare privatization, privatization/deregulation of Wall Street, and tax cuts that went overwhelmingly to the richest Americans. That is what got us into this.

For them to say look at the number of jobs today, look at the number of jobs in January, 2009—they know that is a specious argument. They are disingenuous. They are not especially honest when they make that argument.

The fact is, we have seen in the last 14 months—and I wish it were better. I went to Barberton, OH, this week and was at a plant expansion with 30 jobs. It is not enough, I wish it were 300. It is an Alcoa plant. They are hiring people. They are paying OK wages. I wish they were paying better wages. I wish they could hire more people. But we are seeing progress.

In the last 14 months—they forgot to tell us this—we are seeing job growth every month, including manufacturing job growth, the lifeblood of the economy in my State. We are the third leading manufacturing State, only behind the States of Senator CORNYN and Senator BOXER and Senator FEINSTEIN in the number of manufacturing jobs and their output.

The point is, let's be honest when we have this discussion. We know our policies are not working as fast as we would like. But we know what their policies brought us—21 million private sector jobs created during the 8 years of Bill Clinton; then when they put in the Bush economic policies: tax cuts for the wealthy, twice; two wars, not paying for them; partial privatization of Medicare; deregulation of Wall Street—1 million private sector jobs created in 8 years; 21 million versus 1 million. Tell that story too.

I am not saying we have every answer—we don't—but we are making progress in spite of their saying no to everything we are trying to do.

We have to look at the future. The biggest problem we have in this country is the decline of the middle class and we have to address that. That is why I came to the floor, because even though we are in the midst of this budget debate as everyone is talking about, the focus has to stay on jobs creation. It has to be: How do we create jobs in this country?

One way not to create jobs is what Senator CASEY talked about an hour or so ago, and that would be three new trade agreements that too many people on both sides of the aisle want to foist on the American people.

This morning, the Senate Finance Committee and House Ways and Means Committee were both having what are called mock markups of free-trade deals with three countries: South Korea in Asia, Colombia and Panama in our hemisphere.

The Senate Finance committee is including trade adjustment assistance. The House does not even care to take care of workers who lose their jobs because of these trade agreements. They are expendable. They are a bunch of 50-year-olds who do not have much education and, if they lose their jobs, who cares? That is what they are saying in the House Ways and Means Committee. We will pass this legislation. When people lose their jobs, there is nothing we can do to help them. But there is, and we have had something called trade ad-

justment assistance for 50 years and it has been bipartisan, until this group of radicals who run the House of Representatives decided we don't want trade assistance adjustment anymore.

In the last decade alone, 6 million manufacturing jobs, 55,000 manufacturing plants have been lost.

Multinational companies are too easily setting up companies overseas and exporting products back into the U.S. market. Is there any time in world history where the most compelling business plan for a company is shut down what they do in their home country, move production far away to another country where they have lower wages, fewer regulations, a government that is not exactly free, make those products there, and sell them back to the home country? This business plan that so many American companies follow is move production overseas where they can get cheap labor and weak regulations in a totalitarian government and then sell the products back to the home country. That is a business plan that far too many American companies have, obviously, followed.

Manufacturing now accounts for less than 10 percent of employment in our country. That is partly because of NAFTA, partly because of the CAFTA, partly because of the China permanent normal trade relations. They only accelerate our decline and the country pays for it today. The public has heard promises of job creation from trade deals before—every single time: NAFTA would create this many jobs, CAFTA would create this many jobs, PNTR would mean more prosperity and jobs for Americans.

The Korean deal is more of the same. The International Trade Commission projects the Korean Free Trade Agreement would increase the U.S. trade deficit. The Economic Policy Institute estimates the loss of at least 150,000 jobs from this agreement. The Korea pact has unusually low rules of origin, allowing manufactured goods containing up to 65 percent of components from China or any other country to obtain the benefits of the agreement.

What happens is a company in Seoul, South Korea—after this trade agreement would pass, if it does—would contract with the Chinese; 65 percent of the product would come from China, be sold into South Korea, South Korea puts its value added on it, sends it to the United States duty free, tariff free, even though 65 percent of it was made in China.

Pundits and the editorial boards say agreements such as these are no-brainers. They say trade adjustment assistance is just a payoff to workers for passing more job-killing trade agreements. The Washington Post editorial board—always a creative thinker of the future and wrong in their predictions on war, wrong in their predictions on trade, wrong in their pre-

dictions on labor law, but nonetheless the Washington Post editorial board called TAA a consolation prize.

Once again, they get it wrong. Not many editorial writers in the Washington Post, frankly, have lost their jobs in trade agreements. They don't seem all that interested in people in Steubenville and Lima and Zanesville who actually have lost their jobs because of these trade agreements which the Washington Post editorial board always supports.

We need to focus on retraining workers who are displaced because of past free-trade deals. But even this historically bipartisan program, as I said earlier, is suddenly becoming controversial. It was operated through numerous administrations, supported by Republicans and Democrats alike, and ensures workers who lose their jobs and financial security as a result of globalization have an opportunity to transition to new jobs in emerging sectors of the economy. It helps retrain workers for new opportunities.

In the 2010 fiscal year alone, more than 225,000 workers participated in the TAA program, receiving training for jobs employers are looking to fill. It is common sense. Senator CASEY stood on this floor—he in that row, I in this row—and asked repeatedly for his colleagues to extend this vital job training program. Under the rules of the Senate, one of them stands and objects, time and time again. We did get a 6-week extension, but since mid-February, this part of trade adjustment assistance is simply not available to so many people in New Mexico and in Ohio and in Pennsylvania and across the country.

Senator CASEY and I introduced the TAA bill last week that would extend TAA for 5 years. We paid for it. We know it is no panacea for bad trade agreements. It is not the price workers in my State want to pay while Congress passes more trade deals. We must stand for workers before even considering new trade agreements. We must focus on real job creation. A big part of that is standing against China's unfair currency regime that they have inflicted on this world trade regimen for a number of years.

With our trade deficit, also comes trading partners manipulating their currency to undermine our manufacturers. They have repeatedly found ways to circumvent trade laws to gain an unfair advantage. In 2010, our trade deficit was \$634 billion. That means every single day, 7 days a week, 52 weeks a year—every single day we buy more than \$1.5 billion more in goods than they sell internationally.

With China, our trade deficit was \$273 billion. That means several hundred million dollars every day we purchase from China more than we sell to China, every single day.

President Bush once said that a \$1 billion trade surplus or a \$1 billion

trade deficit translates into 13,000 jobs. Think about that. If we have a trade deficit of \$1 billion, according to President Bush—these are not my numbers—both President Bushes, by and large, supported both of these trade agreements—by and large, we lost 13,000 jobs, mostly manufacturing, in Indiana and Ohio and New Mexico and around the country.

Do the math. If our trade deficit is \$200 billion with China, we know what that means.

Ten years ago, our trade deficit in goods with China was \$68 billion. These geniuses who come up with these trade agreements, supported by the editorial boards, supported by Harvard economists, supported by Presidents, supported by pundits who are in Washington and probably do not get outside of Washington much—we had a \$68 billion trade deficit with China when the most effective corporate lobbyists in the history of the world came to this institution, came to the House and Senate, and sold a majority of House and Senate Members that PNTR with China was a good idea. We had a \$68 billion trade deficit with China then. Now it is \$273 billion. They told us: We are going to sell more goods. We are going to do better with our deals with China when we have this.

In the last couple minutes, I would point out Senator SNOWE and I proposed bipartisan currency reform for the Fair Trade Act to ensure our trade deficit is not further increased when countries such as China manipulate their currency to make their exports less expensive so they can break into our market and keep us out of their market. The legislation passed overwhelmingly in the House last year. Our bill would strengthen countervailing duty laws to consider undervalued currency as an unfair trade subsidy in determining duty rates.

When an Ohio industry such as coated paper in Hamilton, OH, or steel in Lorain or aluminum in Sidney, when they petition the International Trade Commission for relief against unfair subsidies, they can talk about—include in that petition—the charge of currency manipulation. The bill sends a signal to our trading partners we are not going to sit there while countries gain the unfair advantage over Americans workers and businesses. Before pursuing more free-trade agreements, let's focus on enforcement and focus on addressing currency manipulation. Let's level the playing field so we can fight back and stop this terrible hemorrhaging of American manufacturing jobs.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana is recognized.

Mr. COATS. Mr. President, today Congressional leadership on both sides of the aisle is meeting with the Presi-

dent to try to break the current impasse on the debt talks. As the President said in a press conference earlier this week: "Right now, we've got a unique opportunity to do something big." I completely agree with that statement. I am glad and pleased that, finally, after months of concern and months of urging, we are dealing with this impending debt crisis.

Time is running out. The leadership is now meeting. We will be getting reports on what has come from this meeting. I was encouraged by initial reports today indicating the President has agreed to address the issue of entitlement spending as well as defining the amount of spending cuts that are necessary to put together a credible plan that move our country into a better financial position.

I have been discussing the necessity of a comprehensive solution to our problem ever since day one of this session and my return to the Senate, and I've indicated that the current process of spending way beyond our means simply cannot be maintained and sustained and that we have to address it—not after 2012 but we need to address it now. So I am encouraged by the talks that are now going on, and that are beginning to incorporate the elements of a growing consensus, if not almost total consensus, that exists and is necessary for this initiative to be successful, for it to be deemed credible, and for it to avoid the potentially catastrophic consequences of defaulting on our debt and losing our credibility as the place to invest your money for the best safety you can get.

I don't have to go through the math again, but I will just briefly. Spending \$3.7 trillion a year when you are only taking in \$2.2 trillion a year is unsustainable and is driving us toward the cliff of bankruptcy—an inability to pay our debts. A big driver of that and the biggest driver of that debt is clearly the mandatory spending that comes with entitlements.

It is no secret that we have seen the baby boom generation move through the economy from birth now to retirement. The programs that were put in place and the promises that were made in terms of benefits to those beneficiaries are not going to be available if we don't address the pending bankruptcy of these programs. Those who have analyzed this have basically said: Look, you have to do something now to keep these programs from going broke in the future.

So all of those who say, don't touch my Medicare, don't touch my Social Security, don't do anything, they are essentially saying we are willing to ride it out for 2 or 3 more years and then see the whole thing collapse. Then there are those of us who are saying, let's do something sensible and rational now—not taking away any benefits from current beneficiaries, by the way,

but doing something to preserve these programs in the future is absolutely essential. We are trying to save Social Security, we are trying to save Medicare, and we are trying to do the kinds of things that are necessary with our mandatory spending to address the total imbalance in place that is driving these programs into insolvency.

I would hope today that what we hear back from this meeting at the White House is a commitment to go forward with a comprehensive approach including necessary cuts, the elimination of duplications of programs, redundancies, fraud and abuse—things we simply cannot afford anymore—combined with addressing mandatory spending and entitlements in a responsible way, and the mandatory spending, putting the right enforcement mechanisms in place so we don't renege on our commitments, and also incorporating comprehensive tax reform.

For months, the focus has been on cutting spending and tax increases. I think another growing consensus is that without comprehensive tax reform, we are not going to be able to address and solve this problem. I believe the administration has also begun to recognize this and acknowledge that comprehensive tax reform is necessary.

Yesterday, Senator WYDEN and I sent a letter to President Obama and to the congressional leaders who are participating in today's debt ceiling talks urging them to include a timeline for comprehensive tax reform.

The bill Senator WYDEN and former Senator Gregg put together after 2 painstaking years of negotiations—which I have joined now in Senator Gregg's place after he retired from the Senate, after we made some modifications to the original bill—is a bipartisan effort to deal with comprehensive tax reform. We need to go after the 10,000 special breaks and interests and credits and exceptions that exist and take the savings from that to lower rates and make the private sector more competitive, which we know will bring about growth and ultimately jobs for the American people.

The President's Commission on Fiscal Responsibility and Reform found that resolving the Nation's debt crisis demands comprehensive, structural change, including, they said, tax reform. There is no better way to raise revenue and reduce the deficit than by growing the economy and putting Americans back to work. If done right, tax reform will create those good-paying jobs and provide businesses and families with the certainty they need to plan for the future.

Any revenues raised by closing tax loopholes should be part of a comprehensive plan that reduces tax rates for American families and businesses and creates jobs. I want to repeat that. The whole purpose of this is to take those special interests and exemptions

that have been incorporated into the Tax Code over a 15-, 20-year period of time, which now total 10,000 special exemptions, to take a selective portion of that and a significant portion of that and eliminate or reduce those to gain the revenues, allowing us to reduce tax rates on American families and on American businesses so that those businesses can be more competitive and those families will have more discretionary spending.

Our businesses currently rank 35 out of 36 in terms of the highest corporate tax rates imposed—some of the highest in the world. We compete around the world with those countries that are producing the same products, yet their tax rates are significantly lower than ours, and that puts us at a competitive disadvantage. We can make the best products in the world and we can out-sell anybody in the world if we put our companies and our businesses on a level playing field. The whole structure and purpose behind the Wyden-Coats tax reform bill is to do just that—to put us on a competitive basis with our competitors by lowering rates and gaining the revenue to pay for our debt.

We know this won't be easy, and we know it requires Democrats and Republicans to work together to take on the special interests that currently benefit from the broken tax system. We know that right now that seems very difficult and very challenging, but it has been done before. We had tax reform in 1986 that stimulated the economy in ways no stimulus had ever done before. It brought in significant additional revenues to the Treasury and put Americans back to work.

This is a bipartisan bill—a Democrat from Oregon and a Republican from Indiana—have joined forces on this. We want to signal that this is something that can be done aside from political gotchas, aside from political gain for the 2012 election, and something we can work together on that will make a commitment to a substantial portion of the necessary action that needs to be taking place to deal with this pending debt crisis and deficit crisis that has to be resolved by August 2 or close to that. Some say it can't be done in the time that is left. Well, we are in extraordinary times, and I think we have to set aside the conventional thinking and work toward what can and must be done.

To the extent it can't be fully incorporated into the law, at the very least, I believe the package we are ultimately going to be voting on needs a rock-hard, firm commitment and instructions to the tax-writing committees that this must be done and presented to the Congress in this session so we can address it and so we eliminate the uncertainty on whether we are going to go forward. It needs an enforcement backup mechanism so that if Congress

doesn't act in a timely manner, there will be an automatic process in place that presents this to us for a vote.

We have a unique opportunity to do something big, to quote the President again. I commend him for saying that, and I commend him for coming forward and saying we will get off this cut-only, tax-only stalemate by beginning to address this on a comprehensive basis and put in place those elements we all know are necessary to achieve success. It will require the House and the Senate and the White House to cast aside political posturing in the 2012 elections, to transcend the politics, to do what is necessary for the future of America, for the future of Americans, to do what is necessary to get our finances and our economy moving again and to get people back to work. We need to transcend that and do what is right for the future of our country.

I hope we have taken a positive step in that direction today. I look forward to participating, as I know all of us do, in that process and hopefully assuring the American people and assuring the world that America is not at a stalemate, that America can address a challenge—a big challenge—and we can come forward with a sensible solution that puts us on the path to prosperity and guarantees a better future for our children and grandchildren.

I yield the floor, and I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. UDALL of Colorado. Mr. President, I understand we are debating a specific resolution. I ask unanimous consent to speak as in morning business for 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NASA

Mr. UDALL of Colorado. Mr. President, I rise today to recognize NASA's STS-135 mission. As the Presiding Officer knows, at approximately 11:30 a.m. tomorrow, Space Shuttle *Atlantis* is scheduled to lift off from the Kennedy Space Center in Florida with a crew of four on board. The 12-day mission will deliver supplies, logistics, and spare parts to the International Space Station. This will be the final mission of the space shuttle era that began just over 30 years ago.

A Senator from Colorado may not seem like the most likely person to come to the floor today to speak about

the space shuttle, but NASA and space exploration actually have quite a bit to do with Colorado, and it is something I care deeply about.

Colorado has one of the three top aerospace economies in the country, with a hand in every aspect of space—government, commercial and academic, civil and military. We helped develop the space shuttle and many of the missions that flew on it, and we are playing a major role in the development of the shuttle's successors.

NASA has been a source of pride for all Americans from its very beginnings. We have cheered their triumphs and suffered with them during their tragedies. All the while, we have been inspired by their mission of exploration.

The shuttle era is no exception. Ever since the first launch in April of 1981, the names of the space shuttles—the *Columbia*, *Challenger*, *Discovery*, *Atlantis*, and *Endeavour*—have become familiar to even casual observers. This is a testament to the vehicle itself and those behind it.

I would like to acknowledge all of those who have flown on the shuttle, the thousands of unseen heroes at NASA who support them, and the contractors at too many companies to name who make it all possible. Flying the shuttle is a true team effort. Everyone who has been a part of that team should be proud of what they have accomplished.

I see my colleague from Florida across the Chamber, and I know he is also very aware that this has been a team effort across the board.

I know I would be remiss at this point if I didn't mention those who paid the ultimate price for their service. We will never forget the images of the horrible tragedies that befell the shuttle, one occurring merely seconds after leaving the pull of Earth's gravity, the other just minutes away from being home again. We will always remember the crews of the Space Shuttles *Challenger* and *Columbia*.

This milestone in the history of space flight forces us to reflect on what we have learned and where we are going. America is now in the unenviable position of having no U.S.-derived means of sending humans into space, including to vital assets like the International Space Station. For the near future, we will have to rely on our international partners, namely Russia. But that position will change. It must change, I would add. NASA is developing a successor to the shuttle based on important work done during the Constellation Program, and the burgeoning commercial sector is literally changing the way we access space as we speak. These complementary development tracks will build a more robust space exploration enterprise.

As the Presiding Officer knows, I have an interest in climbing mountains, as does he, and I have had the

great good fortune to stand on the top of some of the world's highest mountains. I believe it is in our nature as humans to explore and understand the world around us, to keep stretching to achieve goals just beyond our grasp.

The shuttle has allowed us to reach farther than many ever dreamed possible. But the end of the shuttle era is by no means the end of exploration. At its heart, NASA is not about parts, it is about people. Even after the shuttle assumes its rightful place in history, legions of engineers, scientists, pilots, and other adventurers will carry its mission forward into the next phase of exploration. Keeping that spirit intact will be a fitting tribute to the space shuttle.

I wish the crew of STS-135 a smooth and productive journey and, above all, a safe return.

Before I yield the floor, I wish to add an additional note. In Colorado, of course, we have 54 mountains that are over 14,000 feet. We have countless peaks below that lofty elevation. But among the 100 highest peaks in Colorado, we have Columbia Point, which is named to commemorate the astronauts and the mission that ended tragically. We also have Challenger Point. Both peaks are in the top 100, both peaks are linked by a high ridge, and in the middle of that high ridge is Kit Carson Peak which is a 14,000-foot mountain. I have had the good fortune to stand on the summit of both of those peaks, most recently Columbia Peak in April, and the view is one that is worthy of us as Americans. As we go forward, let's remember the great successes of the shuttle program and build on them as we move forward as Americans exploring the world and exploring the universe.

I know my colleague from Florida shares those sentiments. I don't know that he is on the floor to speak on this particular topic, but I look forward to working with him, given the importance of the space industry and the space mission in the great State of Florida.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore, The Senator from Florida.

Mr. RUBIO. Mr. President, I ask unanimous consent to be recognized for up to 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I thank my colleague, the distinguished Senator from Colorado, as I pick up where he left off on the space program.

Thirty years ago, the United States launched the first space shuttle mission from Kennedy Space Center in Florida.

It marked a new era of American leadership in space and showed, once again, that Americans would continue to be committed to being first in space

and on the cutting edge of scientific progress to improve our lives.

It also showed what free people—committed to discovery, to innovation, to improving the lives of their fellow man—can accomplish.

President Ronald Reagan said it best when he kicked off the space station program in 1984 . . . “We are first; we are the best; and we are so because we're free.”

Over these 30 years, we have been witness to many heroic triumphs in space that have served as a testament to America's unparalleled ingenuity and imagination.

Over time, the shuttle program would make household names out of some. Sally Ride became the first American woman to travel into space. One shuttle alum even serves with us in the Senate today—our colleague, BILL NELSON.

Of course, space exploration has always entailed risk-taking. It has always required putting one's life on the line. And because of this, the space shuttle program's history also gave us moments of great pain as we lost Christa McAuliffe and the *Challenger* crew in 1986, and the *Columbia* crew in 2003.

Each time these tragedies forced us to ask ourselves: Is space exploration worth it?

And thank God, time and time again, America answered with an emphatic: Yes.

Today, on this eve of the final space shuttle launch, we celebrate the shuttle program's remarkable feats, which exhibited many of the qualities that make America exceptional—courage, ingenuity, risk-taking, and an ability to accomplish what once seemed unthinkable.

Space exploration speaks volumes about America—who we are as a people and a nation.

When America was born 235 years ago, surely our Founding Fathers could not fathom that one day our people would fly among the stars. But the truth is, it has always been our destiny.

In the 19th century, it became our manifest destiny to explore and push westward until the American land stretched from sea to shining sea. And once we reached as far west as we could, Americans had no choice but to gaze up to the sky and settle on the stars as our next frontier.

Almost 42 years ago to the day, Neil Armstrong, Buzz Aldrin and Mike Collins made that giant leap for mankind and left their indelible footprints on the Moon's surface and on human history. And on that night in July of 1969, the whole world witnessed the American miracle firsthand.

Even today, that moment serves as a poignant reminder about the limitless capacity that Americans possess in space and every aspect of our lives.

Even as we face a host of domestic and international challenges, America possesses a remarkable capacity to meet them by setting ambitious goals as President Kennedy did in his Moon speech, persevering in the face of setbacks and rising to the occasion to do what history demands of us.

Our space program inspired younger generations of Americans to pursue careers in the aerospace industry and other related fields. Satellite technologies developed and improved by NASA now connect the world in unprecedented ways, support our military's reconnaissance efforts, and facilitate travel through GPS devices.

For others, it got them hooked on math and science, and led them to other fields whose innovations make our lives better every day.

And then there were the lucky few who would actually go on to fly our space shuttles.

For the rest of us who did not pursue careers in science, math and engineering, our journeys into space have meant a lot—in different ways.

For many of us, Kennedy Space Center elicits memories as the place where imaginations are awakened and where dreams have been born.

And it is also where many children think fondly to their visits for field trips or space camps, and, in my case, of the time my parents took me there for my eighth birthday party before we moved to Las Vegas.

But these types of feelings did not just happen in America. The impact of our space program is a global phenomenon.

One needs to look no further than the various foreign currencies in the donation box at Washington's National Air and Space Museum to understand what our space program means not only for Florida and our country but for all of humanity.

This brings me to my other reason for speaking today.

When this final shuttle mission draws to a close, many Americans will be startled by the realization that we don't have an answer to the question: What is next for NASA?

NASA has no answer. President Obama has no answer. And as we transition to the next generation of space exploration, Florida's aerospace workers are left with only questions about their future.

We know that for the next few years, we will have to rely on the Russians to get to space.

Just a few weeks ago, that only cost \$50 million an astronaut. Now the price tag is up to \$63 million per astronaut. We can only imagine it will go higher.

Whereas America once led the way to the Moon, we now face the unacceptable prospect of limited options to simply get a human into orbit.

We know that our commercial space partners are working to fill some of the



gaps in our human spaceflight capabilities. But we need NASA to lead.

And, as I say this, I fully recognize that our Nation faces a debt crisis because politicians in both parties have spent recklessly for many decades. It will require Washington to finally live within its means and for leaders to make tough choices about what our Nation's priorities are. NASA is no exception. It will not be about spending more—it will be about spending wisely.

Tomorrow, Americans will proudly watch as *Atlantis* takes off for its last flight. It will be a poignant opportunity to recall the entire 30-year history of the shuttle program and all that has been achieved in 50 years of NASA's existence.

And it will be another opportunity to thank the thousands of men and women in Florida who have made this program possible and who take such pride in the shuttle and what it has accomplished.

For NASA, just like our Nation, is at its best when it is looking forward, not looking back.

Mr. President, may I inquire of the Chair what my remaining time is?

The ACTING PRESIDENT pro tempore. In postcloture status, the Senator has 53 minutes remaining. So 8 minutes of the 15 minutes is remaining.

Mr. RUBIO. Fifty-three sounded like too much, even for a Senator.

I briefly wish to use the second half of my time to talk about the issue of the day and that is the issue that is being discussed here in town about the debt—an important issue. It is happening at a time when many Americans from all across the country are traveling here on their vacations to show their children and their families how government works—or maybe in the case of this issue, how government does not work—in any event, how our Republic is trying to work its way through this issue, an important one.

I know that a few moments ago there was a meeting at the White House that concluded, and we wait with great anticipation—I see my colleague, the Senator from Illinois, has arrived and perhaps he will update us here on the floor in a few moments. But we are all interested in this issue because it goes well beyond partisanship or party politics; it is about the future of our country.

I think there is growing consensus on some of the outlines of what it will take to solve this issue. I think it will take two things, because I have heard this terminology we use about a balanced approach. It will take two things. First, it will take reductions in spending and it will take cuts, but we cannot simply cut our way out of this process. We must also grow our way out of this process.

My point is there is no way we can simply reduce spending enough to get America out of the predicament it is

facing. We must also grow our economy at the same time. And growing our economy leads us to the No. 1 issue facing our country. For America, for the government, for us here in Washington, the national debt is the No. 1 issue on our minds, and rightfully so. It is a serious issue. But for the rest of our country, the No. 1 issue is joblessness. It is the fact that people are struggling to find a job.

These people did everything that was asked of them. They went to school, got a degree, worked hard, and now they have lost their job and their homes. If they did find a job, maybe they are making half as much and working twice as long. So we have to grow our economy. The logic behind it is very straightforward. If we have more people working, we have more people paying into our tax system. If we have more people paying into our tax system, that is more money available for our government to pay down its debt.

So I want to focus on the growth aspect and what we can do to grow our economy and help job creators create jobs. Don't ask the politicians, ask the job creators. They will tell us there are two things standing in the way of job creation in America. No. 1 is a broken Tax Code that is uncertain, complicated, difficult to navigate and, in many instances, unaffordable for them. No. 2, it is runaway regulations. So any deal that deals with the debt in a serious way has to encompass growth policies that involve, in my mind, both regulatory reform and tax reform. I hope that is what they are working toward—tax reform. Because what we need in America is not more taxes, we need more taxpayers.

The other part of the deal, of course, is going to have to involve some spending reductions. That is why I proudly stood with my colleagues to point out three things we have to clearly do to bring it under control. The first is we have to reduce spending this year. Obviously, we can't solve the budget deficit and debt in 1 year, but we have to begin to address it this year, so meaningful cuts this year.

The second thing we need to do is a spending cap that limits the amount of money this government can spend in the future or the growth in the amount of money the government can spend in the future. Our government should not grow faster than our economy.

Finally, we need some sort of balanced budget amendment.

To top it all off, we have to save Social Security and Medicare. I was encouraged this morning to read that the President is interested in this issue. It is important. It is not about balancing the budget on the backs of anyone. It is about saving Social Security and Medicare so that there will never have to be benefit reductions for current beneficiaries, and so that these programs

exist for me when I retire and for my children when they retire, and so they will never grow insolvent.

With that, I yield the floor, and I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRANKEN. Mr. President, I rise today to talk about our debt crisis, our short-term debt crisis and our long-term debt crisis. I come here today to discuss ways to address them and ways not to address them.

Our most immediate debt crisis is now upon us. In order to maintain the full faith and credit of the U.S. Government, Congress will have to vote to raise the debt ceiling within a matter of weeks. This is something Congress has done as a matter of course many times over the years as our national debt has grown.

Let us be clear about what exactly it means to raise the debt ceiling and why it is necessary. As a nation, we have accumulated \$14.3 trillion in debt. This in and of itself is a very bad and dangerous thing. That means our national debt is currently 93 percent of our gross national product. Again, this is a very bad and dangerous thing. We have been in this situation before. Actually, it has been worse. After World War II, our national debt was at 121.7 percent of our gross national product. We certainly had something to show for it. We had won World War II.

Through the 1940s, 1950s, 1960s, and 1970s, we worked our way to a point where our national debt fell to 32.5 percent of GDP in 1981. We did this through a combination of growth and some inflation. Our debt was in pretty good shape until we hit the 1980s, during which we quadrupled our national debt under Presidents Ronald Reagan and George H.W. Bush.

We have hashed over time and again who is to blame for the situation we find ourselves in. But let me leave that alone for the moment and get back to what it means to raise the debt ceiling. As I said, our debt currently stands at \$14.3 trillion. I think we can agree on this: That number reflects past choices, not current ones.

The debt ceiling also stands at \$14.3 trillion. We have to raise the debt ceiling because we as a nation have certain obligations we must meet. We have to pay for the wars we are currently engaged in. We have obligations to veterans who have served our Nation. We

have obligations to have the dedicated men and women at FEMA who have been responding to the many floods and fires our Nation has been facing.

We have obligations to seniors who have paid into Social Security all their working lives and have a right to expect a check every month of their retirement.

We have obligations under Medicare, not just to seniors, who again have paid in, but to clinics and hospitals and health care providers and to those who supply medicine and medical equipment.

We have contractual obligations of all kinds to many different businesses, whether they are building roads or water towers or providing IT services to the VA or the Park Service or the Senate. I think almost everyone would agree it is good to have guards in our Federal prisons, except maybe the prisoners. The list of obligations goes on and on, and one of our most fundamental obligations is to pay principal and interest to bondholders who have invested in what has been for decades and decades considered the safest investment in the world: the U.S. Treasury bond.

Currently, we simply are not taking in enough revenues to meet all these obligations, so we must borrow more. Of course, we must pay interest on our debt, at an interest rate that is now actually quite low.

The surest way to increase the interest on our debt would be to default on our debt obligations. And make no mistake, that is exactly what will happen if we fail to raise the debt ceiling. Even an increase in interest rates of just 1 percent would add \$1.3 trillion to our interest payments over the next decade. So, as you can see, defaulting on our debt to make a point about the seriousness of our current position would, to say the least, be counterproductive. Yet some of my colleagues are willing to do just that, and that is irresponsible.

As to the notion that bondholders could be paid while other obligations were postponed, Scott Elmendorf, Chair of the Congressional Budget Office, said:

Defaulting on any government obligation is a dangerous gamble.

We are not absolutely certain what exactly will happen if we default, but we have a pretty good idea. We know it would roil the international financial markets, induce rating downgrades of our Treasury notes, create fundamental doubts about the creditworthiness of the United States, and force us to pay higher interest rates to induce people to buy our bonds. It would damage the dollar and the special role of Treasury securities in global markets for decades to come—a dangerous gamble, one we cannot afford to take.

Defaulting on our debt would also be, as David Brooks so aptly put it, a stain

upon our national honor. Are we actually going to become a country that cannot be relied on to pay its debts?

Yet we have Members of the House and Members of this body threatening to vote against raising the debt ceiling unless the President and Democrats in Congress meet their demands on how to address the deficit going forward.

Are my friends suggesting we act like a deadbeat who buys a new car and then, some time down the line, decides: "You know, I just don't feel like making the payments"?

I think these Members are doing an enormous disservice by holding our Nation's economy and, indeed, the entire global economy hostage to their demands. Because the U.S. Treasury bond has been the foundation of the world financial system, it is not an overstatement to say that defaulting on our debt at this fragile point in the global economic recovery could throw us into a worldwide depression.

I am hardly alone in this regard. The U.S. Chamber of Commerce shares my alarm. It is no small secret that the Wall Street backers of the Republican Party are beseeching their allies in Congress to come to their senses.

Yet Republican leaders know there are also those in their party who believe this is their chance. This is their opportunity to exact concessions from the White House and Democrats in Congress precisely because the situation is so fraught with peril. They know the President of the United States cannot play a game of chicken with the full faith and credit of the United States of America. And in a game of chicken, the irrational and irresponsible player holds a distinct strategic advantage over the rational and responsible player.

So we find ourselves in this place at this time.

What are the demands?

Well, Republican leaders here in the Senate are holding the debt ceiling hostage so they can end Medicare as we know it. Democrats are trying to protect Medicare and ensure its solvency, and the Affordable Care Act is already doing that. Not only does the Affordable Care Act provide more benefits to Medicare recipients, it also extends the solvency of Medicare by 7 years. That is the conclusion of the most recent report of the Medicare trustees.

Of course, the first big idea from our friends on the other side of the aisle this Congress was to repeal the Affordable Care Act, and they all voted to do that. So please understand that one of their first votes this Congress would have had the effect of diminishing the solvency of Medicare, shrinking the solvency of Medicare by 7 years.

Not only that, but according to the Congressional Budget Office, the Affordable Care Act will reduce the debt over the next decade by \$210 billion, and over the decade following that by

more than \$1 trillion. So rather than saving money by making our health care system stronger, making our delivery of care more efficient, and keeping our constituents healthy, Republicans voted to repeal the health reform law. So the big Republican contribution to the sustainability of Medicare and our national debt was to vote to shorten Medicare's life expectancy by 7 years and to add well over \$1 trillion to the debt in the next two decades.

There is no doubt that the biggest threat to the sustainability of our long-term debt is the cost of health care. That is why so much of the Affordable Care Act is designed to address the cost of the delivery of medical care.

Let me give you a couple of examples. First, the value index. The value index will direct that health care providers be reimbursed by the value of the care they provide rather than by the volume—the quality of the care rather than the quantity of care. In Minnesota, for instance, we do health care a lot better than most other States. We provide higher quality care at a lower cost than almost any other State. There is room for improvement in Minnesota, of course. As a health care economist told me: In Minnesota, we get an A, but that is because we grade on a curve.

In Texas, they get reimbursed 50 percent more per patient in Medicare than we do in Minnesota and yet we have better outcomes.

Why? Well, we have a different health care culture in Minnesota. We tend to do more coordinated, fully integrated care. We tend to see patients as people who we want to keep healthy and out of the hospital. In Texas, patients are more often viewed as profit centers. There are some excellent, high-value centers of health care in Texas, such as Baylor University. Then, there are some egregiously low-value ones, like some in McAllen, TX. And, by and large, Texas doctors order more procedures than Minnesota doctors so they can bill for more procedures.

But the idea here isn't to pit Minnesota against Texas. The idea is to incentivize low-value States to do health care more like high-value States. Imagine if we could bring down the cost of health care in Texas by one-third. Imagine the savings to Medicare and Medicaid.

One more example. Senator LUGAR and I wrote a provision into the bill called the Diabetes Prevention Program. It is based on a CDC program piloted in Indianapolis and in St. Paul. They took folks that had been diagnosed with "prediabetes" and gave them 16 weeks of nutritional training and 16 weeks of physical exercise at the YMCA, all at a cost of only about \$300 per person.

The number of people with prediabetes who later developed full-

blown type 2 diabetes was reduced by almost 60 percent—60 percent! Caring for chronic disease is the most expensive piece of our health care system in this country. One of the most common chronic illnesses is diabetes. It costs our Nation \$218 billion a year to treat diabetes.

A couple weeks after the Affordable Care Act passed, I brought the Under Secretary of Health and Human Services into my office to meet with diabetes experts from the CDC and with United Health Group, the country's largest insurance company. The goal of the meeting was to get HHS on board to bring the piloted Diabetes Prevention Program up to scale nationwide. The executive from United Health said she would definitely reimburse their policy holders for going through the 16-week program. She said, "You know why? Because for every dollar we spend, we'll save four dollars."

The value index and the Diabetes Prevention Program are but two of the many programs in the Affordable Care Act that have been written into the law. Jonathan Gruber, the MIT professor who helped put together the health reform system in Massachusetts when Mitt Romney was Governor there, has said of the Affordable Care Act, "It's really hard to figure out how to bend the cost curve, but I can't think of a thing to try that they didn't try . . . You couldn't have done better than they are doing."

Since then, in the House, Representative PAUL RYAN and the Republicans in Congress have taken an entirely different approach. Instead of putting in the long, hard hours of consulting with health care providers, health care economists, patient groups, hospitals, rural health groups, and medical researchers to actually try to build on protocols that have been proven to bring down the cost of delivering quality medicine, Representative RYAN decided just to slash the funding of Medicare, give the money left over to seniors, and let them fend for themselves to buy their own health care from insurance companies.

Now, we know there was no functional market for health insurance for folks 65 and over before Medicare and Medicaid started in 1965. It is doubtful that there would be one now. Under the Republican plan, seniors would essentially get a voucher for a significantly lower amount than their Medicare is worth now. Remember that the cost to Medicare for administering its program is less than 2 percent. Insurance companies, on the other hand, spend around 11 percent on administration. The CBO estimates that under the Ryan plan, out-of-pocket cost for health care for each senior will more than double to over \$12,500 a year.

This is not Medicare as we know it. It is not Medicare. So, understand this: the Republican plan to end Medicare

would make huge cuts in Medicare benefits and put insurance companies in charge of seniors' health care. This would double the out-of-pocket costs for seniors and toss aside all the new benefits offered by the Affordable Care Act.

There is no question which vision of Medicare holds more hope for seniors and which takes a scientific, evidence-based, best practices approach to addressing the long-range cost of delivering health care to all Americans.

And yet my colleagues on the other side of the aisle are telling us that they are willing to risk throwing the global economy into depression if Democrats don't act more responsibly on Medicare.

Well, ok. Here is an idea. Allow Medicare to negotiate with the pharmaceutical companies on drugs for Medicare Part D. The VA does it. And guess what. The VA pays an average of 48 percent less than Medicare does for the top 10 most prescribed drugs. Now the pharmaceutical industry tells us they need us to pay the higher price because they need the money for research. But, in fact, they spend more money on advertising and marketing than they do on research.

Almost every other developed country uses its size to negotiate with the pharmaceutical companies. Why does the American taxpayer have to be the chump who pays full price? I say we negotiate with the pharmaceutical companies and bring down the cost to Medicare by as much as \$24 billion a year, or \$240 billion over the next 10 years. That could go straight to paying off the debt. There. I got you a \$240 billion cut to Medicare. Now can we please vote to raise the debt ceiling and avert a worldwide economic catastrophe?

If my friends on the other side are really serious about getting our deficit under control, couldn't we start by getting rid of a measly \$2 billion a year in taxpayer subsidies to oil companies—the companies that are getting record profits because the price of oil is so high? Unfortunately, according to my Republican colleagues, this would be a tax hike.

In order for us to agree to balance the budget, everyone has to pay. Who is in a better position to give? Exxon or a little girl in Minnesota named Evelyn. You see, Evelyn was born with cystic fibrosis. When she was 10, her liver failed, and her own toxins started to poison her. But Medicaid helped her get the care she needed. That is what this is about. Exxon or Evelyn. Frankly, it makes me kind of sad.

So there are some more billions for deficit reduction. Get rid of the subsidies to the five biggest oil companies—\$21 billion over the next 10 years. And you know what? If we are seriously going to address our debt crisis, we have to increase revenues.

Now under the Republican plan, the cuts to end Medicare as we know it and to slash Medicaid all go to pay for tax cuts to the wealthiest Americans. That's right. The Republican plan cuts taxes on the top marginal rates for millionaires and billionaires from 35 percent to 25 percent.

Now my Republican friends like to say that tax cuts always produce revenue increases. Besides the fact that that is simply not true, it also contradicts the other argument Republicans use for not raising taxes. Raising taxes, Republicans often argue, would just give the government more money to spend. According to that oft-repeated Republican argument, cutting taxes will lower revenue and "starve the beast."

Here is President Ronald Reagan making this exact point in 1981:

There were always those who told us that taxes couldn't be cut until spending was reduced. Well, you know, we can lecture our children about extravagance until we run out of voice and breath. Or we can cure their extravagance by simply reducing their allowance.

In other words, cutting taxes cuts revenues and forces the children, in this case, the government, to cut spending.

So, at the heart of my friends' argument on why we must cut taxes are two completely contradictory, mutually exclusive arguments. On the one hand, according to my friends, lowering taxes always increases revenues and therefore brings down the deficit. On the other hand, they argue, lowering taxes decreases revenues. Which is it? Because you can't have it both ways.

I will try to provide some context for my friends. After President Reagan cut taxes in 1981, we immediately started amassing enormous deficits. They were so bad that President Reagan felt compelled to raise taxes in 1982 and then again in 1983. In fact, President Ronald Reagan, the supply-side icon, raised taxes 11 times. If President Reagan did that today, the Tea Party and, in fact, the entire Republican Party would run him out of town on a rail.

But, you see, President Reagan knew that to raise revenue, you have to either raise marginal tax rates, or get rid of tax loopholes for the wealthy and for big corporations. Which is what he did repeatedly.

Even so, our national debt nearly tripled during the Reagan Presidency. The national debt continued to grow rapidly during the George H. W. Bush administration. In fact, in 1993, he handed President Bill Clinton what at that point was the largest deficit in history.

So what did President Clinton do? Well, in his 1993 deficit reduction package, he added two new marginal tax rates at the top end—36 percent for those making over \$180,000 and 39.6 percent for those making over \$250,000.

Every Republican voted against the package. They said that raising the top marginal tax rate would cause a recession. Former Speaker Newt Gingrich said:

I believe this will lead to a recession next year. This is the Democrat machine's recession, and each one of them will be held personally accountable.

Senator Phil Gramm of Texas said:

The Clinton plan is a one-way ticket to recession. This plan does not reduce the deficit. But it raises taxes and it puts people out of work.

Representative John Kasich, then ranking member of the House Budget Committee, said:

This plan will not work. If it was to work, I'd have to become a Democrat.

Well, it worked. Not only did we have an unprecedented expansion of our economy for 8 years, creating more than 22 million new net jobs, but we balanced the budget and Bill Clinton handed George W. Bush a record surplus. I call that "working."

Now President Clinton, and especially the Democrats in Congress, paid a political price for the 1993 deficit reduction package. The Democrats went down to defeat in 1994, losing control of the House for the first time in 40 years. You could say that Democrats took a shellacking.

Nevertheless, between 1993 and 2001 the Nation created an unprecedented number of jobs benefiting every quartile of our economy, decreasing the number of Americans in poverty, increasing median income, and creating more millionaires than ever—to which my colleagues on the other side of the aisle might say, "Sure, it worked in practice. But does it work in theory?"

President Clinton's deficit reduction plan not only reduced the deficit as planned, it eliminated it entirely and gave incoming President George W. Bush a record surplus. In fact, when President Bush took office, we were on track to completely pay off our national debt with \$5 trillion of surpluses projected over the next 10 years. In other words, we would have zeroed out our national debt this year.

Five days after President Bush took office—again, after President Bush took office—Alan Greenspan testified to the Senate Budget Committee that we were in danger of paying off the national debt too quickly and entering uncharted territory in which the Federal Government would have too much money. The Federal Government, Greenspan warned, would have to put its excess money into private equities, thereby distorting and decreasing the efficiency of our markets.

President Bush told the country that a surplus meant that Americans were paying too much in taxes. This was our money, he told us, and so we all deserved a tax cut. Then after the economy went into recession, Bush told us that what we needed was another tax

cut to stimulate the economy. So, in other words, "when the economy is going strong, tax cuts are in order." And "when the economy is weak, tax cuts are in order." Combine those with the aforementioned contradictory "tax cuts reduce revenues forcing government to spend less of our money" and "tax cuts always increase revenues" and you have an exquisitely incomprehensible economic theory.

But that exquisitely incomprehensible theory needed just one more element to make it downright dangerous. And that element would be provided by Vice President Richard Cheney.

By late 2002, the surplus President George W. Bush had inherited from Bill Clinton was turning once again into huge deficits. According to then-Treasury Secretary Paul O'Neill, he tried to warn Vice President Cheney that budget deficits were growing at an alarming rate, posing a threat to the economy. Vice President Cheney cut O'Neill off, saying, "You know, Paul, Reagan proved deficits don't matter."

By the end of his Presidency, George W. Bush left President Obama a budget deficit projected at \$1.2 trillion for fiscal year 2009. Meanwhile, President Bush had doubled our national debt.

What was to blame? Could it have had anything to do with the fact that for the first time in history we cut taxes while we were at war?

Well, not according to the Republican leader. In July of last year Senator MCCONNELL said: "There's no evidence whatsoever that the Bush tax cuts actually diminished revenue."

But adjusting for inflation, since the Bush tax cuts were enacted, revenues have fallen 17 percent. And that is not even taking into account growth in our population, which was 9 percent over this period. When you add the effect of population growth, revenues declined by about 24 percent per capita. I think this clearly constitutes evidence that the Bush tax cuts actually diminished revenue.

So it should be no surprise that reduced revenues are responsible for a lot of our deficit, as you can see here. This chart by the Center on Budget and Policy Priorities is based on CBO data and shows that the Bush tax cuts were responsible for 25 percent of the deficit in 2010. And that is only going to grow. By 2019, the tax cuts will account for almost 60 percent of our deficit.

And the fact is that not only did the national debt double during the Bush administration, we also had a dismal record of job creation. And during the Bush years, for the first time since we started keeping records, median income fell in America. And more Americans fell into poverty. One in five children in America now lives in poverty. It is even higher in rural America.

There is one group that did very well during the Bush years, and continues to do very well: The extremely wealthy.

We now have in this country the greatest disparity in income and wealth that we have had since the 1920s.

So the one thing that there is no evidence whatsoever of is that cutting taxes on the wealthiest Americans can create jobs and keep the deficit under control.

So why would we do it, when the evidence is so stark that the Bush tax cuts coincided with a huge spike in both the debt and unemployment?

Why not look back on what has worked in the past and learn from it?

As I said earlier, after World War II our debt as a percentage of GDP was, in fact, significantly larger than it is today. But what did we do? Well, we passed the G.I. bill so that our troops returning from the war could go to college.

Truman started the Marshall plan to help Europe get on its feet.

And it is not as if we had smooth sailing as far as Defense spending. We went to war in Korea, losing nearly 35,000 Americans. After that war ended, we found ourselves in an extended Cold War. We built the largest infrastructure project in our history, the Interstate Highway System—it added enormously to our economic development, because now we could transport our goods around the country so much more efficiently.

When the Soviets launched Sputnik into space, we jump-started our space program and our investment in science and math education. My brother and I were Sputnik kids. He was 11 and I was 6 when it was launched. My parents took us into our living room in Minnesota and told us that we had to study math and science in order to beat the Soviets. I thought that was a big burden to place on an 11-year-old and a 6-year-old. But we were obedient sons, and so we studied math and science. And wouldn't you know it, my parents were right. We beat the Soviets.

The space program created all kinds of dividends in technology and to our economic development. I watched a Senate debate last fall in which the Republican candidate said that government had never created a job. The debate, of course, was broadcast by satellite.

I think you get the idea. The fact is the investments we made in the 1940s, 1950s, 1960s, and 1970s in science and technology, in our State universities, in infrastructure that was the envy of the world brought our debt as a percentage of GDP from 121 percent in 1945 to 33 percent in 1980.

Erskine Bowles is right. We can't get out of our current debt crisis with growth alone. But I will tell you most certainly that we will not get out of it without growth.

And so we have to choose wisely in what we invest in, in when we invest, and in how we invest; and in what we

cut, and when we cut, and how we cut—which we must do—and in how we increase revenues, when we increase revenues, and from whom we get those revenues.

Why not invest in retrofitting our buildings when we have so many in the building trades out of work, sitting on the sidelines, and knowing that we can recoup that investment in energy savings within 3 to 5 years? Let's find creative ways of financing that, such as PACE financing, which lets families get a loan from their local government and pay it back on their property taxes. This is how cities pay for streetlights and sidewalks. It adds value to homes; and when the family moves, the loan stays with the property. We should also create incentives for banks to lend to small businesses for retrofitting commercial buildings.

There is a company in Minnesota called McQuay that makes heating and air conditioning systems for commercial buildings. They are actually supplying the system for the new World Trade Center, and their systems are so energy efficient that they pay for themselves in 3 to 5 years through energy savings.

They have been taking out loans from banks since they are a large creditworthy company, but then they give out loans to customers who install their systems. It is a win-win, because they are selling more units and putting people back to work, and their customers are actually making money in the long run through energy savings. McQuay has a good model, and we should be figuring out how to encourage others to do the same thing.

Why not cut our Defense spending when \$100 billion in cuts have been identified by our service chiefs at Secretary Gates' request, and when cost overruns on our weapons systems are absurdly high? The GAO recently revealed that when you add up the growth in costs of major Defense weapons systems over their original estimates, the total is over \$402 billion.

Why not raise revenue by increasing taxes on the wealthiest in this Nation—those who have benefited the most from the economy in recent years—especially when we can look to the recent past and see that their tax cuts created virtually no jobs and contributed mightily to our deficit?

Only when the middle class is strong does our economy grow, because the middle class has always been the part of our society that creates demand. There are just not enough rich people to buy enough stuff. The middle class spends its money. But today, companies are sitting on trillions of dollars because there is just not enough demand. And that is because there is a lot of unemployment and because wages for the middle class have gone down over the last decade.

Creating a middle class is not an end unto itself. A strong middle class leads

to strong consumer spending, and therefore to a strong economy and to national prosperity. The middle class is also where you get entrepreneurs and small businesses—it is the engine of our economy.

Why not invest in early childhood education when we know that the return on quality early childhood education is up to \$16 for every \$1 spent? We know that children who have had quality early childhood education are less likely to need special education, less likely to repeat grades, they have better health outcomes, and that the girls are less likely to get pregnant as teenagers. We know children who have quality early childhood education are more likely to graduate from high school, more likely to go to college, more likely to get a good job and pay taxes, and much less likely to go to prison.

My friends on the other side say that we must cut the deficit for our children's sake, and I agree. But why then are such a disproportionate amount of the cuts aimed at programs that help kids? As I said, one of every five children in America lives in poverty, and even more in rural areas.

But the Republicans want to cut Head Start and Early Head Start. We currently serve about 40 percent of children who qualify for Head Start and less than 4 percent of children who qualify for Early Head Start. Do we really want to cut that? Do we really want to cut Pell grants? The Republican budget slashes Medicaid. About 50 percent of the recipients of Medicaid are children. We know we are going to have to make shared sacrifices to get the budget under control, but do we really think that sick kids should make those sacrifices?

You know, immediately after this last election, Republican leadership said that their No. 1 priority was seeing to it that Barack Obama is a one-term President. They didn't say their No. 1 priority was getting Americans back to work, or educating our kids, or even balancing the budget.

Their No. 1 priority was winning the next election. But I don't think that is what Americans want. The American people want us to get to work to solve problems, to improve their lives. We don't have to agree on how to do that but they sent us here to work together. If the time between elections just becomes about jockeying for the next election, then what in the world is the point of getting elected in the first place? I thought we were here to work together constructively in the interest of the American people.

Now the Senate Republican leader is saying that raising any new revenues is off the table; that he will not vote to raise the debt ceiling if part of our compromise on the budget going forward involves any tax increase on anyone, no matter how wealthy they are, no matter what their income.

I ask all my colleagues, for the good of the country, to step back from the brink, to step back from brinkmanship on this debt ceiling. Let's not panic. We are going to be on this planet for a while. Let's have some confidence in ourselves to do this in a smart thoughtful way so that our children will say, "Well, they might not have been the Greatest Generation, but they were a Pretty Good Generation."

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. I ask unanimous consent that Senator KIRK and I speak in succession for up to 15 minutes and that the Democratic side then have two speakers.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Illinois.

AHMED ABDULKADIR WARSAME

Mr. KIRK. Mr. President, we have just learned that Ahmed Abdulkadir Warsame was arrested by the U.S. military in April. This news has just come to us, learning that this man who fought for no country and wore no uniform and under an international law is considered an enemy combatant and therefore not a prisoner of war or an American civilian criminal, has been taken to a U.S. criminal court to be granted full U.S. constitutional rights in a prosecution in the civilian courts of the United States, located in the Southern District of New York.

This man was taken outside American territory for attacks outside U.S. jurisdiction for acts against non-U.S. citizens. Yet he has been charged with a U.S. civilian crime and has been given the full rights of an American citizen or a nationalized individual. I think we have made a grievous mistake.

We have made a significant change just this week. We have violated the principles set forth by President Lincoln and President Roosevelt, who well used military commissions to handle enemy combatants and not providing them full U.S. constitutional rights for actions taken outside the United States against non-U.S. citizens in the war on terror.

I am very worried this foreign terrorist, who was taken abroad for attacks committed abroad, is now going to have the full constitutional right to confront his accuser and have all information used in his trial exposed. This means that, under the new policy, the United States may be forced to reveal intelligence information critical in the war on terror, especially against al Qaida, al Qaida in the Arabian Peninsula, and Al-Shabaab, when otherwise a

military commission could have kept that information confidential, leading to further success by the United States.

We should ask at what cost this prosecution will come. The previous proposal by the President, which he backed away from, was to bring the author of the 9/11 attack, Khalid Shaikh Mohammed, to central New York, at a cost of an estimated \$75 million to protect the court, the judge, the prosecutor, the jury, and their families. The President backed away from that Khalid Shaikh Mohammed decision, but apparently he has now made that decision again with regard to Ahmed Abdulkadir Warsame.

My question is this: What threat is now being posed to the people of New York? What threat is being posed to the Federal judge? What will the prosecutor fear for the rest of his or her life in participating in this unnecessary civilian prosecution—and especially for the jurors and their families who now will be subject to scrutiny throughout the jihadist world by al Qaida in the Arabian Peninsula and Al-Shabaab. Why is this unnecessary threat now going to be posed to these Americans?

That is why 39 Republicans and Democrats joined me in a letter to Attorney General Eric Holder, saying this decision was a mistake and should not be repeated; that we have now created undue attention to the people of New York by al Qaida in the Arabian Peninsula, al Qaida itself, and Al-Shabaab.

Remember, following our successful attack against bin Laden, we now estimate that al Qaida in the Arabian Peninsula and Al-Shabaab are the most dangerous and heavily armed subsidiaries of al Qaida. Al-Shabaab alone has over 8,000 men under training and, as one intelligence expert said, some of them at the level of training equivalent to the U.S. Army Rangers.

How are we going to protect the judge in this case for the rest of his or her life? How are we going to protect the prosecutor for the rest of his or her life? How are we going to protect the jury and their families for the rest of their lives because of this mistake made by the Attorney General of the United States?

At what cost will this prosecution come? Will it be paid by the city of New York, already heavily strained in finances, a New York State famously short of funds, or the Federal Government, which is also short of money?

What happens if Ahmed Abdulkadir Warsame is found innocent? We already know many released terrorists have already returned to jihad, as he proudly indicates he surely will.

In the wake of the debate on deficits and debt on a famous criminal trial in New York, we may have overlooked a fundamental decision, a mistake made by the Attorney General of the United States. The 9/11 Commission taught us

a critical lesson, that terrorism is not a law enforcement problem; it is an intelligence and military problem. Well-established principles under Roosevelt, Lincoln, Bush, and, yes, President Obama, using military commissions, should be used instead of subjecting the American people to the increased threats, the increased costs, and the terrible precedent we have just set in giving an international terrorist, for acts committed overseas against foreigners, full constitutional rights. I think it is a decision we will regret. Many of us may quote the 9/11 Commission report in its clear findings in highlighting the error that was made.

I yield to the gentleman from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise again to urge all of us, Democrats and Republicans, to come together and put serious deficit reduction proposals on the floor for full debate, an open amendment process, a constructive debate and votes and action. That is the way we can move forward and resolve this greatest threat we face as a country, out-of-control Washington spending and debt.

We are making a little bit of progress in that regard. After months and months of the distinguished majority leader putting every other issue under the Sun on the floor but spending and debt, we finally forced this central issue to come and be debated.

Last week, many of us banded together, conservatives who were pushing for this debate, and said: Enough is enough. We should cancel the July 4 recess, we should block it so we stay and debate the central issue. That is what we did, and we successfully did that. Unfortunately, the majority leader then proposed that we stay here—yes, because we had blocked the recess—but did not put the central issue on the floor and moved yet another topic. We said: No; we are staying to get to this debate, this important issue, the greatest challenge we face right now as a country, and we successfully defeated his move to another topic.

Finally, with this little bit of progress, we are on the floor at least talking about the right issue. But we don't yet have a strong, meaningful, underlying proposal to act on. We have a sense-of-the-Senate resolution. That is a good basis for debate, I suppose. But, of course, we need more than that. We need serious proposals to debate and amend and vote on and act on. That is the important next step.

When I made these remarks yesterday, the distinguished Senator from New York, Senator SCHUMER, was in the Chamber and suggested that Republicans, including myself, had not gotten behind a serious, credible proposal. Specifically, he said: Wait a minute. The Ryan budget, which you

voted for, doesn't reduce the deficit at all. I said at the time that is incorrect, but I didn't have the numbers in front of me. In fact, I looked it up, and the Ryan budget does significantly reduce the deficit from \$1.4 trillion this year to \$391 billion at the end of 10 years. That is a major reduction.

As I said to the Senator from New York at the time, my preference even ahead of that is the Toomey budget, which we produced on the Republican side in the Senate. That reduces the deficit from \$1.4 trillion right now to zero over 10 years. It balances the budget over 10 years—obviously, major progress.

Again, going back to the Ryan budget, which Senator SCHUMER brought up, it contains \$6.2 trillion in spending reductions compared to spending in President Obama's budget. It adds total deficits that are \$4.4 trillion lower than that in the President's budget. It brings total Federal spending to below 20 percent of the economy. The President's budget is always above 23 percent in that figure. So it puts us on a path to balance. Again, the Toomey budget, my first choice, actually achieves that balance within the 10-year budget window.

In contrast to that, I have to say it is very unsettling that the distinguished majority leader and the majority in this Chamber have not even tried to meet our mandated budget responsibilities. Section 300 of the Congressional Budget Act of 1974, which is the Federal law that controls the budget process, says that by April 15 of every year, a budget resolution is supposed to be passed. We are 83 days and counting past that deadline and no serious attempt to even try to meet that legal mandate has been made by the majority or by the distinguished majority leader. We have had a few budget votes, three Republican budget proposals, and President Obama's budget. The Obama budget got zero votes on the Senate floor. The majority, the majority leader produced no budget proposal. The Finance Committee, led by the majority, produced no budget proposal, not even trying to meet our responsibility, an actual legal mandate under the law.

Through the Chair, I would ask Senator SCHUMER: Where is your proposal? Where is your attempt? Yes, we have put forth specific proposals that dramatically cut the deficit. When is the majority going to even try? Again, 83 days and counting this year past that deadline. Of course, last year this body, under the same leadership, produced no budget. So we are 448 days and counting in total under the Budget Act. In that time, by the way, our debt has increased \$3.2 trillion.

That is why we need serious proposals on this Senate floor to debate, to amend if necessary, to vote on, to act on. At least we are to the topic, but we need serious proposals before us to act on.



Again, I urge all of my colleagues to embrace a three-tier approach, cut and cap and balance: passing a budget resolution which we are mandated to do that includes immediate meaningful real cuts—that is cut; cap, structural budget reform to cap spending in every major category of the budget to ensure we stay on that path to a balanced budget; and balance, a requirement in the U.S. Constitution that we have a balanced Federal budget through the balanced budget amendment to the Constitution. I support that. All Republicans in this body have coauthored that. That is the third crucial tier of this three-tier approach: cut, cap, and balance.

I hope we get to consideration of those and other important proposals. I hope we not only have a debate around a sense-of-the-Senate resolution, I hope we have real meaningful proposals on the floor, an open amendment process, an open debate and votes and action on this most critical issue. I have endorsed specific proposals. I mentioned two of them. They dramatically reduce the deficit. I have coauthored the balanced budget constitutional amendment that enforces discipline, the straitjacket we need. I support the cap concept for the medium term to get us on that path. But we need to act on that on the floor in a bipartisan way. I urge that as the next necessary step.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, first I thank my good friend and colleague from Minnesota, Senator FRANKEN, for leading this debate here today, the subject of course being the potential of default by the U.S. Government, a subject many of us thought we would never have to discuss. I hope people who did not get a chance to see his speech—I am sorry, I had hoped to be here but we had the final vote on the free trade agreements in the Finance Committee, but I hope people will look at the speech. It is a very erudite, thoughtful, and compelling document. It is on a subject that deserves that kind of attention, which is the danger of default. In our entire history we have never defaulted on our debt. America has always kept its promises. But some of my colleagues on the other side of the aisle are threatening to make us the first generation of Americans that does not pay its debts, that does not keep its promise. Earlier this week the President said we should reach a deal within 2 weeks in order to avoid roiling the financial markets. We

Democrats are working in good faith. We are committed to making sure our Nation does not fail in meeting its obligations. My colleagues and I on this side of the aisle are working diligently to find spending cuts, many of which come from programs we strongly believe help this country, in order to come to a final agreement. We are also identifying tax loopholes to close.

But I must ask, what exactly are my Republican colleagues doing? They are stalling, they are demagoging. They walked out on bipartisan budget negotiations and are continuing to insist that we cannot raise a single dollar in revenue, no matter how wasteful the tax breaks or how generous the subsidy. The shocking truth is that our Republican colleagues seem to be willing to tank the economy simply to help out the very most privileged, who are already doing well.

Let's face it, middle-class people, poor people, depend on government programs. But if you are wealthy you do not need government spending. You don't need help to send your kid to college. You don't need to go to a clinic to have your teeth looked at in case they are falling apart and you cannot afford high-priced, fancy dentists. But if you are wealthy, how do you get breaks? You look into the Tax Code and lobby Congress, whether you are a corporation or individual, to get those breaks. That is how the high-end folks benefit, in terms of this government.

To say all those are off limits is not class warfare, it is a simple fact of life. It is a fact of life that the well-to-do, whether they be corporate or individuals, benefit from tax expenditures, whereas middle-class and poorer people benefit from spending expenditures. Yet our Republican colleagues say one whole side is off limits. That is putting politics over the economy.

In fact, these actions seem to indicate they might be deliberately tanking, or want to deliberately tank, the economy to harm the President's reelection chances. That is a tough thought. I shudder to believe it. But when you look at the evidence, it leads in that direction.

These are not actions of leaders. Forcing the United States into default to score political points is playing with fire. You risk undermining the future credit of the United States and do enough damage to the global economy that it could cause another financial crisis not unlike the one we saw in 2008 from which we still have not recovered, all to score political points, all to help those, the one segment of society which, God bless them, has done very well in the last decade.

I also want to talk today about a subject that is often ignored in debates over the debt ceiling. These debates can seem very abstract and the potential consequences very remote. That is why my colleague from Minnesota de-

cidated to lead a debate in this regard. In fact, the consequences would affect every American who wants to take out a mortgage; every parent who needs to take out student loans to send their kids to college; every American with a credit card. It would even affect the price of gasoline and the price of food. The impact of a default will not just be felt on Wall Street or in the mythical world of bond markets, but in every town, every household in the Nation.

The consequences will not be short lived. The repercussions of a default will stay with us for years or even decades. J.P. Morgan estimates that even a technical default, the failure to pay interest on our debt for a few days, would result in the cost of U.S. treasuries increasing by 50 basis points.

What does that mean to the average household? Most households do not speak in terms of basis points. Mortgage rates are often set at 150 points above U.S. Treasury. That means 1.5 percent above U.S. treasuries. If the rate on treasuries goes up 50 basis points, it goes up another half percent. So the cost of a mortgage for a family with a 30-year fixed rate mortgage worth \$172,000, just that alone, that little few days where the United States does not pay its debt, costs \$19,000 to that family.

The cost of interest on a credit card would also increase. A family carrying a modest balance, \$3,300, would pay an estimated \$250 more in interest every year.

In total, a default or even a near default could end up costing American households \$10 billion in increased borrowing costs every year.

The same J.P. Morgan study tells us that a 50-percent increase in the cost of U.S. treasuries will decrease our GDP by 1 percent. Leading economists estimate a 1-percent contraction in the GDP would result in 640,000 jobs lost. These are jobs we cannot afford to lose.

In addition, the stock market would also go down significantly, costing all Americans who are investing for their retirement or saving to send a child to college. The typical American would lose \$8,000 to \$12,000 in his or her retirement account.

J.P. Morgan also estimates that the value of the dollar would decline 5 percent to 10 percent as a result of a default.

There are significant consequences for the future of the dollar if this happens. We should all be asking ourselves, what happens if the dollar ceases to be the global reserve currency? But even if my colleagues across the aisle do not want to consider that, they should certainly think about the impact of a depreciated dollar on their constituents. Higher borrowing costs to the government would also increase the deficit, exactly the opposite of what we are trying to do.



So when they cavalierly say “let’s default because we have a huge deficit,” it is actually an internal contradiction. The defaulting will make the deficit worse. According to a J.P. Morgan analysis, the deficit would increase by \$10 billion a year in the short term, \$75 billion in the long term.

The worst part is this: All of these costs would be self-inflicted wounds. We are fully capable of paying our debt, as we always have. But some are threatening to intentionally default. To borrow a phrase from the President’s economic adviser, Austan Goolsbee, “This would be the first default in history caused entirely by insanity.”

Let me say this. Every American family has debt, just about. Most of us have mortgages. Let’s say we have a mortgage on our house, we have a house and we are living in it. If all of a sudden we say to our bank I am not going to pay my mortgage unless you do A, B, and C—you have already signed to pay that mortgage—what happens? You are not living up to an agreement you made. Your house is foreclosed upon and you lose it.

The analogy is the same here. For the U.S. Government to default on purpose would be cutting off our nose to spite our face, and hurt the citizens of this country.

I say to my Republican colleague, how do you plan to explain this to your constituents? Do you think they will believe the political games are worth the increased costs? I sincerely doubt it. I want to say to my Republican colleagues, because so many of you have trifled with the idea of not paying our debts, if, God forbid, it happens—I hope it doesn’t, for the good of the country, but if it does, you will bear the blame. Not a single Democrat I am aware of has said we want to default. Many Republicans have said they want to default. So you do not have to be Albert Einstein or a Ph.D. in biophysics to know who is risking default, who is trifling with default, and who would cause default if, God forbid, we cannot come to an agreement.

Many on our side have said we are willing, if it comes to it, to raise the debt ceiling if we cannot come to an agreement because the consequences are so horrible. Not the other side—no. They are leveraging the default as a means to assert their beliefs, sincerely held. That is so wrong. But the good news is that the American people, and certainly the people who are following this issue, realize that. As we get closer and closer to the day of August 2 they will know who is willing to risk default to achieve political goals. They will know it is not the people from our side of the aisle. They will know it is the people from the other side of the aisle, and that will make problems Newt Gingrich faced in 1995—I believe it was when he shut down the govern-

ment—look like child’s play. I would urge my colleagues on the other side of the aisle to rethink their position. The time has come for a little soul searching on the other side of the aisle. You must decide if you are willing to create another economic crisis to mollify an extreme wing of your party and score political points against the President. You must decide if you want to go down in history as the first generation of American leaders to renege on promises already made by Presidents and Congresses, Democratic and Republican alike. In the coming weeks my Republican friends will have to make a very serious decision. Are they going to get serious about working with us to find a bipartisan solution to our debt crisis or are they going to put partisan politics above the good of the country? Are they going to say it has to be our way, all the way, 100 percent, no reverses, or we are going to force the country to default? Or will they put the good of the country and compromise above narrow, ideological, often fear-driven politics?

In conclusion, I am an optimist. I believe my colleagues will come around and join us in finding a bipartisan way forward. I don’t base that on anything that has been said. I wish I could. I base it on my innate optimism that Americans, at the end of the day, are practical, problem-solving people, not people who look for self-destructive solutions. I ask my colleagues to come around, join us in a bipartisan solution. We are willing to give some. You should be willing to give some, but I can tell you, my friends, time is running out. I can only hope, the American people can only hope, you don’t wait too long.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. Mr. President, I am on the floor this afternoon to talk about the issue not only of the day, the week, the month, the year, it is the issue about what to do about the deficit. Everyone around here knows that if we fail to raise the debt ceiling by the August 2 deadline, the United States will default on its loan payments. Defaulting could have catastrophic consequences on our economy as we attempt to recover from the worst economic recession since the Great Depression. Failing to raise the debt limit could send our economy into a tailspin with unthinkable results for the American people. With the stakes so high, we must ask ourselves: How did we get into this position? Or as my constituents back home in Alaska say: How did you get into this mess? Over the last decade, both sides of the aisle have played a role in this irresponsible spending that resulted in our current fiscal crisis. At the beginning of the last decade, we had a budget surplus—let me say that again—a budget sur-

plus of \$200 billion, with a projected surplus of \$5 trillion for the next 10 years. By the time I took office in 2009, not only had our budget surplus disappeared, we faced a budget deficit of over \$1 trillion.

The creditworthiness of the United States is in jeopardy. Some of my colleagues on the other side of the aisle oppose raising the debt ceiling, citing the need to rein in reckless spending. While I support broad deficit reduction measures, I strongly disagree with those who fail to recognize consequences of failing to raise the debt limit and defaulting on our financial obligations. Everyone around here knows what will happen if we do not. For the first time ever the creditworthiness of the United States would be put in jeopardy. I want to step back for a second and remind everyone Congress has enacted measures on the Federal debt limit 74 times. So they obviously understand what will happen if the American government defaults on its payments. The ceiling has been increased by both Democratic and Republican administrations and Congress. George W. Bush’s first term in May of 2003 would increase the limit by \$984 billion. In fact, Congress raised the debt ceiling seven times during his administration. The Senate Republicans provided the votes to raise the debt ceiling in 2002, 2003, 2004, and 2006. To keep a good credit rating is something the American people understand, and they are doing their very best during these hard times. I hear this all the time when we are back home.

While the American people understand that defaulting on our loans would only make matters worse, some Members of Congress insist on playing politics even during this economically uncertain time. If the U.S. Government defaults on its financial obligations, it would be the first time in history our credit would be downgraded. Let me repeat—never before have we let our creditworthiness be called into question. The consequences are large and somewhat unknown.

Let me take a little bit from what the Senator from New York talked about and expand on that, and that is: How does it affect the individual, the person working hard every day, paying their mortgage, driving to work, pumping gas in their car, going on a vacation, doing everyday things that Americans do in my State of Alaska, especially now they are out fishing, enjoying the summer. The kids are out of school, and the State fair is getting geared up in another month. What happens? Well, first off, if we default on our loans that are due, our obligations, some immediate things will probably happen.

First off, individuals who have credit cards will have their rates go up, because if you read the fine print of those great credit card bills we get every

month, which are very small and very detailed, they talk about how the rate is structured. The rate is structured around what happens in the market. Obviously a lot of people today may have a good rate, 9 percent, 10 percent, but average is around 15 percent, 18 percent. That interest rate will go up. Home mortgage rates—if you have an adjustable rate mortgage, it will be adjusted up. If you are a small business person—as I have been, and am still today, my wife—there are many businesses that borrow on a 1-year, 2-year, 3-year loan, adjustable rate, maybe monthly, maybe it is an inventory loan because it is a seasonable business—all those rates will go up, assuming you can get a loan. When you drive your car and pump that gas and fill up your tank and you think prices are high now, oil commodities are traded in U.S. dollars. So the net effect is going to be that dollar is going to have less value, which means the price of the fuel will go up and what you pump into your car will increase.

Mr. President, 75 percent of world markets, transactions across this world are done in U.S. dollars. If you impact the creditworthiness of the country, the dollar has less credit behind it, which, of course, costs money, which means things we import such as fuel to operate our cars, energy to heat this building, to turn on these lights, go up. It has a real impact to individuals. It is not some global discussion here in the halls of Congress. It is not about just debt limit and GDP and all these other phrases that people kind of wonder what it means to them in their individual life, but it has a direct impact in their lives. What happens to their retirement funds? Their funds are invested in maybe U.S. Government securities. Well, they are going to see a change, a dramatic change. The American people, Alaskans, are already struggling. To add this additional burden because we are unable to sit down and work together and solve this problem in a cohesive, comprehensive way is irresponsible.

To my friends across the aisle, let me remind you of what President Reagan said in 1983 in a letter to then-Senate Majority Leader Howard Baker. He said it better than I think any of us could say, and this is directly from his letter:

The full consequences of default—or even the serious prospect of default—by the United States are impossible to predict and awesome to contemplate. Denigration of the full faith and credit of the United States would have substantial effects on the domestic financial markets and on the value of the dollar in exchange markets.

The Nation can ill afford to allow such a result. The risk, the costs, the disruptions and incalculable damage lead me to but one conclusion: the Senate must pass this legislation before Congress adjourns.

It is amazing I can take a quote such as this from history and transplant it today and it is the same situation.

At the same time as we deal with this, I feel strongly we must pass a deficit reduction measure. I have supported the deficit commission, the debt commission, and their efforts. I didn't agree with it all, but I agreed the \$4 trillion mark should be it. We should try to do our best. In order to solve this problem, this challenge—and we all have our sides where we are kind of hunkered down. Every time I go back home—and I was back home this last weekend for my short 48 hours. I spend more time on the plane than staying at home at times. But when I get home, people say very simply to me, it is a combination. We are going to have to reduce the spending. I don't object to that. We are going to have to create a more fair tax system, which I don't object to. Along with Senator WYDEN and Senator COATS, I have introduced tax legislation that does that, simplifies individual rates, focuses on a growth agenda with our tax policy. It gets rid of the loopholes, tax havens that people take advantage of who pay no taxes but enjoy the great bounties of our country.

We also have to invest. We have to invest in a growth agenda. That means investing in infrastructure, in education. Because as you reduce your budget, which I don't disagree with, and as we create a more fair, balanced tax system, we have to do one of the most principled things and that is to continue to help grow this economy and we have to invest in our infrastructure, and invest in a variety of things that grow our economy.

This is an opportunity for us to put our country on sound financial footing by passing a broad deficit reduction measure that includes cost savings and increased revenues. When it comes to protecting America's economic security and improving fiscal responsibility, the time to act is now.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. I rise today to talk about some of the enormous challenges facing our economy, about Washington's failure to address those challenges and a way forward. Today there are nearly 23 million Americans looking for full-time jobs. This includes people among those 9 percent of Americans on the unemployment rolls, but also includes a lot of Americans who want to work but have given up looking for work or are scraping by on part-time jobs when they want a full-time job. What makes it more troubling is that, among the Americans being counted in that 9 percent, the average length of time on the unemployment rolls is now nearly 10 months. That is the longest ever recorded. These folks are looking for help, looking to us for leadership and looking for us to help get the economy back on track by creating a better environment for job cre-

ation and economic growth. As we have heard from the two previous speakers, the government faces serious, unprecedented budgetary challenges. Washington is borrowing nearly 40 cents of every dollar it spends. It looks as if we may have another record deficit this year, and we will have the highest debt ever. Government spending has gone from \$25,000 per household to more than \$31,000 per household in the last 4 years. The national debt has doubled over the 2008 levels—doubled since 2008. We have hit this \$14.3 trillion debt limit, and if we do nothing about it, we are going to end up with an economic crisis much like Greece is facing today.

I just listened to the comments of my colleague from New York and my friend from Alaska, and they are talking about the fact that interest rates might go up unless we vote to extend the debt limit. I am talking to a lot of economists and thinking about the impact it will have on Ohio if we don't do something about the deficit and debt. When we extend the debt limit again, interest rates will go up. The value of the dollar will continue to go down. Inflation will go up.

The point is not that we want to go into default—I hope nobody does in this Chamber. Despite what my friend and colleague from New York said, there is no Republican interest in defaulting on the debt. No one wants to default on the debt. But it is just the same as when we have a credit card in our families. Once we max out on the credit card, before we try to get a higher line of credit, we ought to look at the underlying problem, otherwise we will fall right back into the same financial problems. That is what Republicans are saying.

It is this: If we do not deal with the underlying problem, which is this huge fiscal imbalance we just talked about—a \$14.3 trillion debt that has doubled since 2008—then we are going to find ourselves with a financial and economic problem that will result in a spike in interest rates and will result in this negative impact on all Americans via car loans, mortgages, and student loans.

So this is why it is so critical over the next few weeks as we work through this; That we deal with not just extending the debt limit—I guess that is a pretty easy thing to do, to just say let's go borrow more; we are already borrowing about 40 cents of every dollar—but we have to deal with the underlying problem.

So what are we doing in the Senate to deal with that underlying problem? Very little. This week we are debating a meaningless sense-of-the-Senate resolution. It is what is called a non-binding resolution. It will not create a single job or reform a single part of our tax code. It will not save \$1 of government spending. It does nothing to address the debt limit. It is a distraction,

and that is why earlier today I voted against proceeding to it. Serious times demand serious work.

I was pleased when the Senate came together to cancel this week's scheduled recess because we should be here. We pledged to return to Washington and to confront these economic challenges we talked about and the budget problems we face. I supported doing that, but this has not been a serious effort.

By the way, the Senate has not even passed a basic budget for this year. There is no budget, which is highly unusual. It also never passed a budget last year. So instead of talking about nonbinding resolutions, we should be talking about a budget. We should have a budget on the floor. We should be debating it. The other side will have their issues, and we will have issues to talk about. None of us will necessarily agree with one another on the precise provisions of a budget, and that is fine. Let's have the debate and end up with a blueprint for our spending going forward.

President Obama talks about getting involved and showing true leadership but, to be honest, he hasn't stepped to the plate. The best example would be his own budget. He is required by law to submit one every year. He did submit a budget. That budget was voted on by this Senate. Because we didn't have our own budget, we voted on his budget. It was unanimously rejected 97 to 0 partly because, as Democrats will say, a few weeks after he submitted the budget, he gave a speech where he said: My budget wasn't really adequate to the task. So he rejected his own budget, in a sense, but he offered no alternatives, no specifics.

His own budget, by the way, was so unserious that it doubled the debt over the next decade, and that is why, again, it was voted down by this Senate.

What is our budget? What do we believe in? We should have that debate.

We need to know what the numbers are; and what vision the President has for the next 10 years. That is what the budget is supposed to do. And, of course, we need to know what he will do to help grow the economy. In my view, getting the budget under control is a matter of restraining spending, but it is also a matter of growing the economy. If we don't grow the economy—and that will increase revenues, by growing the economy—we will not be able to get out of this deep fiscal hole we are in with record deficits, record debt, and, again, an increasing negative impact on our economy.

The lack of a true debate is not from a lack of ideas, by the way. Senate Republicans have developed a commonsense jobs plan, much of which I think should be and can be bipartisan. It includes a lot of commonsense ideas. One is to reform the Tax Code. Senator BEGICH from Alaska talked about that

earlier. That is to make sure that our Tax Code works better for our economy; that it is simpler, that it encourages investment and job creation. Economists across the board would agree that our current code is inefficient. We should do that as a body. That will help develop the economy and jobs and economic activity which will increase revenue.

We need to rein in regulations. When I am home talking to small businesses, the first thing they talk to me about is the latest Federal regulation. A new one out today from the Environmental Protection Agency which is affecting my home State of Ohio is going to cost jobs at a time when we need jobs desperately. These are very specific proposals. Maybe they are not proposals everyone can agree to. What are the other side's proposals? Let's debate this issue. Let's pass legislation that forces a cost-benefit analysis of regulations. Let's be sure the regulators are using the least burdensome and least costly alternatives.

These are commonsense ideas: creating a competitive workforce to make sure we are competitive for the 21st century. This is incredibly important. Expanding exports to create more jobs. On energy, being sure we have the ability to get away from our dangerous dependence on foreign oil by developing more resources right here in this country. These are all commonsense proposals we should work on because they relate to the very issue we should be talking about this week, which is how to deal with our budget imbalance.

The proposal, by the way, also caps government spending. It says we need to have a balance between revenues and expenditures, which is only common sense because until we get the fiscal house in order it is going to be very difficult to get our economy moving. It is like a wet blanket over the economy creating uncertainty and unpredictability.

On the budget, let's be clear. The long-term problem is from soaring spending, not falling revenues. This is from the Congressional Budget Office. It is a nonpartisan group. Their job is to give us the data to tell us what is going to happen with spending and with revenues. This is what they tell us.

Even if we keep current tax rates for everybody—in other words, don't get rid of the so-called Bush tax cuts—revenues are still expected to rebound above the historical average of 18 percent of the economy. If, in fact, the Bush tax cuts do not get extended, which is current law—right now they are expected to end at the end of next year—those tax revenues will be well above the historic average. Instead of 18 percent, they get up over the next several years to about 20 percent. Over the last 50 years, it has been about 18 percent. The deficit is rising not be-

cause of lack of revenue but because spending is now at 24.5 to 25 percent of our economy as compared to its historical level over the last 50 years of 20.3 percent of the economy.

What is going to happen? Well, CBO has it right there. It is projected to rise on the spending side to 26 percent of the economy over the next several years; then 30, then 40, then 50 percent of the economy on spending alone. We talked earlier about the fact that we have gone from \$25,000 per household government spending to \$31,000 per household in the last 4 years alone. That spending is projected to grow and grow. If we don't deal with that spending we will never be able to get the budget in balance. That is the top issue. Again, we have to face this before we extend the debt limit again. If we don't, there will be major economic problems.

Look at what Standard & Poor's and Moody's and Fitch—the so-called credit agencies—are telling us. They are saying: Yes, default would be a terrible thing. Let's not default. But they are also saying: If we don't deal with the fiscal imbalance, if we don't deal with the record deficits and debts, there will be major and negative impacts on the economy, and they will be in a position where they may downgrade our debt, which means higher interest rates.

Having tax rates chase spending is not the solution. It will not balance the budget. Moreover, it will not spur this sputtering economy to grow and to create the jobs we talk about today. It will not work to get us back to work. In fact, virtually all economic theories agree that tax increases harm economic growth. When we tax something, people do less of it. That is why we tax smoking. So if we want economic growth, the last thing we should do is to raise taxes on working, raise taxes on savings, raise taxes on investment. These are not the ways to get the economy moving again. Instead, we should be unleashing American entrepreneurs, not putting more taxes on them.

Some suggest we must choose between creating jobs and reining in government. My view is that the opposite is true. Reining in government can help create jobs. The less the government spends, the more money remains in the private sector for families and entrepreneurs to spend. The less the government borrows, the more savings are available for businesses to borrow in order to expand, as well as for families to borrow for a new home, a new car, or a student loan. Think about it. The government borrowing all this money is like a big sponge soaking up our savings. Today, we are borrowing, again, more than 40 cents of every dollar the government spends. That is harming the economy. Reducing the deficit also reduces the risk of a debt-induced financial crisis that might otherwise dwarf what we have seen happening in Greece today.

But don't take my word for it. Lots of economists have looked at this. There is a great study out there that I encourage people to look at. It is done by the economists Ken Rogoff and Carmen Reinhart. Rogoff and Reinhart do something very simple. They go around the world and look at different economies and determine what happens when their debt gets too big for their economy. Their view is that when the debt gets to 90 percent of the size of a nation's economy, it has a substantial negative impact on the economic growth and jobs in that country.

Their data suggests that when the debt gets to 90 percent of the economy, there is a 1-percent reduction in economic growth rates. So instead of our economy growing at 1.8 percent in the first quarter, it should have grown at 2.8 percent. What does that mean? That 1-percent growth would otherwise mean 1 million jobs.

So if we didn't have this huge debt—and right now it is about 93 percent of our economy; it will be at 100 percent of the economy this year—then we would have more jobs. If we look at what Rogoff and Reinhart have said, it means we would have about 1 million more jobs in this country. Could we use those jobs? Yes. We need them desperately.

So there is a connection between this overspending—and this huge gap we have between revenues and spending—and our ability to get this economy back on track.

Over 25 years, by the way, annual growth rates 1 percent lower would leave the economy nearly one-fourth smaller than it would otherwise be. Think about that: a 25-percent reduction in the size of the economy as a result of this debt.

In order to create jobs and growth, we have to balance the budget, and we have to reduce that debt that is now over 90 percent of our economy. There are two ways to reduce the debt's share of the economy: One is to make the debt smaller, and the other is to make the economy larger. We know raising taxes will shrink the economy. Instead, we have to keep tax rates low to create jobs and expand the economy, and we have to reform the Tax Code so it works better.

Again, economists across the spectrum will tell us we can have a better economy if we have a more sensible Tax Code. We must also responsibly reduce government spending, of course, to rein in the debt. Low tax rates and spending restraint will bring prosperity and alleviate this immoral avalanche of debt that we are otherwise leaving in the laps of our children and grandchildren.

I understand some of my colleagues have their own approaches to this—to jobs, to the economy, to the budget deficit. That is fine. Let's have the debate. There are numerous proposals in

Congress to reduce spending, balance the budget, and reform entitlements. Instead of voting on political non-binding resolutions as we have done this week in the Senate, let's have that debate. We have too many important issues. Let's stop fiddling while Rome burns.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, as we discuss the need to bring down the deficit, we should acknowledge a few basics. First is cannot achieve the deficit reduction we need with spending cuts to nondefense discretionary programs alone. They simply aren't large enough to make the difference we need, and the damage we would do to American families from drastic cuts in those programs is simply too great.

Second is that in light of those facts and in the interest of basic fairness, a balanced solution to deficit spending must include revenues as well as spending cuts. If we ask college students relying on Federal aid, workers in need of Federal job training, seniors in need of health care to sacrifice in the name of deficit reduction, so, too, should those who benefit from loopholes and handouts in the Tax Code, including loopholes that often benefit only highly profitable corporations, one of those huge loopholes that benefits corporations that dole out large stock option pay to their executives.

Current law provides an unwarranted tax subsidy to executive stock option compensation thereby increasing the tax burden on working families and increasing our deficit. According to the Joint Committee on Taxation, closing this loophole would reduce the deficit by about \$25 billion.

Today, under tax rules for reporting stock options, corporations report stock option expenses on their books when those stock options are granted but use another method to claim a different and a typically much higher expense on their tax returns when the stock options are exercised. The result is, corporations can claim larger tax deductions for options on their tax returns than the actual expense they show on their books for those same options.

Stock options are the only type of compensation where the Tax Code allows a corporation to deduct more than the expense shown on their books. For all other types of compensation—cash, stock, bonuses, and others—the tax return deduction equals the book expense. In fact, if corporations deducted on their tax returns more than their books showed as compensation, it could constitute tax fraud. The sole exception to that rule is stock options. It is an exception we can no longer afford.

The Permanent Subcommittee on Investigations, which I chair, held a hearing in June of 2007, when we exam-

ined the stock option tax gap in detail at nine companies. We found that those nine companies claimed tax deductions that were a combined \$1 billion greater than the expenses shown on their books. Let me repeat, just nine companies, \$1 billion in excess tax deductions.

We were shocked by that finding, and we asked the IRS to calculate the stock option tax gap for the country as a whole. Using actual data from tax returns, the IRS found that for the first full year in which data was available, U.S. companies claimed an excess of \$61 billion in stock option tax deductions compared to their book expenses. Since then, IRS data shows that the stock option tax gap has persisted for 5 years. They looked at 2005 to 2009, which was the latest year for which data was available, with the size of the excess tax deductions varying from \$11 billion to \$52 billion per year. These excessive deductions mean billions of dollars in reduced taxes for corporations wealthy enough to provide substantial stock option compensation to their already well-paid executives and all at the expense of ordinary taxpayers and an increase in the deficit.

It is a tax loophole that is fueling excessive executive pay, increasing the pay gap between millionaires and the middle class, and enabling profitable corporations to avoid paying their fair share to reduce the deficit.

I will soon be reintroducing the same legislation I have introduced in past years to end this misalignment of the Tax Code.

The bill would cure the problem simply by requiring the corporate stock option tax deduction to equal the stock option expense shown on the corporate books. It would not affect the taxes paid by individuals who receive the stock options. It would not affect so-called incentive stock options which receive favored tax treatment under section 422 of the Tax Code and are often used by startup companies.

In addition, the bill would make stock options pay subject to the same \$1 million cap on corporate tax deductions that applies to other forms of executive pay. Congress established that \$1 million cap so that taxpayers would not have to subsidize enormous paychecks for executives. But the cap can't end that tax subsidy without including stock options. Even if included under the cap, stock options could still be awarded in excess of \$1 million, but not at the expense of ordinary taxpayers.

I do not know of any Senator who does not want to reduce the budget deficit. I do not know of any Senator who believes it is wise to subsidize executive paychecks at the expense of working families. But as it now stands, the excessive corporate tax deduction for stock option pay widens the deficit while increasing the tax burden on ordinary taxpayers. By closing this tax

gap, by ending the illogical treatment of corporate stock options in current law, we can reduce the budget deficit and bring much-needed fairness to the Tax Code.

Mr. President, I ask unanimous consent that I be allowed to proceed as in morning business for 8 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AHMED WARSAME

Mr. LEVIN. Mr. President, the Department of Justice announced earlier this week that Ahmed Abdulkadir Warsame, an accused member of the terrorist group Al-Shabaab, has been indicted on charges of providing material support to Al-Shabaab and al-Qaida in the Arabian Peninsula, conspiring to teach and demonstrate the making of explosives, possessing firearms and explosives in furtherance of crimes of violence, and other violations of Federal law. He will be tried for these offenses in Federal court in New York.

Warsame is a Somali national who was captured in the gulf region in late April and taken to a U.S. Navy vessel for detention and interrogation. The Department of Defense has stated that the interrogation was conducted by an interagency team comprised of U.S. military personnel, with assistance from the High-Value Detainee Interrogation Group. After the completion of this interrogation and a hiatus of several days, Warsame was turned over to a team of FBI officials for law enforcement questioning, and in that he waived his Miranda rights and continued to talk.

This case appears to be an example of our national security and law enforcement teams working together in the manner we would hope they would toward the twin objectives of collecting critical intelligence information and ensuring a successful criminal prosecution of the detainee.

Published reports indicate that Warsame was captured by American military forces on a boat in international waters between Yemen and Somalia after the United States acquired intelligence indicating that a significant terrorist figure was on board the vessel. Under these circumstances, it was appropriate for the military to detain and interrogate Warsame to obtain actionable intelligence. The United States is currently engaged in military operations pursuant to the 2001 Authorization for Use of Military Force. As the Supreme Court held 7 years ago in the case of *Hamdi v. Rumsfeld*, the capture and detention of both lawful and unlawful combatants is a "fundamental and accepted . . . incident to war." I understand these interrogations were conducted in a manner fully consistent with the interrogation techniques authorized under the Army Field Manual on interrogations.

Once our national security team determined that the collection of action-

able intelligence had been completed, a separate decision was made, on the basis of the specific facts of this case, as to the best forum in which to prosecute Warsame for his alleged crimes.

The indictment sets forth evidence that Warsame violated a number of Federal statutes, including sections of the Criminal Code prohibiting trafficking in explosives, use of dangerous weapons, acts of international terrorism, providing material support to foreign terrorist organizations, and receiving military-type training from foreign terrorist organizations—making him a candidate for prosecution in a Federal court with jurisdiction over such violations.

Warsame also appears to have engaged in acts of terrorism and material support to terrorism, both of which are crimes under the Military Commissions Act, if they are committed "in the context of and associated with hostilities" against the United States. What has not been resolved is whether Warsame meets the jurisdictional threshold in the Military Commissions Act of having acted in the context of hostilities against the United States and having engaged in or materially supported such hostilities.

The administration's national security team unanimously agreed that prosecution in Federal court was the better option and the one most likely to lead to a conviction under the facts of this case. Our Federal prosecutors and Federal courts have a proven track record in prosecuting terrorists. Two years ago, the Justice Department informed us that there were 208 inmates in Federal prisons who had been sentenced for crimes related to international terrorism and an additional 139 inmates who had been sentenced for crimes related to domestic terrorism. By contrast, prosecution of the Warsame case before a military commission would have raised a difficult jurisdictional issue that could have resulted in dismissal or even acquittal.

Critics of the decision to try Warsame in Federal court apparently would prefer that he be tried before a military commission, even though he might be less likely to be convicted there due to the jurisdictional issue. I disagree with that position. In my view, the most appropriate forum for trial should be determined, as it was here, on the basis of the nature of the offense, the nature of the evidence, and the likelihood of successful prosecution. The executive branch officials who made the determination in this case are in a much better position to weigh those factors and make that judgment than is the Congress.

By the way, the approach taken by the administration in this case is consistent with the bipartisan detainee provisions included in the National Defense Authorization Act, as reported by the Senate Armed Services Committee last month.

Those provisions would authorize military detention for enemy belligerents captured in the course of hostilities authorized by the 2001 Authorization for Use of Military Force. That authority appropriately encompasses the detention of an individual like Warsame, who is suspected of participation in such hostilities, until such time as the military has been able to interrogate the detainee and make an appropriate status determination. While we may not have enough evidence to prove beyond a reasonable doubt that Warsame participated in hostilities against the United States, we undoubtedly had sufficient evidence to hold him for the time required to interrogate him and obtain the intelligence that our military needs.

The provisions in the Senate Armed Services Committee-reported bill would also expressly authorize the transfer of such a detainee "for trial by an alternative court or competent tribunal having lawful jurisdiction." Indeed, an amendment to delete this authority was defeated in committee by a bipartisan vote of 7 to 19. We decided, in other words, to leave it up to executive branch officials to determine on a case-by-case basis, as they did here, the most appropriate forum for prosecution, whether it be a Federal court or a military commission.

By contrast, the House version of the defense authorization bill includes a provision that would expressly prohibit the trial in Federal court of any alleged foreign terrorist who might be subject to trial by a military commission—even if he is arrested inside the United States. This provision may well be unconstitutional, given that article III of the U.S. Constitution expressly states that:

The judicial power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority.

Under the plain language of this provision, Congress would appear to lack the authority to exclude the prosecution of violations of the laws of the United States in the Federal courts.

The effort to direct all terrorist cases to military commissions could also be highly counterproductive, providing jurisdictional arguments that defendants could use to seek the dismissal of charges against them. If the House language were adopted, a case in Federal court on a terrorism charge would be at risk of being dismissed on the grounds that it could only have been brought before a military commission, while at the same time, because of the limited jurisdiction of military commissions, the military commission might not have jurisdiction either. In such a case, it would be impossible to prosecute an alleged terrorist in any forum. The critics of the Department of Justice decision should end their effort to score political points here. The

stakes are too high, and if the critics get their way, we might not be able to try some terrorists at all—anywhere.

Some may contend that holding alleged terrorists in the United States for trial could needlessly subject Americans to retaliatory attacks by terrorist organizations. There is no basis for that argument. We have tried hundreds of alleged terrorists in our Federal courts over the last decade. We are currently holding many more—including the Christmas Day bomber, who is being held in my hometown of Detroit. So far as I know, none of these cases have led to retaliatory attacks by terrorist organizations. In any event, we know that al-Qaida and its allies are already seeking avenues to attack us on American soil and would do so if they could. Moving the location of a trial to Guantanamo or some other foreign location is unlikely to deter such an attack.

Last month, ADM William McRaven—the President's nominee to be commander of U.S. Special Operations Command—testified before our Armed Services Committee that a suspected enemy belligerent detained outside the war zones in Afghanistan and Iraq would likely be put on a naval vessel until “we can prosecute that individual in a U.S. court or we can return him to a third party country.” Admiral McRaven made it clear later in his testimony that such an individual could also be transferred for trial by a military commission. In other words, we have a choice. We should preserve that choice.

In summary, the Warsame case demonstrates that we do have the capacity to detain and interrogate suspected terrorists in military custody for the purpose of obtaining actionable intelligence, and then to transfer them to an appropriate forum for trial—whether it be a Federal court or a military commission. This case demonstrates that we do not have to sacrifice actionable intelligence for law enforcement purposes, and that we do not have to sacrifice criminal prosecution in order to collect intelligence information. And it demonstrates that we can pursue both of these objectives without being pushed to what Admiral McRaven described as the “unenviable option” of having to release the detainee.

The only “unenviable” outcome is the one that the critics of the Department of Justice decision would lead us to—prohibiting the criminal trial of suspected foreign terrorists in Federal court and requiring them to be tried by military commissions, even in cases like the Warsame case, where a jurisdictional problem might lead a military commission to dismiss the case.

The action of the administration in the Warsame case is sound. The prosecutorial discretion they exercised as to the best forum for the trial should

be preserved and should not be interfered with by the Congress.

I yield the floor.

The PRESIDING OFFICER (Mr. BINGAMAN). The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise, along with my fellow colleagues, to again address the need to reduce our deficit and our debt. The United States is the strongest country in the world—in the history of the world—but that will not be the case for long if we do not solve our deficit and our debt crisis. It is vital we solve it now for our generation, but it is vital we solve it for future generations as well.

The wealth, the economic activity of this country, is created by the private sector, by hard-working men and women, not by the government. The government creates the forum, the environment, if you will, that fosters or allows economic activity. But the key is, the government should not just allow economic activity, the government needs to create an environment that truly empowers, that promotes economic activity, that encourages private investment, that encourages entrepreneurship, business expansion and job growth, innovation—the very entrepreneurial activity that has built this country. That is the success of America, that is the strength of our country, that is how America has become the greatest economic powerhouse in the history of the world. That is why our people enjoy the highest standard of living.

But our current administration believes more government is the answer—more spending, more regulation, and more taxes. It is not the answer. That is the problem, and it is making the situation worse.

Let's go through just some of the economic statistics.

Today, we have 13.9 million—almost 14 million—people unemployed. The unemployment rate is over 9 percent. Gas prices, since the current administration took office, are up to more than \$3.50 a gallon. That is almost a 100-percent increase in the cost of gasoline. Our Federal debt is closing in on \$14.5 trillion. For every man, woman, and child in this country, that is almost \$50,000 for every single person. We have 45 million people on food stamps today. Health insurance. In spite of the health insurance legislation, health insurance premiums are rising, and home values are going down.

Clearly, we need to get our economy going. We need to get people back to work. We need that economic growth and dynamism that has been the hallmark of this country.

Clearly, we need to reduce our deficit and our debt. The reality is, we can do it. We absolutely can do it, and we have done it before. But we need to begin with a comprehensive plan to reduce the deficit and the debt. Any

agreement to raise the debt ceiling needs to include a comprehensive agreement to reduce the deficit and the debt.

By a comprehensive agreement, I mean something that includes a balanced budget amendment, reduction in spending, and living within our means on an ongoing basis. It means reforming entitlement programs to save them from bankruptcy, not only to protect our seniors today but to make sure those programs are solvent and there for future generations.

All these things and more can go into a comprehensive plan. But we need a comprehensive plan to reduce the deficit, to reduce the debt as part of the debt ceiling issue we need to deal with now—not put off but deal with now.

If we think about it, a balanced budget amendment makes sense. Forty-nine of the fifty States—49 out of 50 States—have either a constitutional or a statutory requirement that they balance their budget—not just this year but every year. States balance their budgets. Cities balance their budgets. Businesses balance their budgets. Families balance their budgets, live within their means. Our Federal Government needs to do the same. Our Federal Government needs that fiscal responsibility, needs that fiscal discipline.

Also, if we think about it, a balanced budget amendment gets everybody involved. It gets everybody involved in Congress. It takes a two-thirds majority in both the Senate and the House to pass a balanced budget amendment. Then what happens? It goes out to the States. It goes out to the 50 States, and three-fourths of the States must ratify that balanced budget amendment in order for it to be approved. So we not only have everybody at the Federal level working to live within our means and balance the budget, but we get all the States involved as well.

This is a challenging problem—no question about it—getting on top of these deficits and our long-term debt not only now but for the future as well. So let's have everyone involved. A balanced budget amendment will do just that.

Of course, at the same time, we have to reduce our spending both now and make sure we continue to live within our means going forward. The statistics are very clear. The statistics right now show that this year the Federal Government will take in about \$2.2 trillion in revenue.

So our revenue is about \$2.2 trillion, but our expenses are \$3.7 trillion. That is about a \$1.5 trillion deficit. This year, actually, it will be larger than that number. So you can see that is why our Federal debt now is closing in on \$14.5 trillion. We are borrowing 40 cents of every dollar we spend—40 cents of every dollar we spend—and every single day our debt goes up \$4 billion. That is simply unsustainable.

That is why any vote to increase the debt ceiling must include a comprehensive plan to reduce our deficit and our debt. No question, we need to control spending, but as we do that, at the same time, in order to truly solve the problem, we have to create, as I said at the outset, a government environment that not only encourages government investment but empowers private investment across our Nation.

This next chart shows some of the challenges—barriers, if you will—to doing that. We need legal, tax, and regulatory certainty to encourage private investment. A probusiness, progrowth, projobs environment is one that creates legal, tax, and regulatory certainty to not only encourage but empower private investment.

One of the ways we do this is by reducing the regulatory burden. We have an incredible regulatory burden at the Federal level. We need to find ways to reduce that. That is what this chart shows.

Earlier this year, President Obama issued an Executive order that proposes to review regulations that may be outmoded, ineffective, insufficient, or excessively burdensome, and also to modify, streamline, or even repeal them. Just a week ago, he said again:

What I have done—and this is unprecedented—is I have said to each agency, look at the regulations that are already on the books, and if they don't make sense, let's get rid of them.

That is what he said. I absolutely agree with that. Yet, over the past 2 years, the administration has issued 502 proposed or enacted regulations and is on pace this year to exceed \$100 billion in total regulatory cost burdens to industry. That is a huge regulatory burden.

This chart shows the cost of major new regulations in billions of dollars over the last 30 years. As you can see, when the cost of regulation is low, the economy is strong, and when the cost of regulation is high, as it is now, the economy is weak; more important, job growth is weak. Look at 2010. In 2010, you see the highest regulatory burden, in adjusted dollars, in the last 30 years. How did our economy do in 2010?

Senator ROBERTS, my colleague from Kansas, myself, and others have taken the President up on his pledge to review these regulations. We have introduced the Regulatory Responsibility For Our Economy Act, a measure that would give teeth to the President's directive. Regulators will have to show the benefits of a new rule and show that the benefits outweigh its cost. They will have to show that it imposes the least burden on society and that it maximizes economic benefits. That is an approach which would not only encourage but truly empower private investment.

Let me give you another example of what I am talking about with the regu-

latory burden—again, trying to create that legal and tax certainty that stimulates the private investment we need to get this economy going, not more government spending. We are spending way beyond our means. What I mean is, more private investment that gets this economy going, gets people back to work, and generates revenue, which will help us, over time, reduce our debt.

When we talk about onerous regulations, a key area of the economy that is incredibly overburdened and where we see a prevention of investment because of the regulatory burden is the energy industry.

My next chart illustrates the long reach of the EPA and how it is sidelining and dampening job growth in the energy sector. It shows a long, complex obstacle course, if you will, of expensive standards and procedures and regulations that are not only being implemented now but will go on for the foreseeable future.

How would you like to be an energy company looking at investing and putting hundreds of millions, billions of dollars into new plants and investments, whether it is producing oil and gas, whether it is biofuels or biomass—you name it—how would you like to make those investments on behalf of your shareholders and have some idea what rate of return you are going to be able to get and what rules of the road you are going to have to follow?

This is just a small sampling of the regulations that are now coming into being and will continue to come into place for the foreseeable future. At a time of high oil prices, unrest in the Middle East, and sluggish economic growth, we are not only failing to provide Americans with affordable energy for their homes and vehicles, but we are actually discouraging the very investment that will make it happen, and this is just one small example.

To remedy that, we need new legislation. I know the occupant of the chair and others are working on a lot of new legislation that will streamline regulations and encourage investment.

I will give just a couple of examples. One of them I am working on with Senator JOE MANCHIN from West Virginia. He introduced it, and it is called the EPA Fair Play Act. It would prohibit rescinding properly approved 404 permits. When EPA approves a 404 permit for mining, it says you can't arbitrarily withdraw that permit. So a company that has invested millions or billions of dollars can't find itself high and dry after it has already gotten the proper permit.

Another example of legislation that we have introduced that would make a difference is Defending America's Affordable Energy and Jobs Act. The primary sponsor of that is Senator JOHN BARRASSO of Wyoming. This legislation ensures that Congress makes the call

on regulating greenhouse gases, not the EPA through regulatory fiat.

Another example is the Gas Accessibility and Stabilization Act, which I am pleased to cosponsor with Senator ROY BLUNT of Missouri and others, which will simplify the complex rules and regulations that govern refining and distribution of fuel throughout the United States.

There are many other examples I could give as well.

The point is, with 14 million Americans out of work, we can no longer delay. It is not just regulations, it is legal, tax, and regulatory certainty that will empower investment by entrepreneurs and companies all over this great Nation.

We don't just have to talk about regulations. Let's talk about trade for a minute. Right now, we have three trade agreements pending: the United States-South Korea Free Trade Agreement, the free-trade agreement with Panama, and another one with Colombia. These agreements have been pending since 2007. The benefit of these agreements, for example, is that they would generate more than \$13 billion a year in economic activity for this country and create up to 250,000 American jobs. If we fail to act, we will lose on the order of 380,000 jobs to the European Union and Canada, which have already approved their trade agreements. Why aren't we dealing with those trade agreements now, when we have 14 million people out of work, when we have an economy we need to get going, and when we have huge deficits and debt, increasing at the rate of \$4 billion a day?

Well, the deadline on the debt limit is fast approaching. The time to act is now. The simple truth is this: We cannot continue to spend more, tax more, and regulate more. It is time to control our spending and create an environment that unleashes the entrepreneurial power and spirit of the American people. We can do it. In fact, we have done it before. We just need the will to act for ourselves today and for the benefit of future generations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, let me begin by referring to the front page of today's Washington Post. The headline is "Obama: Social Security on table. Cuts offered in debt talks."

Mr. President, I hope very much that headline is wrong because, in fact, Social Security, which is perhaps the most successful Federal program in the history of our country, has not contributed one penny to our deficit or our national debt. The idea of lumping Social Security and cuts in Social Security into a discussion about our deficit and our national debt is absolutely wrong and unfair to the tens of millions of seniors and people with disabilities who benefit from that program.



As you know and as the American people know, Social Security is independently funded through the payroll tax. Every worker and every employer contributes into that fund. Social Security, today, has a \$2.6 trillion surplus that is projected, in fact, to grow to over \$4 trillion by 2023.

We, of course, need a vigorous debate about how we deal with the deficit crisis and our national debt, but Social Security, independently funded, with a \$2.6 trillion surplus, having not contributed one nickel to the national debt, should not be part of that debate.

I understand there are many people in the Senate—many of my Republican colleagues—who do not like Social Security, who do not believe in Social Security because, essentially, they do not believe the government should be involved in retirement insurance for seniors or people with disabilities. I respect their point of view. I very strongly disagree with it.

The real problem they have is that Social Security is enormously popular. Poll after poll shows that the American people do not want to see Social Security cut, they do not want to see the retirement age raised, and they most certainly do not want to see Social Security privatized because, in fact, Social Security has succeeded. It has accomplished the goals of those people who founded that program in the 1930s. In the 1930s, about half of America's senior citizens lived in poverty. Today, that number, while it is too high, is down to 10 percent. More important, given the incredible instability in the economy we have seen for decades—especially in the last few years—where millions of people have lost some or all of the retirement savings they had invested in Wall Street, over the last 75 years, not one American has lost one dime he or she was entitled to in terms of Social Security benefits. That is a pretty good record—every American, getting every penny that was owed to him or her for 75 years. It is a program that has worked. It is a program that is working today. It is a program that can pay out every benefit owed to every eligible American for the next 25 years. It is a program that should not be cut.

But more to the point, in terms of President Obama, one of the problems we have as a nation is that it is no great secret that many of our people are losing faith in government, for a whole lot of reasons. But certainly one of the reasons is that politicians say one thing and they do something else. They campaign on a certain promise, they give a speech, everybody applauds, and 2 years later: Well, I guess I have to change my mind; I can't quite do this.

Let's be clear: When President Obama ran for the Presidency in 2008, he was a strong advocate of Social Security. He made it very clear to the

American people he was not going to cut benefits. Let me quote from a speech the President gave—he was then-Senator Barack Obama—on September 6, 2008. This is what he said:

John McCain's campaign has suggested that the best answer for the growing pressures on Social Security might be to cut cost-of-living adjustments or raise the retirement age. Let me be clear: I will not do either.

"I will not do either." Today's Washington Post: Obama: Social Security on table. Cuts offered in debt talks.

Mr. President, on April 16, 2008, candidate Obama said:

The alternatives, like raising the retirement age, or cutting benefits, or raising the payroll tax on everybody, including people making less than \$97,000 a year—

And that is now up to \$106,000 a year—

those are not good policy options.

On November 11, 2007, candidate Obama said:

I believe that cutting [Social Security] benefits is not the right answer; and that raising the retirement age is not the best option.

The American people expect the President of the United States to keep his word.

Now, again, I am not privileged to the discussions that may be going on right this moment in the White House about some grand national debt negotiations. All I can tell you—and it may be accurate, it may not; the media has been wrong once or twice in history—is that according to today's Washington Post, the President is considering lowering cost-of-living adjustments for Social Security recipients, even though, by the way, Social Security recipients have not received a COLA in the last 2 years.

So let's be clear: Today, despite significant inflation on health care costs and prescription drugs, the fact that seniors have not received a COLA in 2 years, the fact veterans have not received a COLA in 2 years, apparently, the President, in negotiating with Republicans, is considering lowering COLAs in the future.

It is important to understand what that means. According to the Strengthen Social Security Campaign, which is a coalition of senior groups who are working hard to protect Social Security, changing the way Social Security cost-of-living adjustments are calculated—as the President may be considering—and again, I do not want to make a definitive statement. All I am doing is telling you what is on the Washington Post's front page today. Is it true? I can't say. But if it is true, this would cost senior citizens hundreds of dollars a year in lower benefits.

The Congressional Budget Office estimates that the adoption of the so-called "Chained CPI"—and this is a different formulation. I happen to believe,

and I have introduced legislation to this effect, the current COLAs for seniors are not accurate and are too low because they do not, in a realistic way, measure what seniors are purchasing, which, to a significant degree has to do with health care and prescription drugs. When you are old, you are not primarily buying laptop computers or big television sets. You are often spending a lot of your money on health care, prescription drugs, and those costs are going up. So I think today's COLA is too low and it does not reflect the real purchasing needs of seniors.

According to the CBO, if in fact the government adopted the so-called "Chained-CPI"—which is a different formulation that is even lower than the current inadequate formulation—annual COLAs under this proposal would cut benefits by \$112 billion over 10 years.

Here is the important point for individuals. The Social Security Administration Chief Actuary estimates the effects of this change would be that beneficiaries who retire at the age of 65 and receive average benefits would get \$560 less a year at age 75 than they would under current law and get \$1,000 less a year at age 85.

People are living longer. Many of our people, God bless them, reach 75, even reach 85. To say to somebody when they reach 85, and they don't have a whole lot of money, that as a result of these cuts they will get \$1,000 a year less is totally, to my mind, unacceptable and not something that should be supported by the President or by any Member of the Senate.

The American people, despite what many of my Republican friends are saying, are pretty clear on some basic issues regarding how we address the serious problem of our national debt and our deficit. What the American people say in poll after poll after poll—and they say it to me on the streets in Burlington, VT, or any other place in Vermont that I go—is that we must have shared sacrifice; that at a time when poverty is increasing in this country, when we have the highest rate of childhood poverty in the industrialized world, when millions of workers are working longer hours for lower wages, when unemployment is sky high, when seniors have not received a COLA in 2 years, when young people are finding it hard to get any jobs at all, it is immoral and bad economics to do deficit reduction on the backs of those people—of working families, of children, of the elderly, of the sick, of the poor.

Overwhelmingly, the American people say that is wrong, especially at a time when the wealthiest people have never had it so good and when corporate profits are soaring.

Mr. President, you may have seen an article on the front page of the New York Times a few days ago. Last year

CEOs of major corporations have seen a 23-percent increase in their compensation packages—23 percent. We are in the midst of a horrendous recession, where real wages for American workers are going down, but CEOs are doing great, Wall Street is doing great, corporate profits are soaring, and we have dozens of corporations that make huge profits and don't pay a nickel in taxes.

We have a military budget that is three times higher than it was in 1997. So the vast majority of the people say—and they say it in polls all over the place—we need to go forward with shared sacrifice. Not as the Republicans suggest—cutting programs for the most vulnerable people in this country, throwing millions of kids off Medicaid, ending Medicare as we know it now, and making it impossible for working class families to send their kids to college. That is not what the American people are saying.

A recent survey by Public Policy Polling in swing States asked the questions. When voters in Ohio—this is just the other day this came out—were asked this spring if they would support or oppose cutting spending of Social Security to reduce the national debt, only 16 percent favored that approach compared to 80 percent who were opposed, with similar, identical results, or very close results in States such as Missouri, Montana, and Minnesota. That was just out in the papers yesterday. Meanwhile, strong majorities, including Republicans, favor increased revenue from the wealthiest Americans and most profitable corporations being a part of any deficit reduction package.

So let me conclude by saying that I hope very much President Obama does not reach any agreement with the Republicans which includes cuts in Social Security. Social Security has not contributed one nickel to our national debt. It is a successful program and widely supported by the American people who are benefiting from it every single day. More to the point, President Obama, when he campaigned for office, made it clear when he told the American people if he was elected President he would not be cutting Social Security, and the American people expect him to keep his word.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, yesterday I spoke about the matter of tax expenditures, and I would like to expand on that topic today. They are becoming a critical issue in negotiations over the debt ceiling.

First, Mr. President, I ask unanimous consent that I be permitted to finish my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, Democrats say they want to eliminate tax

expenditures. They refer to them as loopholes or spending through the Tax Code. This might be a good political argument, but it bears little relationship to the understanding of tax expenditures and tax law or tax policy.

Yesterday, I outlined a general definition of tax expenditures. They are most definitely not spending through the Tax Code, as President Obama so creatively put it, and they are most definitely not, by and large, loopholes. Rather, they were intentionally included in the Tax Code by Congress in order to realize certain policy goals.

Tax expenditures are an opportunity for families and businesses to keep more of their income. Unfortunately, rather than have a serious conversation about tax expenditures and tax policy, President Obama and his liberal allies are intent on setting new ground for juvenile public discourse.

Faced with a \$14.3 trillion debt—and going up every day—Social Security and Medicare Programs that are set for bankruptcy—ruining America's seniors—and a legitimate fiscal crisis that poses a clear and present danger to the Nation's security and the security of America's families and businesses, President Obama is again talking about shared sacrifice. Well, I like the term. The only thing is, I would prefer to have shared prosperity because all we are going to get out of this administration is shared sacrifice, which means everybody is going to suffer. I would like to have shared prosperity where everybody is lifted.

The first time we really started hearing about this concept of shared sacrifice was in the debate over ObamaCare. For those who are unfamiliar with Washington-speak, this is what the President meant by shared sacrifice: I am going to raise taxes on families and businesses by over  $\frac{1}{2}$  trillion, and I am going to do it by shaking down businesses.

He made them an offer they couldn't refuse: Pay up now or pay up more later. So when we started hearing again about shared sacrifice, we knew what was coming: more proposals for tax increases. But I have to say I remain shocked at how ham-fisted most of these proposals are. They are nothing but a series of bad talking points that can be used for the President's reelection campaign. These talking points were tired by the end of the 1936 Presidential election.

I would not be surprised to see President Obama dust off Franklin Roosevelt's speeches and start railing against economic royalists by the end of the debt limit negotiations.

Sadly, the Senate's leadership has followed suit. After making a big to-do about keeping the Senate in session to address the fiscal crisis, we are spending this week debating a nonbinding resolution demanding higher taxes on millionaires. Really? The Democrats'

solution to \$14.3 trillion in debt is to attack corporate jets. Seriously? Three billion dollars over ten years. The last time they did that, they wound up with their tails between their legs in 1990, and in 1993 had to reverse the whole thing because it cost thousands of jobs.

I never underestimate liberals' lack of respect for the intelligence of the American people, but this is a new low. Do they think that ordinary Americans are so consumed with class hatred that they will respond like Pavlovian dogs to the criticism of corporate jets, and forget that it was programmatic liberalism, not bonus depreciation of corporate jets or tax benefits to energy companies, that got us into this debt crisis?

This is how the left perceives Republicans. They want to score some cheap points against Republicans by going after corporate jets, as though all Republicans love corporate jets. I would venture to say that an awful lot of corporate jets are owned by very wealthy Democrats. What are we going to get next week, a tax on monocles and top hats? Maybe we will spend next week debating a nonbinding resolution on the need to tax madras blazers for the good of the country.

Unfortunately, not all of the Democratic proposals are a laughing matter. They have been down this road in the past pushing tax increases on luxury items such as yachts. Today, the press ridiculed Republicans for "defending the yachting class." There is no yachting class in this country, unless you count the Democratic party of Martha's Vineyard.

But there is a class of people who build yachts. This is what happened to those people the last time the Democrats engaged in class warfare of this kind. In the 1990 budget deal, a new luxury excise tax was created applying to yachts, aircraft, jewelry, and furs, first applying to the 1991 year. The similarities are eerie.

Faced with soaring deficits, Democrats insisted that revenues be part of the equation. And how did this work out? The tax was repealed in 1993 because, as the Democratic-controlled Senate Finance Committee report, as reported by the Budget Committee, explains:

During the recent recession, the boat, aircraft, jewelry, and fur industries have suffered job losses and increased unemployment. The Committee believes that it is appropriate to eliminate the burden these taxes impose on the interest of fostering economic recovery in those and related industries.

Republicans are not defending the yachting class. They are defending the people whose jobs will be lost to Democratic class warfare.

Of course, the left cannot contain themselves to these targeted tax increases. Today we read in the paper that the President is eager to reform Social Security. Yet it appears he is

only willing to do so if we let the 2001 and 2003 tax cuts expire, tax cuts which only last December the President acknowledged were necessary components of our economic recovery.

I would not be surprised to see the old Democratic hobby horse, an increase in the Social Security tax max, make an appearance in the Democrats' list of demands.

These are nonstarters, and everyone understands why. These broad-based tax increases would be a weight around our economic recovery.

But the issue of tax expenditures continues to cause confusion and must be addressed. Those who advocate limiting or eliminating these tax expenditures suggest that they are spending and loopholes that benefit wealthy individuals.

Yesterday, I offered a grown-up definition of what a tax expenditure is. Today, I wish to highlight what are in fact the top tax expenditures. What we will find is that the tax expenditures that would generate the largest amount of revenue are also those that are available to the middle class, enabling them to give to their churches and synagogues, and to save for a home, for college, and for retirement. To get at meaningful deficit reduction, Democrats would have to eliminate these expenditures. Is that what they want to do? That might be a good question at the President's next press conference. Maybe someone could give him a copy of this chart right here, and ask which of these tax expenditures he is willing to eliminate in the interest of deficit reduction:

No. 1, exclusion for employer-provided health care. Is he going to get rid of that? That is 13 percent of all tax expenditures.

How about home mortgage interest deductions? Is he going to get rid of that? That is 9 percent.

How about preferential rates for dividends and capital gains? That is 8 percent.

Exclusion of Medicare benefits. Are they going to do away with that? That is 7 percent.

Net exclusion of defined benefit pension contributions and earnings. Are they going to attack our pensions? That is 6 percent.

And earned income tax credit. My gosh, that is 5 percent.

Deduction for State and local taxes, except real property. That is 5 percent.

No. 8, net exclusion of defined contribution/earnings. That is 4 percent.

How about No. 9, exclusion of capital gains at death? That is 4 percent.

And how about No. 10, deductions for charitable contributions? That is 4 percent.

I venture to say hardly any American is going to want to do away with all of those in the interest of getting more revenue so the Democrats can spend it back here.

Look at that chart. It is a list of the top 10 tax expenditures. Maybe someone can give him a copy of this chart and ask which of these tax expenditures he is willing to eliminate in the interest of deficit reduction. I encourage all my friends to look at this chart. It is a list of the top 10 tax expenditures.

With the rhetoric coming out of the White House, you might be surprised to learn that tax benefits for yachts and corporate jets are not in the top two. Not only do they not make the top 10, they don't even come close.

If you take the so-called savings that would come from the corporate jet tax approach of the President, it would take us 3,000 years to even reach the approximately \$800 billion stimulus package. In the context of the President's trillion-dollar deficits, they are statistical noise.

So what are the big tax expenditures?

No. 1 is an issue from the ObamaCare debate. It is the exclusion for employer-provided health insurance. The exclusion of employer-provided health insurance from income is the single largest tax expenditure, representing 13 percent of tax expenditures.

Yesterday a Member of the other side's leadership pointed out that the largest tax expenditure is one for corporations. Boy, is he wrong. Here is what he said:

The biggest single deduction is the employer's exclusion for health care premiums. So employers are able to exclude from income the amount of money they spend for health insurance for their employees. That's the biggest.

Well, that is an incorrect description of the law that they are arguing. Employers always have been allowed, and should be allowed, a deduction for the cost of benefits they provide to their employees. Employee compensation, including the provision of health insurance to one's employees, is a cost of doing business and thus properly deductible by the employer so as to accurately measure the income, or profit, of the employer. That has never been considered a tax expenditure. The exclusion at issue, which is a tax expenditure, refers to the employee's tax treatment, not the employer's tax treatment. That is, most compensation that an employee receives from his employer is includable as taxable income. One of the few exceptions to that general rule is that employees do not include in taxable income the value of employer-provided health insurance.

Coming in at No. 2 is the home mortgage interest deduction. This expenditure alone accounts for 9 percent of all tax expenditures.

The third largest? There we have the lower rate on capital gains and dividends. Do away with this expenditure, and the rate on capital gains and dividends will almost triple in about 18 months. Capital gains and dividends

represent about 8 percent of all tax expenditures.

What is No. 4? Here we have an untaxed piece of Medicare benefits. Imagine that. I wonder how many folks on the other side realize this or even if the President does. When my friends on the other side categorically talk about cutting back tax expenditures as the yellow brick road to deficit reduction, I wonder if they know that hiding behind the curtain is an increase in the aftertax cost of Medicare.

Do my friends on the other side realize this? A few months ago, a liberal group ran an ad showing my friend, the chairman of the House Budget Committee, PAUL RYAN, pushing an old woman in a wheelchair over a cliff. His crime? Recommending policy changes that would prevent the inevitable bankruptcy of Medicare.

I am not going to hold my breath waiting for this same group to pull the fire alarm, because the Democrats' talk of eliminating tax expenditures might result in seniors getting hit with higher taxes on Medicare benefits. But this is what the President and the Democrats are talking about. If they are serious about using tax expenditures to reduce the deficit, these are the things that will have to be on the table. These are the big expenditures. This expenditure is real. You can look it up in the handy tax expenditure publication from the nonpartisan Joint Committee on Taxation. It is significant, representing 7 percent of all tax expenditures, to the exclusion of Medicare benefits.

At No. 5 is the pre-tax treatment for defined benefit pension contributions and the inside buildup on the accounts. This is a tax benefit that reduces the cost for those workers who make the decision to save for retirement. This represents 6 percent of all tax expenditures.

What is No. 6? It is the refundable earned income tax credit, the EITC. When folks describe tax expenditures as spending through the Tax Code, this is one that could properly be labeled that way. Under congressional budget rules, this one, for the most part, scores as spending. That is not the case with the other tax expenditures on this list. Refundable tax credits score as spending because the government cuts a check to the taxpayer. With the other tax benefits on this list, the taxpayer is receiving a portion of the money back in the form of reduced taxes. There are some serious tax hikes there. This tax expenditure accounts for 5 percent of tax expenditures.

No. 7 is the deduction for State and local taxes. My friends on the other side need to be particularly careful with this one. So far, they would hit seniors, families who have health insurance through their employers, people with mortgages, and anyone who owns stocks and bonds. But with this,

many Democrats risk alienating every last taxpayer in their States. Removing this deduction is going to hit high-tax States hard. If you are from a so-called blue State, it is likely that constituents are already heavily burdened with State and local taxes. Take away this and you will, in effect, drive up the marginal rate of your constituents who take their deduction by as much as 35 percent.

I am convinced that many of the inroads Democrats made between 2006 and 2008 were due to carefully crafted Trojan horse campaigns. Skillful operatives ran Democratic campaigns promising moderate tax and spending policies that would be respectful of families and businesses. But once that Trojan horse got inside the Capitol, and former Speaker PELOSI and President Obama took charge, frustrated liberals spilled out and started taxing anything that could move to pay for the largest expansion of government since Lyndon Johnson was in office.

Removing the deduction for State and local taxes might be the final act that restores purple America to its traditional red hue. At 5 percent of all tax expenditures, this would represent a massive tax increase, this net exclusion of defined benefit pension contribution. And that is No. 7, after State and local taxes, except for real property.

What is No. 8? This is the pre-tax treatment for the contributions workers make to their defined contribution plans and the inside buildup on the accounts. Many of us know of these retirement plans as 401(k) plans. At 4 percent of tax expenditures, this is a significant incentive to families to save for retirement.

No. 9 is a bit more obscure but no less critical for families. It is the tax expenditure for the step up in basis at death. We all know the saying that nothing is as certain as death and taxes. Well, if this tax expenditure were eliminated, this step up in basis at death, this saying would take on an even darker meaning. Death could now be taxed twice. First, the decedent's estate might get hit with the death tax. Then the decedent's heirs would be taxed again on the gain embedded in any inherited asset should they decide to sell. This accounts for 4 percent of tax expenditures.

We close with No. 10, the tax expenditure and probably the most important one to my constituents in Utah. It is the tax benefit for donations to charities other than education and health care institutions.

When you make your weekly or yearly donation to your church, you can now deduct it for tax purposes. This charitable deduction represents 4 percent of all tax expenditures. The folks in my State all pay tithing—almost all of them. That is 10 percent of their gross income. I do it every year. I have

to tell you, you would hit a lot of very charitable people and a lot of churches with the loss of that one, No. 10. Yet that is the smallest of the whole 10.

As the chart shows, these widespread everyday tax policies account for almost two-thirds of tax expenditures. We are not talking about yachts or corporate jets.

Now, I have already suggested it, but rolling back many of these expenditures would have an immediate adverse impact on American families and taxpayers.

It would also undercut longstanding Federal policies promoting saving, home ownership, and charitable giving.

Let's turn first to retirement security.

About half of Americans save for retirement. The overwhelming bipartisan consensus is that this number is way too low. Ideally, all American workers would be saving for retirement.

More savings means less financial stress on Social Security and Medicare. Most importantly, it means retirees can enjoy their retirement if they can rely on a nest egg. That is why there has been a bipartisan desire to incentivize retirement savings through worker participation in retirement plans.

A time-honored method has been to offer a tax benefit up front in the case of the traditional defined benefit plan, traditional defined contribution, or traditional IRA. The benefit remains untaxed during the individual's working years. It is only taxed when received in retirement. By contrast, Roth pension plans and IRAs provide a tax benefit on the back end, when a worker retires and begins drawing on the account.

Former Finance Committee Chairman William Roth captured the policy rationale best by noting the deliberate tax policy bias toward savings. Chairman Roth used to make the point with a rhetorical question. He would ask: "Is there any bad saving?"

Of course, the answer is no.

One thing we know for sure. Curtail or eliminate the tax expenditure for retirement savings and the after-tax cost of savings will rise. Savers will react. It is true that some will continue to save. But it is also true they will have less to save if they choose to do so. For middle income taxpayers, it will probably mean lower savings rates.

Is that a good policy to put in place?

Consider this: According to the Joint Committee on Taxation, for 2009 over half of households paid no income tax. Forty-nine percent of Americans shouldered 100 percent of the income tax burden.

The half shouldering the income tax burden are also, generally speaking, the part of the population making sound personal decisions like saving for retirement. That behavior is good in both a micro and macro sense. In the

micro sense workers are sacrificing current consumption for security and a better standard of living in the future. In a macro sense, the collective behavior of these citizens stabilizes our aging society.

To encourage this kind of sacrifice, our tax policy provides a tangible tax benefit. Take away that tax benefit and, as with raising taxes on anything else, you will get less of the behavior. Take away the tax benefit, and you will get less saving for retirement. Does that make any sense?

In order to avoid restraining the rapid growth in government spending, our friends on the other side would have us send the wrong policy signal to the half of our population that saves. They would add to the burden of those who are already shouldering the entire burden of funding the Federal Government. At the same time, by discouraging saving and personal responsibility we would further unleash the appetite of those who want us to spend more.

Take another look at the chart. Add up the tax expenditures from defined benefit plans and defined contribution plans. They account for 10 percent of tax expenditures. Over 5 years, the revenue from these expenditures amounts to almost \$700 billion. On a per-year average basis, it is \$140 billion. That is an annual policy shift of \$140 billion in incentives for private savings to \$140 billion in incentives for growing government spending.

Do we want a society where more saving is encouraged? Or do we want a society where dependency and more government spending are encouraged?

Do we want to look more like Switzerland or do we want to look like Greece?

The answer to this question is clear to the citizens of this country.

Unfortunately, not all of their representatives seem to have thought through the implications of going after tax expenditures.

To get at this from another angle, I would like to discuss the impact on taxpayers of cutting back some of these tax expenditures that come in the form of itemized deductions.

I am going to examine the effects of cutting back these itemized deductions by applying President Obama's budget proposal to cap itemized deductions at 28 percent.

It is clear that some in the White House are pushing this 28 percent cap hard in the negotiations over the debt limit.

As noted before, itemized deductions generally are considered tax expenditures. But itemized deductions impact a number of basic, longstanding features of American life. Itemized deductions include the home mortgage interest deduction, the charitable contribution deduction, and the State and local tax deduction. The President is proposing to chisel away at these itemized

deductions, and we should carefully re-look at what that would mean.

President Obama has proposed repeatedly “to limit the tax rate at which high-income taxpayers can take itemized deductions to 28 percent.” It appears that this proposal is designed to lessen the benefit to higher income taxpayers of itemized deductions. The Joint Committee on Taxation says that this provision would mean the Federal Government would collect an additional \$293 billion in taxes over 10 years.

True to form, this is just another version of the same soak-the-rich play that the left has been running for decades. From their perspective, it is unfair that higher income individuals get a more valuable tax benefit than lower income individuals? But this perspective mischaracterizes a critical issue. The 35 percent bracket was established by Congress with an understanding that itemized deductions would allow a significant tax benefit. Had Congress known that higher income taxpayers would be disallowed some of their itemized deductions—as the President now proposes—undoubtedly Congress would have set that bracket at lower than 35 percent.

So, taking away some of the benefit of itemized deductions for higher income taxpayers, while leaving the high-income tax rates at their current levels, upsets the balance struck by prior Congresses. Obviously, Congress is allowed to do this, but let’s not pretend that these expenditures are loopholes or oversights by prior Congresses. The President and the Senate’s Democratic leadership are free to do this if they choose, but they should at least come clean about what they are doing. They are significantly raising taxes on the people who are already shouldering the lion’s share of the Federal income tax burden—98 percent of them, as a matter of fact.

Even aside from the staggering character of this tax increase—one that would clearly violate President Obama’s campaign pledge not to raise taxes on middle class Americans the macroeconomic impact of this cap is negative at best.

President Obama’s 28 percent cap would reduce the benefit from the home mortgage interest deduction. For 5 years now, our Nation has been experiencing a bursting of the real estate bubble. Current headlines indicate that this trend will continue for a time. Limiting the value of the home mortgage interest deduction would apply additional downward pressure on home prices—not only for high end homes, but for all homes. By repeatedly proposing to limit the benefit of the home mortgage interest deduction, is it the President’s intent to further depress housing prices, or is this mere collateral damage from his desire to raise taxes.

But the damage from this cap does not stop at the housing market. President Obama’s 28 percent cap would also reduce the benefit from the charitable contribution deduction. This would almost surely reduce the amount of contributions people would make to churches, synagogues, temples, soup kitchens, shelters, universities, and museums. Is that the President’s intention? Does the President know that these revenues might never materialize because the elimination of this deduction will step up pressure for direct government assistance for the poor, for students, and for the arts?

Finally, this cap would reduce the benefit of the State and local tax deduction. I touched on this point earlier. High-tax States are able to soften the blow of their high taxes by pointing out to their citizens the Federal deductibility of such taxes. So, my colleagues from high-tax States might want to talk to their governors about the impact the President’s proposed cap would have on State and local public finance.

I want to be clear about something. Our Tax Code is a colossal, awful mess. And tax expenditures must be a part of any conversation about tax reform. But I want to emphasize that the conversation about tax expenditures should happen in a conversation about broad based tax reform—reform that flattens the code while lowering rates.

The conversation about tax expenditures should be a sober one in the context of a meaningful discussion about tax policy. Unfortunately, the President has chosen instead to target tax expenditures willy nilly with little regard for the policy implications of these tax hikes.

Make no mistake, whatever the President wants to call it—reducing spending through the Tax Code, closing loopholes, or making people pay their fair share—these are tax increases plain and simple. And they are tax increases on the middle class.

There has been some criticism in recent days about Republicans for their commitment to a pledge many of them took against any net tax increase.

I have to admit I am at a loss here. Conservative Republicans, convinced that taxes are already high enough, promise their taxpaying citizens that they will never support a net tax increase.

They gave their constituents their word, and are sticking to it.

Meanwhile, President Obama, who promised not to raise taxes on the middle class when running for office, vows to break this promise at every opportunity.

And yet it is the conservative Republicans who are somehow lacking integrity? Hardly.

I don’t care how many blows I take from sophisticated Washingtonians and professional leftists for sticking by my

pledge to the people of Utah. I will resist any effort by the President to include tax increases as part of the deal to increase the debt ceiling. I will do so for a number of reasons. First, our Tax Code needs a fundamental overhaul. It is a complicated mess that is lacking in fundamental fairness. Yet the President’s proposal to reduce tax expenditures for deficit reduction, is a proposal to maintain a tax code that grows more burdensome by the day. The President’s proposal essentially robs the government of the revenues that it might use later to flatten the Tax Code and lower rates.

More importantly, I oppose the President’s proposed tax hikes as a matter of principle. Flattening the tax base without any offsetting rate reduction is a tax increase.

My friend, the ranking member on the Senate Budget Committee, Senator SESSIONS captured the point well in an interview the other day. I will quote Senator SESSIONS:

We have to be honest and recognize that if you are going to eliminate systematically a host of deductions and keep the money or spend it for new programs, then you’ve raised taxes. . . . It just is unless we’ve changed the English language.

The campaign against tax expenditures is a campaign for a tax increase.

It is a tax increase that could send the wrong signal to those Americans who sacrifice current consumption and save for retirement. It could raise the bar for those Americans who want to experience the American dream of home ownership. It would mean the residents of high tax States would face even higher State and local taxes. And it could mean a cutback back in the volume of charitable giving.

This is shared sacrifice that the Nation cannot afford.

I prefer shared prosperity by cutting taxes and giving the small businesses and businesses the opportunity to use that money to hire people and get people working and get more people paying taxes. I think it is abysmal that the bottom 51 percent do not pay income taxes, and 23 million of them get refundable tax credits from the government that are far more than the payroll taxes they might have to pay, which are Social Security payments.

I listened to my colleague from Vermont saying we cannot do anything on Social Security, we cannot do this, cannot do that, the poor people are going to be hurt. Where are they going to be when Social Security is bankrupt? Where are they going to be when Medicare and Medicaid are bankrupt? The way we are going, that is where they are going to be.

We cannot keep spending like this, and we have to quit playing the phony game with tax expenditures.

All I can say is we have to get with it around here and we have to start working together as Democrats and

Republicans in the best interests of the American people, and that is reforming this awful Tax Code, getting taxes down for everybody, and taking care of the poor but also expecting everybody to have some skin in the game—except the really poor—and help our country pull out of the mess we are in.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

The Senator from Wyoming.

Mr. BARRASSO. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection.

#### SECOND OPINION

Mr. BARRASSO. Mr. President, I come to the floor, as I have week after week since the health care bill was signed into law, with a doctor's second opinion about the health care law because the President repeatedly made promises to the American people as the health care bill was being debated and even after the health care law was signed. He promised to improve, not hurt, the quality of medical care in this country.

We now know the President's health care law actually makes the problem of health care in this country worse. In fact, since this bill was signed into law, we have learned that it makes the cost of health care worse. We know it makes the American's ability to get health care worse and the ability of individuals to keep the care they like—it makes their ability to keep that care worse.

Today, I would like to first talk about the cost of care.

President Obama promised American families they would see their health insurance premiums go down because of the health care law, and he actually told them they would go down by over \$2,000 per family. Well, now we know that is not the case. In fact, Americans have seen their premiums increase 19 percent since the time the President signed his health care bill into law.

I was looking at the front page of the Sheridan Press, Sheridan, WY, yesterday. Headline, front page:

Health care premium increase. County administrative director said the county's cost to provide health care coverage for its employees will increase by about \$360,000 this year.

We are talking about 1 county—1 out of 23 counties in Wyoming, \$360,000 for county employees.

You know, throughout this entire health care debate, the President promised the American people that if they liked their health care plan, his health care law would let them keep it—another broken promise. Employers all across the country have made it clear that the health care law's mandates are too expensive and threaten their ability to offer insurance to their employees.

A recent study by McKinsey & Company, which is a reputable national consulting firm, produced a report entitled "How U.S. health care reform will affect employee benefits." They surveyed over 1,300 employers across diverse industries, geographies, and employer sizes. The results confirmed what Republicans and American workers and their families knew all along, and they knew it long before the President and Washington Democrats forced this health care law down their throats. Overall, the report says, 30 percent of employers will probably stop offering employer-sponsored coverage in the years after 2014 when the Obama health care law goes fully into effect. Among employers with a high awareness of the health care reform law and what is specifically in the law, then the proportion of those who will definitely or probably stop offering coverage jumps to 50 percent, and upward of 60 percent will pursue other options. So at least 30 percent of employers would actually gain economically from dropping coverage even if they completely compensated their employees for the change through other benefit offerings and higher salaries.

Apparently, the President's promise that "if you like the health insurance you have today, you can keep it" translates into "you may very well lose your coverage."

As former Congressional Budget Office Director Doug Holtz-Eakin's analysis confirms, if employers decided to drop coverage—which is in their economic best interest to do in many cases based on their economic evaluation—the cost of Federal insurance subsidies would skyrocket.

Remember, the White House and Democrats in Congress met behind closed doors. They acted swiftly and covertly to pass a law without regard for how its provisions would impact each and every American family.

Then the question is, Will Americans actually have the ability to get medical care they need from a doctor they want at a price they can afford? The President promised that his law would increase access to affordable care. Some groups tell a different story.

In April 2010, a month after the President signed his health care plan into law, the Association of American Medical Colleges estimated that based on graduation and training rates, this country would have a shortage of 150,000 doctors over the next 15 years.

In May of the same year, the American Medical Association issued the results of its survey showing the impact of low payment rates and the threat of future payment cuts on Medicare patients' access to care. The AMA found that one in five physicians currently restricts the number of Medicare patients they see. The AMA study shows that nearly one-third of primary care physicians restrict the number of Medicare patients they take into their practice.

All any of the Members of the Senate need to do is, at home on the weekend, talk to someone in your community, someone who is on Medicare, someone who is trying to find a doctor, a doctor to care for them, and see how very difficult it is for someone on Medicare to find a doctor to care for them.

Well, later last year, the Association of American Medical Colleges related updated physician shortage estimates. The September 2010 study said that by 2015, doctor shortages will be actually 50 percent worse than originally projected. By 2020, there will be a shortage of 45,000 primary care physicians and a shortage of 46,000 surgeons and medical specialists.

So I find it ironic that we have a health care law that is passed that actually doesn't put money into training doctors to treat you but puts money in to hire IRS agents to investigate you. Absolutely astonishing.

These studies clearly demonstrate that the President's health care law will only make it harder for Americans to see their doctor. In fact, Washington only expanded the ability for folks to get government-approved, government-mandated, government-subsidized coverage. They did not expand the ability for the American people to get actual medical care. There is a huge difference between medical coverage and medical care. When you take over \$500 billion away from our seniors on Medicare not to save Medicare but to start a brand new government program for someone else, well, that is a way to make the problem worse. When you force 16 million more people onto Medicaid, a program where half of the doctors in the country won't see those patients, that also makes the problem worse.

On the front page of yesterday's USA TODAY, Wednesday, July 6, the headline is "Medicaid payments go under the knife." State cuts could add to shortage of doctors.

The second paragraph:

Some health care experts say the cuts, most of which went into effect July 1, or will later this month, could add to a shortage of physicians and other providers participating in Medicaid.

The article goes on:

Under the 2010 health care law, more than 16 million additional people will become eligible starting in 2014.

So already we have a situation where doctors are reluctant to take care of

people on Medicaid. Yet the President's solution to the health care dilemma in this country is to put more people into a system that is already broken. We are giving individuals and families an insurance card but not really giving them access to the care that has been promised.

Adults are not the only ones waiting in lines to get into doctors offices as the lines get longer. In fact, children enrolled in Medicaid have a harder time accessing medical care than children who have private insurance. Yet that is the President's solution to the needs of this country.

On January 16 of this year, the *New England Journal of Medicine* published a study conducted in Cook County, IL. It is President Obama's hometown of Chicago. People were calling medical offices asking for appointments. They were asking for appointments for children with chronic conditions or acute conditions and telling the offices—these were kind of secret shoppers—the person had Medicaid or private insurance. What they found is 66 percent of the time when the researcher called for an appointment and they mentioned Medicaid, they were denied an appointment. But only 11 percent of the researchers calling for appointments who said they had private insurance—only 11 percent would not get an appointment. So there you have 66 percent denied if they had Medicaid and only 11 percent denied with private insurance. Those Medicaid patients who did get an appointment, well, they faced wait times twice as long as kids with private insurance—an average of about 6 weeks. As one caller was told when asked what kind of insurance the person had—when that person said Medicaid, the receptionist at the medical office said: Medicaid is not insurance. Yet that is what the President and the Democrats base their entire health care plan on—16 million more on Medicaid.

Here it is over a year after the law has been signed, and the President's health care law has made health care in America worse. Premiums are higher, and the lines at doctors offices are longer. It is more difficult to get a doctor to care for you. This is not what the President's health care law was supposed to do, and it is not what the President promised the American people last year. He promised that the health care law would make health care better for all Americans. Each week, we learn that the promises are coming up empty and health care in America under this health care law has been made worse.

That is why week after week I come to the Senate floor as we learn more things about the health care law that passed the Senate, passed the House, was signed by the President, and, in my opinion as a doctor who practiced medicine for 24 years, has actually

been bad for patients, bad for providers and nurses and doctors who take care of those patients, and bad for the taxpayers.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I have two things I would like to talk about. First, I wish to deal with the resolution we have on the floor that we had a vote on today, which was this motion to proceed to S. 1323, a bill to express the sense of the Senate on shared sacrifice and resolving the budget. I think it is important that we realize what is in this sense of the Senate. The findings the Congress makes here are very important, and I would like to read these three findings.

The *Wall Street Journal* reports that the median pay for chief financial officers of the S&P 500 companies increased 19 percent to \$2.9 million last year. And then you compare that with the middle class over the last 10 years—the median family income has declined by more than \$2,500. Mr. President, 20 percent of all income earned in the United States is earned by the top 1 percent of individuals. Over the past quarter century, four-fifths of the income gains accrued to the top 1 percent of individuals.

So we conclude in this sense of the Senate—it is the sense of the Senate that any agreement to reduce the budget deficit should require that those earning \$1 million or more per year make a more meaningful contribution to the deficit reduction effort. And that is what we have been talking about today; that is what our leaders are doing—meeting at the White House with the President—is trying to come up with a budget deal and a resolution to this that involves shared sacrifice and involves putting us on a path to better budget responsibility, reducing the national budget deficit. Clearly part of this has to do with millionaires paying more of their fair share.

Now, we got 74 votes on the motion to proceed, but I heard many people say—many Senators walked on the floor and said: Well, I am voting for the motion to proceed, to invoke cloture on the motion to proceed, but I am not sure I support the bill. But I think the 74 votes show a little bit of bipartisanship in terms of a mix of revenue and expenditure cuts. That is the point I wanted to make on this resolution.

First of all, I hear things from the White House that worry me because what has been said when we talk about a package—and they are talking about the overall package—is they say: We are going to have a ratio of 1 to 3, meaning 75 percent cuts and only 25 percent revenue, so three-quarters in cuts and one-quarter in revenue.

Now, how does that compare to how we got out of deficit situations in the

past? I think that is one of the most important things to look at because we were in a big hole in the 1980s. The Reagan administration took us down that road and President Clinton and President Bush 1 had to deal with that situation. What did they come up with? They came up with an agreement which was basically 55 percent revenue and 45 percent cuts. So it was about a 50-50 situation.

I urge the President to look at the budget. We have only been briefed in a very cursory way on the budget KENT CONRAD has prepared, but it comes in at about 50-50 in terms of revenue and cuts.

We have to realize we are at the lowest Federal revenue we have seen in 60 years and the highest Federal expenditures we have seen in 60 years. So we have to work at both sides of this. So that is where I hope the President comes in with some kind of proposal as he is negotiating this, and I look forward to him doing that.

#### NEW MEXICO WILDFIRES

The other topic I wish to speak about is the wildfires in New Mexico. I spent the last week in my State of New Mexico. I stayed there. I started to go to the plane, and I kept hearing the reports from my staff, and one of the most shocking was the entire community of Los Alamos—12,000 people—was evacuated because a forest fire was coming in their direction. As I kept getting the reports and the evacuation had started to take place, I thought: Well, the best thing to do is to not fly out but to go back to the community of Los Alamos and the surrounding communities and try to assist in any way I could.

I want to talk a little bit about that. I think there are some lessons to be learned in terms of budgets and deficits and how we should invest. But first I want to thank the Senators who helped me while I was gone. As the Presiding Officer, Senator FRANKEN, knows, we are assigned weekly duties in terms of presiding, and I was supposed to preside last week. So three of my colleagues, Senator DURBIN, Senator MERKLEY, and my cousin, Senator MARK UDALL, stepped up to help me with presiding time. I had an amendment that was on the floor when we were dealing with the rules package, and Senator HARKIN helped me with that proposal. So there was a real team effort within our Democratic caucus to help me to be able to work on the wildfire issue out in New Mexico and stay there and have my capable staff and the other Senators help out. I really thank everybody for that team effort.

The wildfires that are raging across New Mexico are not only in New Mexico. A number of States have been hit: Texas, Arizona, Florida, and my home State of New Mexico. Generally, what we see in this country is the fire season starts at the southern part and moves



up to the north as we go through the summer season. In the Southwest, we have had an extraordinary fire season. I was just briefed by Secretary Vilsack when I was out there. He spoke in the southwest region about 1,600-plus fires burning 1.5 million acres. This is still very early in the fire season. We could see a lot more burning going on. Then, the thing that really hit me was the fact that we were told this is the driest recorded summer since the Forest Service has been keeping records. So it is pretty remarkable we are in this kind of situation where we have a drought and then we have fires that heat up.

This particular fire, for New Mexico—the name of it is called the Las Conchas fire right near Los Alamos. As we speak, it is more than 135,000 acres. It is almost three times as big as the previous fire situation we have seen.

What happens with these forest fires in our dry, arid region is we get extreme heat within the forest, and we get what are called crown fires, where the tops of the trees—these trees may be 30 to 50 to 100 feet tall, and the fires burn in the top of the crown. They can spread when there is a 40- or 50-mile-an-hour wind, as there was in some cases here. They can be in the crown of the trees and they can jump out a mile in advance with embers and create additional fire in front of it. As a result of the heat—very intensive heat; I think close to 1,000 degrees right in the heat of the fire—it makes the soil unable to absorb water any longer, which is something that creates a situation when we get our rainy season, which occurs right after the fire season, we can have serious flood situations. The soil will not absorb water, so when the rains come all of the soil on the surface washes off. It washes into the reservoirs. It can fill them up with silt. Some of those are used for recreation, for fishing; others are used for drinking water. For example, several of the communities in northern New Mexico get 40 percent, 50 percent of their drinking water from these reservoirs. So these kinds of forest fires can be absolutely devastating to communities.

But the one thing we were thankful for, because of the Federal firefighters, is the worst case scenarios didn't occur. One of the things that was expected—and I think many saw this covered on the national media—is this might get into the National Laboratory, the Los Alamos National Laboratory; that there was going to be radiation released and those kinds of things. In fact, we dodged a bullet there. It didn't go into Los Alamos National Laboratory. The labs and the residences were protected.

There was another fire burning nearby that threatened the Santa Fe watershed. The fire changed directions and because of the skillful firefighting it didn't get into the watershed. So we

dodged a bullet. But many other areas—many other areas—were severely impacted, and many other groups were.

For example, New Mexico's Indian pueblos—we have 19 pueblos in New Mexico. Some of them were terribly impacted by this: the Nambe Pueblo, the Santa Clara Pueblo, San Ildefonso Pueblo, the Ohkay Pueblo, Owingeh Pueblo, and many other pueblos. One of the most damaged pueblos was the Santa Clara Pueblo. The Governor is a gentleman by the name of Walter Dasheno. He and some of his counselors had come to a meeting. Eighty-five percent of this Indian reservation has been burned in the last two big fires. What they said when we were sitting in a room—and these are the elders from the pueblo who came to talk to us—they said: Our hearts are in a very sad state. The fire devastated our religious sites, our sacred sites. We had medicinal plants we would collect in this area. We can't do that any longer.

With great emotion these elders said: We are never going to see this forest in the same condition again. So, obviously, the loss was great at Santa Clara, but it was all across New Mexico, of those pueblos that I just named, and it is a very significant loss.

The first thing I wish to do in speaking today is to thank all the firefighters who were involved in this effort. I think we have fighting just this one fire 2,600 firefighters from all over the Nation—15 different States. It is incredibly tough work—difficult, tough, dirty work.

I met many of these firefighters out on the front where they were fighting the fire. Some of them would talk about how they had been away from their families for 2 weeks. They hadn't had a shower. They were sleeping in tents. It is a tremendously trying occupation, being a firefighter, but they believe in it. They show up every day, and they do an incredible job. They were supported by our National Guard which guarded the community of Los Alamos while the people were evacuated to make sure there wasn't any crime going on. The State police patrolled the roads to try to make sure they could keep order. Local law enforcement, local firefighters participated, the local fire departments.

So it was an incredible effort by our community pulling together. One of the most remarkable things is the expertise at the Federal level in Federal land management agencies and firefighters. These teams are headed up—typically, we will have a type 1 and a type 2 team, and the head of the team called the incident commander will probably have 20, 25, 30 years of experience in fighting fires every summer around the country. These are career people from the Bureau of Land Management, the Forest Service, the Park Service, and a variety of other Federal

agencies that step to the plate and help out when we get in these emergency situations.

As I said, they come from all over the country to work in the States that are impacted, and then as the fire season spreads north up to Colorado and Wyoming and Montana, those same firefighters move on to continue the battle up there.

One of the points I take from this, one of the things I learned from this—and I think President Lincoln said this very well: Government does for people what they can't do for themselves. Collectively, we pull together when we hit situations where if we have an individual who has a home in Los Alamos, there is not much he can do with a big forest fire coming in his direction. But we can organize as a governmental entity to say when we get big catastrophic fires such as this, we are going to have people who are competent, who are capable, and who have all of this experience in fighting fires who will come together and help out. That is something we need to protect.

When we think of debating budgets and deficits and all of that, there is a very important function that government serves out there, and we need to protect that safety net function, that collective function where we help each other. I think this firefighting is a great example of where government is needed and we could be devastated if we didn't have the expertise that the government has in terms of fighting fires.

The other thing I saw at these fires—and it was pretty remarkable. When I have been to tornado sites in New Mexico, when I have been to some of the flood situations, what stands out for me is how New Mexicans pull together in this situation—New Mexicans helping New Mexicans. The pueblos I talked about that were so impacted by the fires, they actually opened other sites on their reservations so the evacuees coming out of Los Alamos, the 12,000 people—several of these pueblos said: We are going to open our convention center and let them set up cots, and we are going to feed the people. We are going to do everything we can to help with this situation.

At the same time, their particular pueblo was being devastated by a forest fire. So there was an extraordinary outpouring of goodwill that New Mexicans have shown in this kind of emergency situation. It is remarkable to see in a time of need people pulling together and doing that in such a way that it brings tears to your eyes.

There was one individual I want to talk about. I was in talking to a group of people who were training for a charity that was going to help the evacuees—help them serve meals, help them set up cots, help them be organized. I got a question from the floor, and the individual said to me: I have

lived in Los Alamos, and I had to come down here. I am an evacuee, but I found a friend who was able to put me up. I know there are other people who do not have that situation. So I am out here today training with the American Red Cross because I want to help the others, and I want to try to give back.

That is the spirit we have seen in New Mexico, that even if you were in need and had been driven from your home, you were still trying to help out. I think it is a pretty remarkable story.

One of the things we are going to have to do as we look across the country—and we see floods in the Midwest and wildfires in the Southwest and tornadoes—all of these things require a disaster relief bill, they require disaster relief funding for agencies that deal with fires and all these other natural disasters.

These things are very costly for local government. FEMA steps in and helps out with the Governor making a request. The Forest Service helps out. There are burn area rehabilitation teams that move in right after a fire to try to protect the erosion so there are not bad floods.

We have to try to do everything we can to make sure we maintain, once again, in this deficit situation, that kind of responsibility. The Federal Government has to help. Even within a deficit situation, we have to have a disaster relief kind of effort. The idea that we are going to somehow change the way we do disasters now, that we are going to take money away from Medicaid in order to put it into disasters, is I do not think a very good idea. So I think when we talk about how we do disaster relief, we need to remember we are all in this together, and when disasters hit, we need to help each other.

To show you the kind of pressure we are under in New Mexico, Secretary Vilsack, with the Forest Service, was out in New Mexico, and the one plea he made to the congressional delegation—because we were talking to him about watersheds that mean clean drinking water and that kind of situation—the Secretary said: I have a program that is called the Emergency Watershed Protection Program. It is for all over the country. It is for when we get into these kinds of wildfires, floods—whatever the situation is. He said: We have \$9 million—\$9 million—in the account. He said: Already, before your requests or any others have come in from New Mexico and other States—I know there are five fires down in Florida and fires in Texas and Arizona—we have \$45 million in requests.

So there is \$9 million in the account, \$45 million in requests. What we are talking about, when we talk about watersheds, is drinking water not deteriorating and that kind of thing. So we need to remember there is a lot the Federal Government does in a shared way with local communities to protect those communities.

My final note, to talk a little bit about the biggest picture here. That is about climate change and global warming. We are seeing these wildfires, droughts, and floods as we have never seen before. I have seen Senators from all over the country talking about these disaster situations. The scientists tell us we are putting too much carbon dioxide into the atmosphere, we are warming the atmosphere. In the West—what the scientists tell us—it is going to be twice as hot in the West, the computer models show, than in other places in the country. While the climate scientists are very cautious with their modeling and what they say, they say: You cannot point to any particular storm. I cannot say that particular fire that occurred in New Mexico—the Las Conchas fire—was caused by global warming or climate change.

They also tell us—and this is the part we need to listen to—the scientists tell us what we are going to see as a result of this is more severe weather events, meaning more severe: If you get into a drought situation, it is going to be a more severe drought, which is exactly what we are seeing in New Mexico right now. When you get floods, you are going to see a more severe flood. You are going to see more severe wildfires. These are all what we are seeing today in New Mexico. We are seeing them across the Nation. We have seen extreme floods in New Mexico, catastrophic forest fires.

We are seeing droughts we have not seen before. The Forest Service has been keeping records for 117 years, and they reported to us there is no record for how dry we are right now. This is the driest year we have ever had, which laid the groundwork for the wildfires we had with the wind and all the other things that occurred.

So we cannot put our heads in the sand in terms of climate change, in terms of global warming. We have to look at these things and realize we are contributing to them, and we need to put policies in place, solid policies that put us on a path to reducing that carbon dioxide pollution that is out there. With that, I thank the Presiding Officer very much and thank the Senate for the time and yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I stand before you today to discuss a problem that is of concern to 300 million Americans. It relates to our national debt, a debt that will soon cross the \$15 trillion threshold.

We have been asked to raise the debt limit, extend the Nation's credit one more time. This we have the power to do but we have to ask ourselves the question: Should we exercise that power? Should we incur additional debt yet again without any plan moving forward to change fundamentally the way we spend money in Washington, DC?

Our current law requiring us to raise the debt limit periodically every time our existing line of credit dries up dates back to 1982. We have raised the debt limit since 1982 nearly 40 times. I fear if we do it again this time without any permanent binding plan in place, legal restrictions changing the way Congress spends money, we will be right back to the same trough a few months later. That is a problem because as we do this over time we inevitably put pressure on our financial system, pressure that will soon cause our economy dire circumstances, pressure that will in time result in excessive job losses, skyrocketing interest rates, and lots of other economic conditions that would be, to say the least, unpleasant.

It is for this reason that 100 Senators from around the country have canceled their plans they previously made to spend time with their constituents in their respective home States this week. That had been our plan, to spend time in our home States. We canceled those plans so we could come back here and have serious, earnest debate and discussion surrounding the best path forward toward moving in the direction of a balanced budget, toward figuring out what conditions, if any, would satisfy the American people who are understandably concerned about the prospect of yet another knee-jerk reflexive debt limit increase.

The American people understand the fact that if we choose to do nothing more than say: Well, if we are going to raise the debt limit by \$2 trillion, let's make sure we cut \$2 trillion from our anticipated spending—they understand that kind of promise is one that is not binding on the Congress if those spending cuts are stretched out over the course of 10 or 15 years or more, as has been discussed, because we here in Congress cannot bind the Congress that will be sworn into power in January of 2013 or January of 2015 or January of 2017. We cannot bind a future Congress. We can make suggestions they can follow, but we cannot bind them—unless, of course, we choose to do that, which has been done only 27 times in our Nation's history, which is, amend the Constitution. That will bind a future Congress. That, I believe, is what we have to do in order to change fundamentally the way we spend money in Washington, to make sure we are not headed back to the same trough a few months from now to do exactly the same thing, leading us closer and closer to the dire circumstances I described a few minutes ago.

While we have been here this week, convening during a week that was previously scheduled for a recess, we as a group of Senate Republicans have come together and offered a real meaningful solution. We have offered to raise the debt limit. We have introduced legislation today with 21 Republican cosponsors in the Senate which is a piece of

legislation we are calling the Cut-Cap-Balance Act. Here is what it says. It says we will raise the debt limit. We will do so only under three circumstances, only after three very specific conditions precedent have been met.

The first two relate to immediate spending cuts to discretionary spending, and statutory spending caps making sure we start putting ourselves right now on a statutorily mandated glidepath toward a balanced budget.

The third step, which is by far the most important, involves passage out of both Houses of Congress by the requisite two-thirds margin a balanced budget amendment to the Constitution—one that would cap spending as a percentage of GDP, and one that would require a two-thirds supermajority in order to raise taxes. Upon each of those conditions being met, then the debt limit would be raised, but only then. We would not raise it without those conditions having been met. Because if we do not meet those conditions, we will not be able to look our constituents in the eye and say: We have done what needs to be done in order to make sure we get to where we need to be, in order to get to the point at which we will no longer be in a position of having to go back to the same trough every few months to go through the ceremony of raising the debt limit yet again.

We have to remember that every time we do this, we run an increased risk that we will start having to pay higher and higher yields on our Treasury instruments. Every time that happens, we incur more expenses that relate to our ability to remain current on our debt interest payments. Every time interest rates, yields on those debt instruments, go up by 1 percentage point, we have to spend an additional \$150 billion a year in interest once our debt instruments catch up with the increased rate. That is a lot of money. That means if we were to return—let's say if interest rates were to go up 3 percent, we can soon find ourselves in a position in which we might be spending as much as \$700 billion a year on interest. We are currently paying about \$250 billion.

Mr. President, \$700 billion a year is roughly what we spend on national defense. It is roughly what we spend on Social Security in an entire year. It is close to what we pay in Medicare and Medicaid combined at the Federal level in an entire year. So where is the difference going to come from when interest rates start to creep up? Even if they go up 3 percentage points, they would still be below their historical average. That money has to come from somewhere, and it will. It will end up coming from the various programs that Americans are most concerned about.

So whether you are a conservative, and you might be most concerned about that money coming from our de-

fense budget or, on the other hand, if you are a liberal, and perhaps you are most concerned about it coming from entitlements, you ought to be concerned about our practice of perpetually raising the debt limit and engaging in perpetual deficit spending, especially when that deficit spending is now in excess of \$1.5 trillion every single year.

This potentially threatens every Federal program out there. It also interferes with the ability of each American to find the prosperity he or she seeks, the ability of each American to live his or her life in the way he or she chooses. That is distressing. It interferes with the liberty of the individual, which is what we have been elected to protect.

I am very proud to be part of this 21-Senator coalition consisting of a group of Senators who are concerned enough about this issue that they are willing to say: We understand that we cannot just not raise the debt limit. There are enough people who are concerned enough in this country about not raising it. The abrupt halt in spending that would bring about would create enough uncertainty and chaos that many are unwilling to face that prospect.

So recognizing that reality, we have taken the bull by the horns and we are willing to do one difficult thing. In order for us to raise the debt limit, we have to be willing to set things in motion in such a way that will solve the underlying problem and will create permanent structural spending reform within the Congress.

I wish to close by responding to an argument made recently by Timothy Geithner, the Secretary of the Treasury, to the effect that we in Congress are essentially mere surplus when it comes to the debt limit increase. He argued that, as I understand it, section 4 of the 14th amendment somehow independently authorizes the executive branch—perhaps the Treasury Secretary, perhaps just the President—to somehow raise the debt limit without consulting Congress, without an act of Congress in place.

That argument is not accurate. That argument is based on an improper reading of the 14th amendment. The language to which he refers reads, in part, as follows:

The validity of the public debt of the United States, authorized by law, shall not be questioned.

Adopted in the immediate aftermath of the Civil War, this provision simply acknowledges the fact that we can't ignore our debt obligations, that when interest or principal comes due on our national debt, they have to be honored. You will notice that in the middle of it, set off by commas, is a phrase that says "authorized by law."

To create law in this country, you have to move something through Congress. That something has to be presented to the President for his signa-

ture or a veto. You cannot make a law in the U.S. Government without Congress. Article I, section 8, clause 2 makes that point clear by giving the authority to Congress to incur debt in the name of the United States.

So, necessarily, by definition and operation of the plain text of the Constitution, you cannot raise the debt limit without an act of Congress. If anything, section 4 of the 14th amendment simply makes clear that which I wish Secretary Geithner would acknowledge—and I hereby call upon him to acknowledge—which is that he has a legal and a moral obligation to make sure that if the debt limit is not increased, during whatever time it remains in limbo, during whatever time we face the debt limit-induced shortfall, it is his obligation to use the first tax revenues coming in the door to pay our debt obligations, pay the interest being accrued on our national debt. It is his obligation not only as a fiduciary or quasi-fiduciary but also the very provision of the Constitution, section 4 of the 14th amendment—the same provision he cites—binds his hands and requires him to make sure that interest gets paid and prohibits him from bringing about a default on our national debt, which is what he has been threatening on many occasions.

There is a way forward. The circumstances in which we now find ourselves are, to be sure, threatening, intimidating and daunting and they are circumstances that bring about substantial disagreement within this body and the other body that meets down the hall from us. But there are answers and solutions to which we can agree.

I believe the Cut-Cap-Balance Act provides the proper solution which can appeal to liberals and conservatives, Democrats and Republicans alike. I call on all within the sound of my voice to look at this legislation and jump on board and become part of the solution.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

TALL STACKS

Mr. WHITEHOUSE. Mr. President, I rise to speak about a serious public health issue in Rhode Island and to commend the EPA for its actions to address it.

Rhode Island has the sixth highest rate of asthma in the country. According to our Department of Health, more than 25,000 Rhode Island children or 11 percent of children in our State—more than 1 in every 10 kids—suffer from asthma, and 82,000 adults in Rhode Island, which is also about 11 percent of our adult population, also suffer from this chronic disease.

From 2005 to 2009, asthma was the underlying cause or a contributing cause of death for 240 people in Rhode Island, including 4 children.

In 2009, there were 1,750 hospital discharges in Rhode Island for asthma cases. Those hospital stays cost about

\$8 million—in just that 1 year—in direct medical costs, not counting the costs associated with days of work and school missed or the medication for ongoing treatment.

On a clear summer day in Rhode Island, many of us have had the experience commuting to work and hearing a warning on drive time radio: Today is a bad air day in Rhode Island. Infants, senior citizens, and people with respiratory difficulties should stay indoors today.

In fact, yesterday was just such a day in Rhode Island. An air quality alert was issued by our State Department of Environmental Management, warning that ozone was expected to reach dangerous levels in the southern half of our State by afternoon. They recommended that all residents limit physical exertion and take refuge in air-conditioned environments for the better part of the day. In addition, Rhode Island's public transit operator, RIPTA, offered free bus rides all day long to keep people out of their cars.

These are real costs—costs paid in freedom, in reduced quality of life, in medical bills, in burdened public services to respond to the health risks of dirty air, and in more missed days of work and school.

There is still a lot to learn about the causes and cures of asthma. But we know air pollution triggers asthma attacks. We know air pollution is a preventable problem. Armed with this knowledge, Rhode Island has taken great strides to reduce air pollution.

In 2006, Rhode Island passed a law to prohibit cars and buses from idling with their engines on.

In 2007, Rhode Island passed a law to retrofit all State school buses with diesel pollution controls.

In 2010, Rhode Island began requiring heavy-duty vehicles used in federally funded construction projects to install diesel pollution controls, adhere to the State anti-idling law, and use only low-sulfur diesel fuel.

RIPTA has voluntarily retrofitted half its bus fleet with diesel pollution control equipment.

However, Rhode Island cannot solve its air pollution problem on its own. We could stop driving entirely and shut down every industry in our State, and we would still have problems with ground-level ozone and particulate matter pollution. Why is that? Because, as EPA has determined, most of the pollution that lands in Rhode Island is sent to us by other States. Much of that out-of-State pollution comes from virtually uncontrolled Midwestern coal-fired powerplants that are tied to excessively tall smokestacks that send pollution hundreds of miles away from the source.

Last month, at my request, the Government Accountability Office completed a report about tall smokestacks at coal powerplants. Here is what the

report said: In 1970, the year the Clean Air Act was enacted, there were two tall stacks—stacks over 500 feet—in the United States. By 1985, this number of tall stacks had grown from 2 to more than 180. Utilities and industry literally built their way into compliance with the Clean Air Act.

The trend continued. As of December 31, 2010, at the end of last year, 284 tall stacks were operating at 172 coal powerplants in the United States. These tall smokestacks are associated with 64 percent of the coal generating capacity in our country. Most of the coal generating capacity in our country vents its pollution through tall smokestacks.

Most of the tall stacks—207 of them or nearly three-quarters of them—are between 500 and 699 feet tall; 63 of them are between 700 and 999 feet tall. The remaining 14 are over 1,000 feet tall. The tallest stack at a coal powerplant in the United States is 1,038 feet, which is at the Rockport Powerplant in Indiana. This graphic compares some of these stacks with some of the well-known landmarks in our country. Here is the Statue of Liberty, at 305 feet; the Washington Monument, at 555 feet; and here are stacks at 1,000 feet, 1,038, and 12,004 feet—the Empire State Building in New York and the Willis Tower in Chicago.

As I have noted in previous floor remarks, once a stack gets over 1,000 feet, it has to be actually marked on aviation maps as a hazard to avoid plane collisions.

What do I mean when I say the utilities built their way into compliance with these tall stacks? In the early days of the Clean Air Act, some States allowed pollution sources to build tall stacks instead of installing pollution controls. The concept was that pollution sent high enough into the atmosphere would be sent far away from the source and it would not contribute to the air pollution problem in that State and everybody would be happy.

The problem is, this air pollution causes problems downwind in other States. As the GAO report put it, "Tall stacks generally disperse pollutants over greater distances than shorter stacks and provide pollutants greater time to react in the atmosphere to form ozone and particulate matter," which are the precursors to asthma. Yet public health policy has not yet caught up with this practice. Rhode Island pays the price.

Making matters worse, the GAO found that more than half the boilers attached to these tall stacks at the coal powerplants have no scrubber to control sulfur dioxide emissions—none. Approximately 85 percent of these boilers went into service before 1980, so they are antiquated and dirty and they run the pollution up the tall stack and it ends up being dumped on Rhode Island instead of cleaned up at the source. Nearly two-thirds of boilers

connected to these tall stacks have no postcombustion controls for nitrogen oxide—controls that are vastly more effective than so-called low NO<sub>x</sub> burners. Again, uncontrolled at the source, they dump the pollution up the tall stacks, export it elsewhere, and it is not their problem, but it then lands on Rhode Island.

Here is a graphic that shows more than 70 coal plants which have tall stacks at boilers that operate without scrubbers or postcombustion nitrogen oxide controls. These boilers are sending hundreds of thousands of tons of unabated pollution up very tall smokestacks, into the jetstream, and the jetstream delivers it downwind onto States such as Rhode Island.

As the GAO indicated:

In the Mid-Atlantic United States, the wind generally blows from west to east during the day . . . ozone can travel hundreds of miles at night with the help of high-speed winds known as the low-level jet. This phenomenon typically occurs at night . . . due to the ground cooling quicker than the upper atmosphere, which can allow the low-level jet to form and transport ozone and particulate matter with its high winds.

The map shows a typical prevailing wind pattern in the spring. Notice how the prevailing winds send so much of the pollution up and over to Rhode Island and other States along the eastern seaboard. In fact, five of the States on this map—Ohio, Pennsylvania, West Virginia, Illinois, and North Carolina—have been identified by EPA as contributing significantly to Rhode Island's pollution problems.

The electricity that comes from these uncontrolled powerplants, which don't stop the pollution at the start but instead jet it up into this low-level jet so it gets dumped in other States—the electricity coming from them might seem cheaper to consumers than electricity from a pollution-controlled powerplant. But that is not so. That would be wrong to consider or to conclude. The costs weren't cheaper. The costs just got shifted. They got shifted from the companies and the consumers in the polluting States to the lungs of children in Rhode Island and other downwind States. It is the lungs of children and adults and seniors in Rhode Island that are actually paying for that cheap electricity.

Happily, and at last, the EPA has begun to remedy this unfair and wrongful public health situation by requiring utilities in upwind States to control their pollution under the good neighbor provision of the Clean Air Act, because while a tall stack will send uncontrolled pollution farther than a short stack would, the most effective way to reduce pollution is to install pollution controls.

Prompted by petitions from our downwind States, the Bush EPA attempted to set pollution limits for States that contribute to unhealthy pollution levels outside their borders.

However, on review, the DC Circuit Court of Appeals told them they had not gone far enough. So the EPA went back to the drawing board and crafted the cross-State air pollution rule that has been announced today, which will cap the pollution that can be produced in upwind States, such as Ohio, Pennsylvania, West Virginia, Illinois, and North Carolina. Those caps were designed based on each State's contribution to pollution in States such as Rhode Island, and it will ratchet down whenever EPA tightens air quality standards based on the latest and best science.

As I said, that rule was finalized today. So I thank the EPA. I commend the EPA for finalizing that cross-State air pollution rule. I also urge EPA to update the national ozone air quality standard based on the recommendations from the CASAC—the Clean Air Science Advisory Committee. This will lead to further pollution reductions in States upwind of Rhode Island and further benefit Rhode Islanders.

These rules will bring us closer to the day when the coal powerplants on this chart start taking responsibility for their pollution and stop exporting that pollution into Rhode Island and other States, when they install pollution control equipment rather than sending their pollution to where it becomes someone else's problem, and to when Rhode Island children can play outdoors safely without the risk of an asthma attack. I am looking forward to that day, and I know the people of Rhode Island are too.

When you drive in and that morning radio tells you today is another bad air day and that children and seniors should stay indoors and can't play, can't take a walk, can't engage in anything that involves any exertion, it is frustrating when there is nothing you can do about it. The Rhode Island Department of Environmental Management could pass regulations until it was blue in the face. The Rhode Island General Assembly could write new laws all day long and it would make no difference because the bombardment of outside pollution on our State is what is driving these health problems. That is why EPA is so important. We would have no voice in this if it were not for a National Environmental Protection Agency that can look out for small States such as ours that are on the receiving end of this kind of a pollution dump from the uncontrolled coal-fired plants in the Midwest.

I thank very much the Presiding Officer, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I would like to add a few words this afternoon about the ongoing negotiations on the Federal budget and on our rapidly approaching debt ceiling.

I think we all agree that the situation we face is one of enormous importance and complexity. I believe every responsible person also agrees a failure to act would have awful repercussions that would jeopardize or worsen our fragile and tentative economic recovery. So I think the responsible view is, it is imperative we act and it is also clear to do so will require every side to make concessions.

I rise this afternoon, however, because it is my strong belief that any agreement we reach must be based on real savings and must not be made at the expense of our most vulnerable citizens. That is why I am so concerned about reports that Social Security and Medicare have been raised as possible sources of deficit reduction. Cuts to Social Security and to Medicare benefits should not be on the table. Social Security is not the cause of the deficit, never has been the cause of the deficit, and beneficiaries of Social Security should not be made to shoulder the burden of deficit reduction.

Social Security is funded through the contributions of our Nation's workers and businesses. It has an enormous surplus and is projected to be fully solvent for another quarter century. So while I would agree with steps to strengthen Social Security, any changes should be considered independent of our effort to reduce the deficit, and we should not cut Social Security benefits.

I helped cofound the Senate defending Social Security caucus for this very reason. The solvency of the Social Security program can be extended significantly just by applying payroll taxes to a greater portion of the earnings of millionaires and billionaires. What we have seen in this country is a huge shift of income going more and more to the uppermost economic reaches and less and less to the middle class. The middle class has actually lost income in the last decade. So the contributions to Social Security are lower because there is less income to draw it off of and the income that is above the \$106,000 Social Security cap is where the explosion of income has been and they contribute not a nickel from that income to Social Security.

So there is a lot we can do to support Social Security, but what we should not do is give in to any of the calls to put our seniors' security at risk in the stock market by privatizing Social Security or increasing the retirement age so that a construction worker or a waitress who works on their feet all day long has to put in more years of service at that age—when their body, frankly, might not be up to it any

longer—or to cut benefits through backdoor methods by lowering the cost-of-living adjustment.

The Rhode Island seniors I have heard from at my community dinners and senior centers around the State I have visited are very concerned what would happen if their benefits were cut.

Audrey, from Middletown, told me that after her husband died, she had many expenses but, as she said, "no income except for his Social Security check which enabled me to go on living—simply but adequately without being a burden on my sons and losing my dignity as well."

Two very important points Audrey makes. One is that Social Security is not just a benefit to Social Security recipients. It is a benefit to the children of Social Security recipients, on whom their parents might otherwise be a burden. It is an American value that senior citizens who have worked hard all their lives, who have played by the rules, who have built the America we now enjoy should be able to draw on so as not to lose their dignity at the end of their life.

That is a principle that is worth defending.

Ronald from Cumberland, RI, had been on Social Security for a number of years. He wrote to say: It seems that it's always the people who need the help the most who get cut from the Federal Government. Why is this? No Social Security cost of living adjustment for 2 years, yet prices for the basic needs still rise. In a country like the United States of America, this should not happen.

These people who are living on Social Security income are not living high off the hog, and they should not be the targets of our cost-cutting zeal.

The threat to the Medicare Program is just as real. Earlier this year, Republicans over in the House of Representatives passed a budget that would end the Medicare Program as we have come to know it for future generations. I can remember being at a senior center in North Providence, and a gentleman sitting at a table said to me: You know, I have helped build this country; I have fought in its wars; And I understand that the Republican proposal will protect Medicare for me; but I am not willing to let Medicare for my children be thrown under the bus. That would make me feel awful. It simply isn't right for me to stay on it and stand for the program to be taken apart and dismantled for everybody else.

That was a moving statement for me to hear, and we need to honor that.

Estimates suggest that the House Republicans' proposal would end up forcing a typical 65-year-old senior to pay, on average, \$12,500 each year in out-of-pocket expenses starting in 2022. That is more than double what a senior is estimated to pay than if the current system of Medicare stayed in place.

In Rhode Island, the average senior only gets about \$14,200 per year from Social Security to begin with. So if you are going to ask people who now have \$14,200 a year, who aren't getting cost-of-living adjustments by 2022 to pay \$12,500 for Medicare, that would be a massive exercise in poverty creation, and what Medicare and Social Security have done is lifted the burden of poverty from America's seniors. I think sometimes we are blind to what life might be like without them, when some of our colleagues so cavalierly suggest that we should do away with these programs, privatize them, or turn them over to the insurance industry.

The Republican budget would also reopen the Medicare prescription drug doughnut hole. We went through a lot of effort to close that doughnut hole in the Affordable Care Act. That doughnut hole will be gone in 10 years, thanks to the Affordable Care Act. The Republicans all voted against the Affordable Care Act. They all voted against closing the doughnut hole. And now in their budget on the other side they want to unwind that part of the bill and take away the protections we have provided for seniors in the doughnut hole. That would cost millions of dollars to seniors in Rhode Island starting next year if it were put into law. That is not something off in the future. That is right now, thousands of Rhode Island seniors having to cough up millions of dollars because of this Republican House budget plan. That is something I think we need to defend against. That is the wrong place to look.

It is especially the wrong place to look as we find our Republican colleagues fighting so hard to protect tax breaks for millionaires and billionaires. I have given the speech repeatedly already, so I won't dwell on it now. But when our Republican colleagues stand and say, We are against tax hikes, it is important for Americans to look behind the curtain and see who they are defending, because I will tell you, everybody in this Chamber, Republican and Democrat alike, believes that ordinary American families earning ordinary levels of income should be exempt from any tax hikes. That is not even on the table.

When our Republican colleagues talk about defending against tax hikes, they are talking about defending the oil industry from having subsidies they don't need and that taxpayers pay for taken away. They are talking about protecting the top 400 income earners in the country who, on average, pay Federal taxes, actually paid in—this isn't a theory, this isn't a rate; this is what they actually paid in, according to the IRS—18.2 percent. These are people who made on average more than \$¼ billion, with a B—\$1 billion with a B, in 1 year. And God bless them. What a wonderful thing it is to make more

than \$¼ billion in 1 year. But they pay taxes at lower rate than a truckdriver in Rhode Island does on average; the guy who wakes up every morning and gets into his clothes and puts on his boots and gets in the truck and goes out there and works all day, pays the same tax rate as the person earning over \$¼ billion.

They can talk about tax hikes until they are blue in the face. It won't take away the fact that is the way it actually works in this country, and they are defending that and going after Audrey and the folks on Medicare in Rhode Island and Ronald from Cumberland. That is not right, and we need to argue about that and fight back.

We can never overlook what Medicare and Social Security have contributed to our Nation's prosperity. It is not just the benefit for the Medicare beneficiary, it is not just the benefit for the Social Security recipient. It is the freedom we all feel knowing we will have a dignified old age; that we won't be at the mercy of Wall Street, that we won't be at the mercy of a private insurance company; that we will have the efficient and effective services that Medicare and Social Security deliver. We can know that now and enjoy that. We have more freedom as Americans now because we can make bolder choices in our lives knowing that we don't have to defend ourselves against that kind of poverty and that kind of misery in our old age. Our children can make bolder choices in their lives knowing that they don't have to safeguard against a parent's illness ruining their own financial futures, ruining their family's financial futures.

Imagine how awful it must feel for a parent in that circumstance, if in your old age you become grievously ill and the only resource you have is to essentially wipe out your children who feel a moral obligation to take care of your medical expenses and put themselves into poverty and misery as a result of your illness. What an awful human tragedy that is for the people involved. And we don't experience that tragedy in America. We don't experience it because Medicare and Social Security are there.

The challenge before us is a formidable one, but I truly believe we can reach an agreement on the deficit and the debt ceiling without compromising the security and the well-being of our seniors. I believe the Democratic Budget Committee's proposed budget is a good model for how we can actually do it, and I look forward to continuing this discussion. It is not necessary, in order to solve our immediate deficit problems and to get through this debt limit fight, to take our seniors and put Social Security and Medicare that they have relied on at risk; to take this country whose prosperity Social Security and Medicare do so much to support, and knock that down with a tax

on Social Security and Medicare. It is not right, it is not necessary, and we should stand against it.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THANKING SENATE PAGES

Mr. REID. Mr. President, first of all, I express my appreciation to you, presiding all these hours you have this afternoon, but I also wish to take just a minute and thank these pages. This is the first time since 1974 the Senate has been in session during a July 4 recess period—since 1974. These young pages had places to be with their families during the summer vacation period. They are juniors in high school. They have some plans, I am sure, that we interfered with. But regarding the work we have done this week, while there has not been a lot of time on the floor, there are a lot of things going on all over Washington. There have been meetings at the White House, there have been meetings with the Vice President, with the President, with the Speaker, and others, working on this very important issue.

When these eight pages in later years reflect back on the fact that they were here the first time since 1974 when we were in session over a July 4 recess period, they should reflect that we were here for important reasons. If we do what is right, we will rein in this debt the country has and protect the most needy of our country.

I apologize for keeping them here. They should not have had to be here this week, but they have stayed because they have an obligation as pages to be here and they accepted that. They have kept the Senate running smoothly. We need them. They are helpful to us. They didn't have to be asked; each one of these eight pages volunteered: Naomi Biden, Brynn DiNino, Claire Karsting, William Maas, Aliza Reisner, Morgan Wissel, Keira Harris, and Chaffee Duckers.

I appreciate very much their service and wish them the best in their educational endeavors in the years to come.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.



## TRIBUTE TO BARRY MANILOW

Mr. REID. Mr. President, for nearly 40 years, legendary singer and songwriter Barry Manilow has inspired and dazzled millions of people with his musical talents. He has sold more than 80 million records worldwide and has written countless iconic hits.

However, I come to the floor today not to discuss his talent but to recognize my friend for another one of his remarkable accomplishments—his ongoing efforts to help preserve music education in public schools in Nevada and across this country.

In recent years, significant budget cuts to public education have forced schools to eliminate a number of important programs. Sadly, music programs are often one of the first casualties. In response to this disturbing trend, Mr. Manilow started the Manilow Music Project, which helps public schools continue their music programs. The project donates instruments and materials to public schools and provides music scholarships to high school students to further their music education at the college level. Since 2008, the organization has donated hundreds of thousands of dollars worth of instruments and materials to secondary and high school music programs across the country.

A wonderful example of the impact of the Manilow Music Project occurred last year in Nevada. During one of Mr. Manilow's recent tours in Las Vegas, in exchange for donations of new or gently used musical instruments, he offered tickets to attend one of his concerts. The collected instruments, valued at more than \$500,000, were then donated to fifteen schools in the Clark County School District, the school district that serves the Las Vegas Valley. This gift—the largest donation of its kind for Clark County—has provided more than 600 students with the opportunity to experience the joys of playing a musical instrument.

In addition to his donations to the district, Mr. Manilow has also helped foster music appreciation. He recently invited four different Clark County School District school choirs to perform in his holiday shows and provided show tickets valued at more than \$30,000 for nearly 500 students and their parents or chaperones.

I would like to thank Barry for his dedication to the Las Vegas community and his efforts to keep music alive in Nevada's schools. I am so pleased that he has been able to share his love of music with thousands of aspiring musicians.

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 VA'S MENTOR—PROTÉGÉ PROGRAM

Mrs. MURRAY. Mr. President, I would like to recognize the accomplishments of the 24 participants in the Department of Veterans Affairs' Men-

tor-Protégé Program who are working to help veteran small business owners. In these hard economic times, it is more important than ever to provide this critical support to our veteran entrepreneurs.

The goal of the Mentor-Protégé Program, which was started in 2010, is to bring together established companies with service-disabled and other veteran-owned businesses. Through these partnerships with established regional businesses, veteran business owners receive guidance on financial and organizational management, business planning and technical aid. They also develop long-term business relationships with their mentor partners.

Veterans hire veterans because they know what they are getting. Veterans are well trained, disciplined team players who can deliver results in challenging conditions. At a time when the Department of Labor reports almost 10 percent of all veterans are unemployed, and 27 percent of veterans between the ages of 20 and 24 are unemployed, it is imperative we do everything in our power to tackle this issue. The Mentor-Protégé program holds the promise of fostering an environment where veteran-owned businesses can succeed in helping to revitalize our economy while hiring veterans in the process. These veteran-owned small businesses are exactly what our Nation needs to continue on the road to economic recovery while getting our country's heroes the jobs they deserve.

While I am optimistic about the potential of the VA's Mentor-Protégé Program, I have heard from several companies participating in the program who have expressed concerns with delays in VA's verification process. I urge VA's Center for Veterans Enterprise to expedite the verification process so that these companies can get to work in repairing our economy as quickly as possible.

Businesses in Maryland, Pennsylvania, Virginia, Tennessee, Alabama, Texas, New Mexico, and California are serving as a model of just how successful a program of this nature can be. The names of the businesses that are participating in the program, both as mentors and protégés, are:

ASM Research, Inc. of Fairfax, VA, and Coley & Associates of San Antonio, TX, AUI Contractors, LLC of Fort Worth, TX, and Unified Services of Texas, of South Lake, TX, Bear Construction Company of Rolling Meadows, IL, and Opcon Inc. of Chicago, IL, Booz Allen Hamilton of McLean, VA, and MBL Technologies, Inc., of Rockville, MD, Creative Computing Solutions, Inc. of Rockville, MD, and CPS Professional Services of Fairfax, VA, EMJ Corporation of Sacramento, CA, and 347 Group Construction of Roseville, CA, The George Solitt Construction Co. of Wood Dale, IL, and Industria, Inc. of Chicago, IL, The GRD

Contractors, Inc. of Costa Mesa, CA, and Hubzone Corp. of Rancho Cucamonga, CA, Harris Corporation GCS of Melbourne, FL, and Delta Corporation of Fulton, MD, Health Net Federal Services of Rancho Cordova, CA, and Three Wire Systems of Vienna, VA, ICF Incorporated of Fairfax, VA, and Nova Technology Solutions of Fairborn, OH, JOB Options, Inc. of San Diego, CA, and VETSUSA, LLC of Falls Church, VA, Leopardo Companies, Inc. of Hoffman Estates, IL, and Segovia Group Corporation of San Antonio, TX, Lockheed Martin Corporation of Fairfax, VA, and Fulcrum Vets, LLC of Fairfax, VA, Marous Brothers Construction of Willoughby, OH, and Northstar Contracting, Inc. of North Olmstead, OH, McKesson Corporation of San Francisco, CA, and The Stay Safe Store of El Dorado Hills, CA, Metters Industries of McLean, VA, and Global Technology Solutions, LLC of Corrales, NM, Northrup Grumman Corporation of Rockville, MD, and Heitech Services, Inc. of Landover, MD, Reva, Inc. of Newark, NJ, and M.E.R.I.T. Inc. of Newark, NJ, The Robins and Morton Group of Birmingham, AL, and Coburn Contractors of Montgomery, AL, Roy Anderson Corp. of Gulfport, MI, and the Bacik Group, LLC of Columbus, GA, Sargent Electric Co. of Pittsburg, PA, and SGT LLC of Pittsburgh, PA, Secom Technical Services of Oak Ridge, TN, and Clauss Construction of Lakeside, CA, Simplex Grinnel of Columbia, MD, and Emergency Planning Management of Stafford, VA, Swinerton Government Services of Arvada, CO, and R.E.M. Engineering Company, Inc. of Pasadena, CA.

By fostering an environment where veteran entrepreneurs can grow their businesses, we affirm our commitment to those who have sacrificed so much. I encourage VA to strengthen the growing Mentor-Protégé Program and look forward to working with them to achieve their goals.

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 RESPONSIBLE ELECTRONICS RECYCLING ACT

Mr. WHITEHOUSE. Mr. President, I rise to make remarks on the introduction of the Responsible Electronics Recycling Act. I would like to thank Senators SHERROD BROWN and LISA MURKOWSKI for joining me in this bipartisan effort, as well as the House sponsors, Representatives GENE GREEN, MIKE THOMPSON, STEVEN LATOURETTE, and LEE TERRY.

Significant amounts of U.S. electronic waste are currently exported to developing countries that handle the waste in an unsafe manner. Much of this waste contains toxic materials, such as lead and mercury, and the workers who disassemble and process the electronics use crude, unsafe methods that can lead to health problems. This legislation would put an end to



these dangerous practices. The Responsible Electronics Recycling Act would restrict the export of electronic waste, help boost the U.S. recycling industry, and support efforts to domestically recover rare earth materials found in electronics.

The United States is the only developed country that has not ratified the Basel Convention, which prohibits exports of hazardous waste to developing countries. Under the convention, much of the U.S. exportation of electronic waste to developing countries is illegal under the laws of the receiving countries but unfortunately, these laws are poorly enforced.

If we recycled these materials in the U.S., it would create recycling jobs for U.S. workers. Companies recycling in the U.S. often operate under capacity because they cannot compete with the cheaper option of exporting electronic waste to developing countries. We should be processing this waste using U.S. workers, and many companies stand at the ready to begin recycling additional electronic waste.

Moreover, the dumping of used electronics in the developing world can come back to haunt us. Some countries have active underground markets for U.S. hard drives, contributing to identity theft, as documented in a 2009 Frontline investigation. Business Week reported in 2010 that used computer chips from old personal computers are fraudulently re-marked in China as "military grade" chips and sold to U.S. military suppliers. Given the risks to our armed forces from defective equipment, I have also introduced the Combating Military Counterfeits Act to enhance the ability of prosecutors to keep counterfeit goods out of the military supply chain.

One of the benefits of recycling electronic waste domestically is the potential to recover rare elements in the process. Rare earth materials are vital to a number of manufacturing processes, including for products such as hybrid car batteries and solar panels, yet prices have skyrocketed as global supply has tightened. According to the Department of Energy, recycled content from electronics could be a valuable secondary source of rare earth materials, but additional research is required on recovery techniques and collection of electronic waste. This act would establish the Rare Earth Materials Recycling Research Initiative at the Department of Energy to coordinate research into the recovery of rare earth materials used in electronics.

The Responsible Electronics Recycling Act would also address the health, environmental, and national security concerns by amending the Solid Waste Disposal Act to prohibit the export of electronic waste to developing countries, with certain exceptions. These exceptions include legitimate exports of tested and working equipment,

warranty returns, and recalls. There is also a de minimis exception to allow the export of materials that have so little toxicity they would not pose a risk to human health or the environment. Exporting under the exceptions would require a license and notice to the Environmental Protection Agency. Additional restrictions apply to exports for warranties or recalls, including written consent from the receiving country. The act creates a criminal penalty for knowingly exporting electronic waste, and provides the EPA the authority to inspect establishments handling electronic waste.

Twenty-five States, including Rhode Island, have passed electronic waste recycling laws. States such as Rhode Island already seek to ensure that their downstream recyclers do not export the electronic waste but instead responsibly recycle it here in the U.S. But States can only do so much and a federal law is needed to restrict these harmful exports.

We are pleased to have the support of a number of electronics manufacturers and retailers, including Hewlett Packard, Dell, Apple, Samsung, and Best Buy. We are also pleased to have the endorsement of 29 recyclers representing 74 recycling operations in 34 states. The breadth of our coalition is a testament to the consensus that the harmful export of these products must stop.

With more and more Americans relying on new technologies and generating a growing amount of electronic waste each year, we must take steps to properly dispose of this material. This legislation will crack down on the dumping of electronic waste on developing countries, protect American consumers from counterfeit schemes and identity theft, and support the growth of electronic waste recycling jobs in Rhode Island and across the country.

#### REMEMBERING JOHN MACKEY

Mr. CARDIN. Mr. President, Baltimore lost one of its most beloved adopted sons last night, former Baltimore Colt tight end John Mackey. John revolutionized the position and was the second tight end to be enshrined in the National Football League's, NFL, Hall of Fame. He became the first president of the NFL Players Association, NFLPA, after the NFL merged with the old American Football League. He was a tenacious and effective advocate for the players, bargaining for higher salaries and better benefits. He organized a 3-day strike early in his tenure that generated an additional \$11 million in pensions and benefits. Mackey also filed and won an antitrust lawsuit against the NFL which eliminated the so-called "Rozelle Rule" and ultimately paved the way for players' union to secure full free agency for its members.

For the last 10 years, he suffered from dementia and had to move into an assisted living facility that cost much more than his pension. So he and his beloved wife Sylvia led the fight to convince the NFLPA and the NFL to establish the "88 Plan," named for his uniform number, which provides adult day care and nursing home care for retired players suffering from dementia or Alzheimer's disease. Even in death, John continues to give: Sylvia has announced that his brain will be donated to a Boston University School of Medicine study of brain damage in athletes. Researchers at the university's Center for the Study of Traumatic Encephalopathy are examining potential links between repeated concussions and chronic traumatic encephalopathy, CTE, a condition which mirrors symptoms of dementia and Alzheimer's disease.

John Mackey grew up in Roosevelt, NY. He was a man of strong convictions, a character trait he inherited from his father, who was a Baptist minister. John was offered an appointment to the U.S. Naval Academy but turned it down to attend Syracuse University, where he studied economics, became an All-American football player, and roomed with Ernie Davis, who became the first African American to win the Heisman Trophy. The Colts drafted him in 1963 and he caught more touchdown passes and gained more yards as a rookie than the team's two wide receivers, Hall of Famer Raymond Berry and Jimmy Orr. John was big and strong, like other tight ends of his era, but he could run after catching a pass like no other tight end before him. As Hall of Fame coach Don Shula said, "Mackey gave us a tight end who weighed 230, ran a 4.6 and could catch the bomb. It was a weapon other teams didn't have."

John was a three-time All-NFL selection. He played in five Pro Bowls. In 1969, while still playing, he made the NFL's 50th anniversary team as pro football's all-time tight end. Over the course of his career, he caught 38 touchdown passes, 13 of which were for 50 yards or more, including an 89-yarder against the Los Angeles Rams in 1966. That particular touchdown pass was the longest of the 290 scoring passes in Hall of Fame legend Johnny Unitas's career. In a 10-year career, John caught 331 passes for 5,236 yards. Perhaps the biggest and most memorable play in John's career came in the 1971 Super Bowl, when he caught a pass from Unitas that had been deflected by two other players—Colts receiver Eddie Hinton and Dallas Cowboys defender Mike Renfro—and scored a touchdown on the 75-yard play. The Colts went on to win that game in dramatic fashion on Jim O'Brien's field goal with 5 seconds left in the game.

By the time John retired, he had already endeared himself to the people of

Baltimore, but he wasn't finished. He was elected to the Hall of Fame in 1992, but he refused to accept his ceremonial ring in Indianapolis, where the Colts had moved in 1984. He said, "I will do it in Baltimore. That is where I played." And so he received his Hall of Fame ring in Memorial Stadium, at half-time of an exhibition game between Miami and New Orleans.

I send my deepest condolences to John's wife Sylvia, to whom he was married for 47 years; his son John Kevin Mackey of Atlanta; two daughters Lisa Mackey Hazel of Bowie and Laura Mackey Nattans of Baltimore; and John and Sylvia's six grandchildren. John Mackey has been taken from us much too soon, but what a life he lived. He was one of the greatest collegiate and professional football players of all time. The Mackey Award is given annually to the best tight end in college. He is enshrined in the Hall of Fame. He led the NFLPA and then courageously led the fight for retired players which culminated in the "88 Plan." His accomplishments and legacy will endure in the hearts and minds of his fellow players and Baltimore Colts fans and football fans forever.

#### EPA RULING

• Mr. LEAHY. Mr. President, today, the Environmental Protection Agency took steps to make the air in Vermont cleaner by issuing the final cross-State air pollution rule.

In Vermont, we pride ourselves on our bucolic views, unspoiled waterways, and our connection to the land. Yet, all of this is threatened by pollution that is beyond our control, and coming from beyond our borders. Vermont has always been a dumping ground, so to speak, for emissions from coal-fired powerplants from other States. Toxic pollution, generated in other parts of the country, blows into Vermont and damages our State's scenic beauty, decreases the value of conservation investments, and damages our forests, lakes, rivers, and wetlands.

These powerplant emissions and air pollution are transported long distances and not only mars our landscapes and threatens our health, but it also costs downwind States and businesses billions of dollars annually. Our only defense against such activity is the Federal Clean Air Act. Today, with the implementation of the EPA's cross-State air pollution rule, powerplants will be required to install new pollution controls that reduce the amount of dangerous emissions crossing State lines and entering Vermont. This will level the playing field by requiring powerplants to make long overdue investments in proven, readily available pollution control technologies that are already in place at many powerplants.

The cross-State air pollution rule requires many fossil fuel-fired power-

plants to slash emissions that cross State lines and contribute to ground-level ozone and fine particle pollution in other States. These pollutants contribute to smog and air pollution which causes tens of thousands of Americans to become sick each year. Those most susceptible to illnesses related to poor air quality are often our most vulnerable citizens. The elderly and children, especially those already suffering from respiratory disorders like asthma, are routinely forced to stay inside on poor air quality days.

Pollution is also responsible for thousands of new respiratory illnesses each year, adding more unnecessary costs to our health care system. In fact, the reductions contained in this rule would prevent 14,000 to 36,000 premature deaths each year, 23,000 nonfatal heart attacks, 21,000 cases of acute bronchitis, 240,000 cases of aggravated asthma, and 1.9 million missed school and work days. The total benefits of this rule are estimated to be \$120-290 billion.

Some believe these benefits are not worth the costs to industry. However, the cross-State air pollution rule is projected to cost industry from \$10-30 billion, a very modest amount compared to the financial benefits and deaths prevented by this rule. In addition, a utility-funded report recently contradicted arguments that the rule will threaten U.S. electricity reliability. The reason for this is that a majority of utilities have already taken steps to adapt to Federal rules. In fact, over half of the country's coal-fired powerplants have already installed sulfur dioxide scrubbers or plan to install them. Of those that had plans to retire units, they are doing so because they are inefficient and cannot compete in today's market, not because of these rules.

In the end, only about one-fourth of the Nation's powerplants need to take action. Are we going to let these plants, which have dragged their feet, refusing to install new technology that would prevent pollution and prevent deaths and serious illness, continue to poison our air on the public's dime?

No, instead we should encourage the use of cleaner technologies that will lead to healthier air, increased efficiency, and a boost in jobs. Overall, regulations under the Clean Air Act have dramatically reduced air pollution while creating jobs and spurring American innovation in new industries and technology. Reports show the creation of 1.5 million jobs over the next 5 years and increased global exports of domestically produced clean technologies. History has demonstrated that since 1970, every dollar spent on compliance with the Clean Air Act has led to \$4-\$8 in economic benefits. By 2020, the total benefits of the Clean Air Act will reach \$2 trillion.

Coming from a State with no coal-fired powerplants that has been on the

receiving end of these pollutants for far too long, I fully welcome the final cross-State air pollution rule because I know that it will improve the quality of life for Vermonters who are subject to the impacts, and costs, of pollution from far beyond our borders. This rule is good for Vermont. It is good for the country. The Clean Air Act has been cleaning our air for over four decades, while continuing to grow our economy. The final cross-State air pollution rule that was published today will encourage innovation and cost-savings and help powerplants achieve their mission of providing clean, affordable, and reliable energy. I am happy to see the EPA use this tool, given to it by Congress, to protect the people and the environment of Vermont and the rest of the country from pollution generated by distant industries. •

#### ADDITIONAL STATEMENTS

##### REMEMBERING DAVID GETCHES

• Mr. BINGAMAN. Mr. President, today I recognize the important contributions of David Getches, who died earlier this week. He leaves behind not only a family to whom he was intensely devoted, but also an impressive legacy of public service, scholarship, mentorship, and friendship.

Having served as both chairman and ranking member of the Energy and Natural Resources Committee, I am particularly appreciative of his remarkable scholarship and public service in the areas of natural resources law and policy. He was a prolific writer on water, public land, and Indian law and policy, and there are no doubt many dog-eared copies of his books and articles on those subjects in our committee files. He was called on to testify as an expert in both the Senate and the House of Representatives, and his insight and creativity on those issues have had a positive impact on the legislation and oversight that are the responsibility of our committee and others.

While his resume of government service is notable—including special consultant to Department of the Interior Secretary Bruce Babbitt and director of the Colorado Department of Natural Resources—it does not reflect the countless hours of knowledge and wisdom that David freely shared with government officials and staff who regularly sought his counsel.

David was a dedicated teacher of many thousands of students at the University of Colorado School of Law and a mentor to two of our committee staff who have worked on water and public lands issues. He was returning to the faculty this summer after serving 8 years as dean of the School of Law.

David Getches distinguished himself throughout his career. But what I understand set him apart, was that, at

the same time, he distinguished himself as a father to his three children Liza, Catie, and Matthew and as a husband to his wife Ann. They have our deep sympathy as they endure this loss. He is greatly missed.●

#### MESSAGE FROM THE HOUSE

At 12:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 515. An act to reauthorize the Belarus Democracy Act of 2004.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 515. An act to reauthorize the Belarus Democracy Act of 2004; to the Committee on Foreign Relations.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1340. A bill to cut, cap, and balance the Federal budget.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2408. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a semi-annual report relative to Reserve component equipment delivery; to the Committee on Armed Services.

EC-2409. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the implementation of the discretionary special compensation provided in section 603 of the National Defense Authorization Act for Fiscal Year 2010; to the Committee on Armed Services.

EC-2410. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Air Force and was assigned case number 08-07; to the Committee on Armed Services.

EC-2411. A communication from the Chairman of the Federal Energy Regulatory Commission, and the Secretary of the Department of Energy, transmitting, pursuant to law, a joint report entitled "Implementation Proposal for the National Action Plan for Demand Response"; to the Committee on Energy and Natural Resources.

EC-2412. A communication from the Secretary of Commerce, transmitting, pursuant to law, the annual report on the activities of the U.S. Economic Development Administration (EDA), Department of Commerce, for fiscal year 2010; to the Committee on Environment and Public Works.

EC-2413. A communication from the Director, Office of Surface Mining, Department of

the Interior, transmitting, pursuant to law, the report of a rule entitled "West Virginia Regulatory Program" (Docket No. WV-11-FOR) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Environment and Public Works.

EC-2414. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Partial Exchange of Annuity Contracts" (Rev. Proc. 2011-38) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Finance.

EC-2415. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice: Suspension of Reporting Requirements Under Sections 6038D and 1298(f)" (Notice 2011-55) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Finance.

EC-2416. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-79 "Housing Production Trust Fund Dedicated Tax Appropriations Authorization Temporary Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-2417. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-80 "Housing Production Trust Fund Pollin Memorial Community Dedicated Tax Appropriations Authorization Temporary Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-2418. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-81 "Unemployment Compensation Extended Benefits Continuation Temporary Amendment Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-2419. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-82 "Brewery Manufacturer's Tasting Permit Temporary Amendment Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-2420. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-89 "Department of Forensic Sciences Establishment Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-2421. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-90 "Closing of Water Street, S.W., S.O. 10-15906, Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-2422. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-91 "Closing of Public Street adjacent to Square 4376 Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-2423. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Automotive Fuel Ratings Certification and Posting" (RIN3084-AB14) received in the Office of the President

of the Senate on July 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2424. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Revision to the List of Hazardous Substances and Reportable Quantities" (RIN2137-AE74) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2425. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Marketing Meteorological Evaluation Towers" ((RIN2120-AA66) (Docket No. FAA-2010-1326)) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2426. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to Framework Adjustment 45 to the Northeast Multispecies Fishery Management Plan and Sector Annual Catch Entitlements; Updated Annual Catch Limits for Sectors and the Common Pool for Fishing Year 2011" (RIN0648-BA27) received in the Office of the President of the Senate on June 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2427. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Limited Access for Guided Sport Charter Vessels in Alaska" (RIN0648-BA99) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2428. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Alaska Plaice in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA482) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2429. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, and 702), Model CL-600-2D15 (Regional Jet Series 705), and Model CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0159)) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2430. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0028)) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2431. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 727, 727C, 727-100, 727-100C, 727-200, and 727-200F Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1272)) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2432. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Robinson Helicopter Company Model (Robinson) R22, R22 Alpha, R22 Beta, R22 Mariner, R44, and R44 II Helicopters" ((RIN2120-AA64) (Docket No. FAA-2011-0561)) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2433. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron, Inc. Model 205A, 205A-1, 205B, 212, 412, 412CF and 412EP Helicopters" ((RIN2120-AA64) (Docket No. FAA-2011-0561)) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2434. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model SA-365C, SA-365C1, SA-365C2, SA365N, SA-365N1, AS-365N2, AS 365 N3, and SA-366G1 Helicopters" ((RIN2120-AA64) (Docket No. FAA-2011-0551)) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2435. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the proposed transfer of major defense equipment from the Government of Norway to the Government of Chile with an original acquisition cost of more than \$25,000,000; to the Committee on Foreign Relations.

EC-2436. A communication from the Deputy Associate Director for Management and Administration and Designated Reporting Official, Office on National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Director for Supply Reduction, received in the Office of the President of the Senate on July 6, 2011; to the Committee on the Judiciary.

#### PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-55. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging Congress to refrain from eliminating funding for federal programs under the Workforce Investment Act, to the Committee on Health, Education, Labor, and Pensions.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 275. A bill to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, to provide for enhanced reliability in the transportation of the Nation's energy products by pipeline, and for other purposes (Rept. No. 112-30).

By Mrs. MURRAY, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:

S. 951. A bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN:

S. 1336. A bill to prevent immigration fraud and for other purposes; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 1337. A bill to amend the Internal Revenue Code of 1986 to permanently extend existing elective tax treatment for Alaska Native Settlement Trusts; to the Committee on Finance.

By Mr. WHITEHOUSE:

S. 1338. A bill to amend chapter 5 of title 31, United States Code, to establish the Office of Regulatory Integrity within the Office of Management and Budget; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE:

S. 1339. A bill to provide for the compilation and reporting of participation data relating to Federal rulemaking; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE (for himself, Mr. TOOMEY, Mr. PAUL, Mr. DEMINT, Mr. JOHNSON of Wisconsin, Mr. HATCH, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. COBURN, Mr. CORKER, Mr. GRAHAM, Mr. ISAKSON, Mr. PORTMAN, Mr. ROBERTS, Mr. RUBIO, Mr. SESSIONS, Mr. THUNE, Mr. VITTER, and Mr. WICKER):

S. 1340. A bill to cut, cap, and balance the Federal budget; read the first time.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself, Mr. CORNYN, Mr. MCCAIN, Ms. AYOTTE, Mr. ISAKSON, Mr. COATS, Mr. INHOFE, Mr. SESSIONS, Mr. CHAMBLISS, Mr. BARRASSO, Mr. JOHANNIS, Ms. MURKOWSKI, and Mr. RISCH):

S. Res. 226. A resolution expressing the sense of the Senate that the President does not have the authority to ignore the statu-

tory debt limit by ordering the Secretary of the Treasury to continue issuing debt on the full faith and credit of the United States; to the Committee on Finance.

By Mr. WEBB (for himself, Mr. INHOFE, and Mr. LUGAR):

S. Res. 227. A resolution calling for the protection of the Mekong River Basin and increased United States support for delaying the construction of mainstream dams along the Mekong River; to the Committee on Foreign Relations.

By Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Mr. SCHUMER, Mr. CASEY, Mr. LIEBERMAN, Mr. TOOMEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. WEBB, and Mr. WARNER):

S. Res. 228. A resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; to the Committee on the Judiciary.

By Mr. UDALL of Colorado (for himself, Mr. HATCH, Mr. BENNET, Mr. BEGICH, Mrs. MURRAY, Ms. CANTWELL, Mr. BINGAMAN, Mr. UDALL of New Mexico, Mr. WYDEN, Ms. MURKOWSKI, Mr. TESTER, Mrs. BOXER, and Mrs. FEINSTEIN):

S. Res. 229. A resolution recognizing the heroic efforts of firefighters to contain numerous wildfires that have affected thousands of people throughout the United States; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 201

At the request of Mr. MCCAIN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 201, a bill to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes.

S. 312

At the request of Mrs. HUTCHISON, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 312, a bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on health care benefits.

S. 344

At the request of Mr. REID, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Michigan

(Ms. STABENOW) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 497

At the request of Ms. MIKULSKI, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 497, a bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes.

S. 504

At the request of Mr. DEMINT, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 504, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 571

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 571, a bill to amend subtitle B of title VII of the McKinney-Vento Homeless Assistance Act to provide education for homeless children and youths, and for other purposes.

S. 585

At the request of Mr. NELSON of Nebraska, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 585, a bill to authorize the Secretary of Education to award grants for the support of full-service community schools, and for other purposes.

S. 641

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 726

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 726, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 769

At the request of Mr. HARKIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 769, a bill to amend title 38, United States Code, to prevent the Secretary of Veterans Affairs from prohibiting the use of service dogs on Department of Veterans Affairs property.

S. 834

At the request of Mr. CASEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 834, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 853

At the request of Mrs. HAGAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 853, a bill to provide for financial literacy education.

S. 929

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 929, a bill to establish a comprehensive literacy program.

S. 951

At the request of Mrs. MURRAY, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

S. 968

At the request of Mr. LEAHY, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 973

At the request of Mr. WHITEHOUSE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 973, a bill to create the National Endowment for the Oceans to promote the protection and conservation of the United States ocean, coastal, and Great Lakes ecosystems, and for other purposes.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1240

At the request of Mr. LIEBERMAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1240, a bill to support the establishment and operation of Teachers Professional Development Institutes.

S. 1261

At the request of Mr. KIRK, the name of the Senator from Massachusetts

(Mr. BROWN) was added as a cosponsor of S. 1261, a bill to amend title 5, United States Code, to deny retirement benefits accrued by an individual as a Member of Congress if such individual is convicted of certain offenses.

S. 1280

At the request of Mr. ISAKSON, the names of the Senator from Massachusetts (Mr. BROWN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 1280, *supra*.

S. 1281

At the request of Mr. KIRK, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1281, a bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing two or more levels stacked on top of one another.

S. 1297

At the request of Mr. BURR, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1297, a bill to preserve State and institutional authority relating to State authorization and the definition of credit hour.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1313

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 1313, a bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

S. 1317

At the request of Mr. DEMINT, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1317, a bill to allow individuals to choose to opt out of the Medicare part A benefit.

S. 1323

At the request of Mr. REID, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

S.J. RES. 19

At the request of Mr. HATCH, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1336. A bill to prevent immigration fraud and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am introducing the Immigration Fraud Prevention Act of 2011. This legislation would provide a much-needed tool for prosecutors to use to combat the exploitative actions of fraudulent lawyers and consultants who take advantage of individuals seeking immigration assistance.

The Immigration Fraud Prevention Act would punish fraud and misrepresentation in the context of immigration proceedings. The act would create a new Federal crime to penalize those who engage in schemes to defraud immigrants.

Specifically, the act would make it a Federal crime to knowingly and falsely represent that an individual is an attorney or accredited representative authorized to represent aliens in immigration proceedings; and to knowingly defraud or receive money or anything of value from any person by false or fraudulent pretences, representations, or promises.

Violations of these crimes would result in a fine, imprisonment of not more than 5 years, or both.

The bill would also work to combat immigration fraud by increasing the awareness of notario fraud to immigrants.

The bill would require immigration courts to provide immigrants in removal proceedings with information about notario fraud.

The bill would require the Justice Department to compile and make available to the public a list of individuals and organizations that have been convicted of immigration fraud; and permit only people who have, within a 12-month period, represented immigrants pro bono appear on the Justice Department's list of pro bono legal services.

By enacting this bill, Congress would help prevent more victims like Mr. Ibarra, a Mexican national and father of four, who has resided in Los Angeles since 1988. Mr. Ibarra hired a so-called "immigration specialist" and paid him over \$7,500. In his apartment, Mr. Ibarra keeps reams of documents that the immigration consultant claimed to have filed on his behalf but never did—as Mr. Ibarra subsequently learned from immigration authorities when he was placed into removal proceedings. I wish I could tell you that this kind of egregious behavior is uncommon, but sadly, that is not the case.

Last November, the San Francisco City Attorney filed a lawsuit against a former lawyer who ran an illicit immigration law practice. In the three decades in which the lawyer was licensed to practice law, he was reported on numerous occasions to the California bar for his unethical behavior that included collecting exorbitant fees; representing clients in a negligent manner; and misleading immigrants with assurances of favorable outcomes.

Eventually, the lawyer resigned from the legal profession and was prohibited from representing clients before the Board of Immigration Appeals. The terms of his resignation prevented him from practicing law or portraying himself as eligible to practice law. Instead of abiding by these terms, the lawyer proceeded to set up another law practice through which he defrauded over two hundred immigrants, depleting many of these victims of their entire life savings.

I am pleased that last month the Federal Government partnered with State prosecutors and immigration advocacy organizations to launch a nationwide campaign to combat these harmful schemes. The enactment of this bill would enhance the government's ability to achieve the goals of this national campaign by providing prosecutors with a tough new Federal criminal law that could be used to convict fraudulent-lawyers and consultants who prey on immigrants.

Mr. President, I urge support for the Immigration Fraud Prevention Act of 2011.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1336

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Immigration Fraud Prevention Act of 2011".

#### SEC. 2. MISREPRESENTATION.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting at the end the following:

##### "§ 1041. Misrepresentation

"Any person who knowingly and falsely represents that such person is, or holds himself or herself out as, an attorney, an accredited representative, or any person authorized to represent any other person before any court or agency of the United States in any removal proceeding or any other case or matter arising under the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) shall be fined under this title, imprisoned not more than 5 years, or both."

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding after the item relating to section 1040 the following:

"Sec. 1041. Misrepresentation."

#### SEC. 3. IMMIGRATION SCHEMES TO DEFRAUD ALIENS.

(a) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by inserting at the end the following:

##### "§ 1352. Immigration schemes to defraud aliens

"Any person who, in connection with any matter arising under the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) or any matter the offender claims or represents to arise under such immigration laws, knowingly executes a scheme or artifice to—

"(1) defraud any person; or

"(2) obtain or receive money or anything else of value from any person by means of false or fraudulent pretenses, representations, or promises,

shall be fined under this title, imprisoned not more than 5 years, or both."

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 63 of title 18, United States Code, is amended by adding at the end the following:

"Sec. 1352. Immigration schemes to defraud aliens."

#### SEC. 4. LISTS OF COUNSEL FOR ALIENS.

Section 239(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1229(b)(2)) is amended to read as follows:

"(2) CURRENT LISTS OF COUNSEL.—The Attorney General shall compile and update, not less frequently than quarterly, lists of persons who, during the most recent 12 months, have provided pro bono representation of aliens in proceedings under section 240 that—

"(A) include a description of who may represent the alien in the proceedings, including a notice that immigration consultants, visa consultants, and other unauthorized individuals may not provide such representation; and

"(B) shall be provided in accordance with subsection (a)(1)(E) and otherwise made generally available."

#### SEC. 5. LIMITATION ON REPRESENTATION.

Section 239(b) of the Immigration and Nationality Act (8 U.S.C. 1229(b)) is amended—



(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) LIST OF PROHIBITIONS.—The Attorney General shall—

“(A) compile a list of specific individuals, organizations, and practices that the Attorney General has determined are prohibited in the provision of representation in immigration proceedings, including individuals who have been convicted for a violation of section 1041 or 1352 of title 18, United States Code;

“(B) update the list compiled pursuant to subparagraph (A) not less frequently than quarterly; and

“(C) make such list available to the general public.”.

By Mr. WHITEHOUSE:

S. 1338. A bill to amend chapter 5 of title 31, United States Code, to establish the Office of Regulatory Integrity within the Office of Management and Budget; to the Committee on Homeland Security and Governmental Affairs.

Mr. WHITEHOUSE. Mr. President, I rise to speak about two bills that I am introducing today to address a serious and persistent threat to the integrity of our government: regulatory capture.

Over the last 50 years, Congress has tasked an alphabet soup of regulatory agencies to administer our laws through rule-making, adjudication, and enforcement. Protecting the proper functioning of these regulatory agencies has led me to the topic of regulatory capture. I held a hearing on the subject last year in the Senate Judiciary Committee and now am filing two bills that will make our government more resistant to the ever-growing power of special interests. I urge my colleagues to join me in passing these important good-government measures.

At bottom, regulatory capture is a threat to democratic government. “We the People” pass laws through a democratic and open process. Powerful interests then seek to “capture” the regulatory agencies that enforce those laws so that they can avoid their intended effect, turning laws passed to protect the public interest into regulations and enforcement practices that benefit limited private interests.

This concept of “regulatory capture” is well-established in regulatory and economic theory.

In 1913, Woodrow Wilson wrote this: “If the government is to tell big business men how to run their business, then don’t you see that big business men . . . must capture the government, in order not to be restrained too much by it?”

The first dean of the Woodrow Wilson School, Marver Bernstein, wrote that a regulatory commission will tend over time to “become more concerned with the general health of the industry,” and try “to prevent changes which will adversely affect” the industry. This, he said, “is a problem of ethics and moral-

ity as well as administrative method”; “a blow to democratic government and responsible political institutions.” Ultimately he said it leads to “surrender”: “The commission finally becomes a captive of the regulated groups.”

Regulatory capture has been the subject of work by Nobel laureate George Stigler in his article “The Theory of Economic Regulation.” Students of administrative law know how well established the doctrine of “regulatory capture” or “agency capture” is in that field.

Last year, a senior fellow at the Cato Institute wrote in the Wall Street Journal about “a striking example of regulatory capture.” He described the phenomenon this way: “Agencies tasked with protecting the public interest come to identify with the regulated industry and protect its interests against that of the public. The result: Government fails to protect the public.” His example was the Minerals Management Service, in relation to the BP oil spill.

The failures of MMS in the lead up to the oil spill in the Gulf of Mexico, the cozy relationship between MMS officials and industry executives, and the shameful behavior of some MMS employees are archetypal symptoms of regulatory capture. But the report of the commission on the Gulf oil spill never mentioned “regulatory capture.”

That is a pretty strong signal that regulatory capture isn’t getting the attention it deserves.

When you think about the century-long academic and policy debate about regulatory capture, and when you look at the cost of recent disasters in areas regulated by the Minerals Management Service, the Mine Safety and Health Administration, and the Securities Exchange Commission, it seems pretty evident that Congress should be concerned not only about those prior incidents, but about addressing the threat of future regulatory capture. The experts I have spoken with in my home state of Rhode Island certainly understand that regulatory capture matters. They don’t want a captured agency to allow the next oil spill or other man-made disaster to happen in our state, or for a financial agency to allow speculators to wipe out the savings of our citizens. Surely constituents of each of the members of this body would agree whole-heartedly.

That is why I am introducing two pieces of legislation today.

The first bill is called the Regulatory Capture Prevention Act. It would create an office within the Office of Management and Budget with the authority to investigate and report regulatory capture. The office would ensure that abuses were not overlooked, and sound the alarm if a regulatory agency were overwhelmed by a more sophisticated and better-resourced regulated

industry. Scrutiny and publicity are powerful tools for protecting the integrity of our regulatory agencies. This bill would employ them to prevent powerful interests from coopting our laws.

The second bill is called the Regulatory Information Reporting Act. It would shed extra sunlight into regulatory agencies by requiring them to report to a public Web site the following: first, the name and affiliation of each party that comments on an agency regulation; second, whether that party affected the regulatory process; and finally, whether that party is an economic, noneconomic, or citizen interest. By centralizing this information for public and congressional scrutiny, the bill would create a simple dashboard for hints of regulatory capture in agency rulemaking.

As the Senate considers these bills, we should remember how much agreement exists about regulatory capture. During the hearing I chaired on regulatory capture last year, all of the witnesses, from across the ideological spectrum, agreed on each of the following 7 propositions. First, regulatory capture is a real phenomenon and a threat to the integrity of government. Second, regulated entities have a concentrated incentive to gain as much influence as possible over regulators, opposed by a diffuse public interest. Third, regulated industries ordinarily have substantial organizational and resource advantages in the regulatory process when compared to public interest groups. Fourth, some regulatory processes lend themselves to gaming by regulated entities seeking undue control over regulation. Fifth, regulatory capture by its nature happens in the dark—done as quietly as possible; no industry puts up a flag announcing its capture of a regulatory agency. Sixth, the potential damage from regulatory capture is enormous. Finally, effective congressional oversight is key to keeping regulators focused on the public interest.

With that as a starting point, I am hopeful that the Senate can agree on legislation to address this very real problem. Administrative law may not be the most glamorous subject, but I hope to work with colleagues on both sides of the aisle to eliminate regulatory capture.

This is so important because for as long as there are regulatory agencies, regulated industries, and money, there will be efforts at regulatory capture. We owe it to our country to do everything possible to defeat such efforts to capture our government of the people, by the people, and for the people.



## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 226—EX-PRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT DOES NOT HAVE THE AUTHORITY TO IGNORE THE STATUTORY DEBT LIMIT BY ORDERING THE SECRETARY OF THE TREASURY TO CONTINUE ISSUING DEBT ON THE FULL FAITH AND CREDIT OF THE UNITED STATES

Mr. GRAHAM (for himself, Mr. CORNYN, Mr. MCCAIN, Ms. AYOTTE, Mr. ISAKSON, Mr. COATS, Mr. INHOFE, Mr. SESSIONS, Mr. CHAMBLISS, Mr. BARRASSO, Mr. JOHANNIS, Ms. MURKOWSKI, and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Finance:

## S. RES. 226

Whereas clause 2 of section 8 of article I of the Constitution of the United States gives Congress the power “[t]o borrow Money on the credit of the United States”;

Whereas the 14th Amendment to the Constitution of the United States says, “The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned.”;

Whereas Congress has historically limited the Federal debt, either by specifically authorizing the issuance of new debt instruments, or through imposing an aggregate limit on Federal debt;

Whereas the statutory debt limit was established by an Act of Congress and signed into law by the President in 1982; and

Whereas the debt subject to limit has been increased through an Act of Congress and Presidential signature 38 times since 1982: Now, therefore, be it

*Resolved*, That it is the Sense of the Senate that the President does not have the authority to ignore the statutory debt limit by ordering the Secretary of the Treasury to continue issuing debt on the full faith and credit of the United States.

SENATE RESOLUTION 227—CALLING FOR THE PROTECTION OF THE MEKONG RIVER BASIN AND INCREASED UNITED STATES SUPPORT FOR DELAYING THE CONSTRUCTION OF MAINSTREAM DAMS ALONG THE MEKONG RIVER

Mr. WEBB (for himself, Mr. INHOFE, and Mr. LUGAR) submitted the following resolution; which was referred to the Committee on Foreign Relations:

## S. RES. 227

Whereas the Mekong River is the world’s 12th longest river, originating on the Tibetan Plateau and flowing nearly 3,000 miles down through China into Burma, Thailand, Laos, Cambodia, and Vietnam;

Whereas the Lower Mekong River in Thailand, Laos, Cambodia, and Vietnam is a source of fresh water, food, and economic opportunity for more than 60,000,000 people;

Whereas the Mekong River is second in biodiversity only to the Amazon River, with

an estimated 1,500 different species of fish, of which at least a third migrate up the river and tributaries in their life cycle, including the majority of the commercial fish catch;

Whereas the Mekong River supports the world’s two largest rice exporters, Thailand and Vietnam, as well as the world’s largest inland fishery of 4,000,000 tons of freshwater fish per year, providing up to \$9,000,000,000 annual income and approximately 80 percent of the animal protein consumed in the Lower Mekong Basin;

Whereas China is constructing a cascade of up to 15 dams along the mainstream of the Upper Mekong River, and Thailand, Laos, Cambodia, and Vietnam are planning to construct or finance the construction of up to 11 dams on the lower half of the river’s mainstream;

Whereas scientific studies have cautioned that mainstream dam construction will negatively affect the river’s water flow, fish population, and wildlife;

Whereas the Mekong River Commission is a river basin management organization including the governments of Thailand, Laos, Cambodia, and Vietnam that have signed the Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin, done at Chiang Rai, Thailand, April 5, 1995, and agreed to cooperate on management of the river and “development of the full potential of sustainable benefits to all riparian States”;

Whereas the members of the Commission have also agreed to “make every effort to avoid, minimize and mitigate harmful effects that might occur to the environment, especially the water quantity and quality, the aquatic (eco-system) conditions, and ecological balance of the river system, from the development and use of the Mekong River Basin water resources or discharge of wastes and return flows”;

Whereas the Mekong River Commission sponsored a Strategic Environmental Assessment of the proposed series of mainstream dams along the Lower Mekong River, concluding that the decision to move forward with even one dam would result in permanent and irreversible changes to the river’s productivity and regional environment;

Whereas such changes could threaten the region’s food security, block fish migration routes, increase risks to aquatic biodiversity, reduce sediment flows, increase saline intrusion, reduce agricultural production, and destabilize the river channels and coastline along the Mekong Delta;

Whereas the United States has significant economic and strategic interests in the Mekong River subregion that may be jeopardized if the construction of mainstream dams places the region’s stability at risk;

Whereas the Department of State initiated the Lower Mekong Initiative in July 2009 to engage Thailand, Laos, Cambodia, and Vietnam on water security issues, to build regional capacity, and to facilitate multilateral cooperation on effective water resources management;

Whereas funding for the Lower Mekong Initiative has primarily focused on the environment, health, and education, leaving the fourth pillar—infrastructure—largely unfunded;

Whereas attention to infrastructure development is a critical element of promoting the sustainable, coordinated construction of hydropower dams in the region;

Whereas, on September 22, 2010, Laos submitted for review to the Mekong River Commission the proposal for the Xayaburi Dam, the first of nine mainstream dams planned by Laos along the Lower Mekong River;

Whereas, on April 19, 2011, the Mekong River Commission’s Joint Committee representatives met to discuss the Xayaburi project without reaching consensus on whether the project should proceed, but agreed during the meeting to table the decision and consider it at a later date at a higher, ministerial level; and

Whereas, on May 8, 2011, the Government of Laos agreed to temporarily suspend work on the Xayaburi dam and announced plans to conduct further environmental assessments on the project in response to regional concerns: Now, therefore, be it

*Resolved*, That the Senate—

(1) calls on United States representatives at multilateral development banks to use the voice and vote of the United States to support strict adherence to international environmental standards for any financial assistance to hydropower dam projects on the mainstream of the Mekong River;

(2) encourages greater United States engagement with the Mekong River countries through the Lower Mekong Initiative and increased support for sustainable infrastructure and water security in Southeast Asia;

(3) calls on the United States Government in leading the Lower Mekong Initiative to devote greater attention to and funding for capacity building projects on infrastructure and to assist in identifying sustainable economic, water, and energy alternatives to mainstream hydropower dams on the Mekong River;

(4) applauds the decision of the Mekong River Commission to delay endorsement of the Xayaburi Dam;

(5) supports further delay of the construction of mainstream hydropower dams along the Mekong River until the studies by the Government of Laos have been completed and adequate planning and multilateral coordination can be guaranteed;

(6) encourages members of the Mekong River Commission to adhere to the prior consultation process for dam construction under the Commission’s Procedures for Notification, Prior Consultation and Agreement;

(7) calls on all riparian states along the Mekong River, including China, to respect the rights of other river basin countries and take into account any objection or concerns regarding the construction of hydropower dams;

(8) calls on the Governments of Burma and China to improve cooperation with the Mekong River Commission and information sharing on water flows and engage in regional decision making processes on the development and use of the Mekong River; and

(9) supports assistance to the Lower Mekong River riparian states to gather data and analyze the impacts of proposed development along the river.

SENATE RESOLUTION 228—EX-PRESSING THE SENSE OF THE SENATE REGARDING COMING TOGETHER AS A NATION AND CEASING ALL WORK OR OTHER ACTIVITY FOR A MOMENT OF REMEMBRANCE BEGINNING AT 1:00 PM EASTERN DAYLIGHT TIME ON SEPTEMBER 11, 2011, IN HONOR OF THE 10TH ANNIVERSARY OF THE TERRORIST ATTACKS COMMITTED AGAINST THE UNITED STATES ON SEPTEMBER 11, 2001

Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Mr. SCHUMER, Mr. CASEY,

Mr. LIEBERMAN, Mr. TOOMEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. WEBB, and Mr. WARNER) submitted the following resolution; which was referred to the Committee on the Judiciary:

## S. RES. 228

Whereas at 8:46 AM, on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York;

Whereas 17 minutes later, at 9:03 AM, hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center;

Whereas at 9:37 AM, the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense;

Whereas at approximately 10:00 AM, the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others;

Whereas nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001;

Whereas tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed;

Whereas countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events;

Whereas the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history;

Whereas the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day;

Whereas the New York Police Department suffered 23 fatalities as a result of the terrorist attacks;

Whereas the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored;

Whereas 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day;

Whereas 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States;

Whereas on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families;

Whereas the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life;

Whereas in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460);

Whereas in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

Whereas September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation;

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks;

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives;

(4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States;

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

(6) on the 10th anniversary of this tragic day in United States history—

(A) calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including—

- (i) media outlets;
- (ii) houses of worship;
- (iii) military organizations;
- (iv) veterans organizations;
- (v) airlines;
- (vi) airports;
- (vii) railroads;
- (viii) sports teams;
- (ix) the Federal Government;
- (x) State and local governments;
- (xi) police, fire, and other public institutions;
- (xii) educational institutions;
- (xiii) businesses; and
- (xiv) other public and private institutions;

(B) encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 PM Eastern Daylight Time by, to the maximum extent practicable—

- (i) ceasing all work or other activity; and
- (ii) marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

**SENATE RESOLUTION 229—RECOGNIZING THE HEROIC EFFORTS OF FIREFIGHTERS TO CONTAIN NUMEROUS WILDFIRES THAT HAVE AFFECTED THOUSANDS OF PEOPLE THROUGHOUT THE UNITED STATES**

Mr. UDALL of Colorado (for himself, Mr. HATCH, Mr. BENNET, Mr. BEGICH,

Mrs. MURRAY, Ms. CANTWELL, Mr. BINGAMAN, Mr. UDALL of New Mexico, Mr. WYDEN, Ms. MURKOWSKI, Mr. TESTER, Mrs. BOXER, and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

## S. RES. 229

Whereas every State in the United States has been affected by wildfire in 2011;

Whereas firefighters and residents have had to contend with extreme and erratic fire behavior and rapid rates of fire spread;

Whereas, as of June 12, 2011, more than 32,189 wildfires have burned more than 4,700,000 acres of land, which represents more acres burned than in all of 2010 and approximately 600,000 more acres than the 50-year average of total acres burned in the United States in an entire year;

Whereas, as of June 12, 2011—

(1) the Southwestern States have reported more than 1,600 fires that have burned more than 1,700,000 acres;

(2) the Southern States have reported more than 27,000 fires that have burned more than 2,400,000 acres;

(3) the Northern and Central Rocky Mountain States have reported 818 fires that have burned more than 250,000 acres;

(4) the State of California and Great Basin Region have reported more than 7,200 fires that have burned more than 21,000 acres;

(5) the Northwestern States and Alaska have reported more than 400 fires that have burned more than 260,000 acres; and

(6) the Eastern States have reported more than 3,500 fires that have burned more than 41,000 acres;

Whereas, as of June 29, 2011, firefighters and personnel from the Federal, State, and county levels have responded overwhelmingly to battle wildfires throughout the United States, filling more than 95,600 requests for firefighter crew members; and

Whereas the brave men and women who answered the calls for assistance have worked to minimize the displacement of thousands of residents and to protect against loss of life and property: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the heroic efforts of firefighters to contain wildfires and protect lives, homes, natural resources, and rural economies throughout the United States;

(2) encourages the people and government officials of the United States to express their appreciation to the brave men and women serving in the firefighting services throughout the United States;

(3) encourages the people and communities of the United States to be diligent in preventing and preparing for wildfires; and

(4) encourages the people of the United States to keep in their thoughts those who have experienced loss as a result of wildfire.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 524. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table.

SA 525. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1323, *supra*; which was ordered to lie on the table.

SA 526. Mr. MCCAIN (for himself and Mr. RUBIO) submitted an amendment intended to

be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 524.** Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_. SENSE OF THE SENATE REGARDING PROTECTING SMALL BUSINESS FROM ADDITIONAL TAX BURDENS.**

It is the sense of the Senate that small businesses, as defined by the Small Business Administration, should be exempt from any net tax increase that is proposed or included in legislation that raises the statutory borrowing authority of the United States.

**SA 525.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE \_\_—REDUCTION OF UNNECESSARY SPENDING**

**SECTION \_\_. 1. SHORT TITLE AND PURPOSES.**

(a) **SHORT TITLE.**—This title may be cited as the “Reduce Unnecessary Spending Act of 2011”.

(b) **PURPOSE.**—The purpose of this title is to create an optional fast-track procedure the President may use when submitting rescission requests, which would lead to an up-or-down vote by Congress on the President’s package of rescissions, without amendment.

**SEC. \_\_. 2. RESCISSIONS OF FUNDING.**

The Impoundment Control Act of 1974 is amended by striking part C and inserting the following:

**“PART C—EXPEDITED CONSIDERATION OF PROPOSED RESCISSIONS**

**“SEC. 1021. APPLICABILITY AND DISCLAIMER.**

“The rules, procedures, requirements, and definitions in this part apply only to executive and legislative actions explicitly taken under this part. They do not apply to actions taken under part B or to other executive and legislative actions not taken under this part.

**“SEC. 1022. DEFINITIONS.**

“In this part:

“(1) The terms ‘appropriations Act’, ‘budget authority’, and ‘new budget authority’ have the same meanings as in section 3 of the Congressional Budget Act of 1974.

“(2) The terms ‘account’, ‘current year’, ‘CBO’, and ‘OMB’ have the same meanings as in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985 as in effect on September 30, 2002.

“(3) The term ‘days of session’ shall be calculated by excluding weekends and national holidays. Any day during which a chamber of Congress is not in session shall not be counted as a day of session of that chamber. Any day during which neither chamber is in session shall not be counted as a day of session of Congress.

“(4) The term ‘entitlement law’ means the statutory mandate or requirement of the United States to incur a financial obligation unless that obligation is explicitly condi-

tioned on the appropriation in subsequent legislation of sufficient funds for that purpose, and the Supplemental Nutrition Assistance Program.

“(5) The term ‘funding’ refers to new budget authority and obligation limits except to the extent that the funding is provided for entitlement law.

“(6) The term ‘rescind’ means to eliminate or reduce the amount of enacted funding.

“(7) The terms ‘withhold’ and ‘withholding’ apply to any executive action or inaction that precludes the obligation of funding at a time when it would otherwise have been available to an agency for obligation. The terms do not include administrative or preparatory actions undertaken prior to obligation in the normal course of implementing budget laws.

**“SEC. 1023. TIMING AND PACKAGING OF RESCISSION REQUESTS.**

“(a) **TIMING.**—If the President proposes that Congress rescind funding under the procedures in this part, OMB shall transmit a message to Congress containing the information specified in section 1024, and the message transmitting the proposal shall be sent to Congress not later than 45 calendar days after the date of enactment of the funding.

“(b) **PACKAGING AND TRANSMITTAL OF REQUESTED RESCISSIONS.**—Except as provided in subsection (c), for each piece of legislation that provides funding, the President shall request at most 1 package of rescissions and the rescissions in that package shall apply only to funding contained in that legislation. OMB shall deliver each message requesting a package of rescissions to the Secretary of the Senate if the Senate is not in session and to the Clerk of the House of Representatives if the House is not in session. OMB shall make a copy of the transmittal message publicly available, and shall publish in the Federal Register a notice of the message and information on how it can be obtained.

“(c) **SPECIAL PACKAGING RULES.**—After enactment of—

“(1) a joint resolution making continuing appropriations;

“(2) a supplemental appropriations bill; or

“(3) an omnibus appropriations bill;

covering some or all of the activities customarily funded in more than 1 regular appropriations bill, the President may propose as many as 2 packages rescinding funding contained in that legislation, each within the 45-day period specified in subsection (a). OMB shall not include the same rescission in both packages, and, if the President requests the rescission of more than one discrete amount of funding under the jurisdiction of a single subcommittee, OMB shall include each of those discrete amounts in the same package.

**“SEC. 1024. REQUESTS TO RESCIND FUNDING.**

“For each request to rescind funding under this part, the transmittal message shall—

“(1) specify—

“(A) the dollar amount to be rescinded;

“(B) the agency, bureau, and account from which the rescission shall occur;

“(C) the program, project, or activity within the account (if applicable) from which the rescission shall occur;

“(D) the amount of funding, if any, that would remain for the account, program, project, or activity if the rescission request is enacted; and

“(E) the reasons the President requests the rescission;

“(2) designate each separate rescission request by number; and

“(3) include proposed legislative language to accomplish the requested rescissions which may not include—

“(A) any changes in existing law, other than the rescission of funding; or

“(B) any supplemental appropriations, transfers, or reprogrammings.

**“SEC. 1025. GRANTS OF AND LIMITATIONS ON PRESIDENTIAL AUTHORITY.**

“(a) **PRESIDENTIAL AUTHORITY TO WITHHOLD FUNDING.**—Notwithstanding any other provision of law and if the President proposes a rescission of funding under this part, OMB may, subject to the time limits provided in subsection (c), temporarily withhold that funding from obligation.

“(b) **EXPEDITED PROCEDURES AVAILABLE ONLY ONCE PER BILL.**—The President may not invoke the procedures of this part, or the authority to withhold funding granted by subsection (a), on more than 1 occasion for any Act providing funding.

“(c) **TIME LIMITS.**—OMB shall make available for obligation any funding withheld under subsection (a) on the earliest of—

“(1) the day on which the President determines that the continued withholding or reduction no longer advances the purpose of legislative consideration of the rescission request;

“(2) starting from the day on which OMB transmitted a message to Congress requesting the rescission of funding, 25 calendar days in which the House of Representatives has been in session or 25 calendar days in which the Senate has been in session, whichever occurs second; or

“(3) the last day after which the obligation of the funding in question can no longer be fully accomplished in a prudent manner before its expiration.

“(d) **DEFICIT REDUCTION.**—

“(1) **IN GENERAL.**—Funds that are rescinded under this part shall be dedicated only to reducing the deficit or increasing the surplus.

“(2) **ADJUSTMENT OF LEVELS IN THE CONCURRENT RESOLUTION ON THE BUDGET.**—Not later than 5 days after the date of enactment of an approval bill as provided under this part, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall revise allocations and aggregates and other appropriate levels under the appropriate concurrent resolution on the budget to reflect the repeal or cancellation, and the applicable committees shall report revised suballocations pursuant to section 302(b), as appropriate.

**“SEC. 1026. CONGRESSIONAL CONSIDERATION OF RESCISSION REQUESTS.**

“(a) **PREPARATION OF LEGISLATION TO CONSIDER A PACKAGE OF EXPEDITED RESCISSION REQUESTS.**—

“(1) **IN GENERAL.**—If the House of Representatives receives a package of expedited rescission requests, the Clerk shall prepare a House bill that only rescinds the amounts requested which shall read as follows:

“‘There are enacted the rescissions numbered [insert number or numbers] as set forth in the Presidential message of [insert date] transmitted under part C of the Impoundment Control Act of 1974 as amended.’

“(2) **EXCLUSION PROCEDURE.**—The Clerk shall include in the bill each numbered rescission request listed in the Presidential package in question, except that the Clerk shall omit a numbered rescission request if the Chairman of the Committee on the Budget of the House, after consulting with the Chairman of the Committee on the Budget of the Senate, CBO, GAO, and the House and Senate committees that have jurisdiction over the funding, determines that the numbered rescission does not refer to funding or includes matter not permitted under a request to rescind funding.

“(b) INTRODUCTION AND REFERRAL OF LEGISLATION TO ENACT A PACKAGE OF EXPEDITED RESCISSIONS.—The majority leader or the minority leader of the House or Representatives, or a designee, shall (by request) introduce each bill prepared under subsection (a) not later than 4 days of session of the House after its transmittal, or, if no such bill is introduced within that period, any member of the House may introduce the required bill in the required form on the fifth or sixth day of session of the House after its transmittal. If such an expedited rescission bill is introduced in accordance with the preceding sentence, it shall be referred to the House committee of jurisdiction. A copy of the introduced House bill shall be transmitted to the Secretary of the Senate, who shall provide it to the Senate committee of jurisdiction.

“(c) HOUSE REPORT AND CONSIDERATION OF LEGISLATION TO ENACT A PACKAGE OF EXPEDITED RESCISSIONS.—The House committee of jurisdiction shall report without amendment the bill referred to it under subsection (b) not more than 5 days of session of the House after the referral. The committee may order the bill reported favorably, unfavorably, or without recommendation. If the committee has not reported the bill by the end of the 5-day period, the committee shall be automatically discharged from further consideration of the bill and it shall be placed on the appropriate calendar.

“(d) HOUSE MOTION TO PROCEED.—

“(1) IN GENERAL.—After a bill to enact an expedited rescission package has been reported or the committee of jurisdiction has been discharged under subsection (c), it shall be in order to move to proceed to consider the bill in the House. A Member who wishes to move to proceed to consideration of the bill shall announce that fact, and the motion to proceed shall be in order only during a time designated by the Speaker within the legislative schedule for the next calendar day of legislative session or the one immediately following it.

“(2) FAILURE TO SET TIME.—If the Speaker does not designate a time under paragraph (1), 3 or more calendar days of legislative session after the bill has been reported or discharged, it shall be in order for any Member to move to proceed to consider the bill.

“(3) PROCEDURE.—A motion to proceed under this subsection shall not be in order after the House has disposed of a prior motion to proceed with respect to that package of expedited rescissions. The previous question shall be considered as ordered on the motion to proceed, without intervening motion. A motion to reconsider the vote by which the motion to proceed has been disposed of shall not be in order.

“(4) REMOVAL FROM CALENDAR.—If 5 calendar days of legislative session have passed since the bill was reported or discharged under this subsection and no Member has made a motion to proceed, the bill shall be removed from the calendar.

“(e) HOUSE CONSIDERATION.—

“(1) CONSIDERED AS READ.—A bill consisting of a package of rescissions under this part shall be considered as read.

“(2) POINTS OF ORDER.—All points of order against the bill are waived, except that a point of order may be made that 1 or more numbered rescissions included in the bill would enact language containing matter not requested by the President or not permitted under this part as part of that package. If the Presiding Officer sustains such a point of order, the numbered rescission or rescissions that would enact such language are deemed to be automatically stripped from the bill

and consideration proceeds on the bill as modified.

“(3) PREVIOUS QUESTION.—The previous question shall be considered as ordered on the bill to its passage without intervening motion, except that 4 hours of debate equally divided and controlled by a proponent and an opponent are allowed, as well as 1 motion to further limit debate on the bill.

“(4) MOTION TO RECONSIDER.—A motion to reconsider the vote on passage of the bill shall not be in order.

“(f) SENATE CONSIDERATION.—

“(1) REFERRAL.—If the House of Representatives approves a House bill enacting a package of rescissions, that bill as passed by the House shall be sent to the Senate and referred to the Senate committee of jurisdiction.

“(2) COMMITTEE ACTION.—The committee of jurisdiction shall report without amendment the bill referred to it under this subsection not later than 3 days of session of the Senate after the referral. The committee may order the bill reported favorably, unfavorably, or without recommendation.

“(3) DISCHARGE.—If the committee has not reported the bill by the end of the 3-day period, the committee shall be automatically discharged from further consideration of the bill and it shall be placed on the appropriate calendar.

“(4) MOTION TO PROCEED.—On the following day and for 3 subsequent calendar days in which the Senate is in session, it shall be in order for any Senator to move to proceed to consider the bill in the Senate. Upon such a motion being made, it shall be deemed to have been agreed to and the motion to reconsider shall be deemed to have been laid on the table.

“(5) DEBATE.—Debate on the bill in the Senate under this subsection, and all debatable motions and appeals in connection therewith, shall not exceed 10 hours, equally divided and controlled in the usual form. Debate in the Senate on any debatable motion or appeal in connection with such a bill shall be limited to not more than 1 hour, to be equally divided and controlled in the usual form. A motion to further limit debate on such a bill is not debatable.

“(6) MOTIONS NOT IN ORDER.—A motion to amend such a bill or strike a provision from it is not in order. A motion to recommit such a bill is not in order.

“(g) SENATE POINT OF ORDER.—It shall not be in order under this part for the Senate to consider a bill approved by the House enacting a package of rescissions under this part if any numbered rescission in the bill would enact matter not requested by the President or not permitted under this Act as part of that package. If a point of order under this subsection is sustained, the bill may not be considered under this part.”

### SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TABLE OF CONTENTS.—Section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking the matter for part C of title X and inserting the following:

#### “PART C—EXPEDITED CONSIDERATION OF PROPOSED RESCISSIONS

“Sec. 1021. Applicability and disclaimer.

“Sec. 1022. Definitions.

“Sec. 1023. Timing and packaging of rescission requests.

“Sec. 1024. Requests to rescind funding.

“Sec. 1025. Grants of and limitations on presidential authority.

“Sec. 1026. Congressional consideration of rescission requests.”

(b) TEMPORARY WITHHOLDING.—Section 1013(c) of the Impoundment Control Act of 1974 is amended by striking “section 1012” and inserting “section 1012 or section 1025”.

(c) RULEMAKING.—

(1) 904(a).—Section 904(a) of the Congressional Budget Act of 1974 is amended by striking “and 1017” and inserting “1017, and 1026”.

(2) 904(d)(1).—Section 904(d)(1) of the Congressional Budget Act of 1974 is amended by striking “1017” and inserting “1017 or 1026”.

### SEC. 4. AMENDMENTS TO PART A OF THE IMPOUNDMENT CONTROL ACT.

(a) IN GENERAL.—Part A of the Impoundment Control Act of 1974 is amended by inserting at the end the following:

#### “SEC. 1002. SEVERABILITY.

“If the judicial branch of the United States finally determines that 1 or more of the provisions of parts B or C violate the Constitution of the United States, the remaining provisions of those parts shall continue in effect.”

(b) TABLE OF CONTENTS.—Section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting at the end of the matter for part A of title X the following:

“Sec. 1002. Severability.”

### SEC. 5. EXPIRATION.

Part C of the Impoundment Control Act of 1974 (as amended by this Act) shall expire on December 31, 2015.

**SA 526.** Mr. MCCAIN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

#### TITLE II—DEBT BUY-DOWN

##### SECTION 201. SHORT TITLE.

This title may be cited as the “Debt Buy-Down Act”.

##### SEC. 202. DESIGNATION OF AMOUNTS FOR REDUCTION OF PUBLIC DEBT.

(a) IN GENERAL.—Subchapter A of chapter 61 of the Internal Revenue Code of 1986 (relating to returns and records) is amended by adding at the end the following new part:

#### “PART IX—DESIGNATION FOR REDUCTION OF PUBLIC DEBT

“Sec. 6097. Designation.

##### “SEC. 6097. DESIGNATION.

“(a) IN GENERAL.—Every individual with adjusted income tax liability for any taxable year may designate that a portion of such liability (not to exceed 10 percent thereof) shall be used to reduce the public debt.

“(b) MANNER AND TIME OF DESIGNATION.—A designation under subsection (a) may be made with respect to any taxable year only at the time of filing the return of tax imposed by chapter 1 for the taxable year. The designation shall be made on the first page of the return or on the page bearing the taxpayer’s signature.

“(c) ADJUSTED INCOME TAX LIABILITY.—For purposes of this section, the adjusted income tax liability of an individual for any taxable year is the income tax liability of the individual for the taxable year determined under section 6096(b), reduced by any amount designated under section 6096(a).”

(b) CLERICAL AMENDMENT.—The table of parts for such subchapter A is amended by adding at the end the following new item:

**"PART IX. DESIGNATION FOR REDUCTION OF PUBLIC DEBT".**

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

**SEC. 203. PUBLIC DEBT REDUCTION TRUST FUND.**

(a) **IN GENERAL.**—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 (relating to trust fund code) is amended by adding at the end the following section:

**"SEC. 9511. PUBLIC DEBT REDUCTION TRUST FUND.**

"(a) **CREATION OF TRUST FUND.**—There is established in the Treasury of the United States a trust fund to be known as the 'Public Debt Reduction Trust Fund', consisting of any amount appropriated or credited to the Trust Fund as provided in this section or section 9602(b).

"(b) **TRANSFERS TO TRUST FUND.**—There are hereby appropriated to the Public Debt Reduction Trust Fund amounts equivalent to the amounts designated under section 6097 (relating to designation for public debt reduction).

"(c) **EXPENDITURES.**—Amounts in the Public Debt Reduction Trust Fund shall be used by the Secretary for purposes of paying at maturity, or to redeem or buy before maturity, any obligation of the Federal Government included in the public debt (other than an obligation held by the Federal Old-Age and Survivors Insurance Trust Fund or the Department of Defense Military Retirement Fund). Any obligation which is paid, redeemed, or bought with amounts from the Public Debt Reduction Trust Fund shall be canceled and retired and may not be reissued."

(b) **CLERICAL AMENDMENT.**—The table of sections for such subchapter is amended by adding at the end the following new item:

"Sec. 9511. Public Debt Reduction Trust Fund."

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to amounts received after the date of the enactment of this Act.

**SEC. 204. TAXPAYER-GENERATED SEQUESTRATION OF FEDERAL SPENDING TO REDUCE THE PUBLIC DEBT.**

(a) **SEQUESTRATION TO REDUCE THE PUBLIC DEBT.**—Part C of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting after section 253 the following new section:

**"SEC. 253A. SEQUESTRATION TO REDUCE THE PUBLIC DEBT.**

"(a) **SEQUESTRATION.**—Notwithstanding sections 255 and 256, within 15 days after Congress adjourns to end a session, and on the same day as sequestration (if any) under sections 251, 252, and 253, and under section 5(b) of the Statutory Pay-As-You-Go Act of 2010, but after any sequestration required by those sections, there shall be a sequestration equivalent to the estimated aggregate amount designated under section 6097 of the Internal Revenue Code of 1986 for the last taxable year ending one year before the beginning of that session of Congress, as estimated by the Department of the Treasury on October 1 and as modified by the total of—

"(1) any amounts by which net discretionary spending is reduced by legislation below the discretionary spending limits enacted after the enactment of this section related to the fiscal year subject to the sequestration (or, in the absence of such limits, any net deficit change from the baseline amount calculated under section 257; and

"(2) the net deficit change that has resulted from all direct spending legislation

enacted after the enactment of this section related to the fiscal year subject to the sequestration, as estimated by OMB.

If the reduction in spending under paragraphs (1) and (2) for a fiscal year is greater than the estimated aggregate amount designated under section 6097 of the Internal Revenue Code of 1986 respecting that fiscal year, then there shall be no sequestration under this section.

"(b) **APPLICABILITY.**—

"(1) **IN GENERAL.**—Except as provided by paragraph (2), each account of the United States shall be reduced by a dollar amount calculated by multiplying the level of budgetary resources in that account at that time by the uniform percentage necessary to carry out subsection (a). All obligational authority reduced under this section shall be done in a manner that makes such reductions permanent.

"(2) **EXEMPT ACCOUNTS.**—No order issued under this part may—

"(A) reduce benefits payable to the old-age and survivors insurance program established under title II of the Social Security Act;

"(B) reduce retired or retiree pay payable to a member or former member of the uniformed services; or

"(C) reduce payments for net interest (all of major functional category 900)."

(b) **REPORTS.**—Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in subsection (a), by adding at the end of the table the following new item:

"October 1 .....	Department of Treasury report to Congress estimating amount of income tax designated pursuant to section 6097 of the Internal Revenue Code of 1986."
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(2) in subsection (c)(1), by inserting "and sequestration to reduce the public debt," after "sequestration";

(3) in subsection (c), by redesignating paragraph (5) as paragraph (6) and by inserting after paragraph (4) the following new paragraph:

"(5) **REPORTS ON SEQUESTRATION TO REDUCE THE PUBLIC DEBT.**—The preview reports shall set forth for the budget year estimates for each of the following:

"(A) The aggregate amount designated under section 6097 of the Internal Revenue Code of 1986 for the last taxable year ending before the budget year.

"(B) The amount of reductions required under section 253A and the deficit remaining after those reductions have been made.

"(C) The sequestration percentage necessary to achieve the required reduction in accounts under section 253A(b)."; and

(4) in subsection (f), by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively, and by inserting after paragraph (3) the following new paragraph:

"(4) **REPORTS ON SEQUESTRATION TO REDUCE THE PUBLIC DEBT.**—The final reports shall contain all of the information contained in the public debt taxation designation report required on October 1."

(c) **CONFORMING AMENDMENT.**—The table of contents in section 250(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting after the item relating to section 253 the following new item:

"Sec. 253A. Sequestration to reduce the public debt."

(d) **EFFECTIVE DATE.**—Notwithstanding section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985, the expira-

tion date set forth in that section shall not apply to the amendments made by this section. The amendments made by this section shall cease to have any effect after the first fiscal year during which there is no public debt.

**NOTICE OF HEARING**

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, July 14, 2011, at 10 a.m. to conduct a hearing entitled "Lessons From the Field: Learning From What Works for Employment for Persons with Disabilities."

For further information regarding this meeting, please contact Andrew Imperato at (202) 228-3453.

**RECOGNIZING HEROIC EFFORTS OF FIREFIGHTERS**

Mr. REID. I ask unanimous consent the Senate proceed to consideration of S. Res. 229.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 229) recognizing the heroic efforts of firefighters to contain numerous wildfires that have affected thousands of people throughout the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table, with no intervening action or debate on this matter, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 229) was agreed to.

The preamble was agreed to.  
The resolution, with its preamble, reads as follows:

**S. RES. 229**

Whereas every State in the United States has been affected by wildfire in 2011;

Whereas firefighters and residents have had to contend with extreme and erratic fire behavior and rapid rates of fire spread;

Whereas, as of June 12, 2011, more than 32,189 wildfires have burned more than 4,700,000 acres of land, which represents more acres burned than in all of 2010 and approximately 600,000 more acres than the 50-year average of total acres burned in the United States in an entire year;

Whereas, as of June 12, 2011—

(1) the Southwestern States have reported more than 1,600 fires that have burned more than 1,700,000 acres;

(2) the Southern States have reported more than 27,000 fires that have burned more than 2,400,000 acres;

(3) the Northern and Central Rocky Mountain States have reported 818 fires that have burned more than 250,000 acres;

(4) the State of California and Great Basin Region have reported more than 7,200 fires that have burned more than 21,000 acres;

(5) the Northwestern States and Alaska have reported more than 400 fires that have burned more than 260,000 acres; and

(6) the Eastern States have reported more than 3,500 fires that have burned more than 41,000 acres;

Whereas, as of June 29, 2011, firefighters and personnel from the Federal, State, and county levels have responded overwhelmingly to battle wildfires throughout the United States, filling more than 95,600 requests for firefighter crew members; and

Whereas the brave men and women who answered the calls for assistance have worked to minimize the displacement of thousands of residents and to protect against loss of life and property: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the heroic efforts of firefighters to contain wildfires and protect lives, homes, natural resources, and rural economies throughout the United States;

(2) encourages the people and government officials of the United States to express their appreciation to the brave men and women serving in the firefighting services throughout the United States;

(3) encourages the people and communities of the United States to be diligent in preventing and preparing for wildfires; and

(4) encourages the people of the United States to keep in their thoughts those who have experienced loss as a result of wildfire.

MEASURE READ THE FIRST  
TIME—S. 1340

Mr. REID. Mr. President, I am told there is a bill at the desk due for a first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 1340) to cut, cap, and balance the Federal budget.

Mr. REID. I now ask for a second reading in order to place the bill on the calendar under the provisions of rule XIV, and I also object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR MONDAY, JULY 11,  
2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, July 11, 2011; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be

deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume the motion to proceed to Calendar No. 93, S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit postcloture, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be a rollcall vote on Monday at approximately 5:30 p.m. on the motion to proceed to S. 1323.

ADJOURNMENT UNTIL MONDAY,  
JULY 11, 2011, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being objection, the Senate, at 5:51 p.m., adjourned until Monday, July 11, 2011, at 2 p.m.

## HOUSE OF REPRESENTATIVES—Thursday, July 7, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 7, 2011.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### SYRIA'S BLOODY SPRING

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SCHIFF) for 5 minutes.

Mr. SCHIFF. Mr. Speaker, there are moments in the lives of nations when the existing order is suddenly revealed as bereft of legitimacy and no longer viable. The wave of unrest spreading across the Arab world, touched off by the self-immolation of a Tunisian fruit vendor tired of petty humiliation by corrupt governments, has exposed the rot of decades of caprice, corruption, and incompetence. That this one man's desperate act could lead to the downfall of the governments of Tunisia, Egypt, and perhaps Yemen is testament to the pent up frustration of millions of people who were denied the basic rights and economic opportunity that we take for granted here in the West.

But it is in Syria, where the future of the Arab Spring seemingly hangs in the balance and where the security services have acted with the least restraint and maximum violence. Like marauding armies of old, select units of military and security services troops have been moving from city to city in

a quest to quash the ever-spreading demonstrations that have become a feature of life in Syria.

Deraa, a town of some 75,000 lying near the border with Jordan, has emerged as one of the centers of the Syrian uprising against the 40 years of rule by the Assad family. Army and security forces have repeatedly assaulted the town and surrounding villages, killing hundreds of civilians and arresting anyone suspected of taking part in demonstrations against the regime. On April 29 in the village of Jiza, the Syrian secret police rounded up anybody it thought was involved with the protests, including Hamza Ali al-Khateeb, who had gone to watch the demonstration with other members of his family.

For a month, Hamza's family waited for him to return, worried but hopeful that he would be released unharmed. It was not to be. On May 30, Hamza's mutilated body was returned to them. He had been tortured, subjected to repeated electric shocks, and whipped with cables. His eyes were swollen and black, and there were identical bullet wounds where he had been apparently shot through both arms, the bullets lodging in his belly. On Hamza's chest was a deep, dark burn mark. His neck was broken, and parts of his body were cut off. Hamza Ali al-Khateeb was 13 years old. Video of the boy's shattered body has been seen by millions on television and the Internet.

Hamza, like the Tunisian fruit vendor who set himself alight, has become a symbol to his countrymen and the world of the depravity and illegitimacy of a regime that would torture its own children to death.

Our ability to bring additional economic pressure on Syria is limited. Its economy is already under immense strain. It is small, weak, and isolated. Political pressure, in the form of a U.N. security resolution condemning the violence and crackdown, has been blocked by Russia and China. And there is dread over what will happen when Assad falls, given the internal divisions between Sunni and Shia, Muslim and Alawi, Christian and Druze. The confessional and sectarian splits are as pronounced as in Lebanon, the potential for large scale violence as great as Iraq.

The dangers are real, but the promise of what began in Tunisia and is now materializing in Egypt and elsewhere is also real. People of courage can determine their own destiny, and it need not be one of hereditary dictatorship,

kleptocracy, or lack of opportunity and stagnation. In the Arab world, as elsewhere, people should be free to choose their own government to represent them and to chart peace with their neighbors.

To conclude otherwise means that we relegate tens of millions of people to suffer the capricious ruthlessness of their despots for generation after generation, or that we are willing to trade the illusion of stability for the harsh reality of their suffering. That is not the choice we made for ourselves 235 years ago, and it is not one that we should presume to make for others.

Bashar Assad is a ruthless tyrant whose time has passed and who clings to power only by virtue of brutal force. Our role and that of the international community should be to work with Syrian opposition figures and others to advance a negotiated transition to a new Syrian Government that will represent all Syrians and prevent the trading in of one set of thugs for another. The Arab Spring cannot be allowed to fail because of brutal repression, the specter of religious fanaticism, a fear of the unknown, or the cynicism born of unmet expectations. The region's many millions must have the freedom to write a new chapter for themselves and their posterity.

In this, the younger Assad has taken a page from his father, who unleashed his troops in 1982 to suppress a revolt by the Muslim Brotherhood in the city of Hama, an offensive that may have cost as many as 20,000 civilian lives. Indeed, history may be repeating itself as Hama has become a focus of both anti-government activity on the one hand, and the use of extreme violence by the Assad government on the other.

For American policymakers, Syria presents a collection of overlapping and sometimes contradictory challenges. Like his father, President Assad has repeatedly tantalized the United States and the west with the possibility of a new opening, but he has never followed through. Syria's illegal and clandestine nuclear program, its alliance with Iran and its meddling in Lebanon, a policy that culminated in the 2005 murder of Lebanese Prime Minister Rafik Hariri, form a compelling case that the Syrian people and the world would be better off with a new leader in Damascus.

### FREEDOM OF SPEECH AND RELIGION UNDER ATTACK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Mr. POE of Texas. Mr. Speaker, freedom of speech, the free exercise of religion, two of our most important, fundamental principles that this Nation was founded upon, have recently become under attack by none other than this Federal Government. The authoritarian behavior and attack on the First Amendment rights is an attack now on the veterans that have served our Nation.

Last week, while in Houston, Texas, I met with members of the Veterans of Foreign Wars. They shared with me very descriptive and disturbing stories about the aggressive and hostile censorship of religion and speech that is occurring at none other than the veterans cemetery in Houston, the second largest cemetery for our veterans in the United States, next to Arlington, which is right down the street across from the Potomac River.

The director of the Houston National Cemetery, Arleen Ocasio, is accused of attacking the constitutional rights of our military who have fought and died for this country. The very rights that they fought and died for are being under attack by none other than this director. The thought that someone would have the audacity to censor religion and speech anywhere is despicable, but censoring the funeral services of the veterans who spent their lives protecting the First Amendment is malicious and it's not forgivable.

Director Ocasio is an unelected bureaucrat, a nonveteran who is clearly out of touch with our veterans and the Constitution. And it's unbelievable that she would be put in charge of the sacred burial ground in Houston, Texas.

Here's what the accusations against her are, according to the Veterans of Foreign Wars who I met with. And these are the men who go to those funeral services and are the honor guard for America's war dead that are buried. And here's what they say that she has done. The chapel that is on the premises has been closed. The Bible has been removed. The cross has been taken out of the chapel. We don't know what the chapel's being used for. Some say a storage place. Some say a meeting place. Some say it's not being used at all. This is what she is accused of doing.

She censors the prayers that are being given at the burial services of our veterans. She's banned the word "God," the words "Jesus Christ" from these funeral services. And it is the very utterance of the word "God" that's put this director in a tizzy, so much so that she wants to approve all the prayers that are given at these private veterans funerals that take place on these sacred grounds.

There are 60 burials a week of our veterans at Houston National Cemetery. And this action has got to cease, this unconstitutional action by the di-

rector. It's not the business of the Federal Government to be engaged in anti-religious activity, especially at what some consider to be a religious ceremony, the burial of our veterans. The philosophy behind such politics is anti-Christian, anti-religious, and anti-American.

Mr. Speaker, the First Amendment is first because it's the most important. It protects the freedom of speech, the freedom of press, the freedom of free exercise of religion, and the freedom to peaceably assemble. And that is under attack at this cemetery because the director wants to be in charge and make sure that none of these burials are a religious ceremony. And that's got to stop.

This cemetery, Mr. Speaker, does not belong to Director Ocasio. In fact, I don't think it belongs to the Federal Government. It belongs to the veterans who have served this Nation all over the world in all wars. It belongs to them, and it belongs to their families who bury them. And religious censorship has got to cease at this cemetery. Americans are irate about this government attack on religion. I have heard from numerous veterans and loved ones all over the country who are shocked that this government, our government, would allow such a thing to occur.

□ 1010

One man in particular stood out who called my office and he was in tears, Mr. Speaker, because his father, a World War II veteran, was days away from being buried in Houston National Cemetery. And his father had heard about the censorship of religion and speech, and he doesn't want to be buried in that cemetery with other veterans any longer.

So no wonder that so many people are shocked by the actions of this director. After all, it reminds me of the old Soviet Union, the way they used to censor speech and prevent the free exercise of religion.

The First Amendment is sacred. Funerals are sacred; and when our veterans are buried, that soil becomes sacred. And this action has to stop, and if these actions are true, the director needs to be terminated.

The government's attack on the very freedoms that these people have lived and died for is a violation of the freedom of speech and the freedom to freely exercise religion promised to all Americans in the Constitution, and that must be upheld.

And that's just the way it is.

#### CIVIL AND HUMAN RIGHTS CRISIS IN PUERTO RICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIERREZ) for 5 minutes.

Mr. GUTIERREZ. Yesterday, the American Civil Liberties Union, the

Puerto Rican Legal Defense and Educational Fund, and the National Institute for Latino Policy published this full-page ad in Roll Call, one of the key newspapers here on Capitol Hill.

These respected civil rights and policy organizations have investigated and denounced the civil and human rights crisis in Puerto Rico. They bought a full-page ad to alert Congress about the "serious concerns about civil and human rights abuses against the citizens of Puerto Rico by their government, including the infringement on the rights of free speech, peaceful assembly and freedom from police violence and abuse."

And they make an essential point: If these abuses were happening anywhere in the 50 States, they would not be tolerated. These abuses would be on the front page of every newspaper, as they are in Puerto Rico.

It's time for this Congress to start paying attention. Students and working people, journalists and environmentalists in Puerto Rico are paying attention because the freedoms we take for granted in America are being denied to them each day.

I would like today to remind you what has happened. On this floor I have condemned the use of heavily armed riot squads against peaceful student and labor protesters at the University of Puerto Rico and in the streets of San Juan. I have denounced the beatings of students by police armed with night sticks, the use of pepper spray on protesters and even journalists, the groping of female students.

I have stood up to defend the Puerto Rican Bar Association, a clear voice for justice that has been attacked by the ruling party and their legislature and their allies on the Federal bench.

I have spoken on the House floor and leaders have spoken on the island about the environmental emergency the ruling party has brought on to Puerto Rico. The government declared an energy emergency to avoid routine fact-finding and licensing procedures so that it could build a 100-mile long, \$500 million gas pipeline on a tropical island that is designed more to help wealthy insiders than the people of Puerto Rico.

While actions in Wisconsin and Ohio and other States that threaten workers' rights are discussed routinely in the U.S., the fact that the Governor of Puerto Rico has fired tens of thousands of public employees and canceled labor agreements, all contrary to contract promises, is largely unknown.

But Tea Partiers don't rejoice: he has also doubled the property taxes on everyone.

Even the courts are under attack on the island. This Governor has packed the Puerto Rican Supreme Court with activists of the ruling party. He created two new positions on the supreme court in order to add two new judges to

a court that already had a majority of the ruling party. He did this, of course, despite the fact of having denounced Hugo Chavez when he believed he was doing the same thing in Venezuela.

Just 2 weeks ago, the ruling party yet again changed the law so they could fire the island's ombudswoman for the elderly, who had years left on her 10-year appointment, because of her independence and vocal disagreement with the ruling party.

And because I have spoken out against the ruling party of Puerto Rico, I have earned a resolution of censure from the ruling party's legislature. I have earned a full-page ad in Roll Call condemning me for using my right to speech.

Only the ruling party of Puerto Rico would respond to complaints about free speech and civil rights abuses by officially passing a resolution condemning someone for speaking. Should any of my colleagues not believe this absurdity, you just need to come to my office where I display proudly these documents. I invite you to come and see them.

I ask my colleagues today: please pay attention to what is happening in Puerto Rico. If it were happening in Illinois, New York, Texas or Wyoming, or any of the States of our Union, this Congress would have great concerns.

One meaningful first step would be to join me in urging the Department of Justice to complete the investigation that they have initiated and to police abuses in Puerto Rico that started in 2008 and promptly release the results. I would also ask my colleagues and their staffs to attend the congressional briefing organized by the ACLU next Tuesday, July 12, at 10 a.m.

And, finally, I ask my friends and colleagues to do what we do whenever we see regimes that refuse to treat people fairly: please speak out for the values that define us as Americans. Please join me in standing for liberty and justice for all.

#### THE VOTE TO INCREASE DEBT LIMIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

Mr. STEARNS. Mr. Speaker, today the United States Government owes close to \$14.3 trillion. It's estimated by the Congressional Budget Office that by the year 2021, the government will spend 100 percent of every dollar raised in revenue on entitlements. And yet we are being asked to raise the debt limit to \$16.3 trillion. That's a \$2 trillion increase, or 14 percent increase. In 2010, our national GDP was \$14.6 trillion. Raising the debt to \$16.3 trillion means our debt ceiling will surpass our country's GDP.

And yet for the 81st time since 1940, we are being asked again to raise the

debt ceiling. In 2002, our debt stood at \$6.2 trillion. Now, not even 10 years later, we are asked to raise it to \$16.2 trillion. That's a 250 percent increase, or an average of 16.7 percent increase per year. Obviously, continuing on this path next year, it is likely we will be asked in this Chamber to raise the debt ceiling to \$19 trillion. That's staggering.

In keeping with this 70-year tradition, we are certain to force our Nation's spiraling and out-of-control debt onto the backs of our country's children and grandchildren. Raising the debt ceiling today without reform will merely lead to a new call, a new call to raise the debt again tomorrow.

Is the United States disciplined enough to solve this debt problem through austerity and productivity? I think it is. Yet I believe we can, but only if we break this tradition of continued spending.

Now recently a constituent of mine wrote a simple letter to the editor of my hometown paper and this what is he said: "If you and your wife haven't made a budget for the last 2 years, and now you have maxed-out the \$14,300 credit limit on your Visa card, do you: A, expect Visa to raise your limit to \$16,700; B, print counterfeit money to cover your debts; C, borrow more money; or, D, sell the Cadillac."

Responsible Americans would sell the Cadillac. It's time for the Federal Government to do the same thing: reduce spending or sell unneeded assets.

We must begin to closely scrutinize our bills and eliminate wasteful and fraudulent programs, sunset some of them. As we negotiate the upcoming vote on the debt ceiling, we should ensure that any cut in spending exceeds any increase in the debt limit. Selling the Cadillac is meaningless when you continue to max out on your credit card. The point here is to make a difference in our debt, not to merely provide a vehicle to continue Washington's spending addiction.

Moreover, any future spending must be restricted. We cannot sell the Cadillac this year only to buy a Mercedes Benz next year. Again, we must begin to live within our means.

I know that leadership is working tirelessly to ensure that a compromise can be reached and the Republicans' demands can be met, and it appears we are making progress.

□ 1020

But, the President has in one breath asked both parties to leave their rhetoric at the door, but then in the same next breath he accused Republicans of refusing to cut tax loopholes for the rich in order to curb the debt problem. But that alone won't do it. Beyond being contradictory and self-serving, these accusations demonstrate that Democrats continue to misunderstand the real problem. CBO has nailed it.

They recently revealed that it is runaway spending, not a lack of revenue, that is driving our debt today. According to CBO's long-term budget forecast, even with a tax increase that raises revenues from its historic 18 percent of GDP to 23 percent of GDP, the national debt will continue to grow unless we have the spending reductions.

Everyone here in Congress understands how important this vote is, but surely after the CBO analysis, we must confront the fact that spending is growing relentlessly and needs to be placed under control. Therefore, to move the debt ceiling up another \$2 trillion, we need to see corresponding spending reductions regardless—regardless—without tax increases. Now is the time to do it. It can be done. And it must be done today.

#### WHAT DOES \$10 BILLION A MONTH BUY?

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, since 2005, I have spoken from this very spot 399 times. On nearly every occasion that House rules allow, I have stood to deliver a 5-minute special order speech highlighting the moral outrage of the United States' continued military engagements in Iraq, Afghanistan and now Libya. I speak of the need also for a new Smart Security to keep America safe.

Today will be my 399th speech. I look forward to reaching number 400 next week, and I will continue this drumbeat until my last day as a Member of Congress, which gives me approximately 18 months, 1½ years, time to bring our troops safely home.

During this week, the week that the House is debating defense appropriations, I thought it would be fitting to focus on war spending, on the staggering costs that taxpayers are being asked to bear for our military occupations.

Ten billion dollars a month is a lot of money. That's the price tag for the privilege of continuing to wage a 10-year war against Afghanistan: \$10 billion a month. The American people who are writing that check have a right to ask and to get answers to some very important questions: Where is that money going, and what exactly is it accomplishing? What are we getting for our \$10 billion a month? Are we more secure here at home? Is the Afghanistan central government introducing the rule of law? Have we not already defeated al Qaeda? And so who are we fighting and why?

For \$10 billion a month, Mr. Speaker, our expectations as taxpayers, as Americans, and as Members of Congress, should be high. Is it too much to think that \$10 billion a month could

buy a stable ally, an ally capable of standing on its own two feet, taking responsibility for its own security, and having respect for the rule of law? Instead, corruption and chaos are ruling the day in Kabul. Basic government institutions are failing to provide services. President Karzai has tried to establish a special court, in fact, for the purpose of stripping 62 members of Parliament of their seats. The financial system is teetering on the brink of collapse with the head of the central bank fleeing the country and accusing Karzai's regime of fraud and cronyism.

And just a few days ago, Mr. Speaker, a brawl broke out on the floor of the Afghan Parliament with one member throwing a shoe at another member when a motion was proposed to impeach President Karzai. For \$10 billion a month, is it not too much to ask that the Afghan Parliament not look like an episode of the "Jerry Springer Show"?

There is so much we could do with \$10 billion a month right here at home, especially at a moment when so many of our people are struggling and so many of our communities so badly need public investment, especially at a moment when the clock is ticking toward a catastrophic default on the national debt. I'm not suggesting that we ignore or that we run away from Afghanistan's deep-seated problems, but I believe we cannot begin to address their needs with a military solution. It will never work. It is time to reinvest at pennies on the dollar in Smart Security efforts, humanitarian and civilian aid, aid that will promote democracy, and economic support to address poverty and to rebuild infrastructure in Afghanistan.

Mr. Speaker, this is a moment and this is a time where we put our priorities in order, but it's not a job for our troops. They have served with unbelievable valor. Now it's time to bring them safely home and invest in a humanitarian way in Afghanistan.

#### DEBT CEILING SOLUTIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. OLSON) for 5 minutes.

Mr. OLSON. Mr. Speaker, Congress has a very important decision to make very soon on whether or not to increase the national debt ceiling. Today, our national debt limit is a staggering \$14.3 trillion, and the President is seeking a \$2.2 trillion increase in our debt limit. An increase to our Nation's debt ceiling that is not accompanied by equal or larger spending reductions would be reckless and arrogant.

Speaker BOEHNER was right when he said, "It's true that allowing America to default would be irresponsible, but it would be more irresponsible to raise the debt ceiling without simultaneously taking dramatic steps to re-

duce spending and reform the budget process."

This debate is a unique opportunity to achieve significant and serious spending reforms in Washington and to prove to the American people that their employees, the Members of the United States Congress, are listening to them.

I believe this is our best chance for the foreseeable future to obtain substantial and credible long-term deficit reductions, to reform the way Washington spends taxpayer dollars, and save America from ruin.

Elections matter. Last fall changed the debate here in Washington. We may not be cutting spending as fast as some of us prefer, and quite frankly, I have been frustrated by the pace. But the discussion has shifted to how much should we cut, not how much should we spend. This distinction is critical to getting our Nation's fiscal house in order and one that has been driven by conservatives in the House.

House Republicans have developed a three-fold "cut, cap and balance" strategy that includes deep spending cuts, enforceable spending caps and a balanced budget amendment with strong protections against Federal tax increases. These proposals will ensure that the Federal Government adheres to the same parameters that families and businesses live with every single day.

The time for irresponsible Federal spending is over. With each passing day, our Nation's fiscal problems only compound, leaving our children and grandchildren with a larger legacy of debt. My colleagues on the other side have advocated an increase to our debt with no strings attached. They continue to stand for business as usual right here in Washington, DC. But we cannot ignore the problem, nor can we simply tax our way out of this mess.

Furthermore, in the event we fully reach the debt ceiling, we cannot trust the White House to prioritize our debt payments, nor can we trust the administration not to default on our obligations. The American people must remember that if we default on our debt, the executive branch would have full control over what programs get cut, not Congress.

□ 1030

Mr. Speaker, the only resolution to this problem is to secure trillions in spending cuts and put our Nation on a solid fiscal path to financial sanity, and ensure a strong and prosperous future for our children and our grandchildren.

#### IMPROVING FEDERAL GRANT SOLICITATION PROCESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, each year, 26 Federal agencies award over half a trillion dollars in grant funding. Earlier this year, Congress significantly changed the manner in which the Federal Government allocates funding. In the past, State and local governments and nonprofit organizations spent a great deal of time trying to persuade individual Members of Congress to earmark funds to support local projects.

While debate will no doubt continue on the value of congressionally directed spending, the reality is that, at least for the time being, the days of earmarks are over. With a ban on earmarks, a greater emphasis will now be placed on competitive grants, whereby applicants from across the Nation compete for funding made available for different purposes.

In theory, a larger role for competitive grants in the Federal appropriations process holds promise. Under a well-administered grant competition, an application is judged on its merits. In practice, however, an increased emphasis on competitive grants will only improve the overall process if the Federal Government announces and publicizes grant opportunities in a clear and organized manner. Grant seeking will not be a true meritocracy if the process of identifying, applying for, and obtaining Federal grants is clouded in mystery and confusion and understood only by paid experts.

In 1999, Congress created a Web site, grants.gov, which allows applicants to search and apply for grants online. But much more needs to be done to make the grant solicitation process as transparent and user friendly as possible.

Many of my constituents have expressed frustration with the manner in which the Federal Government makes grant opportunities known. Often, a potential grantee will seek to apply for needed funding only to learn that the deadline for the most relevant grant passed days or weeks earlier. In other instances, prospective applicants will search grants.gov, but become frustrated upon finding that they need to scroll through pages and pages of grant listings, some of which are outdated or have not been funded by Congress.

To address these problems, I recently introduced H.R. 2393. This bipartisan legislation would make two important changes to the Federal grant solicitation process. First, my bill would require each Federal agency, within 2 months of the start of any fiscal year, to submit a forecast of all grants solicitations that the agency expects to issue for that year. Such a forecast would allow prospective applicants to determine in advance which grant opportunities they wish to apply for.

The second improvement my bill would make is to require each grant solicitation forecast or listing to be organized by detailed subject area.

Grants.gov currently organizes grant opportunities by agency and by very broad areas such as energy or housing. As a result, when an applicant seeks to search for health-related grants, for example, he or she must scroll through 30 pages of grant listings. My bill would require grants.gov, as well as all other Federal agencies, to organize grant opportunities by specific subject areas so that the applicants can more easily identify those grants that are most likely to address their needs.

Now, let me turn to Puerto Rico, which I represent in this Congress. And it pains me that some statements were made earlier on this floor regarding my beautiful island and its government. Puerto Rico shines because of its democracy. Every 4 years we have free elections, and our voters go out and express their will at the rate of 80 percent, which is something that we are very proud of.

We do have a police department in Puerto Rico, actually the second-largest in the Nation, and there is an ongoing civil rights investigation by the Department of Justice. But I am sure, and I can vouch, that the police department of Puerto Rico is doing everything it can so that any civil rights violations are corrected and are not repeated.

Again, I wish when we talk about Puerto Rico in this Congress, we talk about all of the positive things that are happening in that island, including our people's love of their American citizenship and their rights under the U.S. Constitution.

#### TOUGH DECISIONS TO SOLVE FISCAL PROBLEMS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. KINZINGER) for 5 minutes.

Mr. KINZINGER of Illinois. Mr. Speaker, let's think about something very quickly. What is the most basic job that we can do—in the House of Representatives or in the Senate of the United States—in government?

One of the most basic jobs we do is to pass a budget; to figure out where we are going to spend money and how we are going to spend money. Yet it has been 799 days today since the other Chamber has passed a budget out of the Senate. Since that day, we have added \$3.2 trillion in debt to our country and we have spent \$7.3 trillion.

Now we are finding ourselves bumping up against this debt ceiling, against the statutory limit of where we can spend and borrow money. We are on this record clip, this record pace to blow through this debt ceiling, and we are here.

In 2006, now-President Obama stood in front of the Senate and said that raising America's debt limit is a sign of leadership failure. Well, sounds like we are in that position today. Five years

later, we are once again talking about an over \$2 trillion increase in our Nation's ability to borrow money, which we are tacking on to the responsibility of our kids and our grandkids. Once again, we're back.

We have an extreme failure of leadership in this country that is of epic proportions. We know, we look at our budget, we see over a trillion-and-a-half dollars this year that we are spending that we haven't taken in, and yet we are continuing to haggle about whether we need to just raise taxes or have spending cuts.

We have a spending problem in this country; we don't have a revenue problem in this country. We have a problem with how much money we are spending.

I am a new Member of Congress. I came here and was sworn in in January, and within a couple of days the President of the United States asked us to increase the debt limit without any corresponding cuts or anything along those lines. I actually thought it was a joke. I mean, really, we are going to add another \$2 trillion onto our debt and not even take seriously the fact that we are just piling on more and more interest.

I mean, we're spending more in interest right now than we do in the wars in Iraq and Afghanistan combined. Think about that; two wars, and we are spending more in interest. And it is only going to increase every year.

I can tell you, the youth of America, the current generation that is in charge in America is all sitting around saying at some point the insanity has to end. You know, I travel around the 11th Congressional District in Illinois, which includes Joliet, places like Ottawa and Morris, Bloomington, Princeton, Peru. And you know what I hear from people? I don't hear them say, Congressman KINZINGER, boy, we sure have a revenue problem in this country; don't we? I hear them say, Congressman, we are spending too much money. We have a spending problem.

The President is asking us to increase the debt limit. We have to be willing to have at least as much as we are going to increase the debt limit or more in spending cuts for us to even consider it at this point. It has got to be done. And how best are we going to get out of debt? Yes, we have to have these spending cuts. And, yes, we have to get serious about our budget. But we have to get America back to work.

I think it was put well yesterday. Mr. President, where are the jobs? Where are the jobs? Mr. Speaker, I'm asking: Where are the jobs?

It is time that we get America back to work. We turn people then from tax recipients to taxpayers. And as much as I like to say "where are the jobs?" let me ask another question: Where is the leadership?

We've got to make tough decisions. It's time that we stand up and say I'm

tired of kicking the can down the road. I wasn't sent to Washington, D.C., to kick the can down the road. I was sent here to be a leader and to make tough decisions. And I can tell you, House Republicans are ready to be leaders and make tough decisions, but we have to have willing partners on the other side.

I know 2012 is just around the corner. I get it. I understand that. But 2011 is still now. America can't afford to forget that 2011 still exists and to just focus on the next election. We have to focus long term on the next generation. Let's get our budgets in gear. Let's have a real serious discussion. And for goodness sake, let's put politics aside and make sure that we are still the strongest country in the world.

□ 1040

#### IN RECOGNITION OF NCTC DIRECTOR MICHAEL E. LEITER

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Mrs. MYRICK) for 5 minutes.

Mrs. MYRICK. Mr. Speaker, I rise today to recognize the distinguished efforts of the National Counterterrorism Center Director, Michael E. Leiter.

Following his exemplary service as the Assistant Director and Deputy General Counsel for the Commission on the Intelligence Capabilities of the U.S. regarding Weapons of Mass Destruction, Mr. Leiter continued his public service as the Deputy Chief of Staff in the Office of the Director of National Intelligence. He was very successful in organizing staffing and in establishing processes for this new but critical office.

As such, he was elected to become the Principal Deputy Director at the National Counterterrorism Center. Because of his superlative efforts, in June 2008, he was confirmed as the Director of NCTC where he has focused on counterterrorism, community development and mission execution. His focus has prepared the CT analysts of tomorrow to meet the challenges ahead, and his management style has encouraged information sharing and the free flow of ideas.

Director Leiter has always understood that results mattered and that a success rate of less than 100 percent meant lives lost. Some of the center's most noticeable accomplishments will remain largely secret; however, Director Leiter's strategic investments will pay dividends for many years to come. Under his leadership, the center vastly improved its processes for screening CT data and deployed a new database, better known as TIDE, that has yielded easier management, improved identity resolution and faster, more efficient processes.

In the wake of the attempted downing of a passenger aircraft in December

2009, Director Leiter reallocated significant resources to develop the Pursuit Group, which is a team of highly skilled analysts that sifts through considerable amounts of data to identify desperate pieces of loose intelligence and to find linkages that identify terrorists, their networks and their plans before they can be executed. His leadership in the areas of radicalization, extremist messaging and in countering violent extremism is particularly noteworthy as well as his focus on cooperation and engagement with outside communities. This has laid a solid foundation for the continued success of these initiatives.

Director Leiter leaves the Federal Government for some well-deserved time with his family and friends, and I wish him well. However, it is my sincere hope that he continues to use his expertise in counterterrorism to keep America and its citizens safe.

#### ENERGY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, this past week, we were in our districts to visit with our constituents, to learn from them and to celebrate America's Independence Day. Much of my time was focused on the issue of energy and the need for energy independence because constituents are concerned with the high costs of energy and how these costs are impacting their businesses and lives.

Republicans believe in an all-of-the-above approach for energy independence. Republicans believe that energy diversity leads to energy security, and there were plenty of examples in the district for me to visit.

In Boone, students from Appalachian State University's Solar Homestead Team showed me the home they are preparing for the 2011 Solar Decathlon competition to be held on The Mall here in Washington, D.C., in September. The Solar Homestead team is advancing renewable energy systems through research on phase change, material energy storage, the integration of solar photovoltaic panels, and concentrating solar thermal systems for domestic hot water. While much money has been invested in this project by both the public and the private sectors, the hope is that the research will result in the ability to utilize alternative, renewable energy sources that will be able to provide low-cost energy homes for those in need.

Clyde and Pat Colwell have developed Carolina Heritage Vineyard in Elkin, North Carolina, an energy-efficient small business which is benefiting from a taxpayer-funded solar system. The Colwells are very educated people who are retired from their first careers.

Clyde served in the U.S. Marine Corps, earned his Ph.D., and served as a teacher, principal and superintendent. Pat earned her MBA and retired from IBM. However, while their graduate degrees were helpful in general, both of them returned to Surry Community College to earn associate degrees in viticulture so they could pursue developing their organic wine business. They work full time in the vineyards and on the winemaking process, and bring many skills to the area and to others in the business.

The Gilbert Hemric family farm in Hamptonville, North Carolina, where Gilbert Hemric and his family work hard on their poultry, cattle and tobacco farm, is a microcosm of the problems that this administration has created. Mr. Hemric made it very clear to me that the high cost of energy and regulatory burdens are having a negative impact on his business. The Hemrics are paying more and more for feed and for fuel to run their equipment. Because fuel costs have almost doubled since President Obama came to office, the Hemrics have not replaced two of the 10 workers they had last year. They can't afford to replace them.

At Holland Transfer in Statesville, CEO Jeff Harvey told me that the skyrocketing price of fuel and regulatory burdens are counterproductive to job creation and the growth of his business. The Harvey Family practices Christian values throughout its business, and has established nonprofits that feed the needy. When possible, they hire homeless people, which enables the homeless to leave shelters, but all this great work for the community depends on his business performing at a level that will allow him to continue contributing to the community.

As I visited with constituents during the Independence Day work period, one thing was clear: that we need another independence movement—independence from Middle Eastern oil.

Unfortunately, rather than pursuing energy independence, the Obama administration keeps fostering an energy dependence policy at the cost of American jobs, higher prices at the pump and at the cost of endangering our national security by making us more dependent on unstable Middle Eastern governments.

House Republicans have responded by introducing and passing four bills to increase our domestic energy production and to create American jobs, but the Senate has taken no action. Liberal Democrats are obstructing the opportunity for jobs for Americans, lower energy costs and a new era of independence.

It is time we declare independence from Middle Eastern oil and start using our own resources for the benefit of all Americans.

#### AMERICA'S FISCAL CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. FORBES) for 5 minutes.

Mr. FORBES. Mr. Speaker, our country truly is facing a financial crisis. I guess the good news is that even Congress is beginning to ask a question that is part of that financial crisis, which is simply this:

How long can we continue to spend almost twice as much money as we bring in?

The unfortunate part is that we've waited so long to ask that question. I wish we'd asked it before we embarked upon the series of bailouts and stimulus bills that we have embarked upon over the last several years. I am happy that I'm one of only 17 Members of Congress who voted against each and every one of those, but I'm unhappy where it has brought us, which is the fear that we had: that this runaway spending would bring us to a point where we had to begin cutting the national defense capabilities of our country.

Today, we will vote on the Defense appropriations bill, H.R. 2219, which will reduce the President's budget for national defense by \$8.9 billion. That's only a downpayment of the cuts that are going to come. The next cuts, we are told, could be \$400 billion to \$700 billion from our national defense. Before we do that, there are two crucial questions we need to ask.

The first one is: What is the risk assessment that the United States faces today?

Now, that should be answered by our Quadrennial Defense Review, but if you look at a bipartisan independent assessment of that Quadrennial Defense Review, you'll find out that we are a train wreck that is on its way to happening because that defense assessment has truly become no more than a reaffirmation of what we are already doing.

The second thing that we should be asking before we decide what we can cut is how much we are currently spending and what the risk will be if we make those cuts. Unfortunately, the Department of Defense hasn't provided us with the audited financial statements the law requires so that we know where we're spending those dollars and so that we know the true risk of making those cuts.

Yet, Mr. Speaker, let me just tell you that there is a way you can find out. Our commanders in the field provide us with the Quarterly Readiness Report to Congress, which is a classified document. Now, I know as chairman of the Readiness Subcommittee for the Armed Services Committee that I'm in the minority, and am probably going to vote against this bill today.

□ 1050

But, Mr. Speaker, I am also in the minority of the individuals who have

read this classified report. And the one thing that I would encourage our Members to do before they cast their vote today to begin down that series of cuts to our national defense is at least go in to our staff today and read the Quarterly Readiness Report to Congress that is a classified document. Our staff is ready to show you the document, to let you review that document. And, Mr. Speaker, I believe if you will just do that, it will be very difficult to then come on this floor and begin to start voting to cut and make the cuts we're going to make to national defense. Mr. Speaker, that's why today I can't support that bill and will be voting against it.

REMEMBERING FORMER CON-  
GRESSMAN CHARLES W.  
WHALEN, JR.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. TURNER) for 5 minutes.

Mr. TURNER. Mr. Speaker, this past week, the citizens of Ohio's Third Congressional District were met with the sad news that former Congressman Charles W. Whalen, Jr., passed away on Monday, June 27, at Sibley Hospital in Washington, D.C.

Born in Dayton, Ohio, on July 31, 1920, he was known throughout the community as "Chuck." During World War II, he served as an Army first lieutenant in the China, India, and Burma theater. After earning a master's of business administration from Harvard University, he worked as a professor of economics at his alma mater, the University of Dayton. He later became chairman of the University of Dayton's Economic Department in 1962.

Before his election to Congress in 1966, Chuck was a three-term member of both the Ohio State Senate and the Ohio General Assembly. While serving in the State House, he wrote Ohio's first fair housing law.

While in Congress, Chuck retained his seat handily in every general election, even running unopposed for reelection in 1974. As a member of the House Armed Services Committee, Chuck worked to move our military to an all-volunteer Army. The Nixon administration, in developing legislation on this issue, adopted many of his recommendations, and today the U.S. has an entirely all-volunteer active duty military force. In addition, he was focused on social reforms and supported the landmark Civil Rights Act of 1964. He was also one of the most traveled Members of Congress and visited more than 150 countries, including every nation in Africa.

Chuck was highly regarded for his ability to speak publicly, having been a college debate champion at the University of Dayton, so it should be no surprise that in retirement he coauthored two books with his wife, a former jour-

nalist: "The Longest Debate: A Legislative History of the 1964 Civil Rights Act," published in 1985, and "The Fighting McCooks: America's Famous Fighting Family," published in 2006, focusing on two Ohio brothers and their 13 sons who served in the Union Army during the Civil War.

Not one to be contained by the academic or literary worlds, he was also an avid sports fan and reveled in debating sports trivia and stats. He was president of Oakwood High School's class of 1938, and he is remembered for possessing extensive knowledge of pre-war aviation largely due to Dayton being his birthplace.

As a son of Ohio, Congressman Whalen made his final journey home and was buried in Calvary Cemetery in Dayton. Whalen is survived by his wife of 52 years, Barbara, and their six children—Charles, Daniel, Edward, Joseph, Anne, Mary—and their seven grandchildren.

Today we remember the life and work of Congressman Whalen and thank him for his service to both the Third District of Ohio and also our Nation.

#### LET THE STATES DECIDE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. PENCE) for 5 minutes.

Mr. PENCE. Mr. Speaker, our Nation is facing a fiscal crisis of unprecedented proportions. We have a \$14 trillion national debt, a \$1.65 trillion annual spending deficit, and we borrow 42 cents for every dollar we spend.

After years of borrowing and spending and bailouts by both political parties, now comes a national debate over raising the Nation's debt limit. Now look, I believe if you owe debts, pay debts. We must honor the full faith and credit of the United States of America. But I also believe that now is the moment to take decisive action to put our fiscal house in order and restore the full confidence of the American people in the fiscal integrity of our national government.

I believe our debt limit should not be raised without real and meaningful reforms in the way the Federal Government spends the people's money in the short term and the long term. In the short term, we need to cut spending now and implement statutory caps on how much money the Federal Government can spend going forward. But in the long term, the time has come for this Congress to send to the States a balanced budget amendment to the Constitution that will limit Federal spending and require this national government to live within our means.

While the debate, it seems, according to the newspapers today, has focused on spending cuts versus tax increases, the real answer is to cut spending now and to make any increase in the Na-

tion's debt ceiling contingent on Congress sending to the States a balanced budget amendment that limits Federal spending to one-fifth of the American economy. In short, it's time to let the States decide.

Article V of the Constitution provides a process that requires any amendment to pass the House of Representatives and the Senate by a two-thirds vote, but ultimately any amendment to the Constitution is submitted to the States. The States decide whether to amend the national charter. If three-fourths of the States agree, the Constitution is so amended.

By demanding spending cuts today and sending a balanced budget amendment to the States, we will let the States decide. And I have every confidence that these United States will choose fiscal discipline and reform. Thirty-two of our 50 States operate under a balanced budget requirement in their State constitution, and 49 have some sort of balanced budget requirement. In Indiana, our State had a prohibition against assuming debt in our State constitution since 1851, and the Hoosier State has a balanced budget and even a surplus rainy day fund.

After years of fighting runaway Federal spending by both political parties here in Washington, D.C., I can tell you we need more accountability, we need more engagement of the States and the American people. And if you think about it, as Ronald Reagan said, it's important to remember that the States created the Federal Government; the Federal Government didn't create the States.

By engaging in a process where we demand serious and meaningful spending cuts today, capping spending going forward, but requiring that any increase in the debt ceiling be contingent on sending to the States a balanced budget amendment with real spending limits in it, we will build on the wisdom and the foundation of our Founders and our system of Federalism.

Mr. President, if you need more borrowing authority, let's cut spending now, let's cap spending tomorrow, and let's let the States decide whether we should permanently require that our national government live within our means. By enacting a balanced budget amendment that limits Federal spending and requires that our national government live out our own commitment of fiscal responsibility and reform, we will do right by this day, we will do right by our children and grandchildren, and we will do something worthy to be remembered in this time.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair and not to others in the second person.

LIBYA OPERATION UNIFIED  
PROTECTOR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. BURTON) for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I came down here today to talk about the Libya issue, the war that supposedly is not a war, but I wanted to start off by talking a little bit about the rhetoric that's coming out of the White House and from the President.

I was watching the news this morning, and the President indicated that they were going to have these budget talks down at the White House today. And he said, and I quote, that the Republicans, in effect, have a gun to the head of the American people. That just isn't the kind of rhetoric that should be used right now when we're talking about the huge budget deficits we have. And if I were talking to the President, I would try to admonish him to not do that in the future.

And then, when we were talking about Libya, I think it was just about 4 or 5 days ago, he said that we in Congress are making Libya a cause celebre, indicating that it's not an important issue, and we're just trying to puff it up so that we can make political points.

□ 1100

The fact of the matter is it is a war. The President went to the Arab League, he went to the French, the English, he went to the United Nations, and NATO and decided that he was going to be involved in an attack on Libya and Muammar Qadhafi. But the one place he didn't come to to talk about this issue was the Congress of the United States—the House of Representatives and the Senate. The first place that a President ought to go if he thinks we ought to go into a conflict of any kind is the Congress.

The Constitution is very clear on the responsibilities of the President before he goes into a conflict. It has to be a threat to the United States, a threat to our interests, and it has to be approved by the Congress of the United States. The Congress of the United States is the only body that can declare war. He can't do that. He can manage a war. He is the Commander in Chief once we go into war, but he can't start a war unless it's in our national interest or there's a threat to the United States. That was clarified by the War Powers Act during the Nixon administration because there was some question about the latitude a President might have using the Constitution.

The Constitution was explained very carefully in the 1970s in the War Powers Act. Now, that's never been tested in the courts. Some people say it's unconstitutional. But the fact of the matter is it's the law of the Nation. The President cannot violate the law or the Constitution, and in our opinion, he's violated both.

Let me just tell you what's going on in this war that the President says is not a war.

We have flown almost 30 percent of the sorties. That means we have flown 3,475 flights into the combat area. We have dropped bombs and missiles 132 times on targets, and several times we've hit civilians.

Nobody likes Muammar Qadhafi. Nobody wants him in office. But the fact of the matter is, we've been involved in a war to get rid of him.

On May 22, the figure was that of the missiles that were fired, there were 246 missiles fired, and 228 were the United States' missiles—at \$1.1 million per missile. And we're paying approximately 60 or 70 percent of the total cost of this conflict through NATO or directly from the taxpayers of the United States.

Now, the reason I came down here today is to say that we should not be in that conflict because it was not in our national interest and there was no threat to the United States and it was a violation of the Constitution and the War Powers Act.

The President said he had to do it because it was a humanitarian issue. If it was a humanitarian issue and we really needed to go in there, he should have come to Congress. The previous President, President Bush, did go to Congress on Afghanistan and Iraq to get approval before he did it, but President Obama decided to do this unilaterally. So we are in a war now, and it's costing the taxpayers close to a billion dollars in a war that we should not be in.

He said it was for humanitarian purposes. If that's the case, we ought to be in a war in the Ivory Coast. Right now in the Sudan, there are thousands and thousands of people being executed and killed. And if that's the case, we ought to be in the Sudan. In Syria, we all know what's going on in Syria right now. If that's the case, we ought to be in Syria. There are wars of opportunity every place.

I just like to end, Mr. Speaker, by saying this: The President should always come to the Congress if it's in our national interest or a threat to this country before he goes to war. It's constitutionally required.

## DEBT CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 5 minutes.

Mr. WOODALL. I came down to the floor today to talk about the fiscal crisis that we're having in America. There are those when I open the front page of the paper, Mr. Speaker, and I read the headline, it talks about having a debt limit vote crisis in this country. I went back, I looked, and apparently we've raised the debt limit over 70 times with a vote right here in this body. Apparently having a vote isn't particularly a complicated thing to do.

What we're having is a debt crisis. I think that's an important distinction. I was talking to a freshman colleague of mine yesterday about that. Understand that we can have the vote, Mr. Speaker. It's within the House's authority to bring a vote to raise the debt limit tomorrow. In fact, we brought that vote to the House already: Should we raise the debt ceiling or should we not? Mr. Speaker, we defeated it. We defeated it by a wide margin here in this body.

What we have is a debt crisis.

Now, Mr. Speaker, if it were just existing debt, perhaps we could work out a way to finance that, but it's not. It's continued borrowing each and every day to the tune of 42 cents of every dollar that we spend. In other words, if we paid for Medicare, Medicaid, Social Security, interest on the national debt, those other mandatory spending programs, just those, Mr. Speaker, we've already spent every nickel in Federal revenue.

That means every nickel that we spend for education, every nickel that we spend for transportation, every nickel that we spend on national defense, on homeland security, on the environment, on the courts, every other nickel we borrow, with absolutely no plan, Mr. Speaker, for changing that going forward.

If the President were here today, Mr. Speaker, I would say we do not have a debt limit vote crisis. We have a debt crisis, and there is only one body in this town that has put together a budget that will address it. I am proud to say as a freshman in this Congress, as a freshman in this House, it was the U.S. House of Representatives that took on that responsibility, Mr. Speaker.

It's been 799 days since the United States Senate last passed a budget. Hear that. Three years ago since the Senate last passed a budget. Not a balanced budget, mind you, Mr. Speaker, but a budget at all.

These are serious challenges that require serious people to offer serious solutions, and the only one that has been offered in this town, Mr. Speaker, came from this body. I encourage the President to go back and take one more look at that, because when we come down to game day, come down to the crisis—understand what we're talking about when we talk about a crisis, we passed the debt limit back in May, Mr. Speaker, as you know. We've just been shuffling the books in this town because that's what Washington does so well: raiding this fund to pay that, raiding this fund to pay this, over and over and over again. Apparently the games just run out on August 2.

Mr. Speaker, the games cannot continue. The games must stop, and they must stop here, and we must lead as we have always led in this body.

We do not have a debt limit vote crisis. We have a debt crisis that is driven



by our addiction to borrowing and spending. The borrowing and spending stops here, Mr. Speaker, and I thank you for your leadership on that.

#### RECESS

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

Accordingly (at 11 o'clock and 7 minutes a.m.), the House stood in recess until noon.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WESTMORELAND) at noon.

#### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another day.

In these most important days and debates here in the people's House, we beg You to send Your Spirit of wisdom as the Members struggle to do the work that has been entrusted to them. Inspire them to work together with charity, and join their efforts to accomplish what our Nation needs to live into a prosperous and secure future.

In this week in the wake of celebrating the great blessings bestowed upon our Republic, please bless those men and women who serve our Nation in uniform wherever they may be. Give them the protection of Your loving embrace, and grant them the trust to know they have our eternal gratitude.

Please keep all the Members of this Congress and all who work for the people's House in good health, that they might faithfully fulfill the great responsibility given them by the people of this great Nation.

Bless us this day and every day. May all that is done here this day be for Your greater honor and glory. Amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

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

Mr. BACA led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

#### TRIBUTE TO DAISY OUTDOOR PRODUCTS

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

Mr. WOMACK. Mr. Speaker, I rise today to recognize Daisy Outdoor Products, a Rogers, Arkansas, company celebrating its 125th anniversary.

Daisy moved to Rogers from Plymouth, Michigan, in 1958. Since that move, Daisy's impact on the northwest Arkansas economy has been substantial—not only in providing jobs, but the incredible recognition this famous brand brings to our region.

As the world's oldest and largest BB gun manufacturer, Daisy has a storied history. Its contributions to the shooting sports, the United States military, and the character of young men and women nationwide is noteworthy. And who can forget Ralphie in the famous movie "A Christmas Story" and his coveted Red Ryder, the most famous BB gun ever produced?

Mr. Speaker, 125 years in business is a significant milestone by any measurement. It is a tribute to the vision, commitment, and hard work of the company leadership and the employees of Daisy.

Congratulations, Daisy. I'm proud of you, and our Nation is proud of you.

#### COMMEMORATING CAPE VERDEAN INDEPENDENCE DAY

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

Mr. CICILLINE. Mr. Speaker, I rise today to honor and recognize the rich history of Cape Verde as we mark Cape Verdean Independence Day.

This week, we honor the people of Cape Verde and those individuals of proud Cape Verdean descent here in America and around the world who are celebrating 35 years of independence. In doing so, we honor the many milestones and important Cape Verdean leaders like Amilcar Cabral, who fought for the liberation of Cape Verde. We also honor the lives, work, and rich history of Cape Verdean Americans throughout our country and particularly in my home State of Rhode Island.

Cape Verdeans have made significant contributions in the areas of art and culture, business, and public service.

Cape Verdeans have brought jag to local restaurants and added zuca to the music enjoyed by our community.

Rhode Islanders of Cape Verdean descent, like speaker of the house Gordon Fox, have been prominent leaders in Rhode Island politics.

I would also like to take a moment to pay tribute to the late George Lima. Mr. Lima served during World War II as a Tuskegee airman, the first group of black fighter and bomber pilots in the history of what was then the Army Air Forces. He then served our State honorably as a State representative and as head of the Rhode Island NAACP.

Cape Verdeans are generous, skilled, proud, caring members of our community, and I am honored to celebrate Cape Verdean independence with them this week.

#### YUCCA MOUNTAIN: A NUCLEAR DISASTER

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

Mr. WILSON of South Carolina. Mr. Speaker, the President says he supports nuclear power development, but his actions have sadly stopped construction at Yucca Mountain after more than \$10 billion of ratepayer money has already been invested, killing jobs in Nevada.

Utility companies across the country have been mandated by the Federal Government to collect over \$33 billion for the Nuclear Waste Fund to build Yucca Repository. The Federal Government promised citizens of South Carolina and Georgia that nuclear material being stored at Savannah River Site would be sent to Yucca for permanent disposal. Now, this high-level waste will sit at SRS, and as reported by The Post and Courier, at more than 106 other sites across the country. The Post and Courier has editorialized that the President's position is "breath-takingly irresponsible."

I agree with Brian Tucker, president of the North Augusta Chamber of Commerce, that the administration should quit playing political games and follow through on promises to be guided by science and not by politics.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### PROTECTING MEDICARE

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

Mr. COURTNEY. Mr. Speaker, when former President Harry Truman and his wife, Bess, were officially enrolled as the first Medicare beneficiaries on July 1, 1966, only 50 percent of America's seniors could afford private health insurance.

The high risks associated with covering America's over-65 population made seniors basically uninsurable. That all changed 45 years ago last week when Medicare was established as a guaranteed benefit, providing a basic level of care for seniors regardless of income or illness.

From the beginning, Medicare has proven resilient, adapting to rapid changes in medicine and surviving in wartime and peace, economic boom times and in recession. Despite some alarmist claims, Medicare has faced more difficult financial challenges in the past than the ones it faces today. Preserving Medicare's guaranteed benefits for future generations is our solemn duty, and we must stop the push for vouchers, which will ruin America's middle class.

On the 45th anniversary of this landmark program, we must rededicate ourselves to protecting Medicare as a guaranteed benefit for tomorrow's seniors, not butchering it with a voucher program or using it as an ATM for the top 2 percents.

Happy birthday, Medicare. If we stay true to our values, you will have many happy returns.

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#### PROTECTING AMERICAN JOBS AND SECURING AMERICA'S ENERGY FUTURE

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

Mr. JOHNSON of Ohio. Mr. Speaker, the administration's war on coal led the Office of Surface Mining and Reclamation to try and change a rule that would redefine what is considered a stream as it pertains to mining operations.

I am pleased that an amendment I offered during the debate over the budget continuing resolution has been included in the Interior appropriations bill in an effort to stop this irresponsible regulatory overreach.

No one is surprised that the Obama administration is continuing the war on coal, but this is also a war on jobs. And the coal industry employs thousands of people in eastern and southeastern Ohio.

Mr. Speaker, we all want a cleaner environment, but we need to make sure that the policies being enacted are common sense and do not come at the expense of jobs and our economy. Stopping the Obama administration from rewriting the stream buffer zone rule will be a victory for jobs and a defeat to a radical agenda that is seeking to outlaw coal entirely. We can and we must enact smart policies that clean up our environment while protecting American jobs.

□ 1210

#### MEDICARE

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

Mr. BACA. Mr. Speaker, as the deadline nears for Americans to raise its debt limit, the American people have sent a clear message to all of us:

They will not stand for a budget that is balanced on the backs of seniors and the middle class.

The American people know that it is wrong to privatize Medicare with a new voucher program, to cut guaranteed health benefits for seniors and to sacrifice Medicaid services for the poor and disabled.

It's not too late for us to compromise on a balanced approach. Yes, we can trim spending with intelligent cuts, but we must end tax breaks for the ultra rich. I state: We must end tax breaks for the ultra rich and corporations that shift jobs overseas.

No new taxes equals no new jobs. No taxes—no jobs.

We have an historic opportunity in front of us. Let's stop the partisan bickering and work together on a plan that strengthens the middle class, lowers our deficit and creates new jobs here at home.

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#### THE DEBT CEILING REDUCTION ACT

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

Mr. BROUN of Georgia. Mr. Speaker, we have overspent and we are over-extended. Now we have to get out of debt.

For the last 20 years, we have been increasing the debt ceiling and allowing Washington to spend more and more of the taxpayers' money. This method of madness hasn't worked, and today, our economy is suffering because of it.

Yesterday, I introduced a unique bill that would lower the debt ceiling to \$13 trillion. This proposal would force Washington to make the spending cuts that we so desperately need to pay down the debt.

State and local governments, businesses and families understand, when you've maxed out your credit card, you can't just give yourself a credit increase. Instead, you have to cut spending and pay down your bills. The Federal Government is the only entity that does not understand this.

Mr. Speaker, I urge my colleagues to support H.R. 2409, the Debt Ceiling Reduction Act, because we need to turn this country in a completely different direction.

#### MAKING AMERICANS SAFER HERE AT HOME

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

Mr. CLARKE of Michigan. Mr. Speaker, I have a proposal that will help us save tax dollars, pay down our debt, and better protect the American people.

Instead of spending billions and billions of dollars to secure Afghanistan at the rate that we are—and we've spent over a half a trillion of our precious tax dollars in Afghanistan over the last 10 years—I propose to redirect a small share of our tax dollars back to the U.S. and to use our money to hire and equip more police officers, more firefighters, more emergency medical providers, because one of the most effective ways to help protect the American people from a terrorist attack is to make Americans safer right here at home.

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#### THE REPUBLICANS' ALL-OF-THE-ABOVE ENERGY STRATEGY

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

Mr. ROE of Tennessee. Mr. Speaker, on June 22, President Obama released 30 million barrels of oil from the Strategic Petroleum Reserve—just over a day's worth of oil. The administration continues to play politics rather than develop a comprehensive national energy plan, which will lay the path for future economic growth, help lower unemployment and improve our stagnant economy. This country's economy was built on inexpensive and abundant energy.

Folks are frustrated now. A fellow stopped me the other day, and said, Doc, it's a sad day when a guy can't buy a gallon of gas and a gallon of milk for \$10.

And it's true. People don't want half measures that don't address their problems. They want solutions. They want to work. They want to provide for their families.

It is way past time to ease this pain at the pump. The President has shown no interest in the Republicans' all-of-the-above energy strategy that encourages oil and natural gas development in places like ANWR and the Outer Continental Shelf. With national unemployment stubbornly above 9 percent, the American people expect us to work together to lower the cost of energy, reduce our dependency on foreign oil and create American jobs.

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#### OPPOSING THE PRIVATIZATION OF AMTRAK

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

Mr. SIREs. Mr. Speaker, I rise today to oppose the privatization of Amtrak, which would threaten reliable, dependable, and accessible passenger rail service throughout the United States. I travel home every weekend on Amtrak to my district in New Jersey, and its service is an essential part of our region's economic vitality.

Under the plan to privatize Amtrak, the essential service they provide to millions of passengers could be lost, and nearly 20,000 Amtrak jobs could be eliminated. State-owned infrastructure that Amtrak currently maintains could be turned over to the already deficit-burdened States to maintain. It is likely that station stops will be cut and that commuter rail services will bear increased costs. Additionally, freight railroads that currently use Amtrak-supported lines may face logistical problems if Amtrak becomes privatized.

Under the proposal to privatize Amtrak, many important labor provisions will be eliminated. Future railroad employees will be exempt from disability, pension, retirement, and unemployment benefits. By removing future employees from these benefit systems, current and retired employees will be negatively affected, and railroads will face increased taxes to maintain the solvency of these systems.

I urge my colleagues to oppose the privatization of Amtrak.

#### THE CUT, CAP AND BALANCE PLEDGE

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

Mr. HARRIS. Mr. Speaker, while marching in parades and town festivals all over my district during the 4th of July weekend, I spoke with concerned parents, job creators, seniors, and folks who have been out of work for a long time. The one message I heard loud and clear from all of them: Reduce government spending so that businesses can create jobs again.

That's why I signed onto the Cut, Cap and Balance Pledge, which calls for a balanced budget amendment to the Constitution. I know the idea that the government should have to actually balance its budget every year is strange to some here in Washington, especially to entrenched bureaucrats and the special interest groups that fill this city. Imagine if the Federal Government had to run a budget like we do in our homes.

It's time for the Federal Government to live within its means, and it's time for us to reduce spending so that businesses will have the confidence to create jobs again.

Cut, cap and balance. Let's make sure we put America back on the path to prosperity, not on the path to unemployment and bankruptcy.

#### CURRENCY REFORM FOR FAIR TRADE ACT

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

Ms. HANABUSA. Mr. Speaker, for so long we've been hearing about our debt. We've also been hearing about who owns our debt, and of course, the name "China" comes up. That is why we need to have the Currency Reform for Fair Trade Act come to this floor, because that is the only way—the only way—we are going to address the currency manipulation by China and simply ask that they play by fair rules for fair trade.

Look at what this means for us. Let's understand that, by having the currency manipulated by them, they are having the benefit of 25 to 30 percent. That's what we're subsidizing them in terms of their exports. If we get the currency manipulation under control, this is what we could hope to accomplish:

Our budget deficit will be reduced to about \$857 billion over the next 10 years. The trade deficit will be reduced by \$138 billion. The GDP over the next 18 months will increase by \$285 billion. This will support 1.6 million American jobs.

So as we are asking "where are the jobs?" look to currency manipulation.

#### FINANCIAL INDEPENDENCE FROM CHINA AND AMERICAN JOB CREATION

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

Mr. HENSARLING. Mr. Speaker, on July 4th, we celebrated our political independence from Great Britain.

My constituents want to know when are we going to celebrate our financial independence from China, which funds much of our national debt. My constituents also want to know: Where are the jobs? Mr. Speaker, these two are connected because too much spending-driven debt leads to too few jobs.

Now, our President doesn't seem to get this. If his stimulus, his reckless spending, his small business tax increases, his class warfare rhetoric helped promote job creation, we would be the most highly employed society in the history of mankind; but instead, we are mired in the longest period of sustained high unemployment under his policies since the Great Depression.

House Republicans have a plan for America's job creators. In the trillion dollar deficits, make the Tax Code fairer, flatter, simpler. Stop the President's job-crushing tax increases, and end the dumb regulations that prevent jobs in America.

□ 1220

#### EVERYTHING MUST BE ON THE TABLE

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

Mr. WELCH. Mr. Speaker, Congress has a responsibility to level with the American people. We face a looming decision about extending the debt limit, not because we want to but because we have to reaffirm the obligation we have to pay our bills. The majority of us on the Democratic side voted to do that. That was not to incur new spending or new obligations; it was to meet obligations already incurred: \$2.3 trillion for the Bush tax cuts; an Iraq war, \$1 trillion on the credit card; Afghanistan on the credit card. If we're going to level with the American people, we have to acknowledge that we have to pay for things, whatever their intentions. The time is long overdue for us to accomplish this.

If we're going to be successful on the two things we must do—pay our bills, maintain our full faith and credit, and have a long-term fiscal plan—then everything must be on the table, and that has to include taxes as well as spending, and it must include the Pentagon.

Mr. Speaker, this is not an ideological battle to win. It's a practical problem to be solved.

#### FREEDOM TO INVEST ACT

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

Mr. DOLD. Mr. Speaker, there is no doubt that our economy is struggling. With stagnant unemployment, over \$14 trillion in debt, and soaring food and gas prices, America does face some challenging decisions.

In my home State of Illinois, the debt per person is over \$4,400, and the State faces a \$15 billion shortfall in next year's budget. These indeed are real problems that need to be addressed with commonsense solutions.

One solution is to encourage American companies to reinvest their earnings here at home. Currently, companies are holding an estimated \$1.4 trillion in earnings overseas because the United States Tax Code encourages companies to keep their earnings outside of the country. We must encourage companies to reinvest their earnings here in America. Not only would these earnings stimulate the American economy, but the government would collect approximately \$50 billion in immediate tax revenue. This money would help spur job creation, more growth, and investments here at home.

I would encourage my colleagues to join me in supporting the bipartisan H.R. 1834, the Freedom to Invest Act,

so that we can strengthen our economy with commonsense solutions.

#### GETTING AMERICA BACK ON TRACK

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to say today that I was elected in November of last year for the 10th time here, and I am in my fourth district in that period of time. I have spoken to people all over Dallas County, Tarrant County, and Collin County, and unanimously they are seriously concerned about the lack of a true job plan from the Republican majority.

We must cut spending. We must ensure long-term fiscal health. But gridlock over spending cuts does not create jobs. We need a bipartisan compromise that focuses on fiscal responsibility while maintaining investments in our community that continue to create jobs and grow the economy.

To get Americans back to work, we must invest in science, education, research and innovation to create the jobs of the future, and we must focus on America's ability to build, construct and grow manufacturing across the country to remain globally competitive. Mr. Speaker, these efforts can and will spur job growth and ensure that our Nation can compete and be a leader in the global economy.

#### TIME TO GET OUR FISCAL HOUSE IN ORDER

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

Mr. YODER. Mr. Speaker, I rise today with grave concern over our country's economy and fiscal condition. For too long, Washington has borrowed money to finance government, and today our Nation's leaders continue to meet to discuss this looming crisis. We all know that this crisis is spending driven. It's not that government taxes too little; it's that government spends too much.

Mr. Speaker, the American people know that the policies of tax, borrow, and spend will not lead us to prosperity as a Nation. Taking more money from hardworking Americans and sending it to Washington is not the answer. Rather, it's time for Washington to roll up its sleeves, get to work, and live within its means, just like families and small businesses have to do all across this country. It's time to enact significant spending cuts, put in place caps on future spending, and pass a balanced budget amendment to the Constitution.

Mr. Speaker, if we are to rebuild our Nation's economy and put Americans

back to work together, we must put our own fiscal house in order first.

#### SUPPORT THE AMASH-KUCINICH AMENDMENT

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

Mr. KUCINICH. Mr. Speaker, in a short time, the House will have an opportunity to reclaim our constitutional authority on matters of war and peace by voting to stop the use of funds for the war in Libya.

An agreement has been reached through work that Mr. AMASH and I have done to create a bipartisan amendment which states: None of the funds made available by this act may be used for the use of military force against Libya.

The Amash-Kucinich amendment is cosponsored by a growing group of bipartisan activists, including, Representatives RON PAUL, LYNN WOOLSEY, WALTER JONES, JOHN CONYERS, DAN BURTON, BARBARA LEE, TED POE, and PETE STARK.

This could well be an historic moment where a bipartisan coalition rallies this Congress to defend the Constitution and to reset the balance that has been upset by the administration's claiming the war power.

Vote to end to the war in Libya. Support the bipartisan Amash-Kucinich amendment.

#### UNCERTAINTY IMPEDES JOB GROWTH

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

Ms. FOXX. Mr. Speaker, the number one job for House Republicans is job growth. The number one impediment to job growth is uncertainty: uncertainty caused by a record-high debt—\$14.3 trillion and growing—and the record-high taxes that are going to have to pay for it; uncertainty about the largest tax increase in the history of the Nation that the President pledges to support in just 19 months. Add to that the unknown cost of the government takeover of health care and the unknown price of Dodd-Frank and you've got a very uncertain private sector.

We cannot help the job seeker by punishing the job creator. They need us to work with them, not against them. If we follow the House Republican plan for America's job creators and stop spending money we don't have, certainty will be restored, our economy will grow, and jobs will be created.

#### THE PLIGHT OF SUDAN'S NUBA PEOPLE

(Mr. JOHNSON of Georgia asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, with a heavy heart, I turn our attention to the plight of Sudan's Nuba people, who are fleeing their homes in the tens of thousands as the Sudanese Armed Forces conduct a brutal military assault on their homeland.

There are widespread reports that Sudanese forces are bombing, shelling, and executing civilians in the oil-rich state of South Kordofan. The Sudanese Government has barred NGOs and the press and is restricting the movement of U.N. personnel in the area.

Mr. Speaker, as we welcome South Sudan into the community of nations this week, United Nations personnel must investigate reports of possible war crimes against the Nuba people by the Sudanese forces. We must not be intimidated by Omar al-Bashir's bullying, or we may find ourselves saying "never again" again.

#### HONORING THE LIFE OF GREG COOPER

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor the life of Greg Cooper.

Mr. Cooper recently lost his battle with cancer on May 26 of this year. He was a proud United States marine, and he served his country between 1963 and 1967, which included a tour in the Vietnam War.

Upon leaving the Marines, Greg was hired by the Santa Ana Police Department, where he held several very high-profile jobs and worked with the neat tactical units that we have. While serving his community as a Santa Ana police chief, he earned a bachelor's degree from California State University, Fullerton and a master's degree from the University of Southern California.

Leaving Santa Ana in 1992, he was appointed chief of police in Sanger, California, and in 1996 he relocated here to Washington, D.C., where he accepted a position with the Department of Justice to administer our COPS grant program. In 2002, Greg joined the Department of Homeland Security as FEMA's chief security officer, and he retired in 2008.

Mr. Speaker, this Nation and my community mourns the loss of a loyal friend, a respected leader, and a dedicated public servant.

□ 1230

#### REMEMBERING BISHOP J.O. PATTERSON, JR.

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

Mr. COHEN. Mr. Speaker, while we were in recess on June 25, Memphis lost one of its great citizens, Bishop J.O. Patterson, Jr.

Bishop Patterson was the grandson of the founder of the Church of God in Christ, Bishop Charles Mason, and the cousin of the revered and late Bishop G. Patterson, who was the sixth bishop of the COGIC.

Bishop J.O. Patterson, Jr., was a public servant as well as a bishop and a revered citizen of Memphis. He was my friend. We served together in the Constitutional Convention of 1977. He served one term in the house, two terms in the State senate, 20 years in the city council, and was the first appointed African American mayor of the City of Memphis.

He was a leader in his church and he cared about his community. He cared about jazz and he cared about his fellow man. He was low key, sincere, down to earth, and a leader whom Memphis will miss.

He did much with the opportunities that he was given through his father and his family and his city in politics and in other areas. He was the jurisdictional bishop for the Tennessee headquarters, the head of the Pentecostal Temple Institutional Church of God in Christ and did much with the COGIC.

I will miss him and so will the City of Memphis and all of the Members and all of the saints.

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REPORT ON H.R. 2434, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012

Mrs. EMERSON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 112-136) on the bill (H.R. 2434) making appropriations for financial services and general government for the fiscal year ending September 30, 2012, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. BURTON of Indiana). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

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GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2219.

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

There was no objection.

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DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 320 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2219.

□ 1233

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, with Mr. WESTMORELAND in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose on Wednesday, July 6, 2011, the bill had been read through page 161, line 12.

AMENDMENT NO. 13 OFFERED BY MR. COLE

Mr. COLE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used by the Department of Defense to furnish military equipment, military training or advice, or other support for military activities, to any group or individual, not part of a country's armed forces, for the purpose of assisting that group or individual in carrying out military activities in or against Libya.

The CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. COLE. Mr. Chairman, this amendment is quite simple. It prohibits any funds in this bill from being used to conduct military operations in Libya, a place where I believe we are engaged in an illegal and certainly unauthorized conflict.

Mr. Chairman, I feel a little bit today like a lawyer with two very unpopular clients. One of them is Libya, and the other one is the United States Congress. But in this case, each one of them has an important point to make.

With respect to Libya, let me make it clear, I don't believe anybody in this Chamber supports Mr. Qadhafi, supports that regime, or wishes it well in any way. But Libya did not attack the United States of America. Libya did not attack any member of NATO. Libya has not allowed al Qaeda to operate with impunity out of its territory. A number of years ago, Libya turned over nuclear material to the United States.

Quite simply, however much we detest Mr. Qadhafi and his regime, we have no reason to be at war or conducting military operations in Libya. And, frankly, if we allow that situation to continue, I think we have to ask ourselves: Are we willing to attack any nation any time that we disagree with a regime that we don't like simply because the President chooses to do so?

More troubling than the attack on Libya, in my view, is the circumvention of this body, the United States Congress, and its warmaking authority under both the Constitution and the War Powers Act. Only Congress has the ability to authorize and fund military operations.

The administration consulted with NATO. The administration consulted with the United Nations. The administration consulted with the Arab League. It never, in any real sense, consulted with the Congress of the United States before beginning military operations in Libya.

Two weeks ago, this House made clear its opposition to the Libyan venture by refusing to authorize even the limited use of force. We should build on that by removing funding today.

Some may question whether or not this amendment is germane to this particular piece of legislation. Frankly, Mr. Chairman, I worked very carefully with the Parliamentarian on the language, and, more importantly, it's modeled after the famous Boland amendment of 1983 to the Defense appropriations bill that year that was approved by this body 411-0.

Some may argue, like the administration, that we really aren't engaged in hostilities in Libya. That simply is laughable. Attorneys at both the Department of Defense and the Department of Justice of this administration believe that our activity requires congressional authorization under the War Powers Act.

We've flown over a thousand combat sorties over Libyan airspace. We've launched 228 Tomahawk missiles. We've launched over a hundred Predators. We're refueling and supporting NATO aircraft that are engaged in attacking Libya every single day. If that's not war on our side of this situation, I can assure you that people on the other side consider it war and certainly consider it hostile.

The reality is we should not be engaged in military action of this level unless it's authorized and funded by the Congress of the United States.

In Libya, the President has, quite simply, overreached. However, in Congress, we have so far allowed him to do so. We've not authorized this activity. There's not a single line in the Defense authorization bill or in this bill which actually funds this activity, and we ought to explicitly prohibit the President from concluding.

I think, like many in this body, this is a very important moment for the Congress of the United States. Whether or not we claim warmaking authority and exercise our power under the Constitution is really the issue here. You could be for the Libyan venture and still be able to support this legislation, or you could be against it.

At the end of the day, it's extraordinarily important that we stop the

erosion of the warmaking authority and responsibility of the Congress of the United States, that we end this ill-advised adventure in Libya, and that we reassert the rightful place of this institution in conducting war and authorizing it and funding it.

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

□ 1240

Mr. DICKS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. Before I begin, I want to say that I have great respect for Congressman COLE, who serves on the Defense Appropriations Subcommittee. He is one of our most thoughtful members.

The NATO-led mission to defeat Qadhafi and protect the people of Libya was undertaken in concert with a broad coalition of nations, including the Arab League, and it followed a resolution adopted in the United Nations Security Council authorizing "all necessary measures."

This amendment would end our involvement unilaterally. I believe this could materially harm our relationship with NATO, which is also playing a major role in this. We will undoubtedly require support in the future in our dealings with NATO, and we get support in Afghanistan today.

I do support a wider debate and greater oversight of the use and the costs of U.S. military forces engaged in the Libya operation, both in the defense and foreign affairs-related committees as well as here on the House floor. We should let the mission with our NATO allies continue so we can overthrow Qadhafi and protect the Libyan people.

I urge all my colleagues to vote "no" on this amendment.

I yield back the balance of my time.

Mr. BURTON of Indiana. I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BURTON of Indiana. The Constitution, Mr. Chairman, and the War Powers Act clearly say what the parameters are within which the President must act or follow: number one, a declaration of war; number two, a specific authorization; number three, a national emergency created by an attack upon the United States, its territories or possessions, or its Armed Forces.

None of these criteria were met by the President. He said he went in there because of humanitarian issues. He consulted, as we've said before on the floor, with France, England, the United Nations, NATO, and the Arab League. He had 2 or 3 weeks to do that, but he didn't have time to talk to the Congress of the United States, and he's gone in there and spent almost a bil-

lion dollars at a time when we just don't have the money.

Now if you're talking about humanitarian problems, in the Sudan, 2,300 Sudanese have been killed this year alone, and more than 500 people have died in the last 2 weeks. In Darfur, 450,000 to 480,000 have been displaced or killed. Just recently, and one of my colleagues talked about this a while ago, in the Nuba Mountains in the Sudan, they're killing people every single day. Horrible atrocities are taking place. Human rights violations. If you're talking about humanitarian issues, why wouldn't you go in there as well?

You look, also, at Syria right now. In Syria, there have been an awful lot of people killed. We all see that on television every night. There are wars of opportunity. If you go to Liberia, if you go and look back at the Khmer Rouge, we didn't get into those wars, and we're not getting into these wars right now because it's not in our national interest, and it's not a threat to the United States.

The President has taken us into a conflict. He said it's not a war, but it is a war. We've sent about 230 missiles in there at \$1.1 million per to kill people. We've flown sortie after sortie over there dropping bombs on people, and the President says it's not a war. It is a war, it's the United States' war, and it's being covered by NATO.

We shouldn't be going to war unless this body and the other body say it's okay. It's in the Constitution. It's in the War Powers Act. We should not be there. Nobody likes Muammar Qadhafi. Nobody thinks he should be there. But we can't be going into wars of opportunity every place, especially at a time when we're fiscally broke. I think it's extremely important that legislation like that which the gentleman from Oklahoma just offered should be passed, and I hope we will pass it. There's a whole host of these amendments that are going to be read today and we're going to be voting on, and we need to send a very clear signal to the White House that this must never happen again.

I yield back the balance of my time.

Ms. BUERKLE. Mr. Chair, I rise in support of the Cole Amendment to H.R. 2219. Mr. COLE's amendment would restrict the use of funds for furnishing military equipment, military training or advice, and other military activities in Libya.

The President has failed to properly consult Congress on the engagement of hostilities in Libya. The President is also in violation of the War Powers Resolution because of the continued military action past the 90 days allowed under the War Powers Resolution. The Administration's attempt to excuse the continued U.S. military actions in Libya by saying that the hostilities do not reach the threshold set by the War Powers Resolution is disingenuous.

The power of the purse plays an important part in the U.S. government's system of

checks and balances. This amendment today will prohibit the President from continuing to conduct military operations in Libya until he can justify the actions to the Congress. I strongly support the limitation of funding of current military activities with respect to Libya. The President should not have a blank check to conduct wars without the consultation and authorization of Congress.

The CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COLE).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. DICKS. I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oklahoma will be postponed.

AMENDMENT OFFERED BY MR. AMASH

Mr. AMASH. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used for the use of military force against Libya.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. AMASH. Thank you, Mr. Chair.

First, I would like to thank the distinguished gentleman from Ohio (Mr. KUCINICH) for his tremendous leadership on this issue. There is a growing bipartisan support for this amendment. It's an amendment that gives us the opportunity to stop this unconstitutional war in Libya.

The United States has been at war against Libya for nearly 4 months. We have dropped bombs on Libyan buildings. We have flown sorties over Libyan airspace. It has been reported that we have even targeted Qadhafi himself.

We are at war. The Constitution vests Congress with the exclusive power to declare war, the President has not attempted to obtain Congress's authorization for the war, and yet at this moment, as we debate on the House floor, the war continues.

Instead of following the Constitution and seeking authorization, the President made strained arguments to justify the continued operation. At first, the operation was supposed to be "limited," as though that undefined term serves as a constitutional escape clause. My constituents certainly would be surprised if Congress established a limited religion, or subjected them to limited cruel and unusual punishment, or quartered soldiers in their houses, but only for a limited time.

After that "limited" argument ran its course, the President turned to a U.N. Security Council resolution and an invitation from an organization of Arab states to justify our involvement. Those organizations were not around

at the time the Constitution was written, much less are they listed in its text.

The administration now has retreated from its constitutional arguments in public and claims that at least the War Powers Resolution does not forbid the strikes because we're not involved in, quote, hostilities against Libya. Imagine that the shoe were on the other foot, that Libya was bombing us. Would we view the Libyan air force's bombing of our infrastructure as a hostile act? Of course we would.

Last week, a member of the other Chamber called the President's arguments, quote, cute. I would use a different term: embarrassing. It's embarrassing that the administration attempts to hide behind these transparently strained and flimsy arguments, especially when we're dealing with such a grave issue.

But do you know what would be more embarrassing? If this Congress did nothing. More embarrassing than the President's contortions of the law and disregard for the Constitution would be if Congress, with full knowledge that it was occurring, gave him a pass. In the face of an attack on the Constitution, in the face of an attack on this institution and our powers as a coequal branch, we must stand up and say stop. If we don't, we should be the ones who are embarrassed.

The Amash-Kucinich amendment prohibits funds from being used for military force against Libya. To be clear, I believe that Congress doesn't need to do anything to stop the President from ordering force against Libya; because the President has not received authorization, the use of force is already illegal. However, to reinforce our constitutional position, our amendment says that beginning at the start of the fiscal year, on October 1, the Armed Forces may not drop bombs on Libya or otherwise use military force. Unlike the bill we considered the week before last, our amendment does not implicitly authorize any actions against Libya. It simply says force may not be used because the President has not sought nor has he received authorization for force.

Please vote "yes" on the Amash-Kucinich amendment and defend our constitutional role in war powers.

I yield back the balance of my time.

□ 1250

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, if this were a debate on policy, or a debate on philosophy, or a debate specifically on the War Powers Act, the position that I would take would be somewhat different than I must take today. But as the manager of this bill,

what I have to work with is the bill before the House and the amendment before the House.

Now, the amendment is simple. None of the funds made available by this act may be used for the use of military force against Libya. What I would say to the Chair is that there are no funds in this bill, in this act, for Libya. I was curious about that. And as chairman preparing to write this bill, in conjunction with Mr. DICKS, the ranking member, I wrote to the President on April 1, and I sent each of our Members a copy, asking the President specific questions about the scope of this activity, the expected cost, et cetera.

On June 22, the White House finally responded, and said that it will not plan to ask for a supplemental appropriations bill. And there is no money in this bill for Libya. The administration says that it will not ask for a supplemental bill to pay for Libya, that they will use funds in the base budget. I wonder from where the administration is going to take money out of the base budget. Now, as chairman of the subcommittee, this worries me. From where do they plan to take the money? That's only part of the argument. There is no money in this act for Libya to start with.

But, secondly, if this amendment should become effective, there are many things that we would not be able to do. We would not be able to fly or perform search and rescue missions of American forces who may be flying aerial activity and have planes go down. Early in the operation, we lost an F-15. Two American pilots went into Libya and safely rescued the pilot of that F-15. We wouldn't be able to do that under this amendment.

What we are providing today is surveillance, intelligence, and reconnaissance. We wouldn't be able to do that under this amendment. We wouldn't be able to provide aerial refueling to our coalition partners, and they are our partners and we have an agreement with those partners. We provide aerial refueling because most of them do not have the capacity to refuel their aircraft in the air. Under this amendment, we would not be able to provide aerial refueling. We couldn't even provide operational planning, sitting down and talking with our coalition partners about the plan for Libya.

So while this amendment would sound good if we were discussing philosophy and if we were determining a policy, the policy has already been established. And this amendment does not change the policy. It affects something in the bill that's not even in the bill. So there are no funds in this bill for Libya; and according to the letter from the White House, supplemental funds will not be requested. The administration will just pay for the operation out of existing funds. That remains a good question, and I say that again, I

am really curious to know what base funds they intend to use to pay for this operation in Libya. I don't have the answer today. I am hoping that one day soon I may have that answer.

I yield back the balance of my time.

Mr. KUCINICH. I move to strike the last word.

The CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. KUCINICH. I rise in support of the Amash-Kucinich amendment.

The esteemed chair, my good friend, of the Defense Appropriations raises a question: Where are they getting the money? The money is not, as he points out, expressly in the bill.

Well, this legislation, the Amash-Kucinich amendment, isn't to delete funds that have already been appropriated. This is to forbid the administration, forbid the administration, from using funds that are appropriated in this act.

Now, there is no way that Congress could or would intervene to stop a search and rescue mission. And that's not relevant unless you're talking about that this Congress is finally going to search this defense budget, figure out where the President is getting the money, and rescue the American taxpayers from a wasteful war and rescue the Constitution from an illegal war. That is what makes it a search and rescue mission. But no search and rescue is prohibited by the Amash-Kucinich amendment.

I want to say that I am proud to have worked with Mr. AMASH to come together with this bipartisan agreement. And the support for it is growing. We have Mr. PAUL, Ms. WOOLSEY, Mr. JONES, Mr. CONYERS, Mr. BURTON, Ms. BARBARA LEE, Mr. POE, Mr. STARK, Mr. MCCLINTOCK, Mr. NADLER, Mr. NUGENT, Mr. JOHNSON, Mr. HONDA. The support is growing. And Members can call either Mr. AMASH's office or my office right now if they want to cosponsor.

This is our moment in Congress; this is our moment to reclaim the Constitution of the United States, which the Founders envisioned that under article I, section 8, we have the power to determine whether or not this Nation goes to war, not some rebel group in Benghazi. Because when you reduce it to its ultimate, a group of Benghazi rebels made the decision to go to war against its own government, and before you know it NATO joins in, we're pulled into it. The administration went to everyone except getting the approval of the United States Congress.

This is our moment to reclaim the Constitution. Will we rise to the occasion? This isn't only about this Congress right now. History will judge us whether or not we understood the imperative of article I, section 8. This is about the Constitution. Certainly it's about a billion dollars that would be spent by September unless we intervene, at a time of rising debt, at a time



of tremendous pressure on the budget, at a time when local governments in our communities are cutting public services because they don't have the money. This administration determines they're going to take us into war, and they didn't even give so much as give this Congress an opportunity to have this debate before the decision was made. That was wrong.

I appreciate that we have been able to set aside any partisan disagreements that are part of the nature of this forum to understand that we have a higher calling here. And that higher calling is to defend this Constitution of the United States, which describes what our duties are when we come here. We take the oath to defend the Constitution. That's what we shall do today.

We shall rescue this Congress from the ignominy of having the rights that the people expect us to exercise on their behalf just trampled by an administration that doesn't think that we have any co-equal role in the government at all. This is our moment to stand up, Democrats and Republicans alike.

I am proud to work with Mr. AMASH in crafting this bipartisan Kucinich-Amash amendment.

This is our moment, Members. Let's not lose this opportunity to stand up and speak out on behalf of the United States Constitution, on behalf of the separation of powers, on behalf of the co-equality of our House of Representatives and the Congress of the United States. Let's show the Founders, and the spirit of the Founders is always with us in this place, let's demonstrate that we remember where we came from when this Constitution was set forth. Let's demonstrate that we have reached our moment where we stand up.

I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. McCLINTOCK. Mr. Chairman, for more than 3 months, our Nation has been amidst a quiet constitutional crisis that carries immense implications. My friend, the gentleman from Florida, is sadly mistaken to dismiss this as a meaningless philosophical discussion. This strikes at the very heart of our constitutional form of government.

□ 1300

On March 19, completely without congressional authorization, the President ordered an unprovoked attack against another country. In so doing, he crossed a very bright constitutional line placed there specifically to prevent so momentous and fatal a question as war being made by a single individual.

The American Founders were explicit on this point. For centuries, European

monarchs had plunged their nations into bloody and debilitating wars on whim, and the Founders wanted to protect the American Republic from that fate.

James Madison explained why in this passage in a letter to Hamilton. He said: "In no part of the Constitution is more wisdom to be found than in the clause which confines the question of war or peace to the legislature, and not to the executive department. The trust and the temptation would be too great for any one man. War is, in fact, the true nurse of executive aggrandizement. In war a physical force is to be created and it is the executive will which is to direct it. In war, the public treasures are to be unlocked, and it is the executive hand which is to dispense them. In war, the honors and the emoluments of office are to be multiplied, and it is the executive patronage under which they are to be enjoyed. Those who are to conduct a war cannot, in the nature of things, be proper or safe judges whether a war ought to be commenced, continued, or concluded."

The President has tried to justify this act in a variety of ways: that bombing another country is not really an act of war, that there wasn't time to consult Congress—though more than enough to consult the United Nations Security Council—or that it was a humanitarian act.

Mr. Chairman, never was there a greater provocation or clearer moral justification for war than the Japanese attack on Pearl Harbor. And never was there a more activist President than Franklin Roosevelt.

Yet within 24 hours of that attack, President Roosevelt appeared before a joint session of Congress in this very Hall. He clearly recognized that as Commander in Chief his authority only extended to ordering that "all measures be taken for our defense." He recognized that under the Constitution, anything more, even in this most historic attack, required an act of Congress, which he sought and obtained.

The unprovoked attack on Libya was not authorized by this Congress, and it is accordingly unconstitutional and illegal. Indeed, 2 weeks ago, the House considered a resolution authorizing a war with Libya, and it rejected that measure by a nearly 3-1 margin. It then considered a second measure to authorize acts of war against Libya just short of actual combat, including refueling tankers on their way to targets. The identification and selection of targets, operational support, operational planning, it rejected that measure as well.

The precedent being established right now by the President's deliberate defiance of the Constitution and the clear will of Congress has profound implications for our Nation's future. If this act is allowed to stand unchallenged, it

means that the checks and balances painstakingly built into the Constitution on the supreme question of war and peace have been rendered meaningless.

Weeks ago, the House voted to deny authorization for the use of funds for the war on Libya effective October 1. This amendment simply follows through on that decision in the actual appropriations act.

Frankly, we need to do much more than this. Clearly, one of the conditions for increasing the debt limit must be to ensure that no funds, either borrowed or raised, should be used to continue to support this illegal act.

And we need to remember that a war once started cannot always be turned off by an appropriations act. Once we have attacked another country without provocation, we have created an aggrieved belligerent that now has cause to pursue that war regardless of what the Congress later decides.

That's why this precedent is so dangerous. That's why the President's actions are so devastating to our very form of government, and that's why we need to speak clearly and unequivocally through measures like that offered by the gentlemen from Michigan and Ohio today.

I yield back the balance of my time. Ms. WOOLSEY. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, I rise in support of the Amash-Kucinich amendment, and I am proud to be a cosponsor and at the same time call on other Members to join us on the floor right now for this important debate.

Mr. Chairman, I have been struck in recent days by the profound lack of seriousness in Washington when it comes to confronting this illegal war we are fighting in Libya. Last week at a news conference, the President dismissed congressional concerns about war powers authority and his Libya policy and, he said "all kinds of noise about process."

At the same time, the U.S. Senate essentially punted on the issue earlier this week, pulling the plug on an important debate that the country needs because a few Republican Senators complained that they canceled recess only to deal with the debt ceiling, and they were not going to discuss Libya.

But perhaps it was right here in the House that we have seen the most incoherence on Libya. Right before we adjourned almost 2 weeks ago, this body voted against authorizing the use of force in Libya; and then less than 2 hours later, the House voted to continue funding the war we had just refused to authorize.

Mr. Chairman, Congress has the "power of the purse," and we must be prepared to use it. We must use this opportunity to send a powerful message.

A vote of no confidence in this Libya policy will prove that we do not and will not write another check for a war that Americans don't want and a war that we did not authorize.

Hostilities with Libya—and, let's be frank, these are hostilities—have now been going on for more than 100 days with the cost climbing toward a billion dollars, and that doesn't even include the moral costs and the cost of civilian lives. The people's money is too important and too precious, especially during this time of fiscal austerity.

No one believes that cutting off Libya alone is enough to make meaningful progress on deficit reduction; but I think it's outrageous that we are talking about cuts in Social Security benefits, and those cuts are on the table while we are discussing the debt ceiling negotiations while we continue to throw money at not one, not two, but three wars.

A Brown University study concludes that when it's all said and done Iraq and Afghanistan will suck the Treasury dry to the tune of at least \$3.7 trillion. Enough, already.

Mr. Chairman, the Pentagon is like that teenager. You keep giving the kid the keys to the car, and he keeps crashing it. It's time we cut him off.

We must draw the line, and we must draw it here. No more funding for Libya; no more continuance in Libyan hostilities. I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. POE of Texas. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. POE of Texas. Mr. Chairman, the President says we have gone to war in the name of humanity. In other words, the President's little war in Libya is so that we can preserve humanity in Libya.

In the history of peoples, as the gentleman from California has pointed out, and the histories of countries, it has always been the king, the dictator, the tyrant, the chief, the leader that has sent that particular country to war.

So when our ancestors got together and they formed a new and perfect Union, they decided it would not be the leader, which we call the President, it would be the people that would decide if we went to war. They gave that power to the Congress of the United States and only Congress can declare war, not the President.

□ 1310

But this is the President's war; and the President, in my opinion, is in violation of the Constitution. He has led America to our third war. Whether or not the war powers resolution is constitutional or not, we can debate that. But he is in violation of it, too, because we're still engaged in war, whether you

call it hostilities or not. Some say it's not hostile. Well, you be one of the recipients of one of those cruise missiles on the ground somewhere in Libya, and you might think that's a hostile environment towards you. But this country is spending money on a third war, and it is unconstitutional.

Our ancestors had comments about the leader, the king, leading us into war. The writer of the Constitution wrote a letter. James Madison said that "the Constitution supposes what the history of all governments has always demonstrated, that it is the executive branch most interested in war and most prone to it. It has accordingly with studied care vested the question in this country of war in the legislative body."

The first Commander in Chief, the first President of the United States, George Washington, said that "the Constitution vests the power of declaring war with Congress, therefore no offensive expedition of importance can be undertaken until after they have deliberated upon the subject and Congress has authorized such a measure."

It is our history, it is our heritage, it is our Constitution, and it is our principle that Congress must declare war. Congress must be the one to engage in war. And in my opinion, the President has violated that Constitution. He has violated the law of the land and the war powers resolution; and it's Congress' duty now, it is our turn and it is our responsibility to weigh in on this war and stop money from going to this war.

Where the President got the \$700-plus million that has already been spent on this war, we don't know. We just want to make sure no more money is spent on this unconstitutional action.

Muammar Qadhafi is a tyrant. He's an outlaw. There are a lot of bad guys in the world, Mr. Chairman, and is it now the policy of the President to pick out the ones he does not like and start blowing up that country in the name of humanity? We don't know.

So Congress must resume, regain, its rightful authority and role and make sure that we do not fund the President's little war, or any other future wars, without congressional approval.

Mr. Chairman, instead of spending money blowing up Libya, we ought to spend that American taxpayer money in the United States building the United States and rebuilding America and not destroying somebody else's country and being involved in somebody else's civil war.

And that's just the way it is.

I yield back the balance of my time.

Mr. ELLISON. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. Mr. Chairman, we should not turn our backs on the Libyan people. I want to remind my col-

leagues that NATO's campaign in Libya has saved countless lives. Our actions and those of NATO were the only thing that stopped Qadhafi from committing unspeakable crimes against humanity. In fact, when the United States and NATO intervened, Qadhafi was on the footsteps of Misrata and threatening to kill without mercy. Qadhafi's forces were on the brink of Benghazi hours before NATO's operation began. Qadhafi literally said that he would kill people with "no mercy, no pity." He said he would go "house by house, room by room." Those are the words of a shameless, ruthless killer; and we had to do something, and I'm glad that we did.

Constituents of my district whose roots come from Libya have made it clear to me that they want me to stand together with humanity, stand together with vulnerable people. But let me be clear, this is not Iraq, and this will not be the Iraq war. We did not unilaterally declare war on another country. On the contrary, our actions were with the international community, sanctioned by the United Nations, the Arab League and, most importantly, the Libyan people themselves.

Our role is limited and constrained, no boots on the ground. We essentially are helping to supply and refuel and add surveillance. Do we want to signal to other murderous dictators while the people are standing up for democracy that they have a free hand to slaughter their public? I hope not.

I say listen to regular Libyans on the street today. They want more NATO involvement, not less. They want the United States to remain involved. If we pull out now, the NATO coalition could fall apart and tens of thousands of refugees fleeing Qadhafi's wrath would jeopardize the fragile democratic transitions in both Egypt and Tunisia. This issue has regional implications. It's not limited to Libya alone.

As my constituents know, and my legislative record reflects, I was adamantly against the Iraq war and I am adamantly in favor of a faster withdrawal from Afghanistan. In fact, I'm almost always against the use of the military option. Seldom is it the right course, in my opinion. But "seldom" doesn't mean "always." Srebrenica, Darfur and Rwanda all warranted our engagement as Libya does today. We made it to the Balkans, but we didn't make it to Darfur or Rwanda, and literally millions of people died because of that.

But at the same time, I cannot turn a blind eye to the slaughter of innocent people. My hope is that the day may never come when I will ignore the cries of innocent people being murdered by a dictator or while we cozy up to a murderous dictator. I cannot turn my back on people demanding the same freedoms we enjoy in America.

I understand my colleagues' aversion to military conflict. I share it. I understand their fear of mission creep. I share that. But I also understand that when people are being murdered wholesale, being ethnically cleansed, being the targets of genocide, the world, including the United States, cannot and must not stand back and watch. For the sake of the Libyan people and all demanding freedom in the Middle East, I urge my colleagues to support this resolution authorizing the use of limited force.

I yield back the balance of my time.

Mr. NUGENT. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. NUGENT. Mr. Chairman, today I was planning to offer my own amendment which would hold the President accountable to the War Powers Act with regard to his operation in Libya. My intention was to expose the President's clear violation of this important law. However, I was concerned some wording could have raised a point of order. That being said, I'm proud to cosponsor Mr. KUCINICH's important amendment, which will completely cut off funds for this illegal war.

Mr. Chairman, on March 19, President Obama announced he had authorized U.S. military forces to conduct operations in Libya. Unfortunately, the President did this without receiving authorization from Congress even though he made sure to get the U.N.'s approval. By not being open and honest with Congress, he left Members in the dark and unsure of what our ultimate mission was. To this day, the President hasn't come to Congress to ask for formal approval.

Initially, when the President committed our military operations in Libya, he said it would be days, not months. Well, now we are definitely talking months because it is a little over a week we've been engaged in military operations in Libya for nearly 4 months. In an effort to escape his responsibility, to this day the President has refused to acknowledge that the U.S. is engaged in hostilities in Libya. That being said, those in the Pentagon seem to disagree with the President on this issue.

While the President has turned a blind eye to truth, the Department of Defense has decided to award imminent danger pay to servicemembers who fly over Libya and for those who serve on ships within 110 nautical miles of the shore. As of June 3, 93 percent of the cruise missiles, 66 percent of the personnel, 50 percent of the ships, and 50 percent of the planes used in NATO operations against Libya were by the United States of America.

Mr. Chair, firing a cruise missile at Libya qualifies as hostilities. In early June, it was estimated that Libya was already costing the American taxpayers over \$700 million.

I have three sons that are currently in the military, and I will support our troops no matter where the President sends them. However, I cannot support Obama's decision to commit our military forces' operations without the required congressional authorization. That's why I cosponsored this amendment, the 2012 Department of Defense appropriations bill Kucinich amendment.

With that, I ask all my colleagues, all Members, to come down here on the House floor and to express support for this important amendment, to reclaim our Constitution, to reclaim the validity of this Congress as relates to committing troops to war.

Mr. Chairman, I support this amendment. I encourage all my colleagues to support this amendment.

I yield back the balance of my time.

□ 1320

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I believe this is an important debate in the House today as we, appropriately, exercise congressional oversight of the use of force and the costs associated with our engagement in Libya.

In my judgment, the President's initial commitment of U.S. air power and naval forces to support the international effort was appropriate, and certainly within his power as Commander in Chief. In March, the President clearly outlined the rationale for our involvement in this military action. Now if I were advising the President, I would have said send up a resolution and get approval from the House and the Senate. There is no question that would have been the preferred course of action.

The U.S. effort was undertaken in concert with a broad coalition of nations, and it followed a resolution adopted in the United Nations Security Council authorizing "all necessary measures" to protect Libyan civilians attempting to overthrow the oppressive regime of Muammar al Qadhafi. The Qadhafi government's response to the uprising, inspired by the "Arab Spring" movement, was to use force against civilians and opposition forces, and the brutal measures prompted the international outcry and the United Nations action. While the direct U.S. leadership of this effort lasted a brief time, U.S. forces remain engaged in the NATO operation.

When I hear many of my colleagues speak in favor of abandoning this cause, I believe it is important to reflect on the fundamental reason why we are concerned here. This is the same individual, Muammar al Qadhafi, who had been planning terrorist actions against United States citizens and oth-

ers for decades. This is the same terrorist leader against whom President Ronald Reagan authorized a military strike in 1986—and he didn't ask Congress for approval—following the bombings in Berlin and definitive proof of Qadhafi's involvement in other terrorist activity. At that time, President Reagan publicly denounced Qadhafi as the "Mad Dog of the Middle East" who espoused the goal of world revolution.

Mr. Chairman, I can only wonder what Ronald Reagan would say today about those who would propose immediate withdrawal of U.S. assistance to the broad coalition of nations attempting to finish the job that President Reagan started.

Now, just to make it clear, the administration, when they sent up their report under the Boehner amendment, I believe, they did list out the military cost for the operation. Daily operations up to June 3 were \$313.7 million; munitions, \$398.3 million; global lift and sustain, \$1.6 billion. The subtotal for military operations was \$713.6 million. And then the drawdown of DOD supplies, \$1.3 billion; humanitarian assistance, \$1 billion; for a total of \$715.9 million.

Now munitions come out of the munition funds; daily operations come out of O&M funds for the Army and the Navy. The estimate by September 30, 2011, is that daily operations will total \$618 million; munitions, \$450 million; global lift and sustain, \$10 billion; for a total of \$1.078 billion. Drawdown of DOD supplies would be \$25 million and humanitarian assistance of \$1 billion, for a total of \$1.104 billion. I think that is a pretty clear indication.

Now, our chairman is absolutely correct. They have not asked for a supplemental here. They are going to use existing funds that we have already appropriated to take care of this operation. And of course we would all like to see this thing resolved as quickly as possible, and a political settlement may be possible. But I think it would be wrong to undermine the President and our country and our involvement with NATO and with the U.N. and with our Arab allies on this subject.

I urge a "no" vote on the Amash-Kucinich amendment.

I yield back the balance of my time.

Mr. HOYER. Mr. Chair, last month, the House voted against defunding the American military mission in Libya. That was the right decision, and it still is: along with our NATO allies, we intervened in Libya in response to Moammar Gadhafi's violent repression of his own people, and the explicit promise of worse to come. It's also important to remember that Gadhafi has more American blood on his hands than anyone other than Osama bin Laden. And we must remember that we intervened in response to calls from the Arab League, the United Nations, the European Union, and a unanimous NATO.

Our allies have taken the leading role in Libya, but it is crucial that America continue to

support them. It's crucial because the campaign against Gadhafi has made significant progress, which would be dramatically set back by a sudden withdrawal of American support; because that sudden withdrawal of support could endanger civilian lives and stall democratic movements across the Middle East; and because it would represent a failure to keep faith with our NATO allies. As I said the last time this issue came to the floor: either we are in an alliance, or we are not. And if we are, that means supporting our allies in their time and place of need, so that they will continue to do the same for us—a principle that is especially important when civilian lives are at stake. I urge my colleagues to oppose this amendment.

The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. AMASH).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. DICKS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

#### ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. LEE of California.

An amendment by Mr. GARAMENDI of California.

An amendment by Mr. NADLER of New York.

Amendment No. 1 by Mr. POE of Texas.

Amendment No. 2 by Ms. LEE of California.

Amendment No. 41 by Mr. COHEN of Tennessee.

An amendment by Mr. CICILLINE of Rhode Island.

An amendment by Mr. COHEN of Tennessee.

Amendment No. 2 by Mr. POE of Texas.

Amendment No. 1 by Ms. MCCOLLUM of Minnesota.

Amendment No. 2 by Ms. MCCOLLUM of Minnesota.

Amendment No. 13 by Mr. COLE of Oklahoma.

An amendment by Mr. AMASH of Michigan.

The Chair will reduce to 2 minutes the time for the second through the 11th vote. The final two votes will be 5-minute votes.

#### AMENDMENT OFFERED BY MS. LEE

The CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 97, noes 322, not voting 12, as follows:

[Roll No. 502]

#### AYES—97

Amash	Fudge	Petri
Baca	Garamendi	Pingree (ME)
Baldwin	Grijalva	Polis
Bass (CA)	Gutierrez	Quigley
Becerra	Hastings (FL)	Rangel
Blumenauer	Hinchee	Richardson
Boswell	Hinojosa	Rohrabacher
Brady (PA)	Hirono	Rokita
Bralley (IA)	Holt	Rush
Campbell	Honda	Sánchez, Linda
Capuano	Jackson (IL)	T.
Chu	Jackson Lee	Sanchez, Loretta
Cicilline	(TX)	Schakowsky
Clarke (MI)	Johnson (IL)	Scott (VA)
Clarke (NY)	Johnson, E. B.	Serrano
Clay	Jones	Shuler
Clyburn	Kucinich	Sires
Coble	Larson (CT)	Slaughter
Cohen	Lee (CA)	Speier
Costello	Loftgren, Zoe	Stark
Crowley	Markey	Thompson (CA)
Cummings	Matsui	Thompson (MS)
Davis (IL)	McGovern	Tierney
DeFazio	Michaud	Tonko
Doyle	Moore	Towns
Duncan (TN)	Murphy (CT)	Tsongas
Edwards	Nadler	Velázquez
Ellison	Napolitano	Viscosky
Eshoo	Neal	Walters
Farr	Oliver	Watt
Fattah	Pallone	Waxman
Finer	Pastor (AZ)	Welch
Frank (MA)	Paul	Woolsey

#### NOES—322

Ackerman	Capps	Flake
Adams	Cardoza	Fleischmann
Aderholt	Carnahan	Fleming
Akin	Carney	Flores
Alexander	Carson (IN)	Forbes
Altmire	Carter	Fortenberry
Andrews	Cassidy	Fox
Austria	Castor (FL)	Franks (AZ)
Bachmann	Chabot	Frelinghuysen
Bachus	Chaffetz	Gallely
Barietta	Chandler	Gardner
Barrow	Coffman (CO)	Garrett
Bartlett	Cole	Gerlach
Barton (TX)	Conaway	Gibbs
Bass (NH)	Connolly (VA)	Gibson
Benishek	Cooper	Gingrey (GA)
Berg	Costa	Gohmert
Berkley	Courtney	Gonzalez
Berman	Cravaack	Goodlatte
Biggart	Crawford	Gosar
Bilbray	Crenshaw	Gowdy
Bilirakis	Critz	Granger
Bishop (GA)	Cuellar	Graves (GA)
Bishop (NY)	Davis (CA)	Graves (MO)
Bishop (UT)	Davis (KY)	Green, Al
Black	DeGette	Green, Gene
Blackburn	Denham	Griffin (AR)
Bonner	Dent	Griffith (VA)
Bono Mack	DesJarlais	Grimm
Boren	Deutch	Guinta
Boustany	Diaz-Balart	Guthrie
Brady (TX)	Dicks	Hall
Brooks	Dingell	Hanabusa
Broun (GA)	Doggett	Hanna
Brown (FL)	Dold	Harper
Buchanan	Donnelly (IN)	Harris
Bucshon	Dreier	Hartzler
Buerkle	Duffy	Hastings (WA)
Burgess	Duncan (SC)	Hayworth
Burton (IN)	Ellmers	Heck
Butterfield	Emerson	Heinrich
Calvert	Engel	Hensarling
Camp	Farenthold	Henger
Canseco	Fincher	Herrera Beutler
Capito	Fitzpatrick	Higgins

Himes	McDermott	Roybal-Allard
Hochul	McHenry	Royce
Holden	McIntyre	Runyan
Hoyer	McKeon	Ruppersberger
Huelskamp	McKinley	Ryan (OH)
Huizenga (MI)	McMorris	Ryan (WI)
Hultgren	Rodgers	Sarbanes
Hunter	McNerney	Scalise
Hurt	Meehan	Schiff
Inslie	Meeks	Schilling
Israel	Mica	Schmidt
Issa	Miller (FL)	Schock
Jenkins	Miller (MI)	Schrader
Johnson (GA)	Miller (NC)	Schwartz
Johnson (OH)	Miller, Gary	Schweikert
Johnson, Sam	Moran	Scott (SC)
Jordan	Mulvaney	Scott, Austin
Kaptur	Murphy (PA)	Scott, David
Kelly	Myrick	Sensenbrenner
Kildee	Neugebauer	Sessions
Kind	Noem	Sewell
King (IA)	Nugent	Sherman
King (NY)	Nunes	Shimkus
Kingston	Nunnelee	Shuster
Kinzinger (IL)	Olson	Simpson
Kissell	Owens	Smith (NE)
Kline	Palazzo	Smith (NJ)
Labrador	Pascrell	Smith (TX)
Lamborn	Paulsen	Smith (WA)
Lance	Pearce	Southerland
Landry	Pence	Stearns
Langevin	Perlmutter	Stivers
Lankford	Peters	Stutzman
Larsen (WA)	Peterson	Sullivan
Latham	Pitts	Sutton
LaTourette	Platts	Terry
Latta	Poe (TX)	Thompson (PA)
Levin	Pompeo	Thornberry
Lewis (CA)	Posey	Tiberi
Lipinski	Price (GA)	Tipton
LoBiondo	Price (NC)	Turner
Loeb sack	Quayle	Upton
Long	Rahall	Van Hollen
Lowe y	Reed	Walberg
Lucas	Rehberg	Walden
Luetkemeyer	Reichert	Walsh (IL)
Lujan	Renacci	Walz (MN)
Lummis	Reyes	Webster
Lungren, Daniel	Ribble	West
E.	Richmond	Westmoreland
Lynch	Rigell	Whitfield
Mack	Rivera	Wilson (FL)
Maloney	Roby	Wilson (SC)
Manzullo	Roe (TN)	Wittman
Marchant	Rogers (AL)	Wolf
Marino	Rogers (KY)	Womack
Matheson	Rogers (MI)	Woodall
McCarthy (CA)	Rooney	Wu
McCarthy (NY)	Ros-Lehtinen	Yarmuth
McCaul	Roskam	Yoder
McClintock	Ross (AR)	Young (AK)
McCollum	Ross (FL)	Young (FL)
McCotter	Rothman (NJ)	Young (IN)

#### NOT VOTING—12

Cantor	Giffords	Pelosi
Cleaver	Keating	Wasserman
Conyers	Lewis (GA)	Schultz
Culberson	Miller, George	
DeLauro	Payne	

#### ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1351

Messrs. CONNOLLY of Virginia, MILLER of North Carolina, SCOTT of South Carolina, and LYNCH changed their vote from “aye” to “no.”

Messrs. BRADY of Pennsylvania, CROWLEY, and MURPHY of Connecticut changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### AMENDMENT OFFERED BY MR. GARAMENDI

The CHAIR. The unfinished business is the demand for a recorded vote on

the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 133, noes 295, not voting 3, as follows:

[Roll No. 503]

AYES—133

Amash Garamendi Pelosi  
 Baldwin Grijalva Peters  
 Bass (CA) Gutierrez Petri  
 Bass (NH) Hanabusa Pingree (ME)  
 Becerra Hastings (FL) Polis  
 Benishek Heinrich Quigley  
 Bernan Himes Rangel  
 Bishop (NY) Hinchey Richardson  
 Blumenauer Hinojosa Rohrabacher  
 Boswell Hirono Rokita  
 Brady (PA) Holt Roybal-Allard  
 Braley (IA) Honda Rush  
 Campbell Inslee Ryan (OH)  
 Capps Jackson (IL) Sanchez, Linda  
 Capuano Jackson Lee T.  
 Cardoza (TX) Sanchez, Loretta  
 Chu Johnson (IL) Sarbanes  
 Cicilline Johnson, E. B. Schakowsky  
 Clarke (MI) Jones Schiff  
 Clarke (NY) Kucinich Schrader  
 Clay Larson (CT) Scott (VA)  
 Cleaver Lee (CA) Serrano  
 Clyburn Lewis (GA) Sherman  
 Coble Loeb sack Shuler  
 Cohen Lofgren, Zoe Sires  
 Conyers Lujan Slaughter  
 Costello Maloney Speier  
 Courtney Markey Stark  
 Crowley Matsui Sutton  
 Cummings McCollum Thompson (CA)  
 Davis (IL) McGovern Thompson (MS)  
 DeFazio Mc Nerney Tierney  
 DeGette Michaud Tonko  
 DeLauro Miller, George Towns  
 Doggett Moore Tsongas  
 Doyle Moran Upton  
 Duncan (TN) Murphy (CT) Velázquez  
 Edwards Nadler Visclosky  
 Ellison Napolitano Waters  
 Eshoo Neal Watt  
 Farr Oliver Waxman  
 Fattah Pallone Welch  
 Filner Pastor (AZ) Woolsey  
 Frank (MA) Paul Wu  
 Fudge Payne Yarmuth

NOES—295

Ackerman Blackburn  
 Adams Bonner  
 Aderholt Bono Mack  
 Akin Boren  
 Alexander Boustany  
 Altmire Brady (TX)  
 Andrews Brooks  
 Austria Broun (GA)  
 Baca Brown (FL)  
 Bachmann Buchanan  
 Bachus Busch  
 Barletta Buerkle  
 Barrow Burgess  
 Bartlett Burton (IN)  
 Barton (TX) Butterfield  
 Berg Calvert  
 Berkley Camp  
 Biggert Canseco  
 Bilbray Cantor  
 Bilirakis Capito  
 Bishop (GA) Carnahan  
 Bishop (UT) Carney  
 Black Carson (IN)

Diaz-Balart King (NY)  
 Dicks Kingston  
 Dingell Kinzinger (IL)  
 Dold Kissell  
 Donnelly (IN) Kline  
 Dreier Labrador  
 Duffy Lamborn  
 Duncan (SC) Lance  
 Ellmers Landry  
 Emerson Langevin  
 Engel Lankford  
 Farenthold Larsen (WA)  
 Fincher Latham  
 Fitzpatrick LaTourette  
 Flake Latta  
 Fleischmann Levin  
 Fleming Lewis (CA)  
 Flores Lipinski  
 Forbes LoBiondo  
 Fortenberry Long  
 Foxx Lowey  
 Franks (AZ) Lucas  
 Frelinghuysen Luetkemeyer  
 Gallegly Lummis  
 Gardner Lungren, Daniel  
 Garrett E.  
 Gerlach Lynch  
 Gibbs Mack  
 Gibson Manullo  
 Gingrey (GA) Marchant  
 Gohmert Marino  
 Gonzalez Matheson  
 Goodlatte McCarthy (CA)  
 Gosar McCarthy (NY)  
 Gowdy McCaul  
 Granger McClintock  
 Graves (GA) McCotter  
 Graves (MO) McDermott  
 Green, Al McHenry  
 Green, Gene McIntyre  
 Griffin (AR) McKeon  
 Griffith (VA) McKinley  
 Grimm McMorris  
 Guinta Rodgers  
 Guthrie Meehan  
 Hall Meeks  
 Hanna Mica  
 Harper Miller (FL)  
 Harris Miller (MI)  
 Hartzler Miller (NC)  
 Hastings (WA) Miller, Gary  
 Hayworth Mulvaney  
 Heck Murphy (PA)  
 Hensarling Myrick  
 Herger Neugebauer  
 Herrera Beutler Noem  
 Higgins Nugent  
 Hochul Nunes  
 Holden Nunnelee  
 Olson  
 Owens  
 Huel skamp  
 Hui zenga (MI) Palazzo  
 Hultgren Pascrell  
 Hunter Paulsen  
 Hurt Pearce  
 Israel Pence  
 Issa Perlmutter  
 Jenkins Peterson  
 Johnson (GA) Pitts  
 Johnson (OH) Platts  
 Johnson, Sam Poe (TX)  
 Jordan Pompeo  
 Kaptur Posey  
 Kelly Price (GA)  
 Kildee Price (NC)  
 Kind King (IA) Quayle  
 King (IA) Rahall Young (IN)

NOT VOTING—3

□ 1357

Ms. PELOSI changed her vote from “no” to “aye.”  
 So the amendment was rejected.  
 The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NADLER

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were

postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 174, noes 251, not voting 6, as follows:

[Roll No. 504]

AYES—174

Ackerman Garamendi Murphy (CT)  
 Andrews Gibson Nadler  
 Baca Gonzalez Napolitano  
 Bachmann Goodlatte Neal  
 Baldwin Green, Al Oliver  
 Bass (CA) Green, Gene Pallone  
 Becerra Griffith (VA) Pascarell  
 Berkley Grijalva Pastor (AZ)  
 Berman Gutierrez Paul  
 Bishop (NY) Hanabusa Paulsen  
 Blumenauer Hastings (FL) Payne  
 Boswell Heinrich Pelosi  
 Brady (PA) Higgins Peters  
 Braley (IA) Himes Pingree (ME)  
 Brown (FL) Hinchey Polis  
 Burgess Hirono Price (NC)  
 Burton (IN) Hochul Quigley  
 Butterfield Holden Rahall  
 Capps Holt Rangel  
 Capuano Honda Reyes  
 Carnahan Hoyer Rothman (NJ)  
 Carney Inslee Roybal-Allard  
 Carson (IN) Israel Rush  
 Castor (FL) Jackson (IL) Ryan (OH)  
 Chu Jackson Lee Sanchez, Linda  
 Cicilline (TX) T.  
 Clarke (MI) Johnson (GA) Sarbanes  
 Clarke (NY) Johnson, E. B. Schakowsky  
 Clay Jones Schiff  
 Cleaver Kaptur Schwartz  
 Clyburn Kildee Scott (VA)  
 Cohen Kissell Serrano  
 Connolly (VA) Kucinich Sewell  
 Conyers Langevin Sherman  
 Costello Larsen (WA) Sires  
 Courtney Larson (CT) Slaughter  
 Crowley Lee (CA) Smith (WA)  
 Cummings Levin Speier  
 Davis (CA) Lewis (GA) Stark  
 Davis (IL) Lipinski Stutzman  
 DeFazio Loeb sack Sutton  
 DeGette Lofgren, Zoe Thompson (CA)  
 DeLauro Lowey Thompson (MS)  
 Deutch Lujan Tierney  
 Dingell Whitfield Lynch  
 Doggett Maloney Towns  
 Donnelly (IN) Markey Tsongas  
 Doyle Matsui Van Hollen  
 Edwards McCarthy (NY) Velázquez  
 Ellison McCollum Wasserman  
 Engel McDermott Schultz  
 Eshoo McGovern Waters  
 Farr McIntyre Watt  
 Fattah Mc Nerney Waxman  
 Filner Meeks Welch  
 Foe x Michaud Wilson (FL)  
 Frank (MA) Miller, George Woolsey  
 Franks (AZ) Moore Wu  
 Fudge Moran Yarmuth

NOES—251

Adams Benishek Brady (TX)  
 Aderholt Berg Brooks  
 Akin Biggert Broun (GA)  
 Alexander Bilbray Buchanan  
 Altmire Bilirakis Busch  
 Amash Bishop (GA) Buerkle  
 Austria Bishop (UT) Calvert  
 Bachus Black Camp  
 Barletta Blackburn Campbell  
 Barrow Bonner Canseco  
 Bartlett Bono Mack Cantor  
 Barton (TX) Boren Capito  
 Black Boustany Cardoza

Carter  
Cassidy  
Chabot  
Chaffetz  
Chandler  
Coble  
Cole  
Conaway  
Cooper  
Costa  
Cravaack  
Crawford  
Crenshaw  
Critz  
Cuellar  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dicks  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gingrey (GA)  
Gohmert  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Hinojosa  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
Kind  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pearce  
Pence  
Perlmutter  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichart  
Renacci  
Ribble  
Richardson  
Richmond  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ruppersberger  
Ryan (WI)  
Sanchez, Loretta  
Scalise  
Schilling  
Schmidt  
Schock  
Schradler  
Schweikert  
Scott (SC)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Sessions  
Shimkus  
Shuler  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Stivers  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Visclosky  
Walberg  
Walden  
Walsh (IL)  
Walz (MN)  
Webster  
West  
Westmoreland  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

amendment No. 1 offered by the gentleman from Texas (Mr. POE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 131, noes 297, not voting 3, as follows:

[Roll No. 505]

AYES—131

Adams  
Amash  
Baldwin  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Bishop (UT)  
Black  
Blumenauer  
Braley (IA)  
Brooks  
Broun (GA)  
Buchanan  
Buerkle  
Burgess  
Campbell  
Capuano  
Chaffetz  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Coble  
Cohen  
Conyers  
Costello  
Cummings  
DeFazio  
DesJarlais  
Doggett  
Duffy  
Duncan (SC)  
Duncan (TN)  
Edwards  
Emerson  
Engel  
Finer  
Fincher  
Fitzpatrick  
Frank (MA)  
Garrett  
Gerlach  
Gibson  
Gohmert  
Goodlatte  
Gowdy  
Graves (GA)  
Graves (MO)  
Green, Gene  
Griffith (VA)  
Hall  
Heck  
Herrera Beutler  
Higgins  
Holt  
Honda  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Jackson (IL)  
Johnson (IL)  
Johnson, E. B.  
Jones  
Jordan  
Kaptur  
Kucinich  
Labrador  
Landry  
Lankford  
LaTourette  
Lee (CA)  
Lewis (CA)  
LoBiondo  
Lummis  
Lynch  
Marchant  
Markey  
McCaul  
McClintock  
McKinley  
Michaud  
Miller (NC)  
Miller, Gary  
Mulvaney  
Napolitano  
Nugent  
Oliver  
Pallone  
Paul  
Payne  
Pearce  
Peters  
Petri  
Pingree (ME)  
Poe (TX)  
Posey  
Price (GA)  
Reed  
Rohrabacher  
Rokita  
Rooney  
Ross (FL)  
Royce  
Sanchez, Loretta  
Schilling  
Schradler  
Sensenbrenner  
Serrano  
Sessions  
Slaughter  
Southernland  
Stark  
Stearns  
Stutzman  
Thompson (PA)  
Tierney  
Tonko  
Velázquez  
Walsh (IL)  
Waters  
Welch  
West  
Westmoreland  
Woodall  
Woolsey  
Wu  
Yoder  
Young (AK)

NOES—297

Ackerman  
Aderholt  
Akin  
Alexander  
Altmire  
Andrews  
Austria  
Baca  
Bachmann  
Bachus  
Barletta  
Barrow  
Bartlett  
Bass (CA)  
Becerra  
Berkley  
Berman  
Biggart  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boswell  
Boustany  
Brady (PA)  
Brady (TX)  
Brown (FL)  
Bucshon  
Burton (IN)  
Butterfield  
Calvert  
Camp  
Canseco  
Cantor  
Capito  
Capps  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Cassidy  
Castor (FL)  
Chabot  
Chandler  
Chu  
Cicilline  
Clyburn  
Coffman (CO)  
Cole  
Conaway  
Connolly (VA)  
Cooper  
Costa  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Crowley  
Cuellar  
Davis (CA)  
Davis (IL)  
Davis (KY)  
DeGette  
DeLauro  
Denham  
Dent

Deutch  
Diaz-Balart  
Dicks  
Dingell  
Dold  
Donnelly (IN)  
Doyle  
Dreier  
Ellison  
Ellmers  
Eshoo  
Farenthold  
Farr  
Fattah  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Garamendi  
Gardner  
Gibbs  
Gingrey (GA)  
Gonzalez  
Gosar  
Granger  
Green, Al  
Griffin (AR)  
Grijalva  
Grimm  
Guinta  
Guthrie  
Gutierrez  
Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heinrich  
Hensarling  
Herger  
Himes  
Hinchey  
Hinojosa  
Hirono  
Hochul  
Holden  
Hoyer  
Huelskamp  
Inslée  
Israel  
Issa  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (OH)  
Johnson, Sam  
Kelly  
Kildee  
Kind  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
Latta  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Long  
Lowey  
Lucas  
Luetkemeyer  
Lujan  
Lungren, Daniel  
E.  
Mack  
Maloney  
Manzullo  
Marino  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCollum  
McCotter  
McDermott  
McGovern  
McHenry  
McIntyre  
McKeon  
McMorris  
Rodgers  
McNerney  
Meehan  
Meeks  
Mica  
Miller (FL)  
Miller (MI)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Murphy (PA)  
Myrick  
Nadler  
Neal  
Neugebauer  
Noem  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pascrell  
Pastor (AZ)  
Paulsen  
Pelosi  
Pence  
Perlmutter  
Peterson  
Pitts  
Platts  
Polis  
Pompeo  
Price (NC)  
Quayle  
Quigley  
Rahall  
Rangel  
Rehberg  
Reichert  
Renacci  
Reyes  
Ribble  
Richardson  
Richmond  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Sánchez, Linda  
T.  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schmidt  
Schock  
Schwartz  
Schweikert  
Scott (SC)  
Scott (VA)  
Scott, Austin  
Scott, David  
Sewell  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stivers  
Sullivan  
Nadler  
Neal  
Neugebauer  
Noem  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pascrell  
Pastor (AZ)  
Paulsen  
Pelosi  
Pence  
Perlmutter  
Peterson  
Pitts  
Platts  
Polis  
Pompeo  
Price (NC)  
Quayle  
Quigley  
Rahall  
Rangel  
Rehberg  
Reichert  
Renacci  
Reyes  
Ribble  
Richardson  
Richmond  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Sánchez, Linda  
T.  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schmidt  
Schock  
Schwartz  
Schweikert  
Scott (SC)  
Scott (VA)  
Scott, Austin  
Scott, David  
Sewell  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stivers  
Sullivan  
Nadler  
Neal  
Neugebauer  
Noem  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pascrell  
Pastor (AZ)  
Paulsen  
Pelosi  
Pence  
Perlmutter  
Peterson  
Pitts  
Platts  
Polis  
Pompeo  
Price (NC)  
Quayle  
Quigley  
Rahall  
Rangel  
Rehberg  
Reichert  
Renacci  
Reyes  
Ribble  
Richardson  
Richmond  
Rigell  
Rivera  
Robby  
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Scott, David  
Sewell  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stivers  
Sullivan  
Nadler  
Neal  
Neugebauer  
Noem  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pascrell  
Pastor (AZ)  
Paulsen  
Pelosi  
Pence  
Perlmutter  
Peterson  
Pitts  
Platts  
Polis  
Pompeo  
Price (NC)  
Quayle  
Quigley  
Rahall  
Rangel  
Rehberg  
Reichert  
Renacci  
Reyes  
Ribble  
Richardson  
Richmond  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Sánchez, Linda  
T.  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schmidt  
Schock  
Schwartz  
Schweikert  
Scott (SC)  
Scott (VA)  
Scott, Austin  
Scott, David  
Sewell  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stivers  
Sullivan  
Nadler  
Neal  
Neugebauer  
Noem  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pascrell  
Pastor (AZ)  
Paulsen  
Pelosi  
Pence  
Perlmutter  
Peterson  
Pitts  
Platts  
Polis  
Pompeo  
Price (NC)  
Quayle  
Quigley  
Rahall  
Rangel  
Rehberg  
Reichert  
Renacci  
Reyes  
Ribble  
Richardson  
Richmond  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Sánchez, Linda  
T.  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schmidt  
Schock  
Schwartz  
Schweikert  
Scott (SC)  
Scott (VA)  
Scott, Austin  
Scott, David  
Sewell  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stivers  
Sullivan  
Nadler  
Neal  
Neugebauer  
Noem  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pascrell  
Pastor (AZ)  
Paulsen  
Pelosi  
Pence  
Perlmutter  
Peterson  
Pitts  
Platts  
Polis  
Pompeo  
Price (NC)  
Quayle  
Quigley  
Rahall  
Rangel  
Rehberg  
Reichert  
Renacci  
Reyes  
Ribble  
Richardson  
Richmond  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Sánchez, Linda  
T.  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schmidt  
Schock  
Schwartz  
Schweikert  
Scott (SC)  
Scott (VA)  
Scott, Austin  
Scott, David  
Sewell  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stivers  
Sullivan  
Nadler  
Neal  
Neugebauer  
Noem  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pascrell  
Pastor (AZ)  
Paulsen  
Pelosi  
Pence  
Perlmutter

AMENDMENT OFFERED BY MS. LEE

The CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 2 offered by the gentlewoman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 114, noes 314, not voting 3, as follows:

[Roll No. 506]

AYES—114

Amash	Fattah	Pastor (AZ)
Baca	Filner	Paul
Baldwin	Frank (MA)	Payne
Bass (CA)	Fudge	Pelosi
Becerra	Garamendi	Perlmutter
Benishek	Grijalva	Peters
Bishop (NY)	Gutierrez	Petri
Blumenauer	Himes	Pingree (ME)
Braley (IA)	Hinchev	Price (NC)
Brown (FL)	Hirono	Rangel
Butterfield	Holt	Richardson
Capps	Honda	Richmond
Capuano	Jackson (IL)	Roybal-Allard
Castor (FL)	Jackson Lee	Rush
Chaffetz	(TX)	Ryan (OH)
Chu	Johnson (IL)	Sanchez, Loretta
Cicilline	Johnson, E. B.	Schakowsky
Clarke (MI)	Jones	Schrader
Clarke (NY)	Kucinich	Serrano
Clay	Larson (CT)	Sherman
Cleaver	Lee (GA)	Slaughter
Clyburn	Levin	Speier
Coble	Lewis (GA)	Stark
Cohen	Loebsack	Sutton
Conyers	Lofgren, Zoe	Thompson (CA)
Costello	Lynch	Thompson (MS)
Courtney	Maloney	Tierney
Cummings	Markey	Tonko
Davis (IL)	Matsui	Towns
DeFazio	McGovern	Tsongas
DeGette	Michaud	Velázquez
DeLauro	Miller (NC)	Waters
Doggett	Miller, George	Watt
Doyle	Moore	Welch
Duncan (TN)	Murphy (CT)	Woolsey
Edwards	Napolitano	Wu
Ellison	Neal	Yarmuth
Eshoo	Olver	
Farr	Pallone	

NOES—314

Ackerman	Blackburn	Carson (IN)
Adams	Bonner	Carter
Aderholt	Bono Mack	Cassidy
Akin	Boren	Chabot
Alexander	Boswell	Chandler
Altmire	Boustany	Coffman (CO)
Andrews	Brady (PA)	Cole
Austria	Brady (TX)	Conaway
Bachmann	Brooks	Connolly (VA)
Bachus	Broun (GA)	Cooper
Barletta	Buchanan	Costa
Barrow	Bucshon	Cravaack
Bartlett	Buerkle	Crawford
Barton (TX)	Burgess	Crenshaw
Bass (NH)	Burton (IN)	Critz
Berg	Calvert	Crowley
Berkley	Camp	Cuellar
Berman	Campbell	Davis (CA)
Biggert	Canseco	Davis (KY)
Bilbray	Cantor	Denham
Bilirakis	Capito	Dent
Bishop (GA)	Cardoza	DesJarlais
Bishop (UT)	Carnahan	Deutch
Black	Carney	Diaz-Balart

Dicks	Kingston	Reyes
Dingell	Kinzinger (IL)	Ribble
Dold	Kissell	Rigell
Donnelly (IN)	Kline	Rivera
Dreier	Labrador	Roby
Duffy	Lamborn	Roe (TN)
Duncan (SC)	Lance	Rogers (AL)
Ellmers	Landry	Rogers (KY)
Emerson	Langevin	Rogers (MI)
Engel	Lankford	Rohrabacher
Farenthold	Larsen (WA)	Rokita
Fincher	Latham	Rooney
Fitzpatrick	LaTourette	Ros-Lehtinen
Flake	Latta	Roskam
Fleischmann	Lewis (CA)	Ross (AR)
Fleming	Lipinski	Ross (FL)
Flores	LoBiondo	Rothman (NJ)
Forbes	Long	Royce
Fortenberry	Lowe	Runyan
Fox	Lucas	Ruppersberger
Franks (AZ)	Luetkemeyer	Ryan (WI)
Frelinghuysen	Luján	Sánchez, Linda
Galleghy	Lummis	T.
Gardner	Lungren, Daniel	Sarbanes
Garrett	E.	Scalise
Gerlach	Mack	Schiff
Gibbs	Manzullo	Schilling
Gibson	Marchant	Schmidt
Gingrey (GA)	Marino	Schock
Gohmert	Matheson	Schwartz
Gonzalez	McCarthy (CA)	Schweikert
Goodlatte	McCarthy (NY)	Scott (SC)
Gosar	McCaul	Scott (VA)
Gowdy	McClintock	Scott, Austin
Granger	McCollum	Scott, David
Graves (GA)	McCotter	Sensenbrenner
Graves (MO)	McDermott	Sessions
Green, Al	McHenry	Sewell
Green, Gene	McIntyre	Shimkus
Griffith (AR)	McKeon	Shuler
Griffith (VA)	McKinley	Shuster
Grimm	McMorris	Simpson
Guinta	Rodgers	Sires
Guthrie	McNerney	Smith (NE)
Hall	Meehan	Smith (NJ)
Hanabusa	Meeks	Smith (TX)
Hanna	Mica	Smith (WA)
Harper	Miller (FL)	Southerland
Harris	Miller (MI)	Stearns
Hartzler	Miller, Gary	Stivers
Hastings (FL)	Moran	Stutzman
Hastings (WA)	Mulvaney	Sullivan
Hayworth	Murphy (PA)	Terry
Heck	Myrick	Thompson (PA)
Heinrich	Nadler	Thornberry
Hensarling	Neugebauer	Tiberi
Herger	Noem	Tipton
Herrera Beutler	Nugent	Turner
Higgins	Nunes	Upton
Hinojosa	Nunnelee	Van Hollen
Hochul	Olson	Visclosky
Holden	Owens	Walberg
Hoyer	Palazzo	Walden
Huelskamp	Pascal	Walsh (IL)
Huizenga (MI)	Paulsen	Walz (MN)
Hultgren	Pearce	Wasserman
Hunter	Pence	Schultz
Hurt	Peterson	Waxman
Inlee	Pitts	Webster
Israel	Platts	West
Issa	Poe (TX)	Westmoreland
Jenkins	Polis	Whitfield
Johnson (GA)	Pompeo	Wilson (FL)
Johnson (OH)	Posey	Wilson (SC)
Johnson, Sam	Price (GA)	Wittman
Jordan	Quayle	Wolf
Kaptur	Quigley	Womack
Kelly	Rahall	Woodall
Kildee	Reed	Yoder
Kind	Rehberg	Young (AK)
King (IA)	Reichert	Young (FL)
King (NY)	Renacci	Young (IN)

NOT VOTING—3

Culberson	Giffords	Keating
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ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1408

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 41 OFFERED BY MR. COHEN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Tennessee (Mr. COHEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 210, noes 217, not voting 4, as follows:

[Roll No. 507]

AYES—210

Amash	Fitzpatrick	Miller (MI)
Andrews	Fortenberry	Miller (NC)
Baca	Fox	Miller, George
Baldwin	Frank (MA)	Moore
Bass (CA)	Fudge	Moran
Bass (NH)	Garamendi	Mulvaney
Becerra	Garrett	Murphy (CT)
Benishek	Gerlach	Murphy (PA)
Bishop (GA)	Gibson	Napolitano
Bishop (NY)	Gohmert	Neal
Blumenauer	Goodlatte	Olver
Boswell	Gowdy	Pallone
Brady (PA)	Graves (GA)	Pascrell
Braley (IA)	Graves (MO)	Pastor (AZ)
Brooks	Griffith (VA)	Paul
Broun (GA)	Grijalva	Payne
Brown (FL)	Grimm	Perlmutter
Butterfield	Gutierrez	Peters
Campbell	Hanabusa	Peterson
Capps	Hanna	Petri
Capuano	Hastings (FL)	Pingree (ME)
Cardoza	Heinrich	Poe (TX)
Carney	Herrera Beutler	Polis
Castor (FL)	Higgins	Posey
Chaffetz	Himes	Price (NC)
Chu	Hinchev	Quigley
Cicilline	Hirono	Rahall
Clarke (MI)	Hochul	Rangel
Clarke (NY)	Holden	Reed
Clay	Holt	Ribble
Cleaver	Honda	Richardson
Clyburn	Hoyer	Richmond
Coble	Huizenga (MI)	Rigell
Cohen	Hurt	Rohrabacher
Connolly (VA)	Inlee	Rokita
Conyers	Jackson (IL)	Rothman (NJ)
Cooper	Jackson Lee	Royce
Costa	(TX)	Rush
Costello	Johnson (IL)	Ryan (OH)
Courtney	Johnson, E. B.	Sánchez, Linda
Critz	Jones	T.
Crowley	Kaptur	Sanchez, Loretta
Cummings	Kind	Sarbanes
Davis (CA)	Kissell	Schiff
Davis (IL)	Kucinich	Schrader
DeFazio	Labrador	Scott (SC)
DeGette	Lankford	Scott (VA)
DeLauro	Larsen (WA)	Scott, David
DesJarlais	Larson (CT)	Sensenbrenner
Deutch	Lee (GA)	Serrano
Dicks	Lewis (GA)	Sewell
Doggett	Lipinski	Sherman
Dold	Loebsack	Shuler
Doyle	Lofgren, Zoe	Sires
Duffy	Luján	Slaughter
Duncan (SC)	Lynch	Speier
Duncan (TN)	Maloney	Stark
Edwards	Marchant	Stearns
Ellison	Markey	Stutzman
Emerson	Matsui	Sutton
Engel	McCcollum	Thompson (CA)
Eshoo	McGovern	Thompson (MS)
Farr	McIntyre	Thompson (PA)
Fattah	Meehan	Tierney
Filner	Michaud	Tonko



Towns Walsh (IL) Woodall  
 Tsongas Wasserman Woolsey  
 Upton Schultz Wu  
 Velázquez Waters Yarmuth  
 Visclosky Waxman Yoder  
 Walden Welch Young (AK)

NOES—217

Ackerman Green, Al Nugent  
 Adams Green, Gene Nunes  
 Aderholt Griffin (AR) Nunnelee  
 Akin Guinta Olson  
 Alexander Guthrie Owens  
 Altmire Hall Palazzo  
 Austria Harper Paulsen  
 Bachmann Harris Pearce  
 Bachus Hartzler Pelosi  
 Barletta Hastings (WA) Pence  
 Barrow Hayworth Pitts  
 Bartlett Heck Platts  
 Barton (TX) Hensarling Pompeo  
 Berg Herger Price (GA)  
 Berkley Hinojosa Quayle  
 Berman Huelskamp Rehberg  
 Biggert Hultgren Reichert  
 Bilbray Hunter Renacci  
 Bilirakis Israel Reyes  
 Bishop (UT) Issa Rivera  
 Black Jenkins Roby  
 Blackburn Johnson (GA) Roe (TN)  
 Bonner Johnson (OH) Rogers (AL)  
 Bono Mack Johnson, Sam Rogers (KY)  
 Boren Jordan Rogers (MI)  
 Boustany Kelly Rooney  
 Brady (TX) Kildee Ros-Lehtinen  
 Buchanan King (IA) Roskam  
 Bucshon King (NY) Ross (AR)  
 Buerkle Kingston Ross (FL)  
 Burgess Kinzinger (IL) Roybal-Allard  
 Burton (IN) Kline Runyan  
 Calvert Lamborn Ruppertsberger  
 Canseco Lance Ryan (WI)  
 Cantor Landry Scalise  
 Capito Langevin Schakowsky  
 Carnahan Latham Schilling  
 Carson (IN) LaTourette Schmidt  
 Carter Latta Schock  
 Cassidy Levin Schwartz  
 Chabot Lewis (CA) Schweikert  
 Chandler LoBiondo Scott, Austin  
 Coffman (CO) Long Sessions  
 Cole Lowey Shimkus  
 Conaway Lucas Shuster  
 Cravaack Luetkemeyer Simpson  
 Crawford Lummis Smith (NE)  
 Crenshaw Lungren, Daniel Smith (NJ)  
 Cuellar E. Smith (TX)  
 Davis (KY) Mack Smith (WA)  
 Denham Manzullo Southerland  
 Dent Marino Stivers  
 Diaz-Balart Matheson Sullivan  
 Dingell McCarthy (CA) Terry  
 Donnelly (IN) McCarthy (NY) Thornberry  
 Dreier McCaul Tiberi  
 Ellmers McClintock Tipton  
 Farenthold McCotter Turner  
 Fincher McDermott Van Hollen  
 Flake McHenry Walberg  
 Fleischmann McKeon Walz (MN)  
 Fleming McKinley Watt  
 Flores McMorris Webster  
 Forbes Rodgers West  
 Franks (AZ) McNerney Westmoreland  
 Frelinghuysen Meeks Whitfield  
 Gallegly Mica Wilson (FL)  
 Gardner Miller (FL) Wilson (SC)  
 Gibbs Miller, Gary Wittman  
 Gingrey (GA) Myrick Wolf  
 Gonzalez Nadler Womack  
 Gosar Neugebauer Young (FL)  
 Granger Noem Young (IN)

NOT VOTING—4

Camp Giffords  
 Culberson Keating

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1411

Mr. COFFMAN of Colorado changed his vote from to “aye” to “no.”  
 So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. CAMP. Mr. Chair, on rollcall No. 507 I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. CICILLINE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 145, noes 283, not voting 3, as follows:

[Roll No. 508]

AYES—145

Amash Garamendi Pastor (AZ)  
 Baca Garrett Paul  
 Baldwin Goodlatte Payne  
 Bass (CA) Gowdy Peters  
 Bass (NH) Graves (GA) Petri  
 Becerra Griffith (VA) Pingree (ME)  
 Benishek Grijalva Poe (TX)  
 Bishop (NY) Hanabusa Polis  
 Blumenauer Hastings (FL) Posey  
 Boswell Herrera Beutler Quigley  
 Brooks Higgins Rahall  
 Broun (GA) Himes Rangel  
 Brown (FL) Hirono Ribble  
 Buchanan Hochul Richardson  
 Campbell Holden Rigell  
 Capps Holt Rohrabacher  
 Cardoza Honda Rokita  
 Chaffetz Hurt Rothman (NJ)  
 Chu Inslee Royce  
 Cicilline Jackson (IL) Rush  
 Clarke (MI) Jackson Lee Ryan (OH)  
 Clarke (NY) (TX) Sanchez, Linda  
 Johnson (IL) T.  
 Johnson, E. B. Sanchez, Loretta  
 Jones Schrader  
 Kind Schweikert  
 Kissell Scott, David  
 Costa Kucinich Sensenbrenner  
 Costello Labrador Serrano  
 Cummings Larsen (WA) Sewell  
 DeFazio Lee (CA) Shuler  
 DeGette Lewis (GA) Sires  
 DesJarlais Loeb sack Slaughter  
 Deutch Lofgren, Zoe Speier  
 Doggett Lummis Stark  
 Doyle Maloney Stearns  
 Duffy Matsui Stutzman  
 Duncan (SC) McGovern Thompson (CA)  
 Duncan (TN) McIntyre Thompson (MS)  
 Edwards Mica Tonko  
 Ellison Michaud Towns  
 Engel Miller (MI) Upton  
 Eshoo Miller, George Velázquez  
 Farr Mulvaney Walsh (IL)  
 Fattah Murphy (CT) Waters  
 Filner Napolitano Welch  
 Foxx Neal Wilson (FL)  
 Frank (MA) Olver Woodall  
 Fudge Pallone Woolsey

NOES—283

Ackerman Austria Berg  
 Adams Bachmann Berkley  
 Aderholt Bachus Berkley  
 Akin Barletta Berman  
 Alexander Barrow Biggert  
 Altmire Bartlett Bilbray  
 Andrews Barton (TX) Bishop (GA)

Bishop (UT) Hartzler Pearce  
 Black Hastings (WA) Pelosi  
 Blackburn Hayworth Pence  
 Bonner Heck Perlmutter  
 Bono Mack Heinrich Peterson  
 Boren Hensarling Pitts  
 Boustany Herger Platts  
 Brady (PA) Hinchey Pompeo  
 Brady (TX) Hinojosa Price (GA)  
 Bucshon Hoyer Price (NC)  
 Buerkle Huelskamp Quayle  
 Burgess Huizenga (MI) Reed  
 Burton (IN) Hultgren Rehberg  
 Butterfield Hunter Reichert  
 Calvert Israel Renacci  
 Camp Issa Reyes  
 Canseco Jenkins Richmond  
 Cantor Johnson (GA) Rivera  
 Capito Johnson (OH) Roby  
 Capuano Johnson, Sam Roe (TN)  
 Carnahan Jordan Rogers (AL)  
 Carney Kaptur Rogers (KY)  
 Carson (IN) Kelly Rogers (MI)  
 Carter Kildee Rooney  
 Cassidy King (IA) King (NY)  
 Castor (FL) King (NY) Ros-Lehtinen  
 Chabot Kingston Roskam  
 Chandler Kinzinger (IL) Ross (AR)  
 Clyburn Kline Ross (FL)  
 Coffman (CO) Lamborn Roybal-Allard  
 Cohen Lance Runyan  
 Cole Landry Ruppertsberger  
 Conaway Langevin Ryan (WI)  
 Connolly (VA) Lankford Sarbanes  
 Cooper Larson (CT) Scalise  
 Courtney Latham Schakowsky  
 Cravaack LaTourette Schiff  
 Crawford Latta Schilling  
 Crenshaw Levin Schmitt  
 Crenshaw Lewis (CA) Schock  
 Critz Lipinski Schwartz  
 Crowley Lipinski Scott (SC)  
 Cuellar LoBiondo Scott (VA)  
 Davis (CA) Long Scott, Austin  
 Davis (IL) Lowey Sessions  
 Davis (KY) Lucas Sherman  
 DeLauro Luetkemeyer Shimkus  
 Denham Lujan Shuster  
 Dent Lungren, Daniel  
 Diaz-Balart E. Simpson  
 Dicks Lynch Smith (NE)  
 Dingell Mack Smith (NJ)  
 Dold Manzullo Smith (TX)  
 Donnelly (IN) Marchant Smith (VA)  
 Dreier Marino Souterland  
 Ellmers Markey Stivers  
 Emerson Matheson Sullivan  
 Farenthold McCarthy (CA) Sutton  
 Fincher McCarthy (NY) Terry  
 Fitzpatrick McCaul Thompson (PA)  
 Flake McClintock Thornberry  
 Fleischmann McCollum Tiberi  
 Fleming McCotter Tierney  
 Flores McDermott Tipton  
 Forbes McHenry Tsongas  
 Fortenberry McKeon Turner  
 Franks (AZ) McKinley Van Hollen  
 Frelinghuysen McMorris Visclosky  
 Gallegly Rodgers Walberg  
 Gardner McNerney Walden  
 Gerlach Meehan Walz (MN)  
 Gibbs Meeks Wasserman  
 Gibson Miller (FL) Schultz  
 Gingrey (GA) Miller (NC) Watt  
 Gohmert Miller, Gary Waxman  
 Gonzalez Moore Webster  
 Gosar Moran West  
 Granger Murphy (PA) Westmoreland  
 Graves (MO) Myrick Whitfield  
 Green, Al Nadler Wilson (SC)  
 Green, Gene Neugebauer Wittman  
 Griffin (AR) Noem Wolf  
 Grimm Nugent Womack  
 Guinta Nunes Wu  
 Guthrie Nunnelee Yarmuth  
 Gutierrez Olson Yoder  
 Hall Owens Young (AK)  
 Hanna Palazzo Young (FL)  
 Harper Pascrell Young (IN)  
 Harris Paulsen

NOT VOTING—3

Culberson Giffords Keating

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining in the vote.

□ 1415

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. COHEN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Tennessee (Mr. COHEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 119, noes 306, not voting 6, as follows:

[Roll No. 509]

AYES—119

Amash Fudge Paul
Baca Garamendi Payne
Baldwin Gibson Peters
Bass (CA) Gohmert Petri
Becerra Gowdy Pingree (ME)
Benishek Graves (GA) Polis
Bishop (NY) Green, Gene Posey
Blumenauer Grijalva Quigley
Boswell Gutierrez Rahall
Braley (IA) Hastings (FL) Rangel
Broun (GA) Herrera Beutler Ribble
Campbell Higgins Richardson
Capps Himes Rigell
Capuano Hirono Rohrabacher
Chaffetz Hochul Rokita
Chu Holt Rush
Cicilline Honda Ryan (OH)
Clarke (MI) Inslee Sánchez, Linda
Clarke (NY) Jackson (IL) T.
Clay Johnson (IL) Sanchez, Loretta
Cleaver Johnson, E. B. Scott (VA)
Clyburn Jones Sensenbrenner
Coble Kucinich Serrano
Cohen Lee (CA) Sherman
Conyers Lewis (GA) Slaughter
Costello Lofgren, Zoe Speier
Davis (IL) Maloney Stark
DeFazio Markey Stearns
DeLauro Matsui Thompson (CA)
Deutch McGovern Thompson (MS)
Doggett Mica Tonko
Dold Michaud Towns
Doyle Miller, George Velázquez
Duncan (SC) Mulvaney Walsh (IL)
Duncan (TN) Murphy (CT) Waters
Ellison Nadler Welch
Eshoo Napolitano Woolsey
Farr Neal Wu
Filner Oliver Yarmuth
Frank (MA) Pallone Young (AK)

NOES—306

Ackerman Bass (NH) Brady (PA)
Adams Berg Brady (TX)
Aderholt Berkley Brooks
Akin Biggert Brown (FL)
Alexander Bilbray Buchanan
Altmire Bilirakis Busch
Andrews Bishop (GA) Buerkle
Austria Bishop (UT) Burgess
Bachmann Black Burton (IN)
Bachus Blackburn Butterfield
Barletta Bonner Calvert
Barrow Bono Mack Camp
Bartlett Boren Canseco
Barton (TX) Boustany Cantor

Capito
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chandler
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (KY)
DeGette
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Donnelly (IN)
Dreier
Duffy
Edwards
Ellmers
Emerson
Engel
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Granger
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Hinojosa
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larsen (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loeb sack
Long
Lowe y
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peterson
Pitts

Platts
Poe (TX)
Pompeo
Price (GA)
Price (NC)
Quayle
Reed
Rehberg
Reichert
Renacci
Reyes
Richmond
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (WI)
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souterland
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walberg
Walden
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—6

Giffords
Keating
King (IA)
Stivers

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1419

Ms. WATERS changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. POE OF TEXAS

The CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 2 offered by the gentleman from Texas (Mr. POE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 140, noes 285, not voting 6, as follows:

[Roll No. 510]

AYES—140

Adams Gerlach Moran
Amash Gibson Mulvaney
Baldwin Gingrey (GA) Napolitano
Barton (TX) Gohmert Nugent
Bass (NH) Goodlatte Paul
Benishek Gowdy Pearce
Berg Graves (GA) Petri
Berman Green, Gene Pingree (ME)
Bischoff Griffith (VA) Poe (TX)
Black Grijalva Posey
Blumenauer Hall Price (GA)
Braley (IA) Harris Renacci
Brooks Heck Richmond
Broun (GA) Heinrich Rigell
Buchanan Herrera Beutler Roe (TN)
Buerkle Higgins Rohrabacher
Burgess Hochul Rokita
Campbell Honda Rooney
Capito Huizenga (MI) Royce
Capps Hultgren Ryan (OH)
Cardoza Jackson (IL) Schilling
Chaffetz Johnson (IL) Scott (SC)
Clarke (MI) Johnson (OH) Sensenbrenner
Clay Johnson, E. B. Serrano
Coble Jones Shuster
Cohen Jordan Slaughter
Conyers Kaptur Southerland
Costa Kucinich Speier
Costello Labrador Stark
Cummings Landry Stutzman
DeFazio LaTourette Sutton
DesJarlais LoBiondo Thompson (CA)
Deutch Loeb sack Thompson (PA)
Doggett Lofgren, Zoe Tiberi
Duffy Lummis Tierney
Duncan (SC) Lynch Tonko
Duncan (TN) Matsui Velázquez
Emerson McCarthy (CA) Visclosky
Eshoo McCaul Walsh (IL)
Farenthold McClintock Waters
Filner McKinley Welch
Fincher McNerney West
Fitzpatrick Mica Woodall
Foxy Michaud Woolsey
Frank (MA) Miller (NC) Wu
Garrett Miller, George Young (AK)

NOES—285

Ackerman Alexander Austria
Aderholt Altmire Baca
Akin Andrews Bachmann

Bachus	Guthrie	Pastor (AZ)	NOT VOTING—6	Murphy (CT)	Rohrabacher	Stearns
Barletta	Gutierrez	Paulsen		Nadler	Rokita	Sutton
Barrow	Hanabusa	Payne	Culberson	Napolitano	Rothman (NJ)	Terry
Bartlett	Hanna	Pelosi	Giffords	Neal	Roybal-Allard	Thompson (PA)
Bass (CA)	Harper	Pence		Noem	Royce	Tierney
Becerra	Hartzler	Perlmutter		Olver	Ruppersberger	Tipton
Berkley	Hastings (FL)	Peters		Paul	Ryan (OH)	Tonko
Biggert	Hastings (WA)	Peterson		Paulsen	Sánchez, Linda	Tsongas
Bilbray	Hayworth	Pitts		Payne	T.	Van Hollen
Bilirakis	Hensarling	Platts		Pelosi	Sanchez, Loretta	Velázquez
Bishop (GA)	Herger	Polis		Peters	Sarbanes	Visclosky
Bishop (NY)	Himes	Pompeo		Petri	Schakowsky	Walden
Blackburn	Hinchee	Price (NC)		Pingree (ME)	Schiff	Walsh (IL)
Bonner	Hinojosa	Quayle		Polis	Schmidt	Waters
Bono Mack	Hirono	Quigley		Price (NC)	Schrader	Waxman
Boren	Holden	Rahall		Quayle	Schwartz	Welch
Boswell	Holt	Rangel		Quigley	Sensenbrenner	West
Boustany	Hoyer	Reed		Rangel	Serrano	Westmoreland
Brady (PA)	Huelskamp	Rehberg		Reed	Sessions	Woodall
Brady (TX)	Hunter	Reichert		Renacci	Sherman	Woolsey
Brown (FL)	Inslee	Reyes		Ribble	Smith (NJ)	Wu
Bucshon	Israel	Ribble		Richardson	Smith (WA)	Yarmuth
Burton (IN)	Issa	Richardson		Roby	Speier	Young (IN)
Butterfield	Jackson Lee	Rivera		Roe (TN)	Stark	
Calvert	(TX)	Roby				
Camp	Jenkins	Rogers (AL)				
Canseco	Johnson (GA)	Rogers (KY)				
Cantor	Johnson, Sam	Rogers (MI)				
Carnahan	Kelly	Ros-Lehtinen				
Carney	Kildee	Roskam				
Carson (IN)	Kind	Ross (AR)				
Carter	King (IA)	Ross (FL)				
Cassidy	King (NY)	Rothman (NJ)				
Castor (FL)	Kingston	Roybal-Allard				
Chabot	Kinzinger (IL)	Runyan				
Chandler	Kissell	Ruppersberger				
Chu	Kline	Rush				
Ciulline	Lamborn	Ryan (WI)				
Clarke (NY)	Lance	Sánchez, Linda				
Cleaver	Langevin	T.				
Clyburn	Lankford	Sanchez, Loretta				
Coffman (CO)	Larsen (WA)	Sarbanes				
Cole	Larson (CT)	Scalise				
Conaway	Latham	Schakowsky				
Connolly (VA)	Latta	Schiff				
Cooper	Lee (CA)	Schmidt				
Courtney	Levin	Schock				
Cravaack	Lewis (CA)	Schrader				
Crawford	Lewis (GA)	Schwartz				
Crenshaw	Lipinski	Schweikert				
Critz	Long	Scott (VA)				
Crowley	Lowey	Scott, Austin				
Cuellar	Lucas	Scott, David				
Davis (CA)	Luetkemeyer	Sessions				
Davis (IL)	Luján	Sewell				
Davis (KY)	Lungren, Daniel	Sherman				
DeGette	E.	Shimkus				
DeLauro	Mack	Shuler				
Denham	Maloney	Simpson				
Dent	Manzullo	Sires				
Diaz-Balart	Marchant	Smith (NE)				
Dicks	Marino	Smith (TX)				
Dingell	Matheson	Smith (WA)				
Dold	McCarthy (NY)	Stearns				
Donnelly (IN)	McColum	Sullivan				
Doyle	McCotter	Terry				
Dreier	McDermott	Thompson (MS)				
Edwards	McGovern	Thornberry				
Ellison	McHenry	Tipton				
Ellmers	McIntyre	Towns				
Engel	McKeon	Tsongas				
Farr	McMorris	Turner				
Fattah	Rodgers	Upton				
Flake	Meehan	Van Hollen				
Fleischmann	Meeks	Walberg				
Fleming	Miller (FL)	Walden				
Flores	Miller (MI)	Walz (MN)				
Forbes	Miller, Gary	Wasserman				
Fortenberry	Moore	Schultz				
Franks (AZ)	Murphy (CT)	Watt				
Frelinghuysen	Murphy (PA)	Waxman				
Fudge	Myrick	Webster				
Gallegly	Nadler	Westmoreland				
Garamendi	Neal	Whitfield				
Gardner	Neugebauer	Wilson (FL)				
Gibbs	Noem	Wilson (SC)				
Gonzalez	Nunes	Wittman				
Gosar	Nunnelee	Wolf				
Granger	Olson	Womack				
Graves (MO)	Oliver	Yarmuth				
Green, Al	Owens	Yoder				
Griffin (AR)	Palazzo	Young (FL)				
Grimm	Pallone	Young (IN)				
Guinta	Pascrell					

ANNOUNCEMENT BY THE CHAIR  
The CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1422

So the amendment was rejected.  
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. MCCOLLUM  
The CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 1 offered by the gentlewoman from Minnesota (Ms. MCCOLLUM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.  
The CHAIR. This is a 2-minute vote.  
The vote was taken by electronic device, and there were—ayes 226, noes 201, not voting 4, as follows:

[Roll No. 511]

AYES—226

Ackerman	DeGette	Holden	Adams	Gutierrez	Pitts
Altmire	DeLauro	Holt	Aderholt	Hall	Platts
Amash	Dent	Honda	Akin	Harris	Poe (TX)
Bachmann	DesJarlais	Hoyer	Alexander	Hastings (FL)	Pompeo
Baldwin	Dicks	Huizenga (MI)	Andrews	Hastings (WA)	Posey
Barrow	Dingell	Hurt	Austria	Hayworth	Price (GA)
Bass (CA)	Doggett	Inslee	Baca	Hensarling	Rahall
Bass (NH)	Dold	Israel	Bachus	Herger	Rehberg
Becerra	Donnelly (IN)	Jackson (IL)	Barletta	Hinchee	Reichert
Benishak	Doyle	Johnson (GA)	Bartlett	Huelskamp	Reyes
Berg	Duffy	Johnson (IL)	Bartlett	Hultgren	Richmond
Berman	Duncan (SC)	Jones	Barton (TX)	Hunter	Rigell
Biggert	Duncan (TN)	Kaptur	Berkley	Issa	Rivera
Bishop (NY)	Edwards	Kildee	Bilbray	Jackson Lee	Rogers (AL)
Blumenauer	Ellison	Kind	Bilirakis	(TX)	Rogers (KY)
Bono Mack	Ellmers	Kingston	Bishop (UT)	Jenkins	Rogers (MI)
Boren	Emerson	Kinzinger (IL)	Black	Johnson (OH)	Rooney
Boswell	Eshoo	Kucinich	Blackburn	Johnson, E. B.	Ros-Lehtinen
Brady (PA)	Farr	Labrador	Bonner	Johnson, Sam	Roskam
Braley (IA)	Fattah	Lance	Boustany	Jordan	Ross (AR)
Brooks	Filner	Langevin	Brady (TX)	Kelly	Ross (FL)
Butterfield	Flake	Larsen (WA)	Broun (GA)	King (IA)	Ross (NY)
Campbell	Frank (MA)	Latham	Brown (FL)	King (NY)	Rush
Cantor	Franks (AZ)	LaTourette	Buchanan	Kissell	Ryan (WI)
Capuano	Fudge	Lee (CA)	Bucshon	Kline	Scalise
Cardoza	Gallely	Levin	Buerkle	Lamborn	Schilling
Carnahan	Garamendi	LoBiondo	Burgess	Landry	Schock
Carney	Gardner	Loeb sack	Burton (IN)	Lankford	Schweikert
Cassidy	Gibbs	Lofgren, Zoe	Calvert	Larson (CT)	Scott (SC)
Castor (FL)	Gibson	Long	Camp	Latta	Scott (VA)
Chabot	Gingrey (GA)	Lowey	Canseco	Lewis (CA)	Scott, Austin
Chaffetz	Goodlatte	Luján	Capito	Lewis (GA)	Scott, David
Chandler	Gosar	Lummis	Capps	Lipinski	Sewell
Chu	Gowdy	Mack	Carson (IN)	Lucas	Shimkus
Ciulline	Graves (GA)	Maloney	Carter	Luetkemeyer	Shuler
Clarke (MI)	Green, Al	Manzullo	Clyburn	Lungren, Daniel	Shuster
Clarke (NY)	Griffith (VA)	Matsui	Cole	E.	Simpson
Clay	Grijalva	McCarthy (NY)	Conaway	Lynch	Sires
Cleaver	Guinta	McClintock	Cravaack	Marchant	Slaughter
Coble	Guthrie	McColum	Crawford	Marino	Smith (NE)
Coffman (CO)	Hanabusa	McDermott	Crenshaw	Matheson	Smith (TX)
Cohen	Hanna	McGovern	Crowley	McCarthy (CA)	Smith (FL)
Connolly (VA)	Harper	McKeon	Cummings	McCaul	Southerland
Conyers	Hartzler	McNerney	Davis (KY)	McCotter	Stivers
Cooper	Heck	Meehan	DeFazio	McHenry	Stutzman
Costa	Herrich	Meeks	Denham	McIntyre	Sullivan
Costello	Herrera Beutler	Mica	Deutch	McKinley	Thompson (CA)
Courtney	Higgins	Michaud	Diaz-Balart	McMorris	Thompson (MS)
Critz	Himes	Miller, Gary	Dreier	Rodgers	Thornberry
Cuellar	Hinojosa	Miller, George	Engel	Miller (FL)	Tiberi
Davis (CA)	Hirono	Moran	Engel	Miller (MI)	Towns
Davis (IL)	Hochul	Mulvaney	Farenthold	Miller (NC)	Turner
			Fincher	Moore	Upton
			Fitzpatrick	Murphy (PA)	Walberg
			Fleming	Myrick	Walz (MN)
			Flores	Neugebauer	Wasserman
			Forbes	Nugent	Schultz
			Fortenberry	Nunes	Watt
			Fox	Nunnelee	Webster
			Frelinghuysen	Olson	Whitfield
			Garrett	Owens	Wilson (FL)
			Gerlach	Palazzo	Wilson (SC)
			Gohmert	Pallone	Wittman
			Gonzalez	Pascrell	Wolf
			Granger	Pastor (AZ)	Womack
			Graves (MO)	Pearce	Yoder
			Green, Gene	Pence	Young (AK)
			Griffin (AR)	Perlmutter	Young (FL)
			Grimm	Peterson	

NOES—201

NOT VOTING—4

Culberson Keating  
Giffords Markey

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1427

Messrs. MCCARTHY of California and BURGESS changed their vote from “aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. MCCOLLUM

The CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 2 offered by the gentlewoman from Minnesota (Ms. MCCOLLUM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 260, not voting 4, as follows:

[Roll No. 512]

AYES—167

Ackerman	Dingell	Lowe
Akin	Doggett	Lujan
Alexander	Doyle	Lynch
Baldwin	Edwards	Maloney
Barrow	Ellison	Markey
Bass (CA)	Engel	Matheson
Becerra	Eshoo	Matsui
Berman	Farr	McCarthy (NY)
Bishop (NY)	Fattah	McCollum
Bishop (UT)	Filner	McDermott
Blumenauer	Fudge	McGovern
Bono Mack	Garamendi	McMorris
Braley (IA)	Gardner	Rodgers
Broun (GA)	Garrett	McNerney
Burgess	Gingrey (GA)	Meeks
Camp	Gonzalez	Michaud
Capps	Gosar	Miller, George
Capuano	Green, Al	Moran
Cardoza	Griffith (VA)	Neal
Carnahan	Grijalva	Noem
Carney	Gutierrez	Olver
Cassidy	Heinrich	Owens
Castor (FL)	Herrera Beutler	Pallone
Chabot	Higgins	Pascarell
Chandler	Himes	Paul
Chu	Hinchoy	Payne
Cicilline	Hinojosa	Pelosi
Clarke (MI)	Hirono	Perlmutter
Clarke (NY)	Hochul	Peters
Clay	Holt	Petri
Cleaver	Honda	Pingree (ME)
Coffman (CO)	Hoyer	Polis
Cohen	Huizenga (MI)	Price (NC)
Connolly (VA)	Israel	Quigley
Conyers	Jackson (IL)	Rangel
Costa	Jones	Reichert
Costello	Kaptur	Richmond
Courtney	Kildee	Rothman (NJ)
Critz	Kind	Roybal-Allard
Crowley	Kingston	Royce
Cummings	Kucinich	Rush
Davis (CA)	Lance	Ryan (WI)
Davis (IL)	Langevin	Sánchez, Linda
DeFazio	Larsen (WA)	T.
DeGette	Larson (CT)	Sanchez, Loretta
DeLauro	Lee (CA)	Sarbanes
Deutch	Levin	Schakowsky
Dicks	Lofgren, Zoe	Schiff

Schmidt  
Schrader  
Schwartz  
Scott (VA)  
Sensenbrenner  
Sherman  
Slaughter  
Speier  
Stark

Stearns  
Stivers  
Sutton  
Tiberi  
Tierney  
Tonko  
Townes  
Tsongas  
Van Hollen

Velázquez  
Walden  
Waters  
Waxman  
Wilson (FL)  
Woolsey  
Wu

Whitfield  
Wilson (SC)  
Wittman  
Wolf

Womack  
Woodall  
Yarmuth  
Yoder

Young (AK)  
Young (FL)  
Young (IN)

NOT VOTING—4

Culberson  
Giffords

Issa  
Keating

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1432

Messrs. LOBIONDO and MACK changed their vote from “aye” to “no.”

Mr. GUTIERREZ and Ms. SUTTON changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 13 OFFERED BY MR. COLE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma (Mr. COLE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 201, not voting 5, as follows:

[Roll No. 513]

AYES—225

Adams  
Aderholt  
Altmire  
Amash  
Andrews  
Austria  
Baca  
Bachmann  
Bachus  
Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Berkley  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Black  
Blackburn  
Bonner  
Boren  
Boswell  
Boustany  
Brady (PA)  
Brady (TX)  
Brooks  
Brown (FL)  
Buchanan  
Bucshon  
Buerkle  
Burton (IN)  
Butterfield  
Calvert  
Campbell  
Cantese  
Cantor  
Capito  
Carson (IN)  
Carter  
Chaffetz  
Clyburn  
Coble  
Coke  
Cole  
Conaway  
Cooper  
Cravaack  
Crawford  
Crenshaw  
Cuellar  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Moore  
Mulvaney  
Murphy (CT)  
Murphy (PA)  
Myrick  
Nadler

NOES—260

Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Gene  
Griffin (AR)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Holden  
Huelskamp  
Hultgren  
Hunter  
Hurt  
Inslie  
Jackson Lee  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kissell  
Kline  
Labrador  
Lamborn  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Loeb sack  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
Meehan  
Mica  
Miller (FL)  
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Miller, Gary  
Moore  
Mulvaney  
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Nadler

Napolitano  
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Nunes  
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Pastor (AZ)  
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Poe (TX)  
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Ros-Lehtinen  
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Ross (AR)  
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Ruppersberger  
Ryan (OH)  
Scalise  
Schilling  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Scott, David  
Serrano  
Sessions  
Sewell  
Shimkus  
Shuler  
Shuster  
Simpson  
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Smith (NE)  
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Terry  
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Thornberry  
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Baldwin  
Barton (TX)  
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Bishop (UT)  
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Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burton (IN)  
Calvert  
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Capito  
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Carson (IN)  
Cassidy  
Chabot  
Chaffetz  
Cicilline  
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Clay  
Cleaver  
Coble  
Cole

Conyers  
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Cravaack  
Crawford  
Crenshaw  
Cummings  
Davis (KY)  
DeFazio  
Denham  
DesJarlais  
Doggett  
Duffy  
Duncan (SC)  
Duncan (TN)  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Fox  
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Fudge  
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Gardner  
Garrett  
Gerlach  
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Gingrey (GA)  
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Goodlatte  
Gosar  
Gowdy  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grijalva

Guinta  
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Hall  
Hanabusa  
Hanna  
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Herger  
Herrera Beutler  
Himes  
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Honda  
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Hurt  
Issa  
Jackson (IL)  
Jenkins  
Johnson (IL)  
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Jordan  
Kaptur  
Kingston  
Kline  
Kucinich  
Labrador  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lewis (CA)  
Lewis (GA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis



Quayle	Sarbanes	Thornberry
Rahall	Scalise	Tiberi
Rehberg	Schakowsky	Tonko
Reichert	Schiff	Turner
Reyes	Schock	Van Hollen
Richmond	Schrader	Walden
Rivera	Schwartz	Walz (MN)
Roby	Scott, David	Wasserman
Rogers (AL)	Sewell	Schultz
Rogers (KY)	Shimkus	Watt
Rogers (MI)	Shuler	Waxman
Ros-Lehtinen	Shuster	Webster
Ross (AR)	Sires	Welch
Rothman (NJ)	Smith (NE)	Whitfield
Roybal-Allard	Smith (TX)	Wilson (FL)
Runyan	Smith (WA)	Wittman
Ruppersberger	Stark	Womack
Rush	Stivers	Yarmuth
Ryan (OH)	Sullivan	Yoder
Ryan (WI)	Sutton	Young (FL)
Sánchez, Linda T.	Thompson (CA)	Young (IN)
	Thompson (MS)	

NOT VOTING—3

Culberson	Giffords	Keating
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ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes left in this vote.

□ 1446

Mr. WESTMORELAND changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. RIGELL

Mr. RIGELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to support Operation Odyssey Dawn or Operation Unified Protector.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. RIGELL. Mr. Chairman, each Member of this body has the duty to protect the separation of powers that was so wisely woven into our Constitution by our Founding Fathers and which forms the very foundation of how we govern this great Nation.

Mr. Chairman, an egregious ongoing breach of the separation of powers is taking place at this very hour; specifically, the usurpation of a power given only to Congress, that found in article I, section 8 of the Constitution: only Congress can declare war.

Known initially as Operation Odyssey Dawn and now as Operation Unified Protector, military intervention easily rising to the definition of war is being carried out in Libya. It is being carried out with the bravery, exceptional professionalism and commitment to victory that define our fellow Americans who serve in our Armed Forces. And before I address the mission itself, I first applaud their willingness to sacrifice so much for their fellow Americans.

Mr. Chairman, a careful review of the President’s case for support of his ac-

tions in Libya leads me to this sobering but firm conclusion. The President’s use of force in Libya is unwise and it is unconstitutional. The level of military resources being employed both in personnel and equipment, the amount of ordnance delivered, and the damage inflicted constitute acts of war. At the very minimum, they meet the definition of “hostilities” under the War Powers Resolution. Yet not one of the three criteria delineated in the War Powers Resolution that would justify his action has been met.

There has been no declaration of war. There has been no statutory authority issued. There has been no evidence that an attack on American forces was imminent or had occurred.

Now if a Tomahawk missile was launched into any American city, whether Los Angeles, Chicago, or even my home city of Virginia Beach, would that not meet our definition of hostilities? Absolutely, it would.

Now, Mr. Chairman, this is the pivotal issue: The military force being directed toward Libya easily triggers the definition of hostilities. The legal opinion upon which the administration stakes the legitimacy of its actions in Libya is thinner than the paper on which it is written. It is not based on law but something that he refers to as the “national interest,” a term that the President, in his wisdom, believes he can solely define himself. His Office of Legal Counsel concluded that: “President Obama could rely on his constitutional power to safeguard the national interest by directing the anticipated military operations in Libya which were limited in their nature, scope, and duration”—listen carefully here—“without prior congressional authorization.”

□ 1450

Disregarding the legal opinions of the Pentagon’s general counsel and the acting head of the Justice Department’s Office of Legal Counsel, both of whom told the White House they believed that the military’s operations in Libya amounted to “hostilities,” the President plowed ahead.

Mr. Chairman, a President’s opinion of the War Powers Resolution does not negate its authority.

Though required by law, there was no check; there was no balance. Even the broadest interpretation of article I, section 8 cannot corral the interpretation held by the President of his unilateral right to engage U.S. forces in combat. It is irreconcilable with our Constitution. The President has taken America into a war in the midst of a financial crisis, in yet another Muslim nation, in pursuit of a military objective that is ambiguous and constantly morphing.

Though I disagree with the President’s actions in Libya, I stand here today not motivated by partisanship.

Now, if I woke up tomorrow morning and learned that the President had taken action to defend this great country from imminent danger and attack, I would be the first to stand next to him and affirm his action. If America should go to war, it must be done so in a very careful, deliberative manner and as a last measure.

It must be done so in a way that is fully consistent with our Constitution. That is not the case here.

My amendment is necessary because only by using the power of the purse can we end an unwise war and meet our duty, our high duty, to preserve the separation of powers. Now is the time to act.

I respectfully ask my colleagues to join me in supporting this amendment.

I yield back the balance of my time. Mr. DICKS. I rise in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. On March 19, 2011, coalition forces launched Operation Odyssey Dawn to enforce U.N. Security Council Resolution 1973 to protect the Libyan people from the brutal regime of Muammar al Qadhafi. Operation Odyssey Dawn ended on March 31, 2011, and transitioned to the NATO-led Operation Unified Protector, which continues today.

Operation Odyssey Dawn has ceased operations; therefore part of this amendment is no longer relevant. However, the NATO-led mission to defeat Qadhafi and to protect the people of Libya was undertaken in concert with a broad coalition of nations, including the Arab League, and it followed resolutions adopted in the United Nations Security Council, authorizing “all necessary measures.”

This amendment would end our involvement unilaterally. I believe this could materially harm our relationship with NATO allies from whom we will undoubtedly require support in the future and who have been our partners since 1949. We should let the mission with our NATO allies continue so we can defeat Qadhafi and protect the Libyan people.

I urge all of my colleagues to vote “no” on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. RIGELL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RIGELL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

Sec. \_\_\_\_\_. The amount otherwise made available by this Act for "Operation and Maintenance—Environmental Restoration, Formerly Used Defense Sites" is hereby reduced and increased by \$1,000,000.

Ms. NORTON (during the reading). Mr. Chairman, I ask unanimous consent to waive the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from the District of Columbia?

Mr. FRELINGHUYSEN. Mr. Chairman, I object.

The Acting CHAIR. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

The Acting CHAIR. The gentlewoman from the District of Columbia is recognized for 5 minutes.

Ms. NORTON. Mr. Chairman, more than 25 years ago, the Congress charged the Defense Department to identify and then to clean up and remediate properties which the department had owned or leased in order to test chemical munitions. Congress did so because these munitions had left hazardous substances related to the work of the department. There are more than 2,000 such sites in nearly every State, all the Territories and in the District of Columbia.

My concern is with those sites in congested residential parts of our country where there may be dense populations located by formerly used defense sites. A classic case and perhaps the most important—but I'm sure not the only one—was the World War I chemical weapons site for the United States of America. It happened to have been right here in Northwest Washington, DC, in a portion of what is now American University and its surrounding neighborhood known as Spring Valley.

The Army is making good on its duty to clean up these formerly used defense sites (FUDS), including the site in the District of Columbia, but we have no information on the health effects of these leftover chemical munitions. They have been found in people's back and front yards. They have been found, at least here, in people's gardens. Entire houses and garages, as it turns out, unknowingly were built on this debris. The site here in the District of Columbia was found by accident by a utility contractor digging into a trench. The neighborhood had no knowledge. The city had no knowledge of these leftover munitions. Again, I stress that there are surely other sites around the United States, and I cite this case as an example.

This land, in the District of Columbia at least, was used for the research and

development and testing of chemical explosives, and it was able to be done in this city because there wasn't any local government, and there wasn't any home rule. I guess, since the city was administered by the Federal Government, they could simply make a munitions testing site in this city. Hundreds of pounds of chemical agents and explosives were developed and released throughout the environment. We have found in the Spring Valley section of the city arsine projectiles, mustard gas projectiles, lewisite projectiles, and other kinds of chemical toxic waste left over from undetonated ordnances.

When World War I was over, the Army simply used the site where they'd been doing the testing as a dumpsite. They buried these munitions right where they were testing. Now, that was the way in which you disposed of these munitions at the time. In the Spring Valley area that is a classic case, there are 1,200 private homes, 30 Embassies and foreign properties, Sibley Hospital, Wesley Seminary. There may be other metropolitan areas that have formerly used defense sites as well. Spring Valley may be the prime target because it is such a well-established neighborhood where chemical agents and munitions were once used.

□ 1500

The amendment requires the Secretary to allocate \$1 million to study the human health effects of left-over munitions in congested residential areas. Just as the Department of Defense and the Army have acknowledged their obligation to clean up and remove hazardous substances, especially munitions that have been left behind through their testing, they also have the obligation to investigate whether there are any remaining health effects. That is all we are asking; that there be a study as to whether there are any remaining health effects at this former munitions site from World War I and other sites like it in congested residential areas.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I would like to acknowledge the gentlewoman's hard work to clean up this part of the District of Columbia.

Our bill provides \$276.5 million in the Environment Restoration Account, formerly the Used Defense Site Account. The Department has the authority to provide funding to those projects that it deems of the highest priority and that pose the greatest risk to environmental and human health.

If the Department believes that funding such a study as the gentlewoman

from the District of Columbia suggests is important, the Department has the ability to do so. For these reasons, we do oppose the amendment.

Mr. DICKS. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Washington.

Mr. DICKS. I also appreciate the gentlewoman's amendment, and I will work with you on seeing if we can talk to the military to use environmental restoration funds if your amendment doesn't succeed.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The amendment was rejected.

Mr. PASCRELL. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PASCRELL. I would like to ask the gentleman from Florida, Mr. Chairman, to engage in a colloquy on the need for traumatic brain injury funding for post-acute guidelines for our returning troops.

Mr. Chairman, it is my understanding that medical treatment guidelines for post-acute rehabilitation of moderate and severe TBI do not exist today. Recognizing this, Mr. PLATTS from Pennsylvania and Ms. GIFFORDS from Arizona included an amendment in the National Defense Authorization for fiscal year 2012 that would require the Department of Defense to implement post-acute treatment guidelines for traumatic brain injury. This provision was supported by the co-chairs of the Brain Injury Task Force—myself, Mr. PLATTS, bipartisan. It is my hope that the Uniformed Services University of the Health Sciences be able to begin the project as soon as possible. Over the years, the TBI Task Force has addressed many gaps for our servicemembers.

I now yield to the gentleman from Pennsylvania (Mr. PLATTS).

Mr. PLATTS. I thank the gentleman for yielding.

As cochair of the Traumatic Brain Injury Task Force, I am honored to join with the gentleman from New Jersey in support of implementing post-acute treatment guidelines.

Before 2007, there were no funds in the budget for traumatic brain injury treatments, but with the dedicated efforts of Chairman YOUNG and other members of the Appropriations Committee, through their efforts we were not only able to provide funding, but more importantly, to sustain a significant level of funding over the past number of years.

As we continue to address new gaps for our servicemembers suffering TBIs,



in this 2012 authorization bill that was passed in the committee and moving forward through the process we requested \$1 million to fund these post-acute guidelines that the gentleman from New Jersey has referenced. It is our understanding that while TBI funding in the Defense appropriations bill is not separated by purpose, it is our understanding that the Department uses the overall funding for traumatic brain injury research for authorized purposes.

Is our understanding correct, Mr. Chairman?

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. The gentleman is correct. In this bill, the committee has provided an additional \$125 million for TBI research. It's above the fully funded budget request of \$415 million. And it has been our long-standing policy that this increased funding is provided at the discretion of the Department. Historically, this subcommittee has provided increased funding for TBI research but refrained from directing how that money should be spent, allowing the Department to prioritize how best to use that funding for authorized purposes.

Mr. PASCRELL. Mr. Chairman, reclaiming my time, may I also clarify that should the authorization bill pass with this provision on post-acute guidelines that the Department then has the needed amount of \$1 million to really accomplish this objective which we have.

Mr. Chairman, I would request, as usual, your deepest cooperation. And no one has done more for our troops than you.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman.

I would say to the gentleman that he is correct; should the provision be carried on the final authorization bill, then the Department would have sufficient resources to fund the provisions should they decide to based on this appropriations bill.

Mr. PASCRELL. Thank you, Mr. Chairman.

I yield to my brother, the gentleman from Pennsylvania (Mr. PLATTS).

Mr. PLATTS. I thank the gentleman for yielding.

I would just like to add my words of great thanks to Chairman YOUNG, who has been a great leader in doing right by our men and women in uniform in all fashion, and especially those who have suffered traumatic brain injury. As a Nation, we are indebted to you and your staff for your great leadership.

Mr. PASCRELL. Mr. Chairman, I yield back the balance of my time.

AMENDMENT NO. 61 OFFERED BY MS. FOXX

Ms. FOXX. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used in contravention of section 7 of title 1, United States Code (the Defense of Marriage Act).

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Mr. Chairman, what sets the United States apart from many other countries that have lots of resources are our values, and that we are a Nation of laws. We may not agree with all of our laws, but they are the laws of our land, and not even the President can decide which laws to enforce and which not to enforce. Yet this administration has said it will not enforce the Defense of Marriage Act.

The Department of Defense maintains that the repeal of Don't Ask, Don't Tell does not directly challenge the Defense of Marriage Act, which protects the right of individual States to define marriage as the union between a man and a woman. In February, 2011, Attorney General Eric Holder announced that the Department of Justice would no longer defend the Defense of Marriage Act in Federal court. However, the House of Representatives has expressed its intent to continue legal defense of the statute along with other laws of our country.

My proposed amendment would reaffirm Congress' assertion that funds may not be used in contravention of section 7 of title 1, United States Code, the Defense of Marriage Act. The Department of the Navy has already demonstrated how pressures to accommodate same-sex couples can quickly lead to policy changes that are ultimately contrary to previous assurances given with regard to the repeal of Don't Ask, Don't Tell and in contravention of the Defense of Marriage Act.

On April 13, 2011, the Office of the Chief of Navy Chaplains, in a memo titled "Revision of Chaplain Corps Tier 1 Training," directed that training be revised to accommodate same-sex marriages on military bases that are located in States where same-sex marriage is legal. The memo stated, "This is a change to previous training that stated same-sex marriages are not authorized on Federal property." The memo further authorized the participation of a military chaplain in a same-sex civil marriage "if it is conducted in accordance with the laws of a State which permits same-sex marriages or unions," and if the chaplain is otherwise certified to officiate. This calls into question the intent of the Department of Defense with regard to compli-

ance with existing Federal law under the Defense of Marriage Act.

Congress should establish policy guidance on this issue that will cover numerous contingencies and unexpected situations in the future. It is irresponsible for the Department of Defense to dismiss all concerns about issues involving marriage status by pointing to the existence of the Defense of Marriage Act.

□ 1510

There's no contingency plan to address this issue should the Federal courts invalidate the Defense of Marriage Act. In fact, the administration is inviting that very policy. Federal court orders could suddenly overturn current policies of the Department of Defense, which is not likely to resist or oppose new directives that disregard the intent of the Defense of Marriage Act. Congress can and should enact a policy making it clear that Defense Department funds should not be used in ways that violate Federal laws, including the Defense of Marriage Act.

I urge my colleagues to support this amendment and the underlying bill.

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

Mr. DICKS. I rise in opposition to the gentlelady's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. Issues such as the Defense of Marriage Act represent policy questions that are not suited to appropriation bills. Indeed, this amendment does not address any specific program funding matter addressed in the bill now before the House.

To the extent that this amendment has any connection to the Department of Defense, I believe that such a policy issue is appropriately addressed within the domain of the House Armed Services Committee. I urge my colleagues to reject this amendment.

I yield back the balance of my time.

Mr. BURTON of Indiana. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BURTON of Indiana. I won't be redundant. I'll just follow up on what my colleague Representative FOXX said in proposing this amendment for the two of us.

This is merely a move to make sure that legislation that has already passed, the Defense of Marriage Act and in the authorization bill dealing with the Department of Defense, coincides with the appropriation bill that we're talking about today.

There's been some confusion in the Department of Defense, in the facilities at these military bases, that there could be marriages between two men or two women. The Defense of Marriage Act and the authorization bill clearly state that that cannot happen and will

not happen because it would be a violation of the Defense of Marriage Act which has passed this body.

And even though the administration has chosen not to be involved in this issue, I believe it's incumbent on the Congress to make this issue very clear so that we don't have confusion on these military bases when we talk about same sex marriages.

I think it is imperative that we make absolutely clear in both the appropriation bill and the authorization bill, as well as the Defense of Marriage Act, what the law is, what it's intended to do, so that it's very clear to the military so they don't have any difficulty in making decisions on this particular issue.

I want to thank my good friend and colleague, Representative VIRGINIA FOXX for introducing this amendment on behalf of the both of us.

She and her staff, especially Javier Sanchez, have thoroughly examined the confusing messages and conflicting protocols within the Department of Defense related to the implementation of the Defense of Marriage Act.

Why is this Amendment Needed?

(1) This amendment reinforces language that was included in the National Defense Authorization Act for Fiscal Year 2012 that passed the House on May 26, 2011.

Section 534 of the FY 2012 National Defense Authorization Act reaffirms the policy of the Defense of Marriage Act by stating that the word "marriage" included in any ruling, regulation, or interpretation of the Department of Defense (DoD) applicable to a service member or civilian employee of the Department of Defense shall mean only a legal union between one man and one woman.

And, Section 535 establishes that marriages performed on DoD installations or marriages involving the participation of DoD military or civilian personnel in an official capacity, to include chaplains, must comply with the Defense of Marriage Act.

This amendment does not impose a new restriction on the Department of Defense.

It is a straightforward in its purpose and text. It simply aligns the Department of Defense appropriations bill we are considering today with the National Defense Authorization Act for Fiscal Year 2012 that passed the House May 26, 2011.

The amendment ensures that defense dollars are not used to implement policy changes that violate the Defense of Marriage Act (DOMA).

I believe that appropriations and authorization bills should be compatible, where possible, and by adopting the Foxx-Burton amendment, we will do just that for the Defense of Marriage Act.

This is the only opportunity we have to synchronize DoD funding to the DOMA policy provisions contained in the National Defense Authorization Act for Fiscal Year 2012.

(2) The amendment settles—once and for all—any confusion and/or misinformation within the DoD about the abilities of its personnel to perform same-sex marriages as well as the use of its facilities.

It is important that we pass this amendment, which is a straightforward statement reaffirm-

ing Congress' assertion that funds may not be used in contravention of section 7 of title 1, United States Code (Defense of Marriage Act).

The law ensures the States would not have to recognize same-sex marriages from other States, and that the Federal Government would recognize only the union of one man and one woman as marriage.

Offering up Federal facilities and Federal employees for the use in same-sex marriages violates DOMA, which is still the law of the land and binds our military.

(3) President Obama's Administration is on record that it will no longer defend DOMA thus leaving it up to Congress to defend against challenges to DOMA.

I am confident that activist lawyers and judges will begin challenging inconsistencies in marriage status for military personnel. For example, a same-sex couple who was married in a State where same-sex marriage is recognized sues because they are denied military family housing. The resolution of this kind of litigation would propel the courts into policy matters that Congress should decide.

Bottom line.

This amendment—in conjunction with the Sections 534 and 535 of the National Defense Authorization Act for Fiscal Year 2012—will allow Congress to speak with one voice on the Defense of Marriage Act.

If Congress fails to speak clearly on this issue, we are certain to see more conflicting and confusing DOMA protocols emerging in the Department of Defense. And, it will be with the blessing of the White House.

Let's keep our Department of Defense focused on the missions at hand.

Congress can and should make it clear that Defense Department funds should not be used in ways that violate Federal laws, including the Defense of Marriage Act.

Support the Foxx-Burton Amendment. Let's leave the guesswork out of it.

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

Mr. HOYER. Mr. Chair, last year, Congress voted to repeal the counterproductive and unjust policy of "Don't Ask, Don't Tell."

But despite overwhelming evidence that repeal will strengthen our military, despite strong support for repeal among our troops and the American people, despite support for repeal from military leaders like the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, and despite a Federal court order that the Government stop enforcing DADT immediately, Republicans are still pushing to keep this shameful policy in place.

Under DADT, 13,500 gay men and women were discharged simply because of who they were. These were troops who had served our country honorably and bravely; 1,000 of them filled what the military calls "critical occupations," such as engineering and interpretation of languages like Arabic and Farsi.

Our closest allies—countries like Britain, Canada, and Israel—know better than to throw that kind of service and expertise away.

Yet the amendment offered by Mr. HUELSKAMP would force our military to stop training its Chaplain Corps to prepare for the repeal of DADT. This amendment would substitute Congress's micromanagement for the judgment of our military leaders on training

issues, and it is a transparent attempt to interfere with the repeal of DADT in any way possible.

The amendment offered by Ms. FOXX is in a similar vein. It would prohibit defense appropriations in contravention of the Defense of Marriage Act, or DOMA.

DOMA is discriminatory and should be ruled unconstitutional—but as long as it is law, it clearly applies to all Federal agencies, including the Defense Department.

That makes this amendment entirely unnecessary. Let's see it for what it is: Republicans' effort to change the subject from open service—an argument they've lost—to marriage equality—an argument they're still in the process of losing.

I urge my colleagues to oppose both amendments which put partisan belief in the exclusion of gays above the strength of our military.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Ms. FOXX).

The amendment was agreed to.

Mr. BERMAN. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. BERMAN. I rise to engage Mr. DICKS in a colloquy regarding an important area of funding for the Department of Defense.

For more than a decade, the Department of Defense has funded programs to support established university programs that promote region-wide informal conferences and task forces on arms control, regional security, and related topics to the Middle East for Arab, Israeli, and other officials and experts.

These programs serve an important national security objective—fostering an alternative means of dialogue and engagement in an area of unparalleled significance to the United States. I know of one such program in Los Angeles, and I urge the Department to continue funding such programs.

I yield to the gentleman from Washington (Mr. DICKS), the ranking member, for his thoughts on this issue.

Mr. DICKS. First of all, I appreciate the gentleman yielding.

And I thank you, Mr. BERMAN, for your comments and agree that such programs that support university programs promoting Middle East conferences and task forces on arms control, regional security, and other issues for Arab, Israeli, and other officials are important and beneficial. I hope the Department of Defense funds such programs accordingly, and I will work with the gentleman to ensure that that happens.

Mr. BERMAN. I thank the gentleman.

I yield back the balance of my time.

AMENDMENT NO. 64 OFFERED BY MR. MICHAUD

Mr. MICHAUD. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used in contravention of section 2533a of title 10, United States Code (popularly known as the “Berry Amendment”).

The Acting CHAIR. The gentlemen from Maine is recognized for 5 minutes.

Mr. MICHAUD. I rise today to offer an amendment with Mr. KISSELL to ensure that no funds in this bill are spent in violation of the Berry Amendment.

The Berry Amendment requires DOD to procure certain categories of products from American manufacturers including food, clothing, fabrics, stainless steel, and certain tools. It was enacted to ensure that the United States troops wore military uniforms made in the U.S.A. and to ensure that U.S. troops were fed American-made food.

The Berry Amendment has been on the books for 70 years. Yet, in recent years, some in Congress have tried to weaken it. At a time of 9 percent unemployment and when employment in the U.S. manufacturing sector is on the decline, it is more important than ever for Congress to reiterate its support for existing law that promotes domestic procurement.

I urge my colleagues to support American manufacturing and to promote American food and uniforms for our troops by voting for the Michaud-Kissell Amendment.

At this time, I yield to the gentleman from North Carolina (Mr. KISSELL).

Mr. KISSELL. I would like to thank my colleague for yielding to me.

Mr. Chairman, for 70 years, as my colleague pointed out, the Berry Amendment has served this Nation well. It has given our fine military forces the best of American-made equipment and has guaranteed the American people the opportunity to make that equipment. It is a matter of national security. And it should not be a matter, as the intent of Congress has been clear for 70 years, it shouldn't be a matter of us standing up to reaffirm this amendment.

But as my colleague said, there have been efforts made to weaken the Berry Amendment, to get around the Berry Amendment, and we simply want to remind all folks involved that the Berry Amendment is the intent of Congress. It has been the law for 70 years. And we need to continue with the Berry Amendment that any funds that are being spent should be spent in total compliance with the Berry Amendment.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. MICHAUD. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

I would like to advise him that we're prepared to accept this amendment.

Mr. MICHAUD. I thank the chairman very much.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Maine (Mr. MICHAUD).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KISSELL

Mr. KISSELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, or provide a loan or loan guarantee to, any United States commercial air carrier if that contract, memorandum of understanding, cooperative agreement, loan, or loan guarantee allows the air carrier to charge baggage fees to any member of the Armed Forces who is traveling on official military orders and is being deployed overseas or is returning from an overseas deployment.

□ 1520

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. KISSELL. Mr. Chairman, this is a very simple, to-the-point amendment.

We have heard recently about members of our armed services traveling on official military business being charged excess baggage fees by our commercial airlines here in the United States. This amendment would not make any funds available for entering into any contracts, memorandums of understanding, cooperative agreements, loans or loan guarantees with any United States commercial airlines where those contracts, memorandums of understanding, cooperative agreements, loans or loan guarantees would allow for excess baggage fees for any member of the armed services traveling on official military business.

Our folks, when they're traveling and protecting our Nation, shouldn't have to worry about this, and we as a Nation shouldn't have to pay extra fees beyond the millions upon millions of dollars that we already pay to these airlines. This just should be business as usual, and I encourage all my colleagues to vote in support of this amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of this amendment.

Our troops and their families are being asked to make sacrifice after

sacrifice after sacrifice. We should be at a point of trying to make things better for them, make things easier for them; and I would say that one of the things that we can do is to adopt the gentleman's amendment to at least give them some relief when they're coming back from the war that we sent them to without charging them extra money to get back home with their belongings.

I applaud the gentleman for offering this amendment, and I rise in strong support.

Mr. DICKS. Will the chairman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Washington.

Mr. DICKS. I, too, agree with the chairman. This is one of those situations where I think we have to step in and take action for our troops. This is a good amendment, and I urge its adoption.

Mr. YOUNG of Florida. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. KISSELL).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. ESHOO

Ms. ESHOO. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available in this Act may be used to enter into a contract with a corporation or other business entity that does not disclose its political expenditures.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment.

The Acting CHAIR. The gentleman reserves a point of order.

The gentlewoman from California is recognized for 5 minutes.

Ms. ESHOO. Mr. Chairman, I rise for the third time this year to call for transparency and disclosure in our system and throughout our government. This appropriations bill will spend hundreds of billions of taxpayer dollars next year; and a huge portion of it, a portion that's impossible to quantify, will go to contractors. Some are small, others rank among the world's largest companies. As we meet today, the workforce of contractors in Afghanistan is the same size as the workforce of the uniformed personnel there; and since 2005, we've spent approximately \$12 billion on contractors in Afghanistan. Today, there are more private contractors than uniformed personnel in Iraq, and we've spent \$112 billion on contractors in Iraq since 2005.

The Federal Government does business with thousands of contractors who receive billions of dollars in taxpayer money. They should be required to disclose their political spending, and

that's what my amendment will accomplish.

In 2002 when we voted to pass the historic McCain-Feingold campaign finance bill, most Republicans voted "no," saying we needed disclosure, not soft money restrictions. They said we needed to put spending out in the open and let the voters assess it. Today, when the President proposes requiring contractors to simply disclose their spending, not to limit it, Republicans are up in arms. They say it will politicize the contracting process; but when contractors can spend money in elections, the contracting process is already politicized.

My amendment is modest and it's simple: It will bring this information out into the open and let the public decide for themselves. The public deserves to know what happens with their tax money.

Mr. Chairman, this is not a revolutionary idea. For the last 17 years, the SEC requires bond dealers to limit their campaign contributions to the officials in the cities that issue bonds. It requires them to disclose their contributions, providing the public with transparency. The rule was challenged and upheld in court, and my amendment really adheres to the same principle. To quote Senator MITCH MCCONNELL from 2003: "Why would a little disclosure be better than a lot of disclosure?"

I agree with Senator MCCONNELL. With public dollars come public responsibilities. Disclosure would fulfill this responsibility. I urge my colleagues to support this amendment.

I yield back the balance of my time.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part:

"An amendment to a general appropriation bill shall not be in order if changing existing law." This amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to speak on the point of order? Seeing none, the Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination of whether certain political contributions were disclosed. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. MULVANEY

Mr. MULVANEY. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The total amount of appropriations made available by this Act is hereby reduced by \$17,192,000,000, not to be derived from amounts of appropriations made available by title IX.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. MULVANEY. Thank you, Mr. Chairman.

By way of brief summary, this amendment would freeze the base Department of Defense funding at 2011 levels. It is roughly a \$17 billion reduction, or a 3 percent reduction over the bill that's currently before us. Again, it takes it back to the 2011 levels that we passed just recently in H.R. 1 during the continuing resolution debate.

This is not, Mr. Chairman, a new idea. It's not even my idea. The Domenici-Rivlin bipartisan deficit reduction plan also proposed exactly this—freezing base defense spending at 2011 levels.

□ 1530

During the budget debate, the one substantive bipartisan amendment that passed was an amendment that was a sense of the Committee that said that defense spending needed to be on the table as we look at spending reductions for 2012. And most importantly, the President's fiscal commission, the Simpson-Bowles Commission, also recommended exactly what this amendment does today, keeping defense spending at 2011 levels.

I happen to believe that at least, especially in this area, the Simpson-Bowles Commission is correct. And I want to read from the commission's report: "Every aspect of the discretionary budget must be scrutinized. No agency can be off limits, and no program that spends too much or achieves too little can be spared. Any serious attempt," and I will say that again, "any serious attempt to reduce the deficit will require deliberate, planned reductions in both domestic and defense spending."

Personally, I like to think that I am serious about cutting our deficits. I hope that I am not alone. Many of us have gone around back home and told people how serious we are. But how can we look them in the eye and tell them that we are serious about cutting this deficit and about cutting spending and then come in and plus-up the base defense budget?

Admiral Mullen himself said that with the increasing defense budget, which is almost double over the last 10 years, it has not forced us, that's the Defense Department, to make the hard trades. It hasn't forced us to prioritize. It hasn't forced us to do the analysis.

We just received a Budget Committee memo today that said of the 92 major defense acquisition programs, 69 percent of them are over-budget. One in

every five of them is over-budget by at least 50 percent. That is simply not right. It's not what our families are having to do. It's not what our States are having to do. It's not even what we have chosen to do in other areas of the budget. We have made hard decisions. We have made hard choices. The Defense Department needs to do exactly the same.

This amendment will not in any way limit our national defense capabilities. It will not put a single soldier at more risk. It simply holds defense spending exactly where we were 3 months ago when we approved the CR.

Having been here about 6 months, there is one thing that I have learned being a freshman. And for the folks who are here for the first time, the message is this: talk is cheap. Talk is especially cheap. It's very easy for us to go home and tell folks how important it is to cut spending, how serious we are about cutting spending. But nothing sends the message that we are really serious about it like cutting spending on something that is important to us. It's easy to cut things that we don't like. It is hard to cut things that are important to us. And defense spending is critically important to me and to the folks of this Nation and to the folks of South Carolina.

But if we're going to send a message that we are really serious about cutting spending, then everything needs to be on the table. And holding defense spending simply at 2011 levels and passing this amendment would help show everybody that we are really serious about fixing this difficulty.

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

Mr. DICKS. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. This amendment follows the Lee amendment and the Garamendi amendment in cutting about \$17.1 billion from the Overseas Contingency Operation Fund. I myself feel that we could be reducing our troop levels faster, but I don't think we should take the money out at this point until we have a better understanding of the pace of the withdrawal.

Now, we know the President's plan is 10,000 this year and another 23,000 next year. And so there will be some savings in the overseas contingency account as those troops come home. But I think it's too early to make a decision on that. Better left to do it in conference, where we can make a reasoned judgment and talk to the Pentagon and the Congressional Research Service so that we have a better idea of how much savings this will be. I feel that this is premature at this point. The other two amendments were soundly defeated, and I think the same fate will be here.

I yield to the gentleman from South Carolina.

Mr. MULVANEY. Just for clarification, the amendment only makes the change to the base spending. It does not change anything in title IX. It does not change overseas contingencies in any way. It is simply the base portion of the DOD budget. Thank you for yielding.

Mr. DICKS. That's even worse. I would doubly oppose the gentleman's amendment on that part of it. So let's defeat this amendment, as we defeated the others.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I rise in opposition to this amendment. I am one of the original budget cutters in this Congress. But I will not cut a defense budget to the point that it adversely affects our troops or adversely affects our country's readiness. And we could be getting close to that.

This year, Secretary Gates made his recommendation, which resulted in the President's budget request being \$13 billion less than we had anticipated for national defense. In addition to that, this committee recommended, and this Congress will pass sometime today or tomorrow, a bill that is \$9 billion less than the President requested. So we have cut and saved money everywhere we could without affecting readiness and without having an adverse effect on our troops.

If we start cutting too deep—and we were careful with this \$9 billion reduction, very careful—we don't want to see that we have to cancel training for returning troops. We don't want to have to cancel Navy training exercises. We don't want to have to slow down or reduce Air Force flight training. We don't want to delay or cancel maintenance of aircraft, ships, and vehicles. We don't want to delay important safety and quality-of-life repairs to facilities and to military barracks. If we do those things, we are affecting our readiness. Training relates to readiness.

Training is a large part of the money in the base bill, not the overseas contingency operations account, but the base bill, which is what this amendment reduces. This amendment could be getting us very close to a dangerous situation where troops and readiness are affected. And there is just no way that I can even appear to support this amendment. I rise in strong opposition to this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MULVANEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

AMENDMENT NO. 71 OFFERED BY MS. BASS OF CALIFORNIA

Ms. BASS of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(g) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. BASS of California. Mr. Chairman, this bipartisan amendment is simple. It prohibits the Defense Department from being used to engage in or facilitate human trafficking. Thousands of private contracting defense firms, including some of the industry's biggest names, such as DynCorp International and Halliburton subsidiary KBR, have been linked to trafficking-related incidents. Thousands of nationals from impoverished countries are lured by the promise of good jobs, but sometimes end up victims of scams that leave them virtual slaves, with no way to return home or seek legal recourse.

Despite this, allegations against Federal contractors engaged in illegal labor practices ranging from contract-worker smuggling to human trafficking in Iraq and Afghanistan continue to surface in the media.

A recent New Yorker article illustrates the urgent need for this amendment. The article tells the story of two women from Fiji who thought they were going to lucrative jobs in Dubai, but ended up, quoting the article, unwitting recruits for the Pentagon's invisible army of more than 70,000 cooks, cleaners, construction workers, beauticians, et cetera, from the world's poorest countries who service U.S. military contracts in Iraq and Afghanistan.

These two women were asked to deliver resumes, hand over passports, submit to medical tests, and they had to pay \$500 to a recruiting firm. They were lured to Iraq under false pretenses and then told they would be making \$700 a month. That was after they believed they were going to be making \$3,800 a month, 10 times the normal salary in their home country.

□ 1540

What they didn't realize was that they were contracted to work 12 hours a day, 7 days a week. They were also

victims of sexual harassment and assault.

After complaining, they were sent off base for making trouble and held for a month while their passports and ID badges were confiscated by the subcontracting company. The company that hired them was initially reprimanded but still operates in Fiji and still has a contract with the U.S. military.

Meanwhile, allegations against Federal contractors engaged in commercial sex and labor exploitation continue.

Mr. Chair, I yield to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I rise in strong support of this amendment, which will prevent U.S. taxpayer dollars from being used to facilitate human trafficking and labor abuses on U.S. military bases.

As cochair of the bipartisan Congressional Caucus on Human Trafficking, I am particularly concerned that workers from South Asia and Africa are being trafficked to work on U.S. military bases and that U.S. taxpayer dollars are spent to unlawfully lure and transport them to work in extreme conditions.

It is Army policy to oppose all activities associated with human trafficking. This must include the supply chain that provides services to our servicemembers defending our country.

We must have strong oversight over our contracting system to ensure that it is free from human rights abuses, and this amendment works toward that end.

I urge my colleagues to join us in fighting human trafficking and support this amendment.

Mr. YOUNG of Florida. Will the gentlewoman yield?

Ms. BASS of California. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I would just like to advise the gentlewoman that I consider this an extremely important amendment and I am happy to accept it.

Ms. BASS of California. Thank you.

Mr. DICKS. Will the gentlewoman yield?

Ms. BASS of California. I yield to the gentleman from Washington.

Mr. DICKS. We will be glad to accept the amendment. We appreciate your hard work in this effort.

Ms. BASS of California. I yield to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. I would like to thank the gentlemen for accepting the amendment.

Mr. Chair, I rise today in support of the Bass-Maloney Amendment, which cuts funding to subcontractors in the U.S. Defense Department. This amendment would prevent funding from being used by subcontractors hired by the Defense Department who engage in unlawful activities of human trafficking and labor abuses on military bases.

At a time where we are going across the board looking for all the budget cuts we can find to help reduce the national debt, it only makes sense to eliminate funding to these nefarious individuals who are performing atrocious acts on our military soil and are not representing what this great country stands for. We as Americans cannot fund human trafficking nor can we allow labor abuse; these abuses are not what this country stands for and it's our job as lawmakers to do everything in our power to put an end to such crimes.

We can send a loud message with this amendment that the United States does not stand for such horrible crimes. So I join my colleagues in support of the Bass-Maloney Amendment to H.R. 2219.

Ms. BASS of California. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. BASS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RUNYAN

Mr. RUNYAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds in this Act may be used to procure air transportation from a commercial air carrier for a member of the Armed Forces who is traveling under orders to deploy to or return from an overseas contingency operation under terms that allow the carrier to charge the member fees for checked baggage other than for bags weighing more than 80 pounds or bags in excess of four per individual.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. RUNYAN. I thank my colleague from New York (Mr. GRIMM) for his support on this amendment.

Mr. Chairman, I rise today in support of the Runyan-Grimm amendment which seeks excess baggage fees being charged to servicemembers deploying or returning from an overseas contingency operation.

This issue was brought to light early in June when a group of Army Reservists traveling back from Afghanistan were charged \$200 each for checking a fourth bag, some of which contained U.S. Government equipment like an M4 rifle, a grenade launcher, and a 9-millimeter pistol. The soldiers posted a YouTube video, titled, "Delta Airlines Welcomes Soldiers Home," expressing their frustrations for what they had experienced.

After serving our country in theater and enduring an 18-hour layover on their trip home, the warm welcome this group received was a \$2,800 out-of-pocket expense. This is an unacceptable slap in the face, whether it was intentional or not. Applying these charges to those headed to or returning from the fight is an insult to them and their service to our Nation.

My amendment would make none of the funds available by this act to be

used to pay any commercial air carrier if that airline charges excess baggage fees for the first four pieces of checked luggage that are 80 pounds or less per servicemember. This amendment is a reasonable compromise, whose primary purpose is taking care of our warfighters while not allowing the system to be abused.

Our soldiers, sailors, airmen, and marines risk their lives to protect the freedoms we all enjoy. They take great personal sacrifices to defend our country. There is no doubt they should be provided with any reasonable accommodations while traveling on orders to or from theater of operations. Most importantly, they should not have to endure personal financial hardship as a result of traveling to and from overseas contingency operations. \$200 is a large amount of money to pay out of pocket, especially for those who are enlisted.

It shouldn't take a YouTube video and bad publicity to convince any of us to do the right thing. With this amendment, we are sending a very strong message that our warfighters are individuals who are serving our country and not for an addition to a profit margin.

The amendment is endorsed by the VFV and the National Guard Association of the United States. I hope all my colleagues will stand with me in support of our soldiers, sailors, airmen, and marines by voting in favor of this amendment.

NATIONAL GUARD ASSOCIATION  
OF THE UNITED STATES, INC.,

Washington, DC., July 7, 2011.

Hon. JOHN RUNYAN,  
House of Representatives, Longworth Office  
Building, Washington, DC.

DEAR REPRESENTATIVE RUNYAN: We are writing to express our strong support for your recently proposed amendment to H.R. 2219, the FY12 Defense Appropriations bill to target and deny funds to commercial airlines who would charge excess baggage fees to servicemembers deploying and returning from overseas contingency operations. The National Guard Association of the United States represents over 45,000 members of the National Guard, their families and employers.

NGAUS believes in the fair treatment of our servicemembers, including our Guard and Reserve, when they deploy and return from overseas operations. The incident this past June where soldiers were charged excess baggage fees for equipment by an airline was outrageous. This amendment would appropriately target the program airlines participate in for supporting additional airlift capability for troops/baggage and equipment while denying funds made available in the bill to those airlines who violate tile program and charge baggage fees for the first four pieces of baggage (not exceeding 80 lbs and not including any carry-on baggage).

The National Guard Association of the United States strongly supports your efforts to correct unfair treatment by airlines in regards to our members of the National Guard and our Armed Forces deploying or coming home from overseas contingency operations.

Sincerely,

GUS HARGETT,  
Major General, USA (Ret),  
President, NGAUS.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I rise to thank the gentleman for the hard work that he has done on this amendment. I associate myself with his comments because I strongly agree with everything that he said, and I am happy to accept the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. SHERMAN

Mr. SHERMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The Clerk designated the amendment.

Mr. SHERMAN. I ask that the Clerk read the amendment.

The Acting CHAIR. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. SHERMAN. I had the Clerk read the amendment to show how short and how simple it is. It simply says that none of the money appropriated in this bill can be used to violate the War Powers Resolution, which is the law of the land found in title 50.

The War Powers Resolution simply states that a President may not deploy our troops into hostilities or our military forces into hostilities for more than 60 days if the President does not have congressional authorization. In the absence of such authorization, the President has 30 days to withdraw.

This is the exact same amendment that we considered 3 weeks ago on the MilCon appropriations bill. At that time it got the support of 60 percent of the Republicans and 61 percent of the Democrats, and I hope that those who voted for the bill or the amendment 3 weeks ago would vote the same way today. I hope to be able to persuade a few who voted the other way last time.

This amendment is important, even if we weren't engaged in Libya at all, because for the last several administrations, Presidents have been captured by the siren song of extremist lawyers who are part of the permanent executive branch. They tell the President that the President of the United States, acting alone, can deploy our troops into hostilities for unlimited duration, for any purpose, and, in any quantity, any assets can be deployed.



□ 1550

We are told that there are no limits on the President's power as Commander in Chief. Well, the War Powers Act says otherwise, and it is the law of the land. Now these extremist attorneys in the executive branch have gone a little further. They have added insult to injury by floating the idea that a resolution by NATO, the Arab League, or the United Nations can substitute for an authorization from both Houses of Congress, or they have said that briefing the leadership of Congress is a substitute for enacting an authorization. But even the most extremist attorneys in the executive branch admit we have the power of the purse, and we can prevent the funds provided by this appropriations bill from being used to violate the War Powers Act.

If we were to do otherwise, we would be abdicating our own responsibility, for if Congress habitually appropriates funds knowing that they will be used to violate the law of the land, then we would be complicit in undermining democracy and the rule of law here in the United States.

Now we on this side admire the President of the United States. But even if you would grant this President unlimited power to deploy unlimited forces for unlimited duration, if you ignore the War Powers Act today, you are granting that power to the next President. And those of us who are in good health will all live to see a President that we disagree with. And even if you agree with exactly what's happening in Libya, it is important that we draw a line and say that the conduct of our foreign policy must be consistent with U.S. law.

Now as a practical matter, this President has taken the extreme position that we are not engaged in hostilities in Libya. So what will be the practical effect of this amendment? First, I think he will reconsider that decision, because I think the lawyers behind it took refuge in the belief that the War Powers Act was somehow not binding on the administration. With this amendment, the War Powers Act is binding because we do have the constitutional right to limit the use of funds.

Furthermore, at a minimum, this amendment would prevent the President from deploying regular ground forces to Libya. Now I realize he doesn't intend to do that at this time. But, clearly, this President could not claim that armored divisions deployed in a war zone were not engaged in hostilities. So the minimum practical effect of this amendment is to limit Presidential power to what is going on now and not to introducing major combat operations.

Now, I support a limited effort to bring democracy and the rule of law to the people of Libya. That's not what this amendment is about. This amend-

ment is about democracy and the rule of law here in the United States. I think that if we pass this amendment, and if we can get the Senate to do likewise, that the President will come to Congress and seek an authorization for what is going on in Libya. And at that time, Congress will be able to influence our policy. I think we would insist on a legal limitation to limit our efforts to just air forces and perhaps ground rescue operations. I believe that we would insist that we have the right to review that policy every 3 or 6 months. I believe that we would insist that the \$33 billion of Qadhafi assets which have been frozen by the U.S. Treasury be used to finance this operation, instead of American taxpayer dollars. And I believe that we would insist that the rebels in Benghazi disassociate themselves from the al Qaeda operatives in their midst and from the Libyan Islamic Fighting Group.

But we can't insist on anything if we accept the view of extremist attorneys in the executive branch who view Congress as merely an advisory body. A review of the law and a review of the Constitution indicates that Congress has and should not be derelict in exercising a role in forming American foreign policy.

The Acting CHAIR. The time of the gentleman has expired.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. The amendment prohibits the use of funds in this bill to breach the War Powers Act. However, the proponents hope this language will compel the administration to change our response to the crisis in Libya.

I oppose the amendment on two different grounds. First, the language of the amendment cannot possibly deliver what the proponents claim. Second, what the proponents hope to accomplish would harm the efforts of our allies, working against our national interests and benefiting Qadhafi.

The language can't deliver on the proponents' promises for two reasons. First, the amendment restricts the use of funds in this bill, but none of the \$118.7 billion in the overseas contingency portion of the bill are designated for Libya. Second, the language merely requires compliance with the War Powers Act, but the heart of the proponents' difference with the President is a matter of interpretation about what constitutes compliance. The amendment takes us no closer to a resolution of that difference.

I would oppose the amendment even if the language could accomplish what the proponents hope for. To further restrict our role in Libya puts us on the wrong side of history and on the wrong side of the Arab Spring. It would hinder the efforts of our allies, if not

making NATO's mission impossible and prolonging Qadhafi's tenuous hold on power.

To address the matter of Libya, I believe that language—similar to the language introduced in the other body by Senators KERRY and McCAIN, is the appropriate course of action at this time—this language preserves the understanding between the administration and Congress that U.S. ground forces are not appropriate at this time, and it requires regular and detailed reports from the administration to the Congress.

Now I must say that I, too, agree that the President would always be better served, as President Bush did and President Clinton, to come to Congress to get approval of the authorization. But to unilaterally overturn an effort that includes NATO, the Arab League, and the United Nations saying that this horrific act would take place against the people of Libya, is just, I think, a big mistake, and it would undermine U.S. foreign policy that's been consistent since 1949 when NATO was established. So I urge a "no" vote on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SHERMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SHERMAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to provide assistance to Pakistan.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Chairman, I rise in support of my amendment, which states, as you have just heard, no funds in this bill may go to Pakistan.

Pakistan is a country on which we have spent billions and billions of dollars. We've given them \$18 billion just since 9/11—not to mention the many billions of dollars we gave to them during the Cold War. What has all that spending achieved for the people of the United States? Pakistan is now the best friend to America's worst enemies: radical Islam and, yes, an emerging and belligerent China. Wake up, America.



Was anyone really surprised to find Osama bin Laden was living in a luxurious mansion in plain view in a military-dominated Pakistani city? Let me admit that even I was surprised that the Pakistani Government was so bold, so open in its contempt of the people of the United States, as to arrest five of its citizens for helping us bring to justice Osama bin Laden, that terrorist radical fiend whose leadership led to the slaughter of 3,000 Americans on 9/11.

The Pakistan Intelligence Service, the ISI, is today, as it always has been, a friend of radical Islam and an enemy of Western democracy. With American acquiescence and Saudi financing, the Pakistani Government—read that the ISI—the Pakistani Government created the Taliban as Islamabad's vanguard for the conquest of Afghanistan. In the process, they set in place a fundamentalist anti-Western radical Islamic terrorist state.

Let's note that even after 9/11, after 3,000 of our citizens had been slaughtered, the ISI continued to covertly support radical Islamic terrorists, and they are still engaged in such hostile acts, even as American lives are being lost even today.

□ 1600

In 2010, the London School of Economics published a report that found agents of the ISI—this is 2010, long after 9/11—were “funding and training the Afghan Taliban.” And to top things off, there is substantial reporting that has been done that suggests that Pakistani diplomats are lobbying the Afghan Government leaders, suggesting that they dump the United States and turn to China for a partnership and reconstruction.

This isn't shame on them; this is shame on us. Washington may be able to coerce and bribe Islamabad into doing us a favor now and then, but it is time to face reality. The goals and values of the United States and Pakistan are fundamentally at odds. Wake up, America. This bill would provide for another \$1 billion to Pakistan. The Pakistani Government and Pakistan, they are not our friends. Why are we borrowing money from China to give to a government that has betrayed us time and time again?

Therefore, I urge adoption of my amendment to eliminate any funding in this appropriations bill from going to Pakistan.

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR (Mr. HASTINGS of Washington). The gentleman is recognized for 5 minutes.

Mr. DICKS. The bill includes approximately \$2.4 billion to support the Pakistani military. Of this amount, \$1.1 billion is for the Pakistan Counterinsur-

gency Fund, and approximately \$1.3 billion is provided through Coalition Support Funds.

The Pakistan Counterinsurgency Fund provides for the training and equipping of Pakistani forces specifically to aid U.S. counterterrorism objectives. Coalition Support Funds are used to reimburse the Pakistani military for operations which generally support U.S. counterterrorism objectives.

In the wake of Osama bin Laden's killing by U.S. Special Forces, serious questions have arisen about Pakistan's reliability as a strategic partner, and I agree with the gentleman from California that this has raised serious questions here in the United States about the reliability of one of our partners. And also, there are questions about President Karzai in Afghanistan as well.

Now, the relationship with Pakistan has always been difficult. It reminds me a great deal, during World War II, of our relationship with the Soviet Union, Russia. That was a difficult relationship, but it was essential at that time. And it is essential at this point. This relationship has helped the U.S. make progress against terrorism, and the Pakistanis have allocated a significant part of their forces within their own borders to this mission, which we need to do more of on the federally administered tribal areas and in Quetta, where the Afghan Taliban leadership exists. And we need them to let us bring our Special Forces into Pakistan.

Now, a complete withdrawal of U.S. assistance would likely polarize Pakistan and exacerbate significant pro- and anti-American rifts within their military and their government generally. Aggravating this divide would be counterproductive to U.S. objectives in the region.

In addition to the counterterrorism activity, the fact of Pakistan's nuclear weapons capabilities provides ample reason for the United States to continue positive engagement, so I urge my colleagues to reject this amendment.

Mr. ROHRABACHER. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California.

Mr. ROHRABACHER. Is any of the money that we have in this bill going to end up financing the ISI? Will any of that money end up in the hands of the ISI?

Mr. DICKS. I cannot say for certain. I don't think there is anything in this bill that I know of, any provision that provides funding directly to the ISI. Now, there may be. As the gentleman knows, there are other avenues in the intelligence world. But I don't know of anything specifically in this bill. And the ISI, I have just as much trouble with them as you do. But I don't think that we have anything specifically in the bill that funds them.

Mr. ROHRABACHER. Is there any language in the bill that would prevent the money in this bill from going to the ISI?

Mr. DICKS. No, I don't think there is any prohibition in this bill.

Mr. ROHRABACHER. All right. Thank you very much.

Mr. DICKS. Thank you.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 61 OFFERED BY MS. FOXF

Mr. BISHOP of Utah. Mr. Chairman, I ask unanimous consent that the voice vote by which amendment No. 61 offered by the gentlewoman from North Carolina (Ms. FOXF) was adopted be vacated to the end that the Chair put the question de novo.

The Acting CHAIR. Is there objection to the request of the gentleman from Utah?

If not, the earlier voice vote is vacated.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. The question is on the amendment.

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DICKS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from North Carolina will be postponed.

Mr. BISHOP of Utah. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. I would ask the subcommittee chairman, Mr. YOUNG, if he would enter into a colloquy regarding the Minuteman III Warm Line Solid Rocket Motor Sustainment program.

Mr. YOUNG of Florida. If the gentleman would yield, I would be very happy to enter into a colloquy with the gentleman from Utah.

Mr. BISHOP of Utah. As the chairman is aware, the Air Force has proposed to terminate the Minuteman III Warm Line Solid Rocket Motor Sustainment program beginning in FY 2012. The Air Force has not presented this committee a viable plan to sustain this strategic weapon system beyond

the year 2020 as these motors age out, and the program of record now requires the system to be deployed until 2030, which does leave a 10-year gap of vulnerability with no Minuteman III-specific industrial base to support this weapon system.

Would the chairman agree that it is vitally important that the Air Force undertake what is called a smart closeout of this program to include taking definite steps to preserve the essential tools, the uniquely skilled workforce, suppliers, equipment, and production facilities needed to continue to produce and support the readiness of Minuteman III motors through their current operational life cycle through at least 2030?

Mr. YOUNG of Florida. I thank the gentleman from Utah for bringing this matter to our attention, and we do share his concern for the solid rocket motor industrial base.

We understand that the Air Force is considering their options, and we certainly intend that they use closeout funding from the Minuteman III mod line in a wise manner. We believe that they should seriously consider a smart closeout, as the gentleman from Utah described, and should also consider incorporating the essential elements from the Minuteman III production line into existing production lines for other defense solid rocket booster programs in order to preserve both military capabilities and to ensure the best use of taxpayer funds.

Mr. BISHOP of Utah. Reclaiming my time, Mr. Chairman, do you also agree that all funds provided for Minuteman III modification in this bill may only be used to support the current Minuteman III system and that no funds have been either requested in the President's budget request or provided by this committee to begin a new start program for a future, currently unauthorized Minuteman III follow-on capability?

Mr. YOUNG of Florida. I would respond that the purpose of the funding that we have provided for the Missile Modifications program is to support the operational capability of the Minuteman through 2030. This includes \$34 million, as requested, for closeout of the warm line program. Development of any follow-on capability is still years away. And the gentleman is correct, a new start system would require authorization and appropriation by the Congress, which the Air Force has not requested and we have not provided. We intend that warm line funds be used in a manner that preserves the industrial base and does not diminish our future strategic capabilities.

I commend the gentleman for his leadership in this area and look forward to working with him further on this issue.

□ 1610

Mr. BISHOP of Utah. Reclaiming my time, I thank the chairman for his kindness and his answers.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GOHMERT

Mr. GOHMERT. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be obligated, expended, or used in any manner to support military operations, including NATO or United Nations operations, in Libya or in Libya's airspace.

Mr. DICKS. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Texas is recognized for 5 minutes.

Mr. GOHMERT. Mr. Chairman, we have had a couple of amendments we've already voted on. In reviewing whether or not to withdraw my amendment, my concern comes on the review of Mr. COLE of Oklahoma, my dear friend, and the amendment that passed that he provided. His amendment says that none of the funds in the act may be used for supporting military activities of any group or individual not part of a country's Armed Forces. So it still could be used to supplement another country's Armed Forces through NATO or through the U.N.

We have here a case where people on both sides recognize that the President moved forward and put our military in harm's way to go after a man who until March 1 was recognized by the United Nations as being a leader in human rights. In fact, it had elected him in 2003 to be the chairman of the Human Rights Commission of the U.N. We also know from our office's inquiry of our own military that we comprise 65 percent of NATO's military. So it is not comforting to think that this President has already gone beyond seizing on loopholes and is just ignoring laws in order to do what he wants because the Arab League asked him—not Congress, not the population of the United States, but the Arab League and some in NATO.

It has not been established—and there are no indications it will be established—that the people who are going to replace Qadhafi will be better for us, for our national security or for our allies like Israel. So, if it's not good for this country's national security and if it's true as to what the gentleman Secretary Gates said, to whom the President recently awarded a Medal of Honor, that we have no national security interests in Libya, then we should not be committing our military in that direction.

Even though the U.N. may support action in Libya and even though they may buy into this Arab Spring, we are already seeing that Iran is excited because it looks like they're going to get additional puppets. We found out this week that the leader of Iraq, Maliki, is giving in to the request of the leader of Iran and is going against his promise to us and to the people of Camp Ashraf that they'll be safe and secure. Now he's saying he's going to disband the camp.

It is time to put America's national security and national interests first and not some whim of some President because someone outside the U.S. asked him. We know the Muslim Brotherhood, despite what some say, has been supporting terrorism. The evidence was clear in the Holy Land Foundation trial. We know that this administration has bent over backwards to appease such folks, so it is time for an amendment to make very clear, which this one does:

Mr. President, it doesn't matter whether you're going to try to use our military through NATO, our military through the U.N., our military head-up for a reconnaissance rescue. It doesn't matter. You're not going to use them.

For those who argue the War Powers is constitutional or is unconstitutional, I would humbly submit it does not matter. Even though the War Powers Act was passed as a curb against the President at the time, it is actually a gift to a President. This body has the power of the purse to cut off funding at any time it so desires, and the War Powers gave him a gift that said, Look, we'll give you days and days and days to come make your case before we cut you off.

That's a gift.

This President has shoved it back down our throats, and has said, I don't care what you think.

It is time to use the constitutional powers of this body and say, "Enough."

In the hopes that people will vote for this amendment, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I find it a little difficult to listen to the arguments about the War Powers Act, because I agree with those arguments.

First of all, in 1973, I think the Congress did give Presidents a gift of power not intended by the Constitution. The Constitution is very clear. It intends that war-making decisions would be made in conjunction with the Commander-in-Chief and the Congress, not the Commander-in-Chief by himself or herself and not the Congress alone, but while working together. That's not the way it has been happening lately. There hasn't been a real declaration of war under the Constitution since World

War II, but we have fought in a lot of wars, and we have killed and wounded a lot of our kids.

That's not the argument, though. I agree with all of those points. I think that Congress has a serious responsibility to review the War Powers Act and to make it what we think it ought to be, and that is a partner relationship between the Congress and the executive branch.

Yet, while we hear these strong arguments about the War Powers Act and the separation of powers, these amendments don't really get the job done. If you want to cut off all funding for any activities in and around Libya, you would have to introduce a separate resolution that would simply say: No funds appropriated here or anywhere else can be used in the Libya operation.

In this particular bill, there is no money for Libya, and the President has made it very clear that he is not going to use any funds from the fiscal year 2012 appropriation for Libya. We'll see if that changes, but we have that in writing. We're already there. We're already in the area. We're already flying missions. If this amendment should be agreed to, here is what we would not be able to do:

We could not fly search and rescue missions for a downed pilot. We could not do ISR—Intelligence, Surveillance, and Reconnaissance. We could not do aerial refueling for our coalition partners. We could not even be part of operational planning under this amendment.

As much as I agree with what the gentleman is trying to accomplish, I can't support this amendment, because of the effect that it really has. If it could amend the War Powers Act and make the President be a partner with Congress, I'd say, Amen. Let's do it quickly. I think the Congress ought to do that, and I think we ought to be serious about doing that; but on this particular amendment, I've got to oppose it because this is what we're dealing with, not the emotional discussions about the War Powers Act.

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I do not insist on my point of order.

The Acting CHAIR. The reservation is withdrawn.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. The brutal regime of Muammar al Qadhafi has caused an international outcry, and the people of Libya have asked for our help. The NATO-led mission to defeat Qadhafi and protect the people of Libya was undertaken in concert with a broad coalition of nations, including the Arab League, and it followed resolutions adopted in the United Nations Security Council, authorizing "all necessary measures."

□ 1620

The amendment would end our involvement unilaterally. I believe this could materially harm our relationship with our NATO allies from whom we will undoubtedly require support in the future, and our NATO alliance has been a vital and successful part of U.S. foreign policy dating back to its formation in 1949.

I do support a wider debate and greater oversight of the use and the cost of U.S. military forces engaged in the Libya operation, but I would point out that the administration did send up a detailed document that shows the money that has been spent thus far and what will be spent through the end of this fiscal year. We should let the mission with our NATO allies continue so we can replace Qadhafi and protect the Libyan people.

I urge all my colleagues to vote "no" on this amendment. And I would just remind everyone that in 1986 President Reagan authorized a military strike following the bombings in Berlin and definitive proof of Qadhafi's involvement in other terrorist activities. At the time, President Reagan publicly denounced Qadhafi, the "Mad Dog of the Middle East who espoused the goal of world revolution."

Mr. Chairman, I can only wonder what Ronald Reagan would say today about those who would propose immediate withdrawal of U.S. assistance to the broad coalition of nations attempting to finish the job that President Ronald Reagan started.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. GOHMERT).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. GOHMERT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used by the Department of Defense to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ENGEL. Mr. Chairman, on May 24, President Obama issued a Memo-

randum on Federal Fleet Performance, which requires all new light-duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015. My amendment echoes the Presidential memorandum by prohibiting funds in the Defense Appropriations bill from being used to lease or purchase new light-duty vehicles except in accord with the President's memorandum. I have introduced similar amendments to the Homeland Security Appropriations bill and the Agriculture Appropriations bill and intend to do it with other appropriations bills. Both were accepted by the majority and passed by voice vote.

Our transportation sector is by far the biggest reason we send \$600 billion per year to hostile nations to pay for oil at ever-increasing costs, but America doesn't need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that, when implemented broadly, will allow any alternative fuel to be used in America's automotive fleet.

The Federal Government operates the largest fleet of light-duty vehicles in America. According to GSA, there are over 660,000 vehicles in the Federal fleet, with almost 197,000 being used by the Department of Defense. By supporting a diverse array of vehicle technologies in our Federal fleet, we will encourage development of domestic energy resources—including biomass, natural gas, coal, agricultural waste, hydrogen and renewable electricity. Expanding the role these energy sources play in our transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies and will increase our Nation's domestic security and protect consumers from price spikes and shortages in the world oil markets.

I ask my colleagues to support this amendment as both sides of the aisle have done in previous bills; and I want to mention on a similar note, I have worked in a bipartisan fashion with my colleagues, JOHN SHIMKUS, ROSCOE BARTLETT and STEVE ISRAEL, to open the bipartisan Open Fuel Standard Act, H.R. 1687.

Our bill would require 50 percent of new automobiles in 2014, 80 percent in 2016, and 95 percent in 2017 to be warranted to operate on nonpetroleum fuels in addition to or instead of petroleum-based fuels. Compliance possibilities include the full array of existing technologies, including flex fuel, natural gas, hydrogen, biodiesel, plug-in electric drive and fuel cell, and a catch-all for new technologies. I mention it because it's similar to this, and I really believe that our energy policies obviously can only be done on a bipartisan basis.

I encourage my colleagues to support this amendment, again as we've done

on all the other bills where I have introduced it, and the Open Fuel Standard as we work toward breaking our dependence on foreign oil.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I think the gentleman's amendment is a good amendment. I think we've seen this on other bills, and I am happy to accept the amendment.

Mr. DICKS. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Washington.

Mr. DICKS. I appreciate the gentleman's willingness to accept the amendment, and I too think it's a good amendment and a good idea.

Mr. YOUNG of Florida. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT NO. 89 OFFERED BY MR. NEUGEBAUER

Mr. NEUGEBAUER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to reduce the number of B-1 aircraft of the Armed Forces.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. NEUGEBAUER. Mr. Chairman, I rise today in support of the B-1 bomber.

This is a very simple amendment. Basically, it just says it prevents any funds in this bill from being used to retire the B-1 bombers during the coming fiscal year.

Currently, as you know, about 163 planes are in our bomber fleet, which is about 3 percent of our total fleet. Currently, we are going through an analysis of what our bomber fleet is going to look like in the future, and part of that is from the START Treaty. What we feel is appropriate is for us to not look at reductions in the bomber fleet on a piecemeal basis, but to look at it as a total picture once we have done the analysis and seen how many of the planes will not be needed for nuclear capability moving forward.

The B-1 is kind of an interesting plane. It doesn't get a lot of attention, but what it does is it works 24-7 and has in the theaters that we're involved in for a number of years. In fact, it has been our number one bomber of choice for a number of years and until recently was the only bomber seen in active duty.

I am pleased to be supported in this effort by Congressman THORNBERRY, who is vice chairman of the Armed Services Committee, as well as my colleague, Mr. CONAWAY.

At this time, I would like to yield to one of the cosponsors of this amendment, the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of this amendment that is offered by the gentleman from Texas.

The B-1 bomber is the workhorse of our long-range bomber fleet and has been flying missions over Iraq and Afghanistan for nearly a decade. More importantly, the B-1 bomber from the 28th Bomb Wing at Ellsworth Air Force Base in my home State of South Dakota just carried out air strike operations in Libya. In just under 2 days, Ellsworth generated aircraft loaded with conventional weapons that were able to strike targets halfway across the world.

Regardless of what one thinks about our involvement in Libya, one thing that one cannot dispute is the B-1's capability to respond globally and its vital importance to our bomber fleet. Mr. Chairman, with the next generation bomber development still a decade or more away, the administration's proposal to retire six B-1s is short sighted and it's premature. What's more, it can't be reversed. Retired planes aren't mothballed and put away for a period of time. They are sent to the bone yard and they are used for parts. Mr. Chairman, we propose that no B-1s be irreversibly retired this year because of questions regarding the future of our bomber force structure and the B-1's proven track record in theater as our workhorse.

I urge my colleagues to vote for a strong bomber fleet, a strong national defense, and I ask them to support this amendment.

Mr. NEUGEBAUER. I yield to the distinguished chairman.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

The gentlelady from South Dakota just made a speech that I was about to make, so I would just simply say it's a good amendment, and I accept it.

Mr. NEUGEBAUER. I thank the chairman, and I urge our colleagues to support a strong national defense and making sure that we have the appropriate number of bombers, and to vote in favor of the Neugebauer amendment.

Mr. Chairman, I yield back the balance of my time.

□ 1630

Mr. DICKS. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I would just say to the gentleman that the B-2 bomber has

been used also on several of these military operations that we've used, and the B-2 is a stealthy airplane. We only have 20. As a member of the committee, I offered the multiyear purchase agreement so we could buy the B-1s. And we had a unanimous vote, I think, in our committee on that. It was very bipartisan.

I agree with the gentleman that we don't have enough bombers. That's why I'm so strongly committed to the next-generation bomber. But as has been pointed out, that's going to be several years away. We tried to add some money this year to accelerate that because we do need a follow-on bomber.

Mr. NEUGEBAUER. Would the gentleman yield?

Mr. DICKS. Yes, I yield.

Mr. NEUGEBAUER. I agree with the gentleman. And I think that our bomber fleet is extremely important, the B-1, the B-2, and obviously the B-52s. And as the gentleman knows, as we do not have a replacement bomber in the works at this particular point in time and until such time as we develop that, I think it's extremely important that we be strategic about what level we maintain our current fleet until we know what the replacement is going to be. And I agree with the gentleman.

Mr. DICKS. Reclaiming my time, we only have 20 stealthy bombers. That's what some people don't understand. And the ability to penetrate China or the Soviet Union or wherever we might have to penetrate at some point, North Korea, we would be vulnerable with the B-52s and the B-1s to surface-to-air missiles.

So making sure that we get a high-quality stealthy airplane to follow the B-2 is a matter of national importance. I support the amendment.

I yield back my time.

Mr. CONAWAY. Mr. Chair, I rise today to speak in support of the B-1 bomber fleet. To echo what my colleague, Mr. NEUGEBAUER has said, I too believe that we should carefully examine the way we modify our bomber fleet for the future.

As part of the New Start Treaty, the U.S. and Russia will limit their nuclear capable delivery vehicles to a total of 700 deployed assets, including heavy bombers. At this time, we do not yet know what those cuts will look like. Preserving the size of our non-nuclear bomber fleet until we know the results of the New Start Treaty analysis is simply good policy.

My colleagues on the Armed Services Committee and I are very concerned that if we go down this path and prematurely reduce a portion of the fleet, that we will regret that decision.

Mr. Chair, I recognize that cuts need to be made. Every aspect of the budget needs to be thoroughly reviewed, but let's not make bad budgetary decisions without considering our mission capabilities first.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. NEUGEBAUER).

The amendment was agreed to.

Mrs. NAPOLITANO. I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Mrs. NAPOLITANO. Mr. Chairman, today I rise to address the ranking member of the House Appropriation's Committee on Defense, Mr. DICKS, and also the chair in a colloquy on the critical need to improve the recruitment, retention, and competitive compensation of the mental health professionals who can work with our Iraq and Afghanistan military servicemen and -women.

Since 2001, 2,103 military members have died by suicide. And one in five servicemembers currently suffer from post-traumatic stress and/or major depression. We must ensure that an adequate number of mental health professionals are available to treat our soldiers.

Mental health professionals must be retained by providing adequate pay and competitive benefits that are also available in the private sector. It is our duty and responsibility to our wounded warriors that we ensure their mental health services are secure and available when and where needed.

I am submitting for the RECORD an article from the Army Times dated April 7, 2011, regarding the Senate Appropriations Committee Defense Subcommittee meeting of April 6 and quoting Army Surgeon General Lieutenant General Schoomaker, who stressed the severe lack of mental health professionals in the military, and his concern about retention, especially in the rural areas. The article states, "Congress has been pressing the military health system to add more psychiatric doctors, nurses and social workers for several years. That has prompted the services to add about 1,500 full-time mental health professionals since 2006—a 70 percent increase."

The article further says, "But demand has continued to outpace that growth. Active-duty troops and their families were referred to off-base civilian mental health care professionals nearly 4 million times in 2009, roughly double the number of off-base referrals in 2006, military data show.

"The dramatic increase in military suicides during the past several years has added urgency to congressional concerns. At the April 6 hearing, all three military surgeons general told lawmakers about efforts to improve training, recruiting and retention of mental health professionals."

Senator MIKULSKI has suggested military training may be uniquely important because some civilian doctors and social workers have trouble understanding the troops' problems and mindset.

I am also submitting for the RECORD a witness statement of July 14, 2011,

from the Subcommittee on Oversight and Investigations of the Committee on Veterans Affairs, where the Deputy Director of Veterans Affairs and Rehabilitation Division, Jacob Gadd, expressed the challenges of hiring and retaining quality mental health specialists. Our servicemembers should not have to wait one more day for the help they deserve.

As cochair of the Congressional Mental Health Care Caucus, I have met with many key military leaders to learn what the most critical issues are in addressing mental health services for our military men and women. I've repeatedly been informed that there have been woefully inadequate numbers of mental health professionals available to care for our men and women.

Congress has a responsibility to see that our soldiers and veterans have the resources for quality care. Because this quality of care is dependent on the quantity of behavioral health specialists trained in war, PTS, we must successfully recruit and retain to work with our men and women who fight to ensure our precious daily freedoms.

The legislation before you today provides \$32.3 billion for the defense health program and military family programs, with \$125 million of this going towards research of traumatic brain injury and psychological health treatment, hopefully to also include hyperbaric treatment research.

We must insist on accountability that adequately trained behavioral health professionals are on hand when and where needed. I would like to work with the ranking member to obtain from the Department of Defense a detailed outline on their efforts for each military service—Army, Air Force, Navy, Marines, et cetera—to recruit, retain, and formulate the competitive salaries and benefits that will keep behavioral health specialists serving our men and women who have given so much to protect our freedoms.

We place them in harm's way. It is our duty and obligation to ensure the best care is given to them.

I yield to the ranking member.

Mr. DICKS. I will work with the gentlelady on the Defense Department's plan to ensure adequate mental health services for our servicemembers.

The Acting CHAIR. The time of the gentlewoman has expired.

(On request of Mr. DICKS, and by unanimous consent, Mrs. NAPOLITANO was allowed to proceed for 1 additional minute.)

Mr. DICKS. Will the gentlelady continue to yield?

Mrs. NAPOLITANO. I yield to the gentleman.

Mr. DICKS. I would point out that the chairman of this committee, Mr. YOUNG, and his wife, Beverly, have been some of the strongest advocates for our Wounded Warriors and he has

led the fight in our committee to increase the funding for traumatic brain injury and post-traumatic stress disorder. So our committee has been very committed to this. It is one of our highest priorities.

Mrs. NAPOLITANO. I thank Mr. DICKS, the ranking member, for working with me on this critical issue and look forward to working soon enough on this.

[Apr. 7, 2011]

PANEL QUESTIONS ADEQUACY OF MENTAL HEALTH CARE

(By Andrew Tilghman)

The military's top doctors faced heated questions on Capitol Hill about whether there are enough mental health professionals to meet the soaring demand from troubled troops.

"Do you feel you have adequate mental health personnel?" asked Sen. Barbara Mikulski, D-Md., at an April 6 hearing of the Senate Appropriations Committee's defense panel.

Lt. Gen. Eric Schoomaker, the Army surgeon general, acknowledged that the military would prefer to have more, but cited an overall lack of mental health professionals nationwide as a key challenge. "I think the nation is facing problems. As a microcosm of the nation, we have problems," Schoomaker said.

Congress has been pressing the military health system to add more psychiatric doctors, nurses and social workers for several years. That has prompted the services to add about 1,500 full-time mental health professionals since 2006—a 70 percent increase.

But demand has continued to outpace that growth. Active-duty troops and their families were referred to off-base civilian mental health care professionals nearly 4 million times in 2009, roughly double the number of off-base referrals in 2006, military data show.

The dramatic increase in military suicides during the past several years has added urgency to congressional concerns. At the April 6 hearing, all three military surgeons general told lawmakers about efforts to improve training, recruiting and retention of mental health professionals.

Mikulski suggested military training may be uniquely important because some civilian doctors and social workers have trouble understanding troops' problems and mindset.

"From what I understand . . . often in the first hour of the first treatment, the military [patients] facing this problem walk out and tell the counselor, essentially, to go to hell because they don't feel they get it," she said.

Schoomaker downplayed issues with non-military professionals.

"Frankly, I think . . . this warrior culture issue might be present in some cases but not universally. Our people do a good job with that," he said.

Sen. Patrick Leahy, D-Vt., was concerned about reservists who may not live near a military treatment facility and may have problems finding mental health care. Schoomaker agreed that reservists can face a significant challenge.

"We have residual problems . . . in reserve communities. You go home to a community where access to care is a problem for all care, but especially behavioral health," Schoomaker said.

That's also a problem for some active-duty posts in rural areas. "In the desert of California, for example, it's hard to recruit and retain high-quality people," he said.

STATEMENT OF JACOB B. GADD, DEPUTY DIRECTOR, VETERANS AFFAIRS AND REHABILITATION DIVISION, THE AMERICAN LEGION, TO THE SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS, COMMITTEE ON VETERANS' AFFAIRS, UNITED STATES HOUSE OF REPRESENTATIVES, ON "EXAMINING THE PROGRESS OF SUICIDE PREVENTION OUTREACH EFFORTS AT THE U.S. DEPARTMENT OF VETERANS AFFAIRS", JULY 14, 2010

Mr. Chairman and Members of the Subcommittee:

Thank you for this opportunity to submit The American Legion's views on progress of the Suicide Prevention efforts at the Department of Veterans Affairs (VA) to the Subcommittee today. The American Legion commends the Subcommittee for holding a hearing today to discuss this timely and important issue.

Suicide among service members and veterans has always been a concern; it is the position of The American Legion that one suicide is one too many. However, since the war in Iraq and Afghanistan began, the numbers of service members and veterans who have committed suicide have steadily increased. As our service members are deployed across the world to protect and defend our freedoms, we as a nation cannot allow them to not receive the care and treatment they need when they return home. The tragic and ultimate result of failing to take care of our nation's heroes' mental health illnesses is suicide.

Turning first to VA's efforts in recent years with Mental Health Care, The American Legion has consistently lobbied for budgetary increases and program improvements to VA's Mental Health Programs. Despite recent unprecedented increases in the VA budget, demand for VA Mental Health services is still outpacing the resources and staff available as the number of service members and veterans afflicted with Post Traumatic Stress (PTS) and Traumatic Brain Injury (TBI) continues to grow, this naturally leads to VA's increase in mental health patients.

In 2008, RAND's Center for Military Health Policy Research, an independent, nonprofit group, released a report on the psychological and cognitive needs of all servicemembers deployed in the past six years, titled, "Invisible Wounds of War: Psychological and Cognitive Injuries, Their Consequences, and Services to Assist Recovery," which estimated that more than 300,000 (20 percent of the 1.6 million) Iraq and Afghanistan veterans are suffering from PTS or major depression and about 320,000 may have experienced TBI during deployment.

The Centers for Disease Control and Prevention estimates 30,000-32,000 U.S. deaths from suicide per year among the population. VA's Office of Patient Care and Mental Health Services reported in April 2010 that approximately 20 percent of national suicides are veterans. The National Violent Death Reporting System reports 18 deaths per day by veterans and VA's Serious Mental Illness Treatment, Research and Evaluation Center reported about five deaths occur each day among VA patients. In a recent AP article, it was cited that there have been more suicides than service members killed in Afghanistan.

The Veterans Health Administration (VHA) has made improvements in recent years for Mental Health and transition between DoD and VA such as the Federal Recovery Coordinators, Polytrauma Rehabilitation System of Care, Operation Enduring Freedom (OEF) and Operation Iraqi Freedom

(OIF) case management teams, integrating mental health care providers into primary care within VA Medical Center Facilities and Community Based Outpatient Clinics (CBOCs), VA Readjustment (Vet) Centers hiring of Global War on Terrorism (GWOT) Counselors, establishing directives for TBI screening, clinical reminders and a new symptom and diagnostic code for TBI.

Regarding suicide prevention outreach efforts, VA founded the National Suicide Prevention Hotline, 1-800-273-TALK (8255) by collaborating with the National Suicide Prevention Lifeline where veterans are assisted by a dedicated call center at Canandaigua VA Medical Center in New York. The call center is staffed with trained VA crisis health care professionals to respond to calls on a 24/7 basis and facilitate appropriate treatment. VA reported in 2010 a total of 245,665 calls, 128,302 of which were identified as veterans. Of these veterans, 7,720 were rescues.

VA hired Local Suicide Prevention Coordinators at all of the 153 VA Medical Centers nationwide in an effort to provide local and immediate assistance during a crisis, compile local data for the national database and train hospital and local community on how to provide assistance. One of the primary responsibilities of the Local Suicide Prevention Coordinators is to track and monitor veterans who are placed on high risk of suicide (HRS). A safety plan for that individual veteran is created to ensure they are not allowed to fall through the cracks.

In 2009, VA instituted an online chat center for veterans to further reach those veterans who utilize online communications. The total number of VeteransChat contacts reported since September 2009 was 3,859 with 1471 mentioning suicide. VA has also had targeted outreach campaigns which included billboards, signage on buses and PSA's with actor Gary Sinise to encourage veterans to contact VA for assistance.

#### THE AMERICAN LEGION SUICIDE PREVENTION AND REFERRAL PROGRAMS

The American Legion has been at the forefront of helping to prevent military and veteran suicides in the community. The American Legion approved Resolution 51, The American Legion Develop a Suicide Prevention and Outreach Referral Program, at the 2009 National Convention. In addition, VA's National Suicide Prevention Coordinator Dr. Janet Kemp facilitated an Operation S.A.V.E. Training for our Veterans Affairs and Rehabilitation Commission members. VA&R Commission members and volunteers subsequently developed American Legion state, district and post training programs to provide referrals for veterans in distress with VA's National Suicide Prevention Hotline. The American Legion currently has over 60 posts with active Suicide Prevention and Referral Programs.

In December 2009, The American Legion took the lead in creating a Suicide Prevention Assistant Volunteer Coordinator position, under the auspices of VA's Voluntary Service Office. Each local suicide prevention office is encouraged to work with veteran service organizations and community organizations to connect veterans with VA's programs in their time of transition and need. The Suicide Prevention offices can increase their training of volunteers to distribute literature and facilitate training in order to further reach veterans in the community.

This year, The American Legion entered into a partnership with the Defense Centers of Excellence's Real Warrior Campaign to educate and encourage our members to help

transitioning service members and veterans receive the mental health treatment they need. Additionally, during our 2010 National Convention we will have a panel to discuss prevention, screening, diagnosis and treatment of TBI with representatives from DoD, VA and the private sector.

#### CHALLENGES

Despite recent suicide prevention efforts, yet more needs to be done as the number of suicides continues to grow. The American Legion's System Worth Saving (SWS) program, which conducts site visits to VA Medical Center facilities annually, has found several challenges with the delivery of mental health care. VA has the goal to recruit psychologists from their current nationwide level of 3,000 to 10,000 to meet the demand for mental health services. However, VA Medical Center Facilities have expressed concerns with hiring and retaining quality mental health specialists and have had to rely on fee basis programs to manage their workload.

The American Legion applauds last year's action by Congress in passing Advance Appropriations for mandatory spending. However, problems exist in VA itself in allocating the funds from VA Central Office to the Veteran Integrated Service Networks (VISNs) and to the local facilities. This delay in funding creates challenges for the VA Medical Center Facility in receiving its budget to increase patient care services, hiring or to begin facility construction projects to expand mental health services. VA's 2011 budget provides approximately \$5.2 billion for mental health programs which is an 8.5 percent, or \$410 million, increase over FY 2010 budget authorization. The American Legion continues to be concerned about mental health funds being specifically used for their intent and that Congress continue to provide the additional funding needed to meet the growing demand for treatment.

Challenges in preventing suicide include maintaining confidentiality and overcoming the stigma attached to a service member or veteran receiving care. Additionally, the issue of a lack of interoperable medical records between DoD and VA, while being addressed by Virtual Lifetime Electronic Records (VLER), still exists. The American Legion has supported the VLER initiative and the timely and unfettered exchange of health records between DoD and VA. Unfortunately, DoD and VA still have not finalized both agencies ALTA and VISTA architecture systems since the project began in 2007, which limits DoD and VA's ability to track and monitor high risk suicide patients during their transition from military to civilian life. The American Legion recommends VA take the lead in developing a joint database with the DoD, the National Center for Health Statistics and the Centers for Disease Control and Prevention to track suicide national trends and statistics of military and veteran suicides.

The American Legion continues to be concerned about the delivery of health care to rural veterans. As mentioned, a nationwide shortage of behavioral health specialists, especially in remote areas where veterans have settled, reduces the effectiveness of VA's outreach. No matter where a veteran chooses to live, VA must continue to expand and bring needed medical services to the highly rural veteran population through telehealth and Virtual Reality Exposure Therapy (VRET). DoD and VA have piloted VRET at bases at Camp Pendleton, Camp Lejeune and the Iowa City VA Medical Center. VRET is an emerging treatment that exposes a patient to different computer simulations to



help them overcome their phobias or stress. The younger generation of veterans identifies with computer technology and may be more apt to self-identify online rather than at a VA Medical Center or CBOC.

Both DoD and VA have acknowledged the lack of research on brain injuries and the difficulties diagnosing PTS and TBI because of the comorbidity of symptoms between the two. The Defense and Veterans Brain Injury Center (DVBIC) developed and continues to use a 4-question screening test for TB today. At the same time, Mount Sinai School of Medicine in New York developed the Brain Injury Screening Questionnaire (BISQ), the only validated instrument by the Centers for Disease Control to assess the history of TBI, which has over 100 questions with 25 strong indicators for detecting TB. Mount Sinai has published data that suggest some of the symptoms, particularly those categorized as "cognitive," when found in large numbers (i.e. 9 or greater), indicate the person is experiencing complaints similar to those of individuals with brain injuries. The American Legion wants to ensure that DoD and VA are working with the private sector to share best practices and improve on evidence-based research, screening, diagnosis and treatment protocols of the "signature wounds" of Iraq and Afghanistan.

#### RECOMMENDATIONS

The American Legion has seven recommendations to improve Mental Health and Suicide Prevention efforts for VA and DoD:

(1) Congress should exercise oversight on VA and DoD programs to insure maximum efficiency and compliance with Congressional concerns for this important issue.

(2) Congress should appropriate additional funding for mental health research and to standardize DoD and VA screening, diagnosis and treatment programs.

(3) DoD and VA should expedite development of a Virtual Lifetime Medical Record for a single interoperable medical record to better track and flag veterans with mental health illnesses.

(4) Congress should allocate separate Mental Health funding for VA's Recruitment and Retention incentives for behavioral health specialists.

(5) Establish a Suicide Prevention Coordinator at each military installation and encourage DoD and VA to share best practices in research, screening and treatment protocols between agencies.

(6) Congress should provide additional funding for telehealth and virtual behavior health programs and providers and ensure access to these services are available on VA's web pages for MyHealthyVet, Mental Health and Suicide Prevention as well as new technologies such as Skype, Apple i-Phone Applications, Facebook and Twitter.

(7) DoD and VA should develop joint online suicide prevention service member and veteran training courses/modules on family, budget, pre, during and post deployment, financial, TBI, PTSD, Depression information.

In conclusion, Mr. Chairman, although VA has increased its efforts and support for suicide prevention programs, it must continue to reach into the community by working with Veteran Service Organizations such as The American Legion to improve outreach and increase awareness of these suicide prevention programs and services for our nation's veterans. The American Legion is committed to working with DoD and VA in providing assistance to those struggling with the wounds of war so that no more veterans need lose the fight and succumb to so tragic a self-inflicted end.

Mr. Chairman and Members of the Subcommittee, this concludes my testimony.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be obligated or expended for assistance to the following entities:

- (1) The Government of Iran.
- (2) Hamas.
- (3) Hizbullah.
- (4) The Muslim Brotherhood.

□ 1640

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GOSAR. Thank you, Mr. Chairman.

I ask for your support of my limiting amendment that would prohibit any military expenditure that would assist any entity that has a policy calling for the destruction of the State of Israel.

My amendment is specific and would prohibit this type of expenditure to any entity that has a policy calling for the destruction of the State of Israel. Most prominent, of course, is Iran. Just last month, Iranian President Mahmoud Ahmadinejad reiterated his nation's policy calling for the complete elimination of Israel.

It is not just formally recognized states, however, we need to be concerned about. History has shown that entities we consider terrorist fringe groups sometimes, through force, manipulation and popular vote, take over the state apparatus. This happened in the Gaza Strip when Hamas, the Islamic Resistance Movement, won a plurality of legislative seats, 44 percent, in the 2006 election. The United States and Israel classify Hamas as a terrorist organization, but the United Nations, for example, does not. The Hamas Charter of 1988, never withdrawn or amended, states that "Israel will exist and will continue to exist until Islam will obliterate it, just as it has obliterated others before it." This mirrors the Iranian policy, as that "the reason for the Zionist regime's existence is questioned, and this regime is on its way to annihilation."

In the last budget, according to the State Department, U.S. military aid to Egypt totals over \$1.3 billion annually in funding referred to as Foreign Military Financing. Currently, questions exist about the Muslim Brotherhood, now a key player in Egypt and potentially in Libya with the rebel opposition, and its hostility to Jews and the State of Israel. It is quite possible that extremist groups who seek the destruction of Israel are taking over the state operations in Egypt and part of Libya. Time will tell.

My amendment would ensure that we do not use our money and military assistance to help any entity that will not recognize the right of Israel to exist and to exist peacefully. That includes the Muslim Brotherhood in Egypt. No other nation on Earth except Israel has had to face systematic, ideological and persistent existential threats.

My amendment would prohibit military aid, assistance or funding to any nation, state or entity that espouses a policy that refuses to recognize Israel's right to peacefully exist. With the prospect of not receiving our money and assistance, the new Egyptian regime may take a more respectful approach to Israel. In this sense, my amendment takes a carrots approach.

I appreciate your support of my amendment.

I yield back the balance of my time. Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I rise to support the gentleman's amendment. I also want to support his reasons for offering this amendment. I think they are very well taken. The amendment is a good amendment, and I strongly support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WELCH

Mr. WELCH. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . Not more than \$200,000,000 of the funds provided by title IX under the heading "Operation and Maintenance, Army" may be available for the Commander's Emergency Response Program, and the amount otherwise provided under such heading is hereby reduced by \$200,000,000.

The Acting CHAIR. The gentleman from Vermont is recognized for 5 minutes.

Mr. WELCH. Thank you, Mr. Chairman.

One of the major decisions that this Congress has to make and for which we need a recommendation from the Appropriations Committee for the Defense Subcommittee is whether nation-building is a wise strategy, a sustainable strategy, an affordable strategy, and an effective strategy in Afghanistan. We had a debate on that policy. There was a bipartisan vote, with 204 Members suggesting it was time to call into question the wisdom, sustainability and effectiveness of nation-building.

One of the things that we have provided to our commanders in order for



them to be able to do hearts-and-minds civic projects, roads, bridges, schools is a \$400 million fund that they can use completely at their discretion. Now, this sounds like a good idea. If you're going to ask the military to win the hearts and minds, not just use military power to fight battles, then a discretionary fund can seemingly make some sense. The question, though, is, upon review, it turns out that these roads, these bridges, these canals, almost the moment they're turned over to the Afghan authorities, fall into disrepair, disuse and neglect. It's not surprising.

Number one, there is very little local government infrastructure in Afghanistan, and the fact that we build a road or a school doesn't necessarily mean there's a government or an authority there to be able to maintain it. So we build something, and the moment we turn the keys over, it falls into disuse and disrepair.

Second, the expenses of doing this are enormous. It may make sense to do these civic projects, to create some goodwill, but do you do them, Mr. Chairman, in the middle of a shooting war? Or is it better to do that before or after the war, when you have a chance for this implementation to occur?

Then, third, there's an immense amount of ripping off of this money from the American taxpayer. It gets lost. It gets picked up in graft that we all know about is too rampant in Afghanistan. According to a report in *The Washington Post*, half of this money, a minimum of \$400 million, is gone missing, it's wasted, and it is coming out of our taxpayer pockets.

My amendment would cut in half the \$400 million, reduce it to \$200 million, basically taking away that \$200 million that is being utterly wasted. This is a commonsense, practical way to save money by stopping a policy that may be good in theory but in practice is a failure.

[From the *Washington Post*, Jan. 4, 2011]

U.S.-FUNDED INFRASTRUCTURE DETERIORATES  
ONCE UNDER AFGHAN CONTROL, REPORT SAYS  
(By Josh Boak)

Roads, canals and schools built in Afghanistan as part of a special U.S. military program are crumbling under Afghan stewardship, despite steps imposed over the past year to ensure that reconstruction money is not being wasted, according to government reports and interviews with military and civilian personnel.

U.S. troops in Afghanistan have spent \$2 billion over six years on 16,000 humanitarian projects through the Commander's Emergency Response Program, which gives a battalion-level commander the power to treat aid dollars as ammunition.

A report slated for release this month reveals that CERP projects can quickly slide into neglect after being transferred to Afghan control. The Afghans had problems maintaining about half of the 69 projects reviewed in eastern Laghman province, according to an audit by the Special Inspector General for Afghanistan Reconstruction.

The spending in Afghanistan is part of the \$5 billion provided to U.S. military com-

manders for projects in Iraq and Afghanistan since 2004. The new report is the latest to identify shortcomings and missteps in the program, whose ventures have included the Jadriyah Lake park in Iraq, planned as a water park but now barren two years after a U.S. military inauguration ceremony.

The dilapidated projects in Afghanistan could present a challenge to the U.S. strategy of shifting more responsibility to Afghans. Investing in infrastructure, notes President Obama's December review of the war, "will give the Afghan government and people the tools to build and sustain a future of stability."

"Sustainment is one of the biggest issues with our whole strategy," said a civilian official who shared details from a draft of the report. "The Afghans don't have the money or capacity to sustain much." The official spoke on the condition of anonymity because the Defense Department is preparing a response to the audit.

Photos in the report show washed-out roads, with cracks and potholes where improvised explosive devices can be hidden. Among the projects profiled is a re-dredged canal that filled with silt a month after opening.

Multiple reports by the Government Accountability Office have noted a lack of monitoring by the Pentagon. And because formal U.S. oversight stops after a project is turned over to Afghans, it is difficult to gauge how projects are maintained country-wide.

When asked whether the Afghans have trouble sustaining projects, the U.S. military issued a statement saying it does not have the information to provide an immediate answer.

Gen. David H. Petraeus, the top U.S. commander in Afghanistan, said in Senate testimony last year that CERP is "the most responsive and effective means to address a local community's needs." He previously relied on the discretionary fund as the commanding general in Iraq, where \$3.5 billion has been spent through the program. Over the past two years, Petraeus has pushed for stricter controls to stop any fraud and waste.

In response to "insufficient management," CERP guidance for Afghanistan was revised in December 2009, according to a statement by the military. The new guidance emphasizes the need to meet with Afghan leaders when choosing what to fund. It does not, however, require U.S. troops to continue inspecting projects after they are placed under Afghan control.

Under the guidance, an Afghan governor, mayor or bureaucrat must sign a letter promising to fund maintenance and operations. But an October SIGAR audit of projects in Nangahar province found that only two of the 15 files examined contained a signed letter. Nor is there formal reporting to the national or provincial Afghan governments of what was spent and built, the audit said. That makes it difficult for Afghans to know what they are supposed to maintain.

The provincial and district governments that take over the projects do not have the money to sustain them because they cannot collect taxes and they depend on the national government for funding, said Army Maj. David Kaczmarek, the civil affairs officer for Task Force Bastogne in eastern Afghanistan.

To teach the local governments how to request additional funds from Kabul, Kaczmarek helped launch a program in the summer that uses CERP dollars for the operation and maintenance of some projects.

The U.S. military tracks CERP projects with poorly maintained computer databases. Before October 2009, the database did not consistently record the villages or districts where projects were undertaken, according to military and civilian personnel who spoke on the condition of anonymity because the master database is classified.

A civilian official who examined the contents of the database for a government assessment said the military cannot account for the spending without knowing the villages and districts that were project recipients.

"Let's say the project is not working," the official said. "Why would we want to fund that project again the next year? Very little evaluation was done to decide what we fund next."

The organizational problems have also frustrated attempts to study the effectiveness of the \$2 billion spent on CERP. A paper co-written by Princeton University professor Jacob Shapiro found that CERP funding helped reduce violence in Iraq. Shapiro and his colleagues have struggled over the past nine months to conduct a similar study for Afghanistan because of the database.

"There's not a sense of how the program may or may not be working in Afghanistan," Shapiro said.

Army Lt. Col. Brian Stoll tried to clean up the database while serving in Kandahar last year. He champions CERP as a way to build confidence in the Afghan government, despite the mess he found.

Projects dating to 2006 had never been closed out, said Stoll, who updated the files while working 12-hour days to audit ongoing projects in southern Afghanistan.

"We never got it all cleaned up," Stoll said. "It was like a Hydra. You get part of it cleaned up and you find some more along the way."

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the gentleman's amendment for a number of reasons, although I think he's made some good points, and certainly we want accountability to apply to this program as much as we want it to apply to anything. However, this is the same funding level as last year. The request was \$425 million, and our commanders in the theater are telling us that that is even not high enough. So what we're doing with this amendment is actually cutting a level funding item from last year, cutting it in half.

Now, what does the CERP money do, the Commander's Emergency Response Program money? Let's say an IED explodes, or maybe there is a bomb that blows up a storefront in the middle of the street. A commander can go in there and hire local labor to clear out the entrance to that small business or whatever it is and get it done quickly without having to put U.S. Army personnel in danger to do it and can do it quickly and effectively and therefore leave our soldiers in the field, leave our soldiers where they can be most effective with their time and their training,

and it does promote some goodwill on the streets with the people.

It has been said, well, all you're doing is renting a friend, and we're not going to be the first army that's fighting a war that rents friends, if you will. It really doesn't just rent a friend. It does create some long-term goodwill and does have an economic benefit of it. But the idea is to give the commander on the street some flexibility so that they can get the jobs done as the jobs arise and get them done quickly and turn them around.

CERP money actually has been an effective tool, and it's enormously popular with our commanders who are on the ground. I believe one of the problems we have in Afghanistan, one of the problems we've always had, is that too many decisions are being made down the street at the Pentagon and not in Baghdad, not in Kabul, not in Kandahar, where the commanders are closest to the war front.

For these reasons, Mr. Chairman, I urge a "no" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. KINGSTON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont will be postponed.

□ 1650

AMENDMENT NO. 30 OFFERED BY MR. FLORES

Mr. FLORES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following new section:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FLORES. Mr. Chairman, I rise to offer my amendment, which would address another misguided Federal regulation. Section 526 of the Energy Independence and Security Act prohibits Federal agencies from entering into contracts for the procurement of alternative fuels unless their lifecycle greenhouse gases emissions are less than or equal to emissions from an equivalent conventional fuel produced from conventional petroleum sources. Simply stated, my amendment would stop the government from enforcing this ban on the Department of Defense.

The initial purpose of section 526 was to stifle the Defense Department's

plans to buy and develop coal-based or coal-to-liquid jet fuels. This was based on the opinion of environmentalists that coal-based jet fuel produces more greenhouse gas emissions than traditional petroleum. I recently offered my similar amendment to both the MILCON VA and Ag appropriations bills, and they passed the House by voice vote each time.

My friend Mr. CONAWAY of Texas also had similar language added to the Defense authorization bill to exempt the Defense Department from this burdensome regulation. We must ensure that our military becomes more energy independent and that it can effectively and efficiently rely on domestic and more stable sources of fuel.

Our Nation's military should not be burdened with wasting its time studying fuel emissions when there is a simple fix, not restricting their fuel choices based on extreme environmental views, policies, and regulations like section 526. In light of increasing competition with other countries for energy and fuel resources, and continued volatility and instability in the Middle East, it is more important than ever for our country to become more energy independent and to further develop and produce our domestic energy resources. Placing limits on Federal agencies', particularly the Defense Department, fuel choices is an unacceptable precedent to set in regard to America's energy policy and independence.

On July 9, 2008, the Pentagon, in a letter to Senator JAMES INHOFE stated: "Such a decision would cause significant harm to the readiness of the Armed Forces because these fuels may be widely used and particularly important in certain geographic areas."

In summary, not only have extreme environmental views and policies created and burdened American families and businesses, but they also cause "significant harm in readiness to the Armed Forces."

Mr. Chairman, section 526 makes our Nation more dependent on Middle Eastern oil. Stopping the impact of section 526 would help us promote American energy, improve the American economy, and create American jobs.

To everyone watching these proceedings today, I would say this: following my remarks, you will hear speakers from the other side of the aisle make several claims regarding the merits of section 526. When you hear these claims, please remember the following facts about section 526: it increases our reliance on Middle Eastern oil. It hurts our military readiness and our national security. It prevents the use of safe, clean, and efficient North American oil and gas. It increases the cost of American food and energy. It hurts American jobs and the American economy.

I urge my colleagues to support passage of this commonsense amendment.

I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. The Department of Defense alone is the largest single energy consumer in the world. Its leadership in this arena is critical to any credible approach to dealing with energy independence issues. Section 526 provides an opportunity for the Federal Government to play a substantial role in spurring the innovation needed to produce alternative fuels which will not further exacerbate global climate change.

This provision has spurred development of advanced biofuels. These fuels are being successfully tested and proven today on U.S. Navy jets at supersonic speeds. It's a testament to American ingenuity. Unfortunately, section 526 is under assault by those who disagree with advanced biofuels production. They'd like us to continue our dependence on the fuels of the past. That's the wrong path to take. It's unsustainable and won't lead to the energy security we need.

I urge my colleagues to vote "no" on the amendment.

I yield back the balance of my time.

Mr. CONAWAY. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Mr. Chairman, I join my colleague in asking to exempt the Department of Defense from section 526; 526 was added to the energy bill in a wrongheaded move to placate some notion that it would have some impact on global warming. It's wrong to require the Department of Defense in these times, where every single dollar is scarce and every single dollar should have a home, to require them to spend extra money beyond what they would normally spend for fuel for their planes.

This amendment would also allow the continued development of coal-to-liquid jet fuel, which would make this country much less dependent on foreign oil in terms of powering our jets and other engines. So 526, maybe it belongs in the Department of Energy bill, maybe it belongs somewhere else, but it does not belong in the Department of Defense spending bill because those dollars are scarce. They are going to get scarcer. And to require the Department of Defense to spend more money than they would have otherwise have spent on energy under this wrongheaded notion, in my view, is just simply bad policy.

So I rise in support of my colleague's amendment, and I urge the adoption of his amendment when it comes to a vote.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I support the gentleman's amendment, but I do want to understand one thing in terms of what it does to the military's options of purchasing domestic or even North American fuel. And the reason why I say that is, as I understand, the Department of Defense has three strategies in terms of energy, or using less energy. Number one is to increase the fight, decrease the fuel. Number three is increase the capacity. And then number two—and I am going in this order for a reason—is to increase the fuel options, the choices, to diversify the fuel sources. And it appears to me that 526 has inadvertently eliminated some of the options.

I would like to yield to my friend from Texas (Mr. FLORES) to explain that a little bit further, particularly with respect to domestic energy sources.

Mr. FLORES. Thank you for the chance to provide further weight to this amendment.

It's important to know that much of the oil that we import from the oil sands in Canada winds up being blended in several refined fuels throughout the United States. So if you took a literal reading of section 526, theoretically the military would not be able to use any of those fuels since the oil sands as a source is considered to be banned by section 526.

The oil from Canada from the oil sands is stable North American oil and gas. And it is in large part produced by Americans and creating American jobs. Section 526 would cut off this safe, friendly, stable source of fuel to this country. And my amendment does nothing to restrict the military from looking at all alternative sources of fuel. It allows them to go with biofuels, whatever alternative energy sources they need. It just takes away burdensome restrictions that are based on environmental views that aren't proven.

Mr. KINGSTON. Reclaiming my time, Mr. Chairman, what I am concerned about, with 84 million barrels of fuel produced every day, and America only having control of about 3 percent of that, yet consuming 25 percent, wherever we can use a friendly source of fuel is something that we need to keep open as an option.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The amendment was agreed to.

□ 1700

AMENDMENT OFFERED BY MR. WELCH

Mr. WELCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used for tax collection purposes by the Afghan Ministry of Finance.

Mr. KINGSTON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. The gentleman from Georgia reserves a point of order.

The gentleman from Vermont is recognized for 5 minutes.

Mr. WELCH. Mr. Chairman, as you know, the American taxpayer is spending \$2 billion a week in Afghanistan. Among the expenditures are payment for projects that are rebuilding infrastructure in Afghanistan—roads, bridges, schools, in some cases hospitals.

The Washington Post recently reported that the Afghan Government is taxing American aid. We send the money there to build a road. We have to hire contractors in order to do that, and the Afghan Government is trying to tax that money for their own coffers.

So it's not enough that our taxpayers are spending billions of dollars on projects to rebuild their infrastructure. The Afghan Government is literally trying to reach into the pocket and double dip and tax our taxpayers for our taxpayers' generosity in giving them money. Now, how does that make any sense at all?

Among the things that the Afghan officials are doing, after this was reported, is stepping up their efforts to grab that cash. They are doing things like threatening to detain contractors. If they don't pay up, take money that's assigned to build that road and put that money in the Afghan coffers, they, the Afghan officials, are threatening, Mr. Chairman, to detain our contractors. They are denying licenses to our contractors, again, in an effort to do what I could only call a shakedown.

Third, they are revoking visas for unpaid tax bills. We are spending a substantial amount of our money rebuilding their infrastructure. We should not be taxed, nor should we allow our taxpayers, essentially, to be stuck up by the Afghan officials.

This amendment, offered by my colleague from Washington, Ms. HERRERA BEUTLER, would end that practice.

So we believe this is overdue. There should be no tolerance for this double-dipping by the Afghan Government, and our amendment is an effort to crack down on that process.

I thank my colleague from Washington for joining me in the amendment.

I yield back the balance of my time.

POINT OF ORDER

Mr. KINGSTON. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes

legislation on an appropriation bill and therefore violates clause 2 of rule XXI because it requires a new determination.

The Acting CHAIR. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination about the use of funds by a foreign government entity. The amendment, therefore, constitutes legislation in violation of clause 2, rule XXI.

The point of order is sustained, and the amendment is not in order.

Ms. HERRERA BEUTLER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Washington is recognized for 5 minutes.

Ms. HERRERA BEUTLER. We are working on making this amendment something that can be passed as a part of this bill, but I just want to speak in support of it and share part of the reason I am very honored to be working with the gentleman from Vermont on this.

Basically, we are in Afghanistan right now helping to rebuild, or in many cases build from scratch, infrastructure. And when we leave that country—and I do hope it will be soon—we will leave that infrastructure behind. Power grids, water systems, trained law enforcement are the building blocks of a functioning society.

We will spend or have spent hundreds of millions, if not billions, of dollars on improvements meant to better the lives of the people in Afghanistan.

The reason I supported this amendment is we don't need to also be paying taxes to the Afghan Government for the privilege of rebuilding that country, and that's why I cosponsored the amendment.

The Department of Defense funding should be focused on providing soldiers training in the field and on the front lines with the tools they need to protect themselves and defend our country. This amendment would uphold or, as it was offered, as we attempted, would uphold existing law and clarify existing agreements between the U.S. and Afghanistan, prohibiting Afghanistan from taxing U.S. subcontractors doing work in Afghanistan. So this ban on levying taxes would also apply to all subcontractors that may not have direct contracts with Afghanistan.

In other words, if a company is working on a project funded by the U.S. Department of Defense, whether that company is a prime contractor or a subcontractor, that company should not be subject to taxes from the Afghan Government.

It seems pretty simple. These are the contractors doing the work of rebuilding in Afghanistan, helping rebuild the infrastructure and hopefully allowing them to one day thrive independently.

So common sense and financial prudence says the U.S. should not be subject to taxation for the rebuilding efforts it is paying for. That was what we were getting at with this amendment.

Mr. KINGSTON. Will the gentleman yield?

Ms. HERRERA BEUTLER. I yield to the gentleman from Georgia.

Mr. KINGSTON. I think that the point you have raised is a very valid point and something that is very good discussion matter.

Unfortunately, we believe that it is authorizing on an appropriation, as the Chair has confirmed, but that's probably the concern far more than the philosophical concern.

So I think that if you and the gentleman can work on some other language, make another run at it, I cannot speak for the real chairman of the committee, but I think that there are going to be a number of people who would have sympathies with you because I think you have raised a very valid point.

Ms. HERRERA BEUTLER. Very good. We will continue to work on this issue, and I thank you for hearing my point.

I yield back the balance of my time.

AMENDMENT NO. 4 OFFERED BY MR. COLE

Mr. COLE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to implement any rule, regulation, or executive order regarding the disclosure of political contributions that takes effect on or after the date of enactment of this Act.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. COLE. Mr. Chairman, in April a draft executive order was circulated that would require all companies bidding on Federal contracts to disclose all Federal campaign contributions.

If enacted, this executive order would effectively politicize the Federal procurement process, in my opinion. Companies wouldn't merely be judged by the merits of their past performance, by the capability to do the job, but would also be obviously considered on the basis of who they gave money to or against.

This would clearly chill the constitutionally protected right to donate to political parties, candidates and causes of one's choice; and, I think, frankly, that's exactly what the executive order, proposed executive order, is intended to do.

My amendment would simply prohibit funds from this act being used to implement such an executive order.

It doesn't change existing Federal campaign contribution law in any way.

It doesn't prevent the disclosure of campaign contributions. It simply says we won't spend money from this bill to require campaign contribution information to be submitted along with bids for Federal contracts.

This House has agreed to this concept on three previous occasions: once in the bill, once in an amendment to the Defense Authorization Act, and once in an amendment to the Defense Appropriations Act.

Finally, it's worth noting that Congress has rejected an effort to do exactly what this proposed executive order intends to do when it failed to pass the DISCLOSE Act in 2010.

Mr. Chairman, pay-to-play has no place in the Federal procurement contract, and we should try to keep politics out of the selection of vendors and businesses and contractors to go about doing Federal works. So I would urge the adoption of the amendment.

I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. Our system has been improved by having public disclosure of political contributions. The more the public knows about where the money is coming from, the better off the citizenry is.

The amendment is a legislative attempt to circumvent a draft executive order, which would provide for increased disclosure of the political contributions of government contractors, especially contributions given to third-party entities.

Opposition exists for this effort because some believe this additional information could be used nefariously to create some kind of enemies list, like during the Nixon administration.

□ 1710

They argue that companies should not disclose more information because people in power could misuse that information to retaliate against them. Using the opposition's logic, all campaign disclosures would be bad. Government contractors already disclose contributions and expenditures by their PACs and those who contribute to them. Contributions by the officers and directors of government contractors are also required to be disclosed.

These provisions are fine as they are written. The information is required to be provided already in law. And the executive order that the amendment would circumvent certainly enhances the quality of that information.

Disclosure is good because disclosure of campaign contributions to candidates is good. Disclosure of companies making these disclosures is good. And I just worry that we have a situation here where companies or major entities could make enormous contribu-

tions secretly, and that's what we are trying to avoid. And the President's executive order is an attempt to do that. We already know that the Boeings, the Lockheeds, the General Dynamics and the Northrop Grumman all make campaign contributions, and they are all disclosed. What's wrong with disclosure?

I urge a "no" on the gentleman's amendment.

Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I accept the amendment because I believe that the things that Mr. DICKS is talking about in this amendment actually do move us in that direction.

I would like to yield to Mr. COLE and ask him to clarify that because I want it confirmed.

Mr. COLE. I would simply say to my good friend from Washington, who I respect frankly as much I do anybody in this Congress, the intent here is to make sure we never link political contributions with the awarding of government contracts. If we want to require additional disclosure, the Congress has it within its ability to do that, and indeed we considered something like this in 2010 and decided it was inappropriate. And that was a time when my friends on the other side of the aisle were in control of both Houses as well the Presidency.

So I understand the concerns, but I think this is an inappropriate way to address them. Number one, the executive order, frankly, is legislating through the back door. If we want to change the campaign contribution laws in the United States, that needs to be done here, not by executive fiat.

And, secondly, to link it with the contracting process is inevitably going to raise questions, create fears and doubt and I think without question chill political speech. So let's just simply keep contracting and the awarding of the contract by the Government of the United States separate from partisan political considerations and contributions. I think we would be better off.

I thank my friend from Georgia for yielding.

Mr. KINGSTON. I thank you.

I yield back the balance of my time.

Ms. ESHOO. I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. ESHOO. Mr. Chairman, I just listened with great curiosity to the comments that were made about the so-called intent of the legislation. I don't see my colleagues on the other side bringing forward legislation that you have the power to pass given the number of votes that you have for full disclosure.

So if you're opposed to a draft executive order, if you're opposed to my coming to the floor and blocking every time I offer an amendment for disclosure in transparency, change it. You were for it before you went against it, the Republicans were. That's what the record is. So I rise in opposition to Representative COLE's amendment which blocks disclosure of contractor political spending.

Now, this is not to create any kind of list. You can come up with all kinds of things about why you're against something and then try to label it. This is about disclosure. This is about sunshine. This is about disinfectant, and you're against it. I think that's a bad place to be. In fact, I think it's the wrong side of history.

The draft of the President's order would require disclosure requirements for contractors who do business with the Federal Government. Now, any business that does business with the Federal Government is paid with taxpayer dollars. Why shouldn't there be transparency, accountability, and disclosure relative to those dollars? This amendment, your amendment, would prohibit disclosure, which I think is the exact wrong thing to do.

We should oppose any amendment—we should oppose any amendment, Republican or Democrat—that's designed to keep the public less informed about what happens to their tax dollars. We know who supports this amendment. It's the American League of Lobbyists, the lobbyists for the lobbyists. Surprise, surprise.

They're trumpeting their opposition to the President's draft order. We should be fighting for the taxpayers, not for the uber-, superlobbyists. What are we here for? We are here for the public interest, for the people. And yet there is an amendment on the floor that would destroy any attempt at disclosure.

Again, I remember when the Republicans supported disclosure. When we wanted contribution limits, Republicans said, no, we need disclosure instead. Now that we are asking for disclosure, you're opposed to it. As I said, you were for it, now you're against it.

The American people were very clear on this late last year when there was a CBS/New York Times poll, and that poll found that 92 percent of Americans support requiring outside groups to disclose how much money they have raised, where it came from and how it was used.

Now we are going directly to taxpayer dollars, those that do business with the Federal Government. It's very simple to disclose. We should be listening to the American people, and I would ask my colleagues to vote against this amendment.

This is a bad amendment. It's not good for the country. It's not good for our system. I don't believe it's why the

people sent us here. And of all things to be stomping on and trying to snuff out, disclosure should not be one of them.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COLE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. VISCLOSKY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oklahoma will be postponed.

AMENDMENT NO. 97 OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The total amount of appropriations made available by this Act is hereby reduced by \$8,500,000,000, not to be derived from amounts of appropriations made available—

- (1) by title I ("Military Personnel");
- (2) under the heading "Defense Health Program" in title VI ("Other Department of Defense Programs"); or
- (3) by title IX ("Overseas Contingency Operations").

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Chairman, this is a dangerous amendment. It's kind of a test of whether or not Members of this body believe what they say. Fortunately, I think for all concerned, the oath we take at the beginning of the session does not carry over to specific statements. So the fact that I believe this will probably, unfortunately, show a great gap between what people say and what they vote will have no consequences other than the public knowing it.

We are at a time of austerity. We are at a time when the important programs, valid programs, are being cut back. And we were told by some, everything is on the table, there are no sacred cows, all those metaphors that are supposed to suggest that we will deal with everything. And then we get this appropriation from the Appropriations Committee for the military budget. At a time when we are cutting police officers on the streets of our cities, we are cutting back firefighters, we're cutting back maintenance of highways, of the construction of bridges to replace old bridges, when we are cutting in almost every capacity, the military budget gets a \$17 billion increase for this fiscal year to the next.

A \$17 billion increase for the military budget simply does not fit with this ar-

gument that we are putting everything on the table. Yes, they say they're putting everything on the table, but there is a little bit of a problem with the preposition here—not the proposition, the preposition.

□ 1720

The military budget is not on the table. The military is at the table, and it is eating everybody else's lunch. We are cutting area after area. For example, we have been told by some on the Republican side that we cannot afford to go to the aid of those of our fellow citizens who have been the victims of natural disasters who have suffered enormous physical and, therefore, also psychological damage from tornadoes and floods unless we find the cuts elsewhere. But if we were not increasing the military budget by \$17 billion over this year, then there would be no need to do that and you would not have to worry about that aid.

Now, my colleagues, this is co-authored by the gentleman from California (Mr. CAMPBELL), the gentleman from North Carolina (Mr. JONES), the gentleman from Texas (Mr. PAUL), the gentleman from New Jersey (Mr. HOLT), the gentlewoman from Wisconsin (Ms. MOORE). We are being very moderate here. We are not saying don't give the Pentagon any more money. This amendment reduces by 50 percent the increase for the Pentagon. We are accepting \$8.5 billion more.

By the way, this, of course, does not affect the wars in Iraq and Afghanistan. It just occurred to me, maybe this was said earlier, the budget for Afghanistan, which we refuse to cut, reluctantly, regrettably, was voted out by the committee before the President announced a 10,000 troop reduction. So we are overfunding Afghanistan unless you think the President was kidding when he said we are going to bring down 10,000 troops. We funded 10,000 troops for next year that won't be there in Afghanistan. And that is the problem.

We are saying to the Pentagon, You find it. Don't cut military personnel. Don't cut health, but perhaps some of the bases we maintain overseas, some of the subsidies we give to NATO. Lip service is paid here to an alliance in which they participate.

Unfortunately, Mr. Chairman, I have to say it is true of the Obama administration and the members of the Appropriations Committee and the Armed Services Committee, they are the enablers of one of the great welfare dependencies in the history of the world: the ability of wealthy European nations, 61 years after the foundation of NATO, to get subsidized by America so their military budgets can be a small percentage of ours as percentage of the GDP so they can provide more services, better rail, better health care, and earlier retirement for their own people.

This says to the Pentagon not that we are going to cut you. This gives them a greater than 1 percent increase at a time when everybody else is being cut. And it leaves it up to the Pentagon. Let's look at the bases that we have all over the world. Let's look at efficient procedures. Yes, there is inefficiency.

You cannot mandate efficiency from the outside when you simultaneously give the entity in question the ability to spend without limit. You will never get efficiency, Mr. Chairman, at the Pentagon if we don't begin to subject them to the same kind of fiscal discipline that everybody else gets. And it is undeniable that the Pentagon is a great exception here.

We are going to be telling American cities to continue to lay off cops, to continue to ignore important reconstruction projects that help with transportation. We are going to continue to cut back on firefighters. We are going to continue to quibble over financial disaster relief, but we will give the Pentagon, unless this amendment passes, an additional \$17 billion that we cannot afford.

I yield back the balance of my time.

Mr. COLE. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. COLE. Mr. Chairman, I want to offer a somewhat different perspective than my friend from Massachusetts does on the trend line of defense spending.

Looking at the long term, defense spending has actually, over time, come down pretty dramatically as a percent of our gross national product. In 1960, at the height of the Cold War, we spent about 9 percent of the GDP on defense. In 1980 in the great Reagan defense buildup, it was about 6 percent. It fell as low as 3.5 percent on the eve of 9/11. It is barely 5 percent, or in that range, today. So by historical standards, particularly since 1940, we do not spend a large percentage of the national wealth on defense.

By the way, the same thing is true of the Federal budget. In 1960, about 50 percent of the Federal budget was defense spending. It was about 33 percent in 1980. It is about 18 or 19 percent today. Certainly a lot of money, and that is certainly not the only way in which to judge military spending, but if looked at in terms of the size of the Federal budget or the wealth of the country, defense has been, comparatively speaking, a bargain compared to other parts of the budget.

I would also like to point out that, frankly, this Defense Subcommittee and the administration have worked to find additional economies. Secretary Gates made \$78 billion in reductions over the next 5 years, and this budget itself is below what the President of

the United States asked us to appropriate by \$9 billion. In addition, the Secretary has laid out a path for an additional \$400 billion worth of savings.

I think most Americans would be shocked to find out we are engaged in two or three wars, depending on how you want to count, with an Army that is almost 40 percent smaller than it was in 1982.

So I yield to no one in terms of trying to find savings in defense, but I think the record ought to be clear: As a percentage of our national wealth, as a percentage of the Federal budget, what we spend on defense has come down. And, frankly, we ought to remember that we are at war; we are in a dangerous situation. This is not the first place to cut, although cut we have. In my opinion, I think it is the last place that we ought to cut.

And the consequences of what my friend proposes, I think, would be terrific. We would be reducing and canceling training for returning troops, canceling Navy training exercises, reducing Air Force flight training, delaying or canceling maintenance of aircraft, ships, and vehicles, and delaying important safety and quality-of-life repairs.

This is not the time for us to embark on additional cuts on top of the restraints in spending that we have already done as a House. I would urge the rejection of my friend's amendment.

I yield back the balance of my time.

Mr. HOLT. Mr. Chairman, I move to strike the requisite numbers of words.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. I rise in support of the amendment of the gentleman from Massachusetts.

You know, all of Washington inside the Beltway is abuzz about how much we can save by cutting Federal spending. As the gentleman from Massachusetts (Mr. FRANK) said, to us, this amendment is a test. Will we put every Federal agency's budget on the table in our quest to control spending and reduce debt, or are there privileged categories? Will we continue down the path of trying to balance the budget on the backs of the poor, the disabled, schoolchildren, and seniors?

The Pentagon spending bill before us, some \$650 billion, nearly two-thirds of a trillion dollars, is about equal to all military spending of all the rest of the world—all of our allies, all of our potential adversaries, and all of those countries that Americans rarely think about all put together.

The amendment that Mr. FRANK and I and some of our colleagues on both sides of the aisle are offering today is truly a modest proposal. It would simply cut the rate of increase in Pentagon spending. Instead of allowing a \$17 billion increase over this year's level, it would cut that increase in half just to see if we are willing to do that.

Now, my colleague, Mr. COLE, puts this, I think, in the wrong context. I mean, we should talk about, sure, in 1960 it was a larger part of the budget. That is before we had Medicare, before we had a lot of programs. But when you ask yourself is our military structured to deal with the problems this country faces and to expect from other countries in the world their share of what must be done, the answer surely is this is an unsustainable size.

This amendment was born out of a series of discussions among Mr. FRANK and Mr. PAUL and Mr. JONES and some other Members and I have had over several months. Recently, we sent a joint letter that outlined our concerns about the state of our spending on national security. We point out not only the excessive, unquestioned overall size of military spending, but also that this is a result of the military that is indeed a remnant of the Cold War, to go back to Mr. COLE's comments. And it bears far more than our share of keeping the peace and is still structured to overwhelm the Soviet Union more than to deal with today's actual threats to our security.

To take one example that the cosponsors of this amendment may or may not agree with me on but we might ask: Why do we need a replacement for the B-2 bomber?

□ 1730

It was not the B-2 bomber or any bomber that killed Osama bin Laden. It was U.S. Special Operations. Buying new nuclear bombers would simply be a form, I think, of defense sector corporate welfare to protect against a threat that went away decades ago. I could cite multiple additional disconnects between our defense spending priorities and the actual threats we face.

One that comes to mind is Libya. As we note in our letter, it has been widely reported in the press that England and France have been pressing the United States to resume its earlier role in Libya because they've been unable to assume it themselves. The explanation is that only America has the capacity to respond.

Our point precisely.

We have allowed other nations in the world to grow into an overdependence on America's military and America's tax dollars and the expenditure of American money and lives far beyond what's appropriate for our share of world peacekeeping. All of us who support this amendment want to protect our country. That's precisely why we've offered our proposal and this amendment: To put ourselves on track for a better structured military.

Spending money on cold war-era weapons to wage undeclared wars of choice is clear evidence of misguided, needlessly expensive priorities. If the House cannot even pass an amendment



that simply cuts the rate of increase in Pentagon spending, it will never pass amendments that actually make the kinds of cuts that are truly necessary to restructure our defense in order to meet the real threats we face and to achieve the budget savings that we must secure for our financial future.

I urge my colleagues to support this modest first step to rein in our out-of-control defense budget.

I yield back the balance of my time.

Mr. MCGOVERN. I move to strike the last word.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MCGOVERN. I rise in support of the Frank-Holt amendment.

This is a modest amendment. Quite frankly, I wish the cut were greater than the cut being proposed here, because I think everybody in this Chamber knows that there is a great deal of waste and abuse that exists within our military spending. We have no-bid defense contracts. We go right down that road of all the contracts that we've divvied out and how wasteful they've been, and we're still building and preserving weapons systems that are remnants of the cold war that even our Joint Chiefs of Staff don't want. So there is savings to be had within the military.

The other point I want to make is that, when we talk about national security and national strength, we ought to be talking about making sure that the people in this country can earn a decent living. National security should mean jobs. It should mean the strength of our infrastructure, the quality of our education system, which we are neglecting. My friends on the other side of the aisle want to balance the budget by cutting those very programs that, I think, provide our economic strength. When you go home to your districts, the first thing that people want to talk about is jobs. It is economic security.

Why aren't we doing more to create jobs? Why aren't we talking more about jobs here in the Capitol?

So I make those two points because I think this amendment is a modest amendment that moves us in the right direction and that moves this discussion in a better direction.

At this point, Mr. Chairman, I would like to yield to the author of the amendment, the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. First of all, what we are saying is they get an increase. So, if you vote against this amendment, apparently you believe that they are 101½ percent efficient at the current level, because you're giving them, we would say, a 101½ percent increase. You must believe it's a 103 percent increase, those who vote against this. People pay lip service where there are some inefficiencies, but you will not get at them unless there is some limit to the spending.

I particularly want to address the very odd notion that we should decide what we need to spend on the military today by using as a standard what the situation was 51 years ago. That's the problem. Fifty-one years ago, Germany was divided. The Communists controlled Czechoslovakia and Poland and Hungary and East Germany. Our Western allies were poor, and they were still recovering from 1945. The Soviet Union was very strong. That's precisely the problem. This budget out of the Appropriations Committee and from the administration, which is also incorrect on this, acts as if it were still 1960. The fact is that it is no longer appropriate for the rest of the world to expect us to put out so much of the burden. That's what the issue is.

The gentleman from Oklahoma said, oh, well, we'll have to cut this here and that there.

Why? Why don't we cut some of the money we spend in Europe, in Japan and in other wealthy and secure nations?

This amendment tells the Pentagon, You're only going to get half of the \$17 billion increase on top of the \$500 billion-plus you already get. You decide where to stop spending.

Well, are they able to stop spending overseas?

Foreign aid is very unpopular. I think unduly unpopular. I like to help poor children and to fight disease, but the biggest foreign aid program in the history of the world is the American military budget and its foreign aid for the un-needy, its foreign aid for the wealthy. You want to talk about percentages of the GDP that are in the budget. What about Germany? What about England? What about France? What about Italy? What about Denmark? What about the Netherlands? All are our great allies, and none spend as much as half a percentage as we do.

So what we now have here, apparently, the House is going to decide. When Members have said that the Pentagon should be subjected to fiscal discipline and that other needs will be taken into account and that the deficit is the greatest threat to national security—people have quoted Mike Mullen as saying that and Robert Gates as saying that—do the Members understand what it means? It means that you don't even cut the Pentagon, that you don't even level fund them, but you don't give them \$17 billion additional. You give them \$8.5 billion at a time when you are requiring cuts in very important programs.

I will reemphasize that this is a House which says we can't afford to go to the aid of our fellow citizens who have been devastated by disasters in the southeastern part of the country and elsewhere unless we make offsetting cuts. Well, to the extent that you give the Pentagon an additional \$17 billion, you exacerbate that dilemma, and

you make it harder to find the funds necessary to go to the aid of the people in this area.

Yes, we want to keep the American people safe. I want to keep them safe from unsound bridges, from fires that can't be effectively combated, from food that isn't adequately tested, and from diseases. People are unsafe because we are cutting back on health research.

Mr. MCGOVERN. I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. I yield to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. I thank the gentleman for yielding.

The notion that the only danger to the American people is a Soviet Union which collapsed 20 years ago or whatever it is we are protecting people from in Germany and other bases such as that ignores the need for better public safety here, better public health here, research on disease, protection against disaster. It's one thing to go to the aid of people after a disaster, but let's do a better job of building those structures that can help diminish it.

This is a central question: Are the Members of the House going to say, "No, we didn't really mean it? No, the Pentagon is not subject to fiscal discipline"?

My friend from Oklahoma said, oh, no, there were cuts; there's \$78 billion in cuts coming over the next 5 years. This is a \$17 billion increase. How can that be a cut? It may be a cut from a \$30 billion increase, and that \$30 billion increase is a cut from a \$200 billion increase, but it ain't a cut. It's a \$17 billion increase, and we say let it only be an \$8.5 billion increase.

So the question is not are we going to treat the Pentagon more generously with less discipline than any other entity. We've conceded that. We're only asking that you cut in half the extent to which you are going to tell American cities to lay off cops, that you're going to say that we don't have enough to provide disaster relief without making cuts elsewhere, that you're going to cut health research, that you're going to cut food inspection, that you're going to cut fire service, that you're going to cut the reconstruction of bridges in America.

Tens and tens of billions will be spent in Western Europe and on our allies that needed our help 61 years ago and 51 years ago but who don't need it today—in Japan and in other parts of the world where we're subsidizing their military budgets so they can spend more elsewhere.

By the way, let me close with this: We talk about competition and things



that count—our ability to spend money on community colleges, to provide aid so that people can become scientists and engineers, our ability to develop technology. All of those things are hampered by the drain on resources we get from spending military dollars in precisely those countries with which we are competing. England and Germany and France and the Netherlands and Denmark and Japan can all spend more on their education and on their technology—on those areas where we are competitive in a friendly way because we allow them to keep their military budgets to a much lower percentage of GDP than ours, and that is the relevant measure.

□ 1740

So we again have a test: Are Members so caught up in the history—and again, I thank the gentleman from Oklahoma for helping make the point; 1960 is his reference point. Well, stay with the concerns of 1960 and use that as a reference point and things are not going to look very good in 2011.

I thank my colleague from Indiana for yielding.

Mr. VISCLOSKEY. Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I'm having a hard time believing what I'm hearing in this Chamber when it comes to national defense. You don't get a bookkeeper or an accountant to make some sleight-of-hand number to come up with a defense number. That's not how you do it. The way you do it is decide what is the threat; what is threatening America, what is threatening our allies overseas, what is threatening our troops or our businesses around the world? Decide what that threat is, and then decide how we're going to meet that threat. That's how you come up with a defense number.

Just imagine we are going back to the good old days of just slashing defense, gutting the victory fund, and the hangars were full of hangar queens—hangar queens being airplanes that can't fly because they don't have engines or they don't have parts. And in order to make one airplane fly, they had to cannibalize two or three others to get enough parts to make one airplane fly. Well, if you need three or four airplanes in the air but only one flies, somebody is in trouble. We don't want to go back to the days of a hangar queen, the "hollow force" so-called.

And what about the troops out in combat facing a vicious enemy, and they get to the point where they haven't really experienced what they are about to experience because we didn't get that far in our training because the training was curtailed? When

you start cutting back the money, you start cutting back the training, you start cutting back the flying hours, you start cutting back the ability of that soldier to reach out and say, hey, I know exactly how to do this because I was trained properly. Don't cut the training, don't do it. Don't cut our readiness by cutting training. Don't cut our readiness by having hangars full of hangar queens that can't fly or by having garages full of vehicles that can't run because of a lack of spare parts.

This is just not good defense. You don't make your defense decisions based on some magical scheme or some solution that an accountant might come up with. You had better be very careful about what the threat is. We don't want any more Pearl Harbors; we don't want any more U.S. World Trades on 9/11; we don't want any more attacks on the Pentagon. We were not well enough prepared there with our intelligence. We need to make sure that we invest enough in intelligence to make sure that we stop those things before they happen.

Defense is not something to play games with. Defense is not something to stand up and say, hey, I'm a cost-cutter. All of us are cost-cutters in our own way; some of us just have different priorities for what costs ought to be cut.

Mr. Chairman, this is a very important amendment. This subcommittee did a very good job in reducing and saving over \$9 billion on this bill alone. This is a terrible amendment. I hope that we overwhelmingly defeat this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. FRANK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FRANK of Massachusetts. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT OFFERED BY MR. FORTENBERRY

Mr. FORTENBERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. II. None of the funds made available by this Act for international military education and training, foreign military financing, excess defense articles, assistance under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law (109-163; 119 Stat. 3456), issuance for direct commercial sales of military equipment, or peacekeeping operations for the countries of

Chad, Yemen, Somalia, Sudan, Democratic Republic of the Congo, and Burma may be used to support any military training or operations that include child soldiers, as defined by the Child Soldiers Prevention Act of 2008, and except if such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1).

Mr. FORTENBERRY (during the reading). Mr. Chairman, I ask unanimous consent to dispense with further reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. FORTENBERRY. Mr. Chairman, in 2008, this body declared that the United States would not provide military assistance to countries found guilty of using child soldiers. With broad bipartisan support, we declared that this is an affront to human dignity and an affront to civilization itself, and we reaffirmed this policy earlier this year in the continuing resolution.

It is the policy of our Nation that children—all children, no matter where they are—belong on playgrounds and not battlegrounds, Mr. Chairman. But that policy is at risk, and this body has an important decision to make. Six governments were found guilty of using child soldiers in 2010—Burma, Chad, the Democratic Republic of the Congo, Somalia, Sudan, and Yemen. As the law we passed provided, four were granted national security interest waivers last year in the hopes, Mr. Chairman, that they would take serious and aggressive strides toward ending this serious human rights violation. Somalia was also permitted to continue receiving peacekeeping assistance, effectively sanctioning only Burma, a country to which we provided no military assistance anyway.

Mr. Chairman, this administration has been heavily criticized for this decision. And it is no surprise that in the newly released 2011 child soldiers report, the same six countries were listed as violators once again. Mr. Chairman, we must ask, where is the progress? The 2011 report needs to stand as a challenge to President Obama, the administration, and this Congress as well. We are operating inconsistently, obligated by law and civilized order itself to combat this most serious human rights violation—especially prevalent in the world's ungoverned spaces—but we continue with military assistance, with inattentiveness to stopping the pernicious use of child soldiers.

Mr. Chairman, my amendment reaffirms current U.S. policy, lest we forget it. In the 2011 continuing resolution, we extended the Child Soldiers Prevention Act to cover peacekeeping

operations, and my amendment is consistent with this. It also clarifies a point of law not mentioned in the Child Soldiers Prevention Act. Section 1206 of the National Defense Authorization Act for fiscal year 2006 provides the Department of Defense the authority to train and equip foreign military forces. But according to its own terms and the State Department, section 1206 authorities may not be used to provide any type of equipment, supplies, or training that is otherwise prohibited by any other provision of law.

Mr. Chairman, children in these countries are being preyed upon, innocent lives are being lost, children are being thrown into psychological hell. Girl soldiers and some boys are being subjected to grotesque sexual slavery and violence. They are property. Their lives are not their own. They are battered, beaten, victimized, stripped of dignity, hope, and a future, made to do unfathomable things by the world's worst criminals.

Mr. Chairman, these criminals just aren't faceless rebels in the bush either. While there are plenty of those, we are talking now about governments that are guilty of this pernicious practice. And we need to make it clear: Are we going to tolerate this or not? William Wilberforce, the British statesman and unyielding abolitionist for whom our anti-human trafficking law is named, once said this: "You may choose to look the other way, but you can never again say that you did not know."

□ 1750

We must make it clear to these governments that we do now know and that we cannot look the other way, Mr. Chairman. With that, I urge my colleagues to support this amendment.

I yield back the balance of my time. Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word to express support for this good amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Nebraska (Mr. FORTENBERRY).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. RIGELL of Virginia.

Amendment No. 61 by Ms. FOXX of North Carolina.

An amendment by Mr. MULVANEY of South Carolina.

Amendment No. 8 by Mr. SHERMAN of California.

An amendment by Mr. ROHRBACHER of California.

An amendment by Mr. GOHMERT of Texas.

An amendment by Mr. WELCH of Vermont.

Amendment No. 4 by Mr. COLE of Oklahoma.

Amendment No. 97 by Mr. FRANK of Massachusetts.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. RIGELL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. RIGELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 176, noes 249, not voting 6, as follows:

[Roll No. 515]

AYES—176

Adams	Gibson	Mica
Akin	Gingrey (GA)	Michaud
Amash	Gohmert	Miller (FL)
Bachmann	Gonzalez	Miller (MI)
Baldwin	Goodlatte	Moore
Bass (NH)	Gosar	Mulvaney
Benishek	Gowdy	Nadler
Berg	Graves (GA)	Napolitano
Bilirakis	Graves (MO)	Neugebauer
Bishop (UT)	Griffin (AR)	Noem
Boustany	Grijalva	Nugent
Braley (IA)	Guinta	Palazzo
Brooks	Hall	Pastor (AZ)
Broun (GA)	Hanabusa	Paul
Buchanan	Hanna	Paulsen
Bucshon	Harris	Pearce
Buerkle	Hastings (WA)	Peterson
Burgess	Heck	Petri
Burton (IN)	Herrera Beutler	Pingree (ME)
Campbell	Himes	Pitts
Capito	Hinchey	Poe (TX)
Capuano	Honda	Pompeo
Chaffetz	Huelskamp	Posey
Cicilline	Huizenga (MI)	Price (GA)
Clarke (MI)	Hultgren	Quigley
Clarke (NY)	Hurt	Reed
Clay	Jackson (IL)	Reichert
Cleaver	Johnson (IL)	Renacci
Coble	Jones	Ribble
Cole	Jordan	Richardson
Conyers	Keating	Rigell
Costello	Kingston	Roe (TN)
Cummings	Kucinich	Rohrabacher
Davis (IL)	Labrador	Rokita
Davis (KY)	Landry	Rooney
DeFazio	Lankford	Roskam
Denham	Latham	Ross (FL)
DesJarlais	Latta	Royce
Duffy	Lee (CA)	Rush
Duncan (SC)	LoBiondo	Sanchez, Loretta
Duncan (TN)	Long	Schilling
Emerson	Lummis	Schmidt
Farenthold	Lynch	Schweikert
Fincher	Mack	Scott (SC)
Fitzpatrick	Maloney	Scott (VA)
Flake	Manzullo	Scott, Austin
Fleming	Markey	Sensenbrenner
Flores	McClintock	Serrano
Foxx	McGovern	Sessions
Frank (MA)	McHenry	Sherman
Gardner	McKinley	Smith (NJ)
Garrett	McMorris	Southerland
Gibbs	Rodgers	Stearns

Stutzman  
Sullivan  
Thompson (PA)  
Tiberi  
Tipton  
Upton

Visclosky  
Walberg  
Walsh (IL)  
Waters  
West  
Westmoreland

Wilson (SC)  
Woodall  
Woolsey  
Wu  
Yoder  
Young (AK)

NOES—249

Ackerman	Frelinghuysen	Neal
Aderholt	Fudge	Nunes
Alexander	Gallely	Nunnelee
Altmire	Garamendi	Olson
Andrews	Gerlach	Olver
Austria	Granger	Owens
Baca	Green, Al	Pallone
Bachus	Green, Gene	Pascarell
Barletta	Griffith (VA)	Pelosi
Barrow	Grimm	Pence
Bartlett	Guthrie	Perlmutter
Barton (TX)	Gutierrez	Peters
Bass (CA)	Harper	Platts
Becerra	Hartzler	Polis
Berkley	Hastings (FL)	Price (NC)
Berman	Hayworth	Quayle
Biggert	Heinrich	Rahall
Bilbray	Hensarling	Rangel
Bishop (GA)	Hergert	Rehberg
Bishop (NY)	Higgins	Reyes
Black	Hirono	Richmond
Blackburn	Hochul	Rivera
Blumenauer	Holden	Roby
Bonner	Holt	Rogers (AL)
Bono Mack	Hoyer	Rogers (KY)
Boren	Hunter	Rogers (MI)
Boswell	Inslie	Ros-Lehtinen
Brady (PA)	Israel	Ross (AR)
Brady (TX)	Issa	Rothman (NJ)
Brown (FL)	Jackson Lee	Roybal-Allard
Butterfield	(TX)	Runyan
Calvert	Jenkins	Ruppersberger
Camp	Johnson (GA)	Ryan (OH)
Canseco	Johnson (OH)	Ryan (WI)
Cantor	Johnson, E. B.	Sánchez, Linda
Capps	Johnson, Sam	T.
Cardoza	Kaptur	Sarbanes
Carnahan	Kelly	Scalise
Carney	Kildee	Schakowsky
Carson (IN)	Kind	Schiff
Carter	King (IA)	Schock
Cassidy	King (NY)	Kinzinger (IL)
Castor (FL)	Kinzie	Scott, David
Chabot	Kissell	Sewell
Chandler	Kline	Shimkus
Chu	Lamborn	Shuler
Clyburn	Lance	Shuster
Coffman (CO)	Langevin	Simpson
Cohen	Larsen (WA)	Sires
Conaway	Larson (CT)	Slaughter
Connolly (VA)	LaTourette	Smith (NE)
Cooper	Levin	Smith (TX)
Costa	Lewis (CA)	Smith (WA)
Courtney	Lewis (GA)	Speier
Cravaack	Lipinski	Stark
Crawford	Loeback	Stivers
Crenshaw	Lofgren, Zoe	Sutton
Critz	Lowe	Terry
Crowley	Lucas	Thompson (CA)
Cuellar	Luetkemeyer	Thompson (MS)
Davis (CA)	Luján	Thornberry
DeGette	Lungren, Daniel	Tierney
DeLauro	E.	Tonko
Dent	Marchant	Tsongas
Deutch	Marino	Turner
Diaz-Balart	Matheson	Van Hollen
Dicks	Matsui	Velázquez
Dingell	McCarthy (CA)	Walden
Doggett	McCarthy (NY)	Walz (MN)
Dold	McCauley	Wasserman
Donnelly (IN)	McCollum	Schultz
Doyle	McCotter	Watt
Dreier	McDermott	Waxman
Edwards	McIntyre	Webster
Ellison	McKeon	Whitfield
Ellmers	McNerney	Wilson (FL)
Engel	Meehan	Wittman
Eshoo	Meeks	Wolf
Farr	Miller (NC)	Womack
Fattah	Miller, Gary	Yarmuth
Filner	Miller, George	Young (FL)
Fleischmann	Moran	Young (IN)
Forbes	Murphy (CT)	
Fortenberry	Murphy (PA)	
Franks (AZ)	Myrick	

NOT VOTING—6

Culberson Hinojosa Schrader  
Giffords Payne Towns

□ 1818

Mrs. BONO MACK, Ms. ZOE LOFGREN of California, and Messrs. CRAVAACK, NEAL, AL GREEN of Texas, TIERNEY, CROWLEY, and BARLETTA changed their vote from “aye” to “no.”

Ms. HANABUSA, Ms. MOORE, and Messrs. GARRETT of New Jersey, GONZALEZ, SHERMAN, GRIJALVA, HARRIS, GRAVES of Missouri, CONYERS, MILLER of Florida, SULLIVAN, and BILIRAKIS changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HINOJOSA. Mr. Chair, on rollcall No. 515, had I been present, I would have voted “no.”

AMENDMENT NO. 61 OFFERED BY MS. FOXX

The Acting CHAIR (Mr. MACK). The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 248, noes 175, not voting 8, as follows:

[Roll No. 516]

AYES—248

Adams Calvert Fincher  
Aderholt Camp Fitzpatrick  
Akin Campbell Flake  
Alexander Canseco Fleischmann  
Altmire Capito Fleming  
Amash Carter Flores  
Austria Cassidy Forbes  
Bachmann Chabot Fortenberry  
Bachus Chaffetz Foxx  
Barletta Chandler Franks (AZ)  
Barrow Coble Frelinghuysen  
Bartlett Coffman (CO)  
Barton (TX) Cole  
Bass (NH) Conaway  
Benishek Costello  
Berg Cravaack  
Bilbray Crawford  
Bilirakis Crenshaw  
Bishop (GA) Gohmert  
Bishop (UT) Guellar  
Black Davis (KY)  
Blackburn Denham  
Bonner Dent  
Boren DesJarlais  
Boustany Dold  
Brady (TX) Donnelly (IN)  
Brooks Dreier  
Broun (GA) Duffy  
Buchanan Duncan (SC)  
Bueshon Duncan (TN)  
Buerkle Ellmers  
Burgess Emerson  
Burton (IN) Farenthold

Hartzler  
Hastings (WA)  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Holden  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
Lipinski  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock

ACKERMAN

Andrews  
Baca  
Baldwin  
Bass (CA)  
Becerra  
Berkley  
Berman  
Biggert  
Bishop (NY)  
Blumenauer  
Bono Mack  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capps  
Capuano  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Critz  
Himes  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette

NOES—175

DeLauro  
Deutch  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Doyle  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez  
Green, Al  
Grijalva  
Gutierrez  
Hanabusa  
Hanna  
Hastings (FL)  
Hayworth  
Heinrich  
Higgins  
Himes  
Hinchev  
Hinojosa  
Hirono  
Hochul  
Holt  
Honda  
Hoyer  
Inslee  
Israël  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.

McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paul  
Paulsen  
Pearce  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney

Ackerman  
Andrews  
Baca  
Baldwin  
Bass (CA)  
Becerra  
Berkley  
Berman  
Biggert  
Bishop (NY)  
Blumenauer  
Bono Mack  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capps  
Capuano  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Critz  
Himes  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette

Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rangel  
Reyes  
Richardson  
Richmond  
Ros-Lehtinen  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes

Cantor  
Cardoza  
Culberson

□ 1822

So the amendment was agreed to. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 135, noes 290, not voting 6, as follows:

[Roll No. 517]

AYES—135

Amash Fattah LaTourette  
Baldwin Filner Lee (CA)  
Barton (TX) Flake Lofgren, Zoe  
Bass (NH) Foxx Mack  
Benishek Frank (MA) Maloney  
Bishop (NY) Fudge Manzullo  
Blumenauer Garrett McClintock  
Boswell Gibson McGovern  
Brady (PA) Goodlatte McHenry  
Brady (TX) Gosar Michaud  
Braley (IA) Gowdy Miller, Gary  
Broun (GA) Graves (GA) Miller, George  
Buerkle Green, Gene Mulvaney  
Burgess Griffith (VA) Murphy (CT)  
Campbell Gutierrez Murphy (PA)  
Capuano Hastings (FL) Myrick  
Cardoza Hensarling Nadler  
Chabot Herrera Beutler Napolitano  
Chaffetz Himes Neal  
Chu Hinchey Olver  
Clarke (MI) Holt Pallone  
Clarke (NY) Honda Paul  
Clay Huelskamp Perlmutter  
Coble Huizenga (MI) Peters  
Costello Hurt Pitts  
Crowley Inslee Polis  
Cummings Jackson (IL) Quigley  
DeFazio Johnson (IL) Rahall  
DeGette Johnson (OH) Rangel  
Doyle Jordan Reed  
Duffy Keating Renacci  
Duncan (SC) Kind Ribble  
Duncan (TN) Kucinich Richardson  
Emerson Labrador Rohrabacher  
Farr Landry Rokita

Ross (FL)  
Royce  
Ryan (OH)  
Scalise  
Schakowsky  
Schrader  
Schwartz  
Schweikert  
Scott (SC)  
Sensenbrenner

Serrano  
Sessions  
Slaughter  
Southernland  
Stark  
Stearns  
Stivers  
Stutzman  
Sutton  
Thompson (CA)

Tierney  
Tonko  
Van Hollen  
Velázquez  
Walsh (IL)  
Welch  
Woodall  
Woolsey  
Wu  
Yoder

Scott, Austin  
Scott, David  
Sewell  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Sullivan  
Terry

Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Tsongas  
Turner  
Upton  
Visclosky  
Walberg  
Walden  
Walsh (MN)  
Wasserman  
Schultz  
Waters  
Watt

Waxman  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (FL)  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Yarmuth  
Young (AK)  
Young (FL)  
Young (IN)

Goodlatte  
Gosar  
Gowdy  
Graves (GA)  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grijalva  
Grimm  
Guinta  
Guthrie  
Gutierrez  
Hall  
Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (FL)  
Heck  
Heinrich  
Hensarling  
Herrera Beutler  
Himes  
Hinchee  
Hinojosa  
Hirono  
Holden  
Holt  
Honda  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Inslee  
Jackson (IL)  
Jackson Lee  
(TX)  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, E. B.  
Jones  
Jordan  
Kaptur  
Keating  
Kildee  
Kingston  
Kline  
Kucinich  
Labrador  
Langevin  
Lankford  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lucas  
Lujan  
Lummis  
Lynch

Mack  
Maloney  
Manzullo  
Marchant  
Markey  
McCarthy (CA)  
McClintock  
McGovern  
McHenry  
McIntyre  
McKeon  
McMorris  
Rodgers  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Moore  
Mulvaney  
Murphy (CT)  
Myrick  
Nadler  
Napolitano  
Neal  
Neugebauer  
Nugent  
Nunnelee  
Palazzo  
Pallone  
Pascrell  
Pastor (AZ)  
Paul  
Paulsen  
Pearce  
Pelosi  
Pence  
Peters  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quigley  
Rangel  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Richardson  
Rigell  
Roe (TN)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney  
Roskam  
Ross (AR)  
Woodall  
Rothman (NJ)  
Roybal-Allard  
Royce  
Runyan  
Rush  
Ryan (OH)

Ryan (WI)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schilling  
Schmidt  
Schrader  
Schwartz  
Schweikert  
Scott (SC)  
Scott (VA)  
Scott, Austin  
Sensenbrenner  
Serrano  
Sessions  
Sewell  
Sherman  
Shimkus  
Shuster  
Simpson  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southernland  
Speier  
Stark  
Stearns  
Stutzman  
Sullivan  
Sutton  
Terry  
Thompson (PA)  
Tiberi  
Tierney  
Petri  
Tipton  
Tonko  
Tsongas  
Turner  
Upton  
Velázquez  
Visclosky  
Walberg  
Walden  
Walsh (IL)  
Waters  
Watt  
Waxman  
Webster  
Welch  
West  
Westmoreland  
Whitfield  
Wilson (FL)  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Woolsey  
Wu  
Yarmuth  
Young (AK)  
Young (FL)  
Young (IN)

NOES—290

Ackerman  
Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Andrews  
Austria  
Baca  
Bachmann  
Bachus  
Barletta  
Barrow  
Bartlett  
Bass (CA)  
Becerra  
Berg  
Berkley  
Berman  
Biggert  
Billbray  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brooks  
Brown (FL)  
Buchanan  
Bucshon  
Burton (IN)  
Butterfield  
Calvert  
Camp  
Canseco  
Cantor  
Capito  
Capps  
Carnahan  
Carney  
Carson (IN)  
Carter  
Cassidy  
Castor (FL)  
Chandler  
Cicilline  
Cleaver  
Clyburn  
Coffman (CO)  
Cohen  
Cole  
Conaway  
Connolly (VA)  
Cooper  
Costa  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Cuellar  
Davis (CA)  
Davis (IL)  
Davis (KY)  
DeLauro  
Denham  
Dent  
DesJarlais  
Deutch  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Dold  
Donnelly (IN)  
Dreier  
Edwards  
Ellison  
Ellmers

Engel  
Eshoo  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garamendi  
Gardner  
Gerlach  
Gibbs  
Gingrey (GA)  
Gohmert  
Gonzalez  
Granger  
Graves (MO)  
Green, Al  
Griffin (AR)  
Grijalva  
Grimm  
Guinta  
Guthrie  
Hall  
Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Heinrich  
Herger  
Higgins  
Hinojosa  
Hirono  
Hochul  
Holden  
Hoyer  
Hultgren  
Hunter  
Israel  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Kaptur  
Kelly  
Kildee  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Lamborn  
Lance  
Langevin  
Lankford  
Larsen (WA)  
Larson (CT)  
Latham  
Latta  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Loeb sack  
Long  
Lowey  
Lucas  
Luetkemeyer  
Lujan

Lummis  
Lungren, Daniel  
E.  
Lynch  
Marchant  
Marino  
Markey  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McCullum  
McCotter  
McDermott  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meehan  
Meeks  
Mica  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Moore  
Moran  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pascrell  
Pastor (AZ)  
Paulsen  
Pearce  
Pelosi  
Pence  
Peterson  
Petri  
Pingree (ME)  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Price (NC)  
Quayle  
Rehberg  
Reichert  
Reyes  
Richardson  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (WI)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schiff  
Schilling  
Schmidt  
Schock  
Scott (VA)

NOT VOTING—6

Giffords  
Issa  
Payne  
Townes

□ 1827

Ms. SUTTON changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. SHERMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. SHERMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 316, noes 111, not voting 4, as follows:

[Roll No. 518]

AYES—316

Adams  
Akin  
Alexander  
Amash  
Andrews  
Austria  
Bachmann  
Bachus  
Baldwin  
Barletta  
Bartlett  
Bass (CA)  
Bass (NH)  
Becerra  
Benishek  
Berg  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Bonner  
Bono Mack  
Boswell  
Boustany  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Brooks  
Broun (GA)  
Brown (FL)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Butterfield

Calvert  
Camp  
Campbell  
Capito  
Capps  
Capuano  
Carnahan  
Carney  
Cassidy  
Castor (FL)  
Chabot  
Chaffetz  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Coble  
Coffman (CO)  
Cohen  
Cole  
Conaway  
Connolly (VA)  
Conyers  
Costello  
Cravaack  
Crawford  
Crenshaw  
Critz  
Davis (IL)  
Davis (KY)  
DeFazio  
DeGette  
Denham  
Dent

DesJarlais  
Deutch  
Doggett  
Dold  
Doyle  
Duffy  
Duncan (SC)  
Duncan (TN)  
Edwards  
Ellison  
Ellmers  
Emerson  
Farenthold  
Farr  
Fattah  
Filner  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Frank (MA)  
Franks (AZ)  
Fudge  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gonzalez

DesJarlais  
Deutch  
Doggett  
Dold  
Doyle  
Duffy  
Duncan (SC)  
Duncan (TN)  
Edwards  
Ellison  
Ellmers  
Emerson  
Farenthold  
Farr  
Fattah  
Filner  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Frank (MA)  
Franks (AZ)  
Fudge  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gonzalez

NOES—111

Ackerman  
Aderholt  
Altmire  
Baca  
Barrow  
Barton (TX)  
Berkley  
Berman  
Biggert  
Billbray  
Black  
Blackburn  
Blumenauer  
Boren  
Canseco  
Cantor  
Cardoza  
Carson (IN)  
Carter  
Chandler  
Clyburn  
Cooper

Costa  
Courtney  
Crowley  
Hochul  
Hoyer  
Israel  
Issa  
Johnson (GA)  
Johnson, Sam  
Kelly  
Kind  
Donnelly (IN)  
Dreier  
Engel  
Eshoo  
Frelinghuysen  
Garamendi  
Gohmert  
Granger  
Graves (MO)  
Green, Al  
Hastings (WA)  
Hayworth

Herger  
Higgins  
Hochul  
Hoyer  
Israel  
Issa  
Johnson (GA)  
Johnson, Sam  
Kelly  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kissell  
Lamborn  
Lance  
Levin  
Long  
Lowey  
Luetkemeyer  
Lungren, Daniel  
E.

Marino	Olson	Ruppersberger	Barton (TX)	Gerlach	McHenry	Smith (NJ)	Tsongas	Welch
Matheson	Oliver	Schiff	Bass (CA)	Gibbs	McIntyre	Smith (TX)	Turner	Westmoreland
Matsui	Owens	Schock	Becerra	Gingrey (GA)	McKeon	Smith (WA)	Upton	Whitfield
McCarthy (NY)	Perlmutter	Scott, David	Berg	Gonzalez	McKinley	Speier	Van Hollen	Wilson (FL)
McCaul	Peterson	Shuler	Berkley	Goodlatte	McMorris	Stearns	Velazquez	Wilson (SC)
McCollum	Polis	Sires	Berman	Gosar	Rodgers	Stivers	Visclosky	Wittman
McCotter	Price (NC)	Stivers	Biggert	Granger	McNerney	Sullivan	Walberg	Wolf
McDermott	Quayle	Thompson (CA)	Bilbray	Graves (MO)	Meehan	Sutton	Walden	Womack
McKinley	Rahall	Thompson (MS)	Bilirakis	Green, Al	Meeks	Terry	Walz (MN)	Woolsey
McNerney	Reyes	Thornberry	Bishop (GA)	Green, Gene	Mica	Thompson (CA)	Wasserman	Wu
Meehan	Richmond	Van Hollen	Bishop (NY)	Griffin (AR)	Miller (FL)	Thompson (MS)	Schultz	Yarmuth
Meeks	Rivera	Walz (MN)	Bishop (UT)	Griffith (VA)	Miller (MI)	Thornberry	Waters	Young (FL)
Moran	Roby	Wasserman	Blackburn	Grimm	Miller (NC)	Tierney	Watt	Young (IN)
Murphy (PA)	Rogers (AL)	Schultz	Bonner	Guthrie	Miller, Gary	Tipton	Waxman	
Noem	Rogers (MI)	Yoder	Bono Mack	Gutierrez	Miller, George	Tonko	Webster	
Nunes	Ros-Lehtinen		Boren	Hall	Moore			
			Boswell	Hanabusa	Moran			
			Boustany	Hanna	Murphy (CT)			
			Brady (PA)	Harper	Murphy (PA)			
			Brady (TX)	Hartzler	Myrick			
			Brown (FL)	Hastings (FL)	Nadler			
			Bucshon	Hastings (WA)	Neal			
			Buerkle	Hayworth	Neugebauer			
			Burgess	Heinrich	Noem			
			Burton (IN)	Hensarling	Nunes			
			Butterfield	Herger	Nunnelee			
			Calvert	Himes	Olson			
			Camp	Hinchee	Oliver			
			Canseco	Hinojosa	Owens			
			Cantor	Hirono	Palazzo			
			Capito	Holden	Palasore			
			Capps	Holt	Pastor (AZ)			
			Capuano	Hoyer	Paulsen			
			Carnahan	Huelskamp	Pelosi			
			Carney	Huizenga (MI)	Pence			
			Carson (IN)	Hunter	Perlmutter			
			Carter	Hurt	Peters			
			Cassidy	Inslee	Peterson			
			Castor (FL)	Israel	Pingree (ME)			
			Chabot	Issa	Pitts			
			Chaffetz	Jackson Lee	Platts			
			Chandler	(TX)	Polis			
			Chu	Jenkins	Pompeo			
			Ciilline	Johnson (GA)	Price (NC)			
			Clarke (NY)	Johnson (OH)	Quayle			
			Clyburn	Johnson, E. B.	Quigley			
			Coffman (CO)	Johnson, Sam	Rahall			
			Cole	Jones	Rangel			
			Conaway	Kaptur	Reed			
			Connolly (VA)	Kelly	Rehberg			
			Cooper	Kildee	Reichert			
			Costa	Kind	Reyes			
			Costello	King (IA)	Ribble			
			Courtney	King (NY)	Richardson			
			Cravaack	Kingston	Richmond			
			Crawford	Kinzinger (IL)	Rigell			
			Crenshaw	Kissell	Rivera			
			Critz	Kline	Roby			
			Crowley	Labrador	Roe (TN)			
			Cuellar	Lamborn	Rogers (AL)			
			Cummings	Lance	Rogers (KY)			
			Davis (CA)	Langevin	Rogers (MI)			
			Davis (IL)	Lankford	Ros-Lehtinen			
			Davis (KY)	Larsen (WA)	Roskam			
			DeGette	Larson (CT)	Ross (AR)			
			DeLauro	Latham	Ross (FL)			
			Denham	Latta	Rothman (NJ)			
			Dent	Levin	Roybal-Allard			
			Deutch	Lewis (CA)	Runyan			
			Diaz-Balart	Lewis (GA)	Ruppersberger			
			Dicks	Lipinski	Rush			
			Dingell	Loebsack	Ryan (WI)			
			Dold	Lofgren, Zoe	Sanchez, Linda			
			Donnelly (IN)	Lowey	T.			
			Doyle	Lucas	Sanchez, Loretta			
			Dreier	Luetkemeyer	Sarbanes			
			Edwards	Lujan	Scalise			
			Ellison	Lummis	Schakowsky			
			Sensenbrenner	Lungren, Daniel	Schiff			
			Simpson	E.	Schmidt			
			Southerland	Engel	Schock			
			Stark	Eshoo	Schwartz			
			Stutzman	Farr	Scott (SC)			
			Thompson (PA)	Fattah	Scott (VA)			
				Fitzpatrick	Scott, Austin			
				Flake	Scott, David			
				Fleischmann	Serrano			
				Fleming	Sessions			
				Flores	Sewell			
				Forbes	Sherman			
				Fortenberry	Shimkus			
				Franks (AZ)	Shuler			
				Frelinghuysen	Shuster			
				Fudge	Smith (NE)			
				Galleghy				
				Garamendi				
				Gardner				

## NOT VOTING—4

Culberson  
Giffords

□ 1832

Mr. SMITH of Texas changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROHRABACHER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROHRABACHER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 89, noes 338, not voting 4, as follows:

[Roll No. 519]

AYES—89

Adams	Foxx	Nugent
Amash	Frank (MA)	Pallone
Baldwin	Garrett	Paul
Barletta	Gibson	Pearce
Bass (NH)	Gohmert	Petri
Benishkek	Gowdy	Poe (TX)
Black	Graves (GA)	Posey
Blumenauer	Grijalva	Price (GA)
Brale (IA)	Guinta	Renacci
Brooks	Harris	Rohrabacher
Broun (GA)	Heck	Rokita
Buchanan	Herrera Beutler	Rooney
Campbell	Higgins	Royce
Cardoza	Hochul	Ryan (OH)
Clarke (MI)	Honda	Schilling
Clay	Hultgren	Schrader
Cleaver	Jackson (IL)	Schweikert
Coble	Johnson (IL)	Sensenbrenner
Cohen	Jordan	Simpson
Conyers	Keating	Southerland
DeFazio	Kucinich	Stark
DesJarlais	Landry	Stutzman
Doggett	LaTourette	Thompson (PA)
Duffy	Lee (CA)	Tiberi
Duncan (SC)	LoBiondo	Walsh (IL)
Duncan (TN)	Long	West
Emerson	McClintock	Woodall
Farenthold	Michaud	Yoder
Finer	Mulvaney	Young (AK)
Fincher	Napolitano	

NOES—338

Ackerman	Altmire	Bachmann
Aderholt	Andrews	Bachus
Akin	Austria	Barrow
Alexander	Baca	Bartlett

## NOT VOTING—4

Culberson  
Giffords

□ 1836

Mr. COHEN changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GOHMERT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. GOHMERT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 162, noes 265, not voting 4, as follows:

[Roll No. 520]

AYES—162

Adams	Farenthold	Jordan
Akin	Fincher	Kingston
Amash	Fitzpatrick	Kucinich
Bachmann	Flake	Labrador
Baldwin	Fleming	Landry
Barton (TX)	Flores	Lankford
Bass (NH)	Foxx	Larson (CT)
Benishkek	Gardner	Latham
Bilbray	Garrett	LaTourette
Bishop (UT)	Gibbs	Latta
Boustany	Gibson	Lee (CA)
Brale (IA)	Gingrey (GA)	Lewis (GA)
Brooks	Gohmert	LoBiondo
Broun (GA)	Gonzalez	Long
Buchanan	Goodlatte	Lummis
Bucshon	Gosar	Lynch
Buerkle	Gowdy	Mack
Burgess	Graves (GA)	Maloney
Burton (IN)	Griffin (AR)	Manzullo
Campbell	Grijalva	Marchant
Capito	Guinta	McClintock
Chaffetz	Gutierrez	McHenry
Clarke (MI)	Hall	McMorris
Clarke (NY)	Hanna	Rodgers
Clay	Harris	Michaud
Cleaver	Hastings (WA)	Miller (FL)
Coble	Heck	Miller (MI)
Cole	Herrera Beutler	Mulvaney
Conyers	Himes	Nadler
Davis (KY)	Honda	Napolitano
DeFazio	Huizenga (MI)	Noem
Denham	Hultgren	Nugent
DesJarlais	Hurt	Pastor (AZ)
Duffy	Issa	Paul
Duncan (SC)	Jackson (IL)	Paulsen
Duncan (TN)	Johnson (IL)	Pearce
Emerson	Jones	Peterson

Petri  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Reed  
Reichert  
Renacci  
Ribble  
Richardson  
Rigell  
Roe (TN)  
Rohrabacher  
Rokita  
Rooney  
Ross (FL)  
Royce

Schilling  
Schmidt  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Serrano  
Sessions  
Sherman  
Simpson  
Smith (NJ)  
Southernland  
Stark  
Stearns  
Stutzman  
Sullivan  
Terry  
Thompson (PA)

Tiberi  
Tipton  
Upton  
Velázquez  
Visclosky  
Walberg  
Walsh (IL)  
Waters  
Webster  
West  
Westmoreland  
Wilson (SC)  
Wolf  
Woodall  
Woolsey  
Young (AK)

Scalise  
Schakowsky  
Schiff  
Schock  
Schradler  
Schwartz  
Scott (VA)  
Scott, David  
Sewell  
Shimkus  
Shuler  
Shuster  
Sires  
Slaughter  
Smith (NE)

Smith (TX)  
Smith (WA)  
Speier  
Stivers  
Sutton  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tierney  
Tonko  
Tsongas  
Turner  
Van Hollen  
Walden  
Walz (MN)

Wasserman  
Schultz  
Watt  
Waxman  
Welch  
Whitfield  
Wilson (FL)  
Wittman  
Womack  
Wu  
Yarmuth  
Yoder  
Young (FL)  
Young (IN)

Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Pallone  
Pascrell  
Pastor (AZ)  
Paul  
Pelosi  
Peters  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel

Richmond  
Roybal-Allard  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schradler  
Schwartz  
Scott (VA)  
Serrano  
Sewell  
Shuler  
Sires  
Slaughter  
Speier  
Stark  
Sutton  
Thompson (CA)

Thompson (MS)  
Tierney  
Tonko  
Tsongas  
Sánchez, Linda  
Van Hollen  
Velázquez  
Visclosky  
Walden  
Walsh (IL)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

NOES—265

Ackerman  
Aderholt  
Alexander  
Altmire  
Andrews  
Austria  
Baca  
Bachus  
Barletta  
Barrow  
Bartlett  
Bass (CA)  
Becerra  
Berg  
Berkley  
Berman  
Biggart  
Billirakis  
Bishop (GA)  
Bishop (NY)  
Black  
Blackburn  
Blumenauer  
Bonner  
Bono Mack  
Boren  
Boswell  
Brady (PA)  
Brady (TX)  
Brown (FL)  
Butterfield  
Calvert  
Camp  
Canseco  
Cantor  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Cassidy  
Castor (FL)  
Chabot  
Chandler  
Chu  
Ciциlline  
Clyburn  
Coffman (CO)  
Cohen  
Conaway  
Connolly (VA)  
Cooper  
Costa  
Costello  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeGette  
DeLauro  
Dent  
Deutch  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Dold

Donnelly (IN)  
Doyle  
Dreier  
Edwards  
Ellison  
Ellmers  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Fleischmann  
Forbes  
Fortenberry  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Garamendi  
Gerlach  
Granger  
Graves (MO)  
Green, Al  
Green, Gene  
Griffith (VA)  
Grimm  
Guthrie  
Hanabusa  
Harper  
Hartzler  
Hastings (FL)  
Hayworth  
Heinrich  
Hensarling  
Herger  
Higgins  
Hinchev  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Hoyer  
Huelskamp  
Hunter  
Inslee  
Israel  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Kaptur  
Keating  
Kelly  
Kildee  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kissell  
Kline  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Levin  
Lewis (CA)  
Lipinski  
Loeback  
Lofgren, Zoe  
Lowey

Lucas  
Luetkemeyer  
Lujan  
Lungren, Daniel  
E.  
Marino  
Markey  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McCollum  
McCotter  
McDermott  
McGovern  
McIntyre  
McKeon  
McKinley  
McNerney  
Meehan  
Meeks  
Mica  
Miller (NC)  
Miller, Gary  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Murphy (PA)  
Myrick  
Neal  
Neugebauer  
Nunes  
Nunnelee  
Olson  
Olver  
Owens  
Palazzo  
Pallone  
Pascrell  
Pelosi  
Pence  
Perlmutter  
Peters  
Pingree (ME)  
Platts  
Polis  
Price (NC)  
Quayle  
Quigley  
Rahall  
Rangel  
Rehberg  
Reyes  
Richmond  
Rivera  
Roby  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes

NOT VOTING—4

□ 1840

Mr. BLUMENAUER changed his vote from “aye” to “no.”  
So the amendment was rejected.  
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WELCH  
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. WELCH) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.  
The Clerk redesignated the amendment.

RECORDED VOTE  
The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.  
The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 169, noes 257, not voting 5, as follows:

[Roll No. 521]  
AYES—169

Ackerman  
Altmire  
Amash  
Baca  
Baldwin  
Bass (CA)  
Becerra  
Benishek  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boswell  
Braley (IA)  
Broun (GA)  
Buerkle  
Butterfield  
Campbell  
Capps  
Cardoza  
Carnahan  
Carney  
Castor (FL)  
Chaffetz  
Chandler  
Chu  
Ciциlline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Costa  
Costello

Courtney  
Crowley  
Cummings  
Davis (CA)  
Davis (IL)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Doggett  
Doyle  
Duffy  
Duncan (TN)  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Filner  
Fitzpatrick  
Flake  
Frank (MA)  
Fudge  
Garamendi  
Garrett  
Gingrey (GA)  
Goodlatte  
Green, Gene  
Griffith (VA)  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes

Hinchev  
Hirono  
Hochul  
Holt  
Honda  
Hoyer  
Hurt  
Inslée  
Israel  
Issa  
Jackson (IL)  
Johnson (IL)  
Johnson, E. B.  
Jones  
Keating  
Kildee  
Kind  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Lewis (GA)  
Lipinski  
Lofgren, Zoe  
Lowey  
Luján  
Maloney  
Markey  
Matsui  
McCormack  
McDermott  
McGovern  
Meeks  
Michaud  
Miller (MI)  
Miller (NC)

Adams  
Aderholt  
Akin  
Alexander  
Andrews  
Austria  
Bachmann  
Bachus  
Barletta  
Barrow  
Bartlett  
Barton (TX)  
Bass (NH)  
Berg  
Berkley  
Berman  
Biggart  
Bilbray  
Billirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Harper  
Harris  
Bono Mack  
Boren  
Boustany  
Brady (PA)  
Brady (TX)  
Brooks  
Brown (FL)  
Buchanan  
Buchson  
Burgess  
Burton (IN)  
Calvert  
Camp  
Canseco  
Cantor  
Capito  
Carson (IN)  
Carter  
Cassidy  
Chabot  
Coble  
Coffman (CO)  
Cole  
Conaway  
Cooper  
Cravaack  
Crawford  
Crenshaw  
Critz  
Cuellar  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dingell  
Dold  
Donnelly (IN)  
Dreier  
Duncan (SC)  
Ellmers  
Emerson  
Farenthold  
Fattah  
Fincher  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry

NOES—257  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Gerlach  
Gibbs  
Gibson  
Gohmert  
Gonzalez  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Al  
Griffin (AR)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Hinojosa  
Holden  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Jenkins  
Johnson (GA)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kaptur  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Levin  
Lewis (CA)  
LoBiondo  
Loeback  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Mack  
Manzullo  
Marchant  
Marino

Matheson  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meehan  
Mica  
Miller (FL)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paulsen  
Pearce  
Pence  
Perlmutter  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Reyes  
Ribble  
Richardson  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Rothman (NJ)  
Royce  
Runyan  
Ruppersberger  
Ryan (WI)  
Sanchez, Loretta  
Scalise  
Schiff  
Schilling  
Schmidt  
Schock

Schweikert  
Scott (SC)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Sessions  
Sherman  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)

Southerland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Walberg  
Walz (MN)  
Webster

West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luettkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary

Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pastor (AZ)  
Paul  
Paulsen  
Pearce  
Pence  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan

Ruppersberger  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuler  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark

Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)

Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

NOT VOTING—5

Culberson  
Giffords

Jackson Lee (TX)  
Payne  
Towns

□ 1843

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. COLE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma (Mr. COLE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 256, noes 170, not voting 5, as follows:

[Roll No. 522]

AYES—256

Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Amash  
Austria  
Bachmann  
Bachus  
Barletta  
Barrow  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggert  
Billray  
Billirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Cantor

Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Chandler  
Coble  
Coffman (CO)  
Cole  
Conaway  
Connolly (VA)  
Cooper  
Costa  
Costello  
Cravaack  
Crawford  
Crenshaw  
Critz  
Cuellar  
DeFazio  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry

Ackerman  
Andrews  
Baca  
Baldwin  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (NY)  
Blumenauer  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Cappers  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Coburn  
Cohen  
Conyers  
Courtney  
Courtney  
Cummings  
Davis (CA)  
Davis (IL)  
Davis (KY)  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Ellison

NOES—170

Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinchesy  
Hinojosa  
Hirono  
Hochul  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Peterson  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey

Luján  
Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Oliver  
Pallone  
Pascrell  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Poli  
Price (NC)  
Quigley  
Rangel  
Reyes  
Richardson  
Richmond  
Rothman (NJ)  
Roybal-Allard  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader

NOT VOTING—5

Culberson  
Giffords

Jackson Lee (TX)  
Payne  
Towns

□ 1847

Mr. TURNER changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 97 OFFERED BY MR. FRANK OF MASSACHUSETTS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. FRANK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 244, not voting 6, as follows:

[Roll No. 523]

AYES—181

Ackerman  
Amash  
Andrews  
Baca  
Baldwin  
Benishek  
Becerra  
Benishek  
Berman  
Bishop (NY)  
Blumenauer  
Boswell  
Brady (PA)  
Braley (IA)  
Campbell  
Capps  
Capuano  
Carney  
Castor (FL)  
Chaffetz  
Chu  
Clarke (MI)  
Clarke (NY)  
Clay  
Clever  
Clyburn  
Coble  
Cohen  
Conyers  
Cooper  
Costello  
Crowley  
Cummings  
Davis (IL)  
DeFazio  
DeGette  
Deutch  
Kind  
Keating

Doyle  
Duffy  
Duncan (TN)  
Edwards  
Ellison  
Emerson  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gibson  
Goodlatte  
Graves (GA)  
Griffith (VA)  
Grijalva  
Gutierrez  
Hastings (FL)  
Herrera Beutler  
Himes  
Hinchesy  
Hinojosa  
Hirono  
Holt  
Honda  
Huizenga (MI)  
Inslee  
Jackson (IL)  
Johnson (GA)  
Johnson (IL)  
Johnson (OH)  
Johnson, E. B.  
Jones  
Jordan  
Kaptur  
Keating  
Kind

Kucinich  
Labrador  
Larsen (WA)  
LaTourette  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Luján  
Lummis  
Lynch  
Mack  
Maloney  
Manzullo  
Marchant  
Markey  
Matheson  
Matsui  
McClintock  
McCollum  
McDermott  
McGovern  
McHenry  
McNerney  
Meeks  
Michaud  
Miller, Gary  
Miller, George  
Moore  
Moran  
Mulvaney  
Murphy (CT)  
Myrick  
Nadler  
Napolitano  
Neal  
Pallone



Pascrell  
Paul  
Pelosi  
Peters  
Petri  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Renacci  
Ribble  
Richardson  
Richmond  
Rohrabacher  
Rokita  
Roybal-Allard  
Royce  
Rush  
Ryan (OH)

NOES—244

Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Austria  
Bachmann  
Bachus  
Barletta  
Barrow  
Bartlett  
Berg  
Berkley  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Brown (FL)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Butterfield  
Calvert  
Camp  
Canseco  
Cantor  
Capito  
Cardoza  
Carnahan  
Carson (IN)  
Carter  
Cassidy  
Chabot  
Chandler  
Cicilline  
Coffman (CO)  
Cole  
Conaway  
Connolly (VA)  
Costa  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Cuellar  
Davis (CA)  
Davis (KY)  
DeLauro  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dicks  
Dingell  
Dold  
Donnelly (IN)  
Dreier  
Duncan (SC)  
Ellmers

Sánchez, Linda T.  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Schwartz  
Schweikert  
Scott (VA)  
Scott, David  
Sensenbrenner  
Serrano  
Sherman  
Sires  
Slaughter  
Southerland  
Speier  
Stark  
Stearns  
Stivers  
Stutzman

Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walsh (IL)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Woodall  
Woolsey  
Wu  
Yarmuth  
Yoder

Shimkus  
Shuler  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Sullivan  
Terry

NOT VOTING—6

Culberson  
Giffords

Jackson Lee (TX)  
Payne

Westmoreland  
Whitfield  
Wilson (FL)  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Young (AK)  
Young (FL)  
Young (IN)

Tiberi  
Townes

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1851

Mr. CARSON of Indiana changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. TIBERI. Mr. Chair, on rollcall No. 523, had I been present, I would have voted “no.”

Mr. YOUNG of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MACK) having assumed the chair, Mr. WESTMORELAND, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1309, FLOOD INSURANCE REFORM ACT OF 2011

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 112–138) on the resolution (H. Res. 340) providing for consideration of the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on the motion to suspend the rules previously postponed.

REAFFIRMING COMMITMENT TO NEGOTIATED SETTLEMENT OF ISRAELI-PALESTINIAN CONFLICT

The SPEAKER pro tempore. The unfinished business is the vote on the mo-

tion to suspend the rules and agree to the resolution (H. Res. 268) reaffirming the United States commitment to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution.

The vote was taken by electronic device, and there were—yeas 407, nays 6, answered “present” 13, not voting 5, as follows:

[Roll No. 524]

YEAS—407

Ackerman	Clarke (NY)	Gerlach
Adams	Clay	Gibbs
Aderholt	Cleaver	Gibson
Akin	Clyburn	Gingrey (GA)
Alexander	Coble	Gohmert
Altmire	Coffman (CO)	Gonzalez
Andrews	Cohen	Goodlatte
Austria	Cole	Gosar
Baca	Conaway	Gowdy
Bachmann	Connolly (VA)	Granger
Bachus	Conyers	Graves (GA)
Baldwin	Cooper	Graves (MO)
Barletta	Costa	Green, Al
Barrow	Costello	Green, Gene
Bartlett	Courtney	Griffin (AR)
Barton (TX)	Cravaack	Griffith (VA)
Bass (CA)	Crawford	Grijalva
Bass (NH)	Crenshaw	Grimm
Becerra	Critz	Guinta
Benishek	Crowley	Guthrie
Berg	Cuellar	Gutierrez
Berkley	Cummings	Hall
Berman	Davis (CA)	Hanabusa
Biggert	Davis (IL)	Hanna
Bilbray	Davis (KY)	Harper
Bilirakis	DeFazio	Harris
Bishop (GA)	DeGette	Hartzler
Bishop (NY)	DeLauro	Hastings (FL)
Bishop (UT)	Denham	Hastings (WA)
Black	Dent	Hayworth
Blackburn	DesJarlais	Heck
Bonner	Deutch	Heinrich
Boren	Diaz-Balart	Hensarling
Boswell	Dicks	Herger
Boustany	Dingell	Herrera Beutler
Brady (PA)	Doggett	Higgins
Brady (TX)	Dold	Himes
Braley (IA)	Donnelly (IN)	Hinchee
Brooks	Doyle	Hinojosa
Broun (GA)	Dreier	Hirono
Brown (FL)	Duffy	Hochul
Buchanan	Duncan (SC)	Holden
Bucshon	Duncan (TN)	Holt
Buerkle	Ellmers	Honda
Burgess	Emerson	Hoyer
Burton (IN)	Engel	Huelskamp
Butterfield	Eshoo	Huizenga (MI)
Calvert	Farenthold	Hultgren
Camp	Farr	Hunter
Canseco	Fattah	Hurt
Cantor	Finler	Inslee
Capito	Fincher	Israel
Capps	Fitzpatrick	Issa
Capuano	Flake	Jackson (IL)
Cardoza	Fleischmann	Jenkins
Carnahan	Fleming	Johnson (GA)
Carney	Flores	Johnson (IL)
Carter	Forbes	Johnson (OH)
Cassidy	Fortenberry	Johnson, Sam
Castor (FL)	Fox	Jordan
Chabot	Frank (MA)	Kaptur
Chaffetz	Franks (AZ)	Keating
Chandler	Frelinghuysen	Kelly
Chu	Fudge	Kildee
Cicilline	Gallegly	Kind
Clarke (MI)	Garamendi	King (IA)
	Gardner	King (NY)
	Garrett	Kingston

Kinzingler (IL)	Nugent	Schrader
Kissell	Nunes	Schwartz
Kline	Nunnelee	Schweikert
Labrador	Olson	Scott (SC)
Lamborn	Olver	Scott (VA)
Lance	Owens	Scott, Austin
Landry	Palazzo	Scott, David
Langevin	Pallone	Sensenbrenner
Lankford	Pascrell	Serrano
Larsen (WA)	Pastor (AZ)	Sessions
Larson (CT)	Paulsen	Sewell
Latham	Pearce	Sherman
LaTourette	Pelosi	Shimkus
Latta	Pence	Shuler
Levin	Perlmutter	Shuster
Lewis (CA)	Peters	Simpson
Lewis (GA)	Peterson	Sires
Lipinski	Petri	Slaughter
LoBiondo	Pitts	Smith (NE)
Loebsack	Platts	Smith (NJ)
Lofgren, Zoe	Poe (TX)	Smith (TX)
Long	Polis	Smith (WA)
Lowey	Pompeo	Southerland
Lucas	Posey	Speier
Luetkemeyer	Price (GA)	Stearns
Luján	Price (NC)	Stivers
Lummis	Quayle	Stutzman
Lungren, Daniel E.	Quigley	Sullivan
	Rangel	Sutton
Lynch	Reed	Terry
Mack	Rehberg	Thompson (CA)
Maloney	Reichert	Thompson (MS)
Manzullo	Renacci	Thompson (PA)
Marchant	Reyes	Thornberry
Marino	Ribble	Tiberi
Markey	Richardson	Tierney
Matheson	Richmond	Tipton
Matsui	Rigell	Tonko
McCarthy (CA)	Rivera	Tsongas
McCarthy (NY)	Roby	Turner
McCaul	Roe (TN)	Upton
McClintock	Rogers (AL)	Van Hollen
McCotter	Rogers (KY)	Velázquez
McGovern	Rogers (MI)	Visclosky
McHenry	Rohrabacher	Walberg
McIntyre	Rokita	Walden
McKeon	Rooney	Walsh (IL)
McKinley	Ros-Lehtinen	Walz (MN)
McMorris	Roskam	Wasserman
Rodgers	Ross (AR)	Schultz
McNerney	Ross (FL)	Watt
Meehan	Rothman (NJ)	Waxman
Meeks	Roybal-Allard	Webster
Mica	Royce	Welch
Michaud	Runyan	West
Miller (FL)	Ruppersberger	Westmoreland
Miller (MI)	Rush	Whitfield
Miller (NC)	Ryan (OH)	Wilson (FL)
Miller, Gary	Ryan (WI)	Wilson (SC)
Miller, George	Sánchez, Linda T.	Wittman
Mulvaney	Sanchez, Loretta	Wolf
Murphy (CT)	Sarbanes	Womack
Murphy (PA)	Scalise	Woodall
Myrick	Nadler	Wu
Nadler	Schakowsky	Yarmuth
Napolitano	Schiff	Yoder
Neal	Schilling	Young (AK)
Neugebauer	Schmidt	Young (FL)
Noem	Schock	Young (IN)

## NAYS—6

Amash	Jones	Paul
Blumenauer	Kucinich	Rahall

## ANSWERED "PRESENT"—13

Carson (IN)	McCollum	Stark
Edwards	McDermott	Waters
Ellison	Moore	Woolsey
Johnson, E. B.	Moran	
Lee (CA)	Pingree (ME)	

## NOT VOTING—5

Culberson	Jackson Lee	Payne
Giffords	(TX)	Towns

## □ 1910

Ms. EDDIE BERNICE JOHNSON of Texas changed her vote from "yea" to "present."

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2417

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2417.

The SPEAKER pro tempore (Mr. WEBSTER). Is there objection to the request of the gentlewoman from Texas?

There was no objection.

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 320 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2219.

## □ 1910

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, with Mr. MACK (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the bill had been read through page 161, line 12.

Mr. FORTENBERRY. Mr. Chairman, I move to strike the last word.

The ACTING Chair. The gentleman from Nebraska is recognized for 5 minutes.

Mr. FORTENBERRY. I rise to engage in a colloquy with my colleagues to ensure that our defense community has the resources necessary to carry out an important security mandate that this body passed this year.

Mr. Chairman, the Lord's Resistance Army has terrorized central Africa for 25 years. But last year, Congress and the administration took unprecedented steps to end the group's campaign of violence. This body passed broadly supported bipartisan legislation called the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act requiring the administration to prepare and present to Congress a comprehensive strategy to bring LRA commanders to justice.

Mr. Chairman, with the administration's strategy released in November, we should move to implement an international strategy to help end the atrocities committed by the LRA, protect innocent civilians, and stabilize a region of Africa that is critical to the United States' national security interests.

Through over 20 years of civil war, this brutal insurgency has created a humanitarian crisis that has displaced over 1½ million people and resulted in the abduction of over 20,000 children in one of the world's most difficult ungoverned spaces.

With that, I would like to yield to the gentleman from Massachusetts (Mr. MCGOVERN), who is continuing to take a lead role in this international effort, which I appreciate.

Mr. MCGOVERN. I thank the gentleman for yielding and for his support of this international imperative.

The LRA has terrorized civilians and abducted tens of thousands of children, many of whom have been forced into child soldiering or sex slavery. Its influence spans the border area of south Sudan, the Democratic Republic of Congo, and the Central African Republic. It is the deadliest rebel group in Congo and has displaced hundreds of thousands of people across central Africa, including in south Sudan, where U.S. investments in peace and stability are critical as the region establishes independence this Saturday.

Mr. Chairman, we could have a decisive impact on seeing one of Africa's most longstanding human rights crises finally brought to an end by implementing the administration's plan.

I yield back to the gentleman from Nebraska in the hopes that we implement this strategy.

Mr. FORTENBERRY. I thank the gentleman from Massachusetts for his leadership again.

My colleagues and I believe that resources invested in ending this conflict now will not only save innocent lives but will also help reduce the need for very expensive humanitarian aid and promote stability in one of Africa's most volatile regions.

With that said, I would like to yield to our chairman, the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

I thank the gentlemen, both, for their attention to this important issue. And I want to continue to work with them as we move this bill forward in the hopes that we can bring a swift end and successful end to this tragedy.

Mr. FORTENBERRY. I yield back the balance of my time.

## AMENDMENT NO. 96 OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title) insert the following:

SEC. \_\_\_\_ None of the funds made available in this Act may be used to enforce section 376 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163).

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. My colleagues, in 1990 Congress passed a law that required that all Federal agencies, including the Department of Defense, must have auditable financial statements every year. Since that time, the Department of Defense has spent \$10 trillion—\$10,000 billion—and yet no audit has been conducted. In fact, there are numerous problems with accounting at DOD, and their financial management has been rated as “high risk” by the Government Accountability Office.

Unfortunately, the Pentagon, being incapable of being audited, sought an exemption from audits.

So in 2005, Congress passed a ban on completing an audit. It was contained in section 376 of the 2006 National Defense Authorization Act.

In 2009, Congress got tough and they said, “Look, we’ve exempted you from audits. But let’s have a goal—not a mandate—a goal of you doing an audit by 2017. Yet last September in a hearing Pentagon officials stated that meeting a deadline of 2017 for having their first ever audit of their books, and they will spend \$4 trillion between now and 2017 without an audit, they said they would need more money, more money to be auditable. That’s chutzpah. That’s incredible.

So what we’re attempting to do here tonight is to say that we’re going to suspend the exemption. The DOD, it’s time for them to get their books in order. There is nothing more important for our men and women in uniform than to know that every dollar, every precious tax dollar is being spent properly to give them the tools they need to defend our Nation. And the taxpayers of this country, concerned about our massive deficit and the concerns that are being expressed here in these deficit and debt talks downtown, the taxpayers need to know that we’re not wasting money in the single largest annual account of the Federal budget which is not audited, the expenditures of the Pentagon.

In fiscal year 2010, half of DOD’s contract awards were not competed. That’s half. In 140 billion of them, there was no competition at all, and in 48 billion, there was one, one competitor. So we have a lot of work to do here.

In 2000, the Pentagon Inspector General found that of \$7.6 trillion in accounting errors of entries, \$2.3 trillion “were not supported by adequate audit trails or sufficient evidence to determine their validity.” We don’t know where that \$2.3 trillion went. Now, come on.

It’s time to stop treating them with kid gloves. The Pentagon’s a tough institution, the toughest Department of Defense in the world. And it’s time for them to own up here and audit their books and trace every dollar. It’s a new era. So I urge my colleagues to support this by defunding this special exemp-

tion. Then the Pentagon will be subject to audit over the next year, which could provide tremendous benefits to our men and women in uniform and certainly tremendous savings for the American taxpayers.

I yield back the balance of my time. Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I’m just not sure how this amendment accomplishes what the gentleman says since it prohibits enforcement of a section of a fiscal year 2006 bill, which only applied to that fiscal year. So I’m not opposed to the amendment; I just don’t believe it does anything.

I yield back the balance of my time.

Mr. GARRETT. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. GARRETT. I rise today in support of this amendment and one which I have also cosponsored with the gentleman.

This amendment, quite honestly, is common sense, in that it simply looks to add accountability in how the Pentagon spends our taxpayers’ dollars. Now, the GAO released an independent audit that they performed in March that concluded that the cost of the Pentagon’s largest programs has risen by \$135 billion—that’s over 9 percent—to \$1.68 trillion by 2008. And as was pointed out, over half of that, or \$70 billion of that, involves overruns. And what they say in their report appeared “to be indicative of production problems and inefficiencies or flawed initial cost estimates.”

Since then, we have not had a complete audit by the Pentagon, and since then, overruns have only multiplied.

Just this past week, earlier in the week, I had the opportunity to serve in the Budget Committee, where we had the CBO come in. And we asked them point blank for some of the information that we would like to have with regard to these audits, that we would like the information from them so they could pinpoint some of the, as we always say on the floor, the waste, fraud, and abuse that goes on. But more specifically, where the inefficiencies are. And the answer we got from them was somewhat telling. They said they cannot supply this Congress with the information that we would like because they do not get the information themselves from the DOD. And that is the problem.

□ 1920

That is the problem. The Department of Defense is consistently overbudget in acquisition and equipment modernization. There are 92 major defense acquisition programs. Seventy-five per-

cent of them are overbudget. Twenty percent of them are overbudget by more than 50 percent.

Mr. Chairman, this is something that needs to be addressed. This amendment will once again hold the Pentagon accountable, assuring that the taxpayer dollars are spent prudently, as intended. I urge my colleagues to support this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The amendment was agreed to.

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. I would like, at this time, to ask the chairman to participate in a colloquy with me.

I rise today to express my concern about our strategic ports. First, I want to thank the chairman for discussing this important issue with me. I think the chairman would agree that understanding and addressing vital infrastructure needs at our strategic seaports is of major importance.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

I would tell him that I do agree that assessing and correcting infrastructure problems at the Nation’s strategic seaports, which are an integral part of our national defense readiness, is of vital importance.

Mr. YOUNG of Alaska. Since 1958, the strategic seaport program has facilitated the movement of military forces securely through U.S. ports. Each strategic seaport has individual capabilities that provide the Department of Defense with the port facilities and services that are critical in maintaining the operational flexibility and redundancy needed to meet a wide range of national security missions and time lines. However, the existing infrastructure at many of the strategic ports may no longer be adequate to meet the needs of our military. I think the time has come to address these needs in both our authorization and appropriations process. That is why I worked with Chairman MCKEON to include language in the defense authorization bill that will require a study of the infrastructure needs of these strategic ports. Once that study has been conducted, I believe it is of vital importance that this committee provide the necessary funding to address the needs of these ports.

Mr. YOUNG of Florida. Mr. Chairman, I also believe these ports to be critical to our defense, and I will be happy to work with the gentleman from Alaska to consider the appropriate measures and funding to address

the infrastructure needs of our strategic seaports.

Mr. YOUNG of Alaska. I want to thank the chairman for discussing this issue with me. I would just like to say to the chairman, I appreciate the fact that you recognize the importance of ports to move our products. I know that the ranking member does, also. I again thank you.

I yield back the balance of my time.

Mr. BECERRA. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. BECERRA. I rise to engage in a colloquy with the chairman and ranking member on recruitment and outreach at the military service academies.

Mr. Chairman, some areas in the U.S. have been harder for the military academies to reach for recruitment purposes than others. To ease this problem, the Congress should work to ensure that the military academies have the ability to reach out to men and women from underrepresented rural and urban areas.

Past outreach efforts have been effective at the military academies. For example, in the U.S. Naval Academy's increased outreach efforts, we have seen results that show that some 19,145 applicants have come out for the class of 2015, an increase of 25 percent over the past 2 years. The Navy has been able to conduct recruitment blitzes in parts of the country that were traditionally underrepresented. In my home State of California, the Navy increased their applicants by 25 percent, from some 2,400 for the class of 2013 to over 3,000 for the class of 2015.

I believe it is important for the academies to have the resources to continue building upon this success. This critical investment would help America find the best and the brightest for our military and for America's future.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. BECERRA. I yield to the chairman.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

I agree with the gentleman that it is important that the military academies bring in the best young people from across the country, and the committee will work with him toward this objective.

Mr. BECERRA. I thank the chairman.

Mr. DICKS. Will the gentleman yield?

Mr. BECERRA. I yield to the ranking member.

Mr. DICKS. I agree with the chairman and stand ready to work with the gentleman—and I commend him for the work that he's been doing over the years—to reach out to all regions of the country to bring the best and brightest into the military academies.

Mr. BECERRA. I thank the ranking member and the chairman, and I look forward to working with them.

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

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk, designated as No. 1.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The amount otherwise made available by this Act for "Operation and Maintenance, Defense-Wide" is hereby reduced by \$250,000,000.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. I thank the Chair.

This amendment would reduce the operations and maintenance defense-wide account by \$250 million, the same amount appropriated by section 8122 of the bill. Section 8122 appropriates another \$250 million in FY12 for the Secretary of Defense to use for the Office of Economic Adjustment, or to transfer to the Secretary of Education to make grants to public schools located on military bases for construction, renovation and repairs.

I will just summarize what's happening here. We have some schools that are on military bases. Now, some of the schools on military bases are run by the Department of Defense. That's not what we're speaking about here. The schools that we're talking about here, LEAs, Local Education Agencies, run them. In the FY11 budget, we appropriated \$250 million of defense money—this is in the Defense bill—to go to schools that are the responsibility of Local Education Agencies.

Now, some of these schools are in disrepair. They're in bad shape. Nobody's questioning that. Education budgets are tight everywhere around the country. Ask your own States. Ask your local school districts. But we cannot continue to divert money from the Department of Defense simply because that's where money is and few people question it. I'm sure the gentleman will stand up here and say, hey, these schools are in bad shape; they're on military bases; we've got to fix them, and the Local Education Agencies have said these schools are in disrepair. But why are we taking money that should be going to the military, to the troops, to other purposes, and diverting it to local education or local schools that are the responsibility of Local Education Agencies?

I have here one of the contracts for one of these schools that is being discussed here. It says: The permittee or his designee shall, at his own cost and expense, protect, preserve, maintain, repair and keep in good order and condition these schools.

This is a Local Education Agency, not the Department of Defense. That

shouldn't be the responsibility of the Department of Defense, and we're bleeding off \$250 million.

I'm sure the gentleman will stand up and say this is needed, this isn't going to be a continual thing, we've just got to bring these schools up to repair. They'll say that the Department of Defense has said that these schools are in disrepair. They are. Nobody is questioning that. The question is: Where should this money come from? And if we have this kind of money to throw around for defense, then we ought to be cutting more defense funding.

This funding, if there's a problem, it should go through the Local Education Agencies, or convince the Federal Department of Education through Impact Aid to send money to these schools, but not the Department of Defense. That has been the practice, unfortunately, around here for quite a while now.

We say, all right, what account can we take money from, for earmarks or whatever else, that few people will question? It's defense spending. We take that off for education or research or whatever else, and pretty soon we're diverting a lot of money that should go to the troops to other purposes.

□ 1930

Like I said, nobody's questioning that these schools are in bad repair. Newsweek ran an article on June 27 that said 39 percent of the schools run by the public systems on Army installations fell in the failing or poor category. I don't question that. Nobody does. What's at question here is another \$250 million.

As I said, we appropriated in the FY11 budget \$250 million. So apparently this is going to become a standard practice now? And then you start to get the prospect of Members of Congress starting to submit their local bases, saying, hey, the schools there are bad, and we get into the old earmarking game by letter, or phone marking, or whatever else, because it will be the spoils system all over again as to who gets the defense money to actually fix these schools. So this would simply say this money, \$250 million that has been requested for this purpose, shall not be spent.

The gentleman may stand up and say, hey, this is generally taken from the Department of Defense, or from the operations and maintenance, and so that's not specific enough. Believe me, the Secretary of Defense, if they have the choice to fund the troops or the schools, will fund the troops because the schools are under the responsibility of the local education agency. The Department of Defense may submit a list and say these schools are in disrepair, but it's not the responsibility of the Department of Defense to fund these schools.

The Acting CHAIR. The time of the gentleman has expired.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. The gentleman was quite good at making the cases against this amendment, but I will have to reiterate some of the things. First of all, I rise in opposition to the gentleman's amendment. The bill provides an additional \$250 million to improve or replace inadequate schools located on Department of Defense bases that are operated by Local Education Authorities and the Department of Education. Most of these are run by the local authorities.

The Army has identified 80 Local Education Authority-operated schools within the continental United States that are inadequate because of poor conditions or a lack of capacity to accommodate the number of students enrolled. Initial funding in the fiscal year 2011 bill will address approximately 13 of these schools.

Nearly 42,000 school-aged dependents of U.S. service personnel are enrolled in schools on DOD bases that are owned and operated by either LEAs or the U.S. Department of Education. The recommendation is based on former Defense Secretary Robert Gates's remarks to military spouses at a May 8, 2010, town hall meeting at Fort Riley, Kansas. The Secretary then called me as chairman of the Defense Appropriations Subcommittee last year and said, Norm, we've got to do something about these schools. We have these young men and women serving in Iraq and Afghanistan, and the last thing we need to do is have them worried about their children because some of these schools, if there was a hurricane, if there was an earthquake, if there was a lahar from Mount Rainier, these schools could go down.

I have walked out there and seen these schools at Joint Base Lewis-McChord. And one of the conditions, if you are going to get money here, is that you must take over the school. The local school districts are going to have to take them over from this point forward. So we will get out of the responsibility, but we have to bring these schools up to code and standards and rebuild most of them. This list was developed by the Army, and then the Navy and Air Force and Marine Corps also were involved.

The former Secretary indicated that his plan to improve schools requires congressional approval. Caring for the dependents of U.S. service personnel is a vital contributor to military quality of life and represents a prudent investment in our Nation's future. I urge my colleagues to reject the amendment.

Let me also say in the military construction bill there was \$463 million for schools that are owned by the Department of Defense. Many of these schools

are overseas, in other countries; and yet we are putting \$463 million into those schools. At the same time, the gentleman from Arizona wants to deny the young people of our country schools that they could go into. There is one in Arizona. The gentleman is running for the other body. I think he would be concerned about the school in Arizona that may not get funded if this amendment passes. And I hope the people of Arizona remember it, because the people of Washington State will certainly remember it. This is a bad amendment. We should defeat it.

Mr. FLAKE. Will the gentleman yield?

Mr. DICKS. I will not yield.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to oppose the amendment and associate my remarks with those of the ranking member. We are talking about the dependents of the U.S. military. And when you visit military bases, some of these schools are deplorable. When we make a commitment to a young person in the military, and they are married and they have children, they ought to be able to go to schools on their military base that are of high standards.

I would be happy to yield to the gentleman if he wishes.

Mr. FLAKE. I thank the gentleman for yielding.

I should mention the gentleman from Washington mentioned that the Secretary of Defense said we have got to do something about these schools. I should note that this was not in the Defense request. If he thought something ought to be done, you would think that they would have put it in their request. They didn't. It wasn't in the authorization bill. There is a Department of Education program, a competitive program for this already. If we think that it should have more money, then it should.

Mr. FRELINGHUYSEN. Reclaiming my time, I yield to the gentleman from Washington.

Mr. DICKS. They don't have any money. The Department of Education can't fund this because the new majority is taking a lot of the money out of the Department of Education that they would use for this purpose, and they don't have the money. That's why the Secretary called us and said—and this is Fort Riley, Kansas, one of your side, a school in the district of a Republican Member—and he said we've got to do something.

We didn't say we will do this on a partisan basis. We said, hey, these men and women in these Stryker brigades are over in Iraq and Afghanistan, and the last thing we need to do is have them be worried about their children in

these schools that could go down if we had an earthquake. And we have had all these natural disasters all over this country. And I just say to the gentleman this is the most ridiculous amendment I have heard of yet. And he has had some lusus. And I just hope we can defeat this amendment so the people of this country will know we care about our kids serving in the military and their families.

Mr. GEORGE MILLER of California. Mr. Chair, American children have already been the victims of the Republicans' inaction and spending cuts, and now the Republicans are specifically targeting the children of military families. The Flake Amendment to H.R. 2219 cuts \$250 million of critical funding for public schools on military installations.

These schools and families are already in dire need of support. Impact aid is provided to these schools as compensation for the federal activities that render them unable to collect property or other taxes to fund these schools. This is one of the oldest education programs administered in the United States, and these schools and families depend on these funds.

The men and women of our armed services make great sacrifices to keep our country safe. They deserve better from this Congress. They do not deserve to have their children's education sacrificed as well. I urge my colleagues to vote "no" on the Flake amendment to cut impact aid.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

#### AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk, designated as No. 2.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

Sec. \_\_\_\_\_. The amount otherwise provided by title IX for "Overseas Contingency Operations Transfer Fund" is hereby reduced by \$3,577,192,676.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. This amendment is straightforward. It will simply reduce the amount appropriated to the Overseas Contingency Operations Transfer Fund by roughly \$3.5 billion. We often hear in this body the Constitution grants the Congress the power of the purse, that the President's budget is not sacrosanct, and that Members should be able to guide Federal spending. I agree with that.

So I was quite surprised that the committee included in this bill an appropriation of \$5 billion to the Overseas Contingency Operation Transfer Fund, but provided virtually no guidance on how it should be spent beyond requiring that any obligations be, quote, pursuant to the global war on terrorism. That's roughly 4 percent of the overall cost of the war spending portion of this bill.

I understand the funding could provide the Department of Defense with a little more flexibility as it moves ahead with operations in Afghanistan, while simultaneously withdrawing troops from Afghanistan and Iraq. I am sympathetic to the need to properly fund the war in a way that requires us to budget for it.

□ 1940

But this \$5 billion with very few strings attached could also be used for just about anything, including, as a bargaining chip, for negotiations with the Senate, according to the CQ Today article, which ran on June 14.

I would submit that it's an expensive bargaining chip, and it's a very risky gamble, in my view. The President recently announced his intent to withdraw 10,000 U.S. troops from Afghanistan, which I think he will make the case for in the months ahead. And the Department of Defense has some flexibility as we move ahead in the months ahead.

So I think it's fair to reduce the amount appropriated in this fund to roughly \$1.5 billion. That amounts to 1 percent of the war-related costs of the bill instead of 4 percent. Overseas Contingency Operations Transfer Funds have been requested in the past by the Department of Defense. I understand that. I think we all understand that, to give the Department of Defense some flexibility.

What I am saying here is, \$5 billion is a little too much flexibility here. Let's regain our prerogative here to direct this money, to have the power of the purse and simply not allow that amount, \$5 billion. That would simply reduce it to \$1.5 billion.

According to CQ Today, the Army requested about \$2 billion for transportation expenses in Afghanistan. The House panel said that funding need was overstated because the Army was assuming all supplies are flown into that country, when only about 20 percent arrive by air.

I commend the committee for carefully drilling down on the requests submitted by the services and identifying places where funding is unjustified and unneeded. However, instead of pulling back all the money in what could become a slush fund, we should do better. We should take steps to simply make sure that money that doesn't have to be spent is not spent.

That's what this amendment does. I urge its adoption.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I oppose the gentleman from Arizona's amendment, which would cut \$3.6 billion from the Overseas Contingencies Operations budget.

The committee believes that the Army's fiscal year 2012 operation and maintenance requests for Overseas Contingencies Operations may be overstated due to unrealistic planning assumptions. However, due to the great deal of uncertainty of the justification for the Army's O&M budget request, the committee added an appropriations account, the Overseas Contingencies Operations Transfer Fund Account, and shifted \$5 billion of funding from the Army into this account.

This account gives the Secretary of Defense flexibility to reprogram these funds for unforeseen requirements which emerged during 2012. For example, if redeployment from Afghanistan were to be accelerated—and some would suggest it should be—there will be a very significant increase in personnel and equipment transportation costs in fiscal year 2012.

Examples of requirements, which emerged during the year of budget execution in prior years, include funding for the MRAP vehicles, the mine resistant ambush protected vehicles, additional body armor that was needed, and other force protection things, joint, what we call joint urgent operational needs. And, of course, there are always spikes in fuel costs.

So for these and many other reasons, Mr. Chairman, I oppose the amendment and urge others to do so as well.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used for—

(1) deploying members of the Armed Forces on to the ground of Libya for the purposes of engaging in military operations unless the purpose of such deployment is limited solely to rescuing members of the United States Armed Forces;

(2) awarding a contract to a private security contractor to conduct any activity on the ground of Libya; or

(3) otherwise establishing or maintaining any presence of members of the Armed Forces or private security contractors on the ground of Libya unless the purpose of such deployment is limited solely to rescuing members of the United States Armed Forces.

Mr. CONYERS (during the reading). I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. CONYERS. Mr. Chairman, I rise with the assistance of my good friends, TOM MCCLINTOCK of California, LYNN WOOLSEY of California, and BARBARA LEE of California.

It is my Libyan amendment, again, which would prevent funds appropriated in this act from being used to deploy any type of ground troop presence for the purpose of pursuing military operations on Libyan territory.

This amendment would simply codify the policy endorsed by President Obama and the international community and thereby ensure that our involvement in Libya remains limited in scope.

An identical amendment passed this House on May 26 by a vote of 416-5 as part of the National Defense Authorization Act.

It's also the intent of this amendment, as it was in my earlier amendment, that funds would be allowed to be used to rescue members of the Armed Forces participating in the NATO no-fly zone operation.

The American people, obviously many of them, have grown weary of the open-ended military conflicts that place our troops in harm's way and add billions to our national debt. We simply cannot afford another Afghanistan or Iraq.

And so the time has come for Congress to once again exercise its constitutional authority to place boundaries on the use of our military forces overseas and clearly state that this conflict in Libya will not escalate into an expensive occupation that would strain our resources and harm our national security interests.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We would like to commend you for your amendment, and we would be willing to accept it.

Mr. CONYERS. Thank you, sir. I appreciate that.

I yield back the balance of my time. Ms. WOOLSEY. I move to strike the last word, Mr. Chairman.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. I rise in strong support of the amendment offered by my good friend from Michigan (Mr. CONYERS) which I am very proud to be a cosponsor.

The war in Libya, which was not authored by this body or our Senate colleagues, has lingered for more than 100 days.

Mr. Chairman, despite the legal contortions coming from the other end of Pennsylvania Avenue, the dropping of bombs, the killing of civilians, and the use of drones in Libya most definitely constitutes hostilities. And it's our responsibility in the Congress to make sure that these hostilities do not escalate into a full-blown ground war with boots on the ground and the United States becoming an occupying force in Libya.

The President has assured us that this won't happen, and I believe that a ground war is not his intention. But it wouldn't be the first time, Mr. Chairman, in the history of the United States' warfare that there was a shift in military, with the military campaign beginning as one thing and ending up as quite another. So it's critical that we assert ourselves using the congressional authority to appropriate funds to say "no" to launching a third ground war.

Our authority rests on how we use the people's money. Today's amendment denies the use of our tax dollars to send troops into Libya.

The war in Libya is a war of choice, except it's one that Americans didn't choose. It's not one that their elected representatives here in the people's House and Senate chose either.

We must ensure it does not go any further. We must listen to our people—the people who sent us here, the people we work for—who are insisting that we set limits. They know that we can't afford another Libya becoming another Iraq or Afghanistan.

Are these the values that we celebrated over this patriotic holiday weekend? Permanent warfare that leads to mayhem, despair and instability without advancing our national interests? It's time we start embracing the principles of smart security—humanitarian aid and civilian support—instead of perpetual warfare.

Haven't we had enough? Haven't our troops proven their valor? Haven't military families proven their selflessness and sacrifice? Haven't the taxpayers parted with enough of their money?

Vote "yes" on the Conyers-McClintock-Woolsey-Lee amendment. Say no to ground troops in Libya.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The amendment was agreed to.

Mr. LIPINSKI. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. LIPINSKI. I would like to ask Subcommittee Chairman YOUNG if he

would enter into a colloquy regarding the Department of Defense's future plans for data storage.

□ 1950

Mr. FRELINGHUYSEN. I would be pleased to enter into a colloquy on behalf of Chairman YOUNG with you, sir.

Mr. LIPINSKI. Thank you. As the chairman is aware and as you are aware, the Department of Defense has many cybersecurity goals and challenges. With the daily reports on cyberattacks and intrusions, I feel that Congress needs to express its concerns before there is a cyberevent that will impact and damage national security.

The Department of Defense is the world's largest target for cyberattacks. There are many aspects of cyberdefense infrastructure, but I would like to focus on one critical piece, the physical location of classified data. I'm very concerned that the Department of Defense will not weigh the physical storage of classified data sufficiently in their efforts to save money through the consolidation and modernization of the information technology infrastructure. In addition, I worry that unnecessarily storing classified data abroad could increase the risk that this information could be stolen, damaging national security and potentially harming our troops.

I would ask the chairman if he would be willing to work with me to ensure that the Department of Defense's future plans for data storage address these concerns and maintain the highest standards for protection for classified data. Keeping critical defense data under positive control and physically securing that data is just common sense for national security. Building and operating data centers here will create American jobs as well as make it easier to control access and make it harder for foreign operatives to steal things such as nuclear secrets, weapons systems designs, and battle plans.

I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Chairman YOUNG and the committee thank the gentleman from Illinois for bringing this matter to our attention, and we share his concern for the protection of all classified data. We believe the threat from cyberattacks is real and is growing. We commend the gentleman for his leadership in this area, and we will be happy to work with you and the ranking member to ensure that our troops and Nation maintain control of all classified data.

Mr. DICKS. Will the gentleman yield?

Mr. LIPINSKI. I yield to the ranking member.

Mr. DICKS. I think the gentleman from Illinois brings up a very important issue, and I too look forward to working with the gentleman to ensure that classified data is protected from

misuse and theft. Cybersecurity may be the most important defense issue that we face in the coming years. The Department of Defense itself is hit 250,000 times per hour, which is unbelievable, but it's true. And so we need to work on this, and I'm glad the gentleman has taken an interest in this important subject.

Mr. LIPINSKI. I want to thank Chairman YOUNG and Ranking Member DICKS for their commitment to the troops and national security, and I know Mr. DICKS is especially concerned about cybersecurity.

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

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk, designated as No. 3.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The amounts otherwise provided by title IV of this Act are revised by reducing the amount made available for "Research, Development, Test and Evaluation, Army", by reducing the amount made available for "Research, Development, Test and Evaluation, Navy", by reducing the amount made available for "Research, Development, Test and Evaluation, Air Force", by reducing the amount made available for "Research, Development, Test and Evaluation, Defense-Wide", and by reducing the amount made available for "Operational Test and Evaluation, Defense", by \$93,811,660, \$177,989,500, \$263,131,960, \$193,248,650, and \$1,912,920, respectively.

Mr. FLAKE (during the reading). I ask unanimous consent that the amendment be considered read.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. The amendment would reduce each of the Research, Development, Test, and Evaluation accounts by 1 percent, or roughly \$730 million below the currently appropriated \$73 billion provided in this measure.

Amendments of this sort have been offered to other Defense-related measures recently, though they have attempted to cut amounts far greater than what I am proposing. During one of these debates, the chairman of the Defense Subcommittee made the point that "if you are going to reduce the defense budget, there ought to be a good reason." I agree. And I submit that both the severity of the fiscal situation we face and the consequences of inaction are compelling reasons to reduce the defense budget along with everything else.

The Appropriations Committee started a positive trend when, during the consideration of appropriations for fiscal year 2011, it reduced the RDT&E accounts below the levels that have been funded in recent years.



I applaud the committee for taking a serious look at these and other accounts and for acting accordingly, but I think we need to do better. We're going to have to get used to cutting defense budgets here if we're going to get our fiscal situation in order.

The defense budget accounts for roughly half of the discretionary spending that is considered during the regular appropriations process during the year. According to the Domenici-Rivlin Commission "Restoring America's Future," RDT&E budgets have increased from \$49.2 billion in fiscal year 2001 to \$80.2 billion in fiscal year 2010.

So you are seeing an amount of about 80 percent higher now than they were in just 2001. That is a 63 percent increase. I'm getting my math wrong here. That report also suggested reducing the RDT&E budget would "impose greater discipline in research investments."

In addition, Gordon Adams of the Stimson Center argues in an essay in *Foreign Affairs* magazine that the RDT&E budget should be reduced, saying that "it would be safe to cut it, too, by 19 percent between fiscal year 2012 and fiscal year 2018. Such a reduction would yield \$87 billion in savings while keeping the United States' level of military R&D far above any other country."

I'm not attempting to or suggesting that we make cuts that deep in these accounts with this amendment. I recognize that they have already taken a sizeable hit in fiscal year 11. I also know that my colleagues will come to the floor and tout the values of these accounts. They'll talk about and highlight important successes we've achieved with weapons and other systems that wouldn't have been possible without these accounts. I recognize that.

But if we're all going to have to get used to voting for cuts in defense, cutting 1 percent of the \$73 billion made available to RDT&E is far from Draconian and will not preclude any such future successes.

I urge adoption of the amendment.

I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. The allocation for the Defense bill has already been reduced by \$9 billion. Funding for the research and development title of the bill has been reduced from the 2011 level by nearly \$2 billion. Further reductions risk harming critical technology development needed to keep current weapons relevant and needed to develop next generation weapons and technologies required to maintain the U.S. edge in military technologies.

The reduction would adversely affect many systems now in development, in-

cluding the Joint Strike Fighter, where we certainly do not want to fall behind, advanced submarine development, the long-range strike program, missile defense program, further development of precision weapons systems and many others.

I urge my colleagues to reject this amendment.

Mr. FLAKE. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Arizona.

Mr. FLAKE. The gentleman mentioned that this defense budget is cut \$7 billion below?

Mr. DICKS. Nine billion below the President's request.

Mr. FLAKE. That's below the President's request, not below the budget—

Mr. DICKS. Last year we were \$17 billion below last year, \$9 billion this year. So we're making some serious cuts in this budget.

Mr. FLAKE. I just appreciate that this is not the most ridiculous amendment. I'm glad that threshold was reached.

Mr. DICKS. No. This one won't make the top 10.

Mr. FLAKE. I thank the gentleman.

Mr. DICKS. We're working the list up, so I will share it with the gentleman down in the gym.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

Mrs. CHRISTENSEN. I move to strike the requisite number of words.

The Acting CHAIR. The gentlewoman from the Virgin Islands is recognized for 5 minutes.

Mrs. CHRISTENSEN. Thank you.

I invite the ranking member to enter into a colloquy with me on an important health issue for our military.

Taking more lives each year than breast, prostate, colon and pancreatic cancers combined, today's lung cancer death toll is beyond unacceptable. It is the leading cause of cancer death among men and women across every racial and ethnic group and has a very low 5-year survival rate of only 15 percent. And this situation can be attributed to both resource limitations in programs dedicated to lung cancer research and the absence of a coordinated and comprehensive plan to reduce lung cancer mortality in this Nation by focusing on the entire lung cancer screening, diagnosis, treatment, and care continuum.

Today, 80 percent of new lung cancer cases affect people who neither have smoked or those who have quit smoking, many of them decades ago.

□ 2000

This is true of smokers and non-smokers, and those populations such as racial and ethnic minorities, women, and low-income Americans who are disproportionately affected by lung cancer. But it is especially the case for our brave men and women who defend this Nation and put themselves in harm's way to protect our freedom.

Veterans, whose service has put them at high risk for lung cancer, have lung cancer needs that have been and remain unmet. They also suffer from a higher incidence of lung cancer and mortality than nonveterans. Additionally, the rate of lung cancer is nearly twice as high among those in the military compared to the larger U.S. population.

As a physician, I know that success against lung cancer requires that we approach lung cancer comprehensively, just as we do other major illnesses. Prevention and wellness, coupled with early detection, treatment options, and research must be adequately funded and coordinated, just as we do for heart disease, breast cancer, HIV/AIDS, and others. That is why I introduced H.R. 1394, the Lung Cancer Mortality Reduction Act of 2011. We must coordinate activities that combat lung cancer in vulnerable populations, including our active military, and ensure that for them, as well as for others, that early detection, treatment, and research is adequately supported with benchmarks to gauge progress.

We owe it to our Nation's heroes to coordinate early screening, treatment, and care, and reduce lung cancer mortality among members of the Armed Forces and our veterans, whose exposure to carcinogens during active duty service is a known contributor to their increased lung cancer risk.

I would seek the help of the ranking member to pursue this work in the Defense Health Program within the Department of Defense.

Mr. DICKS. Will the gentlelady yield?

Mrs. CHRISTENSEN. I yield to the gentleman from Washington.

Mr. DICKS. I will work with the gentlelady on DOD lung cancer research. We have \$10.2 million in the budget this year, and money for other forms of cancer and treatment efforts, in light of the serious problems facing military members. This is a very serious problem, and I am glad that you have called it to our attention, and I look forward to working with you on this important issue.

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

AMENDMENT OFFERED BY MR. KINZINGER OF ILLINOIS

Mr. KINZINGER of Illinois. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to research, develop, manufacture, or procure a newly designed flight suit or integrated aircrew ensemble.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KINZINGER of Illinois. Mr. Chairman, there is no bigger supporter, I don't think, in this body of the Air Force than me. I am an Air National Guard pilot. I have been an Air National Guard pilot for awhile now, and continue to be even during my service in Congress. But part of what we have to do in this body is we have to find areas of essential versus nonessential spending.

One of those areas I believe that is nonessential is \$100 million that will be spent, if this amendment is not adopted, to develop a new flight suit, in essence. I think at a time when we are looking at supporting defense as best we can and finding out areas where we can prioritize and make that essential, I think it is important to stop the design of this flight suit and allow that money to be spent in other areas.

We have met with the folks that are developing this, that are looking at the idea of this new flight suit, and I am still convinced that the right thing to do at this time is to halt the development and manufacture of this.

So I would just stand and urge adoption of this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Madam Chairman, I move to strike the last word.

The Acting CHAIR (Ms. FOX). The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. First of all, the committee would like to thank the gentleman from Illinois for his service in the Air National Guard, and obviously his service in Congress. The gentleman from Illinois has made a compelling argument, and we are prepared to accept his amendment. However, we want to be clear that we will continue to study the issue as we support the continued advancement of the safety of all of our pilots. We just want to make that understood. It needs more study. We are in support of your amendment.

I yield back the balance of my time.

Mr. DICKS. Madam Chair, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. The amendment would prohibit DOD from developing or man-

ufacturing a newly designed flight suit for members of the Armed Forces. In November of 2010, the Air Force awarded a \$99.4 million contract over 7 years to research, develop, and manufacture the flight suit. The November award ended a nearly 3-year competitive bidding process.

The Air Force requires that the new flight suit must protect airmen from flames, all kinds of weather, chemical attacks or radiation, and high gravity that can cause air members to black out. So I urge rejection of the amendment.

Mr. KINZINGER of Illinois. Madam Chair, there is no bigger supporter in this body of the Air Force than me. For nearly ten years, I have been privileged to serve my country in the Air Force and Air National Guard as a pilot. During that time I often thought, "If I am willing to fight for my country on the outside, I must be willing to defend and preserve our country for future generations on the inside." Today I rise in support of my amendment to the Department of Defense Appropriations Act, H.R. 2219. My amendment would save the U.S. taxpayers nearly \$100 million by not allowing the Air Force to redevelop the current flight suit.

Since coming to this House, my colleagues and I have been working diligently to determine essential versus non-essential government spending projects. One area I wanted to examine more closely was a \$100 million project to develop a new flight suit for the Air Force, called the "Integrated Aircrew Ensemble." This flight suit is not being developed in response to specific needs of the Air Force's next-generation fighter, the F-35 Lightning II. Rather, it is designed to integrate the already existing protections which are included in our current flight suit.

In February, at the Air Force's 2012 budget hearing, Chief of Staff General Norton Schwartz was asked—at my request—whether the Air Force was developing a new flight suit. General Schwartz stated, "We are not in the business of redesigning our flight suit under the current circumstances." Since his testimony, General Schwartz said this quote is "accurate but incomplete," and does not represent his position on the flight suit contract.

Our office met with management from TIAX LLC, the company awarded the contract. After reviewing the information from TIAX and speaking with many of my fellow pilots who fly different aircrafts, I remain confident that the current flight suit provides more than adequate protection.

Over the past 10 years, the Air National Guard has not had a single G-LOC (induced loss of consciousness due to excessive G-force) Class A mishap, while the Air Force has had 5 G-LOC Class A mishaps. Of those 5 Air Force Class A mishaps, 3 occurred in an F-16 aircraft, while the other two occurred in a T-6 and T-37, respectively. The Air Force was unable to provide details surrounding the T-6 and T-37 Class A mishaps; however, they were able to provide the details surrounding each of the F-16 Class A mishaps. In each of those cases, the pilot flying the F-16 was performing Basic Fighter Maneuvers (BFM) under the supervision of an instructor

pilot. It is important to note that all of these accidents took place in a training environment and by young pilots still honing their skills. In none of the executive summary reports surrounding those accidents was the flight suit noted as a contributing factor toward causing G-LOC.

For these reasons, it is my strong belief that updating and integrating the flight suit will not be the panacea that proponents of the program claim in terms of protecting against these types of G-LOC Class A mishaps. Protecting against G-LOC has much more to do with the innate physical abilities of our pilots and the training they receive than any flight suit they will wear.

These findings led me to offer an amendment to the National Defense Authorization Act (NDAA) to postpone the flight suit development and save taxpayers nearly \$100 million. This amendment was adopted into the NDAA, which passed the House by a vote of 322-96.

Many of my colleagues in the House support this amendment, including Congressman SAM JOHNSON (R-Texas), a twenty-nine-year Air Force veteran, former POW in Vietnam, former Director of the Fighter Weapons School and pilot with the Thunderbirds. He said, "With men and women in harm's way in three different wars, the Air Force shouldn't even think about using scarce dollars for new flight suits."

My other colleague, Congressman PETE OLSON (R-Texas) said, "As a former Navy Aviator, I know firsthand that our current flight suits provide all of the protection and comfort our aviators need. Our nation is facing record debt and deficits and as such, we must apply careful scrutiny over every new project we are looking to fund. If I thought for one second that our pilots were in danger, I would be the first to support a new flight suit, but the reality is that this is a \$100M solution looking for a problem."

Senator KIRK (R-IL) also stated, "While nothing takes precedence over protecting and arming our troops in the field, we still have a responsibility to protect taxpayers from excessive spending. Given our current fiscal situation, we must make tough decisions to ensure that tax dollars are spent efficiently—even at the Pentagon. Cutting a \$100 million program the Air Force says it does not need is exactly the kind of spending restraint the American people want to see from Congress."

Make no mistake, I am committed to ensuring our military is the strongest and best equipped in the world. However, we must make tough decisions with regard to military needs and military wants. I was sent to Washington to make difficult decisions, even those that require the military to prioritize its spending.

Mr. DICKS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. KINZINGER).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. \_\_\_\_ . It is the policy of the United States to withdraw all United States Armed Forces and military contractors from Iraq by December 31, 2011, and no provision of any agreement between the United States and Iraq that amends the timeline for such withdrawal in a manner that obligates the United States to a security commitment to respond to internal or external threats against Iraq after such date shall be in force with respect to the United States unless the agreement is in the form of a treaty requiring the advice and consent of the Senate (or is intended to take that form in the case of an agreement under negotiation) or is specifically authorized by an Act of Congress enacted after the date of the enactment of this Act.

Ms. LEE (during the reading). Madam Chair, I ask unanimous consent to consider the amendment as read.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

Mr. FRELINGHUYSEN. I object.

The Acting CHAIR. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Ms. LEE (during the reading). Madam Chair, I ask unanimous consent to consider the amendment as read.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. FRELINGHUYSEN. Madam Chair, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from California is recognized for 5 minutes.

Ms. LEE. Madam Chair, I am pleased that my colleagues, Representatives NADLER and WOOLSEY, are joining me in offering an amendment that make it the policy of the United States to withdraw all members of the United States Armed Forces and military contractors from Iraq by the end of this year.

More importantly, this amendment also clarifies that this timeline cannot be changed unless it is in the form of a treaty requiring the advice and consent of the Senate or unless authorized by an act of Congress.

We must ensure that 45,000 United States troops who remain in Iraq, and our military contractors, leave Iraq at the end of this year, as is stated in our Nation's Status of Forces Agreement with Iraq.

This is of concern because this week the President and some of his advisers are considering just how many troops they can leave behind. Senators and others are publicizing their opinions. Senator MCCAIN of Arizona has suggested 10,000 to 13,000 troops remain to serve for support in intelligence arenas, as air support, and as a peace-keeping force. Others may eventually call for even more to remain. At the same time, the Government of Iraq is feeling pressured on multiple sides to

either ask us to stay or to ensure our departure. As one of the original founders of the Out of Iraq Caucus, along with Congresswoman MAXINE WATERS and Congresswoman LYNN WOOLSEY, our position has been clear all along—we opposed the war and the occupation from the start, and we have worked day in and day out to end it.

We believe that ending the occupation of Iraq means withdrawing all troops—and we mean all troops—and all military contractors out of Iraq. It would be unacceptable to have troops remaining in Iraq after December 31, 2011, unless of course there was a treaty or an act of Congress. Leaving troops would hurt U.S. national security interests by adding credence to insurgents' narrative about the U.S. being a permanent occupying force. America's interests in Iraq and the region will be best served by eliminating our military presence and making greater use of our Nation's assets, including diplomacy, reconciliation, commerce, development assistance, and humanitarian aid. And we have already said in policy that there shall be no permanent military bases in Iraq.

Iraqis must be responsible for the security of Iraq, which they have demonstrated more and more as we have been pulling out of their country. The American people have no interest in extending our presence in Iraq, and they are looking to Congress to ensure that we bring our troops home and focus the savings on the challenges facing our Nation today.

Furthermore, we need to ensure that if any security commitment is required, that such commitment be established by a treaty or an act of Congress.

I yield back the balance of my time.

□ 2010

#### POINT OF ORDER

Mr. FRELINGHUYSEN. Madam Chair, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part:

“An amendment to a general appropriation bill shall not be in order if changing existing law.”

The amendment gives affirmative direction in effect.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The Chair will rule.

The amendment offered by the gentlewoman from California proposes to express a legislative sentiment of the House.

As such, the amendment constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not in order.

#### AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the spending reduction amount), insert the following:

SEC. \_\_\_\_ . (a) PROHIBITION ON USE OF FUNDS.—None of the funds made available by this Act may be used for any account of the Department of Defense (other than accounts excluded by subsection (b)) in excess of the amount made available for such account for fiscal year 2011, unless the financial statements of the Department for fiscal year 2011 are validated as ready for audit within 180 days after the date of the enactment of this Act.

(b) ACCOUNTS EXCLUDED.—The following accounts are excluded from the prohibition in subsection (a):

(1) Military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense.

(2) The Defense Health Program account.

(c) VALIDATION DEFINED.—In this section, the term “validation”, with respect to the auditability of financial statements, means a determination, following an examination, that the financial statements comply with generally accepted accounting principles and applicable laws and regulations and reflect reliable internal controls.

(d) WAIVER.—The President may waive subsection (a) with respect to a component or program of the Department if the President certifies that applying the subsection to that component or program would harm national security or members of the Armed Forces who are in combat.

Ms. LEE (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered read.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. FRELINGHUYSEN. Madam Chair, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from California is recognized for 5 minutes.

Ms. LEE. Madam Chair, I join my esteemed colleague Ms. JAN SCHAKOWSKY from Illinois in offering an amendment that hits at the heart of the issue of fiscal responsibility.

This amendment would freeze Department of Defense programs at fiscal year 2011 levels unless the financial statements of the Department of Defense for fiscal year 2011 are ready to be audited in 6 months from the date of enactment. However, this amendment would exempt military personnel, Reserve and National Guard personnel accounts as well as the Defense Health Program account from this potential funding freeze. It also contains a waiver for any potential harm to national security or combat forces.

In these financial times, which are very difficult as we all know, more and more people are learning of the importance of keeping to a budget and of being able to track where every single

penny goes of their paychecks, if they have paychecks. For too many Americans right now, survival boils down to appropriately spending and saving every dollar and every cent that they have and budgeting what little money they have left.

Sadly, the Department of Defense Inspector General and the Government Accountability Office have documented that the Defense Department cannot tell the American taxpayers how their money is being spent. That really is quite shocking. We cannot wait any longer for the books to be audited. This requirement first came down in 1990, and over the years, this requirement that they keep the books that can be checked over has been pushed back to 2017. Already the Department of Defense has stated that they need an extension.

How many times do we turn our backs on agencies in their spending money without being able to account for it? How many more stories of expensive ashtrays and overpriced hammers do we need to have before we begin to deal with this in an effective way?

The bloated Pentagon budget, filled with waste, fraud and abuse, must be able to be audited. The American people expect to know where our defense dollars are going. They pay for this Defense Department, and they expect Congress to be the watchdog of these agencies. In fact, I believe that it is critical that the Department of Defense not only be ready for an audit but be able to actually pass an audit.

Today, I urge my colleagues to support this amendment, be fiscally responsible and hold the Pentagon accountable to get its financial books in order. We require that of the business sector, of the private sector. We require that of our own family budgets. Why in the world don't we require that of the Pentagon where so many of our hard-earned tax dollars are being spent? We should freeze their spending, freeze their budget, until we know what they're doing with their money. An audit is a very reasonable request, and I hope that the other side understands that this really is in the spirit of fiscal responsibility and in helping to ensure that the Pentagon's books are in order.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Madam Chair, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part:

"An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment gives affirmative direction in effect.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to speak on the point of order?

The Chair is prepared to rule.

The Chair finds that this amendment includes language conferring authority.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT NO. 77 OFFERED BY MR. HUELSKAMP

Mr. HUELSKAMP. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to implement the curriculum of the Chaplain Corps Tier 1 DADT repeal training dated April 11, 2011.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. HUELSKAMP. Madam Chair, I rise this evening to ensure that America's military bases are not used to advance a narrow social agenda.

Earlier this year, the Navy chief of chaplains announced that military chaplains who desire to perform same-sex marriages would be allowed to do so following the repeal of the policy known as Don't Ask, Don't Tell. The directive said that chaplains could perform same-sex ceremonies in such States where such marriages and unions are legal. Apparently, the Navy has recently backed away from such instruction, but tepidly and weakly, and in a way that leaves the door open to the reinstatement of this policy.

This amendment I offer will prohibit the enforcement of the directive of allowing chaplains to perform same-sex marriages on Navy bases regardless of whatever a State's law is on gay marriage.

In thinking about what has made our military successful, two things come to my mind: conformity and uniformity. Men and women who join our military are to conform to the military's standards, not the other way around. Regardless of where a ship is docked or where a plane is parked, our servicemembers know what to anticipate and how to behave. Rules and expectations are the same everywhere, but with a policy that is flexible and changes based on the State, the military doesn't embrace its one-size-fits-all mentality that has made it so accomplished, disciplined and orderly. As the Navy and other military branches prepare for the repeal of this 1993 law, hours upon hours of sensitivity training have been presented to men and women in uniform. Such instruction has included warning that the failure to embrace alternative lifestyles could result in penalties for servicemembers.

What will happen to chaplains who decline to officiate over same-sex ceremonies? The directive states that chaplains "may" perform same-sex civil marriage ceremonies. I fear that chaplains who refuse to perform these ceremonies may find themselves under attack and their careers threatened.

Madam Chair, we must ensure the religious liberty of all military members, particularly that of chaplains. In my family, I've had a military chaplain who has served for more than approximately 4 decades, so this is particularly important to me, personally.

Regardless of how someone feels about the repeal of the policy known as Don't Ask, Don't Tell, I think we can all agree that instructing military chaplains that they can perform same-sex marriages goes above and beyond the instruction to repeal that particular law. In fact, this directive is not only an overreach of the repeal but is also a direct assault on the Defense of Marriage Act. It should be noted these two laws passed with bipartisan support and were signed into law by Democrat President Bill Clinton. Repealing Don't Ask, Don't Tell was supposed to be about allowing people in the military to serve openly, not about promoting same-sex marriage in contravention of the Defense of Marriage Act.

I urge my colleagues to join me in supporting this amendment in order to promote and ensure conformity and uniformity in the military culture, not the other way around; to promote the religious liberty of military chaplains; and to promote consistency with Federal laws on marriage.

I yield back the balance of my time.

□ 2020

Mr. DICKS. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I rise in opposition to any amendment that seeks to delay the repeal of Don't Ask, Don't Tell. Some in the majority continue to try to legislate this issue even though the repeal of Don't Ask, Don't Tell was approved with overwhelming bipartisan support in December.

As of last month, more than 1 million U.S. servicemembers—roughly half of our Armed Forces—have been trained on the new law allowing gays and lesbians to serve openly in the military. Our military leaders, led by Admiral Mullen, have stated that they have seen no adverse impact on the force and that training is going very well. The current expectation is that all members of the active and reserve military force will be trained by mid-August.

Last month, Secretary Gates indicated in an interview with the Associated Press that he sees no roadblocks

to ending the ban on openly gay military service. Current Secretary Panetta said that he would work closely with the Joint Chiefs of Staff to assess whether the elements for certification in the law are met before approving the repeal.

Our servicemembers deserve the right to serve their country no matter their race, gender, or sexual orientation. Currently, gay and lesbian servicemembers are forced to live under the constant threat of being forced out of the military because of the misguided Don't Ask, Don't Tell. I urge my colleagues to reject any amendment that seeks to delay implementation.

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

Mr. POLIS. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. Madam Chair, this amendment strikes a very dangerous precedent for Congress to somehow micromanage the training processes of military chaplains.

We have military chaplains from diverse faith backgrounds. We have many faiths—in fact, the majority of faiths that, for instance, don't sanctify gay marriage. We have other faiths. The one that I happen to belong to—I am a member of a reformed Jewish faith—and there are many other Christian faiths, including the Episcopalian faith, which do sanction same-sex unions. Likewise, it's an important part of chaplain training that they're allowed to counsel against, for instance, homosexual acts or extramarital heterosexual acts. That's a part of chaplaincy training as well. For Congress to interfere with the military processes of chaplaincy training is absurd and unprecedented.

With regard to this particular training program, I would like to ask my friend from Kansas (Mr. HUELSKAMP), if I could just yield a moment to him, if he has read this particular training manual that he is seeking to defund here.

I yield to the gentleman from Kansas.

Mr. HUELSKAMP. Yes, if the gentleman would restate his question.

Mr. POLIS. Has the gentleman from Kansas read the training manual that he is seeking to defund in this case?

Mr. HUELSKAMP. Madam Chair, that is an excellent question.

We tried to obtain a copy of that from the Department of Defense today and they refused to provide a copy. What I do have is an online three-page summary of the manual.

Mr. POLIS. So, reclaiming my time, I think that the straight answer is no. In fact, our ranking member and others have been unable to get that from the Navy Liaison's Office.

Again, I think it's an offense to the military to second-guess their training for chaplains. No doubt those documents could eventually come our way—and should, for oversight activities—but for us to somehow defund the training of chaplains to implement Don't Ask, Don't Tell makes no sense.

Again, chaplains will be worried. For instance, Catholic chaplains will be worried to advise their followers that homosexuality is a sin if that is not included in the training. Those for whom homosexuality is not a sin will also likewise be worried about advising the troops. There will be a void, a huge void—to not train the spiritual advisors to members of our military about the implementation of Don't Ask, Don't Tell? I mean, why not try to not train any of the troops? I mean, again, whether you supported it or not, I think most of us believe that it was better that there was a training process than, let's say, a court has ordered—which has now happened absent a training process and instantaneous change.

With regard to the chaplaincy, to second-guess an internal military training document—again, which they have indicated that they will revise accordingly—is to show a huge lack of judgment of the men and women who run the military, an enormous lack of confidence in the institution of the chaplaincy, an offense to the chaplaincy of the military to somehow deign that Congress is expressing that they should not be trained regarding a major military policy, that they should somehow take the risk on their own, that they should worry about advising members of their faith with regard to, within their faith tradition, whether homosexuality is a sin or not, regarding members of their faith as to whether they can be married or not.

This is a diverse country religiously, and likewise the institution of our military reflects that diversity. And to somehow, again, second-guess a military training document that hasn't even been read by the prime sponsor of this amendment shows a tremendous lack of faith and is a very dangerous precedence for Congress in terms of interfering with the training procedures of the military.

We could, of course, as a body or as individual Members, go through every single training manual and find things we like, find things we don't like. But again, to micromanage the military to that extent, particularly in light of a policy change which has ramifications for the chaplaincy.

The chaplaincy is, by and large, where the rubber meets the road with regard to how individual members are being advised about their sexual orientation, about what behaviors are moral and what behaviors are immoral. And to somehow say that Congress will tell the chaplaincy not to train any-

body on implementing this policy change leaves our soldiers in a spiritual lurch. It leaves our Christian soldiers in a spiritual lurch. It leaves our Jewish soldiers in a spiritual lurch, our Muslim soldiers in a spiritual lurch, all of those who take advantage of the good offices of the chaplaincy in the military, just as, of course, we have a chaplain in this fine institution, the United States Congress.

So, again, this is a change that perhaps many members of the chaplaincy were not in favor of—some were; it depends on their faith position, their own political opinions—but they need to be trained in accordance with military protocols, and this amendment would gut that. I strongly urge a “no” vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. HUELSKAMP). The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HUELSKAMP. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kansas will be postponed.

#### AMENDMENT OFFERED BY MR. TONKO

Mr. TONKO. Madam Chair, I rise to offer an amendment to H.R. 2219.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor or subcontractor to an employee performing work under the contract for compensation if the compensation of the employee for a fiscal year exceeds the rate payable for level I of the Executive Schedule under section 5312 of title 5, United States Code, regardless of the contract funding source.

Mr. YOUNG of Florida. Madam Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. The point of order is reserved.

The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Madam Chair, the highest individual government salary funded by the American taxpayer is that of the President of the United States at a total of \$400,000, or so I thought. The President is certainly the highest paid public servant, but it turns out that the leader of the free world isn't actually the highest paid executive on the taxpayers' payroll.

In fact, the highest Federal Government salaries by far can be earned by private sector executives who are paid up to \$700,000 per year directly in taxpayer dollars. I do not mean executives who earn their multibillion-dollar incomes by selling often overpriced and

underperforming equipment to our men and women in uniform, though the customer is the Federal Government. Those salaries are paid through transactions in the private sector. No, I am talking about the Federal Government salaries paid directly by the Pentagon and other agencies to private contractor executives, direct salaries paid for 100 percent by taxpayer dollars.

You won't find these exorbitant pay rates on government income lists. They certainly aren't subject to the current Federal employee pay and hiring freeze.

□ 2030

In fact, that \$700,000 maximum salary increases every year to reach even greater heights even as we contemplate cutting other areas of our budget to new lows, including that of our military service branches.

These salaries are being paid by a department that has not been able to pass a standard audit in its entire history. It cannot even tell us how many contractors are on its payroll.

Madam Chair, the salary of a typical Army private starts at a meager \$20,000 per year. General Petraeus, a four-star general with 37 years of active service, the commander of the international coalition in Afghanistan and the next director of the CIA, earns a salary of approximately \$180,000. The Secretary of Defense earns about \$200,000. How then can we justify salaries of up to \$700,000 for defense contractor executives?

I understand that there may be contractors who supply services to our Nation that our government cannot perform on its own. However, I am also absolutely certain that there is no one single private contractor whose value to our national security is twice that of the Commander in Chief of the United States military.

At a time when the Chairman of the Joint Chiefs is telling us that the Nation's debt is the number one threat facing America, we cannot continue using taxpayer dollars to pay lavish and unjustifiable private contractor salaries that are more than triple the pay of our military leadership.

My amendment simply states that funds in this bill will not be used to pay a Federal Government salary for any individual defense contractor that exceeds the salary of the Secretary of Defense. That salary is level 1 of the executive schedule, or about \$200,000.

This is a very modest reform. It is not about limiting contracts or contract spending more broadly. It does not deal with outsourcing or insourcing. It does not, in fact, cap contractor pay, which may include private sector projects, profit sharing, or other earnings. It merely deals with the salary paid to contractors directly by the taxpayer, limiting the cost of that compensation in an effort to reduce the deficit and stop paying exorbi-

tant Federal salaries to private sector employees.

I think this amendment forms a perfect complement to section 8050 of the underlying bill, which deals with limiting contractor bonuses. I hope my colleagues will join me in supporting this amendment and other modest simple reforms that can help us tackle the deficit.

With that, I thank you, Madam Chair.

I yield back the balance of my time.

POINT OF ORDER

Mr. YOUNG of Florida. I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part:

"An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to speak on the point of order?

The Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination of the amount of compensation of certain employees.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

Mr. DICKS. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I rise for the purpose of engaging in a colloquy with the gentleman from Florida (Mr. YOUNG), our distinguished chairman.

I think we agree that it is vitally important to save money in the Joint Strike Fighter Program where it is possible to do so without negatively impacting performance or schedule. The Joint Program Office and the services which will use the Joint Strike Fighter are to be commended for any efforts to identify potential reductions in program costs. As an example, the Air Force is currently in the process of validating an earlier internal study of ejection seat options for its variant of the aircraft.

Would the chairman agree that if studies like this one make a sound business case that savings will result, then the Air Force's judgment about how its aircraft can be made more cost effectively equipped should be informed by that conclusion?

I yield to the gentleman.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

I agree with him that we should consider all options for cost savings. Should the Air Force present the com-

mittee with a study that indicates potential cost savings in the ejection seat without compromising the F-35's performance or schedule, we will certainly look hard at that.

Mr. DICKS. I thank the chairman and look forward to working with him on this and other matters in our oversight of the Joint Strike Fighter Program.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to maintain an end strength level of members of the Armed Forces of the United States assigned to permanent duty in Europe in excess of 30,000 members, and the amounts otherwise provided by this Act for "Military Personnel, Army", "Military Personnel, Navy", "Military Personnel, Marine Corps", and "Military Personnel, Air Force" in title I of division A are hereby reduced by \$433,966,500, \$41,380,000, \$6,700,000, and \$330,915,000, respectively.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. Given the ongoing budget negotiations, we need to explore all options for reducing wasteful spending, and I think we have an easy one in front of us in this amendment.

Before we ask the American people to accept painful cuts or accept tax increases, we have an opportunity here to get defense spending under control in a way that does not jeopardize or harm our national security. If we're serious about deficit reduction, we need to do something about the defense budget, and we can do it in a responsible way that doesn't hurt our national security. My amendment would do that.

By reducing some of the 80,000 troops in Europe where they're no longer needed, we can save hundreds of millions of dollars. So what my amendment would do very simply is reduce the total number of troops stationed in Europe from 80,000 to 30,000, which is more than enough to continue to support our ongoing operations in Libya and Iraq and our responsibilities to NATO for those Members who support them. For those who don't, this is not a proxy for those battles. We don't want to cut the troop levels so low we can't support those operations.

It will allow the DOD to save money by closing those bases that are no longer needed. By pulling 50,000 troops out of Western Europe and closing bases, we can save money, reduce our redundant military force, and CBO has scored the savings of this amendment as over \$800 million.

On top of the savings produced by reducing our troop level, my amendment



would allow us to station troops in the U.S., instead of Europe, where it's 10 to 20 percent less expensive. It would allow the Pentagon to close bases across Europe that, frankly, are relics of World War II and the Cold War.

The U.S. taxpayer didn't sign up to indefinitely defend our wealthy Western European allies from a nonexistent threat. These bases cost U.S. taxpayers millions upon millions of dollars. On top of that, they're often unpopular with the local people of the countries they are located in.

Our European allies are some of the richest countries in the world, so why are we subsidizing their defense spending? Our European allies have enjoyed a free ride on the American dime for too long. Today, our European allies spend an average of about 2 percent of GDP on defense, while America spends 4 to 5 percent. That means the average American spends \$2,500 on defense; the average European, \$500 on defense.

Now, if Europe feels they are under a military threat, first of all, I would like to hear whom it's from. It's not clear who's about to attack France or Germany. But if Europe does feel they're under a threat, they can afford to spend more on defense, and we can be confident that we can spend less on their defense. We cannot afford to subsidize the defense of France and Germany from an unknown and unidentified threat.

This amendment does not signal a weakening in our commitment to NATO. With modern technology, we can move troops and weapons quickly across the globe into theaters of operation. We retain sufficient presence in Europe with 30,000 troops for our joint training responsibilities under NATO. There is simply no need to have nearly 100,000 troops.

It's time to rethink our defense spending. We're not under threat by the Nazis. We're not under threat by the Soviets. Terrorism is a real threat. It's an amorphous threat that's not bound by nations or states, and, in fact, it does not have its main nexus in Western Europe. Maintaining bases in Europe is simply not a sane or rational response to this threat, nor is it fiscally responsible.

□ 2040

Even Donald Rumsfeld thinks it's time for a change of policy. In his recent book, he wrote: "Of the quarter million troops deployed abroad in 2001, more than 100,000 were in Europe, the vast majority stationed in Germany to fend off an invitation by a Soviet Union that no longer existed."

These cuts proposed in my amendment are part of the recommendations of the Sustainable Defense Task Force, a bipartisan project. The Sustainable Defense Task Force brought together defense experts from across the ideological spectrum and proposed com-

monsense recommendations for saving taxpayers' money without jeopardizing our national defense, and that's exactly what this is, common sense.

At a time when we must seriously consider cuts to wasteful government spending, we should not continue to subsidize the defense of wealthy European nations against a nonexistent Nazi threat, a nonexistent Soviet threat. Let's get serious here. We can start by reducing our military presence in Europe, which will save the American people hundreds of millions of dollars while protecting our national security interests.

I urge my colleagues to support my amendment.

I yield back the balance of my time.  
Mr. YOUNG of Florida. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. The gentleman from Colorado offered a similar amendment to the 2012 national defense authorization bill earlier this year, and it failed by a vote of 96-323. He offered a similar amendment during consideration of H.R. 1 earlier this year, which failed by a vote of 74-351. The setting of our military end strengths is not something that should be done lightly. In fact, this is the sole jurisdiction of the Committee on Armed Services. They are responsible for setting military personnel end strengths, and the levels that would be set by this amendment are significantly below those in the House-passed 2012 National Defense Authorization Act.

For that and many other reasons, I am opposed to this amendment.

I yield back the balance of my time.  
The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT OFFERED BY MR. MURPHY OF CONNECTICUT

Mr. MURPHY of Connecticut. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to purchase non-combat vehicles for use outside of the United States if such vehicles are not substantially manufactured in the United States (as defined in the Defense Federal Acquisition Regulation Supplement).

Mr. YOUNG of Florida. Madam Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. The gentleman's point of order is reserved.

The gentleman from Connecticut is recognized for 5 minutes.

Mr. MURPHY of Connecticut. Thank you, Madam Chair.

Since 2003, the Defense Department reports that it has spent approximately \$1.3 billion to buy non-combat vehicles from foreign vehicle manufacturers.

Now you may ask, why is that? We have a law on the books that's called the Buy American Act, and it generally requires that when we are buying items for use by the U.S. military and they are available here in the United States that they should be bought from U.S. companies. It makes a lot of sense. If we're going to be spending billions of dollars in taxpayer money, we should make sure that it goes to fund U.S. manufacturers and U.S. jobs.

But here's the problem. There are a number of loopholes, a growing number of exceptions to the Buy America law. The biggest is this one. One of the exceptions says that if you are buying a particular good for use outside of the United States, you don't have to comply with the Buy America clause at all. Well, that becomes a pretty enormous, truck-sized loophole when we are fighting two wars abroad, because much of what we are purchasing goes immediately to foreign companies.

So you have a situation where non-combat vehicles, light trucks, ambulances, buses, motorcycles, vehicles that are made by a multitude of American manufacturers, are now being bought overseas and our taxpayer dollars are going to foreign European and Asian vehicle manufacturers and into the pockets of foreign workers.

This is a much bigger problem than just this one category of spending. In fact, the DOD has spent about \$36 billion in purchases from foreign companies for use outside of the United States. In fact, just this last year, there were about 38,000 waivers to the Buy America Act for a variety of exceptions, and over the last 4 years about 161,000 waivers to the Buy America Act. This is a very large problem, as we see growing numbers of exceptions to the act. This one, though, is the biggest.

And while I think we've got to pass comprehensive legislation to try to take on these growing waivers from the Buy America Act, this amendment, which I offer with my good friend Representative PETERS of Michigan, will simply restrict the purchase of these everyday non-combat vehicles to vehicles that are made by American workers. People in my State of Connecticut and around the country are out of work, and a \$1.3 billion infusion, money that we're going to spend anyway, will help create jobs.



To be successful in the 21st century we can't continue to cede our manufacturing capacity to overseas workers. The Department of Defense is the world's largest purchaser of many types of products and we must do all that we can to make sure that we're putting this money, our taxpayers' money to work here at home while not doing any damage to the mission abroad. These non-combat vehicles could easily be manufactured by American plants, and it's high time that we put people back to work here in this country. I urge adoption of this amendment.

I yield back the balance of my time.

POINT OF ORDER

Mr. YOUNG of Florida. Madam Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member seek to speak on the point of order?

The Chair recognizes the gentleman from Connecticut.

Mr. MURPHY of Connecticut. Madam Chair, just to quickly point out that is a pretty bread-and-butter, vanilla restriction on funding, as I understand one of the objections is that this would change the duties of contracting officers who now don't apply the Buy America law. In fact, normal course of training requirements for contracting specialists already educate those specialists in how to apply the Buy America law whether or not they currently do it today.

I do believe for that reason that the amendment is germane.

The Acting CHAIR. Does any other Member wish to speak on the point of order? If not, the Chair is prepared to rule.

The gentleman from Florida makes a point of order that the amendment offered by the gentleman from Connecticut proposes to change existing law, in violation of clause 2(c) of rule XXI.

As recorded in Deschler's Precedents, volume 8, chapter 26, section 52, even though a limitation or exception therefrom might refrain from explicitly assigning new duties to officers of the government, if it implicitly requires them to make investigations, compile evidence, or make judgments and determinations not otherwise required of them by law, then it assumes the character of legislation and is subject to a point of order under clause 2(c) of rule XXI.

The proponent of a limitation assumes the burden of establishing that

any duties imposed by the provision either are merely ministerial or are already required by law.

The Chair finds that limitation proposed in the amendment offered by the gentleman from Connecticut does not simply impose a negative restriction on the funds in the bill. Instead, it requires the officials concerned to make a determination regarding whether a certain item to be acquired for use outside the United States is substantially manufactured in the United States, a matter with which they are not charged under existing law.

On these premises, the Chair concludes that the amendment offered by the gentleman from Connecticut proposes to change existing law.

Accordingly, the point of order is sustained.

□ 2050

AMENDMENT OFFERED BY MS. HERRERA  
BEUTLER

Ms. HERRERA BEUTLER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to enter into a contract that allows the contractor to use amounts paid to the contractor under such contract to pay a tax to the Afghan Ministry of Finance.

The Acting CHAIR. The gentlewoman from Washington is recognized for 5 minutes.

Ms. HERRERA BEUTLER. Madam Chair, we are in Afghanistan right now, helping to rebuild, or in many cases build from scratch, infrastructure. And when we leave that country, and I do hope we will be leaving soon, we will leave that infrastructure behind, power grids, water systems, trained law enforcement, the building blocks of a functioning society. We will spend billions of dollars on improvements meant to better the lives of the Afghan people. We don't need to also pay taxes to the Afghan Government for the privilege of building or rebuilding their country. And that's why I am happy to bring this amendment to the floor tonight for consideration.

The Department of Defense should be focused on providing soldiers in training, in the field, and on the front lines with the tools they need to protect themselves and defend our country. This amendment would uphold existing law and clarify existing agreements between the U.S. and Afghanistan prohibiting Afghanistan from taxing U.S. contractors doing this rebuilding work in Afghanistan.

Now, this ban on levying taxes would also apply to all subcontractors that may not have direct contracts with Afghanistan. In other words, if a company is working on a project funded by

the U.S. Department of Defense, whether that company is a prime contractor or a subcontractor, that company should not be subject to taxes from the Afghani Government.

These are the contractors doing rebuilding work in Afghanistan, helping rebuild the Afghani's infrastructure, and hopefully allowing them to one day thrive independently. Common sense and financial prudence says that the U.S. should not be subject to taxation for the rebuilding efforts it is paying for.

Hardworking Americans send their tax dollars to Washington so that soldiers on the front lines have the tools they need to protect themselves and our country, not fill the coffers of a foreign government. So I urge its adoption.

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

Mr. YOUNG of Florida. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I would like to say, Madam Chairman, that the gentlewoman has worked long and hard to write this amendment in such a way to be acceptable to the Parliamentarian, and I am very happy to accept her amendment and ask for its support.

I yield back the balance of my time.

Mr. DICKS. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I am going to read this amendment: "None of the funds made available by this act may be used to enter into a contract that allows the contractor to use amounts paid to the contractor under such contract to pay a tax to the Afghan Ministry of Finance."

I want to congratulate the gentlewoman from Washington State for being able to work so tirelessly to get this amendment perfected. It's very clear what her intent is, and we are prepared on our side to accept this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. HERRERA BEUTLER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LEWIS OF  
GEORGIA

Mr. LEWIS of Georgia. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . The Secretary of Defense shall post on the public website of the Department of Defense the cost to each American taxpayer of each of the wars in Afghanistan, Iraq, and Libya.

Mr. YOUNG of Florida. Madam Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Georgia is recognized for 5 minutes.

Mr. LEWIS of Georgia. Madam Chair, let me begin by thanking the ranking member, Mr. DICKS, and his staff for all of their hard work on this legislation. As always, they offer great assistance and guidance for all Members and staff, regardless of our differences on policy. Thank you all for all that you do.

Madam Chair, my amendment is very simple: It requires that the Department of Defense put on its Web site the costs of war to each American taxpayer. It is time for Americans to have a receipt for these 10 years of war. What has it cost us? How much cold, hard cash has been spent?

I have stood here time and time again and listened to debates about how we don't have any money. There is no money for the elderly, no money for the sick, no money for the poor, no money for women, no money for children, no money for people who lost their jobs by no fault of their own. It just costs too much. No money for you, or you, or you.

But when it comes to war, war in Afghanistan, Iraq, and now Libya, there seems to be a bottomless pit of resources. And it is not fair; it is not right. We nickel and dime the people who need it most. But when it comes to war, there is a big fat blank check. We need to be honest with ourselves. We need to be honest with each other.

Across the country, there are Americans, hardworking, taxpaying citizens who oppose war. They oppose their hard-earned dollars being sent overseas to support 10 long years of war. But let me be clear, Madam Chair, they do not oppose paying their taxes. They are not anarchists or anti-government activists. But as conscientious objectors to war, these Americans want their taxes invested here at home.

They want to help provide food for the hungry, safe roads, and strong schools. They want Medicare and Social Security to exist for their parents, their children, and their grandchildren. They want their tax dollars to care for soldiers and their families when they return home. They want to see an end and a cure to cancer. They want a cure for AIDS. They want to see small businesses thrive and innovation become the engine of our economy. They want high-speed rail that rivals Europe and Asia. They want transit systems that are safe and get people where they need to go. They want government to work for them.

Even if you do not oppose war, don't you want to know what it costs you and your family? It's time, Madam Chair, it's time for the Department of Defense to be honest with the Amer-

ican people. This is not some wild, crazy, farfetched idea. It is simple, commonsense transparency and good government. This amendment takes a tiny, small step in the right direction.

Madam Chair, it is my hope and prayer that all of my colleagues will support this straightforward amendment.

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

#### POINT OF ORDER

Mr. YOUNG of Florida. Madam Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment gives affirmative direction in effect.

I ask for a ruling from the Chair.

□ 2100

The Acting CHAIR. Does any other Member wish to speak on the point of order?

Mr. LEWIS of Georgia. Madam Chair, I wish to speak.

The Acting CHAIR. The gentleman from Georgia is recognized.

Mr. LEWIS of Georgia. I made my point, and I don't have another point to make.

The Acting CHAIR. The Chair is prepared to rule on the point of order.

The Chair finds that this amendment includes language imparting direction.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not in order.

Mr. YOUNG of Florida. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FRELINGHUYSEN) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for July 6 and the balance of the week on account of family obligations.

Ms. JACKSON LEE of Texas (at the request of Ms. PELOSI) for today after 6 p.m. and July 8.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 2 minutes p.m.), the House adjourned until tomorrow, Friday, July 8, 2011, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2302. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Difenconazole; Pesticide Tolerances [EPA-HQ-OPP-2010-0296; FRL-8876-4] received June 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2303. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pesticide Tolerances; Technical Amendments [EPA-HQ-OPP-2010-1081; FRL-8875-4] received June 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2304. A letter from the Under Secretary, Department of Defense, transmitting a report identifying, for each of the Armed Forces (other than the Coast Guard) and each Defense Agency, the percentage of funds that were expended during the preceding fiscal year for performance of depot-level maintenance and repair workloads by the public and private sectors, pursuant to 10 U.S.C. 2466(d)(1); to the Committee on Armed Services.

2305. A letter from the Under Secretary, Department of Defense, transmitting a letter regarding the certification of a restructured Assembled Chemical Weapons Alternatives Program; to the Committee on Armed Services.

2306. A letter from the Under Secretary, Department of Defense, transmitting a letter regarding the certification of a restructured RQ-4A/B Unmanned Aircraft System Global Hawk Program; to the Committee on Armed Services.

2307. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Synchronized Predeployment and Operational Tracker (SPOT)(DFARS Case 2011-D030) (RIN: 0750-AH26) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2308. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting the annual report of the National Advisory Council on International Monetary and Financial Policies for fiscal year 2010; to the Committee on Financial Services.

2309. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Conservatorship and Receivership (RIN: 2590-AA23) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2310. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Land Disposal Restrictions: Revision of the Treatment Standards for

Carbamate Wastes [EPA-HQ-RCRA-2008-0332; FRL-9318-4] (RIN: 2050-AG65) received June 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2311. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of California; Interstate Transport of Pollution; Significant Contribution to Nonattainment and Interference with Maintenance Requirements [EPA-R09-OAR-2011-0046; FRL-9318-1] received June 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2312. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of California; Regional Haze State Implementation Plan and Interstate Transport Plan; Interference with Visibility Requirement [EPA-R09-OAR-2011-0131; FRL-9317-9] received June 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2313. A letter from the Legal Advisor/Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of the Commission's Rules Regarding Maritime Automatic Identification Systems [WT Docket No.: 04-344] received June 13, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2314. A letter from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting the Commission's final rule — Structure and Practices of the Video Relay Service Program [CG Docket No.: 10-51] June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2315. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Export Control Reform Initiative: Strategic Trade Authorization License Exception [Docket No.: 100923470-1230-03] (RIN: 0694-AF03) received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2316. A letter from the Associate Director for PP&I, Department of the Treasury, transmitting the Department's final rule — Alphabetical Listing of Blocked Persons, Blocked Vessels, Specially Designated Nationals, Specially Designated Terrorists, Specially Designated Global Terrorists, Foreign Terrorist Organizations, and Specially Designated Narcotics Traffickers; Alphabetical Listing of Vessels That Are The Property of Blocked Persons or Specially Designated Nationals; Alphabetical Listing of Persons Determined to be the Government of Iran, as Defined in the Iranian Transaction Regulations; received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2317. A letter from the Associate Director for PP&I, Department of the Treasury, transmitting the Department's final rule — Foreign Assets Control Regulations; Transaction Control Regulations (Regulations Prohibiting Transactions Involving the Shipment of Certain Merchandise Between Foreign Countries; received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2318. A letter from the Director, Office of Management and Budget, transmitting the Department's report on United States con-

tributions to the United Nations and United Nations affiliated agencies and related bodies for fiscal year 2010; to the Committee on Foreign Affairs.

2319. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-79, "Housing Production Trust Fund Dedicated Tax Appropriations Authorization Temporary Act of 2011"; to the Committee on Oversight and Government Reform.

2320. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-80, "Housing Production Trust Fund Pollin Memorial Community Dedicated Tax Appropriations Authorization Temporary Act of 2011"; to the Committee on Oversight and Government Reform.

2321. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-82, "Brewery Manufacturer's Tasting Permit Temporary Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

2322. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-81, "Unemployment Compensation Extended Benefits Continuation Temporary Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

2323. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-90, "Closing of Water Street, S.W., S.O. 10-15906, Act of 2011"; to the Committee on Oversight and Government Reform.

2324. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-89, "Department of Forensic Sciences Establishment Act of 2011"; to the Committee on Oversight and Government Reform.

2325. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-91, "Closing of Public Street adjacent to Square 4376 Act of 2011"; to the Committee on Oversight and Government Reform.

2326. A letter from the Chairman and President, Export-Import Bank, transmitting the semiannual report of the Inspector General for the period ending March 31, 2011; to the Committee on Oversight and Government Reform.

2327. A letter from the Inspector General, Federal Trade Commission, transmitting notification that the Commission will soon begin the audit of financial statements for the fiscal year 2011; to the Committee on Oversight and Government Reform.

2328. A letter from the Chairman, National Labor Relations Board, transmitting the Board's semiannual report from the office of the Inspector General for the period October 1, 2010 through March 31, 2011; to the Committee on Oversight and Government Reform.

2329. A letter from the Commissioner, Social Security Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2010 through March 31, 2011; to the Committee on Oversight and Government Reform.

2330. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Commencement Bay, Tacoma, WA [Docket No.: USCG-2011-0197] (RIN: 1625-AA00) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2331. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Chelsea St. Bridge Demolition, Chelsea River, Chelsea, Massachusetts [Docket No.: USCG-2011-0420] (RIN: 1625-AA00) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2332. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Limited Service Domestic Voyage Load Lines for River Barges on Lake Michigan [Docket No.: USCG-1998-4623] (RIN: 1625-AA17) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2333. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 28th Annual Humboldt Bay Festival, Fireworks Display, Eureka, CA [Docket No.: USCG-2011-0167] (RIN: 1625-AA00) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2334. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Severn River, Spa Creek and Annapolis Harbor, Annapolis [USCG-2011-0046] (1645-AA08) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2335. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; M.I.T.'s 150th Birthday Celebration Fireworks, Charles River, Boston, Massachusetts [Docket No.: USCG-2011-0375] (RIN: 1625-AA00) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2336. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments [Docket No.: USCG-2011-0257] (RIN: 1625-AB69) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2337. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annual events requiring safety zones in the Captain of the Port Sault Saint Marie zone [Docket No.: USCG-2011-0188] (RIN: 1625-AA00), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. EMERSON: Committee on Appropriation. H.R. 2434. A bill making appropriations for financial services and general government for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112-136). Referred to the Committee of the Whole House on the State of the Union.

Mr. DANIEL E. LUNGREN of California: Committee on House Administration. First Semiannual Report on the Activities of the Committee on House Administration for the 112th Congress (Rept. 112-137). Referred to

the Committee of the Whole House on the State of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 340. Resolution providing for consideration of the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes (Rept. 112-138). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MILLER of Florida:

H.R. 2433. A bill to amend title 38, United States Code, to make certain improvements in the laws relating to the employment and training of veterans, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself and Mr. PAULSEN):

H.R. 2435. A bill to allow individuals to choose to opt out of the Medicare part A benefit and to allow individuals opting out of such benefit to be eligible for health savings accounts; to the Committee on Ways and Means.

By Mr. MANZULLO (for himself, Mr. GARRETT, Mr. ROYCE, and Mr. BACHUS):

H.R. 2436. A bill to prohibit any reduction in the rate of dividends paid to the Secretary of the Treasury on the senior preferred stock of Fannie Mae and Freddie Mac purchased by the Secretary; to the Committee on Financial Services.

By Mrs. BIGGERT (for herself, Mr. KILDEE, and Mr. RYAN of Ohio):

H.R. 2437. A bill to support evidence-based social and emotional learning programming; to the Committee on Education and the Workforce.

By Mr. PAUL:

H.R. 2438. A bill to ensure that certain Federal employees cannot hide behind immunity; to the Committee on the Judiciary.

By Mr. STIVERS (for himself, Mr. BACHUS, and Mr. GARRETT):

H.R. 2439. A bill to amend the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 to authorize the Federal Housing Finance Agency, as receiver of Fannie Mae or Freddie Mac, to revoke the charters of such enterprises or any limited-life regulated entity established under such receivership; to the Committee on Financial Services.

By Mr. HURT (for himself, Mr. BACHUS, and Mr. GARRETT):

H.R. 2440. A bill to protect the taxpayers of the United States by requiring Fannie Mae and Freddie Mac to sell or dispose of the assets of such enterprises that are not critical to their missions; to the Committee on Financial Services.

By Mr. ROYCE (for himself, Mr. BACHUS, and Mr. GARRETT):

H.R. 2441. A bill to terminate the Housing Trust Fund and the requirement that Fannie Mae and Freddie Mac make annual allocations for such Fund; to the Committee on Financial Services.

By Mr. CRAVAACK:

H.R. 2442. A bill to eliminate Federal mandates for traffic sign retroreflectivity, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MILLER of Florida:

H.R. 2443. A bill to amend the Internal Revenue Code of 1986 to increase the limitation on expensing certain depreciable assets for certain businesses that hire veterans; to the Committee on Ways and Means.

By Mr. BOREN (for himself, Mr. COLE, Mrs. NAPOLITANO, Mr. HONDA, Mr. INSLEE, Mr. KILDEE, Ms. MCCOLLUM, Mr. MARKEY, Mr. FALDOMAVAEGA, Mr. SABLAN, and Mr. YOUNG of Alaska):

H.R. 2444. A bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; to the Committee on Natural Resources.

By Mr. KLINE (for himself, Mr. HUNTER, Mr. MCKEON, Mr. GOODLATTE, Mr. ROE of Tennessee, Mr. THOMPSON of Pennsylvania, Mr. DESJARLAIS, Mr. HANNA, Mr. BUCSHON, Mr. BARLETTA, Mrs. NOEM, Mr. HECK, and Mr. KELLY):

H.R. 2445. A bill to amend the Elementary and Secondary Education Act of 1965 to provide States and local educational agencies with maximum flexibility in using Federal funds provided under such Act, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. BIGGERT (for herself and Mr. CLAY):

H.R. 2446. A bill to clarify the treatment of homeowner warranties under current law, and for other purposes; to the Committee on Financial Services.

By Ms. BROWN of Florida (for herself, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. CONAWAY, Mr. FILNER, Mr. COFFMAN of Colorado, Ms. BORDALLO, Mr. RANGEL, Mr. DONNELLY of Indiana, Ms. CLARKE of New York, Ms. WILSON of Florida, Ms. JACKSON LEE of Texas, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. MEEKS, Mr. RICHMOND, Ms. NORTON, Mr. HINCHEY, Mr. RUSH, Mr. COHEN, and Mr. FATTAH):

H.R. 2447. A bill to grant the congressional gold medal to the Montford Point Marines; to the Committee on Financial Services.

By Mrs. CHRISTENSEN:

H.R. 2448. A bill to establish the St. Croix National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. COHEN (for himself, Mr. GRIJALVA, Mr. PAYNE, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Mr. FILNER, and Mr. PIERLUISI):

H.R. 2449. A bill to permit expungement of records of certain nonviolent criminal offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois:

H.R. 2450. A bill to suspend temporarily the duty on certain high-intensity sweetener; to the Committee on Ways and Means.

By Mr. HINCHEY (for himself, Mr. CONYERS, Mr. INSLEE, Mr. DEFazio, Ms. WOOLSEY, and Mr. CAPUANO):

H.R. 2451. A bill to restore certain provisions of the Banking Act of 1933, commonly referred to as the "Glass-Steagall Act", and for other purposes; to the Committee on Financial Services.

By Mr. HINCHEY (for himself, Mr. ENGEL, Mr. TONKO, and Mrs. LOWEY):

H.R. 2452. A bill to authorize the Secretary of the Interior to complete a special resource

study of the Hudson River Valley in the State of New York, and for other purposes; to the Committee on Natural Resources.

By Mr. LUETKEMEYER (for himself, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. AKIN, Mr. CARNAHAN, Mr. CLAY, Mr. CLEAVER, Mr. COURTNEY, Ms. DELAURO, Mrs. EMERSON, Mr. GRAVES of Missouri, Mrs. HARTZLER, Mr. HIMES, Mr. LONG, and Mr. MURPHY of Connecticut):

H.R. 2453. A bill to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain; to the Committee on Financial Services.

By Mr. PIERLUISI (for himself, Mr. TOWNS, Mr. DIAZ-BALART, Mr. CROWLEY, Mr. PASCRELL, Mr. YOUNG of Alaska, Mr. ROTHMAN of New Jersey, Mr. SERRANO, Ms. WASSERMAN SCHULTZ, and Mr. HASTINGS of Florida):

H.R. 2454. A bill to amend the Internal Revenue Code of 1986 to make residents of Puerto Rico with one child or two children eligible for the refundable portion of the child tax credit; to the Committee on Ways and Means.

By Mr. RICHMOND:

H.R. 2455. A bill to prohibit any requirement of a budgetary offset for emergency disaster assistance during 2011 and 2012; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RIGELL (for himself, Mr. SCOTT of Virginia, Mr. WITTMAN, and Mr. FORBES):

H.R. 2456. A bill to establish the Fort Monroe National Historical Park in the Commonwealth of Virginia, and for other purposes; to the Committee on Natural Resources.

By Mr. WALSH of Illinois (for himself, Mr. ROONEY, Mr. GINGREY of Georgia, Mr. FLEISCHMANN, Mr. WILSON of South Carolina, Mr. PITTS, Mr. WESTMORELAND, Mr. BURTON of Indiana, Mr. WEST, Mr. GRIMM, Mr. ROGERS of Alabama, Mr. GALLEGLY, Mr. CHAFFETZ, Mr. CANSECO, Mr. GORMERT, Mr. DUNCAN of South Carolina, Mr. MCCLINTOCK, Mr. LONG, Mr. FRANKS of Arizona, Mr. LAMBORN, Mr. HARRIS, Mr. STUTZMAN, Mr. BENISHEK, Mr. SCOTT of South Carolina, Mr. KLINE, and Mr. OLSON):

H.R. 2457. A bill to restrict funds for the Palestinian Authority, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SCHWEIKERT (for himself, Mr. WALSH of Illinois, and Mr. DUNCAN of South Carolina):

H.J. Res. 71. A joint resolution proposing an amendment to the Constitution of the United States limiting the number of terms that a Member of Congress may serve to 3 in the House of Representatives and 2 in the Senate; to the Committee on the Judiciary.

By Mr. MORAN (for himself, Mr. DUNCAN of Tennessee, Mr. HINCHEY, Mr. HOLT, Mr. GARAMENDI, Mr. GERLACH, Mr. SABLAN, Mrs. MALONEY, Mrs. LOWEY, Mr. BISHOP of New York, Mr. TIBERI, Mr. FALDOMAVAEGA, Mr. MCINTYRE, and Mr. PASCRELL):

H. Con. Res. 63. Concurrent resolution supporting the formation of a bipartisan Presidential Commission to study the establishment of a National Museum of the American People; to the Committee on Natural Resources.

By Ms. FUDGE (for herself, Ms. GRANGER, Mrs. CHRISTENSEN, Mr. REYES, Mr. SERRANO, Ms. SCHA-KOWSKY, Ms. ROYBAL-ALLARD, Mr. POLIS, Mr. BRALEY of Iowa, Ms. CLARKE of New York, Mr. GONZALEZ, Mr. GRIJALVA, Mr. JACKSON of Illinois, Ms. MOORE, Mr. MORAN, Ms. NORTON, Ms. SEWELL, and Mr. RANGEL):

H. Res. 339. A resolution expressing support for designation of September as National Childhood Obesity Awareness Month; to the Committee on Energy and Commerce.

By Mr. MARKEY (for himself and Mr. TIBERI):

H. Res. 341. A resolution expressing support for designation of the month of September as "National Brain Aneurysm Awareness Month"; to the Committee on Energy and Commerce.

By Ms. NORTON (for herself, Mr. BLUMENAUER, Mrs. CHRISTENSEN, Mr. FALCOMA, Mr. FARR, Ms. FUDGE, Mr. GRIJALVA, Mr. HASTINGS of Florida, Ms. JACKSON LEE of Texas, Mr. LEWIS of Georgia, Mr. LOEBACK, Mr. MCGOVERN, Mr. NADLER, Mrs. NAPOLITANO, Mr. PAYNE, Mr. RANGEL, Ms. RICHARDSON, Mr. SABLAN, Mr. SERRANO, Ms. SLAUGHTER, Ms. SPEIER, Ms. WILSON of Florida, and Mr. YOUNG of Alaska):

H. Res. 342. A resolution expressing support for the designation of July 30, 2011, as National Dance Day; to the Committee on Energy and Commerce.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

74. The SPEAKER presented a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 68 urging the Congress to take such actions as are necessary to require that satellite television providers broadcast local television stations; to the Committee on Energy and Commerce.

75. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 81 urging the Congress to take steps to designate Caddo Lake as a National Heritage Area; to the Committee on Natural Resources.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MILLER of Florida:

H.R. 2433.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mrs. EMERSON:

H.R. 2434.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of ar-

ticle I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. SAM JOHNSON of Texas:

H.R. 2435.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mr. MANZULLO:

H.R. 2436.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"), and 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof").

By Mrs. BIGGERT:

H.R. 2437.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. PAUL:

H.R. 2438.

Congress has the power to enact this legislation pursuant to the following:

Art I, Sec 8

By Mr. STIVERS:

H.R. 2439.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. HURT:

H.R. 2440.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1, clause 3, and clause 18.

By Mr. ROYCE:

H.R. 2441.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 ("The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States"), 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"), and 18 ("To make all Laws which shall be necessary and

power for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof").

By Mr. CRAVAACK:

H.R. 2442.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Amendment X of the Constitution of the United States.

By Mr. MILLER of Florida:

H.R. 2443.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. BOREN:

H.R. 2444.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution.

By Mr. KLINE:

H.R. 2445.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. BIGGERT:

H.R. 2446.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mrs. BROWN of Florida:

H.R. 2447.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 12-14, and Clause 18 of the United States Constitution.

By Mrs. CHRISTENSEN:

H.R. 2448.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. COHEN:

H.R. 2449.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 and 3 of Article I, Section 8 of the United States Constitution.

By Mr. DAVIS of Illinois:

H.R. 2450.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, Clause 1. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. HINCHEY:

H.R. 2451.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. HINCHEY:

H.R. 2452.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general

welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)"

By Mr. LUETKEMEYER:

H.R. 2453.

Congress has the power to enact this legislation pursuant to the following:

Clause 6, Section 8, Article 1, which states "The Congress shall have the power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures."

By Mr. PIERLUISI:

H.R. 2454.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to lay and collect taxes and to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution, and to make all laws which shall be necessary and proper for carrying into execution such powers as enumerated in Article I, Section 8, Clause 18 of the Constitution.

By Mr. RICHMOND:

H.R. 2455.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. RIGELL:

H.R. 2456.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. WALSH of Illinois:

H.R. 2457.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the United States Constitution.

By Mr. SCHWEIKERT:

H.J. Res. 71.

Congress has the power to enact this legislation pursuant to the following:

Article 5 of the Constitution states: The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one

thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 10: Mr. NUGENT.  
 H.R. 49: Mr. COBLE.  
 H.R. 58: Mr. NUNNELEE, Mr. DENHAM, and Mr. MACK.  
 H.R. 104: Mr. TIBERI.  
 H.R. 136: Mr. TOWNS, Mr. KILDEE, Mr. OLVER, and Mrs. MALONEY.  
 H.R. 140: Mr. FRANKS of Arizona.  
 H.R. 152: Mr. BROOKS.  
 H.R. 196: Mr. CONYERS.  
 H.R. 198: Ms. EDWARDS.  
 H.R. 258: Mr. WOLF.  
 H.R. 272: Mr. GOODLATTE.  
 H.R. 310: Mr. BROOKS.  
 H.R. 311: Mr. BROOKS.  
 H.R. 312: Mr. BROOKS.  
 H.R. 324: Mr. OWENS and Mr. MORAN.  
 H.R. 329: Mr. ROTHMAN of New Jersey.  
 H.R. 363: Ms. SCHAKOWSKY.  
 H.R. 374: Mr. RIBBLE and Mr. RIVERA.  
 H.R. 420: Mr. MACK, Mr. BISHOP of Utah, Mr. ROGERS of Michigan, Mr. BARTON of Texas, and Mr. NUNNELEE.  
 H.R. 451: Mr. LANKFORD, Mr. BOSWELL, Mr. MURPHY of Pennsylvania, and Mr. SCHIFF.  
 H.R. 452: Mr. KINZINGER of Illinois and Ms. GRANGER.  
 H.R. 469: Mr. CUMMINGS.  
 H.R. 483: Mr. BROOKS.  
 H.R. 527: Mr. POE of Texas and Mr. FRELINGHUYSEN.  
 H.R. 530: Mr. FILNER.  
 H.R. 574: Ms. SLAUGHTER.  
 H.R. 576: Mr. CARSON of Indiana.  
 H.R. 583: Mr. HOLT, Mrs. CHRISTENSEN and Mr. CARSON of Indiana.  
 H.R. 593: Mr. LATTA, Mr. CANSECO, and Mr. SESSIONS.  
 H.R. 615: Mr. NUNNELEE and Mr. MACK.  
 H.R. 645: Mr. NUNNELEE and Mr. MACK.  
 H.R. 674: Mr. TURNER, Mr. WALZ of Minnesota, Mr. FARENTHOLD, Mr. ROGERS of Alabama, Mr. SCALISE, Mr. ROKITA, Mr. MACK, Mr. NUNNELEE, Mr. CHABOT, Mr. DUNCAN of South Carolina, Mr. DUFFY, and Mr. SHUSTER.  
 H.R. 687: Mr. CRITZ.  
 H.R. 691: Mr. BROOKS.  
 H.R. 692: Mr. BROOKS.  
 H.R. 693: Mr. BROOKS.  
 H.R. 718: Mr. RANGEL, Mr. POLIS, Ms. CHU, Mr. ANDREWS, and Mr. PAYNE.  
 H.R. 719: Mr. FARENTHOLD, Mr. SMITH of Texas, Mr. PAYNE, Mr. PASCRELL, Mr. RUNDYAN, Mr. REHBERG, and Mr. LOBIONDO.  
 H.R. 721: Mr. DESJARLAIN, Mr. SCHOCK, Mr. GERLACH, and Mr. MARINO.  
 H.R. 724: Mr. LOEBSACK and Ms. SCHAKOWSKY.  
 H.R. 733: Mr. MARKEY, Ms. WOOLSEY, and Mr. LOBIONDO.  
 H.R. 735: Mr. NUGENT, Mr. KLINE, and Mr. CRENSHAW.  
 H.R. 745: Mr. PITTS and Mr. FRELINGHUYSEN.  
 H.R. 746: Mr. FRELINGHUYSEN.  
 H.R. 757: Mr. MANZULLO.  
 H.R. 800: Mr. BROOKS.  
 H.R. 812: Mr. ROTHMAN of New Jersey.  
 H.R. 862: Ms. HIRONO, Mr. HINCHEY, Mr. BLUMENAUER, Mr. OLVER, Mr. TIERNEY, and Mr. ACKERMAN.

H.R. 890: Ms. BASS of California.  
 H.R. 932: Mr. BROOKS.  
 H.R. 973: Mr. PEARCE.  
 H.R. 991: Mrs. NOEM.  
 H.R. 998: Mr. MCNERNEY.  
 H.R. 1001: Mrs. BIGBERT and Mr. ALTMIRE.  
 H.R. 1015: Mr. FILNER, Ms. NORTON, Ms. JACKSON LEE of Texas, Mr. CONYERS, Ms. MOORE, Mrs. CHRISTENSEN, Mr. AUSTRIA, and Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 1054: Mr. MICHAUD.  
 H.R. 1063: Mr. CHABOT and Mr. ROSKAM.  
 H.R. 1066: Mr. PAYNE and Mr. KISSELL.  
 H.R. 1082: Mr. ROSS of Arkansas.  
 H.R. 1089: Mr. PAYNE.  
 H.R. 1091: Mr. JOHNSON of Ohio and Mr. BROOKS.  
 H.R. 1103: Mr. YOUNG of Alaska.  
 H.R. 1106: Mr. TIERNEY.  
 H.R. 1126: Mr. DANIEL E. LUNGREN of California.  
 H.R. 1134: Mr. CALVERT and Mr. BROOKS.  
 H.R. 1161: Mr. GUNTA, Mr. JOHNSON of Georgia, and Mrs. LUMMIS.  
 H.R. 1188: Mr. LARSON of Connecticut.  
 H.R. 1190: Mr. MANZULLO.  
 H.R. 1193: Mr. COSTA.  
 H.R. 1196: Mr. BROOKS.  
 H.R. 1200: Mr. KUCINICH.  
 H.R. 1219: Ms. SUTTON.  
 H.R. 1259: Mr. FINCHER.  
 H.R. 1288: Ms. LORETTA SANCHEZ of California, Mr. TOWNS, and Mr. WALZ of Minnesota.  
 H.R. 1289: Mrs. CHRISTENSEN.  
 H.R. 1297: Mr. YOUNG of Alaska and Mr. RYAN of Ohio.  
 H.R. 1300: Ms. CHU.  
 H.R. 1325: Mr. LIPINSKI, Mr. MANZULLO, and Mr. RYAN of Ohio.  
 H.R. 1370: Mr. DAVIS of Kentucky, Mr. THORNBERRY, Mr. FLORES, and Mr. PLATTS.  
 H.R. 1404: Mr. BOSWELL, Mr. FARR, Mr. CLAY, Mr. ACKERMAN, and Mr. DEUTCH.  
 H.R. 1416: Mr. PLATTS and Mr. CRAVAACK.  
 H.R. 1426: Mr. CUMMINGS, Mr. PLATTS, and Mr. HEINRICH.  
 H.R. 1457: Mr. TOWNS.  
 H.R. 1459: Mr. BROOKS.  
 H.R. 1463: Mr. PITTS.  
 H.R. 1464: Ms. HIRONO.  
 H.R. 1465: Mr. SERRANO and Mr. JACKSON of Illinois.  
 H.R. 1475: Ms. SCHAKOWSKY.  
 H.R. 1479: Mr. TIERNEY.  
 H.R. 1483: Ms. SPEIER.  
 H.R. 1485: Mr. GOSAR and Mr. DANIEL E. LUNGREN of California.  
 H.R. 1488: Mr. HIGGINS.  
 H.R. 1505: Mr. BROOKS.  
 H.R. 1529: Mr. COHEN.  
 H.R. 1543: Mr. LARSON of Connecticut and Ms. SCHAKOWSKY.  
 H.R. 1558: Mr. ROE of Tennessee, Mr. HANNA, and Mr. STEARNS.  
 H.R. 1588: Mr. FLEISCHMANN.  
 H.R. 1614: Mr. DAVIS of Kentucky.  
 H.R. 1621: Mr. MCCOTTER.  
 H.R. 1633: Mr. HALL.  
 H.R. 1648: Mr. MCDERMOTT, Mr. MICHAUD, Mr. SCHIFF, Mr. DOYLE, Mr. JOHNSON of Georgia, and Ms. SCHAKOWSKY.  
 H.R. 1663: Ms. FUDGE.  
 H.R. 1698: Mr. BROOKS.  
 H.R. 1723: Mr. CHABOT.  
 H.R. 1724: Mr. INSLEE, Mr. NADLER, Mr. MCDERMOTT, and Mr. PAYNE.  
 H.R. 1734: Mr. JOHNSON of Ohio.  
 H.R. 1735: Mr. MURPHY of Connecticut and Ms. ESHOO.  
 H.R. 1741: Mr. BROOKS.  
 H.R. 1744: Ms. HERRERA BEUTLER.  
 H.R. 1747: Mr. MANZULLO.  
 H.R. 1756: Ms. CLARKE of New York.

H.R. 1763: Mr. BROOKS.  
 H.R. 1764: Mr. BROOKS.  
 H.R. 1821: Mr. HIMES and Mr. YARMUTH.  
 H.R. 1829: Mr. CASSIDY.  
 H.R. 1855: Mr. FILNER.  
 H.R. 1856: Mr. ADERHOLT, Mr. MCINTYRE, and Mr. CALVERT.  
 H.R. 1865: Mr. MICHAUD, Mr. RIBBLE, Mr. LONG, Mr. FLEISCHMANN, Mr. HARRIS, Mr. ROKITA, Mr. JONES, Mr. COSTELLO, and Mr. DENHAM.  
 H.R. 1903: Mr. POLIS and Mr. STARK.  
 H.R. 1932: Mr. BROOKS.  
 H.R. 1968: Mr. GERLACH.  
 H.R. 1980: Mr. CALVERT, Mr. FRELING-HUYSEN, and Mr. ISSA.  
 H.R. 2000: Mr. WOLF.  
 H.R. 2002: Mr. LATTA.  
 H.R. 2010: Mr. MCKEON and Mr. BOUSTANY.  
 H.R. 2018: Mr. BACHUS and Mr. WALSH of Illinois.  
 H.R. 2028: Ms. SCHAKOWSKY, Mr. KUCINICH, and Mr. FILNER.  
 H.R. 2030: Mr. KUCINICH and Ms. WOOLSEY.  
 H.R. 2032: Mr. MCKINLEY, Mr. MCGOVERN, Mr. CARNAHAN, Mr. ALEXANDER, and Mr. AKIN.  
 H.R. 2036: Mr. KINZINGER of Illinois.  
 H.R. 2040: Mr. BISHOP of Utah and Mr. CHAFFETZ.  
 H.R. 2042: Mr. PAULSEN.  
 H.R. 2054: Mr. STEARNS.  
 H.R. 2068: Mr. SULLIVAN, Mr. MATHESON, and Mr. BURGESS.  
 H.R. 2077: Mr. BROOKS.  
 H.R. 2079: Ms. BUERKLE.  
 H.R. 2085: Mr. YARMUTH.  
 H.R. 2092: Mr. ROYCE, Mr. PRICE of Georgia, and Mr. FORTENBERRY.  
 H.R. 2099: Mr. RIVERA.  
 H.R. 2103: Mr. STARK.  
 H.R. 2123: Mr. PETERS.  
 H.R. 2139: Ms. HERRERA BEUTLER, Ms. JENKINS, Ms. SPEIER, Mr. BURTON of Indiana, Mr. OWENS, Mr. ROSS of Arkansas, and Mr. AUSTRIA.  
 H.R. 2164: Mr. ROE of Tennessee and Mr. BROOKS.  
 H.R. 2172: Mr. LANDRY, Mr. MCCLINTOCK, Mr. DUNCAN of South Carolina, Mr. LABRADOR, and Mr. FLORES.  
 H.R. 2182: Mr. HARPER.  
 H.R. 2190: Mrs. CAPPAS.  
 H.R. 2194: Ms. SCHAKOWSKY, Mr. ROTHMAN of New Jersey, and Mr. GENE GREEN of Texas.  
 H.R. 2195: Mr. GENE GREEN of Texas.  
 H.R. 2198: Mr. CONAWAY.  
 H.R. 2210: Ms. MCCOLLUM and Mr. TIERNEY.  
 H.R. 2214: Ms. HAYWORTH, Mr. HANNA, Mr. JOHNSON of Ohio, and Mr. LATOURETTE.  
 H.R. 2215: Mr. DEUTCH, Mr. CARDOZA, and Mr. MURPHY of Connecticut.  
 H.R. 2233: Ms. BROWN of Florida, Mr. JACKSON of Illinois, and Mr. MACK.  
 H.R. 2245: Mr. CONNOLLY of Virginia and Mr. LATHAM.  
 H.R. 2250: Mr. BOSWELL, Mr. LATTA, Mrs. ELLMERS, Mr. ROGERS of Alabama, Mr. BOUSTANY, Mr. NUNNELEE, Mr. BISHOP of Georgia, Mr. DUNCAN of South Carolina, Mr. PETRI, Mr. FLEMING, and Mr. ALEXANDER.  
 H.R. 2257: Mrs. BLACK and Mr. ROE of Tennessee.  
 H.R. 2272: Ms. NORTON and Mr. PAYNE.  
 H.R. 2284: Mr. FARENTHOLD.  
 H.R. 2298: Mr. PASTOR of Arizona.  
 H.R. 2299: Mr. SCHOCK.  
 H.R. 2304: Mr. YOUNG of Alaska and Mr. NUNNELEE.  
 H.R. 2307: Mr. McDERMOTT.  
 H.R. 2311: Mr. DENT.  
 H.R. 2321: Mr. LUETKEMEYER.  
 H.R. 2325: Mr. GERLACH.  
 H.R. 2334: Mr. McDERMOTT.

H.R. 2341: Ms. BALDWIN, Mr. JOHNSON of Georgia, Mr. FRANK of Massachusetts, Mr. FARR, Mr. LOEBSACK, and Mr. JACKSON of Illinois.  
 H.R. 2357: Mr. PAULSEN.  
 H.R. 2358: Mr. FILNER, Mr. GRIJALVA, Ms. BERKLEY, and Mr. STARK.  
 H.R. 2369: Mr. GARRETT, Mr. CICILLINE, Mr. DEFAZIO, Mr. HASTINGS of Florida, Mr. KINGSTON, Mr. PRICE of Georgia, Mr. FATTAH, Mr. SAM JOHNSON of Texas, Mrs. LUMMIS, Mr. FORTENBERRY, Mr. ALEXANDER, Mr. MCKINLEY, Mr. GOWDY, Mr. DUNCAN of South Carolina, Mr. NUGENT, Mr. THOMPSON of Pennsylvania, Mr. LATOURETTE, Mr. POSEY, Mr. BRADY of Pennsylvania, Mr. BISHOP of New York, Mr. GRIJALVA, Mrs. MCCARTHY of New York, Mr. CAPUANO, Mr. DOYLE, Mr. BARLETTA, Mr. MCNERNEY, Mr. DONNELLY of Indiana, Mr. CARNEY, Mr. PERLMUTTER, Mr. GARAMENDI, Ms. HIRONO, Mr. BECERRA, Mr. LARSON of Connecticut, Mr. DOGGETT, Mr. WU, Mr. SIRES, Mr. MEEKS, Mr. HINOJOSA, Mr. LUJÁN, Mrs. NAPOLITANO, Mr. CUELLAR, Mr. POLIS, Mr. CROWLEY, Mr. GONZALEZ, Mr. MATHESON, Mr. RAHALL, Ms. WASSERMAN SCHULTZ, Mr. WILSON of South Carolina, Mr. HEINRICH, Mr. MURPHY of Connecticut, Mr. PETERS, Mr. RYAN of Ohio, Mr. HOLDEN, Mr. CRITZ, Mr. CUMMINGS, Mr. CARSON of Indiana, Ms. CLARKE of New York, Ms. RICHARDSON, Ms. MOORE, Mr. JACKSON of Illinois, Ms. FUDGE, Ms. HANABUSA, Mr. RICHMOND, Mr. CLAY, Mr. JOHNSON of Georgia, Mr. RUSH, Mr. ROTHMAN of New Jersey, Mr. PASCRELL, Mr. HOLT, Ms. KAPTUR, Mr. OWENS, Mr. LOEBSACK, Mr. MARKEY, Mr. SHULER, Mr. KISSELL, Ms. WOOLSEY, Mr. ENGEL, Ms. MCCOLLUM, Mr. CONNOLLY of Virginia, Mr. KINZINGER of Illinois, Mr. HECK, Mr. GUTHRIE, Mr. PAULSEN, Mr. COFFMAN of Colorado, Mr. SESSIONS, Mr. GOODLATTE, Mr. CONYERS, Mr. FRANKS of Arizona, and Mr. LIPINSKI.  
 H.R. 2372: Mr. LANKFORD.  
 H.R. 2377: Mr. COHEN.  
 H.R. 2387: Ms. BORDALLO and Mr. RANGEL.  
 H.R. 2389: Mr. COSTA.  
 H.R. 2401: Mr. HUELSKAMP and Mr. RENACCI.  
 H.R. 2410: Mr. RANGEL.  
 H.R. 2415: Mr. FATTAH.  
 H.R. 2417: Mr. FARENTHOLD, Mr. MCKEON, Mr. ROKITA, Mrs. MYRICK, Mr. BROUN of Georgia, Mr. HERGER, and Mr. LATTA.  
 H.J. Res. 56: Mr. LANKFORD and Mrs. LUMMIS.  
 H. Con. Res. 29: Mr. BROOKS.  
 H. Res. 105: Mr. ISRAEL.  
 H. Res. 130: Mr. STARK.  
 H. Res. 134: Mrs. MALONEY, Mr. LOBIONDO, and Mr. POLIS.  
 H. Res. 201: Mr. PETERS.  
 H. Res. 254: Mr. NUNNELEE.  
 H. Res. 256: Mr. NEUGEBAUER, Mr. PASCRELL, and Mr. KILDEE.  
 H. Res. 268: Mr. LUCAS, Mr. BRALEY of Iowa, Mr. CLAY, and Mr. FORTENBERRY.  
 H. Res. 270: Mr. NUGENT.  
 H. Res. 298: Mr. KING of New York, Mr. WILSON of South Carolina, and Mr. COSTA.  
 H. Res. 304: Mr. OLVER, Mr. TIERNEY, Ms. MCCOLLUM, Mr. LATOURETTE, and Mr. COFFMAN of Colorado.  
 H. Res. 315: Mr. DANIEL E. LUNGREN of California.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment, made in order as Amendment No. 1 for the rule to H.R. 1309, to be offered by Representative BIGGERT, or a designee, to H.R. 1309, the Flood Insurance Reform Act of 2011, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2417: Ms. EDDIE BERNICE JOHNSON of Texas.

#### PETITIONS, ETC.

Under clause 3 of rule XII,

15. The SPEAKER presented a petition of the City of Miami, Florida, relative to Resolution 10-0221 urging the Congress to increase the percentage of Community Development Block Grant Funding allowed for public services from fifteen percent (15%) to twenty-five percent (25%); which was referred to the Committee on Financial Services.

#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2219

OFFERED BY: Ms. MCCOLLUM

AMENDMENT No. 101: At the end of the bill (before the short title), insert the following: SEC. \_\_\_\_ The total amount of appropriations made available by this Act is hereby reduced by \$124,800,000.

H.R. 2219

OFFERED BY: Mr. GOSAR

AMENDMENT No. 102: At the end of the bill (before the short title), insert the following: SEC. \_\_\_\_ None of the funds made available by this act may be used to administer and enforce the wage-rate requirements of subchapter IV of chapter 31 of title 40, United States Code, commonly known as the "Davis Bacon Act."

H.R. 2219

OFFERED BY: Mr. GOSAR

AMENDMENT No. 103: At the end of the bill (before the short title), add the following: SEC. \_\_\_\_ None of the funds made available by this act may be obligated or expended for assistance to any entity that has adopted a founding charter, constitution, or policy calling for the destruction of the State of Israel.

H.R. 2219

OFFERED BY: Mr. RUNYAN

AMENDMENT No. 104: At the end of the bill (before the short title), insert the following: SEC. \_\_\_\_ None of the funds in this Act may be used to procure air transportation from a commercial air carrier for a member of the Armed Forces who is traveling under orders to deploy to or return from an overseas contingency operation under terms that allow the carrier to charge the member fees for checked baggage other than for bags weighing more than 80 pounds or bags in excess of four per individual.

H.R. 2219

OFFERED BY: Mr. MULVANEY

AMENDMENT No. 105: At the end of the bill (before the short title), insert the following:



SEC. \_\_\_\_\_. The total amount of appropriations made available by this Act is hereby reduced by \$17,192,000,000, not to be derived from amounts of appropriations made available by title IX.

H.R. 2219

OFFERED BY: MR. GOHMERT

AMENDMENT No. 106: At the end of the bill (before the short title), add the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be obligated, expended, or used in any manner to support operations, including NATO or United Nations operations, in or involving Libya.

H.R. 2219

OFFERED BY: MS. NORTON

AMENDMENT No. 107: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The amount otherwise made available by this Act for "Operation and Maintenance—Environmental Restoration, Formerly Used Defense Sites" is hereby reduced and increased by \$1,000,000.

H.R. 2219

OFFERED BY: MR. KISSELL

AMENDMENT No. 108: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, or provide a loan or loan guarantee to, any United States commercial air carrier if that contract, memorandum of understanding, cooperative agreement, loan, or loan guarantee allows the air carrier to charge baggage fees to any member of the Armed Forces who is traveling on official military orders and is being deployed overseas or is returning from an overseas deployment.

H.R. 2219

OFFERED BY: MR. AMASH

AMENDMENT No. 109: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used for the use of military force against Libya.

H.R. 2219

OFFERED BY: MR. KINZINGER OF ILLINOIS

AMENDMENT No. 110: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to research, develop, manufacture, or procure a newly designed flight suit or integrated aircrew ensemble.

H.R. 2219

OFFERED BY: MS. LEE OF CALIFORNIA

AMENDMENT No. 111: At the end of the bill (before the short title), add the following new section:

SEC. \_\_\_\_\_. It is the policy of the United States to withdraw all United States Armed Forces and military contractors from Iraq by December 31, 2011, and no provision of any agreement between the United States and Iraq that amends the timeline for such withdrawal in a manner that obligates the United States to a security commitment to respond to internal or external threats against Iraq after such date shall be in force with respect to the United States unless the agreement is in the form of a treaty requiring the advice and consent of the Senate (or is intended to take that form in the case of an agreement under negotiation) or is specifically authorized by an Act of Congress enacted after the date of the enactment of this Act.

H.R. 2219

OFFERED BY: MS. LEE OF CALIFORNIA

AMENDMENT No. 112: At the end of the bill (before the spending reduction amount), insert the following:

SEC. \_\_\_\_\_. (a) PROHIBITION ON USE OF FUNDS.—None of the funds made available by this Act may be used for any account of the Department of Defense (other than accounts excluded by subsection (b)) in excess of the amount made available for such account for fiscal year 2011, unless the financial statements of the Department for fiscal year 2011 are validated as ready for audit within 180 days after the date of the enactment of this Act.

(b) ACCOUNTS EXCLUDED.—The following accounts are excluded from the prohibition in subsection (a):

(1) Military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense.

(2) The Defense Health Program account.

(c) VALIDATION DEFINED.—In this section, the term "validation", with respect to the auditability of financial statements, means a determination, following an examination, that the financial statements comply with generally accepted accounting principles and applicable laws and regulations and reflect reliable internal controls.

(d) WAIVER.—The President may waive subsection (a) with respect to a component or program of the Department if the President certifies that applying the subsection to that component or program would harm national security or members of the Armed Forces who are in combat.

H.R. 2219

OFFERED BY: MR. ENGEL

AMENDMENT No. 113: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Department of Defense to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

H.R. 2219

OFFERED BY: MR. GOHMERT

AMENDMENT No. 114: At the end of the bill (before the short title), add the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be obligated, expended, or used in any manner to support military operations, including NATO or United Nations operations, in Libya or in Libya's airspace.

H.R. 2219

OFFERED BY: MR. GOSAR

AMENDMENT No. 115: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be obligated or expended for assistance to the following entities:

- (1) Iran.
- (2) Hamas.
- (3) Hizbullah.
- (4) The Muslim Brotherhood.

H.R. 2219

OFFERED BY: MR. WELCH

AMENDMENT No. 116: At the end of the bill (before the short title), add the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used for tax collection purposes by the Afghan Ministry of Finance.

H.R. 2219

OFFERED BY: MR. WELCH

AMENDMENT No. 117: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. Not more than \$200,000,000 of the funds provided by title IX under the heading "Operation and Maintenance, Army" may be available for the Commander's Emergency Response Program, and the amount other-

wise provided under such heading is hereby reduced by \$200,000,000.

H.R. 2219

OFFERED BY: MR. TONKO

AMENDMENT No. 118: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor or subcontractor to an employee performing work under the contract for compensation if the compensation of the employee for a fiscal year exceeds the rate payable for level I of the Executive Schedule under section 5312 of title 5, United States Code, regardless of the contract funding source.

H.R. 2219

OFFERED BY: MR. LEWIS OF GEORGIA

AMENDMENT No. 119: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The Secretary of Defense shall post on the public website of the Department of Defense the cost to each American taxpayer of each of the wars in Afghanistan, Iraq, and Libya.

H.R. 2354

OFFERED BY: MR. LAMBORN

AMENDMENT No. 5: Page 23, line 4, strike "expended;" and all that follows through "6864(a).", and insert "expended."

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT No. 6: Page 23, line 4, after the dollar amount, insert "(reduced by \$1,304,636,000)".

Page 24, line 6, after the dollar amount, insert "(reduced by \$289,420,000)".

Page 24, line 18, after the dollar amount, insert "(reduced by \$476,993,000)".

Page 28, line 13, after the dollar amount, insert "(reduced by \$820,488,000)".

Page 28, line 23, after the dollar amount, insert "(reduced by \$100,000,000)".

Page 29, line 7, after the dollar amount, insert "(reduced by \$160,000,000)".

Page 31, line 21, after the dollar amount, insert "(reduced by \$6,000,000)".

Page 32, line 4, after the dollar amount, insert "(reduced by \$500,000)".

Page 32, line 23, after the dollar amount, insert "(reduced by \$500,000)".

Page 52, line 15, after the dollar amount, insert "(reduced by \$68,400,000)".

Page 53, line 7, after the dollar amount, insert "(reduced by \$11,700,000)".

Page 53, line 13, after the dollar amount, insert "(reduced by \$10,700,000)".

Page 54, line 4, after the dollar amount, insert "(reduced by \$1,350,000)".

Page 54, line 12, after the dollar amount, insert "(reduced by \$250,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$3,250,437,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT No. 7: Page 23, line 4, after the dollar amount, insert "(reduced by \$1,304,636,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$1,304,363,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT No. 8: Page 25, line 18, strike "2012," and all that follows through "of the Treasury:," and insert "2012:".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT No. 9: Page 24, line 6, after the dollar amount, insert "(reduced by \$289,420,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$289,420,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 10: Page 24, line 18, after the dollar amount, insert "(reduced by \$476,993,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$476,993,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 11: Page 28, line 13, after the dollar amount, insert "(reduced by \$820,488,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$820,488,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 12: Page 28, line 23 after the dollar amount, insert "(reduced by \$100,000,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$100,000,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 13: Page 29, line 7, after the dollar amount, insert "(reduced by \$160,000,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$160,000,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 14: Page 31, line 21, after the dollar amount, insert "(reduced by \$6,000,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$6,000,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 15: Page 32, line 4, after the dollar amount, insert "(reduced by \$500,000)".

Page 32, line 23, after the dollar amount, insert "(reduced by \$500,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$500,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 16: Page 52, line 15, after the dollar amount, insert "(reduced by \$68,400,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$68,400,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 17: Page 53, line 7, after the dollar amount, insert "(reduced by \$11,700,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$11,700,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 18: Page 53, line 13, after the dollar amount, insert "(reduced by \$10,700,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$10,700,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 19: Page 54, line 4, after the dollar amount, insert "(reduced by \$1,350,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$1,350,000)".

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 20: Page 54, line 12, after the dollar amount, insert "(reduced by \$250,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$250,000)".

H.R. 2354

OFFERED BY: MR. LUETKEMEYER

AMENDMENT NO. 21: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used for the study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111-8).

H.R. 2354

OFFERED BY: MR. LUETKEMEYER

AMENDMENT NO. 22: At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_ None of the funds made available in this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007 or to implement activities proposed by such study.

H.R. 2354

OFFERED BY: MR. FLEMING

AMENDMENT NO. 23: Page 29, line 7, after the dollar amount, insert "(reduced by \$160,000,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$160,000,000)".

## EXTENSIONS OF REMARKS

HONORABLE FRANK R. WOLF  
EGYPT TRIP REPORT

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. WOLF. Mr. Speaker, I submit a copy of my Egypt trip report.

### PURPOSE

On June 26–28 I visited Egypt to meet with U.S. and host government officials and key civil society actors, specifically to address human rights and religious freedom concerns, especially during this critical time of transition.

### MEETINGS

I met with U.S. Ambassador Margaret Scobey and received a modified country team brief from embassy staff. I spoke with U.S./Western print correspondents and saw Tahrir Square—site of recent pro-democracy protests.

I met with nearly a dozen Christian, Muslim, Baha'i, and youth activists, including a leading evangelical minister, Coptic youth leader and prominent Baha'i blogger.

I also discussed the country's transition with political activists, including 2005 presidential candidate and former political prisoner Ayman Nour, who is again seeking the presidency.

I discussed interfaith dialogue with Sheikh Al-Azhar Ahmed Al-Tayyeb, the leading scholar in Sunni Islam, and met with Muslim Brotherhood official Essam El-Erriani to caution the group to respect religious freedom.

I worshiped in a Coptic Orthodox Church and visited St. Mary's Church in Imbaba (a Cairo suburb) which had been destroyed by radical Islamists on May 7. I also met with a woman who runs an orphanage and social services organization for the Christian "zabaleen" (trash collectors) in Cairo.

I met with Deputy Foreign Minister Wafaa Bassim and other representatives of the Egyptian Ministry of Foreign Affairs and raised concerns about human rights and the prospects of a transition to a true democracy.

In my meetings with Egyptian government officials, I mentioned that this year I had introduced bipartisan legislation, H.R. 440, (which now has 75 cosponsors) that would create a Special Envoy position at the State Department to focus specifically on the challenges faced by religious minorities in key countries in the Middle East, including Egypt. The legislation was introduced in January, prior to the political unrest in Egypt, but has arguably never been more needed. Ancient religious minority communities, among them Coptic Christians, are important moderating influences and are critical to the future of a democratic and pluralistic Egypt.

I met with representatives of non-governmental organizations (NGOs) including the National Democratic Institute (NDI) and International Republican Institute (IRI).

### HUMAN RIGHTS AND RELIGIOUS FREEDOM

Coptic Orthodox and other Christians told me that they feared sectarian violence in the

current political vacuum, and were concerned about continued discrimination in government hiring and building churches. They said that they welcomed the Government of Egypt's announced intention to draft a Unified Places of Worship Law, but cautioned that the few details that had emerged thus far indicate that the draft needs much work before it genuinely puts mosques and churches on equal footing.

In my meetings with Baha'i leaders we discussed the community's continued difficulties in securing government documents like birth and marriage certificates. I intend to pursue this matter further with the Egyptian Government, pressing them to rescind the 1960 decree that closed Baha'i assemblies and seized their assets.

In my meetings with Christian and secular Muslim democracy activists, I was informed that Islamist elements in Egypt seek an Iran-like theocratic state. Some interlocutors worried that the Egyptian Army favors Muslim Brothers and Salafists. Many agreed that if Islamists were to win in the upcoming elections they would allow "one man, one vote, one time," thereby making their electoral victory irreversible.

While meeting with senior representatives of the Muslim Brotherhood (MB) I sought to press them on their intentions. I raised concern about the application of shariah law, especially as it relates to the rights of minorities, and made it clear that my concerns were shared by many in Washington. Freedom-loving people the world over should be very concerned if the MB comes to power in Egypt. We must not close our eyes to their stated plans.

### DEMOCRATIC TRANSITION

Some Egyptian activists and most religious freedom advocates were pessimistic about the transition to date and prospects for a free, tolerant, and democratic government after elections.

Several of these activists stressed that the best way to counter Islamists in the short run is to first draft a constitution and delay elections until democratic parties have formed and become operational. One activist went so far as to say that he was 80 percent sure Egypt would become an Islamist state akin to Iran unless the current transition process and timeline is altered.

Activists also said that secular, pro-democracy parties need to take additional steps to get organized and build support across the sectarian divide. One human rights activist underscored the long-term importance of secular education and more interaction between Christian and Muslim youth.

### RECOMMENDATIONS

In light of the meetings I had and the insights I gained, I came away with a number of broad-based policy recommendations:

The U.S. Government should encourage the Egyptian Government to temporarily delay parliamentary elections, currently scheduled for September. Under the Mubarak regime free speech and freedom of assembly were curtailed, sectarian divisions were stoked and the press was restricted—some of these issues remain under the current transitional government and are not conducive to a

healthy electoral process. In fact, at present, the Muslim Brotherhood (MB) and remnants of the former ruling party are best positioned for victory, in part because they are better organized and funded. We must recognize that elections are but a component of a true democracy and guard against the impulse to move too swiftly in a direction that would likely guarantee an MB victory.

When the elections are held, independent international election monitors must be present and must be granted unfettered access to polling stations, etc. In my meetings with the Egyptian Ministry of Foreign Affairs I stressed that the credibility of any future election, whenever it takes place, would hinge on the involvement and presence of international observers. The importance of independent monitors and observers was underscored during my meetings with NDI and IRI. Their insight and election expertise is invaluable.

The United States must seriously consider conditioning U.S. foreign assistance, specifically military assistance, to Egypt. Since the Camp David Peace Accords, Egypt has received over \$60 billion in U.S. foreign assistance—the second largest overall recipient of such funding. Given the Mubarak regime's human rights and religious freedom abuses, I have long believed this assistance should be conditioned on improvements in these areas. I understand that Egypt is a proud country with a rich history. However, at this time of historic transition in Egypt and tight budgetary times at home, U.S. taxpayer dollars ought not be given to a government that will persecute its own people. Aid to Egypt should be conditioned upon the government respecting and upholding universally recognized human rights norms. This is especially important as Egypt moves toward crafting a new constitution. It is imperative that this constitution is fully secular and include, among other things, religious freedom protections. Ultimately, foreign assistance, especially of this magnitude, is a key leverage point and should be used accordingly, particularly with the Supreme Council of the Egyptian Armed Forces (SCAF).

### ACKNOWLEDGEMENTS

I would like to thank the U.S. embassy personnel, outgoing Ambassador Margaret Scobey, Peter Shea, my control officer, and Liz Colton for their assistance in making this trip possible and for their dedicated service to their country.

I would also like to acknowledge the good work of the press in Egypt, some of whom I had the opportunity to meet. At a time of such monumental and rapid change they clearly had a read on the national pulse and their reporting of events in real time is critical.

I would also like to thank the many civil society representatives I met, but for security reasons have opted not to mention by name, who gave a candid and courageous assessment of the challenges facing their country.

### CONCLUSION

The Egyptian people have endured much over the years. The State Department's annual human rights report released in April found the following:

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

The government limited citizens' right to change their government and extended a state of emergency that has been in place almost continuously since 1967. Security forces used unwarranted lethal force and tortured and abused prisoners and detainees, in most cases with impunity. Prison and detention center conditions were poor. Security forces arbitrarily arrested and detained individuals, in some cases for political purposes, and kept them in prolonged pretrial detention. The executive branch exercised control over and pressured the judiciary. The government partially restricted freedom of expression. The government's respect for freedoms of assembly, association, and religion was poor, and nongovernmental organizations (NGOs) continued to face restrictions.

In the face of decades of human rights and religious freedom abuses under the Mubarak regime, successive U.S. administrations, including the Obama administration, failed to advocate for those whose voices were being silenced. Many pro-democracy activists and religious minorities that I spoke with while in Egypt felt abandoned by the West.

At this historic time of transition, we must not make that mistake again. While there is a palpable sense of anticipation and even hope about what the future might hold for the Egyptian people, the outcome is far from guaranteed.

There are reliable reports of human rights abuses and political repression following Mubarak's resignation. For example, a recently released Congressional Research Service report indicated that:

The SCAF has warned news organizations that it is illegal to criticize the military in the press. A military court sentenced a blogger (Maikel Nabil) to three years in prison for insulting the military. Others have criticized the SCAF over press reports that female detainees in military custody were subject to "virginity tests" by doctors.

Given the nature and extent of U.S. assistance to Egypt over the years, the U.S. military has developed good relations with the Egyptian military and we should leverage those ties as Egypt looks to transition from military to civilian rule. It will be critical for Secretary of Defense Leon Panetta and the Joint Chiefs of Staff, among others, to engage with the SCAF.

Ultimately, I believe that the majority of Egyptians of all faiths want democracy. The question is will it be taken away from them after a single election?

Their yearning for true freedom and democracy must not be underestimated. We have a responsibility to stand with them and help them realize their aspirations.

#### TRIBUTE TO JOHN GARRARD

### HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. BONNER. Mr. Speaker, I rise today to congratulate an outstanding citizen of South Alabama who has dedicated his life to the service of his community and his fellow man. I am proud to inform this House that John Garrard of Atmore, Alabama, was recently honored with the Atmore Chamber of Commerce's Lifetime Achievement Award.

A resident of Atmore for over 60 years, Mr. Garrard has a long and distinguished record of public service. A World War II veteran of the

U.S. Navy, Mr. Garrard graduated from Millsaps College with a degree in economics and business administration and a minor in secondary education. He soon put his education to good use back in his community.

He began his career as a teacher at Escambia County High School. Afterwards, he joined the First National Bank of Atmore, where he rose to the position of president and where he continues to serve on the board of directors.

Mr. Garrard has also served on the Atmore Public Library Board for 48 years, was a member of the Atmore Rotary Club for 30 years, and was a part of Fountain Prison Ministry for 15 years. Mr. Garrard was also named Atmore's Citizen of the Year in 1981.

Today, even in retirement, Mr. Garrard continues to serve his community as a member of the Atmore City Council. The extent of Mr. Garrard's commitments is considerable. It is because of the work of people like John Garrard that small towns throughout south Alabama, and around the country, are able to thrive and maintain a vibrant sense of community.

Mr. Speaker, on behalf of the people of Escambia County and South Alabama, I ask my colleagues to join me in thanking Mr. John Garrard for his service, and applauding the example of civic engagement that he has set. His presence is surely felt throughout his community which has benefitted from his many contributions of time and talent. Through his life of service and dedication, he has definitely earned this award, and I am proud to join his many friends and family in saluting him for this most deserving honor.

#### PERSONAL EXPLANATION

### HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. McINTYRE. Mr. Speaker, during rollcall vote No. 500 on July 6, 2011, I was unavoidably detained. Had I been present, I would have voted "no."

#### CONGRATULATING PHIL JOHNSON, ATMORE'S CITIZEN OF THE YEAR

### HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. BONNER. Mr. Speaker, I rise today to congratulate a distinguished citizen of South Alabama for his exemplary service to our region and his community. I am pleased to note that Phil Johnson was recently named Atmore, Alabama's 2010 Citizen of the Year.

If a leader is someone who is willing to give of himself in order to benefit society, then Phil Johnson certainly fits the definition of a leader. His stamp on Atmore and surrounding Escambia County is his legacy of developing local arts programs and inspiring a passion for the arts among our young people.

Ten years ago, Mr. Johnson played a leading role in founding the Greater Escambia

Council for the Arts (GECA) and has been instrumental in raising awareness for the arts throughout his community.

Mr. Johnson has also performed in, directed, and produced an exceptional number of performances, and helped secure a theater in downtown Atmore.

Thanks to Mr. Johnson's vision and dedication, the residents of Atmore and Escambia County have enormous opportunities in the arts. From actors to playgoers to the young people who have become involved in the arts for the first time, many have benefited from Mr. Johnson's work and achievements.

Mr. Speaker, as you know, the arts serve a vital role in our communities, and they can have an especially large impact in small towns like Atmore.

I ask my colleagues to join me in commending Mr. Johnson for his remarkable service, and to join the people of Atmore in recognizing the great difference he has made in that community.

#### HONORING GILBERT TREVIÑO

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the late Gilbert Treviño, a soldier and researcher who dedicated nearly 30 years of his life to the United States Marines both on the field and in the lab.

A Laredo native, Mr. Treviño moved to College Station in 1942 to attend Texas A&M University. His scholarly pursuits were placed on hold when the United States plunged into World War II. He joined the United States Marine Corps in 1944 and witnessed the perils of war at the Battle of Iwo Jima, a battle, on which he wrote in his 2006 memoir. After serving our country, Mr. Treviño returned to school in 1947 to complete a professional veterinary degree and later received a Master's at Texas A&M University and Ph.D. from Michigan State University.

Mr. Treviño met Chris, who would eventually become his wife, while he was working in Washington, DC. The couple was together just under a year when he received word he was to be stationed in Japan. The pair planned their wedding in just eight days and moved to Japan, where their two children were born.

Mr. Treviño served in Michigan, Maryland, and Kentucky as an advisor to the Surgeon General for the Department of Agriculture before returning to College Station to teach at his alma mater. He spent his career in classrooms and military research labs, where his scientific investigations contributed to a vaccine for rabies. Mr. Treviño's devotion to education provided a source of inspiration for the younger generations of his family; his children, Elisa and Steven, as well as his nieces and nephews, all took note of his accomplishments and many pursued postsecondary education as a result.

Mr. & Mrs. Treviño moved back to Laredo after he retired from the university in 1981 where he remained active in the Laredo veterans' community. He raised funds and accompanied the city's Gold Star mothers to

Washington, DC to visit the Vietnam Memorial after its completion in 1982. When the Laredo Animal Clinic veterinarian was unavailable, Mr. Treviño happily performed examinations and conducted surgeries in his absence. He was a man of integrity and determination, and did whatever he could to help others.

Mr. Speaker, I am honored and privileged to have the opportunity to recognize the late Gilbert Treviño. He is no longer with us, but his contributions to his country, profession, and community will live on. Thank you.

RECOGNIZING SERGEANT FIRST CLASS JOSE WEEKS, RECIPIENT OF THE 2010 GRUBER AWARD

**HON. ADAM SMITH**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. SMITH of Washington. Mr. Speaker, I rise today to recognize Sergeant 1st Class Jose Weeks of the 4th Brigade, 2nd Infantry Division for earning the 2010 Gruber Award as the best field artilleryman in the United States Army.

The Gruber Award was established in 2002 to recognize the outstanding individuals who represent excellence among field artillerymen.

Sergeant Jose Weeks dedicates himself to strengthening his unit by training them to be prepared for any situation. On July 14, 2010, when his convoy came under attack, an improvised explosive device struck the lead vehicle in his patrol. One of the soldiers in the patrol was severely injured by shrapnel. By the time the medic arrived, the soldiers inside the damaged vehicle had already begun emergency care and had applied a tourniquet to the wounded soldier's leg—a practice in which Weeks had repeatedly drilled his crew. Their rapid response saved the soldier's life and demonstrated Weeks's effectiveness as a trainer. Saving the life of another soldier through effective emergency training merits Weeks receiving the Gruber award.

Weeks's Battalion Commander, Lieutenant Colonel Terrence Braley, confirmed, "Sergeant First Class Weeks is an adaptable, flexible leader and a master artilleryman. . . . He can move from doing his core competencies to firing battery platoon sergeant . . . to conducting crew drills [to] IED patrol without skipping a beat."

Jose Weeks is an exemplary soldier who is highly deserving of this award. It is an honor to recognize him for his leadership and commitment to serving in the United States Army.

Mr. Speaker, I ask that my colleagues in the House of Representatives please join me in congratulating Sergeant 1st Class Jose Weeks on receiving the Gruber Award as the best field artilleryman in the United States Army.

IN HONOR OF H.E. FATHER MIGUEL D'ESCOTO BROCKMANN'S 50TH ANNIVERSARY OF ORDINATION TO THE PRIESTHOOD

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the 50th anniversary of H.E. Father Miguel d'Escoto Brockmann's ordination to the priesthood. Father d'Escoto has dedicated his life and ministry to peace, social justice, and solidarity.

Father d'Escoto was born in 1933 in Los Angeles, California, but spent a majority of his childhood in Nicaragua. After returning to the United States, he began studying at the Catholic seminary at Maryknoll in 1953. In 1961, Father d'Escoto Brockmann was ordained a priest of the Maryknoll Missionaries. Father d'Escoto earned his Master's of Science from Columbia University's School of Journalism in 1962.

Father d'Escoto has focused his ministry on helping the poor and disadvantaged populations of the world. In 1963, Father d'Escoto founded the National Institute of Research and Population Action in Chile. Through this organization, he sought to empower impoverished populations living in slum neighborhoods through community action in defense of labor rights. In 1970, while serving as Maryknoll's Social Communications Department, Father d'Escoto founded Orbis Books, the publishing arm of Maryknoll Fathers and Brothers. Orbis quickly became a leader in religious publishing, offering works on spirituality, theology, and current affairs, often from a Third World perspective. In the aftermath of a 1972 earthquake that devastated the capital city of Managua, Nicaragua, Father Brockmann mobilized assistance for the victims and established the Nicaraguan Foundation for Integral Community Development.

As a veteran statesman and political leader, Father d'Escoto served as the Republic of Nicaragua's Minister for Foreign Affairs from July 1979 until April 1990. During his tenure, he played a key role in the Contadora and Esquipulas peace processes to end internal armed conflicts in Central America in the 1980s. He was later elected as President of the 63rd Session of the United Nations General Assembly, and served in this role from September 2008 to September 2009. Father d'Escoto is currently a member of the UN Human Rights Council Advisory Committee.

Mr. Speaker and colleagues, please join me in honoring the 50th anniversary of H.E. Father Miguel d'Escoto Brockmann's ordination to the priesthood and his significant contributions to the global community.

RECOGNITION OF THE 250TH ANNIVERSARY OF THE TOWN OF GREAT BARRINGTON, MASSACHUSETTS

**HON. JOHN W. OLVER**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. OLVER. Mr. Speaker, I rise today to recognize the 250th anniversary of the founding of the town of Great Barrington, Massachusetts, including the village of Housatonic. The town was incorporated by the colonial Governor of the Commonwealth of Massachusetts, Sir Francis Bernard, on June 30, 1761. Nestled in the Berkshire Hills, Great Barrington features natural resources such as Monument Mountain, Lake Mansfield, and the scenic Housatonic River. It is the town that saw the first open resistance to British rule in 1774, Henry Knox's cannon caravan passing through to Fort Ticonderoga in 1776, and provided a distinguished roster of military personnel to every major conflict in which America has participated.

Great Barrington has also been the home of poet and journalist William Cullen Bryant, inventor William Stanley—who first lit the streets of Great Barrington—and inventor Marcus Rogers. Elizabeth Freeman, who successfully sued for her freedom from slavery in 1781, Laura Ingersoll Secord, the Canadian heroine of the War of 1812, Anson Jones, the last president of the Republic of Texas and James Weldon Johnson, the co-writer of the Negro National Anthem all resided in Great Barrington. W.E.B. Dubois, distinguished writer, editor, sociologist and activist, graduated from Searles High School in Great Barrington as valedictorian before embarking upon a lifetime of achievement that included the founding of the Niagara Movement, the precursor to the National Association for the Advancement of Colored Persons. The citizens of Great Barrington stand as an example of what hard work and resolve can accomplish.

The town of Great Barrington is also the center of many historical, commercial and cultural resources, including the Mason Library in Great Barrington and Ramsdell Library in Housatonic, the Mahaiwe Performing Arts Center, the Captain Truman Wheeler House, the Dwight-Henderson House, and the famed Newsboy Statue. With its scenic natural resources, Great Barrington has become the summer vacation destination of thousands and continues to be a vibrant and charming community.

On the occasion of the 250th anniversary of the town of Great Barrington, Massachusetts, I congratulate its citizens and praise their dedication and perseverance throughout the town's history. I look forward with enthusiastic support as we continue to work together for a prosperous future.

PERSONAL EXPLANATION

**HON. MIKE McINTYRE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. McINTYRE. Mr. Speaker, during rollcall vote No. 499 on July 6, 2011, I was unavoidably detained. Had I been present, I would have voted "no."

ON THE OCCASION OF THE TWENTY-NINTH ANNUAL METRO DETROIT YOUTH DAY

**HON. GARY C. PETERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. PETERS. Mr. Speaker, I ask my colleagues to rise today to recognize the organizers, supporters and participants of the twenty-ninth annual Metro Detroit Youth Day.

While Metro Detroit Youth Day has many leaders, organizers, participants and supporters which make it possible, one man, Mr. Ed Deeb, stands at the foundation of this great youth empowering event. When asked by the Mayor of Detroit to rise to the challenge of overcoming divisions to create a stronger community, Ed answered, rallying the business community to work with Detroit youth to overcome the divide between business and youth. From this work, Youth Day was born as an event which calmed tensions through dialogue between Detroit business owners and the youth. Under Ed's leadership as chairman and coordinator of Youth Day, it has continued to grow and evolve into an event focused on nurturing the great potential of our youth in the City of Detroit.

Part of Youth Days' evolution included expanding its impact on participants, supporters and volunteers. As part of this expansion, Youth Day began to focus on providing youth with guidance, mentoring, substance abuse prevention and motivational activities designed to allow them to channel their creativity and ideas into positive outcomes. As part of this empowerment, Youth Day began awarding participants with scholarships for youth that displayed outstanding citizenship, leadership and service. With over seven hundred scholarships awarded since 1991, Youth Day has undoubtedly provided many Metro Detroit young adults with the opportunity to pursue higher education and more fully realize their potential.

The success of Ed's vision speaks for itself, with Youth Day having become a tradition for the Metro Detroit community. Since its inception so many years ago, Youth Day has grown from twelve hundred participants to over thirty-seven thousand annually, with more than seven hundred thousand youth participants throughout its history. Of equal importance are the more than fifteen hundred annual volunteers who come from over six hundred community organizations and businesses who supervise sports clinics, games, contests and many other activities that are a part of this daylong event. For its impact, Youth Day has been awarded numerous accolades including

a Point of Light award from President George H.W. Bush and the Michigan Governor's award for Physical Fitness.

Mr. Speaker, I ask my colleagues to join me in celebrating the twenty-ninth annual Metro Detroit Youth Day and recognizing the organizers, supporters, volunteers and participants for working together to build a stronger future for Michigan youth in Metro Detroit.

IN HONOR OF ANNE FEENEY

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Anne Feeney on the occasion of her 60th birthday. Anne is an exceptional person and a longtime political activist and musician. She has been called a "union maid and hell raiser" and has actively fought for social justice over the past four decades.

Anne was born in Charleroi, Pennsylvania on July 1, 1951. From an early age Anne's two great passions were politics and music. She was greatly influenced by the Vietnam War, the Civil Rights Movement, and her grandfather, William P. Feeney, a mineworkers' organizer and violinist.

Anne graduated from Fontbonne Academy in 1968. She spent the next year saving money until she had enough to purchase a Martin D-28 guitar in 1969. Anne played this guitar for over forty years at political rallies and festivals around the world until she recently retired it from use.

By 1972 Anne had co-founded the Pittsburgh Action Against Rape, which still provides services to rape victims in the Pittsburgh area. She graduated from the University of Pittsburgh in 1974 and the University of Pittsburgh School of Law in 1978. She worked as a trial attorney for twelve years and served as president of the Pittsburgh Musicians' Union from 1997-1998. To date, Anne is the only woman elected to this prestigious position. Her political activism continues to this day. Currently, Anne is a member of the Industrial Workers of the World and the American Federation of Musicians.

Since 1991, Anne has toured around the world playing her music and participating in labor and political rallies. She has released several albums and her music has been covered by the band Peter, Paul, and Mary. Anne is a proud mother of two, a gifted musician, and a renowned political activist.

Mr. Speaker and Colleagues, please join me in extending warm wishes to Anne Feeney on her 60th birthday.

BIRTHDAY OF IRV PICKLER

**HON. LORETTA SANCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Ms. LORETTA SANCHEZ of California. Mr. Speaker, today I would like to honor the life of Irv Pickler, and wish him the best in his 90th

year of life. Irv has demonstrated an exceptional dedication to public service in the community, and has made a lasting effect on all the people he has touched.

After graduating from California State University, Los Angeles, with a bachelor's degree in Business Administration, Irv joined the United States Army and later transferred to the United States Air Force. In England, he flew 35 missions into France and Germany as a bombardier-navigator. After 4 years of service, he returned to Los Angeles to be with his wife and young children.

Eventually settling in Southern California, Irv opened his own printing company, "Printing Dimensions," in Orange County. Today, nearly 55 years later, Irv works to bring people together to accomplish client objectives with his company, "Pickler and Associates." Irv has demonstrated a firm commitment to community involvement. As a member of the Kiwanis Club of Greater Anaheim, he was twice named "Kiwanian of the Year." In 1993, he was elected as a Distinguished Lieutenant Governor of the club. Irv has also served 25 years on the Cypress College Foundation Board of Directors.

In the 1970s, Irv was appointed to the Cemetery Commission in Anaheim, and to the Orange County Planning Commission, on which he served one term as a chairman. In 1982, Irv was elected to the Anaheim City Council, serving a total of 12 years, including 3 times as Mayor pro-tem. He consolidated half a dozen Orange County transportation agencies into the Orange County Transportation Authority, which produced gains in efficiency, and increased accountability. When California introduced its first cellular solar-powered callbox system, Irv was behind it. He negotiated the agreement with the California Department of Transportation and the California Private Transportation Corporation to construct the nation's first fully-automated, congestion priced toll road, State Route 91. Irv laid the groundwork for the purchase of right-of-way and widening of Interstate 5, which resulted in the largest public works project in Orange County in over a generation. He also helped pass Measure M, the successful sales tax program that invested in voter-approved transportation projects. It's no question that he demonstrated exceptional leadership during his tenure as Vice President of the Orange County Transportation Authority.

Irv currently serves as a member of the Orange County Water District Board of Directors. He has previously served as Water Issues Committee Chairman and on the Administration/Finance Committee, Investment Committee, External Communications Task Team, and Santa Ana Water Project Authority. During his tenure on the Water District Board of Directors, Irv played a key role in the development of the revolutionary Groundwater Replenishment System, a project that has been recognized with numerous national and international awards.

Irv has served as chairman of the Orange County Solid and Hazardous Waste Management Advisory Committee; president of Orange County Division of the League of California Cities, and member the Anaheim Union High School District Board of Trustees, Anaheim's Parks and Recreation Commission, the

Anaheim Public Library Board, the Transportation Corridor Agencies, Southern California Regional Rail Authority, and the Southern California Air Quality Management District Inter-Agency Implementation Company.

Other government agencies with which Irv has worked include the Los Angeles/San Diego Rail Corridor Committee, Orange County Cities Airport Authority, Southern California Association of Governments, Foothill/Eastern Transportation Corridor Agency, and Metrolink Joint Committee, and he also supports Acacia Adult Day Care, Alzheimer's Foundation, the Anaheim Family YMCA, the Anaheim Boys and Girls Clubs, and Anaheim Arts Council.

It is clear that Irv Pickler has maintained a firm devotion to public service throughout his life. As he embarks upon his 90th year, I would like to recognize his achievements and thank him for his dedication.

HONORING MR. J.D. LINDSEY

**HON. AUSTIN SCOTT**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I ask you to join me in honoring Mr. J.D. Lindsey of Tift County, GA. Mr. Lindsey is a U.S. Marine and a decorated World War II Veteran. He received the Purple Heart for wounds suffered while serving our Nation on active duty. Since his discharge from the Marine Corps, he has worked tirelessly for veterans' causes and issues. He was responsible for obtaining the DAV van that is used to transport veterans to their medical appointments at the VAMC facility in Dublin, GA each week. He uses his personal funds to see that the van continues to run each week without interruption. When necessary, he has also used his personal vehicle to ensure that every veteran in need makes it to his or her appointments. He has unselfishly given of his time and money to not only serve our Nation while on active duty, but has remained committed to caring for his fellow veterans and their families all over the Tift area. Any number of citizens of Tifton have benefited greatly from his kindness and benevolence.

Mr. Speaker, I ask that you join me today in honoring Mr. J.D. Lindsey for his unwavering commitment and service to our country and our community.

HONORING REVEREND GEORGE  
LEE JOHNSON

**HON. JEFF DENHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. DENHAM. Mr. Speaker, I rise today with my colleagues, Mr. NUNES and Mr. COSTA, to acknowledge and honor the life of a beloved leader in the Fresno Community, Reverend George Lee Johnson, and to recognize his tireless work as the Senior Pastor of Peoples Church. Ministering to thousands, Reverend Johnson earned the respect of fellow clergy and civic leaders alike.

The son of a Baptist minister, George Lee Johnson, or G.L. as he came to be known, grew up in Houston. He moved to Fresno in 1961 to work as the Associate General Director of the Latin American Orphanage. That same year, Reverend Johnson and his wife, Jackie, joined the then small Peoples Church. In 1963, Reverend Johnson became the Pastor of Peoples Church at the age 37.

Reverend Johnson's commitment to his faith and the congregation of Peoples Church resulted in significant growth of the organization. His uplifting messages of hope and faith appealed to many worshippers. In 1978, Peoples Church moved to a sanctuary with capacity of more than 2,000 people, allowing over 5,000 people to attend numerous different services on Sunday. With an ever-increasing following, Peoples Church attracted a mix of civic leaders. Moreover, Reverend Johnson's hard work and service were influential in the community of Fresno. He organized the Pastor's Prayer Summit in Oakhurst, where over 45 clergy members met to pray for guidance for civic leaders in combating Fresno's crime rate and resolving socioeconomic problems. The success of this event inspired Reverend Johnson to organize a weekly Citywide Pastors Prayer Meeting which began in 1993 and still takes place today. In 2001, the Reverend was instrumental in bringing the Central Valley Billy Graham Crusade to Bulldog Stadium, an event which united more than 200,000 people.

Reverend G.L. Johnson retired from Peoples Church in 2008 after 45 years of service as the Senior Pastor. However, his retirement from the church did not mark the end of his ministry. Reverend Johnson continued to support the church and lend his wisdom and knowledge to the many Fresno residents who looked to him for guidance. He also traveled throughout the world, teaching at various religious conferences. After a brave battle with cancer, Reverend George Lee Johnson passed away surrounded by his loving family at the age of 83.

Mr. Speaker, please join Mr. NUNES, Mr. COSTA, and I in honoring Reverend George Lee Johnson for his unwavering leadership, and recognizing his accomplishments and contributions as Pastor of Peoples Church. The life of Reverend George Lee Johnson serves as an example of excellence to those in our community, and his legacy will not be soon forgotten.

PERSONAL EXPLANATION

**HON. MIKE McINTYRE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. McINTYRE. Mr. Speaker, during rollcall vote No. 498 on July 6, 2011, I was unavoidably detained. Had I been present, I would have voted "yes."

INTRODUCING THE AMERICAN  
TRAVELER DIGNITY ACT OF 2011

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. PAUL. Mr. Speaker, today I introduce legislation to protect Americans from physical and emotional abuse by Federal Transportation Security Administration employees conducting screenings at the nation's airports. Year after year the TSA seems more belligerent toward Americans simply seeking to travel within their own country—a most basic of our fundamental rights—and sadly Americans are just expected to shut up and take it. We should not have to shut up and take it.

Many Americans continue to fool themselves into accepting TSA abuses by saying "I don't mind giving up my freedoms for security." In fact, they are giving up their liberties and not receiving security in return. Time and time again we see the revolting pictures of Federal screeners with their hands down the pants of children while parents watch helplessly in agony. We see elderly or disabled Americans being forced to endure all manner of indignity. At the same time, we repeatedly hear of passengers who seem to check all the boxes marked "suspicious activity" slipping through unencumbered. Just recently we read of a Nigerian immigrant breezing through TSA security checks to board a flight from New York to LA—with a stolen, expired boarding pass and an out-of-date student ID as his sole identification. We should not be surprised to find government ineptitude and indifference at the TSA, however.

What we ultimately need is real privatization of security, but not phony privatization with the same TSA screeners in private security firm uniforms still operating under the "guidance" of the Federal Government. Real security will be achieved when the airlines are once again in charge of protecting their property and their passengers.

To move us in that direction, I am today introducing the American Traveler Dignity Act, which establishes that any Federal employee or agency or any individual or entity that receives Federal funds is not immune from any U.S. law regarding physical contact with another person, making images of another person, or causing physical harm through the use of radiation-emitting machinery on another person. It means they are not above laws the rest of us must obey. As we continue to see more and more outrageous stories of TSA abuses and failures, I hope that my colleagues in the House will listen to their constituents and join with me to support this legislation.

PERSONAL EXPLANATION

**HON. STEVE KING**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 24, I was delayed in leaving the Medal of Honor Recognition Ceremony for Staff Sergeant Salvatore Guinta and was unable to



reach the floor to cast my vote before the vote was closed. Had I been present, I would have voted "no."

ANOTHER UNFOLDING TRAGEDY  
IN SUDAN

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. WOLF. Mr. Speaker, I submit an article which recently ran in the BBC regarding the unfolding tragedy in Sudan.

On the eve of the birth of a new nation in South Sudan, Khartoum is once again perpetrating acts of violence against its own people—this time in Southern Kordofan.

First-hand accounts emerging from the region are chilling . . . door to door executions, reportedly based on ethnicity and political affiliation; Antonov bombers leaving a trail of devastation in their wake, mass displacement.

The world says, "never again," and yet in the face of mounting atrocities, where is the outrage?

[From BBC News, June 23, 2011]

SUDAN'S SOUTH KORDOFAN: "BOMBINGS,  
BLOOD AND TERROR"

More than 70,000 people are said to have fled violence in Sudan's South Kordofan state, where the government says it is disarming rebels. The region borders South Sudan, a largely Christian and animist region, which is due to gain independence from the mostly Arabic-speaking, Muslim north on 9 July.

There is concern about the humanitarian crisis and the alleged atrocities being committed. The area has effectively been cut off by the military and not much has been heard from people in the area. One aid worker who has just left the region told the BBC's Will Ross about his experiences:

It is terrifying. The civilians try to hide but generally they run in panic and hence, sadly, there are many casualties who die because of shrapnel. There are bombings and shellings every day in different areas.

There is a plane called an Antonov which circles high in the sky and keeps coming over. Then there is the whistle of the bombs as they fall. You have a few seconds to run but you do not know if it is going to fall on you or not. The sounds of the explosions are huge and sometimes the craters they leave are five or six metres across.

Burning hot pieces of jagged metal, the shrapnel, go flying across the air and if you are not below the surface in a hole or a dug-out you are at huge risk.

BLOOD AND FLIES

Then there are the MiGs [planes] which come in very, very fast and low. These fire rockets and they are terrifying because they are on top of you before you know it. You have no warning.

They are very loud and so the terror that this incites in people, even if you survive these attacks, is enormous.

They can continue for hours on end. You can imagine how awful that is for women and children and men, rural farmers who have no military background whatsoever. And when they sense that this is not an enemy from outside that is attacking, this is their own government, they just do not understand why this is happening.

There are so many poignant, heart-breaking stories.

A local farmer was lying on the floor of a hospital in enormous pain, with a large piece of shrapnel that had gone through his leg, with blood and flies over him. Again and again he was asking the same desperate questions: "Why is our president doing this to us? Why is he bombing us?"

He kept saying: "This is wrong".

Then there was a young man who had fled a village that was attacked and when the SAF [northern] troops withdrew, he found to his horror that his wife and children had been abducted by the army.

With anguish in his voice he said he would rather have been killed than his wife and child taken.

"I don't know what they will do to them, I don't think I will see them again," he said.

No less than 75,000 people have been displaced, and because the bombing and shelling is continuing, that number is probably going up every day.

This is not a war of north versus south—this is about a people within north Sudan who want a peaceful existence in the north just with social and economic opportunities and access to justice.

The Nuba, a large percentage of whom are Muslims, feel their future is with north Sudan.

The people of South Kordofan, both the Nuba and people from the nomadic Arab tribes, feel marginalised by Khartoum. They feel they are not granted basic human rights.

HOUSE-TO-HOUSE EXECUTIONS

The area offers a remarkable alternative vision of how Christian and Muslims and animists can live together. I have witnessed after Eid, the Christians bringing breakfast for their Muslim brothers and sisters, and at Christmas and Easter all the people from the mosque coming to say "congratulations".

But people there feel the government in the last few weeks has revealed it has no interest in allowing a political solution that gives rights to an alternative voice in the north, where there is religious tolerance and Christians and Muslims living together.

There is so much anguish. People say they don't want war but they say until the policies of Khartoum change, they see no alternative.

They are asking for help from all northern Sudanese to come back from this madness and have a look at how to build a peaceful, tolerant society in the north.

We are getting very strong reports that house-to-house executions are going on by internal security forces where summary executions are taking place based on ethnicity, political affiliation and even how black you are. These are civilians, intellectuals, teachers, community leaders, Muslims and Christians, and often they are killed by their throats being slit.

This may be only the beginning and it could well continue for many months and intensify. There is a complete lack of access—we learnt that the only airstrip that was left had been bombed and we have heard the government of Sudan will shoot down UN flights operating in South Kordofan so humanitarian flights are no longer an option.

We know that there is no access from the north by road so we are looking at a population that is now effectively besieged—without access to services or humanitarian aid and who are under fire.

I fear the government has started these military operations to try to ensure that opposition voice is completely squashed before the 9 July, so that no thought of help of any

sort could come from the south, knowing that the emerging republic of South Sudan would be very unwilling to get involved as it would endanger their independence.

The great majority of Nuba people that I have spoken to are very worried the Egyptian forces that make up a large percentage of the UN peacekeepers are not seen as sufficiently neutral. Their cultural and religious background and their behaviour and attitude towards black Nuba people are unhelpful.

HONORING THE NATIONAL LABOR  
RELATIONS ACT

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. RANGEL. Mr. Speaker, 76 years ago, President Franklin D. Roosevelt signed into law the National Labor Relations Act, which continues to protect the rights of employees and employers, encourages fair bargaining, and blocks harmful practices that hurt our Nation's workers, businesses and the economy.

This important piece of legislation in our Nation's history has allowed working Americans to enjoy their rights to assemble and organize into labor unions. Unions have been instrumental in strengthening the middle class. Leaders like AFL-CIO President Dennis Hughes, DC 37 Executive Director Lillian Roberts, Teamsters Local 237 President Gregory Floyd, SEIU Local 1199 President George Gresham and SEIU 32BJ President Mike Fishman, and AFT and UFT Presidents Randi Weingarten and Michael Mulgrew have all marched in the spirit of A. Philip Randolph and Thomas Van Arsdale to protect the civil rights of all Americans in the workplace and I stand by my fellow soldiers in our continued struggle to preserve the Labor Movement and all the victories fought and won.

With the recent change of rules enacted by the National Labor Relations Board, working Americans will be able to quickly unionize and cut the time businesses have to mount anti-union campaigns. There is still more to do for our workers. That is why I co-sponsored the Employee Non-Discrimination Act which prohibits discrimination based on sexual orientation and gender in the workforce. I will keep on supporting other bills that ensure labor rights and will work hand in hand with union leaders to create an equal partnership in revitalizing our economy."

IN RECOGNITION OF TEMPLE  
EMANU-EL'S 50TH ANNIVERSARY

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. PALLONE. Mr. Speaker, I rise today to recognize Temple Emanu-El of Edison, New Jersey, as its members gather to celebrate its 50th Anniversary. Under the leadership of Rabbi Emeritus Alfred Landsberg and Rabbi Deborah Bravo, Temple Emanu-El is a respected educational and religious institution

for many families whose members remain committed to various community service activities. Their hard work and dedication are worthy of this body's recognition.

Since its founding in 1961, Temple Emanu-El's membership remains open to persons of any race, sex, ethnic background, physical capability, sexual orientation, national origin or marital status. The synagogue is a sanctuary for interfaith families, gay and lesbian groups as well as numerous organizations and religious communities interested in pursuing the Jewish faith. Its rich diversity ensures the organization's ability to provide various religious programs for all ages. The synagogue is proud to be the first religious school within the region to offer special education programs to its members. Pre-school students have the opportunity to celebrate Shabbat through song and craft programs. Teens also get together at Temple Emanu-El to study Judaism with their friends while community members remain engaged in the sacred work of 'tikkun olam', the repair of the world, through various social action programs.

The worshippers of Temple Emanu-El are committed to participating in various community programs and service endeavors. Food and monetary funds are collected by the worshippers and delivered to the members of the community. The members also partake in the weekend meals-on-wheels delivery program as they continue to reach out to members of their community in need.

The synagogue also maintains a commitment to provide various educational opportunities. Temple Emanu-El provides programs for the children to learn Hebrew and various Jewish traditions while adults are given the opportunity to study with Scholars-in-Resident and participate in Bar/Bat Mitzvah programs. Many congregants also join together on a weekly basis to study Torah. In addition to the plethora of activities offered at Temple Emanu-El, the synagogue remains a serene house of worship for its members to congregate and reflect.

Mr. Speaker, please join me in honoring Temple Emanu-El on its 50th Anniversary and thanking the members for their continued contribution to the Jewish community.

#### AFGHANISTAN DRAWDOWN

### HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Ms. ZOE LOFGREN of California. Mr. Speaker, in October, our troops will have been in Afghanistan for ten years. It is the longest war in our country's history. I am concerned that the mission has become more ambitious and our exit strategy has become increasingly vague.

This year is on pace to become the deadliest of this war. Over 1,600 Americans have been killed and 11,000 wounded in Operation Enduring Freedom. A 2008 study by RAND Corp. estimates that over 26 percent of troops may return from the wars in Iraq and Afghanistan with mental health issues. In terms of financial costs, California taxpayers alone have

spent over \$50 billion on the war in Afghanistan. According to the Congressional Budget Office, ending the wars could save \$1.4 trillion.

The President's announcement that he will begin removing surge troops does not reflect a significant policy change in Afghanistan. Removing the 30,000 surge troops from Afghanistan over the next year and a half only means that by the end of next year, we will be exactly where we were before the surge in December of 2009. Roughly 100,000 American soldiers will remain in Afghanistan to fight a war that I have serious reservations about.

I urge President Obama to reconsider his Afghanistan policy and commit to a meaningful drawdown of our troops.

#### HONORING TERRY DRESSLER

### HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mrs. CAPPS. Mr. Speaker, I rise today to pay tribute to Terry Dressler, recently retired after 33 years of public service devoted to protecting the air quality along the Central Coast of California.

Terry has had a distinguished career in his field, beginning his work with air pollution control in Ventura in 1978. He then worked in San Luis Obispo for almost eight years before coming to serve the Santa Barbara community for more than twenty three years, most recently serving for the last seven years as the Air Pollution Control Officer for the Santa Barbara County Air Pollution Control District (APCD).

As a result of the work of Terry and his team, the County of Santa Barbara has improved its air quality through attainment of federal standards and has made major progress towards meeting state standards. Terry has effectively instituted and enforced programs that reduce stationary, marine shipping, and mobile source emissions while raising community awareness of air quality issues. Additionally, he was instrumental in the creation of the District Community Advisory Council and has worked with its members on state and federal clean air strategy. These initiatives have enhanced the agency's reputation for excellence in local and statewide communities.

My staff and I have worked closely with Terry in his efforts to lead the district towards its clean air mission and I have seen firsthand the great progress and improved air quality standards instituted by Terry and the APCD. His strong leadership and knowledge have directly, and positively, influenced the health of the residents of the County of Santa Barbara.

Terry is recognized as a dedicated public servant who has devoted his career to protecting the health and safety of the citizens of the County of Santa Barbara and the State of California. Terry's accomplishments in the field of air quality and his charismatic presence have left a lasting impact on his colleagues, staff, and community members, and we can all breathe a little easier as a result of his outstanding efforts. I am pleased to commend Terry for his commitment to excellence in the

field of air quality, and I wish him a happy retirement surfing the Central Coast.

#### PAYING TRIBUTE TO LINDA S. MULLER

### HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. HINCHEY. Mr. Speaker, I rise today to honor and salute Linda S. Muller, who is marking her 20th Anniversary as President and Chief Executive Officer of The Greater Hudson Valley Family Health Center. Under Linda's diligent and tireless leadership, The Greater Hudson Valley Family Health Center has grown from a small facility located in the basement of St. Luke's Hospital serving 4,000 patients each year to a greatly expanded and modern health center providing comprehensive primary and preventive health care to more than 18,000 patients annually in the City of Newburgh and the surrounding towns in eastern Orange County. As a result of Linda's tremendous commitment and passion for universal health care, many thousands of medically underserved families and individuals in our region receive the highest quality of care from the dedicated physicians and staff at The Greater Hudson Valley Family Health Center.

In addition to overseeing the historic expansion of the health center's physical facilities, including the recent construction of a state-of-the-art new facility in the City of Newburgh, Linda has devoted a great deal of energy to increasing the services offered to our local community. The obstetrical health program developed by Linda in 2005 has now assisted more than 3,000 women in delivering healthy babies, many of whom now continue to receive health care at the health center. Linda also has responded to the urgent medical needs of our local community. This included creating programs to improve chronic health care management for diabetics and those with cardiovascular disease and initiating a model treatment program for people in our community living with HIV. Similarly, when it appeared that urgently needed treatment for people with substance abuse and chemical dependency problems might be lost to the City of Newburgh, Linda stepped in and created The Center for Recovery, which has now supported more than 800 patients in making a transition into healthy lifestyles free from drugs and alcohol.

Linda has led The Greater Hudson Valley Family Health Center through her strong dedication to the premise that health care is a right and not a privilege. She has imparted to every one of the more than 200 employees who work at the health center the importance of fulfilling the center's mission to provide high-quality, affordable, and easily accessible health care to everyone in our community, regardless of their status or ability to pay for care. Linda and her husband Charles will also celebrate another anniversary this summer, celebrating 40 years of marriage. They have three wonderful children, Jonathan, Christopher, and Jessica and three beautiful grandchildren, each brought into this world by one

of the health center's extraordinary obstetricians.

IN RECOGNITION OF GEORGIA CARAWAY

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. BURGESS. Mr. Speaker, today I rise to honor a very special constituent of the 26th District of Texas, Georgia Caraway. After 13 years of service as the Executive Director of the Denton County Museums, Mrs. Caraway will retire later this month.

As Executive Director, Mrs. Caraway's professionalism and dedication has greatly impacted her community; she has spent her career striving to preserve Denton County's history through projects such as the Courthouse-on-the-Square Museum and the establishment of Denton County's Historical Park. Mrs. Caraway believes her greatest accomplishment was the founding of the Denton County African American Museum. Through her astute leadership and cooperative fundraising efforts, she enabled the restoration of the county's museums and saved taxpayers thousands of dollars. In addition to her work with the museums, she has also helped complete a series of historical photography books that commemorate Denton County, and she hopes these achievements will encourage others to remember the county's origins and history.

Mrs. Caraway has left a lasting legacy in Denton County through her work. I thank Mrs. Caraway for her service and am proud to represent her in Congress.

HONORING MS. JEANNE KUCEY

**HON. MARIO DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. DIAZ-BALART. Mr. Speaker, I rise today to congratulate Jeanne Kucey on her recent election to the Board of Directors at the National Association of Federal Credit Unions, NAFCU.

Ms. Kucey has served as President and CEO of JetStream Federal Credit Union since 2009. Responsible for operations in both Miami Dade County and Puerto Rico, her extensive experience in the financial services arena, including her time with credit unions in Atlanta, Georgia and San Diego, California, will be a tremendous asset to the NAFCU board.

Not only does Ms. Kucey bring a wealth of financial management knowledge to the table, she exemplifies the community based nature of credit unions through her work with the "Marlene Ericca Empowering Workshops" which provides life skills and mentoring to local disadvantaged women. Ms. Kucey is also an active member of the Chamber of Commerce.

Ms. Kucey is a welcomed addition to the NAFCU board and will have the opportunity to

make an immediate impact in her new role as recent regulatory reforms have created a particularly challenging time in the credit union community.

It is because of the hard work and dedication of Jeanne and others like her that the credit union community has been able to continue to serve its members during the tough economic times our country continues to experience.

I wish Ms. Kucey the best of luck in her new role as a member of the NAFCU Board of Directors. I look forward to working with her in this capacity and ask that my colleagues join me today in congratulating Jeanne on this achievement.

PERSONAL EXPLANATION

**HON. MIKE McINTYRE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. McINTYRE. Mr. Speaker, during rollcall vote No. 497 on July 6, 2011, I was unavoidably detained. Had I been present, I would have voted "no."

CONGRATULATING CORPORAL BURT RICHARDS

**HON. THEODORE E. DEUTCH**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. DEUTCH. Mr. Speaker, I rise today to congratulate Corporal Burt Richards for being awarded the American Red Cross Community Courage Award for his work in educating the youth of today about the service of veterans.

Corporal Richards and the local chapter of the Jewish War Veterans spearheaded the campaign to close Palm Beach County schools in remembrance of Veteran's Day. While they were not successful in their efforts to close schools, they were successful in creating a new lecture series called "The Veteran Speaks," which has ensured that students in Palm Beach County are educated about our American war veterans.

I would like to congratulate Corporal Richards and the American Red Cross for the Palm Beach-Treasure Coast region for their great work on behalf of veterans and for the award. It is an honor having Corporal Richards as a constituent, and I look forward to a continued partnership in educating south Florida's youth about our veterans.

HONORING EULESS CITY SECRETARY SUSAN CRIM FOR MORE THAN 21 YEARS AS A DEDICATED PUBLIC SERVANT

**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. MARCHANT. Mr. Speaker, it is my distinct pleasure to rise today to recognize Mrs.

Susan Crim, a dedicated public servant who is retiring after serving more than 21 years as City Secretary for the City of Euless, TX.

Mrs. Crim was born in Woodward, OK, and is a graduate of Northwestern State University in Alva, OK, where she obtained an associates degree in applied science. She is also a graduate of the Texas Municipal Clerks Certification program, where she attained her Texas Registered Municipal Clerks Certification in January 1991. In 1996 and 2001, she served as a trustee for the Texas Municipal Clerks Certification Program. Mrs. Crim is also a member of the North Texas Municipal Clerks Association, where she served as president from 1996-1997.

Mrs. Crim has a distinguished work history within the public and private sectors. In 1979, Susan was part owner and operator of Circle C Drilling Company. Following her time at Circle C, she took a position as executive assistant at Dresser Atlas. Mrs. Crim then served as office manager at Pecan Grove Baptist Church and School from 1983-1987. In June 1987, Mrs. Crim began her career as City Secretary with the city of Rosenberg, TX, where she served from 1987-1990.

In 1990, Mrs. Crim was hired as City Secretary of Euless. As City Secretary, Mrs. Crim recorded and maintained the minutes at city council meetings, managed the official Euless City public records, organized local elections and held the responsibility as keeper of the "Seal of the City." As a fundamental part of the Euless city government, Mrs. Crim has tirelessly served multiple mayors, council members and various city departments in Euless.

Mr. Speaker, I am honored to recognize Mrs. Crim for her service to the city of Euless. Her experience and expertise will be sorely missed. I ask all my distinguished colleagues to join me in congratulating Susan Crim on a tremendous career as well as wishing her the best in her future endeavors.

CHICKASAW WARRIOR STATUE DEDICATION

**HON. DAN BOREN**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. BOREN. Mr. Speaker, I rise today to honor an important milestone for a prestigious institution of higher learning in eastern Oklahoma. Bacone College, the oldest college or university in Oklahoma, recently dedicated the statue "Chickasaw Warrior" at its Founders' Day ceremony. This statue is a gift from its artist, Enoch Kelly Haney, and the Chickasaw Nation. Its dedication is a very special moment for this institution. Standing proudly at the center of campus, this tall, imposing statue depicts a battle-ready Native American man clenching arrows gazing into the distance.

In the six months this statue has been on campus, it has become symbolic of the common spirit found everywhere at Bacone. Founded in 1880 by Professor Almon C. Bacone in Muskogee, Oklahoma, Bacone College has been educating students of all backgrounds for the past 131 years. With more

than two dozen Native American tribes represented in Bacone College's diverse student body, Bacone is known for preparing its students for success and preserving their cultural heritage. This statue aptly represents Bacone's long-standing relationship with the Native American community.

This impressive statue was sculpted by Enoch Kelly Haney. A 1962 graduate of Bacone College, Haney has become an internationally renowned artist and sculptor. His work spans four decades and his statue, *The Guardian*, stands proudly atop the Oklahoma State Capitol. In addition to his contributions to the field of art, Haney served in the Oklahoma legislature and in 2005 was elected Principal Chief of the Seminole Nation of Oklahoma. I would like to honor him for his time and effort in creating this generous gift to Bacone College and for his continuing service to the citizens of the state of Oklahoma.

Finally, I want to commend the Chickasaw Nation for donating this impressive statue to the college. Chickasaw Nation Governor Bill Anoatubby described this occasion perfectly when he said this statue reflects the "unconquerable" nature of the Chickasaw people and their unwavering determination to persevere. Now this statue will stand as a testament to their spirit, and there is no doubt this extraordinary gift will serve as an icon for Bacone College's future.

In these times of limited federal funding for higher education, it is important for the United States Congress to remember the local and regional universities that educate so many of our citizens, thereby empowering them to improve the future of their families and communities. Bacone College is a tremendous asset to eastern Oklahoma, and I recognize the Chickasaw Nation for their contribution to this important institution of higher learning.

H.R. 2112, AGRICULTURE  
APPROPRIATIONS BILL

**HON. KRISTI L. NOEM**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mrs. NOEM. Mr. Speaker, I rise today in opposition to H.R. 2112, the Agriculture Appropriations bill. While agriculture, along with every other industry must take some reductions to get our spending under control, it should not be in a disproportionate manner. This bill would take a nearly 14 percent cut in discretionary funding compared to last year while other appropriations bills thus far have seen cuts less than 3 percent. I could not vote in favor of this bill because I did not feel that it recognized the importance that agriculture plays in our nation's economy or take into account the impact this would have on farmers. While it is important to reduce the deficit, we should do it in a responsible manner and not disproportionately on the backs of the farmers who are supplying our nation's, and much of the world's, food supply.

There were many provisions in the bill that I supported, but I felt the bill sent the wrong overall message about the importance of agriculture policy. As South Dakota's lone Rep-

resentative, I could not in good conscience vote for a bill that unfairly singled out South Dakota's number one industry.

CELEBRATING THE LIFE OF GREG  
COOPER

**HON. LORETTA SANCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on May 26, 2011, Greg Cooper lost his battle with cancer at his home in Tustin, Orange County, California.

Born on June 23, 1945, Greg Cooper proudly served as a United States Marine Corps Sergeant from 1963 to 1967. His commendable service included a tour of duty near the city of DaNang, in the Republic of Vietnam.

Upon his departure with the Marines, Greg worked with the Santa Ana Police Department where he held several high-profile management and tactical unit positions. Among these positions, Greg was the SWAT Commander for 10 years and was active in the original development and transition from traditional to community oriented policing (COP). This COP policing model has been successfully duplicated across the United States for decades.

While serving as a police officer with the Santa Ana Police Department, Greg earned a Police Science Degree from Santa Ana College, a Bachelors degree from California State University-Fullerton and a Masters degree from the University of Southern California.

Leaving the Santa Ana Police Department in 1992, Greg was appointed Chief of Police in Sanger, California. In 1996 he relocated to Washington, DC after accepting a position with the Department of Justice (DOJ) "COPS" Program. At the DOJ, Greg would be the Assistant Director, responsible for monitoring operations for more than 30,000 Federal grants to more than 13,000 State and local law enforcement agencies.

In 2002, Greg joined the newly formed Department of Homeland Security as FEMA's Director of Security/Chief Security Officer. He would later retire from this position in 2008. At FEMA, Greg had oversight for all FEMA facilities, disaster operations, information security, personnel security and all national security clearances.

Since retiring from government service, Greg, a highly regarded and well-known expert in several specialty fields, continued to serve as a consultant to numerous law enforcement agencies across the nation.

A grateful nation mourns the loss of a loyal friend, a respected leader and a dedicated public servant.

PERSONAL EXPLANATION

**HON. MIKE McINTYRE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. McINTYRE. Mr. Speaker, during rollcall vote number 496 on July 6, 2011, I was un-

avoidably detained. Had I been present, I would have voted "no."

THE NATIONAL MUSEUM OF THE  
AMERICAN PEOPLE

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. MORAN. Mr. Speaker, it is time to tell the story of all of the American people. Earlier this week we celebrated of our nation's 235th birthday. Here in Washington hundreds of thousands of people visited the National Mall, watched fireworks, took pictures of the monuments, and toured our national museums. The story of our country's founding to our current status as the world's beacon of democracy and freedom, were on display.

But the full story of who we are as a nation and the many, vibrant ethnicities that make up the fabric of the American experience, remains incomplete. The story about the making of the American people—of all of the people—is missing and it needs to be told in the heart of our nation's capital.

That's why I am introducing a bipartisan resolution that calls for a Presidential Commission to study the establishment of the National Museum of the American People. A commission is the first critical step in the path toward the creation of a national museum that will highlight the diversity and richness of the cultures from which our ancestors came and will foster a sense of belonging to the nation by the waves of people who made us the leading economic, military, scientific, and cultural force in the world. The Museum's central theme takes its inspiration from our original national motto: "E Pluribus Unum"—From Many We Are One.

The Museum will be America's only national institution devoted exclusively to telling the full story of how the world's pioneers interwove their diverse races, religions, and ethnicities into the strongest societal fabric ever known to modern mankind. Both Canada and Mexico have major national museums in their capitals telling the story of their peoples and they are the most visited museums in those nations. People from every ethnic and minority group will come to see their own story and learn how they joined together with "the others" in pursuit of a more noble national purpose. Foreign visitors will come to learn how natives of their countries helped create our nation.

I fully understand the current fiscal realities of the day. This proposal will involve no authorization of federal funds and will not require the need for any taxpayer money. It does, however, already enjoy broad support having been endorsed by more than 130 organizations representing virtually every major ethnic and nationality group in the nation.

For the different groups who became Americans, the Museum will tell who, where, when, why and how transformed our nation. Today's technology makes all of this possible.

The Museum of the American People will be like walking through a dramatic documentary delving into these grand movements of peoples. It will follow in the tradition of some of today's most successful story-telling museums

such as the Holocaust Memorial Museum. The goal will be to tell our peoples' compelling story with force and clarity.

While there should always be room for other national museums in our nation's capital devoted to all manner of art, cultural and scientific accomplishments, this Museum, covering accurately and adequately each group's story in the context of every group's story should help stem the trend of groups having their own individual, specific museums such as the National Museum of the American Indian, the National Museum of the African American History and Culture, and the National Museum of the American Latino. All of their stories should be told, but the list is nearly infinite while the space, money and political will is not. In telling everyone's story, the National Museum of the American People would recognize the important differences that set us apart while celebrating the common purpose that has brought us together—E Pluribus Unum.

I encourage my colleagues to support this measure.

PERSONAL EXPLANATION

**HON. CONNIE MACK**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. MACK. Mr. Speaker, on Wednesday, July 6, 2011, I was unavoidably delayed and unable to vote on rollcall Nos. 495 through 501. Had I been present, I would have voted "no" on No. 495, "yes" on No. 496, "no" on No. 497, "no" on No. 498, "no" on No. 499, "yes" on No. 500, and "yes" on No. 501.

PERSONAL EXPLANATION

**HON. MARY BONO MACK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mrs. BONO MACK. Mr. Speaker, on July 6, 2011, for rollcall Nos. 495 to 501, I was unavoidably absent and unable to vote due to travel delays. Had I been present, I would have voted, "no" on 495, "aye" on 496, "no" on 497, "no" on 498, "no" on 499, "aye" on 500, and "aye" on 501.

HONORING THE LIFE OF MR. TIMOTHY WARREN

**HON. STEVE COHEN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Mr. COHEN. Mr. Speaker, I rise today to honor the life of Memphis Police Officer Timothy Warren, a courageous and deeply generous man who bettered the Memphis community through his service as a police officer and through his charitable work for the homeless. Lamentably, on Sunday, July 3, Officer Warren laid down his life while responding to a rogue gunman in a Memphis hotel.

Public safety is an inherent power of government and every day across our nation police officers put their lives on the line to protect our citizens. Officer Warren, like his fellow Memphis police officers, responded when the need arose, without hesitation and with great courage. His actions on July 3rd may very well have saved the lives of others.

Born in 1971, Officer Warren grew up in Cleveland, Mississippi and received a bachelor's degree from Delta State University, where he also earned a spot on the Mississippi All State Football Team. Despite his successes during college, he briefly ended up homeless and was forced to sleep in abandoned houses in the dead of winter. The empathy Officer Warren developed for the homeless community would last a lifetime.

After moving to Memphis, Officer Warren served as a Deputy Jailer for the Shelby County Sheriffs office from 2000 until joining the Memphis Police Department in 2003. He served as a Patrolman in the South Main district, choosing to work a night shift in order to see his 8-year-old son, James, off to school in the mornings and to watch his 4-year-old daughter, Jewel, during the day.

Officer Warren and his wife, Betsy Gray, were active in the community helping to feed the homeless. While on patrol, Officer Warren would pass out bottles of cold water to the homeless sweltering in the heat and humidity of Memphis. While off duty with his family, they would take their grill to Overton Park to feed the homeless. At one point, Officer Warren considered leaving law enforcement to start a church. However his good friend and ordained minister, Jeff Gray, remembers him saying "Well, police work is all I know. I enjoy it. It also gives me the chance to minister to people because I'm right there."

Officer Timothy Warren was a man of exceptional courage with a big heart. His was a life too short, but today I honor him as a public servant and a hero. The city of Memphis is better because of his calling to serve and protect and because of his love for Memphis and its citizens. Officer Warren is survived by his wife Betsy, two children, James and Jewel, his father Jimmy Warren and his Sister Dondi Warren.

INTRODUCTION OF A RESOLUTION RECOGNIZING NATIONAL DANCE DAY ON SATURDAY, JULY 30, 2011

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Ms. NORTON. Mr. Speaker, today I introduce a resolution designating the last Saturday in July as National Dance Day to combat obesity and overweight through dance of all kinds. This year, each community throughout the country is encouraged to celebrate National Dance Day on Saturday, July 30. In the nation's capital, National Dance Day will be celebrated at the Sylvan Theatre on the National Mall.

Our country has a notorious adult and child overweight and obesity epidemic. According to the Centers for Disease Control and Preven-

tion, childhood obesity in the United States has more than tripled in the past 30 years. In the United States, almost one-third of children and teenagers ages 2 to 19 and 68 percent of adults ages 20 and older are obese or overweight. We can promote physical activity among children and adults while having fun dancing, an exercise that most enjoy.

On the National Mall, "So You Think You Can Dance" producer and celebrity judge Nigel Lythgoe, the Dizzy Feet Foundation, and the Larry King Cardiac Foundation will host a variety of dance groups that will perform the dances that keep them fit. A Flash Mob will also have everybody dancing for fun and physical fitness on July 30.

I urge my colleagues to cosponsor the resolution and to encourage dancing for physical exercise on National Dance Day and throughout the year.

A TRIBUTE IN HONOR OF THE LIFE OF RALPH CALCATERRA

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 7, 2011

Ms. ESHOO. Mr. Speaker, on June 18, 2011, surrounded by his family, my friend Ralph Calcaterra of Atherton, California, passed away. He leaves his wife Ferne, two children, Melissa Freeman and Richard Calcaterra, and three grandchildren.

For almost forty years, my family was blessed with the friendship of Ralph Calcaterra.

He made us laugh across the decades and generations.

He rode his bike to our house on Saturdays for almost twenty years—smiling and calling out, "anybody home?" and "what's going on?"

We learned more about Iron Mountain, Michigan, and Las Vegas, than anybody else in Atherton.

We saw how much a man can love his wife, his children, and his grandchildren.

We learned the latest prices of real estate in Atherton—including who had bought what, and at what price.

Most of all, we saw close up and personal, what loyal friendship was. Ralph embodied it.

Today, heaven is a better place. Saints and sinners alike are laughing and learning as we did because Ralph is there.

Thank you Ralph, for being our loving, smiling and loyal friend.

You enriched our lives just by being wonderful you, and we are already missing you.

Happy bike riding across heaven, and know we will love you across eternity.

Mr. Speaker, I ask the entire House of Representatives to join me in offering our condolences to the family of Ralph Calcaterra, a proud citizen and a true patriot of our country.

## PERSONAL EXPLANATION

**HON. MIKE McINTYRE**OF NORTH CAROLINA  
IN THE HOUSE OF REPRESENTATIVES*Thursday, July 7, 2011*

Mr. McINTYRE. Mr. Speaker, during rollcall vote No. 495 on July 6, 2011, I was unavoidably detained. Had I been present, I would have voted "no."

## THE AVIATION HALL OF FAME

**HON. MICHAEL R. TURNER**OF OHIO  
IN THE HOUSE OF REPRESENTATIVES*Thursday, July 7, 2011*

Mr. TURNER. Mr. Speaker, the Aviation Hall of Fame was established in Dayton, Ohio, on October 5, 1961, with five Daytonians as its founding fathers.

The founders of the Hall of Fame were tasked with preserving the history of aviation heroes, fostering a better appreciation of the origins and growth of aviation and cataloging the role aviation has played in changing the economic, social and scientific trajectory of our nation.

Through the tireless efforts of its founders in establishing the Hall of Fame, aviation pioneers and achievers have been suitably honored for the last half-century.

Located within the NMUSAF with over 200 inductees, the Hall will induct 4 new honorees this month.

From pioneers Wilbur and Orville Wright of Ohio, to astronauts, such as Neil Armstrong, pilots, such as Charles Lindbergh and Amelia Earhart, inventors, such as Alexander Graham Bell, and entrepreneurs, such as William Boeing, among countless others whose contributions to aviation have made the U.S. aerospace industry the most advanced in the world.

Since 1981 the Hall of Fame has annually bestowed its prestigious "Spirit of Flight" Award upon a group or organization in recognition of its achievement in advancing aviation. The 2011 Milton Caniff "Spirit of Flight" Award recipient will be the U.S. Navy Blue Angels Flight Demonstration Team, in recognition of the group's 65-year history of serving as positive role models and goodwill ambassadors for the U.S. Navy and Marine Corps. More than 460 million fans have witnessed the teams' spectacularly choreographed aerial performances since the group was formed in 1946.

The Hall of Fame Learning Center exhibit hall features interactive exhibits and displays serving nearly one million learners of all ages a year. Visitors can experience landing an aircraft on a Navy carrier, controlling the movement of a helicopter, docking in space with the Hubble Space Telescope, and taking the controls of an historic aircraft on one of four flight simulators.

On behalf of all the Americans who have been inspired by the history of flight and the accomplishments of our aviation pioneers, I congratulate the Aviation Hall of Fame, its board of trustees, and dedicated staff on their many accomplishments.

This month marks the Hall of Fame's fiftieth enshrinement ceremony, celebrating an historic milestone in the integral role it has served in honoring pioneers of aviation.

I join Ohioans and fans of aviation everywhere to recognize those founders and the National Aviation Hall of Fame: James W. Jacobs, Gregory C. Karas, John A. Lombard, Larry E. O'Neil, and Gerald E. Weller.

Their vision, leadership, and dedication have helped to preserve the rich history of aviation for all Americans over the past fifty years.

## PERSONAL EXPLANATION

**HON. STEVE KING**OF IOWA  
IN THE HOUSE OF REPRESENTATIVES*Thursday, July 7, 2011*

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 25, I was delayed in leaving the Medal of Honor Recognition Ceremony for Staff Sergeant Salvatore Guinta and was unable to reach the floor to cast my vote before the vote was closed.

Had I been present, I would have voted, "yes".

## HONORING THEOLA MARIE STARKS

**HON. RAÚL M. GRIJALVA**OF ARIZONA  
IN THE HOUSE OF REPRESENTATIVES*Thursday, July 7, 2011*

Mr. GRIJALVA. Mr. Speaker, Theola Marie Starks was born on June 2nd, 1928 in Grant, Oklahoma, the fourth of ten children of Reverend John B. and Marie C. Dawson. She and her husband, Burnes O. (Chief) Starks, Sr., moved to Phoenix in 1949 and started a family with the first of their ten children, Burnes O. (Burney) Starks, Jr. Mr. Starks was a chemist and soil tester for Arizona Testing Laboratories, and both Mr. and Mrs. Starks supplemented their income by picking cotton across the state.

The family moved to Tucson in 1966 and continued to raise their ten children on the south side of town in the Western Hills and Las Vistas neighborhoods. Mrs. Starks was very involved in community service, working as a teacher's aide and volunteering at a number of schools including Utterback, Cavett and Townsend. She always made friends easily and turned them into family. She believed in the Village raising children—she felt strongly that "your kids are mine and mine are yours."

Mrs. Starks also frequently volunteered with respected neighborhood matriarch Mrs. Tommie Thomas. Even though she only had a tenth grade education, she made sure her children understood the value and importance of education, integrity and hard work. All ten children—Burnes O., Gary E., Daryl D., Terry L., Charles G., Donna R., Harry J., Jacqueline B., Larry D., and Timothy B.—finished high school and entered college. Seven of the ten children earned college degrees.

Dr. Kevin Leman, noted psychologist and birth order doctor, has often commented on

this woman and the remarkable way she raised ten children. Beyond her immediate family, nearly 100 children knew her as "mom" or "grandma."

Theola Starks' life was defined by miracles, as those who know her can testify, but the greatest miracle was her—the ability to smile, touch, befriend, forgive, mother and love anyone who came into her life. She was the ultimate prayer warrior. Today, we mark her passing and commend her as a role model and a wonderful person.

## IN SUPPORT OF HOLDING THE 2016 DEMOCRATIC CONVENTION IN NORTHERN NEW JERSEY

**HON. STEVEN R. ROTHMAN**OF NEW JERSEY  
IN THE HOUSE OF REPRESENTATIVES*Thursday, July 7, 2011*

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to propose that the 2016 Democratic Convention be held in Northern New Jersey. With easy access to a wide variety of transportation options, many local tourist attractions, and a proven record of successfully hosting large-scale events, Northern New Jersey is an ideal location and I urge my Democratic colleagues to join me in support of our bid to host the 2016 Convention.

Northern New Jersey has everything that a large-scale, high-profile event requires in order to go off without a hitch. Multiple airports provide access for visitors arriving from all across the country, while those traveling along the Eastern Seaboard have the option of taking Amtrak or one of several bus lines—all of which are particularly convenient to visitors from Washington, DC. Whether hosted in my district at the New Meadowlands Stadium in East Rutherford, at the Prudential Center in Newark, or both: our convention facilities are brand new, state-of-the-art, and well-equipped to host large events. Northern New Jersey boasts many hotels and tourist attractions for visitors, as well as proximity to other exciting locations; convention-goers would be just across the river from New York City and just up the Jersey shore from Atlantic City. Even as our national economy struggles to bounce back, tourism in Northern New Jersey has continued to flourish over the past few years, due in no small part to the infrastructure and facilities that our region has to offer visitors from across the Nation.

Most recently, the city of Newark hosted the 2011 NCAA East Regional Championship at the Prudential Center. Visitors, players, and league administrators alike were impressed and pleased with their newly chosen host city, with top NCAA officials noting that they are definitely on board with a future hosting bid. Looking toward the future, Super Bowl XLVII will be held at the New Meadowlands Stadium in 2014, and over 100,000 visitors from across the country are expected to travel to Northern New Jersey for this historic game. Both of these important events of national importance were brought to Northern New Jersey because of everything we have to offer, and I am confident that delegates and Convention participants alike would be pleased with the choice

to hold our party's most important meeting here as well. A highly diverse region, Northern New Jersey is emblematic of the many cultures, ideas, and priorities that make up our great Nation, and I believe this is a fitting backdrop for the selection of our party's nominee for the 2016 Presidential race.

Mr. Speaker, today I ask my colleagues to consider Northern New Jersey as the site for the 2016 Democratic Convention. I know that we would host a memorable and well-executed Convention and I urge the Democratic Party to explore this option for 2016.

INTRODUCTION ON RESOLUTION  
TO GRANT THE CONGRESSIONAL  
GOLD MEDAL TO THE  
MONTFORD POINT MARINES

**HON. CORRINE BROWN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Ms. BROWN of Florida. Mr. Speaker, I am pleased to join with many of my colleagues to introduce a resolution to grant the Montford Point Marines a Congressional Gold Medal, the highest civilian honor that can be bestowed for an outstanding deed or act of service to the security, prosperity, and national interest of the United States.

On June 25, 1941, President Franklin D. Roosevelt issued Executive Order No. 8802 establishing the Fair Employment Practices Commission and opening the doors for the very first African Americans to enlist in the United States Marine Corps.

These African Americans, from all states, were not sent to the traditional boot camps of Parris Island, South Carolina, and San Diego, California. Instead, African American Marines were segregated—experiencing basic training at Camp Montford Point near the New River in Jacksonville, North Carolina. Approximately 20,000 African American Marines received basic training at Montford Point between 1942 and 1949.

On August 26, 1942, Howard P. Perry of Charlotte, North Carolina, was the first Black private to set foot on Montford Point.

During April 1943 the first African American Marine Drill Instructors took over as the senior Drill Instructors of the eight platoons then in training; the 16th Platoon (Edgar R. Huff), 17th (Thomas Brokaw), 18th (Charles E. Allen), 19th (Gilbert H. Johnson), 20th (Arnold R. Bostic), 21st (Mortimer A. Cox), 22nd (Edgar R. Davis, Jr.), and 23rd (George A. Jackson).

The initial intent was to discharge these African American Marines after the War, returning them to civilian life. Attitudes changed as the war progressed. Once given the chance to prove themselves, it became impossible to deny the fact that African American Marines were just as capable as all other Marines regardless of race, color, creed or National origin.

Black Marines of the 8th Ammunition Company and the 36th Depot Company landed on the island of Iwo Jima on D-day, February 19, 1945. The largest number of Black Marines to serve in combat during World War II took part in the seizure of Okinawa in the Ryuku Islands

with some 2,000 Black Marines seeing action during the campaign. Overall 19,168 Blacks served in the Marine Corps in World War II.

On November 10, 1945, Frederick C. Branch was the first African American Marine to be commissioned as a second lieutenant, at the Marine Corps Base in Quantico, Virginia.

In July of 1948 President Harry S. Truman issued Executive Order 9981 ending segregation in the military. In September of 1949, Montford Marine Camp was deactivated—ending seven years of segregation.

I am honored to offer this resolution to recognize their service and sacrifice and acknowledge today's United States Marine Corps as an excellent opportunity for advancement of persons of all races due to the service and example of the original Montford Point Marines.

SUPREME COURT RECUSAL PROCESSES  
IN NEED OF TRANSPARENCY  
AND ACCOUNTABILITY

**HON. LOUISE McINTOSH SLAUGHTER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Ms. SLAUGHTER. Mr. Speaker, I rise today to express my concern that justices of the Supreme Court are not required to explain their decisions to recuse—or not recuse themselves in a particular case before the Court, and that those decisions are final and unreviewable. Recusal decisions, left to each individual justice to make on his or her own and with no opportunity for review, require that each justice be a judge in their own case.

Questions of impartiality erode the integrity of the Court and threaten to undermine public trust in our judicial system. The recusal process for Supreme Court justices must be reformed to provide an open and reviewable process.

A SUPREME COURT JUSTICE'S RECUSAL DECISIONS  
SHOULD BE TRANSPARENT AND REVIEWABLE

(By the Alliance for Justice)

The recusal process for Supreme Court justices needs transparency and accountability. Although there is a statute governing recusal—28 U.S.C. §455—that applies to Supreme Court justices, the statute does not require individual justices to explain their recusal decisions, and those decisions are final and unreviewable. This system violates the basic maxim that no one should be a judge in his own case. It also ignores the fact that the standard to be applied in recusal cases is the appearance of bias, which by necessity depends on the views of others, and not the justice's own views of his or her impartiality. Exacerbating this lack of accountability is a lack of transparency, as justices are not required to issue a written opinion explaining a recusal decision.

That's why over 100 law professors recently sent a letter calling on Congress to hold hearings and implement legislation to increase the transparency and accountability of recusal decisions.

A recent Supreme Court case, *Caperton v. A.T. Massey Coal, Inc.*, provides an object lesson in the hazards of a self-policing judiciary, in which individual judges determine whether or not their impartiality can reasonably be questioned. In *Caperton*, West

Virginia Justice Brent D. Benjamin received substantial campaign contributions made directly or indirectly from the president of a company with an outstanding \$50 million judgment against it on appeal before the judge. Justice Benjamin denied three motions to recuse himself, and then voted in the 3-2 majority to reverse the judgment against the company. A public opinion poll indicated that 67% of West Virginians doubted Justice Benjamin would be fair and impartial.

The Supreme Court reversed Justice Benjamin's decisions not to recuse himself on the basis that the risk of actual bias was so high that it violated petitioners' constitutional due process rights. It did not matter what Justice Benjamin thought of his own potential for bias, the key was whether the appearance of impartiality was compromised, the Court held. The Court emphasized the need for an objective test to evaluate whether an interest rises to such a degree that the average judge might become biased, rather than relying on a judge's self-evaluation of actual bias. "The difficulties of inquiring into actual bias and the fact that the inquiry is often a private one, simply underscore the need for objective rules," the Court added. The Court held that the need for an independent inquiry is particularly important "where, as here, there is no procedure for judicial factfinding and the sole trier of fact is the one accused of bias."

The opacity and lack of accountability of the recusal process erodes public confidence in the integrity of the Court and the sense that justice is being administered fairly. For example:

In 2003, a prominent legal ethicist argued that Justice Breyer should have recused from *Pharmaceutical Research and Manufacturers of America v. Walsh*, in which an association of drug manufacturers, including three in which Justice Breyer held stock, brought suit challenging the constitutionality of state regulations aimed at keeping drug costs down for consumers. Justice Breyer chose not to recuse himself, despite his potential financial conflict of interest.

In 2004, just weeks after the Supreme Court granted certiorari in a public records case brought by the Sierra Club against then-Vice President Dick Cheney, Justice Scalia went duck hunting with Cheney and accepted a free ride on the Vice President's plane. Despite widespread public criticism questioning his appearance of bias in the case, Justice Scalia refused to recuse himself. In a memorandum opinion denying the Sierra Club's motion to recuse, Justice Scalia wrote that he "would have been pleased to demonstrate [his] integrity" by disqualifying himself from the case, but nonetheless decided there was no basis for recusal. He then cast his vote in support of Vice President Cheney's position.

This year, the advocacy organization Common Cause filed a petition with the Department of Justice, requesting that it file a Rule 60(b) motion seeking the invalidation of last year's *Citizens United v. FEC* ruling on the basis that Justices Scalia and Thomas should have recused themselves. The petition alleged the impartiality of both justices could reasonably be questioned under 18 U.S.C. §455(a) due to their alleged attendance at a closed-door retreat hosted by Koch Industries, a politically active corporation that supported and has benefited from *Citizens United's* dismantling of campaign finance laws. Common Cause also alleges that Justice Thomas had an obligation to recuse himself under 18 U.S.C. §455(b), due to a financial conflict of interest created by his



wife's employment at a conservative political organization that stood to benefit from unrestricted corporate donations made possible by Citizens United.

Also this year, Representative Anthony Weiner (D-NY) and 73 other members of the House of Representatives have asked Justice Thomas to recuse himself from any upcoming review of the Affordable Care Act due to his wife's ties to organizations lobbying to repeal the Act. Rep. Weiner asserts that IRS records show that between 2003 and 2007, Virginia ("Ginni") Thomas was paid \$686,589 by the conservative Heritage Foundation, which at the time opposed health care reform. He adds that in 2009, Ms. Thomas became the CEO of a nonprofit, Liberty Central, which also opposed health care reform, and that earlier this year, Ms. Thomas announced that she had formed a lobbying firm, "Liberty Consulting," to advance various Tea Party legislative initiatives, including the repeal or nullification of the Affordable Care Act. Rep. Weiner alleges that these connections give rise to an appearance of partiality, and a potential financial conflict of interest that require Justice Thomas to recuse himself, if the Affordable Care Act reaches the Court. While a judge's spouse is not prohibited from engaging in political activities, Judicial Conference Advisory Opinions interpreting the Code of Conduct make clear that a spouse's political activities may increase the likelihood that a judge must recuse from a particular case.

These examples highlight the need for transparency and review of recusal issues that arise for Supreme Court justices. The impartiality of specific justices, and thereby the integrity of the Court, has come under question because the recusal statute fails to provide an open and reviewable process. This needs to change, either through Congressional legislation, or by the Court itself adopting new recusal policies.

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OUR UNCONSCIONABLE NATIONAL  
DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is \$14,343,021,848,987.23.

On January 6th, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$3,704,596,102,693.43 since then.

This debt and its interest payments we are passing to our children and all future Americans.

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ST. PETERSBURG, FLORIDA LETTER CARRIERS LEAD NATION IN COLLECTION OF FOOD

**HON. C.W. BILL YOUNG**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. YOUNG of Florida. Mr. Speaker, for the third time in five years, the men and women of the National Association of Letter Carriers Branch 1477 of St. Petersburg, Florida, led the Nation in food collection as part of the national "Stamp Out Hunger" food drive.

Their chapter alone collected an astounding 1,770,814 pounds of food that has been distributed to Pinellas County food banks, pantries and shelters, many of which are affiliated with Feeding America. St. Petersburg Branch 1477, combined with another local branch, Tampa 599, collected 3,500,196 pounds, more food than in any other geographic area in the Nation. In fact, these two chapters accounted for two of the top five branch totals nationally.

Having spent time with many members of Branch 1477, I know of the great pride they have in serving our community. They acknowledge that the "Stamp Out Hunger" food drive is an outstanding partnership between the National Association of Letter Carriers, the United States Postal Services, the American Postal Workers Union, the National Rural Letter Carrier's Association, Campbell's Soup Company, United Way Worldwide, AFL-CIO, and local businesses including Uncle Bob's Self Storage and Valpak, a major sponsor in my area. Most importantly though, the level of success of this annual drive is due to the compassion and support of the residents of our local communities who place bag after bag of food out at their mail box on this one day of the year to lend a helping hand to their neighbors in need.

Mr. Speaker, please join me in thanking the National Association of Letter Carriers for tak-

ing the initiative to sponsor the "Stamp Out Hunger" program for these past 19 years and in congratulating the letter carriers of Branch 1477 who serve from Dunedin through Largo, Pinellas Park, St. Petersburg and south to Punta Gorda, Florida, for once again topping the Nation in the collection of food. This program is in the finest American tradition of neighbor helping neighbor.

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HONORING LOUIS AND SUSANNA HAGER AS CO-CHAIRS OF THE OTSEGO COUNTY CONSERVATION ASSOCIATION

**HON. RICHARD L. HANNA**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 7, 2011*

Mr. HANNA. Mr. Speaker, I proudly pause to recognize Louis and Susanna Busch Hager, co-chairs of the Otsego County Conservation Association, serving as long-time stewards of Otsego Lake. The Hagers are dedicated to the preservation of our most precious natural resources, particularly Otsego Lake in Coopers-town, New York.

Mr. and Mrs. Hager have played a vital role in supporting community education regarding the challenging present issues surrounding development and maintenance of healthy lakes. They have also generously supported numerous environmental campaigns and programs, most notably the Otsego Lake Challenge Campaign.

It is with great honor that I rise today to commend the Hagers for their tremendously positive impact on our community and its future. They are being honored tonight for working tirelessly and devoting countless volunteer hours to the Otsego County Conservation Association and other community organizations. Through their significant philanthropic contributions, future generations can have hope for a clean and healthy living environment.

Mr. Speaker, I proudly ask you to join me in commending Louis and Susanna Busch Hager for their invaluable contribution to this community, our environment and our future. The positive results of their contribution will be noted for generations to come.

## HOUSE OF REPRESENTATIVES—Friday, July 8, 2011

The House met at 9 a.m. and was called to order by the Speaker.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

As the Members of this people's House deliberate these days, give them the wisdom and magnanimity to lay aside what might divide us as a people to forge a secure future for our country.

We pray for all people who have special needs. May Your presence be known to those who are sick, that they might feel the power of Your healing spirit. Be with those who suffer persecution in so many places of our world, and bless our troops who are engaged in the easing of those sufferings. Give to all who are afraid or anxious or whose minds are clouded by uncertain futures the peace and confidence that come from trust in Your goodness and mercy.

We thank You again for the tremendous opportunity You have given the Members of this House to serve their fellow citizens. Inspire them to be their best selves and may they be, in turn, an inspiration to the Nation and to the world.

May all that is done here this day be for Your greater honor and glory. Amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Louisiana (Mr. FLEMING) come forward and lead the House in the Pledge of Allegiance.

Mr. FLEMING led the Pledge of Allegiance as follows:

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

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side.

### FAMILIES NEED JOBS

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

Mr. WILSON of South Carolina. Mr. Speaker, this morning's announcement of the unemployment rate proves again the President's economic policies are failing American families.

The unemployment rate has increased to a tragic 9.2 percent. The out-of-control borrowing and spending in Washington continues to kill small business job creation.

It has been 1 year since the President declared an end to the recession and the beginning of the summer of recovery. The only way to describe the country's job numbers during that time is a failure of leadership. Private employment is now 1.8 million below the level from when the wasteful stimulus passed.

Where are the jobs, Mr. President?

This administration's policies are crippling our economy and killing job creation. The President's reelection campaign says the unemployment rate does not matter, but American families know better.

The House Republicans' "Cut and Grow" plan is very simple: First cut spending, then the economy will grow. This is a practical solution to get Americans back to work.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

### WAR AND WAR POWERS

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

Mr. KUCINICH. Congress is awakening to its constitutional obligations on matters of war and peace. In the past 2 months, we have sparked a great debate on war and on war powers, the implications of which will continue to be felt in this Nation and around the world.

Soon, the war in Libya and the ongoing wars in Afghanistan and Iraq will go beyond foreign policy issues. They will become domestic issues, financial security issues. As we continue to wage these wars, more and more Americans will become aware that this administration has decided that bombing bridges in other countries is more important than building bridges in America with our present and new foreign adventures.

America, under this administration, chooses war, not jobs and wealth build-

ing here in America; bombs, not books; financial instability, not Social Security; austerity, not prosperity.

This isn't about partisan politics. This is about an administration that is demonstrating more of an interest in nation building abroad than a rebuilding of America here at home.

It has time to change, but will it?

### THE FOX GUARDING THE OBAMACARE HENHOUSE?

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

Mr. FLEMING. Mr. Speaker, Americans deserve to know the truth when it comes to Supreme Court Justice Elena Kagan's involvement in crafting a defense of ObamaCare during her tenure as Solicitor General for President Obama. This is why I, along with 48 of my House colleagues, am calling for an investigation into the extent of Justice Kagan's involvement in defending ObamaCare and if it warrants her recusal from any and all ObamaCare cases that may come before the High Court.

It is imperative for Americans to have confidence in the impartiality of the Supreme Court. Americans have a legitimate right to know the truth about Elena Kagan's involvement in ObamaCare.

How can any reasonable person believe that she can be impartial when a case involving ObamaCare comes before the High Court? Furthermore, the U.S. Code, section 455, title 28, says she must recuse herself.

### CONTINUING BUDGET IMPASSE IN MINNESOTA

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

Mr. WALZ of Minnesota. Mr. Speaker, I rise today to express the frustration that I feel at the continuing budget impasse in Minnesota. Minnesota faces the biggest budget deficit in its history, and with it comes a responsibility to govern and a cautionary tale for this body.

A government shutdown at any level is not only detrimental to the economy and to the success of small businesses, but it's hazardous to the progress of our society as educational programs and nonprofit organizations are put at risk.

Like many of the citizens of southern Minnesota who have written me about

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

this shutdown, I share a concern for the families harmed by this shutdown, working parents who receive child care assistance, disabled Minnesotans who rely on State services for their better quality of life, roads remaining unrepaired and simple things like campgrounds being closed where families can't spend time together.

A gentleman approached me in Stewartville at a Fourth of July parade. He asked me if I was working this week. I said yes, I was. And he said he wasn't, but he sure wished he was because he was force furloughed.

When it comes to divided government, we all win when no one political party wins. In Minnesota, that means both the Governor and the legislature need to compromise. We need to put politics aside to put Minnesota first. The same applies to this body.

□ 0910

#### CREATING AN ENVIRONMENT FOR JOB CREATION

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

Mr. PAULSEN. Mr. Speaker, you can hardly turn on the television or the radio these days without hearing about our Nation's debt crisis. And the reason we find ourselves in this crisis is not because Washington taxes too little. Rather, it is because Washington spends too much. Raising taxes on America's job creators, as some here in Washington suggest, is not the answer. It won't open closed factories. It won't stimulate the economy. And it won't put our friends and neighbors back to work.

What we need, and what the American people are asking us to do, is to see that government lives within its means. Over the past few years, hard-working Americans across this country have tightened their belts and lived within their means and cut back on spending. And there's no reason that their government can't do the same thing. It's often been said that it's not in the Federal Government's nature to shrink. And I think here in Washington our colleagues should work to prove them wrong by ending wasteful Washington spending as a way to address our Nation's budget deficit.

#### REPUBLIC OF SOUTH SUDAN: WELCOMING A NEW NATION

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

Mr. CAPUANO. Mr. Speaker, I rise today to draw people's attention to one of the great, nice spots of what's happening in the world today. There aren't many. We're going to hear about every one of them this morning. But there's

at least one happening right now in Africa. Tomorrow we will welcome the newest nation to the community of nations, South Sudan. This is a country that most of us probably never heard of. I certainly didn't until a few years ago, and I heard about it because of some of the atrocities that are happening there.

South Sudan is a country that is born out of 20 years of internal civil war—20 years—not from outside forces like this country likes to do in Iraq and Afghanistan. They did it themselves on their own, and I just want to stand up here today and tell them congratulations, to welcome them into the community of nations, and to tell them that I, for one, and I believe this House, will stand with them as they struggle to make sure that their new democracy is successful.

They have a lot of threats on every border. They have a lot of internal issues. They are an incredibly poor country with a lot of challenges. But as the greatest democracy in the history of the world, we have an obligation to stand with them as they build their new democracy.

#### SOUTH SUDAN: PRAYERS FOR A NEW NATION

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

Mr. SMITH of New Jersey. Mr. Speaker, the people of South Sudan have endured two decades of wanton violence, rape, torture and hunger systematically imposed upon them by the Bashir dictatorship in Khartoum. More than 2 million people were killed, 4 million people displaced, and countless families decimated.

The Comprehensive Peace Agreement of 2005 ended the war and put South Sudan on the path to nationhood. Tomorrow, when the people of South Sudan emerge as the newest nation on Earth, tomorrow, when that dream is realized, Americans will join the people of South Sudan in celebrating this extraordinary hope-filled event.

Yet recently at least 100,000 Sudanese have been displaced from the Abyei area, and tens of thousands of Southerners living in South Kordofan State have been recently forced from their homes, some of them murdered. So there are serious remaining challenges.

Nevertheless, we hope and we pray that the people of South Sudan will finally live in peace and enjoy respect for their basic human rights and freedom.

#### ISRAEL

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

Mr. POLIS. Mr. Speaker, I rise today to discuss H. Res. 268.

America has not had a more pro-Israel President than President Obama. The President has unwaveringly supported Israel's right to self-defense, fought to ensure Israel's military edge, protected her citizens with the Iron Dome anti-rocket system, and worked to prevent a nuclear-armed Iran. The President also understands, as we all do, that essential to Israel's security, America's security, and Palestinian security is a negotiated resolution to the Israeli-Palestinian conflict creating a lasting peace.

The President's call for a negotiated resolution to the Israeli-Palestinian conflict is a pro-Israel position that's absolutely essential to ensuring our ally's future as the democratic homeland of the Jewish people.

We should also take an opportunity to be honest about what the President did and didn't propose. The President did not say that Israel should be forced to return to her 1967 borders. The President did say that the borders of Israel and a Palestinian state should be based on the 1967 lines with mutually agreed swaps, a concept which has been considered a given in all the serious discussions of a two-state solution in the last decade.

While fostering divisions serves the political interests of some, it's not in the long-term interest of Israel, Palestine, or the United States.

#### TIME TO GET OUR FISCAL HOUSE IN ORDER

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

Mrs. MILLER of Michigan. Mr. Speaker, for the last 2½ years, President Obama and his allies in Congress here have been on a spending spree which has led to annual deficits of \$1.4 trillion and a national debt that now exceeds \$14 trillion.

The Republicans have drawn a line in the sand and said enough. We've changed the culture here in Washington from how much more are we going to spend to how much are we going to cut. We've passed a responsible budget which focuses on getting economic growth going and on new jobs, a budget that would put us on the path to prosperity and also to fiscal sanity. And today's anemic job report with unemployment rising again now to 9.2 percent shows that we have so much more to do. And the idea of job-killing tax increases is absolutely a nonstarter.

I'm proud that our Republican negotiators that have been in the negotiations with the President and the Democratic leadership are standing strong over increasing the debt limit with a strong focus on jobs. And I hope that

the President and the Democrats will finally join us in getting our fiscal house in order. And for the sake of the American people, Mr. Speaker, let's get the job done.

#### JUNE JOBS REPORT

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

Mr. ELLISON. Mr. Speaker, yes, the June jobs report is not encouraging: 18,000 jobs added. But I cannot ever forget that it was January 2009 when we lost 741,000 jobs, the last month of the Bush Presidency.

Under President Obama, we have added jobs, and, of course, we have not added enough; but they have been adding. But the American people should know that we need about 150,000 jobs a month in order to push the unemployment rate down. Because we added jobs but not enough, the unemployment rate has gone up.

But the most important thing for the American people to know is that the Republican promise to make jobs the first agenda during the election has not been fulfilled. They have yet to introduce or pass through this House one single jobs bill, not one. All they have done is cut jobs, mostly by going after public employees. And this is what the American people need to bear in mind as they think about who is on their side.

#### PROVIDING FOR CONSIDERATION OF H.R. 1309, FLOOD INSURANCE REFORM ACT OF 2011

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 340 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 340

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule.

SEC. 2. (a) It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. The com-

mittee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived.

(b) No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(c) Each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Financial Services or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 0920

The SPEAKER pro tempore (Mr. BASS of New Hampshire). The gentleman from Texas is recognized for 1 hour.

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

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. House Resolution 340 provides for a structured rule designated by the Rules Committee for consideration of H.R. 1309. This rule allows for 25 amendments submitted to the Rules Committee by Democrats and Republicans to be made in order.

I rise today in support of this rule, Mr. Speaker. This legislation was introduced by the chairwoman of the Subcommittee on Insurance, Housing and Community Opportunity, the gentlewoman from Illinois (Mrs. BIGGERT), and this bill has gone through regular order. There were hearings on this issue. H.R. 1309 was marked up in the Financial Services Committee and reported out by a unanimous vote of 54-0, and the chairman of the Rules Committee, the gentleman from California (Mr. DREIER), provided a structured amendment process with 25 additional amendments to be considered on the House floor.

Said another way, Mr. Speaker, the Rules Committee, under the leadership of DAVID DREIER, is willing to have in our upstairs committee room Members of Congress come and testify with the understanding that, in their confidence in the process of this House of Representatives, that they can bring forth their amendments, be heard by a Rules Committee that can equally give the Republican and Democrat sides the ideas that those Members wish to bring before this body, and that is what is happening with 25 amendments being made in order by the gentleman from California with the Rules Committee.

Today, I will discuss the background of the current National Flood Insurance Program or NFIP, and why a long-term reauthorization is important, what the underlying legislation does to the NFIP, and why reforms are necessary.

The NFIP was created in 1968 to address the Nation's flood exposure and the need to alleviate taxpayers' responsibility for flood losses paid out in the form of post-disaster relief following annual flooding that occurs across this country. In 1973, the Flood Disaster Protection Act established a mandatory flood insurance purchase requirement for structures located in identified special flood hazard areas. By 1984, Congress required lenders to purchase coverage on behalf of—and to bill premiums to—mortgagees who failed to purchase coverage on their own.

The 2005 hurricane season resulted in significant claims which the NFIP annual contributions could not cover, so the NFIP's borrowing authority, which was at \$1.5 billion a year, was increased three times from 2005, 2006 and 2007, allowing the NFIP to borrow up to \$20.8 billion. Currently, the NFIP owes the national Treasury \$17.75 billion. A recent Insurance Journal article from

March 8, 2011, discusses this plan and it stated: “The proposal does attempt to put the program on sounder financial footing by insisting that current subsidized prices to most policies be raised so they eventually cover the actual cost of risk determined by the actuaries.” The underlying bill allows for greater accountability so taxpayers, meaning the Federal Government, actually incur less risk than in the current NFIP. Limiting the exposures for the taxpayer is one piece of what this bill does.

The legislation we are discussing today reauthorizes the NFIP for 5 years through September 30, 2016. The current program is scheduled to expire on September 30 of this year. The last time Congress passed a long-term flood insurance program was in 2004. Since its expiration in 2008, the NFIP has been extended 11 times and lapsed three times during that period. These short-term extensions and lapses create needless uncertainty in the marketplace in an already struggling residential and commercial real estate market all across the United States. Charles Symington with the Independent Insurance Agents and Brokers of America was quoted in a recent industry Insurance Journal stating: “The 5-year extension of NFIP after several years of short-term lapses and last minute renewals is critical because it gives the marketplace certainty.”

Mr. Speaker, I believe Charles is correct. The Congress of the United States must do its job by looking at those programs, looking at their need to make sure that they work properly and to make sure that the exposure to the taxpayer is not overextended. Charles Symington has this correct.

In addition to providing a much needed long-term authorization, this bill amends the NFIP to ensure the immediate and near-term fiscal and administrative health of the program. The bill also ensures the NFIP's continued viability by encouraging broader participation in this program, increasing financial accountability, eliminating unnecessary rate subsidies, and updating the program to the needs that currently face this great Nation.

Since 2006, the NFIP has been cited by the Government Accountability Office, GAO, as a high-risk government program. This means that embedded within this program, it is not being run to the best benefit of not just its mission statement, but also the best interest of the taxpayer. The GAO has found that the NFIP does not charge sufficiently high rates to cover its claims obligations and projected future losses, resulting in significant Federal expenditures and potentially large future liabilities on top of the \$17.75 billion that the program is already in debt.

To protect the American taxpayers from future risk of a Federal program already in debt, the NFIP must be re-

formed. That's why we are here today. The underlying bill provides for some of the necessary reforms, and certainly we don't have to debate this, but with a \$14 trillion deficit and out-of-control wasteful Washington government spending, Congress must provide the necessary oversight and accountability to ensure less taxpayer risk. I encourage my colleagues to vote “yes” on this rule.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Texas for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, this is one of those rare occasions when the gentleman from Texas and I actually agree on something. I think the underlying bill is a good bill, and I look forward to supporting it. While this rule is not an open rule, and I don't think that we have had an open rule on an authorizing bill since this Congress began, but the gentleman is such a good guy that I'm not going to make a big deal of that. Twenty-five of the 30 amendments that were offered were made in order, so I think we will have a good debate.

The rule before us today provides for the reauthorization of the National Flood Insurance Program, NFIP, through September 30, 2016. This program was established in 1968 in response to increasing Federal Government spending for disaster relief. The NFIP was intended to alleviate some of the public's financial burden because the government covered losses generated by the floods in the form of disaster relief payments.

With the increase of severe weather in the past few years, the need to reauthorize this program before it expires on September 30 is great. The National Flood Insurance Program, housed within the Federal Emergency Management Agency, has become financially strained following severe hurricanes—including Katrina in 2005, which significantly increased insurance claims.

In addition to extending this bill for an additional 5 years, this bill also includes a 3-year delay of the mandatory flood insurance purchase requirement as a result of the new, updated flood maps. This will allow our constituents to be notified if their home is now at risk of flooding and purchase insurance accordingly, by requiring annual notifications to homeowners living in flood zones about the flood risk in their community, the geographical boundaries of the flood zone, the requirement to purchase flood insurance, and a general estimate of what similar homeowners in similar communities typically pay for flood insurance.

□ 0930

This bill also provides optional coverage for additional living expenses in-

curred by homeowners when losses from a flood make their homes unfit to live in. For businesses and commercial properties or multifamily properties, this bill provides optional coverage for losses resulting from any partial or total interruption of the insureds' businesses caused by flood.

Mr. Speaker, we saw massive devastation to the southeastern part of our country in 2005, but we also saw the resiliency of the American people. It's no easy task to rebuild your entire life from the ground up. In recognizing the economic reality that having flood coverage could keep families from financial ruin but at the same time add additional and substantial costs to family budgets, this bill allows families to pay flood insurance premiums in installments.

This bill will also help our local communities prepare for the worst by authorizing the use of Community Development Block Grant funds for communities to reach out to homeowners about flood insurance rates, mapping and inclusion in flood zones, and by authorizing localities to use Community Development Block Grant funds to supplement existing State or local funding for building code enforcement. The National Flood Insurance Reform Act gives communities the tools they need to prepare, protect and to rebuild.

Mr. Speaker, I am pleased that the Rules Committee made in order my amendment to H.R. 1309. I would like to thank the committee for working with me to make this important amendment in order. My amendment is simple. If FEMA makes a mistake in designing a flood map, communities can be reimbursed for the costs of mounting a successful challenge.

Currently, communities that dispute FEMA's flood elevations can hire a private engineering firm to get a “second opinion” flood map. While this may sound like an attractive option, it puts a lot of small communities in very difficult financial positions. Hiring a private engineering firm is expensive and cost prohibitive for many small communities. On the one hand, if the community decides that it's too expensive to get a second opinion, homeowners are forced to pay higher or, in some cases, needless flood insurance premiums. On the other hand, if the community does mount a successful challenge to the original FEMA map, homeowners are spared from having to pay the higher flood insurance premiums, but the town still must pay the costs associated with obtaining that second map.

Now, I've heard of many small communities that are forced into this tough situation, including the town of Holliston, Massachusetts, which is in my district. There is substantial evidence to support the argument that the FEMA map is incorrect, but town officials are struggling to find a way to

pay the \$30,000 it would cost to conduct a second engineering study.

I feel for these town officials. They want to do the right thing and help their residents, but these small towns are already cash-strapped and are cutting funding left and right for essential services like schools and police and firefighters, not to mention infrastructure. There simply is no money for a legitimate but expensive second opinion map. If FEMA makes a mistake in mapping a flood area, then they should pay for it. So I encourage my colleagues to support my amendment.

Mr. Speaker, this bill is proof that Congress can work in a bipartisan way. Passed out of the House Committee on Financial Services 54-0, this bipartisan bill is timely with hurricane season just around the corner. It is also important to add that the Congressional Budget Office estimates that enacting H.R. 1309 will have no net impact on direct spending over the 2012-2016 or 2012-2021 periods.

I want to commend my colleague from Illinois (Mrs. BIGGERT) for her leadership on this and for working in a bipartisan way and producing what, I think, is a good bill. I look forward to working with her to make sure that this is passed.

With that, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I am pleased to have a very valuable part of our Republican team here today, a gentlewoman who has taken hundreds of meetings and who has led the way in what, I believe, is to better the circumstance with the National Flood Insurance Program. She is from the Financial Services Committee and is the chairwoman of the Subcommittee on Insurance, Housing and Community Opportunity.

I yield 5 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the rule for H.R. 1309, the Flood Insurance Reform Act of 2011.

I would like to thank Mr. SESSIONS for introducing and managing this rule. I would also like to thank Rules Committee Chairman DREIER and the leadership for scheduling floor time.

On May 13, the Financial Services Committee favorably reported, as has been said, the Flood Insurance Reform Act by a unanimous vote of 54-0. This bill is important and reflects the hard work and bipartisan support of the Financial Services Committee. It would reauthorize for 5 years the National Flood Insurance Program, the NFIP, and enact a series of reforms designed to improve NFIP's financial stability, reduce the burden on taxpayers, and explore ways to increase private market participation.

To improve NFIP's financial stability, the bill phases in actuarially

sound rates for policyholders. In doing so, it will help to shore up NFIP and allow it to pay down its \$17.75 billion debt to the taxpayer. It also increases the minimum deductibles for properties while at the same time giving homeowners more flexibility on how they can pay for their flood insurance. According to the CBO, the combined effect of these and other changes would be to bring in an additional \$4.2 billion of net income to the NFIP over the next 10 years.

Perhaps most importantly, H.R. 1309 eliminates a barrier to the development of a private flood insurance market and puts us on a path toward a long-term plan for flood insurance that eliminates taxpayer risk.

First, it requires lenders to accept non-NFIP-backed flood insurance coverage provided by a private entity if that coverage meets all the same requirements as NFIP-backed flood insurance.

Second, FEMA is required to solicit bids from the private sector and report to Congress on the cost to the private sector, not to the taxpayer, of bearing the risk of flood insurance.

Finally, the bill addresses many of the concerns that Members have raised with us about new maps, especially as they relate to dam and levee decertifications. This bill allows newly mapped communities facing higher rates to annually, and for up to 3 years, request that FEMA suspend the requirement to purchase flood insurance while they work to construct or fix their flood protection systems.

With the NFIP's authorization set to expire on September 30, it is critical that the House act to pass this bill as soon as possible. Doing so will give the House and Senate time to begin a dialogue and to shape a commonsense reform measure. In short, we fully intend to avoid a recurrence of what happened in the last Congress, which was when the program lapsed, causing turmoil in a recovering housing market, and was simply extended without reforms. Congress cannot continue to kick the can down the road.

With that, again, I thank Mr. SESSIONS and the members of the Rules Committee. I would also like to thank all of the Members from both sides of the aisle who helped to craft this bill. I thank my colleagues on the Financial Services Committee for their work on this bill, especially Ms. WATERS, Mrs. CAPITO, Mr. GARRETT, Mr. DOLD, and Mr. STIVERS, who are original cosponsors of this bipartisan bill.

I urge my colleagues to support the rule for H.R. 1309.

Mr. MCGOVERN. Mr. Speaker, I would like to yield 4 minutes to a great leader on this issue, the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I rise in support of H.R. 1309, the Flood Insurance Reform Act of 2011.

A full 5-year reauthorization of the program is critically important for our Nation. I want to thank and commend Chairwoman BIGGERT and Ranking Member WATERS for their leadership on this issue as ushering in a 5-year reauthorization will provide welcomed relief for those who live in our country's floodplains.

I thank Chairwoman BIGGERT for including language from my own H.R. 902, legislation that would modernize FEMA's flood zone designations. Specifically, it would update current law to take local, State and Federal funding into account when determining flood zone designations. H.R. 1309 would extend the National Flood Insurance Program, NFIP, for 5 years and allow property owners in participating communities to purchase protection against flooding.

As we have seen across our country this year and in recent years, the NFIP is critically important to so many Americans. When a flood disaster strikes, the homeowners who have flood insurance can at least see their way through the crisis. The NFIP offers the victims of floods the ability to make their lives whole again. Of course, the best insurance against a flood is a strong flood protection system.

□ 0940

In my hometown of Sacramento, California, residents have taxed themselves hundreds of millions of dollars to pay for stronger flood protection. On one project in the Natomas Basin alone, State and local governments will have spent more than \$300 million over the last 5 years on levee improvements. This has all been invested, I must point out, without acknowledgement by FEMA or funding from the Corps of Engineers. I am working tirelessly to change that and ensure that the Federal Government follows through with their commitment to this project.

There is no doubt that the Natomas Basin, like most of Sacramento, is at risk of flooding as it lays at the confluence of two great rivers. We know we must continue to build up our levees as well as carry flood insurance. Fortunately, the Sacramento region is working with the Army Corps of Engineers and the California Department of Water Resources to implement an aggressive levee improvement plan to achieve a 200-year level of flood protection.

While these efforts are ongoing, flood insurance has become mandatory for many homeowners, insurance that can cost more than \$1,350 annually. That is nearly four times the PRP rate. The increasing cost of flood insurance, which is on top of the annual flood protection assessments that my constituents are

already paying, compounds their financial burden. For these reasons, I believe that it is reasonable to phase in higher rates over a 5-year period.

I have an amendment that I will offer during debate on the underlying bill that will phase in the full cost of flood insurance policies in a more equitable way moving forward. I believe that this is a necessity that will assist homeowners in these trying economic times. I look forward to its being included in the overall reauthorization. This approach would encourage responsible homeowners across the country to continue paying into NFIP without adding risk to either the floodplain or the NFIP.

Again, I thank Chairwoman BIGGERT and Ranking Member WATERS for their leadership on this legislation.

Mr. SESSIONS. You know, Mr. Speaker, the beautiful part about the Republican Party is we have a whole bunch of Members who are just like the gentlewoman that I am going to extend time to in a minute who come to the table as friends of the taxpayer, who come and look at bills and reauthorizations of legislation from a perspective of what is the government's role, what should be the government's role, and how do we engage with the American people to keep these programs not only where they can sustain themselves, but also whether the taxpayer is well taken care of.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Shelby Township, Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentleman for yielding. I actually live in Harrison Township. I appreciate that, though.

I certainly rise to support this rule, Mr. Speaker, but I am strongly, strongly opposed to the underlying bill, the National Flood Insurance Program. And I would start with this basic premise: Why in the world is the Federal Government even involved in the flood insurance business? Is that our core purpose of being the Federal Government? It's ridiculous.

This program was started in 1968, and the government began writing policies in the early seventies. And no great surprise, the Federal Government is doing a lousy job of being in the insurance business. This program is currently over \$17 billion in debt, and now we need to raise the debt ceiling on this program to about \$25 billion. And recently, the FEMA administrator testified to Congress that the flood insurance program—no great surprise—is likely to stay in debt, massive debt forever. And it's easy to understand why—because this program is not actuarially sound and because the Federal Government can be treated, apparently, as a bottomless pit of money. So we don't need to base the premiums on any normal risk evaluation, which is a matrix that private sector insurance compa-

nies have to do. In fact, we actually encourage people to build in flood-prone areas that repeatedly flood.

And just consider this one statistic: Only 1 percent of the properties in this program are considered to be repetitive losses, 1 percent; yet that 1 percent accounts for 40 percent of the claims because they repeatedly flood and the Federal Government subsidizes them to reconstruct.

At a time of extreme financial distress for our Nation, the Federal Government is subsidizing flood insurance. Why? If it's so great, why don't we start a fire insurance program? How about a wildfire insurance program? How about an earthquake protection insurance program? The truth is, Mr. Speaker, if we have a natural disaster in our country, this Congress, Americans, will always stand up and help that part of the country, that area of the country that is suffering. We will always help our fellow Americans.

This program may have been well-intentioned at the beginning, but it has evolved into something that is unrecognizable anymore. And if we ever truly want to downsize, to right-size the Federal Government, we just can't be nibbling around the edges of reforming a program that is ridiculous at its very core. We can't be reforming useless government programs. They need to be eliminated. And I believe that the National Flood Insurance Program is a waste of taxpayers' dollars, it is a boondoggle, and it needs to be eradicated.

So, Mr. Speaker, again, I do support the rule, but I obviously am very, very opposed to the National Flood Insurance Program. That is not the business of the Federal Government. We need to get out of that business.

Mr. MCGOVERN. I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, it's my understanding that the gentleman has no further speakers at this time.

I would like to yield 4 minutes to the chairman of the Republican leadership team, the gentleman from Hood River, Oregon (Mr. WALDEN).

Mr. WALDEN. I thank the gentleman for yielding.

I appreciate the work of Mr. SESSIONS and the very powerful Rules Committee in bringing forward this rule, which I support. And I appreciate the work of our colleague from Illinois (Mrs. BIGGERT) for introducing this legislation and working with me on some issues that are critically important to the people of eastern and southern Oregon, and, frankly, all across Oregon, especially in places like Milton-Freewater, Oregon.

In Milton-Freewater, citizens are paying hundreds of dollars more in flood insurance because FEMA came in and did a remap process, and it has put a real burden on the people of this community. The community has already

set in motion a plan to fix the levees that FEMA says have fallen out of certification, to bring them back into compliance.

This bill could provide relief from the mandatory insurance purchase requirements—remember, you've got government sort of mandatory insurance hanging over these folks—while the community works to improve the levees. It also will force FEMA to factor in the actual protection afforded by existing levees regardless of their accreditation status.

Part of the problem we have out there in Milton-Freewater is you have a couple of agencies fighting over whether there should be brush allowed to grow on the levees. One agency says, oh, we need that for shade in the river, and the other says, no, that actually degrades the integrity of the levee. So we have Federal agencies fighting, and the people in Milton-Freewater get stuck with the bill.

These commonsense steps and others in the bill will provide the relief Milton-Freewater is in desperate need of. These changes will, according to one county commissioner from the area, benefit more than 2,000 people in the community.

Now down in southern Oregon, citizens in Jackson County have been adversely impacted by the recently redrawn FEMA flood maps that, as FEMA has admitted, used inferior mapping methods for some portions. Now the new maps force many homeowners into 100- and 500-year floodplains for the first time. Now that means they have to buy costly insurance when they may not even need it. It's not cheap either. While it runs about \$400 a year for the 2-year discount period, premiums skyrocket after that to as much as \$25,000 annually, I'm told. Now, this bill would waive the burdensome mandatory insurance purchase requirements while the new maps are being appealed by homeowners. Homeowners shouldn't get stuck with this bill, this extraordinary cost, when it may, in fact, be a mapping error that even the agency admits they used inferior methods on.

This bill also improves the mapping process by reinstating the Technical Mapping Advisory Council, which will be better suited to take into account local factors during remapping, including natural topography and decertified levees that had not previously been considered.

This bill works to bring the National Flood Insurance Program out of the red while allowing communities more local input on their flood plans and time to adjust should they be designated as a high-risk area.

So I urge my colleagues both to approve the rule and the underlying bill so that we may reauthorize the National Flood Insurance Program in a commonsense, fiscally responsible and bipartisan way.



□ 0950

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman from Hood River, Oregon, coming to speak not only about this bill but also his strong leadership in issues that deal directly with our Nation and keeping us fiscally sound.

Mr. Speaker, at this time I would like to yield 4 minutes to the gentleman from Lawrenceville, Georgia, one of my colleagues on the Rules Committee, Mr. WOODALL.

Mr. WOODALL. I thank my friend from Texas for yielding.

We do have the great pleasure of serving on the Rules Committee together, though serving on the Rules Committee can be a benefit and a burden because historically there's been kind of a gentleman's agreement, I would tell you from what I've read about the institution; that if the committee of jurisdiction brings out a clever idea, they only bring out those clever ideas that they really like. And then the leadership of the House, whichever party is in control of the House, then only allows those reported bills that they really like to show up here on the floor of the House for us to debate. So then when the Rules Committee gets around to considering amendments, well, maybe the only amendments that are allowed are things that nibble around the edges but don't really make any substantive changes to the underlying bill.

Five months, six now, I've been here in the U.S. House of Representatives as part of this freshman class, and what we're doing today excites me. And to folks who have been here a little bit longer, maybe it's not as exciting to you as it is to me. But what is happening here today, not only did we get a bill that went through the regular order process—coming out of committee, no special games played, went through the amendment process in committee, everybody got a vote, and in fact was reported unanimously out of committee, as I understand—then it came to the Rules Committee. We had about 30 amendments offered up at the Rules Committee. A couple weren't germane, a couple were duplicative, but everything else we allowed. And one of those amendments was an amendment that said this is just a dumb program, let's scrap it, send it to the States and start over again. Wow.

And now there are a lot of amendments that we allowed that said let's change a "six" to a "five" or let's change this number of members to this number of members, things that would improve a bill, nibble around the edges. But this rule today, for the first time that I can recall, allows an amendment that says the entire underlying legislation is headed in the wrong direction. Let's take a new direction.

Now, Mr. Speaker, there are folks who would be scared about that kind of

amendment, folks who would be intimidated to let something come to the floor. We have absolutely no idea what's going to happen.

But this House has made a new commitment, a renewed commitment to expressing the voice of the American people. And guess what? The only amendments that are going to pass on the floor today are ones the American people are behind. The only amendments that are going to pass the floor today are ones that get 218 votes and represent the majority will of this U.S. House of Representatives. It just makes me so proud.

And I hope, Mr. Speaker, for folks who don't follow the process as closely as you and I do, that they will see what a difference that is. And it is a difference from administrations going back 2 years, 4 years, 8 years, 10 years, 12 years. Folks say if it's an idea that has the support of the House, then it deserves to be heard, and we're going to hear all of those amendments here on the floor today.

Mr. Speaker, it's not easy to maintain that level of openness in the House. It takes a lot of cooperation between both sides of the aisle to make openness work. We have had that cooperation. And I don't mean cooperation in the sense that folks agree on absolutely all of the ideas. I mean cooperation in the sense that folks know that when the House works its will, the people's work gets done. When the House works its will, the American people's voice is best heard.

And I thank my colleagues on both sides of the aisle for their commitment to making that work. And I again thank my friend from Texas for yielding me the time this morning.

Mr. MCGOVERN. I continue to reserve the balance of my time.

Mr. SESSIONS. I want to advise my colleague, the gentleman, Mr. MCGOVERN, that we do not have any further speakers at this time, and I would defer to his judgment.

I reserve the balance of my time.

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

Let me, first of all, say that I'm glad the gentleman from Georgia is excited. I'm not quite at that level. I'm okay, but I'm not excited.

This is not an open rule. We had an opportunity to have an open rule. We called for a vote. Unfortunately, my friends on the other side of the aisle voted against it. But having said that, there are a lot of different amendments in here that represent a lot of different viewpoints, and so I'm okay with it. So I will begin by saying that.

Secondly, I want to share with my colleagues that this is a good bill. And it is not a boondoggle, as the gentleman from Michigan referred to it. It is a necessary protection for people.

The question was asked, well, why should the government be involved in

flood insurance? Well, one of the reasons why is because the private insurance industry has no interest in providing the kind of coverage at an affordable level to people who need it. If there was money to be made, if they thought they could make money, you could bet the private insurance industry would step up and try to fill in the void. But they haven't, and they won't. And so without this, you will end up dealing with these catastrophes with disaster relief funds that Congress would have to approve. And that's not a very efficient or good way to deal with the issue of floods.

Mr. Speaker, I would also like to point out that this is an important bill not only because it is bipartisan in nature, but I think there is also a bipartisan consensus that it is important that we move forward with this.

Again, I want to commend Mrs. BIGGERT and the members of the Financial Services Committee. I want to commend Congresswoman MAXINE WATERS who worked together in a bipartisan way, who produced a bill that passed 54-0. You don't see that very much. And this has been a very contentious Congress, and there have been lots of partisan divides when it has come to voting on bills. But in this one area, there is consensus, which I think is an indication that it will win broad bipartisan support in this Congress.

So, Mr. Speaker, I want to thank the gentleman from Texas for bringing this rule to the floor. I want to thank all of those who are responsible for the underlying bill and look forward to supporting it. And I hope my colleagues, at a bipartisan level, will support my amendment, which I think is a good amendment.

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

Mr. SESSIONS. I want to thank the gentleman from Massachusetts not only for his service to the Rules Committee but also for the ideas that he represents. And I'm delighted that he had an opportunity today to state with great clarity that the 25 amendments that have been made in order by the Rules Committee are good for this institution, this body, and lives up to the promise not just that our Speaker, the gentleman, JOHN BOEHNER, and our Majority Leader, ERIC CANTOR, subscribe to, but also the chairman of the Rules Committee, the gentleman, DAVID DREIER.

Mr. Speaker, the bill we are discussing today provides a long-term certainty in the flood insurance market. It allows for greater transparency and accountability in the flood insurance program and removes or diminishes greatly the great risk that taxpayers incur from bailing out the current program.

This country is facing a \$14 trillion debt with almost \$18 billion of that coming from the NFIP. Congress sorely

needed to retain its control over this program and to ensure that we relooked at it in its reauthorization. However, we still have a government that spends way too much, taxes too much, listens too little to the needs of the American people. And today, the Republican Party, through the leadership that we're being provided by Mrs. BIGGERT from Illinois, is doing exactly that one at a time, to take on the programs and needs of this great Nation.

Once again, this bill provides us much needed long-term reauthorization and amends the NFIP to ensure the immediate and near-term fiscal administrative health of this program. The bill also ensures the NFIP's continued viability by encouraging broader participation in the program, increasing financial accountability, eliminating unnecessary rate subsidies, and updating the program to meet the current needs of this great Nation.

I applaud my colleagues for introducing the bill, the gentlewoman, Mrs. BIGGERT, for her hard work, the hundreds of meetings that were involved taking feedback from Members of Congress, looking at their needs, and then addressing those.

I encourage a "yes" vote on this rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The yeas and nays were ordered.

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

□ 1000

PROVIDING FOR CONSIDERATION OF H.R. 2354, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Mr. WEBSTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 337 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 337

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General

debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration If the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. WEBSTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), my colleague on the Rules Committee, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. WEBSTER. Mr. Speaker, I rise today to support this rule and the underlying bill.

House Resolution 337 provides for an open rule for consideration for H.R. 2354, the Energy and Water Development and Related Agencies Appropriations Act of 2012. This rule provides for ample debate and opportunities for the Members of the minority and majority to participate in that debate. The rule places no limitations on the number of amendments that may be considered, as long as they comply with the rules of the House.

This continues the Speaker's and the Rules chairman's desire and commitment to have transparency and openness, which was demanded by the American people. It's been a long time since we had this type of process, and it's great to have an open process. I think it helps with the partisanship that we have experienced.

The underlying bill funds the Department of Energy, while also moving forward several ongoing construction and operation and maintenance efforts by the Corps of Engineers. It also provides \$1.2 billion in emergency funding for the communities of the Midwest and

South ravaged by tornadoes, storms, and floods earlier this year. \$477 million is set aside for fossil energy research and development. Nearly three times the amount, \$1.3 billion, is appropriated for energy efficiency and renewable energy programs to ensure that we continue to move forward in developing next-generation power sources and fuels. Critical defense environmental cleanup efforts are funded at a total of \$4.9 billion.

This bill recognizes the importance of a long term nuclear waste disposal policy for the United States; \$3.5 million is provided for nuclear waste disposal for the Yucca Mountain nuclear waste storage site in Nevada. Further, no funds in this bill will be used to shut down Yucca Mountain. Since 1983, taxpayers have spent over \$15 billion for the construction of this facility, and this bill reasserts the sense of the body that Yucca Mountain is the future repository for nuclear waste.

Is every program or project funded at the levels that we would like? Probably not. For example, long-awaited Federal funds for the Everglades effort in my home State of Florida are significantly pared back in this bill. I am sure almost every Member of this body could find some program, some project or effort that they would like to see plussed up. This is not a perfect world, however, and at the end of the day the funding levels in this bill represent only a 3.3 percent modest cut from last year.

We have to scale back our spending. Appropriations in the last Congress accrued about \$1.65 trillion in deficit spending. That's the largest ever. We borrow about \$4.5 billion every day. And we just have to pare back.

Will the cuts made in this bill alone right our Nation's fiscal ship? No, but it's a start. It moves the rudder; maybe a half a degree, but it does move the rudder to turn it around. The bill changes the way Washington has spent taxpayers' money in the past. For example, there are no earmarks in this bill. Also, because this bill is being considered in an open rule, any Member can offer an amendment to increase or decrease funding levels. Again, a 3.3 percent cut to the Department of Energy and Corps of Engineers budget will not solve all of our Nation's fiscal problems, but at least it's a step in the right direction.

Once again, Mr. Speaker, I rise in support of this rule and the underlying legislation. Given our current budget situation, the Appropriations Committee has worked diligently to provide us with a fiscally responsible bill that allows Congress to begin living within its means, just like American families and businesses are forced to do every day.

I encourage my colleagues to vote "yes" on the rule and "yes" on the underlying bill.

I reserve the balance of my time.

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

I would like to thank my colleague from Florida for the time, as well as to thank the majority members of the Rules Committee for a fair rule that will enable a wide variety of floor amendments to be brought forward.

I do rise in opposition to the underlying bill unless there are major changes made, which I hope a majority of the House successfully achieves in doing under this fair open rule.

The current political debate in Washington is dominated by the question of Federal spending. And I think it's a question that we need to revisit under each appropriations bill. We need to cut wasteful spending. We should eliminate programs that don't work, eliminate corporate giveaways, look at the cost of tax subsidies that cost billions of dollars to Americans but fail to create jobs, and really serve to enrich special interests.

We also need to make sure that we don't lose sight, in our drive to reduce the deficit, that we impact investments that are creative and help our economy and reduce deficits over time. Just as a successful business making cuts in a recession would make the cuts intelligently and wouldn't cut essential investments on capital resources, Congress shouldn't slash domestic investments that create jobs while also at the same time continuing to give handouts to multibillion dollar corporations.

Given the approach to budgeting this year in this body, it seems like the majority isn't basing their decisions on cold arithmetic that's needed to balance a budget. Rather, there seems to be a different equation in play, an approach driven by ideology and special interest lobbying, not by a real concern for deficit reduction. With this appropriations bill, I think what we are seeing is more of the same.

How else can we explain a budget that ends Medicare while preserving tax subsidies for Big Oil, tax subsidies for corporate jets, and continues wasteful defense programs, in fact actually increases the defense budget when we know that we have more defense than we can afford in this country? Why is wasteful spending prioritized over health care for our seniors, the education of our children, and investments under this bill that keep our air and water supply clean and healthy, reducing health care costs in the long run?

Now, again, when we talk about these appropriations bills it's not a debate over whether we should cut the deficit. I think Republicans and Democrats agree that we need to cut the deficit. It's a debate about how we restore fiscal discipline that has been abandoned over the last decade. Let's have that debate here in the U.S. House. And I am glad that this rule allows us to do it

under this bill. And I hope we are able to make some major changes to this bill.

□ 1010

Unfortunately, the Energy and Water bill as presented before the House under this rule exemplifies a reckless and ideological approach to the budget.

This bill actually increases funding levels, increases deficit funding levels for fossil fuel research and development, oil and gas research, increases Federal spending on these programs, while cutting investments in clean energy research. In the past, Republicans have claimed that they were for an "all of the above" approach to energy policy, looking at optimizing exploitation of fossil fuels and also investing in new energy research, but instead of "all of the above," this bill represents an "oil above all" approach to national energy policy. It's simply not a serious response to America's need for cleaner, more affordable domestic energy.

At a time when we all agree we're confronting a fiscal crisis, how can we ask American taxpayers to foot the bill for ExxonMobil's R&D? That's exactly what we do under this bill. It's one of a series of subsidies for Big Oil that the majority has chosen to protect at a time that they're also demanding Americans see funding cut for schools and for seniors. Instead of increasing wasteful spending which benefits only the fossil fuel industry, we should invest in the American clean energy innovation that will benefit our national security, our environment, and our economy.

This legislation cuts total funding for the Energy Department's Office of Energy Efficiency and Renewable Energy by 42 percent compared to 2010, at the same time increasing subsidies to oil and gas. These cuts will mean less innovation, dirtier energy and fewer clean energy jobs. In my home State of Colorado alone, over 5,000 jobs have been spun off of research that was conducted at the National Renewable Energy Laboratory, and the lab gives an estimated \$714 million annual boost to our State's economy. It's that kind of research that is devastated under this bill. Through this open amendment process, I call upon my colleagues on both sides of the aisle to support efforts to restore that funding.

These labs, like the National Renewable Energy Laboratory and the basic Federal research, are incubators for the private sector. The investments don't go to bloated bureaucracies or government bureaucrats in Washington. They go to the actual hiring of experts and innovators that will spin off their ideas to entrepreneurs to bring to the marketplace, a model for private sector job growth that's critical for our Nation's economy and critical for our national security in meeting our own energy needs domestically.

The Department of Energy's investments in clean energy are the first step in a job create domino effect. As of August 2010, as an example, the National Renewable Energy Laboratory had 329 contracts with Colorado companies totaling \$414 million, including \$75.3 million in the most recent fiscal year. NREL had cooperative research and development agreements with 23 Colorado companies, and NREL supports interactions with companies from across the Nation. That's just one example of the many research initiatives and public-private partnerships that this bill as written would call into jeopardy.

And while again calling into jeopardy much of this fundamental research that has private sector applications, we're again increasing subsidies to the fossil fuel industry's research. There is a \$141 million or 81 percent cut to weatherization initiatives that help insulate the homes of low-income, elderly and disabled individuals in this bill, while continuing and increasing subsidies to the fossil fuel industry.

Another dangerous cut in this bill is cutting funding to the Advanced Research Projects Agency, ARPA-E, by 44 percent compared to the current year. ARPA-E has strongly had bipartisan support for years and helps fund innovation in the economy based on a proven successful model we've had in defense for many years called DARPA. It funds path-breaking ideas that are unlikely to get funding anywhere else at an early stage. This creative model is crafted after DARPA, which has led to things ranging from cell phones to the creation of the Internet itself, and it has tremendous implications for America to meet its renewable energy needs.

The bill before us is not smart, and it's not sensible. It's simply not a fiscally responsible bill that meets our Nation's future energy needs and cuts our deficit. I urge my colleagues to improve this bill through amendments during this open amendment process and, if it's in anything close to its current form, to oppose the final bill.

I reserve the balance of my time.

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

I would just like to address a couple of items: number one, the tax policy we've been talking about and how we could raise extra revenues. The tax policy we have today was given to us by the 111th Congress. I assume if they had wanted to change it, they would have when they had the majority. They didn't. They gave us the tax policy. We haven't gotten to that yet, but we will at some point in time.

As far as the money we're using in this budget, it is a small decrease, but we have to do it. We're borrowing 40 cents on the dollar; \$4.5 billion a day. We cannot afford it. If we were to increase the allocation in this particular bill, then we would actually be borrowing 100 percent of that allocation

increase because we do not have the cash.

So to me, we are here with a good bill. The rule certainly is a good rule. It's an open rule. It's the perfect opportunity for anybody that wants to change this bill to do so. However, the underlying bill is also a good bill. It's done very well.

Just to give you a picture of what the minority said about it in their views that serve on the committee:

"We commend the chairmen, both the sub chair and the full chair, for their efforts to assemble this bill in an inclusive manner. The bill funds critical water resource projects, supports science activities necessary to American competitiveness, and contributes to our national defense through vital weapons, naval reactor research and nonproliferation funding, all priorities that unite rather than divide us."

There was a disagreement and that is over the allocation, but we simply cannot afford any more of an allocation for this than we have. The budget that was done is an excellent one under the circumstances.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. It is my honor to yield 4 minutes to the gentlewoman from California, a former colleague of mine on the Rules Committee, Ms. MATSUI.

Ms. MATSUI. I want to thank my colleague from Colorado for yielding me time.

Mr. Speaker, I have been a tireless advocate on behalf of Sacramento's flood protection priorities. Sacramento is the most at-risk metropolitan area for major flooding, as it lies at the confluence of two great rivers, the Sacramento and the American. The city is home to California's State Capitol, an international airport, the State's water and electric grids and over a half million people. If Sacramento were to flood, the economic damages would range between \$28 and \$40 billion. The consequences of such a flood would be felt across the Nation.

Even in this austere budget environment, it is critical that Sacramento's basic flood protection needs are met. I want to applaud the Energy and Water appropriations subcommittee for including funding for Sacramento's top flood protection projects. Each one of these projects is a critical component to improving the flood protection for the entire Sacramento region. Taken together, the completed projects will bring us closer to the level of flood protection that families and businesses throughout the region need and deserve.

Moreover, these projects are already in the midst of construction. A lapse of funding would not only postpone the safety that the completed projects will provide but would also increase project costs, something that we cannot afford. In fact, these projects have already

been funded at the local and State level and are awaiting a sustained Federal match. For example, Federal funding will help finish the Folsom Dam Joint Federal Project, the JFP, where continued construction on the auxiliary spillway will provide greater efficiency in managing flood storage in the Folsom Reservoir. The hundreds of thousands of residents living below the dam will be better protected once the project is finished.

The JFP and our levee improvements will go a long way toward protecting and preventing flooding in Sacramento, but the funding in this bill does not fully support Sacramento's flood protection needs. The levels in this bill are actually below the Corps of Engineers' full capability.

This winter, we have had record-breaking snowpack in the Sierra Nevada mountain range, which rests just above Sacramento.

□ 1020

We are fortunate that the snowpack did not melt all at once. When this occurs, our dams and levees are put to the test.

Mr. Speaker, luck is not something that the American people should have to rely upon. Hurricane Katrina and this year's flooding in the Midwest taught us that we need to take large leaps forward in shoring up our Nation's flood protection infrastructure.

Let's take the opportunity to fix our Nation's flood protection system while the sun is out and not watch another American community get swept away in high water.

Mr. WEBSTER. I reserve the balance of my time.

Mr. POLIS. I have no additional speakers and would inquire of the gentleman from Florida if he has any remaining speakers.

Mr. WEBSTER. Mr. Speaker, I am prepared to close.

Mr. POLIS. I yield myself the balance of my time.

Mr. Speaker, this bill, again, while we appreciate the open amendment process, will need an open amendment process to correct because it's so highly flawed in its current form.

It serves as the majority's vehicle for a whole series of anti-environment, anti-public interest riders. These riders undercut the Clean Water Act, putting at risk public health and increasing economic burdens on local communities.

The bill prevents the Army Corps of Engineers from applying anti-pollution protections to many rivers, streams and wetlands that supply drinking water and prevent flooding. Over 100 million Americans get their drinking water from public supplies provided in whole or in part from waters that are at risk of losing Clean Water Act safeguards under this bill as written.

Furthermore, the committee report language that accompanies the bill

contains even more explicit policy directives, including the mandate that what was to be an independent advisory board on the safety of shale gas drilling be dominated by industry representatives, which would be a prime example of the fox guarding the chicken coop.

Unconventional shale gas has been expanding into new areas at a breakneck pace and has been accompanied by growing health and pollution problems experienced by residents and communities when the drilling is taking place in close proximity to where families are living. Its growth is outpacing current safeguards and exemptions already give the industry too much isolation from public safety assurances.

I have grave concerns that the committee felt the need to interfere in a balanced and truly independent technology advisory panel with the aim of silencing public voices in favor of representing the industry above all other legitimate stakeholders. In fact, the advisory panel is already heavily tipped in industry's favor, and the language shows us exactly whose side this legislation is on—entrenched industries and polluters, not the public interest.

The annual Energy and Water appropriations bill is important funding legislation. Historically, it has been broadly bipartisan, and it shouldn't be a playground for special interest handouts. Yet under this majority, that's what this bill has become that we are considering today.

The bill in its current form undermines our energy future, undermines our national security and subsidizes an energy industry that has given us record gas prices, fracking health hazards and dirtier air. It attempts to drive a supertanker-sized loophole through the laws that keep our clean water safe.

This bill should be focused on investing in innovation to strengthen our country and our national security and our energy future, not focused on wasteful spending to special interests supporting entrenched industries and harmful cuts to their clean competitors.

I urge a "no" vote on this bill.

I urge my colleagues to come forth and try to improve this bill under the rule.

I yield back the balance of my time.

Mr. WEBSTER. Mr. Speaker, as you heard me say earlier, my Republican colleagues and I are committed to providing a more open, accountable, and transparent process. And the underlying bill went through regular order, including eight different subcommittee hearings. Several Democrat amendments were adopted on the committee level. It has provided an open rule to allow Republicans and Democrats alike to offer their ideas in open, honest debate.

This vote is on the rule, which provides for an open, transparent process

where the ideas and policies will rise and fall on the basis of their merit, not on their party affiliations. This is what the American people expect of their elected officials. It's an expectation that's being fulfilled by this rule, and I encourage my colleagues to join me in supporting its passage.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore (Mr. WEBSTER). Pursuant to House Resolution 320 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2219.

□ 1028

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, with Mr. BASS of New Hampshire (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, July 7, 2011, the bill had been read through page 161, line 12.

#### AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following new section:

"SEC. \_\_\_\_ None of the funds in this Act may be used for military operations in or against Libya except under a declaration of war against Libya pursuant to clause 11 in section 8 of article I of the Constitution."

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

□ 1030

Mr. KUCINICH. Mr. Chairman, members of the committee, before the House completes work on this important bill, I think that it is imperative that the House is provided with one more opportunity to clarify its position with respect to the Constitution and our power under article I, section 8, clause 11 of the Constitution, which reads as follows, that Congress has the power to declare war.

This amendment says none of the funds in this act may be used for military operations in or against Libya except under a declaration of war against

Libya pursuant to clause 11 in section 8 of article I of the Constitution.

So what this amendment does is it recognizes Congress' power to appropriate and links it, in this case, to Congress' ability to declare war and enables this House to definitively—definitively—make a statement that it is our prerogative, our Constitutional right, to determine whether or not this Nation goes to war, and we are not going to see any war funded absent a declaration of war by this Congress.

It is imperative that we act, because by September, this administration will have spent \$1 billion on the war without Congress having any say in that whatsoever. We will have gone to a war without any ability of Congress to have a voice.

Now, to its credit, this House has taken up numerous proposals relative to the war in Libya that have sought to limit the sphere of conduct of hostilities against Libya—no ground troops and no money to rebels. This amendment, however, gives the House one last opportunity within this bill to speak very clearly about article I, section 8, clause 11 and to do it in the context of an appropriations bill which says that we will not permit any funds to be spent unless this Congress moves forward with a declaration of war.

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I rise in opposition to the Kucinich amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. First of all, the President has made a very strong case for our military action in Libya. I think, as Commander in Chief, he has the authority. We had a U.N. resolution, the NATO allies were involved and so was the Arab League.

There is another option. The other option is the War Powers Act. And I hope at some point the President will ask for congressional support of his initiative in Libya.

The idea that we're going to pull out of this unilaterally and undermine the NATO alliance I think is a terrible mistake. Although I have the greatest respect for the gentleman from Ohio, I'm strongly opposed to his amendment.

I yield back the balance of my time. Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I will first admit that this gentleman introducing this amendment, if nothing else, is certainly persistent. The only problem is, after 2 lengthy days, 10 and 11 hours each day, with amendment after amendment being presented, we have just been given this amendment in the last 5 minutes. We would have liked to have had a little more time to really analyze it. But a quick analysis of this amendment tells

me that it is very similar to all of the other Libyan amendments that we have defeated in the last 2 days.

For example, I believe that this amendment would preclude any search-and-rescue mission on the part of Americans to save Americans. I'm satisfied it would prevent us from providing any intelligence surveillance, or reconnaissance. I'm satisfied that it would not permit us to do any aerial refueling of our coalition or NATO partners. I'm satisfied that the amendment would prohibit us from even being involved while operational plans are being developed that might have an effect on the support role that the United States plays.

So, here we go again. We've already defeated this issue close to a dozen times in the last 2 days. So I just suggest that we move on and defeat this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KUCINICH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

The first amendment by Mr. FLAKE of Arizona.

The second amendment by Mr. FLAKE of Arizona.

The third amendment by Mr. FLAKE of Arizona.

Amendment No. 77 by Mr. HUELSKAMP of Kansas.

An amendment by Mr. POLIS of Colorado.

An amendment by Mr. KUCINICH of Ohio.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the first amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 39, noes 380, not voting 12, as follows:

[Roll No. 525]

AYES—39

Amash	Garrett	McHenry
Bachmann	Gohmert	Mulvaney
Benishek	Goodlatte	Paul
Bishop (UT)	Gowdy	Posey
Boustany	Graves (GA)	Price (GA)
Broun (GA)	Griffith (VA)	Scott (SC)
Burgess	Huizenga (MI)	Sensenbrenner
Cantor	Hurt	Southerland
Chabot	Jordan	Stearns
Chaffetz	Landry	Walberg
Duncan (SC)	Lummis	Walsh (IL)
Duncan (TN)	Mack	Westmoreland
Flake	McClintock	Woodall

NOES—380

Ackerman	Costello	Hartzler
Adams	Courtney	Hastings (FL)
Aderholt	Cravaack	Hastings (WA)
Akin	Crawford	Hayworth
Alexander	Crenshaw	Heck
Altmire	Critz	Heinrich
Andrews	Cuellar	Hensarling
Austria	Cummings	Herger
Baca	Davis (GA)	Herrera Beutler
Bachus	Davis (IL)	Higgins
Baldwin	Davis (KY)	Himes
Barletta	DeFazio	Hinojosa
Barrow	DeGette	Hirono
Bartlett	DeLauro	Hochul
Barton (TX)	Denham	Holden
Bass (CA)	Dent	Holt
Bass (NH)	DesJarlais	Honda
Becerra	Deutch	Hoyer
Berg	Diaz-Balart	Huelskamp
Berkley	Dicks	Hultgren
Berman	Dingell	Hunter
Biggert	Doggett	Inlee
Bilbray	Dold	Israel
Bilirakis	Donnelly (IN)	Issa
Bishop (GA)	Doyle	Jackson (IL)
Bishop (NY)	Dreier	Jenkins
Black	Duffy	Johnson (IL)
Blackburn	Edwards	Johnson (OH)
Blumenauer	Ellison	Johnson, E. B.
Bonner	Ellmers	Johnson, Sam
Bono Mack	Emerson	Jones
Boren	Engel	Kaptur
Boswell	Eshoo	Keating
Brady (PA)	Farenthold	Kelly
Brady (TX)	Farr	Kildee
Braley (IA)	Fattah	Kind
Brooks	Filner	King (IA)
Brown (FL)	Fincher	King (NY)
Buchanan	Fitzpatrick	Kingston
Buchson	Fleischmann	Kinzinger (IL)
Buerkle	Fleming	Kissell
Burton (IN)	Flores	Kline
Butterfield	Forbes	Kucinich
Calvert	Fortenberry	Labrador
Camp	Foxx	Lamborn
Canseco	Frank (MA)	Lance
Capito	Franks (AZ)	Langevin
Capps	Frelinghuysen	Lankford
Capuano	Fudge	Larsen (WA)
Carnahan	Gallely	Larson (CT)
Carney	Garamendi	Latham
Carson (IN)	Gardner	LaTourette
Carter	Gerlach	Latta
Cassidy	Gibbs	Lee (CA)
Castor (FL)	Gibson	Levin
Chandler	Gingrey (GA)	Lewis (CA)
Chu	Gonzalez	Lewis (GA)
Ciçilline	Gosar	Lipinski
Clarke (MI)	Granger	LoBiondo
Clarke (NY)	Green, Al	Loebsack
Clay	Green, Gene	Lofgren, Zoe
Cleaver	Griffin (AR)	Long
Clyburn	Grijalva	Lowe
Coble	Grimm	Lucas
Coffman (CO)	Guinta	Luetkemeyer
Cohen	Guthrie	Luján
Cole	Gutierrez	Lungren, Daniel
Conaway	Hall	E.
Connolly (VA)	Hanabusa	Lynch
Conyers	Hanna	Maloney
Cooper	Harper	Manzullo
Costa	Harris	Marchant

Marino	Poe (TX)	Sherman
Markey	Polis	Shimkus
Matheson	Pompeo	Shuler
Matsui	Price (NC)	Shuster
McCarthy (CA)	Quayle	Simpson
McCarthy (NY)	Quigley	Sires
McCaul	Rahall	Slaughter
McCollum	Rangel	Smith (NE)
McCotter	Reed	Smith (NJ)
McDermott	Rehberg	Smith (TX)
McGovern	Reichert	Smith (WA)
McIntyre	Renacci	Speier
McKeon	Reyes	Stark
McKinley	Ribble	Stivers
McMorris	Richardson	Stutzman
Rodgers	Richmond	Sullivan
McNerney	Rigell	Sutton
Meehan	Rivera	Terry
Meeks	Roby	Thompson (CA)
Mica	Roe (TN)	Thompson (MS)
Michaud	Rogers (AL)	Thompson (PA)
Miller (FL)	Rogers (KY)	Thornberry
Miller (MI)	Rogers (MI)	Tiberi
Miller (NC)	Rohrabacher	Tierney
Miller, Gary	Rooney	Tipton
Miller, George	Ros-Lehtinen	Tonko
Moore	Roskam	Towns
Moran	Ross (AR)	Tsongas
Murphy (CT)	Ross (FL)	Turner
Murphy (PA)	Rothman (NJ)	Upton
Myrick	Roybal-Allard	Van Hollen
Nadler	Royce	Velázquez
Napolitano	Runyan	Viscosky
Neal	Ruppersberger	Walden
Neugebauer	Rush	Walz (MN)
Noem	Ryan (OH)	Wasserman
Nugent	Ryan (WI)	Schultz
Nunes	Sánchez, Linda	Waters
Nunnelee	T.	Watt
Olson	Sanchez, Loretta	Waxman
Olver	Sarbanes	Webster
Owens	Scalise	Welch
Palazzo	Schakowsky	West
Pallone	Schiff	Whitfield
Pascarella	Schilling	Wilson (FL)
Pastor (AZ)	Schmidt	Wilson (SC)
Paulsen	Schock	Wittman
Pearce	Schrader	Wolf
Pence	Schwartz	Womack
Perlmutter	Schweikert	Woolsey
Peters	Scott (VA)	Wu
Peterson	Scott, Austin	Yarmuth
Petri	Scott, David	Yoder
Pingree (ME)	Serrano	Young (AK)
Pitts	Sessions	Young (FL)
Platts	Sewell	Young (IN)

NOT VOTING—12

Campbell	Graves (MO)	Payne
Cardoza	Hinchee	Pelosi
Crowley	Jackson Lee	Rokita
Culberson	(TX)	
Giffords	Johnson (GA)	

□ 1102

Messrs. MCNERNEY and LUETKE-MEYER, Ms. PINGREE of Maine, and Mr. PASCARELL changed their vote from “aye” to “no.”

Messrs. HURT, BISHOP of Utah, SCOTT of South Carolina, CHABOT, and SOUTHERLAND changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amend-

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 118, noes 295, not voting 18, as follows:

[Roll No. 526]

AYES—118

Amash	Green, Gene	Olver
Baldwin	Griffith (VA)	Paul
Barton (TX)	Gutierrez	Perlmutter
Benishek	Herrera Beutler	Peters
Bishop (NY)	Himes	Petri
Blumenauer	Holt	Poe (TX)
Braley (IA)	Honda	Polis
Buerkle	Huizenga (MI)	Price (NC)
Burgess	Hurt	Quigley
Burton (IN)	Jenkins	Reed
Capuano	Johnson (IL)	Royce
Chabot	Johnson (OH)	Sanchez, Loretta
Chaffetz	Jones	Schakowsky
Ciçilline	Jordan	Schradler
Clarke (MI)	Keating	Schweikert
Clay	Kind	Scott (SC)
Coble	Kucinich	Sensenbrenner
Conyers	Labrador	Serrano
Cooper	Lance	Sherman
Courtney	Larson (CT)	Smith (NE)
DeFazio	Levin	Southerland
DeLauro	Loeb sack	Speier
Doggett	Lofgren, Zoe	Stark
Doyle	Lummis	Stearns
Duffy	Mack	Stutzman
Duncan (SC)	Maloney	Sullivan
Duncan (TN)	Markey	Thompson (CA)
Edwards	Matheson	Thompson (PA)
Eshoo	Matsui	Tierney
Farr	McClintock	Tonko
Filner	McGovern	Upton
Flake	Mica	Tsongas
Frank (MA)	Michaud	Upton
Garamendi	Miller (NC)	Velázquez
Garrett	Miller, George	Walberg
Gibson	Moore	Walsh (IL)
Goodlatte	Mulvaney	Welch
Gosar	Murphy (CT)	Woolsey
Gowdy	Napolitano	Yoder
Graves (GA)	Nunnelee	

NOES—295

Ackerman	Butterfield	Dicks
Adams	Calvert	Dingell
Aderholt	Camp	Dold
Akin	Canseco	Donnelly (IN)
Alexander	Cantor	Dreier
Altmire	Capito	Ellison
Andrews	Capps	Ellmers
Austria	Carnahan	Emerson
Baca	Carney	Engel
Bachmann	Carson (IN)	Farenthold
Bachus	Cassidy	Fattah
Barletta	Castor (FL)	Fincher
Barrow	Chandler	Fitzpatrick
Bartlett	Chu	Fleischmann
Bass (CA)	Clarke (NY)	Fleming
Bass (NH)	Cleaver	Flores
Becerra	Clyburn	Forbes
Berg	Coffman (CO)	Fortenberry
Berkley	Cohen	Foxx
Berman	Cole	Franks (AZ)
Biggert	Conaway	Frelinghuysen
Bilbray	Connolly (VA)	Fudge
Bilirakis	Costa	Gallely
Bishop (GA)	Costello	Gardner
Bishop (UT)	Cravaack	Gerlach
Black	Crawford	Gibbs
Blackburn	Crenshaw	Gingrey (GA)
Bonner	Critz	Gohmert
Bono Mack	Cuellar	Gonzalez
Boren	Cummings	Green, Al
Boswell	Davis (CA)	Griffin (AR)
Boustany	Davis (IL)	Grijalva
Brady (PA)	Davis (KY)	Grimm
Brady (TX)	DeGette	Guinta
Brooks	Denham	Guthrie
Brown (GA)	Dent	Hall
Brown (FL)	DesJarlais	Hanabusa
Buchanan	Deutch	Hanna
Buchson	Diaz-Balart	Harper

Harris McDermott  
 Hartzler McHenry  
 Hastings (FL) McIntyre  
 Hastings (WA) McKeon  
 Hayworth McKinley  
 Heck McMorris  
 Heinrich Rodgers  
 Hensarling Mc Nerney  
 Herger Meehan  
 Higgins Meeks  
 Hinojosa Miller (FL)  
 Hochul Miller (MI)  
 Holden Miller, Gary  
 Hoyer Moran  
 Huelskamp Murphy (PA)  
 Hultgren Myrick  
 Hunter Nadler  
 Insole Neal  
 Israel Neugebauer  
 Issa Noem  
 Jackson (IL) Nugent  
 Johnson, E. B. Nunes  
 Johnson, Sam Olson  
 Kaptur Owens  
 Kelly Palazzo  
 Kildee Pallone  
 King (IA) Pascrell  
 King (NY) Pastor (AZ)  
 Kingston Paulsen  
 Kinzinger (IL) Pearce  
 Kissell Pelosi  
 Kline Pence  
 Lamborn Pingree (ME)  
 Landry Pitts  
 Langevin Platts  
 Lankford Pompeo  
 Larsen (WA) Posey  
 Latham Price (GA)  
 LaTourette Quayle  
 Latta Rahall  
 Lee (CA) Rangel  
 Lewis (CA) Rehberg  
 Lewis (GA) Reichert  
 Lipinski Renacci  
 LoBiondo Ribble  
 Long Richardson  
 Lowey Richmond  
 Lucas Rigell  
 Luetkemeyer Rivera  
 Luján Roby  
 Lungren, Daniel Roe (TN)  
 E. Rogers (AL)  
 Lynch Rogers (KY)  
 Manzullo Rohrabacher  
 Marchant Rokita  
 Marino Rooney  
 McCarthy (CA) Ros-Lehtinen  
 McCarthy (NY) Roskam  
 McCaul Ross (AR)  
 McCollum Ross (FL)  
 McCotter Rothman (NJ)

Roybal-Allard Runyan  
 Ruppertsberger Ruppertsberger  
 Rush Ryan (OH)  
 Ryan (WI) Ryan (WI)  
 Sánchez, Linda T.  
 Sarbanes  
 Scalise  
 Schiff  
 Schilling  
 Schmidt  
 Schock  
 Schwartz  
 Scott (VA)  
 Scott, Austin  
 Scott, David  
 Sessions  
 Sewell  
 Shimkus  
 Shuler  
 Shuster  
 Simpson  
 Sires  
 Slaughter  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Stivers  
 Sutton  
 Terry  
 Thompson (MS)  
 Thornberry  
 Tiberi  
 Tipton  
 Conyers  
 Cooper  
 Dent  
 Dold  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Filner  
 Fitzpatrick  
 Flake  
 Frank (MA)  
 Garrett  
 Gohmert  
 Goodlatte  
 Gowdy  
 Graves (GA)  
 Griffith (VA)  
 Hensarling  
 Herrera Beutler  
 Hirono  
 Honda  
 Huelskamp

FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.  
 The Clerk will redesignate the amendment.  
 The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 100, noes 321, not voting 10, as follows:

[Roll No. 527]

AYES—100

Amash Huizenga (MI)  
 Barton (TX) Hurt  
 Becerra Inslee  
 Benishek Jenkins  
 Brady (TX) Johnson (IL)  
 Braley (IA) Johnson (OH)  
 Broun (GA) Jordan  
 Burton (IN) Kind  
 Camp Kingston  
 Carney Kucinich  
 Chabot Labrador  
 Chaffetz Landry  
 Lummis  
 Mack  
 Maloney  
 Manzullo  
 Matheson  
 McHenry  
 Mica  
 Michaud  
 Mulvaney  
 Myrick  
 Neugebauer  
 Nunes  
 Paul  
 Pence  
 Peters  
 Petri  
 Pingree (ME)  
 Poe (TX)  
 Polis  
 Pompeo  
 Quayle  
 Quigley

Forbes LoBiondo  
 Fortenberry Loeb sack  
 Foss Lofgren, Zoe  
 Franks (AZ) Long  
 Frelinghuysen Lowey  
 Fudge Lucas  
 Gallegly Luetkemeyer  
 Garamendi Luján  
 Gardner Lungren, Daniel  
 Gerlach E.  
 Gibbs Lynch  
 Gibson Marchant  
 Gonzalez Marino  
 Gosar Markey  
 Granger Matsui  
 Green, Al McCarthy (CA)  
 Green, Gene McCarthy (NY)  
 Griffin (AR) McCaul  
 Grijalva McClintock  
 Grimm McCollum  
 Guinta McCotter  
 Guthrie McDermott  
 Gutierrez McGovern  
 Hall McIntyre  
 Hanabusa McKeon  
 Hanna McKinley  
 Harper McMorris  
 Harris Rodgers  
 Hartzler Mc Nerney  
 Hastings (FL) Meehan  
 Hastings (WA) Meeks  
 Hayworth Miller (FL)  
 Heck Miller (MI)  
 Heinrich Miller (NC)  
 Herger Miller, Gary  
 Higgins Miller, George  
 Himes Moore  
 Hinojosa Moran  
 Hochul Murphy (CT)  
 Holden Murphy (PA)  
 Holt Nadler  
 Hoyer Napolitano  
 Hultgren Neal  
 Hunter Noem  
 Israel Nugent  
 Issa Nunnelee  
 Jackson (IL) Olson  
 Johnson (GA) Olver  
 Johnson, E. B. Owens  
 Johnson, Sam Palazzo  
 Jones Pallone  
 Kaptur Pascrell  
 Keating Pastor (AZ)  
 Kelly Paulsen  
 Kildee Pearce  
 King (IA) Pelosi  
 King (NY) Perlmutter  
 Kissell Kinzinger (IL)  
 Kline Peterson  
 Lamborn Pitts  
 Lance Platts  
 Langevin Posey  
 Lankford Price (GA)  
 Larsen (WA) Price (NC)  
 Larson (CT) Rahall  
 Latham Rangel  
 LaTourette Rehberg  
 Latta Reichert  
 Lee (CA) Reyes  
 Levin Richardson  
 Lewis (CA) Richmond  
 Lewis (GA) Rigell  
 Lipinski Roby  
 Roe (TN) Young (IN)

NOES—321

Ackerman Brooks  
 Adams Brown (FL)  
 Aderholt Buchanan  
 Akin Bucshon  
 Alexander Buerkle  
 Altmiere Burgess  
 Andrews Butterfield  
 Austria Calvert  
 Baca Canseco  
 Bachmann Cantor  
 Bachus Capito  
 Baldwin Capps  
 Barletta Capuano  
 Barrow Carnahan  
 Bartlett Carson (IN)  
 Bass (CA) Carter  
 Bass (NH) Cassidy  
 Berg Castor (FL)  
 Berkley Chandler  
 Berman Chu  
 Biggert Cicilline  
 Bilbray Clarke (MI)  
 Bilirakis Clarke (NY)  
 Bishop (GA) Clay  
 Bishop (NY) Cleaver  
 Bishop (UT) Clyburn  
 Black Coble  
 Blackburn Coffman (CO)  
 Blumenauer Cohen  
 Bonner Cole  
 Bono Mack Conaway  
 Boren Connolly (VA)  
 Boswell Costa  
 Boustany Costello  
 Brady (PA) Courtney

Crawford Cravaack  
 Crenshaw Crawford  
 Critz Crenshaw  
 Cuellar Critz  
 Cummings Cuellar  
 Davis (CA) Cummings  
 Davis (IL) Davis (CA)  
 Davis (KY) Davis (IL)  
 DeFazio DeGette  
 DeGette DeLauro  
 DeLauro Denham  
 DesJarlais DesJarlais  
 Deutch  
 Diaz-Balart  
 Dicks  
 Dingell  
 Doggett  
 Donnelly (IN)  
 Doyle  
 Dreier  
 Edwards  
 Ellison  
 Ellmers  
 Emerson  
 Engel  
 Eshoo  
 Farenthold  
 Farr  
 Fattah  
 Fincher  
 Costa  
 Costello  
 Fleming  
 Flores

NOT VOTING—10

Campbell Giffords  
 Cardoza Gingrey (GA)  
 Crowley Graves (MO)  
 Culberson Hinchey  
 Jackson Lee (TX)  
 Payne

Campbell Graves (MO)  
 Cardoza Hinchey  
 Carter Hirono  
 Crowley Jackson Lee  
 Culberson (TX)  
 Giffords Johnson (GA)  
 Granger Payne

NOT VOTING—18

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1106

Mr. POE of Texas changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. WITTMAN. Mr. Chair, on rollcall No. 526, I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the third amendment offered by the gentleman from Arizona (Mr.

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1112

Ms. LEE and Ms. WOOLSEY changed their vote from “aye” to “no.”

Messrs. POE of Texas, WESTMORELAND, and DOLD changed their vote from “no” to “aye.”

So the amendment was rejected.



The result of the vote was announced as above recorded.

AMENDMENT NO. 77 OFFERED BY MR. HUELSKAMP

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kansas (Mr. HUELSKAMP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 236, noes 184, not voting 11, as follows:

[Roll No. 528]

AYES—236

Adams	Flake	LaTourette
Aderholt	Fleischmann	Latta
Akin	Fleming	Lewis (CA)
Alexander	Flores	LoBiondo
Austria	Forbes	Long
Bachmann	Fortenberry	Lucas
Bachus	Fox	Luetkemeyer
Barletta	Franks (AZ)	Lummis
Barrow	Frelinghuysen	Lungren, Daniel
Bartlett	Galleghy	E.
Barton (TX)	Gardner	Mack
Bass (NH)	Garrett	Manzullo
Benishek	Gerlach	Marchant
Berg	Gibbs	Marino
Bilbray	Gibson	Matheson
Bilirakis	Gingrey (GA)	McCarthy (CA)
Bishop (UT)	Gohmert	McClain
Black	Goodlatte	McClintock
Blackburn	Gosar	McCotter
Bonner	Gowdy	McHenry
Boren	Granger	McIntyre
Boustany	Graves (GA)	McKeon
Brady (TX)	Griffin (AR)	McKinley
Brooks	Griffith (VA)	McMorris
Broun (GA)	Grimm	Rodgers
Buchanan	Guinta	Mica
Bucshon	Guthrie	Miller (FL)
Buerkle	Hall	Miller (MI)
Burgess	Harper	Miller, Gary
Burton (IN)	Harris	Mulvaney
Calvert	Hartzler	Murphy (PA)
Camp	Hastings (WA)	Myrick
Canseco	Heck	Neugebauer
Cantor	Hensarling	Noem
Capito	Herger	Nugent
Carter	Herrera Beutler	Nunes
Cassidy	Holden	Nunnelee
Chabot	Huelskamp	Olson
Chaffetz	Huizenga (MI)	Palazzo
Coble	Hultgren	Paul
Coffman (CO)	Hunter	Paulsen
Cole	Hurt	Pearce
Conaway	Issa	Pence
Cravaack	Jenkins	Peterson
Crawford	Johnson (IL)	Petri
Crenshaw	Johnson (OH)	Pitts
Davis (KY)	Johnson, Sam	Platts
Denham	Jones	Poe (TX)
Dent	Jordan	Pompeo
DesJarlais	Kelly	Posey
Diaz-Balart	King (IA)	Price (GA)
Donnelly (IN)	King (NY)	Quayle
Dreier	Kingston	Reed
Duffy	Kinzinger (IL)	Rehberg
Duncan (SC)	Kissell	Reichert
Duncan (TN)	Kline	Renacci
Ellmers	Labrador	Ribble
Emerson	Lamborn	Rigell
Farenthold	Landry	Rivera
Fincher	Lankford	Roby
Fitzpatrick	Latham	Roe (TN)

Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin

Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southerland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner

Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

□ 1117

So the amendment was agreed to. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 113, noes 307, not voting 11, as follows:

[Roll No. 529]

AYES—113

Amash	Griffith (VA)	Petri
Baca	Grijalva	Pingree (ME)
Baldwin	Gutierrez	Polis
Bass (CA)	Hanabusa	Price (NC)
Becerra	Hinojosa	Quigley
Bilbray	Holt	Reyes
Blumenauer	Honda	Ribble
Boswell	Jackson (IL)	Richardson
Braley (IA)	Keating	Richmond
Capuano	Kind	Rohrabacher
Carney	Kingston	Rokita
Chu	Kucinich	Ross (FL)
Ciulline	Labrador	Royce
Clarke (MI)	Larson (CT)	Rush
Clarke (NY)	Lee (CA)	Ryan (OH)
Clay	Lewis (GA)	Sánchez, Linda
Cohen	Lofgren, Zoe	T.
Conyers	Lujan	Schakowsky
Cooper	Lummis	Schrader
Cummings	Maloney	Sensenbrenner
Davis (IL)	Markey	Serrano
DeFazio	McClintock	Sherman
DeGette	McColum	Slaughter
Deutch	McDermott	Speier
Doggett	McGovern	Stark
Doyle	Miller, George	Stearns
Duncan (TN)	Moore	Stivers
Ellison	Moran	Tierney
Eshoo	Myrick	Tonko
Farr	Nadler	Upton
Filner	Napolitano	Velázquez
Frank (MA)	Neal	Walsh (IL)
Fudge	Oliver	Waters
Garamendi	Pallone	Waxman
Gibson	Paul	Welch
Goodlatte	Perlmutter	Woodall
Gosar	Peters	Woolsey
Green, Gene	Peterson	Yarmuth

NOES—307

Ackerman	Bilirakis	Burton (IN)
Adams	Bishop (GA)	Butterfield
Aderholt	Bishop (NY)	Calvert
Akin	Bishop (UT)	Camp
Alexander	Black	Canseco
Altmire	Blackburn	Cantor
Andrews	Bonner	Capito
Austria	Bono Mack	Capps
Bachmann	Boren	Carson (IN)
Bachus	Boustany	Carter
Barletta	Brady (PA)	Cassidy
Barrow	Brady (TX)	Castor (FL)
Bartlett	Brooks	Chabot
Bass (NH)	Broun (GA)	Chaffetz
Benishek	Brown (FL)	Chandler
Berg	Buchanan	Cleaver
Berkley	Bucshon	Clyburn
Berman	Buerkle	Coble
Biggert	Burgess	Coffman (CO)

NOES—184

Ackerman	Frank (MA)	Neal
Altmire	Fudge	Oliver
Amash	Garamendi	Owens
Andrews	Gonzalez	Pallone
Baca	Green, Al	Pascroll
Baldwin	Green, Gene	Pastor (AZ)
Bass (CA)	Grijalva	Pelosi
Becerra	Gutierrez	Perlmutter
Berkley	Hanabusa	Peters
Berman	Hanna	Pingree (ME)
Biggert	Hastings (FL)	Polis
Bishop (GA)	Hayworth	Price (NC)
Bishop (NY)	Heinrich	Quigley
Blumenauer	Higgins	Rahall
Bono Mack	Himes	Reyes
Boswell	Hinojosa	Richardson
Brady (PA)	Hirono	Richmond
Braley (IA)	Hochul	Ros-Lehtinen
Brown (FL)	Holt	Rothman (NJ)
Butterfield	Honda	Roybal-Allard
Capps	Hoyer	Ruppersberger
Capuano	Inslee	Ryan (OH)
Carnahan	Israel	Sánchez, Linda
Carney	Jackson (IL)	T.
Carson (IN)	Johnson (GA)	Sánchez, Loretta
Castor (FL)	Johnson, E. B.	Sarbanes
Chandler	Kaptur	Schakowsky
Chu	Keating	Schiff
Ciulline	Kildee	Schrader
Clarke (MI)	Kind	Schwartz
Clarke (NY)	Kucinich	Scott (VA)
Clay	Lance	Scott, David
Cleaver	Langevin	Serrano
Clyburn	Larsen (WA)	Sewell
Cohen	Larson (CT)	Sherman
Connelly (VA)	Lee (CA)	Shuler
Cooper	Levin	Sires
Costa	Lewis (GA)	Slaughter
Costello	Lipinski	Smith (WA)
Courtney	Loeb sack	Speier
Critz	Lofgren, Zoe	Stark
Cuellar	Lowe	Sutton
Cummings	Lujan	Thompson (CA)
Davis (CA)	Lynch	Thompson (MS)
Davis (IL)	Maloney	Tierney
DeFazio	Markey	Tonko
DeGette	Matsui	Towns
DeLauro	McCarthy (NY)	Tsongas
Deutch	McColum	Van Hollen
Dicks	McDermott	Velázquez
Dingell	McGovern	Visclosky
Doggett	McNerney	Walz (MN)
Dold	Meehan	Wasserman
Doyle	Meeks	Schultz
Edwards	Michaud	Waters
Ellison	Miller (NC)	Watt
Engel	Miller, George	Waxman
Eshoo	Moore	Welch
Farr	Moran	Wilson (FL)
Fattah	Murphy (CT)	Woolsey
Filner	Nadler	Wu
	Napolitano	Yarmuth

NOT VOTING—11

Campbell	Graves (MO)	Rangel
Cardoza	Hinche	Rush
Crowley	Jackson Lee	
Culberson	(TX)	
Giffords	Payne	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). One minute remains in this vote.

Cole  
Conaway  
Connolly (VA)  
Costa  
Costello  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Cuellar  
Davis (CA)  
Davis (KY)  
DeLauro  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dicks  
Dingell  
Dold  
Donnelly (IN)  
Dreier  
Duffy  
Duncan (SC)  
Edwards  
Ellmers  
Emerson  
Engel  
Farenthold  
Fattah  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gingrey (GA)  
Gohmert  
Gonzalez  
Gowdy  
Granger  
Graves (GA)  
Green, Al  
Griffin (AR)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heck  
Heinrich  
Hensarling  
Herger  
Herrera Beutler  
Higgins  
Himes  
Hirono  
Hochul  
Holden  
Hoyer  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Inlee  
Israel  
Issa

NOT VOTING—11

Barton (TX)  
Campbell  
Cardoza  
Carnahan

Crowley  
Culberson  
Giffords  
Graves (MO)  
Hinchey  
Jackson Lee  
(TX)  
Payne

Quayle  
Rahall  
Rangel  
Reed  
Rehberg  
Reichert  
Renacci  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Ryan (WI)  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schiff  
Schilling  
Schmidt  
Schock  
Schwartz  
Schweikert  
Scott (SC)  
Scott (VA)  
Scott, Austin  
Scott, David  
Sessions  
Sewell  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southernland  
Stutzman  
Sullivan  
Sutton  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Towns  
Tsongas  
Turner  
Van Hollen  
Visclosky  
Walberg  
Walden  
Walz (MN)  
Wasserman  
Watt  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (FL)  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Wu  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

□ 1120

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

AMENDMENT OFFERED BY MR. KUCINICH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. KUCINICH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 169, noes 251, not voting 11, as follows:

[Roll No. 530]

AYES—169

Adams  
Akin  
Amash  
Bachmann  
Baldwin  
Barton (TX)  
Bass (NH)  
Benishak  
Berg  
Bilirakis  
Bishop (UT)  
Bonner  
Boustany  
Bralley (IA)  
Brooks  
Broun (GA)  
Buchanan  
Burgess  
Burton (IN)  
Camp  
Capito  
Capuano  
Cassidy  
Chabot  
Chaffetz  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Clever  
Coble  
Coffman (CO)  
Connolly (VA)  
Conyers  
Costello  
Davis (IL)  
Davis (KY)  
DeFazio  
Denham  
DesJarlais  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Flores  
Foxy  
Gardner  
Garrett  
Gibbs  
Gibson  
Gohmert  
Gosar

Gowdy  
Graves (GA)  
Grijalva  
Guinta  
Gutierrez  
Hall  
Hanabusa  
Hanna  
Harris  
Heck  
Herrera Beutler  
Himes  
Hinojosa  
Hirono  
Posey  
Price (GA)  
Quigley  
Reed  
Renacci  
Ribble  
Richardson  
Rigell  
Roe (TN)  
Rokita  
Ross (FL)  
Rush  
Sanchez, Loretta  
Schilling  
Schmidt  
Schrader  
Schweikert  
Scott, Austin  
Sensenbrenner  
Serrano  
Sessions  
Slaughter  
Smith (NJ)  
Southernland  
Stark  
Stearns  
Stutzman  
Sullivan  
Terry  
Thompson (MS)  
Thompson (PA)  
Tierney  
Tipton  
Upton  
Velázquez  
Walberg  
Walsh (IL)  
Waters  
Webster  
West  
Westmoreland  
Wilson (SC)  
Wolf  
Woodall  
Woolsey  
Wu  
Yoder  
Young (AK)

NOES—251

Ackerman  
Aderholt  
Alexander  
Altmire  
Andrews  
Austria  
Baca  
Bachus  
Barletta  
Barrow  
Bartlett  
Bass (CA)  
Becerra  
Berkley  
Berman  
Biggert  
Bilbray  
Bishop (GA)  
Bishop (NY)  
Black  
Blackburn  
Blumenauer  
Bono Mack  
Boren  
Boswell  
Brady (PA)  
Brady (TX)  
Brown (FL)  
Bucshon  
Buerkle  
Butterfield  
Calvert  
Canseco  
Cantor  
Capps  
Carnahan  
Carney  
Carson (IN)  
Carter  
Castor (FL)  
Chandler  
Chu  
Clyburn  
Cohen  
Cole  
Conaway  
Cooper  
Costa  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Cuellar  
Cummings  
Davis (CA)  
DeGette  
DeLauro  
Dent  
Deutch  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Dold  
Donnelly (IN)  
Doyle  
Dreier  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Fleischmann  
Fleming  
Forbes  
Fortenberry  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Garamendi

Gerlach  
Gingrey (GA)  
Gonzalez  
Goodlatte  
Granger  
Green, Al  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guthrie  
Harper  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heinrich  
Hensarling  
Herger  
Higgins  
Hochul  
Holden  
Holt  
Hoyer  
Hunter  
Hurt  
Inlee  
Israel  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Kelly  
Kildee  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kissell  
Kline  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Latham  
LaTourette  
Latta  
Levin  
Lewis (CA)  
Lipinski  
LoBiondo  
Loeb sack  
Long  
Lowe y  
Lucas  
Luetkemeyer  
Lungren, Daniel  
E.  
Lynch  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rogers  
McNerney  
Meehan  
Meeks  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Mulvaney  
Murphy (CT)  
Murphy (PA)  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pascrell  
Pastor (AZ)  
Paulsen  
Pearce  
Pelosi  
Pence  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)

Nunnelee  
Olson  
Olver  
Owens  
Palazzo  
Pallone  
Pascrell  
Paulsen  
Pelosi  
Pence  
Perlmutter  
Peters  
Platts  
Polis  
Price (NC)  
Quayle  
Rahall  
Rangel  
Rehberg  
Reichert  
Reyes  
Richmond  
Rivera  
Roby  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Royce  
Runyan  
Ruppersberger  
Ryan (OH)  
Ryan (WI)  
Sanchez, Linda  
T.  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schock  
Schwartz  
Scott (SC)  
Scott (VA)  
Scott, David  
Sewell  
Sherman  
Shuler  
Shuster  
Simpson  
Sires  
Smith (NE)  
Smith (TX)  
Smith (WA)  
Speier  
Stivers  
Sutton  
Thompson (CA)  
Thornberry  
Tiberi  
Tonko  
Towns  
Tsongas  
Turner  
Van Hollen  
Visclosky  
Walden  
Walz (MN)  
Wasserman  
Schultz  
Watt  
Waxman  
Welch  
Wilson (FL)  
Wittman  
Womack  
Yarmuth  
Young (FL)  
Young (IN)

NOT VOTING—11

Graves (MO)  
Hinchey  
Jackson Lee  
(TX)  
Lynch  
Payne  
Whitfield

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
One minute remains in this vote.

□ 1124

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. WHITFIELD. Mr. Chair, on rollcall No. 530, had I been present, I would have voted "aye."

(By unanimous consent, Mr. HOYER was allowed to speak out of order.)

CONGRATULATING REPRESENTATIVE JOHN DINGELL ON HIS 85TH BIRTHDAY

Mr. HOYER. Ladies and gentlemen, this is a wonderful day of celebration. Today we celebrate the 85th birthday of an extraordinary American, an American who has served over five-eighths of his life in this House, an American whose father served before him, an American who has been sent to the Congress after Congress after Congress after Congress, a Member who has made an extraordinary contribution to the legislative history of this Congress and to the welfare of this country. JOHN DINGELL today is 85 years of age.

Mr. Chairman, I am pleased to now yield to somebody who has not served with him for 85 years, but has served with him for a very significant time on the extraordinarily important Energy and Commerce Committee, my friend from Texas (Mr. BARTON).

Mr. BARTON of Texas. Thank you, Congressman HOYER.

It has been my pleasure to serve for 26 years on the Energy and Commerce Committee with the distinguished gentleman who is having his 85th birthday. What some of our newer Members may not know is what a gentleman Chairman DINGELL is. And the uniqueness of his character is he will impart his wisdom to those of us in the opposition party and encourage us to then go out and use it against him, knowing that he is smart enough, tough enough, and effective enough to beat us at our own game. He is truly a paragon of this Congress, and will go down, in my estimation, in history as one of the top 10 Congressmen or -women of all time.

I want to extend him my warmest 85th birthday wishes and get him to guarantee that as long as he is able he will serve in this body, because he is truly a treasure for both sides of the aisle.

Mr. HOYER. Those of you who are new to this body, what Mr. BARTON has just said, if you want an example of a truly great legislator, a legislator who has year after year sat down with both sides of the aisle, with all the different interest groups that are represented in this Congress, and worked together to bring consensus to quality legislation, you could have no better example than JOHN DINGELL.

So I am pleased to rise, Mr. DINGELL, and express great admiration, respect, and deep affection for you, which I know is shared by all of your colleagues.

I yield back the balance of my time. The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Department of Defense Appropriations Act, 2012".

Mr. YOUNG of Florida. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GINGREY of Georgia) having assumed the chair, Mr. BASS of New Hampshire, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes, reported the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 320, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1130

MOTION TO RECOMMIT

Mr. BARROW. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BARROW. In its current form.

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

The Clerk read as follows:

Mr. Barrow moves to recommit the bill H.R. 2219 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 7, line 2, after the dollar amount, insert "(increased by \$20,000,000)".

Page 9, line 6, after the dollar amount, insert "(increased by \$20,000,000)".

Page 12, line 17, after the dollar amount, insert "(increased by \$160,000,000)".

Page 135, line 15, after the dollar amount, insert "(reduced by \$200,000,000)".

Mr. BARROW (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 5 minutes.

Mr. BARROW. Thank you, Mr. Speaker.

We Americans owe no greater debt than we owe the men and women of our armed services who risk their lives to protect our freedoms. We currently have around 350,000 troops deployed overseas. About a third of that number come from our National Guard and Reserve.

While most Americans don't know it, many National Guard members don't get the same support we give career servicemembers. When many National Guardsmen and -women get on the plane to go overseas, their families don't even know about the services that are available to them, and when many of those troops get back home, they don't have the help they need to get back into their daily lives.

To address this disparity, in 2008, Congress established the yellow ribbon reintegration program to provide a support program tailored to meet the needs of National Guard and Reserve combat veterans and their families. The yellow ribbon program helps servicemembers and their families throughout deployment, with programs such as career counseling, suicide prevention, access to health care, veterans benefits, and education benefits. This final amendment would increase funding for that program by \$200 million.

There is an excellent program in my district called the Augusta Wounded Warrior Project. They have several projects in Georgia to help wounded veterans. I've had the honor of working with them on some of these priorities and to meet with some of the returning veterans they have helped. What I hear over and over is that veterans can't take advantage of the many different support services available to them if they don't know about them or don't know how to navigate the bureaucracy that runs them. The yellow ribbon program helps our National Guard and Reserve combat veterans make that connection and get the services that they've earned.

According to the 2010 annual report to Congress, the yellow ribbon program held over 2,000 events and had over 300,000 contacts with individual servicemembers and their family members. That's a 50 percent increase in participation over 2009. And as the total number of returning National Guard and Reserve combat veterans goes up, the need goes up. This amendment will help make sure that the yellow ribbon program can help meet that need.

My amendment makes these funds available through a transfer from the account for the Afghanistan security forces fund. That account is funded in this bill at \$12.8 billion. While I think those funds are an important part of

our strategy for long-term success in Afghanistan, I think the highest and best use of a very small part of that money is to help our National Guard and Reserve combat veterans get back on their feet again.

My amendment would use about 1.5 percent of that money for this purpose, which I think is reasonable. In exchange for about 1.5 percent of what we're about to provide to help the Afghans take care of themselves, we can provide a 125 percent increase in support for those American soldiers and their families who make it all possible. I think that's a pretty good deal.

Finally, my amendment will not in any way delay final passage of this important legislation. If adopted, we move straight to a final vote on passage of this legislation.

I want to thank the chairman and the ranking member for their service and for their work on this bill. I think my amendment will have virtually no adverse impact on what we're trying to do for Afghanistan, but it will have a huge positive impact in meeting the needs of our combat veterans and their families. I hope that's something we can all support.

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

Mr. YOUNG of Florida. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore (Mr. SCHOCK). The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Speaker, the motion to recommit, I think, is a strong statement that this is a pretty good Defense appropriations bill, because the minority, using the procedural vote that minorities most always use, does not do any real damage to the bill, but it doesn't really do anything that needs to be done, either, so it's a procedural vote, and I suggest we just vote against it and get on to the bill.

But about the yellow ribbon. The bill already contains \$246.5 million for the yellow ribbon program, which we support. It's a good program, especially for reintegration for returning guardsmen and reservists and their families. In addition, we accepted an amendment by the gentleman from New Jersey (Mr. HOLT) to add \$20 million for further suicide prevention for our returning combat veterans. This comes to a total of \$266.5 million. That's not a bad number, when you consider that we had to reduce the President's budget by \$9 billion.

So I think we did pretty good, and I think that this motion to recommit is a strong indication that there's nothing really wrong with this bill, we just ought to go ahead and defeat the motion to recommit and pass the bill.

I yield to the gentleman from California.

Mr. LEWIS of California. I appreciate my chairman yielding.

I must say that the gentleman from Georgia is making a point that we all

understand. The Guard and Reserve are very important to our future, clearly, but even more important is for us to get this House back on a pathway to regular order, whereby we bring bills through the committees, bring them to the floor, open rules, have the opportunity to have these debates and the like.

I must say our chairman has done a fabulous job in moving in that direction, but I also would say that the ranking member of the subcommittee, who's also ranking member of the full committee, has been publicly committed to getting us back to regular order. Indeed, as a tribute to both of their work by way of strengthening the future of the House and our work this year, I would hope we not just defeat this motion to recommit but give an overwhelming vote in support of their fine work on final passage.

Mr. YOUNG of Florida. Mr. Speaker, I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

Mr. BARROW. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 2219 and adoption of House Resolution 340.

The vote was taken by electronic device, and there were—ayes 188, noes 234, not voting 9, as follows:

[Roll No. 531]

AYES—188

Ackerman  
Altmire  
Andrews  
Baca  
Baldwin  
Barrow  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boren  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capps  
Capuano  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Ciilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver

Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Costa  
Costello  
Courtney  
Critz  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez

Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Inslie  
Israel  
Jackson (IL)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)

Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Luján  
Lynch  
Maloney  
Markey  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Owens  
Pallone  
Pascarell

Pastor (AZ)  
Paul  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reyes  
Richardson  
Richmond  
Rohrabacher  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Schwartz  
Scott (VA)  
Scott, David

Serrano  
Sewell  
Sherman  
Shuler  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Stutson  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

NOES—234

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Austria  
Bachmann  
Bachus  
Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggart  
Billbray  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Canseco  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman (CO)  
Cole  
Conaway  
Cooper  
Cravaack  
Crawford  
Crenshaw  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold

Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry

Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paulsen  
Pearce  
Pence  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)

Rogers (KY)	Sessions	Upton	Heck	McHenry	Runyan	Speier	Towns	Woolsey
Rogers (MI)	Shinkus	Walberg	Heinrich	McIntyre	Ruppersberger	Stark	Velázquez	Wu
Rokita	Shuster	Walden	Hensarling	McKeon	Ryan (OH)	Thompson (CA)	Watt	Yarmuth
Rooney	Simpson	Walsh (IL)	Herger	McKinley	Ryan (WI)	Tierney	Waxman	
Ros-Lehtinen	Smith (NE)	Webster	Herrera Beutler	McMorris	Sanchez, Loretta	Tonko	Welch	
Roskam	Smith (NJ)	West	Higgins	Rodgers	Scalise	NOT VOTING—8		
Ross (FL)	Smith (TX)	Westmoreland	Himes	McNerney	Schiff			
Royce	Southerland	Whitfield	Hinojosa	Meehan	Schilling	Campbell	Giffords	Jackson Lee
Runyan	Stearns	Wilson (SC)	Hochul	Meeks	Schmidt	Cardoza	Graves (MO)	(TX)
Ryan (WI)	Stivers	Wittman	Holden	Mica	Schock	Culberson	Hinchee	Payne
Scalise	Stutzman	Wolf	Hoyer	Miller (FL)	Schwartz			
Schilling	Sullivan	Womack	Huelskamp	Miller (MI)	Schweikert			
Schmidt	Terry	Woodall	Huizenga (MI)	Miller (NC)	Scott (SC)			
Schock	Thompson (PA)	Yoder	Hultgren	Miller, Gary	Scott (VA)			
Schweikert	Thornberry	Young (AK)	Hunter	Moran	Scott, Austin			
Scott (SC)	Tiberi	Young (FL)	Hurt	Murphy (PA)	Scott, David			
Scott, Austin	Tipton	Young (IN)	Inlee	Myrick	Sensenbrenner			
Sensenbrenner	Turner		Israel	Neugebauer	Sessions			
			Issa	Noem	Sewell			
			Jenkins	Nugent	Sherman			
			Johnson (GA)	Nunes	Shimkus			
			Johnson (OH)	Nunnelee	Shuler			
			Johnson, E. B.	Olson	Shuster			
			Johnson, Sam	Owens	Simpson			
			Jones	Palazzo	Sires			
			Jordan	Pascrell	Slaughter			
			Kaptur	Pastor (AZ)	Smith (NE)			
			Kelly	Paulsen	Smith (NJ)			
			Kildee	Pearce	Smith (TX)			
			Kind	Pelosi	Smith (WA)			
			King (IA)	Pence	Southerland			
			King (NY)	Perlmutter	Stearns			
			Kingston	Peters	Stivers			
			Kinzinger (IL)	Peterson	Stutzman			
			Kissell	Petri	Sullivan			
			Kline	Pitts	Sutton			
			Labrador	Platts	Terry			
			Lamborn	Poe (TX)	Thompson (MS)			
			Lance	Pompeo	Thompson (PA)			
			Landry	Posey	Thornberry			
			Langevin	Price (GA)	Tiberi			
			Lankford	Price (NC)	Tipton			
			Larsen (WA)	Quayle	Tsongas			
			Latta	Rahall	Turner			
			Levin	Rangel	Upton			
			Lewis (CA)	Reed	Van Hollen			
			Lipinski	Rehberg	Visclosky			
			LoBiondo	Reichert	Walberg			
			Loeb	Renacci	Walden			
			Long	Reyes	Walsh (IL)			
			Lowe	Ribble	Walz (MN)			
			Lucas	Richardson	Wasserman			
			Luetkemeyer	Richmond	Schultz			
			Lummis	Rigell	Waters			
			Lungren, Daniel	Rivera	Webster			
			E.	Roby	West			
			Mack	Roe (TN)	Westmoreland			
			Manzullo	Rogers (AL)	Whitfield			
			Marchant	Rogers (KY)	Wilson (FL)			
			Marino	Rogers (MI)	Wilson (SC)			
			Matheson	Rokita	Wittman			
			McCarthy (CA)	Rooney	Wolf			
			McCarthy (NY)	Ros-Lehtinen	Womack			
			McCaul	Roskam	Woodall			
			McClintock	Ross (AR)	Yoder			
			McCotter	Ross (FL)	Young (AK)			
				Rothman (NJ)	Young (FL)			
				Roybal-Allard	Young (IN)			

## NOT VOTING—9

Campbell	Giffords	Jackson Lee
Cardoza	Graves (MO)	(TX)
Crowley	Hinchee	Payne
Culberson		

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1156

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 336, nays 87, not voting 8, as follows:

[Roll No. 532]

YEAS—336

Ackerman	Camp	Duncan (SC)
Adams	Canseco	Edwards
Aderholt	Cantor	Ellmers
Akin	Capito	Emerson
Alexander	Carnahan	Engel
Altmire	Carney	Farenthold
Andrews	Carson (IN)	Fattah
Austria	Carter	Fincher
Baca	Cassidy	Fitzpatrick
Bachmann	Castor (FL)	Fleischmann
Bachus	Chabot	Fleming
Barletta	Chandler	Flores
Barrow	Clay	Fortenberry
Bartlett	Clyburn	Fox
Barton (TX)	Coble	Franks (AZ)
Bass (CA)	Coffman (CO)	Frelinghuysen
Bass (NH)	Cole	Gallegly
Berg	Conaway	Gardner
Berkley	Connolly (VA)	Garrett
Berman	Conyers	Gerlach
Bigert	Cooper	Gibbs
Bilbray	Costa	Gingrey (GA)
Bilirakis	Courtney	Gohmert
Bishop (GA)	Cravaack	Gonzalez
Bishop (NY)	Crawford	Goodlatte
Bishop (UT)	Crenshaw	Gosar
Black	Critz	Gowdy
Blackburn	Crowley	Granger
Bonner	Cuellar	Graves (GA)
Bono Mack	Cummings	Green, Al
Boren	Davis (CA)	Green, Gene
Boswell	Davis (KY)	Griffin (AR)
Boustany	DeLauro	Griffith (VA)
Brady (PA)	Denham	Grimm
Brady (TX)	Dent	Guinta
Brooks	DesJarlais	Guthrie
Broun (GA)	Deutch	Hall
Brown (FL)	Diaz-Balart	Hanabusa
Buchanan	Dicks	Hanna
Bucshon	Dingell	Harper
Buerkle	Doggett	Harris
Burgess	Dold	Hartzler
Burton (IN)	Donnelly (IN)	Hastings (FL)
Butterfield	Dreier	Hastings (WA)
Calvert	Duffy	Hayworth

## NAYS—87

Flake	McDermott
Forbes	McGovern
Frank (MA)	Michaud
Fudge	Miller, George
Garamendi	Moore
Gibson	Mulvaney
Grijalva	Murphy (CT)
Gutierrez	Nadler
Hirono	Napolitano
Holt	Neal
Honda	Olver
Jackson (IL)	Pallone
Johnson (IL)	Paul
Keating	Pingree (ME)
Kucinich	Polis
Larson (CT)	Quigley
Lee (CA)	Rohrabacher
Lewis (GA)	Royce
Lofgren, Zoe	Rush
Lujan	Sánchez, Linda
Lynch	T.
Maloney	Sarbanes
Markey	Schakowsky
Matsui	Schrader
McCollum	Serrano

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1204

Mrs. MALONEY changed her vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PROVIDING FOR CONSIDERATION OF H.R. 1309, FLOOD INSURANCE REFORM ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 340) providing for consideration of the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 269, nays 146, not voting 16, as follows:

[Roll No. 533]

YEAS—269

Adams	Bucshon	Denham
Aderholt	Buerkle	Dent
Akin	Burgess	DesJarlais
Alexander	Burton (IN)	Diaz-Balart
Altmire	Butterfield	Dold
Amash	Calvert	Donnelly (IN)
Austria	Camp	Dreier
Bachmann	Canseco	Duffy
Bachus	Cantor	Duncan (SC)
Barletta	Capito	Duncan (TN)
Bartlett	Carney	Ellmers
Barton (TX)	Carson (IN)	Emerson
Bass (NH)	Carter	Farenthold
Benish	Cassidy	Fattah
Berg	Chabot	Fincher
Bigert	Chaffetz	Fitzpatrick
Bilbray	Chandler	Flake
Bilirakis	Coble	Fleischmann
Bishop (GA)	Coffman (CO)	Fleming
Bishop (UT)	Cole	Flores
Black	Conaway	Forbes
Blackburn	Conyers	Fortenberry
Blumenauer	Costa	Fox
Bonner	Cravaack	Frank (MA)
Bono Mack	Crawford	Frelinghuysen
Boren	Crenshaw	Gallegly
Boustany	Crowley	Gardner
Brady (TX)	Cuellar	Garrett
Brooks	Cummings	Gerlach
Broun (GA)	Davis (CA)	Gibbs
Buchanan	Davis (KY)	Gibson

Gingrey (GA)	Lungren, Daniel	Rohrabacher	Pascrell	Ryan (OH)	Thompson (MS)
Gohmert	E.	Rokita	Pastor (AZ)	Sanchez, Loretta	Tierney
Goodlatte	Mack	Rooney	Pelosi	Sarbanes	Tonko
Gosar	Manzullo	Ros-Lehtinen	Peters	Schakowsky	Towns
Gowdy	Marchant	Roskam	Pingree (ME)	Schiff	Tsongas
Granger	Marino	Ross (AR)	Polis	Schrader	Velázquez
Graves (GA)	Matheson	Ross (FL)	Price (NC)	Schwartz	Visclosky
Green, Gene	McCarthy (CA)	Royce	Quigley	Serrano	Walz (MN)
Griffin (AR)	McCarthy (NY)	Runyan	Rahall	Sewell	Wasserman
Griffith (VA)	McCaul	Ryan (WI)	Rangel	Schultz	
Grimm	McClintock	Scalise	Reyes	Slaughter	Watt
Guinta	McCotter	Schilling	Richmond	Smith (WA)	Waxman
Guthrie	McHenry	Schmidt	Rothman (NJ)	Speier	Welch
Hall	McIntyre	Schock	Roybal-Allard	Stark	Wilson (FL)
Hanna	McKeon	Schweikert	Ruppersberger	Sutton	Wu
Harper	McKinley	Scott (SC)	Rush	Thompson (CA)	Yarmuth
Harris	McMorris	Scott (VA)			
Hartzler	Rodgers	Scott, Austin			
Hastings (WA)	Meehan	Scott, David	Campbell	Hinchee	Payne
Hayworth	Mica	Sensenbrenner	Cardoza	Jackson Lee	Rogers (MI)
Heck	Michaud	Sessions	Culberson	(TX)	Sanchez, Linda
Hensarling	Miller (FL)	Sherman	Franks (AZ)	Johnson (IL)	T.
Herger	Miller (MI)	Shimkus	Giffords	Markey	Van Hollen
Herrera Beutler	Miller, Gary	Shuler	Graves (MO)	Murphy (PA)	Whitfield
Himes	Mulvaney	Shuster			
Huelskamp	Murphy (CT)	Simpson			
Huizenga (MI)	Myrick	Smith (NE)			
Hultgren	Neugebauer	Smith (NJ)			
Hunter	Noem	Smith (TX)			
Hurt	Nugent	Southerland			
Issa	Nunes	Stearns			
Jenkins	Nunnelee	Stivers			
Johnson (OH)	Olson	Stutzman			
Johnson, Sam	Palazzo	Sullivan			
Jones	Paul	Terry			
Jordan	Paulsen	Thompson (PA)			
Kaptur	Pearce	Thornberry			
Kelly	Pence	Tiberi			
King (IA)	Perlmutter	Tipton			
King (NY)	Peterson	Turner			
Kingston	Petri	Upton			
Kinzinger (IL)	Pitts	Walberg			
Kissell	Platts	Walden			
Kline	Poe (TX)	Walsh (IL)			
Kucinich	Pompeo	Waters			
Labrador	Posey	Webster			
Lamborn	Price (GA)	West			
Lance	Quayle	Westmoreland			
Landry	Reed	Wilson (SC)			
Lankford	Rehberg	Wittman			
Latham	Reichert	Wolf			
LaTourette	Renacci	Womack			
Latta	Ribble	Woodall			
Lewis (CA)	Richardson	Woolsey			
Lipinski	Rigell	Yoder			
LoBiondo	Rivera	Young (AK)			
Long	Roby	Young (FL)			
Lucas	Roe (TN)	Young (IN)			
Luetkemeyer	Rogers (AL)				
Lummis	Rogers (KY)				

NOT VOTING—16

□ 1211

So the resolution was agreed to.  
The result of the vote was announced as above recorded.  
A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall No. 533, the rule on H. Res. 340 appears to contain amendments which could be adverse to economic interests in the State of Illinois, subject to further study. The rule is traditionally a procedural, partisan matter. Accordingly, despite my presence on the floor in the center aisle, I chose to abstain. Had I voted, I would have voted, "present."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2109

Mr. TERRY. Mr. Speaker, I ask unanimous consent to have my name removed from H.R. 2109.  
The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?  
There was no objection.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)  
Mr. HOYER. Mr. Speaker, I yield to the majority leader for the purposes of inquiring of the schedule for the week to come.  
Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.  
Mr. Speaker, on Monday, the House will meet at noon for morning-hour debate and at 2 p.m. for legislative business. On Tuesday, Wednesday, and Thursday, the House will meet at 10 a.m. for morning-hour debate and at noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business. The last votes of the week are expected no later than 3 p.m. on Friday.  
On Monday, the House will begin amendment debate on H.R. 2354, the

Energy and Water appropriations bill; and consider H.R. 2417, the Better Use of Light Bulbs Act, under suspension of the rules.

For the remainder of the week, the House will consider H.R. 1309, the Flood Insurance Reform Act of 2011; H.R. 2018, the Clean Water Cooperative Federalism Act of 2011; H.R. 2434, the Financial Services appropriations bill; and potentially legislation relating to the expiring authorization of the FAA.

Finally, Mr. Speaker, as a scheduling notice, Members are advised that the House will now be in session during the week of July 18. I expect legislative business for the week to begin on Tuesday, July 19, at 2 p.m., with first votes postponed until 6:30 p.m. The last votes for the week are expected to conclude no later than 3 p.m. on Friday, July 22.

And I thank the gentleman.  
Mr. HOYER. I thank the gentleman for his scheduling information.

I want to pursue what I presume is the reason for not having the district work period that was originally scheduled. My presumption is that we are concerned about the impending arrival of the August 2 date on which America would be put in the position of defaulting on its obligations. I presume that's the reason, that we want to make sure that we are here to work on that issue. Am I correct on that?

Mr. CANTOR. The gentleman is correct.

It is my hope that we can have some deliberative processes and open discussions so that we can arrive at an appropriate conclusion of the challenges surrounding the issue of the debt limit expiration. That is correct.

Mr. HOYER. I thank the gentleman for that observation.

I know the gentleman has said in the past that he believes it would be a very bad situation for our economy and for our country if we did not extend the debt limit.

Am I correct that the gentleman still shares that view?

Mr. CANTOR. I would say to the gentleman, Mr. Speaker, that I have said before that America pays its bills just like the American people are expected to pay their bills at home and in their small and large businesses; but the fact is I think that the American people are expecting us to live up to the promise that we are not going to let spending get out of control again.

So the purpose of the deliberations that are ongoing throughout this Capitol, at the White House, et cetera, are focused—and should be—on making sure we change the system, on making sure that we accomplish the necessary cuts which would exceed the amount that we raise the debt limit, as well as to signal to the American people that we have changed the system; that this kind of unbridled spending ceases and that we begin to live within our means and get the fiscal house in order so

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Ackerman	DeGette	Johnson (GA)
Andrews	DeLauro	Johnson, E. B.
Baca	Deutch	Keating
Baldwin	Dicks	Kildee
Barrow	Dingell	Kind
Bass (CA)	Doggett	Langevin
Becerra	Doyle	Larsen (WA)
Berkley	Edwards	Larson (CT)
Berman	Ellison	Lee (CA)
Bishop (NY)	Engel	Levin
Boswell	Eshoo	Lewis (GA)
Brady (PA)	Farr	Loeb sack
Bralley (IA)	Filner	Lofgren, Zoe
Brown (FL)	Fudge	Lowe y
Capps	Garamendi	Luján
Capuano	Gonzalez	Lynch
Carnahan	Green, Al	Maloney
Castor (FL)	Grijalva	Matsui
Chu	Gutierrez	McCollum
Cicilline	Hanabusa	McDermott
Clarke (MI)	Hastings (FL)	McGovern
Clarke (NY)	Heinrich	McNerney
Clay	Higgins	Meeks
Cleaver	Hinojosa	Miller (NC)
Clyburn	Hirono	Miller, George
Cohen	Hochul	Moore
Connolly (VA)	Holden	Moran
Cooper	Holt	Nadler
Costello	Honda	Napolitano
Courtney	Hoyer	Neal
Critz	Inslee	Oliver
Davis (IL)	Israel	Owens
DeFazio	Jackson (IL)	Pallone

that we can focus on the overriding need for this country right now, which is to create an environment where jobs return.

I know the gentleman has seen today's jobs report. "Disappointing" is an understatement, so I make the point again:

As the gentleman knows, Mr. Speaker, he and I were at a meeting at the White House yesterday with the President in which I said, again, the import of our need to act and act responsibly and not—not—to raise taxes on the American people and the small businesses, and that we need so desperately to begin to create jobs again.

Mr. HOYER. I am pleased, as the gentleman knows, to hear that you want to stop the spiraling deficits that confront our country. I will repeat again because the gentleman keeps mentioning this, and I have enough experience to know what has happened:

In the 30 years that I've been here, of course we've had some few years of the Obama administration, but we had Mr. Reagan's administration, Mr. Bush I's administration, Mr. Bush II's administration, and we ran up—and I know the gentleman knows these figures—over \$6 trillion of deficit during that period of time. However, in the 8 years that Mr. Clinton was President of the United States, we had a \$62.9 billion surplus.

Now, the gentleman makes the point that spending is out of control. The fact is, as the gentleman clearly knows, when you were in charge of the House and the Presidency and the Senate, you increased spending by more than was increased during the Clinton administration by a percentage on an annual basis. So I'm glad to hear that your side now, without fail, talks about spending being out of control. Very frankly, I have the feeling, if your side were spending 5 cents, you would think that we would need to cut an additional 5 cents in revenues so that we could not pay the bills, because that's why we ran up \$6 trillion in deficits: you did not pay for what you bought.

Now, I'm one of those who very strongly believes we ought to pay for what we buy, but I also believe that we ought not to put this country on the brink of financial chaos and bring us down in the eyes of the world because we don't extend our debt.

Very frankly, I think we ought to pay for what we buy. We call that "taxes"—whether it's defending America, paying our FBI, paying people who are researching cancer, heart, lung, diabetes issues. Those are Federal expenditures for which the American people pay through taxes. If we are going to be responsible, we make a very simple judgment: if we want to buy it, we ought to pay for it.

That \$6 trillion of deficit was incurred during those Presidencies, and the President is the only person in America who can stop spending—the

only one. You can't do it and I can't do it. We need 217 other votes in our House. Over there, they need at least 60 votes to do anything. The President can do it himself. Ronald Reagan never had a veto overridden of a bill that said we spent too much money. George Bush I never had a veto overridden in which he vetoed a bill saying we spent too much money, and George Bush II never once had a veto overridden so that we spent money that he did not sanction.

So I say to my friend, we did meet at the White House, and the President of the United States, the leader of our party, and I and Mr. REID and Mr. DURBIN all said, yes, we need to get a handle on this spending; yes, we need to get a handle on the deficit; and, yes, we need to bring down the debt. We need to come to the table together with everything on the table, and we need to pay for what we think we ought to buy. Frankly, we ought to ensure that the United States of America, for the first time in history, doesn't fail to pay its bills.

□ 1220

I tell my friend that we've had a lot of commentary over the last few days, people on Wall Street, people in business—large, medium and small—and I will tell you that if the United States doesn't, by August 2, agree to pay that which it owes, that which it has incurred—not what we're going to incur, but those debts that we've incurred in the past—everybody in America is going to be hurt.

Every economist that I talk to says that interest rates are going to spike, the stock market is going to be at risk and, very frankly, millions of people who have pension funds and who have interest in their pensions are going to be adversely affected, the housing market, which is struggling, is going to be hurt, the economy that is struggling is going to be hurt. So I would hope that my friend and I will go to the White House on Sunday, we will sit with the President of the United States, and we will be for a large deal that is euphemistically referred to as a "comprehensive solution" so that we can in fact—not in the short term, not temporarily, but in the long term—bring fiscal discipline to the operations of our country. Our country needs that. I think the international community expects that of us. And if we don't do that, I tell my friend, I think we will not have fulfilled our oath of office to protect and defend the Constitution of the United States and serve the general welfare of our country and our people.

Now, some in your party of course have suggested there is no need to raise the debt. Does the gentleman agree with that proposition? I'm not going to go through the quotes, but as you know, one of your candidates for President has indicated there is no need to

worry about raising the debt. She serves in this body, as a matter of fact.

Mr. CANTOR. Mr. Speaker, I would respond to the gentleman, as he knows—he and I have had plenty of discussions about this; so I assume we are just on for show here—that he wants me to say yes. I believe it would be a grave consequence if we did not reach the point at which we could arrive at a solution and put a bill forward that would permit an increase in the credit limit of this country, with an associated cut in spending, and move to get our fiscal house in order.

And as the gentleman correctly pointed out, the reason why now we will not be in our districts on the week of the 18th is to ensure that we do get it right and that we recognize that the markets, the investors around the world are smarter than expecting us to just go and check the box to meet the date. At the end of the day, what the markets and investors, and, more importantly, the American people, are looking for is that we act responsibly, that we begin to manage down the debt and deficit. That means trillions of dollars of cuts are necessary. Because I think most Americans are looking at Washington in disbelief, that somehow we think there's not enough money coming into the Federal Government.

I mean, just look at the jobs report today. I cannot fathom how anyone thinks right now is a good time to raise taxes. Who thinks that raising taxes on individuals and small businesses can help create jobs? We are in a crisis. People in this country need to get back to work.

And let me just, Mr. Speaker, for the point of explanation because the gentleman insists on going back decades to recount the past—and as the gentleman knows, I'm the first one to say that we came to this majority with some contrition—that, no, we weren't always acting in the best interests of the fiscal health of this country, that's why we have taken the job at hand and acted responsibly and passed a budget that actually puts a plan in place to manage down the debt and deficit, unlike the other body, unlike this President. And that's why we come to the table right now, as we approach this debt ceiling vote, with a well thought out, deliberative plan to get people back to work while we get the fiscal house in order.

But let's just review some of the statistics, Mr. Speaker. There have been 2.5 million jobs lost since this President took office. There are 13.9 million Americans unemployed right now. A gallon of gas is significantly higher—well into the \$3.50, \$3.60 a gallon in some places in this country, if not higher, up from \$1.85 when this President took office. \$14.3 trillion in current national debt, up from \$10.6 trillion when this President took office. If



you work that out, \$46,042 debt per person, up from \$34,371 when this President took office. So you can go through line by line of how things have gotten worse for the American people.

Now, we can sit here and blame and point fingers all day long, but I would suggest, Mr. Speaker, the American people are tired of the bickering. They want to see some solutions. They want to see us come together. That's exactly why we have altered the schedule so we can begin to actually deliver on the promise.

So I agree with the gentleman from Maryland, the Democratic whip; we've got a serious challenge ahead of us. We on this side of the aisle have been consistent in our efforts to meet that challenge in a responsible way. But I would underscore again that now is not the time to raise taxes. Now is not the time to say that Washington needs more money because that money comes off the hard work and backs of the American people.

Mr. HOYER. I thank the gentleman.

Reclaiming my time, very interesting comments he makes. Of course, he leaves out some things. He talks about the jobs that were lost. Those jobs were lost of course as this administration took office. This administration has gained back 2 million of the 8 million jobs that were lost during the economic program that my friend from Virginia voted for, for the most part. Eight million jobs were lost. And the month that this administration took office in January, 780,000 jobs in one month were lost, the last month of the Bush administration. That's not very distant past.

But let me tell you, I heard the same rhetoric—you said you've changed, I heard the same rhetoric in 1993, same rhetoric when we adopted a program that we said would balance the budget, bring the economy back and create jobs. The same rhetoric, oh, no, you won't do it. The program that you're going to adopt—none of which you voted for, you weren't here, I understand that—but the same rhetoric applied. You thought we were going to tank the economy, kill jobs, explode the deficit and have high unemployment. In fact, as my friend well knows—he didn't read those statistics because he thinks they're ancient history because you opposed that policy. But that policy created 22 million jobs. That's a 30 million job difference between the Bush administration that was the follow-on administration and the Clinton administration. Thirty million job difference. I tell my friend, under the policies that you adopted and you supported in the 2000s.

So I would hope that my friend's comments are correct, that you have decided to change. In point of fact, we need change. And in point of fact, the American public—which is divided itself, but would like us to come to-

gether, and I'm hopeful that we'll do that. And my friend and I have had the opportunity to talk about this. We do have significant differences. But none of us can put something on the table and say if you don't agree, I'm going to tank the economy, I'm going to have America default for the first time in its 200-plus years of history if you don't agree and do it my way.

I have said, the leader has said on this side, everything is on the table. We understand that you have to pay for what you buy, and we also understand we have to buy less, and we are prepared to do both.

□ 1230

In fact, we have agreed to do both in the Biden talks.

Now, my friend talks about economists. The most successful investor in America, I think most people will agree, is Warren Buffett. Warren Buffett said we raised the debt ceiling seven times during the Bush administration. And now in this Congress, under the Republicans, they're using it as a hostage, and you really don't have any business playing Russian roulette to get your way in some matter. We should, he said, be more grown up on that. To that extent, he echoed the comments of our Speaker, who is trying, in my opinion, to get to a place where we can come together, compromise—as is critical in a democracy—pay our bills, and reduce our obligations and reduce spending. Buffett went on to say we should, as I said, be more grown up on that.

If we don't meet the August 2 deadline, he observed, you're playing with fire when you don't need to play with fire. And we don't need to tell the rest of the world that any time people in Congress start throwing a tantrum, that we're not going to pay our bills. That is not responsible behavior. It's not adult behavior. It's not good for anybody in the United States of America, and it's not good for the international community.

In fact, Senator Alan Simpson was referring to TOM COBURN, who has said, look, you've got to have everything on the table, including, yes, revenues; yes, taxes.

Some bard has said that taxes are the price we pay for democracy. They should not be any higher than they need to be, but we ought to pay for what we buy. And if we don't, if people don't want to pay for it, we ought not to buy it.

Unfortunately, the reason we racked up \$6 trillion of deficits during the Reagan and both Bush administrations is because we bought things and didn't pay for them. As you heard me say at the White House, we, both parties—you weren't here—voted for some things and didn't pay for them. We've got to stop that. That's why we put in place statutory PAYGO.

But, very frankly, you say, Well, we've changed. You passed a budget that doesn't balance the budget for the next 27 years. You passed the budget. You voted for that. I didn't vote for that budget. It doesn't balance the budget for 27 years, almost three decades. Very frankly, I don't think that does it.

That's why we went down to the White House yesterday, and almost everybody in the room said we need to do a comprehensive, disciplined, courageous, honest, principled resolution of doing what you say you want to do, that your party wants to do, and what I'm telling you, my friend, we want to do because there is no option. We must bring this deficit down. We must. The debt we have confronting us is not sustainable.

So I would urge my friend, and I want to congratulate Speaker BOEHNER, who at the White House said, Look, we need to do this and we need to have a comprehensive agreement. That's what democracy demands.

I'm not going to agree with some of the things that are in that bill. You're not going to agree with some of the things that are in that bill, if, in fact, we pass a bill. But if we come together, if we act as adults, if we do what every responsible financial economist and adviser has told us we must do, then America will be pleased with us.

But I tell my friend from Virginia, if we don't do that, if we continue to buy things that we don't pay for and we continue to ask the people to get it for free, then frankly your children, and my grandchildren and children and great-grandchildren, will not be happy with us.

So I urge my friend—he and I will be going to the White House on Sunday. I urge him to come to the table, as I will come to the table. I tell him, with the understanding that compromise is essential, that the crisis that confronts us is real and that America expects us to act in their best interest and have the courage—not the politics, not the ego, not the view of the next election—but the view of the long term, as we come together and try to confront this issue for which all of us are responsible. No one party, no one member. All of us are responsible. But then again, if that is the case, we are all responsible for its resolution.

I yield to the gentleman.

Mr. CANTOR. I thank the gentleman.

I would just try to keep my remarks short, and that is to say, listen, it's about jobs right now. The gentleman correctly points out we have a real spending problem here. And the question is, how do we address the first priority to get Americans back to work and address that spending problem we've got?

Now, if the gentleman says we have to pay for what we buy, I certainly agree with that. We ought to just be

buying less as a government because the money doesn't belong to the government, it belongs to the people. And if we want more people to get back to work, we should allow them to keep more of their money so that they can create jobs.

And that's really where the fundamental disagreement has been over the last couple of weeks. It certainly was what put the Biden talks into abeyance because there was a lot of good work that was done by both sides of the aisle in those talks. And I still believe that the product of those talks will prove to be the basis upon which we can arrive at an appropriate resolution of the challenge before us around the debt ceiling.

But why these talks ended was that your side insisted that we raise taxes. And I would say to the gentleman, raising taxes is, as he would put it, paying for what we buy. And I'm saying let's stop buying so much and let the people decide what it is they want to do with their money.

Mr. HOYER. Reclaiming my time, if I can—

Mr. CANTOR. If I could finish.

Mr. HOYER. I will continue to yield to the gentleman.

Mr. CANTOR. I would say to the gentleman, I know he likes to engage in a lot of the decades of history before. And I don't like to go finger-pointing and engage in that. But every time the gentleman raises the issue about jobs lost here, jobs lost there, what it does is require me to posit again, there have been 1.4 million jobs lost since the stimulus bill.

But that makes my point. We didn't need to do the stimulus bill. We didn't need to do the stimulus bill because now we are stuck with over \$800 billion in additional debt with now unemployment today at 9.2 percent.

So, again, question whether we're on the right policies here and we're spending the dollars we need to be spending. Maybe we shouldn't spend it. Maybe we should let it be invested in the private sector.

I would end by saying, again, the deficit is a real problem. We've got a \$1.6 trillion deficit this year, the largest in history and the third consecutive year of trillion dollars of deficits.

I would say to the gentleman, Mr. Speaker, we can't tolerate that. The President shouldn't tolerate that. The American people have no patience any more. That's why we need to get to work, try and lower the hyperbole and get the job done.

I thank the gentleman for yielding.

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

The gentleman, I understand, does not like me to look back. But the problem with being around for some time, you hear people say that this isn't going to work or that's going to work, and you know what? Hopefully that

ought to be instructive as to whether it did work or didn't work.

And the problem I have, which, apparently, I know you don't appreciate, is that I've heard the rhetoric before that you've just used today, and I heard it in 1993 when a program which had revenues in it, or, as you like to say, taxes—obviously those are revenues—and it was going to destroy the economy. Who said so? Phil Gramm, an economist on your side. He said we would devastate the economy. He was dead, flat wrong, 180 degrees wrong. We had the best economy in your lifetime.

Furthermore, let me instruct the gentleman, I don't know what you're reading from, but your figures are wrong. Over the last 20 months we have gained 2 million jobs.

□ 1240

Now, did we lose a lot of jobs in the first 6 months? We did. Now, there is no doubt in my mind for 1 second that if it were a Republican President and it had been a Democratic administration, there is no administration in history that wouldn't have blamed those first 6 months on their predecessor because they couldn't turn the economy around. So, since the stimulus took effect, we have gained 2 million jobs. Have we gained enough? No. We lost 8 million jobs under the Bush administration. So we have only filled 25 percent of the hole. Again, I don't know what paper you are looking at, but you check the figures.

Now, unfortunately this month, he is absolutely correct. It was disappointing, and the month before was disappointing. In fact, of course, some people are doing pretty well in America. The stock market closed at about 12,700-plus on the Dow yesterday, some \$2 trillion on hand.

One of the things I think that people are worried about is making sure that we act as adults, we act responsibly, we pay our bills, and we ensure that America does not default. All I am going to say, and then I will close, is that I hope the gentleman and I can join together on Sunday and on every day thereafter between now and when we can resolve this issue so that we can pay our bills, stabilize our economy, and give what the gentleman talked a lot about in our colloquies when our positions were reversed—I remember those days—talked a lot about, and that was confidence, that was stability.

The failure for us to act, as we acted seven times in the Bush administration to raise the debt limit, and I don't have the specific number, but more than that in the Reagan administration—and by the way, during the last 4 years of the Clinton administration, does the gentleman remember how many times we raised the debt limit? Zero. Zero. Why? Because for every one of those 4 years we had a surplus, not a deficit. A surplus. And Mr. Greenspan was wor-

ried at the end of the Clinton administration that we were going to pay off the debt too quickly. And President Bush projected a \$5.6 trillion surplus.

So I tell my friend that the reason I look back is to not repeat the mistakes of the past. We didn't pay our bills. We paid our bills in the nineties. We started not paying our bills again. You jettisoned the statutory PAYGO. You jettisoned it again, essentially, not the statutory part, but the rule part.

Again, I don't enjoy going back and forth on this, but I am very concerned for my country. The Speaker said he wanted to solve this problem by June 30. It is now July 7. We haven't resolved it. And the country is waiting for us. So let us hope that all of us will not say, can't do this, can't do that, can't do the other.

Let us go down to the White House on Sunday with the President, with the Senate, with the leaders of this House, and say, yes, we can. We can be responsible. We can be adults. We are going to get this done for the people.

I yield back the balance of my time.

#### ADJOURNMENT TO MONDAY, JULY 11, 2011

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

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

There was no objection.

#### PERMISSION TO APPOINT MEMBERS TO PERFORM THE DUTIES OF THE CHAIR

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period from August 8, 2011, through September 6, 2011, as though under clause 8(a) of rule I.

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

There was no objection.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 91

Mr. REED. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 91.

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

There was no objection.

#### GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in

which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 2354, and that I may include tabular material on the same.

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

There was no objection.

#### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore (Mr. REED). Pursuant to House Resolution 337 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2354.

□ 1245

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Indiana (Mr. VISCLOSKY) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I yield myself such time as I may consume.

Mr. Chairman, I am pleased to bring the fiscal year 2012 Energy and Water appropriations bill before the House this afternoon.

Before I begin my remarks, let me thank the full chairman, Mr. ROGERS, as well as the ranking member, Mr. DICKS, for their support of a very open process and their support of me as well as the ranking member. I would particularly like to thank my ranking member, Congressman PETE VISCLOSKY, for his dedication to our joint mission and our close working relationship. The bill is stronger for his input and knowledge.

I would also like to thank the committee staff, Rob Blair, the clerk; Joe Levin, Loraine Heckenberg, Angie Giancarlo, and Perry Yates. On the minority side, I would like to thank Taunja Berquam. I would also like to thank my personal staff, Nancy Fox and Kathleen Hazlett, and certainly recognize Mr. VISCLOSKY's personal staff in the form of Joe DeVo.

Mr. Chairman, the Energy and Water Development Appropriations bill supports programs critical to our Nation's security, safety, and economic competitiveness. Mr. Chairman, for far too

long Federal agencies have been assuming ever-increasing budgets, leading to programs with poor rationale and even less accountability. Those days are behind us now. This bill clearly shows that much greater fiscal discipline and a strong national defense and a strong economy can be achieved together.

The bill for fiscal year 2012 provides \$30.6 billion, \$1 billion below fiscal year 2011, and \$5.9 billion below the President's request, bringing the total spending levels for our bill down to approaching the fiscal year 2006 level. An additional \$1.03 billion is emergency offset funding which is provided to help recovery and repair efforts due to the severe floods we have seen in the Mississippi and Missouri River regions. These floods have resulted in immense devastation and loss of life and livelihoods. I commend the good work of the Army Corps, which is in the front lines, along with municipal, county, State, and other Federal first responders when tragedies like this occur.

Mr. Chairman, there are no congressional earmarks in this legislation. The highest national priorities are protected by supporting the Department of Energy's national defense programs and by preserving activities that directly support American competitiveness, such as water infrastructure and basic science research.

The bill also supports critical national security programs by providing \$10.6 billion for the National Nuclear Security Administration, including \$195.3 million above fiscal year 2011 for weapons activities to support the modernization of our nuclear stockpile.

The bill also supports urgent, ongoing efforts to secure vulnerable nuclear materials worldwide and the full request to design a reactor for the replacement of the Ohio-class ballistic missile submarine.

We've seen how catastrophic flooding can affect many lives locally and the economy nationally, and we know that yesterday's crisis could be anywhere tomorrow. This bill protects public safety and keeps America open for business by providing \$4.7 billion for the Army Corps of Engineers, \$195 million above the President's request, and \$89 million below fiscal year 2011. The bill makes funds available above the President's request for navigation and flood control, the activities most critical to public safety, jobs, and the economy, and gives the Corps 45 days to deliver and justify their spending plans.

□ 1250

This will give each project, whether in the President's budget or not, the opportunity to compete for these funds and ensure we understand how the Corps really develops its request.

Science research at the Department of Energy strengthens American com-

petitiveness and enables true breakthroughs in the energy sector, and the bill preserves strong funding for this program at \$4.8 billion, just \$43 million below fiscal year 2011.

The committee continues to support nuclear energy, providing \$8 million above the request for ongoing research in promising new programs such as small modular reactors, which it funds at the request level. By reducing funding where stimulus funds are still available or where the private sector is able to invest without Federal help, the bill reduces funding for energy efficiency and renewable energy to \$1.3 billion, \$491 million below fiscal year 2011.

The bill also upholds historic cleanup responsibilities by funding defense environmental cleanup at \$4.9 billion, less than 1 percent below last year's programmatic level, and includes language to curb the department's use of bartering to evade congressional oversight.

Finally, this bill includes numerous steps across all accounts to ensure the administration follows the will of Congress. For example, it includes funding and restrictions enforcing that Yucca Mountain is the law of the land and cannot be stopped by executive action alone. Over the years, this House, in a bipartisan fashion, has been fighting this administration's disdain for sound science and the hard-earned tax dollars of our constituents that went into building that disposal site.

Now the Government Accountability Office has issued a report saying that there is no scientific reason for shutting down Yucca, and the administration has been forced to release its own review showing that the science actually supports Yucca. Even the Nuclear Regulatory Commission's own Inspector General has released findings highly critical of the way the NRC chairman has withheld information regarding Yucca Mountain from the public and his fellow commissioners. This bill supports these findings by including \$35 million to keep Yucca Mountain going and language to ensure that political appointees at the NRC can no longer inappropriately use their insider positions.

It also includes new reporting requirements so the administration must track, and show, that the investments we make in science and technology are effective uses of taxpayer dollars.

Mr. Chairman, I take seriously our responsibility to rein in Federal spending in fiscal year 2012. The bill is premised upon hard questions, and focused cuts where the answers didn't hold up to scrutiny. This is the sort of analysis that will get our fiscal house in order. This bill deserves our Members' support, and I look forward to an open and full process and discussion.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2010 (H.R. 2354)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil /1					
Investigations.....	126,746	104,000	104,000	-22,746	---
Construction.....	1,789,822	1,480,000	1,615,941	-173,881	+135,941
Rescission.....	-176,000	---	-50,000	+126,000	-50,000
Subtotal.....	1,613,822	1,480,000	1,565,941	-47,881	+85,941
Mississippi River and tributaries.....	263,906	210,000	210,000	-53,906	---
Rescission.....	-22,000	-23,000	---	+22,000	+23,000
Rescission of emergency funding (Sec. 105).....	---	-35,000	---	---	+35,000
Subtotal.....	241,906	152,000	210,000	-31,906	+58,000
Operations and maintenance.....	2,365,759	2,314,000	2,366,465	+706	+52,465
Regulatory program.....	189,620	196,000	196,000	+6,380	---
FUSRAP.....	129,740	109,000	109,000	-20,740	---
Flood control and coastal emergencies.....	---	27,000	27,000	+27,000	---
Expenses.....	184,630	185,000	185,000	+370	---
Office of Assistant Secretary of the Army (Civil Works).....	4,990	6,000	5,000	+10	-1,000
=====					
Total, title I, Department of Defense - Civil... Appropriations.....	4,857,213	4,573,000	4,768,406	-88,807	+195,406
Rescissions.....	(5,055,213)	(4,631,000)	(4,818,406)	(-236,807)	(+187,406)
Rescissions of emergency funding.....	(-198,000)	(-23,000)	(-50,000)	(+148,000)	(-27,000)
	---	(-35,000)	---	---	(+35,000)
=====					
1/ Additional funding provided in Title V					
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah project construction.....	---	29,441	25,154	+25,154	-4,287
Fish, wildlife, and recreation mitigation and conservation.....	---	2,000	2,000	+2,000	---
Subtotal.....	---	31,441	27,154	+27,154	-4,287
Program oversight and administration.....	---	1,550	1,550	+1,550	---
Undistributed funding level.....	31,940	---	---	-31,940	---
Total, Central Utah project completion account..	31,940	32,991	28,704	-3,236	-4,287
Bureau of Reclamation					
Water and related resources.....	911,673	805,187	822,300	-89,373	+17,113
Central Valley project restoration fund.....	49,914	53,068	53,068	+3,154	---
California Bay-Delta restoration.....	39,920	39,651	35,928	-3,992	-3,723
Policy and administration.....	61,078	60,000	60,000	-1,078	---
Indian water rights settlements.....	---	51,483	---	---	-51,483
San Joaquin restoration fund.....	---	9,000	---	---	-9,000
Rescission.....	---	---	-66,000	-66,000	-66,000
Subtotal.....	---	9,000	-66,000	-66,000	-75,000
Total, Bureau of Reclamation.....	1,062,585	1,018,389	905,296	-157,289	-113,093
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Total, title II, Department of the Interior.....	1,094,525	1,051,380	934,000	-160,525	-117,380
=====					

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2010 (H.R. 2354)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
TITLE III - DEPARTMENT OF ENERGY					
Energy Programs					
Energy efficiency and renewable energy.....	1,825,641	3,200,053	1,304,636	-521,005	-1,895,417
Rescission.....	-30,000	---	---	+30,000	---
Subtotal.....	1,795,641	3,200,053	1,304,636	-491,005	-1,895,417
Electricity delivery and energy reliability.....	144,710	237,717	139,496	-5,214	-98,221
Rescission.....	-3,700	---	---	+3,700	---
Subtotal.....	141,010	237,717	139,496	-1,514	-98,221
Nuclear energy.....	732,124	754,028	733,633	+1,509	-20,395
Rescission.....	-6,300	---	---	+6,300	---
Subtotal.....	725,824	754,028	733,633	+7,809	-20,395
Fossil energy research and development.....	584,529	452,975	476,993	-107,536	+24,018
Rescission.....	-140,000	---	---	+140,000	---
Subtotal.....	444,529	452,975	476,993	+32,464	+24,018
Naval Petroleum and Oil Shale Reserves.....	22,954	14,909	14,909	-8,045	---
Rescission.....	-2,100	---	---	+2,100	---
Subtotal.....	20,854	14,909	14,909	-5,945	---
Strategic petroleum reserve.....	209,441	192,704	192,704	-16,737	---
Rescission.....	-86,300	-71,000	---	+86,300	+71,000
Subtotal.....	123,141	121,704	192,704	+69,563	+71,000
SPR petroleum account.....	---	-250,000	-500,000	-500,000	-250,000
Clean coal technology (rescission).....	-16,500	---	---	+16,500	---
Northeast home heating oil reserve.....	10,978	10,119	10,119	-859	---
Rescission.....	---	-100,000	-100,000	-100,000	---
Subtotal.....	10,978	-89,881	-89,881	-100,859	---
Energy Information Administration.....	95,409	123,957	105,000	+9,591	-18,957
Rescission.....	-400	---	---	+400	---
Subtotal.....	95,009	123,957	105,000	+9,991	-18,957
Non-defense environmental clean up.....	224,350	219,121	213,121	-11,229	-6,000
Rescission.....	-900	---	---	+900	---
Subtotal.....	223,450	219,121	213,121	-10,329	-6,000
Uranium enrichment decontamination and decommissioning fund.....	506,984	504,169	449,000	-57,984	-55,169
Rescission.....	-9,900	---	---	+9,900	---
Subtotal.....	497,084	504,169	449,000	-48,084	-55,169
Science.....	4,857,665	5,416,114	4,800,000	-57,665	-616,114
Rescission.....	-15,000	---	---	+15,000	---
Subtotal.....	4,842,665	5,416,114	4,800,000	-42,665	-616,114
Nuclear Waste Disposal.....	---	---	25,000	+25,000	+25,000
Rescission.....	-2,800	---	---	+2,800	---
Subtotal.....	-2,800	---	25,000	+27,800	+25,000
Advanced Research Projects Agency-Energy.....	179,640	550,011	100,000	-79,640	-450,011

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2010 (H.R. 2354)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Innovative Technology Loan Guarantee Program.....	58,000	38,000	38,000	-20,000	---
Offsetting collection.....	-58,000	-38,000	-38,000	+20,000	---
Loan volume rescission.....	-181,830	---	---	+181,830	---
Additional loan volume.....	11,830	360,000	---	-11,830	-360,000
Federal participation in Title 17 loan guarantee projects.....	---	500,000	---	---	-500,000
Additional subsidy cost.....	169,660	200,000	160,000	-9,660	-40,000
Subtotal.....	-340	1,060,000	160,000	+160,340	-900,000
Advanced technology vehicles manufacturing loans program.....	9,978	6,000	6,000	-3,978	---
Better buildings pilot loan guarantee initiative:					
Loan guarantees.....	---	100,000	---	---	-100,000
Administrative costs.....	---	5,000	---	---	-5,000
Subtotal.....	---	105,000	---	---	-105,000
Departmental administration.....	250,139	240,623	221,514	-28,625	-19,109
Miscellaneous revenues.....	-119,501	-111,883	-111,883	+7,618	---
Net appropriation.....	130,638	128,740	109,631	-21,007	-19,109
Rescission.....	-81,900	---	---	+81,900	---
Subtotal.....	48,738	128,740	109,631	+60,893	-19,109
Office of the Inspector General.....	42,764	41,774	41,774	-990	---
Total, Energy programs.....	9,181,665	12,596,391	8,282,016	-899,649	-4,314,375
Atomic Energy Defense Activities					
National Nuclear Security Administration					
Weapons activities.....	6,946,398	7,629,716	7,131,993	+185,595	-497,723
Rescission.....	-50,000	-40,332	-40,332	+9,668	---
Subtotal.....	6,896,398	7,589,384	7,091,661	+195,263	-497,723
Defense nuclear nonproliferation.....	2,318,653	2,549,492	2,086,770	-231,883	-462,722
Rescission.....	-45,000	-30,000	-30,000	+15,000	---
Subtotal.....	2,273,653	2,519,492	2,056,770	-216,883	-462,722
Naval reactors.....	960,176	1,153,662	1,030,600	+70,424	-123,062
Rescission.....	-1,000	---	---	+1,000	---
Subtotal.....	959,176	1,153,662	1,030,600	+71,424	-123,062
Office of the Administrator.....	398,993	450,060	420,000	+21,007	-30,060
Rescission.....	-5,700	---	---	+5,700	---
Subtotal.....	393,293	450,060	420,000	+26,707	-30,060
Total, National Nuclear Security Administration.....	10,522,520	11,712,598	10,599,031	+76,511	-1,113,567
Environmental and Other Defense Activities					
Defense environmental cleanup.....	4,991,638	5,406,781	4,937,619	-54,019	-469,162
(Transfer to Uranium enrichment decontamination and decommissioning fund).....	(-33,633)	---	---	(+33,633)	---
Rescission.....	-11,900	---	---	+11,900	---
Subtotal.....	4,979,738	5,406,781	4,937,619	-42,119	-469,162

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2010 (H.R. 2354)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Other defense activities.....	788,420	859,952	814,000	+25,580	-45,952
Rescission.....	-3,400	---	---	+3,400	---
Subtotal.....	785,020	859,952	814,000	+28,980	-45,952
Total, Environmental and other defense activities.....	5,764,758	6,266,733	5,751,619	-13,139	-515,114
Total, Atomic Energy Defense Activities.....	16,287,278	17,979,331	16,350,650	+63,372	-1,628,681
Power Marketing Administrations /2					
Operation and maintenance, Southeastern Power Administration.....	78,444	8,428	8,428	-70,016	---
Offsetting collections.....	-78,444	-8,428	-8,428	+70,016	---
Subtotal.....	---	---	---	---	---
Operation and maintenance, Southwestern Power Administration.....	82,918	45,010	45,010	-37,908	---
Offsetting collection.....	-69,868	-33,118	-33,118	+36,750	---
Subtotal.....	13,050	11,892	11,892	-1,158	---
Construction, rehabilitation, operation and maintenance, Western Area Power Administration.....	610,179	285,900	285,900	-324,279	---
Offsetting collections.....	-497,337	-189,932	-189,932	+307,405	---
Offsetting collection Colorado River Dam Fund...	-3,879	---	---	+3,879	---
Subtotal.....	108,963	95,968	95,968	-12,995	---
Falcon and Amistad operating and maintenance fund.....	2,568	4,169	4,169	+1,601	---
Offsetting collections.....	-2,348	-3,949	-3,949	-1,601	---
Subtotal.....	220	220	220	---	---
Total, Power Marketing Administrations.....	122,233	108,080	108,080	-14,153	---
Federal Energy Regulatory Commission					
Salaries and expenses.....	298,000	304,600	304,600	+6,600	---
Revenues applied.....	-298,000	-304,600	-304,600	-6,600	---
Total, title III, Department of Energy.....	25,591,176	30,683,802	24,740,746	-850,430	-5,943,056
Appropriations.....	(26,285,806)	(30,925,134)	(24,911,078)	(-1,374,728)	(-6,014,056)
Rescissions.....	(-694,630)	(-241,332)	(-170,332)	(+524,298)	(+71,000)
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission.....	68,263	76,000	68,400	+137	-7,600
Defense Nuclear Facilities Safety Board.....	23,203	29,130	29,130	+5,927	---
Delta Regional Authority.....	11,677	13,000	11,700	+23	-1,300
Denali Commission.....	10,679	11,965	10,700	+21	-1,265
Rescission.....	-15,000	---	---	+15,000	---
Subtotal.....	-4,321	11,965	10,700	+15,021	-1,265
Northern Border Regional Commission.....	1,497	1,500	1,350	-147	-150
Southeast Crescent Regional Commission.....	250	---	250	---	+250
Nuclear Regulatory Commission:					
Salaries and expenses.....	1,043,208	1,027,240	1,027,240	-15,968	---
Revenues.....	-906,220	-899,726	-890,713	+15,507	+9,013
Subtotal.....	136,988	127,514	136,527	-461	+9,013



ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2010 (H.R. 2354)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Inspector General.....	10,858	10,860	10,860	+2	---
Revenues.....	-9,774	-9,774	-9,774	---	---
Subtotal.....	1,084	1,086	1,086	+2	---
Total, Nuclear Regulatory Commission.....	138,072	128,600	137,613	-459	+9,013
Nuclear Waste Technical Review Board.....	3,883	3,400	3,400	-483	---
Office of the Federal Coordinator for Alaska natural gas transportation projects.....	4,457	4,032	4,032	-425	---
Total, title IV, Independent agencies.....	246,981	267,627	266,575	+19,594	-1,052
Appropriations.....	(261,981)	(267,627)	(266,575)	(+4,594)	(-1,052)
Rescissions.....	(-15,000)	---	---	(+15,000)	---
<b>TITLE V - EMERGENCY SUPPLEMENTAL FUNDING FOR DISASTER RELIEF</b>					
Corps of Engineers - Civil Construction, FY 2011 (emergency).....	---	---	376	+376	+376
Mississippi River and tributaries, FY 2011 (emergency).....	---	---	589,505	+589,505	+589,505
Operation and maintenance, FY 2011 (emergency)....	---	---	204,927	+204,927	+204,927
Flood control and coastal emergencies, FY 2011 (emergency).....	---	---	233,876	+233,876	+233,876
Subtotal, Corp of Engineers - Civil.....	---	---	1,028,684	+1,028,684	+1,028,684
Transfer from title XII, P.L. 111-5 (emergency).....	---	---	-1,028,684	-1,028,684	-1,028,684
Rescission of emergency appropriations (P.L. 111-5)...	---	---	-471,316	-471,316	-471,316
Total, Title V, Emergency supplemental for disaster relief.....	---	---	-471,316	-471,316	-471,316
Emergency appropriations.....	---	---	---	---	---
Rescissions of emergency appropriations.....	---	---	(-471,316)	(-471,316)	(-471,316)
Grand total.....	31,789,895	36,575,809	30,238,411	-1,551,484	-6,337,398
Appropriations.....	(32,697,525)	(36,875,141)	(30,996,059)	(-1,701,466)	(-5,879,082)
Emergency appropriations.....	---	---	---	---	---
Rescissions.....	(-907,630)	(-264,332)	(-286,332)	(+621,298)	(-22,000)
Rescissions of emergency appropriations.....	---	(-35,000)	(-471,316)	(-471,316)	(-436,316)

2/ Totals adjusted to net out alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals only reflect funds collected for annual expenses, excluding power purchase wheeling.

I reserve the balance of my time.

Mr. VISCLOSKEY. I yield myself such time as I may consume.

Mr. Chairman, I would like to express my appreciation to Chairman FRELINGHUYSEN and his staff for their efforts to be inclusive and transparent in drafting this legislation. The chairman has ensured that the Energy and Water Subcommittee continues its tradition of bipartisanship and, within the constraints of the allocation, he has done wonderful work. While I hope that we can modify some elements of the bill, I would observe that our differences are marginal and our agreement is fundamental. Also, I would like to join the chairman in thanking the other members of the subcommittee and also all of our staff for their exceptionally good and dedicated work.

As the chairman mentioned, the allocation for Energy and Water is more than \$1 billion below fiscal year 2011. This allocation has necessitated severe cuts to crucial programs. While I appreciate the chairman's considerable efforts and recognize difficult choices must be made to address the Nation's serious financial situation, this bill starkly illustrates the shortsighted nature of the spending cap set by the House budget. The allocation for Energy and Water is simply insufficient to meet the challenges posed by the economic downturn and to guarantee our national security.

Importantly, the chairman continues efforts to improve program and project management at all of the agencies under the bill's jurisdiction. He has honed provisions carried in the past and instituted others aimed at increased oversight. To point out one example, the bill includes a requirement that the Department of Energy complete independent cost estimates at major milestones for projects with a total cost in excess of \$100 million. A recent review of the department's cleanup-related construction projects by the Army Corps of Engineers paints a bleak picture of the management system for such projects and casts doubt on recent reforms intended to remove the department off the Government Accountability Office's list for high risk, a list that the department has been on for the last 21 years running. I am pleased the chairman has included a number of reporting requirements and statutory limitations that will contribute to increased transparency and improved management, and I strongly support his actions.

The science account, critical to the competitiveness of our Nation, is essentially the same as in 2011, not an insignificant achievement in light of the challenge the allocation provided. The bill also provides funds for the continuation of a promising new program called ARPA-E, which can drive innovations to support our scientific competitiveness. While ARPA-E has shown

some promise as a new organizational model, I am troubled that the same vigor that led to its creation has been largely absent when it comes to addressing the systemic management and communication problems in other existing applied programs.

I support and appreciate the inclusion of emergency funding to respond to the historic flooding in the Mississippi and Missouri River basins. Communities devastated by natural disasters deserve our full support. I am, however, disappointed that the bill offsets this funding by withdrawing critical investment dollars from economic infrastructure in the United States. I would note that this is the second time this year that the committee has transferred funds between bills, the first time from Energy and Water Development to Homeland Security, and now from Transportation to Energy and Water. We need to reconsider this practice and not strip investments in one area to pay for emergency needs in another.

I disagree with the notion that all funding for domestic emergency response should be offset immediately from domestic investment. In every year except two since 1997, the Congress has recognized the need for emergency funds to respond to the impacts of natural disasters on the Nation's water resource infrastructure. Since 2001, the Congress has provided more than \$24 billion to the Corps for this purpose. While I grant that this figure is inflated by the enormous cost of reconstructing New Orleans and the surrounding areas, perhaps New Orleans would not have flooded in 2005 had we invested in critical infrastructure in the prior years.

As we debate the long-term trajectory of taxes and spending, we cannot forgo actions necessary for the security and safety of our citizens. Yes, we must make difficult choices that will impact the future of this Nation, but we cannot allow those decisions to fall on the backs of those who have already suffered. Our country has provided billions in infrastructure funding on an emergency basis for dams, schools and roads in Iraq and Afghanistan. Yet we don't have the fortitude to acknowledge that it costs money to protect our citizens at home. We must stop disinvesting in the United States economy. In its 2009 report card on America's infrastructure, the American Society of Civil Engineers estimated an investment of \$2.2 trillion is necessary to bring our Nation's infrastructure up to a good condition. Moving forward, we must have the strength to budget for emergencies on an annual basis. We know they happen every year, and it is time to begin to responsibly budget for them.

I appreciate the chairman increasing Corps funding by \$195 million above the President's woefully inadequate re-

quest, ensuring that some ongoing projects will not be terminated.

□ 1300

Even with this additional funding, the bill provides \$677 million less than it did in 2010.

Our ports, harbors, navigational channels and locks continue to provide the foundation for long-term economic growth. At this funding level, we are not close to addressing the dredging backlog that plagues waterborne commerce in the United States.

Currently, for the top 59 ports in the United States, the Corps is only able to maintain authorized steps within the middle of the channel 33 percent of the time. Every day, this costs companies that rely on these ports money and serves as a major impediment to expanding their workforce. This is merely one of the reasons why in 2009 the American Society of Civil Engineers gave our Nation's dams, levees and inland waterways grades of D or D minus.

Renewable energy programs in this bill are reduced. We can debate whether our dependency on imported oil and other carbon fuels is an environmental problem or an economic problem. Either way, it is clearly a national security problem. We must expand the mix of our energy supply, and we must use the energy supply we have more efficiently, and we must also transport it more effectively. We have to make an investment to do that, and I do not believe that the allocation allows for the support necessary.

I would note that the bill adds two hubs to the Department of Energy while cutting both the Science and Renewable Energy accounts that fund them, giving the Department a total of five. This organizational model has not yet been proven, and I have serious reservations about starting two new hubs in light of the cuts to the underlying accounts.

Nonproliferation accounts are reduced significantly, and while I appreciate the chairman's efforts to preserve some of the most critical activities, the bill reduces our ability to counter the most serious threat confronting our national security and that is the threat of nuclear terrorism.

The bill cuts the defense nuclear nonproliferation account by more than \$460 million from the request. This comes on top of more than \$360 million cut from the request that was provided in final fiscal year bill 2011. These cuts reduce our ability to secure vulnerable nuclear materials around the world, delaying the removal of bomb-grade uranium, and limiting our capacity to detect illegal and illicit trafficking of nuclear materials.

And, finally, I am troubled that the bill includes a misguided prohibition on funds to develop, adopt, implement, administer or enforce a change or supplement to rules related to the Clean

Water Act regulatory guidelines. This provision applies not only to this fiscal year but to any subsequent energy and water act. We should be taking actions that address legitimate concerns while providing some clarity and certainty to the regulatory process, not prolonging the confusion, as this provision ensures.

In closing, I am truly appreciative that we are again doing the work of this committee, and I commend Chairman ROGERS and Ranking Member DICKS for their efforts to this end. And as I said at the beginning of my remarks, Chairman FRELINGHUYSEN has done a superb job. While marginal differences exist, our agreement on the overall bill is fundamental.

Mr. Chairman, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the chairman of the Appropriations Committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Chairman, this is a great bill. It's a model of fiscal restraint. I can attest to the fact that the committee has taken a long, hard look at each and every line in this bill to make sure that we are getting the greatest value from each and every taxpayer dollar spent, cutting back funding for programs that are not operating up to par. This bill is also proof that we can make these commonsense spending reductions without damaging or impairing the programs that help keep our country safe and our citizens at work.

This legislation rightly appropriates taxpayer dollars where they should be, in programs that provide the greatest benefits to the American people and that get the economy moving again. This includes \$30.6 billion for the Army Corps of Engineers, the Department of Energy and a host of independent agencies, including the Nuclear Regulatory Commission. Now, that is \$5.9 billion below the President's request; it's a billion dollars below current spending levels.

The Energy and Water appropriations bill funds important work that affects every community in every single one of our colleagues' districts. These are the quality-of-life programs that preserve our public safety and our economic competitiveness, including energy independence programs and national defense programs within the Department of Energy. This bill supports Army Corps construction projects, projects which are vital to national security and which are of a tangible impact on job creation.

But this year's bill is unlike any Energy and Water appropriations bill in recent memory, or perhaps even in history, in one major way. Some of our colleagues and critics were no doubt wondering how we could write this bill under the earmark moratorium, but I

am proud that we have been able to craft a responsible bill that funds projects across the Nation without one single earmark. By doing so, we have made the process much more transparent, requiring that organizations like the Corps provide an outline of how, when, and why they are spending precious Federal dollars while maintaining the constitutionally mandated congressional authority over budget decisions. We have retained the power of the purse and strict oversight of these agencies.

On the subject of oversight, I would like particularly to note that \$35 million is included to continue the Yucca Mountain review process. The committee has supported these efforts for years, and I am relieved to see that the rest of Congress is finally beginning to see the light and support this program and to realize the extent to which the administration's position ignores good science and wastes billions of taxpayer dollars.

While providing the vital funding for our Nation's energy and water programs, the bill abides by the committee's promise, and my promise as chairman, that we would cut spending wherever and whenever we can.

I must commend Chairman FRELINGHUYSEN and the subcommittee members and staff and the ranking member who have worked so closely together on this bill. They have found the significant spending reductions in areas that seem excessive and unnecessary increases, and in these accounts with large unspent balances. This is the responsible and serious way to get our budgets back into balance and to help keep us on track toward economic recovery.

Again, I want to thank Mr. VISCLOSKY and Chairman FRELINGHUYSEN for doing a great job in bringing a bill to the floor under difficult circumstances. They work collegially and they work intelligently together, and I want to particularly thank the subcommittee staff on both sides of the aisle for their tireless effort putting together this legislation.

Mr. Chairman, this is a good bill that all of us can support, and I urge that we do just that.

Mr. VISCLOSKY. I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, I deeply respect my colleagues coming here and raising the subject of increased funds in this bill for the Corps of Engineers. I also want to thank Mr. FRELINGHUYSEN and Mr. VISCLOSKY for understanding this very important need. That money, in construction accounts and the Mississippi River and Tributaries account, will go to address an immediate need to repair and rebuild flood protection so that the vic-

tims of the historic flooding all up and down the Mississippi River and the Missouri River can recover from the terrible losses they have suffered.

It's not just the people in the southern Missouri district I represent who need help; it's also people in Louisiana, in Iowa, in North Dakota, in Kentucky, in Mississippi, Illinois and a host of other States.

□ 1310

Throughout the country, people who rely on flood protection to shelter their homes, their schools, their churches, and their workplaces have seen their lives and their livelihoods totally disrupted. In one Missouri county alone, the economic losses from flooding are estimated at over \$300 million. In the entire MR&T, the total exceeds 4 billion.

Without the certainty of future repairs to the levee systems that protect them, these Americans will remain at risk. They will be unable to rebuild. They'll find it difficult to get insurance. They'll watch their family businesses slip away with the receding floodwaters. Long after the disaster, there will be many, many personal disasters—even if it never rains another drop.

I know that some of our colleagues have raised concerns that this funding will come at a cost to future years of high-speed rail development. I greatly appreciate the desire to retain the promise of funding for those projects, but I must ask them to weigh the immediate need for flood protection against the future need for high-speed rail.

If these repairs aren't completed by next spring, a flood protection system that barely holds against the record flood of 2011 will be in extreme danger in 2012. The Corps would not have the same tools at its disposal to avert flooding in many parts of the country, including major urban areas along the river, like Memphis, Tennessee, just for example.

The funds in this bill respond to an unanticipated disaster of enormous magnitude. Failure to fund the effort to reset the levee system nationwide is an unnecessary risk with widespread economic and public safety implications.

I urge my colleagues to recognize the certainty this funding provides to distressed families all over the country, and I ask them to support a responsible arrangement to fund the Corps of Engineers during a very difficult budgetary climate for the Congress and the Nation.

In closing, I'm very, very grateful for the support of Chairman FRELINGHUYSEN for this funding increase.

Mr. VISCLOSKY. Mr. Chairman, I yield 4 minutes to the gentleman from Massachusetts (Mr. MARKEY), the ranking member on the Natural Resources Committee.

Mr. MARKEY. I thank the gentleman from Indiana.

We continually hear from the Republicans that the pain of budget cuts has to be spread all around. Everyone has to deal with some pain. But we saw that was completely untrue in their budget plan. The GOP said, Sorry Grandma, not enough money for Medicare; sorry, low-income kids, we can't afford Medicaid. But billions, billions in tax breaks for Big Oil companies, they all stay on the books. They don't even touch any of the tax breaks for Big Oil, for Big Gas, for Big Coal. Tax loopholes that help keep companies offshoring jobs, those were too important to cut as well.

The Republican plan is about misplaced priorities, and we see it in full display here, once again, today in this bill on the House floor. When it comes to nuclear power, the Republicans want to spend more taxpayer money after Fukushima. When it comes to coal, Republicans want to spend more taxpayer money. This bill even keeps alive the deepwater drilling program, ensuring that millions in tax breaks continue to be wasted on developing oil drilling technologies that rich oil companies already have and can afford to pay for themselves by tipping American consumers upside down at the pumps every time they go to refill their gas tanks. They don't need taxpayer money to do this. The last in line should be oil companies. They're the first in line. They are the first in line under the Republican agenda.

Now, when it comes to clean energy, though, when it comes to the future, what young people think should be the future of our country—solar, wind, geothermal, biomass, clean vehicles, hybrids, plug-in vehicles, all-electric vehicles, more efficient buildings, increases in science spending for research so we make the breakthroughs in energy research and weatherizing homes and buildings—what does this budget do? Down, down, down, down, down. They cut those budgets, every one of them. They cut the future. They cut the future. What do they do for the past, for oil, for coal, for gas, for Yucca Mountain nuclear waste dump? Up, up, up with the past. That's what this whole debate is about. It's a debate about the past versus the future.

And their budget, this budget, cuts the future. It cuts it in a radical way. And it says to the young people in our country, you're going to have to wait for another generation before we see the breakthroughs in wind and solar and all-electric vehicles.

That's the message to young people all across our country in this Republican budget. They cut wind and solar \$134 million. They cut clean vehicle technology \$46 million, green building technology \$61 million, science research \$43 million, weatherization \$141 million. The list goes on and on and

on—more money for technologies of the past, less money for technologies of the future.

I will have an amendment next week that will give us an opportunity to rectify some of these misplaced spending priorities. But I have to hand it to my Republican colleagues for one thing. They are actually being honest.

The CHAIR. The time of the gentleman has expired.

Mr. VISCLÖSKY. I yield the gentleman 2 additional minutes.

Mr. MARKEY. I thank the gentleman.

I have to hand it to my Republican colleagues. They are being honest with this bill. For the first time, unequivocally, the Republicans are telling Americans that their plan is to retreat from a clean energy future, from a solar, wind, biomass and all-electric future. They are saying it here, We want to cut all of those programs.

There's no hiding behind the numbers. They're screaming out here at the Members of the House on the floor and to the young people of our country. They're screaming, We are going to retreat from the future. They can't talk about their all-of-the-above energy program anymore. No, ladies and gentlemen. Their program is not all of the above. It's oil above all. That's what it's about. That's how they keep the tax breaks. That's how they keep the subsidies for the oil industry. They cut the programs for wind and solar.

Now, which industry in America is the last one, right now, that needs a tax break? It's the oil industry. They're recording the largest profits of any corporations in the history of America. If we're going to begin anywhere, can we begin with them? Do we have to take it out of clean energy to keep all the tax breaks for those wealthiest companies?

Do you know who's the happiest right now, who is really smiling? The corners of their mouths are turned upwards all across Venezuela, all across Saudi Arabia, and all across OPEC. They're looking out here at the Republican budget for the future, and they're saying, Ah, we can sleep at night. We don't have to worry that there will be more efficient vehicles. We don't have to worry that they're moving to an all-electric vehicle future. We don't have to worry that they're going to tell us that they don't need our oil any more than we need their sand. No. Their message is going to be, Bring it on. Let us continue to go on our hands and knees and beg for them to please produce more oil, please sell us more oil at \$100 a barrel. Please do that. That's what this Republican budget says.

Vote "no."

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. LATHAM).

Mr. LATHAM. I thank Mr. FRELINGHUYSEN for the time.

Mr. Chairman, I rise in support of this bill and simply to make a point about the emergency funds and the offset that's provided to the Army Corps of Engineers.

I think everyone is aware, but I want to emphasize the dire situation we have today on the Mississippi River and, certainly, the very dire situation we have on the Missouri River that is costing lives, costing livelihoods, businesses, and the futures for so many families.

We also, Mr. Chairman, have a dire situation with our deficit today, and we've got to address that. In order to fund the immediate repairs for the life-saving levees, the committee proposed an offset from the high-speed rail. And that's really a program that they're talking about that in 10 years still won't be beyond the planning phases.

□ 1320

As the chairman of the Transportation, Housing and Urban Development Subcommittee on Appropriations, I understand that a portion of this money would have gone to very important projects in the Northeast corridor. Some of these projects have great merit, and Chairman FRELINGHUYSEN has been the strongest advocate for funding for these programs that do have merit. He understands it; I understand it. We will do everything that we can to fund those projects because they are needed up there.

But I will also say that today we have an emergency beyond anything that I have ever seen before in my years. It would be a week ago Wednesday that I was standing on a levee by the Missouri River by the town of Percival, Iowa. Farmers were there on the other side of the levee trying to fix boils that were coming through underneath the levee, trying to save their farms, their communities. Some of those farmers, they were fifth- and sixth-generation farms, and they were fighting desperately to save their livelihood and their family's heritage. That was 3 in the afternoon on Wednesday. At 4 the next morning, Thursday morning, that levee blew out. And those livelihoods, those thousands of acres of farmland, the town of Percival itself is now underwater.

That is why these funds are desperately needed today, as soon as possible, to make sure that we can fund the type of emergency that we have going on today.

The Army Corps of Engineers needs that money today so they can repair those levees so we can save lives and livelihoods and the heritage for generations to come.

Mr. Chairman, today is not a question of what we want. We all want to see improvements in the Northeast corridor, and we are going to do everything we can to make that happen. But it is about what is needed today, what

is an emergency today, what funds have to go to dire problems that we face and the dire consequences we will face if, in fact, we do not do the work that we need to do today.

I commend the chairman for his great work.

Mr. VISCLOSKEY. Mr. Chairman, I thank the chair and the members of the committee and the exceptional staff that we have for their good work.

I have no further requests for time, and I yield back the balance of my time.

Mr. HONDA. Mr. Chair, the Energy and Water Development Appropriations bill is yet another glaring example of the flawed nature of the Republican budget. To try to meet their unrealistic goal of reducing the deficit solely through domestic non-defense discretionary spending cuts, Republicans are proposing to make crippling cuts to our national investment in improving energy efficiency and the development of renewable energy sources.

These cuts will only serve to make our Nation more dependent on the coal, oil, and gas interests that own the Republican Party and more dependent on importing our energy from insecure foreign sources. Meanwhile, our global competitors recognize that this is an area in which there are many gains to be made and they are investing heavily to develop their own renewable resources and promote domestic economic and job growth.

Investment in clean energy is much more cost effective than continued giveaways to the oil and gas industry—the Commerce Department has found that clean energy generates 17 jobs for every \$1 million spent on it, compared to just 5 jobs for every \$1 million we throw at an oil and gas industry that doesn't need subsidies but continues to fight for subsidies and tax breaks.

As a representative from Silicon Valley, I hear every day from the companies in and around my district about how renewable energy sources like solar, wind, fuel cells, and hydrokinetic are the wave of the future. To reach their full potential, these sources must be enabled by basic science underlying new energy technologies, by the development of advanced batteries for electricity storage and through improved energy efficiency across the board, through solid state lighting technologies, building technologies, and smarter electronic devices that know when to reduce their energy consumption.

These fields are where the jobs are—WIRED magazine asked the professional networking service LinkedIn to survey its members who have switched industries in the last 5 years, and what it found was that the growth in Renewables and the Environment was 56.8 percent, far more than any other. The Silicon Valley Leadership Group, an organization of influential high-tech CEOs, includes “greater deployment of clean energy and clean technology coupled with investments in energy efficiency” in its federal policy agenda, because they know it “will contribute to this objective [energy independence] while generating hundreds of thousands of new, sustainable jobs here in the United States.”

Sadly, this Energy and Water Development Appropriations bill does not reflect these im-

portant priorities. Instead, it provides only \$1.3 billion for Energy Efficiency and Renewable Energy programs, 27 percent below the current funding level and 59 percent below the President's Budget Request. Funding is slashed for many activities: solar energy, 64 percent below the President's request; fuel efficient vehicle technologies, 57 percent below the President's request; building technologies, 68 percent below the President's request; biomass and bio-refinery research and development, 56 percent below the President's request; home weatherization assistance, nearly 90 percent below the President's request; and the Advanced Research Projects Agency—Energy, 82 percent below the President's request.

The unrealistic Republican budget has left us with an allocation for this bill that is too small for our Nation's needs, and too small to offer meaningful amendments to improve these woefully inadequate funding levels. To make matters worse, Republicans have been so driven by ideology that they required the chairman to include an offset in this bill for emergency spending to deal with recovery from the storms and flooding along the Mississippi River, an offset that would gut our national investment in High Speed Rail. This requirement marks yet another way in which this Energy and Water Development bill would take our Nation backwards, away from achieving a sustainable future.

We need to do better than this bill. We need to aggressively pursue clean energy while we still have control of the game, before it is too late and our climate has changed forever, we are running out of oil, and we are running out of time. Silicon Valley is ready to lead, we just need the rest of the Nation to join us. I oppose this bill because it fails our Nation.

Mr. SIMPSON. Mr. Chair, I would like to express my appreciation to the Chair and Ranking Member of the Energy and Water Development Subcommittee for the work they and the subcommittee staff have done in developing the FY12 Energy and Water Appropriations bill.

It is impossible to make everyone happy when the fiscal reality requires reductions, but at a time when we borrow 40 cents for every dollar we spend we need to be willing to set priorities and make difficult decisions.

The bill before us makes responsible investments in energy research and development and it funds critical waterway infrastructure improvements, but it does it in a responsible and sustainable manner. One of the lessons that we all should have learned over the past several years is that it is in nobody's interest to expand budgets at an unsustainable rate. We are now faced with the unpleasant task of trimming back the budget to remove the excesses of the past several years so that we can get back to a responsible baseline.

The Energy and Water Development Appropriations Subcommittee has always worked in a bipartisan basis to address the energy and infrastructure challenges facing our nation, and I believe that this product is better for the cooperative and problem-solving approach of both the staff and subcommittee members. It is an honor for me to be able to serve on this subcommittee, and I am pleased to be able to support this bill.

I would also like to speak directly to the Administration and NRC Chairman Gregory Jaczko. I'm deeply concerned that Chairman Jaczko has allowed politics to influence the NRC's decisions, and in my opinion, in order to restore public confidence in the NRC, the Chairman should step aside. Absent that, the President and Chairman Jaczko should take note that the bill we are passing contains funding to continue with the Yucca Mountain repository and the associated licensing activities in the NRC.

Congress is making a statement here: continuing funding of Yucca is the fiscally responsible thing to do to prevent billions of dollars in future liability and to ensure that the \$15 billion already invested has not been wasted.

Again, I want to express my appreciation for Chairman FRELINGHUYSEN, Ranking Member VISCLOSKEY, and the subcommittee staff for the fine work they have done this year.

Mr. CARDOZA. Mr. Chair, I rise to strike the last word.

Mr. Chair, I rise today to object to the offset in the Energy and Water Development Appropriations Bill that rescinds all unobligated funds for the High Speed and Intercity Passenger Rail program. This is funding that has been appropriated by Congress and awarded to worthy projects. Pulling it back now would break our commitment to our state partners, and cause costly delays for these job-creating infrastructure projects.

In opposing this bait-and-switch to high speed rail funding for our states, I am in no way discounting the need for emergency disaster relief for our friends in the South and Midwest who have survived catastrophic flooding and tornadoes this spring. Additionally, I've consistently been a champion of deficit reduction, believing firmly that we need to pay for what we spend.

However, I rise today to call attention to the absolute charade the majority is engaged in of requiring cuts to vital infrastructure investments to offset the cost of emergency spending. When this body appropriated funds for the victims of Hurricane Katrina, no other community was made to suffer. When this body appropriated funds for the victims of the California wildfires, no other community was made to suffer. When this body appropriated funds for the victims of the wildfires in Arizona, no other community was made to suffer. Yet, today, on the floor of this House, we are being asked to make a choice between one suffering community and another, for no reason at all.

Mr. Chair, I've come to the floor of this House numerous times explaining the dire economic situation facing my constituents. The foreclosure rate in my district is almost double the national average; three of the top ten cities in the country with the highest foreclosure rates are in my district. My district is home to three of the top ten communities with the highest unemployment in the nation. We have some of the highest poverty rates and lowest per capita income and educational levels in the nation. As if that weren't enough, the San Joaquin Valley also has some of the worst air quality in the nation. In a nutshell, there is no area in the United States that cries out for job-creating infrastructure investments more than my district.

Yet despite this incredible need, this bill proposes to eliminate \$386 million dollars of funding for two rail infrastructure projects in my district, resulting in the elimination of over 10,000 direct jobs and an untold number that could be created by private economic development around the train stations. Further, recalling this funding would hobble a project that will ease traffic congestion and help to improve the air quality of my district. And this bill, for the first time, cuts funding for a regional and national priority in order to provide emergency relief. It is simply unconscionable to subjectively and maliciously force one community to suffer due to natural disaster somewhere else. It is simply unconscionable to make disaster relief for one region of the country come at the expense of a region that has been struggling for years due to the economic downturn. It is unconscionable and because of that, I urge my Colleagues to vote no on this bill.

Mrs. BIGGERT. Mr. Chair, I submit the following letter in support of funding for the Department of Energy's Office of Science in H.R. 2354, Energy and Water Development Appropriations Act of 2012.

CONGRESS OF THE UNITED STATES,  
Washington, DC, May 13, 2011.

Hon. RODNEY FRELINGHUYSEN,  
Chairman, Energy and Water Development Appropriations Subcommittee, House Appropriations Committee, Washington, DC.

Hon. PETER VISCLOSKEY,  
Ranking Member, Energy and Water Development Appropriations Subcommittee, House Appropriations Committee, Washington, DC.

DEAR CHAIRMAN FRELINGHUYSEN AND RANKING MEMBER VISCLOSKEY: As you begin work on the Fiscal Year 2012 Energy and Water Appropriations bill, we write to express our strong support for robust and sustained funding for the Department of Energy (DOE) Office of Science, and the critical research, unique scientific facilities, and expert personnel that it supports.

We recognize the fragile state of the nation's economy, and support efforts to reduce the deficit and create jobs. But to do so, we must set priorities and make smart, strategic decisions about federal funding. We believe that scientific research is the foundation for the innovative solutions that will enable us to overcome many of our greatest challenges—from economic stagnation and dependence on foreign energy to curing diseases and addressing threats to our national security. That is why we believe funding for the DOE Office of Science must be a priority in fiscal year 2012.

As the nation's primary sponsor of research in the physical sciences, the DOE Office of Science has built—and maintains—a unique collection of large-scale, cutting-edge, one-of-a-kind user facilities relied upon by approximately 25,000 researchers annually. Nearly half of these users are university faculty and students. Others come from U.S. industry and many are conducting research for other key federal science agencies, such as the National Institutes of Health (NIH) and the National Science Foundation (NSF). Without these critical facilities, thousands of users would be forced to move their job-creating research activities overseas, or terminate their research altogether.

The DOE Office of Science also supports a first-rate workforce of research scientists, engineers, and support personnel who work as teams on long-term solutions to some of the nation's greatest challenges and who are

ready to tackle pressing problems at a moment's notice. Moreover, it plays a unique and critical role in the education of the next generation of American scientific talent, including thousands of graduate students and postdoctoral researchers at hundreds of U.S. institutions who depend upon DOE Office of Science support and facilities for their research and training.

This collection of research, facilities and scientific talent has enabled the DOE Office of Science to contribute greatly to our quality of life, our health, and our security. The DOE Office of Science has been integral to the development of several innovative technologies, including MRI machines and PET scans, new composite materials for military hardware and motor vehicles, medical and industrial isotopes, drop-in biofuel technologies, DNA sequencing technologies, more aerodynamic and fuel efficient long-haul trucks, electric vehicle battery technology, an artificial retina, newer and safer nuclear reactor designs, 3-D models of pathogens for vaccine development, tools to manufacture nanomaterials, and better sensors and detectors for biological, chemical, and radioactive materials.

By prioritizing funding for DOE scientific research—thereby supporting both the human and physical capital—Congress will preserve our capacity to innovate, reduce our dependence on foreign sources of energy, enhance our competitive edge in the global economy, improve our quality of life, ensure our national security, and create good American jobs well into the future. For these reasons, we urge you to make strong and sustained funding for the DOE Office of Science one of your highest priorities in fiscal year 2012.

Sincerely,  
Judy Biggert, Rush Holt, Randy Hultgren, Anna Eshoo, Daniel Lipinski, John C. Carney, Jr., Barney Frank (MA), Michael Capuano, Russ Carnahan, John Garamendi, Grace Napolitano, Alcee Hastings, Barbara Lee, Ron Kind, Donna Christensen, Lloyd Doggett, Tim Bishop, George Miller, Tammy Baldwin, Steve Israel, Bob Filner, David Wu, Jerry McNerney, Chris Van Hollen, John Dingell, Stephen Lynch, Hansen Clarke, Zoe Lofgren, Jason Altmire, Sander Levin, Laura Richardson, Marcia Fudge, Henry Waxman, Robert Dold, Doc Hastings, Theodore Deutch, David Price, Jared Polis, Louise McIntosh Slaughter, Roscoe Bartlett, Silvestre Reyes, Danny Davis, Paul Tonko, John Yarmuth, Mike Quigley, John J. Duncan, Jr. (TN), Judy Chu.

Mr. CONNOLLY of Virginia. Mr. Chair, the Republican Energy and Water Appropriations Act would take American energy policy back to the 19th century. It slashes funding for solar, advanced vehicles, building efficiency, biomass, home weatherization, advanced energy research, and loan guarantees for renewable energy. Incredibly, as gas prices remain high the Republicans gut funding for fuel efficient automobiles. These cuts would be devastating for domestic manufacturers of renewable energy and energy efficiency technology, as well as our domestic auto industry. Consider the magnitude of these cuts:

\$97 million cut in solar funding, helping Chinese solar manufacturers at the expense of American producers;

\$46 million cut in fuel efficient vehicles, hurting consumers at the pump while putting

American auto producers at a competitive disadvantage;

\$61 million cut in building efficiency, which will expose consumers to rising electricity prices;

\$33 million cut in biomass research, crippling a critical domestic industry which supports the timber industry and diversifies our electric generation portfolio;

\$141 million cut in home weatherization funding, an 81 percent cut in a program which saves consumers money by reducing their electric bills;

\$80 million cut for Advanced Research Projects Agency—Energy (ARPA-E), a 44 percent cut in critical clean energy research;

\$1 billion cut in High Speed Rail money, punishing commuters in congested regions like the Washington-Boston corridor;

\$43 million cut in science research, hurting American competitiveness.

In addition to attacking domestic manufacturing, clean energy production, and efficiency programs, the Republicans have inserted policy riders to advance a radical anti-environmental agenda at the expense of Americans' public health. Their rider would block the Army Corps of Engineers and Environmental Protection Agency from implementing the Clean Water Act in accordance with guidance from those agencies. Following a decade of regulatory uncertainty following a Supreme Court decision, the Obama administration issued guidance to help landowners comply with the Clean Water Act. This guidance replaced a confusing patchwork of lower level court decisions and produced the regulatory certainty that Republicans claim to support. This rider demonstrates that the Republicans are not actually interested in regulatory "certainty;" they are simply opposed to any and all environmental and public health regulations. Since they know they can't win a public debate about these public health standards, they are trying to sneak in a rider to an appropriations bill to block the regulations.

American entrepreneurs developed the solar panel and more sophisticated wind turbines, yet China and Germany are far ahead of American wind and solar production. The Obama administration requested funding increases for renewable energy so America can compete and produce clean energy generation domestically, but the Republican budget would actually slash clean energy funding.

Just as the American auto industry is recovering as a result of the Obama Administration's intervention, this Republican appropriations bill would gut advanced vehicle and vehicle efficiency funding. We need to produce more efficient vehicles and advanced hybrid vehicles here in America. The American auto industry declined in the 1970s and 1980s as foreign competitors produced more efficient, technologically advanced vehicles. We cannot afford to give up market share again by surrendering to foreign auto producers.

This Republican appropriations bill is not an isolated attack on American clean energy production and industrial competitiveness. The same Republicans have already passed legislation in the House—thankfully not the Senate—to repeal the Clean Air Act and block vehicle efficiency standards in the future. Never in the history of American politics has one of

our great political parties been so blind to opportunities of the future and determined to repeat failures of the past.

We have a real opportunity to boost American manufacturing of clean energy and advanced vehicles. Just as a result of the Recovery Act we went from producing 2 percent to 40 percent of advanced batteries. We cannot allow this Republican appropriations bill to reverse that progress and cripple American industrial competitiveness.

Mr. GENE GREEN of Texas. Mr. Chair, I am opposed to the Energy and Water Appropriations bill for several reasons. One of these reasons is that while this bill increases funding for the Army Corps of Engineers over the President's request, it is not enough. The Army Corps completes critical flood control projects and also, through dredging at our port, fuels a major economic engine in Harris County, Texas and has been underfunded for years.

The Port of Houston is the largest foreign tonnage port and the largest petrochemical port in the country. In fact, it moves the second largest amount of cargo in the country, as 8.5 percent of our nation's cargo moves through the Port of Houston. The commerce that occurs at our port is critical to our nation's energy and chemical sectors and to our country's ability to trade and move goods throughout our country. It is a port of national significance, but has not received the attention that is necessary to answer the challenges we face in the near future. Despite the national importance of our port, it is facing a dredging crisis.

Currently, the Houston Ship Channel is dredged to a depth of 43 feet, but it should be as deep as 45 feet. The Panama Canal is expanding and when it is completed, the Port of

Houston should be able to accept ships that take full advantage of the larger Panama Canal, and for this, they would need a depth of 50 feet.

However, under both the President's plan and the Republicans' plan, dredging at the Port of Houston will be left behind. For instance, under the President's budget, dredging at the Port is funded at about \$23 million, that is \$60 million lower than the amount necessary to just get the port to a depth of 45 feet, let alone 50 feet, which would be millions more.

As we confront the dual challenges of adopting policies that create jobs and reduce the debt, funding for dredging projects is an item that, while costly, will have more of a positive impact on our economy than a negative impact on our deficit. The Texas Transportation Institute performed a study and determined that a direct economic impact of the loss of 1 foot of draft is \$373 million. The majority of this impact is lost business opportunities due to light loading of non-containerized vessels. As the dredging crisis at the port continues to worsen, this opportunity cost will quickly accelerate.

Mr. CONYERS. Mr. Chair, today I rise in opposition to the H.R. 2354, the Fiscal Year 2012 Energy & Water Development Appropriations Bill. In particular, I oppose the provisions of this legislation that would rescind all remaining unobligated high-speed rail American Recovery and Reinvestment Act funds. The rescission would eliminate rail funding for the high-speed Chicago to Detroit line, eliminate thousands of jobs, and provide fewer travel options for my constituents.

Well over \$492 million is cut from three projects, which are critical components of this

high speed rail line. Even worse, these cuts would eliminate more than 13,000 jobs in a community where good paying jobs are few and far between.

High speed rail would give my constituents a viable and green commuting option in the Midwest. Having the ability to travel from Detroit to Chicago with the speed of a plane flight would open the doors to new business investments in the Metro Detroit area and connect major markets in the Midwest. It would be a win-win for consumers and business.

Mr. Chair, it is appalling that this body seems to lack the courage to strive for greatness for America.

Franklin Coolidge had that courage. He worked with Congress to create the Hoover Dam.

Dwight Eisenhower had that courage. He worked with Congress to create the National Highway System.

John Kennedy had that courage. He and Congress sent our country to the moon.

Where is this body's courage? Where is the belief that America can still do and build great things? Do we still have the desire to be the best, or will we let China lead the way on when it comes to manufacturing and high speed rail in the 21st Century?

I for one believe America can, and must, be a leader when it comes to investing in our country's economic future. I urge my colleagues to reject this defeatist bill and embrace a 21st century transit system.

Mr. BISHOP of New York. Mr. Chair, pursuant to the terms for debate on H.R. 2354, the Energy & Water Development Appropriations bill; I submit the following.

2010 FORTUNE 100

source: [http://money.cnn.com/magazines/fortune/fortune500/2010/full\\_list/](http://money.cnn.com/magazines/fortune/fortune500/2010/full_list/)

[Note: Revenue figures for all companies include consolidated subsidiaries and exclude excise taxes.]

Rank	Company	Revenues (\$ millions)	Profits (\$ millions)	Industry descriptor
2	Exxon Mobil	284,650.00	19,280.00	Energy development and production
3	Chevron	163,527.00	10,483.00	Energy development and production
4	General Electric	156,779.00	11,025.00	High-value durable goods manufacturing
8	Ford Motor	118,308.00	2,717.00	High-value durable goods manufacturing
10	Hewlett-Packard	114,552.00	7,660.00	IT equipment development and production
15	General Motors	104,589.00	N.A.	High-value durable goods manufacturing
20	International Business Machines	95,758.00	13,425.00	IT equipment development and production
22	Procter & Gamble	79,697.00	13,436.00	Household product manufacturing
28	Boeing	68,281.00	1,312.00	Defense/Aerospace
33	Johnson & Johnson	61,897.00	12,266.00	Pharmaceutical development and production
37	United Technologies	52,920.00	3,829.00	Defense/Aerospace
40	Pfizer	50,009.00	8,635.00	Pharmaceutical development and production
44	Lockheed Martin	45,189.00	3,024.00	Defense/Aerospace
46	Dow Chemical	44,945.00	648	Chemical development and production
61	Northrop Grumman	35,291.00	1,686.00	Defense/Aerospace
62	Intel	35,127.00	4,369.00	Semiconductor development and production
66	Caterpillar	32,396.00	895	High-value durable goods manufacturing
74	Honeywell International	30,908.00	2,153.00	Defense/Aerospace
75	Abbott Laboratories	30,764.70	5,745.80	Pharmaceutical development and production
85	Merck	27,428.30	12,901.30	Pharmaceutical development and production
86	DuPont	27,328.00	1,755.00	Chemical development and production
95	Raytheon	24,881.00	1,935.00	Defense/Aerospace

Mr. INSLEE. Mr. Chair, I am concerned about the devastating impact that the underlying legislation will have on the clean energy economy. H.R. 2354 is a disappointment to those working to advance the clean energy economy because it slashes investments—by 40 percent from the President's request—in the new clean energy jobs of the future, ranging from solar to biomass to wind, and new technologies for more energy efficient cars and buildings.

Today, more than ever, we need investments in clean energy research, innovation,

and manufacturing—investments which can grow new industries, create American jobs, reduce U.S. oil dependence, and increase our national security. H.R. 2354 abandons efforts for a new American energy economy that would lower electricity prices for families, reduce our reliance on foreign energy, and increase energy independence.

While I understand the fiscal situation we are in, H.R. 2354 cuts programs that can be targeted to actually grow our economy. The bill slashes Energy Efficiency and Renewable Energy, EERE, by 27 percent, cuts the Ad-

vanced Research Projects Agency—Energy, ARPA-E, by 44 percent, cuts Weatherization Assistance Grants and associated training programs by 81 percent, all the while increasing funding for fossil fuel research and development. I believe that this demonstrates that the priorities of H.R. 2354 are aligned with outdated 20th century energy policies that will not recharge our new economy. A 21st century Energy and Water Appropriations Act should include measures to increase funding for renewable energy and clean technology and



these increases should be offset by dollars from fossil energy research and development.

To help strengthen our economy and create new jobs, we must rebuild America. In a report released this week by the Brookings Institution entitled "Sizing the Clean Energy Economy: A National and Regional Green Jobs Assessment," it is reported that 2.7 million Americans are now employed in the clean technology economy. The report found that in the State of Washington, there are 83,676 clean energy jobs, with an annual wage of \$46,457. The report showed that median wages for clean-economy workers are about 13 percent higher than median U.S. wages. The clean technology economy has created export intensive jobs; on average, twice as much value is exported from clean tech jobs than the national average. The potential for future job creation in the clean energy economy is endless and targeted investments in this new economy make sense.

As the House of Representatives considers amendments to H.R. 2354, I urge my colleagues to consider the opportunities for economic growth and job creation embodied in the clean energy economy and oppose the misguided priorities in this bill.

Mr. WITTMAN. Mr. Chair, I would like to address some concerns from my constituents about the Army Corps of Engineers permitting process.

As I travel around Virginia's First District, I hear from many constituents about their frustration with policies and regulations from Washington, D.C. Unfortunately, large federal government bureaucracies can get out of control and fail to protect the citizens and taxpayers.

The Army Corps of Engineers is an important agency in coastal Virginia. They have many responsibilities to promote navigation, commerce and environmental restoration. However, there are some occasions where I believe the multiple levels of bureaucracy and lack of accountability of decision makers can lead to situations that are unfair to Americans.

I've worked on the behalf of one of my constituents, a small marina owner who believes he was harmed due to a permitting mistake by the U.S. Army Corps of Engineers. In this case a permitting decision ultimately cost this small business a significant amount of money.

I raise these issues to highlight the impact Agency action can have on main street businesses. I raise these issues to suggest the need for additional accountability to ensure that Army Corps permitting decisions are made appropriately and that the Corps works hand in hand with small businesses to mitigate financial harm.

Mr. BLUMENAUER. Mr. Chair, I strongly oppose H.R. 2354, which underfunds important clean energy priorities at a cost to the American public's health and welfare. Fiscal discipline is an important goal, and I support efforts to think critically about how to put the nation on a sound fiscal path. However this bill fails to accomplish that. This appropriations bill cuts funding for energy efficiency and renewable energy development programs that help American homeowners save money on their utility bills. At the same time, the bill increases funding for fossil fuel technologies, which have no need of tax incentives or financial support,

and which increase the level of harmful air and water pollution.

Energy efficiency and renewable energy programs offer the best chance that our nation has to become more energy independent and reduce climate-change inducing pollutants. Yet this bill cuts total funding for the Department of Energy's Office of Energy Efficiency and Renewable Energy by 27 percent and cuts Advanced Research Projects Agency—Energy by 44 percent compared to FY11. These clean energy programs have helped drive strong growth in solar and wind generation over the past decade, while reducing the costs of these technologies significantly. ARPA-E's support for path-breaking advanced technologies could hold the key to our energy future. In the long run, these cuts will mean less innovation, dirtier energy, and fewer clean energy jobs. This is absolutely the wrong way to drive American leadership and energy independence.

Two programs that have been improving our energy security while helping households to keep down their utilities bills are the Weatherization Assistance Program, WAP, and the State Energy Program, SEP. These programs target residential buildings, reducing the burden on low-income families by an average of 35 percent of utility bills and supporting local economies. The State Energy Program encourages innovative technologies and leverages Federal funds; since 2006, the State of Oregon has leveraged approximately \$27 in non-federal funds for every \$1 of SEP funds spent. These programs have demonstrated success, yet H.R. 2354 severely cuts funding. In Oregon alone, these cuts would mean that an estimated 374 families would no longer be eligible for weatherization assistance. For these reasons, I support the amendment offered by Representatives TONKO and BASS that would increase WAP and SEP funding by \$141.3 million and \$25 million, respectively.

In addition to handicapping energy innovation, the bill also includes a very damaging policy rider that would undermine the Clean Water Act. This rider would prevent the Army Corps of Engineers from restoring Clean Water Act protections to many rivers, streams and wetlands that supply drinking water and prevent flooding. Over 100 million Americans get their drinking water from public supplies provided in whole or in part from waters that are at risk of losing Clean Water Act safeguards. The recent flood events around the country have demonstrated some of the problems with wetlands losses, and these would be made even worse by blocking the Army Corps' ability to protect these waters.

Amendments passed on the Floor during debate mostly made this bad bill even worse. For example, I voted against an amendment by Rep. BURGESS that would prevent important new efficiency standards for light bulbs from going into effect. These standards, passed as part of the 2007 Energy Independence and Security Act, are supported by industry and consumer groups as well as efficiency advocates. They would mean \$100 in savings for the average American family per year. I'm disappointed in the passage of this amendment to prevent DOE from enforcing these standards.

Now is the time to be putting America on track toward a clean energy future, and work-

ing to reduce the damage to our water and air quality that harm public health. I support policies to create a green energy economy, to reduce dependence on foreign oil, to support advanced technologies and cost-saving energy-efficient systems for homes and businesses, and to protect the health and well-being of the nation's health and environment. Unfortunately, this appropriations bill is detrimental to all of those goals.

Mr. DINGELL. Mr. Chair, I rise in strident opposition to H.R. 2354, the Energy and Water Appropriations Act for Fiscal Year 2012. This unfortunate bill is just another in a long line of Republican attempts to sabotage policies put in place to protect the health and safety of Americans, as well as to improve the environment while at the same time fostering economic recovery. I categorically reject the Republicans' cynical and shortsighted approach to governing and urge my colleagues to follow suit by opposing this bill.

I am not without justification in my criticism of H.R. 2354. To be clear, it contains a rider to block the Environmental Protection Agency's (EPA) ability to clarify the scope of the Clean Water Act, landmark legislation that I helped write and pass into law. The bill also blocks EPA's authority to oversee mountaintop removal coal mining, effectively allowing mountains to be carved away at corporate leisure. Finally, the bill would remove EPA's authority to make storm water programs more effective, which strikes me as curious given my Republicans' bent on making government leaner, meaner, and more effective. On a broader note, H.R. 2354 constitutes an attack on the integrity of the Clean Water Act, which has helped restore the chemical, physical, and biological integrity of the Nation's waters. Just as this bill would allow coal companies to carve away mountains, so too would it carve away EPA's precious and necessary authorities under the Clean Water Act.

H.R. 2354's assault on Americans and their environment extends beyond allowing the desecration of the beautiful waters they so treasure. The bill also curtails programs meant to advance economic recovery in a manner more sustainable for the environment. While I commend my colleagues on the House Appropriations Energy and Water Subcommittee for dedicating funding to repair the damage caused by the recent storms and floods, I do not agree with taking funding from critical infrastructure projects that offer enormous economic impacts in a myriad of communities across this country. If my colleagues recognize the storms and floods as emergency events, then they should have had the fortitude to allocate emergency funding to these repairs outside of the normal appropriations process.

By nature high-speed rail funding are immediate economic generators. Under H.R. 2354, the 15th District is slated to lose more than \$495 million in funding awarded to four highspeed rail projects in our district. The projects that would be derailed are the development of new train stations in Ann Arbor and Dearborn, the joint Midwest Regional Rail passenger rail equipment purchase, and the rehabilitation and improvement of track between Kalamazoo and Dearborn. This rescission will result in the loss of as many as 13,008 jobs.

And as if cutting funds for mass transit were not enough, H.R. 2354 also seeks to eviscerate the Advanced Technology Vehicle Manufacturing loan program, which helps automakers and suppliers produce more fuel efficient vehicles and decrease U.S. dependence on foreign oil. This is the height of folly and quite frankly indefensible.

Mr. Chair, for all of these reasons and more, I oppose H.R. 2354 and urge my colleagues to do so as well. Their children and grandchildren will thank them if they do.

Ms. ESHOO. Mr. Chair, I rise in opposition to H.R. 2354, the Fiscal Year 2011 Energy and Water Development Appropriations Act.

The bill slashes funding for clean energy efficiency and research programs. It also makes steep cuts to flood control and environmental cleanup programs. In short, the legislation fails to protect our communities and it jeopardizes American innovation and job creation.

The last place to cut is in the area of investments in clean energy technologies. In my Silicon Valley District, innovation is the coin of the realm. I've seen dozens of burgeoning companies who are at the cutting edge of clean energy technology. Our nation has the capacity to lead the world in clean energy technology, and there are domestic industries poised for economic explosion if we help, not hurt them.

According to the Brookings Institution, the nation's clean energy economy, defined as goods and services with an environmental benefit, employs about 2.7 million people, more than twice the size of the fossil-fuel industry.

Investments today will lay the foundation for our future.

I oppose H.R. 2354 and urge my colleagues to do the same because hobbling our future is neither smart fiscally or policy-wise.

Ms. HIRONO. Mr. Chair, I rise today in strong opposition to the Fiscal Year 2012 Energy and Water Appropriations bill.

Last week, the Bureau of Labor Statistics announced that only 18,000 jobs were created in June and more than 14 million people are still looking for work—many for over six months.

As members of Congress, our focus must be on pursuing policies that will rebuild our economy by providing these Americans with opportunities to work hard and succeed—the very idea that underpins the middle class.

This legislation is a missed opportunity to respond to the jobs challenge in a serious way. Instead of investing in our infrastructure and supporting innovative new job-creating industries in the renewable energy sector, this bill under-invests in both these areas.

For example, this bill reduces funding for energy efficiency and renewable energy programs by \$491 million—or 27 percent below the already abysmal FY2011 funding levels and 59 percent less than what President Obama requested.

The bill also cuts funding for the Department of Energy's Advanced Research Projects Agency-Energy (ARPA-E) by \$88 million, which is 44 percent below current levels and 81 percent less than requested. ARPA-E is modeled after the successful Defense Advanced Research Projects Agency (DARPA) which has been a catalyst in technological innovation since its creation in 1958.

Together, these programs fund crucial research and development in a variety of renewable technologies with the goals of ending our national dependence on fossil fuels, more efficiently powering our homes and businesses, and lessening the cost of energy for families.

These types of investments are incredibly important in my home state of Hawaii. We are the most oil dependent state in the nation—we must import 90 percent of the oil products that fuel our cars, homes, and businesses. So when the world markets that set the price of oil gyrates—as it has in recent months—our economic growth and quality of life are significantly impacted.

So renewable energy isn't just a feel-good idea—it's an economic and national security imperative both for Hawaii and our nation's future. Cutting funds that provide incentives for the private sector to continue innovating and growing jobs in this sector may seem penny-wise; but it is most certainly pound-foolish.

I am also disappointed that this bill fails to make a real dent in our nation's water infrastructure needs. The American Society of Civil Engineers (ASCE) has given our nation's overall infrastructure a grade of "D." ASCE also estimates that Hawaii needs \$1.97 billion to meet our water infrastructure needs. While I understand the need to carefully prioritize how we spend precious federal dollars, I believe that infrastructure should be at the top of that priority list. Infrastructure investments create jobs, strengthen our communities, and improve public health.

These are just two areas where this legislation fails to improve our economy, help rebuild the middle class, or lay the groundwork for our future prosperity. As a whole this bill is a disappointment, and I strongly oppose its passage.

Mr. LANGEVIN. Mr. Chair, I rise to express my strong disappointment with the FY2012 Energy and Water Appropriations bill. As our Nation struggles to recover from the economic recession that has kept unemployment above 10 percent in my home State of Rhode Island, one message I hear over and over again from constituents and economists is the need to invest in new industries, including manufacturing, while addressing our reliance on foreign and dirty sources of energy. During this time of economic uncertainty, we have an opportunity to create new industry while working to build up and stabilize clean, domestic sources of energy.

Unfortunately, this effort will be slowed because of the draconian cuts in this bill, including a 27 percent cut to energy efficiency and renewable energy research programs, which means cuts to solar energy, fuel efficiency investments, and research to improve energy efficiency in our buildings, which account for 40 percent of all U.S. energy use.

Next week, I am holding a roundtable to hear from one of Rhode Island's leading renewable energy companies, Alteris, as well as students and faculty from the University of Rhode Island's Energy Center, because I want my State and our Nation to be capitalizing on every opportunity to invest in the energy jobs of the future. Our budget savings should come by ending the subsidies for big oil companies that don't need them, not by harming up-and-coming businesses like Alteris that can create sustainable job growth.

I am also particularly concerned with cuts to weatherization programs, which have helped to reduce energy bills by one-third for low-income families in Rhode Island. Further, this bill rescinds critical funding to modernize and build our Nation's high speed rail system, including investment in the Northeast Corridor and Rhode Island. Construction of high speed rail will not only create jobs immediately, but the expansion of our infrastructure will create new opportunities for growth in our communities across the region.

Another disappointing provision in this bill is the \$123 million cut to the National Nuclear Security Administration's, NNSA's, contribution to our naval reactors work. This funding decrease jeopardizes what the Navy has called "the nation's only day-to-day assured nuclear response capability," our ballistic missile submarines. Defense strategist Loren Thompson recently noted the vital need for our ballistic submarine force stating, "Today, about half of the warheads in the nuclear arsenal are carried on 14 *Ohio*-class submarines that are nearly impossible to find much less target. . . . the reason each sub needs to be so fearsome is that deterrence depends on what's left after an enemy attacks, since the threat of retaliation is what deters the attack in the first place."

These subs are already at the end of their lifespan, but due to refueling and modernization efforts, they will stay in the fleet for another decade. This sounds like a long time until you consider that it takes nearly two decades to design, build, and test a successor ship through the SSBN(X) *Ohio* replacement program. Design work for the SSBN(X) is finishing this October, leading to an incredibly tight schedule which according to CRS could result in a smaller force than is necessary to continue our nuclear deterrent. We need this ship to come in on time and on budget for the sake of global nuclear security, and the cuts to naval reactors in this bill directly threaten our future national security.

Mr. Chair, our Nation is facing too many challenges at home and abroad to afford such cuts to critical investments in our energy future and important nuclear deterrent programs, while at the same time increasing funding for the Fossil Energy Research and Development program. I urge my colleagues to oppose this bill and reinvest in those programs that look to our future, rather than relying on outdated technologies of our past.

Mr. VAN HOLLEN. Mr. Chair, today's FY 2012 Energy and Water Appropriations bill continues the majority's record of missed opportunities and misguided priorities when it comes to our Federal budget.

First and foremost, thoughtful Americans from across the political spectrum agree that we need to end our current dependence on foreign oil and replace it with affordable, reliable, homegrown clean energy. Yet this bill slashes funding for energy efficiency and renewable energy research programs by 40 percent below President Obama's request—and it decimates the game-changing work being done by the Advanced Research Projects Agency—Energy (ARPA-E) with a proposed 80 percent cut below the President's recommended level.

The health of the Chesapeake Bay Watershed and the rest of our Nation's waterways

often rely on the Army Corps of Engineers. But today's legislation actually blocks the Corps from clarifying which waterways are covered by Clean Water Act protections.

Finally, this bill shortchanges nuclear non-proliferation and environmental cleanup efforts, reducing our ability to secure nuclear materials around the world and mitigate the impact of more than a half century's worth of national security-related nuclear activity here at home.

I urge a no vote.

Mr. MICHAUD. Mr. Chair, I rise today in opposition of the McClintock amendment to H.R. 2354, the Energy and Water Development Appropriations Act of 2012.

This amendment would eliminate regional economic development commissions, and I believe that it comes at exactly the wrong time for thousands of communities throughout the United States.

Regional development commissions have a successful track record of spurring much needed investment into the economic development of distressed communities. They should be preserved and expanded, not eliminated.

One of these commissions directly contributes to the economy in my home State of Maine. The Northern Border Regional Commission, NBRC, is charged with investing in the economic development of the most distressed areas of Maine, New Hampshire, Vermont, and northern New York.

By working directly with each state and existing economic development districts, the NBRC is in a unique position to address our region's shared challenges and obstacles in a coordinated way that cuts across state lines.

Since fiscal year 2010, the NBRC has been funded at \$1.5 million. Despite these limited resources, it has already awarded \$1.3 million to meaningful projects throughout the region.

For example, last September, the NBRC made its first investments in Maine, including an expansion of the Port of Eastport, which is part of a project that will result in the retention of 18 jobs and the creation of 26 new ones.

The NBRC is now preparing to accept applications for a second round of projects, which will spur additional investment and job creation through our region.

If Congress eliminates funding for the NBRC, it cannot build on the progress that has already been made. The NBRC and other commissions like it would not be able to continue their mission of creating and protecting job opportunities in some of the most economically disadvantaged parts of our country.

Mr. Chair, during tough economic times it is unacceptable to shut down these commissions, which share a common mission of partnering with states and local communities to create jobs and further economic development.

I urge my colleagues to reject the McClintock amendment.

Mr. HOLT. Mr. Chair, I rise in opposition to the Fiscal Year 2012 Energy and Water Appropriations bill. At a time when our economy is already fragile, the Majority appears intent on reducing Federal funding for the very programs that drive technological innovation, economic growth, and job creation.

Scientific research lies at the very heart of the national innovation system that keeps us

competitive, enhances our quality of life, fuels our economy, and improves our national security. Investments in our Federal science agencies and our national innovation infrastructure are not big government spending programs that we cannot afford. They are minimum down-payments on our country's national security, public health, and economic vitality that we cannot afford to postpone.

Yet, this bill contains enormous cuts to several programs at the Department of Energy that are critical for supporting innovation and increasing American economic competitiveness.

This bill slashes nearly \$43 million in funding from the Department of Energy's (DOE) Office of Science compared to Fiscal Year 2011. The Office of Science is the Nation's primary sponsor of research in the physical sciences and has been integral to the development of dozens of innovative technologies. Some have become the underpinnings of modern scientific disciplines; some have revolutionized medicine; some have advanced our national energy security; some have made our troops safer. That is the nature and the power of scientific research—the ultimate outcomes cannot necessarily be known in advance, but investments in basic discovery can yield enormous dividends. I offered an amendment to restore funding to the DOE Office of Science so that it could maintain current operations. Unfortunately, my amendment was defeated.

This bill provided \$100 million for the Department of Energy's Advanced Research Projects Agency-Energy (ARPA-E). ARPA-E supports high-risk, high-reward research on energy technologies. Funding for ARPA-E directly contributes to the creation of new technologies, new industries, and new jobs. Yet, the Majority intended to slash funding for this valuable program by an astonishing 81 percent relative to the President's request.

Fortunately, the House passed an amendment offered by my colleague Mr. SCHIFF that will restore funding for ARPA-E to Fiscal Year 2011 levels. I was pleased to join my colleagues in voting for this important amendment.

This legislation contains \$1.3 billion for energy efficiency and renewable energy programs, a remarkable 59 percent less than President Obama's request. This is the worst possible moment to slash funding for sustainable energy technologies. The DOE's Office of Energy Efficiency and Renewable Energy supports research and development of sustainable energy technologies that strengthen the economy and protect the environment. Research in sustainable and efficient energy technologies increases our energy security, reduces our dependence on foreign oil, creates jobs, and increases our economic competitiveness. Yet the Majority made devastating cuts to this valuable program.

Remarkably, the Majority was not satisfied with these cuts to energy efficiency programs. The House adopted by voice vote an amendment that would bar the Department of Energy from using funds to enforce energy efficiency standards for light bulbs enacted by the Energy Independence and Security Act of 2007. Yet, just days before, the House rejected an identical measure. This efficiency standard, enacted in a bipartisan bill signed into law by

President Bush, simply requires that new light bulbs use 25 to 30 percent less energy than traditional incandescent light bulbs. No light bulbs are banned. No consumers will be forced to use one type of light bulb over another type.

Since Congress acted 4 years ago, lighting companies have invested significant capital and resources into research, development, and new technologies—exactly the kind of investments that our economy desperately needs. So again, the Majority has voted to thwart technological progress and cost America jobs and money.

While I do not object to the committee's decision to add disaster relief funding for projects resulting from tornadoes, storms, and floods across the Midwest and Southeast, I oppose strongly the decision to rescind \$1 billion in unobligated funding for high-speed rail projects. In May, the U.S. Department of Transportation awarded Amtrak \$450 million in funding to upgrade its rail infrastructure to support more frequent and faster high-speed rail service, and to improve reliability of current service between New York and Washington. Now this funding will be unavailable. This will result in a loss of jobs and infrastructure in my Central New Jersey district—one of the busiest segments of the Northeast Corridor and where the densest concentration of Acela Express high-speed rail operations occurs. This provision amounts to a step backward in the development of the nation's intercity rail infrastructure.

In May, the U.S. Department of Transportation awarded Amtrak \$450 million in funding to upgrade its rail infrastructure to support more frequent and faster high-speed rail service, and to improve reliability of current service between New York and Washington. Specifically, this award would upgrade electrical power, signal systems, track and overhead catenary wires in my Central New Jersey district—one of the busiest segments of the Northeast Corridor (NEC) and where the densest concentration of Acela Express high-speed rail operations occurs. This work is critical to Amtrak's plan to double high-speed Acela service between New York and Washington by 2022.

Budgets reflect, in dollars and cents, our priorities as a nation. We must provide Federal support for programs that encourage scientific research and support economic development. At a time when our economy is already fragile, abandoning scientific research would cause the U.S. to lose even more high-tech jobs to our foreign competitors. That is not the way to compete in the future, especially when the economy is in a fragile recovery. For all of these reasons, I am voting against this bill.

Mr. FRELINGHUYSEN. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. JOHNSON of Ohio) having assumed the

chair, Mr. POE of Texas, Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

#### FREEDOM OF SPEECH

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

Mr. POE of Texas. Mr. Speaker, the very notion of freedom of expression was recently on trial in the Netherlands. The popular Dutch lawmaker Geert Wilders was charged with discrimination and incitement of hatred after he made a movie depicting Islamic clerics who incite violence in the name of religion. He was prosecuted not for his actions, but for his words. That is a scary thought.

There was only one proper resolution here, and, thankfully, the court did the right thing. Wilders was acquitted of all charges. The court ruled that his statements might be offensive to Muslims, but fell within the bounds of political free debate.

Freedom of speech is a God-given right to which every person and every nation is entitled. It is no coincidence that our country's Founding Fathers deemed it so important they listed it first in the Bill of Rights. A country that refuses one's freedom of speech is doomed to grow stagnant. How can it develop as a society when it stifles or tries to punish opinion? As Wilders himself said, "Every public debate holds the prospect of enlightenment." He certainly is correct.

And that's just the way it is.

#### THE TRUTH

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

Mr. GOHMERT. Mr. Speaker, it is always an honor and a privilege to be here speaking on the House floor. It is interesting these days being a part of Congress. The media is given unfettered access to so much because we believe that people should be entitled to the truth. In fact, many libraries around the country have the line "the truth shall set you free." Of course, most people don't know where that came from. It was Jesus talking about him being the truth, and he was the truth. A lot of libraries that put that up don't realize that's what it is talking about. And I imagine there are a lot of reporters who have used that same line, and they don't know where that came from.

But what gets troubling is when reporters have access to complete transcripts, video, and they intentionally set out to deceive the public. It seems to happen a great deal. I personally think it is one of the reasons that Fox News has just taken off so strongly, because people can see that the other cable news networks, so many of them at least, have such a slant. They don't give you the whole truth. There is nothing fair or balanced about some of the presentations. I know personally, having been on a CNN show where they cut your mike off for 4½ minutes, trash-mouth you for awhile, turn your microphone on, and then refuse to acknowledge that there is even the possibility that what you're saying is true when you know, indeed, it is true.

But this happened just here in the last week. I was on a Fox Business show, and we were talking about the money being spent by this White House and also comparing that to the Bush White House, and I had the data, absolute factual data that, for example, in the Bush White House, there were 447 total staff, and in the Obama staff there are 454 total White House staff.

□ 1330

You wouldn't think seven additional people would be that big of a deal except that nearly a fourth of the Bush White House staff—102 people, in fact—made under \$40,000; whereas, in the Obama White House, there is no paid staff member who gets less than \$40,000. So you see dramatically the difference. I was pointing out that perhaps, in the Obama White House, because of all the greatness of this White House as compared to prior White House staffs, that you deserve to be paid more because you're associated with so much more greatness in this White House.

It's interesting to see over the last 6½ years I've been in Congress that there are an awful lot of people in the mainstream media, especially in Washington, who do not understand sarcasm, who do not understand facetiousness. So, at times, it's funny to say things sarcastically, knowing that they won't get it.

But in any event, we also commented on the fact that there were all these—I think 34—czars in the Obama White House, and they're getting paid tremendous amounts of money. So Fox News had published an article, and they pointed these things out. They were talking about the interview, and they got all of the quotes accurate.

As they pointed out, it said: "The White House released its annual salary report to Congress, and like anything in Washington, it depends on who you ask if they went up too much or are an adequate reflection of the tough economic times and have moved down."

This is the writing of Kimberly Schwandt with Fox News.

Ms. Schwandt goes on to say: "The salaries, which can be seen here, show that about a third of the employees make more than \$100,000 per year and the lowest earn \$41,000, except for three people who are working for no compensation, or zero annual salary; 21 employees made the maximum of \$172,000.

"The White House backs the figures, saying that salaries went down an average of \$150 per person and that total salary spending decreased, in part, due to the total number of staffers going down as well."

Then a quote from spokesman Eric Schultz from the White House: "President Obama is deeply committed to continuing to reduce costs in government. However, some critics say they are spending too much, like Representative Louie Gohmert, Republican of Texas."

He quoted me accurately as saying: "In the White House, in looking at it, this administration's got over 450 employees. Now, under the Bush administration, there were over 100. About a fourth of the employees made less than \$40,000."

"Fox News fact-checked, and the Congressman's statements do pan out, with 102 of the 447 employees on the 2008 list having salaries of less than \$40,000."

Another quote from me. I said: "I guess, you know, there's so much greatness when you associate with this White House you deserve to be paid more. I don't know," he said.

"Gohmert added another sarcastic jab, 'Don't forget the 34—the 34 czars that are out there dictating policy, and let's face it. When you're a dictator, you need to be paid more.'"

Then it points out: "As the economy faltered, President Obama enacted a pay freeze earlier in his administration for top wage-earners. Wednesday, at a Twitter town hall, he referenced the freeze."

Of course, as we've learned from this White House and as we know from the House rules, the President never lies or misrepresents, but certainly there are many facts that are just wrong. For example, when the President ordered our troops to bomb Libya and be involved in what he called a "kinetic attack" in Libya, which was clearly military action, he said we would be there for days, not weeks or months. It has turned out it's months and maybe years unless Congress gets the Senate to go along with one of the things we passed here in the House, to cut off the spending in a country where this President is fighting for and with a group that may turn out to be worse than the bloodthirsty, mean-spirited Qadhafi has been.

In any event, there was an article written in The Hill newspaper. Again, this was fact-checked by Fox News, but it's just interesting. You hear about it all the time, the slant of the mainstream media. It's interesting because

The Hill has reporters like Molly Hooper. I've never had her be anything but completely honest and truthful. She has always, that I'm aware of, been fair to me and fair in her reporting that I've seen; but this one is a person named Judy Kurtz, who just, I have to say, was dishonest. This is the story that Judy Kurtz wrote this week, July 6, in *The Hill*.

She quoted me as saying: "'I guess there's just so much greatness when you're associated with this White House that you deserve to be paid more,' Representative Louie Gohmert said. 'Let's face it. When you're a dictator, you need to be paid more.'"

That gave the impression to people who read the article and who had picked up on it that I was saying President Obama was a dictator. In this setting, that is not what I said. The interesting point is just how clearly deceptive and dishonest Judy Kurtz was. She took two quotes. She had access to the whole video, to the whole transcript, and chose to put them together and give the wrong impression. When you do look at the full quote in context, we were talking about the czars, that there is so much greatness when you're associated with this White House that you deserve to be paid more, but then "don't forget the 34—the 34 czars that are out there dictating policy, and let's face it. When you're a dictator, you need to be paid more."

So it is important to note there are some reporters you can trust even within the same newspaper, and there are some who can be dishonest.

During my days as a trial judge of major civil litigation and felonies, including through death penalty cases, the rule of evidence was always—and is—that credibility is always an issue. It's always an issue. Everyone should understand that, especially reporters, who are so important to this country's being different from any other country in the world.

So it's hoped that more and more reporters will get back to deserving their protected status that they have under the Constitution and have a little more responsibility than Judy Kurtz did. I did appreciate Ms. Kurtz' noting that I was being sarcastic to be sure that people like her didn't miss it. I didn't just leave it to chance. I pointed out verbally that I was being sarcastic, so I'm glad she got that part of the quote anyway.

□ 1340

But nonetheless, I've heard from people that were shocked that I called President Obama a dictator. Now they know the context.

But there are some important things going on; and with the massive overspending we're getting, it's important to understand who is spending money where they shouldn't. We have just voted out the Defense appropriation

bill today. There were a number of amendments that were voted on that would defund the action this President has committed us to in Libya. This President has repeatedly said that he doesn't believe he violated the War Powers Act and doesn't believe he needed to comply. But he certainly didn't comply with the War Powers Act. He certainly didn't get approval of Congress before he took such action.

Most Presidents, knowing that Congress constitutionally has the power of the purse, have come to Congress, and the President has made his case to Congress as to why we should be involved in a theater of operation that the President wanted to commit us to. Not this President, of course. This President heard from the Arab League; he heard from apparently some in NATO and the U.N., and decided that they were more important than a consensus from Congress, not even from the Senate. The Senate is Democrat controlled. The President didn't bother to get a vote or even approval tacitly from the Senate and here in the House, where this body, especially as a Republican majority, has steadfastly stood with the President of any party when that President committed troops to harm's way.

In this case, there are still some in the Republican Party who have said I don't think we ought to be in Libya; but I'm afraid if I vote to cut off funding to the action in Libya, then it may be perceived as not being supportive of the troops. Some of us who have been in the military and still talk constantly to people in the military know the common response we get from the military goes something like this: Sir, we take orders. We salute and we follow our orders. That's what we took an oath to do. And if we're ordered to go to Libya or anywhere else, we will salute and go. But we hope, we pray that somebody in Washington will use some good sense so that when we lay down our lives in the call of duty from Washington that it will not be in vain. Please take action to make sure that when we lay down our lives, it's not wasted.

And for this administration and some in Congress, certainly not a majority, to think it's a good idea to go into Libya and to get our services involved in an action which Secretary of Defense Gates said we have no national security interest in that action—it's not a good idea—and when we find out factually that there are al Qaeda, a group with whom we are at war, and when there are Muslim Brotherhood, who believe in violence, involved in the rebel action against an evil Qadhafi, then wisdom would indicate you should find out if the person that is going to be replaced by your bombs and your military or kinetic action—you have an obligation to find out—is going to be worse than the person you're replacing.

And we don't know that. In fact, the indications are whoever replaces Qadhafi in this current rebel group will likely be a tremendous enemy of Israel, a significant enemy of the United States. It may be a situation in which the people that replace an intolerant leader like Qadhafi may be worse than Qadhafi, just as we saw happen in Iran back when Jimmy Carter was President.

As I recall, I believe Jimmy Carter welcomed the Ayatollah Khomeini back as a man of peace. Well, Khomeini's idea of peace was a whole lot different than most of ours and certainly the party's in Congress that's in the majority, because Khomeini's idea of peace was a world in which there is a world-wide caliphate and one great Muslim leader dictates what peace means. He dictates shari'a law for everyone. There is no freedom of worship for Christians, for Buddhists—certainly not for Jewish people of orthodox faith, absolutely not. In fact, they're obviously infidels from the things that were written and the things that can only be written and spoken in the Middle East.

In Egypt, Mubarak was a problem, but Mubarak had seen the handwriting on the wall. And he was moving toward some local elections and could see he needed to move toward the idea of democracy, but didn't want to give up power. Mubarak, for all his flaws, at least was not an active belligerent against Israel. Qadhafi we knew had blood on his hands, but we also saw from Ronald Reagan dropping bombs down his smokestack back, I believe in '86—and then again when the United States moved into Iraq we saw it again—Qadhafi was afraid of us. And perhaps it's better to have a leader who is afraid of you in power than people who are religious fanatics who have sworn that their goal in life is to bring your country down.

One of the important things—and to me, I think it's the most important job, Mr. Speaker, here in Congress—is to provide for the common defense. We heard the President down at the border not along ago say he has committed more Federal troops to our border than any President ever—more people down there to protect our border anyway. Actually, he probably didn't have enough history training to know that in 1916 President Woodrow Wilson—I'm not a big fan of President Wilson's, but nonetheless, after a man named Pancho Villa was responsible for coming across into the United States and killing some Americans, Wilson committed General Pershing to go—my recollection is it was around 14,000 troops that went into Mexico. Because Pancho Villa had come across our sovereign border and killed people, then it was deemed to be appropriate to chase him down wherever he might go because that individual, with his cronies,

had declared war on us and taken warlike action.

And there was also a group, a new group basically, the National Guard, that was called up. One account I read said over 100,000 National Guard soldiers were called to our southern border to ensure that no one came across and killed Americans again.

Now, I know that President Bush committed National Guard troops. I was very disappointed that the troops were not put on the border. They were put miles back, and they were given rules of engagement that said, in essence, if you see some armed group coming from across the border, then you are to report it and then flee the area. Well, that's not what should have been done, and I can assure what's being done today is not what should be done, where we take more action to go against the States that are trying to defend themselves than we do to try to defend the States themselves.

□ 1350

But we are at a crucial time in this country's history. Admiral Mullen said the national debt is the biggest threat to our security. But take your pick. Whether it's a nation like Iran that is led by a religious zealot who may be crazy—but he's not stupid—they've got people working toward, around the clock, moving toward having nuclear weaponry. They already have at least one bomb. And even though our friends down in the majority in the Senate, even though in this White House so many say, "Oh, no. We just need to step up sanctions and all will be well. We'll bring them into line." Iran knows that once they've got enough in the way of nuclear weaponry that they'll be able to extort countries into removing any type of sanctions.

People in Israel are well aware, most of them—certainly Prime Minister Netanyahu is—that when Iran has adequate nuclear weaponry, they'll be a threat to Israel. They'll be a threat to freedom. They'll be a threat to liberty around the world because they will be able to take blackmail or extorted action to get countries to either do as they say or a nuclear weapon will be going off in that country.

They're working on the missiles. They'll be able to carry those nuclear weapons to places like the United States. Even now, it wouldn't take a missile to put a nuclear weapon on a boat, a yacht, to bring it into one of our harbors. And let's face it. We saw our vulnerability on 9/11, many of us, even though I was a judge at the time. We said we can never let ourselves be that vulnerable again. And here we are, nearly 10 full years later, and we're allowing a madman, a religious zealot in Iran, to develop nuclear weapons. Sanctions haven't worked. They're not working. The centrifuges are still turning. They're still developing nuclear weaponry.

We've got these type of threats in the world, and instead of standing firm as Ronald Reagan did, which led to bringing down the Iron Curtain, this administration has chosen to placate our enemies and turn against many of our allies.

That was further brought home to me when I traveled with DANA ROHR-ABACHER and a couple of other Members of Congress. There were warlords from the Northern Alliance of Afghanistan that wanted to meet with us because we were told that the administration didn't want to meet with them. And after we met with them, it was clear why the administration wouldn't want to.

Now, I was not aware—and it was during the Bush administration of course, our initial actions in Afghanistan—we sent in intelligence. We sent in special forces. We sent in weaponry. We equipped the Northern Alliance tribes who had a special personal interest in defeating the Taliban. Afghanistan, as a whole, had seen how evil the Taliban was, how much damage they could do to society as they burned paintings and books and films and totally suppressed freedom in Afghanistan. Well, they knew. These people are evil, but they were afraid of them. But with the United States weaponry, with our guidance, intelligence, training, these people defeated the Taliban.

What I was not aware of until we met with these folks—and it turns out I could have been aware. I just was not. But you do the research. You'll find out. The Bush administration convinced the Northern Alliance, Okay. Now that you've whipped the Taliban, you need to totally disarm, because we're the United States, and we're here, and we'll make sure nothing happens to you again.

Well, the Northern Alliance messed up because they trusted us, and they turned in their weapons. I asked one, You turned in all your weapons? Well, apparently, they have some small arms but nothing that would allow them to take on the Taliban again. Naturally, these people were concerned, because they know because they fought for and with the United States against the Taliban that, if the Taliban is allowed to overtly exist in Afghanistan, then these people that fought for us and with us will all be killed as will all their family members.

They were and are our allies. They fought for us. They defeated the Taliban, and now we're on the verge of leaving these people disarmed, vulnerable, and to be killed by the very people we went into Afghanistan after. It doesn't have to be this way. It doesn't have to be this way at all.

I mean, we can learn from the past. Rearm the Northern Alliance. We perceive the arrogance, the condescension not only from Prime Minister Maliki in Iraq but certainly from the leader in

Afghanistan, Karzai, certainly from his brother. There's just too much arrogance there. All kinds of stories about corruption. But whether or not you believe that, it's clear that the Taliban is being allowed to do things now in Afghanistan that we were supposed to have eliminated by our coming in.

It may well be, as one Afghan told me, that once we begin, if we would, to rearm the Northern Alliance, Karzai might be a lot more cooperative than he has been.

But nonetheless, a year ago, we were being told, Your administration in Washington, the Obama administration, is indirectly talking, negotiating with the Taliban to just let the United States out without any big incidents, and then they can have whatever they take. And that's when they pointed out, You can't let this happen. You can't do this to your allies.

Well, we've already seen it with Israel. We voted with Israel's enemies in May of last year, I believe it was, to demand that Israel disclose all of their weaponry, their nuclear weaponry. It's the first time the United States had joined forces with Israel's enemies, and it was one of the reasons that shortly after that that we saw the flotilla come from Turkey down to challenge the Israeli blockade. That was a blockade for one thing: weapons. Prevent weapons from going into the Gaza Strip. The rockets were coming every day. Israelis had been killed. There was no reason to allow those weapons to come into the Gaza Strip. It was a legitimate blockade. It came after we showed distance between our great ally Israel and this country.

That also came on the heels of the President snubbing Prime Minister Netanyahu. And of course Prime Minister Netanyahu has not spoken of this that I've ever heard or read, but certainly others noted how badly he was snubbed by the President just blowing him off where normally you would have a meal, saying, Good luck on your own, and when you get ready to accept what I told you to do, then send me a note and I'll come back and see you. But anyway, we have not been allies as we should be to Israel.

But it was after that when I started pushing to try to get Prime Minister Netanyahu, the leader of Israel, to be invited in this room. Speaker PELOSI, when I broached the subject with her, thought it was a good idea, but she didn't feel there was adequate time. And I brought it up in June, between then and the end of the year, to work him in.

□ 1400

Obviously, we did have to name a lot of courthouses and had athletic teams to congratulate, so we weren't able to get to that. But Speaker BOEHNER, to his credit, did extend the invitation. Prime Minister Netanyahu did an incredible job. With the ideas he put

forth, he did an incredible job, from the second level here, of addressing this body and addressing the world from here in Congress.

What I had hoped for came to pass. The world got an incredible visual image of the fact that this body, both sides of the aisle, that can't hardly agree on much of anything, over and over—I am told 26 times—stood to applaud the leader of Israel, showing the world that we are united in our support of our friend Israel from Congress, regardless of what the house down Pennsylvania Avenue does the rest of the time. Congress controls the purse strings, and Congress is a friend of Israel and vice versa.

So it is important, in order to provide for the common defense of this country, that we make sure that our allies know, if you're our friend, then we stand by you. If you're our enemy, then we will do as President Kennedy pointed out, as President Bush pointed out: We will seek you wherever you are, and we will eliminate you as an enemy. By doing that, you can have peace in the world.

There is a sign that emerges from time to time. People carry it around. I've seen it up here. I've seen it in New York: "War never brought about peace." It says a great deal about the history teachers that an individual that would carry that kind of sign must have had because the only time you have peace for an extended period is when a big-hearted country does take on evil that has grown too big and becomes a threat to people's liberty and freedom and defeats that evil. Then you have a period of peace.

And the only way it becomes an extended peace is when a country is strong enough, or countries are strong enough, that the world knows if you become a threat to our liberty, our freedom, then we will eliminate you as a threat to freedom.

Now, again, there are those who believe shari'a law talks of freedom and peace, but that's a freedom and peace as dictated by the ultimate leader of the group. That also brings me back to the issue of the Muslim Brotherhood. This administration has given the indication that they think it is a group of peace. You can go on Wikipedia, and the proponents of the Muslim Brotherhood have done an excellent job of cleaning up the history that shows them to be supporters of terrorism and the numerous ties linking them to terrorism in the world.

They've also done a good job of making this administration believe that they're peaceful and loving to the point that, as Denis McDonough, the number two person in our national security agency or administration, thanked President Magid, Imam Magid, the president of the Islamic Society of North America, for the wonderful prayer he gave inside the White House in

the celebration of Iftar last year, the end of Ramadan, that President Obama had.

The Islamic Society of North America, ISNA, is a named co-conspirator—was—in the Holy Land Foundation trials in which the first five defendants were found guilty of 108 counts of supporting terrorism. And when some tried to have their names stricken because they were not indicted in that first action, the judge, in essence, ruled there has been a prima facie case here showing that they are linked and supportive of terrorism; we're not eliminating their names.

So it was shocking to some of us when the Holder Justice Department dropped the cases against the named coconspirators and refused to go forward with them. This notebook has some of the materials, and there are plenty of them, as anybody can see. This is a thimbleful compared to what is there. You want checks from the Islamic Centers' co-op funds? You want deposit slips? You want ledgers? The FBI's gathered all this stuff. There are great cases against these groups that the Holder Justice Department decided not to pursue.

And when we had Attorney General Holder in front of our Judiciary Committee and he was asked about dropping it, he acted like and basically stated he had nothing to do with it, that that was somebody down in Texas, an attorney down there, and he could get us a copy of the Dallas Morning News article where the U.S. Attorney—actually, it was acting U.S. Attorney—had made that statement that politics played no role.

Well, certainly politics played a role, and that became very obvious. And the more we find, the more it appears the Attorney General is not honest about perhaps the reason that these were not pursued. But until we find out the actual reasons for these being dropped, we will not know how honest or dishonest the situation with this Attorney General is.

I know that Chairman ISSA is pursuing the Fast and Furious investigation. But on this one, we could put this whole matter to bed very quickly if the Attorney General will just produce the memorandum that Chairman PETE KING and Chairman LAMAR SMITH have requested from the Justice Department. If he will just come forward, produce that memo, not black it out, then we can find for sure the documentation of whether or not what the Attorney General had said in testifying before Congress was true or not.

Now, it was interesting to find that the FBI had a special relationship, a special partnership, with CAIR, another of the named coconspirators in the Holy Land Foundation trial. And it was rather shocking to me that it was not until 2009 that the FBI decided to end their special relationship with this

named co-conspirator in the Holy Land Foundation case. Apparently, the FBI had had a special relationship with CAIR for years, even though the FBI began to gather these materials back as early as 1993 and had solid proof for a number of years that they were involved in supporting Hamas with terrorism.

And yet nothing was done until 2009, when a letter was sent, saying, because of the evidence that was introduced some months back regarding CAIR and their relationships with terrorism, we think it's appropriate to suspend our relationship for now.

Now, I realize that there are people in the media, as we saw this one reporter from The Hill that will not give adequate coverage, who will take quotes out of context in order to misrepresent or give people a false impression. But if this is adequately looked at, people will find the truth: that we have people who have been associated with the support of terrorism coming to the White House—one who was president of a group, who certainly from the documentation appears to have supported terrorism, leading the White House in prayer.

□ 1410

And then we find out that when the President was giving a speech at the State Department, in the State Department—security was very, very tight; it was difficult to get in without going through all the checking, the bag checking, the metal detectors and all the different things you had to go through to make sure security was tight—apparently the White House invited Imam Majid, the president of the Islamic Society of North America, a named coconspirator for supporting terrorism. It invited him into the inner sanctum of the State Department to listen to the President's speech and give comments about what he thought about the speech.

At some point, this administration is going to have to get around to the point where providing for the common defense means you get tough with people who associate with groups that support terrorism. You don't do, as Senator Obama said, just go talk to terrorists because you're so, apparently, warm and friendly. Really, the President, having met with him, he is a charming man. He comes across as bright, engaging. You want to like him. Apparently that's worked so well, he must think that he can convince religious extremists that we're good folks, so you can just get along with them. The problem is, when you're dealing with people who want to destroy your way of life, there's only one way to deal with them.

We've seen this from the attacks in the early days of our country's existence from Islamic zealots in North Africa who captured our ships, took prisoners—the men on those ships—held



them for ransom, used some as slaves, were willing to kill or enslave others, and I read at one point, and it's hard to believe that this is true—hopefully it's not—but that at one point we may have paid as much as 18 percent of the country's budget back in the late 1790s for getting our sailors back from the Barbary pirates, these Islamic extremists.

Thomas Jefferson, who had been sent at one point as one of the diplomats to negotiate with the Muslim extremists, was taken aback when he asked, Why would you attack American ships? We're no threat to you. We don't have a powerful Navy. We've never attacked you—and reportedly was told that we in our religion believe we go to paradise if we were to die while attacking infidels like you. Jefferson was shocked. He was an extremely well-read person. He found it hard to believe there was a religion anywhere that any believer of that religion perceived that you could go to a paradise by killing innocent people. So he got his own English translation of the Koran, that can still be found in the Library of Congress, so he could read for himself. Some of the passages are subject to interpretation and certainly have been interpreted by some as meaning the only way to proceed is to attempt to take out infidels like those of us who are Christians, those who are Jewish, because we are certainly considered infidels in their eyes. Thank goodness not all Muslims believe that that has to be what occurs, but that is certainly what some believe.

I might read a passage from the judge's decision from July 1, 2009, in response to the effort by the named co-conspirators, some of them to have names stricken who were not actually indicted in the first trial. The judge, having reviewed acting U.S. Attorney Jacks's memos, said this:

"The government has produced ample evidence to establish the associations of CAIR, ISNA and NAIT with the Holy Land Foundation, HLF, the Islamic Association for Palestine and with Hamas. While the court recognizes that the evidence produced by the government largely predates the Holy Land Foundation designation date, the evidence is nonetheless sufficient to show the association of these entities with HLF, IAP, and Hamas."

The judge said:

"Thus maintaining the names of the entities on the list is appropriate in light of the evidence proffered by the government."

It is important to note that CAIR, with whom our Justice Department had a special relationship until on into 2009, and ISNA, that the evidence has certainly been produced by the government shows, as the judge says, ample evidence to establish the associations with these groups with the Holy Land Foundation, the group that was con-

victed, as well as Hamas, and yet this administration continues, I guess, to think that their winning personalities, charming as they are, will bring people around, and so they trust them to come into the inner sanctum of the White House, the State Department, the Justice Department. All that means is, we're in big trouble.

There are those over the years that have believed that our answers would come from prayer. Virtually every President, I guess every President, has indicated such that this Nation is best protected when it prays. That is why you would have such an amazing minister as Peter Marshall, as Chaplain in the United States Senate back in the 1940s, and this book that I have referenced previously is really profound, and I would, Mr. Speaker, like to finish up reading a couple of prayers that have been prayed in the United States Senate in the 1940s by U.S. Senate Chaplain Peter Marshall.

One prayer says:

"Forgive us, Lord Jesus, for doing the things that make us uncomfortable and guilty when we pray.

"We say that we believe in God, and yet we doubt God's promises.

"We say that in God we trust," which can be found right up above the Speaker's head, "yet we worry and try to manage our own affairs.

"We say that we love Thee, O Lord, and yet do not obey Thee.

"We believe that Thou hast the answers to all our problems, and yet we do not consult Thee.

"Forgive us, Lord, for our lack of faith and the willful pride that ignores the way, the truth, and the life.

"Wilt Thou reach down and change the gears within us that we may go forward with Thee. Amen."

That was one of Peter Marshall's prayers as Chaplain of the Senate in the 1940s.

□ 1420

I conclude with this prayer by Peter Marshall in the 1940s: "O Lord our God, even at this moment as we come blundering into Thy presence in prayer, we are haunted by memories of duties unperformed, promptings disobeyed, and beckonings ignored.

"Opportunities to be kind knocked on the door of our hearts and went weeping away.

"We are ashamed, O Lord, and tired of failure.

"If Thou art drawing close to us now, come nearer still, till selfishness is burned out within us and our wills lose their weakness in union with Thine own.

"Amen."

It is important to note: Prayers for the individuals to adhere to, as George Washington said, have a humble imitation of the designer of our blessed religion. As Washington said, those are for individuals.

We get questions on, Well, how can you be a Christian and not want to give away all the government money to the poor and the needy? How can you be a Christian and not want to give away the government money to do all these other things and to end a Defense Department? have no soldiers? just be people of peace?

And I know that in this great country we have got virtually every religion being practiced that's known to man; but in the Christian religion, for those that believe the New Testament means what it says, Romans 13 is very clear. The government exists as God's minister so that they encourage good. Romans 13:4 says, but if you do evil be afraid. God does not give the government the sword in vain. It does say "sword," and that is the purpose of government.

We took an oath to follow the Constitution. We are supposed to provide for the common defense. We are supposed to have an Army, a military, that protects this Nation so that people can practice the religion of their choice. Whether it's Islam peaceably, Christianity, Judaism, Buddhism, the human secularism that seems to have often overtaken Washington, you have the freedom to do that.

But the government's role is to protect the country, protect the people, keep people from coming in through our borders that want to harm us so that individuals can give from the blessings of their heart to help the needy, to help the poor, to help others.

You cannot find one reference in the New Testament that says government is to go about using and abusing its taxing authority, legalize stealing from people who have earned the money so that we can give it away to Congress' favorite charity or a government's favorite charity. The government is to provide protection, protect against evil, encourage good, and create an environment where good people can do good.

[From Fox News, July 7, 2011]

ONLY IN WASHINGTON: WHITE HOUSE SALARIES HAVE GONE BOTH UP AND DOWN

(By Kimberly Schwandt)

The White House released its annual salary report to Congress and like anything in Washington, it depends on who you ask if they went up too much, or are an adequate reflection of the tough economic times and have moved down.

The salaries, which can be seen here show that about a third of the employees make more than \$100,000 per year and the lowest earn \$41,000, except for three people who are working for no compensation, or \$0 annual salary. Twenty-one employees made the maximum \$172,000.

The White House backs the figures, saying that salaries went down an average of \$150 per person and that total salary spending decreased in part due to the total number of staffers going down as well.

"President Obama is deeply committed to continuing to reduce costs in government," said White House Spokesman Eric Schultz.

However, some critics say they are spending too much, like Rep. Louie Gohmert, R-Texas.

"[I]n the White House, in looking at it, this administration's got over 450 employees. Now, under the Bush administration, there were over 100, about a fourth of the employees, made less than \$40,000," he told Fox Business on Tuesday.

Fox News fact-checked, and the congressman's statements do pan out, with 102 of the 447 employees on the 2008 list having salaries of less than \$40,000.

"I guess, you know, there's so much greatness when you associate with this White House you deserve to be paid more, I don't know," he said.

Gohmert added another sarcastic jab, "Don't forget the 34—the 34 czars that are out there dictating policy and let's face it . . . when you're a dictator you need to be paid more."

As the economy faltered, President Obama enacted a pay freeze earlier in his administration for top wage-earners.

Wednesday at a Twitter town hall, he referenced the freeze.

"So they haven't had a raise in two and a half years, and that's appropriate, because a lot of ordinary folks out there haven't, either. In fact, they've seen their pay cut in some cases," Obama said.

An analysis by the gossip website Gawker, that was widely circulated and posted on the Internet, compared the salary increases to those of what staffers got last year. The site found that 75 percent of staffers who stayed on got raises from 2009 to 2010.

And this year, the figure isn't quite as big—but of 270 staffers who have been at the White House for more than a year, more than 50 percent got raises with an average increase of 8 percent.

Fox double-checked Gawker's claim on how many got raises and found 267 staffers on both lists, indicating they had worked for more than one year. Of those staffers, 144 had received a raise in 2011 (54%).

It's worth noting that some of those raises were for promotions, not just for the regular yearly increases.

"To be clear, in the past year, the average salary of a White House employee went down, the total number of White House staffers went down, and the total amount spent on White House salaries went down. If pay increases were issued, they were given for a variety of reasons, ranging from promotions to additional work responsibilities," Schultz said.

Most employee survey data, like these by The Conference Project, projected about 3 percent raises on average for employees nationwide this year.

The White House is of course a different entity than the private sector so it's hard to exactly do an apples to apples comparison.

[From the Hill, July 6, 2011]

#### REPUBLICAN MOCKS WHITE HOUSE SALARIES

(By Judy Kurtz)

A Republican congressman on Wednesday criticized the White House for paying staffers too much in salary.

"I guess there's just so much greatness when you're associated with this White House that you deserve to be paid more," Rep. Louie Gohmert (R-Texas) said. "Let's face it, when you're a dictator, you need to be paid more."

Gohmert made clear his remark was meant to be sarcastic. However, he criticized the White House for paying 141 aides more than \$100,000 per year. A report from the White

House released Friday listed the salaries of 454 employees and showed that no staffer is paid less than \$40,000.

"It sounds like the only thing that's truly shovel-ready is all the bull that they've been feeding to us over the last two and a half years," Gohmert said on the Fox News Business channel. "That needs to be shoveled out in a hurry."

Gohmert also slammed a White House stimulus report released last Friday that asserted the stimulus created as many as 3.6 million jobs in the first quarter of 2011.

"Who would ever dream that paying people \$175,000 in the White House would be a bargain compared to how much they're paying to create private sector jobs," Gohmert said. "[President Obama] has squandered so much money that you've heard the sucking sound coming from the private sector."

Republicans claim the stimulus paid out \$278,000 for every job it created. The White House called that a "false analysis."

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CAMPBELL (at the request of Mr. CANTOR) for today on account of attending, in his role as cochairman of the Congressional United Kingdom Caucus, a working reception in his home State of California, in honor of their Royal Highnesses, The Duke and Duchess of Cambridge.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 2 o'clock and 25 minutes p.m.), under its previous order, the House adjourned until Monday, July 11, 2011, at noon for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2338. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Washington; Modification of the Rules and Regulations [Doc. No.: AMS-FV-11-0024; FV11-946-31R] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2339. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Sorghum Promotion, Research and Information Program; State Referendum Results [AMS-LS-11-0040] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2340. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2011-2012 Marketing Year [Doc. No.: AMS-FV-10-0094; FV11-985-1 FR] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2341. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — United States Standards for Grades of Potatoes [Doc. #: AMS-FV-08-0023] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2342. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program; Amendment to the National List of Allowed and Prohibited Substances (Livestock) [Document Number: AMS-NOP-10-005; NOP-10-04FR] (RIN: 0581-AD04) received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2343. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order [Document Number: AMS-FV-10-0015; PR-A2] (RIN: 0581-AD03) received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2344. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Fresh Prunes Grown in Designated Counties in Washington and in Umatilla County, OR; Termination of Marketing Order 924 [Docket No.: AMS-FV-10-0053; FV10-924-1 FR] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2345. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2346. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2347. A letter from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Securities of Nonmember Insured Banks (RIN: 3064-AD67) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2348. A letter from the Secretary, Department of Health and Human Services, transmitting the third annual report on the Prevention and Reduction of Underage Drinking; to the Committee on Energy and Commerce.

2349. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to the former Liberator regime of Charles Taylor that was declared in Executive Order 13348 of July 22, 2004, pursuant to 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

2350. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting extension of the waiver of Section 907 of the FREEDOM Support Act, Pub. L. 107-511, with respect to assistance to the Government of Azerbaijan; to the Committee on Foreign Affairs.

2351. A letter from the Secretary, Department of Education, transmitting the forty-

fourth Semiannual Report to Congress on Audit Follow-Up, covering the six month period ending March 31, 2011 in compliance with the Inspector General Act Amendments of 1988; to the Committee on Oversight and Government Reform.

2352. A letter from the President and Chief Executive Officer, Federal Home Loan Bank Topeka, transmitting the 2010 Statements on System of Internal Controls of the Federal Home Loan Bank of Topeka, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2353. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — West Virginia Regulatory Program [WV-117-FOR; OSM-2011-0006] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2354. A letter from the Assistant Secretary — Indian Affairs, Department of the Interior, transmitting the Fiscal Year 2010 Report to Congress on the Contract Support Costs of Self-Determination Awards; to the Committee on Natural Resources.

2355. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Red Snapper Management Measures [Docket No.: 101124579-1236-02] (RIN: 0648-BA51) received June 1, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2356. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Chapman Valve Manufacturing Company (i.e., Building 23 and the Dean Street facility) in Indian Orchard, Massachusetts to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

2357. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Bliss & Laughlin Steel Company located at 110 Hopkins Street, Buffalo, New York to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

2358. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Wah Chang facility in Albany, Oregon, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

2359. A letter from the Staff Director, United States Sentencing Commission, transmitting the Commission's report entitled, "2010 Annual Report and Sourcebook of Federal Sentencing Statistics", pursuant to 28 U.S.C. 997; to the Committee on the Judiciary.

2360. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Conneaut Festival Fireworks, Conneaut Harbor, Conneaut, OH [Docket No.: USCG-2011-0214] (RIN: 1625-AA00) received

June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2361. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lorain Independence Day Fireworks, Black River, Lorain, OH [Docket No.: USCG-2011-0215] (RIN: 1625-AA00) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2362. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Put-In-Bay Fireworks, Fox's the Dock Pier; South Bass Island, Put-In-Bay, OH [Docket No.: USCG-2011-0417] (RIN: 1625-AA00) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2363. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Temporary Change to Enforcement Location of Recurring Fireworks Display event, Currituck Sound; Corolla, NC [Docket No.: USCG-2011-0384] (RIN: 1625-AA00) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2364. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; M/V Del Monte Live-Fire Gun Exercise, James River, Isle of Wight, Virginia [Docket No.: USCG-2011-0427] (RIN: 1625-AA00) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2365. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Extension of Interim Guidance on Modification of Section 833 Treatment of Certain Health Organizations [Notice 2011-51] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2366. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Guidance Under Section 956 for Determining the Basis of Property Acquired in Certain Non-recognition Transactions [TD 9530] (RIN: 1545-BH56) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 2018. A bill to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes; with an amendment (Rept. 112-139). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 1938. A bill to direct the President to expedite the consideration and approval of the construction and operation of the Keystone XL oil pipeline, and for other purposes; with an amendment (Rept. 112-140, Pt. 1). Ordered to be printed.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 398. A bill to amend the Immi-

gration and Nationality Act to toll, during active-duty service abroad in the Armed Forces, the periods of time to file a petition and appear for an interview to remove the conditional basis for permanent resident status, and for other purposes (Rept. 112-141, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII the Committee on the Budget discharged from further consideration. H.R. 398 referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FLAKE:

H.R. 2458. A bill to amend the Clean Air Act to change the frequency of review of air quality criteria under section 108 of such Act and national primary and secondary ambient air quality standards under section 109 of such Act from 5-year intervals to 10-year intervals, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CRAWFORD:

H.R. 2459. A bill to amend title 49, United States Code, to require the Secretary of Transportation to establish and maintain a national clearinghouse for records relating to alcohol and controlled substances testing of commercial motor vehicle operators, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FARENTHOLD (for himself and Mr. PAUL):

H.R. 2460. A bill to amend title 46, United States Code, to allow operation of foreign-flag cruise ships in the coastwise trade of the United States; to the Committee on Transportation and Infrastructure.

By Mr. DAVIS of Kentucky (for himself and Mr. ROSS of Arkansas):

H.R. 2461. A bill to amend title XVIII of the Social Security Act to provide for the treatment of certain physician pathology services under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK:

H.R. 2462. A bill to limit the aggregate amount provided by the taxpayers of the United States for the bailout of Fannie Mae and Freddie Mac; to the Committee on Financial Services.

By Mr. HALL (for himself, Mr. QUAYLE, Mr. WU, Mr. CONAWAY, Mr. SMITH of Texas, Mr. SENSENBRENNER, Mr. BENISHKE, Mr. BARTON of Texas, Mr. HULTGREN, Mr. NEUGEBAUER, and Mrs. BIGGERT):

H.R. 2463. A bill to provide for the next generation of border and maritime security technologies; to the Committee on Homeland Security, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH (for himself, Ms. MOORE, Mr. JACKSON of Illinois, Mr. STARK, Mr. GRIJALVA, Ms. HIRONO, Mr. ELLISON, Mr. COHEN, and Mr. HASTINGS of Florida):

H.R. 2464. A bill to authorize a program to provide grants to nonprofit organizations that carry out child-parent visitation programs for children with incarcerated parents; to the Committee on Education and the Workforce.

By Mr. KLINE (for himself, Mr. GEORGE MILLER of California, Mr. WALBERG, and Ms. WOOLSEY):

H.R. 2465. A bill to amend the Federal Employees' Compensation Act; to the Committee on Education and the Workforce.

By Mr. BRADY of Texas (for himself, Mr. THOMPSON of California, Mr. HERGER, Mr. TONKO, and Mr. SAM JOHNSON of Texas):

H.R. 2466. A bill to amend the Internal Revenue Code of 1986 to clarify the employment tax treatment and reporting of wages paid by professional employer organizations; to the Committee on Ways and Means.

By Mr. MCKEON:

H.R. 2467. A bill to take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony; to the Committee on Natural Resources.

By Mr. BOUSTANY (for himself and Mr. LEWIS of Georgia):

H.R. 2468. A bill to ensure that home health agencies can assign the most appropriate skilled professional to conduct the initial assessment visit and complete the comprehensive assessment for home health services for Medicare beneficiaries requiring rehabilitation therapy under a home health plan of care, based upon physician referral; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. GRAVES of Missouri, Mr. AKIN, Mr. CARTER, Mr. PETRI, and Mr. ELLISON):

H.R. 2469. A bill to protect consumers from discriminatory State taxes on motor vehicle rentals; to the Committee on the Judiciary.

By Mr. DONNELLY of Indiana:

H.R. 2470. A bill to improve the electronic health information systems and capabilities of the Department of Defense and the Department of Veterans Affairs; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. COBLE, Mr. SENSENBRENNER, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 2471. A bill to amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet; to the Committee on the Judiciary.

By Mr. HECK (for himself, Mr. BURGESS, Mr. GOSAR, Mr. DESJARLAIS, Mr. BENISHEK, Mr. HARRIS, Mr. FLEMING, Mr. PRICE of Georgia, Mr. ROE of Tennessee, Mr. BOUSTANY, Mr. SESSIONS, Mr. BUCSHON, and Mrs. ELLMERS):

H.R. 2472. A bill to amend the Health Care Quality Improvement Act of 1986 to prohibit health care entities from reporting certain professional review actions against health care professionals before adequate notice and hearing procedures are afforded to such pro-

fessionals, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCINTYRE:

H.R. 2473. A bill to modify the project for the improvement of the Shallotte River, North Carolina, to change the authorized depth to 8 feet; to the Committee on Transportation and Infrastructure.

By Mr. MCINTYRE:

H.R. 2474. A bill to authorize a project for hurricane and storm damage reduction at West Onslow Beach and New River Inlet (Topsail Beach), North Carolina; to the Committee on Transportation and Infrastructure.

By Mr. MCINTYRE:

H.R. 2475. A bill to authorize a project for hurricane and storm damage reduction at Surf City and North Topsail Beach, North Carolina; to the Committee on Transportation and Infrastructure.

By Mr. MCINTYRE:

H.R. 2476. A bill to amend section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d-5f) to require the Secretary of the Army to evaluate the feasibility of continuing Federal participation in a beach nourishment project, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCINTYRE:

H.R. 2477. A bill to amend title 38, United States Code, to establish a Department of Veterans Affairs Medal for Distinguished Public Service to honor veterans who make remarkable and distinguished contributions to their communities; to the Committee on Veterans' Affairs.

By Mr. ROSKAM (for himself, Mr. DAVIS of Kentucky, and Mr. DAVIS of Illinois):

H.R. 2478. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received for services by a student at a work-college; to the Committee on Ways and Means.

By Mr. SCHOCK (for himself and Mr. BLUMENAUER):

H.R. 2479. A bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of Texas (for himself and Mr. COBLE):

H.R. 2480. A bill to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States for fiscal years 2012, 2013, and 2014, and for other purposes; to the Committee on the Judiciary.

By Mr. YARMUTH (for himself, Mr. SAM JOHNSON of Texas, and Ms. BERKLEY):

H.R. 2481. A bill to amend the Internal Revenue Code of 1986 to increase the exclusion for employer-provided dependent care assistance; to the Committee on Ways and Means.

By Mr. ELLISON (for himself, Mr. HONDA, Ms. WOOLSEY, Mr. JACKSON of Illinois, Mr. GRJALVA, Mr. CONYERS, Ms. MCCOLLUM, Mr. DEUTCH, Ms. CLARKE of New York, Ms. BROWN of Florida, Mr. CARSON of Indiana, Mr. JOHNSON of Georgia, Ms. MATSUI, Ms. LEE of California, Ms. SEWELL, Ms. SCHAKOWSKY, Ms. RICHARDSON, Mr. CLEAVER, Mr. TONKO, Mrs. CHRISTENSEN, Mr. GARAMENDI, Mr. OLVER, and Mr. RAHALL):

H. Con. Res. 64. Concurrent resolution expressing the sense of Congress that Social Security benefits should not be reduced; to the Committee on Ways and Means.

By Mr. MARKEY:

H. Res. 343. A resolution expressing disapproval of the decision by the Supreme

Court in *Sorrell v. IMS Health Inc*; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KAPTUR:

H. Res. 344. A resolution expressing the sense of the House of Representatives that the States should enact a temporary moratorium on residential mortgage foreclosures; to the Committee on Financial Services.

By Mr. DANIEL E. LUNGREN of California:

H. Res. 345. A resolution condemning al Shabaab for its practice of child conscription in the Horn of Africa; to the Committee on Foreign Affairs.

By Ms. NORTON:

H. Res. 346. A resolution expressing the sense of the House of Representatives that a national World War I memorial should be established; to the Committee on Natural Resources.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

76. The SPEAKER presented a memorial of the House of Representatives of the State of Texas, relative to House Resolution No. 784 urging the Congress to fully support the vital operations and joint force structure at Ellington Field Joint Reserve Base; to the Committee on Armed Services.

77. Also, a memorial of the Senate of the State of Iowa, relative to Senate Resolution 9 supporting the positive impact of the CSBG program; to the Committee on Education and the Workforce.

78. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 26 recognizing May 2011 as Amyotrophic Lateral Sclerosis Awareness Month; to the Committee on Energy and Commerce.

79. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 33 declaring June 2011 to be "Save LIHEAP Month"; to the Committee on Oversight and Government Reform.

80. Also, a memorial of the House of Representatives of the State of Texas, relative to House Resolution No. 523 honoring the legacy of public service to the community of the Campbellton Post Office; to the Committee on Oversight and Government Reform.

81. Also, a memorial of the House of Representatives of the State of Texas, relative to House Resolution No. 306 expressing support for the conservation of Castner Range; to the Committee on Natural Resources.

82. Also, a memorial of the House of Representatives of the State of Texas, relative to House Resolution No. 243 expressing opposition to H.R. 3424; to the Committee on Ways and Means.

83. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 3 memorializing the Congress to expedite a solution that will provide public alert and warning in situations of war, terrorist attack, natural disaster, or other hazards to public safety; jointly to the Committees on Energy and Commerce and Homeland Security.

84. Also, a memorial of the House of Representatives of the State of Texas, relative

to House Resolution No. 1694 congratulating President Obama on his proven and successful policies in the war on terrorism and in homeland security; jointly to the Committees on Intelligence (Permanent Select) and Armed Services.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. FLAKE:

H.R. 2458.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress provided by Article I, section 8 of the United States Constitution, specifically clause 3 (relating to the power to regulate interstate commerce).

By Mr. CRAWFORD:

H.R. 2459.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the enumerated powers listed in Article I, Section 8, which include the power to "regulate commerce . . . among the several States . . .".

By Mr. FARENTHOLD:

H.R. 2460.

Congress has the power to enact this legislation pursuant to the following:  
Article 1, section 8, clause 3.

By Mr. DAVIS of Kentucky:

H.R. 2461.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. FITZPATRICK:

H.R. 2462.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1, the power to tax and spend for the general welfare and the implied power of the Necessary and Proper Clause, Article I, Section 8, clause 18

By Mr. HALL:

H.R. 2463.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 & 18 of the United States Constitution.

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUSH:

H.R. 2464.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KLINE:

H.R. 2465.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. BRADY of Texas:

H.R. 2466.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 and the 16th Amendment.

By Mr. MCKEON:

H.R. 2467.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article IV, Section 3, Clause 2.

By Mr. BOUSTANY:

H.R. 2468.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution

Clause 18 of Section 8 of Article 1 of the Constitution

By Mr. COHEN:

H.R. 2469.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Article I, Section 8 of the United States Constitution.

By Mr. DONNELLY of Indiana:

H.R. 2470.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1, 12, 13, and 14 of the U.S. Constitution.

By Mr. GOODLATTE:

H.R. 2471.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. HECK:

H.R. 2472.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: [The Congress shall have Power] To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. MCINTYRE:

H.R. 2473.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. MCINTYRE:

H.R. 2474.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. MCINTYRE:

H.R. 2475.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. MCINTYRE:

H.R. 2476.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. MCINTYRE:

H.R. 2477.

Congress has the power to enact this legislation pursuant to the following:

Military Regulation Clause: Article 1, Section 8, Clause 14

Necessary and Proper Clause: Article 1, Section 8, Clause 18

General Welfare Clause: Article 1, Section 8, Clause 1

By Mr. ROSKAM:

H.R. 2478.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, which states "The Congress shall have Power To lay and collect Taxes," and Article I, Section 7, which states "All Bills for raising Revenue shall originate in the House of Representatives."

By Mr. SCHOCK:

H.R. 2479.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8 of the United States Constitution.

By Mr. SMITH of Texas:

H.R. 2480.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, including but not limited to, Clauses 1, 3 and 18.

By Mr. YARMUTH:

H.R. 2481.

Congress has the power to enact this legislation pursuant to the following:

Power granted to Congress under Article 1, Section 8, Clause 3 of the U.S. Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 10: Mr. BROOKS.  
H.R. 58: Ms. HERRERA BEUTLER.  
H.R. 98: Mr. BROOKS.  
H.R. 100: Mr. BROOKS.  
H.R. 157: Mr. YOUNG of Alaska.  
H.R. 210: Ms. LEE of California, Ms. HANABUSA, Mr. COSTA, Mr. WAXMAN, Mr. SMITH of Washington, Mr. FARR, and Mr. ROTHMAN of New Jersey.  
H.R. 389: Mr. NUNNELEE.  
H.R. 452: Mr. SULLIVAN and Mr. HULTGREN.  
H.R. 499: Mr. GARY G. MILLER of California.  
H.R. 531: Mr. BOSWELL.  
H.R. 539: Mr. GARAMENDI.  
H.R. 602: Mr. MICHAUD and Mrs. MALONEY.  
H.R. 603: Mr. MICHAUD and Mrs. MALONEY.  
H.R. 604: Mr. MICHAUD and Mrs. MALONEY.  
H.R. 676: Mr. HASTINGS of Florida.  
H.R. 711: Ms. HANABUSA.  
H.R. 724: Mr. TIERNEY and Mr. GARAMENDI.  
H.R. 733: Mr. QUIGLEY.  
H.R. 791: Mr. CONNOLLY of Virginia, Mr. RYAN of Ohio, Mr. FILNER, Mr. BRALEY of Iowa, and Mr. HONDA.  
H.R. 822: Mr. GALLEGLY and Mrs. LUMMIS.  
H.R. 864: Mr. ELLISON.  
H.R. 885: Ms. RICHARDSON, Ms. BORDALLO, Ms. DELAURO, Mr. CAPUANO, Mr. CLEAVER, Mr. CONNOLLY of Virginia, and Mr. WU.  
H.R. 891: Mr. MICHAUD.  
H.R. 894: Mrs. MALONEY.  
H.R. 969: Mrs. BLACKBURN.  
H.R. 981: Mr. SCHILLING.  
H.R. 1031: Mr. RICHMOND and Mr. LOBIONDO.  
H.R. 1057: Mr. MCINTYRE.  
H.R. 1058: Mr. SCHOCK.  
H.R. 1116: Ms. HOCHUL and Mr. OWENS.  
H.R. 1117: Mr. ELLISON.  
H.R. 1150: Mr. YOUNG of Florida, Mr. QUIGLEY, Mr. MICHAUD, Ms. BROWN of Florida, and Mr. HEINRICH.

H.R. 1195: Ms. SUTTON.  
 H.R. 1208: Mr. WAXMAN and Ms. ZOE LOFGREN of California.  
 H.R. 1234: Mr. MORAN.  
 H.R. 1236: Mr. BARLETTA, Mr. ROSKAM, Mr. CLEAVER, Mr. KLINE, Mr. FILNER, Mr. BISHOP of Georgia, Mr. HOLT, Mr. ROSS of Arkansas, Mr. MCCOTTER, and Mr. MARKEY.  
 H.R. 1240: Mr. SCHIFF.  
 H.R. 1244: Mr. WALZ of Minnesota, Mr. SCHOCK, Ms. SCHWARTZ, Mr. MICHAUD, Ms. MOORE, and Mr. HULTGREN.  
 H.R. 1259: Mr. FRELINGHUYSEN.  
 H.R. 1265: Mr. MANZULLO.  
 H.R. 1274: Mr. BROOKS.  
 H.R. 1327: Mr. BOSWELL and Mr. HOLT.  
 H.R. 1341: Mr. DUNCAN of South Carolina.  
 H.R. 1364: Ms. HERRERA BEUTLER.  
 H.R. 1406: Mr. MORAN.  
 H.R. 1418: Ms. HERRERA BEUTLER and Mr. ROSS of Florida.  
 H.R. 1439: Mr. CHABOT.  
 H.R. 1449: Mr. MARINO and Mr. FILNER.  
 H.R. 1465: Ms. BORDALLO.  
 H.R. 1533: Mr. LOBIONDO and Mr. KING of New York.  
 H.R. 1537: Ms. HANABUSA.  
 H.R. 1546: Mr. ROSS of Arkansas, Mr. RYAN of Ohio, Mr. BOSWELL, Mr. PAYNE, Mr. TIERNEY, Mr. PLATTS, Mr. DEFAZIO, and Mr. CUMMINGS.  
 H.R. 1571: Mr. CRENSHAW.  
 H.R. 1585: Mr. TURNER, Mr. WILSON of South Carolina, and Mr. MILLER of Florida.  
 H.R. 1588: Mr. DAVIS of Kentucky.  
 H.R. 1676: Mr. MCGOVERN.  
 H.R. 1683: Mrs. BIGGERT.  
 H.R. 1697: Mr. JOHNSON of Illinois, Mr. MILLER of Florida, Ms. HERRERA BEUTLER, and Mr. CLEAVER.  
 H.R. 1700: Mrs. BLACKBURN.  
 H.R. 1706: Mr. HULTGREN.  
 H.R. 1744: Mr. MCCLINTOCK, Mr. ROGERS of Michigan, Mr. GIBBS, and Mr. HULTGREN.  
 H.R. 1776: Mr. WATT and Ms. SCHWARTZ.  
 H.R. 1780: Ms. HIRONO, Mr. SIRES, Ms. MCCOLLUM, Mr. LEWIS of Georgia, and Mr. LANGEVIN.  
 H.R. 1792: Mr. MCINTYRE.  
 H.R. 1840: Mr. OWENS, Mr. GARRETT, and Mr. STIVERS.  
 H.R. 1852: Mr. PAYNE, Mr. KING of New York, Mr. FATTAH, and Mr. GIBBS.  
 H.R. 1872: Mrs. EMERSON.  
 H.R. 1873: Mr. SMITH of Washington and Mr. BARROW.  
 H.R. 1897: Mr. ROGERS of Michigan.  
 H.R. 1916: Mr. WELCH, Ms. MATSUI, Ms. LEE of California, Mr. MCGOVERN, Ms. CHU, Mr. FATTAH, Ms. SCHWARTZ, Mr. KUCINICH, Ms. ROYBAL-ALLARD, Mr. CUMMINGS, Mr. LARSON of Connecticut, Mr. ISRAEL, Mr. HEINRICH, and Mr. MILLER of North Carolina.  
 H.R. 1924: Mr. COSTELLO and Mr. JACKSON of Illinois.  
 H.R. 1940: Mr. RUNYAN and Mrs. NAPOLITANO.  
 H.R. 1985: Mr. SHERMAN.  
 H.R. 1996: Mr. THORNBERRY, Mr. CALVERT, and Mr. GIBBS.  
 H.R. 2011: Mr. DENHAM.  
 H.R. 2016: Mr. FILNER.  
 H.R. 2018: Mrs. EMERSON.  
 H.R. 2020: Mr. CARNAHAN, Mrs. MALONEY, Mr. PAYNE, and Mr. FRANK of Massachusetts.  
 H.R. 2032: Mr. MILLER of Florida, Mr. PETRI, Mr. HURT, and Mr. KING of Iowa.  
 H.R. 2036: Mrs. LUMMIS.  
 H.R. 2051: Mr. JOHNSON of Ohio.  
 H.R. 2056: Mr. GRIMM, Mrs. MALONEY, Mr. HINOJOSA, Mr. SCHWEIKERT, and Mr. MANZULLO.  
 H.R. 2068: Mr. FRANKS of Arizona.  
 H.R. 2082: Mr. LEWIS of Georgia.

H.R. 2086: Mr. SCHOCK.  
 H.R. 2092: Mr. KING of Iowa.  
 H.R. 2095: Mr. BLUMENAUER, Mr. CARSON of Indiana, and Mrs. CHRISTENSEN.  
 H.R. 2124: Mr. BROOKS.  
 H.R. 2140: Mr. FRANK of Massachusetts, Mr. NEAL, and Mr. KEATING.  
 H.R. 2182: Mrs. BLACKBURN.  
 H.R. 2197: Ms. CHU and Mr. COHEN.  
 H.R. 2198: Mr. BOSWELL.  
 H.R. 2204: Mrs. LUMMIS, Mr. LANCE, Mr. PLATTS, Mr. CRAWFORD, Mr. CALVERT, Mr. AUSTIN SCOTT of Georgia, Mr. DOLD, and Mr. BARTLETT.  
 H.R. 2223: Mr. ALTMIRE.  
 H.R. 2250: Mr. HURT, Mrs. EMERSON, and Mrs. ROBY.  
 H.R. 2281: Mr. LEWIS of Georgia.  
 H.R. 2306: Ms. NORTON.  
 H.R. 2310: Mr. FILNER, Mr. LEWIS of Georgia, and Mr. ELLISON.  
 H.R. 2313: Mr. GARRETT.  
 H.R. 2327: Mr. COBLE.  
 H.R. 2332: Ms. WOOLSEY.  
 H.R. 2333: Mr. STARK.  
 H.R. 2337: Mr. RANGEL, Mr. CHABOT, Mr. MORAN, Mr. TURNER, Mr. DEUTCH, and Mr. SIRES.  
 H.R. 2355: Mr. FRANKS of Arizona.  
 H.R. 2358: Mr. CARSON of Indiana.  
 H.R. 2364: Ms. WOOLSEY.  
 H.R. 2366: Mr. ANDREWS, Mr. MORAN, and Mr. POLIS.  
 H.R. 2369: Mr. MURPHY of Pennsylvania, Mr. GOSAR, Mr. MULVANEY, Mr. BARROW, Mr. PITTS, Mr. SMITH of Washington, Mr. COHEN, Mr. COLE, Mr. LUCAS, Mr. LATTA, Ms. HAYWORTH, Mr. FITZPATRICK, Mr. RUNYAN, Mr. WEST, Mr. HUNTER, Mr. SHUSTER, Mr. CALVERT, Mr. LEWIS of California, Mr. CHABOT, Mr. COBLE, Mr. ROSS of Florida, Mr. LONG, Mr. DREIER, Mr. YARMUTH, Mr. CHANDLER, Ms. SCHWARTZ, Mr. MCINTYRE, Mr. WALBERG, Ms. LORETTA SANCHEZ of California, Mr. TONKO, Ms. HOCHUL, Ms. SPEIER, Mr. WESTMORELAND, Mr. POE of Texas, Mr. LANGEVIN, Mr. MACK, Mrs. BONO MACK, Mr. BUCHANAN, Mr. LANKFORD, Mr. ROSKAM, Mr. JORDAN, Mr. CHAFFETZ, Mr. BURGESS, Mr. REED, Mr. CRENSHAW, Mr. SCHRADER, Mr. ROGERS of Alabama, Mr. BOUSTANY, Mr. DAVIS of Kentucky, Mr. GOHMERT, Mr. SENSENBRENNER, Mr. BILIRAKIS, Mrs. McMORRIS RODGERS, Ms. FOXF, Mr. PLATTS, Mr. MILLER of Florida, Mr. WALSH of Illinois, Mr. HUELSKAMP, Mr. ROKITA, Mr. REICHERT, Mr. SOUTHERLAND, Mr. LYNCH, Mr. CARNAHAN, Mr. ISRAEL, Mr. BOSWELL, Ms. CASTOR of Florida, Mr. GENE GREEN of Texas, Mr. ROHR-ABACHER, Mr. AUSTRIA, Mr. MCCAUL, Mr. NEUGEBAUER, Mr. FARENTHOLD, Mr. MARCHANT, Mr. GRIFFIN of Arkansas, Mrs. NOEM, Mr. DESJARLAIS, Mr. NUNNELEE, Mr. LANCE, Mr. HANNA, Mr. MICHAUD, Mr. BOREN, Mr. DANIEL E. LUNGREN of California, Mr. WALZ of Minnesota, Mr. ROSS of Arkansas, Mr. MORAN, Mrs. DAVIS of California, Mr. MARINO, Mr. KELLY, Mr. YOUNG of Florida, and Mr. SCALISE.  
 H.R. 2372: Mr. FITZPATRICK.  
 H.R. 2397: Mr. DOLD, Mr. GOSAR, and Mr. NUGENT.  
 H.R. 2402: Mr. WILSON of South Carolina, Mr. ROSS of Florida, Mr. POSEY, Mr. NUGENT, and Mr. TURNER.  
 H.R. 2407: Mr. BRALEY of Iowa and Mrs. NAPOLITANO.  
 H.R. 2411: Mrs. NOEM.  
 H.R. 2412: Mr. HIMES.  
 H.R. 2417: Mr. SENSENBRENNER, Mr. WALBERG, Mrs. HARTZLER, Mr. DUNCAN of Tennessee, Mr. ROE of Tennessee, Mr. DESJARLAIS, Mr. MILLER of Florida, Mr. FINCHER, Mr. MACK, Mr. STIVERS, Mrs. BLACK, and Mr. FLEISCHMANN.

H.R. 2427: Mr. ISSA.  
 H.R. 2433: Mr. FLORES and Mr. BILIRAKIS.  
 H. Res. 25: Mrs. BIGGERT and Mr. CHABOT.  
 H. Res. 66: Mr. GERLACH.  
 H. Res. 159: Mr. LAMBORN.  
 H. Res. 179: Mr. FRELINGHUYSEN.  
 H. Res. 180: Mr. FRELINGHUYSEN.  
 H. Res. 207: Mr. GERLACH.  
 H. Res. 211: Mr. NUNNELEE.  
 H. Res. 226: Mr. FRANKS of Arizona.  
 H. Res. 296: Mr. PASCRELL.  
 H. Res. 317: Mr. FILNER, Mr. MURPHY of Connecticut, and Mr. QUIGLEY.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 91: Mr. REED.  
 H.R. 2109: Mr. TERRY.

#### PETITIONS, ETC.

Under clause 3 of rule XII,

16. The SPEAKER presented a petition of the City of Miami, Florida, relative to Resolution 09-0101 urging the City Manager to develop a "Complete Streets Program"; which was referred to the Committee on Transportation and Infrastructure.

#### DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 1, July 6, 2011, by Mr. MARK CRITZ on House Resolution 310, was signed by the following Members: Mark S. Critz, Joe Courtney, Michael H. Michaud, Kurt Schrader, Gene Green, Joe Baca, Hansen Clarke, Lloyd Doggett, Robert E. Andrews, Colleen W. Hanabusa, Bill Pascrell Jr., Brian Higgins, Charles A. Gonzalez, William L. Owens, Louise McIntosh Slaughter, John F. Tierney, Niki Tsongas, Michael F. Doyle, Gary L. Ackerman, Kathleen C. Hochul, Gerald E. Connolly, Danny K. Davis, Daniel Lipinski, David N. Cicilline, Rosa L. DeLauro, Kathy Castor, Dale E. Kildee, Marcy Kaptur, Tammy Baldwin, Russ Carnahan, Doris O. Matsui, James P. McGovern, Carolyn McCarthy, John A. Yarmuth, Peter A. DeFazio, Brad Sherman, Sander M. Levin, Anna G. Eshoo, Chris Van Hollen, Michael E. Capuano, Tim Ryan, Theodore E. Deutch, Sheila Jackson Lee, Nick J. Rahall II, Henry C. "Hank" Johnson Jr., Jason Altmire, Gary C. Peters, Steve Cohen, Paul Tonko, Shelley Berkley, Linda T. Sánchez, John B. Larson, Frederica S. Wilson, John Conyers Jr., Terri A. Sewell, Donald M. Payne, Robert C. "Bobby" Scott, Yvette D. Clarke, Marcia L. Fudge, Carolyn B. Maloney, Chaka Fattah, Leonard L. Boswell, Steven R. Rothman, Bobby L. Rush, Steny H. Hoyer, Charles B. Rangel, James R. Langevin, Rush D. Holt, Jerry McNERNEY, Bruce L. Braley, Tim Holden, Robert A. Brady, Betty Sutton, Timothy J. Walz, Janice D. Schakowsky, Elijah E. Cummings, Timothy H. Bishop, Joe Donnelly, Mike McIntyre, Martin Heinrich, Frank Pallone Jr., Ben Ray Lujan, Keith Ellison, Mike Quigley, George Miller, Wm. Lacy Clay, Mazie Hirono, Lois Capps, Lucille Roybal-Allard, Rubén Hinojosa, Grace F. Napolitano, Sanford D. Bishop Jr., Eddie Bernice Johnson, Barney Frank, Nancy Pelosi, Diana DeGette, Xavier Becerra, Betty McCollum, G. K. Butterfield, Lynn C. Woolsey, Laura Richardson, Howard L. Berman,

Henry A. Waxman, Al Green, John P. Sarbanes, John W. Olver, Jackie Speier, Jesse L. Jackson Jr., James E. Clyburn, Adam B. Schiff, Emanuel Cleaver, Silvestre Reyes, Jerry F. Costello, Donna F. Edwards, John D. Dingell, Mike Ross, André Carson, Ben Chandler, David Loebsack, Albio Sires, Nita M. Lowey, Jerrold Nadler, Eliot L. Engel, Gregory W. Meeks, James P. Moran, Steve Israel, C.A. Dutch Ruppersberger, Luis V. Gutierrez, Debbie Wasserman Schultz, and Christopher S. Murphy.

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AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2354

OFFERED BY: MR. POMPEO

AMENDMENT NO. 24: Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to carry out the Vehicle Technologies Program of the Department of Energy.

H.R. 2354

OFFERED BY: MR. MCKINLEY

AMENDMENT NO. 25: Page 24, line 18, after the dollar amount, insert “(increased by \$39,000,000)”.

Page 28, line 13, after the dollar amount, insert “(reduced by \$39,000,000)”.

H.R. 2354

OFFERED BY: MR. COLE

AMENDMENT NO. 26: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement any rule, regulation, or executive order regarding the disclosure of political contributions that takes effect on or after the date of enactment of this Act.



## EXTENSIONS OF REMARKS

LETTER OF COMMENDATION FOR  
MR. WILLARD "SMITTY" SMITH,  
USN (RET.)

### HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. RIGELL. Mr. Speaker, it is a high honor and privilege to commend Mr. Willard Smith of Virginia Beach, a patriot known to his friends and peers affectionately simply as "Smitty."

Smitty is not only recognized for his notable military service in the United States Navy, but for his commitment to the wellbeing and recovery of more than 500 of our nation's brave but now homeless veterans. After five tours of duty in Vietnam as a Navy Seabee, Smitty serves as Executive Director at Vetshouse, a unique nonprofit organization serving homeless veterans in the Tidewater area in Virginia. Vetshouse is not a shelter, but a 12-month program providing contemporary living quarters in a group environment, assistance in job hunting, transportation, personal skills and development guidance.

For having the courage not only to turn his own life around, but for having the compassion and commitment to help his fellow man do the same; For bringing health, hope, and happiness into the lives of so many around him; And for his discipline, dedication, and devotion to our nation's treasured veterans; I hereby commend Mr. Willard "Smitty" Smith.

TRIBUTE TO MR. DARRYL ANTHONY PANDY, INTERNATIONALLY ACCLAIMED HOUSE MUSIC PIONEER

### HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. RUSH. Mr. Speaker, I rise today to recognize and honor the life and labor of Mr. Darryl Anthony Pandy who made his heavenly transition on Friday, June 10, 2011. Darryl was a gifted vocalist who elevated the House music genre to international status in the mid 1980s.

One of the most sought-after voices in the House music world, the Chicago native with a 6-1/2-octave voice range was the lead vocal on "Love Can't Turn Around," a track by Chicago's Farley (Jackmaster Funk) Keith. The record was a United States club hit, but crossed over into the mainstream in the United Kingdom on London Records in August, 1986 and peaked at number 2 on Billboard's charts five weeks later. The song's surprising European success earned Darryl a coveted British Phonographic Industry (BPI) Award for dance music. In 1997, "Love Can't

Turn Around" was re-released in the UK and peaked at number 40.

Other music hits included "Animal Magnetism", "Climax", "I Love Music", "Heaven's In Your Heart", "Love Turns To Pain", and "Work Your Body". In 1999, Darryl teamed up with CZR to record "Bad Enough", and reunited with Farley on the gospel house hit "He's My Best Friend". He released "Joy" with Dutch Johnson in 2003, "Dancing" with Laurent Wolf in 2004 and in 2005, he teamed up with René Süss to release "Clap Your Hands on the Dancefloor" on German imprint Tiefenrausch Records.

Darryl, who grew up in the Cabrini-Green public housing development, was a long-time member of Chicago's Life Center Church of God in Christ under Pastor T. L. Barrett.

Mr. Speaker, I was privileged to know Darryl and I want to encourage his mother, Beverly Garrett, his siblings William Harold Washington III and Krystal Garrett and his many friends and fans to always remember to look to the hills from which comes all of their help. Darryl's talent will be missed but through his music his legacy will live on. I am honored to pay tribute to this gifted music legend.

RECOGNIZING THE LIFE AND ACHIEVEMENTS OF THE LATE COMMAND SERGEANT MAJOR JAKE BREWER

### HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. TIBERI. Mr. Speaker, I rise today to honor and recognize the life and achievements of the late Command Sergeant Major Jake Brewer.

Throughout the entirety of his life, CSM Brewer epitomized the American spirit and exceptionalism. He committed himself and his career to this nation. His love of country and pursuit of helping others made him a beloved figure around central Ohio.

CSM Brewer, a two-war veteran who earned a bronze star for valor, served this nation valiantly during the Battle of the Bulge in World War II as a combat medic and was wounded fighting in Korea. His role in these historic conflicts represented a foreshadowing of his life's mission. Akin to the way he aided others on the battlefield in Europe and Korea, CSM Brewer went on to become a famed veterans' advocate in central Ohio.

During his stellar career serving veterans, CSM Brewer held many influential positions and acquired many distinct honors and accolades. He was a state commander of the Veterans of Foreign Wars and executive director of the United Service Organization (USO) of Central and Southern Ohio. Quite fittingly, the USO lounge at Port Columbus bears his

name. Also, he helped construct the Military Veterans Education Foundation which assists in running Columbus' Veterans Day Parade and Armed Forces Luncheon. In my opinion, Jake was a human being of immeasurable quality, one who possessed a winning character and benevolent nature. I and many other Ohioans were proud to have known him.

After 87 years of life, Jake Brewer recently passed away leaving a legacy of unwavering service to his country and to central Ohio. In light of his contributions and service, I believe he remains worthy of immense respect and admiration. He will be a sorely missed member of our community and his influence will resonate for years to come.

RECOGNIZING LIEUTENANT COMMANDER STEPHEN A. MARTY, UNITED STATES NAVY

### HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Ms. GRANGER. Mr. Speaker, I rise to recognize Lieutenant Commander Stephen A. Marty as he prepares to leave the Navy's Appropriations Matters Office (FMBE) after three years of dedicated service to my distinguished colleagues of the House Appropriations Committee. Lieutenant Commander Marty's high energy approach and solid effort to foster relationships with Members of Congress and Congressional Staff ensured my staff received timely and accurate information on the Department of the Navy's medical programs. This account is especially important to me because it directly impacts our nation's wounded warriors.

I have worked with Lieutenant Commander Marty throughout his tenure in FMBE. His expertise in representing Navy Medical programs worth over \$6 billion annually helped the Department of the Navy achieve strategic and budgetary objectives for all medical accounts, including critical supplies and equipment for our nation's war fighters and wounded warriors. Additionally, Lieutenant Commander Marty meticulously planned and executed several challenging international Congressional Delegations for the Defense Appropriations Subcommittee. Throughout each trip he ensured that the Subcommittee achieved its aims.

Lieutenant Commander Marty's outstanding tenure in FMBE exemplified the dedicated leadership, superb professionalism, and unwavering integrity that is the hallmark of a fine Naval officer. Through his duties as a Congressional Appropriations Liaison, he has had a positive influence on the Navy, its Sailors and Officers. Mr. Speaker, I join my colleagues today in saying thank you to Lieutenant Commander Stephen A. Marty for his

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

dedication and service throughout his distinguished tour in FMBE.

HONORING THE LIFE OF LOUIS  
BEECHERL

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. BURGESS. Mr. Speaker, today I rise to honor the life of Louis Beecherl, a great Dallas businessman, political activist, philanthropist, and community servant. Mr. Beecherl, who passed away on July 5th, 2011, was a founding member and CEO of Texas Oil & Gas Corp. from 1957–1977, was appointed chairman of the University of Texas Board of Regents in 1987, and was most recently the owner of Beechrel Holdings.

In 2002, Mr. Beecherl was inducted into the Texas Business Hall of Fame and is recognized as being a leader in expanding Texas' economy. He also devoted his time and resources as a GOP benefactor, supporting various political campaigns, and the National Republican Congressional Committee. Furthermore, Mr. Beecherl will be remembered as a community servant and has been involved in countless organizations. He has served as President of the Boy Scouts of America Circle Ten Council, was as an Advisory Board Member of the Salvation Army in Dallas County, and has served as the Chair of the Young Men's Christian Association (YMCA) Capital Campaign Advisory Committee.

Mr. Speaker, it is with great honor that I rise to remember the life of Louis Beecherl; a great Texan, businessman, and above all, a devoted husband and father. It is my privilege to have this opportunity to honor his life and legacy.

IN HONOR OF ROAD RAGE  
AWARENESS WEEK

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Road Rage Awareness Week—a week created by Reaching Out Against Road Rage, Inc. to encourage safer driving practices and to prevent unnecessary violence on the roads.

Reaching Out Against Road Rage, Inc., or R.O.A.R.R. is a nonprofit organization located in Muskegon County, Michigan. R.O.A.R.R., was established by Kay Foster-Shabazz, two years after the death of her twenty year-old daughter, Diyamond, in a road rage related incident in 2002. Since its establishment, the mission of R.O.A.R.R. has been to prevent road rage, protect and support victims of road rage and to promote the saving of lives.

R.O.A.R.R. has been working to reduce the number of road rage related incidents by promoting awareness and providing educational tools. In addition, R.O.A.R.R. pledges to assist victims and their families throughout the recovery process by providing a multitude of resources.

Mr. Speaker and Colleagues, please join me in recognizing Road Rage Awareness Week, July 10–16, 2011. The hard work of Reaching Out Against Road Rage, Inc. has made the roads safer for everyone.

ON THE OCCASION OF THE INDE-  
PENDENCE OF THE REPUBLIC OF  
SOUTH SUDAN

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. MORAN. Mr. Speaker, we are here today to mark a great day in the history of democracy, a great day for Africa, and a great day for the United States.

On Saturday, July 9th, the Republic of South Sudan becomes Africa's 54th country and the world's newest nation. This is an outcome that would likely have been inconceivable for most Sudanese only a few years ago. South Sudan's declaration of independence is a testament to their resolve and determination to be free.

The United States should also be proud of this momentous achievement, and I would like to congratulate the Obama Administration and the Bush Administration for maintaining the vision and unwavering commitment to stand with the people of this great new country through their struggle. I am thrilled that the White House has sent a high level delegation, led by Ambassador Susan Rice, to the burgeoning new capital of South Sudan, to celebrate with our newest ally.

Former Secretary of State Colin Powell will accompany Ambassador Rice. I'm pleased that our colleague Congressman DONALD PAYNE, a leader of the Sudan Caucus and a forceful advocate for Sudanese self determination, will be with the delegation, as will the senior diplomats Johnnie Carson and Princeton Lyman who have worked to make this day possible, and Gen. Carter Ham, the commander of the U.S. Africa Command. Under-scoring our past and future commitment to human rights and economic opportunity and development in Sudan, Donald Steinberg, Deputy Administrator of USAID and Ken Hackett, of Catholic Relief Services, are also part of the White House delegation.

As in so many struggles for democracy, the final joy of liberation emerged only after many seasons of pain and loss. We join the South Sudanese in honoring those who struggled, suffered and died over decades of conflict in the effort to celebrate this great democratic achievement. Two million of their brothers and sisters died in the struggle, and twice that number were forced from their homes. This loss is felt today, and will take a generation or more to recover from.

Indeed, we must recognize that our new ally faces serious challenges. South Sudan holds oil wealth, but is still extraordinarily poor. The new capital, Juba, is expanding at a fast pace, but the country is bereft of an infrastructure that can support commerce and development. This huge new country of more than 250,000 square miles has less than 50 miles of paved roads.

On average, a family in South Sudan must spend 30 minutes just to secure their water for cooking and bathing, and their water is often not safe to drink. This is no doubt one reason why South Sudan suffers a rate of infant mortality that is among the highest in the world. And Sudan is one of the most dangerous places in the world to be a mother. In fact, a girl in Sudan is more likely to die in childbirth than to receive a primary education. We must recommit ourselves to a new independence for Sudan: independence from poverty.

And we must also recognize today that the people of both the new republic and the state from which it split continue to suffer the cruel and indiscriminate evil of conflict. Even now, so soon after the referendum in which nearly 99 percent of South Sudanese voiced their intention to be free, we have witness to a vicious armored assault on Abyei that displaced some 100,000 people in May, while destroying homes, churches and businesses. And in June, the Khartoum government unleashed a further assault on Sudanese civilians, this time in south Kordofan State. The people of this region largely identify with South Sudan.

And so we also must recommit ourselves to Sudan's independence from war. I know that the Obama Administration intends to stand with our new ally in these other, critical liberation struggles. I ask my colleagues to join me as we remind Juba and Khartoum that we are still watching, and we remain attentive to the cause of peace with justice in both countries, including in Kordofan, Blue Nile, Abyei and, not least, Darfur.

And as we learned with the defeat of the Soviets in Afghanistan, let us not abandon them after we worked so hard to help them secure their freedom.

CONGRATULATING THE REPUBLIC  
OF KOREA FOR WINNING THE  
BID FOR THE 2018 OLYMPIC  
GAMES

**HON. DAN BURTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. BURTON of Indiana. Mr. Speaker, I would like to rise today to express my congratulations to The Republic of Korea for successfully winning the bid to host the 2018 Winter Olympic Games. Yesterday, the International Olympic Committee selected the beautiful site of Pyeongchang, in the Taebaek mountain region, as the host city for the 2018 Games.

These 2018 Winter Games will take place 30 years following the successful 1988 Seoul Summer Olympic Games. That year marked the international recognition of the Republic of Korea's maturation as a leading economic power and the emergence of the country as a liberal democracy. In the 3 decades since, South Korea has grown and matured at a remarkable speed so that it now has the world's 11th largest economy and is one of the top trading partners of the United States.

No doubt many Korean immigrants to the United States and their descendants are celebrating as a result of this announcement, and

justifiably so. The Olympic Games provide any country the opportunity to shine, and I expect that Korea will shine brightly in 2018.

As co-chair of the Congressional Caucus on Korea, I wish to add my voice to the many Americans—both friends of Korea and sports enthusiasts—who today are cheering on the excellent choice of Pyeongchang as the site of the 2018 Winter Olympics.

IN HONOR OF MS. DORIS  
O'DONNELL

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today to honor Ms. Doris O'Donnell on the occasion of her 90th birthday.

Ms. O'Donnell was born on July 10, 1921 and grew up in the Old Brooklyn neighborhood of Cleveland. Her family was heavily involved in the community; her father was a fireman, her mother was a Democratic ward leader, and her uncle was the county sheriff.

Her career in print journalism began in 1944, starting at the Cleveland News. She would go on to work at numerous newspapers, including the Lake County News-Herald, the Tribune-Review based in Greensburg, Pennsylvania, and the Cleveland Plain Dealer.

Ms. O'Donnell was a pioneer for female journalism. Her career spanned over five decades, and she covered such topics as police, the court system, organized crime, and local politics. She was the first female reporter to reach "superstar" status in the Cleveland area, and she won more state and local journalism awards than any female journalist in history.

She was known as a big-story reporter, and was able to use her fearless and brass-knuckles reporting style to report on such items as the Kremlin, and the assassinations of John Kennedy, Robert Kennedy, and Reverend Martin Luther King, Jr. Ms. O'Donnell's late husband, former Cleveland News city editor, passed away in 1976. Ms. O'Donnell currently lives in suburban Cleveland and serves on the board of a charitable foundation.

Mr. Speaker and colleagues, please join me in honoring Ms. Doris O'Donnell, a woman whose relentless pursuit of the truth enabled her to rise to the top of Cleveland journalism, and whose brilliant career was a gift to the Cleveland community.

A TRIBUTE TO MISS SUSIE  
MUSHATT JONES

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Miss Susie Mushatt Jones for her love of life and service to her children.

Miss Susie as those close to her call her, was born in Lowndes County, Alabama, as the third of 11 children. Being raised in the seg-

regated south, Miss Susie developed a warm and kind heart from the love her mother and father expressed. Throughout her life she has been led by a basic principle of giving all that she has, while living an upbeat life.

Miss Susie looks favorably and positively on her early life. After graduating from high school, she taught for two months before going to New Jersey in 1922. In New Jersey, Miss Susie worked for a wealthy white family which gave her the opportunity to travel from coast to coast. Using her resources, Miss Susie was able to send two of her nieces to college while sending lavish gifts to other family members. While traveling between coasts Miss Susie looks back fondly on her time spent in Hollywood where she was able to meet movie stars such as Clark Gable, Cary Grant, and George Raft.

Before retiring in 1965, during the height of the civil rights movement, she took a job with a Westchester County family that offered her great resources that would further support her family. Recently Miss Susie lost her vision, but has managed to still be an active member in her community, carrying on with an infectious laugh and upbeat attitude. She remains an active member of The Vandalia Houses tenant patrol, sitting in the lobby asking guests to sign in.

Miss Susie Jones has lived a full and joyful life, and celebrated her 112th birthday this week. She is believed to be the oldest living New Yorker! The Vandalia Senior Center funded by NYC Department for the Aging and sponsored by Millennium Development will be hosting a party later in the month to honor this milestone.

Mr. Speaker, I urge my colleagues to join me in recognizing the life of Miss Susie Mushatt Jones.

#### PERSONAL EXPLANATION

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. KEATING. Mr. Speaker, I was unavailable for votes on July 6th and a portion of July 7th, 2011, as I was attending the funeral services for Sgt. Matthew Gallagher, a constituent who was killed while serving this country in Iraq on June 26, 2011. Sgt. Gallagher would have turned 23 years old on July 5th, a mere day before we welcomed his body home to Cape Cod and two days before he was laid to rest.

While each fallen service member is a tragic loss for our country, it is their loved ones who have to live with this heartache every day. I hope that the families of our fallen warriors can find even the slightest measure of comfort in our nation's eternal gratitude for their loved one's service and sacrifice.

A TRIBUTE TO JOSEPH MARC  
GALLET DE SAINT AURIN

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Joseph Marc Gallet De Saint Aurin's formal induction into the United States Naval Academy in Annapolis, Maryland.

Joseph's induction on June 30th begins his 47-month journey at the United States Naval Academy as he strives towards a career as a commissioned officer in the United States Navy. The United States Naval Academy was established in 1845 with a mission to help midshipmen develop morally, mentally and physically. Obtaining an appointment to this academy is a highly competitive process and based on evidence of character, scholarship, leadership ability, physical aptitude, goals and motivation.

Joseph has embodied these traits over the course of his life. In high school Joseph managed to maintain a 4.0 cumulative grade point average while balancing his roles as a student athlete, school council member, part-time employee, and volunteer by serving more than 100 hours at his church, local hospital, and various service programs. Joseph was also a member of the National Honor Society and received numerous awards as both a swimmer and as a student, including being named a three-time All-American, three-time State Champion, in addition to graduating with honors as an AP Scholar. Before his appointment Joseph also attended Iowa State University for a year and continued his path of excellence by maintaining high academics as a member of Phi Gamma Delta and the United States Navy Reserve Officer Training Corps. Joseph has consistently strove to be the best he could be and I am confident that he will continue to demonstrate these qualities at the United States Naval Academy.

Mr. Speaker, Joseph's commitment to a cause greater than himself speaks volumes of this young man and the potential that he holds. I commend his parents, Andre and Lisa, for their outstanding work as parents, and for their shared sacrifice as Joseph leaves their home. It is truly an honor to represent such an exceptional family. I ask my colleagues in the United States House of Representatives to join me in congratulating Joseph and his family, and I wish him the best of luck in his studies and future career.

NAVY'S NORTHWEST TRAINING  
RANGE COMPLEX

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. THOMPSON. Mr. Speaker, I submit a copy of an amendment that I had hoped to introduce during the debate of H.R. 2219, the Department of Defense Appropriations Act, 2012. However, I have learned that

this important amendment would have been subject to a point of order and not be made in order.

My amendment would bar any funds in H.R. 2219 for the purposes of expanded training activities in the Navy's Northwest Training Range Complex (NWTRC). Once the Navy receives a new letter of authorization from the National Oceanic and Atmospheric Administration (NOAA), taking into account marine mammal "takes," my amendment would then allow the Navy to use funds from this bill to expand their training operations in the NWTRC.

The Northwest Training Range Complex is a region of extraordinary biological diversity. It covers over 120,000 square nautical miles, spanning from Washington's border with Canada to waters off of my district in Northern California.

The Navy has used the NWTRC for training for the past 60 years. However, in October 2010, the Navy was permitted to expand training in the NWTRC that among other things involves increased use of mid-frequency active sonar.

As a military veteran, I strongly believe that sailors must have the training and experience they need to defend our country. However, I also believe that the Federal Government should follow science-based measures that will protect marine ecosystems and wildlife when the military pursues this necessary training.

Unfortunately, the use of mid-frequency active sonar is known to negatively impact marine mammals, especially toothed whales. And, its impact on many other fish species is not known.

NOAA conducted a comprehensive review of measures currently available to prevent harm to marine mammals from the use of sonar. One of the main findings of this review was that the most effective way to minimize impacts on marine mammals would be to protect important habitat, and NOAA is now coordinating a working group specifically to identify these areas within the NWTRC, also known as "marine mammal hot spots."

I have worked aggressively with constituents in my district to raise these issues to the Navy; however our concerns were simply dismissed without being addressed. In fact, the Navy has not been willing to consider avoiding or even limiting their training activities in specific areas that have been known to be heavily populated by marine mammals and other species and habitats, to reduce the impact of sonar training exercises on them.

That is why I wanted to introduce this amendment—to guarantee that these serious and scientifically valid concerns are actually considered and addressed before the Navy moves forward with their plans of expanding training activities in the NWTRC.

It is important to note that this amendment is not about stopping Navy training altogether, that some argue would negatively impact our national security and military readiness. Instead this amendment is about requiring the Navy to be more deliberate when moving forward to expand training range activities that would undoubtedly impact local marine habitat.

I am disappointed that this important amendment was going to be ruled out of

order. However, I wanted to once again put on record my concerns about this expanded training and its impact on marine mammals and sensitive marine habitat. I will continue to work with stakeholder to address this important issue.

AMENDMENT TO H.R. 2219, AS REPORTED  
OFFERED BY MR. THOMPSON OF CALIFORNIA

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used for Navy training activities in the Northwest Training Range Complex beyond the number enumerated in the "No Action Alternative" of the Final Environmental Impact Statement/Overseas Environmental Impact Statement for the Northwest Training Range Complex until a letter of authorization issued pursuant to section 101(a)(5) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371(a)(5)) and covering the second year of training activity under subpart M of part 218 of title 50, Code of Federal Regulations, expires or is superseded.

HONORING ROBERT "BOB"  
GILBERT

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Robert "Bob" Gilbert on being named the California State Fair "Agriculturist of the Year," and to thank him for his dedication to the agriculture community.

Bob Gilbert was born November 7, 1923, in Oakdale in the home he now lives in. He attended Oakdale Elementary and High Schools. He is the only surviving child of Emma and Amos Lawrence Gilbert. He currently works full time and is Chairman of the Board of Directors of A. L. Gilbert Company which was established November 1st, 1892, 118 years ago, by his father; A. L. Gilbert. It is the oldest still-in-the-family-business in Stanislaus County. A. L. Gilbert Company was inducted into the State of California Agricultural Heritage Club in 2005.

Bob was a freshman at Modesto Junior College on December 7, 1941. Following the attack on Pearl Harbor, he transferred to the University of California, Berkeley, and enrolled in the V-1 and V-12 Naval Programs. He received his commission from the United States Naval Reserve Mid-Shipman School at Northwestern University in Chicago at age 20.

After completing graduate school at the Naval Gun Factory in Washington, DC, he was assigned to duty on a new battle cruiser; the USS Guam, which was being commissioned in Philadelphia. This flag ship served in the 3rd, 5th, 7th, and 9th Pacific Fleets, and accepted the surrender of the Japanese in Korea in August of 1945. He returned to the United States on December 4, 1945, and married Beverly Stone on December 9th. They spent seven months in New Jersey while the battle cruiser was being mothballed.

Bob graduated from U. C. Berkeley under the G.I. Bill, receiving a B. S. in Agricultural Economics. In 1947 as a graduate student, he traveled over 4,000 miles covering the entire

state of California. He spent seven days a week for six weeks with Professor Earl Storie, father of the Storie Soils Index, studying soil conditions which enable farmers to grow over 150 crops in California. He returned home in the fall of 1947, four months after his father died and joined the family business.

Bob discovered that agriculture was lacking in price enhancing marketing programs so he became involved in "END PRODUCT MARKETING." He has spent the last 60 years of his life as an advocate for agriculture. Over that time he worked building personal relationships with both industry and government on behalf of farmers and livestock producers, such as: California Department of Food and Agriculture, marketing and stabilization plans along with production cost studies; USDA and several Secretaries of Agriculture including Ezra Taft Benson, Earl Butz, Dick Lyng and Ann Veneman following trade policy, parity pricing and supply management programs; Food and Drug Administration; new drug applications, safety and efficacy; California Milk Advisory Board; allied industry support and awards; California and National Cattlemen's Marketing Committees—conducting extensive research studies; United States Congress, both House and Senate—working on key legislation and testifying in hearings; universities and research centers—throughout the United States; marketing research for Hershey Chocolate, 1962–1966—instrumental in their locating in California and Oakdale.

Some honors received include: 1964 Honorary Farmer Degree from Modesto Junior College; State Fair Grange Agriculture Day for contributions to milk pooling legislation; Grand Marshall, Oakdale Rodeo Parade; Rotary Paul Harris Fellowship, although not a Rotarian; Western United Dairymen Award for Outstanding Support of California Dairy Farmers; 50 years of economic testimony at CDFA hearings; Oakdale Chamber of Commerce and City of Oakdale Lifetime Achievement Award; California Dairy Campaign Award for dedication, strong leadership and unselfish giving; National Ag Science Center—Received 2005 induction into the Agricultural Hall of Fame.

Religious commitment: Served eight years on the Commission of Ministry for the Episcopal Diocese of San Joaquin; supportive and active in a wide cross-section of Christian churches to further ecumenical causes; has received many honors and awards from various religious orders and fraternal bodies.

Bob has served on the Animal Science and Development Boards at the University of California, Davis. Currently, and for the past 18 years, he has also served on the prestigious Advisory Board of the College of Natural Resources and Environmental Science at the University of California, Berkeley.

In 1992 on the 100th Anniversary of Oakdale High School, the "Hall of Fame" was established. Bob was among the first 10 graduates ever honored for Outstanding Achievements and Exceptional Service.

Bob has traveled abroad extensively for the past 40 years, visiting over 90 countries, some many times, studying production and marketing agriculture as globalization has developed. This includes attending the World Economic Forum in Davos, Switzerland.

Bob's wife, Beverly, has been an integral part of all that he has done over the past 65

years. He continues to be a well-respected and active educator, business leader, patriot, politician, member of the laity, family man, student of and advocate for agriculture, and an exemplary citizen of the United States and the world.

A TRIBUTE TO ADAM GREGORY HAGENSICK

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Adam Hagensick's formal induction into the United States Naval Academy in Annapolis, Maryland.

Adam's induction on June 30th begins his 47-month journey at the United States Naval Academy as he strives towards a career as a commissioned officer in the United States Navy. The United States Naval Academy was established in 1845 with a mission to help midshipmen develop morally, mentally and physically. Obtaining an appointment to this academy is a highly competitive process and based on evidence of character, scholarship, leadership ability, physical aptitude, goals and motivation.

Adam has embodied these traits over the course of his life. In high school Adam managed to stay in the top 15 percent of his class while balancing his roles as a student athlete, Sunday School teacher, member of St. John's Lutheran Youth Group, and as a volunteer swim coach for the Waukon Swim Club. Adam was also a member of the National Honor Society and received numerous awards as a swimmer including a decade as a state qualifier as well as a national qualifier in 2009. Last year, Adam proudly accepted the Jack McDonald Award for Outstanding Male Swimmer which is awarded for team leadership and dedication to one's team and sport. I am confident that Adam will carry the lessons of his student leadership to his new classmates at the United States Naval Academy.

Mr. Speaker, Adam's commitment to a cause greater than himself speaks volumes of this young man and the potential that he holds. I commend his parents, Gregory and Ann, for their great work as parents and for their shared sacrifice as Adam leaves their home. It is truly an honor to represent such an outstanding family. I ask my colleagues in the United States House of Representatives to join me in congratulating Adam and his family, and I wish him the best of luck in his schooling and future career.

COMMEMORATING THE HEROISM OF THE U.S. ARMY'S 65TH INFANTRY REGIMENT BETTER KNOWN AS "THE BORINQUENEERS"

**HON. BILL POSEY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. POSEY. Mr. Speaker, I rise today to bring to my colleagues' attention the celebra-

tion taking place in Osceola County, Florida, later this month. More specifically, on July 24, 2011, the Committee Desfile Puertorriqueno de Osceola, Inc., has chosen to dedicate the First Annual Puerto Rican Day Parade to commemorate the heroism of the U.S. Army's 65th Infantry Regiment, better known as "The Borinqueneers."

I rise today to join them in this recognition as we come together to celebrate the Borinqueneers, their commitment to the liberties of the United States, and their specific military achievements on the front line of the battlefield in advancing the values upon which this nation was founded.

On March 2, 1899, Congress authorized the establishment of the Army unit that became known as the "The Borinqueneers," an all-volunteer Puerto Rican unit. This brave unit was called upon to serve in World War I, World War II, and the Korean War and fought valiantly under the motto "Honor et Fidelitas," meaning Honor and Fidelity.

When "The Borinqueneers" were called to the front lines during the Korean War, General MacArthur said of the unit, "The Puerto Ricans forming the ranks of the gallant 65th Infantry on the battlefields of Korea . . . are writing a brilliant record of achievement in battle and I am proud indeed to have them in this command. I wish that we might have more like them."

The Borinqueneers consistently demonstrated exceptional and unyielding valor on the battlefield despite the hardships they endured. As a unit, they earned a Presidential Unit Citation, a Meritorious Unit Commendation and two Republic of Korea Unit Citations. Individuals within the regiment were also awarded Distinguished Service Crosses, Silver Stars and Bronze Stars.

I am honored to pay tribute to the service that "The Borinqueneers" have provided our nation.

Thank you, Mr. Speaker, for this opportunity to pay tribute to these fine soldiers.

TRIBUTE TO OPERATIONAL TECHNOLOGIES

**HON. CHARLES A. GONZALEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. GONZALEZ. Mr. Speaker, I rise today to commend Operational Technologies (OpTech) on its 25th anniversary of providing business expansion opportunities and incredible employment sources for many San Antonians.

Founded by Max Navarro a quarter-century ago, OpTech has been committed to excellence and strives to provide scientific and technical solutions for global clients across a range of service sectors. OpTech focuses on areas ranging from Supply Chain Management, Biotechnology, and Automotive Industry. OpTech has succeeded in exceeding client expectations and the achievement of outstanding corporate citizenship through its adherence to the highest levels of professional integrity.

From securing the defense contract to develop a nerve gas antidote or constructing an

\$850 million state-of-the-art manufacturing plant to assemble the Toyota Tundra pick-up truck, OpTech has made great strides towards providing San Antonio a promising economic future.

Mr. Speaker, I ask my colleagues to join me in congratulating Operational Technologies on their continued success and contribution to San Antonio as a leading minority owned business.

SUPPORT FOR A TWO-STATE SOLUTION

**HON. MICHAEL E. CAPUANO**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. CAPUANO. Mr. Speaker, I rise to express my support for a two-state solution to the conflict between Israelis and Palestinians. I believe peace can be achieved only through negotiations between the parties. I believe, further, that these negotiations must be based upon mutual respect and upon the unequivocal commitment of each to the rights of the other, including the right to live in peace and security in a sovereign state. Because I believe this, I supported H. Res. 268. I did not, however, vote "yes" because I felt the resolution was likely to promote those ends. I voted in the affirmative because I could not take exception to its substance.

I oppose and I believe the United States should continue to oppose a unilateral declaration of statehood by the Palestinians, with a veto in the Security Council, if necessary. I believe that Hamas should accept the conditions set forth by the Quartet—the UN, the EU, the Russian Federation, as well as the United States—to renounce violence and acknowledge the right of Israel to exist. That said, I am not sure that it is helpful to the Palestinians, or to Arab governments in transition to democracy, to threaten suspending assistance to the Palestinian Authority as they seek to bring the West Bank and Gaza closer to a position from which negotiations with Israel could take place. If the resolution had called for the outright suspension of aid, rather than the consideration of its suspension, I would have had more difficulty supporting it. I would prefer, too, that the resolution had encouraged Israel to take positive steps, such as limiting settlement expansion, towards reconciliation with its neighbors.

I look forward to constructive U.S. engagement in real bargaining, not just in an interminable "peace process." I hope leaders in Israel and in Palestine will have the courage to present realistic options to their people, and I would like to see the United States foster serious diplomacy.

A TRIBUTE TO AARON D. SPRENGELER

**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Aaron Daniel

Sprengeler for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance based achievement whose standards have been rigorously maintained over the years.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Aaron's project was to oversee and construct stairs and a bridge at the McHose Park Disc Golf Course in Boone, Iowa. This project allowed Aaron to demonstrate both his organizational and leadership skills as he directed the trail's construction and design. Aaron's efforts not only improved the overall accessibility of the course, but also provided much needed safety improvements that disc golfers can now enjoy for years to come.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. Aaron's efforts embody the Iowa spirit and I am honored to represent him and his family in the United States Congress. I know that all of my colleagues will join me in congratulating him on achieving an Eagle Scout ranking and will wish him continued success in his future education and career.

#### PERSONAL EXPLANATION

### HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Ms. SCHWARTZ. Mr. Speaker, during roll-call vote No. 518, the Sherman Amendment on H.R. 2219, I mistakenly recorded my vote as "yes" when I should have voted "no".

#### H.R. 1249, THE "AMERICA INVENTS ACT"

### HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in support of the "America Invents Act." I strongly support this bill, which will foster innovation, economic growth, and help America maintain its global competitive edge.

If we are going to have a healthy economy and be a global leader, we must have a healthy intellectual property system. In order to have a healthy intellectual property system, we must modernize our laws. Patent reform is integral to our economy.

Currently, the United States is the world leader in issuing patents. In order to maintain our position and solidify our position as a global leader, we must enact patent reform as soon as possible.

America is now on its way to the most significant patent reform in more than half a century. Our current patent system is outdated

and in need in major reform. Pursuant to Article I, Section 8, Clause 8, "Congress shall have Power . . . [t]o promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." This bill will strengthen our patent system and encourage innovation and drive economic growth.

The "America Invents Act" includes much needed improvements to the patent system that will help to maintain America's place at the forefront of innovation. America's ability to drive economic growth and job creation through innovation is currently hampered by a massive backlog at the U.S. Patent and Trademark Office, USPTO. There is currently a backlog of approximately 700,000 patent applications.

While I preferred Section 22 of H.R. 1249, as reported by the Judiciary Committee, that would allow the USPTO to retain all of its user fees, I am supportive of the USPTO funding agreement that was reached in the House. It is intended to end fee diversion and provide the USPTO access to its user fees. Moreover, I believe in the overall goal of the bill to efficiently issue patents to businesses—especially small businesses and startups—to develop new products and create jobs. This compromise will allow the USPTO to process applications more efficiently and produce higher-quality patents which makes them less likely to be subject to a court challenge.

It is imperative that the USPTO have the resources it needs to hire more patent examiners and pay overtime to decrease this backlog. Every state in the United States of America has patent applications pending. In 2010, 2,194 patents were granted to residents in my home state of Georgia. The "America Invents Act" will ensure that residents in Georgia, and each and every State across the Nation, are granted patents in a speedy fashion.

This bill will help inventors like Lonnie Johnson in Atlanta, Georgia. He invented the Super Soaker that generated hundreds of millions of dollars in profits, created jobs and became the number one selling toy in America. Lonnie Johnson currently holds over 80 patents and has over 20 more pending. The sooner this 700,000 patent application backlog is cut down, the sooner Lonnie Johnson, and other inventors, can get their inventions to market, grow the economy, and create jobs.

Further, the "America Invents Act" will transition the United States from a first-to-invent system to a first-inventor-to-file system. This will bring the United States up to par with every other industrialized nation in the world. As business and competition becomes more global, patent applicants are increasingly filing patent applications in other countries for protection of their inventions. The first-to-invent filing system in the United States differs from that in other patent-issuing jurisdictions. This can cause confusion and inefficiencies for American companies and innovators.

In a first-inventor-to-file system, the filing date of the application is most relevant: it is an objective date and is simple to determine because it is listed on the face of the patent. In contrast, in a first-to-invent system, the date the invention claimed in the application was actually invented is the determinative date.

Unlike the objective date of filing, the date someone invents something is often uncertain, and, when disputed, typically requires corroborating evidence.

The first-inventor-to-file system will simplify the patent application system and harmonize it with the rest of the industrialized world, reduce costs, and improve the competitiveness of American inventors seeking protection globally. These changes are necessary for true, comprehensive patent reform.

I am extremely proud that our nation's universities will benefit from this bill. The patent system plays a critical role in enabling institutions like Georgia Institute of Technology and colleges belonging to the Atlanta University Center to transfer the discoveries arising from basic research into the commercial sector for development into products and processes that benefit society.

Patent reform is not a partisan issue, but an issue of the fairest way to encourage inventors and investors to create and develop new products that will benefit universities, create jobs, and spur economic growth.

Today marks a major milestone in moving this country forward. I was a freshman when patent reform last moved through the House in the 110th Congress. I am proud to be a part of this moment in history. The American people have waited long enough; Congress should act now to pass this important piece of legislation.

I strongly support the "America Invents Act" and urge my colleagues to do the same. We are close to the finish line and need to push on and finish the race.

#### THE REPUBLIC OF SOUTH SUDAN'S DECLARATION OF INDEPENDENCE

### HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. McCAUL. Mr. Speaker, I rise today to speak in recognition and support of Republic of South Sudan which will tomorrow become Africa's 54th country. As a co-chair of the House Sudan Caucus, I am grateful for the accomplishment of this successful milestone in the Comprehensive Peace Agreement process that has ended Sudan's 22-year civil war. In the past two decades, this civil war and famine took the lives of approximately two million people in Sudan.

The ability for South Sudan to declare for itself its own country is a testament to what can be achieved when a unified international community made of nation states, international organizations, and non-governmental organizations all come together to foster peace and assist in the resolution of difference between peoples.

Yet, the people of South Sudan still face many challenges. There is more infrastructure to be built, governmental processes to be developed, and a new currency to be established. There are also unsettled issues with its neighbor, the Republic of Sudan, such as ending violence and suffering in Darfur, a long-term oil revenue sharing agreement, border demarcation, fair distribution of debts, and establishing the qualifications for citizenship.

Tomorrow, we will celebrate the birth of a new nation. However, with this tremendous event should come a renewed commitment from the world to preserve peace and cultivate a bright and stable future for the South Sudanese people.

RECOGNIZING THE INDEPENDENCE OF SOUTH SUDAN

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to recognize the world's newest nation, the Republic of South Sudan. On July 9, 2011, after months of preparation, South Sudan will officially declare its independence from Sudan. In January 2011, South Sudan held a referendum on the issue of secession, where 97.5 percent of Southern Sudanese turned out to vote and an overwhelming 98.8 percent voted for separation. Tomorrow, the independence of South Sudan marks the end of the Comprehensive Peace Agreement (CPA), which ended 22 years of war between northern and southern Sudan, and the birth of a new country based on the principles of self-determination, freedom, and justice.

However, South Sudan faces numerous challenges that will need to be resolved after its independence. South Sudan and Sudan still have to agree on issues such as revenue sharing, especially oil revenues, border disputes, security agreements, national debt, citizenship, and currency. In addition, South Sudan lacks two critical resources: government infrastructure and personnel, which are crucial to creating a strong and viable government.

Mr. Speaker, I would like to congratulate the people of South Sudan on achieving their dream of independence, and extend my deepest sympathies to those who lost loved ones in the fight for freedom. I encourage my colleagues in Congress to join me in commemorating the struggle and sacrifices of millions of Southern Sudanese, and to work with the international community to ensure that South Sudan becomes a politically and economically stable nation.

A TRIBUTE TO MARIE WATERMILLER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. LATHAM. Mr. Speaker, I rise today to congratulate Marie Watermillier of Hampton, Iowa on the recent celebration of her 100th birthday on June 24, 2011.

Marie was brought into this world on June 24, 1911 and more than 100 years later continues to live a vibrant life. Aside from her daily regimen of sewing, crocheting, and reading, Marie also stays busy by entertaining and quilting blankets for her 15 grandchildren, 42 great-grandchildren, and 5 great-great-grand-

children as she expects three more great-great-grandchildren within the year. Marie also spends her time assisting those that are ill by making lap robes to support the Church of the Living Word's most recent project.

There have been many changes that have occurred during the past 100 years. Since Marie's birth we have revolutionized air travel and walked on the moon. We have invented the television and the Internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and the birth of new democracies. Marie has lived through 18 United States Presidents and 22 Governors of Iowa. In her lifetime the population of the United States has more than tripled.

I congratulate Ms. Watermillier for reaching this milestone of a birthday. I am extremely honored to represent Marie and her family in the United States Congress and I wish her happiness and health in her future years.

RECOGNIZING THE REPUBLIC OF SOUTH SUDAN ON THEIR DECLARATION OF INDEPENDENCE

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. GARRETT. Mr. Speaker, I rise today to recognize the Republic of South Sudan and their declaration of formal independence on July 9, 2011. Six months ago, the people of Southern Sudan spoke clearly when nearly 99 percent of the voters declared independence from the repressive government in Khartoum. While this is a historic moment for southern Sudan and its people, this nation faces great challenges in the infancy of its sovereignty.

For the Republic of South Sudan to prosper, a number of challenges must be overcome. Foremost, the country must determine questions as fundamental as citizenship rights and the location of borders with neighboring nations. Additionally, Southern Sudan must establish peace and security within its borders in order to sustain meaningful growth. North Sudanese governmental support for attacks on Southern Sudan have killed more than 1,000 civilians, and have displaced hundreds of thousands of men, women and children over the past year and a half. Simply put, these attacks must cease.

In terms of the economy, international agreements regarding Southern Sudan's debts must be negotiated, as well as the development of an infrastructure to allow for the efficient export of oil. However, even in these challenging and uncertain times, this young nation has demonstrated a commitment to improve the lives of its citizens. Recently, we have observed marked increases in commerce and trade, both domestically and internationally, thanks to the government's continued development of modern infrastructure. The ruling government has reached out to opposition groups within Southern Sudan in an honest effort to maintain national unity throughout this momentous process. While there are still hurdles to be overcome, today I recognize and congratulate the Sudanese people for their significant accomplishments in having reached this momentous occasion.

THE FINAL FLIGHT OF THE SPACE SHUTTLE PROGRAM ON JULY 8, 2011

HON. ALLEN B. WEST

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. WEST. Mr. Speaker, today we close another chapter in the history book of manned space flight. Today Americans around the Nation watched the final launch of the Space Shuttle *Atlantis*, a journey that began 30 years ago with the first flight of Space Shuttle *Columbia*.

For 135 times the Nation has turned their eyes to the State of Florida to watch the solid rocket boosters ignite and lift the Space Shuttle through the bounds of our Earth's atmosphere. Each mission of the Space Shuttles' primary goal was to continue to push the bounds of space exploration. With each mission the United States achieved another milestone of expanding man's frontier in space earning the respect and admiration of the world.

The State of Florida has been the epicenter for manned exploration of space. Over the last 50 years from Gemini, to Apollo, to the Space Shuttles, hundreds of thousands of Floridians have contributed their talents, energy and knowledge to explore space. Some have dedicated their lives to the exploration of space.

Today I would like to recognize the men and women over the last 30 years who worked on the Space Shuttle program. While the names of the astronauts will be recorded in the history books, we must also note the thousands of individuals who worked behind the scenes to make history by challenging the final frontier.

I am concerned about losing the workforce that has dedicated their knowledge to the exploration of our universe. I believe that we could lose a competitive and innovative edge that we maintain at the Kennedy Space Center at Cape Canaveral, Florida.

Soon the Space Shuttle Fleet will be shipped off to museums around the country and will become items that school children will visit to see America's past glories in space. These children will see these space exploration vehicles, then look towards the stars sparking their imagination to ask the question "what lies beyond?" However, when the Space Shuttle *Atlantis* lands in the next several days for the first time in my entire 50 years on Earth we will not have a vehicle or a plan to send humans from our planet into space.

The space program is essential to the State of Florida. Thousands of the brightest scientific minds reside in the area surrounding the Kennedy Space Center and billions of dollars of economic activity are generated in the States of Texas, California and my home State of Florida. In addition, since the Mercury Program, the Space Program has placed our Nation on the cutting edge of innovation.

President John F. Kennedy challenged our Nation to land a man of the Moon. In the space race with the Soviet Union, Neil Armstrong and Buzz Aldrin placed an American flag on the lunar surface in 1969. Now the



former Soviet Union is our taxi cab ride to the International Space Station at a cost of approximately \$63 million a seat. Further, China is now building their ability to be the leaders in space exploration. This is unacceptable and the antithesis of American exceptionalism.

While we have had failures in the space program along the way, such as *Apollo 1*, *Challenger* and *Columbia*, when some individuals felt we should stop manned space flight after the *Challenger* accident, President Ronald Reagan stated: "We'll continue our quest in space. There will be more shuttle flights and more shuttle crews and, yes, more volunteers, more civilians, more teachers in space. Nothing ends here; our hopes and our journeys continue."

I am concerned that the United States has no plans for human exploration capability to go beyond Earth's orbit for an indeterminate time into the future. Space will always be challenging and dangerous, but we are Americans and we have always met our challenges and faced danger. And with regard to space we must continue the journey, focus on the stars, reach for the heavens, and be a leader in space exploration in the 21st century.

Americans, by our nature, do not accept being in second place. I am committed to ensuring that one day we again will be the leaders in manned space exploration.

#### PERSONAL EXPLANATION

### HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. GUINTA. Mr. Speaker, on rollcall votes No. 495–501, I am not recorded because I was absent from the U.S House of Representatives. Had I been present, I would have voted in the following manner.

On rollcall No. 495. Had I been present, I would have voted "no."

On rollcall No. 496. Had I been present, I would have voted "no."

On rollcall No. 497. Had I been present, I would have voted "no."

On rollcall No. 498. Had I been present, I would have voted "yea."

On rollcall No. 499. Had I been present, I would have voted "no."

On rollcall No. 500. Had I been present, I would have voted "yea."

On rollcall No. 501. Had I been present, I would have voted "yea."

#### IN TRIBUTE TO THE RONALD REAGAN PRESIDENTIAL FOUNDATION

### HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to The Ronald Reagan Presidential Foundation and, in particular—Frederick Ryan, Jr., Chairman of the Foundation Board of Directors, and John Heubusch, Foundation Execu-

tive Director—and the Ronald Reagan Centennial Commission for their leadership in conducting a series of successful European events last week honoring our 40th President.

I and a number of my colleagues traveled to Europe last week to meet with our allies, particularly those in Eastern Europe, and to reassure them of America's continued friendship and support in light of Russia's continued commitment to one-party rule and suppression of human rights.

While there, we were fortunate to participate in several Foundation events honoring Ronald Reagan's role in bringing freedom to Eastern Europe. The people of Poland, Hungary, the Czech Republic and other former communist satellite states know well how President Reagan's commitment to peace through strength led him to abandon the failed policy of détente and to embrace a policy of actively opposing communist regimes around the world.

That opposition led to the fall of the Berlin Wall and the Iron Curtain and to freedom for millions of people choked by the Soviet's stronghold on their nations. In Krakow, we attended a Mass of Thanksgiving in honor of Pope John Paul II and President Reagan, the two leaders the Polish people credit with inspiring their revolution against the Soviet empire. In Budapest, we participated in the unveiling of a statue of President Reagan in Freedom Square. In Prague, we participated in naming the street in front of the U.S. Ambassador's residence for President Reagan.

Those public displays only underline the true love Eastern Europeans have for President Reagan. In meetings with East European officials and chance meetings with local people in East European capitals, everyone was effusive in their praise of Ronald Reagan. Americans recognize the peace and prosperity President Reagan brought to the United States during his presidency. For Eastern Europeans, he helped bring them their very freedom.

As the author of the bill that created the Centennial Commission and as a member of the Commission, I was duly impressed with the events and tributes the Foundation and Commission, under the direction of Mr. Ryan and Mr. Heubusch, masterfully undertook both in Europe and the United States to honor Ronald Reagan this year.

Mr. Speaker, I know my colleagues on both sides of the aisle join me in paying tribute to those who worked so hard to remember and honor a great president who changed the course of history both here and around the world and to thank them for their service to our Nation.

#### A TRIBUTE TO KACIA CAIN

### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Ms. Kacia Cain, who teaches anatomy, physiology and biotechnology and was named outstanding biology teacher of the year for the state of Iowa by the National Association of Biology Teachers.

Ms. Cain previously taught biology at Des Moines East High School for 19 years before transferring this school year to Des Moines Central Campus High School. She is a native of Indianola, Iowa, and will be recognized in October at the National Association of Biology Teachers convention in Anaheim, California.

Having a hands-on teaching style has allowed Ms. Cain to be very successful with her students. Using resources from nearby colleges ensures that students are making as many connections with real world research experiences as possible.

I am honored to represent Kacia Cain in the United States Congress, and I wish her the best of luck in Anaheim, California. I also wish Ms. Cain the very best as she continues to serve as a mentor and role model to the students at Des Moines Central Campus High School. I know my colleagues in the U.S. Congress will join me in congratulating Kacia Cain.

#### TRIBUTE TO JOHN D. FILAMOR

### HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. SMITH of Texas. Mr. Speaker, on behalf of myself and Ranking Member CONYERS, I would like to take this opportunity to recognize John D. Filamor who is leaving the House to take a position with the Department of Justice. Mr. Filamor served in the Office of the General Counsel for 10 years, first as a law clerk while he was still a student at George Washington University Law School; from 2001–10 as an Assistant Counsel; and more recently as a Senior Assistant Counsel. We will miss him.

Mr. Filamor provided frequent and invaluable legal advice and representation to the House Committee on the Judiciary, as well as to Members, officers and other committees of the House more generally. Our staff came to rely on his expertise and guidance in connection with many of their investigative and oversight activities, as well as in connection with the Committee's interactions with the other branches of the Federal Government. Over the years, Mr. Filamor played a significant role in safeguarding the legal and institutional interests of the House of Representatives.

Mr. Filamor served the House with great distinction, and we know he will serve the Department of Justice with that same level of distinction. On behalf of the House Committee on the Judiciary, we thank him for his many years of devoted service, and extend to him our very best wishes for his continued success.

#### RECOGNIZING MILITARY SUICIDES: CONDOLENCE LETTERS

### HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Ms. SCHAKOWSKY. Mr. Speaker, I rise tonight to express my gratitude to President Obama for altering U.S. government policy to end the practice of denying condolence letters

to the families of soldiers who commit suicide while serving abroad. I strongly support that change, and I applaud President Obama for taking this important step.

The men and women who commit suicide while serving our country on active duty overseas are casualties of war, and I strongly believe that they should be remembered as such. Those soldiers suffer the unseen wounds of war, which, though often ignored, can be devastating. Their sacrifice for our Nation should be honored and celebrated, and their surviving families and friends should know that we appreciate their loved ones' service.

In his statement announcing the policy change, the President emphasized that these men and women suffered the consequences of war, and they did not receive the services and treatment that they needed. As the President emphasized, that needs to change. We need to do far more to help those who bear the burden of our wars, by ensuring that they have the physical and emotional support they need, access to quality mental health services, and assistance to help them and their families cope with the immense stress of war.

By changing this policy, the President has taken an important step towards reducing the stigma surrounding the invisible injuries of war. We need to continue to work to ensure that soldiers know what services are available to them and feel comfortable seeking out the help that they need.

The act of sending a condolence letter recognizes the tragic loss and enormous sacrifice of our military families. The mothers and fathers, sisters and brothers, sons and daughters who lose a loved one to either a visible or unseen wound of war should know that we, as a country, mourn their losses. We should honor the sacrifice of all who give their lives in the service of our country.

PAYING TRIBUTE TO A PUERTO RICAN-AMERICAN SUCCESS STORY—COMPOSER, LYRICIST AND ACTOR LIN-MANUEL MIRANDA

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. RANGEL. Mr. Speaker, I would like to congratulate Mr. Lin-Manuel Miranda for all of his marvelous accomplishments. It is my pleasure to pay tribute to this prodigious composer, lyricist and actor. I want to give thanks to this exceptional constituent for sharing his vision and talents with the world for all to enjoy.

Mr. Miranda is a native New Yorker who grew up in Manhattan's diverse and vivacious Washington Heights neighborhood and is of Puerto Rican descent. He attended Hunter College High School and later graduated from Wesleyan University in 2002. While pursuing higher education he wrote his earliest draft of *In the Heights* in 1999. He also wrote, acted and directed several other musicals while attending Wesleyan. While in school he diligently worked to perfect his craft, so it is of no

surprise that Mr. Miranda would later take such large strides toward the road of success.

His claim to fame comes from writing and starring as Usnavi in the Broadway musical *In the Heights*, which opened on Broadway at the Richard Rodgers Theater in 2008. This phenomenal musical composer has won the Tony Award as composer and lyricist. With his creativity and determination he was able to take an idea and catapult it into success. He took a risk and believed in his dream as well as himself. We can all learn from this fine example and believe in ourselves, especially when no one else will. We should all have the courage to live out our dreams, while inspiring others. Les Brown once said "Shoot for the moon. Even if you miss, you'll land among the stars." This is exactly what Mr. Miranda did and now he is taking his dreams and plays to new heights.

With his countless accomplishments, it is impossible to single out Mr. Miranda's greatest achievement, but one could say that *In the Heights* has won critical acclaim. This extraordinary theater piece has been nominated and has won countless awards, such as the 2009 Grammy for Best Musical Show Album, 2008 Tony Award for Best Musical, 2008 Tony Award for Best Original Score, and was a Finalist for the 2009 Pulitzer Prize for Drama, among many other accolades. As a performer, Mr. Miranda has also showcased his talents on many popular television series, including *The Sopranos*, *House*, *Electric Company*, *Modern Family* and *Sesame Street*. Mr. Miranda is also a co-founder of the popular hip-hop-improvisational group, *Freestyle Love Supreme* that has toured comedy festivals throughout the world and continues to perform at esteemed venues throughout the country.

The White House has taken notice of this rising star. In 2009 he was invited to perform at the White House Evening of Poetry, Music and the Spoken Word. The University of Yeshiva also took notice of his greatness and bestowed him with an honorary degree. He has also been acknowledged by former mayor of New York City Ed Koch. This young fresh talent continues to believe in his dream and make positive strides. He is currently working on a musical theatre version of *Bring It On*, which will start its National Tour in the fall of 2011.

Mr. Speaker, for this, I ask that you and my distinguished colleagues in Congress join me in applauding this prolific artist, who is truly an inspiration.

INTRODUCTION OF LEGISLATION TO UPDATE THE VPPA

**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. GOODLATTE. Mr. Speaker, today I am joined by my colleagues, Representatives COBLE, SENSENBRENNER and SANCHEZ in introducing a bipartisan bill to update the Video Privacy Protection Act of 1988, VPPA. This bill will ensure that a law related to the handling of video tape rental information is updated to reflect the realities of the 21st Century.

The VPPA was passed by Congress in the wake of Judge Robert Bork's 1987 Supreme Court nomination battle, during which a local Washington, DC, newspaper obtained a list of video tapes the Bork family rented from its neighborhood video tape rental store. This disclosure caused bipartisan outrage, which resulted in the enactment of the VPPA.

The commercial video distribution landscape has changed dramatically since 1988. Back then, the primary consumer consumption of commercial video content occurred through the sale or rental of prerecorded video cassette tapes. This required users to travel to their local video rental store to pick a movie. Afterward, consumers had to travel back to the store to return the rented movie. Movies that consumers rented and enjoyed were recommended to friends primarily through face-to-face conversations. With today's technology, consumers can quickly and efficiently access video programming through a variety of platforms, including through Internet Protocol-based video services—all without leaving their homes.

Our proposed amendment updates the VPPA to allow video tape service providers to facilitate the sharing on social media networks of the movies watched or recommended by users. Specifically, it is narrowly crafted to preserve the VPPA's protections for consumers' privacy while modernizing the law to empower consumers to do more with their video consumption preferences, including sharing names of new or favorite TV shows or movies on social media in a simple way. However, it protects the consumer's control over his information by requiring consumer consent before any of this can occur. And, it makes clear that a consumer can opt-in to the ongoing sharing of his or her favorite movies or TV shows without having to provide consent each and every time a movie is rented. It also makes clear that written, affirmative consent can be provided through the Internet and can be withdrawn at any time.

This amendment does not change the privacy standard adopted by Congress when the VPPA was first enacted. Specifically, it preserves the requirement that the users provide affirmative, written consent.

It is time that Congress updates the VPPA to keep up with today's technology and the consumer marketplace. This bill does just that.

I hope my colleagues will join me in supporting this important piece of legislation.

CONGRATULATING DR. STEWART B. SIMMS

**HON. PAUL C. BROUN**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. BROUN of Georgia. Mr. Speaker, it is my distinct pleasure to congratulate Dr. Stewart B. Simms, Jr. for 30 years of excellent service at Beech Haven Baptist Church.

I am confident that Athens is a better place in which to live, work, and study because of the presence of his fine church. Beech Haven's building stands as a stunning landmark and the reputation of its members as a powerful testimony to the beauty of our God. Beech

Haven's success and strength is due, in large part, to Dr. Simms' faithfulness and care.

Many blessings as Dr. Simms continues on his journey of devoted service to the Lord. I not only value his friendship, but I hold him in the highest regard because of his work (1 Thessalonians 5:13).

HONORING MAJORS MANUEL AND JOANN MADRID OF THE ST. CLOUD SALVATION ARMY ON THEIR RETIREMENT AFTER 4 YEARS OF DEDICATED SERVICE IN OUR COMMUNITY AND 40 YEARS OF SERVICE WITH THE SALVATION ARMY

**HON. MICHELE BACHMANN**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mrs. BACHMANN. Mr. Speaker, I rise today to honor Majors Manuel and JoAnn Madrid of the St. Cloud Salvation Army on their retirement after 4 years of dedicated service in our community and 40 years of service with the Salvation Army.

Since their arrival in St. Cloud 4 years ago, the St. Cloud Salvation Army has grown from 28 to 64 beds for the homeless, opened a transitional apartment housing program and broken ground for a new chapel last May. In the last two years alone, 47,000 people have entered the St. Cloud Salvation Army's doors for a meal, but they were blessed with so much more. From simple prayers for provision to places to rest their head at night, the Madrids have guided countless numbers of people from despair to hope with inspirational sermons, warm meals, and open arms.

Mr. Speaker, I ask that this body join with me in recognizing 40 years of service from Majors Manuel and JoAnn Madrid. Manuel and Joann live every day reflecting the mission of the Salvation Army: "motivated by the love of God . . . to preach the gospel of Jesus Christ and to meet human needs in His name without discrimination". We are grateful for their service and wish them many years of happiness in their retirement beginning this fall.

IN RECOGNITION OF THE INDEPENDENCE OF SOUTH SUDAN

**HON. STEPHEN F. LYNCH**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. LYNCH. Mr. Speaker, it is with an immense sense of hope that I rise today to congratulate the people of South Sudan on the eve of their independence.

South Sudan has overcome incredible devastation brought on by decades of violence and famine that killed and displaced millions. After years of brutal fighting, the Government of Sudan and the Sudan People's Liberation Movement signed a peace agreement in January 2005 that finally ended the civil war. And in January of this year the people of the south,

by an overwhelming margin of 98.8 per cent to 1.17 per cent, peacefully voted for independence. The joy on the voters' faces as they cast their ballots, their hopes for the future, and their unshakeable resolve to determine their own fate was nothing short of inspirational.

South Sudan will face many challenges. There are still major issues to be addressed such as its frayed relations with Khartoum, the dispute over Abyei and the lack of agreement on borders, citizenship rights and other matters. In addition, there is the extremely worrisome violence that has grown in recent weeks in the northern border state of Southern Kordofan which has forced tens of thousands to flee. These tests will be difficult but I have no doubt that the people of South Sudan will continue to demonstrate the courage and strength of spirit that has brought them this far to take on these challenges. As they do so, the people of the United States will continue to support and stand by them as they build their new country.

However, tomorrow will be a day for celebrating a new nation that was able to overcome adversity and rise out of the ashes of genocide and civil war. On behalf of the people of the Ninth District of Massachusetts, I wish to extend my deepest congratulations to the people of South Sudan.

IN HONOR OF BETTY ROBERTS

**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. BLUMENAUER. Mr. Speaker, Oregonians are mourning the passing of a pioneering female leader of truly historic dimension. Betty Roberts was a pioneer in every sense of the word.

There have been women in our community who as the first Oregon female Member of Congress or first Portland Mayor over half a century ago were pioneers—but Betty was unique.

Yes, Betty Roberts was the first woman to serve on Oregon's Court of Appeals and State Supreme Court. Her most important contributions began when she was the only woman in the State Senate. In this unique position of leadership she willfully tackled the problems that face women in politics and society. She understood the challenges facing women who were pioneering these efforts. As she broke barrier after barrier she learned lessons the hard way. With grit and legislative leadership she fought to protect women's health and civil liberties and their efforts in the marketplace.

Betty ran amazingly strong statewide campaigns for Governor and U.S. Senate. While she didn't win the elections, she proved her strength, character, and vision. Her many accomplishments in politics, and a career as a successful educator, lawyer, legislator, and jurist stood out, but it was her strong will and sensitivity that made her an inspirational role model.

Betty demonstrated what was possible. Today there are hundreds of people that she inspired who have assumed leadership on the

bench, at the bar, in government and through civic and business leadership. In turn, these women are inspiring the next generation which may be Betty's most enduring legacy—a legacy that will benefit our state for generations to come.

IN MEMORY OF CSM (RET) EDDIE ROBERTS

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a decorated soldier, community leader, public servant, and my longstanding friend, CSM (Ret) Eddie Roberts. Sadly, CSM Roberts passed away suddenly on July 6, 2011, but he left a legacy and a personality that will never be forgotten.

Eddie was a native of Pensacola, Florida. Spurred by a love of country, he enlisted in the U.S. Army in 1965 and completed basic training at Fort Jackson, South Carolina. Throughout his military career, he had 13 military assignments, which included tours in Korea, Germany, and Panama. He served two decorated tours in Vietnam, during which he displayed remarkable heroism he earned the endearing nickname, "Fast Eddie," during his tour in Panama, where he trained soldiers to throw grenades. When one soldier dropped the grenade after pulling the safety pin, Eddie quickly grabbed the grenade and safely tossed it away from the frightened soldiers.

His military career earned him many honors including: the Legion of Merit, Purple Heart with Oak Leaf Cluster, the Combat Infantryman's Badge, the Ranger Tab, Jumpmaster Wings and the Pathfinder Badge.

After his distinguished military career ended in 1995, he found other ways to give back to the community that he loved so much. He started work at Columbus Bank and Trust as Vice President and Military Sales Coordinator. He never forgot his experience in the military and never forgot his love of soldiers. He used his position to help soldiers become better managers of their finances. Moreover, he advocated for their causes with a fervor and spirit that made you take notice and appreciate his passion for his comrades.

In addition to improving the lives of soldiers, Eddie was involved in many social and civic organizations dedicated to the improvement of his community. He was one of the founding members of the Controllers Civic and Social Club in Columbus, an organization that has given away more than 20,000 pairs of shoes to low-income children. Because of his infectious personality, Eddie never met a stranger he didn't like and always tried to put himself in the "shoes" of others. Consequently, thousands of young people have been able to walk in shoes with pride and dignity.

On a personal note, Eddie was my dear friend for many years. During my first Congressional campaign and subsequent campaigns, he was one of my drivers. He often joked that: "He was never paid for his services." He continued to provide me with treasured friendship and wise counsel over the years.

The phrase, "One of a Kind" is used too much in our everyday discourse. I can truly say that CSM (Ret). Eddie Roberts was one of a kind and will never be forgotten. One of my mentors, Dr. Benjamin E. Mays, once said that, "Every man and woman is born into the world to do something unique and something distinctive and if he or she does not do it, it will never be done."

Mr. Speaker, the world is a better place because CSM (Ret) Eddie Roberts passed this way. He did something unique with his life and the world is better for it. On behalf of my wife, Vivian and myself, I extend my deepest sympathies to all those who knew and loved this special man.

#### A LOOK AT MEDIA BIAS

### HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. SMITH of Texas. Mr. Speaker. I submit the following.

#### MEDIA FAIRNESS CAUCUS—A LOOK AT MEDIA BIAS

Rep. Lamar Smith (R-TX), Chairman  
Rep. Jack Kingston (R-GA), CoChair  
Rep. Michele Bachmann (R-MN), CoChair

#### MEDIA'S LIBERAL BIAS DISTORTS FAIR COVERAGE

From U.S. News & World Report:

"The liberal bias of the mainstream media tilts so far left that any outlets not in that political lane, like the Drudge Report and Fox News Channel, look far more conservative than they really are, according to a UCLA professor's new book out next month.

"In a crushing body blow to the pushers of the so-called 'Fox Effect,' which claims the conservative media is dragging the left into the center, UCLA political science professor Tim Groseclose in *Left Turn* claims that 'all' mainstream news outlets have a liberal bias in their reporting that makes even moderate organizations appear out of the mainstream and decidedly right-wing to news consumers who are influenced by the slant."

In the book, Groseclose writes: "Fox News is clearly more conservative than ABC, CBS, CNN, NBC and National Public Radio. Some will conclude that 'therefore, this means that Fox News has a conservative bias.' Instead, maybe it is centrist, and possibly even left-leaning, while all the others are far left. It's like concluding that six-three is short just because it is short compared to professional basketball players."

#### AMERICANS SEE MEDIA AS BIASED, LIBERAL

Two-thirds of Americans believe that reporters try to help the candidate they want to win an election, according to a recent Rasmussen public opinion poll. Only 2 in 10 think reporters try to offer unbiased coverage.

The survey also found that almost half of Americans think reporters would hide any damaging information about the candidate they wanted to win. And by more than two-to-one, Americans say the average reporter is more liberal than they are, rather than more conservative.

If the national media want to earn Americans' trust, they should give them the facts, not tell them what to think.

FIRST LADY THANKS MEDIA FOR "SUPPORT" AND "KINDNESS"

During a recent interview on CNN, First Lady Michelle Obama thanked the national

media for their "support" and "kindness." Below is an excerpt from the interview:

CNN reporter: "How's the family ready for this [the election]? It's going to be quite vicious, isn't it? How do you prepare for that?"

First Lady Michelle Obama: "You know, it's . . . we're ready, you know. Our children, you know, could care less about what we're doing. We work hard to do that. Fortunately, we have help from the media. I have to say this: I'm very grateful for the support and kindness that we've gotten. People have respected their privacy and in that way, I think, you know, no matter what people may feel about my husband's policies or what have you, they care about children and that's been good to see."

#### A TRIBUTE TO NORMA DUFFIELD "DUFFY" STONG LYON

### HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. LATHAM. Mr. Speaker, I rise today to celebrate the life of Mrs. Norma Duffield "Duffy" Stong Lyon. Most Iowans would know her as Iowa's beloved "Butter Cow Lady."

For nearly a half-century, Mrs. Lyon shared her artistic skills with travelers from all over the world at the Iowa State Fair by creating a life-size sculpture of a dairy cow made from hundreds of pounds of butter. In fact, after crafting her first cow in 1960, she subsequently crafted 46 of the butter cow sculptures the Iowa State Fair has displayed over the past 100 years.

As many other community members know, Mrs. Lyon used her notoriety to raise funds for charitable projects in Toledo, Iowa for the betterment of the community.

Mrs. Lyon's family, including her husband Joe, nine children, twenty-three grandchildren, and five great-grandchildren, along with hundreds of members of the community gathered to pay their respects to the "Butter Cow Lady" on Friday July 1, 2011.

It is an honor to have personally seen and enjoyed the butter cow sculptures at the Iowa State Fair for years, and I know my colleagues will join me in celebrating the life of the Mrs. Norma Duffield "Duffy" Stong Lyon.

#### A TRIBUTE TO WILMA CARTHAN

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Ms. Wilma Carthan for her service to and excellence throughout her community as a model citizen.

Ms. Wilma Carthan is an individual who understands and fully utilizes the opportunities provided by the Great Society programs. Ms. Carthan is a revered community leader who successfully raised six children as a single mother, and tirelessly worked her way from welfare recipient to social service executive.

Over a period of fifteen years anti-poverty programs assisted Ms. Carthan in obtaining a

high school diploma, a Bachelor's Degree and a Masters Degree. A career which started as a neighborhood community action worker steadily changed into social worker positions. She became administrator of youth programs and eventually Director of Community Affairs, Marketing and Patient Advocacy at the Brownsville Multi-Service Family Health Center, one of the nation's oldest community health centers.

Because of her insights, team-work skills and bountiful grass roots wisdom, Wilma Carthan has been called upon to serve in many research studies, group counseling and community planning efforts. At Syracuse University she assisted in the study of violent criminal behavior, was a co-author of a book on criminology entitled *Pro-Social Gang: Implementing Aggression Replacement Training*. She served on the New York City Board of Education Board of Examiners and also was on teams evaluating Title I reimbursable programs. For two decades she served as chairperson of the Board of the 200 Central Avenue Day Care Center. She is the recipient of numerous honors and awards but the most appropriate and revealing one is the unofficial title conferred upon her once as "The First Lady of Brooklyn Community Action".

As she celebrates this 75th birthday Wilma Carthan is probably most proud of the success of her sons and daughters who, despite the hardships of poverty, have all become productive family builders with more than a dozen grandchildren now climbing the ladder to self-sufficiency as they fulfill their American dream. More than can be communicated with hundreds of slogans and thousands of words Wilma Carthan's life sends a message of revelation and how the highest returns are realized through our government's investment in our neediest citizens. With great admiration and appreciation we salute Wilma Carthan.

Mr. Speaker, I urge my colleagues to join me in recognizing the work of Wilma Carthan.

#### IN RECOGNITION OF DAVID WILLIAMS

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

Mr. GARAMENDI. Mr. Speaker, Representatives GEORGE MILLER, BARBARA LEE, PETE STARK, JERRY MCNERNEY and I rise today to congratulate Mr. David Williams, Director of Wastewater for the East Bay Municipal Utility District (EBMUD) on his election as the new President of the National Association of Clean Water Agencies, NACWA.

Mr. Williams is an accomplished leader and committed environmental steward. From his military service to this country and throughout his career in clean water, Mr. Williams has exemplified what it means to be a public servant. He is ideally suited for this national leadership position with NACWA and to helping ensure that California's and the Nation's clean water agencies are sustainable, that the environment we live in is consistently improving, and our public health is protected.

At EBMUD, Mr. Williams leads one of the nation's most advanced wastewater treatment

facilities, providing services to approximately 650,000 people along 88 square miles of the east shore of San Francisco Bay in Alameda and Contra Costa counties. Mr. Williams oversees a staff of roughly 300 professionals and technicians who are responsible for the operation and maintenance of the district's entire wastewater system.

Under Mr. Williams' leadership the district has led the industry through his innovative work on several notable programs: utilizing existing wastewater infrastructure to create a national model for recycling and energy creation; working with local dentists, universities and public schools to eliminate sources of mercury in the waterways; developing a partnership with Chevron to build the Richmond Advanced Recycled Expansion (RARE) Water Project; and creating dual plumbing ordinances requiring new development to plan for recycled water use.

Since joining others in founding NACWA 41 years ago, EBMUD has benefitted from its active engagement with the organization. A member of NACWA's Board of Directors since 2004, Mr. Williams has previously served as Secretary, Treasurer and Vice President for the organization and has been a member of many NACWA committees and workgroups. He has also been elected to serve on the Central Contra Costa Sanitary District Board, a position he currently holds.

In addition to his work with NACWA, Mr. Williams has actively participated in local, regional, state and national professional organizations including the California Association of Sanitation Agencies, Central Contra Costa Sanitary District, Bay Area Clean Water Agencies, TriTAC, Aquatic Science Center, the California Water Environment Association San Francisco Bay Section, and the Bay Area Dischargers Association.

David Williams has selflessly shared his time, passion, energy and ideas to carry out the objectives of the Clean Water Act and it is my sincere pleasure to ask our colleagues to join us in congratulating him on becoming the new president of the National Association of Clean Water Agencies. Mr. Williams' continued efforts will ensure water quality progress for the San Francisco Bay Area, the State of California, and the Nation.

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CONGRATULATING THE REPUBLIC  
OF KOREA'S HOSTING OF 2018  
WINTER OLYMPICS

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 8, 2011*

Mr. RANGEL. Mr. Speaker, I am pleased to congratulate the Republic of Korea for winning

the bid to host the 2018 Winter Olympic Games in Pyeongchang. I have no doubt that Korea will be an excellent host, as it was for the 1988 Summer Olympics and for the 2002 World Cup. This honor recognizes how far Korea has emerged from the ashes of war into a giant in Asia and throughout the international community.

When I first went to Korea over 60 years ago, I had no idea where it was. As a Korean War Veteran, I could not be more proud to witness today's "Dynamic Korea." Seoul's skyscrapers, booming businesses and rising apartment buildings are a testament to the resiliency and determination of the Korean people. Just as the 1988 Olympics in Seoul demonstrated the promise of the Korea to the world, the 2018 Winter Games will showcase the economic superpower the great nation is now.

I never would have imagined that the Korea I left behind after the war would now be hosting their third international sporting event. Korea will always have a place in my heart as it does in the hearts of all veterans who have served then and those who serve now and I am proud to congratulate the nation on this well deserved recognition.

## SENATE—Monday, July 11, 2011

The Senate met at 2 p.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord God Almighty, unto whom in all ages people have lifted up their hearts, as we begin this week we are aware that Americans are watching on television the daily business of this Chamber. Grant our Senators wisdom to solve the complex issues of our time. Lord, inspire them to see the wisdom of cooperation, strengthen their minds and bodies to endure long hours of labor and to build alliances across the aisle that will lead us and our Nation to a better tomorrow. Let the struggles they experience help them develop a more robust and meaningful relationship with You and those around them. May Your spirit be above and among them, that in these days of destiny they may make Your ways their ways.

We pray in Your everlasting Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS led the Pledge of Allegiance as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 11, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. COONS thereupon assumed the chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1323, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to the consideration of S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 5:30 p.m. will be equally divided and controlled between the two leaders or their designees.

Who yields time?

The Senator from North Dakota.

### SCHEDULE

Mr. CONRAD. Mr. President, the Senate has resumed the motion to proceed to S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit. The time until 5:30 will be equally divided between the two leaders or their designees. At 5:30, there will be a rollcall vote on the motion to proceed to S. 1323.

MEASURE PLACED ON THE CALENDAR—S. 1340

Mr. CONRAD. Mr. President, I understand S. 1340 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 1340) to cut, cap, and balance the Federal budget.

Mr. CONRAD. Mr. President, I object to any further proceedings with respect to the bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar under the provisions of rule XIV.

Mr. CONRAD. I thank the Chair.

Mr. President, we are in the midst of a defining debate on the budget of the United States. All of us understand we have a debt threat looming over this country that is as significant as anything we have faced in many years. Democratic members of the Senate Budget Committee have worked for weeks to devise a blueprint we think has merit and that deserves to be a part of the debate. Today, I am here to outline the key elements of that budget blueprint.

First of all, I think it is critically important we all understand we are as a Nation borrowing 40 cents of every \$1 we spend. That is not a sustainable circumstance. Admiral Mullen, the Chair-

man of the Joint Chiefs of Staff, has indicated that our national debt is our biggest national security threat. This is the top military man in our country saying the debt threat is the most serious national security threat.

Why does he say that? Here are the facts: The debt of the United States—the gross debt—all the debt we owe is now approaching 100 percent of our gross domestic product, which is the highest level it has been since after World War II. This chart shows a threshold of 90 percent and a gross debt of 90 percent. Why did we draw that line on this chart? Because the best evidence we have tells us when we cross the 90-percent threshold on the gross debt of any nation, we are in the danger zone, we are in the red zone.

The distinguished economists Carmen Reinhart and Kenneth Rogoff wrote a book called “Growth in a Time of Debt.” Here is their conclusion:

We examined the experience of 44 countries spanning up to two centuries of data on central government debt, inflation and growth. Our main finding is that across both advanced countries and emerging markets, high debt to GDP levels (90 percent and above) are associated with notably lower growth outcomes.

This is a key fact all our colleagues need to know. When our gross debt goes over 90 percent of our gross domestic product, our future economic prospects are diminished. That means fewer jobs created, less economic opportunity—a nation that is at risk. That is where we are.

Look at what the Congressional Budget Office says is where we are headed. On the current trajectory, we are headed for a debt that will go to 200 percent of the gross domestic product of the country. This is not the gross debt; this is the publicly held debt, which is smaller than the gross debt. So this chart now looks at the publicly held debt and says it is headed for 200 percent of GDP. We cannot stay on this course. It is critically important we change direction.

For every 1 percentage point increase in interest we pay, \$1.3 trillion is added to the debt. For those who say don't worry about the debt limit, let's remind them what will occur if the United States refuses to pay the bills it has already incurred, which is the interest rates will go up. Those who have loaned us money, if we renege on our commitments to pay them, will then insist on higher interest rates—all borrowers will insist on higher interest rates—and for every 1-percent increase in the interest rate, we will pay \$1.3 trillion more on our debt. So those who think that somehow, by not extending

the debt limit, we are going to help on the debt—no. The opposite is true. The debt will increase and increase dramatically.

Here are the hard facts with respect to the relationship between spending and revenue over the last 60 years in this country. The red line is the spending line. The green line is the revenue line. What this shows very clearly is that spending is the highest it has been as a share of GDP in 60 years. Yes, we have a spending problem. But it is not exclusively a spending problem, as some assert on this floor, because revenue as a share of GDP is the lowest it has been in 60 years. To deny that essential fact is to deny the significant elements of a compromise that are required to solve this problem.

Spending is the highest it has been in 60 years as a share of our national income. Revenue is the lowest it has been in 60 years as a share of our national income. Both have to be addressed if we are going to solve this problem.

For those who say: Well, it is not a revenue problem, oh, yes, it is.

This is an article that appeared Sunday, May 1, in the Washington Post: “On the way to a surplus, a \$12 trillion U.S. detour.”

Remember, in 2001, we were told we were on the way to paying off the debt of the United States. This article by Lori Montgomery in the Washington Post on May 1 indicated the fundamental reasons that instead of paying off the debt, we have a debt that is mushrooming. This one paragraph says it all:

The biggest culprit, by far, has been an erosion of tax revenue triggered largely by two recessions and multiple rounds of tax cuts. Together, the economy and the tax bills enacted under former President George W. Bush, and to a lesser extent by President Obama, wiped out \$6.3 trillion in anticipated revenue. That’s nearly half of the \$12.7 trillion swing from projected surpluses to real debt. Federal tax collections now stand at their lowest level as a percentage of the economy in 60 years.

That is the point I just made.

So when Democrats on the Senate Budget Committee approached this problem, we looked at it in historical perspective. How did we get into this problem? Half of it is on the revenue side. So we chose to deal with a solution that deals on both sides of the ledger. Yes, we need to cut spending; absolutely, that must be done. But we also cut so-called tax expenditures that are just spending by another name—loopholes, exclusions, deductions, tax preferences, abusive tax shelters, and tax havens that are hemorrhaging revenue that rightfully belongs in the Treasury—people avoiding what they legitimately owe to the United States by engaging in abusive tax shelters and tax havens that is costing us substantial revenue. We will get into the specifics of that.

The House Republicans chose a different path. They only want to focus on

half the problem. They only want to focus on the spending side of the equation. They don’t want to touch the revenue side of the equation. I believe that denies reality. That runs away from the hard reality of how we got into this situation. Again, we got here by, yes, spending that is higher than it has been in 60 years as a share of national income but also revenue that is lower than it has been at any time in 60 years. If we are truthful with ourselves, we are going to have to deal with both sides of this equation.

The plan Senate Democrats on the Budget Committee have agreed on looks at a budget framework that includes roughly the same amount of deficit reduction as the House Republican plan. In fact, we have somewhat more deficit reduction than did they. They have a plan that was \$3.9 trillion of deficit reduction. Our plan is \$4 trillion. The actual difference is about \$50 billion, but because of rounding, it turns out they are at \$3.9 trillion, we are at \$4 trillion. The actual difference is about \$50 billion more in deficit reduction in the plan worked by Senate Democrats on the Budget Committee.

So this is what happens to deficits as a share of GDP under the framework we are offering. As you can see, this year the deficit is 9.3 percent of gross domestic product. We bring it down very steadily until we get down to 1.3 percent in the 10th year—a lower deficit in dollar terms, a lower deficit as a share of GDP than the House Republican plan. Let me repeat that. The Senate Democrats on the Budget Committee—our plan reduces the deficit by the 10th year by more than the Republicans in total, and in the 10th year we have a lower deficit in dollar terms and a lower deficit as a share of GDP.

As shown on this chart, this is what happens to the debt itself. The gross debt, as you can see, peaks out at 100 percent in 2011, and then we bring it down gradually but steadily to about 98 percent by 2021. The key is, instead of having the debt line going up, up, and away, burying this country under a mountain of debt, we stabilize the debt and begin to bring it down—something that every serious economist has said is absolutely essential.

In terms of spending, I indicated that current spending is the highest it has been as a share of GDP in 60 years. Our plan takes that down from 24 percent of GDP to 23 percent and then freezes it at 22 percent of GDP for the rest of this decade.

Now, some will say: There go the Democrats again. They are spending too much money. I would say to them: If we could get the spending down to the levels that were obtained during the Reagan administration, would that be acceptable? Because that is exactly what we do. Under the plan of Senate Budget Committee Democrats, we get spending to the exact same level that

pertained during the administration of Ronald Reagan. During Ronald Reagan’s 8 years, spending averaged 22.1 percent of GDP. That is precisely what our spending equals in the budget framework I have outlined here today. We include every part of the Federal budget, including the defense budget. Just as the fiscal commission did, just as every other bipartisan deficit reduction plan has included, we looked to defense spending for savings because no part of the budget can be off the table in terms of a deficit reduction plan.

I would say separately, Social Security we deal with separately because Social Security need not be, should not be part of a deficit reduction plan. Savings on Social Security ought to be for the purpose of extending the solvency of Social Security. But in terms of those parts of spending that are considered on budget, defense has to be included in any savings. Why do I say that? Well, look what has happened since 1997. Spending on defense and war has gone from \$254 billion a year to \$688 billion a year. It is a key reason spending has exploded.

Before the fiscal commission, some of the best defense analysts in the country came before us and told us that 51 percent of all Federal employees are at the Department of Defense—51 percent of all Federal employees are at the Department of Defense—and that does not count the contractors.

I asked these analysts: Well, how many contractors are there?

Their response was: Senator, we can’t tell you.

I said: Is that a matter of security? Is that a matter of clearances?

They said: No, Senator. We don’t know.

I said: Well, what is the range? About how many contractors are there working at the Department of Defense?

The answer was: Senator, 1 million to 9 million. Between 1 million and 9 million. We can’t tell you which is right.

We have a serious problem of contractors working for the Department of Defense and the Department of Defense cannot even tell you how many contractors they have working for them. We have a problem.

The previous Secretary of Defense, Secretary Gates, said this:

... the budget of the Pentagon almost doubled during the last decade.

And he is right about that. Our chart shows that.

But our capabilities didn’t particularly expand. A lot of that money went into infrastructure and overhead and, frankly, I think a culture that had an open checkbook.

“A lot of that money went into infrastructure and overhead”—overhead—“and, frankly . . . a culture that had an open checkbook.” We cannot afford an open checkbook anywhere. We have to go after waste, fraud, and abuse in every department. We have to go after infrastructure spending that really



does not contribute to improving our defense. We have to go after overhead, overhead costs that have really run amok.

Chairman RYAN of the House said this about defense:

There are a lot of savings you can get in defense. There's a lot of waste over there, for sure.

Yet, when they came with their plan, they continued the path of increasing defense spending year over year without any discipline. This is the plan they outlined—from \$529 billion a year headed for \$667 billion a year, and that does not count the war funding.

In our plan, we have done what the fiscal commission called for. We have achieved the same savings out of security as the fiscal commission did—\$886 billion out of the security category. Now, that includes defense. Obviously, defense is most of security, but in the “security” category also falls homeland security, and also included is veteran spending. Veteran spending, by the way, is one place we do not cut a nickel. The veterans deserve to have the promise we have made to them kept, and under our budget, every dollar that has been promised to veterans will go to them. That does not mean we cannot save money out of the security side. The fiscal commission—which, by the way, is the only bipartisan plan that has come from anywhere: five Democrats, five Republicans, one Independent—endorsed a plan with \$886 billion of savings over 10 years out of the security category. The budget by Senate Budget Committee Democrats adopts that finding.

The budget that Senate Budget Committee Democrats are advancing also has governmentwide savings. We freeze the pay of Members of Congress for 3 years. We freeze the legislative branch and White House budgets for 3 years. We freeze civilian pay for 2 years. That has already been adopted, but we include that in our budget. We reduce the Federal vehicle fleet by 20 percent because, frankly, in our investigations we find in this area there has been an explosion of vehicles in the Federal fleet, and I think all of us have seen it with our own eyes. This is something that has to be taken on. We reduce travel costs of Federal agencies by 20 percent. We reduce Federal printing costs by \$1 billion by 2015. We reduce the number of contractors, which we have previously described.

The House Republican plan on revenue is really almost impossible to believe. In a circumstance in which we have record debt, in a circumstance in which the revenue of this country is the lowest it has been in 60 years, what is part of their answer? Cut taxes some more, and cut them for the very wealthiest among us, cut them another \$1 trillion for those who are the most fortunate among us. I am not making this up. This is the House Republican

plan: Take a circumstance in which we have record debt, the lowest revenue we have had in 60 years, and cut taxes for the very wealthiest among us by another \$1 trillion by extending the top rate cuts, by a \$5 million estate tax exemption. They actually cut revenues \$4.2 trillion below the CBO baseline. Let me repeat that. They actually cut revenue in their plan \$4.2 trillion below the Congressional Budget Office baseline. That is inexplicable.

Maybe we can start to understand it when we look at what a former Reagan economic adviser said about the House Republican plan. Mr. Bartlett said this:

Distributionally, the Ryan plan—

The House Republican plan—

is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them. Even as an opening bid to begin budget negotiations with the Democrats, the Ryan plan cannot be taken seriously. It is less of a wish list than a fairy tale utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions. Ryan's plan isn't even an act of courage; it's just pandering to the Tea Party. A real act of courage would have been for him to admit, as all serious budget analysts know, that revenues will have to rise well above 19 percent of [gross domestic product] to stabilize the debt.

Revenue today is 14.8 percent of GDP—again, the lowest it has been in 60 years. If we look at the last five times the budget has been balanced in the last 50 years, here is what we see: Revenues had to be close to 20 percent of GDP. They were 19.7 percent in 1969, 19.9 percent in 1998, 19.8 percent in 1999, 20.6 percent in the year 2000, and 19.5 percent in 2001. That is the last five times the budget has been balanced. Each of those times, revenue was close to 20 percent of GDP. Now it is 14.8 percent of GDP. Anyone who seriously argues that you can solve this problem just on the spending side of the equation is not being serious.

The budget framework we offer today has revenues at 19.5 percent of GDP—almost equivalent to what it was during the Clinton years, when we had balanced budgets and, in fact, stopped using Social Security money to pay other bills. During the Clinton years, revenue averaged 19.4 percent of GDP. Under our plan, it averages 19.5 percent. So revenue is clearly not out of line compared to the other times we balanced the budget and, in fact, during the Clinton years when we had the longest economic expansion in this Nation's history.

For our colleagues who say, oh, you can't touch revenue or you will kill the economy, you will kill job creation—really? How about the historic record? The historic record shows very clearly that during the Clinton years, when you had revenue at the same level as we have in this plan, you had the longest economic expansion in this Nation's history—39 quarters; 32 of those

quarters during the Clinton years—the longest uninterrupted period of economic growth in this Nation's history, and you had revenue at the same level we are talking about in this plan. Facts are stubborn things. A previous President said that. He was right. The fact is, we had the longest period of uninterrupted growth in our economy during a period in which revenue was at the level we are proposing in this budget. That is a fact.

Mr. President, the proposals in the budget framework also seek to bring us transparency. We have tax reform that simplifies the Tax Code, scales back tax loopholes, protects the middle class, improves progressivity and fairness of the code, promotes economic growth and U.S. competitiveness—because we lower the corporate rate from 35 percent to 29 percent to make America more competitive, and we pay for it by closing corporate loopholes. We also address the tax gap, offshore tax havens, and abusive tax shelters, and ensure that corporations pay their fair share.

The specifics of our revenue proposal are as follows: The tax cuts—the so-called Bush-era tax cuts—are extended for singles earning up to \$500,000 a year and for couples earning up to \$1 million a year. So 99 percent of the American people will see no rate increase—none; 99 percent of the American people will see no rate increase. One percent will, and it will be those who are sufficiently fortunate to be earning over \$1 million a year—the top 1 percent in this country. We ask them to go back to rates of the Clinton era, when the top rate was 39.6 percent, capital gains were 20 percent. Those are the rates that pertain—when we had the longest economic expansion in our Nation's history.

For those who say it is a job killer, they have to explain how that can be since history shows something quite different from their claim.

We also provide for alternative minimum tax relief. That costs \$1.5 trillion. That is not a tax increase. We are lowering taxes that would be imposed by the alternative minimum tax, which is increasingly gobbling up middle-class taxpayers. We are preventing that from happening. It costs \$1.5 trillion to fix. So we are replacing that revenue with other revenue. I don't consider that a tax increase. That is merely substituting revenue for revenue that we are subtracting to prevent middle-class people from being caught up in the alternative minimum tax.

We also reform the estate tax, going back to the 2009 levels which are \$3.5 million a person and \$7 million a couple. That means well over 99.5 percent of estates would be completely exempt. That is a fair plan.

We also assume net \$2 trillion of additional funds from closing tax loopholes, cutting tax subsidies, promoting tax fairness. That is over 10 years.

We assume tax preferences for individuals are reduced 9 to 17 percent, depending on the amount of offshore tax havens and abusive tax shelters that are closed.

We assume, as I indicated earlier, that the corporate rate is lowered to 29 percent, offset by reducing corporate tax expenditures and closing corporate tax loopholes—specific policies to be determined by the Finance Committee, as they always are.

Mr. President, when I indicate there is a range for reducing tax expenditures from 9 to 17 percent, depending on how much savings we get out of offshore tax havens, here is the math. Over the next 10 years, the tax preferences—or expenditures, as they are sometimes called—will cost the Treasury \$14 trillion. Let me repeat that. The loopholes, the exclusions, the preferences in the Tax Code will cost the Treasury \$14 trillion over the next 10 years.

On top of that, offshore tax havens and abusive tax shelters will cost the Treasury another \$1.4 trillion. That is according to estimates based on data from the Permanent Subcommittee on Investigations. So if we recover nothing from tax havens, to reach our revenue numbers we would have to reduce tax expenditures 17 percent. On the other hand, if we recover 80 percent of tax haven losses and tax shelter losses, the reduction in tax expenditures would only have to be 9 percent—17 percent reduction in tax expenditures if we get no savings from tax havens and tax shelters, and a 9-percent reduction in tax expenditures if we recover 80 percent of the losses from tax havens and tax shelters.

Probably, the realistic expectation ought to be somewhere in between those extremes.

If the CBO scored the proposal by Senate Budget Committee Democrats, they would not say there is any tax increase here at all. Let me repeat that. If the Congressional Budget Office scored this proposal by Senate Budget Committee Democrats, they would say there is a \$765 billion tax cut over 10 years. How can that be? How can I be saying there is \$2 trillion of additional revenue over 10 years, and the Congressional Budget Office would say—if they evaluated this plan by Budget Committee Democrats—they would say it is a \$765 billion tax cut? The reason is simple.

In our plan we extend all of the middle-class tax cuts. In addition, we actually broaden the middle-class tax cuts so that nobody is affected by a rate increase unless they are a couple earning over \$1 million a year. We also provide the alternative minimum tax relief to prevent millions of middle-class people from being affected by that law.

As I indicated earlier, that costs \$1.5 trillion over the next 10 years to shield middle-class taxpayers from that.

Third, we provide estate tax reform at the 2009 levels so that well over 99 percent of estates are completely shielded or exempt.

Again, when our Republican colleagues say—and some of them do—you can't have a higher tax rate, even on those earning over \$1 million, it will kill the economy—really? How about looking at the facts. How about looking at the historic record. How about being informed by what has actually happened before because when we look at history, we find quite a different answer than our friends on the other side are providing.

What we find is that the last time the top rate for those earning \$1 million was 39.6 percent, we experienced the longest period of uninterrupted economic growth in U.S. history. That is a fact. We had 39 quarters of economic growth from 1991 to 2000. For 32 of those quarters, Bill Clinton was President, and we had a top rate of 39.6 percent on those couples earning over \$1 million a year.

Our friends on the other side say: You will kill jobs. Do you know what is fascinating? I remember this debate back when we passed deficit reduction under President Clinton. Our friends on the other side said the same thing then. I remember, I was seated here listening to the then-Republican leader claim that if we passed the Clinton plan to get the deficit down and balance the budget, we would crater the economy. Those were the exact words our friends on the other side used at that time—that if we raised rates on the wealthiest among us, it would crater the economy.

What happened? Not only did we not crater the economy, we had the longest period of economic expansion in our Nation's history, and 24 million jobs were created—the best record ever. That is the fact. That is what really happened—not some fairy tale about what happens if we get the country back on track, if we move toward balancing the budget, toward getting the debt down, because that is in fact what happened during the Clinton years.

Yes, we had the highest rate of 39.6 percent on those earning over \$1 million. But it didn't crater the economy—no. The economy grew. We had the longest economic expansion in this Nation's history, and 24 million jobs were created during that period, the best record ever.

Let's look again at history. The last five times economic growth was above 4 percent in this country, the top tax rate was 39.6 percent on those earning over \$1 million. Facts. Facts are stubborn things. In 1994, the top rate was 39.6 percent and the growth rate was 4.1 percent. In 1997, the top rate was 39.6 percent and economic growth was 4.5 percent. In 1998, we had 4.4 percent economic growth. In 1999, it was 4.8 percent. In 2000, we had 4.1 percent eco-

nomical growth—the strongest economic growth, going back decades, in every year. The top rate on people earning over \$1 million was 39.6 percent, which is precisely what we are proposing in this plan.

Mr. President, I think it is undisputed by serious economists, of whatever philosophical stripe, that these tax expenditures have to be reined in. We are spending \$1.1 trillion a year on tax expenditures. Some of the most conservative economists in the country have said that is just spending by a different name. Here is Martin Feldstein, professor of economics at Harvard, Chairman of the Council of Economic Advisers under President Reagan. He has written a column called "The Tax Expenditure Solution for Our National Debt." He said this:

Cutting tax expenditures is really the best way to reduce government spending. . . .

It is called revenue, but it is really spending.

Eliminating tax expenditures does not increase marginal tax rates or reduce the reward for saving, investment or risk-taking. It would also increase overall economic efficiency by removing incentives that distort private spending decisions. And eliminating or consolidating the large number of overlapping tax-based subsidies would also greatly simplify tax filing. In short, cutting tax expenditures is not at all like other ways of raising revenue.

This is from the head of the economic advisers under President Reagan, saying we ought to cut tax expenditures. That is exactly what the Senate Democratic budget plan does. We cut tax expenditures 9 to 17 percent, depending on how much we are able to save from closing off these offshore tax havens and the abusive tax shelters.

If we get no savings from tax havens and tax shelters, then we would have to reduce tax expenditures 17 percent. If we are able to reduce tax havens and the other loopholes, offshore loopholes—the abusive tax shelters—by 80 percent, then we would be able to reduce tax expenditures by 9 percent.

Just like Martin Feldstein who said we ought to have after tax expenditures, also Alan Greenspan, former Chairman of the Federal Reserve, said this:

I think that Republicans are out to identify a very significant amount of so-called tax expenditures, which in fact are misclassified. They are expenditures, they are outlays, and many are subsidies, and subsidies are not the type of thing that you want for an efficient market system. There are a lot of them.

Mr. President, that is what we are proposing. Let's go after these subsidies, these preferences, these exclusions. While we are at it, let's go after offshore tax havens, abusive tax shelters. Let's shut them down.

If there is any doubt about where this money is going, here it is: 26.5 percent of tax expenditures go to the top 1 percent in this country; 26.5 percent of all

tax expenditures go to the top 1 percent. So when we are saying we may have to reduce tax expenditures 17 percent, we could do it all just with the top 1 percent. That is where the benefit is going.

Let me show you in another way. The top 1 percent, in dollar terms—the value, on average, of tax expenditures for those who are in the top 1 percent in this country, earning an average of \$1.1 million a year, they get, on average, a benefit every year from tax expenditures of over \$205,000. For those who are in the middle quintile, those earning \$39,000 a year, their average benefit is \$3,000. You can see that the top 1 percent have a benefit from tax expenditures that is 66 times what people in the middle get. It is not unfair to go to those who have had the greatest benefit from the national economy over the last two decades and say to them: We need you to help a little bit more to get out of this debt rut we are in. And you know what, that is not unfair because they have had the greatest benefit over the last 15 years.

Here is something that I think shows it conclusively. This is the effective tax rate for the 400 wealthiest taxpayers in America. In 1992, it was about 27 percent. In 1995, the tax rate for the wealthiest 400 was 30 percent—29.9, to be exact. Look what has happened since 1995. The effective tax rate for the wealthiest 400 taxpayers in America has gone down to 16.6 percent. They have had their tax rates cut almost in half. Has anybody else had their taxes cut in half? I don't think so. The people who have had their taxes cut in half are the wealthiest among us. So it is not unreasonable to go back to them and say: Hey, wait a minute. We have to go back to what the tax rates were here—not back to an effective rate of 30 percent but a top rate that we had in the Clinton years when we had the largest economic and longest economic expansion in our Nation's history. That seems reasonable.

We also know it is not just on the individual side but on the corporate side as well. This is a little five-story building in the Cayman Islands. Now, 18,857 companies say they are doing business out of this little building. Anybody believe that? Anybody believe 18,857 companies are doing business out of this little 5-story building down in the Cayman Islands? I would say that is the most efficient building in the world. Imagine, a little 5-story building, and 18,857 companies say they are doing business out of there. They have maybe 100 employees in that building. Those are the most efficient people in the entire world. Unbelievable what they are doing.

You know what, they are not doing business; they are doing monkey business because what they are doing is cheating all the rest of us who pay what we owe. Why are they down in the

Cayman Islands, those 18,857 companies, calling that little building home? Because there are no taxes down in the Cayman Islands, and they are showing their profits in subsidiaries they say are operating out of that little building so they can avoid paying the taxes the vast majority of us pay right here in the United States. That is outrageous. That is unfair. Our Republican friends say: Oh, you can't touch that; it is a tax increase if you do. Really? That is a tax increase? I don't think so.

Offshore tax haven abuse is proliferating. If anybody doubts it, go Google offshore tax havens and see what happens. See what happens if you Google offshore tax havens. The experts here on the Permanent Subcommittee on Investigations have said this:

Experts have estimated that the total loss to the Treasury from offshore tax evasion alone approaches \$100 billion per year, including \$40 billion to \$70 billion from individuals and another \$30 billion from corporations engaging in offshore tax evasion. Abusive tax shelters add tens of billions of dollars more.

The Democrats on the Budget Committee said: We have had it. We are going after those people. We are going to insist they pay their fair share just as the vast majority of Americans already do. So we are saying: We are coming after you. If you have a tax haven down in the Cayman Islands, we are coming after you. If you have an abusive tax shelter, we are coming after you because it is not fair to all the rest of us who are paying what we owe.

There are critical priorities that shouldn't be cut. One is education. Education is the foundation for future economic strength.

An educated population is a key source of economic growth. . . . Broad access to education was, by and large, a major factor in the United States' economic dominance in the 20th Century and in the creation of a broad middle class. Indeed, the American Dream of upward mobility both within and across generations has been tied to access to education.

This is a quote from Harvard economists Claudia Goldin and Lawrence Katz in "The Future of Inequality: The Other Reason Education Matters So Much."

When we see what our friends on the other side are doing, they are cutting education 15 percent. We don't believe that is the right priority for the country. Yes, overall spending has to be cut. We do cut spending—almost \$2 trillion in the Democratic blueprint, almost \$2 trillion—but not education.

Another key priority is energy. We all know what has happened to gas prices. They have soared from \$1.81 in December of 2008 to over \$3.50 a gallon by July 4. I just paid \$3.77. We all know what is happening to gas prices. Many of us believe a key priority is to reduce our dependence on foreign energy. House Republicans have a different

idea. They cut the programs to reduce our dependence on foreign energy by 57 percent. We reject that proposal. We don't think it is in the national interest.

Infrastructure—roads, bridges, airports, rail. Here is what the U.S. Chamber of Commerce has said about infrastructure spending:

If we don't change course over the next five years, the economy could forgo as much as \$336 billion in lost economic growth as transportation networks continue to deteriorate. I am well aware of the fiscal constraints facing this Congress and the nation. But we must avoid cutting off our nose to spite our face. Without proper investment and attention to our infrastructure, the United States' economic stability, potential for job growth, global competitiveness, and quality of life are all at risk.

That is a quote from Thomas Donohue, the president and CEO of the U.S. Chamber of Commerce.

Republicans in the House weren't listening because they propose cutting transportation funding in their budget by 30 percent. We reject that cut as well. It does not make sense to cut education, to cut infrastructure. It does not make sense. It will only weaken our position.

On health care, the House Republican plan ends Medicare as we know it. It replaces it with a voucher system, block grants Medicaid, and shifts costs on seniors, children, the disabled, and individual States. It ends the countercyclical nature of Medicaid, and it defunds health care reform, increasing the number of uninsured by at least 34 million people in this country. The House Republicans have said their plan saves Medicare. I don't think so. I think it kills Medicare. Why do I say that? Because under traditional Medicare now, the beneficiary pays 25 percent. Someone who is eligible for Medicare pays 25 percent of the bill. Under the House Republican plan, they would pay 68 percent of the bill. That just stands things on their head. Instead of people having Medicare as a social safety net when they get to their senior years, they would have it pulled out from under them.

We have rejected the House GOP approach and would remind our colleagues that we have had large health care savings that were already enacted last year in health care reform. The Congressional Budget Office says that will save in the second 10 years \$1.3 trillion. So, yes, everything has to be on the table, but we just took a big run at getting our health care costs back in line—\$1.3 trillion in deficit savings, according to CBO.

In conclusion, the overview of the budget framework we are offering our colleagues for their consideration provides \$4 trillion in deficit reduction over 10 years. It is actually \$5 trillion if measured on the same basis as the fiscal commission. We have adopted

what we think is a more plausible baseline in light of things that have happened over this year. It stabilizes the debt by 2014 and cuts the deficit to 2½ percent of GDP by 2015 and 1.3 percent by 2021. We have tax reform that simplifies the code. This closes loopholes and goes after offshore tax havens and abusive tax shelters and restores fairness. We reject the House GOP plan to end Medicare as we know it. We protect education, energy, and infrastructure investments. And we have a balanced deficit and debt reduction plan, cutting spending by about \$2 trillion and providing additional revenue by about \$2 trillion.

Let me conclude as I began by saying that our revenue plan would be scored by the Congressional Budget Office as being a \$765 billion tax cut because we are replacing revenue lost by extending other tax cuts. We are extending all the middle-class tax cuts and expanding middle-class tax cuts up to those earning \$1 million a year. And we are fixing the alternative minimum tax. That costs \$1.5 trillion over 10 years. I don't consider that a tax increase at all because you are reducing revenue that would otherwise come into the Treasury under the alternative minimum tax—which I think almost all of us think is unfair—and replacing it with revenue by reducing tax expenditures. Even the most conservative economists in the country say that needs to be done.

That is the blueprint the Senate Budget Committee Democrats are laying before our colleagues. We are under no illusions. We know this is a year in which the normal process is not being followed. We understand there are leadership negotiations at the highest level, so we understand this is not going to be dealt with in the normal course of doing business. We understand there is leadership negotiation, but we believe there are some ideas in this package that deserve consideration as those negotiations go forward.

Mr. President, I thank my colleagues for their courtesy and their patience, and I look forward to this continuing debate as we take on the debt threat that looms over our Nation.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

PASSAGE OF DODD-FRANK

Mr. ISAKSON. Mr. President, I commend the Budget Committee chairman on his contribution to this debate and his contribution to our country. I enjoy listening to his remarks and appreciate many of the ideas he has offered today.

I rise to talk about an anniversary today—no, it is not my anniversary or his but the anniversary of Dodd-Frank, which passed a year ago today.

This morning at a press conference, BARNEY FRANK, then-chairman of the

House Banking Committee and the Frank portion of the Dodd-Frank legislation, gave a speech before the National Press Club. In it he made some comments that are very important, and I wanted to share my agreement and support for some of the things Chairman FRANK said.

I did not vote for Dodd-Frank when it passed 1 year ago, but I did, along with Senator HAGAN and Senator LANDRIEU, offer an amendment which was adopted by the Senate and ultimately agreed to by the House in the conference committee. It was an amendment known as QRM, qualifying residential mortgage, an amendment to carve out an exemption from risk retention for a well-underwritten mortgage loan.

The Dodd-Frank bill, as many in this room will remember, originally called for a total 5-percent risk retention on every residential mortgage made, which would have eliminated many people from making any residential mortgages at all. Ranking Member FRANK today in his comments said: Well, we had a 100-risk retention prior to 1994.

He is right. That is when savings and loans made loans, and that is when the Federal Government insured the others, and savings and loans had preferential interest rate treatment so they could make preferential payments to people to save in their institution versus the bank. But the Federal Government took away the one-quarter percent differential that savings and loans had and the banks became competitive with savings and loans for short-term and long-term deposits of savings and all the savings money flowed to the banks that offered other products. So savings and loans went out of business. When they did, there was no residential mortgage money, at least no conventional money, available in America.

So what happened? The securitized market began. Freddie and Fannie began to play a significant role in providing conventional residential mortgage money. Until the collapse, which began in 2006 and culminated in 2009 and we still are suffering from today—until that collapse, securitization was a very reasonable and safe way of raising capital for mortgages.

What happened in the mortgage collapse was not a failure of equity or skin in the game by the borrower; it was the collapse of underwriting. Mortgage lenders got into loosey-goosey underwriting—subprime credit. They made loans to people who were higher risk in order to price it at a higher rate, and they blurred qualifying requirements to where, all of a sudden, if you walked in and fogged up a mirror with your breath, you could probably get a mortgage loan and they could probably securitize it.

Dodd-Frank was designed to see to it that didn't happen again, and I com-

mend them for it. But as government often does, sometimes it goes too far when the pendulum swings back the other way.

Thus is the dilemma we are in today, as the rule being proposed by the FDIC, the Federal Reserve, Comptroller of the Currency on the QRM rule is going to require, in addition to quality underwriting, a minimum 20-percent downpayment.

For years in this country we have had 90 percent and 95 percent conventional financing or, in terms of FHA, 3.5 percent downpayment and VA none at all. There have been various varieties of downpayments that have been allowed based on the loan and its insurance. But with this rule of requiring risk retention on any loan with a downpayment of less than 20 percent, except for an FHA or VA loan, it is going to literally destroy what is left of the residential housing market because it will extract what is probably 40 to 45, maybe 50 percent, of the current market today.

Senator LANDRIEU, Senator HAGAN, and myself in QRM proposed that people have a qualifying ratio of debt to income that is sufficient to amortize the debt, a third-party verification they have a job, a credit score that indicates they are willing to pay their payments, an appraisal that indicates the house is worth what they are paying for, and a downpayment with mortgage insurance required if the downpayment was less than 20 percent.

Today, I wish to quote Ranking Member FRANK. When talking about risk retention, he said: I am troubled because there is an assault now on risk retention—BARNEY FRANK—adding that even though he believes the 20 percent requirement in the QRM rule being circulated is too high. When asked further what would be a good downpayment, he said at least 4 or 5, something above FHA.

I wish to commend the ranking member because he is precisely right. Although he in his original intent with Dodd-Frank did not want to bifurcate residential qualifying mortgages by some having risk retention and some not, he recognized the importance of doing some of that bifurcation and having some exception to risk retention. They would have realized that anyway, if you recognize they exempted Freddie Mac, Fannie Mae, and FHA from the requirements of Dodd-Frank and left them solely on the conventional market.

So I wish to thank Congressman FRANK today for his comments as they related to QRM and his identifying the downpayment requirement currently being circulated is entirely too high. It is entirely too high, and it is very important that we get the final rule, which will be published on August 1, to have a reasonable downpayment of 5 percent or more, rather than 20 percent

or more. Five percent or more will ensure there is skin in the game; and with the other qualifying and underwriting provisions in QRM, it will ensure that quality residential mortgages are being made.

I am not one to offer advice often to the President. He is the President. He can do as he wishes. But today in Politico there is an article about the President is now returning to revisit the residential housing market because he understands employment is not coming back until housing comes back; he understands the American dream is, for some people, now the American nightmare; and he understands what has been done so far has not been working.

I wish to suggest to the President that if he thinks what is happening now is a nightmare, you just wait until this QRM rule that is being circulated now actually goes into effect. Without it being changed and a continued requirement of a 20-percent downpayment, you will have a further lack of demand in the housing market, which already is almost at least anemic, if not feeble, because most Americans who want to buy a home can afford 5 percent or maybe 10 percent down, but they can't afford 20, and that is middle America. If you pull them out of what is already an anemic housing market, you would have no housing market at all.

So as this Dodd-Frank rule is being circulated in the next 2½ to 3 weeks before it is finalized, I hope we can all keep up the drumbeat for the regulators to be reasonable in their approach—understand risk retention is important but also understand home ownership is important and understand we had a collapse that was not downpayment related. We had a collapse that was underwriting related.

So if you have strong underwriting and minimal skin in the game of at least 5 percent, you have a qualified residential mortgage that does not have to have risk retention; therefore, you will have enough capital raised in the mortgage markets to fund a housing demand which hopefully is going to continue to grow.

In the absence of securitization, in the absence of an exemption of risk retention for a qualified residential mortgage, there will be no housing market in the United States of America.

FHA is already under so much stress and duress, it is awful and it is frightful. The Veterans' Administration is a privileged loan for those who have served and made the ultimate sacrifice for our country, and they deserve it. Freddie and Fannie are exempted because we have them in conservatorship. But they are not going to be a source of money for long. Something will have to replace them, a new entity, probably something with securitization. But if the QRM rule being circulated now

does, in fact, go into place as it is written, with a minimum 20-percent downpayment, it will be the last nail in the coffin of the American housing market. The unintended consequence of reaching too far to react to the terrible crisis which we had will put the death knell of the housing market squarely on the shoulders of this Congress, this administration, and these regulators who are currently carrying out those rules.

I wish to commend Ranking Member FRANK on his comments today, his recognition that the QRM rule being circulated asks too much, recognizing that a 5-percent or greater downpayment is a reasonable approach and recognizing that underwriting is the important key to see to it that we have a housing market.

I commend the gentleman from Massachusetts. I thank him for adding that comment today to the National Press Club. I hope the regulators, the FDIC, the Federal Reserve, the Comptroller of the Currency, and the Treasury heard it too. If they didn't hear it and they remain silent and continue with 20 percent, they will be doing exactly the opposite of what the President of the United States stated he wants to do; that is, bring the housing market back in America.

I yield back.

The ACTING PRESIDENT pro tempore. The Senator from Alaska is recognized.

Mr. BEGICH. Mr. President, before I talk about the budget, I wish to commend the Senator from Georgia.

As someone who has been in the real estate business for many years, such as the Senator from Georgia, he is absolutely right. If homeowners are stuck with a 20-percent minimum, the odds are it will crush the housing market. I can tell you this personally because I am helping my mother do the paperwork now for her home. If she was required to put 20 percent down, she would not be buying that home today. We hope to close on the home in the next 45 days. We are fortunate she is able to do that, but 20 percent would take her right out of the market, unable to buy the home she wants to retire in.

So I say to the Senator from Georgia, I hope more people hear it in the administration, because if they don't hear that, as we know with the housing market, it is a critical component of our ability to pull ourselves out of the recession. I thank the Senator for making those comments and noting that.

I know Senator CONRAD was down here earlier, the chair of the Budget Committee, to talk about the budget framework. I first wish to say thanks to Chairman CONRAD. Here is someone who has been on the Budget Committee for 25 years, since 1986, and has been chairman for many of those years, an unbelievable capacity and under-

standing of the budget and what needs to be done. He understands it. He clearly recognizes we have to have a balanced approach.

For months, yourself, Mr. President, and myself, sitting on the Budget Committee, along with the chairman on the Democratic side, have been working to try to figure out how do we craft a balanced approach. How do we ensure that at the end of the day, we recognize we have to have a budget that continues to help grow our economy, creates fairness in the system, and makes sure we take the responsibility of creating a more accountable and financially responsible budget, not only for this year but for the years out, and dealing with a comprehensive approach to dealing with the deficit?

This is not an easy task, to say the least. I can say, standing here, and I know, Mr. President, as a member of the Budget Committee also, none of those meetings were easy in the discussion, if I could say that—robust debates, robust controversy in some of the issues we talked about but also a lot of ideas. But what is in front of us?

No one can match the chairman's approach of how to address an issue such as this as he lays out slide after slide the impacts, from the macro to the micro, of this budget and what it will mean. But it is clear the budget proposal he has laid out, the framework, as he calls it, by the Democratic majority of the Budget Committee is \$4 trillion in cuts for deficit reduction and is achieved in a very fair and balanced way, without putting the burden on the backs of seniors, working families, and small business. This is a balanced approach. The deficit-cutting mechanisms are drawn half from savings and half from revenues. Revenues mean closing loopholes.

His photo there, which as we sit here and present to the President our positions is hard for people in the balconies to see, but it is of an amazing five-story building. It is not a very attractive building, just a small five-story building in a tax haven that grants thousands and thousands of businesses a shelter from their fair share of paying their taxes.

The idea of this revenue component of the proposal we put forth is closing loopholes, closing down tax avoidance schemes that rely on abusive tax shelters, and, yes, cutting tax subsidies, ending the practice of giving the wealthiest of the wealthy tax subsidies they simply do not need. It is about promoting fairness.

As we dealt with this budget, a \$4 trillion reduction—a number that the bipartisan commission hit as their target, one we hear out there now in the press a lot but one we felt was a reasonable approach. It is more than the House budget that was proposed. The House budget included savings only on the spending side and actually worsened the outlook on the revenue side

that we simply do not believe is good enough.

The budget is about fairness, about ensuring that we have a system that is balanced but also investing in the right areas so we have long-term and continued growth. We do not give more tax breaks to corporations and the rich and then put the burden on the backs of seniors, poor kids, working families, disabled. It is unacceptable to put the burden on our most vulnerable population. The budget is truly a moral document. It defines where we are going to go, what we are going to do, and how we are going to look in the next 10 years or 20 years as a country.

When I was mayor of Anchorage in 2003, when I got elected, I had a budget around \$215 million, with about a \$33 million hole in it—pretty significant in the sense of proportions. We had to deal with spending and reducing it. We had to create a fairness in the revenue, but we also had to invest. But we also knew the document and the work we were doing in the budget would define where our community went, not just in the year we were doing it but in the next several years down the road.

I was very pleased. When I got elected to the Senate, it was, I think, Business Week and others that rated the city that I was mayor of, Anchorage, as probably the most likely city in the country to recover from the recession the fastest. As a matter of fact, *Forbes* has listed it, not only last year but this year, I think, No. 3 this year as the city of job growth because there was a foundation laid. We had to make some tough decisions, and I remember as mayor they were no fun. I remember the role of the Presiding Officer in the community he represented. There are tough decisions we have to make, but you have to make them.

I can still remember one headline that as we were trying to figure out what do with our library system that wasn't run as well as it could be, I still remember this headline to this day: "Begich Lays Off 21 Librarians," which is not a very good headline, to say the least.

But what did we do? We reexamined it, reinvested, increased our partnerships with the private sector today, and the library system is more robust than ever before, with new branch libraries serving more kids than ever before, better facilities, new equipment, new technology. It is more robust than it has been in decades because we had to make some tough decisions for the long term.

That is where we are today, especially after the disappointing news we had this last week with regard to the job market, when the economists thought we were going to have 120,000 new jobs and we ended up with just 18,000, unemployment rising to 9.2 percent.

As I said, this plan protects critical investment that will help us build the

future of our economy here. It invests, as mentioned by the chairman of the Budget Committee, Chairman CONRAD, in education, energy—which is, of course, for my State critical—and infrastructure, core infrastructure.

I use my experience as a mayor. In my short term as mayor of Anchorage, we built more roads than all the mayors combined in the previous 20 years. We built more vertical construction—fire stations, convention center, museums, and other facilities that helped water, sewer, power, new generation of gas turbines—all that because when you build that infrastructure, the private sector will attach to it, will be attracted to it and will build off of that.

This budget that is being presented by the majority on the Budget Committee keeps our investments in education, energy, infrastructure, which in turn will ensure that we continue to move back into the realm of being more competitive on the worldwide market.

We have all heard the budget proposal lays out some ideas on tax reform—not just a little bit here and a little bit there, but fairly significant. When we talk about our corporate rate in this budget proposal by the majority in the Budget Committee, it brings it down to about 29 percent. It is not where I would like it, but it is better than where it is today. It gets us more competitive on the world market.

A group of us also have introduced legislation in advance of this budget proposal, the Wyden-Coats-Begich Bipartisan Tax Fairness and Simplification Act. The legislation provides real tax reform for our very outdated system. It plays off of exactly what the majority laid out, a budget proposal that talks about tax reform to create certainty for our business community for long-term investments, and we take it one more step. Not only do we look at the corporate component, we look at the individuals.

Can you imagine, as an individual right now we deal with six different rate structures. If we can reduce it to three, which our bill does, and you could do your tax return on one page—can you imagine the amount of time, effort, and money individuals will save? We take the budget proposal that the committee I sit on and the Presiding Officer sits on one step further. Not only do we focus on stability and certainty for the business community, which is critical for long-term investments they need to make to ensure all those trillions they have literally locked up in their cash accounts because they are not sure where we are headed as a country, we create the certainty, but we also ensure the individual has a compressed rate, a more fair system, and simplified, which we think is important.

Tax reform is an integral part of the conversation on deficit reduction. I am

pleased Senator CONRAD's proposal also provides some of the same tax reform principles I mentioned. As I mentioned, it not only deals with the rate structure but, as he detailed, very aggressively closing shelters and loopholes, and not just for one industry over another industry, which has been some of the debate, it is for fairness of all. We look at it all because we want everyone to be treated fairly.

Let me talk about a couple of more pieces in the majority's budget from the Budget Committee. Chairman CONRAD went through it in great detail but I want to emphasize this point. The AMT, the middle-class tax cuts—what does this mean? What does this mean for the average person here?

Right now, 4.3 million taxpayers are affected by the AMT, which is a small tax provision that many years ago was set in place to get the richest of the richest. But it was never indexed, never inflation adjusted, so it has grown. There are 4.3 million taxpayers we have affected today. If we do not fix this tax problem, it will increase to 31 million people who will have additional taxes to pay.

What are we doing? We are putting on the AMT patch to fix this problem so 30-plus million people will not have this additional tax burden. We think it is right. We think it is the right approach. It goes to the people who need it the most.

In addition, this framework that was laid out today, for singles earning \$500,000 and couples earning \$1 million or more, they will not receive the same tax relief as everyone below them will receive. The tax relief will be focused on families who earn \$1 million or less. Why is that important? Because not only are they families, but almost 98 percent of all small business earn \$1 million or less pretax. So we protect the backbone of my State. I can tell you as a small businessperson, the Presiding Officer knows that as someone who worked in a small business and it grew to a larger business, it is the backbone. It is what makes the difference in hiring people. Every day when people see their revenue stream start to increase, small businesses start hiring people. They need those employees.

But this proposal is not only for the individual, and then also the larger corporation bringing in that corporate rate, but it protects almost all the small businesses in this country—and, of course, being very biased—and in my State.

What does that mean? That means when you calculate it all in real dollars, and you heard the numbers, when you think about the tax reductions, the tax savings for middle-class Americans and small business, it is well over \$1 trillion between the AMT and preserving the tax relief for families earning under \$1 million. It is significant.



That is money that small businesses will reinvest into their businesses, employing other small businesses to do the work. It is families who will have more disposable income to put into the economy which means more purchases from businesses which means more hiring and this has a constant ripple effect.

When you talk to business owners, and I have—I spent a lot of time with them as a small businessperson and a Senator now, meeting with business folks on a regular basis—over and over again they tell me put the money in the hands of the consumer. Then the consumers will spend that money and improve the economy because, as they spend money, we will hire more employees and buy more product. It goes on and on.

There is a difference between what we are trying to do in the sense of the value, who receives the benefit of a comprehensive budget proposal, a budget proposal that the majority in the Budget Committee has worked on for the last 2 or 3 months, at least, and before that trying to figure out the right approach. It is a balanced approach. It focuses, as I said, on dealing with budget reductions, accountability, ensuring that where there is waste we go after it aggressively. Where people are taking advantage of the system at the cost of the everyday person, we go after that. But we don't forget that we have to invest in the core issues of education, energy, and infrastructure, so we continue to grow this economy.

We must have a balanced approach in this process. I know on the other side they will argue over and over, first let's do spending and then we will deal with other things. You have to do it all together. I am telling you this as a person who ran a city for almost six years, ran businesses for many years: you cannot do it on one piece of the equation. It is a three-pronged attack. Some of the folks I know around here after years of service have gotten a little amnesia as to how it will occur. We can blame individuals, blame certain Presidents, certain majorities, but we are where we are and we have to deal with this.

It is not going to be fun. It will be uncomfortable. It will make us have to dig deep into what is right for the long-term health of this country and what we need to do to ensure America becomes what it used to be—a stronger country economically than it is today where we are in the lead when comes to innovation and we are in the lead when it comes to developing new technologies to lead this world in its economic growth.

We cannot do it in this process of I am only going to do one thing and one thing only. That does not work. It has to be a broad, sweeping approach.

We are not going to forget in this process that we are not going to throw

people overboard who have helped build this country. When you think of our seniors, the generation that built our country to where it is, ensuring that people such as myself, the Presiding Officer, and others have an incredible opportunity, thinking about where they need to be, this budget plan keeps Social Security off the table.

We recognize there are issues and we have to deal with it in its sustainability and we recognize that, but it is not a driver. It has not contributed 1 penny to this deficit. We need to treat Social Security in a way that ensures sustainability in the long term and there are simple solutions to that that I know we can get to.

We also ensure that Medicare is taken care of, that benefits are not reduced. Also, as the chairman said so eloquently earlier, we have to ensure that our veterans are protected, those who serve now in Iraq and Afghanistan and all around the world, and served before. We owe a great deal to veterans. In some cases before I got here I know there was a lot of debate in the Veterans' Committee on which I sit. We have been working to be very sure they get the benefits they deserve. We need to make sure we fund them. When we send them to war and they become veterans after their service, we have an obligation, an obligation that should not be sliced and diced because we want to make political statements on the budget cutting process. They need to be protected.

As I said, this budget does good things. It is a fair approach. It may not be perfect in all senses. I can tell you there are things I don't like in it that are going to impact groups that are concerned about how we approach this, but we are all in this together. We need to make the approach the right way. But those who are so hardened now who say it is only going to be about spending cuts—which, let me make it very clear, I think the Budget Committee, the majority on the Budget Committee, is not afraid of dealing with the budget cuts. We have done that—\$2 trillion of budget cuts. We have to get used to it when we are here in the Senate, not Bs or Ms, they are Ts, \$2 trillion of budget cuts. We also balance it getting rid of loopholes and tax shelters in a fair and balanced way so everyone pays their fair share, but we also make sure we invest in the future.

If we are shortsighted around this place, we will pay for it next year and the year after that and the year after that. This is truly I think the right approach that goes after ensuring the middle class are not the people carrying the burden as they have been doing for the last several years—especially in the last 2 years, clearly—and that everyone participates. But we also make sure investment is done the right way.

The chairman laid out in great detail all that is in the framework. We think it is an important piece to lay down, that Democrats have been working on. We have been working every hour, every day. Even when we are back in our home States, trying to talk to constituents, we are talking about the budget. The Presiding Officer tells me stories. Every night he heads home and he meets with constituents to try to find out what the right approach is here. We bring all that information right here in this body. We did it in the majority in the Budget Committee. I know I put up a Web site request asking Alaskans what it is they want to cut. What do they want to save or have as revenues? Like good Alaskans, they were not bashful. They were very adamant about what they wanted and what they did not want and where we should cut and where we should not cut. I have taken all that in, and I have used that as part of my debate and discussion with the majority of the Budget Committee to figure out what the right approach is. I think this is the right approach. I think some might call it a big deal. In the Senate, this is the big deal. We are in the big place. This is where big deals happen. This is where it all has to happen. It is where we drive the economy in the sense of our certainty and our policies. If we cannot have a strong deficit reduction budget, we are not going to create the certainty the business community needs to invest, which will, in turn, employ more people and create a better economy for us here and obviously will have an impact around the world.

I want to say thank you for an opportunity to say a few words, again, commending the chairman, who was here earlier, for all of his work. It is a tough call. I will end on this comment, the story I told you about the librarians and the headline I had to have. That was in my first 6 months in office when I was mayor. Mr. President, 2½ years later, I won reelection with one of the largest margins in the city's history. So I would say this to anybody who is trying to figure out if they are going to win their primary, win their general election: Put that all aside. That is what I did when I was mayor. I had to make some tough calls. Did I know if I would win reelection? No. I didn't know. I knew I did the right thing because it was the city I lived in. It was the State I grew up in. It was important for us to make the right decision, which at the end of the day is usually the right political decision. That is what this body has to do. It is not fun because people face primaries. They face general elections. Some will win, some will lose. But if we are true public servants, truly it doesn't matter if we are sitting in this room or outside there; we are always public servants. We have to do what is right in this critical time for this country and in



the global perspective. If we don't do the right deficit plan, it will ripple through this country and it will ripple through this world in the wrong direction.

Thank you for the opportunity. Thank you for the chance to say a few words, but also I implore my colleagues on the other side to think about today's opportunities for the generations in the future and not about today's elections. And I mean on both sides of the aisle. It is about the moment of what people do for this country.

I yield the floor.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to speak until I finish my remarks.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, in recent days I have spoken several times on the matter of tax expenditures. I am going to address this subject again today. It is a timely topic. Everyone is talking about our out-of-control deficits and debt. There are divergent opinions on how best to deal with our Nation's increasingly perilous fiscal situation, but there is one thing everyone seems to agree on: Both the deficit and the debt are unsustainable. If we keep going down this fiscal path, the United States will face a crisis similar to that in Greece and sooner rather than later. The numbers could not be clearer. Federal spending as a share of our economy is trending at a pace 15 percent to 20 percent greater than its historical average of 20.6 percent of GDP. If we leave in place this year's level of taxation, including the marginal rate of relief between the 2001 and 2003 tax cuts, and patch the alternative minimum tax, or AMT, the Federal tax take will equal or exceed its historic share of the economy.

Liberals suggest the deficit and debt can only be resolved with a significant tax increase. This is either deliberately misleading or sadly delusional. They are either selling snake oil to the American people or they refuse to come to grips with reality. Sticking their heads in the sand is not an option. As you can see, here are Federal taxes and spending as a percentage of GDP. The red line happens to be the spending line. And as you can see, we are way up here in the Obama 2012 budget. The blue line happens to be the average between 1960 and 2009. As you can see, it is way down here. Our spending is out of control. The markets and the American people understand the nature of our crisis. Nondefense discretionary spending is at historic levels and our entitlement programs are headed for bankruptcy.

When former Speaker of the House NANCY PELOSI responded to the utter failure of President Obama and congressional Democrats to come up with a Medicare reform plan, she responded, "We have a plan. It's called Medicare."

That attitude is the recipe for bankrupting the Nation, a bankruptcy that will take our seniors down with it. The left might prefer to ignore reality, but here is the undeniable truth: Our Nation faces a spending crisis that tax increases cannot fix. I wish the media would get this. They are so enamored with the idea of a grand bargain on deficit reduction, a little spending reduction here, a little tax increase there, that they miss the fundamental point. The problem is spending, as you can easily see by this red line. It is way out of whack, and going back to the dry well of raising taxes on the rich is not going to work.

The fact that Democrats in the Senate have not put forward a budget in over 800 days is neglecting one of the core constitutional responsibilities, and it is all the evidence we need that they are afraid of the bill coming due on all of their spending. They understand their hard left base will not accept structural changes to our biggest spending programs under any circumstances. But they also understand that the American people will not stomach for a minute the tax increases that will be necessary in the absence of such reforms. This is a difficult position to be in, so rather than deal with the facts, they traffic in obfuscation. This morning I heard the ranking Democratic member on the House Budget Committee following the President's lead and suggesting that removing some tax breaks for energy companies would fix our deficit crisis. Getting rid of those tax breaks would raise \$21 billion over the next 10 years. Yet this fiscal year alone, in 2011, we will have a projected budget deficit of \$1.5 trillion to \$1.6 trillion. So where is the rest of our money going to come from?

Last week I came under fire for stating what I thought to be a relatively noncontroversial fact. Here is what I said:

In 2009, 51 percent of Americans had zero or negative income tax liability.

Here is what that means. In 2009 only 49 percent—a minority of all households in this country—49 percent of tax units shouldered 100 percent of the Nation's tax burden. And 51 percent of the tax units—a majority of all tax units in this country—either owed nothing to the IRS or, better yet, got money back from the IRS in excess of their tax liability. Mr. President, 23 million of them got refundable tax credits, much more than they pay in employment taxes, which are Social Security. By the way, as they pay into Social Security, they only pay a third of what they will ultimately draw out according to the actuaries, but they are not paying income taxes. This should be no less controversial than saying the Sun rises in the east. This is not conjecture. It is a demonstrable fact, yet apparently touched a nerve. Because last week after raising this issue on the

Senate floor, MSNBC and the liberal blogosphere, presumably armed with the talking points from the Senate Democratic war room, went ballistic, suggesting that I wanted to balance the budget by raising taxes on the poor. I am not surprised, but this completely misses my point, and the point is this: No matter what these Democrats tell you, the wealthy and middle class are already shouldering around 100 percent of the Nation's tax burden and 51 percent pay absolutely nothing in income taxes. Furthermore, because of this perverse distribution of Federal income taxes, there is no way to fix our deficit hole and pay down the debt by increasing taxes on the so-called rich.

Here is the bottom line. All of the "let's talk about taxes on the rich" and closing loopholes and going after corporate tax breaks is meant to divert attention from the sad fact that the President's out-of-control spending puts Democrats in a position of having to raise taxes big time on the middle class since they are going to balance the budget without structural reforms to our largest spending programs. Tax increases on the wealthy will not get our Nation to fiscal balance. Even if we let the Bush tax breaks expire from the top income bracket, the total amount raised over 10 years would be \$615 billion. That is over 10 years. Yet our deficit this year alone is \$1.5 trillion to \$1.6 trillion. This is why the issue of tax expenditures is critical. So everybody knows, I made it clear, I thought, in my last remarks that I don't want to tax the truly poor, those who would help themselves if they could. I do not want to tax them. But you can't tell me that 51 percent of all households are the truly poor. I don't want to tax them either, to be honest with you, but it is apparent we are going to have to find a better way of broadening the base of the tax system. Democrats talk about tax expenditures as though they were the holy grail of deficit reduction. Just close these loopholes and happy days are here again. The public is being misled in this type of debate, but don't take my word for it. Today the Associated Press had a story with the following lines:

SPIN METER: Obama, Dems skirt issue on tax hikes.

This is what the body of the article has to say:

Proposals under consideration include raising taxes on small business owners and potentially low- and middle-income families.

You won't hear about that from President Obama. Instead, the President focuses on the very rich and speaks euphemistically. Here are a few of the phrases the President has used of late of what amounts to raising taxes for some:

What we need to do is to have a balanced approach where everything is on the table.

He goes on to say:

We need to take on spending in the tax code. The tax cuts I am proposing we get rid

of are tax breaks for millionaires and billionaires, tax breaks for oil companies, hedge fund managers and corporate jet owners. You can't reduce the deficit to the levels it needs to be reduced without having some revenue in the mix.

All those are quotes by the President. They are doing their best to hide their intentions, but the writing is on the wall. Democrats are angling for historic tax increases on the middle class, and the way they want to accomplish this is by reducing or eliminating tax expenditures. Cutting back tax expenditures is a convenient way for Democrats to tax middle-class tax-paying families without having to say they are raising their tax rates. As I noted last week, this is what we were talking about when Democrats discussed tax expenditures. They are talking about your pension. They are talking about your Medicare. They are talking about your ability to purchase a home or save for retirement or give to your church or put away money for your children's education. This is exactly what we are talking about. That is where the money is. It is not in bonus depreciation for corporate jets, and it is not in tax benefits for energy companies.

When Democrats talk about tax expenditures and tax loopholes as a way to bring down the deficit and debt, they are putting a bull's-eye on the backs of middle-class American families. We heard a lot this morning about Republicans walking away from the President's grand bargain on deficit reduction. Well, I know that the people of Utah applaud Speaker BOEHNER for not signing on to this bogus deal. This morning the President's allies in the media were asking why Republicans walked away from this deal. With the President willing to put entitlement spending on the table, why aren't Republicans willing to put taxes on the table? It is worth noting that the President and his Democratic allies steadfastly refuse any structural changes to entitlement spending.

Second, for Democrats, putting taxes on the table and tax expenditures means tax increases on the middle class, and that is a nonstarter. This issue of tax expenditures is confusing and demands greater clarity. As ranking member of the Finance Committee, it is my responsibility to correct the record on what the curtailment or elimination of tax expenditures would mean for taxpayers and families.

If you listen to my friends on the other side of the aisle, you would think tax expenditures are "spending through the Tax Code." You would think they are mostly loopholes in the tax law designed by and for special interests such as ethanol blenders. Another mantra you will hear too often uncritically reviewed by many in the media is that tax expenditures disproportionately benefit wealthy taxpayers.

A few days ago I talked about what tax expenditures are and what tax expenditures are not. They are not spending. You can find the text of that speech from July 6 on the Finance Committee Web site. They are not, in the main, loopholes for special interests. The other day, I talked about the major features of family financial planning that would be upended if tax expenditures were curtailed. I referred to employee pension plans such as 401(k) accounts. I also mentioned charitable gifts and home ownership. If my friends on the other side are successful in cutting back tax expenditures, American families, workers, and investors can expect the cost of all of these activities to rise. If the cost rises, as a nation, we will be poorer because we will have less retirement savings, fewer charitable contributions and more expensive homeowners. You can find the text of that speech last Thursday on the committee Web site as well.

Today I am going to consider the oft-repeated line that tax expenditures disproportionately benefit the wealthy taxpayers.

For purposes of this discussion only, I will adopt the President's definition of rich; that is, singles with adjusted gross incomes over \$200,000 per year and married couples with incomes over \$250,000 per year. I wish to be clear that I do not lump all of these folks in with Bill Gates, Jr., LeBron James, Warren Buffett, or Gilligan's Island resident millionaire Thurston Howell, III. Here is good old Thurston who was the millionaire on Gilligan's Island. I am using the President's definition of rich because most of my friends on the other side use it. They also claim tax expenditures reside disproportionately with rich taxpayers.

The Democrats' rhetoric on expenditures does not jibe with the reality of our Tax Code. The data is clear. Tax expenditures tend to skew toward taxpayers below the President's definition of the rich. If my friends on the other side examine the data, they will find their assertion about who benefits from tax expenditures does not square with the facts. They will find their assertion that tax expenditures disproportionately benefit the wealthy falls flat on its face.

In much of the coverage of tax expenditures, it has been taken as an article of faith that they disproportionately benefit wealthy taxpayers. Similar assertions have come from the White House and congressional Democrats. The one exception is my friend, the ranking Democrat on the Ways and Means Committee, SANDER LEVIN. Congressman LEVIN has cautioned against treating tax expenditures as rich persons' tax benefits. His position is well founded. The source for this assertion, that tax expenditures are tax benefits for the rich, is a Tax Notes article dated May 3, 2011.

I ask unanimous consent to have it printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Tax Policy Center, May 5, 2011]

WHO BENEFITS FROM TAX EXPENDITURES?

(By Roberton Williams)

The federal income tax is replete with tax expenditures, provisions that grant special benefits to selected taxpayers or for selected activities. Exclusions and deductions reduce taxable income, preferential rates cut the tax on specific types of income, and tax credits are subtracted directly from tax liability.

The various kinds of tax expenditures reduce taxpayers' individual income tax liability differently throughout the income distribution (see graph). More than 90 percent of the tax savings from preferential tax rates on long-term capital gains and qualified dividends go to taxpayers in the top quintile (or fifth) of the income distribution, and nearly half the benefits go to people in the top one-tenth of 1 percent. The top quintile gets about three-fourths of the savings from itemized deductions and more than 60 percent of the benefits of exclusions of selected sources of income such as employer health insurance contributions. High-income households receive relatively larger benefits from special rates, deductions, and exclusions, because they have relatively more income from certain tax-favored sources (capital gains, dividends, tax-exempt interest) and because under our graduated income tax, exclusions and deductions are worth more to taxpayers in higher rate brackets.

In sharp contrast, most of the value of tax credits goes to households in the bottom four quintiles. Nearly 80 percent of nonrefundable credits and more than 95 percent of refundable credits benefit those households. Many credits phase out for high-income taxpayers, limiting their value, but they are a major reason why nearly half of all tax units pay no federal income tax. Nearly one-third of all refundable credits go to the poorest one-fifth of all households and often result in net payments from the government.

Overall, tax expenditures give more benefits to high-income households relative to income but are roughly proportional to tax liabilities. The top quintile collects 55 percent of all income, pays 67 percent of all taxes, and gets nearly 65 percent of the value of tax expenditures. Middle-income households earn slightly more than 40 percent of all income, pay one-third of taxes, and get one-third of tax benefits. The poorest quintile of households receives slightly less than 4 percent of both income and benefits from tax expenditures but pays only 0.5 percent of federal taxes, largely because refundable credits offset almost all their tax liabilities.

Mr. HATCH. The article is written by Roberton Williams of the Tax Policy Center or TPC. TPC is a tax policy think tank that is the product of two center-left think tanks. The article presents conclusions from a TPC distribution analysis of tax expenditures.

The analysis concludes that about two-thirds of tax expenditures benefit the top quintile of households in the study. Viewers on C-SPAN may wonder what a quintile is. It refers to one-fifth of the given population. The TPC analysis is, therefore, measuring the top one-fifth of the population.

According to that study, where does that top one-fifth of the population

begin? It begins at \$123,000 of household income. It should be noted that household income is a bit broader than the adjusted gross income which is the basis of the President's definition. According to TPC, that top quintile earns 55 percent of income and shoulders a huge amount of the Federal tax burden. They say it is 67 percent.

Now, perhaps not too surprisingly, TPC finds that tax expenditures for the top quintile approximate that top one-fifth's share of the tax burden. With the exception of the refundable credit tax expenditures, a taxpayer has to pay income tax to benefit from the tax deduction credit or exclusion.

Those asserting that tax expenditures are mainly wealthy taxpayer benefits are principally relying on TPC's distribution analysis. If confronted with the TPC data, it seems to me they have four choices. Their first choice would be to revise downward the income basis of their definition of "rich." They could say we really did not mean families at \$250,000 of income; we meant families of \$123,000 of income. That would be similar to the adjustment made for ObamaCare. Joint tax distribution tables for ObamaCare showed that for every family below \$200,000 who received an exchange credit, four families paid higher taxes. For every middle-class family who receives a premium subsidy, five pay higher taxes. That is just a fact. I guess I said five. It really would be four who would pay higher taxes.

A second choice would be to revise the proportion of tax expenditures so that the tax expenditure dollar amount reflects the benefits attributable to taxpayers defined by the President as rich. The President's rich taxpayer definition is the top 3 to 5 percent of taxpayers. It means the group of taxpayers who are roughly 25 to 33 percent of the size of the group in the TPC analysis.

Put another way, the TPC population of rich taxpayers is three to four times the size of the group the President and my friends on the other side define as rich. If a consistent definition of the rich were used, the dollar amounts of tax expenditures in play would be considerably lower. Since the goal of the group pushing the cutback of tax expenditures is to relieve spending constituencies of the pressure of curtailing spending, my guess is they will not choose to reduce the tax expenditure kitty.

Their third choice would be to simply curtail or eliminate tax expenditures for higher income taxpayers. This, of course, could largely eliminate the preferential rates for capital gains and dividends.

Let's take another look at this chart because it shows a big share of the capital gains tax expenditure goes to the top one-fifth. It looks as though about 95 percent of tax expenditures accrues

in the top one-fifth. We see that about 50 percent of it accrues to the top one-tenth of 1 percent. Do we think it would make sense in the current economic climate to double or triple the tax hit on investment?

At one point, at least, the President's answer was no. In August 2009 the President was asked by a resident of Indiana:

[e]xplain how raising taxes on anyone during a deep recession is going to help with the economy.

Here was the President's response:

Normally, you don't raise taxes in a recession, which is why we haven't and why we've instead cut taxes. . . . You don't raise taxes in a recession. We haven't raised taxes in a recession.

So what is their fourth choice? Their fourth choice would be coming clean with the American people. Under this option they would admit that tax expenditures disproportionately go to families who are not rich under the President's own definition. They would acknowledge that cutting back tax expenditures as part of a deficit-reduction exercise would hit the middle class and betray the President's promise not to raise taxes on middle-class families.

As we can see, the proponents of these tax increases are in political quicksand, and there is additional evidence that they are sinking as they struggle against the facts. I would ask my friends on the other side to take a look at the Joint Tax distribution tables on many of the major tax expenditure categories. Joint Tax publishes these tables every year. They are available on the Joint Tax Web site.

I have a chart that summarizes the percentages of tax expenditures that go to taxpayers under \$200,000. I will have to bring that with me the next time. That is the break point that Joint Tax uses—the percentage of tax expenditures that go to taxpayers under \$200,000. It closely squares with the definition of "rich" used by the President and his liberal allies.

Anybody above \$200,000 is rich under my Democratic friends' definition. Anybody under \$200,000 is not rich. You can find this data in the tax expenditures pamphlet published annually by the nonpartisan Joint Tax staff.

Now I wish to talk about the tax expenditures that Joint Tax distributes by income. I have listed them in order, from the largest in dollar volume down to the lowest in dollar volume. The first one is well known to tens of millions of our constituents. It is the mortgage interest deduction.

If a taxpayer saves up a downpayment and borrows for a home, they can take the interest paid on the mortgage as an itemized deduction. That means 30 percent of the benefit of the mortgage interest tax expenditure goes to taxpayers over \$200,000. Taxpayers with incomes below \$200,000 receive 70 per-

cent of the benefit of the mortgage interest deduction.

Now, how do we measure whether the mortgage interest deduction disproportionately benefits taxpayers over \$200,000? There is a line in bold letters that reads: "Compare Total Federal Tax Burden." That is the baseline of how much tax is shouldered by the group of taxpayers above and below \$200,000. We have a very progressive tax system. Taxpayers earning more than \$200,000 shoulder 64 percent of the tax burden. Taxpayers earning less than \$200,000 shoulder 36 percent of the tax burden.

Taxpayers earning less than \$200,000 receive 70 percent of the mortgage interest deduction while shouldering 36 percent of the tax burden. Who benefits from these tax expenditures? We are going to get into that. That means by a ratio of almost 2 to 1, taxpayers under \$200,000 benefit from the mortgage interest deduction; and since \$200,000 basically fits the definition of "rich" used by my friends on the other side of the aisle, we can see that other taxpayers who are nonrich, or the middle-income group, disproportionately benefit from the mortgage interest rate deduction.

Now, let me talk about another tax expenditure. I am referring to the earned-income credit, or EIC. It is a refundable credit. That means taxpayers receive it whether they pay income tax or not. That is why the credit is basically scored as spending by the Congressional Budget Office—the CBO—and Joint Tax.

There is a bit of irony about this tax expenditure because it is refundable. It is more popular with my friends on the other side than other tax expenditures. That is because those other tax expenditures go to taxpayers who actually pay income tax. The refundable credit is popular with my friends on the other side because it is a robust income-reducing mechanism.

President Obama, in his famous exchange with Joe the Plumber, captured the economic theory supporting this policy when he said we need to "spread the wealth around."

Here is the irony. My friends on the other side derisively describe all tax expenditures as "spending through the Tax Code." Yet the tax expenditures they most support are the refundable ones, such as the earned-income credit. It should come as little surprise that the left's favorite tax expenditure is the one that is scored as spending by congressional spending scorekeepers.

Because the earned-income credit tax expenditure is refundable, we shouldn't be surprised to find that so-called rich taxpayers do not benefit from it. The chart confirms this point.

The third tax expenditure is right here: the current \$1,000-per-child tax credit. It is, by definition, limited to lower and middle-income taxpayers.

We should not be surprised to find that none of it goes to higher income taxpayers, and the chart confirms this point: zero to taxpayers over \$200,000; 100 percent to taxpayers under \$200,000.

Let's take a look at State and local taxes. It is the fourth one on here. The chart shows that 50 percent of this broad-based deduction goes to middle-income families.

No. 5 on this list is a tax benefit near and dear to many of my fellow Utah families. It is the itemized deduction for charitable contributions or donations. Of all the tax expenditures listed on this chart—this big chart right here—this one, charitable itemized deductions—distributes in the highest proportion to taxpayers above \$200,000 in income. The chart says 55 percent, right here; 45 percent for those under \$200,000. Keep in mind, overall, taxpayers with income over \$200,000 bear 64 percent of the tax burden.

Now, this means proportionately, the charitable deduction benefits taxpayers under the \$200,000 level more than taxpayers above the \$200,000 level.

Now let's take a look at No. 6 on this chart. It is the tax-free portion of Social Security benefits, right there. Anyone advocating a cutback on tax expenditures is advocating a cutback on the aftertax Social Security benefits for a big chunk of the senior population. Guess what. We are not talking about wealthy seniors. According to this chart, 2 percent of that favorable tax treatment of Social Security goes to seniors with incomes over \$200,000. My guess is that few of the seniors benefitting from this policy own yachts or regularly fly corporate jets.

No. 7 is the itemized deduction for real property taxes. Right now, their constituents take the edge off that heavy local tax hit with the itemized deduction. If many of my friends on the other side have their way and hack away or eliminate tax expenditures without also cutting their constituents' Federal tax rate, guess what happens. In the case of local property taxes, the net effect will be to raise the property tax rate by as much as 35 percent.

Some of my friends may suggest that only those with villas are taking the property tax deduction. This chart says otherwise. It says 80 percent of the real property tax benefits go to taxpayers under \$200,000.

How about No. 9 on the list? No. 9 on the list is the itemized deduction for medical expenses. ObamaCare cut back on that one. But if my friends on the other side reduce or eliminate side tax expenditures to avoid dealing with out-of-control government spending, this deduction will be cut back even more. The chart shows on these medical itemized deductions that 89 percent of this tax benefit goes to taxpayers earning less than \$200,000.

No. 10 is the dependent childcare credit. This is a modest tax credit that

working moms and dads can tap. Like the child tax credit, it mainly is used by middle-income families. The chart confirms it. It indicates that 96 percent of the benefits of this credit go to families earning less than \$200,000.

The final item on the list is the student loan interest deduction, as shown right here on this chart. This tax benefit is income limited. Not surprisingly, all of the benefit goes to taxpayers earnings learning less than \$200,000—100 percent of the benefit. I do not think a lot of the recent college graduates using this deduction are in the market for a yacht. But if you listen to my friends on the other side, you would think because this benefit is labeled a tax expenditure, those who benefit from it have a schooner docked in the local harbor.

I am not saying that only middle-income families benefit from tax expenditures. Wealthy taxpayers benefit from the lower capital gains and dividends rates.

Let me refer to this chart of the 10 largest tax expenditures for the period 2010 to 2014. But the lion's share of tax expenditures goes to that part of the middle class that is already shouldering much of the Nation's tax burden. Most of the tax expenditures are either income limited or of limited value to wealthy taxpayers. Likewise, low-income families do not pay income taxes. They receive tax expenditures that are designed for the nontaxpaying population.

So who is left? The answer is the taxpayers who are not rich by the President's own definition. The answer is middle-class families.

On our side, the reaction to all these choices would be simple. Many on our side, including Ways and Means Committee Chairman CAMP, have put it this way. Keep your hands off tax increases, including cutbacks in tax expenditures, for deficit reduction. Reserve those tax expenditures for tax reform. In that way, taxpayers receive a benefit—lower rates in exchange for a broader base. That broader base would include reform of tax expenditures, if Chairman CAMP and I have our way. Any other approach is just another tax increase. And they on the other side will spend every dime of it.

The President this morning gave another press conference. He asked what the holdup was in arriving at a deficit reduction compromise. The answer seems pretty obvious. Contrary to the President's vague assertions, the left-wing base he is depending on for his reelection refuses any meaningful structural reforms to the spending programs that are currently bankrupting our country. That means the only serious deficit reduction option available to Democrats is massive tax increases on the middle class. Democrats will not acknowledge the inevitable tax increases their agenda assumes, and Re-

publicans will not give the President any cover in his drive to "spread the wealth around." That is what is holding up this process.

So let me offer a suggestion. Instead of berating Republicans for not signing on to historic and economy-crushing tax increases, when unemployment is at 9.2 percent, maybe the President should take his own party to the woodshed. Maybe he should ask the liberals in his party who refuse any meaningful structural reforms to entitlements to get serious. Maybe he could go on television and explain to the American people that we have over \$60 trillion in liabilities and that tax increases are not going to bring that into balance.

Instead, the President and his party sit around and spread the myth that simply getting rid of tax expenditures and loopholes—and they certainly are not loopholes, the ones I have been talking about—will fix our deficits and debt. We have two reasons to worry about that wrongheaded approach. One, to the extent deficit reduction energies are diverted to cutting back tax expenditures, pressure is taken off the root cause of the deficit and debt problem. That is, pressure that should be brought to bear on out-of-control spending programs is released. Two, the productive sectors of the economy—workers, small business owners, and investors—are burdened with yet more Federal taxes.

For many reasons, cutbacks in tax expenditures are a deficit reduction dog that will not hunt.

If you look at all individual tax expenditures, you can see these are the 10 highest tax expenditures by percentage.

Let me go back to the preceding chart. If you look at all these tax expenditures, for the mortgage interest itemized deduction, 70 percent are people earning under \$200,000; for the earned income tax credit, 100 percent; for the child tax credit, 100 percent; for the State and local taxes, other than real property, 50 percent; for charitable itemized deductions, 45 percent—yes, the rich had 55 percent by their definition—for Social Security benefits, 98 percent; for the real property tax itemized deduction, 80 percent; for the education credit, 100 percent; for medical itemized deductions, 89 percent; for the dependent childcare credit, 96 percent; for student loan interest, 100 percent.

Look, my point is, we have to come up with a better Tax Code. I am dedicated to changing this awful Tax Code we have that is too complicated, too large, too expensive, does not do the job, and is a bunch of muttering around and puttering around by Members of Congress, and simplifying that Code so everybody knows which end is up.

On tax expenditures, I am going to be happy to look at tax expenditures, but they should be reserved until we do

real tax reform. If you have to give up some of these expenditures, then there better be appropriate reductions to account for that, and we have to do it by flattening out that tax system that we all know is completely out of control and completely difficult to comply with. As a matter of fact, I do not know of anybody on the Senate Finance Committee who fills out their own tax forms. I do not think most of us could do it because if you had 10 different tax preparers on a semicomplicated tax return, you would probably have 10 different approaches to it. That shows the pathetic system that is wrecking our country.

To make it clear, when the President took over, the bottom 40 percent of all households did not pay income taxes. Yes, they paid payroll taxes, but 23 million of them got refundable tax credits, much more than they paid in payroll taxes. Keep in mind, I do not believe we should tax the truly poor. But now that is up to 51 percent in a little over 2 years under this administration of people who do not pay any income taxes. Are they all truly poor? I do not know. All I know is, it does not sound right that the majority of people, the majority of tax units in this country, do not pay income taxes, and the minority has to carry the whole burden.

If they are truly poor, I understand and I would be the last one to tax them, and I think I have a 35-year record here of being fair to the poor and fair to families and, above all, fair to children. My name is on an awful lot of important bills around here, and I have led the fight on a lot of bills that help people in distress. So you can imagine how aggrieved I felt when one of our great television stations was distorting one sentence—it seemed to me one sentence—out of a 30-minute set of remarks on the floor that made it very clear that I do not want to tax the truly poor. But surely we have to have everybody participate. I actually think everybody ought to participate, even if it is only \$1. We ought to all have some skin in the game. We ought to all help save this country, and we cannot do it without the middle class. And the middle class is not just the top 49 percent of all wage earners.

This is an important issue, and it is one we have to resolve, and we have to resolve it fairly, we have to resolve it in a way that is meaningful and in a way that will help save our country too. I think I have more than made the case that you cannot pile it all on the so-called 3 to 5 percent, the so-called rich, which includes 800,000 small businesses, where 70 percent of all jobs are created. And everybody knows that is true. Every time you tax them and take moneys away from them like that, when they are paying pretty hefty taxes as it is, they hire less, they do less, they quit their businesses,

some move offshore, some move their businesses to other countries, and some just plain give up.

We cannot let that happen. We have to have a fair tax situation. We have to have Democrats and Republicans work on it together. We have to quit playing this card that basically pits one group of people against another.

All I can say is this. I am concerned. I am pointing out difficulties in our Tax Code. I am pointing out difficulties in some of the arguments the President is making. And I have to say that anybody who reads my remarks fairly will know these points I am making are real points. These charts are important. As you can see, taxpayers earning under \$200,000 will be bereft without these benefits unless we can revamp the whole Tax Code in a way that you do not have to have tax expenditures. Tax expenditures are certainly not spending—at least these ones we are talking about right here and now.

So if you compare the total Federal tax burden, those earning over \$200,000 pay 64 percent; those earning under \$200,000 pay 36 percent. All of that is important for us to understand.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise today to talk about some missed opportunities. Last week, I talked a little bit about how I thought the President had missed the opportunity with his deficit commission, he had missed the opportunity with his State of the Union speech, and he had missed the opportunity with his budget.

Well, almost 2 weeks ago, President Obama scolded Congress for not making enough progress on debt ceiling and budget negotiations. He said we needed to stay in Washington last week and get things done. I took him at his word. I thought the administration and the majority were serious about staying in Washington to push forward and get some results. We were all in Washington last week, but we did not get anything done. The debt and the deficit and the lack of a budget are not the only issues facing America. When are we going to have real issues processed through committees that provide real solutions?

Despite reports suggesting that Democrats have reached an agreement on a budget deal among themselves, the majority did not present us with that budget. Despite the President's comments that Congress needed to be in session to reach an agreement, he refused to meet with our caucus. We have gone more than 800 days without passing any sort of budget in the Senate. When we stayed in Washington last week to work on a budget deal, Democrats refused to bring up that budget for a vote.

Last week, we had an opportunity to make headway on the debt ceiling

issue. I spoke on the floor last Wednesday and implored my colleagues on both sides of the aisle to join me in rolling up our sleeves and figuring out a way to solve the fiscal mess this country is in. I laid down the facts and figures—frightening numbers that should have galvanized us all into action. Instead, we are still pushing for a comprehensive solution to the problem or none at all. This isn't "deal or no deal" time.

Now, here we are, and what was supposed to have been an important work-week has come and gone. What do we have to show for it? We had one vote canceled on the Libya resolution, a substitute vote on whether the Sergeant at Arms should compel attendance, which was a nonbudget-related matter, and we had one legislative vote on Senator RED's resolution about tax increases. This resolution is a sense of the Senate, which is not something that could become law. At this juncture more than ever, we don't need publicity pieces.

What we could have done was moved forward with the balanced budget amendment that all 47 Republicans have cosponsored or we could have voted on my legislation to reduce spending by 1 percent each year until we achieve a balanced budget or we could have voted on legislation other Republicans have offered that would cap spending or we could have voted on legislation offered by Republicans to ensure we pay our creditors in the event we cannot reach an agreement on the debt ceiling. Unfortunately, we didn't do any of that. Instead, we spent a week holding one legislative vote on a sense of the Senate about raising taxes that even if passed would not have the force of law.

Republicans have proposed a variety of ideas that will help us get out of this fiscal mess we are in. Some are baby steps; some are giant steps. Every bill doesn't have to be comprehensive.

Members of the majority have said Republicans were using every tactic to delay. What was last week? A vote on a sense of the Senate? The House passed a budget in April. The Senate Republicans proposed two additional budget measures. The only plan presented by the majority—President Obama's budget for fiscal year 2012—was unanimously opposed, 0 to 97. Not even a single Democrat voted for the President's budget. It sounds like a different course is needed.

I thought we were here to take care of business. Is one legislative vote on an opinion piece considered taking care of business? Not in my mind. I am willing to bet the American people don't think so either. This is exactly the kind of behavior that is frustrating the people in Wyoming and all across the country. They have asked us to come do a job. They have put their faith in us to take care of business and put this

country back on solid fiscal footing. The American people want us to thoughtfully and seriously work to address the debt ceiling and reduce spending. Taking one legislative vote in a week doesn't pass the smell test for getting the job done. The work product we gave the American people last week is appalling.

We are staring the most predictable crisis in American history in the face, and, with only one legislative vote last week, we essentially said it is not dire enough for us to get something done; it is not important enough to stop playing political games and stop running the clock. I am hopeful that this week will be different. I am hopeful that we will actually make progress on budget negotiations.

I am encouraged that the President has finally taken it upon himself to engage leaders on the matter. His direct engagement should have been happening for months, and his refusal to get directly involved has put us in the situation we are in today, with 3 weeks until the Treasury Department is left without options for the debt ceiling. We have lost time. We have lost opportunities. We have lost the focus started by the deficit commission. Every day that passes that we don't get anything done is one more option lost and more money spent on borrowed time and borrowed money.

Businesses all across the country can't afford to waste a day, much less a week, without productivity, and if they did, I guarantee they would pay a heavy price. If that unproductive behavior continued, they would have to close their doors. People going to work every day cannot afford to sit around and not do their jobs. If Americans and businesses in this country have to work hard and stay productive to provide for their families and keep their businesses running, so should we. The standards should not be any different in the Senate.

As for a solution that relies on increased taxes, when Congress fails by spending too much, the easy answer is always to raise taxes. There are many Republican proposals for raising revenue without raising taxes. But we cannot get in a situation where, when we fail, we charge the people more. It usually results in less revenue anyway.

The motion we are voting on tonight is a sham. When it passes, we have permission to add amendments to the sense-of-the-Senate resolution—maybe. In other words, we can amend the opinion of the Senate that cannot become law. How long will we amend and debate an opinion?

I am disappointed we didn't get anything done last week. I hope we all learned a lesson from the week we just lost. The issues facing the country today are too important and too dire for us to waste time the way we did. I know right now committees are not

having real markups, so there is nothing in the drawer to vote on. Even the few times a bill has been brought up, the majority didn't want to vote on amendments and shut the process down. That isn't getting us anywhere. We need to change course. The time for action is now, and I hope we can use last week's failure to get things done as an incentive to roll up our sleeves and get to work.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, I ask unanimous consent to speak for up to 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona is recognized.

(The remarks of Mr. KYL pertaining to the introduction of S. 1344 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KYL. Mr. President, I ask unanimous consent that the time during the quorum call be equally divided, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, last week, the House Speaker—Speaker BOEHNER—and President Obama and his administration were both calling for comprehensive tax reform as part of a large budget deal. Obviously, today, that seems to have lost some momentum, and I wanted to start this afternoon by saying tax reform is too important to abandon after 48 hours' worth of discussion.

To his credit, Chairman CONRAD recognizes that, and certainly that is what I heard this weekend when, similar to the distinguished Presiding Officer, I was home and had the chance to travel across eastern Oregon, stopping in small towns. I think there is a keen awareness that it is not possible to cut our way out of this economic challenge; that we also have to grow. We have to grow. We have to make growth-oriented changes in tax law.

That is what the Conrad budget clearly offers a wide berth to do. In fact, I am of the view that progrowth tax reform, for example, is one of the

few ways to generate revenue that both Democrats and Republicans will support. When you put people to work—and we have millions and millions of our fellow citizens out of work today—those are folks who can, in the private sector, start paying taxes again. That is what happened after the last major tax reform bill in 1986. In those 2 years—the 2 years after major tax reform—6.3 million new jobs were created in the private sector. We have an opportunity to do that again, and the Conrad budget offers a wide berth in which to do it.

So you generate revenue—revenue that both Democrats and Republicans can support—and create jobs in the private sector the way Democrats and Republicans have said they want to do. Certainly, it is pretty clear, as of today, there isn't anything as promising in the economic toolshed for long-term growth as tax reform. The fact is, a lot of other alternatives have been tried. Certainly, the Federal Reserve has done its share. We have the Recovery Act. There have been a variety of steps that have been taken.

My colleague from Oregon, in my view, has done yeomen's work on the effort to make sure homeowners—which is an enormous economic problem—have additional time to work through the very challenging situations millions are facing in the housing market. So we have thrown a lot of economic tools at this huge challenge, but we obviously have a lot more to do. I don't see any more promising path—no more promising path—than tax reform for the long-term economic growth this country needs. The Conrad budget offers a wide berth in order to tap that opportunity.

The fact is, we understand what needs to be done in terms of tax reform. The fundamental language—the principles of that kind of reform—are laid out in the Conrad budget. We ought to go in there, clean out a score of these special interest tax loopholes, use that money to hold down rates for everybody, and keep progressivity. Those are the three key principles.

A number of my colleagues have spoken. I know my friend from Arizona, with whom I serve on the Finance Committee, Senator KYL, in a very fine op-ed piece he wrote in the Wall Street Journal not too long ago, talked about tax reform built around exactly those principles—cleaning out the loopholes, holding down the rates, and, to his credit, Senator KYL specifically talked about the need to ensure progressivity in the Tax Code.

Senator COATS and I have introduced legislation that picks up on those key principles of the 1986 tax reform legislation. In fact, we modernize the code in line with that kind of thinking—certainly important to do because there have been thousands and thousands of tax changes made since 1986. So it is



certainly time to go in there and trim out all those unnecessary special interest tax breaks, and we can do it in a way that will create jobs.

For example, right now, in the Federal Tax Code, there are actually incentives to export jobs out of the United States. Say that to yourself—export jobs out of the United States. What we want to do is export goods out of the United States. In rural Oregon this weekend, the farmers were telling me about how they want to get their agricultural products into Asia and other markets around the world. So we can grow things here, make things here, add value to them here and ship them somewhere. That is what we would like to be exporting. Instead, under the tax law, there is actually an incentive to export jobs.

When you set up shop overseas and you are doing business overseas, you get to defer your American taxes. So what Senator COATS and I seek to do—and this is something I think is even more important today than it was a quarter century ago because of the global economic challenge—is to take that incentive that now goes for exporting jobs out of the United States and we would use those very same dollars to dramatically slash rates for companies that offer what I call red, white, and blue jobs—jobs in this country. The Conrad budget offers a very substantial berth for taking that kind of approach in tax reform, where he specifically calls for lowering tax rates for American businesses. I particularly wish to see that done because of the message I heard this last weekend, where folks specifically, without my even mentioning tax reform, talked about the need to keep jobs here at home.

We are going to, over the next few days, see, of course, the negotiations with the President and the Congressional leadership go forward. Chairman CONRAD and other members of the Budget Committee will be out discussing these issues as well. But I just hope, No. 1, the cause of tax reform is seen as far too important to give up on after only a 48-hour flurry of interest and everybody then saying: Well, I guess we will have to do it another time. The time to make sure it is done is now.

Senator COATS and I said earlier this month that what we ought to do—recognizing that you can't write a complete tax reform bill between now and August 2—is to get a commitment, lock in a strategy, to do comprehensive tax reform in the fall and early next year. That alone would send, in my view, a positive and bipartisan message to the financial markets of this country that there are going to be some changes. So what we need is a roadmap for economic growth.

There are other features of the Conrad budget I think make a lot of sense.

I am particularly pleased about the opportunities for investment in infrastructure—roads and bridges. Certainly, that would provide an opportunity for something that has worked in the past—the Build America Bonds program, which has been so successful in our State. I think Senator KERRY's ideas for an infrastructure bank are excellent ones. I support those as well. The best thing about that approach is we know we have to find a way in our consumer-driven society to start stimulating demand—demand for goods and services.

There are few economic multipliers in our country for the short term, such as transportation. So the Conrad budget that puts a premium on those kinds of approaches in the short term makes a lot of sense for me as we look to the longer term, which I would define as the opportunity to set this country on a progrowth economic strategy, with tax reform in the forefront in a way that helps our economy to be both fairer and more efficient. We will also see a lot of other benefits.

It was brought up to me over the weekend at home, in eastern Oregon, matters we have talked about before, such as the alternative minimum tax. Talk about something that just defies common sense: the idea that the alternative minimum tax would force middle-class people, people making \$60,000, \$70,000, \$80,000 a year, to fill out their taxes twice using two separate systems just defies any semblance of sanity.

So referring, again, to what happened this weekend, are we really going to tell American taxpayers getting clobbered by the alternative minimum tax that after 2 days' worth of discussion about tax reform we are just going to walk away and pursue some other topic? That doesn't make any sense to me. Certainly, Chairman CONRAD's budget, which does, as I have indicated, provide a broad berth for tax reform, makes it clear that he shares our view.

So, finally, if we have in front of us, as we will with progrowth tax reform, the opportunity to create jobs in the private sector, generate revenue in a way that Democrats and Republicans can agree on, make ourselves more competitive in tough global markets, and do it in a way that brings the political parties together, I think it is clear that has the fundamentals of what can take this country's economy in a better and healthier direction.

I want it understood that in spite of what happened this weekend, in spite of the sense that maybe tax reform is going to be put off yet again, I am not going to give up for a minute. We are going to have another hearing that is going to be very important this week—Chairman BAUCUS, Chairman CAMP, the Finance Committee, the Ways and Means Committee getting together to talk about tax reform. So we know what needs to be done. Now it is a

question of having the political will to go forward.

I simply want to say to the President, and I think I can say to the Senate today—Senator COATS and I—despite the idea that this is too hard to do, that it can't be done now, let's put it off for another time, we are going to come back to this floor and say again and again: It has been done. We need to do it now when there are so few other tools in the economic toolshed. It would be wrong to walk away after this brief flurry of interest in something that is so fundamental to the economic well-being of millions of our people.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PORTMAN. Mr. President, I rise to discuss an amendment to the underlying bill. This amendment is designed to give American employers some relief from the regulatory burdens that continue to hold back our economy and hinder job creation. This amendment is actually identical to the bill I introduced in April, S. 817, which has been endorsed by both the Chamber of Commerce and the National Federation of Independent Businesses. It is the same amendment I also introduced on the small business bill, the Economic Development Administration bills, and also part of the larger regulatory relief bill I introduced in June, which currently has 22 cosponsors.

Last week, as we know, we heard more troubling economic news. This time it was the June jobs report, which unfortunately showed the unemployment rate had actually risen to 9.2 percent and hiring slowed to just 18,000 new jobs.

These are, of course, very disappointing numbers, but much more important are the families who are affected by it, families in my home State of Ohio and across the Nation who are struggling to find a job and to get the paycheck they need to make ends meet. The real discussion in Washington, this month in particular, has been focused on the fiscal reforms we need to get our fiscal house in order, to get the economy back on track. But there are other things we can do as well and one, of course, is to reduce the regulatory burden, particularly on small businesses. I hear from them all the time. I am sure my colleagues do as well.

This burden is increasing. One recent study commissioned by the Small Business Administration put that burden at \$1.75 trillion annually. By the way, that is more than the IRS collects in



income taxes. I have been encouraged by what the current administration has been saying about improving our regulatory system, but I continue to be deeply concerned about the new regulatory costs this administration is imposing on the private sector as we meet here today.

We have seen a sharp uptick over the past 2 years in what are called major or economically significant rules. These are regulations that have an economic effect of \$100 million or more. According to OMB and GAO data, the current administration has been regulating at an average pace of 84 of these major rules per year—which, by the way, is a 50-percent increase over the average regulatory output during the Clinton administration, which had 56 major rules per year. These figures include both the executive branch agencies and the so-called independent agencies. Today, I was pleased to see that President Obama issued a new executive order that specifically addressed independent agencies. These are the regulatory bodies that are not within the executive agencies but are considered independent. They would include the Commodity Futures Trading Commission, the Securities and Exchange Commission, and the newly created Financial Protection Bureau, which has been subject to a lot of debate on the floor. These are all independent agencies which are designed by law to be insulated from Presidential control. This new order the President issued today and the accompanying Presidential memorandum endorsed two goals. First, it asks independent agencies to participate in ongoing regulatory look-backs. That means looking back retrospectively at rules that are already on the books to see if they make sense. Every administration since President Ronald Reagan has done this, undertaken some kind of look-back, and it is important this work continue. Second, and more importantly in my view, it calls on independent agencies to evaluate the costs and the benefits of new regulations, as executive agencies are already required to do under executive orders, including an executive order by President Clinton and an executive order by President Obama in January. I am encouraged by the words of this new executive order and Presidential memorandum on independent agencies. It endorses a very commonsense principle; that independent agencies, no less than executive agencies, should evaluate the costs of new regulations before imposing a new burden on the economy. It is common sense. It is also consistent with these amendments I have been offering on legislation this year and the independent agency part of the regulatory relief bill that was introduced in June.

The problem is the President's order today is entirely nonbinding because independent agencies don't answer to

the President, so it has no force of law. The amendment I will offer would effectively write the President's new request into law. The President has now agreed with this principle. We need to expand this cost-benefit analysis to independent agencies, but we need legislation to do it because these independent agencies are not answerable to the President.

Specifically, this amendment would extend the Unfunded Mandates Reform Act of 1995, which was a bipartisan piece of legislation, where I was the Republican cosponsor in the House. It expands the two independent agencies. Major rules issued by what is sometimes called the headless fourth branch of government are today exempt not only from the Unfunded Mandate Reform Act but also from the cost-benefit review overseen by the Office of Information and Regulatory Affairs, OIARA, at the Office of Management and Budget.

This amendment would change that, effectively making the President's order he issued today binding on these independent agencies. They would be required, under the Unfunded Mandates Reform Act, to evaluate regulatory costs, benefits, and less costly alternatives before issuing any rule that would impose a cost of \$100 million or more on the private sector or on State, local, and tribal governments. Based on the GAO data, it appears there are nearly 200 independent agency regulations that have been issued between 1996 and 2011 that would be considered major; in other words, have over a \$100 million impact on the economy. They were excluded from review under this cost-benefit analysis we have been talking about. In 2009 and 2010 alone, the last couple years, independent agencies issued 56 economically significant regulations, representing billions of dollars in regulatory costs exempt from the standard cost-benefit analysis rules. But this affects our economy in a big way. It affects jobs and our ability to get this economy back on track.

Closing this independent agency loophole is a reform those of us on both sides of the aisle should join the President in supporting. This is the right vehicle to be able to achieve that. No major regulation, whatever its source, should be imposed on American employers or on State or local governments without a serious consideration of what the costs are, what the benefits are, and whether there is available a less burdensome alternative to achieve the same objective. This amendment moves us closer toward that goal. It is a commonsense amendment, again, taking the President's executive order and memorandum of today and actually putting it into force through the force of law.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I ask unanimous consent to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. WHITEHOUSE pertaining to the submission of S. Res. 230 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

Mr. WHITEHOUSE. Mr. President, on the pending motion, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Mr. MANCHIN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 69, nays 27, as follows:

[Rollcall Vote No. 107 Leg.]

YEAS—69

Akaka	Gillibrand	Menendez
Alexander	Graham	Merkley
Baucus	Hagan	Mikulski
Begich	Harkin	Murray
Bennet	Hoeben	Nelson (FL)
Bingaman	Hutchison	Pryor
Blumenthal	Inouye	Reed
Boxer	Johanns	Reid
Brown (MA)	Johnson (SD)	Rockefeller
Burr	Kerry	Sanders
Cantwell	Kirk	Schumer
Cardin	Klobuchar	Sessions
Carper	Kohl	Shaheen
Casey	Kyl	Snowe
Coats	Landrieu	Stabenow
Collins	Lautenberg	Tester
Conrad	Leahy	Thune
Coons	Levin	Udall (CO)
Corker	Lieberman	Udall (NM)
Cornyn	Manchin	Warner
Durbin	McCain	Webb
Feinstein	McCaskey	Whitehouse
Franken	McConnell	Wyden

NAYS—27

Ayotte	Enzi	Moran
Barrasso	Grassley	Nelson (NE)
Blunt	Hatch	Paul
Boozman	Heller	Portman
Chambliss	Inhofe	Risch
Coburn	Isakson	Roberts
Cochran	Johnson (WI)	Shelby
Crapo	Lee	Toomey
DeMint	Lugar	Wicker

NOT VOTING—4

Brown (OH)	Rubio
Murkowski	Vitter

The motion was agreed to.

Mr. REID. Mr. President, the Senate has just adopted a motion to proceed to

a bill, S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit we have been so concerned about.

It is my understanding the minority has amendments they wish to have considered. I am happy to work with the Republican leader to figure out a way for this to happen. In the meantime, however, we need to push forward. We all need to do that. I am going to fill the tree and file cloture on this bill. I am happy to continue to talk with the Republican leader and anybody else who is interested in having specific amendments to this legislation we are now on.

I will not allow this legislation to be bogged down by an endless list of unrelated amendments. It is too important for the Senate to reaffirm its commitment to ensuring all Americans—including millionaires and billionaires and profitable corporations—contribute to the collective effort to reduce this deficit. This is a common-sense statement that we believe in simple fairness. Middle-class families and seniors have already been asked to sacrifice too much.

Democrats have gone on record saying that the wealthiest of the wealthy should be asked to contribute to this effort and make similar sacrifices. We hope our Republican colleagues will finally join us in this effort.

Over the past several weeks, I have had good conversations with the Republican leader and the chairman and ranking member of the Appropriations Committee about trying to work through appropriations bills under the regular order.

As a result of these conversations, in an effort to move forward, I am going to file cloture on a motion to proceed to the Military Construction—VA Appropriations bill tonight. I hope we can show the country that the Senate can work through an important appropriations bill without getting bogged down.

Remember, there are different rules on these matters. You can't deal with legislative matters on appropriations bills. I hope we can have some amendments on our sense-of-the-Senate resolution dealing with having the wealthiest of the wealthy contribute to the problems we have with the deficit in this country, and following that I hope we can move to Military Construction—VA. Our servicemen and veterans who have served our country so well need this.

AMENDMENT NO. 529

Mr. REID. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 529.

At the end, add the following new section: **SEC. 2. EFFECTIVE DATE.**

The provisions of this Act shall become effective 3 days after enactment.

Mr. REID. Mr. President, on this amendment I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 530 TO AMENDMENT NO. 529

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 530 to amendment No. 529.

In the amendment, strike "3", insert "2".

MOTION TO COMMIT WITH AMENDMENT NO. 531

Mr. REID. Mr. President, I have a motion to commit the bill with instructions, which is also at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill (S. 1323) to the Committee on Finance, with instructions to report back forthwith with an amendment numbered 531.

The amendment is as follows:

On page 2, line 10, after "deficit" strike all that follows and insert the following:

"(1) should require that those earning \$1,000,000 or more per year make a more meaningful contribution to the deficit reduction effort; and

(2) should not end Medicare as we know it."

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 532

Mr. REID. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 532 to the instructions of the motion to commit.

After "Medicare", strike all that follows and insert "and Medicaid as we know it."

Mr. REID. I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 533 TO AMENDMENT NO. 532

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 533 to amendment No. 532.

Strike "we" and insert "all Americans"

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the cloture motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

Harry Reid, Richard J. Durbin, Patty Murray, Daniel K. Inouye, Christopher A. Coons, Sheldon Whitehouse, Barbara Boxer, Robert P. Casey, Jr., Bernard Sanders, Frank R. Lautenberg, Sherrod Brown, Jack Reed, Dianne Feinstein, Jeff Merkley, Benjamin L. Cardin, Carl Levin, Charles E. Schumer.

MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION, THE DEPARTMENT OF VETERANS AFFAIRS, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 91, H.R. 2055.

The PRESIDING OFFICER. The clerk will report the motion to proceed.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 91, H.R. 2055, an act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the cloture motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 91, H.R. 2055, an act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

Harry Reid, Richard J. Durbin, Patty Murray, Daniel K. Inouye, Christopher A. Coons, Sheldon Whitehouse, Barbara Boxer, Robert P. Casey, Jr., Tim Johnson, Frank R. Lautenberg, Sherrod Brown, Jack Reed, Dianne Feinstein, Jeff Merkley, Benjamin L. Cardin, Mark L. Pryor, Carl Levin, Charles E. Schumer.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory

quorum required under rule XXII be waived with respect to both cloture motions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I now withdraw my motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REMEMBERING DAVID GETCHES

Mr. UDALL of Colorado. Mr. President, I rise today to honor one of Colorado's great educators and community leaders, David Getches, who passed away on Tuesday, July 5, 2011, at the too-young age of 68.

This is more than a poignant moment for me. I had planned to come to the floor to discuss David Getches' career and character because he was stepping down after 8 very productive years as the dean of the University of Colorado Law School.

We all have had this terrible experience in our lives when somebody whom we love and respect suddenly finds they have a cancer that is aggressive—beyond aggressive. Literally a month ago, David was diagnosed with pancreatic cancer. In the 4 weeks since that time, that cancer stole him from us. But he was always upbeat. He was always someone who we looked to for enthusiasm and inspiration. I will be inspired in my remarks today by what he did. I will attempt not to dwell on his loss.

As I said, Dean Getches served as dean of the Colorado Law School for the last 8 years. With him at the helm, CU Law became one of the most forward-looking institutions of legal training in the country. I want to share a few examples of his vision and leadership. I could not cover all of them if I had a full hour. I want to share some of them with the Senate and with his friends and admirers in Colorado.

He steered this school through the construction of the new LEED Certified Wolf Law Building, which put CU and its law school at the cutting edge

of environmental sustainability and energy efficiency—two ideas that were connected to the values that Getches was committed to fostering throughout his career. Getches previously served as executive director of the Colorado Department of Natural Resources and as an adviser to the Interior Secretary in the Clinton administration. He had an extensive background in water, environmental, and public lands law. Through his work, Getches impressed upon all Coloradans the importance of good stewardship of our State's precious natural resources.

Mr. President, I am not a lawyer, but I do know Dean Getches' efforts to teach and share the legal framework that protects our resources could not have been more critical to preserving our Western way of life.

David Getches left a lasting impression on the demographic composition of CU Law School. He was committed to a student body composed of people from many different backgrounds and cultures, and that commitment made an indelible impact on the school and on Colorado's legal community. In 2008, the Hispanic Bar Association awarded him their Community Service Award for increasing Hispanic enrollment, and he also assembled one of the most diverse administrative teams of any law school in the country. He didn't stop there, however. He then created a commission to produce a groundbreaking report on diversity in the legal profession and how to increase diversity in law firm recruitment. The highly skilled and diverse alumni of the CU Law School reflects his efforts and successes.

David Getches also built a legacy of legal access to legal education for all. He worked to expand scholarships and financial aid awarded by the law school to worthy students regardless of their financial background, increasing scholarship awards from \$600,000 in 2004 to a hefty \$2.1 million in 3 short years by 2007.

In 2008, he worked with the Colorado State Legislature to pass a law allowing public universities to offer loan repayment assistance grants to graduates practicing public interest law and more recently founded an endowment to award grants to CU Law School graduates in the public sector.

What Dean Getches did by reducing the cost of law school was make public service a viable alternative to private practice for bright, idealistic graduates of the law school. Without question, those students, CU Law School, the State of Colorado, and I would venture to say the country will reap the benefits in the future from David Getches' foresight and thoughtful investments.

At the heart of why I wanted to come to the floor today was that I think we know we can all learn from Dean David Getches' passion for giving back to whatever community in which he found

himself. He led a life of service, and he also compiled an impressive academic record as well as serving as the dean of CU Law School. He was, at his core, committed to the future of his children, our children, our grandchildren, and his grandchildren, and he had a deep love for the Rocky Mountain Western way of life. He was an avid outdoorsman, he was fit, and he faced any and all physical challenges just like he faced intellectual and emotional challenges. As I said in the beginning of my remarks, he was a mentor to all of us, and he always had his eye on the future. I know, as painful as it is for all of us who knew him to lose him so suddenly, he would want us to be focused on the future.

Dean Getches did this and much more for Colorado and our country, and I just want to close with this, Mr. President. We have lost a unique man and a towering Colorado figure.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

#### BUDGET NEGOTIATIONS

Mr. SESSIONS. Mr. President, the situation involving the need for a budget and the situation involving the need to raise the debt limit for the United States is getting more and more crucial, it seems, by the hour. I have been a firm and consistent critic of this idea that has been developing the last several years in the Congress that a few people meet in closed, secret meetings and somehow reach a decision that I am supposed to assume is good and decent and ought to be confirmed by a vote here in the Senate.

I feel that there are 100 Senators—and some a lot smarter and more capable than I—but I feel a personal sense of obligation and duty to ensure that when I vote on an important piece of legislation my constituents care about, that I know what is in it and that I understand what is in it, and it is hard to know. When you have a bill that comes out that proposes to have changes in the trillions of dollars, involving Federal spending for a decade, in a budget or some other fashion, it requires us to be careful about that.

So I would express again my dissatisfaction and belief that this Senate—not the House—has failed in its duty to participate in an open process concerning our budget. The House of Representatives did. The Republican House promised to have open hearings. They had a bill on the floor—a budget. They passed it within the time required—by April 15. It completely changed the debt trajectory of America and put us on sound footing. It reduced spending by \$6 trillion—not \$2 trillion but \$6 trillion—and it didn't raise taxes on the American people. In fact, it reduced taxes in a way they felt would engender better economic growth,

which is the best way to engender more tax revenue—having more people make more money and pay more taxes. So I really believe the House fulfilled their constitutional duty.

In the Senate, we have now gone well over 800 days without a budget. We didn't have a budget when our Democratic colleagues had 60 Senators—the highest number one party has had in probably 70, 80 years, maybe longer. They didn't pass a budget. You can pass a budget with 51 votes—with the Vice President, 50 votes. It is a simple majority. It is an expedited procedure. Budgets have been passed when parties have only had one-vote majorities in the Senate.

So I would say it is odd that we have gone 2 years without a budget, but it is not odd—in part because of having no budget—that we have seen the largest surges of debt the Nation has ever seen. President Bush was criticized for running up debt. He had, in 1 year—his last year—a \$450 billion deficit, and he was roundly criticized for that. Some of that was TARP money, which they scored as monies spent, and it was properly and accurately scored. So it came out to \$450 billion. The year before, it was a \$160 billion deficit. President Obama's first budget deficit was \$1.200 billion. His next budget was \$1,300 billion. This year's budget, by September 30, is projected to be around \$1,500 billion. We haven't had a budget. Is anything connected there?

So I want to say, first of all, one of the ways you act responsibly is when you do it out in front of the people.

I noticed at the press conference today that President Obama, when asked about some of these matters, pushed back and said: Well, we want to have an agreement right now. We don't want to wait any later, close to the election.

He was basically saying—it is pretty clear, really, and I am not exaggerating anything—when you get close to the election, Senators and Congressmen don't like to vote for more debt and they do not like to vote for more taxes. What is wrong with that? The American people don't want debt. They do not want taxes. They want us to bring this government under control. But what is being suggested is, oh, it is politics. There is something corrupt politically if you believe you shouldn't bail out the big spenders in Washington by taking more money from hard-working Americans and taking it out of the private sector to give to the public sector that has mismanaged the money they have.

Some might say: Well, JEFF, we have these big deficits because you all cut taxes.

We haven't cut taxes in years. President Bush cut taxes with revenues much higher today than when those taxes were cut. We have gone into an economic decline, and this recession

has reduced our income. That is true. It is not so much the rate of taxes. It is the rate of profit. It is the rate of income. It is the rate of money people are being paid, so they do not have as much money and they are not paying as much in taxes. Now, we can run around and find everybody who is left with money and try to tax them, but at some point that begins to be self-defeating.

So I guess I am trying to raise the point, How did we get here? Well, there is another way we got here with these huge deficits we have. In the Keynesian philosophy of economics, we had a big spending bill called a stimulus bill. I opposed it. I remember reading a piece by the Nobel laureate, Professor Becker, from the University of Chicago, not long before the vote saying it was not going to create jobs; that it was not sufficiently stimulative to be a good stimulus bill, in fact, in his mind, as a Nobel Prize-winning economist. And that is exactly what happened. It didn't create jobs. It went to social programs, it went to State aid, and it went to things other than the infrastructure that we were told it was going for. Only 4 percent of that money went to roads and bridges—4 percent out of \$850 billion. Every penny borrowed will be to create or to stimulate jobs, they said. We are going to redo our infrastructure, they said. It was not done that way. It was social spending overwhelmingly, and it didn't create growth in the economy.

Another reason we have the debt is because the baseline spending has surged under the Democratic leadership and President Obama. Defense Department has gone up 3 or so percent the last couple of years in spending. Nondefense discretionary spending—the things we do such as energy programs and road programs and aid and grants and things we like to spend around here—went up 24 percent in 2 years. We were having a drop off in income, a drop off in tax revenue, and we increased spending dramatically.

We never had 10, 12 percent increases in spending per year. But hold your hat. The budget the President submitted to us in February of this year—several months ago—proposed increases for the Education Department of 10.5 percent, proposed increases for the State Department of 10.5 percent, with 9.5 percent for the Energy Department and a 60-percent increase for transportation—the high-speed rail projects. But we don't have the money. All of that would have been borrowed. We couldn't sustain flat spending without borrowing money, we are so far in debt. Forty cents of every dollar we spend today is borrowed.

So I have been a big critic of this scheme to meet behind closed doors and not tell the rest of the Congress or the American people what we are doing and to plop down on the floor of the

Senate some proposed deal that we have to sign at the eleventh hour or the government is going to shut down. Why haven't we been talking about this? They talked about it in the House. They voted on it. They reduced spending \$6 trillion. In the phantom budget that has been talked about by our Democratic colleagues, one they never produced so it could actually be accounted for, they are claiming it would reduce spending \$2 trillion and are patting themselves on the back about how great they are. But when you take out the interest savings that occur, it is only \$1.4 trillion in actual reduction of spending and it is a 2.7-percent, we estimate, increase in taxes.

Senator CONRAD, the chairman of the Budget Committee, does a good job. He is a smart man. I think he understands the threat America faces. I thought he did, although this phantom secret budget that they just leak out descriptions of whenever it is convenient has not impressed me. Really, it just hasn't been impressive. Is it a vision? Is it a specter of some kind of a budget that nobody can ever grasp their hands around, and it is only what the people who are holding it close to their vest say it is and all the rest of us have to accept that? I don't think so. I have become very uneasy about what we hear in this city of Washington about plans and policy.

When President Obama announced his budget, it was the most irresponsible budget this country has ever been presented with by a President. I don't think anybody can dispute that. I am prepared to defend that against anybody who says so. It increased spending, it increased taxes. Over a decade, it increased taxes and increased spending and made the deficit worse than if we hadn't done anything, at a time when the Nation should have been working from January until today figuring out how to bring this government under control and contain the growth in spending and contain the debt. This is what he said, and his budget director in our committee said—Mr. Lew—that: Our budget calls on us to live within our means and pay down the debt.

The Congressional Budget Office scored the budget. They analyzed it over 10 years. The lowest single annual deficit that was occurring during that time was \$750 billion, the lowest deficit, almost half again higher than President Bush's highest deficit. And it starts going up in the outyears 8, 9, and 10—to over \$1 trillion in the 10th year annual deficit. Interest on that debt that would be accrued by such an irresponsible budget would go from around \$200 billion last year, \$240-some-odd billion this year, to \$930 billion in 2021. That would be larger than Medicare, larger than Social Security, larger than the defense budget including the war—much larger than those. So interest is a danger.

Senator CONRAD talked this afternoon about his phantom budget, and he told us a lot of things he wanted us to know about it, and he articulated it in a way that made you think that it is not such a bad idea. But we have real numbers people. Just like President Obama said his budget was going to pay down the debt and cause us to live within our means when it had no deficit lower than \$740 billion—he said it is a blueprint. He said it is a framework. But he didn't say it was a budget because it is not a budget. A budget is a document that can be read, ascertained, evaluated, and scored.

So they leak it to the Washington Post—not to Members or colleagues of the Senate here—they leak to the Washington Post some of the good things he wanted to get out, and then they talk about some of the good things here today. Forgive me if I am not impressed. If it is such a good budget, why don't you print it out and propose it to us? That is what the House of Representatives did. They are prepared to defend their budget.

Senator CONRAD said this: that he thought it could play a part in this big deal the President is talking about to change our debt trajectory in a positive way. Well, those words are good words, just like the President's statement that he had a budget that was going to cause us to live within our means and pay down our debt. That is what he said. That is what his budget director said. Well, you can say things, but it doesn't make them true. I can say I don't have a desk in my hand, but I have a desk in my hand, reality being what it is. So that was not a good budget he submitted, and I am worried about this phantom budget we are hearing about today.

The way we calculate this phantom budget and the things that have been released about it, it would raise taxes as much as \$2.8 trillion and cut spending about 4 percent over the 10 years—this is a 10-year budget—at a time when we are projected to add, under the President's plan, \$13 trillion to our national debt. So we are going to reduce the debt by 4 percent from \$13 trillion—an utterly unsustainable figure. The House budget would cut discretionary spending \$6 trillion. The Toomey plan would have cut spending \$8 trillion.

Senator CONRAD actually said on the Senate floor that his budget—which raises taxes, as I indicated—would reduce taxes by \$700 billion. He said it would reduce taxes by \$700 billion. Now, how is this accounting—this trick, I will suggest—accomplished? Well, to get to that number, he is obviously comparing it to a CBO baseline which assumes that every single tax rate from the 2001 and 2003 tax cuts that has been in place now almost a decade is going to expire and all those rates go up. So he is saying that if he

keeps a few of them from going up, he has cut taxes. Only in Washington can you raise taxes dramatically, change the tax rates that have been in place for a decade, see taxes go up dramatically, and call that a tax cut.

By the way, baseline is very important. We don't know what baseline the chairman of the Budget Committee is using. He understands it very well. He is one of the most knowledgeable, capable Members of our body, and he understands these well. I believe the phrase he used was that it is a plausible baseline—a plausible baseline.

Well, let me tell you the baseline we should use. The baseline, when you talk about whether spending increases or whether spending decreases, should be what you are spending today. If you are spending \$100 billion today and if you spend \$102 billion, you have spent \$2 billion more. If you spend \$98 billion, you are spending \$2 billion less, right? Well, what they do in Washington and the reason this country is so close to bankruptcy is they assume growth rates, baseline growth rates. Then when you reduce the baseline growth rate, and it is going up \$10 billion next year and you reduce that increase to \$9 billion, you claim you cut spending by \$1 billion and it went up \$9 billion. Now, that is the kind of logic that has put us in the difficult position we are in.

So I have decided and told my staff on the Budget Committee that when we get numbers, we are going to compare them to the only thing that is solid, and that is a level baseline—does it go up or does it go down? In fact, the Ryan House budget that cut \$6 trillion still increases spending. It is not a real cut.

So you do have to figure out how much you are talking about and what baseline you are using to know what the numbers are. The best way to do that and the most objective way to do that is to use a flatline number and see whether we are up or down, and then we can communicate. But if you get to choose your baseline—and CBO has one, the President has another one, and it looks as though the Senate Democrats have chosen another one they call a plausible baseline. I don't know what that means. The debt commission that had their recommendation for reducing debt chose another baseline. It makes it confusing, and it makes it harder to understand.

So when you talk about a budget that is supposed to really make a difference in our economy and you propose \$2 in tax increases for every \$1 in spending cuts and suggest this is the kind of thing you are working with the President on in their negotiations, maybe we can begin to understand why the Members of the House and the Members of the Senate who have been in these meetings have been walking out of these meetings and saying: All they want to do is raise taxes.

The President himself said several months ago that he thought \$3 of spending cuts and \$1 of tax increases would be a good mix. But what we are hearing today is \$2 of tax increases to \$1 of spending cuts. That is not acceptable and has no chance of passage. And if the American people have time to read that kind of legislation and find out that is what is in it, they are not going to be happy with anybody that supports it, in my view. So perhaps that is the reason they want to wait until the eleventh hour, claim the country is about to shut down, and try to force it through. As the President suggested, you don't want to get it too close to the election when people might remember what you did to them.

Goodness gracious, they talk about a \$900 billion cut in the Defense Department. That is part of their plan too. Well, let me just tell you how that gimmick works. You propose a \$900 billion cut in the Defense Department and you know that almost 20 percent cut is not going to become law, but you go out and tell the public you saved \$900 billion and you plan to cut it from the Defense Department, and you can't cut that much money from the Defense Department. So no wonder our retiring fine Senator JOE LIEBERMAN, after the Democratic discussion of this, was moved to say he was worried about what such a budget would do to our national security. Well, he should be.

I have been on the Armed Services Committee. I don't deny that the military has to tighten its belt. Just like every other department in this government, it may even have to take a real reduction in spending. But we are not going to have an 18-percent, 20-percent reduction. Are we going to have our men and women who place their lives on the line for us have to pay for profligacy in Washington? I don't think so.

Mr. President, I would ask Majority Leader REID, who I believe is the strategist in the Senate who told our chairman, Senator CONRAD, that he should not bring up a budget—I think Senator CONRAD and I were prepared to bring up a budget. He was working on one. His staff was working on one. We were within days of a markup. He was going to produce a budget, and those of us on the Republican side had amendments to offer, and we were preparing for a debate, and they decided all of a sudden not to have a markup. Later, Senator REID said it would be foolish to produce a budget.

I would say it would be foolish for the Congress of the United States to take a paycheck to operate the way we are operating when 40 cents of every dollar we spend is borrowed. That is unthinkable. How did we get in this position where we are spending \$3,700 billion and taking in only \$2,200 billion and all the difference is borrowed?

Finally—this is important—a lot of us have heard these numbers but it has

not resonated with us about how important they are. Professors Rogoff and Reinhart have written a book called "This Time It's Different," studying eight centuries of sovereign governmental default on their debts, the kind of thing Greece is going through today. They have analyzed how it happens and the consequences. They chose the name because they said that every time politicians ran up debt in their country to high levels and caused a crisis, they said: It will not happen to us. This time it is different. We are different from those other countries that went belly up. Then it happens just like that, savagely, immediately, like the financial crisis that hit us in 2007–2008. What they concluded in further study was something else. Not only when you get your debt too high do you run the risk of a financial crisis, but your debt slows your economic growth and the countries that have debts that equal 90 percent of the economy—I see my good friend, Senator REID. He has the toughest job in Washington and I am not making it any easier for him. It will be good for him to hear this. I think he knows it.

But they have concluded when your total American debt reaches 90 percent of our economy, our GDP, and goes above that, it pulls down your economic growth by 1 percent. CBO now is scoring our growth to come in at .9 percent below what it otherwise would be because of our debt.

The first quarter we had 2 percent economic growth. If we had 3 percent economic growth that would be a 50-percent increase in growth. If we had 1 percent greater increase in growth that would amount to, according to the White House economic team some time ago, an increase of 1 million jobs in America.

What I am saying is we erroneously state too often, I think, that the question is about our children and grandchildren. I truly believe the sluggish growth and the very weak job numbers we have been having are the result of carrying too much debt. We have to start reducing that debt even if it is painful for us to do so. I hope our colleagues will produce a budget that will actually change the numbers. I am not confident that will happen.

Falling that I do hope, Mr. Leader, and I say this to my leader, too, that if a bill is brought forth in the Senate we have at least 7 days to consider it before we are asked to vote on it. I believe it will take that long to properly evaluate it.

I see the majority leader here. It is always a pleasure to work with him.

I yield the floor.

Mr. REID. Mr. President, I would say before my friend leaves the floor, his leader, my friend, the senior Senator from Kentucky and I are representing the Senate along with Senator KYL and Senator DURBIN at the White House.

We have been there many days now. We understand, all of us there, Democrats and Republicans, the significant adverse effect this huge debt has on our country. Everyone there is trying to arrive at a point where we do something about that. We are not there yet. It is difficult to do. We understand it is going to take, we believe, a mix of spending cuts and some way to generate some more revenue. We are working our best to get this done.

My friend is right, the debt is a drag on the economy. There is no question about that. Once we are able to raise the debt limit, I think we are going to see some energy in this economy we have not seen in some time. But we are not there yet. I wish I could report to my friend from Alabama and the rest of the Senate and the country that we have completed our negotiations, but we have not. We are going to go back again tomorrow. The President said 3:45, and I said a.m. or p.m.? It will be 3:45 p.m. tomorrow that we will be back, trying to move forward.

My friend from Alabama has an important responsibility as the person who is the ranking member now of that most important Budget Committee. I am sure he has learned a lot, having taken this assignment, that he did not know before. That is the way it is with everyone in the Senate. I have learned a great deal working through the CR, different iterations of that, and now on this work we are doing trying to arrive at a debt reduction package along with raising the debt ceiling. I have learned a lot. I have a lot more to learn.

I appreciate the intensity of my friend in that in which he believes, whether it is this or as the person running the Judiciary Committee for the Republicans. He is always very intense. He and I don't always agree but we agree more than people think. But one thing no one can ever take away from the junior Senator from Alabama is the seriousness of his being in the Senate.

#### LAS VEGAS NATURAL HISTORY MUSEUM

Mr. REID. Mr. President, I rise today to recognize the 20th anniversary of the Las Vegas Natural History Museum. For two decades the Las Vegas Natural History Museum has provided children and families from all across southern Nevada with the opportunity to learn about science and history in an educational setting outside of the classroom. It is my great pleasure to honor this fine institution, its employees, and the museum's board members before the U.S. Senate today.

The museum started in 1989 when a group of dedicated citizens petitioned the Las Vegas City Council to find a permanent home for a collection of wildlife and prehistoric exhibits. In July 1991, the museum opened its doors to the people of Las Vegas with a col-

lection of loaned wildlife and prehistoric exhibits. Today, the museum has acquired a world-class collection of artifacts for their multimillion dollar collection. Even the Smithsonian Institution has taken notice of our museum. In 2002, the Las Vegas Natural History Museum became an affiliate with the Smithsonian Institution, granting them access to the Smithsonian's vast collection of exhibits.

While many museums across the country have struggled with the economic downturn, the Las Vegas Natural History Museum continues to thrive and grow. Last year, the Las Vegas Natural History Museum provided educational tours to 30,000 students in Clark County. All of their programs are designed by grade level to meet State educational requirements. The museum also provides opportunities for at-risk schools to visit the museum free of charge. Their Open Doors Program provided scholarships that allowed nearly 20,000 visitors from at-risk or economically disadvantaged schools to experience the museum.

I am proud to join with my fellow Nevadans in recognizing the Las Vegas Natural History Museum on reaching this important milestone. For 20 years, this institution has provided the children of southern Nevada with an interactive learning experience, and I have no doubt that the museum will continue to be an important part of our community for years to come.

#### RESPECT FOR MARRIAGE ACT

Mr. BINGAMAN. Mr. President, today I have added my name as a co-sponsor of S. 598, the Respect for Marriage Act. This legislation would repeal the Defense of Marriage Act, DOMA, which I voted for in 1996.

I now believe it was a mistake for the Federal Government to legislate in this area in a way that overrides the effect of State laws. Prior to the enactment of DOMA, the Federal Government had deferred to the States to determine what constitutes marriage. I believe we should return to that position.

I also believe it is wrong, and probably unconstitutional, for the Federal Government to treat married couples differently solely on the basis of their sexual orientation.

Enactment of the Respect for Marriage Act will help ensure that the full protections of our Constitution apply to all of our citizens.

#### COLUMBIA RIVER TREATY

Mr. WYDEN. Mr. President, I ask the Senate to join me in acknowledging the 15 Columbia River Basin tribes' involvement in the Columbia River Treaty negotiation and review process. As some of you may know, the Columbia River Treaty is an agreement between



Canada and the United States on the development and operation of the major hydroelectric dams in the Columbia River Basin. It addresses power and flood control benefits in both countries. The treaty has been in effect since 1964. Under the provisions of the existing treaty, if either country wishes to modify or cancel the treaty, it must notify the other country by the year 2014.

With 2014 approaching, the United States and Canadian treaty "entities" have already begun talks regarding a possible extension and modification of the treaty. The Columbia River Treaty review team has designated representatives from 15 Columbia River tribes, also known as the Sovereign Review Team, SRT. The Columbia Basin tribes have vital cultural and natural resources at stake since their homelands are located in the area affected by the treaty and, as sovereign units of government and members of the Sovereign Review Team, SRT—they have a right to play an important role in those negotiations. It is important to recognize the unique fishing rights for salmon that will have to be taken into account during any negotiations of this treaty with our neighbors to the north. The outcome of these negotiations could have a profound impact on the Northwestern United States.

I really appreciate one of the designated tribal representatives from Oregon, the Columbia River Inter-Tribal Fish Commission, for their continuous involvement. I also appreciate the other members of the Sovereign Review Team. The tribes and folks from the Pacific Northwest all share a common desire for proactive approaches in salmon restoration and recovery, and it is important to come together with shared strengths, joint efforts and coordinated education strategies.

Unfortunately, the Columbia River Treaty was enacted during a time in our history when consideration was not given to the treaty's effects on the natural and cultural resources of tribes/first nations whose homelands are located within the Columbia River Basin. Lack of previous dialogue and inclusion of tribal perspectives has disrupted regional and tribal interests by leading to the degradation of rivers, the salmon population, traditional food sources, natural resources, and tribal customs and identities.

The Columbia River Treaty Review provides an opportunity for the United States to include Columbia Basin tribes in the treaty review process. I want to emphasize the importance of tribal consultation and incorporation of traditional knowledge in this process—to ensure protection and conservation of the numerous natural resources that tribal people's way of life are dependent on.

The treaty review provides an opportunity to discuss and learn ways to

strengthen both the government-to-government relationship that exists between the United States and the individual Indian nations as well as the U.S.'s position relative to Canada. This can lead the U.S. to advance its relationship with 15 additional sovereigns. I have enjoyed working with tribes on a number of important issues; I value our continued friendship and look forward to working together in the future. I am proud to support the 15 Columbia River Basin tribes in their efforts to stand alongside the United States in negotiations of the Columbia River Treaty and stand ready to assist in any way I can.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2219. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2219. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes; to the Committee on Appropriations.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1340. A bill to cut, cap, and balance the Federal budget.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-2437. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Maneb; Tolerance Actions" (FRL No. 8878-6) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2438. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Propenoic acid, 2-methyl-, phenylmethyl ester, polymer with 2-propenoic acid and sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1), peroxydisulfuric acid (HO)S(O)2]202 sodium salt (1:2)-initiated; Tolerance Exemption" (FRL No. 8878-4) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2439. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Extension of Temporary Exemptions for Eligible Credit Default Swaps to Facilitate Operation of Central Counterparties to Clear and Settle Credit Default Swaps" (RIN3235-AK26) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2440. A communication from the Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Rural Health Care Support Mechanism" ((RIN3060-AF85)(FCC 11-101)) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2441. A communication from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Paperwork Reduction Act: Updated List of Approved Information Collections and Removal of a Redundant Reporting Requirement" (RIN0694-AF08) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2442. A communication from the Deputy Secretary, Office of Natural Resources Revenue, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Reorganization of Title 30, Code of Federal Regulations" received in the Office of the President of the Senate on July 7, 2011; to the Committee on Energy and Natural Resources.

EC-2443. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Notice of Approval of Outer Continental Shelf (OCS) Permit Issued to Cape Wind Associates, LLC" (FRL No. 9431-8) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2444. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation



Plans; Indiana; Modifications to Indiana Prevention of Significant Deterioration and Non-attainment New Source Review Rules" (FRL No. 9430-7) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2445. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Control of Gasoline Volatility; Correction" (FRL No. 9430-5) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2446. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plan; New Jersey and New York; Final Disapproval of Interstate Transport State Implementation Plan Revision for the 2006 24-hour PM<sub>2.5</sub> NAAQS" (FRL No. 9436-2) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2447. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plan; Missouri; Final Disapproval of Interstate Transport State Implementation Plan Revision for the 2006 24-hour PM<sub>2.5</sub> NAAQS" (FRL No. 9435-9) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2448. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plan; Kansas; Final Disapproval of Interstate Transport State Implementation Plan Revision for the 2004 24-hour PM<sub>2.5</sub> NAAQS" (FRL No. 9436-1) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2449. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Quality Implementation Plans; Indiana and Ohio; Disapproval of Interstate Transport State Implementation Plan Revision for the 2006 24-hour PM<sub>2.5</sub> NAAQS" (FRL No. 9435-8) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2450. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding Failure to Submit Section 110 State Implementation Plans for Interstate Transport for the 2006 National Ambient Air Quality Standards for Fine Particulate Matter" (FRL No. 9435-7) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2451. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection

Agency, transmitting, pursuant to law, the report of a rule entitled "Finding of Substantial Inadequacy of Implementation Plan; Call for Iowa State Implementation Plan Revision" (FRL No. 9434-7) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2452. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri" (FRL No. 9429-1) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2453. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Nebraska" (FRL No. 9434-4) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2454. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Kansas" (FRL No. 9434-3) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2455. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Deferral for CO<sub>2</sub> Emissions from Bioenergy and Other Biogenic Sources Under the Prevention of Significant Deterioration (PSD) and Title V Programs: Final Rule" (FRL No. 9431-6) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2456. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Connecticut, Maine, New Hampshire and Rhode Island; Infrastructure SIPs for the 1997 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 9431-2) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2457. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment, Approval and Promulgation of Air Quality Implementation Plans; Indiana; Correction" (FRL No. 9430-6) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2458. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Ohio; Volatile Organic Compound Reinforced Plastic Composites Production Operations Rule" (FRL No. 9430-9) received in the Office of the President of the Senate on July 7, 2011; to

the Committee on Environment and Public Works.

EC-2459. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; South Carolina; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 9436-4) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2460. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Section 110(a)(2) Infrastructure Requirements for 1997 8-hour Ozone and Fine Particulate Matter National Ambient Air Quality Standards" (FRL No. 9437-8) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2461. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois; Indiana; Michigan; Minnesota; Ohio; Wisconsin; Infrastructure SIP Requirements for the 1997 8-hour Ozone and PM<sub>2.5</sub> National Ambient Air Quality Standards" (FRL No. 9436-7) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2462. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Mississippi; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 9436-6) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2463. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Alabama; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 9436-3) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2464. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Kentucky; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 9436-5) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2465. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection

Agency, transmitting, pursuant to law, the report of a rule entitled "Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone in 27 States; Correction of SIP Approvals for 22 States" (FRL No. 9436-8) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2466. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Modification of Treasury Regulations Pursuant to Section 939A of the Dodd-Frank Wall Street Reform and Consumer Protection Act" (RIN1545-BK28) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Finance.

EC-2467. A communication from the Surgeon General, Department of Health and Human Services, transmitting the National Prevention, Health Promotion and Public Health Council's 2011 annual status report; to the Committee on Health, Education, Labor, and Pensions.

EC-2468. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-53; Small Entity Compliance Guide" (FAC 2005-53) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2469. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; TINA Interest Calculations" (FAC 2005-53) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2470. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Extension of Sunset Date for Protests of Task and Delivery Orders" (FAC 2005-53) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2471. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Encouraging Contractor Policies to Ban Text Messaging While Driving" (FAC 2005-53) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2472. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Uniform Suspension and Debarment Requirement" (FAC 2005-53) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2473. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the re-

port of a rule entitled "Federal Acquisition Regulation; Unique Procurement Instrument Identifier" (FAC 2005-53) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Homeland Security and Governmental Affairs.

#### PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-56. A concurrent resolution adopted by the Senate of the State of Louisiana memorializing Congress to review and consider eliminating provisions of federal law, which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds; to the Committee on Finance.

#### SENATE CONCURRENT RESOLUTION No. 57

Whereas, the Congress of the United States has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefit for any person who also receives a public pension benefit; and

Whereas, the intent of Congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, or local government employment might receive a public pension in addition to the same Social Security benefit as a person who had worked only in employment covered by Social Security throughout his career; and

Whereas, the purpose of Congress in enacting these reduction provisions was to provide a disincentive for public employees to receive two pensions; and

Whereas, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit; and

Whereas, nine out of ten public employees affected by the GPO lose the entire spousal benefit, even though their spouses paid Social Security taxes for many years; and

Whereas, the GPO often reduces spousal benefits so significantly it can make the difference between self-sufficiency and poverty; and

Whereas, the GPO has a harsh effect on thousands of citizens and undermines the original purpose of Social Security survivors benefits; and

Whereas, the GPO negatively impacts approximately 27,144 Louisianians; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and

Whereas, the WEP causes hard-working individuals to lose a significant portion of the Social Security benefits that they earn themselves; and

Whereas, the WEP negatively impacts approximately 25,322 Louisianians; and

Whereas, because of these calculation characteristics, the GPO and the WEP have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

Whereas, these provisions also have a greater adverse effect on women than on men because of the gender differences in salary that continue to plague our nation and because of the longer life expectancy of women; and

Whereas, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong, yet the current GPO and WEP provisions compromise that quality of life; and

Whereas, retired individuals negatively affected by GPO and WEP have significantly less money to support their basic needs and sometimes have to turn to government assistance programs; and

Whereas, the GPO and the WEP penalize individuals who have dedicated their lives to public service by eliminating benefits they have earned; and

Whereas, our nation should respect, not penalize, public servants; and

Whereas, the number of people affected by GPO and WEP is growing every day as more and more people reach retirement age; and

Whereas, the GPO and WEP are established in federal law, and repeal of the GPO and the WEP can be enacted only by the United States Congress. Therefore be it

*Resolved*, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2011 (H.R. 1332), the Public Servant Retirement Protection Act of 2011 (S. 113), or a similar instrument. Be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 630. A bill to promote marine and hydrokinetic renewable energy research and development, and for other purposes (Rept. No. 112-31).

S. 699. A bill to authorize the Secretary of Energy to carry out a program to demonstrate the commercial application of integrated systems for long-term geological storage of carbon dioxide, and for other purposes (Rept. No. 112-32).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 757. A bill to provide incentives to encourage the development and implementation of technology to capture carbon dioxide from dilute sources on a significant scale using direct air capture technologies (Rept. No. 112-33).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 1342. An original bill to amend the Federal Power Act to protect the bulk-power system and electric infrastructure critical to the defense of the United States against cybersecurity and other threats and vulnerabilities (Rept. No. 112-34).

S. 1343. An original bill to provide for the conduct of an analysis of the impact of energy development and production on the water resources of the United States, and for other purposes (Rept. No. 112-35).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SESSIONS (for himself, Mr. VITTER, Ms. AYOTTE, and Mr. LEE):

S. 1341. A bill to provide a point of order against consideration of any measure that would increase the statutory limit on the public debt above \$14.294 trillion unless that measure has been publicly available for a full 7 calendar days before consideration on the floor of the Senate; to the Committee on Rules and Administration.

By Mr. BINGAMAN:

S. 1342. An original bill to amend the Federal Power Act to protect the bulk-power system and electric infrastructure critical to the defense of the United States against cybersecurity and other threats and vulnerabilities; from the Committee on Energy and Natural Resources; placed on the calendar.

By Mr. BINGAMAN:

S. 1343. An original bill to provide for the conduct of an analysis of the impact of energy development and production on the water resources of the United States, and for other purposes; from the Committee on Energy and Natural Resources; placed on the calendar.

By Mr. KYL (for himself and Mr. MCCAIN):

S. 1344. A bill to direct the Secretary of Agriculture to take immediate action to recover ecologically and economically from a catastrophic wildfire in the State of Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 1345. A bill to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes; to the Committee on Indian Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WHITEHOUSE (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Mr. BROWN of Ohio, Mr. MERKLEY, and Mr. FRANKEN):

S. Res. 230. A resolution expressing the sense of the Senate that any agreement to reduce the budget deficit should not include cuts to Social Security benefits or Medicare benefits; to the Committee on Finance.

By Mr. BURR (for himself, Mrs. FEINSTEIN, Mr. BROWN of Ohio, Mr.

BEGICH, Mr. LAUTENBERG, and Mr. ALEXANDER):

S. Res. 231. A resolution designating September 2011 as "National Child Awareness Month" to promote awareness of charities benefitting children and youth-serving organizations throughout the United States and recognizing efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 17

At the request of Mr. HATCH, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving medical devices for patients and maintain the standing of United States as the world leader in medical device innovation.

S. 20

At the request of Mr. HATCH, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 20, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 185

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 185, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 195

At the request of Mr. ROCKEFELLER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 195, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 201

At the request of Mr. BROWN of Massachusetts, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Delaware (Mr. COONS) were withdrawn as cosponsors of S. 201, a bill to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes.

S. 227

At the request of Ms. COLLINS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 227, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 387

At the request of Mrs. BOXER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 387, a bill to amend title 37, United States Code, to provide flexible spending arrangements for members of

uniformed services, and for other purposes.

S. 543

At the request of Mr. WYDEN, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 543, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property.

S. 570

At the request of Mr. TESTER, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

S. 584

At the request of Ms. MIKULSKI, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 584, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

S. 598

At the request of Mrs. FEINSTEIN, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 598, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

S. 707

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 778

At the request of Mr. MORAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 778, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 798

At the request of Mr. TESTER, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 798, a bill to provide an amnesty period during which veterans and their family members can register certain firearms in the National Firearms Registration and Transfer Record, and for other purposes.

S. 807

At the request of Mr. ENZI, the names of the Senator from Indiana (Mr.

LUGAR) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 807, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 951

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

S. 987

At the request of Mr. FRANKEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 987, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1058

At the request of Mr. PRYOR, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1058, a bill to amend the Public Health Service Act to ensure transparency and proper operation of pharmacy benefit managers.

S. 1171

At the request of Mr. SCHUMER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1223

At the request of Mr. FRANKEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1223, a bill to address voluntary location tracking of electronic communications devices, and for other purposes.

S. 1280

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

S. 1308

At the request of Mr. HATCH, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1308, a bill to amend title 18, United States Code, with respect to child pornography and child exploitation offenses.

S.J. RES. 17

At the request of Mr. MCCONNELL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mrs. FEINSTEIN, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S.J. Res. 17, supra.

S. RES. 175

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 201

At the request of Mr. BROWN of Massachusetts, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. Res. 201, a resolution expressing the regret of the Senate for the passage of discriminatory laws against the Chinese in America, including the Chinese Exclusion Act.

S. RES. 226

At the request of Mr. GRAHAM, the names of the Senator from Utah (Mr. LEE) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. Res. 226, a resolution expressing the sense of the Senate that the President does not have the authority to ignore the statutory debt limit by ordering the Secretary of the Treasury to continue issuing debt on the full faith and credit of the United States.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KYL (for himself and Mr. MCCAIN):

S. 1344. A bill to direct the Secretary of Agriculture to take immediate ac-

tion to recover ecologically and economically from a catastrophic wildfire in the State of Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. KYL. Mr. President, today I am introducing, with Senator JOHN MCCAIN, S. 1344, which is a response to Arizona's largest wildfire, called the Wallow Fire. This act is the Wallow Fire Recovery and Monitoring Act.

The Wallow Fire in Arizona burned, over about 40 days, 538,000 acres of Arizona land, making it the largest fire in the history of our State. Just to put it into perspective, that is nearly 841 square miles or almost four times the size of the city of Chicago. The fire destroyed 32 homes and 4 rental cabins. Nearly 10,000 people were evacuated at one point, and the fire cost the taxpayers over \$100 million before it was finally extinguished. Unfortunately, it will likely cost double that amount for the necessary rehabilitation of the forests that needs to occur now. After a fire such as this, there is only a short opportunity to hasten forest rehabilitation, reduce risks of flooding, insect epidemics, and future fires, and capture at least some of the economic benefit from the dead and dying trees to help offset and pay for those restoration costs.

Given the urgent need for action, as I said, I am introducing today the Arizona Wallow Fire Recovery and Monitoring Act, joined by my colleague, JOHN MCCAIN, as an original cosponsor. This legislation would expedite the removal of hazard, dead, and dying trees in community protection management areas within the Wallow Fire area. The removal projects carried out under the act will be completed within 18 months of enactment. The reason for this timeline is that when it comes to timber harvesting of the fire-killed trees, the costs of delay are extreme. Fire-killed trees will lose more than 40 percent of their value in less than 2 years.

Due to the intensity, the size, and the magnitude of the fire, there is a tremendous amount of dead and dying trees within the Wallow Fire area. Portions of the forest that have burned pose a risk to forest users, to communities, and to private property and the remaining resources. These risks include the hazards of falling trees, erosion, flooding, reburns due to excess fuel loads, and insect infestation risk to the remaining live trees. Under these postfire conditions, timber salvage is a management tool to mitigate these risks, generate revenue and jobs, and put the forest on the road to recovery.

We saw the negative consequences of delay firsthand in Arizona after the Rodeo-Chediski Fire in 2002, which at that point had been our State's largest fire. Bureaucratic regulations and lawsuits so severely delayed salvage efforts that by the time the projects

were cleared to proceed, the trees had lost most of their economic value. Congress should not stand by and allow this situation to be repeated.

That said, we are not looking to eliminate environmental safeguards or exempt timber harvests from Federal environmental laws. This bill is narrowly tailored, limiting the removal of hazard, dead, and dying trees to those trees located within community protection management areas. One of these areas includes the wildland urban interface and other areas critical to communities. In addition, a comprehensive hazard tree and commercial timber evaluation and an environmental assessment under the National Environmental Policy Act, or NEPA, are required. All appeals and judicial review would follow the processes in the bipartisan Healthy Forest Restoration Act.

The practice of postfire timber salvage may be controversial in part because there is limited scientific information on its ecological effects. Most of the scientific literature that does exist is based on forests in the Pacific Northwest. The forests in that part of the country are very different from the dry ponderosa pine-dominated forests that burned in the Wallow Fire. Thus, the bill would require monitoring for all timber removal projects implemented under the act.

Finally, from a fiscal perspective, there is never going to be enough Federal funding for the forest restoration work that needs to be done to save the forest that remains. Acknowledging this reality, this bill takes the proceeds from the timber removal project sales and keeps them on this forest to help pay for future forest restoration treatments.

This bill strikes a responsible balance between environmental concerns and economics after a catastrophic wildfire. I urge my colleagues to support its swift passage.

The Arizona Wallow Fire Recovery and Monitoring Act requires a comprehensive evaluation of the forest conditions and hazard tree and fire-damaged timber resources across the Wallow Fire Area; limits the areas where dead and dying trees can be removed to Community Protection Management Areas; limits tree removal to hazard trees and trees that are already down, dead, broken or severely root sprung trees where mortality is highly expected; prohibits the construction of new, permanent roads; provides for an expedited, but thorough, environmental review of tree removal projects proposed in the Wallow Fire Area, including full public participation in the development of such projects; uses the processes for appeals and judicial review established in the bipartisan Healthy Forest Restoration Act; requires monitoring of the ecological and economic effects of timber removal

projects; and authorizes the use of timber receipts to offset the costs of forest restoration.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 230—EX-PRESSING THE SENSE OF THE SENATE THAT ANY AGREEMENT TO REDUCE THE BUDGET DEFICIT SHOULD NOT INCLUDE CUTS TO SOCIAL SECURITY BENEFITS OR MEDICARE BENEFITS

Mr. WHITEHOUSE (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Mr. BROWN of Ohio, Mr. MERKLEY, and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 230

Whereas over 34,000,000 retired workers currently receive Social Security benefits in amounts that average a modest \$14,100 a year;

Whereas, in 2008, 23 percent of retired workers receiving Social Security benefits depended on those benefits for all or almost all of their income;

Whereas according to AARP, Social Security benefits kept 36 percent of seniors out of poverty in 2008;

Whereas reducing Social Security benefits would cause many seniors to have to choose between food, drugs, rent, and heat;

Whereas 95 percent of seniors in the United States, who numbered almost 37,000,000 in 2008, got their health care coverage through the Medicare program;

Whereas without Medicare benefits, seniors, many of whom live off of Social Security benefits, would have to turn to the costly and uncertain private market for health care coverage;

Whereas the Social Security program and the Medicare program are extremely successful social insurance programs that permit seniors in America to retire with dignity and security after a lifetime of hard work; and

Whereas the Social Security program and the Medicare program help relieve young American families from worry about their own futures, allowing freedom of opportunity in America: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that any agreement to reduce the budget deficit should not include cuts to Social Security benefits or Medicare benefits.

Mr. WHITEHOUSE. Mr. President, I rise to discuss the ongoing negotiations on the Federal budget and our rapidly approaching debt ceiling. I think we all agree the situation we face is increasingly grave. I believe every responsible person agrees that a failure to act on the debt limit would have awful repercussions and set back our fragile and tentative economic recovery. Surpassing the debt limit could inflict a triple economic harm on our struggling economy: the economic harm of all at once pulling 40 cents of every Federal dollar out of the economy, the economic harm of shutting down every work project that depends on Federal permits, contracts or regulatory approvals, and the economic harm of driving up interest rates for

our constituents and for our country. We must, therefore, act and act quickly to ensure that we avoid that outcome.

I also believe the debt limit presents an opportunity to make some tough decisions on our unsustainable deficits. The longer we wait to make these choices, the harder they will be. It is my strong belief that any agreement we reach to reduce the deficits must be based on real savings and must not be made at the expense of our most vulnerable citizens. That is why I am so concerned about reports that Social Security and Medicare benefits have been raised as possible sources of deficit reduction. Cuts to Social Security and to Medicare benefits are unnecessary, are wrong, and should not be on the table. Social Security is not the cause of the deficit, and beneficiaries of Social Security should not be made to shoulder the burden of deficit reduction.

A balanced deficit reduction package is certainly within our grasp. I wish to commend our chairman, Senator CONRAD, chairman of the Budget Committee, for his proposal which would cut the deficit by \$4 trillion over the next decade. His plan would cut the deficit by more than the House Republican budget and would do so without cutting Social Security or Medicare benefits. Chairman CONRAD's blueprint would balance \$2 trillion in spending cuts with an equal amount of tax loophole closers for wealthy individuals and corporations. His budget would call for shared sacrifice, not just go after the elderly and other vulnerable Americans. We should not, as Americans, balance the budget on the backs of those who can least afford it. That is why I rise to offer a resolution expressing the sense of the Senate that any budget agreement should not include cuts to Social Security or Medicare benefits. Social Security is funded through the contributions of our Nation's workers and businesses. It currently has a trust fund balance over \$2.5 trillion, and it is projected to be fully solvent for another quarter century. So while I agree with steps to strengthen Social Security, it is a vital program, any changes should be considered independent of this effort to reduce the deficit, and under no circumstances should we cut Social Security benefits. Indeed, the solvency of the program could be extended significantly just by applying payroll taxes to a greater portion of the earnings of millionaires and billionaires. What we should never do is to put elderly Americans' security at risk in the stock market or increase the retirement age or cut benefits through backdoor methods such as lowering the cost-of-living adjustment.

As has the Presiding Officer, I have heard from hundreds of folks from my home State—Rhode Islanders who

agree with me—and, particularly, I rely on seniors to whom I have listened at community dinners and senior centers throughout the State who are concerned that they have already gone 2 years without a cost-of-living adjustment when prices are going up all around them.

Audrey from Middletown told me that after her husband died, she had many expenses but “no income except for his Social Security check which enabled me to go on living—simply but adequately—without being a burden on my sons and losing my dignity as well.”

Ronald from Cumberland, RI, has been on Social Security for a number of years. He wrote me to say:

It . . . seems that it's always the people who need the help the most who get cut from the Federal Government. Why is this? No Social Security COLA for two years, yet prices for the basic needs still rise. . . . In a country like the United States of America, this should not happen.

The threat to Medicare is just as real. Earlier this year, House Republicans passed a budget that in 10 years would put an end to the Medicare Program as we know it. Estimates suggest their proposal would end up forcing a typical 65-year-old senior to pay, on average, \$12,500 each year in out-of-pocket expenses, starting in 2022—more than double what a senior is estimated to pay under the current system. In Rhode Island, where the average senior only gets about \$14,200 per year from Social Security, charging an average \$12,500 for seniors would be an exercise in poverty creation.

The Republican budget would also throw seniors right away—in the next year—back into the Medicare prescription drug doughnut hole we have just begun closing through the affordable care act, and it would eliminate the lifesaving preventive services that were added by the health care reform law. Cutting Medicare benefits is the wrong approach to balancing our budget, especially while Republicans continue fighting to protect every single tax break, every single loophole, every single earmark in the Tax Code enjoyed by millionaires and billionaires and by corporations, many of whom pay no taxes at all.

Medicare and Social Security are cornerstones of our Nation's prosperity, and they benefit all of us. These programs allow Americans to live their lives free from worry about their retirement security or the welfare and health treatment of their parents. This American freedom is a value we should fight to protect.

While we should always be open to improving these vital programs, we must not cut the benefits our seniors and disabled Americans have earned and rely upon. I wish to thank Senators BLUMENTHAL and SANDERS; Senator SHERROD BROWN; the Presiding Of-

ficer, Senator MERKLEY; and Senator FRANKEN for their support in cosponsoring this resolution. I hope my colleagues will join us in protecting the promise we have made to our Nation's seniors through Social Security and Medicare.

In closing, the challenge before us is a formidable one, but I truly believe we can reach an agreement on the deficit and debt ceiling without compromising the security and well-being of our seniors.

SENATE RESOLUTION 231—DESIGNATING SEPTEMBER 2011 AS “NATIONAL CHILD AWARENESS MONTH” TO PROMOTE AWARENESS OF CHARITIES BENEFITTING CHILDREN AND YOUTH-SERVING ORGANIZATIONS THROUGHOUT THE UNITED STATES AND RECOGNIZING EFFORTS MADE BY THOSE CHARITIES AND ORGANIZATIONS ON BEHALF OF CHILDREN AND YOUTH AS CRITICAL CONTRIBUTIONS TO THE FUTURE OF THE UNITED STATES

Mr. BURR (for himself, Mrs. FEINSTEIN, Mr. BROWN of Ohio, Mr. BEGICH, Mr. LAUTENBERG, and Mr. ALEXANDER) submitted the following resolution; which was considered and agreed to:

S. RES. 231

Whereas millions of children and youth in the United States represent the hopes and future of the United States;

Whereas numerous individuals, charities benefitting children, and youth-serving organizations that work with children and youth collaborate to provide invaluable services to enrich and better the lives of children and youth throughout the United States;

Whereas raising awareness of, and increasing support for, organizations that provide access to healthcare, social services, education, the arts, sports, and other services will result in the development of character and the future success of the children and youth of the United States;

Whereas the month of September, as the school year begins, is a time when parents, families, teachers, school administrators, and communities increase their focus on children and youth throughout the United States;

Whereas the month of September is a time for the people of the United States to highlight and be mindful of the needs of children and youth;

Whereas private corporations and businesses have joined with hundreds of national and local charitable organizations throughout the United States in support of a month-long focus on children and youth; and

Whereas designating September 2011 as “National Child Awareness Month” would recognize that a long-term commitment to children and youth is in the public interest, and will encourage widespread support for charities and organizations that seek to provide a better future for the children and youth of the United States: Now, therefore, be it

*Resolved*, That the Senate designates September 2011 as “National Child Awareness Month”—

(1) to promote awareness of charities benefitting children and youth-serving organizations throughout the United States; and

(2) to recognize efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 527. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table.

SA 528. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 529. Mr. REID proposed an amendment to the bill S. 1323, supra.

SA 530. Mr. REID proposed an amendment to amendment SA 529 proposed by Mr. REID to the bill S. 1323, supra.

SA 531. Mr. REID proposed an amendment to the bill S. 1323, supra.

SA 532. Mr. REID proposed an amendment to amendment SA 531 proposed by Mr. REID to the bill S. 1323, supra.

SA 533. Mr. REID proposed an amendment to amendment SA 532 proposed by Mr. REID to the amendment SA 531 proposed by Mr. REID to the bill S. 1323, supra.

TEXT OF AMENDMENTS

**SA 527.** Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 2. CONGRESSIONAL BUDGET RESPONSIBILITY.**

(a) **SHORT TITLE.**—This section may be cited as the “Congressional Budget Responsibility Act of 2011”.

(b) **DEFINITION.**—In this section, the term “Member of Congress”—

(1) has the meaning given under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

(c) **TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET.**—If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year.

(d) **NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, no funds may be appropriated or otherwise be made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairperson of the Committee on the Budget of the Senate or the Chairperson of the Committee on the Budget of the House of Representatives under subsection (e).

(2) **NO RETROACTIVE PAY.**—A Member of Congress may not receive pay for any period



determined by the Chairperson of the Committee on the Budget of the Senate or the Chairperson of the Committee on the Budget of the House of Representatives under subsection (e), at any time after the end of that period.

(e) DETERMINATIONS.—

(1) SENATE.—

(A) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairperson of the Committee on the Budget of the Senate for certification of determinations made under subparagraph (B)(i) and (ii).

(B) DETERMINATIONS.—The Chairperson of the Committee on the Budget of the Senate shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (d) and whether Senators may not be paid under that subsection; and

(ii) determine the period of days following each October 1 that Senators may not be paid under subsection (d); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Secretary of the Senate.

(2) HOUSE OF REPRESENTATIVES.—

(A) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairperson of the Committee on the Budget of the House of Representatives for certification of determinations made under subparagraph (B)(i) and (ii).

(B) DETERMINATIONS.—The Chairperson of the Committee on the Budget of the House of Representatives shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (d) and whether Senators may not be paid under that subsection; and

(ii) determine the period of days following each October 1 that Senators may not be paid under subsection (d); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Chief Administrative Officer of the House of Representatives.

(f) EFFECTIVE DATE.—This section shall take effect on February 1, 2013.

**SA 528.** Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 2. INCLUSION OF APPLICATION TO INDEPENDENT REGULATORY AGENCIES.**

(a) IN GENERAL.—Section 421(1) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 658(1)) is amended by striking “, but does not include independent regulatory agencies”.

(b) EXEMPTION FOR MONETARY POLICY.—The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) is amended by inserting after section 5 the following:

**“SEC. 6. EXEMPTION FOR MONETARY POLICY.**

“Nothing in title II, III, or IV shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.”.

**SA 529.** Mr. REID proposed an amendment to the bill S. 1323, to express the

sense of the Senate on shared sacrifice in resolving the budget deficit; as follows:

At the end, add the following new section:  
**SEC 2. EFFECTIVE DATE.**

The provisions of this Act shall become effective 3 days after enactment.

**SA 530.** Mr. REID proposed an amendment to amendment SA 529 proposed by Mr. REID to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; as follows:

In the amendment, strike “3”, insert “2”.

**SA 531.** Mr. REID proposed an amendment to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; as follows:

On page 2, line 10, after “deficit” strike all that follows and insert the following:

“(1) should require that those earning \$1,000,000 or more per year make a more meaningful contribution to the deficit reduction effort; and

(2) should not end Medicare as we know it.”

**SA 532.** Mr. REID proposed an amendment to amendment SA 531 proposed by Mr. REID to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; as follows:

After “Medicare”, strike all that follows and insert “and Medicaid as we know it.”.

**SA 533.** Mr. REID proposed an amendment to amendment SA 532 proposed by Mr. REID to the amendment SA 531 proposed by Mr. REID to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; as follows:

Strike “we” and insert “all Americans”.

**NOTICE OF HEARING**

**COMMITTEE ON INDIAN AFFAIRS**

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, July 14, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a business meeting to consider the nominations of Cynthia Chavez Lamar, Barbara Jean Ells and Debra Downing Goodman to serve as Members, Board of Trustees, Institute of American Indian and Alaska Native Culture and Arts Development; to be followed immediately by an oversight hearing entitled “Native Women: Protecting, Shielding, and Safeguarding Our Sisters, Mothers, and Daughters.”

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

**NATIONAL CHILD AWARENESS MONTH**

Mr. REID. Mr. President, I ask unanimous consent we now proceed to the consideration of S. Res. 231.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 231) designating September 2011 as “National Child Awareness Month” to promote awareness of charities benefiting children and youth-serving organizations throughout the United States and recognizing efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 231) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 231**

Whereas millions of children and youth in the United States represent the hopes and future of the United States;

Whereas numerous individuals, charities benefitting children, and youth-serving organizations that work with children and youth collaborate to provide invaluable services to enrich and better the lives of children and youth throughout the United States;

Whereas raising awareness of, and increasing support for, organizations that provide access to healthcare, social services, education, the arts, sports, and other services will result in the development of character and the future success of the children and youth of the United States;

Whereas the month of September, as the school year begins, is a time when parents, families, teachers, school administrators, and communities increase their focus on children and youth throughout the United States;

Whereas the month of September is a time for the people of the United States to highlight and be mindful of the needs of children and youth;

Whereas private corporations and businesses have joined with hundreds of national and local charitable organizations throughout the United States in support of a month-long focus on children and youth; and

Whereas designating September 2011 as “National Child Awareness Month” would recognize that a long-term commitment to children and youth is in the public interest, and will encourage widespread support for charities and organizations that seek to provide a better future for the children and youth of the United States: Now, therefore, be it

*Resolved*, That the Senate designates September 2011 as “National Child Awareness Month”—

(1) to promote awareness of charities benefitting children and youth-serving organizations throughout the United States; and

(2) to recognize efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.



ORDERS FOR TUESDAY, JULY 12,  
2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, July 12; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes, with the time to be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of S. 1323, which is a bill to express the sense of the Senate on shared sacrifice in resolving the budget issue; further, I ask that the filing deadline for all first-degree amendments to S. 1323 be 12 noon; and finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PROGRAM

Mr. REID. Mr. President, I filed cloture on S. 1323, which is on the sense-of-the-Senate bill regarding shared sacrifice, and on the motion to proceed to H.R. 2055, the Military Construction-V.A. bill. It is an appropriations bill. It is an important bill. Unless an agreement is reached, there will be up to two rollcall votes Wednesday morning on these issues.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:54 p.m. adjourned until Tuesday, July 12, 2011, at 10 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

## DEPARTMENT OF ENERGY

CHARLES DEWITT MCCONNELL, OF OHIO, TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY), VICE JAMES J. MARKOWSKY, RESIGNED.

## THE JUDICIARY

JOHN FRANCIS MCCABE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE JAMES E. BOASBERG, RESIGNED.

PETER ARNO KRAUTHAMER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE JOHN HENRY BAYLY, JR., RETIRED.

DANYA ARIEL DAYSON, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR

COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE STEPHANIE DUNCAN-PETERS, RETIRED.

## UNITED STATES TAX COURT

JOSEPH H. GALE, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS. (REAPPOINTMENT)

## DEPARTMENT OF STATE

MICHAEL A. HAMMER, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (PUBLIC AFFAIRS), VICE PHILIP J. CROWLEY, RESIGNED.

## FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

## DEPARTMENT OF COMMERCE

TIMOTHY C. CANNON, OF NORTH DAKOTA  
SARAH J. COOK, OF FLORIDA

## DEPARTMENT OF STATE

NISHA ABRAHAM, OF THE DISTRICT OF COLUMBIA  
MARC S. ABRAMSON, OF THE DISTRICT OF COLUMBIA  
STARVNEE ADAMS, OF THE DISTRICT OF COLUMBIA  
NADIA SHAIRZAY AHMED, OF VIRGINIA  
THOMAS W. ALBRECHT, OF VIRGINIA  
CHRISTINA N. ATKINS, OF VIRGINIA  
ROBERT A. BAL, OF VIRGINIA  
NICOLE C. BAYER, OF CALIFORNIA  
SHALAJA BISTA, OF GEORGIA  
SEAN BODA, OF OHIO  
TIMO BRANDSTETTER, OF VIRGINIA  
COURTNEY JEAN BRASIER, OF MARYLAND  
JANE C. BRITTING, OF VIRGINIA  
HECTOR R. BROWN, OF TEXAS  
JASON BROWN, OF VIRGINIA  
ANDREW D. BURCHFIELD, OF VIRGINIA  
KEVIN J. BURGWINKLE, OF VIRGINIA  
ANDREW G. BURY III, OF VIRGINIA  
BRYAN A. CARTER, OF VIRGINIA  
RYAN B. CHAVEZ, OF VIRGINIA  
GRACE WOORI CHOI, OF THE DISTRICT OF COLUMBIA  
ROGER VINCENT CHUANG, OF CALIFORNIA  
D. MARKO CIMBALJEVICH, OF INDIANA  
SHOSHAUNA A. CLARK, OF COLORADO  
JULIA HARTT KENTNOR CORBY, OF VIRGINIA  
ELISE S. CRANE, OF COLORADO  
ANDREW A. DAEHNE, OF TEXAS  
ANNETTE DELANEY, OF VIRGINIA  
PHILLIP S. DEMSKE, OF VIRGINIA  
JENNIFER L. DENHARD, OF FLORIDA  
KRIKOR DEURDULIAN, OF VIRGINIA  
KIRK EDWARD DONAHOE, OF PENNSYLVANIA  
RICHARD L. DUBOIS III, OF KANSAS  
LAURA S. EDDY, OF VIRGINIA  
CHRISTOPHER CHARLES ELLIS, OF OREGON  
SHANNON ESKOW, OF THE DISTRICT OF COLUMBIA  
JESSICA T. FARMER, OF MAINE  
ROXANA W. FELDMAN, OF VIRGINIA  
SHARYN C. FITZGERALD, OF VIRGINIA  
ROBERT WILLIAM FOLLEY, OF WISCONSIN  
AMIRA A. FOUAD, OF VIRGINIA  
EVAN M. FRITZ, OF TEXAS  
ISAAC N. GIBBONS, OF VIRGINIA  
BRIAN A. GILLESPIE, OF TENNESSEE  
DARROW S. GODESKI MERTON, OF NEW YORK  
BRIAN O. GORMAN, OF THE DISTRICT OF COLUMBIA  
MATHEW L. HAGENGROBER, OF MONTANA  
AMY K. HANSEN, OF VIRGINIA  
MICHAEL J. HARKER, OF NEW YORK  
EVAN J. HICKEY, OF VIRGINIA  
KATHERINE LAN HO, OF TEXAS  
YULIANA VLADIMIROVNA HOLMES, OF VIRGINIA  
JOHN MATTHEW HOPPER, OF VIRGINIA  
RICHARD DANIEL HUGHES, OF NEW YORK  
JOSANDA E. JINNETTE, OF COLORADO  
DOUGLAS MAYES JOHNSON, OF HAWAII  
NADINE FARID JOHNSON, OF WASHINGTON  
NICHOLAS DANIEL JOYCE, OF VIRGINIA  
PHILIP R. KERN, OF WYOMING  
JEFF KHURGEL, OF CALIFORNIA  
MARK R. LAFEIR, OF MARYLAND  
ADRIAN J. LANSPEARY, OF NEW JERSEY  
YALE HUGHES LAYTON, OF WYOMING  
BENJAMIN LAZARUS, OF THE DISTRICT OF COLUMBIA  
JUDITH K. LEPUSCHITZ, OF CALIFORNIA  
STEVE D. LEU, OF CALIFORNIA  
NANNETTE N. LEWIS, OF MARYLAND  
OLIVIER F. LINDEMANN, OF VIRGINIA  
AMY E. LONG, OF VIRGINIA  
BRADFORD R. LOVELACE, OF MARYLAND  
JESSICA A. LUNDBERG, OF NEW YORK  
SCOTT T. MACIEJEWSKI, OF VIRGINIA  
CHRISTOPH ALEXIS MARK, OF CALIFORNIA  
DOREEN VAILLANCOURT MARONEY, OF MARYLAND  
KEVIN MICHAEL MARTINDALE, OF VIRGINIA  
PLESAH L. MAYO, OF VIRGINIA  
EDISON S. MCBAYNE, OF MARYLAND  
SAUL MERCADO, OF NEW YORK  
SHANNON R. MILES, OF THE DISTRICT OF COLUMBIA  
ROGER MILLER, OF VIRGINIA  
MICHAEL JOHN MITCHELL, OF MINNESOTA

MICHAEL A. MOHR, OF VIRGINIA  
TAUVA A. MONTAS COLON, OF VIRGINIA  
AMAL MOUSSAOUI HAYNES, OF NEW YORK  
JOSEPH J. NARUS, OF OREGON  
CHARLES I. OKONKWO, OF VIRGINIA  
JOO WEON PARK, OF PENNSYLVANIA  
CORNELIUS A. PARKER, OF MARYLAND  
TYLER PARTRIDGE, OF ARIZONA  
CASSANDRA J. PAYTON, OF KANSAS  
GREGORY M. PEARMAN, OF CALIFORNIA  
ANNA G. PEARSON, OF VIRGINIA  
KIMBERLY A. PEASE, OF WISCONSIN  
MIGUEL SHAROD PENIX, OF NORTH CAROLINA  
THAI PHAM, OF VIRGINIA  
ROBERT MATTHEW PICKETT, OF OREGON  
BRANDON N. PIERCE, OF VIRGINIA  
LISA N. PODOLNY, OF FLORIDA  
JACOB M. PORTNOY, OF MASSACHUSETTS  
CAMERON E. POWELL, OF VIRGINIA  
RENEE N. POWELL, OF VIRGINIA  
CHRISTOPHER A. PULLELLA, OF VIRGINIA  
JUDITH A. PUZIO, OF VIRGINIA  
AMANJIT RAMESH, OF VIRGINIA  
JAMES PATRICK REIDY, OF TEXAS  
ELLIOT M. REPKO, OF THE DISTRICT OF COLUMBIA  
CLIFFORD K. ROBERTSON, OF MARYLAND  
GREGORY L. ROBINSON, OF VIRGINIA  
THAD W. ROSS, OF IDAHO  
MARK ANTHONY SAAVEDRA, OF CALIFORNIA  
SCOTT SANFORD, OF WYOMING  
JOHN DAVID SARRAF, OF PENNSYLVANIA  
JOANNA SCHENKE, OF TEXAS  
EHPREN SCOTT SCHIMMEL, OF RHODE ISLAND  
STEPHANIE LAURA SCHMID, OF PENNSYLVANIA  
CURTIS L. SCHMUCKER, OF FLORIDA  
SAOWANEK K. SHANAHAN, OF VIRGINIA  
DIVIYA SHARMA, OF MARYLAND  
JENNIFER LYNN SIHRER, OF VIRGINIA  
JOAN L. SIMON BARTHOLOMAUS, OF WASHINGTON  
CHRISTOPHER FREDERIC SMITH, OF TEXAS  
JENNIFER A. SMITH, OF VIRGINIA  
RACHEL E. SMITH, OF CALIFORNIA  
SEAN ROBERT SMITH, OF CONNECTICUT  
NICHOLAS A. STALICK, OF THE DISTRICT OF COLUMBIA  
JOIA ASHLEE STARKS, OF DELAWARE  
ADAM T. STEVENS, OF CONNECTICUT  
JAMES R. STEWART, OF VIRGINIA  
LUCIA BAJZER STRALEY, OF MINNESOTA  
TRACY M. STRAUCH, OF VIRGINIA  
ROBERT S. STREATOR, OF VIRGINIA  
MARY MARIE STRETTZEL, OF TENNESSEE  
ALEXANDER LANDE SUDEROW, OF MASSACHUSETTS  
SARAH H. SWATZBURG, OF NEVADA  
CODY WELLES SWYER, OF CALIFORNIA  
GEOFFREY BRUCE TERRILL, OF VIRGINIA  
JEFFERSON E. THOMPSON, OF VIRGINIA  
VICKI SHIHING TING, OF CALIFORNIA  
LESLIE M. TOKIWA, OF THE DISTRICT OF COLUMBIA  
DANIEL R. TRIPP, OF INDIANA  
THOMAS T. TSOUPELIS, OF VIRGINIA  
WILLIAM J. TUTTLE, OF VIRGINIA  
JACQUELINE A. VA'RA, OF VIRGINIA  
REBECCA L. WEIDNER, OF VIRGINIA  
CHRISTOPHER A. WELCH, OF VIRGINIA  
NELSON H. WEN, OF NEW YORK  
ELIZABETH ANNE WEWERKA, OF FLORIDA  
EMILY BUTLER WHITE, OF COLORADO  
TRAVIS I. WILLIAMS, OF VIRGINIA  
T. IAN WILSON, OF NEW YORK  
ANDREW G. WINKELMAN, OF NORTH CAROLINA  
DENNIS D. WONG, OF VIRGINIA  
THOMAS WORTH, OF MARYLAND  
NICOLE WYKOFF, OF THE DISTRICT OF COLUMBIA  
BRIAN SCOTT ZABIN, OF VIRGINIA  
JOERG ZEPPENFELD, OF NORTH CAROLINA  
MICHELLE RENE ZIA, OF THE DISTRICT OF COLUMBIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR, EFFECTIVE OCTOBER 12, 2008:

MARK JEFFREY HIPPI, OF VIRGINIA

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. CLYDE D. MOORE II

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C. SECTION 601:

*To be lieutenant general*

LT. GEN. JANET C. WOLFENBARGER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. LEONARD A. PATRICK

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. KEITH C. WALKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. CHARLES T. CLEVELAND

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. WENDUL G. HAGLER II

## IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

VICE ADM. MICHAEL A. LEFEVER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be rear admiral (lower half)*

CAPT. LUKE M. MCCOLLUM

## IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

NICHOLAS M. CRUZGARCIA  
JOSEPH P. LYNN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

LUISA G. SANTIAGO

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

TROY W. ROSS  
JONATHAN R. STABILE

*To be major*

DAVID A. CORTESE  
CARLOS E. QUEZADA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

JAMES L. ADAMS, JR.  
JON M. BRYAN  
GORDON E. GRANT  
CHARLES J. HUDSON  
JASON J. MAIN  
ROBERT M. THELEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be lieutenant colonel*

MATTHEW B. AHN  
CLAUDE W. BRITTIAN  
ADDISON BURGESS  
MITCHELL A. BUTTERWORTH  
JOEY T. BYRD  
BRIAN P. CRANE  
LOUIS A. DELTUFO  
DAVID J. DEPPMEIER  
KEVIN M. DOLL  
WIESLAW A. DYNEK  
ROBERT B. GILLETTE  
DAVID V. GREEN  
JAMES R. GRIFFIN  
ROBERT H. HART, JR.  
THOMAS S. HELMS III  
JOSE G. HERRERA  
CHUL W. KIM  
MICHAEL J. KING  
DAVID W. LILE  
TIMOTHY S. MEADOR  
MARK A. MITERA  
ROY M. MYERS

LEE W. NELSON  
DARIN A. NIELSEN  
GARY G. PAYNE  
CLARK E. RABE  
PAUL D. RAMSEY  
CARL W. ROSENBERG  
JULIE M. ROWAN  
JAMES E. SCHAEFER  
OLEN Z. SELLERS  
DAVID L. SHOFFNER  
JAMES E. SMITH, JR.  
DAVID L. SPEARS  
JACK J. STUMME  
GREGORY S. THOGMARTIN

## IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

JAMES S. BROWN  
ANTONIO C. TING  
HEATHER J. WALTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

CHRISTOPHER A. ALFONZO  
JAY E. ALLARD  
NATHANIEL B. ALMOND  
MICHELLE G. ARNOLD  
SCOTT ASHBY  
ALEX L. AUBIN  
KATHERINE C. AUSTIN  
ERIN K. BALOG  
MICHAEL R. BAYDARIAN  
GERARD M. BENECKI  
ROBERT M. BETTIS  
JOHN C. BIERY  
MATTHEW T. BRIGGER  
JORGE L. BRITO  
RICHARD C. CAMPIN  
WILLIAM K. CARSON  
JOHN B. CASON  
MICHAEL R. CATHEY  
SUSAN C. CLARK  
MICHAEL G. CLARKE  
EMILY E. COLE  
HUGH M. DAINER  
JUAN C. DAPENA  
KONRAD L. DAVIS  
GRAY N. DAWSON  
JOHN J. DEVLIN  
CHRISTOPHER B. DEWING  
LAURA N. DINNEEN  
BRENDON G. DREW  
MARK E. EATON  
DAVID K. EPSTEIN  
JACQUELINE EUBANY  
ALEXANDER N. EVANS  
NATHANIAL FERNANDEZ  
JONATHAN A. FORSBERG  
DAVID M. FURLONG  
CURTIS W. GABALL  
ROBERT J. GAINES, JR.  
CATHERINE E. HAGAN  
ERIC B. HARRIS  
CHADLEY R. HUEBNER  
BRIAN S. KING  
DAVID J. KRAUSE  
ELAINE B. KREJCI  
KARL C. KRONMANN  
KEVIN M. KUHN  
MARK E. LAMBERT  
ERIN A. LARKINS  
MARGUERITE S. LENGKEEK  
VICTOR S. LIN  
ROBIN W. LINDSAY  
RICHARD O. LYNCH  
JAMES J. LYONS  
CARTER J. MAURER  
MICHAEL P. MCDOWELL  
JOEL T. MCFARLAND  
PETER C. MCGOWAN  
TIMOTHY P. MCGRATH  
JOEL R. METZGER  
EDMUND A. MILDNER  
JOHN R. MINARCIK  
ARASH MOHTASHAMIAN  
JOHN MOREE  
MICHELE P. MORRISON  
MARK M. MORTON  
DAVID L. MOULTON  
JAMES J. MUCCARONE  
FRANK E. MULLENS  
MATTHEW W. NEWMAN  
TODD J. OCHSNER  
MARK D. PAYSON  
GIRARD L. POIRIER  
TIMOTHY M. POWELL  
PETER PRESSMAN  
ROBERT L. RICCA  
JOHN D. RICHARD  
ADAM K. SAPERSTEIN  
BETTINA M. SAUTER  
ROLF K. SCHMIDT  
PATRICK J. SCHUETTE  
ANDREA N. SNITCHLER  
KRISTEN M. A. STEWART

VALERIE S. STRANG  
JASON D. SWEET  
SEAN A. SWIATKOWSKI  
ROBERT K. TAKESUYE  
HATTIE M. TAPPS  
DANIELLE A. TAYSON  
CHRISTOPHER M. TEPERA  
VALERIE A. TOKARZ  
NATHAN S. UEHELHOER  
TRICIA E. VANWAGNER  
JOHN W. VINCENT  
MATTHEW J. WAUSON  
NATALIE Y. WELLS  
DOUGLAS A. WINSTANLEY  
CHAD T. ZEHMS  
SARA B. ZIMMER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

RAUL L. BARRIENTOS  
JEFF A. BLEILE  
TONI A. BOWDEN  
THOMAS P. CARROLL  
CAMERON H. CONKIN  
CHRISTOPHER E. CRECELIUS  
TUANH C. HALQUIST  
CHRISTOPHER M. HARRIS  
THOMAS B. HINES, JR.  
MOLLY A. JENKINS  
DAVID W. JONES  
REBECCA O. LEE  
NANCY OSBORNE  
JORGE H. PARRABETANCOURT  
ANTON PETRICH  
MICHAEL E. RUDMANN  
RODNEY V. SCOTT  
STEVE L. STALLINGS  
STEPHEN J. STERLITZ  
KAREN M. STOKES  
PETER A. VELLIS  
WILLIAM O. WILSON, JR.  
HAROLD S. ZALD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

DAVID L. AGEY  
JEFFREY D. ALTON  
MARIA D. ALVAREZ  
GARLAND H. ANDREWS  
DARRYL P. ARFSTEN  
JAMES A. BALCIUS  
ERIC H. BARNES  
AMBER D. BILES  
RANDY K. BILLS, JR.  
AMY L. BIRTELSMITH  
KATHLEEN M. BLAKEY  
BRIAN L. BOHRER  
GARY T. BRICE  
ROGER L. BUNCH  
JAMES P. BURRILL  
BONNIE R. CHAVEZ  
KAREN S. CORSON  
JAMES E. COWAN  
PHILIP J. DAUERNHEIM  
NICK A. DIMASO  
DOUGLAS L. FAISON  
MICHAEL E. FEESER  
BONNIE S. S. GARBUTT  
GLORIA L. GARNER  
ELLIS C. GAYLES, JR.  
PETER J. GUNTHER  
KAREN R. HALL  
BRANDON W. HARDIN  
JEFFREY A. HAYWORTH  
ROBERT P. HIGGINS  
ROBERT J. HINES  
ANDREW C. HOBURG  
KRISTIN R. HODAPP  
BRIAN D. IVESON  
MICHAEL S. KAVANAUGH  
JEFFREY J. KLINGER  
BRADLEY C. KLUEGEL  
SEAN M. LANDO  
CHRISTOPHER G. LYNCH  
CHAD E. MCKENZIE  
AARON R. MOORE  
KEITH B. NEWTON  
SCOTT W. NORTON  
DAVID D. PETERSON  
JOSEPH E. PIANSAY  
GUILLERMO PIMENTEL  
THOMAS J. PINER  
RANDY G. REESE  
ROSE E. RICE  
CHERYL C. RINGER  
JAMES L. RUEFF III  
ARLENE R. SAITZYK  
PAUL S. SCHIERMEIER  
DAVID L. SCHOO  
BENJAMIN J. SCHWARTZ  
KATHARINE K. SHOBE  
KARLA M. SLATER  
DONNA M. SPORRER  
JEFFREY D. STANCIL  
MICHAEL E. STEVENS, JR.  
MICHAEL G. STOCKELMAN  
MICHAEL L. SUNMAN

GODFREY W. TABB  
TODD J. TETREAULT  
CAYETANO S. THORNTON  
ROMEO T. TIZON, JR.  
LAURA L. V. WEGEMANN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

ROBERT P. ANSELM  
VANESSA C. HOPGOOD  
AMY K. LARSON  
MICHAEL D. LAWRENCE  
JOHN A. MILLS  
DAVID A. NORKIN  
DAVID L. ODOWD  
MARC S. ROSEN  
KENNETH R. SHOOK  
VALERIE L. SMALL  
JONATHAN T. STEPHENS  
PAUL A. WALKER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

RANDY E. ASHMAN  
JOHANNES M. BAILEY  
ARNEL J. BARBA  
HARRIETT S. BATES  
JESSICA D. BEARD  
MARK J. BROWNFIELD  
CHARLES L. CATHER  
WILLIAM D. COVILL  
CHRISTOPHER R. CRERAR  
LAURA D. DEATON  
DAVID DESANTOS  
VICTOR M. DIAZ  
BARBARA F. DITTRICH  
BRADLER E. GOECKNER  
MARSHA A. HANLY  
KENNETH L. HOPKINS  
JASON D. LAYTON  
JASON M. MCGUIRE  
LAURA L. MCMULLEN  
MICHAEL P. MURRAY  
RYAN L. NATIONS  
ERIC H. PALMER  
LARA A. RHODES  
ANDREW SANDERS  
SONDRA M. SANTANA  
APRIL SCHEUNEMANN  
ANGELA Y. STANLEY

ELIZABETH G. VOGELROGERS  
TAMMY L. WEINZATL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

DEANGELO ASHBY  
ROGER L. BILLINGS  
WILLIAM E. BOUCEK  
SYLVESTER BROWN, JR.  
TIMOTHY A. BROWN  
NOEL J. CABRAL III  
STUART M. DAY  
SHANE C. DIETRICH  
RICHARD J. DIXON, JR.  
KRISTIAN M. DORAN  
ROY M. GARRISON  
JONATHAN GRAY  
TIMOTHY R. GRIFFIN  
ALBERT L. HORNYAK  
BRIAN T. JETER  
MICHAEL C. JOHNSON  
WESLEY P. JOHNSON  
BRUCE KONG  
SCOTT D. LOGAN  
ALEXANDER S. MAITRE  
ROBERT S. MAZZARELLA  
MICHAEL C. MCCORMACK  
JOSHUA H. MCKAY  
DAVID A. MCNUTT  
JOAQUIN J. MOLINA  
JASON T. MORRIS  
TROY C. MORSE  
JAMES H. MURPHY  
MARK J. PEACE  
LYNN J. PRIMEAUX  
DAVID L. RODDY  
CORY D. SCHEMM  
MARK SHEFFIELD  
PAIGE A. SHERMAN  
KADIATOU F. SIDIBE  
TISHA D. SMITH  
JAMES C. STATLER  
SHANE P. STROHL  
SHIKINA M. TELLIS  
JOHNETTA C. THOMAS  
RONNIE D. TRAHAN, JR.  
CHRISTOPHER A. WALDRON  
JAMES J. WALLS  
JASON C. WARNER  
LAGENA K. G. YARBROUGH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

DENNIS K. ANDREWS  
MAURICE A. BUFORD  
CAREY H. CASH  
ROBERT R. CHRISTIAN  
JON W. CONROE  
STEPHEN S. DUESSENBERRY  
WAYNE M. HADDAD  
WILLIAM N. HAMILTON  
PHILIP D. KING  
CHARLES L. LUFF  
WILLIAM E. MIDDLETON  
TIMOTHY R. MOORE  
DANIEL C. OWENS  
JEFFREY S. PLUMMER  
CHARLES M. PUMPHREY  
SAMUEL E. RAVELO  
ABUHENNA M. SAIFULISLAM  
ROBERT A. SPENCER  
ROBERT J. VANCE  
BRIAN K. WAITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

ROBERTO M. ALVARADO  
JEFFREY D. BRANCHEAU  
JAMES E. BROWN  
LENN E. CARON  
JAY M. CAVNAR  
PAUL C. CHAN  
JAMES J. H. CHO  
MICHAEL D. CRAFTS  
SEAN P. DALTON  
LANCE M. FLOOD  
MARIO M. FORTE  
ALEXANDER K. HUTCHISON  
MICHAEL P. LEONARD  
CHAD O. LORENZANA  
JOSHUA B. MALKIN  
THOMAS B. MCLEMORE  
RAPHAEL A. MIRANDA  
MICHAEL P. O'DONNELL  
STEPHEN H. PITMAN  
RUSSELL C. RANG  
MATTHEW C. RIETHMILLER  
LAURIE SCOTT  
FRANCIS J. STAVISH  
JOEL W. VANESSEN  
TIMOTHY A. WALLACE  
JOSEPH W. YATES

## HOUSE OF REPRESENTATIVES—Monday, July 11, 2011

The House met at noon and was called to order by the Speaker pro tempore (Mr. HARRIS).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 11, 2011.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

### BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oklahoma (Mr. LANKFORD) for 5 minutes.

Mr. LANKFORD. Nineteen years ago, when my wife and I married, I was still in school, I was working as much as I could, and she was also working, but we were barely making it. But we made the decision we were not going to run up credit card debt and live beyond our means. We paid our school loans, we tithed to our church, we ate a lot of peanut butter, and we lived simply. As Dave Ramsey says, "We determined to act our wage."

It is a biblical principle for myself and my family. Proverbs 22:7 states: "The borrower is slave to the lender." Proverbs 22 applies to families, and Proverbs 22 applies to nations. If we were living within our means as a Nation, almost all the debate in the last 6 months in this Chamber would have been different.

We've tried every method in the Fed's bag of tricks to protect our interest rate, because if the rate goes up at all, the house of cards falls. We work to manipulate banks, mortgage lending

and manufacturing because we must keep revenue up. We carefully manage every relationship worldwide because we need the borrowing liquidity. We pour billions of dollars into the economy that we borrow from future generations because we're afraid this generation will have to make hard choices if we do not keep up the borrow pace. Our economy struggles, which leads Washington regulators to overmanage every sector, which causes even more economic uncertainty.

Our focus has shifted from families to corporate bailouts because we're living beyond our means, and we're trying everything we can to make it work. It's not sustainable. We have to get back in balance.

Capital investment in business and industry is slower because so much of the money that would go toward starting new businesses is actually financing our national debt obligation. There's only a limited amount of money in the world economy at any one moment to subsidize our debt and the debt of other nations around the world. When we consume that money for our debt payments, we remove it from the market.

America is the world leader. Unfortunately, we have led the world in debt and deficit spending, and now it's time we lead the world in how to solve a debt crisis.

You see, I believe we have a debt crisis, not a debt ceiling vote crisis. If we increase the debt ceiling without beginning to solve the debt problem, we did not avert the economic disaster; we accelerated the disaster. I understand we're painted into a corner, and we cannot balance our budget instantly without completely collapsing this fragile economy. I get it. But I also get that we were sent here to make adult choices.

This is a bipartisan problem. We all point fingers at each other, but we all know both parties made promises with no plan to pay for it. So since we know that, why don't we also agree to a bipartisan solution? I've heard a hundred times since I've been here, we need a balanced approach to solving this problem. Well, let me tell you I agree. We do need a balanced approach—a balanced budget amendment approach. That is the first big step to forcing us to get into balance permanently.

The Constitution is not a Republican or a Democrat document. A balanced budget amendment is not a Republican or a Democrat issue. You see, you can't make changes to the Constitution

without both parties engaged. But if both parties actually worked together, we can solve this debt crisis for our children and grandchildren.

The last time this body dealt seriously with a balanced budget amendment was 1996. It passed this House with overwhelming bipartisan support, and it failed in the Senate by a single vote. Can you imagine for a moment what our financial condition would be like right now if we'd started balancing our budget during the good economic times of the 1990s and kept that discipline to this present day?

If you want to know the true consequences of that failed balanced budget amendment vote in 1996, point to the financial collapse of 2008, because I believe the financial collapse of 2008 would not have occurred if we had balanced the budget when we did. Even if we did, we would be in a position to better respond to it. We can either learn from that lesson or repeat it. The balanced budget amendment passed the Senate in the 1980s and failed in the House. Then it passed in the nineties in the House and failed in the Senate. This is the moment we will either doom the next generation of Americans to more financial uncertainty or we will solve the problem.

A balanced budget amendment solves the S&P and Moody's rating question because it settles the issue forever that we will live within our means. While this body should be able to make tough choices, we all know full well this body will make the tough choices only when it has to. It has always been that way; it always will be that way. A balanced budget amendment gives future Congresses the gift of a moment each year when they must make tough choices. Let's bring up the amendment.

Let's send it to the States for a vote. It is the ultimate "allow the people to speak" moment. I think Americans get this more than Washington gets this. Forty-nine of our 50 States have a structure in place right now for a balanced budget every single year. They make it work every year. We can too. The only fear from Washington is the inability to spend more money at will and to control the States with our preferences and money.

At the end of this labor, if we birth a balanced budget amendment, all the pain of this process will have been worth it. Let's show the Nation we can work together. Let's solve the debt problem. Let's take up and pass a balanced budget amendment to the Constitution, and then let's get to work in solving our debt crisis.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 7 minutes p.m.), the House stood in recess until 2 p.m.

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□ 1400

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 2 p.m.

## PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks, O God, for giving us another day. We ask Your blessing upon this assembly and upon all to whom the authority of government is given. We pray that Your spirit of reconciliation and peace, of goodwill and understanding, will prevail on the hearts and in the lives of us all.

Encourage the Members of this House, O God, to use their abilities and talents in ways that bring righteousness to this Nation and to all people. Ever remind them of the needs of the poor, the homeless or forgotten, and those who live without freedom or liberty. May they be instruments of justice for all citizens. May Your spirit live with them, and with each of us, and may Your grace surround us and those we love that in all things we may be the people You would have us be in service to this great Nation.

May all that is done within the people's House this day be for Your greater honor and glory. Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

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

Mr. VISCLOSKEY led the Pledge of Allegiance as follows:

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

## HIGHER TAXES KILL JOBS

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

Mr. WILSON of South Carolina. Mr. Speaker, sadly, with the unemployment rate rising on Friday, today's Investor's Business Daily's lead editorial is correct: With unemployment now at 9.2 percent and job growth at a standstill, is there anyone not blinded by ideology or rank partnership who can't see that Obama's spend-and-regulate economic plan has been an utter failure?" Citing that the unemployment rate has dipped below 9 percent in only 5 of the President's 29 months in office, the verdict is clear: "No President since the Great Depression can match that record of failure."

On Friday, The Hill proclaimed the President's campaign responds that people won't vote based on the unemployment rate. I believe the American people know better. Even worse, now liberals are pushing harder for tax increases that will kill jobs. Liberals do not understand, as The Lexington County Chronicle explained, people's income belongs to them and does not belong to the government. Tax increases hurt small businesses and kill jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

## SUPPORTING ENERGY AND WATER APPROPRIATIONS BILL

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

Mrs. BIGGERT. Mr. Speaker, I rise in support of H.R. 2354. I commend the work of my colleagues, Chairman FRELINGHUYSEN and Ranking Member VISCLOSKEY of Energy and Water Development appropriations, for their efforts to balance important energy and infrastructure funding in nuclear energy, the Army Corps of Engineers, and in particular the Office of Science.

Strong funding at DOE is critical for the development of future reactor technologies and licensing for new nuclear and small modular nuclear power. Similarly, healthy funding for the Army Corps of Engineers is vital to our waterway commerce, protection from invasive species and water quality in the Midwest.

Finally, by maintaining our investment in the Office of Science, Congress will preserve our capacity to innovate, enhance our competitive edge in the global economy, and create good American jobs well into the future. Mr. Speaker, I ask my colleagues to support the Office of Science.

## ENOUGH OF THE BACKROOM DEALS

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

Mr. FLEMING. Mr. Speaker, enough with the backroom dealing on the debt

ceiling. The debate has continued for months behind closed doors in the proverbial "smoke-filled room" with nothing to show for the effort. As a congressman, why should I be forced to peruse cable stations and blog sites for information on the discussions—and then be asked to vote for the deal when I have no input and no time to know even what's in it?

Let's pull back the shades and open the window. Let's put the sunlight and fresh air on this discussion. Should we cut spending? Should we reform entitlements? Should we have a balanced budget amendment?

Mr. Speaker, let Congress do its job and put the debate right here on the floor. Let's do this in the people's House for everyone to see. This will be the way the people and their choice come to fruition.

## DON'T TAX JOB CREATORS

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

Mr. HARRIS. Mr. Speaker, another week, and another week that our fiscal problems in this country are unsolved. We saw the jobs report—18,000 jobs created when we need 350,000 jobs created in order to get our unemployment rate back down to 5 percent. And who can blame our job creators when all the talk in Washington now appears to be about how we can raise taxes on those job creators?

I don't care whether we call it expenditures in our tax code or revenues, what they are are taxes on our job creators, and our job creators have responded by not creating jobs. Mr. Speaker, what they want is they want to know that Washington understands how to solve this problem. They want to know that we know that we can cut our spending, we can cap our future spending.

Mr. Speaker, it's time for a balanced budget amendment to the Constitution of the United States. Forty-nine of the 50 States have it. We should have it here in Washington so that we never have to face again the question of how high to raise our debt ceiling and how far to put our children in debt.

## GAINESVILLE, GEORGIA—BEST CITY

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

Mr. GRAVES of Georgia. Mr. Speaker, I rise today to honor Gainesville, Georgia, for earning a spot in the Top 100 "Best Cities for Job Growth in 2011."

This award is a testament to the small business owners and the entrepreneurs in Gainesville who work hard every day to innovate and to grow despite the pressures put on them from

Washington and this challenging economic climate. To make the Top 100, the city of Gainesville was measured on recent growth as well as growth over the last 5 years.

Driving the success were the entrepreneurs who created 34 new businesses or grew existing ones. They collectively brought in 1,140 new jobs to Gainesville and nearly \$250 million in capital investment. I'm proud to represent Gainesville in Congress and proud of the hard work of my neighbors in Georgia. Today, the city of Gainesville stands a little bit taller because of the hard work of the entrepreneurs in north Georgia.

#### GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 2354, and that I may include tabular material on the same.

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

There was no objection.

#### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore (Mr. GRAVES of Georgia). Pursuant to House Resolution 337 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2354.

□ 1410

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose on Friday, July 8, 2011, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment who has caused it to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2354

*Be it enacted by the Senate and House of Representatives of the United States of America*

*in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, namely:

#### TITLE I—CORPS OF ENGINEERS—CIVIL DEPARTMENT OF THE ARMY CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

#### INVESTIGATIONS

For expenses necessary when authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations and, when authorized by law, surveys and detailed studies and plans and specifications of projects prior to construction, \$104,000,000, to remain available until expended: *Provided*, That except as provided in section 101, the amounts made available under this paragraph shall be expended as authorized by law for the programs, projects and activities specified in the text and table under this heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

#### AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 5, after the dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Mr. Chairman, this amendment that decreases a line item by a million dollars and then increases it by a million dollars is the parliamentarily approved method by which we direct some intent into this appropriation legislation that we have.

As a lot of the world knows by now, and as I viewed from this morning as it was getting light as we took off from the Omaha airport, we have water that is a mile to as wide as 11 miles wide, and that's just getting to Missouri, and it may well be wider downstream Missouri. The Missouri River itself, which flooded in 1952, and in that year it was the last flood they hoped for all time. They built the Pick-Sloan program. That is six dams in the Upper Missouri River. The Corps of Engineers' construction of those was designed to prevent a flood of similar magnitude of 1952.

What has happened is that in 1952— for awhile this year they had the larg-

est amount of water to flow down the Missouri River—came down in 1952 in April, and that was 13.2 million acre-feet of water. In May of this year, coming out of the Missouri River, it was 10.5 million acre-feet of water. And one might think we can deal with that. Well, we could not.

We are flooded, and this water is going to stay up now for another month or longer. And we got the records from June of this year, and that became not 13.2 but 13.8 million acre-feet, more water in a single month than to ever come down the Missouri River since we have been keeping records. And, Mr. Chairman, that is just 2 months, and this continues. This year will be the largest volume of water to go down the Missouri River since we have been keeping records.

Mr. DICKS. Will the gentleman yield?

We don't have a copy of the gentleman's amendment. If we are going to start out this way without cooperating—

Mr. KING of Iowa. Mr. Chairman, I might point out I didn't yield, but I would be happy to yield to the gentleman and hopefully get you a copy.

Mr. DICKS. We would like to have it.

Mr. KING of Iowa. I will personally deliver it to you if this version is okay.

The CHAIR. The gentleman from Iowa controls the time.

Mr. KING of Iowa. Thank you, Mr. Chairman.

This year, we will see more water come down the Missouri River than ever before in recorded history. And the result is the Corps of Engineers is releasing 160,000 cubic feet per second from Gavins Point Dam. That is the lowest one of the six dams. What it brings about is massive flooding all of the way down the river for a sustained period of time.

Now I'm not here to take issue with the design, the engineering, or the management of this river; but what this amendment does is it takes a million dollars out and puts a million dollars back in. What I'm asking is to direct the Corps of Engineers to conduct a new study and come back and let us know how they would have had to manage this river in the event that they had been able to see this massive amount of water coming, how they would have been able to protect not only all of the people downstream from each of these reservoirs, but also the additional component of that is although a year ago last May we had record flooding in the tributaries downstream from Gavins Point, the dam that is the lowest. We need to be able to look at two catastrophic events. All of this snow runoff and rain that we got, particularly in Montana in the mountains, coupled with the record rainfall coming down the tributaries from below Gavins Point Dam that we saw a year ago last May, those two laid

on top of each other, how do they have to manage the reservoirs for the purposes of protecting all of that valuable real estate and infrastructure.

My constituents have spent millions of dollars to try to protect themselves. They built miles of levee, watching the water come down the river. They have hauled dirt with water coming up on one side of the levee. This amendment urges and actually directs the Corps of Engineers to commence with that study. And we will have more information as it unfolds. I urge its adoption.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. I move to strike the last word.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, we have not had a chance to really study the implications of the gentleman's amendment.

First of all, we would like to extend our sympathy to the gentleman, his constituents, and to many Members of Congress and those affected by the devastation and, in many cases, loss of life, loss of income and livelihood. But we are not quite sure what \$1 million in and \$1 million out means, and we need a little more time to further investigate.

Would the gentleman be willing to work with us to accomplish this objective without moving ahead on the amendment? Would you be willing to work with the committee, the ranking member and yours truly?

Mr. KING of Iowa. If the gentleman would yield?

Mr. FRELINGHUYSEN. Yes.

Mr. KING of Iowa. I think the chairman has made a significant point here. Sometimes we are playing catch-up. I would like to have had the lead work done so that this information was out in front of the majority and the minority. I think you've seen the water coming down the river. But I would ask this, that if we are willing to work on this, Democrats and Republicans, to bring about a review of the master manual management, then I would ask unanimous consent to withdraw the amendment.

Mr. FRELINGHUYSEN. We are highly sympathetic to working with the gentleman and look forward to working with him to address this crisis and what he is talking about, future crises and devastation.

Mr. VISLOSKY. Will the gentleman yield for a moment?

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana.

Mr. VISLOSKY. I would be happy to work with the chairman, but I would note, we are on page 3 of the bill and would hope that as we proceed today and into the future, that we have advance notice of amendments. So I would direct my comment in this case to the gentleman from Iowa and those who may be thinking about offering ad-

ditional amendments. But I would be happy to work with the chairman on this issue.

Mr. FRELINGHUYSEN. I thank the gentlemen.

I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIR. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies and plans and specifications of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies and plans and specifications shall not constitute a commitment of the Government to construction), \$1,615,941,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by the Water Resources Development Act of 1996 (Public Law 104-303); and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects (including only Olmsted Lock and Dam, Ohio River, Illinois and Kentucky; Emsworth Locks and Dam, Ohio River, Pennsylvania; Lock and Dams 2, 3, and 4, Monongahela River, Pennsylvania; and Lock and Dam 27, Mississippi River, Illinois) shall be derived from the Inland Waterways Trust Fund: *Provided*, That of the unobligated balances from prior year appropriations available under this heading, \$50,000,000 is rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That except as provided in section 101, the amounts made available under this paragraph shall be expended as authorized by law for the programs, projects, and activities specified in the text and table under this heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

AMENDMENT OFFERED BY MR. TIERNEY

Mr. TIERNEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 24, after the dollar amount, insert "(increased by \$133,822,000)".

Page 6, line 6, after the dollar amount, insert "(increased by \$51,759,000)".

Page 24, line 6, after the dollar amount, insert "(reduced by \$92,790,500)".

Page 24, line 18, after the dollar amount, insert "(reduced by \$92,790,500)".

□ 1420

Mr. FRELINGHUYSEN. I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

The gentleman from Massachusetts is recognized for 5 minutes.

Mr. TIERNEY. Mr. Chairman, this amendment is relatively straightforward. It ensures that two important Army Corps of Engineers accounts—construction and operation maintenance—be funded at last year's levels. I certainly understand that the committee was challenged by the allocation it was allotted, and that was \$1 billion below fiscal year 2011 and nearly \$6 billion less than the President's request.

Despite that, I appreciate that Chairman FRELINGHUYSEN has added \$195 million to the President's budget request for the Army Corps of Engineers. He is to be commended for that. Unfortunately, I think that Congress can and must do better. According to the Army Corps, we have 59 ports and harbors that carry about 90 percent of our economic activity in this country—2.2 billion tons of cargo and \$1.4 trillion in commerce.

In testimony before the Senate committee last year, an official from the United States Chamber of Commerce discussed the importance of our ports, inland and coastal waterways to America's businesses. This is what the official said:

The business community, from ports to barge operators to agricultural exporters, depends on a marine transportation system to move goods to domestic and international markets. They are also important parts of the Nation's economic engine and are drivers for job creation in America. Maintaining our Federal channels to their authorized and required dimensions is a critical part of ensuring that this commerce can continue uninterrupted.

Yet we continue to have a significant dredging backlog, and I am concerned that this bill's allocation for the Army Corps is insufficient to appropriately address that backlog. It doesn't just affect commerce; it impacts people's lives very intimately as well. I hear from constituents in my district, particularly those in Newburyport and the Plum Island part of Newbury, who tell me that their homes are quite literally about to fall into the ocean unless the Army Corps can rehabilitate a jetty that hasn't been repaired in 40 years. That's not an uncommon story on our waterways.

The least we can do for these families is to ensure that the important Army Corps programs are funded at last year's levels. The subcommittee allocation makes that incredibly difficult for Members to address, and I understand that. Taking care of perceived deficiencies in a bill are going to need attention. I expect there will be some



concerns, which I am perfectly willing to address in my further comments.

In anticipation of what might be brought up, either Congress can fund these important Army Corps functions at last year's levels by making modest reductions to two Department of Energy programs that, when combined, receive more than \$1 billion in this bill or Congress can choose to sustain the level of commitment to the Army Corps and slightly reduce the Department of Energy's fossil fuel energy research and development and the nuclear energy programs.

I think it is a relatively easy call. For my constituents, it certainly is. Congress should be on the side of increasing its investments and repairing and modernizing its water infrastructure and putting people back to work, so support for this amendment would ensure that we don't diminish our commitment to those critical Army Corps functions.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

I continue to reserve my point of order.

The CHAIR. The gentleman continues to reserve his point of order.

The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in opposition to the amendment.

I share in the gentleman's support for smart investments in our Nation's water resources infrastructure and in the good work of the Army Corps of Engineers. I well understand on the committee the economic benefits of spending money on these needs. At the same time, we cannot ignore the importance of addressing our Nation's deficit problem and the other priorities of the bill, namely national defense and scientific innovation.

The underlying bill balances these important goals, in part, by reducing the construction account from the fiscal year 2011 enacted level but not by nearly as much as that account was reduced in the President's own fiscal year 2012 budget request. With this level of funding, we are working to reduce the deficit, funding our national defense needs, supporting scientific innovation, and at the same time allowing the Corps to continue progress on the most critical water resources investments.

We must preserve the careful balance that this bill strikes. Therefore, I must oppose the amendment and urge my colleagues to vote "no."

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I would like to assert my point of order.

The CHAIR. The gentleman may state his point of order.

Mr. FRELINGHUYSEN. Mr. Chairman, the amendment proposes to amend portions of the bill not yet read.

The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays in the bill.

I ask for a ruling from the Chair.

The CHAIR. Does any other Member wish to be heard on the point of order?

The Chair is prepared to rule.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill. Because the amendment offered by the gentleman from Massachusetts proposes a net increase in the level of outlays in the bill, as argued by the chairman of the Subcommittee on Appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

The point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. TURNER

Mr. TURNER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 24, after the dollar amount, insert "(reduced by \$118,400,000)".

Page 6, line 6, after the dollar amount, insert "(reduced by \$123,313,000)".

Page 33, line 20, after the dollar amount, insert "(increased by \$129,353,000)".

Page 34, line 20, after the dollar amount, insert "(increased by \$71,475,000)".

Page 35, line 10, after the dollar amount, insert "(increased by \$40,885,000)".

The CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. TURNER. Mr. Chairman, I intend to offer this amendment and then request unanimous consent for its withdrawal.

This amendment would restore funding to the most critically and historically underfunded portions of this bill: the defense activities of the Department of Energy as carried out by the semiautonomous National Nuclear Security Administration, the NNSA. I thought it was important to offer this amendment so that the record of the discussion of this bill could focus also on the importance of funding shortfalls that are occurring in this bill.

The amendment would restore \$241 million to NNSA defense activities, our nuclear weapons activities, with an offset from two water project catch-all funding lines, in the Corps of Engineers' account that were not requested by the President. This restoration is critically important to revitalize and modernize our nuclear security enterprise.

I encourage my colleagues to consider these charts that depict the cuts in this bill to the vitally important national security programs:

The FY12 Defense appropriations bill, as reported by the Appropriations Committee, cut Department of Defense spending by 1 percent below the President's budget request, the smaller

amount. The FY12 Energy and Water appropriations bill before us cuts funding for the defense activities of the NNSA by 10 percent, including a 7 percent cut for nuclear weapons activities and nuclear modernization.

Again, there is only a 1 percent cut that is occurring as policy to DOD, but as you can see, NNSA, which is a defense activity, is being cut by 10, our nuclear weapons activities by seven. Meanwhile, the energy and water bill increases spending on water projects through the Corps of Engineers by over 4 percent of the budget requests, and that is leaving aside the \$1 billion energy supplemental for water projects to address funding on the Mississippi River.

The problem is that nuclear weapons spending is considered part of the Energy and Water appropriations bill instead of Defense appropriations. The funds cut from NNSA support critically needed nuclear modernization efforts that are strongly supported by people on both sides of the aisle, on both sides of this Capitol, and by the administration.

I would like to yield at this point to the gentleman from Louisiana, Dr. FLEMING.

Mr. FLEMING. Mr. Chairman, I rise today in support of the amendment being offered by the gentleman from Ohio, which would restore a modest 20 percent of over \$1.1 billion in funding this bill cuts from the defense activities of the Department of Energy, which ensures the safety, security and reliability of our Nation's nuclear weapons.

□ 1430

The FY12 Energy and Water appropriations bill sharply reduces overall funding for the National Nuclear Security Administration from the President's budget request by more than 10 percent, or \$1.1 billion, while increasing funding for Army Corps of Engineers water projects by 4 percent above the budget request. This is in addition to the \$1 billion plus-up in emergency supplemental disaster relief added to the bill for the Mississippi River flooding.

As a Member who represents Louisiana, I can appreciate how critical funding for the Army Corps of Engineers is, but we have to consider those priorities in light of the vital need to maintain our national security which since the end of World War II has rested on the strength of our strategic nuclear deterrent.

The reductions set forth in this measure would significantly impact NNSA's ability to implement the goals and policies established in the April 2010 Nuclear Posture Review and our Nation's nuclear modernization plans. Most concerning is a \$498 million cut that this bill makes to the Weapons Activity account which provides the

necessary technical support to ensure safety, security and effectiveness of the U.S. nuclear deterrent.

This bill also places at risk the timely replacement of Cold War-era nuclear infrastructure, specifically the construction of the Nation's plutonium capability at Los Alamos—the Chemistry and Metallurgy Replacement Facility, which is cut by \$100 million out of the \$300 million necessary for the FY12 activities.

Mr. Chairman, at a time when major defense spending cuts are on the horizon, we can ill afford to undercut our Nation's last line of defense, which has always been our nuclear deterrent.

I strongly urge support of this amendment.

Mr. TURNER. Mr. Chair, this House has three times previously confirmed our commitment to fully funding the NNSA activities. I would urge that as we go through the process of this bill that this funding be restored.

I ask unanimous consent to withdraw the amendment.

Mr. MCKEON. Mr. Chair, I rise in support of my colleague's amendment to restore funding to the defense activities of the National Nuclear Security Administration (NNSA). In May, the House overwhelmingly passed—by a vote of 322 to 96—the Fiscal Year 2012 National Defense Authorization Act (NDAA). The NDAA recognized the critical need to shore up our nuclear security enterprise and authorized full funding for NNSA.

Unfortunately, the appropriations bill before us reduces the NNSA budget by \$1.1 billion from the level authorized by the NDAA. The funding level authorized by the NDAA was a key component of a deal between the Administration and Congress. This deal would finally, after decades of neglect, reinvigorate and modernize our nuclear security enterprise to ensure the safety, security, and reliability of our nuclear weapons in exchange for the nuclear force reductions contained in the New START treaty. The 10% NNSA budget cut proposed by this bill greatly endangers this modernization, and reneges on this deal.

I recognize that the offset in this amendment is difficult for many of my colleagues. Unfortunately, there are no easy offsets within the energy and water bill.

Through my committee, Armed Services, the House authorizes all defense funding—both for the Department of Defense and the NNSA. We must recognize that NNSA is defense spending, and treat it as such. As Secretary Gates told my committee earlier this year, NNSA's work is "incredibly important" and is, "intimately tied to our national security and should be regarded as part of the security component."

I strongly encourage my colleagues to support national defense, and restore funding for NNSA.

The CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. TIERNEY

Mr. TIERNEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 24, after the dollar amount, insert "(increased by \$133,822,000)".

Page 6, line 6, after the dollar amount, insert "(increased by \$51,759,000)".

Page 24, line 6, after the dollar amount, insert "(reduced by \$133,822,000)".

Page 24, line 18, after the dollar amount, insert "(reduced by \$92,790,500)".

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

The gentleman from Massachusetts is recognized for 5 minutes.

Mr. TIERNEY. Mr. Chairman, this is a revised amendment that deals with the objection raised by the chairman on the previous amendment that was proposed on this matter. It still gets to the fundamental issue here, that we need to restore the Army Corps of Engineer budgets here through the Construction and Operation and Maintenance accounts to the point of at least where it was in fiscal year 2011.

We have serious issues confronting our economy. This is a way to make sure that the Corps has the resources it needs to deal with its numerous issues—our ports, dealing with our economy, moving the cargo, and essentially putting people to work, and also protecting the homes and the welfare of people that live along ways that need dredging or that need jetties repaired that haven't been repaired for decade after decade.

While I understand that the chairman had a difficult role and opportunity was limited due to the amount of money that was allocated for him and this committee, and I respect what he tried to do, simply speaking, I think we have the choices to make here, and those choices are to protect the interests of people, to make sure that we get people back to work, to give the Army Corps the resources that it needs, at the same time reducing other accounts by a rather minimal amount so that we effect our purposes without causing too much destruction to programs that other people may favor.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I continue to reserve my point of order.

The CHAIR. The point of order is reserved.

Mr. FRELINGHUYSEN. I move to strike the last word.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment basically for the same reasons I did for his earlier amendment. We worked hard to preserve a careful balance that our bill strikes, but I appreciate his effort. We recognize his commitment to this type of work; and when we have a better allocation in the future, maybe we will be able to be of more assistance.

I continue to reserve my point of order.

The CHAIR. The gentleman continues to reserve.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, I do not know if a point or order will be insisted upon, I do not know if it will be prevailed upon, but I would want to make a comment relative to the amendment offered by the gentleman from Massachusetts.

I agree with everything that Mr. TIERNEY has said—and more—during committee and during the general debate on this floor. I mentioned that in the 2009 report card on America's infrastructure, the American Society of Civil Engineers estimated an investment shortfall of \$2.2 trillion that is necessary to bring our Nation's infrastructure up to good condition.

Additionally, the engineering society gave our Nation's dams, levees and inland waterways grades of D or D minus.

I want to use my time because we have had a lot of discussion—and I have joined in that discussion—about the inadequate allocation that the subcommittee has been given.

I would also point out that there is another failure, and that is the budget request itself. And the subcommittee has taken note of that on page 13 of their report by stating that the budget request by the President represents a level of investment, as with previous budget requests, that is not reflective of the Corps' importance to the national economy, jobs, or our international competitiveness. And further, the committee urges the administration to take into account while developing a special request the extraordinary economic benefits of the projects historically funded in the Corps accounts, which, again, jibes with exactly the points that the gentleman from Massachusetts has said.

So I am in agreement with the gentleman. This is woefully inadequate. The administration bears a blame here as well. But I also must add my voice to the chairman's and respectfully oppose the amendment simply because we are in a very tight situation with this bill and we prefer that the amendment not be adopted, despite the relevance of it and the correctness of the gentleman's position from Massachusetts.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I withdraw my point of order.

The CHAIR. The point of order is withdrawn.

The question is on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. TIERNEY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT OFFERED BY MR. RIVERA

Mr. RIVERA. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 24, after the dollar amount, insert "(increased by \$32,724,000)".

Page 23, line 4, after the dollar amount, insert "(reduced by \$32,724,000)".

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. RIVERA. I wish to thank Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY, along with committee staff, for crafting this legislation.

The Florida Everglades is one of our Nation's greatest treasures. The Everglades' combination of abundant moisture, rich soils and subtropical temperatures support a vast array of species. However, flood control and reclamation efforts in the 1940s and 1950s manipulated the Everglades' hydrology, redirecting fresh water destined for the Everglades out to sea. The ecosystem has changed because it now receives less water during the dry season and more during the rainy season. It is also harmed by degraded water quality, pollutants from urban areas, and agricultural runoff, including pesticides and excess nutrients such as phosphorous and nitrogen which have harmed the plant and animal populations.

□ 1440

The program under the Corps of Engineers' South Florida Ecosystem Restoration will capture freshwater destined for the sea, the lifeblood of the Everglades, and direct it back to the ecosystem to revitalize it and protect plant and wildlife.

However, Everglades restoration is not only about the ecosystem restoration. It is also about boosting Florida's economy. According to a study by Atlanta-based Mather Economics, boosting strained water supplies associated with restoration efforts will save local water treatment facilities \$13 billion in the long term. It will provide flood control for south Florida and improve local home values by an estimated \$16 billion. Furthermore, a healthier water supply, which will contribute to better fishing grounds, will have a huge positive impact on tourism traffic, which is a key aspect of Florida's economy.

Everglades restoration is a huge priority for the Florida congressional delegation, and I respectfully ask the committee and chairman for their continued support in protecting and restoring this great natural resource and economic engine.

At this time, I would yield to the gentleman from New Jersey, the chairman of the subcommittee.

Mr. FRELINGHUYSEN. I appreciate the gentleman from Florida yielding.

I appreciate Mr. RIVERA's passion for the Everglades restoration, and that of the entire Florida delegation, which continues to move forward in this bill. The committee dedicated 8 percent of the entire Corps construction budget to the Everglades, making it one of the three largest allocations in title I.

So I say to the gentleman that we will continue to work with the Florida delegation on this important issue, knowing how committed they are to it. And when we have additional resources, we hope to be able to consider them.

Mr. DICKS. Will the gentleman yield?

Mr. RIVERA. I yield to the gentleman from Washington, the ranking member on the committee.

Mr. DICKS. The restoration of the Florida Everglades has been one of our five national priorities. And I, too, want to compliment the gentleman for his support. We have moved forward with the Tamiami bridge and other important projects. This is a program of national significance, and I concur with the chairman.

Mr. RIVERA. Reclaiming my time, thank you, Mr. Chairman, for your commitment. I look forward to working with you and the rest of my colleagues in a bipartisan fashion to achieve the goal of restoring water flow in these areas.

I ask unanimous consent to withdraw my amendment.

The CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

Ms. WASSERMAN SCHULTZ. I move to strike the last word.

The CHAIR. The gentlewoman from Florida is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I rise to express deep disappointment and concern about the severe proposed cut in this bill to the Federal Everglades Ecosystem Restoration effort.

The Energy and Water bill before us today slashes \$32 million from the administration's request. These times of tight budgets certainly call for belt-tightening, but cutting 20 percent from the requested amount for Everglades restoration is draconian. It is wildly disproportionate to the more modest 3 percent cut in the bill to the overall fiscal year 12 Corps of Engineers construction fund from fiscal year 11 levels.

I thank my colleague Congressman DAVID RIVERA for joining me and other members of the Florida delegation to urge that full funding be restored to this important national priority, as Mr. DICKS just mentioned. I hope we can work together with Chairman FRELINGHUYSEN to make this happen during conference with the Senate.

To be sure, Everglades restoration is a priority the Florida congressional

delegation takes very seriously, and we have fought for adequate funding every year. Continued investment in Everglades restoration protects our water supply, benefits key job-creating industries, and enhances our quality of life.

A recent study by Mather Economics, commissioned by the Everglades Foundation, showed that there is a 4:1 return on investment for Everglades restoration projects. The Everglades is the source of water for millions of residents and visitors in south Florida. It is a haven for fishing, hunting, and boating activities and is home to scores of endangered species. There is no other ecosystem in the world like our Everglades, a true national treasure and important resource.

I would ask the chairman of the subcommittee to clarify certain language in the committee's report that we find deeply disturbing. I hope this language does not signal the committee's intent to deemphasize the importance of Everglades restoration in the future. In particular, the language refers to an inability to sustain funding levels and seems to say that the committee views Everglades funding to be inequitable, as if the Everglades has been receiving too much somehow.

I hope I am interpreting the language incorrectly. I hope the committee is not announcing that the Everglades is somehow being deemed as not being a national priority and will not continue to be singled out for cuts in funding from now on. Because, make no mistake about it, the Everglades is a national treasure and has been a national priority, as Ranking Member DICKS pointed out, for the Federal Government since we created the Comprehensive Everglades Restoration Plan in 2000.

Eleven years ago, Members of Congress from both sides of the aisle and from every corner of this great Nation came together with the executive branch and partnered with the State of Florida to embark on the largest ecosystem restoration effort on Earth. We understood then that it would not be easy, or inexpensive, but it had to be done to restore this unique ecosystem. The plan spans three decades, has over 60 component projects, and will take resolve and a sustained commitment to see this project through to its completion.

The Everglades Restoration Plan was spearheaded by esteemed Senators from around the Nation and both political parties—Republican Bob Smith from New Hampshire, Republican Dave Hobson of Ohio, Democrat MAX BAUCUS from Montana, and, of course, Florida's own Senators Connie Mack and Bob Graham.

Congressman E. Clay Shaw said it perfectly right here on this floor during passage of the restoration plan a decade ago when he said:

"Mr. Speaker, it is remarkable to have this broad a cross section of

Americans supporting legislation on any single issue. But protection of the Everglades is a national priority because most Americans speak of this national treasure in the same breath as the redwood forests, the Mississippi River, Old Faithful, the Appalachian Trail, or the Grand Canyon.”

I couldn't agree more; and Presidents Clinton, Bush, and now President Obama share this commitment.

In 2001, George W. Bush said:

“This area needs our protection, and I am here to join with your Governor in the cause of preserving and protecting the Florida Everglades. For its part, the Federal Government carries important responsibilities and stewardship. It is not enough to regulate and dictate from afar. To preserve places like this, we must bring to our work a new spirit of respect and cooperation.”

Again, I couldn't agree more.

History is important. So are the words that we use or do not use. That is why I am deeply disappointed that the chairman has refused so far to state publicly that Everglades restoration is a national priority. I would note that the chairman, speaking on the Energy and Water bill for fiscal year 05, stood here on June 24, 2004, and referred to his own local port and harbor dredging and deepening project as a “national priority.”

Well, having several ports in south Florida, I would agree on the economic significance of navigation infrastructure. But surely the Everglades, a unique national treasure, rises to at least the same level. We need to look beyond our own State borders and districts when we shape our priorities, as our predecessors did. I hope the chairman will see fit to stand with us now and recommit to Everglades restoration as a national priority.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GRAVES OF MISSOURI

Mr. GRAVES of Missouri. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 24, after the dollar amount, insert “(reduced by \$1,750,000).”

Page 6, line 6, after the dollar amount, insert “(increased by \$1,000,000).”

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Missouri. Mr. Chairman, basically what I'm trying to do here is to point out the absurdity and misalignment of priorities which have become clear in this appropriations bill.

I live along the Missouri River in Missouri, and we've had families that have been inundated by the flooding that has taken place this year with no real end in sight, to be quite honest with you. This underlying bill provides \$73 million for the Missouri River Recovery Program which is used to fund

habitat creation projects. Unfortunately, the underlying bill only provides slightly more than \$6 million for the maintenance of the levees all the way from Sioux City, Iowa, to the mouth of the Missouri, where it meets up with the Mississippi. So essentially we are spending nearly 12 times more to buy land for the betterment of fish and birds than we are to protect farmers, businesses, and homes that are being flooded right now.

This year, many levees in Missouri have been breached and overtopped as a result of the amounts of water and the mismanagement of the river, and many people in my district have been evacuated and will remain evacuated for months, in some cases. The President has issued an emergency disaster declaration for parts of Missouri, and yet here we are spending, again, \$73 million for fish and wildlife and a mere \$6 million for the maintenance of these levees.

While I believe conservation is important, we should not overlook what it is we sometimes sacrifice to achieve conservation. In this case, we are sacrificing the livelihoods of businesses and farmers and are destroying homes.

□ 1450

Again, my amendment just simply transfers money from the construction account to the operations and maintenance account. The intent is just to reduce funding in one and increase that funding in the other. With that, I would urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in reluctant opposition to the amendment.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I am very sympathetic to those that have been devastated by floods in Missouri and in other States across the Nation. It's a very personal thing for many Members of Congress who look to their congressional districts and see the loss of life, and livelihoods, and jobs, and devastation to family farms and to small towns.

One of the things we did in our bill of course, and I am sure the gentleman would recognize this, we came up with a billion dollars of emergency aid, which hopefully will be of assistance. I know he doesn't speak of that in this amendment. But certainly all Members of Congress, on both sides of the aisle, are committed to help those whose lives have been unalterably changed because of the devastation.

My concern with his amendment is that the Corps has said this construction funding is necessary to avoid jeopardy under the Endangered Species Act. If the river system jeopardizes species, it could have great effect on the operations of the river. So speaking

to my earlier point, we want to be helpful, but we also look to the Corps for some direction on this point. As a consequence, I oppose his amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. I move to strike the last word.

The CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I would join in the chairman's remarks, and emphasize the word “reluctantly,” because I do understand the devastation that has been suffered. I would emphasize for the record that the chairman recognized the tragedies that have occurred, and had an amendment in committee to have a billion dollars set aside.

Earlier in the process, we had essentially about a billion dollars also transferred from the Energy and Water appropriation bill to the Homeland Security bill for various similar purposes. There is no denying the emergency. But as I have said on more than one occasion during the debate of this issue, it is time we as an institution have the intestinal fortitude to understand we have natural disasters. We have people who have lost their lives. We have people who are suffering and have lost property. We need, in a deliberate, thoughtful fashion, to set those moneys aside as opposed to, if you would, moving moneys from accounts to take care of these emergencies.

So I do understand also looking ahead that the ultimate cost of the tragedy the gentleman's constituents and others have suffered is probably going to exceed the moneys that have been set aside in this bill, and do hope, again, institutionally, that we address that problem. So I understand the motive, agree with the principle that is espoused, but again would have to reluctantly join in opposition to the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. GRAVES).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. GRAVES of Missouri. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Missouri will be postponed.

The Clerk will read.

The Clerk read as follows:

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$210,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund: *Provided*, That except as provided in section 101, the amounts made

available under this paragraph shall be expended as authorized by law for the programs, projects, and activities specified in the text and table under this heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps of Engineers, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, when authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, \$2,366,465,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-6a(i)) shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of the Water Resources Development Act of 1996 (Public Law 104-303) shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: *Provided*, That 1 percent of the total amount of funds provided for each of the programs, projects or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects or activities: *Provided further*, That except as provided in section 101, the amounts made available under this paragraph shall be expended as authorized by law for the programs, projects, and activities specified in the text and table under this heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

AMENDMENT OFFERED BY MR. SCALISE

Mr. SCALISE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 6, after the dollar amount, insert "(increased by \$6,360,000)".

Page 8, line 16, after the dollar amount, insert "(reduced by \$6,360,000)".

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

The gentleman from Louisiana is recognized for 5 minutes.

Mr. SCALISE. Mr. Chairman, this is a bipartisan amendment, worked on with Mr. RICHMOND and others, and it deals with dredging. You know, we've seen over the last few months a shift in the Corps of Engineers' policy. In years past, they've always reprogrammed millions of dollars, in many cases tens of millions of dollars, from other areas within their agency because they inadequately had initially funded dredging of our waterways. And of course, this is the lifeblood to moving commerce throughout not only much of our country, but as we export to other countries throughout the world.

For whatever reason, the Corps made an internal decision earlier this year that they would no longer do that reprogramming, which jeopardizes much of the movements that we have along our waterways. This amendment is revenue-neutral. It doesn't add anything to the cost of the bill. But what it does is it takes money out of the general administration account, which actually saw an increase this year, moves it over into the general operations and maintenance section of the bill so that it allows us at least additional revenues to go and properly dredge our waterways.

Why is this important? Number one, it's a critical jobs issue. Because as we just saw a few weeks ago, prior to some of the record levels of flooding, Mr. Chairman, we saw they had to roll back, just in my region of the New Orleans area, they had to roll back some of the depth that they were allowed to transport on the Mississippi River. This cost about \$1 million per vessel, added costs to move commerce throughout our country. Not only does that cost jobs, but it also increases the cost of goods for Americans who buy those products. But it also increases the costs of exporting. And it makes our American companies less competitive in the world.

And of course right now this Congress, the President, we're working together to try to reach trade agreements with Colombia, Panama, and South Korea. And I support more trade, free trade, the ability for more American employers to be able to sell their goods throughout the world, to actually create more jobs in America. But if we're going to do that, we've got to have the proper dredging going on to allow for that commerce along our waterways.

So if the Corps is allowed to go through with their policy of no more reprogramming, we know from what they've said, we know from what history's shown us that in years past they didn't have adequate amounts in their operations and maintenance for dredging, and so they have reprogrammed.

Every year for years now that's been going on. And they've said this year they're no longer going to do it. So we would be sitting in a situation where we have to wait until some of our waterways are shut down or until you saw vessels grounded, like we just saw a few weeks ago just in the New Orleans area because of their lack of dredging. And then we would lose more jobs, we would lose our ability to export more.

So what we are saying is, there is additional money in this fund, in the general administration fund. We know this is a looming problem if we don't address it. So let's move it somewhere where it will actually help us create jobs and remain competitive. And hopefully as those trade agreements move through Congress, where we now have more opportunities if those trade agreements move through to trade even more and to create more jobs in America, then our ability to move those goods through our waterways would still be there. Because they won't if we are not properly dredging our waterways. So this amendment addresses that problem. And it's a problem we know is coming because the Corps themselves have said this is looming. So let's address it head on. Let's not wait until it's a crisis before we do something about it. That's why I bring the amendment, again an amendment with bipartisan support.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I continue to reserve my point of order.

The CHAIR. The point of order is reserved.

Mr. FRELINGHUYSEN. I move to strike the last word.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Unfortunately and reluctantly, I must oppose the gentleman from Louisiana's amendment.

□ 1500

Mr. Chairman, I share the gentleman's concern for sufficiently maintaining our waterways as necessary to realizing the national economic benefits of efficient cargo transportation.

Representing, as I do, part of New Jersey, which is highly dependent on the Port of New York and New Jersey, I am well aware that navigation and money for navigation and dredging is absolutely essential, and I am highly sympathetic to the gentleman from Louisiana for all of the historical things that have impacted Louisiana's economy and so many people down there.

In fact, a major factor in developing the recommendation for the Army Corps of Engineers' budget this year was to focus proportionately more funds on the projects and activities that contribute most to the economy and job creation, including dredging and other navigation improvements.

The underlying bill does not include, as we are aware, any congressional earmarks. Oftentimes these issues were dealt with through the earmark process. Rather, our bill provides the Army Corps of Engineers the flexibility to allocate programmatic funds to those navigation and flood control projects that it deems most critical, and we have the ability as individual Members of Congress to help the Corps focus on what we feel is most critical for their attention.

The Corps is required to report to Congress in our bill, within 45 days of enactment, on which projects were deemed most critical and why. Navigation needs are not the only important issues addressed in our bill, however. Increased funding for this programmatic line even further would upset the careful balance of priorities that I have spoken of earlier, including national defense, which is a major component of why we even have a Department of Energy, and nuclear safety, energy innovation and, of course, the great work of the Army Corps, the water resources needs.

So, therefore, reluctantly I must oppose the gentleman's amendment.

I withdraw my point of order.

The CHAIR. The gentleman withdraws his point of order.

Mr. RICHMOND. I move to strike the last word.

The CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. RICHMOND. Mr. Chairman, I rise in support of the amendment of my colleague from across the aisle, in fact, my colleague from across town and our great State of Louisiana.

Not only is this amendment on time; it's on target, in terms of job creation and job retention in our great country.

The current cargo activity at the Port of New Orleans alone generates \$2.8 billion in Federal taxes. The future and livelihood of farmers and manufacturers in 30 States that depend on the Mississippi River to get their goods to market, that's 60 percent of all U.S. grain exports in this country flows through the Port of New Orleans.

Our industrial heartland desperately needs the Mississippi River. The steel, rubber, copper, aluminum, and lumber that they need to use in manufacturing comes up the mouth of the Mississippi.

So although it's two colleagues from the great State of Louisiana, we are not here specifically talking about one thing that's important to Louisiana. This is important to 30 States in this country. It's important to the entire country.

According to customs, \$85 billion to \$104 billion a year is attributed to trade through the Mississippi River. So when you talk about how we keep this country going, how do we grow this country, it's through making wise investments.

And right now, in these tough times, the American people want us to use

every dollar that we have very wisely; and I will say that according to the Port of New Orleans, every dollar that this country spends on dredging the Mississippi River, we get a 35-1 return. So the \$6.8 million that my colleague from New Orleans and the metropolitan area is talking about diverting creates \$238 million in this country.

I would say what's happening in this country is that we should look at return on investment. We should look at how we spend money wisely to create more income, create more jobs, and make this a better country. That's what this amendment does.

And for all of my colleagues in those 30 States that depend upon the Mississippi River, I would just say think about your farmers, think about all of your industrial employees because they need these goods to come up the river so that they can continue to compete. I will just tell that you if you look at a Panamax vessel, the 5 feet of draft—of the difference it would make if we don't dredge the Mississippi River would cost us \$3.2 million per voyage.

That makes us noncompetitive in the world. So they can get their grain from the United States or they can go to Brazil to get their grain. And I would just suggest, Mr. Chairman, if they start going to Brazil to get their grain, then they will never come back to the great country that we live in. So we have to use our money wisely.

I think this is a very prudent use of \$6.8 million and that the American people, if they knew they could spend \$6.8 million to generate \$238 million, everybody would support it, and that would be the reason why I would ask my colleagues to support it.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. SCALISE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT OFFERED BY MR. BISHOP OF NEW YORK

Mr. BISHOP of New York. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 6, after the dollar amount insert "(increased by \$33,535,000)".

Page 24, line 18, after the dollar amount insert "(reduced by \$33,535,000)".

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

The gentleman from New York is recognized for 5 minutes.

Mr. BISHOP of New York. Mr. Chairman, my amendment increases the operations and maintenance account by \$35 million in line with the O&M budget for FY2010. My amendment offsets this amendment in the Fossil Energy R&D account by the same amount consistent with the President's FY2012 budget request.

Mr. Chairman, as our Nation continues to climb out of the hole left behind from the Great Recession, Congress must focus on funding programs that create jobs and encourage economic growth. As the ranking member on the Water Resources and Environment Subcommittee of the Transportation and Infrastructure Committee, it is clear to me just how important it is to ensure that our water infrastructure assets remain safe, reliable and efficient to address our goals of encouraging economic prosperity.

Over the past few years, my subcommittee has held hearing after hearing on the declining condition of our Nation's water transportation corridors, our levees and flood walls, and our Nation's wastewater infrastructure.

Countless witnesses have told us that our water-related infrastructure is on the brink of failure, and they have specifically warned how the effects of such a failure would devastate our health, safety, prosperity and quality of life.

In just the past decade, the Corps has had multiple emergency closures of navigation locks on almost every major river system to address infrastructure deterioration. These unscheduled closures result in significant impacts to the movement of goods and services, as well as impact shippers and customers alike in terms of higher costs.

Similarly, the lack of available maintenance dredging funding has resulted in reduced depths at many major port facilities and has all but passed over the dredging needs of smaller ports such as Lake Montauk Harbor and Shinnecock Inlet in my district of eastern Long Island.

Our Nation's ports handle 2.5 billion tons of domestic and international cargo annually. They move imports and exports worth more than \$5.5 billion per day. In 2007, ports employed over 13.3 million Americans, 9 percent of the total workforce, and those jobs paid \$649 billion in wages. One billion dollars in exports creates 15,000 new jobs. Our ports and the maritime industry keep America open for business.

It would seem apparent, then, that underfunding the missions of the Corps of Engineers is shortsighted for many reasons. First, it has a substantial negative impact on local economies and the bottom lines of big industries and small businesses alike.

Second, it puts our families and communities at an increased risk of flooding and damage from coastal storms.



Third, it delays the potential public and environmental health benefits that come from environmental restoration projects.

Finally, it places this Nation on an unsustainable path where it is forced to rely on an outdated and failing infrastructure to keep the Nation going.

In light of this, or in spite of this, in the first 6 months of the 112th Congress, the new House majority has put forward several legislative proposals to cut the funding for the core to levels not seen since 2004.

The most aggressive proposal, included as part of H.R. 1, would have cut over \$500 million, about 10 percent, from an already strained Corps budget; and it could only result in increased delay in carrying out vital Corps projects and increased reliance on using Band-Aids to remedy critical infrastructure maintenance issues.

Similarly, this appropriations bill further reduces the level of funding for the Corps by 11.5 percent, including a remarkable cut of 20.5 percent from the Corps' construction account and an additional 38.2 percent reduction for Corps work along the Mississippi River.

Collectively, for the hundreds of Corps projects around the country, these reductions in funding will result in a growing deficiency in maintenance that will continue to expand until it becomes an emergency or fails at a critical moment.

Given the lack of viable offsets in this bill, my amendment focuses on the Corps' Operation and Maintenance account that provides funding to the Corps to dredge existing harbors to their congressionally authorized width and depth.

□ 1510

Mr. Chairman, eliminating the funds for operation and maintenance is both penny-wise and pound-foolish. Businesses large and small depend greatly on their ability to move their goods to market by using our Nation's waterways.

From California importers to Minnesota miners to Ohio steelworkers to Michigan manufacturers to New York fishermen to Louisiana exporters to Illinois farmers to Pennsylvania producers, they and a great many others depend on efficient waterborne transportation to receive goods, move products to market, create jobs, and grow economically.

I encourage my colleagues to support this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I continue to reserve my point of order.

The CHAIR. The gentleman continues to reserve.

Mr. FRELINGHUYSEN. I move to strike the last word.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I oppose the gentleman's amendment.

Again, our bill strikes a balance between funding for many competing national priorities in this bill that this amendment would undo.

I do, and we do, support the important work of the Army Corps of Engineers but not at the expense of those national priorities—national defense, scientific research, good things in the Department of Energy. And may I say our mark is considerably more generous for these purposes than the President's mark; so do give us a little bit of credit.

This amendment would cut into the fossil energy research program, an account nearly \$200 million below the 2010 budget mark. Fossil energy, I think as we're all aware of, produces nearly 70 percent of our Nation's electricity, and we must continue to invest to ensure that we use our fossil resources efficiently and clearly.

This bill, again, strikes a careful balance between these priorities, and I oppose the amendment and will insist on my point of order.

Mr. VISCLOSKEY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana.

Mr. VISCLOSKEY. I appreciate the gentleman for yielding and would join in his remarks.

I appreciate the position of the gentleman. As, again, I have pointed out in the past, if we look at the need that the gentleman so eloquently stated, it is overwhelming. Currently for the top 59 ports in the U.S., the Corps is only able to maintain authorized depths within the middle of the channel 33 percent of the time.

I might also add, though, that the chairman noted that the actual moneys contained in this bill, inadequate as they are, are more than the President of the United States asked for. So I do want to remind my colleagues about that fact. It doesn't solve our problem, but there were also points that administrations, past and present, they have got to wake up and recognize we've got to make an investment.

I also do believe at this point in time that there is a purpose for the moneys the committee has set aside as far as fossil research. We do need to learn how to use carbon fuels more cleanly. We have to learn how to use them more efficiently, as we also look for a broader mix of energy policy in this country.

So, very reluctantly, I would have to oppose the gentleman's amendment, but I agree with every word he has said about the need in this country.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I insist on my point of order.

The CHAIR. The gentleman will state his point of order.

Mr. FRELINGHUYSEN. Mr. Chairman, the amendment proposes to amend portions of the bill not yet read.

The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment proposes to increase the level of outlays in the bill.

I ask for a ruling from the Chair.

The CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill.

Because the amendment offered by the gentleman from New York proposes a net increase in the level of outlays in the bill, as argued by the chairman of the Subcommittee on Appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. WOODALL

Mr. WOODALL. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 6, after the dollar amount, insert "(reduced by \$4,900,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$4,900,000)".

Mr. VISCLOSKEY. Mr. Chairman, we do not have a copy of the gentleman's amendment.

Mr. WOODALL. I've got a copy right here. I would be happy to—

Mr. VISCLOSKEY. I regret that the gentleman did not share it with us earlier.

Mr. WOODALL. I turned in a copy at the desk, and I regret that the ranking member didn't get one earlier.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. WOODALL. Thank you, Mr. Chairman.

My amendment moves to strike from the operation and maintenance account all dollars for global warming project planning.

I know the committee put a lot of effort into this particular section of the bill, plussing it up almost a million dollars over 2011 levels, up \$52 million from the FY 2012 request.

I come from a county—my primary county, Mr. Chairman, depends entirely on a Corps water project for all of our drinking water, not to mention recreation and economic development, and on and on and on. So I'm very interesting in seeing the Corps succeed.

What I'm concerned about are those silos that are being created in government today, Mr. Chairman. This body in the early 1970s would have been talking about the calamity we are faced with, global cooling, and here we today with a special budget line item for global warming for the Corps of Engineers.

We have a great deal of global warming money going into our Department



of the Interior, going into the Environmental Protection Agency. The Corps at its core is a construction agency, and certainly this account provides for operations and maintenance for anything that might come up along those lines. But rather than creating this silo to focus specifically on global warming issues, in these tough economic times when we have so many Corps projects that are so lacking in funding, my amendment would strike this account in its entirety, \$4.9 million, and transfer that money to a deficit reduction account.

I yield back the balance of my time.

Mr. MARKEY. I move to strike the last word.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. Mr. Chairman, I rise in opposition to this amendment.

This attack on science, this attack on the need to learn more about the science of climate change, more about the impacts which this changing global environment is having upon our planet is just, once again, a direct attack upon the reality that the planet is warming, and in parts of the planet, the Arctic, sub-Saharan Africa, dangerously so.

So the role that science plays is a little bit like the role that Paul Revere played. The scientists are saying climate change is coming. It's intensifying. It can do great harm to our planet and to the security interests of our planet.

So this amendment basically strikes right at what it is that the rest of the world expects our country to be, which is the leader on science. And if we look at it in the totality of the energy part of this bill that we're considering today where they cut the funding for solar, for wind, for energy efficiency, for geothermal, for biomass, for plug-in hybrids, for all-electric vehicles, it's all part of a pattern where they slash the budgets for those programs that can help to deal with the impacts of global warming.

□ 1520

By the way, this same bill increases the budget for oil, coal, and gas, that which is creating this global warming, the man-made gases that we know are dangerously warming the planet. So the green generation, the young people in our country, they look on at this debate, and they say, How can the Republicans cut wind and solar in the same budget that they are then going to defund the studies that basically help us to forecast, to deal with and to analyze the impact of global warming and climate warming on our planet?

I urge a "no" vote.

I yield to the gentleman from Indiana.

Mr. VISCLOSKEY. I appreciate the gentleman yielding and would join in

his objection to the amendment that is offered. I happen to believe that we have climate change. Others will debate that, and I would set aside that debate for the moment and simply recognize the obvious, and that is we have had significant variations in weather patterns in the United States of America. We have had horrific flooding in the Midwest during this past year, and that flooding has huge impacts on the reservoirs that are managed by the Army Corps of Engineers. I think it is not correct public policy to not proceed with the study as to how climate and weather patterns affect those very important Corps projects and appreciate the chairman rising in objection.

The CHAIR. The time of the gentleman from Massachusetts has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. MARKEY was allowed to proceed for 1 additional minute.)

Mr. DICKS. Will the gentleman yield?

Mr. MARKEY. I yield to the gentleman from Washington.

Mr. DICKS. I held hearings when I was chairman of the Interior and Environment Appropriations Subcommittee, brought in the Federal agencies, and every one of them testified that they could already see signs of the effects of climate change: one was a longer fire season; one was more drought; one was more variations in weather; and, most importantly, to the Corps of Engineers, that the seas are rising at a rate more rapidly than at any time in the last 3,000 years.

Now, this is serious stuff that affects the planet. I'm glad the gentleman who chaired the committee on this took time to be here.

Mr. MARKEY. I thank the gentleman.

We've had 11 three- and four-star generals and admirals testify that we need a national intelligence assessment of the defense implications of global warming around the planet, and we have done that for the Pentagon. We have done that for the National Security Agency at their request. They believe it's real. They believe it has real implications for the defense of our country where we might have to project force.

The same thing is true domestically, however. The same thing is true in terms of how we have to protect our own people because of rising rivers, because of increased drought, because of the melting of the Arctic, because villages are falling into the ocean up in Alaska because of the melting tundra. These are things that affect us here in the United States today. And to say, no, we are going to defund all aspects of that is a mistake.

I yield back the balance of my time.

Mr. DICKS. I move to strike the requisite number of words.

The CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. There also is another aspect of this that some people don't recognize, and that is ocean acidification, which is upon us. A significant amount of carbon dioxide goes into the oceans. And that's why getting a handle on this and trying to control CO<sub>2</sub> emissions is so very important. And when it goes into the ocean, it has a negative effect on coral and it has a negative effect on oysters. It has a negative effect on anything in a shell. In fact, there is the phytoplankton which is one of the crucial elements for salmon, 60 percent of the food for salmon. If the acidity rate gets as high, the pH rate drops and the acidity goes up, those fish will be adversely affected.

Mr. WOODALL. Will the gentleman yield?

Mr. DICKS. I want to yield to the gentleman from Massachusetts, and then I will yield to the gentleman.

Mr. MARKEY. I thank the gentleman.

So this is science. This is undeniable. This is what the green generation keeps screaming at our generation, Are you going to do anything about it? Are you going to put a plan in place to deal with it? And what their budget today says is, no, we are slashing the wind budget, the solar budget, the plug-in hybrid budget, the all-electric vehicle budget, and the energy efficiency and conservation budget. We are slashing, slashing, slashing. And then, to put the cherry on top of the sundae, they say, well, let's just eliminate the money that deals with the study of global warming climate science, because obviously it's not a problem. And in the same budget, they increase the funding for oil, gas, and coal.

Now, that is a budget looking in a rearview mirror at the technologies that are causing problems, including national security problems for us because of some importation of that oil, while not in fact depending upon our technological genius. And that's what young people in our country want. They want us to use the technology to be able to tell the Saudis and others that we don't need their oil any more than we need their sand.

But what we have here is not only a national security disaster but an environmental disaster which is looming in our country. And the Republicans continue to slash away at the science that helps us to protect them.

Mr. DICKS. I appreciate the gentleman's statement.

I yield to the gentleman from Georgia.

Mr. WOODALL. I appreciate the work you've done on this bill.

This appropriation, this \$4.9 million isn't about doing the science. You won't see me down here attacking dollars for the science. But as the gentleman knows, this is about the maintenance and operation of Corps projects

dedicated solely to global warming. If we were talking about the science, then let's talk about the engineers and the folks who are going to do that Corps research.

This isn't that. This is just like the bricks-and-mortar operations and maintenance that goes on in every Corps project in my district, and every other Corps project across the country, but just put in the global warming silo. And I'm concerned that the visceral reaction that even a discussion of operations and maintenance brings up demonstrates where silos of this kind do more harm than good.

I thank the gentleman for yielding.

Mr. DICKS. I yield to the gentleman from Massachusetts.

Mr. MARKEY. I thank the gentleman.

This item is a response to climate change at Army Corps projects, response to climate change. Are we going to be in denial that projects here in the United States aren't affected by climate change, that we are somehow immune to what's happening in the Arctic and the sub-Saharan deserts of Africa right now? No, we are not.

And so this amendment is just a continuation of this same attack that the whole bill is, in fact, aimed at achieving.

Mr. DICKS. What I worry about is how many of our people live on the coast of this country who could be directly impacted by rising sea levels. And the seas have gone up more rapidly in this last 50 years than it has in the last 3,000 years. Somebody's got to take this seriously. Obviously, there are some on the other side who are in denial. The gentleman said it quite correctly. They don't believe that this is real. It is real.

Mr. MARKEY. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Massachusetts.

Mr. MARKEY. We just had a debate on the Everglades. The Everglades is a perfect example of where, over the next 20 to 50 years, climate change is going to have a profound impact on an entire State. And this amendment is just part of the denial, as is the evisceration, the annihilation of the wind, solar, and all-electric vehicle budget that is being cut out of this bill.

Mr. DICKS. If they don't take into account Corps of Engineers projects on the possibilities that the seas are going to rise, I mean, this could be catastrophic. It could be another Katrina.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WOODALL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. WOODALL. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the

amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT OFFERED BY MR. COURTNEY

Mr. COURTNEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 15, insert before the period at the end "*Provided further*, That in addition, there is appropriated \$808,000,000, which shall be derived from the Harbor Maintenance Trust Fund".

Mr. FRELINGHUYSEN. I reserve a point of order on the gentleman's amendment.

The CHAIR. The point of order is reserved.

The gentleman from Connecticut is recognized for 5 minutes.

□ 1530

Mr. COURTNEY. Mr. Chairman, this amendment is simple. It would increase the Army Corps of Engineers operations and maintenance budget by \$808 million in 2012. This number is not a random number that was just picked out of the air. This number represents the difference between the tax revenue collected through the harbor maintenance tax and the amount of money that is actually being spent out of the harbor maintenance trust fund for the purpose of maintaining and dredging America's harbors.

Again, for some listeners it might be helpful to understand that in 1986, the Congress passed a harbor maintenance tax, which is a tax—it is really a user fee—on imported goods coming into America's harbors all across this country, East Coast, West Coast, all across the coastlines of the United States of America. The purpose of that tax was to create a fund to dredge harbors so we would have passable waterways. Again, we have heard over and over this afternoon, that is good for the U.S. economy.

What has happened since 1986 is the revenue collected through the harbor maintenance tax has gone up at a steady rate. It has gone up 13 percent just in the last year because there are a lot more imported goods coming into this country, but the funding for actual dredging has plateaued. It has been at a level pace so that today, we have a budget which calls for using only 53 percent of the harbor maintenance taxes collected for the purposes of dredging America's harbors. This would be like having only 53 percent of our gas taxes being spent on surface transportation in this country. If motorists saw only 53 percent of gas taxes being actually used to maintain roads in this country, there would be a revolution, because there is a promise in terms of Federal gas taxes that it will be used to maintain surface transportation.

Well, that was the equivalent idea under the harbor maintenance tax

passed in 1986, that it would be used to invest and reinvest in America's harbors.

Because we are, in fact, diverting year in and year out hundreds of millions of dollars out of the harbor maintenance tax away from its intended purpose, we have what we have seen here this afternoon. We have heard from Members from Massachusetts, from New York, Louisiana, South Carolina, and New Jersey.

I can chime in from Connecticut. We have about \$113 million of dredging that is underfunded from Bridgeport all of the way to Stonington. And I know the gentleman from New Jersey is familiar with the fact that we are on the silty side of Long Island Sound. Again, we have a Navy base which requires dredging to keep our attack submarines going in and out of New London. But we also have a maritime economy that depends on having these Federal waterways dredged.

The budget that we will be passing this year, whether it is the President's budget or whether it is the one that the subcommittee has reported out, is clearly inadequate in terms of making sure that our waterways are passable.

As we have heard from other Members, because of the increase in terms of imports, whether we pass these new free trade agreements or not, the expansion of the Panama Canal is going to double the amount of imports brought in by sea into this country, and we have a system that is clearly inadequate in terms of dealing with that challenge.

Now there is legislation pending before the Congress. I am a cosponsor with the gentleman from Louisiana (Mr. BOUSTANY). It is called the RAMP Act. It is an acronym for Restore America's Maritime Promise Act, which is a grandiose title, but it is true. We need to make sure that these harbor maintenance taxes are being directed to their intended purpose when that tax was created in 1986. What the RAMP Act will do is basically cordon off this tax revenue so that it is used for the intended purpose that Congress meant when it was passed in 1986.

What that will do is it will take pressure off this subcommittee's budget year in and year out. Again, it will deal with this problem that has worsened, as the subcommittee chairman mentioned, because earmarks are now a thing of the past in terms of dealing with dredging projects. What it will do is create a stable flow of money into the Army Corps of Engineers harbor maintenance dredging fund so that all of these projects that we have heard about this afternoon—again, from one end of the country to the other—are actually going to be paid for. We have over 100 bipartisan cosponsors.

The Transportation Committee had a hearing this past Friday, and it does appear from Mr. MICA that they are

going to move forward in terms of adopting the RAMP Act as part of the transportation authorization bill.

This amendment, again, puts a spotlight on the fact that only 53 percent of the harbor maintenance tax revenue is being used for its intended purpose, and that is the reason why I have offered this amendment.

I suspect it will be subject to a point of order. But again, I think it is important for people to realize there is a way out of this problem that we face: Pass the RAMP Act.

The CHAIR. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Chairman, I continue to reserve my point of order, and I move to strike the last word.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, while I strongly support the gentleman from Connecticut's overall intent, I must regretfully oppose his amendment.

I share my colleague's concern for sufficiently maintaining our waterways. These waterways contribute significantly to our national economy by providing a means of cost-effective cargo transportation. In recognition of the economic benefits of navigation generally and maintenance dredging specifically, the bill before us provides funds above the President's budget request for navigation needs—\$191 million in total and \$99 million specifically for the operation and maintenance activities. This funding represents a 12 percent increase over the President's own budget for navigation.

I also agree with the gentleman from Connecticut's idea that if the Federal Government levies a tax for a specific purpose, the revenue should be used for that purpose. Unfortunately, the only way to do that at this point would be to make substantial reductions in other priorities in our bill.

The gentleman's amendment would avoid those difficult decisions by simply not offsetting the additional spending, but our debt crisis makes that, too, an untenable option. For these reasons, even though I am very much in support of what he is trying to achieve, which is things for navigation, keeping America open for business, I must oppose his amendment, and I will insist on my point of order.

Mr. VISCLOSKEY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I would be happy to yield to the ranking member. Mr. VISCLOSKEY. I appreciate the gentleman yielding, and just want to make one observation.

The gentleman is absolutely correct as far as the maintenance fund. After fiscal year 2012, there will be \$6.928 billion in the fund. Today there is \$5.474 billion in the fund. That discrepancy is \$1.454 billion. Apparently, it will make

the deficit look a bit better, but at \$1 trillion, who are we fooling? Certainly no one in the United States of America. The chairman of the committee rightfully pointed out that it is unfair to those who are paying the tax, it is unfair to those companies who want to make a fair profit, as well as to those who might be able to work, if we could resolve this problem.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

#### POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I insist on my point of order.

The CHAIR. The gentleman from New Jersey will state his point of order.

Mr. FRELINGHUYSEN. Mr. Chairman, the amendment proposes a net increase in budget authority in the bill. The amendment is not in order under Section 3(j)(3) of House Resolution 5, 112th Congress, which states: "It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI."

The amendment proposes a net increase in budget authority in the bill in violation of such section.

I ask for a ruling from the Chair.

The CHAIR. Does any Member wish to be heard on the point of order?

The gentleman from New Jersey makes a point of order that the amendment offered by the gentleman from Connecticut violates section 3(j)(3) of House Resolution 5. Section 3(j)(3) establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

As persuasively asserted by the gentleman from New Jersey, the amendment proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

#### REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$196,000,000, to remain available until expended.

#### FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, \$109,000,000, to remain available until expended.

#### FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for floods, hurricanes, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, \$27,000,000, to remain available until expended.

#### EXPENSES

For expenses necessary for the supervision and general administration of the civil

works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, \$185,000,000, to remain available until expended, of which not to exceed \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

#### OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by section 3016(b)(3) of title 10, United States Code, \$5,000,000, to remain available until expended.

#### ADMINISTRATIVE PROVISION

The Revolving Fund, Corps of Engineers, shall be available during the current fiscal year for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles for the civil works program.

#### GENERAL PROVISIONS, CORPS OF ENGINEERS—CIVIL

##### (INCLUDING TRANSFERS OF FUNDS)

SEC. 101. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act;
- (4) reduces funds that are directed to be used for a specific program, project, or activity by this Act;
- (5) increases funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less; or
- (6) reduces funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less.

(b) Subsection (a)(1) shall not apply to any project or activity authorized under section 205 of the Flood Control Act of 1948, section 14 of the Flood Control Act of 1946, section 208 of the Flood Control Act of 1954, section 107 of the River and Harbor Act of 1960, section 103 of the River and Harbor Act of 1962, section 111 of the River and Harbor Act of 1968, section 1135 of the Water Resources Development Act of 1986, section 206 of the Water Resources Development Act of 1996, or section 204 of the Water Resources Development Act of 1992.

(c) This section shall not apply to additional flood and coastal storm damage reduction and navigation program funds provided under "Remaining Items" in the tables under the headings "Corps of Engineers—Civil—Construction" and "Corps of Engineers—Civil—Operation and Maintenance" or to additional investigations funding under

“National Programs” under the heading “Corps of Engineers-Civil—Investigations” in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

(d) The Corps of Engineers shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 102. None of the funds in this Act, or previous Acts, making funds available for Energy and Water Development, shall be used to implement any pending or future competitive sourcing actions under OMB Circular A-76 or High Performing Organizations for the Army Corps of Engineers.

AMENDMENT OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 102.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. SESSIONS. Mr. Chairman, over the last few weeks, the House has voted three times in favor of striking problematic and anticompetitive A-76 language from H.R. 2017, the Department of Homeland Security appropriations bill; and from H.R. 2112, the Agriculture appropriations bill; and last week from H.R. 2219, the Department of Defense appropriations bill.

□ 1540

The same change and reversal of bad policy should be adopted in this legislation by striking section 102 from the bill. My amendment would strike section 102 of this legislation, which, as drafted, prohibits the use of any funds in the underlying bill to convert any functions performed by Federal Government employees to private competition pursuant to a study conducted under OMB Circular A-76 or high-performing organizations for the Army Corps of Engineers.

Currently, some 850,000 of the 2 million executive branch, non-postal, full-time, and permanent positions are jobs that are commercial in nature. The Heritage Foundation has reported that subjecting Federal employee positions which are commercial in nature to a public-private cost comparison generate on average a 30 percent cost savings regardless of which sector wins the competition.

According to Americans for Tax Reform, the average cost of each new Federal employee for salary, benefits and pension totals \$4.27 million. Without competition, government-run monopolies of commercial activities duplicate and price out the private sector, resulting in inefficient expenditures of taxpayer money. The requirements outlined in section 102 are unnecessary. Rather than preventing market com-

petition that would improve service and lower costs, we should be encouraging agencies to find the best way to deliver services to the citizens of this great Nation. The role of government should be to govern, not to operate businesses inside the government.

The Nation's current unemployment rate is 9.2 percent. Congress must allow the private sector the ability to create jobs without an unfair disadvantage and, might I also add, without an unfair disadvantage to the taxpayer. Removing section 102 will allow the private sector just this opportunity. If competition is deemed fair, it really doesn't matter who wins. As long as both sides are allowed equal opportunity, the taxpayer should be and, I believe, would be the ultimate winner.

I urge all of my colleagues to support this commonsense, taxpayer-first amendment and to ensure cost-saving competition is available.

I yield back the balance of my time.

Mr. VISCLOSKY. I move to strike the last word.

The CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I rise in strong opposition to the gentleman's amendment.

The gentleman's amendment would strike section 102 of the bill, a provision that prohibits the use of the Circular A-76 privatization process and high-performing organization process for the Army Corps of Engineers. This is a debate that we have had before. This provision enjoys support from both sides of the aisle, and has been included in this bill every year since fiscal year 2008. This provision was originally included to stop an effort to privatize the operation, maintenance and repair of locks and dams.

The importance of locks and dams to our Nation's economy cannot be understated, and any failure to ensure that the Nation's waterways remain safe and navigable would cripple the economy. These operators and mechanics make vital decisions affecting the lives, liberty and property of private persons, thus rendering the workload inappropriate for contractor performance. Further, no reasonable argument has been made that the locks and dams are overstaffed. Additionally, the Corps undertook a privatization study for their IT personnel in 2004. After an expensive 3-year study, the results came back as an in-house win.

In general, the circular is profoundly flawed. Both the Government Accountability Office and the Department of Defense Inspector General have reported that agencies are constantly unable to demonstrate that A-76 studies result in savings and that agencies fail to consider the significant costs of conducting such studies. There is nothing wrong with attempts to look for efficiencies in the Federal workforce—that certainly is clear—but when describing

A-76 processes, I think of a phrase often uttered by other colleagues: “That dog won't hunt.”

We need to stop wasting millions of dollars on these expensive competitions that time and again show government employees are a less expensive alternative, and I would urge all of my colleagues to vote “no.”

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of the gentleman from Texas' amendment.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The amendment of the gentleman from Texas will allow the Corps to use the A-76 process at its discretion. It will not require that anything in particular be contracted out.

I agree with the gentleman that, particularly during this time of necessary budget-cutting, we should allow the agencies to evaluate all options and to choose the most cost-effective manner of delivering a product or service. The language to be struck is a carryover provision from several years ago when there was, perhaps, too much of an emphasis placed on the A-76 process. We are not in the same situation as several years ago, as we know, so the provision is unnecessarily restrictive. Therefore, I strongly support the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. SESSIONS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

Mr. MORAN. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Only 3 percent of the water on this planet is freshwater, but that's the water that we depend upon for drinking, for agriculture, and for much of our fishing and wildlife habitat.

If my amendment to strike section 109 of this bill is not accepted, critical headwater and wetlands, which ensure the quality and the quantity of our freshwater supply, will be lost—lost to the dumping of sewage, to toxic mining materials, and to unregulated in-fill for residential, commercial and industrial development.

Over the past decade, Mr. Chairman, two Supreme Court rulings have caused confusion about which waters and wetlands should receive protection under the Clean Water Act. As a result, important fish, wildlife, flood protection, and filtering waters now lack clear protection under the law, and businesses

and regulators face uncertainty and delay as to which waters should fall under Federal protection.

The Corps of Engineers and the Environmental Protection Agency developed draft guidance this spring to clearly show which waters should be protected, and this guidance does provide clear and predictable guidelines in accordance with the Court's direction, but this bill prohibits that guidance from moving forward this year and every subsequent year. The Supreme Court did remove some waters from Federal protection, but it left a great deal of confusion over which waters and wetlands should be protected. The EPA and the Corps of Engineers are using an open, public process to develop the guidance. Published in May and open for comment through July, the public, businesses and States have over 3 months to let the Federal agency know their views. All comments will be considered and made publicly available.

It is important to understand what the guidance does not do. This new guidance doesn't change any existing agricultural exemptions. All clean water exemptions for normal agricultural, forestry and ranching practices continue to apply. The guidance also clearly describes waters that are not regulated under the act, including isolated wetlands, artificially irrigated areas, stock watering ponds, construction-related ponds, swimming pools, and washes and gullies.

Failing to update the guidance, which is what this bill would do unless my amendment passes, is not only bad for the environment, but it's also bad for business.

□ 1550

American businesses need to know when the Federal Government has authority and when it doesn't. Without updated guidance, developers have little certainty regarding permits. This uncertainty could subject them to civil and criminal penalties, and surely will cost them extra money.

Some also claim that Federal regulation is unnecessary because States will protect the same waters under their authority. But State authority to regulate waters of the United States derives directly from Federal law. When Federal law is unclear, State authority based on that law is also unclear. States are still required to implement the law, but they need clarity to be consistent and to avoid lawsuits. Some States may adequately protect clean waters on their own, but not all do. The Corps and the EPA must be able to protect water quality irrespective of whether individual States do.

Sixteen different sportsmen's groups oppose the prohibition in this group, as do over 100 conservation groups. When wetlands are destroyed and streams are polluted, sportsmen are often the first

to be directly impacted. The economic benefits of hunting and fishing contribute more than \$65 billion to the economy, breathing life into rural communities and supporting millions of jobs across the country.

But these benefits are in jeopardy with this bill. Since 2001, safeguards for headwater streams and critical wetlands have steadily eroded. Wetlands and tributaries that provide clean water for iconic systems like the Chesapeake Bay and the Great Lakes that recharge aquifers, help retain floodwaters, and provide important fish and wildlife habitat are now endangered. These economic and environmental benefits will be lost without updated guidance and rules.

If this bill language stands, some critical waters will be subject to sewage dumping, to mining contaminants, and to industrial pollution. Some will be filled in for development. Bear in mind, much of the fresh water we depend upon is under the ground, but contiguous to rivers and streams that our fiscal health and the health of our economy is dependent upon.

That's why I urge a vote for my amendment to strike section 109.

The CHAIR. The time of the gentleman has expired.

The Clerk will read.

The Clerk read as follows:

SEC. 103. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 104. None of the funds in this Act, or previous Acts, making funds available for Energy and Water Development, shall be used to award any continuing contract that commits additional funding from the Inland Waterways Trust Fund unless or until such time that a long-term mechanism to enhance revenues in this Fund sufficient to meet the cost-sharing authorized in the Water Resources Development Act of 1986 (Public Law 99-662) is enacted.

SEC. 105. Not later than 90 days after the date of the Chief of Engineers Report on a water resource matter, the Assistant Secretary of the Army for Civil Works shall submit the report to the appropriate authorizing and appropriating committees of the Congress.

SEC. 106. During the 1-year period beginning on the date of enactment of this Act, the Secretary of the Army is authorized to implement measures recommended in the efficacy study authorized under section 3061 of the Water Resources Development Act of 2007 (121 Stat. 1121) or in interim reports, with such modifications or emergency measures as the Secretary of the Army determines to be appropriate, to prevent aquatic nuisance species from dispersing into the Great Lakes by way of any hydrologic connection between the Great Lakes and the Mississippi River Basin.

SEC. 107. The Secretary is authorized to transfer to "Corps of Engineers-Civil-Construction" up to \$100,000,000 of the funds provided for reinforcing or replacing flood walls under the heading "Corps of Engineers-

Civil-Flood Control and Coastal Emergencies" in Public Law 109-234 and Public Law 110-252 and up to \$75,000,000 of the funds provided for projects and measures for the West Bank and Vicinity and Lake Ponchartrain and Vicinity projects under the heading "Corps of Engineers-Civil-Flood Control and Coastal Emergencies" in Public Law 110-28, to be used with funds provided for the West Bank and Vicinity project under the heading "Corps of Engineers-Civil-Construction" in Public Law 110-252 and Public Law 110-329, consistent with 65 percent Federal and 35 percent non-Federal cost share and the financing of, and payment terms for, the non-Federal cash contribution associated with the West Bank and Vicinity project.

SEC. 108. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to \$3,800,000 of funds provided in this title under the heading "Operation and Maintenance" to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 109. None of the funds made available by this Act or any subsequent Act making appropriations for Energy and Water Development may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce a change or supplement to the rule dated November 13, 1986, or guidance documents dated January 15, 2003, and December 2, 2008, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

AMENDMENT OFFERED BY MR. MORAN

Mr. MORAN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, strike lines 3 through 11 (and redesignate the subsequent sections accordingly).

The CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Mr. Chairman, I've explained what this amendment does. I believe that it is critically important to protect the headwaters and the wetlands of America.

Two Supreme Court rulings cast considerable doubt on what is to be considered navigable water. Clearly, some waters that may have been protected in the past are not now protected, but there is a great deal of confusion as to which waters do need to be protected. That's why more than 100 environmental groups, and more than 16 major sportsmen's groups have urged adoption of this amendment, which strikes section 109 because section 109 precludes the Corps of Engineers and EPA from issuing regulations that would clarify what waters do fall under Federal protection.

The original idea was that you would define waters that are contiguous, that you can see on the surface, that you can navigate across from one State into another as falling under Federal protection. The problem is that there are a lot of waters that part of the year may run under the ground but are still

contiguous and supply water to navigable streams and to rivers that are absolutely important to our economy and to our environment.

So which of those waters should EPA and the Corps of Engineers regulate? During part of the year, the water flows under the surface, but it's still there; it's still important. If we don't enable our Federal agencies to clarify which waters are to be protected, many wetlands will be filled in, many habitats will be destroyed, many streams that run alongside mines will be filled with toxic material that will then subsequently run into rivers and water supplies that people need for their drinking water.

Some bodies of water will be filled in with sewage. Some wetlands will be filled in for industrial, commercial and residential development. Some of that doesn't need to be protected, but much of it does. And all of it needs to be clarified. There's no way we can clarify what can be used and what needs to be protected unless the Corps of Engineers and EPA are allowed to go forward with regulations and guidance that they issued this spring.

Now, there's still comments coming in. They're still listening to all the parties involved. But once they issue these regulations, private interests will know what can be developed and what can't; mining firms, farms will all know what water is under the jurisdiction of the Corps and what water isn't.

I believe that was the intent of the Supreme Court. Two very important decisions, SWANCC and Rapanos, certainly said some waters are not under Federal jurisdiction, but they clearly left open a vast amount of room for the Federal Government to then clarify which waters are under Federal protection.

So this legislation—and not only does it apply to this fiscal year, it applies to all subsequent years—this legislation is going to cast enormous doubt. It's going to generate millions of dollars of lawsuits all over the country. That's why I oppose it, Mr. Chairman. I don't think it's in our economic interest or in our environmental interest for us not to clarify by allowing the normal guidance process to go forward.

I know that there is concern on the part of some farmers and miners and businesses, but the fact is the right thing to do is to move forward and strike section 109 of this bill.

The CHAIR. The time of the gentleman has expired.

Mr. REHBERG. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Montana is recognized for 5 minutes.

Mr. REHBERG. Confusion—you've heard the word confusion. There is no one confused. That pesky Supreme Court has ruled against the environmental community of America saying you're trying to overextend your au-

thority or belief in the authority of the regulatory agencies. There is no confusion here. It's a private property right.

□ 1600

When the Clean Water Act was written, as the courts have made their decision, whether it was the U.S. Supreme Court or the Fifth Circuit, they've made a determination that "navigable" means navigable. Thank goodness. Finally, a court that gets it; a court that understands, that makes the right decision. There is no confusion here. The confusion is that there is an element within American society that wants to regulate all water to the detriment of private property rights.

They want to make a determination that if there is a stock water pond and a duck lands on it, we get control. If there's an independent stream, meaning it goes underground, and then occasionally when it rains too much and there is going to be moisture, we want control. This is what we're talking about in America today, overregulation. When we talk about jobs—where are the jobs—a lot of it is because of overregulation.

Might I remind my colleague from Virginia, when I first got to Congress, one of the biggest issues was sewage dumped in a river—what river? the Potomac—in the dead of night. When their sewer system was full, the D.C. Government took their sewage and dumped it into the Potomac. And you know what happened? We thought, finally, us western Congressmen and -women, that there was going to be parity, there was going to be equality, there was going to be a recognition that many of the rules and regulations were difficult, there needed to be an infrastructure bill that was going to come and clean up our waters.

And what did the Virginia, Maryland, and D.C. Representatives do to Congress? They got an exemption from the decision to continue to allow some of the things that were occurring in the Potomac.

You want to talk about the endangered species and the bridge south of here going across the Potomac? There was an Endangered Species Act. We westerners, said, Thank God. Finally there's going to be equality. There's going to be parity. You are going to recognize that some of the things that we're having to deal with in the West just don't necessarily work as easily as you think they're going to.

What did the Representatives from D.C. and Virginia and Maryland do? They helped Congress and the bureaucracy turn their backs on those various regulations. This is clearly understood. This is clearly defined. We don't want the Federal agencies mucking around in an issue that they don't understand. This is clearly an East versus West or an urban versus rural debate.

Finally, finally, the courts have said, enough is enough. You've gone too far.

There is no confusion. The only confusion is they want to create confusion. They want to make an argument so they can ultimately start overregulating one more time to the cost of our jobs, to the cost of our economy, frankly, in some cases, like in the Potomac, to the cost to our environment. Shame on them.

Work with the western colleagues to clearly understand how to manage natural resources for the betterment of the natural resources, for clean water. Let the people that have allowed us the opportunity to have the clean water have it in the future. That's private property. That's a clear understanding of State regulations.

One of the reasons we're even going through the whole states' rights issue in the water issue and the adjudication process in places like Montana is so that we can clearly understand that it's a states' rights issue, that we'd better understand water—especially the headwaters. And, frankly, the downstream States are the beneficiaries of the clean water that we're sending them.

Don't further hamstring us. Don't tie our hands. Don't allow additional regulatory oversight for the various agencies that are helping to create a problem. And we'll have better clean water. Society will have a better environment. We will have a better America. And as a result, we will have the jobs that we want.

I yield back the balance of my time.

Mrs. LUMMIS. I move to strike the last word.

The CHAIR. The gentleman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Mr. Chairman, I rise to oppose the amendment and to support the underlying bill.

Water rights are a State issue. And this amendment would allow two Federal agencies to increase their own scope of jurisdiction pursuant to the Clean Water Act. Those agencies have acknowledged that this amendment would allow them to increase the scope of their jurisdiction under the Clean Water Act. It is not that nonnavigable waters go without regulation. Nonnavigable waters are regulated. They are regulated in the States by State systems. In the State of Wyoming, that system is a regulatory system administered by the executive branch. In Colorado, that system is an adjudicatory system regulated through the courts.

But in every case, in the West, where water is precious and sparse, the people who control it—whether it is in my State, like the board of control and our four regions and our water commissioners, our superintendents, our ditch riders, our ranchers, our farmers, our Department of Environmental Quality—they know the names of the streams; they know the names of the people who interact with the streams, the livestock that interacts with the



streams, the wildlife that interacts with the streams, the weeds, the crops, the grass. They understand these ecosystems.

State government has been regulating water for over a century in a very comprehensive, clear, boots-on-the-ground, understand the systems way of managing. Now if you take that and allow the EPA and the Army Corps of Engineers to expand their jurisdiction in a way that includes nonnavigable waters, it will take that regulatory scheme that is working so well, and it will bring it to Washington, 2,000 miles away from where the regulators are currently doing their jobs well every day, and put it right here in Washington, D.C., where people don't understand the scarcity of water, where people don't understand our regulatory schemes, where they don't understand our case law, where they don't understand our ditch riders, where they don't understand our superintendents, where they don't understand our boards of control, they don't understand our State engineers.

Under the Western Attorneys General Conference, there is a specific entity related to the State engineers. The State engineers in the West are the people who regulate water. They meet regularly to discuss interstate issues and water jurisdiction as well as intrastate issues. This is a well-regulated, well-understood, well-managed, well-articulated system.

To take it and decide the Federal Government, for no good reason, could do better at a time when the Federal Government is broke and we cannot expand its jurisdiction without costing the taxpayers needlessly more is a travesty, Mr. Chairman.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I too rise to oppose this amendment offered by the gentleman from Virginia, an amendment offered, in my mind, to protect this administration's overreach on regulating all bodies of water in this country.

As my friend from Montana alluded to, this really is a job-killing amendment. Section 109 of the Energy and Water Development Appropriations bill puts a check on this administration's proposed "guidance" on Clean Water Act regulations. Mr. Chairman, at a time when unemployment exceeds 9 percent, this so-called guidance document, from my point of view, being from the West, will undermine economic growth, increase permitting requirements, and undoubtedly lead to more litigation.

According to the American Farm Bureau Federation, this guidance document "would take an overly broad view

of waters of the United States and would serve as a road map to designate nearly all bodies of water, and even some dry land, as subject to Federal regulation that dictates land use decisions."

Mr. Chairman, water is a precious commodity, especially to those of us in the West. It is a necessary resource for many activities, including agriculture, energy, transportation, and recreation. Our economy and way of life cannot afford to have the Federal Government claim control of all waterways in this country. This administration's attempt to enact such Draconian regulations through regulatory fiat is a deliberate attempt to circumvent Congress.

□ 1610

As many of my colleagues know, the prior Congress could not pass an overly restrictive renewal of the Clean Water Act, so it's clear that this part of the regulatory agenda is aimed at picking up the pieces that the Congress could not enact last time. So it's for this reason that I joined 169 of my colleagues in April of 2010 to urge both the EPA and the Corps of Engineers to withdraw these proposed guidance regulations. That was in April of 2010. Unfortunately, this administration refuses to do so.

So that is why section 109 is so important, to protect rural America from overzealous bureaucracies. For that reason, Mr. Chairman, I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. I move to strike the last word.

The CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I rise in strong support of the gentleman's amendment. Without this amendment, the bill would result in increased implementation costs to both the Federal and State resource agencies, as well as to the regulated community, increase delays in the implementation of important public works projects and protracted litigation on the disparity between existing Federal regulations and the two court decisions.

Clearly, the Army Corps of Engineers cannot exceed its congressional authority. But it's certainly necessary that the law and regulations be clarified, given the Supreme Court decision. There is a purpose to the Clean Water Act. It is to protect the Nation's waterways. And all of the environmental and economic benefits these aquatic ecosystems provide are at risk if some elements are protected and others are not.

We certainly need to make sure that the definitions are predictable and manageable. The definition of waters protected by the Clean Water Act should be clear, understandable, well-supported, and transparent to the public. I am concerned if the language cur-

rently in the bill is not removed that that will not be the case. It is certainly needed to promote consistency between the Clean Water Act and agricultural wetland programs. We need the identification of waters covered by the Clean Water Act and the Food Security Act. And operational elements of implementing programs should reflect consistent, predictable, and straightforward decision guidelines. We ought to be precise on exemptions as well.

My further concern is that the provision now contained in the bill does not apply simply to the coming fiscal year; it applies to any subsequent energy and water development act, ensuring uncertainty continues indefinitely.

So I am in strong support of the gentleman's amendment and would be willing to yield time to him.

Mr. MORAN. I thank my very good friend, the ranking member of Energy and Water Appropriations.

Let me first address the points that were made by my very good friend from Montana.

First of all, there was a suggestion that there was sewerage dumped into the Potomac River. I think that's pretty much a quote. That's not accurate, I would say to my very good friend. It was not sewerage. It was clean, filtered silt that came from a drinking water reservoir that was put into the Potomac without any threat to the quality of the water or the habitat. The Corps of Engineers understood that. They don't now put it there. But I don't think it's quite accurate to describe it in the way that it was.

With regard to the Supreme Court ruling, even Justice Scalia made it clear that waters that are adjacent to navigable waters should be federally regulated and protected. So the statement that was offered in the debate is not entirely accurate.

I would also mention that EPA does have an office in Montana. And, in fact, the people who were adversely affected by the oil pipeline of late that put a considerable amount of oil into the Yellowstone River, they are saying that EPA was wonderful, tremendously helpful to them. That's what EPA wants to be now, not only to individual communities adversely affected, but to the businesses, to the mining interests, to the farming interests that need clarification on what waters are appropriately under Federal jurisdiction.

Mr. VISCLOSKY. Mr. Chairman, I yield back the balance of my time.

Mr. TERRY. I move to strike the last word.

The CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. I yield to the gentleman from Montana.

Mr. REHBERG. I thank the gentleman from Nebraska for yielding.

No, the point is there was more than just clean water dropped into the Potomac. It was done in the dead of the



night. It would not have needed to be done in the dead of the night if it was being done legally or aboveboard. And if you want to talk about the oil spill in Montana, the Yellowstone River is in fact a navigable stream.

Yes, in fact, the EPA did a good job. No, in fact, we haven't, to my knowledge, yet—and that is still yet to be open to interpretation because we are waiting—there has been no loss of life among the fish. We will wait and see. Certainly, some of the ramifications will be down the road as a result of the studies that occur. And we do appreciate the EPA coming in. But, again, it was a navigable stream.

And this amendment strips what we are trying to do to protect nonnavigable from being expanded beyond the original intent.

Mr. DICKS. Will the gentleman yield?

Mr. TERRY. I yield to the gentleman from Washington.

Mr. DICKS. The gentleman talks about the Potomac. I have been here for many, many years. I was on the staff in the other body. And at the time—and this was probably in the mid-seventies when what the gentleman says was an issue.

Mr. REHBERG. No.

Mr. DICKS. What time are you talking about?

Mr. REHBERG. If the gentleman will allow me to reclaim the gentleman's time, no, no, this was—

Mr. DICKS. This was more recent?

Mr. REHBERG. Yes. This was in the year 2000.

Mr. DICKS. I was just going to say the reason we got the thing cleaned up was because of the Clean Water Act. That's how the Potomac got cleaned up.

Mr. REHBERG. No, the issue was not as a result of the Clean Water Act being established to clean up the various rivers around the country. The issue had to do with specifically the Potomac and the discharges that occurred within the Potomac. And those of us from the Western Caucus in 2001, which is when I first got to Congress, were trying to make the issue of the hypocrisy between the eastern constituency, the urban constituency of Washington, D.C., Virginia, and Maryland, trying to apply a different standard to Montana.

So the issue was specific to the discharge in the Potomac, and it was specific to the Wilson Bridge and an endangered species, and the hypocrisy of two separate interpretations. The Supreme Court has made an interpretation that the agencies are going too far. We agree with it. The language in the bill agrees with it.

This amendment is a bad amendment, and I hope you vote "no."

Mr. TERRY. I yield back the balance of my time.

Mr. DICKS. I move to strike the requisite number of words.

The Acting CHAIR (Mrs. MILLER of Michigan). The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I yield to the gentleman from Virginia.

Mr. MORAN. I thank the gentleman from Washington.

I am not going to belabor this, but I do think for the record we should clarify. Some of what the gentleman said is accurate except for the material. This was not sewerage. This was filtered silt that came from a drinking water reservoir at Dalecarlia that is operated by the Corps of Engineers. They did put it into the Potomac, after verifying that it would not jeopardize the health of the fish or any of the vegetation. And they did seek an exemption. They lost. And now that silt is put in a landfill.

Mr. DICKS. I would like to ask the gentleman a question.

Does the gentleman not believe, as I do, that the Potomac River is far better today in terms of water quality because of the Clean Water Act?

I yield to the gentleman from Virginia.

□ 1620

Mr. MORAN. There is no question that the Clean Water Act is responsible for the health, such as it is, of the Potomac River. There was a time when you could almost strike a match and light the Potomac River on fire, there was so much pollution in it.

Mr. DICKS. There were rivers, particularly in Pennsylvania, where they, in fact, did that.

Mr. MORAN. They did that.

Mr. DICKS. And it was lit on fire. And then the Clean Water Act was passed by Congress, and guess who signed it? Richard Milhous Nixon. He signed that bill. He signed the Clean Air Act, the Environmental Policy Act. I mean, in those days there were Republicans who cared about the environment.

Mr. MORAN. Bill Ruckelshaus.

Mr. DICKS. Bill Ruckelshaus, Bill Agee.

Mr. MORAN. Yes.

Mr. DICKS. And to hear this discussion over there about the Clean Water Act is really amazing. And this amendment, your amendment would improve it, would protect the environment, clarify the Supreme Court decisions so that we can get on with it and to make the waters of our country swimmable, fishable and drinkable.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DICKS. I yield to the distinguished chairman of the Natural Resources Committee.

Mr. HASTINGS of Washington. I appreciate my friend from Washington yielding.

This amendment is about a bureaucratic guidance on an issue, on an issue that this Congress attempted to take up last time that simply, among other

things, said that the jurisdiction of the Clean Water Act would not be navigable waters.

Now, that causes a whole lot of us in the West a lot of problems. And coming from an irrigation area, it bothers me because that means the Federal Government would now be in charge of everything not navigable, which could be irrigation streams.

Mr. DICKS. Reclaiming my time, I would just say to the gentleman, why don't you, as chairman, do you have jurisdiction over this or is this the Commerce Committee?

Mr. HASTINGS of Washington. This is Transportation.

Mr. DICKS. Which one?

Mr. HASTINGS of Washington. Transportation.

Mr. DICKS. Well, you know, you Republicans are in the majority now. You are the chairman of a major committee. Why don't you have your committee system hold a hearing?

We don't—you know, the fact is what you are trying to do in this appropriations bill is so egregious that we have to use an amendment to fix it.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman.

Mr. HASTINGS of Washington. The issue for me is not the Clean Water Act. The issue was the attempt to amend the Clean Water Act to take out "navigable," and that is what is being done potentially by the guidance with this drafting.

Mr. DICKS. Reclaiming my time, again, the regulatory process hasn't even been completed. People are still sending in comments, and so to use a blunt tool and put this prohibition in here doesn't allow the process to work to make sure we can clarify the Supreme Court decision.

Mr. MORAN. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman.

Mr. MORAN. I would underscore what the distinguished ranking member of the full Appropriations Committee has said: This amendment prevents guidance and rulemaking. It's that comprehensive.

What EPA and the Corps of Engineers have tried to do is to clarify where Federal jurisdiction extends and where it ends. There is clearly confusion on what constitutes navigable waters. The Supreme Court recognized that, even Justice Scalia said it's not just navigable waters; it's waters that are contiguous. And there are any number of water sources that are under the surface that you can't see.

Most of the water in this country is under the surface. It can be under land; it's under water.

Mr. DICKS. Reclaiming my time just for a second, the gentleman may be better off in the long term by letting the process work. And if it does then clarify between navigable and nonnavigable, that would be important to the gentleman from Washington.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman.

Mr. HASTINGS of Washington. The law is clear. It only says “navigable.” Now, that is where the danger comes.

Mr. DICKS. Let’s work together to clarify it. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. VISCLOSKEY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 110. None of the funds made available in this Act may be used by the Corps of Engineers to relocate, or study the relocation of, any regional division headquarters of the Corps located at a military installation or any permanent employees of such headquarters.

SEC. 111. (a) Section 5 of the Act entitled “An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes,” approved June 22, 1936, (33 U.S.C. 701h), is amended by—

(1) inserting “for work, which includes planning and design,” before “to be expended”;

(2) striking “flood control or environmental restoration work” and inserting “water resources development study or project”; and

(3) inserting “: *Provided further*, That the term ‘States’ means the several States, the District of Columbia, the commonwealths, territories, and possessions of the United States, and Federally recognized Indian tribes” before the period.

(b) The Secretary shall notify the appropriate committees of Congress prior to initiation of negotiations for accepting contributed funds under 33 U.S.C. 701h.

AMENDMENT OFFERED BY MR. TERRY

Mr. TERRY. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of title I, insert the following:

SEC. —. Not later than 1 year after the date of enactment of this Act, the Army Corps of Engineers shall conduct and publish the results of a study regarding the reasons and contributing factors that led to the abnormal flooding of the Missouri River during the spring and summer of 2011, with specific focus on whether the water management activities of the Corps, conducted for any purpose other than flood prevention and control, contributed to the 2011 flooding and in what ways.

Mr. FRELINGHUYSEN. Madam Chair, I reserve a point of order on the gentleman’s amendment.

The Acting CHAIR. The gentleman from New Jersey reserves a point of order.

The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. Madam Chairman, I rise today with this amendment to the Energy and Water appropriations bill.

This amendment would direct the Army Corps of Engineers to conduct and publish a study regarding the flooding of the Missouri River this year. We need to know why this flooding occurred, particularly if our flood control system was utilized for purposes other than flood prevention, so we can prevent this from happening in the future.

Let me be clear. I would assume the Corps of Engineers in charge of flood control would be doing an annual study of whether or not they are succeeding in their legislative-mandated goals, the whole purpose of the dams along the river. So we are just simply asking them to do what they should be doing anyway, especially when this is such an interesting—well, strike the word “interesting”—devastating year based on the miscalculations of the Corps of Engineers.

As I am standing here now, the Missouri is flooding in five States, including Nebraska and Iowa. In my own district, I have constituents damaged, under water, wiped out. As we stand here, we are wondering if our levees are going to hold back the water preventing downtown Omaha from being flooded. This is a 90-day sustained flood. It’s entitled, “The Great Missouri River Flood of 2011,” not to recede until maybe October or November.

Anyone who lives near a powerful body of water knows flooding is a reality and must be expected or planned for. That’s the whole point of these dams and the Corps of Engineers’ purpose is to reduce the flooding. It’s been successful since the dams have been put in except for the last couple of years.

It’s imperative that we investigate the decisions, guidelines, and parameters in place to do the flooding to determine if there was any possibility that this disaster could have and, I would say, should have been prevented.

We must implement the necessary additional reforms and controls to ensure our flood control system is utilized for just that, Madam Chairman, flood control.

The issue, well documented in our local papers and some other publications, has shown that either the manual that the Corps of Engineers swears by leads them down the wrong path, which then led to this disaster that we are incurring at this moment, or that their modeling—and/or their modeling. There were other weather experts that predicted, one even said a flood of Biblical proportions, yet it wasn’t on the Corps of Engineers’ radar.

Something went terribly wrong here. So all we are doing is asking that there be specific language that they do what

is inherent to their job and determine if their manuals, their models need to be changed to prevent the devastating flood that we are incurring right now to prevent the next one in the future. That’s all we are doing with this amendment here.

I yield back the balance of my time.

□ 1630

POINT OF ORDER

Mr. FRELINGHUYSEN. Madam Chairman, I insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. FRELINGHUYSEN. Madam Chairman, I make a point of order against this amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: “An amendment to a general appropriation bill shall not be in order if changing existing law.” The amendment imposes additional duties.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to speak to the gentleman’s point of order?

Mr. TERRY. I would like to speak.

The Acting CHAIR. The gentleman from Nebraska is recognized.

Mr. TERRY. I tried to make the case that this is basically reiterating already current duties and responsibilities of the Corps but stressing that they need to look specifically at what caused this devastating flood.

I have to admit that you’re probably going to rule that this is legislating, but I have got to tell you I’m extremely disappointed. If we had somebody in the Missouri Valley on the Appropriations Committee, they could have done something similar to this in committee, but yet when somebody from outside the committee comes here at the right opportunity, then somehow it’s out of order.

I just don’t know how I go back to my constituents and tell them that the leadership in the House has raised an objection to this study. So I’m disappointed for my constituents. I’m disappointed, frankly, in the fact that something like this that’s so necessary and obvious wasn’t accepted.

The Acting CHAIR. Does any other Member wish to speak to the gentleman’s point of order?

If not, the Chair is prepared to rule.

The Chair finds that this amendment imposes new duties on the Army Corps of Engineers.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT OFFERED BY MR. MCINTYRE

Mr. MCINTYRE. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, after line 11, insert the following: SECTION 112. Section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d-5f) is amended—

(1) by striking “The” and inserting “(a) The”;

(2) by inserting before the period at the end the following: “or after the date of the last estimated periodic nourishment as contemplated in the Chief’s Report, whichever is later”;

(3) by adding at the end the following:

“(b) Before the end of the fifty year period referred to in subsection (a), the Secretary of the Army, acting through the Chief of Engineers, shall, subject to the availability of appropriations therefor, undertake a review of a project to which subsection (a) applies to evaluate the feasibility of continuing Federal participation in the project and shall make a recommendation to the Congress.”

Mr. FRELINGHUYSEN. Madam Chairman, I reserve a point of order on the gentleman’s amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCINTYRE. Madam Chairman, under the Water Resources Development Act, which we know as WRDA, of 1986, Congress authorized most coastal and shoreline protection and beach restoration projects to be periodically nourished according to a cost-sharing agreement between the Federal Government and a local sponsor, usually a municipality, for a period of up to 50 years from the starting date of the initial construction of the project.

Several of these projects are rapidly approaching the end of that first 50-year period of Federal participation. Currently, there is no language in place to provide a process for the reauthorization of these projects.

In order for the Federal Government to remain a continuing partner to protect the people, the infrastructure, the economy, and the environment of our Nation’s coastal communities, Congress must give the Army Corps of Engineers the authority to assess continued Federal participation in expiring beach and coastal projects prior to the end of their original authorizations in order to prevent interruptions to Federal renourishment efforts.

This authority would ensure that communities’ shorelines will remain safe and economically viable for years to come by letting the Army Corps and the local communities help determine whether or not to continue a shore protection project based on science, on local support, and the standards that the Corps uses for determining whether there should be continued Federal fiscal participation and whether it is warranted.

These projects are of national and regional significance. Coastal storm damage reduction projects not only support regional economies and, in-

deed, the national economy, but they provide critical protection against hurricanes and, as we now are in hurricane season, realize the seriousness of this and other dangerous storms.

Federal participation in these projects is determined based on a benefit-cost analysis, meaning that these projects go through a significant study in order to determine that they are merited and that it is in the Federal Government’s financial interest to continue to participate in these projects.

However, let’s be clear that this amendment would not cut Congress out of the loop, because Congress would always have the final say on final approval of reauthorizing these projects. Any approval for a construction phase would still have to be approved by Congress. So it only makes sense to allow these projects to proceed without interruption.

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

POINT OF ORDER

Mr. FRELINGHUYSEN. Madam Chairman, I must oppose the amendment as authorizing on an appropriations bill.

I share the gentleman’s support for the Corps of Engineers’ participation in beach replenishment projects that provide protection from coastal storms for individuals and businesses. Coming from a State with 137 miles of shoreline, I too understand the importance of these projects to local, regional, and our national economy.

The amendment offered, however, would add authorizing language to the Energy and Water bill; therefore, it is subject to a point of order.

So while I am sympathetic to the gentleman’s intent, I must oppose the amendment and insist on my point of order.

The Acting CHAIR. Does any other Member wish to speak to the point of order?

If not, the Chair is prepared to rule.

The Chair finds that the amendment proposes directly to change existing law.

As such, it constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained.

Ms. KAPTUR. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Members and Madam Chairman, I am having help placing this chart up here. It shows how much petroleum America imports—the red line—and overall how much petroleum we use. Energy-wise, America is a totally dependent Nation.

I offer this amendment to help restore the energy security, economic security, and environmental security of our Nation. Nothing could be more vital.

My amendment takes a small step by shifting a very small amount of funds,

\$10 million, from the administrative costs within the Department of Energy to help restore funds to solar energy research and development within the Energy Efficiency and Renewable Energy Program.

Sadly, the base bill jeopardizes America’s new energy future. It cuts research in solar energy by more than one-third from last year, and over 60 percent from the President’s request, providing \$166 million for 2012, but that’s \$97 million below fiscal year 2011 and \$291 million below the President’s request.

The \$10 million in reprogramming represents less than 5 percent of the \$220 million administrative budget of the Department of Energy. If the Department of Energy made their buildings more energy efficient, we could shift the funds into research on new technologies.

For months I have been hearing from constituents outraged about the high price of gas and energy in our country. And once again the recent job statistics from the Department of Labor tell us very clearly that every time you have an oil price hike, you have rising unemployment. You can go back 40 years. Every time it goes over \$4 a gallon, we get a spike in unemployment. It’s not rocket science.

As it stands, this bill reinforces our dependence on foreign oil. By contrast, my amendment focuses on a new energy future for America by shifting a modest amount of funds for solar energy to provide American consumers with the new energy choices that they want.

Our priorities in this bill must be aligned with the needs of our Nation for tomorrow, not yesterday. America shouldn’t be held hostage by future energy price spikes. We must promote sustainable environmental stewardship while creating jobs right here in our country.

□ 1640

We need to address budgetary realities, and this bill does it. And there are accounts we have cut. But investments in new energy sources to displace imported oil are not the place to cut, not when America is this dependent. Research investments in solar technology have helped create numerous new companies, creating thousands of high quality jobs already with domestically produced energy. We are at the dawn of a new energy age, and we can’t lose edge now. Solar companies already employ over 90,000 American workers and are expected to grow in both sales and jobs. But that depends on new research. And many of the fledgling companies can’t afford to do that.

Last week, Isofoton, a Spanish solar panel manufacturer, announced plans to open a new plant in Napoleon, Ohio, that will create more than 300 jobs. Global firms know that particularly

northern Ohio has made renewable energy a priority, and the investment is following. Congress simply must focus on a new energy future for our Nation and not let inertia and the habits of the past thwart progress.

Overall, the U.S. economy is anticipated to increase jobs by 2 percent next year. But guess what? In the solar industry, the number of new jobs is expected to increase 26 percent, according to Cornell University's 2010 solar job census. Those are the kind of jobs that America wants. And a recent Ernst and Young report predicts the cost of solar to decrease by as much as half, creating a strong solar option for American consumers and providing solar companies with the opportunity to expand.

Investors know where to put their dollars, and our Nation knows—or we should know—that this is an emerging industry, and cutting edge research is fundamental to progress. The race to be the energy provider of the future is this generation's space race. And basic research is critical. It is fundamental. It is the fundamental ingredient to build that new future for our people. America has never shirked a major challenge. And we have a real finish line to go across as competitors are fierce, from China, from Germany, from Japan.

New technology will provide a new power future for us, and we must position ourselves not to be second, not to be third, but to be the global leader and to create those good jobs here at home. So my amendment sets a course to keep the keel more steady as we advance energy security, economic security, and the environmental security of our Nation while promoting jobs here at home through new energy independence and innovation.

I urge my colleagues to vote in favor of the Kaptur amendment.

I yield back the balance of my time. The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

TITLE II—DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$27,154,000, to remain available until expended, of which \$2,000,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission. In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, \$1,550,000. For fiscal year 2012, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES  
(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural re-

sources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, \$822,300,000, to remain available until expended, of which \$10,698,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$6,136,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which not more than \$500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 4601-6a(i) shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That except as provided in section 201, the amounts made available under this paragraph shall be expended as authorized by law for the programs, projects, and activities specified in the text and table under this heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, \$53,068,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102-575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION  
(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, \$35,928,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: *Provided*, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: *Provided further*, That the use of any funds provided to the California Bay-Delta Authority for program-wide management and oversight activities shall be subject to the approval of the Secretary of

the Interior: *Provided further*, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, \$60,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING RESCISSION OF FUNDS)

SEC. 201. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;
- (3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act;
- (4) reduces funds that are directed to be used for a specific program, project, or activity by this Act;
- (5) transfers funds in excess of the following limits:

(A) 15 percent for any program, project, or activity for which \$2,000,000 or more is available at the beginning of the fiscal year; or

(B) \$300,000 for any program, project, or activity for which less than \$2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than \$500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category; or

(7) transfers, when necessary to discharge legal obligations of the Bureau of Reclamation, more than \$5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term "transfer" means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the

water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program-Alternative Repayment Plan" and the "SJVDP-Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. Of the funds deposited in the San Joaquin River Restoration Fund in accordance with subparagraphs (A), (B) and (C) of section 10009(c)(1) of Public Law 111-11, all unobligated balances remaining from prior fiscal years are hereby permanently rescinded.

#### TITLE III—DEPARTMENT OF ENERGY ENERGY PROGRAMS

##### ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,304,636,000, to remain available until expended: *Provided*, That for the purposes of allocating weatherization assistance funds appropriated by this Act to States and tribes, the Secretary of Energy may waive the allocation formula established pursuant to section 414(a) of the Energy Conservation and Production Act (42 U.S.C. 6864(a)).

##### AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 23, line 4, after the dollar amount insert "(increased by \$10,000,000)".

Page 32, line 4, after the dollar amount insert "(reduced by \$10,000,000)".

Page 32, line 23, after the dollar amount insert "(reduced by \$10,000,000)".

Mr. FRELINGHUYSEN. I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. The point of order is reserved.

The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Madam Chair, I made a statement a little bit earlier regarding this amendment which aims to help restore the energy security, economic security, and environmental security of our Nation by focusing on the fu-

ture. It essentially shifts a very modest amount of funds, \$10 million, from the administrative costs within the Department of Energy to help restore funds to solar energy research and development within the energy efficiency and renewable energy program.

Sadly, the bill overall moves backward in terms of helping America invent its new energy future because it cuts research in solar development by more than one-third from last year and over 60 percent from the President's request. The base bill provides \$166 million for solar research, which is a \$97 million reduction below this year's level and a \$291 million reduction below the President's request.

What sense does that make when we're importing petroleum at this level, we continue to use more and more, and prices are going up? It is pretty clear America needs new answers. So my effort is to merely reprogram about 5 percent of the funds in the administrative budget of the Department of Energy and shift those to the energy efficiency and renewable energy program itself.

I believe that the Department of Energy, which took years to even get their solar array up at the national headquarters here, could save the money that we need to put into research if they'd merely be more energy efficient about their own buildings. And that comes out of their administrative funds. So this merely is a 5 percent shift. It's \$10 million from the administrative budget, and put it into hard research that really helps to create jobs. We know that America has to invent her future. We can't depend on the energy sources of the past alone. Technology is critical to that.

And in the solar field, the competition globally for patents and for the cutting edge research that is part of this sector is just growing so fast globally, America simply can't slip backward. We just have to keep up our edge. It's very difficult with China and with Germany having the kind of incentives they do in their own country. For example, China even offers companies 15-year tax holidays, and they have so many more engineers and scientists than we do working on this. So I think cutting solar research is not a good option for this country. This bill makes many other cuts. Surely, we know that research investments in solar technology have helped create numerous companies already and thousands and thousands of new jobs.

In fact, solar companies employ over 90,000 American workers now, and they expect both growth in sales and jobs, but that depends fundamentally on cutting-edge breakthroughs in technology. And that is a fight that is occurring every day, not just in this country, but in research platforms around the world.

I mentioned earlier that Isofoton, a Spanish solar manufacturer in my re-

gion, had announced 300 new jobs this past week. So global firms are coming to places like northern Ohio where they know that the energy systems of the future are being built. But the number of jobs being created in this sector far exceed what is being created in just the general job creation sector in our country.

□ 1650

Cornell University's 2010 solar job census shows that in solar energy, the number of new jobs is increasing by 26 percent; and those are good jobs building a new future for our country and for our people. We know that many of these entrepreneurial companies are too small to do their own in-house research, they still need Federal research and basic research to help us use new materials and to help us develop the new transmission technologies to make them truly competitive, to compete against the Chinas and the Germanys of the world that are taking market share as I stand here even today.

So the race is a serious one in the solar energy field. Basic research is the critical ingredient. My amendment essentially moves 5 percent of the funds out of the administrative accounts into the Energy Efficiency and Renewable Energy accounts at the Department. I would ask for my colleagues' support on that. Hopefully, we can help take a small step for humankind, for solar energy development in our country.

I yield back the balance of my time.

##### POINT OF ORDER

Mr. FRELINGHUYSEN. Madam Chair, I insist on my point of order. The amendment proposes to amend portions of the bill not read. The amendment may not be considered en bloc under clause 2(f) of rule XXI because the amendment does not merely propose to transfer appropriations among objects in the bill but also proposes language other than amounts.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to speak to the point of order?

Ms. KAPTUR. Madam Chair, I would thank the gentleman very much for his thoughtful point of order and would ask unanimous consent to withdraw this amendment. I have a revised amendment at the desk that I think will satisfy his concern.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

##### AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Madam Chair, I have a revised amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount insert "(increased by \$10,000,000)".

Page 32, line 4, after the dollar amount insert "(reduced by \$10,000,000)".

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Madam Chair, I would offer this amendment as a new amendment that would perform essentially the same function. That is, it satisfies any concerns the gentleman might have about where we are moving funds from in the Dept. of Energy Administrative Programs and moving them to in the Energy Efficiency and Renewable Energy Program.

I offer this revised amendment that I hope would satisfy the gentleman's concern on his point of order. This is a new amendment. It essentially moves dollars from the administrative accounts at the Department of Energy to the Energy Efficiency and Renewable Energy block grant.

Does the gentleman have concerns, and I yield to the gentleman.

Mr. FRELINGHUYSEN. I would rise to oppose the amendment.

Ms. KAPTUR. Could I ask the gentleman the nature of the opposition, please?

Mr. FRELINGHUYSEN. I would like to take my own time to respond in a more formal manner. I would be happy to yield to you perhaps at the end of my remarks.

Ms. KAPTUR. I thank the gentleman, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to oppose the amendment. The amendment that has been rewritten somewhat would reduce funding for salaries and expenses in order to increase funding for energy efficiency and renewable energy activities at the Department of Energy. Within this year's extraordinarily tight budget constraints, the bill cannot fund programs that overlap improperly with the private sector, for one; or that do not have pressing needs for additional appropriations.

In other words, Madam Chair, I can't support reducing funds for an account, especially for accounts and administrative purposes that oversee Department activities. We need more oversight in the Department of Energy. So I reluctantly oppose the amendment.

As I promised, I said I would yield to the gentlewoman.

Ms. KAPTUR. I thank the gentleman very much. I know that the choices are difficult. I guess I would put my marbles on getting the Department to be more efficient in its administrative operations on its nuclear side and on its civil side, and put more of those dollars into research and development for the future of new energy systems, including solar.

I regret the gentleman's objection, but I have the highest respect for him. Maybe we can work this out down the road.

Mr. FRELINGHUYSEN. I still oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The amendment was rejected.

AMENDMENT OFFERED BY MR. MCCLINTOCK

Mr. MCCLINTOCK. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount, insert "(reduced by \$1,304,636,000)".

Page 24, line 6, after the dollar amount, insert "(reduced by \$289,420,000)".

Page 24, line 18, after the dollar amount, insert "(reduced by \$476,993,000)".

Page 28, line 13, after the dollar amount, insert "(reduced by \$820,488,000)".

Page 28, line 23, after the dollar amount, insert "(reduced by \$100,000,000)".

Page 29, line 7, after the dollar amount, insert "(reduced by \$160,000,000)".

Page 31, line 21, after the dollar amount, insert "(reduced by \$6,000,000)".

Page 32, line 4, after the dollar amount, insert "(reduced by \$500,000)".

Page 52, line 15, after the dollar amount, insert "(reduced by \$68,400,000)".

Page 53, line 7, after the dollar amount, insert "(reduced by \$11,700,000)".

Page 53, line 13, after the dollar amount, insert "(reduced by \$10,700,000)".

Page 54, line 4, after the dollar amount, insert "(reduced by \$1,350,000)".

Page 54, line 12, after the dollar amount, insert "(reduced by \$250,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$3,250,437,000)".

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCCLINTOCK. Madam Chair, I offer this amendment on behalf of the Republican Study Committee to save roughly 10 percent from this appropriations bill, or \$3.25 billion, simply by getting the Federal Government out of the energy subsidy business.

For more than 30 years, the Department of Energy has squandered billions of dollars subsidizing research and development that no private investor would touch with the promise it would somehow make our Nation energy independent.

□ 1700

Every year, we have spent untold billions on these programs, and every year, we have become more dependent on foreign oil. We are now running a deficit that threatens to bankrupt our country, and this forces us to cast a critical eye on every expenditure that fails to meet its objectives. None has failed so spectacularly as the Department of Energy's subsidy of energy research, which has left us billions of dollars poorer and has left us stuck with mediocre technologies that only survive on a lifeline of public subsidies.

I am sure the opposition will try to depict this amendment as some sort of Luddite reaction to green technology, but it is exactly the opposite. By stopping the government from doling out dollars to politically favored industries, by stopping it from picking winners

and losers among emerging technologies competing for capital, we restore the natural flow of that capital toward those that are the most economically viable and technologically feasible.

For example, this amendment cuts funding to the Energy Efficiency and Renewable Energy program, which functions as an R&D department for every solar, biomass, geothermal, and wind energy company in the country.

We're not funding the most viable research in these technologies. Private capital beats a path to the door of viable technology. These expenditures are for research considered so dubious that no private investor in his right mind would risk his own capital. Yet this Congress has been more than willing to risk our constituents' capital in the form of their tax dollars, and it shouldn't surprise us that those investments have not paid off. This misallocation of resources not only destroys jobs in productive ventures in order to create jobs in subsidized ones; it ends up reducing our energy potential instead of expanding it, and it destroys our wealth instead of creating it.

Politicians love to appear at ribbon cuttings and to issue self-congratulatory press releases at government-supported "alternative energy" businesses, but they fall strangely silent when asked to actually account for the billions of our dollars that they've wasted. The best thing we did for shale oil and gas technology was to have gotten the government out of the business of funding it. Guess what happened?

Once we got the government out, it took the productive sector just a few years to develop remarkable new drilling techniques that have unleashed a cornucopia of American energy into the market. Is there really any question at all as to which of these models actually works?

Let me give you another example:

This appropriations act proposes to spend \$200 million for vehicle technology research. Isn't that what automobile manufacturers should do and used to do with their own capital? And if they're not willing to risk their own capital, what right has this Congress to risk our constituents' earnings?

These amendments move the government out of all sectors of subsidizing research—biomass, nuclear, solar, wind, fossil fuels—all across the board. Does that mean that research and development will stop on all of these technologies? On the contrary. It means that all of the distortions that government intervention has made in the energy sector can be corrected and that private capital can, once again, flow freely to those technologies that offer the greatest return at the lowest cost.



Thirty years of government energy subsidies promised to reduce our dependence on foreign oil; yet our dependence has become ever greater. All we have done is to squander billions of dollars of our Nation's treasure and to distort and impede the natural flow of investment dollars that could have produced far greater returns in viable technology. We are left with a bankrupt, energy-deficient and dependent Nation while propping up a few politically well-connected interests that are producing ethanol and solar panels at a staggering expense—an expense that we have hidden from consumers with their own tax dollars.

Our energy policy over the last 30 years simply proves that Thomas Jefferson was right when he observed: "were we directed from Washington when to sow and when to reap, we should soon want bread." For 30 years, we have been directed from Washington on how to develop our energy. It should surprise no one that today we lack energy.

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

Mr. VISCLOSKY. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I do rise in strong opposition to the gentleman's amendment. It would cut over 10 percent of the total funding in the bill. Specifically, it would eliminate or significantly reduce funding for 14 different accounts. I have several concerns.

One, the gentleman said that it is time to get out of subsidizing energy research. Notice that he did zero out many accounts, and certainly would not argue that point. Yet, as a proponent myself of nuclear energy, I would point out that he did not throw out that account, and approximately \$444 million would be left in the nuclear research account. So there was some selectivity that was engaged in here as far as the construction of the amendment.

Then my concern here as far as the research, as far as the whole broad range of energy research in this country, is that we do need to make that investment to move ahead economically, to move ahead in reducing our dependency upon oil imports and the use of carbon in this society, so I strongly oppose the gentleman's amendment.

I yield to the gentleman from Massachusetts.

Mr. MARKEY. I thank the gentleman for yielding.

This is a classic case of ancestor worship. They leave in the money for nuclear, but zero out the money for wind, zero out the money for solar, zero out the money for energy efficiency, zero out the money for conservation.

So here we are. It's 2 months after Fukushima. The capital markets are

saying we're not going to touch new nuclear power plants, but this amendment says we're leaving in \$476 million for research done by the Federal Government for nuclear power. Yet, for wind and for solar and for all the new technologies coming down the line that don't melt down, no, that money is going to be zeroed out—zero, zero—zero for the future.

This rearview mirror amendment, which is being made by the gentleman from California, just continues to reflect this attitude, this fear. Let's admit it. There's a fear that the oil and gas industry and that the nuclear industry have about wind and solar and biomass and geothermal in the ever-increasing efficiency of technologies all across the board.

So the green generation, they look down here, these young people, and they say, Is that possible? Is it possible that the Congress could actually vote to zero out wind and solar and keep in money for nuclear 2 months after Fukushima? Isn't it time for us to invest in these new technologies? You don't need an evacuation plan around a solar plant, around a wind plant or around an energy-efficiency facility.

So, again, I urge a "no" vote on this amendment. It's just basically another data point that indicates that the Republicans are really committed to zeroing out this renewable energy future for our country.

Just be knowledgeable here. There has not been a new nuclear power plant completed, that has been ordered, for 36 consecutive years, but there were 10,000 new megawatts of wind that were installed in our country just last year. If that's what they want to begin to zero out, if that's what they want to take out of the budget, it's only a reflection of basically, again, this technological ancestor worship.

Mr. MCCLINTOCK. Will the gentleman yield?

Mr. VISCLOSKY. I yield to the gentleman from California.

Mr. MCCLINTOCK. Just to be clear, the \$400 million remaining in the nuclear account, as I understand it, is for regulatory activities, not for research and development, which we now place back in the hands of the productive sector.

Mr. MARKEY. If the gentleman from Indiana will yield, the gentleman from California is just saying this is the budget for the Nuclear Regulatory Commission?

Mr. MCCLINTOCK. For regulatory activities associated with this provision.

Mr. MARKEY. That, in and of itself, is a subsidy. Let's be honest. It's Federal taxpayer money which is subsidizing an industry—the electric utility industry, the nuclear electric utility industry—that is probably the wealthiest industry in the United States with the exception of the oil and gas industry.

So why should the taxpayer be subsidizing that and at the same time be taking out the funding for the wind and solar industry?

I urge a "no" vote.

Mr. VISCLOSKY. I yield back the balance of my time.

□ 1710

Mr. FRELINGHUYSEN. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Our Energy and Water bill is already \$1 billion below last year's fiscal amount and \$2.8 billion below fiscal year 2010. As a matter of fact, our entire mark is reaching the 2006 level. So the committee has done its homework. We've made deep cuts. I think the committee understands we're about to go off a fiscal cliff in our country, but the cuts that we've made were developed after a lot of hearings, a lot of discussion, a lot of thought.

The bill recommended by our committee recognizes that the Federal Government has gotten too large—and in many ways philosophically I agree with a lot of what the gentleman from California says, that we're too involved with the private sector, sometimes picking winners and losers and different technologies where the market should be choosing. But the committee is also mindful that there are appropriate roles that the government should take because sometimes the private sector can't or will not take those risks.

The cuts proposed in this amendment would eliminate, as the ranking member said, or cut many worthwhile programs, put at risk, I think in many instances, our country's competitive intellectual advantage, and put in doubt perhaps the ability of the private sector to make some substantial investments. And those investments lead to jobs, jobs that we badly need.

So for that and many other reasons, I oppose the gentleman's amendment.

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

Mr. MARKEY. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. And for what? Why would we zero out the wind and the solar budget? Why would we zero out the energy efficiency, the conservation budget? For what? Well, so that we can have larger tax breaks they tell us. Because in another room not too far from here there are a whole bunch of Republican negotiators saying that the \$4 billion a year, which are the tax breaks for the oil industry, they're off the table. You can't touch those tax breaks for the oil industry, can't touch them.



And over the next 10 years, that's \$40 billion for the oil industry.

So we're out here kneecapping wind and solar, kneecapping the future, kneecapping our ability to have wind and solar become equal with natural gas and coal as a way to generate electricity in our country. And in another room no more than 100 feet from here they're also meeting and deciding what the big deal is going to be between President Obama and the Republicans here in the Congress. And in that room they're saying no touching any tax breaks for the oil and gas industry, which is \$4 billion a year.

So see the total story here, see the big picture, see really what this agenda is. Here, it's kind of like the Monsignor that goes up into the pulpit on Sunday and he says, on Wednesday in the church hall, Father Geiney will lecture on the evils of gambling; on Thursday in the church hall, bingo. Well, here on the House floor, on Monday we're learning about the evils of giving any kind of subsidies to the wind and the solar industry, and in another room right around the corner they're saying \$4 billion a year to the oil industry in tax breaks. That's the agenda. You have to see it in its totality. You have to capture it for all that it is as the story of the future of our country.

So, ladies and gentlemen, I urge a very strong "no" vote on this amendment of the gentleman from California. This is a defining vote. This really goes to the heart of whether or not we are going to say to the young people in our country that we do have a renewable energy future for our country.

The past is just a memory, but the future will be the hard reality for young people in our country if we do not put together an energy agenda dependent upon the indigenous renewable energy resources in our country. This amendment zeros out that future. It makes it impossible for us to compete and to send a signal overseas that we are going to have true energy independence in our country.

I urge a "no" vote.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCCLINTOCK).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. MCCLINTOCK. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. MARKEY

Mr. MARKEY. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount insert "(increased by \$100,000,000)".

Page 24, line 6, after the dollar amount insert "(reduced by \$50,000,000)".

Page 24, line 18, after the dollar amount insert "(reduced by \$50,000,000)".

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. Madam Chairman, my amendment deals with the heart of what's wrong with this entire bill.

In this bill, the Republicans cut the budget for solar, for wind, for geothermal, for biomass, for clean vehicles—that's plug-in hybrids and all electric vehicles. They cut the budget for science. They cut the budget for weatherization. They cut the budget for energy efficiency. But what do they do in the same bill? They increase the budget for coal, for oil, for gas, for nuclear. They increase it while they eviscerate, while they annihilate the clean energy budget, the future energy agenda for our country.

So, ladies and gentlemen, this is a big moment here. Where is America heading? Are we going to compete against the Saudi Arabians, the Venezuelans, and others in the generation of energy or are we going to capitulate? Are we going to just become a country where we're importing oil or are we going to move to a solar future, a wind future, an all-electric vehicle future over the next 20 and 30 and 40 years?

You know, this budget that they have put together is really one that gets right to the heart of their argument that they say they care about all of the above. What this budget actually says is it is oil above all. It's still a fossil fuel agenda. It's not a technology-oriented agenda. It's not an agenda that can help us to turn the corner and to create new technologies that move us to a 21st century agenda.

But see this in the larger picture. This is not compromise. The defense budget last week went up \$17 billion. They're not going to cut defense. They're saying they're not going to actually take away the tax breaks for billionaires. They're saying they're not actually going to take away the tax breaks for the oil and gas industry. All of that is safe. "Don't worry," they say to billionaires. Don't worry, they say to Big Oil. Don't worry, they say to the Defense Department, we're not touching you in this big budget deal that we want.

And then where do they turn? They turn over here to solar and wind and to geothermal and biomass, to plug-in hybrids, to all the technologies that we should be investing in in the future. And they turn to Grandma and say, Your Medicare benefit is too big. They turn to Medicaid, they say, You, poor child, you're taking too much of America's wealth. And you, green energy sector, we can't afford to invest in you.

So, ladies and gentlemen, this is not compromise. This is the capitulation that they are looking for from the Democrats. This is the capitulation to an agenda that helps billionaires, helps Big Oil, helps big gas, helps us export jobs overseas by keeping those tax breaks in place rather than fighting hard for what the green generation—the young people in our country—expect us to do, rather than allowing ourselves to be tipped upside down at the gasoline pump.

□ 1720

All I do is take \$100 million, move it from the coal subsidies, the oil and the gas subsidies, and move it over, move it over to solar and wind, to plug-in hybrids, to all electric vehicles. And with that, by the way, ladies and gentlemen, they still haven't been cut this year in this budget. That's just taking away the increase that they get in this budget. And we still haven't made up for all of the cuts in the solar and wind and clean energy budget that they continue to slash.

So, ladies and gentlemen, it's \$100 million. Does oil and coal and gas deserve an increase this year? Let's at least keep them level and give that extra \$100 million over to the clean energy technologies of the future. That is the least that the green generation, the young people in our country, expect us to do because it's not only imported oil, it's also our national security, it's also global warming, it's also creating economic jobs here in the United States. I urge an "aye" vote.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in opposition to the gentleman's amendment.

The gentleman's amendment would increase funding for Energy Efficiency and Renewable Energy accounts and reduce funding for Fossil Energy Research and Development and nuclear energy research. This would increase money for a program that already receives sufficient funds and hamper efforts to further technologies that produce most of our electricity.

Madam Chair, the gentleman asserted that fossil and nuclear energy are yesterday's sources of energy and that we're shortchanging tomorrow's energy sources. Well, in fact, nuclear energy produces 20 percent of our Nation's electricity, and even the State of Massachusetts depends on nuclear energy for about 10 percent of its energy. Fossil fuels, such as coal and natural gas, generate 70 percent of our Nation's electricity, and we will use these valuable energy sources for many generations. In fact, the Commonwealth of Massachusetts gets 80 percent of its electricity from fossil fuels.

I understand his desire to move us forward, but realistically, we'll be using fossil fuels for decades and nuclear energy perhaps for centuries. And we must ensure that we use those resources as efficiently and clearly as possible. Further, the amendment increases funding for that Energy Efficiency and Renewable Energy account, a program that has seen a record increase since 2007 and still has nearly \$9 billion of unspent stimulus funds from 2009. Imagine that.

There's a proper role for core Energy Efficiency and Renewable Energy programs, and our bill preserves funding for those activities while cutting out activities that are redundant with the private sector or that interfere improperly in market innovation.

But his amendment would add back unnecessary funding for administration proposals that are poorly planned and lack justification. For example, the administration proposes more than \$200 million to deploy electric vehicle infrastructure. But after repeated requests, the department provided less than one page of explanation for this program. At best, this funding would be poorly used, and at worst, it will interfere with entrepreneurial innovations in infrastructure underway in the private sector.

The administration also proposes a new Race to the Green program, a State and city grant program. Again, after repeated requests for justification to the Department of Energy, this new \$100 million proposal is accompanied by barely more than a paragraph of explanation.

When every tax dollar must be spent well, we can't throw money at poorly planned programs while cutting fossil energy and nuclear programs. I, therefore, oppose the amendment and urge all Members to do likewise.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. MARKEY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

Mr. FRELINGHUYSEN. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mrs. MILLER of Michigan, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2354) making

appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken after 6:30 p.m. today.

□ 1730

#### BETTER USE OF LIGHT BULBS ACT

Mr. BARTON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2417) to repeal certain amendments to the Energy Policy and Conservation Act with respect to lighting energy efficiency, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2417

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Better Use of Light Bulbs Act".

#### SEC. 2. LIGHTING ENERGY EFFICIENCY.

(a) IN GENERAL.—Sections 321 and 322 of the Energy Independence and Security Act of 2007 (Public Law 110-140) are repealed.

(b) APPLICATION.—The Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) shall be applied and administered as if sections 321 and 322 of the Energy Independence and Security Act of 2007 (and the amendments made by those sections) had not been enacted.

#### SEC. 3. MERCURY-CONTAINING LIGHTING.

No Federal, State, or local requirement or standard regarding energy efficient lighting shall be effective to the extent that the requirement or standard can be satisfied only by installing or using lamps containing mercury.

#### SEC. 4. STATE REGULATION.

No State or local regulation, or revision thereof, concerning the energy efficiency or energy use of medium screw base general service incandescent lamps shall be effective.

#### SEC. 5. DEFINITIONS.

In this Act, the terms "general service incandescent lamp", "lamp", and "medium screw base" have the meanings given those terms pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), as applied and administered pursuant to section 2.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BARTON) and the gentleman from Pennsylvania (Mr. DOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation, and to insert extraneous material on the bill.

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

There was no objection.

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

I want to start off by introducing to the body my special assistant this week, Mr. Speaker, young Jack Kevin Barton, my 5-year-old son. He is with me to help with the congressional baseball game that we are going to play on Thursday evening. And he loves coming to the floor, and he loves voting. So we are glad to have Jack Kevin on the floor with us.

Mr. Speaker, we are here today because of something that happened back in 2007, when this body passed a bill that later became a law that effectively, beginning next year, if not changed, would ban the traditional incandescent light bulb, the 100-watt bulbs, the 60-watt bulbs that we have all grown up with. The bill doesn't truly ban them. It just sets an efficiency standard that the current light bulbs cannot meet.

The problem with the de facto ban, Madam Speaker, is that it has the effect of taking off the market one of the least expensive options for lighting in our constituents' homes. I went to a local grocery store last week and purchased one CFL 60-watt bulb for \$5.99. I purchased four 60-watt incandescent light bulbs in a four-pack for \$1.50, or 37.5 cents a piece. Now, obviously, a \$6 light bulb is a much bigger expense to a moderate- or low-income family than a 37.5-cent light bulb.

The 60-watt CFL does claim it will last 10,000 hours, and it does claim over its life it will save money. That's probably a true statement, Madam Speaker. But what is not so apparent is that that \$6 cost up front is real, and the savings may or may not occur, depending upon how long that bulb lasts, how often it's used, and under what conditions it's used.

If you assume that the average bulb is used 4 hours a day, which is what the American Lighting Association assumes, then it is quite possible, Madam Speaker, that that \$6 CFL bulb won't last 10,000 hours if it's turned on and off 2,500 times. It might last half that long. So I am not opposed to the squiggly tailed CFLs. I think they have their place in the market. But to take off the market something that's cheap, effective, and in average use costs maybe two or three cents a week to use seems to me to be overkill by the Federal Government.

When I have talked about the light bulb bill in my town hall meetings and in my meetings in my district, I have had very few people, Madam Speaker, say that they think that's a good piece of legislation, that they think the Federal Government should be telling us what kind of light bulbs we should and should not use. They think we should let the marketplace operate. We should repeal this de facto ban, then let people decide whether they want to pay \$6 per light bulb or 37.5 cents. Some people may decide that the life expectancy cost savings are worth it. But I bet the majority, the overwhelming majority, would choose the less expensive up-front costs of the traditional incandescent light bulbs.

With that, Madam Speaker, I reserve the balance of my time.

Mr. DOYLE. Madam Speaker, I yield myself 5 minutes.

I rise in opposition to this bill. I was on the committee back in 2007 when we first wrote the efficiency standards that Republicans are trying to repeal here today. The way I remember it, our current chairman, Mr. UPTON, introduced the bill to set the standards. Our former House Speaker, Dennis Hastert, supported it, along with many Republicans. And, finally, President George W. Bush signed these standards into law.

In fact, if you look at the history behind consensus efficiency standard, you will see that this used to be something that we all agreed upon. Beginning with President Reagan in 1987, Congress and the White House have enacted Federal energy efficiency standards five times, each time with bipartisan support. These standards were developed as consensus agreements with manufacturers, energy efficiency advocates, and States.

There's more than 50 products on the market today that are covered by a variety of these Federal standards. Everything from dishwashers and refrigerators to traffic signals have become more efficient as a result of these Federal standards, saving the country energy and saving consumers money.

These standards have been in effect since 1987, have saved Americans about 3.6 quads of energy. If we continue with enacting Federal efficiency standards, we can save up to 6.1 quads of energy by 2030. That is more energy than was used in my State of Pennsylvania in 2008. The light bulb efficiency standards alone will save Pennsylvania 3.64 billion kilowatt hours of energy in a year. That means we'll save \$465 million in Pennsylvania in just 1 year from these standards.

In Congress we don't always agree on much; but for the last 25 years, we have been able to agree on energy efficiency. And it's been good for the country and for American families and for the environment. So why would we wish to reverse this policy today? But you know,

energy and cost savings aren't the only benefits from these standards.

Having lived in Pittsburgh, Pennsylvania, my whole life, I have seen how efficiency can revolutionize an industry and revitalize a city. In the seventies, I worked two summers at J & L steel mill on Pittsburgh's south side. The industry was doing well, and Pittsburgh was a company town. But in a few years, that industry came to a screeching halt as international competitors were making steel using new technologies and more efficient processes, allowing them to undercut the price of U.S. steel. But the steel industry didn't leave the United States, and it didn't leave Pittsburgh. It reinvented itself. It got smarter and leaner and more energy efficient.

U.S. steelmakers started using blast oxygen furnaces rather than old open hearth furnaces that used more energy. They started doing continuous casting rather than ingots and molds that required reheating. They started using waste heat recovery and energy monitoring and management technologies. As a result, the U.S. steel industry has reduced the amount of energy needed to produce a ton of steel by 33 percent since 1990.

The lighting industry has already begun to revolutionize, much like the industrial steel industry did back in the nineties. When the industry agreed to these efficiency standards in 2007, it was because they knew they could innovate and still be profitable by making the incandescent bulb, yes, colleagues, the incandescent bulb more efficient and developing new technologies like compact fluorescents and LED light bulbs. And even better, the lighting industry began making those bulbs right here in the United States of America. Even in Pennsylvania, Sylvania retooled a plant in St. Mary's, Pennsylvania, to make these incandescent light bulbs that meet the energy efficiency standards that we passed in 2007.

□ 1740

They are being made in the United States by United States steelworkers in Pennsylvania, and you can find them on your shelf at the grocery store or the hardware store. Or you can get these Philips bulbs, also incandescent light bulbs, colleagues. They meet the energy standards that were set in 2007.

Steelworkers are making the filaments in these bulbs in Bath, New York. In fact, United Steelworkers is opposing this bill and telling us at a time when Americans continue to experience downward financial pressures, energy-efficient light bulbs present an everyday solution to a much-needed cost savings.

But it's not just steelworkers that are benefiting. Light bulbs that meet these standards are being made all over the United States of America. In 2011,

TCP, one of the world's largest makers of CFLs, is opening a new factory in Ohio.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The time of the gentleman has expired.

Mr. DOYLE. I yield myself 30 additional seconds.

CFL is making a new factory in Ohio to meet the demand. Seven thousand U.S. jobs have been created by companies like Cree in North Carolina, Lighting Science Group in Florida, and Lighting Philips Company, the world's biggest lighting company, to produce the next generation of efficient LED light bulbs. GE recently invested \$60 million to create a Global Center of Excellence for linear fluorescent lamp manufacturing in Bucyrus, Ohio, an action that will double the number of jobs there.

New innovation and energy efficiency has brought jobs to this country. This is not the time to repeal these standards.

UNITED STEELWORKERS,  
Washington, DC, July 11, 2011.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: Today, Congress is expected to vote on the Better Use of Light Bulbs (BULB) Act (HR 2417). On behalf of the 850,000 members of the United Steelworkers (USW) union, I urge you to vote "No" on this bill that would repeal the energy efficiency standards for light bulbs that were enacted under the Energy Independence and Security Act (EISA) of 2007.

The BULB Act would only serve to reverse the spirit of ingenuity that has taken place among light bulb manufacturers since the passage of EISA. Rather than viewing the new efficiency laws as a reason to halt production and close their doors, domestic manufacturers, such as Osram Sylvania, decided to retrofit their existing facilities in Wellsboro and St. Mary's, Pennsylvania to produce energy efficient Sylvania Super Saver halogen bulbs. USW members manufacture the outer glass portion of the light bulbs at the Wellsboro facility and assemble the bulbs at the St. Mary's facility.

Osram Sylvania's decision to change their business model and use new technology to produce more energy efficient bulbs works towards our nation's overall goal of reducing our green house gas emissions, but also provides a tangible example of family-sustaining clean energy manufacturing jobs in the U.S.

Additionally, these U.S.-made bulbs have been able to successfully compete against foreign-made compact fluorescent light (CFL) bulbs, which have dominated the market and rely heavily on the use of mercury, which the Sylvania Super Saver halogen bulbs do not contain.

Lastly, at a time when American's continue to experience downward financial pressures, energy efficient light bulbs present an every-day solution to much needed cost-savings. A recent study conducted by the Appliance Standards Awareness Project for the Natural Resources Defense Council (NRDC), found that repealing the energy efficiency standards would cause a seven percent or \$85 increase in energy costs for the average household.

Again, we urge you to vote "No" on the Bulb Act, and instead to support the spirit of

ingenuity, job creation and preservation and energy-savings that have resulted from the improved energy efficiency standards enacted in 2007.

Sincerely,

HOLLY R. HART,  
Assistant to the President,  
Legislative Director.

I reserve the balance of my time.

Mr. BARTON of Texas. Before I yield to the gentlewoman from Tennessee, I would point out that the light bulbs that my good friend, Mr. DOYLE, just alluded to, are five times to six times as expensive as the traditional incandescent light bulb, and they are not manufactured—I think there is one facility in the United States, a Sylvania facility, that still makes light bulbs. The rest have moved overseas.

I yield 3 minutes to a cosponsor of the legislation, a member of the committee, Mrs. BLACKBURN of Tennessee.

Mrs. BLACKBURN. Madam Speaker, the chairman spoke to the cost of these bulbs and how incredibly expensive they are; and, indeed, our constituents have talked about that.

And to my colleagues who are going to try to support this standard and this de facto ban on the incandescent light bulb, I would simply say two wrongs do not make a right. I know you heard that as you grew up, and I would ask you to think about that in this Chamber today.

Putting this ban, putting these higher efficiency standards in place, many people thought it was the right decision. I didn't think it was the right decision. I voted against it in committee. I voted against all of this on the floor.

But I would ask you just to remember the American people are telling us this doesn't work. They don't like the restrictions that are there in the marketplace. They don't like the fact that the bulbs cost too much money.

And I would also remind my colleagues that all of the CFLs, the compact fluorescent light bulbs, they are made in China. They are not made here. The CFLs don't work as well. It requires more bulbs to get the same amount of light in a given area. These things have proven to be very vulnerable to power surges. We hear that from our constituents in the rural areas.

In essence, Madam Speaker, they don't save any energy, and we know that they are also dangerous because they are filled with mercury. I know that Congressman BURGESS, who has also worked on this with Chairman BARTON and me, is going to speak to that. There is a provision in this that does address the mercury levels.

Also, our legislation says, and I think this is very important, that D.C. cannot mandate the standards on these bulbs, that your State government cannot mandate the standards on these bulbs, that we are going to leave that to the consumer to choose. And consumers want to have that choice.

I think so many groups have come out in favor of our legislation and opposed to these light bulbs, even the AFL-CIO has an interesting little bit on their labor union Web site about that light bulb, making the point that there are many ways to save electricity without shifting all these jobs to China for a mercury-filled light bulb.

We know that the President thought this was going to help create 800,000 U.S. jobs. The only jobs we have found is that the Winchester, Virginia, plant shut down and those 200 jobs, employees that lost their jobs on September 24, 2010, they saw their jobs go to China.

There have been unanticipated consequences of the 2007 act, and it is time for us to say it was bad policy, it was a bad idea, and we need to get it off the books.

Mr. WAXMAN. Madam Speaker, I rise to manage the time on this bill on behalf of the Energy and Commerce Committee Democrats.

The SPEAKER pro tempore. Without objection, the gentleman from California will control the time.

There was no objection.

Mr. WAXMAN. I yield 5 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman.

First, let's start with how much electricity this saves for our country. It saves the need to construct 30 coal-fired plants over the next 20 years in the United States.

Now, if you are a coal executive, you are a nuclear executive, you are going, Oh, no, kill those more efficient light bulbs. People in America are going to consume less electricity. It will cut into our profits. People will buy these light bulbs.

And, by the way, here's a Sylvania, which, by the way, looks just like those old bulbs too, because it is an old bulb. They just made it more efficient. And so people who are nostalgic for the way bulbs looked for the last hundred years, it is the same look, and it cost a buck 69 for this bulb. But it will save you, over the next 5 years, over the next 10 years, a lot of money. But it won't cost the coal industry and the nuclear industry, who generate electricity, a lot of money because they won't have to build 30 new coal-fired plants.

So let's just think about other things.

And, by the way, every living descendant of Thomas Alva Edison opposes this amendment; by the way, as would every living descendant of Alexander Graham Bell oppose moving from black rotary phones to BlackBerries. I think that Alexander Graham Bell and his descendants would say, I think he would be happy that you made the transition. But, of course, we had to

pass legislation here on the House floor to move that technology.

I think that people probably would think twice if a Xerox machine had to come with carbon paper at the same time, just in case people were still nostalgic for carbon paper rather than Xerox paper, because that's really what this debate is all about. It's really a debate about whether or not we are going to continue to see an increase in the efficiency of technologies in our society, especially those that consume energy.

In other words, there is a point to this, and the point is it reduces the amount of greenhouse gases that we have to send up into the atmosphere. It reduces the amount of energy that we have to think about importing from other countries. And it gives to the consumers something that, over the life of the light bulb—and we are talking here about Philips and Sylvania and other companies who have already figured out in the last 4 years how to comply with the law—you don't have to buy one of those funny-looking new light bulbs. You can just buy one of those old light bulbs that look just like the one that your mother and father used to go down to the store and buy. Why? Because finally they had to make them more efficient.

And, by the way, what is the analogy? Well, back in 1987, I was able to author the Appliance Efficiency Act of 1987. And what has happened since then? Well, believe it or not, refrigerators are now three or four times more efficient. Air conditioning systems are now three to four times more efficient. And because of that, there are hundreds of coal-fired plants that did not have to get built in this country.

Because all of these lights in this room, all of the air conditioning in this room, well, for every building across the country, piled up, that's why we need coal-fired and nuclear-fired plants.

□ 1750

The fewer of them that there are is directly related to how efficient we make the things that we plug into the wall. So light bulbs are at the very top of the list because they're on in every single room in the United States every day. So if you can double the efficiency, then you reduce dramatically the number of nuclear power plants and of coal-fired plants that have to get built.

That's really what we should be all about. We have to learn how to think smarter and not harder. We have to think how we use technology to improve our society and not bring out legislation on the floor that prohibits the advance of technology, prohibits the advance of science, prohibits the advance of efficiency in our society. And just like the Blackberry has transformed our society in the last 15 years

and no one would want to go back to that old era of 1996 before the broadband revolution began, the same thing is true for these more, modern, efficient light bulbs. They save people money. They give them just the same kind of light. They reduce the amount of pollution that we send up into the atmosphere, and they make America the leader technologically on these technologies that are ultimately going to be sold in every country in the world.

I urge a "no" vote.

Mr. BARTON of Texas. Briefly, to reply to my good friend from Massachusetts, the light bulbs that he just showed, the least expensive one of those I think he said was about \$1.60, \$1.70. Your traditional incandescent light bulb you can buy, if you can find them, for anywhere from 25 cents to 40 cents apiece. So that light bulb is still five to six times more expensive than the classic incandescent bulb.

With that I yield 3 minutes to another original sponsor of the legislation, a member of the committee of jurisdiction, the good doctor from Denton County, Texas, Dr. MICHAEL BURGESS.

Mr. BURGESS. I thank the gentleman for yielding.

Four years ago, the summer of 2007, the then-new Democratic majority brought legislation to our committee that included a provision that I frankly did not understand what in the world they were trying to do, a provision that would regulate the type of light bulb that every American would have to use in their home.

During the markup of this bill, I was outspoken in my opposition to the language. I introduced amendment after amendment to try to modify or prevent this from happening, and over and over again I was struck down along party lines. I tried to amend the bill so that we would not have to require the use of a mercury-containing light bulb in areas where there were vulnerable populations—nurseries in hospitals, nursing homes—where it would be difficult to move the people out of the way in order to comply with the EPA's guidelines for how you would deal with accidental breakage of one of these bulbs.

The bottom line is that I and every other American should be permitted, should be allowed to determine what type of light bulb we use at home. It seems so simple. Whatever happened to government with the consent of the governed?

But now the government wants to tell consumers what type of light bulb they use to read, cook, watch television, or light their garage. In fact, consumers should make that decision, and they should make that based upon what is available in the marketplace. However, we have distorted what's available in the marketplace.

Proponents claim that this bill does not ban incandescent bulbs. Well,

that's correct. What it does ban is the 100-watt light bulb. Let me repeat. The 2007 Energy Security Act bans the 100-watt light bulb. That's just flat wrong. Consumers should be making the decision as to whether or not they use a 100-watt bulb in their home, not bureaucrats in Washington.

The new bulbs cost more. American families are already tightening their budgets. They need to be able to make the decision: Do I save on the electric bill, or do I save on the purchase of a light bulb? We should not be picking winners and losers in the United States Congress.

Now, I'm a strong supporter of energy efficiency. I do an energy efficiency summit every summer in my district. I did one last weekend. I invite speakers to talking about what businesses and constituents can do to conserve energy. I drive a hybrid. I have taken steps to make my home more efficient. But I've done all of this because it was the right thing to do, and I purchased those things on the open market because they made sense to me and my family, not because the Federal Government or even the gentleman from Massachusetts told me that this was what I should be doing. The American people should be able to choose what type of light bulb they use in their home. They should not be constrained to all of the romance of a Soviet stairwell when they go home in the evening.

Look, I work in a Federal building. I understand that in a Federal building I'm going to work under fluorescent light. I get that. But when I go home at night, I should be able to read my paper by the light of an incandescent bulb if that is my choice. I purchase other things, and I'm able to make an adult choice about that. I should be able to make the choice about what wavelength of light to use.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BARTON of Texas. I yield the gentleman an additional 30 seconds.

Mr. BURGESS. Here's the bottom line: Those of us of a certain age under a compact fluorescent bulb, we don't look as good as we do under an incandescent bulb. Even the former chairman of my Committee of Energy and Commerce suffers from what might be called "spectrum fatigue" under a compact fluorescent bulb. We need to be able to have the type of bulb that Americans choose, not that Congress chooses.

Mr. WAXMAN. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentleman.

Madam Speaker, I rise in opposition. Many have claimed that Washington will ban the sale of conventional incandescent light bulbs. My colleague from Texas just said he regrets that he would lose this soft glow of the incan-

descent light. In fact, he can use an incandescent light. It looks like this. It looks familiar. It's what in comic strips you put above somebody's head to say, "I've got a good idea." Not that I'm going to keep doing things the old way and stick in a rut, no. I've got a good, new idea.

That's what happened a few years ago when it became apparent that technology had come so far that we didn't have to throw away 90 percent of the energy of an incandescent light bulb. Scientists had shown us how you can make light bulbs that would produce, as these do, 100 watts worth of light for 72 watts of electricity charge, and you could do it for \$1.49 for each of them here.

Well, in a bipartisan effort, this legislation that has driven the country forward in lighting was passed, and now the majority on a partisan tear is coming and trying to repeal it just when it shows that it is working. About 15 percent of residential electricity goes into lighting. Wouldn't you, wouldn't anyone, like to save 30 percent of that, which is just being thrown away?

Now, my colleagues say Congress shouldn't be doing this. Why are they not also issuing calls for turn-of-the-century Model Ts or iceboxes? They have sort of a yearning for the good old days, technologies that are roughly as old as the incandescent light bulb.

We're proud in New Jersey of Thomas Edison. But we've improved the talking machines. We've done a little bit better with the moving pictures. Now, Model Ts and iceboxes are technologies that actually happen to have been improved through Federal standards. The companies are moving rapidly to make more efficient lighting that will give you all the advantages you want that you're used to of the incandescent bulb and save you bundles. Yes, this costs a few dimes more, but let me tell you, you start saving dimes the moment you screw these into the socket.

This is a bad idea to repeal it.

Mr. BARTON of Texas. Madam Speaker, I yield 3 minutes to the gentleman from Houston, Texas, Judge TED POE.

Mr. POE of Texas. I thank the gentleman for yielding.

Madam Speaker, energy efficiency is a good idea. Mandated by the Federal Government under this legislation that we're currently serving under, it is preventing competition. The Federal Government is creating a monopoly.

□ 1800

The Model T Ford is not outlawed. You can still buy one if you can find one. But the Federal Government hadn't banned it just because it's inefficient. Iceboxes—some of us actually know what an icebox looks like—are not banned by the Federal Government. You can still find one and use

one if you want to because it's competition, even though they are inefficient. But the issue is should the Federal Government come in and mandate a monopoly? And that is what has occurred.

Second, these new light bulbs, these CFL light bulbs, are dangerous to our health. Dr. BURGESS has already pointed out they contain mercury. I thought for years we were trying to get rid of the mercury in our environment, but it is in these light bulbs. Plus, now French scientists have discovered that these new CFL light bulbs may cause blindness in children. German scientists have found out it's reported that these light bulbs may cause cancer. Now, isn't that lovely? The Federal Government is mandating something that is hazardous to our health because you have no choice.

And the whole issue is about choice, Madam Speaker, that we can let the consumer decide. What's wrong with letting the consumer decide? Why are you opposed to the consumer making this choice? You want the Federal Government to mandate it. Now the Federal Government is in the business of forcing us to do something that is harmful.

And, finally, the EPA even warns in their 1,000-word, three-page, single-spaced document about these CFL light bulbs how dangerous they are, and they tell us how to dispose of one of these light bulbs.

I will insert into the RECORD this three-page, single-spaced report by the EPA on how to dispose of one of these light bulbs.

So we are, after the passage of this legislation years ago, finding out that these aren't the greatest things in the world, and we have found and shed a little light on this new CFL light bulb. The CFL light bulb is not a brighter idea. It is too expensive, it is unhealthy for Americans, and it doesn't allow for competition. So if we don't pass this bill, we might as well turn out the lights; the party is over for the traditional incandescent light bulb.

And that's just the way it is.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I continue to hear my colleagues promote the fantasy that government has banned the incandescent light bulb. They think if they say it over and over again that it will be true. But it's not true. The incandescent light bulb is not banned. Manufacturers are not told which technology to use to produce light bulbs, and consumers will still be able to buy the incandescent light bulb for years to come.

Incandescent bulbs that meet the new standards are already on the market. Three American-made brands are here before me. They have the same

look and emit the same light as traditional incandescent bulbs. But there is a difference: They last much longer and offer substantial energy efficiency savings for consumers.

Hopefully, a symbolic light bulb will soon go on above the heads of my colleagues to enlighten them to let them know that their rhetoric bears no fact to reality, and the incandescent bulb is here to stay whether they like it or not.

Mr. BARTON of Texas. I yield 1 minute to one of our vigorous new Members from the great State of Illinois, Congressman HULTGREN.

Mr. HULTGREN. Madam Speaker, I rise in strong support of the BULB Act because, simply put, the government has no business telling my constituents what kind of light bulbs they can use in their homes. Here's a novel idea: Let's let the free market work. This valuable bill would restore consumer choice and remove the danger posed by mandated mercury-filled compact fluorescent bulbs in our homes. As a constituent of mine said recently: Like we need a light bulb that requires a hazmat suit to clean up if you break it.

I urge my colleagues from both parties to support this bill and restore consumer choice to their constituents.

Mr. WAXMAN. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore (Mr. LANKFORD). The gentleman from California has 5½ minutes remaining. The gentleman from Texas has 6 minutes remaining.

Mr. WAXMAN. I yield myself the balance of my time.

Mr. Speaker, you have to ask: How do they come up with this great idea to put this bill on the House floor today under the suspension of the rules? This calendar is usually put in place for noncontroversial bills. But this is a controversial bill. In fact, it's a bill that never had a single hearing in the Energy and Commerce Committee, which has jurisdiction. Not only would it eliminate national standards, it would bar any State standards, taking away longstanding State authority to improve efficiency in the absence of Federal action. And we should have cleaned up the drafting of this bill that eliminates all efficiency standards for fluorescent lighting.

I oppose this bill, first of all, on procedural grounds. We shouldn't adopt legislation with significant impacts without a single hearing or markup to understand what it does. But I strongly oppose this BULB Act on substance. It would undermine job growth, strand investments that have been made to make sure that we meet these new standards, waste \$12 billion a year on unnecessary electricity bills, and increase pollution.

I don't think my colleagues on the other side of the aisle would come to the floor and say: Why are we requiring

new cars to meet tighter emissions standards or tighter pollution standards? Let the public be able to choose the old ones that polluted more.

I would be amazed if the colleagues on the other side of the aisle came here and said: Why should we have more efficient dryers, washers, and refrigerators? We like the old ones that were less efficient.

This bill is absolutely unnecessary. In 2007, the lighting industry and the efficiency advocates reached a consensus on national standards to make light bulbs more efficient and avoid a patchwork of conflicting State standards, and, effective January 1 of next year, these national standards will go into effect.

So what we have is an attempt to repeal a proposal that was offered by our current chairman of the Energy and Commerce Committee, the gentleman from Michigan (Mr. UPTON), and former Congresswoman Jane Harman. It passed on a bipartisan voice vote with Members of both sides of the aisle speaking in favor. This bill, which they want to repeal, was signed into law by President George W. Bush as part of the 2007 Energy Independence and Security Act.

Since it was signed into law, manufacturers have made millions of dollars in investments to produce more efficient incandescent bulbs. Not one manufacturer but a number of manufacturers can compete, and are competing, once they can figure out how to meet these standards, and they're doing it very well.

The new incandescent bulb looks and works just like the old incandescent bulb. In fact, we know this to be the case. The only difference between this bulb and the old one is that it will last longer, cost less over the life of the bulb. American families will save an average of \$100 a year with the new standards. This is particularly welcome in today's tough economy and adds up to a nationwide savings of \$12 billion a year.

These investments are creating new jobs in the United States. While most manufacturers moved their production of the old incandescent bulbs overseas years ago, research and development and high-technology manufacturing is now happening here. For example, there are LED facilities now in North Carolina, California, and Florida. This is a growth industry. Phillips hired 100 more people at its LED facility last year.

If we repeal this law and enact the so-called BULB Act, we will repeal standards that are driving this competition, and we'll switch back to a time when U.S. jobs would return to China and Mexico.

On January 1, 2012, we will be able to buy a better incandescent light bulb that looks and feels the same as the old ones. You don't have to buy compact



fluorescents now. You don't have to buy them on January 1, 2012. You can buy the better incandescent bulbs or LEDs, neither of which contain mercury. That's more choice, not less.

Well, if this bill had moved under regular order, they might have heard at a hearing that the following groups are now opposing this legislation to repeal the law: The National Electrical Manufacturers Association, the Consumers Union, the Consumer Federation of America, the American Lighting Association, the National Association of State Energy Officials, the National Association of Energy Service Companies, Pacific Gas and Electric Company, Seattle City Light, Johnson Controls, Philips Electronics, United Technologies Corporation, United Steelworkers, Alliance to Save Energy, National Wildlife Federation, and the Environmental Defense Fund.

I urge my colleagues to oppose this bill and not repeal a law that's working as we intended it to.

NEMA,

Rosslyn, VA, July 11, 2011.

The National Electrical Manufacturers Association, representing over 95% of the U.S. lighting manufacturing industry, opposes HR 2417. A repeal of the standards established in EISA 2007 would strand millions of dollars in investments, provide a marketplace advantage to companies who have not made similar investments, create regulatory uncertainty, and increase energy consumption in the United States. Lighting manufacturers have invested heavily to comply with the federal incandescent lighting energy conservation standards as well as the standards for fluorescent and metal halide lighting described below.

Section 321 of EISA 2007 established for the first-time federal efficiency standards on the manufacturing of common light bulbs. It requires bulbs to be about 30% more efficient than today's bulbs.

The standards do not ban incandescent light bulbs.

The standards apply to production starting January 1, 2012 for the 100 watt bulb; January 1, 2013 for the 75 watt bulb; and January 1, 2014 for the 60 and 40 watt bulbs. EISA permitted California to adopt the federal standards one year earlier.

Consumers will have expanded lighting options that include:

- advanced incandescent,
- compact fluorescent lights (CFLs), and
- new lighting technologies like light-emitting diodes (LEDs).

The standards are implemented over several years. This will permit an orderly process for the transition both in terms of product manufacturing but also in terms of the consumer education and awareness of the transition and what products they need for their lighting needs. Just like today, no one bulb fits every lighting application or meets every consumer need.

Lighting accounts for about 12% of energy use in homes. While individual home usage varies, it is estimated that the average household savings associated with this transition is over \$100 per year, every year going forward. Overall national energy savings is estimated at \$10-15 billion per year, every year going forward, depending on assumptions of usage and what type of technology is selected to replace traditional incandescent.

Section 3 of HR 2417 would repeal all current energy conservation standards for a variety of energy efficient lighting:

1. General Service Fluorescent Lamps (tubes). Section 3 would repeal the standards that DOE promulgated in 2009 that are effective a year from now. It would also repeal the current standards that went into effect in 1996 that Congress enacted in the Energy Policy Act of 1992.

2. Compact Fluorescent Lamp (medium screw base). Section 3 would repeal the standards that Congress adopted in the Energy Policy Act of 2005.

3. Metal halide lighting. It would repeal the standards that Congress adopted in Energy Policy Act of 2005.

When combined with the EISA repeal language in Section 2 for incandescent lighting (EISA section 321) and certain incandescent reflector bulbs (EISA section 322), HR 2417 would erase all energy conservation standards for lighting products, except the standards for fluorescent lamp ballasts and other types of incandescent reflector lamps.

NEMA encourages you to vote "no" on HR 2417 or any other provision that would repeal the incandescent light bulb standards.

JULY 10, 2011.

DEAR REPRESENTATIVE: The House is expected to vote early next week on the BULB Act (H.R. 2417), which would repeal energy efficiency standards for light bulbs that were enacted in 2007. We urge you to oppose this legislation. There is no ban on incandescent bulbs—they are just getting better.

As a result of the 2007 law, manufacturers are already making a variety of new energy saving bulbs for homes, including more efficient incandescent bulbs. These bulbs look, light, and turn on like the bulbs we have been using for decades, but are 28-33 percent more efficient.

Energy efficient lighting saves consumers money, creates jobs, and benefits the environment. At a time when families are struggling with high energy costs, efficient lighting will save the average American family around \$100 every year (about \$12 billion nationwide) and save enough energy annually to power all the homes in Pennsylvania and Tennessee.

Phasing-in energy efficient light bulbs means more choices and savings . . . that's good for families, the country, and the environment. We urge you to oppose repeal of the light bulb efficiency standards.

Sincerely,

AEC Science & Technology; Alliance to Save Energy; American Council for an Energy Efficient Economy; American Lighting Association; Appliance Standards Awareness Project; Association for Facilities Engineering; Association of State Energy Research Institutions; Beneficial Results LLC; BlueGreen Alliance; Business Council for Sustainable Energy; Businesses for an Energy Efficient Texas Coalition; Ceres; Citizens for Pennsylvania's Future (PennFuture); Clean Energy Associates; Conservation Law Foundation; Conservation Services Group; Consumer Federation of America; Consumers Union; CREE; Earthjustice; Ecobuild America; Efficiency First; Energy Future Coalition; Environment America; Environment California; Environment Colorado.

Environment Illinois; Environment Maryland; Environment Minnesota; Environment New Mexico; Environment New York; Environment Ohio;

Environment Texas; Environmental and Energy Study Institute; Environmental Defense Fund; Fresh Energy; Illuminating Engineering Society of North America; Institute for Energy and Environmental Research; Interfaith Power & Light; Izaak Walton League of America; Johnson Controls Inc.; kWhOURS, Inc.; LED Waves; Lighting Science Group Corporation; McKinstry; National Association of Energy Service Companies; National Association of State Energy Officials; National Association for State Community Services Programs; National Electrical Manufacturers Association; National Grid; Natural Resources Defense Council; Northeast Energy Efficiency Partnerships.

Northwest Energy Coalition; Northwest Energy Efficiency Alliance; Office of the Ohio Consumers' Counsel; Pacific Gas & Electric Company; PennEnvironment; Philips Electronics North America Corporation; Polyisocyanurate Insulation Manufacturers Association; Public Citizen; Republicans for Environmental Protection; Sacramento Municipal Utility District; Seattle City Light; Southern Alliance for Clean Energy; Southwest Energy Efficiency Project; Texas Impact; The California Energy Efficiency Industry Council; The Center for the Celebration of Creation; The Stella Group, Ltd.; United States Green Building Council; United Technologies Corporation; Urban Green Council; Utah Clean Energy; William C. Velasquez Institute; Windustry; Wisconsin Environment.

JULY 6, 2011.

House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE: We write to urge you to vote against H.R. 91, (the "BULB Act"), or any other legislation that would repeal efficiency standards for lighting which were adopted by the Congress in 2007. Repealing these standards would increase consumer energy costs, waste energy, and diminish consumers' lighting choices.

The new lighting standards do NOT ban incandescent bulbs. Rather, these standards are technology-neutral, and manufacturers have already developed more efficient incandescent bulbs that are available and on the market today. Efficient options that meet the new standard include a wide variety of technologies and high quality bulbs, many of which are dimmable, can withstand cold, are long-lasting, and come in a range of intensity and colors. Efficiency standards have enhanced the numerous lighting options for consumers to choose from, as inefficient models have been scheduled to phase out of the market and new options to replace them have been developed.

Lighting accounts for 10-15% of household electricity use, and is one of the cheapest efficiency upgrades available to consumers. Repealing lighting standards would undermine consumer savings, drive up costs for efficient lighting, and increase demand on the power grid, which increases the cost of electricity.

Consumers Union, Consumer Federation of America, National Consumer Law Center, Public Citizen, and National Consumers League strongly believe that Congress should continue to move efficiency standards forward, not backward. We thank you for your attention to this important consumer



matter and urge you to vote against any legislation that would repeal lighting efficiency standards.

Sincerely,

SHANNON BAKER-BRANSTETTER,  
*Consumers Union.*  
SALLY GREENBERG,  
*National Consumers League*  
MEL HALL-CRAWFORD,  
*Consumer Federation of America.*  
TYSON SLOCUM,  
*Public Citizen.*  
CHARLIE HARAK,  
*National Consumer Law Center, on behalf of its low-income clients.*

JULY 8, 2011.

DEAR REPRESENTATIVE: The House is scheduled to vote this Monday on the BULB Act (H.R. 2417), which would repeal energy efficiency standards for light bulbs. On behalf of our millions of members and supporters, we urge you to oppose this bill. The standards were enacted in 2007 with strong bipartisan support and signed into law by President Bush.

Many proponents of legislation to repeal the standards claim that they ban the incandescent light bulb, which is simply not true. The standards just require the bulbs to be more efficient. Manufacturers are already making a variety of bulbs that meet the new standards, including incandescent bulbs that are 28-33 percent more efficient than the traditional incandescent bulb that has changed little over the past 125 years. These new incandescent bulbs look, light, and turn on like the old bulbs. Consumers also have the option to buy compact fluorescent lamps (CFLs) and light emitting diodes (LEDs), which provide even greater cost and energy savings.

Repealing the standards would jeopardize their benefits, which include:

Annual energy bill savings of about \$100 for the average American family and approximately \$12 billion nationwide.

Decreased energy demand, which would avoid the need for 30 large power plants, decreasing levels of harmful air pollution.

American jobs making better, more efficient light bulbs that meet the new standards. More than 2,000 jobs have already been created at lighting facilities in the U.S., and the standards are key factor in this development.

The light bulb energy efficiency standards will help bring light bulb technology from the days of the horse and buggy to the 21st Century, which will save consumers money, create jobs, and reduce pollution. We urge you to oppose legislation that would repeal these standards.

Sincerely,

Carol Andress, Legislative Director, Climate and Air Program, Environmental Defense Fund.

Anna Aurilio, Washington, D.C. Office Director, Environment America.

Dan Becker, Director, Safe Climate Campaign.

Melanie Beller, Vice President, Public Policy, The Wilderness Society.

Joy Bergey, Federal Policy Manager, Citizens for Pennsylvania's Future (Penn Future).

Joy Bergey, Executive Director, The Center for the Celebration of Creation.

Marty Hayden, Vice President, Policy and Legislation, Earthjustice.

Bryan Howard, Legislative Director, U.S. Green Building Council.

Seth Kaplan, Vice President for Policy and Climate Advocacy, Conservation Law Foundation.

Scott Kovarovics, Conservation Director, Izaak Walton League of America.

Nat Mund, Legislative Director, Southern Environmental Law Center.

Sandy Newman, President, Voices for Progress.

Elsa Ramirez, Board Member, Voces Verdes.

Kathleen Rogers, President, Earth Day Network.

Lexi Shultz, Legislative Director, Climate and Energy Program, Union of Concerned Scientists.

Debbie Sease, Director, National Campaigns, Sierra Club.

Scott Slesinger, Legislative Director, Natural Resources Defense Council.

Tyson Slocum, Director, Energy Program, Public Citizen.

Stephen A. Smith, DVM, Executive Director, Southern Alliance for Clean Energy.

Bill Snape, Senior Counsel, Center for Biological Diversity.

Lynn Thorp, National Campaigns Coordinator, Clean Water Action.

Karen E. Torrent, Federal Legislative Director, Environmental Law and Policy Center.

Brooks Yeager, Executive Vice President, Clean Air-Cool Planet.

LEAGUE OF CONSERVATION VOTERS,

Washington, DC, July 8, 2011.

Re Oppose H.R. 2417, the BULB Act of 2011.

House of Representatives,

Washington, DC.

DEAR REPRESENTATIVE: The League of Conservation Voters (LCV) works to turn environmental values into national priorities. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to vote NO on H.R. 2417, the so-called Better Use of Light Bulbs Act of 2011. This bill would eliminate the common-sense energy efficiency standards for light bulbs that passed with strong bipartisan and industry support and were signed into law by President Bush in 2007. It would roll back the financial and public health benefits of these standards that will contribute to billions of dollars in savings for American families, thousands of new jobs in the manufacturing sector, and energy savings equivalent to 30 large power plants. This legislation also preempts the rights of states to issue their own energy efficiency standards for light bulbs.

Supporters of H.R. 2417 have falsely claimed that new standards would ban conventional incandescent light bulbs and require consumers to purchase compact fluorescent lamps (CFLs). The standards simply require that light bulbs be more energy efficient. In fact, manufacturers, including GE, Philips, and Osram Sylvania, are already making a number of bulbs, including incandescent bulbs that meet this new standard. These common-sense standards will continue to provide American families with a choice for their lighting needs, but with lower energy bills and estimated savings of about \$100 per year for the average family.

The economic and public health benefits of these standards are already being demonstrated. Manufacturers are expanding or opening lighting plants, creating thousands

of new, quality jobs here in the U.S. Once fully implemented, the standards will significantly decrease both energy demand and harmful pollution.

We urge you to REJECT H.R. 2417: this assault on common-sense efficiency standards will only increase American families' energy bills, cost jobs, and increase pollution. We will strongly consider including votes on this bill in the 2011 Scorecard. If you need more information, please call Tiernan Sittenfeld, Sara Chieffo, or Alex Taurel in my office at (202) 785-8683.

Sincerely,

GENE KARPINSKI,  
*President.*

NATIONAL WILDLIFE FEDERATION,  
NATIONAL ADVOCACY CENTER,  
Washington, DC, July 11, 2011.

DEAR REPRESENTATIVE: On behalf of the National Wildlife Federation and our over 4 million members and supporters nationwide, I urge you to oppose the "Better Use of Light Bulbs (BULB) Act" (H.R. 2417), or any similar legislation that would repeal energy efficiency standards for light bulbs that were enacted in 2007 with strong bipartisan support and signed into law by President Bush.

Despite claims by critics of the provision, the standard is not a ban on the incandescent light bulb. U.S. lighting manufacturers are already producing advanced incandescent light bulbs that meet the EISA energy efficiency standards. These fully dimmable, instant-on bulbs look like and provide the same quality of bright, white light consumers are use to—while consuming nearly 30 percent less energy. The difference between the newer high-tech bulbs and the venerable 135-year-old Incandescent is \$15.8 billion annually—saving each U.S. family of four more than \$200 a year.

Energy efficiency measures are one of the cheapest and quickest ways to reduce carbon pollution that contributes to climate change. The light bulb efficiency standards will reduce pollution that harms our public health, including emissions of mercury and carbon pollution. The standards will prevent more than 100 million tons of carbon pollution per year—the equivalent of taking 17 million cars off the road. Coal-fired power plants are the number 1 man-made source of mercury emissions in the US and put public health and wildlife at risk. When fully implemented, the new lighting standards would eliminate 60 percent of the mercury emissions caused by common household lighting. New energy-efficient incandescent bulbs and LEDs contain no mercury and while CFLs do contain a very small amount of mercury—equivalent in size to the tip of a ballpoint pen and one-fifth the amount of mercury in a watch battery on your wrist—they result in less than half the overall mercury emissions as traditional incandescent bulbs.

The light bulb energy efficiency standards are backed by the lighting industry! The industry has already made very significant investments to develop and produce more efficient bulbs. Repealing this standard will create uncertainty for manufacturers and threaten jobs. Now is the time to implement common-sense measures, like efficiency standards, to save consumers money, create jobs, and reduce pollution. The National Wildlife Federation urges you to oppose legislation that would repeal these standards.

Sincerely,

LARRY SCHWEIGER,  
*President & CEO.*

REPUBLICANS FOR ENVIRONMENTAL  
PROTECTION, GOVERNMENT AF-  
FAIRS OFFICE,

Oakton, VA, July 11, 2011.

DEAR REPRESENTATIVE: Republicans for Environmental Protection (REP), a national grassroots organization of Republican voters and elected officials, respectfully urges you to vote against the "BULB Act" (H.R. 91) or any other legislation that scuttles the common-sense efficiency standards for light bulbs that were enacted in the 2007 energy bill.

This irresponsible and embarrassing legislation is entirely based on the false premise that the new standards phase out or ban incandescent screw-base light bulbs. A simple trip to Home Depot would reveal just how false that premise is.

All major lighting manufacturers, including Philips, Sylvania and GE, currently produce and sell incandescent light bulbs that meet or exceed the new standards. In fact, the lighting industry helped craft the 2007 legislation with the full understanding that they could produce incandescent bulbs that meet the new standards.

Also, contrary to the claims made by sponsors of the "BULB Act," these new incandescent bulbs are not expensive. A Philips bulb that meets the new standards sells for \$1.49, lasts about 50 percent longer than older incandescent bulbs, and saves consumers roughly \$10 in energy cost.

If passed this legislation would not only waste energy and cost consumers money, it would also threaten the millions of dollars lighting manufacturers have invested in retooling their factories to produce bulbs that meet the new standards.

There is nothing new or unusual about federal legislation setting efficiency standards for energy-using equipment. The first such legislation was signed into law 25 years ago by President Ronald Reagan. Thanks to the standards in the Reagan legislation and similar laws signed by his successors, Americans are saving billions of dollars on their utility bills.

Anyone who has been misled by the irresponsible untruths being spread about the new standards will find their concerns to be totally unfounded once January of 2012 rolls around.

The only thing this legislation will accomplish is the waste of energy and money. Waste is not conservative, and passing legislation that is based on a totally fictitious premise is not prudent.

How does peddling inefficient lighting that throws off more heat than light help our nation's energy security? How does it help consumers save money? It doesn't.

The iconic conservative author and theorist Russell Kirk correctly pointed out: "Nothing is more conservative than conservation."

Please stand up for energy efficiency and saving money. Please oppose this bizarre legislation to repeal industry-supported lighting efficiency standards. It is an embarrassment to Congress and to our party.

Thank you for your time and attention to this matter.

Sincerely,

DAVID JENKINS,  
Vice President for Government  
and Political Affairs.

CALIFORNIA LEGISLATURE,  
STATE CAPITOL,  
Sacramento, CA, July 11, 2011.

Hon. JOHN BOEHNER,  
The Capitol,  
Washington, DC.

Hon. NANCY PELOSI,  
Cannon House Office Building,  
Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: The undersigned leaders of the California State Legislature strongly oppose federal efforts to invalidate California energy efficiency standards and urge you to vote "no" on H.R. 2417 or any other measure that strips states of their authority to pursue clean energy policies that benefit their citizens.

Effective January 1, 2011—a year earlier than the rest of the nation—California began implementing state standards that require light bulbs to be 30 percent more efficient. H.R. 2417 expressly invalidates these California standards and repeals similar federal standards set to take effect on January 1, 2012.

For decades, California has led the nation in energy efficiency standards for buildings and appliances, and now light bulbs, as part of an overall strategy to reduce energy use, lower consumers' utility bills, and create good jobs for a clean energy economy. California's standards have resulted in tens of billions of dollars in utility bill savings for its citizens. It is estimated that California's early implementation of the light bulb standards will avoid the sale of 10.5 million inefficient bulbs that would cost consumers \$35.6 million in unnecessarily higher electricity bills. Studies indicate that using more efficient bulbs would save the average California household about \$125 per year.

In addition, California's light bulb standards have spurred innovation and economic growth, providing consumers new, more efficient lighting options, including advanced incandescent bulbs, light-emitting diode bulbs, and compact fluorescent bulbs. The standards are technology-neutral and do not ban incandescent bulbs.

H.R. 2417 is a direct attack on California's energy efficiency strategy and would harm our citizens. We urge you, the California delegation, and all Members of Congress to protect states' rights to pursue clean energy policies and vote "no" on H.R. 2417.

Sincerely,

SENATOR DARRELL  
STEINBERG,  
President pro Tem-  
pore.

SENATOR ALEX PADILLA  
Chair, Senate Com-  
mittee on Energy,  
Utilities and Com-  
munications.

SENATOR FRAN PAVLEY,  
Chair, Senate Com-  
mittee on Natural  
Resources and  
Water.

JULY 8, 2011.

Support a Constitutional Repeal of the Incandescent Light Bulb Ban—Strike Section 4 from H.R. 2417.

DEAR COLLEAGUE: The federal ban on incandescent light bulbs is the perfect example of government overreach and intrusion into our daily lives. That is why we applauded the introduction of H.R. 91, the Better Use of Light Bulbs Act. This legislation would have simply repealed the ban on incandescent light bulbs and returned freedom of choice to consumers throughout the United States.

However, the bill has been reintroduced (H.R. 2417) and will likely be considered under suspension on Monday, July 11. H.R. 2417 contains a new provision that violates the 10th Amendment and the spirit of federalism. Section 4 of H.R. 2417 would prohibit states from re-imposing the ban on incandescent light bulbs. It reads:

"No State or local regulation, or revision thereof, concerning the energy efficiency or energy use of medium screw base general service incandescent lamps shall be effective."

While it is arguably unwise for a state to restrict consumers' choice for a product such as a light bulb, such a federal prohibition infringes upon states' rights and the principles of federalism. Most importantly, it is a violation of the Constitution that we have sworn an oath to uphold.

Congress should repeal the federal ban on the incandescent light bulb and should do so in a manner that is consistent with the Constitution.

If you would like to sign onto the letter urging Chairman Upton and Representative Barton to strike Section 4 of H.R. 2417 (on reverse), please contact John Maniscalco at 5-4465 or john.maniscalco@mail.house.gov.

Sincerely,

SCOTT GARRETT,  
Member of Congress.  
ROB BISHOP,  
Member of Congress.  
MARLIN STUTZMAN,  
Member of Congress.

JULY 8, 2011.

Hon. FRED UPTON,  
Chairman, House Energy and Commerce Com-  
mittee, House of Representatives, Wash-  
ington, DC.

Hon. JOE BARTON,  
House of Representatives, Washington, DC.

DEAR CHAIRMAN UPTON AND REPRESENTATIVE BARTON: The 2010 elections demonstrated that Americans are fed up with government intrusion. The federal government has crept so deep into our lives that federal agencies now determine what kind of light bulbs the American people are allowed to purchase.

That is why we applauded the introduction of H.R. 91, the Better Use of Light Bulbs Act. This legislation would simply repeal the ban on incandescent light bulbs and would have returned freedom of choice to consumers throughout the United States. However; the bill has been reintroduced (H.R. 2417) and contains a new provision that violates the 10th Amendment and the spirit of federalism that was so important to our nation's founding.

Section 4 of H.R. 2417 would prohibit states from re-imposing the ban on incandescent light bulbs. While it is arguably unwise for a state to restrict consumers' choice for a product such as a light bulb, such a federal prohibition infringes upon states' rights and the principles of federalism. Most importantly, it is a violation of the Constitution that we have sworn an oath to uphold.

If Congress is to repeal the ban on incandescent light bulbs, it should do so in a manner that is consistent with the Constitution and the founding principles of the United States. We strongly urge you to strike Section 4 of H.R. 2417.

Sincerely,

SCOTT GARRETT,  
Member of Congress.  
ROB BISHOP,  
Member of Congress  
MARLIN STUTZMAN,

*Member of Congress.*

I yield back the balance of my time.

□ 1810

Mr. BARTON of Texas. I yield myself the balance of my time.

I have listened, Mr. Speaker, with interest to what my friends on the Democrat side have said about this bill. And I think in the interest of fairness, we ought to call a spade a spade. It is true that the law that they are defending does not automatically ban incandescent light bulbs. That is a true statement. What it does is set efficiency standards that the existing 100-watt and 60-watt and 75-watt bulbs can't meet. So they are effectively banned because they cannot meet the standard.

As has been pointed out by Mr. DOYLE and several of the other speakers, it is also true that industry has developed new incandescent light bulbs that do meet the standard. What they haven't done is develop a new incandescent light bulb that meets the standard at existing cost. What gets left out of the equation by my friends on the Democratic side of the aisle is the cost to purchase these new bulbs, whether they are the squiggly tailed CFLs or the new, more energy-efficient incandescents.

We're not opposed, I'm not opposed to CFL lighting. I'm not opposed to the new incandescents. But I am opposed to telling my constituents that they have no choice at all, that they have to go and fork over \$1.50 or \$2.50 or \$6. Or in the case of the LEDs that Mr. WAXMAN just referred to, a minimum of \$12, and the average price of the new LED lighting at Home Depot or Lowe's is \$40 a bulb.

Now, I'm young enough to remember when I was a renter and I would move into an apartment, and when I went into the apartment, there were no light bulbs. The people who left took the light bulbs with them. So I would have to go out and buy 20 or 30 or 40 light bulbs. Well, if light bulbs are 20 cents apiece, or 25 or 30 or even 40 cents apiece, that is an expense but it's not exorbitant. You go out and replace 40 light bulbs at \$6 a pop, you're spending some money that, to our constituency, to our voters, Mr. Speaker, that's real money.

Again, we're not opposed to new technology. We're not opposed to more energy-efficient incandescents. But why take the low end of the market off the market? Why not give our constituents, i.e., our consumers, our voters, the choice? If you're Al Gore and you want to spend \$10 a light bulb, more power to you. More power to you. But if you're a young family that's just getting started, give us the option to go out and spend for a package of four or a package of six the equivalent of 25 cents apiece, or 30 cents apiece, or as I purchased last week at a food store

here in Virginia, 37.5 cents apiece for four 60-watt light bulbs.

We're saying let the market work. We're saying let people make their own choices. Why in the world does the Federal Government have to tell people what kind of lights to use in their home? That's not anywhere in the constitutional requirement of the Federal Government.

And this bill that was passed in 2007 had a lot of preemptions of State and local. It preempted State and local building codes. It required historical buildings to meet certain standards by the year 2050. It had so many bad things in it that this one, while offensive, was kind of the least of the evils.

But it is also, Mr. Speaker, what the average voter, the average consumer understands. When I go to the grocery store or to Wal-Mart or to Home Depot, let me decide what kind of lighting, let me decide what kind of energy efficiency I want.

Now, it is a true statement that these new bulbs are more energy efficient; but if it takes you 10 years to realize the efficiency and the only way you do it is by leaving it on all of the time, it is spending money to save money that some people don't have. Again, purchase a classic 100-watt or 60-watt incandescent light bulb for less than 50 cents, you might use it, you might not. But if you use it all week, it is going to cost you less than a nickel. And if you use it like the average consumer, it is going to cost you a penny to 2 cents a week to use.

So do you save money? The CFL that I bought last week for \$6 or \$5.99 is guaranteed for 10 years and says it will save over \$40, but you've got to use it for 10 years. You know, I don't think that's a very good deal, with all due respect to my friends on the other side.

What we're saying is let's get the Federal Government out of something that they shouldn't have gotten into in the first place. Let's go back and let the market operate. If these new CFLs and these new incandescents are as good as they claim to be, people are going to want to buy them. But if they are not or if they can't afford the upfront cost, don't force them to. Don't take off the market the very thing that provides price competition in the market. Even the new incandescents cost on average \$1.50 to \$2 a pop. And I haven't seen a CFL—I've seen them for \$10 or \$12, the average price is around \$6 or \$7—I haven't seen them even in the most energy-efficient package for less than about \$2.50 or \$3 apiece. And, again, if you're buying a lot of light bulbs at one time, that's real money, Mr. Speaker.

What we say is let's repeal this part of the bill. Let's also say with regards to mercury that you cannot mandate mercury. That's the section that Mr. WAXMAN was apparently referring to. We're not banning fluorescents. We are

simply saying you cannot require mercury to be used in the CFLs.

So I would urge an "aye" vote on the pending legislation, Mr. Speaker.

Mr. HONDA. Mr. Speaker, I am appalled that the Republican majority in the House would even craft a bill such as the BULB Act, much less actually bring it to the floor for a vote. This bill is based on inaccurate and downright false claims like the one made by the Wall Street Journal when it outrageously tried to say that by setting energy efficiency standards for light bulbs, "Washington will effectively ban the sale of conventional incandescent light bulbs." Nothing could be further from the truth.

The lighting efficiency standards enacted by Congress in 2007 do not ban incandescent light bulbs, they simply make those bulbs 25 to 30 percent more efficient and help incentivize the development of even more efficient lighting using alternative technologies, such as compact fluorescent lighting or light emitting diodes.

Major light bulb manufacturers such as Philips, Osram, and General Electric have already developed more efficient incandescent bulbs that consumers can purchase in the store today that meet the new standards. Clearly, statements like the one made by the Wall Street Journal are incorrect, because incandescent bulbs to meet the standard already exist developed solely because the standard is in place.

The standard is also spurring manufacturers to develop even more efficient lighting options than just these new incandescent bulbs, creating R&D and high-tech manufacturing jobs in the U.S. In Silicon Valley alone, Philips employs over 700 people and hired more than 100 people at its LED facility in San Jose, California in 2010. We need to encourage this kind of work, not roll back standards that led to the shipping of bulb manufacturing overseas.

The standard is good for the environment, too—it will save the amount of electricity generated by more than 30 large power plants, and prevent the emission of global warming pollution equivalent to the amount released by 14 million cars and light trucks each year. Critics may argue that by promoting the use of compact fluorescent bulbs, the standard would increase exposure to mercury, but on this they are also wrong—the reduction in mercury emissions from coal power plants that would be achieved because less electricity is needed for lighting is ten times greater than the mercury that could escape from a compact fluorescent bulb in a landfill.

Repealing the lighting efficiency standard would cost the typical consumer around \$100 per year in additional energy costs. In essence, Republicans want to institute an energy tax on consumers in order to cling to some antiquated vision of the past.

As a representative of Silicon Valley, I know that we must look to the future and do everything that we can to promote the development and domestic manufacture of new technologies that will help us use less energy and grow our economy. That is why I support the new lighting efficiency standards and vehemently oppose H.R. 2417, the BULB Act.

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today in opposition to H.R.

2417, the so-called Better Use of Light Bulbs (BULB) Act.

H.R. 2417 would repeal the lighting energy efficiency standards set in the Energy Independence Security Act (EISA) of 2007. This would be a major setback in improving energy efficiency in homes and buildings across the country. Commercial and residential lighting consume over 20 percent of all electricity generated in the United States. The new lighting standards will help to ensure that more energy efficient light bulbs, including incandescents and LEDs, are available to consumers in order to reduce energy use.

The BULB Act would also repeal California's state standards on lighting efficiency that went into effect earlier this year. In a letter from California Senator Darrell Steinberg, President pro Tempore, Senator Alex Padilla, Chair of the Senate Committee on Energy, Utilities and Communications, and Senator Fran Pavley, Chair of the Senate Committee on Natural Resources and Water, opposing H.R. 2417, they note that the state's standards could save California consumers \$35.6 million in electrical costs.

Mr. Speaker, the current lighting standard has generated domestic jobs as companies have created new and innovative lighting options for consumers. For example, Philips Lumileds Lighting Company has a manufacturing facility that makes LEDs for energy efficient LED light bulbs in San Jose, California. This facility creates hundreds of local jobs, while traditional incandescent light bulbs are mainly manufactured abroad. The EISA energy efficiency standard is an opportunity for the United States to build a domestic manufacturing industry, generating jobs and economic activity.

H.R. 2417 is a job killer, and I urge my colleagues to join me in voting no on H.R. 2417.

Mr. ISRAEL. Mr. Speaker, I rise to oppose the BULB Act. Plain and simple—this bill will hurt our competitive advantage against China.

As my colleagues on the other side of the aisle bring this bill to the floor to take a step backwards & repeal light bulb efficiency, China gets it and they're leaping forward. This year China is spending over a billion dollars to make energy efficient lighting. China knows they can save consumers money while putting their country on track to create the largest LED industry in the world.

With efficiency requirements, we can compete. We can create American jobs making better light bulbs that meet the new standards. More than 2,000 jobs have already been created at factories around the country. In the U.S., there are between 12,000 to 14,000 jobs related to lighting.

I do not want to send those jobs to China by handing over the next generation lighting industry to them. The light bulb has been a symbol of American ingenuity since the late 1800s. When Thomas Edison invented the light bulb, it revolutionized our economy and electricity around the world. If America wants to lead, we need to become more efficient. That is the way of the future. Already, the new standards are prompting manufacturers to build new plants and create jobs making more energy efficient lighting here. In my Congressional District, Veeco has done just that. Veeco's employee count on Long Island has doubled from 150–300 from 2009 to 2011.

Lighting manufacturers have invested millions of dollars to develop new lighting technologies and improve old ones so they're 30 percent more efficient by the end of this year.

Efficiency isn't not about saving energy. It's about saving money and giving consumers a solid return on their investment. The BULB Act does nothing to save our constituents money.

Current standards would save the average American family \$100 on their electricity bills. I know my constituents want that \$100 in their pockets.

That is why I urge my colleagues to join me in opposing this bill to help save money and energy while supporting U.S. manufacturing.

Mr. VAN HOLLEN. Mr. Speaker, H.R. 2417 proposes to repeal bipartisan, common sense lighting efficiency standards signed into law by President Bush in 2007. These technology neutral standards simply call for efficiency improvements of 25 to 30 percent above traditional incandescent bulbs and are broadly supported by industry, environmental groups and consumers alike.

Mr. Speaker, lighting accounts for approximately 19 percent of our total electricity use. So the potential for energy savings in the lighting sector is substantial. In fact, when these new lighting efficiency standards take effect in 2012, they will save the average American household over \$100 a year in lower electricity bills, negate the need for 30 large power plants and avoid approximately 100 million tons of carbon pollution, which is the equivalent of taking 17 million cars off the road.

Proponents of this bill falsely claim that these new standards will somehow eliminate incandescent bulbs or restrict consumer choice. In reality, major manufacturers including GE, Philips and Osram Sylvania are already manufacturing a number of bulbs—including incandescent bulbs—that meet the new efficiency standards. Additionally, these improved standards have drawn new entrants into the market, like North Carolina-based Cree, whose innovative LED products are creating jobs right here in the United States and giving consumers more choice, not less.

Mr. Speaker, the traditional incandescent bulb was invented over 100 years ago. We should no more turn back the clock on lighting efficiency than we should return to the days of ice boxes and the horse and buggy. This is fundamentally backward looking legislation that should be soundly rejected.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to explain my position on H.R. 2417, the Better Use of Light Bulbs Act. As a Member of Congress for nearly two decades, time and time again I have said that the best way to lower energy costs is to make homes, buildings, vehicles, and infrastructure more energy efficient. In the process, we also create jobs. I remain a steadfast supporter of energy efficiency initiatives, knowing that it is imperative for us as a country to develop an energy supply that is both sustainable and diverse in order to improve our quality of life and protect our environment.

My initial support in co-signing H.R. 2417 was to make light bulbs less expensive and more accessible for low-income families. People living in poverty and low-income elderly should not have to choose between paying their electric bill and buying food for them-

selves and their families. I initially added my name as a co-sponsor of this legislation with these citizens in mind; however, after hearing from the industry, my colleagues, and most importantly my constituents, I reconsidered my position on the bill and will vote against it.

Ms. HIRONO. Mr. Speaker, I rise today in opposition to H.R. 2417, the BULB Act. This bill does nothing to shed light on a bipartisan law that will save families money on their energy bills. In fact, this bill repeals that common-sense law.

A question has been circulating in the media regarding this bill lately—how many Members of the House does it take to change a light bulb?

The answer, at least in 2007, was 314—that's the number of House Members who voted for the Energy Independence and Security Act of 2007.

Of those 314 Members 95 were Republicans—so was the President who signed the bill into law.

Why? Because this was a good, common-sense idea: Let's make new light bulbs that use 25–30 percent less energy than incandescent bulbs by 2012, and 65 percent less by 2020.

For families, that means an average savings of \$200 a year. In Hawaii, where we pay some of the highest energy prices in the country, families will save approximately \$225. The Department of Energy estimates that these standards will save U.S. households nationally \$6 billion in 2015 alone.

What's even better: Improving energy efficiency has also helped spur innovation on the part of U.S. manufacturers—creating an estimated 2,000 American jobs to date and giving Americans even More offerings to choose from when it comes to light bulbs.

That's right: Americans have even more choices when it comes to light bulbs. This bipartisan law did not outlaw any type of bulb.

Consumers can still choose to purchase the familiar looking bulbs that were initially invented by Thomas Edison—the only difference is that the new ones use up to 30 percent less electricity. So the idea that this bill is limiting consumer choice is simply false.

But there are many other benefits as well to improving the energy efficiency of our light bulbs: The National Resources Defense Council estimates that over the long-term these standards will save as much energy as produced by 30 large power plants each year. They will also help prevent 100 million tons of carbon dioxide from polluting our air annually.

So these standards will help to expand consumer choice, save families money, increase energy efficiency, lessen air pollution, and create jobs.

Given the state of the economy, it seems to me that instead of wasting time trying to repeal a law that has been such a success, we should be spending our time trying to pass more laws like it.

So I hope that we will short-circuit this ideologically driven legislation, and keep the lights on at the factories and in the homes of the people who are benefitting from these standards.

I urge my colleagues to join me in opposing this legislation.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Texas (Mr. BAR-TON) that the House suspend the rules and pass the bill, H.R. 2417.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes until approximately 6:30 p.m.

Accordingly (at 6 o'clock and 18 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CRAVAACK) at 6 o'clock and 31 minutes p.m.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 337 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2354.

□ 1832

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. LANKFORD (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the bill had been read through page 23, line 10.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. TIERNEY of Massachusetts.

An amendment by Mr. GRAVES of Missouri.

An amendment by Mr. SCALISE of Louisiana.

An amendment by Mr. WOODALL of Georgia.

An amendment by Mr. MCCLINTOCK of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. TIERNEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 162, noes 246, not voting 23, as follows:

[Roll No. 534]

AYES—162

Ackerman  
Alexander  
Amash  
Andrews  
Baca  
Baldwin  
Barletta  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (NY)  
Blumenauer  
Boswell  
Boustany  
Brady (PA)  
Brady (TX)  
Buchanan  
Butterfield  
Capps  
Capuano  
Cardoza  
Carney  
Carson (IN)  
Cassidy  
Castor (FL)  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Cohen  
Connolly (VA)  
Conyers  
Costa  
Costello  
Courtney  
Crowley  
Davis (CA)  
DeFazio  
DeGette  
DeLauro  
Dicks  
Doggett  
Duncan (TN)  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Fortenberry  
Frank (MA)

Fudge  
Garamendi  
Green, Al  
Green, Gene  
Grijalva  
Hanabusa  
Harris  
Hastings (FL)  
Herrera Beutler  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holt  
Honda  
Hoyer  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Landry  
Langevin  
Larsen (WA)  
Lee (CA)  
Levin  
Lewis (GA)  
LoBiondo  
Lofgren, Zoe  
Lowe  
Luján  
Lynch  
Maloney  
Markey  
Matsui  
McClintock  
McCollum  
McDermott  
McGovern  
McIntyre  
Meeks  
Michaud  
Moran  
Murphy (CT)  
Nadler  
Napolitano

Neal  
Olver  
Pallone  
Pascrell  
Paul  
Payne  
Pelosi  
Peters  
Pingree (ME)  
Poe (TX)  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reyes  
Richardson  
Richmond  
Rooney  
Rothman (NJ)  
Roybal-Allard  
Sánchez, Linda  
T.  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sherman  
Shuler  
Sires  
Slaughter  
Speier  
Stark  
Stearns  
Sutton  
Thompson (CA)  
Tierney  
Tonko  
Tsongas  
Van Hollen  
Velázquez  
Walz (MN)  
Wasserman  
Schultz  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

Adams  
Aderholt  
Akin  
Altmire  
Austria  
Bachus  
Barrow  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggert  
Billbray  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boren  
Brooks  
Broun (GA)  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Cansco  
Cantor  
Capito  
Carnahan  
Carter  
Chabot  
Chaffetz  
Chandler  
Clyburn  
Coble  
Coffman (CO)  
Cole  
Conaway  
Cooper  
Cravaack  
Crawford  
Crenshaw  
Critz  
Cueellar  
Culberson  
Cummings  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dingell  
Dold  
Donnelly (IN)  
Doyle  
Dreier  
Duffy  
Duncan (SC)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fox  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)

NOES—246

Gohmert  
Gonzalez  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Heinrich  
Hensarling  
Herger  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Inslie  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lewis (CA)  
Lipinski  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaull  
McCotter  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Noem  
Nugent  
Nunes  
Nunnelee

Olson  
Owens  
Palazzo  
Pastor (AZ)  
Paulsen  
Pearce  
Pence  
Perlmutter  
Peterson  
Petri  
Pitts  
Platts  
Polis  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Hunter  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ruppersberger  
Ryan (OH)  
Ryan (WI)  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Sewell  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southerland  
Stivers  
Sullivan  
Terry  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Visclosky  
Walberg  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (IN)

NOT VOTING—23

Bachmann  
Bartlett  
Braley (IA)  
Brown (FL)  
Davis (IL)  
Deutch  
Giffords  
Gutierrez  
Hinchey  
Holden  
Johnson (IL)  
Loeb sack  
McCarthy (NY)  
Miller, George  
Moore  
Neugebauer  
Rush  
Sanchez, Loretta  
Stutzman  
Towns  
Walden  
Waters  
Young (FL)

□ 1857

Messrs. RUPPERSBERGER and ROYCE changed their vote from "aye" to "no."

Messrs. BRADY of Texas, BISHOP of New York, SCALISE, POE of Texas, CARSON of Indiana, CLARKE of Michigan, Ms. HOCHUL, Ms. WILSON of Florida, and Messrs. STEARNS and AMASH changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GRAVES OF MISSOURI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. GRAVES) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 216, noes 190, not voting 25, as follows:

[Roll No. 535]

AYES—216

Adams DesJarlais Huizenga (MI)
Akin Diaz-Balart Hultgren
Alexander Dold Hunter
Altmire Dreier Hurt
Amash Duffy Issa
Andrews Duncan (SC) Jenkins
Austria Duncan (TN) Johnson (OH)
Barletta Ellmers Johnson, Sam
Barton (TX) Emerson Jones
Benishek Farenthold Jordan
Berg Fincher Kaptur
Biggart Flake Kelly
Billbray Fleischmann King (IA)
Bishop (UT) Fleming King (NY)
Black Flores Kinzinger (IL)
Bonner Forbes Kissell
Bono Mack Fortenberry Kline
Boren Franks (AZ) Labrador
Boustany Gallegly Lamborn
Brady (TX) Gardner Landry
Brooks Garrett Lankford
Broun (GA) Gibbs Latham
Bucshon Gibson LaTourette
Buerkle Gingrey (GA) Latta
Burgess Gohmert Lewis (CA)
Burton (IN) Goodlatte LoBiondo
Calvert Gowdy Lucas
Camp Graves (GA) Luetkemeyer
Campbell Graves (MO) Lummis
Canseco Griffin (AR) Lungren, Daniel
Cantor Griffith (VA) E.
Capito Grimm Mack
Cassidy Guthrie Manzullo
Chabot Hall Marino
Chaffetz Hanna Matheson
Clarke (NY) Harper McCarthy (CA)
Clay Harris McCaul
Cleaver Hartzler McClintock
Coble Hastings (WA) McCotter
Coffman (CO) Hayworth McHenry
Cravaack Heck McKeon
Crawford Hensarling McKinley
Culberson Herger McMorris
Davis (KY) Herrera Beutler Rodgers
Denham Huelskamp Mica

Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Richmond
Rigell
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)

NOES—190

Ackerman
Aderholt
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boswell
Brady (PA)
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clyburn
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Finer
Fitzpatrick
Foxy

Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Walberg
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Wu
Yoder
Young (AK)
Young (IN)

NOT VOTING—25

Bachmann
Bachus
Bartlett
Braley (IA)
Brown (FL)
Davis (IL)
Deutch
Giffords
Guinta
Gutierrez
Hinchey
Holden
Johnson (IL)
Loeb sack
McCarthy (NY)
Miller, George
Neugebauer
Pascrell
Rush
Sanchez, Loretta
Stutzman
Towns
Walden
Waters
Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1901

So the amendment was agreed to. The result of the vote was announced as above recorded.

Stated for:

Mrs. ELLMERS. Mr. Chair, on rollcall No. 535, I inadvertently voted "no" when I intended to vote "yes."

AMENDMENT OFFERED BY MR. SCALISE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. SCALISE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 168, not voting 22, as follows:

[Roll No. 536]

AYES—241

Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Shuler
Simpson
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

Adams
Akin
Alexander
Altmire
Amash
Andrews
Austria
Barletta
Barton (TX)
Bass (CA)
Benishek
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cantor
Capito
Carney
Carter
Cassidy
Castor (FL)
Chabot
Clarke (MI)
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cooper
Costello
Courtney
Cravaack
Crawford
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Donnelly (IN)
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Hochul
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jenkins

Johnson (OH)	Miller, Gary	Royce	Sherman	Tierney	Watt	Jones	Miller, Gary	Scalise
Johnson, E. B.	Mulvaney	Runyan	Simpson	Tipton	Waxman	Jordan	Mulvaney	Schilling
Johnson, Sam	Murphy (CT)	Scalise	Sires	Tomko	Welch	Kelly	Murphy (PA)	Schmidt
Jones	Murphy (PA)	Schilling	Slaughter	Tsongas	Whitfield	King (IA)	Myrick	Schock
Jordan	Myrick	Schmidt	Smith (WA)	Turner	Wolf	King (NY)	Noem	Schweikert
Kelly	Nadler	Schock	Speier	Van Hollen	Woolsey	Kingston	Nugent	Scott (SC)
King (IA)	Nugent	Schrader	Stark	Visclosky	Yarmuth	Kinzinger (IL)	Nunes	Scott, Austin
King (NY)	Nunes	Schweikert	Thompson (MS)	Wasserman	Yoder	Kline	Nunnelee	Sensenbrenner
Kinzinger (IL)	Nunnelee	Scott (SC)	Thompson (PA)	Schultz		Labrador	Olson	Sessions
Kissell	Olson	Scott, Austin				Lamborn	Palazzo	Shimkus
Kline	Owens	Sessions				Landy	Paul	Shuster
Labrador	Palazzo	Sewell	Bachmann	Hinchev	Sanchez, Loretta	Lankford	Paulsen	Smith (NE)
Lamborn	Pallone	Shimkus	Bartlett	Holden	Stutzman	Latham	Pearce	Smith (NJ)
Lance	Pastor (AZ)	Shuler	Braley (IA)	Johnson (IL)	Towns	LaTourette	Pence	Smith (TX)
Landy	Paul	Shuster	Brown (FL)	Loeb	Walden	Latta	Petri	Southerland
Lankford	Paulsen	Smith (NE)	Davis (IL)	Loeb	Walters	Lewis (CA)	Pitts	Stearns
Larson (CT)	Payne	Smith (NJ)	Deutch	Miller, George	Young (FL)	LoBiondo	Platts	Stivers
Latta	Pearce	Smith (TX)	Giffords	Neugebauer		Long	Poe (TX)	Sullivan
Lewis (CA)	Pence	Southerland	Gutierrez	Rush		Lucas	Pompeo	Terry
LoBiondo	Perlmutter	Stearns				Luetkemeyer	Posey	Thompson (PA)
Lowey	Peterson	Stivers				Lummis	Price (GA)	Thornberry
Lucas	Petri	Sullivan				Lungren, Daniel	Quayle	Tiberi
Luetkemeyer	Pingree (ME)	Sutton				E.	Reed	Tipton
Lungren, Daniel	Pitts	Terry				Mack	Rehberg	Turner
E.	Platts	Thompson (CA)				Manzullo	Renacci	Upton
Mack	Poe (TX)	Thornberry				Marchant	Ribble	Walberg
Marchant	Pompeo	Tiberi				Marino	Rigell	Walsh (IL)
Marino	Posey	Price (GA)				McCarthy (CA)	Rivera	Webster
Matheson	Price (GA)	Upton				McCaul	Roe (TN)	West
McCarthy (CA)	Quigley	Velázquez				McClintock	Rogers (AL)	Westmoreland
McCaul	Rahall	Walberg				McCotter	Rogers (MI)	Whitfield
McClintock	Reed	Walsh (IL)				McHenry	Rohrabacher	Wilson (SC)
McCotter	Ribble	Walz (MN)				McKeon	Rokita	Wittman
McGovern	Richardson	Webster				McKinley	Rooney	Womack
McHenry	Richmond	West				McMorris	Ros-Lehtinen	Woodall
McIntyre	Rigell	Westmoreland				Meehan	Roskam	Yoder
McKeon	Rivera	Wilson (FL)				Mica	Ross (FL)	Young (AK)
McKinley	Roe (TN)	Wilson (SC)				Miller (FL)	Royce	Young (IN)
McMorris	Rogers (MI)	Wittman				Miller (MI)	Runyan	
Rodgers	Rohrabacher	Womack					Ryan (WI)	
Meehan	Rokita	Woodall						
Mica	Rooney	Woodall						
Michaud	Ros-Lehtinen	Wu						
Miller (FL)	Ross (AR)	Young (AK)						
Miller (MI)	Ross (FL)	Young (IN)						

## NOES—168

Ackerman	Dreier	Lujan
Aderholt	Edwards	Lummis
Baca	Ellison	Lynch
Bachus	Engel	Maloney
Baldwin	Eshoo	Manzullo
Barrow	Farr	Markey
Bass (NH)	Fattah	Matsui
Becerra	Filner	McCollum
Berg	Fox	McDermott
Berkley	Frank (MA)	McNerney
Berman	Frelinghuysen	Meeks
Biggert	Fudge	Miller (NC)
Bilbray	Garamendi	Moore
Bishop (GA)	Gonzalez	Moran
Blumenauer	Gosar	Napolitano
Bonner	Granger	Neal
Brady (PA)	Grijalva	Noem
Brooks	Hall	Olver
Butterfield	Hastings (FL)	Pascarell
Canseco	Hayworth	Pelosi
Capps	Heck	Peters
Capuano	Heinrich	Polis
Cardoza	Herger	Price (NC)
Carnahan	Hirono	Quayle
Carson (IN)	Holt	Rangel
Chaffetz	Honda	Rehberg
Chandler	Hoyer	Reichert
Chu	Huelskamp	Renacci
Cicilline	Hunter	Reyes
Clarke (NY)	Inslee	Roby
Clay	Jackson (IL)	Rogers (AL)
Cole	Johnson (GA)	Rogers (KY)
Conaway	Kaptur	Roskam
Connolly (VA)	Keating	Rothman (NJ)
Conyers	Kildee	Royal-Allard
Costa	Kind	Ruppersberger
Crenshaw	Kingston	Ryan (OH)
Critz	Kucinich	Ryan (WI)
Crowley	Langevin	Sánchez, Linda
Cummings	Larsen (WA)	T.
Davis (CA)	Latham	Sarbanes
DeGette	LaTourette	Schakowsky
DeLauro	Lee (CA)	Schiff
Diaz-Balart	Levin	Schwartz
Dicks	Lewis (GA)	Scott (VA)
Dingell	Lipinski	Scott, David
Doggett	Lofgren, Zoe	Sensenbrenner
Dold	Long	Serrano

## NOT VOTING—22

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

## □ 1905

So the amendment was agreed to.  
The result of the vote was announced  
as above recorded.

AMENDMENT OFFERED BY MR. WOODALL  
The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Georgia (Mr.  
WOODALL) on which further proceedings  
were postponed and on which the noes  
prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.  
The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 218, noes 191,  
not voting 22, as follows:

[Roll No. 537]

## AYES—218

Adams	Coffman (CO)	Gibbs	Ackerman	Dingell	Lofgren, Zoe
Aderholt	Cohen	Gibson	Andrews	Doggett	Lowey
Akin	Cole	Gingrey (GA)	Baca	Dold	Lujan
Alexander	Conaway	Gohmert	Baldwin	Donnelly (IN)	Lynch
Altmiré	Cravaack	Goodlatte	Barletta	Doyle	Maloney
Amash	Crawford	Gosar	Barrow	Edwards	Markey
Austria	Crenshaw	Gowdy	Bass (CA)	Ellison	Matheson
Bachus	Culberson	Granger	Bass (NH)	Engel	Matsui
Barton (TX)	Davis (KY)	Graves (GA)	Becerra	Eshoo	McCollum
Benishek	Denham	Graves (MO)	Berkley	Farr	McDermott
Berg	Dent	Griffith (AR)	Berman	Fattah	McGovern
Bilirakis	DesJarlais	Griffith (VA)	Biggert	Filner	McIntyre
Bishop (UT)	Diaz-Balart	Grimm	Bilbray	Frank (MA)	McNerney
Black	Dreier	Guinta	Bishop (GA)	Frelinghuysen	Meeks
Blackburn	Duffy	Guthrie	Bishop (NY)	Fudge	Michaud
Bono Mack	Duncan (SC)	Hall	Blumenauer	Garamendi	Miller (NC)
Boustany	Duncan (TN)	Harper	Bonner	Gonzalez	Moore
Brooks	Ellmers	Harris	Boren	Green, Al	Moran
Broun (GA)	Emerson	Hartzler	Boswell	Green, Gene	Murphy (CT)
Buchanan	Farenthold	Hastings (WA)	Brady (PA)	Grijalva	Nadler
Bucshon	Fincher	Hayworth	Brady (TX)	Hanabusa	Napolitano
Buerkle	Fitzpatrick	Heck	Butterfield	Hanna	Neal
Burgess	Flake	Hensarling	Capps	Hastings (FL)	Olver
Burton (IN)	Fleischmann	Herger	Capuano	Heinrich	Owens
Calvert	Fleming	Herrera Beutler	Cardoza	Higgins	Pallone
Camp	Flores	Huelskamp	Carnahan	Himes	Pascarell
Campbell	Forbes	Huizenga (MI)	Carney	Hinojosa	Pastor (AZ)
Canseco	Fortenberry	Hultgren	Carson (IN)	Hirono	Payne
Cantor	Fox	Hunter	Cassidy	Hochul	Pelosi
Capito	Franks (AZ)	Hurt	Castor (FL)	Holt	Perlmutter
Cartier	Galleghy	Issa	Chandler	Honda	Peters
Chabot	Gardner	Jenkins	Chu	Hoyer	Peterson
Chaffetz	Garrett	Johnson (OH)	Cicilline	Inslee	Pingree (ME)
Coble	Gerlach	Johnson, Sam	Clarke (MI)	Israel	Polis
			Clarke (NY)	Jackson (IL)	Price (NC)
			Clay	Jackson Lee	Quigley
			Cleaver	(TX)	Rahall
			Clyburn	Johnson (GA)	Rangel
			Connolly (VA)	Johnson, E. B.	Reichert
			Conyers	Kaptur	Reyes
			Cooper	Keating	Richardson
			Costa	Kildee	Richmond
			Costello	Kind	Roby
			Courtney	Kissell	Rogers (KY)
			Critz	Kucinich	Ross (AR)
			Crowley	Lance	Rothman (NJ)
			Cuellar	Langevin	Royal-Allard
			Cummings	Larsen (WA)	Ruppersberger
			Davis (CA)	Larson (CT)	Ryan (OH)
			DeFazio	Lee (GA)	Sánchez, Linda
			DeGette	Levin	T.
			DeLauro	Lewis (GA)	Sarbanes
			Dicks	Lipinski	Schakowsky



Schiff Smith (WA) Walz (MN)  
 Schrader Speier Wasserman  
 Schwartz Stark Schultz  
 Scott (VA) Sutton Watt  
 Scott, David Thompson (CA) Waxman  
 Serrano Thompson (MS) Welch  
 Sewell Tierney Wilson (FL)  
 Sherman Tonko Wolf  
 Shuler Tsongas Woolsey  
 Simpson Van Hollen Wu  
 Sires Velázquez Yarmuth  
 Slaughter Visclosky

Nunes  
 Paul  
 Paulsen  
 Petri  
 Pitts  
 Pompeo  
 Posey  
 Price (GA)  
 Quayle  
 Simpson  
 Rigell  
 Rohrabacher

Rokita  
 Rooney  
 Ross (FL)  
 Royce  
 Ryan (WI)  
 Scalise  
 Schmidt  
 Schweikert  
 Scott (SC)  
 Scott, Austin  
 Sensenbrenner  
 Sessions

Southerland  
 Stearns  
 Terry  
 Thornberry  
 Walberg  
 Walsh (IL)  
 West  
 Westmoreland  
 Wilson (SC)  
 Woodall  
 Yoder  
 Young (IN)

Reyes  
 Richardson  
 Richmond  
 Rivera  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Ros-Lehtinen  
 Roskam  
 Ross (AR)  
 Rothman (NJ)  
 Roybal-Allard  
 Runyan  
 Ruppertsberger  
 Ryan (OH)  
 Sánchez, Linda  
 T.  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schilling  
 Schock  
 Schrader

Schwartz  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell  
 Sherman  
 Shimkus  
 Shuler  
 Shuster  
 Simpson  
 Sires  
 Slaughter  
 Smith (NJ)  
 Smith (NE)  
 Smith (TX)  
 Smith (WA)  
 Speier  
 Stark  
 Stivers  
 Sullivan  
 Sutton  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Tiberi

Tierney  
 Tipton  
 Tonko  
 Tsongas  
 Turner  
 Upton  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walz (MN)  
 Wasserman  
 Schultz  
 Watt  
 Waxman  
 Webster  
 Welch  
 Whitfield  
 Wilson (FL)  
 Wittman  
 Wolf  
 Womack  
 Woolsey  
 Wu  
 Yarmuth  
 Young (AK)

NOT VOTING—22

Bachmann Hinchey Sanchez, Loretta  
 Bartlett Holden Stutzman  
 Braley (IA) Johnson (IL) Towns  
 Brown (FL) Loeb sack Walden  
 Davis (IL) McCarthy (NY) Waters  
 Deutch Miller, George Young (FL)  
 Giffords Neugebauer  
 Gutierrez Rush

NOES—313

Ackerman  
 Aderholt  
 Alexander  
 Altmire  
 Andrews  
 Austria  
 Baca  
 Bachus  
 Baldwin  
 Barletta  
 Barrow  
 Barton (TX)  
 Bass (CA)  
 Bass (NH)  
 Becerra  
 Benishke  
 Berkley  
 Berman  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (GA)  
 Bishop (NY)  
 Black  
 Blumenauer  
 Bonner  
 Bono Mack  
 Boren  
 Boswell  
 Boustany  
 Brady (PA)  
 Brooks  
 Buchanan  
 Buerkle  
 Butterfield  
 Calvert  
 Camp  
 Cantor  
 Capito  
 Capps  
 Capuano  
 Cardoza  
 Carnahan  
 Carney  
 Carson (IN)  
 Cassidy  
 Castor (FL)  
 Chandler  
 Chu  
 Cicilline  
 Clarke (MI)  
 Clarke (NY)  
 Clay  
 Cleaver  
 Clyburn  
 Coble  
 Coffman (CO)  
 Cohen  
 Cole  
 Connolly (VA)  
 Conyers  
 Cooper  
 Costa  
 Costello  
 Courtney  
 Cravaack  
 Crawford  
 Crenshaw  
 Critz  
 Crowley  
 Cuellar  
 Culberson  
 Cummings  
 Davis (CA)  
 Davis (KY)  
 DeFazio  
 DeGette  
 DeLauro  
 DeLauro  
 Dent  
 DesJarlais

Diaz-Balart  
 Dicks  
 Dingell  
 Doggett  
 Dold  
 Donnelly (IN)  
 Doyle  
 Dreier  
 Duffy  
 Edwards  
 Ellison  
 Emerson  
 Engel  
 Eshoo  
 Farr  
 Fattah  
 Filner  
 Fincher  
 Fitzpatrick  
 Fleischmann  
 Forbes  
 Fortenberry  
 Frank (MA)  
 Frelinghuysen  
 Fudge  
 Gallegly  
 Garamendi  
 Gardner  
 Gerlach  
 Gibbs  
 Gibson  
 Gonzalez  
 Goodlatte  
 Gosar  
 Granger  
 Graves (MO)  
 Green, Al  
 Green, Gene  
 Griffith (AR)  
 Griffith (VA)  
 Grijalva  
 Grimm  
 Guinta  
 Guthrie  
 Hall  
 Hanabusa  
 Hanna  
 Harper  
 Hastings (FL)  
 Hastings (WA)  
 Hayworth  
 Heck  
 Heinrich  
 Herrera Beutler  
 Higgins  
 Himes  
 Hinojosa  
 Hirono  
 Hochul  
 Holt  
 Honda  
 Hoyer  
 Hultgren  
 Hurt  
 Inslee  
 Israel  
 Issa  
 Jackson (IL)  
 Jackson Lee  
 (TX)  
 Johnson (GA)  
 Johnson (OH)  
 Johnson, E. B.  
 Kaptur  
 Keating  
 Kelly  
 Kildee  
 Kind  
 King (IA)  
 King (NY)  
 Kinzinger (IL)

Kissell  
 Kucinich  
 Lance  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Latham  
 LaTourette  
 Lee (CA)  
 Levin  
 Lewis (CA)  
 Lewis (GA)  
 Lipinski  
 Loeb sack  
 Lofgren, Zoe  
 Lowey  
 Lucas  
 Luetkemeyer  
 Lujan  
 Lummis  
 Forbes  
 Lynch  
 Maloney  
 Marino  
 Markey  
 Matheson  
 Matsui  
 McCarthy (CA)  
 McCollum  
 McCotter  
 McDermott  
 McGovern  
 McIntyre  
 McKeon  
 McKinley  
 McMorris  
 Rodgers  
 McNeerney  
 Meehan  
 Meeks  
 Mica  
 Michaud  
 Miller (MI)  
 Miller (NC)  
 Moore  
 Moran  
 Murphy (CT)  
 Murphy (PA)  
 Myrick  
 Nadler  
 Heck  
 Napolitano  
 Neal  
 Noem  
 Nunnelee  
 Olson  
 Olver  
 Owens  
 Palazzo  
 Pallone  
 Pascarell  
 Pastor (AZ)  
 Payne  
 Pearce  
 Pelosi  
 Pence  
 Perlmutter  
 Peters  
 Peterson  
 Pingree (ME)  
 Platts  
 Poe (TX)  
 Polis  
 Price (NC)  
 Quigley  
 Rahall  
 Rangel  
 Reed  
 Rehberg  
 Reichert  
 Renacci

NOT VOTING—22

Bachmann Hinchey Sanchez, Loretta  
 Bartlett Holden Stutzman  
 Braley (IA) Johnson (IL) Towns  
 Brown (FL) Lamborn Walden  
 Davis (IL) McCarthy (NY) Waters  
 Deutch Miller, George Young (FL)  
 Giffords Neugebauer  
 Gutierrez Rush

□ 1912

So the amendment was rejected.  
 The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1908

So the amendment was agreed to.  
 The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. LOEBSACK. Mr. Chair, on July 11, 2011, I was not present for recorded votes because my flight from Iowa to Washington, DC was significantly delayed. I had returned to Iowa to meet with constituents and regret that I was not present to cast my vote on rollcall numbers 534, 535, 536, and 537.

AMENDMENT OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 96, noes 313, not voting 22, as follows:

[Roll No. 538]

AYES—96

Adams Farenthold Jones  
 Akin Flake Jordan  
 Amash Fleming Kingston  
 Berg Flores Kline  
 Bishop (UT) Foxx Labrador  
 Blackburn Franks (AZ) Landry  
 Brady (TX) Garrett Lankford  
 Broun (GA) Gingrey (GA) Latta  
 Bueshon Gohmert LoBiondo  
 Burgess Gowdy Long  
 Burton (IN) Graves (GA) Mack  
 Campbell Harris Manzullo  
 Canseco Hartzler Marchant  
 Carter Hensarling McCaul  
 Chabot Herger McClintock  
 Chaffetz Huelskamp McHenry  
 Conaway Huizenga (MI) Miller (FL)  
 Duncan (SC) Hunter Miller, Gary  
 Duncan (TN) Jenkins Mulvaney  
 Ellmers Johnson, Sam Nugent

Duncan (TN)  
 Ellmers

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Chair, I was unavoidably absent for votes in the House Chamber today. I would like the RECORD to show that, had I been present, I would have voted “yea” on rollcall vote 534 and “no” on rollcall votes 535, 536, 537, and 538.

AMENDMENT NO. 5 OFFERED BY MR. LAMBORN

Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 23, line 4, strike “expended:” and all that follows through “6864(a).”, and insert “expended.”

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Mr. Chairman, my constituents in Colorado, like all Americans, are demanding that Congress cut spending. We must look for every opportunity, large and small, to cut wasteful government programs. This amendment does just that.

The Weatherization Assistance Program, otherwise known as “Cash for Caulkers,” and part of the failed stimulus package, has been plagued by bureaucratic mismanagement. This \$5 billion program was supposed to create jobs, but we all know that didn’t work out so well. In fact, with unemployment ticking up for 2 months in a row, we must reverse course and cut all unspent stimulus dollars.

In the stimulus, \$5 billion was injected into “Cash for Caulkers”

through the Department of Energy in an attempt to help lower the cost of energy and increase efficiency for people who qualified. The goal was to make 593,000 homes more energy efficient by March 2012.

This program, however, has been marked by mismanagement, fraud, waste, and abuse. Most notably is the case of Delaware, where Federal auditors found mismanagement issues and potential fraudulent activities. Reportedly, subsequent repairs and other inspections will cost the State a sizable amount of their remaining funds. Issues have arisen in other States as well.

When large sums of money are spent too quickly, the opportunities for waste and abuse are rampant. The Obama administration, in its haste to create government jobs, failed to thoughtfully and prudently assess how money was spent. In these tough fiscal times, we must have accountability for every dollar spent by the Federal Government.

□ 1920

States have until March of 2012 to use Cash for Clunkers funds or risk having them returned to the Treasury. I am concerned that this could leave a large slush fund of \$1.5 billion in the hands of federal bureaucrats. They could spend that money with very little Congressional oversight.

My amendment is simple. It will prevent the Secretary of Energy from reallocating funds remaining from the American Recovery and Reinvestment Act from one State to another. This will leave up to \$1.5 billion that can be returned to the Treasury next March, thus reducing our massive deficit.

I urge support for this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. McCLINTOCK. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. McCLINTOCK. Mr. Chairman, this amendment strikes language in the bill that allows the Secretary of Energy to redirect unspent stimulus funds from one State to another. What they're really saying is this: \$1.5 billion is going to be taken from the States that decided not to use the money and give it to States that not only have spent their allocations but want to spend even more. If Aesop were writing this tale, I think it would include an ant and a grasshopper.

The principle stinks, and so does the program. These funds are ostensibly to finance weatherization and building design programs to increase energy efficiency. But the potential savings—if anywhere near as great as the administration claims—should be more than enough motivation for individuals to pursue this activity on their own with-

out a government giveaway. After all, why should taxpayers pay to develop and subsidize building materials and technologies to be sold in the private sector to private consumers?

In all matters of energy and energy conservation, we've got to get back to the simple doctrine that the beneficiary should pay. If a product saves consumers money—in this case through energy savings—that's a benefit, and it is incorporated into the price structure of that product. This elegant and simple process allows consumers to decide for themselves if the added energy savings are worth the added financial cost. If the answer is yes, the world will beat a path to the door of those who manufacture and sell those products. And if the answer is no, taxpayers shouldn't be subsidizing it.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to oppose the amendment.

The weatherization program was provided \$5 billion by the stimulus bill in 2009. But the program has been slow to act, and approximately \$1.4 billion will be unspent and available for use in fiscal year 2012.

Some States have spent all of their stimulus money, while others will have plenty left for fiscal year 2012. But the Department of Energy, by law, must spread any new funding evenly across all States.

The bill cuts this program by \$141 million below the President's request. The language in the underlying bill gives the Secretary of Energy the flexibility to use limited appropriations provided in fiscal year 2012 to supplement States that have no stimulus funding. The bill does not allow—I would like to add that emphasis—the bill does not allow the Secretary to reallocate stimulus funds. All it does is allow the Secretary some flexibility in where he allocates it. There is \$33 million left in the bill.

Let me say, we can't afford, in the Department of Energy, with this program, or any other program, to have business as usual in terms of weatherizations. And I would agree with the gentleman from Colorado that in many cases, the money hasn't been spent, and in some cases there have been questions as to how well it's been spent.

This waiver in our bill provides a solution allowing all States to continue this program under a tight federal budget and with direct oversight of our committee. The amendment that is suggested by the gentleman from Colorado would undo the solution by striking language providing this flexibility, causing job losses and program stoppages in many States where, in fact, in those States, these funds are obligated.

So, therefore, I oppose the amendment and urge other Members to do so as well.

I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word and rise in opposition to the amendment as well.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. I would point out to my colleagues that while the pending legislation is \$141 million below fiscal year 2011 levels, the fact is we do have approximately \$1.5 billion that essentially has been forwarded to the States. And the chairman just mentioned the issue of jobs. Those moneys are available as they are allocated and distributed for weatherization programs to put people to work. We have had complaints in this Chamber over the last week about the last unemployment report.

These moneys have already been budgeted. These moneys have been obligated to the States, and these moneys can put people to work doing useful things such as helping those who need to weatherize their house and reduce their utility bills so they can have enough money to buy gasoline and put it in their cars, as well as to begin to reduce the use of energy in this country. These are very necessary moneys to create jobs, to help those in need, and to reduce our energy dependence. I strongly oppose the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LAMBORN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT OFFERED BY MR. CONNOLLY OF VIRGINIA

Mr. CONNOLLY of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount, insert "(increased by \$46,000,000)".

Page 24, line 18, after the dollar amount, insert "(reduced by \$99,000,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CONNOLLY of Virginia. Mr. Chairman, the fiscal year 2012 Energy and Water Appropriations Act is an assault on any rational, scientific basis for public policy. It would decimate American manufacturing, impoverish American consumers, and allow polluters to sully our water with impunity. At a time when the American

economy is stuck in neutral, while China and Germany are accelerating their production of clean energy and advanced vehicles, this bill would take America back to the 19th century standards of unbridled industrial predation without public oversight or regulation.

Mr. PETERS of Michigan and I drafted a simple amendment to fix one, among many, problems in this bill. Mr. PETERS has been a leader of efforts to restore our auto industry, and I appreciate his cosponsorship of this amendment. It would simply restore some of the funding cut from the Vehicle Technologies program with a funding offset providing by eliminating an increase in corporate welfare for the fossil fuel industry. This amendment would maintain the same level of funding as was provided in this fiscal year's Energy and Water appropriations bill.

The Vehicle Technologies program is a critical part of our efforts to revive American manufacturing and the automobile industry. It is a job generator. Five years ago, our auto industry was on its deathbed, with two major manufacturers facing bankruptcy. Fortunately, President Obama intervened and provided temporary assistance both to General Motors and Chrysler, most of which has already been repaid. Today, these domestic manufacturers are growing again, with positive domestic economic benefits for auto dealers and parts suppliers all across America. Unfortunately, this Energy and Water appropriations bill would reverse this progress by gutting important vehicle research funding.

The Vehicle Technologies program is a success story in boosting domestic manufacturing of cleaner cars that save consumers money at the pump. It is reducing the cost of advanced lithium ion batteries, which are in all hybrid vehicles on the road in America. This program has helped deploy 48 battery manufacturing projects all across the United States with the goal of reducing hybrid vehicle engine costs by 35 percent. Hybrid vehicles are an important part of our domestic manufacturing base and provide direct quality of life benefits in suburban regions with high levels of smog pollution, such as here in the Nation's capital. The Advanced Vehicle Technologies program also is helping to deploy electric vehicles, including the new Chevy Volt.

Finally, Mr. Chairman, this program has accelerated deployment of hybrid-electric diesel buses, improving transit service and air quality in communities throughout the country like my own in Fairfax County, Virginia.

□ 1930

We cannot allow a hemorrhaging of technology and manufacturing jobs to foreign competition while unemployment grows in America. The Repub-

licans seem to believe that corporate welfare for oil companies will help the economy, but we tried that during the previous administration and it did not work. We need to focus on rebuilding the technologies of the future right here in America, and the Vehicle Technologies Program is a part of that effort.

I ask for favorable consideration of this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The gentleman from Virginia's amendment would increase funding for the Energy Efficiency and Renewable Energy and reduce funding for Fossil Energy Research and Development. This would result in an increase in a program that already receives sufficient funds and hamper efforts to further technologies that produce most of our electricity.

Let's be frank. Fossil fuels, such as coal and natural gas, generate 70 percent of our Nation's electricity, and we will use these valuable energy sources for many generations.

We must ensure that we use those resources, of course, as efficiently and cleanly as possible. Further, the amendment increases funding for Energy Efficiency and Renewable Energy, a program that has seen record increases since 2007, and still has nearly, if you can believe it, \$9 billion of unspent stimulus funds from 2009.

There is a proper role for the core Energy Efficiency and Renewable programs, and the bill preserves funding for those activities while cutting out activities that are redundant with the private sector or that intervene improperly in market innovation.

The amendment would also add back unnecessary funding for administration proposals that are poorly planned and lack justification. That in and of itself is bad enough, and I oppose the amendment and urge others to do so as well.

I yield back the balance of my time.

Mr. PETERS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. PETERS. I rise to support the Connolly-Peters amendment because times of fiscal restraint force us to prioritize. However, I am disappointed that the Republican bill prioritizes the needs of extremely profitable private companies over the manufacturing and innovative jobs of the future.

ExxonMobil Corp. earned nearly \$11 billion in the first 3 months of the year, Shell earned \$6.3 billion in the first quarter, and BP made \$7.1 billion. Yet the Republican bill includes \$476 million for fossil energy R&D. Clearly, the private sector has the initiative

and the resources to conduct this research on their own, and they are doing so. Private sector R&D currently dwarfs activities at the Department of Energy, yet this program is actually seeing an increase in funds.

This amendment strikes a better balance by decreasing funding in the fossil energy account and restoring the Vehicle Technologies Program to fiscal year 2011 levels. The Vehicle Technologies Program supports private sector growth and the development of innovative technologies to meet mileage and emission standards for both cars and trucks.

Consider how much fuel is used in the transport of consumer goods across our Nation on medium and heavy-duty trucks. Small gains in efficiency can have huge gains in fuel and cost savings. The Vehicle Technologies Program is investing heavily in new truck technologies, which have some of the greatest potential to reduce our Nation's petroleum use and dependence on foreign oil.

There is a global competition right now to determine which countries will produce the cars and trucks of the future. There is no doubt in the years ahead more Americans will be driving hybrids, plug-in hybrids, battery electric vehicles, and cars and trucks powered by hydrogen fuel cells or natural gas. The only question is whether these new technologies will be researched, developed, and manufactured here in the United States or overseas.

The Vehicle Technologies Program is critical to ensure that the American automobile industry and manufacturing base will continue to be globally competitive, and that we as a Nation will not trade our dependence on foreign oil for dependence on foreign batteries and other emerging technology.

I would like to thank my colleague, Mr. CONNOLLY, for offering this amendment, and I urge my colleagues to support American innovation and manufacturing and support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONNOLLY of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. HARRIS

Mr. HARRIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 23, line 4, after the dollar amount insert "(reduced by \$6,000,000)".

Page 62, line 2, after the dollar amount insert "(increased by \$6,000,000)".

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. HARRIS. Mr. Chairman, my amendment will reduce funding for the international programs of the Office of Energy Efficiency and Renewable Energy by cutting \$6 million out of their \$8 million budget and transferring it to the spending reduction account to reduce our deficit.

Now, first, Mr. Chairman, I want to commend the committee for doing excellent work in cutting the EERE budget by an overall total of 27 percent, but this program was cut less than that. It was cut by 20 percent. Mr. Chairman, as I go through the district, the number one area that I hear people say let's cut that to attack our deficit is foreign aid; and basically, this program is foreign aid. It takes scarce American jobs and sends them overseas.

Now, Mr. Chairman, as you know, our unemployment rate here jumped to 9.2 percent last week. We created 18,000 jobs, and here in front of us we have a program, this international program, that creates jobs. It sure does. The problem is they're all in foreign countries. So it takes those scarce American jobs and sends them overseas.

And I agree with the ranking member: Our actions today should have jobs as our focus, American jobs. That is why this amendment is essential.

The United States Government now has a \$1.5 trillion debt. We borrow 40 cents out of every dollar spent. We borrow money from China to finance our Federal spending and our national debt. And through this program, we spend that money in China to make Chinese manufacturers more energy efficient. Yes, that is hard to believe, but we do that. We take a million dollars and spend it in China to make their factories more efficient so they can compete with us so we can lose jobs, lose our revenues, and then borrow more money from China to do it all over again. We have got to end this vicious cycle, and we have to end it with this amendment.

As chairman of the Energy and Environment Subcommittee in the Science, Space and Technology Committee, we held hearings on this specific subject. Let me tell you about some of the programs this international program funds. It assists manufacturing facilities in China and India to reduce their energy use. Well, that's great, but why are we helping our economic competitors with hard-earned dollars that we borrow from them and then use to make their industries more efficient.

It gets even better. Then we improve energy efficiency in the Chinese building sector. Great. Let's strengthen our economic opponents with money we actually borrowed from them. In fact, the

DOE just announced a \$25 million project over the next 5 years to support the U.S.-India Joint Clean Energy Research and Development Center. Now, why isn't it a U.S. energy research and development center? Why are we spending hard-earned, hard-borrowed dollars overseas?

Even more programs:

One to promote energy efficiency in Indian software companies; unbelievable. Why aren't we promoting energy efficiencies in American software companies.

Partnering with the Kazakhstan Government to provide training on industrial efficiency. Now, I like those auto jobs in the United States. Maybe we should, in fact, train our own industry to be more efficient and not go to Kazakhstan and spend our money to do it.

A renewable energy center and solar power project in Chile; energy efficiency centers in Peru and Costa Rica; windmills in Mexico. Yeah, we are taking this money and we are actually building windmills in Mexico. Renewable energy strategy development in the Caribbean, and windmills in the Dominican Republic.

Ladies and gentlemen, I have gone throughout my district. They are begging for us to cut the deficit. The President said, he promised he would go line by line through that budget and find some items to cut. Ladies and gentlemen, this program is ripe for that cutting. We shouldn't be sending this money overseas. This doesn't eliminate the program; it cuts 75 percent of the funding. It goes a little further than the committee.

□ 1940

We clearly have to allocate America's hard-earned resources to higher priorities. Again, I commend the committee for making a start in cutting here, but we've got to go further. When we're spending money on making Chinese factories more efficient to compete with us and when we're building windmills in Mexico with our money, we've gone too far. That's why the Citizens Against Government Waste has endorsed this amendment. It hardly gets more wasteful than taking hard-earned dollars, borrowing from overseas, sending it back over there, and creating jobs overseas when we have a 9.2 percent unemployment rate here.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I will be brief.

The gentleman from Maryland (Mr. HARRIS) and I are pretty close, but I will respectfully oppose his amendment for a couple of reasons.

One is that the program that is subject to his amendment is coordinating programs with other countries. We're not, by definition, sending jobs overseas to other countries. The theory of the program is to provide technical assistance for activities to help prime markets for clean technologies in major emerging economies, and the theory of the program is also that it can bring home lessons learned from other experiences and share them at the national, State and local levels.

I say I reluctantly oppose his amendment and that we are very close because I have great concerns over any number of these types of programs at the Department of Energy. I have expressed my displeasure to the Secretary, among others, that if we are going to invest our taxpayers' money—our money—in these endeavors, we ought to be very discreet as to how those moneys are spent to develop markets in the United States of America and, God bless, the rest of the world.

So I will in this instance take the Department of Energy at its word, and that's why I would respectfully oppose the amendment. I would be happy to stay in close communication with the gentleman, and I would be happy to stay in very close touch with the Department of Energy relative to the management of this program and, assuming the moneys are in the fiscal year 2012 budget, to pursue this program to make sure that your point is heard and that their expenditures are not violative of what you want to do today.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. VISCLOSKY. I yield to the chairman, the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I have mixed views as well.

Obviously, Israel is a strong ally, and were it not for Kazakhstan, we perhaps wouldn't be able to do some things militarily to support our troops that are both in Afghanistan and Iraq. I think that it bears close watching, but there is a perception that somehow we're giving China, India, Brazil, and other countries sort of an advantage. I view this program as a two-way street. It does provide a degree of access to American companies.

So I reluctantly oppose your amendment, but I can assure you that both of us feel very strongly that it bears watching. It has borne some fruit, so it's not money wasted, and it's not money given away to our competitors. At least that's my view of it.

Mr. VISCLOSKY. But I think, again, it draws attention to the fact that we should be very closely monitoring the department as far as the expenditures of these funds.

I yield back the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. I yield to the gentleman from Maryland.

Mr. HARRIS. I thank the gentleman for yielding.

Let me just briefly address this so that we can move on.

We only cut \$6 million out of the \$8 million. There is actually budget language further on that protects a cooperative agreement between the U.S. and Israeli Governments, so it does not eliminate all the funding; it protects that program, and there will be another amendment offered later that will make that quite specific.

I understand that there is some possibility of actually getting a benefit for partnering—and I thank the ranking member for offering assistance—but honestly, I'm not sure what we're going to learn from Kazakhstan by sending money over there to provide training on industrial efficiency. I thought that we were the powerhouse of the world in industry. I thought we were the leader of the world. It's fine when we have a lot of money, but the fact of the matter is we borrow 40 cents out of every dollar, and the largest program expenditure outside of the joint program with Israel is that expenditure in China.

Now, I want everyone to understand there is still money available. It's in the Department of State budget. This doesn't eliminate these programs. This just removes the Department of Energy's contribution. I will remind the body why the Department of Energy was formed years and years ago. It was to reduce our dependency on foreign oil, and it has failed to do so. It has existed for decades, failing to do the mission for which it was established. In my district, people in private industry tell me, if they had a division or a department that failed to do its job for decades, they wouldn't be cutting it back—they'd be eliminating it.

So, again, I thank the chairman and I thank the ranking member, and I urge the body to support the amendment.

Mr. BROUN of Georgia. In reclaiming my time, I am going to support Dr. HARRIS' amendment.

As we face this huge budget deficit as a Nation, we've got to look at every source of cuts that we can possibly accomplish. It's time not only to cut spending, but we've got to start paying back our debts, and we're not doing that here in this country. I think it is absolutely critical. The American people, the people who are looking for jobs today, want us to do the right thing. Programs like this and many others are killing our economy, and they're killing jobs in America.

So I'm going to support Dr. HARRIS' amendment. I hope at least enough of our colleagues here in the House will understand the financial crisis that we're in as a Nation and will support it also.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. HARRIS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MILLER OF NORTH CAROLINA

Mr. MILLER of North Carolina. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount insert "(increased by \$24,018,000)".

Page 24, line 18, after the dollar amount insert "(reduced by \$50,000,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of North Carolina. Mr. Chairman, this amendment is similar to others that we have heard today.

This amendment would reduce the Fossil Energy Research and Development account by \$24.018 million, and will put as much of that money as our rules will allow into the Energy Efficiency and Renewable Energy Research, Development, Demonstration, and Deployment.

The bill now is \$5.9 billion less than the administration's request and is more than \$1 billion less than last year's funding. Fossil energy is a glaring exception to the austerity visited upon every other kind of energy research, but the Fossil Energy program gets an increase of \$24 million above what the administration requested and \$32 million more than last year's levels.

This amendment would reduce that account, Fossil Energy, to the level of the administration's request, and will put as much money as possible back into energy efficiency and renewable energy research, which now gets a \$331 million cut, or more than 25 percent, more than a quarter.

Mr. Chairman, I agree that we need to be doing fossil energy research. It is more than 70 percent of our energy now, and it will be the bulk of our energy supply for the foreseeable future. We do need an abundant and clean supply of fossil energy, but it's hard to look at the spending levels in this bill and not see some hypocrisy at work.

I am the ranking Democrat on the Energy and Environment Subcommittee, and I have heard again and again in committee hearing after committee hearing and in subcommittee hearing after subcommittee hearing the same stale talking point that it is not the place of the Federal Government to pick energy winners and losers and that taxpayers shouldn't have to subsidize the development of alternative fuels.

□ 1950

Just last week, in a hearing in the committee, one of my Republican colleagues on the committee said we should promote an all-of-the-above approach—oil, nuclear, coal, natural gas.

Heck, I'm okay with wind, solar, water, biofuels and everything else you can think of as long as it isn't subsidized by the American taxpayer. And we've heard that same talking point again and again today.

The subsidy, the help with funding for research that the alternative energy now gets, is tiny in comparison to what traditional energy sources—fossil fuel and nuclear—have gotten for a long time. And if Republicans are now pushing alternative energy and energy efficiency technologies away from the public trough, it is so they can make more room for fossil fuels and nuclear.

Of course those traditional industries have been subsidized right along, and they continue to be subsidized in this bill today. Taxpayers subsidize it, in addition to this little bit of research funding, with very significant tax incentives—the subject of discussions over at Blair House the last few weeks, and we've heard there is no budging on that. And we know that those industries fully expect, if disaster strikes, if there is a massive oil spill or, God forbid, a nuclear accident, they won't really have to pay the cost. They will get help with that; they will get bailed out.

We are not talking about basic early-stage research here; that's somewhere else in the bill. This is all late-stage applied research. But in the case of alternative energies, we have fledgling industries, economically vulnerable industries that have some ways to go to get to the marketplace before they can turn a profit. And on the other hand, we've got an industry that is 70 percent of our current energy supply. They're up and running, they're in good shape, they're fabulously profitable.

The top five oil and gas companies made \$32 billion in profits in the first quarter—the first quarter, \$32 billion, 3 months. To that industry Republicans say, belly on up to the public trough, boys; we'll make room for you.

The energy research that we're talking about in the EER&E is wind, solar, biomass, water—on and on. You know what they are. We need to make some of those technologies work, or we are not going to have enough energy in the future. And in the shorter term, they promised healthy competition for the fossil fuel industry to bring down the cost of energy for Americans.

It's hard, in fact, to look at the hostility of Republicans to those industries, to those emerging energy technologies and think a big part of their hostility is not at the bidding of the fossil fuel industry to smother that competition in the crib.

I urge adoption of this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The gentleman from North Carolina's amendment increases funding for the Energy Efficiency and Renewable account, a program that I said earlier has seen record increases since 2007 and still has \$9 billion in unspent stimulus funds in its account from 2009 to spend. On that alone, I oppose this amendment and urge my colleagues to do so as well.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MILLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MILLER of North Carolina. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT OFFERED BY MR. BROUN OF  
GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount insert "(reduced by \$26,510,000)".

Page 62, line 2, after the dollar amount insert "(increased by \$26,510,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, my amendment cuts \$26.51 million from the Vehicle Technologies Deployment Subprogram in the Energy Efficiency and Renewable Energy's Clean Cities program and transfers those funds to the spending reduction account.

The House Committee on Science, Space, and Technology has identified many concerns with this program which it has shared with the Department of Energy. This program filters over \$25 million to about 90 coalitions to buy electric charging stations, E85 pumps, alternative fuel vehicles, and other infrastructure.

Beyond concerns with how this program is run and how the dollars are being spent, this program should not be funded or run by the Federal Government. This type of program is best served by the private sector or local and State governments.

Despite the management concerns, the Department of Energy has recently announced its intention to broaden the scope of the Vehicle Technologies Deployment Subprogram to also include the National Clean Fleets program. One mission of this program is to assist Fortune 100 companies to upgrade their commercial fleet. Is this really an appropriate use of Federal dollars when we are facing a \$1.6 trillion deficit? Is it really appropriate to be helping com-

panies such as Enterprise, GE, and Ryder upgrade their fleets to electric or alternative fuel vehicles? The answer to these questions, in my opinion, is no. In fact, I think most of the American people believe the answer to those questions is no.

I urge my colleagues to support my amendment.

I yield back the balance of my time.

Mr. HARRIS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. HARRIS. The doctor from Georgia is absolutely right. We held a hearing in my subcommittee on this very topic, and it was very instructive because for the last several weeks we have heard a lot about, oh, my gosh, these giveaways to corporations and how we have to look at them critically. Well, here is a program where we can put \$25.5 million back into our deficit reduction by reducing corporate subsidies.

The doctor is right, GE doesn't need a subsidy, but they get it through this program. UPS doesn't need a subsidy; they get it through this program. They all make money, millions and billions of dollars, but this program gives them another subsidy. Verizon doesn't need a subsidy, but they get it through this program. They make a lot of money. They make a lot of money. This program subsidizes it.

And the gentleman is right, E85 is probably a bad choice. Why are we spending money—money that we have to borrow from the Chinese every day—in order to put E85 pumps around or to convert vehicles to E85 as part of this program? Mr. Chairman, it makes no sense.

This is another little contribution we can make. Our constituents have sent us here to deal with the Federal deficit. The doctor makes a contribution, \$25.5 million. We held a hearing on this. You know, their press release on one of these was "green beer for St. Patrick's Day" because they actually spent money for a beer distributing company to upgrade their trucks.

□ 2000

Last I looked, that business made money. We shouldn't be subsidizing it.

This is a good amendment. The body should adopt the amendment, help cut our deficit, and stop sending money to corporations that simply don't need our help.

I yield back the balance of my time.

Mr. VISCLOSKEY. I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chair, I rise in opposition to the gentleman's amendment, and it would appear there will be others differing in amounts but very

similar in intent. And I think that they do not represent a wise energy policy for this country.

The first point I would make is that the bill includes a reduction of \$491 million for the overall renewable program from fiscal year 2011, an even more significant reduction compared to fiscal year 2010. So the committee, I believe, fully recognizes their responsibilities to be careful fiscally.

But I also must indicate that someone who I have a great deal of respect for, my senior Senator in the State of Indiana, Senator LUGAR, has always characterized our energy problem as a national security problem. I think we all recognize it is an economic problem. We can debate the environmental aspects. I happen to think it is an environmental problem myself. But I don't think anyone can dispute the fact that it is a national security issue, relative to where we are buying so many of our petroleum products. And to gain energy independence, we are going to need a different and more diverse matrix of energy sources.

Seventy percent of our energy today is created through coal and natural gas, and that cannot continue. That is not healthy for our Nation. It is not healthy for our economy. It is not healthy for our national security. We need to diversify. In this instance, the committee has recognized our fiscal responsibility but continues to make an investment in our economic, our job, and our energy futures. And I do oppose the gentleman's amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I would like to associate my remarks with those of the ranking member.

This amendment would slash even more than we did in our committee, the Vehicle Technologies Program and this Energy Efficiency and Renewable Energy account. There is almost nothing left in the account now. Maybe the desire is to put this whole account out of business; but personally, I think that is unwise. We have made the tough choices. We have held our hearings. We have had the input. And I would ask Members to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FRELINGHUYSEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT OFFERED BY MR. WELCH

Mr. WELCH. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount, insert “(increased by \$491,000,000)”.

Page 33, line 20, after the dollar amount, insert “(reduced by \$491,000,000)”.

The Acting CHAIR. The gentleman from Vermont is recognized for 5 minutes.

Mr. WELCH. Mr. Chair, I have been sitting here listening to what, in fact, I think is a very interesting debate: what’s the role that the taxpayer, through this body, should play in trying to steer an energy policy towards efficiency. There were a lot of contentious debates that we’ve had about energy policy, about climate change.

One of the areas where I have found that we have frequently had some common ground is the notion that less is more. Whatever the source of energy that you use or favor, if a consumer is able to use less oil—that’s what we rely on in Vermont to heat our homes—or less electricity that’s generated by nuclear, you can save money. And the efficiency title is one that gives us an opportunity to try to promote efficiency, where doing so has significant benefits.

Last year, Mr. Chair, we passed in this House—it failed in the Senate—an energy efficiency bill that would have given homeowners an incentive to put some of their money into home retrofits, and the government would have matched that. So you would have had an all-in situation.

And when you’re retrofitting your home, you are using local contractors who have been hammered by the collapse in housing. They need work. It’s work that is done locally in your district and mine. Ninety-five percent of the materials that are used in any kind of efficiency work in a commercial building or in home building are manufactured in America. So even without a debate about Make It in America, we would be getting the benefit of manufacturing in America. And obviously, it would then have an impact of saving the homeowner money. That particular bill would have saved about \$10 million in energy bills over 10 years. So that’s real savings for homeowners.

The bill that is brought before the floor makes a decision to dramatically cut the efficiency title by about 27 percent, or \$491 million. What my amendment would do is propose to restore that money and take that from the Nuclear Security Weapons Activities account which has \$7.1 billion. So diverting the amount of money this amendment proposes would not wipe out that account in any way.

I think all of us would like to find some places we can work together despite the very significant differences between us; and efficiency, I found in

the last Congress, was one of those areas where we had some potential to do it. Then-Ranking Member BARTON was supportive of some of these efforts.

And the money in this title actually does end up promoting projects back in your district and mine. I will just give some examples. And these are small things. They are small things but important. In Burlington, Vermont, we had a program through this title that helped a community market install 136 solar panels on the roof of the city market that generated 31 kilowatts of power. I mean, that’s not going to save the world, but it created jobs. It reduced their costs. And it was local, local people doing it.

In Waterbury, a home for seniors was retrofitted and improved with insulation, better boiler controls and efficient lighting. Again, it’s not rocket science, but it’s real. It was real Vermonters doing the installation work. It was insulation that was manufactured in America. And it made those seniors warmer. It made their bill lower. That kind of thing can happen all around.

In Lunenburg, Vermont, way up by the Canadian border, the 430-cow Auburn Star Farm got some loans and grants through a State energy program that was funded from this title. It allowed them to build a biodigester, and that digester will dispose of the waste from the dairy cows, produce biogas to generate electricity, and help the bottom line of that farm that is struggling with low milk prices and high costs.

So the real question that is before us is: Do we want to promote energy efficiency at the local level in all the various ways people can come up with to save money when we know that in your district or mine, Republican, Democrat, or independent, we’ve got out-of-work contractors, we’ve got homeowners who want to save money, and we’ve got manufacturers who want to sell their goods? So I urge the body to consider favorably the amendment that is before you.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Certainly let me salute the gentleman from Vermont. Certainly Vermonters are often characterized as being independent and self-sufficient and self-reliant. Of course I would have to note for the record that you are 72 percent relying on nuclear power in Vermont. There may be other forms of power, so you might just want to check on that, just for the record.

□ 2010

Mr. Chairman, I rise in opposition to the amendment because this amend-

ment decreases funding for weapons activities by \$491 million in order to increase, as we heard, the Energy Efficiency and Renewable account. Modernization of the nuclear complex is a critical national priority and must be funded, and that doesn’t matter whether it’s the Obama administration or the Bush administration. All of our administrations are working to make sure that we have a nuclear stockpile that is safe, reliable, and verifiable.

With years of stagnant funding, we have put off long enough the investments that are needed to sustain our nuclear capabilities into the future. The funding in our bill for weapons activities is both now, as a result, timely and urgent. When every tax dollar must be spent well, we cannot enact cuts that will risk our national security while throwing money at poorly planned programs that have large balances, which I mentioned earlier—\$9 billion in the EERE account that’s unspent of stimulus money.

So not so reluctantly, I rise in opposition to the amendment and urge my colleagues to vote accordingly.

I yield back the balance of my time.

Mr. VISCLOSKEY. I move to strike the last word.

The Acting CHAIR (Mr. CONAWAY). The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, I also have to rise, with great respect to my colleague, in opposition to the amendment.

I certainly appreciate, having just talked about needing to invest in a mix of energy sources in the future, what the intent of the amendment is. He obviously wants to return us to where we are in fiscal year 2011. I would certainly point out for the record that at that level, \$1.795 billion, we would still be significantly below where we were last year, fiscal year 2010, when our level of spending in this account was \$2.24 billion.

The problem I have here is particularly where the money has come from, and that is the weapons account. Too often, and we saw it again last week, we do tend, I think unnecessarily, to hold the defense accounts harmless. In this case the committee has recommended, and it was very carefully considered, an increase in the weapons account. If the amendment was adopted, the fact is we would be \$269 million below current year level, for a cut of 4.3 percent.

I have on numerous occasions in my district, in conversations with colleagues on the floor and elsewhere, suggested it is time, if we are going to solve our budget crisis in the United States of America, for everybody to belly up on both sides of the equation. And I don’t care where you’re getting your paycheck or how you’re earning your contract money; I cannot believe if you are a defense function of the



Government of the United States you can't find one penny, one cent of savings out of every dollar we spend. Having said that, that comes out to 1 percent. I think at this point the 4.3 percent in the weapons programs, that is very important as far as their safety, their security and surety, is a step beyond that 1 percent I have so often talked about the last months. So with great respect to my colleague, I would also oppose this amendment.

I yield back the balance of my time.

Mr. WELCH. I move to strike the last word.

The Acting CHAIR. Is there objection?

Without objection, the gentleman from Vermont is recognized for 5 minutes.

There was no objection.

Mr. WELCH. Just in clarification, Member from New Jersey, Vermont has about one-third nuclear power. That was misreported I am not sure by whom, but it's one-third nuclear, one-third hydro, and one-third other.

Thank you.

Mr. FRELINGHUYSEN. This is from the EIA.

Mr. WELCH. And it is incorrect.

Mr. FRELINGHUYSEN. I assume it is verifiable. Twenty-two percent is hydro and 72 percent is nuclear. Nothing to be ashamed of.

Mr. WELCH. All right. I will just say it's news to most of us in Vermont. And, in fact, there is a big dispute about the relicensing of the current nuclear reactor we have.

But I appreciate the gentleman. Thank you.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WELCH. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont will be postponed.

AMENDMENT OFFERED BY MR. POMPEO

Mr. POMPEO. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount insert "(reduced by \$45,641,000)".

Page 62, line 2, after the dollar amount insert "(increased by \$45,641,000)".

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. POMPEO. Mr. Chairman, the amendment that I presented would decrease the Department of Energy's Office of Energy Efficiency and Renewable Energy program by \$45.6 million and the funding for DOE's Vehicle Technologies Program.

While I am certainly 100 percent behind innovation and the development of domestic sources of energy and new vehicle technologies, this program is simply not the way to do it. We shouldn't take money from one set of citizens to subsidize companies that, frankly, have had subsidies for too long in the development of new energy vehicle technologies.

Look, it's a subsidy program, plain and simple. The program is part of this present administration's liberal agenda to replace the free market with government bureaucrats in determining which energy sources we ought to use to propel our vehicles and for transportation.

You know, we are already seeing tremendous advances in hybrid technology and electric vehicle technology. In the State of Kansas, we have got folks coming up with wonderful, great, innovative ideas. They are seeking private capital markets to make that innovation happen. We have enormous venture capital firms that have made significant investment in these technologies. Why would the government use taxpayer money to compete with those ventures? They don't need the subsidies. They'll make these things work.

This is a quarter billion dollars in an R&D subsidy in a sector that has received subsidies for decades, and they no longer need that. They are far along. They can make the progress. They can make these vehicles work. And the market will also choose them when they provide a technology that provides a cost-effective solution for folks who want to drive their vehicles and for companies that want to move their products and goods all across our Nation.

You know, these subsidies come in lots of forms, and I have opposed them in every form. They come in our Tax Code. They come in the form of grants. They come in the form of other programs. Both the House and the Senate have recently rejected tax subsidies for specific fuel purposes already this year. This Vehicle Technologies Program should be no different.

The President today said that we need to eat our peas. I suggest that he was suggesting that we need to do some difficult things. I happen to like peas. But he said we should do some difficult things. This is an easy thing. I would just as soon see this entire technology subsidy go away, but my suggestion here in this amendment is only this: that we return to spending levels from 2008, just 2 short years ago. I, for one, certainly don't believe, and I don't think the folks in Kansas and across this country believe, that we spent too little money on vehicle technology subsidies in 2008.

So I would urge my colleagues to support this amendment.

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

Mr. VISCLOSKEY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. I would point out that we have a vote pending in the House for a reduction of about \$26.5 million from this account. This would be an additional reduction of another \$45 million from this account.

The gentleman noted that what his intent is is to get the Vehicle Technologies Program, if I understand him correctly, back to where we were in 2008. If I did understand him correctly, I would suggest that that is why we are where we are today, because the levels for vehicle technology research were inadequate, totally inadequate in 2008.

You drive by a gas station today and gas is \$4 a gallon. All of us repeatedly are asked what are we going to do about gas prices. If we are not going to act as far as price fixing, collusion, cartels, monopolies, speculation, and we can't do anything about the laws of supply and demand, I have indicated to my constituents the thing that Congress can do most effectively for the price of gasoline is help our constituents buy less of it.

□ 2020

If we can, through vehicle technology research, help everyone in this country get an extra mile per gallon, we have helped them with the price of gasoline. If we begin to cut back to prior year levels as far as the investment in making sure people can move in this country as efficiently as possible and reduce our dependency on imported oil, we are not going to make economic progress in this country and are going to continue to be held hostage to those overseas who send that oil to us for our dollars that they then use for other nefarious purposes.

Again, I think this is an ill-advised amendment. I think it takes us in the wrong direction. We should be looking for ways to ensure that we do good research to get more miles per gallon and to make sure that the Department of Energy also, as they do this research, ensures that it is applied not for more power in cars but for more miles per gallon, because, again, these are our taxpayers dollars.

So for those reasons, again, I would be opposed to the gentleman's amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Let me just say to the gentleman from Kansas, he said he would like us at least to go back to, in this particular account, to the 2008 level. Maybe there is some consolation: In our bill, we actually go

back to 2007 in this account, and the bill is just, just beneath the overall allocation, in terms of the final product, is just beneath the 2006 level. You won't find too many bills on the appropriations docket that go back to that level, recognizing this is 2011. Our committee goes back to just below 2006 levels. So give us a little bit of credit.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. POMPEO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. VISCLOSKEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kansas will be postponed.

AMENDMENT OFFERED BY MR. TONKO

Mr. TONKO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount insert the following: "(increased by \$226,800,000)".

Page 33, line 20, after the dollar amount insert the following: "(reduced by \$226,800,000)".

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Mr. Chair, first I want to thank my colleague, the gentleman from New Hampshire (Mr. BASS) for offering this bipartisan amendment with me. He is a leader on energy issues, and I thank him for his support.

Mr. Chair, the Tonko-Bass amendment is simple. It will restore three specific, results-driven energy efficiency programs within the fiscal year 2012 Energy and Water Development appropriations bill to last year's levels. It is neither a stretch nor an overreach. It is a balanced approach, and it is fully offset.

First, this amendment will restore funding to the Weatherization Assistance Program, or WAP. WAP is the largest residential efficiency program in our Nation. It reduces the energy burden on low-income families and the elderly and disabled, and creates jobs, invests in local businesses, and advances technology, state-of-the-art technology. The 35 percent savings as a result of weatherizing homes under this program saves \$437 in annual utility bills for the average homeowner.

Second, the amendment restores funding to the State Energy Program or SEP. SEP is the only cost-shared program administered by the United States Department of Energy that provides resources directly to the States for allocation by the Governor for use in energy efficiency. This includes 56 State and territory energy offices. And

according to a study by the Oak Ridge National Laboratory, for every \$1 in federal SEP funds, annual savings of 1.03 million source Btu's are saved, along with the cost savings of \$7.22 and a leveraging of \$10.71 on that same \$1.

Finally, the Tonko-Bass amendment restores funding to the Building Technologies Programs. Buildings in the United States use about 40 percent of our total energy and two-thirds of our electricity. As such, this program seeks to promote American innovation and technologies to reduce operating costs to building owners, which is vital in today's market.

Finally, Mr. Chair, this amendment has a net impact of zero dollars on budget authority and reduces 2012 outlays by \$58 million, according to the Congressional Budget Office. It does so by offsetting the increase of spending with cuts to the Weapons Activities Account, specifically to the Readiness in Technical Base Facilities account. The Appropriations Committee report suggests they are seriously concerned with the recent cost growth reported for construction of two major projects in the account. The committee report claims modernization will take several years and the considerable number of variables still at play argues against an excessively aggressive funding curve.

Therefore, Mr. Chairman, I wish to close by saying I do not believe we can afford to slip any further behind our global competitors in energy investments. A vote for this amendment is a vote in favor of decreasing our dependence on foreign oil, creating local, private sector contracting jobs, and providing State control on energy projects.

Again, I would like to commend the gentleman from New Hampshire for his leadership on this issue and thank him for his support.

I urge adoption of this amendment.

To: Southern States Members of the U.S. House of Representatives

From: Kenneth J. Nemeth, Secretary and Executive Director

Date: July 7, 2011

Re FY12 SEP, WAP and BTP Appropriations under H.R. 2354—Tonko Amendment

As an interstate compact organization representing 16 southern states and two U.S. territories, we are disappointed with the budget cuts to the U.S. State Energy Program (SEP), Weatherization Assistance Program (WAP), and the Department of Energy's (DOE) Building Technologies Program (BTP) under the House Energy and Water Development FY 12 appropriations measure that was approved on June 15, 2011. The Southern States Energy Board (SSEB) has a long and direct relationship with the state energy offices and fully supports their role as a key component of implementing our country's energy policies.

I am writing to you to ask for your support of Representative Tonko's amendment to H.R. 2354 to restore funds to the State Energy Program, Weatherization Assistance Program and the Building Technologies Program. Representative Tonko will be circu-

lating a "Dear Colleague" letter seeking your support for the amendment and we are urging you to sign in support of the amendment. Mr. Tonko's amendment would add funding for these three key programs to bring them up to FY11 levels as follows:

State Energy Program—add \$25 million for a total of \$50 million

Weatherization Assistance Program—add \$141 million for a total of \$174 million

DOE Building Technologies Program—add \$62 million for a total of \$212 million

This Nation's future is reliant on reducing our energy dependence. As a policy maker, it is important to understand the role of State Energy Offices and the importance of the State Energy Program, Weatherization Program and the Building Technologies Program to achieve these national goals. The SEP allows states to support a variety of energy efficiency and renewable energy projects including improvements to schools and hospitals, establishing partnerships with utilities, businesses and industry and facilitating the economic development opportunities for states while maximizing the development of states' renewable energy resources.

In keeping with protecting our economy while increasing the efficient use of energy, the U.S. DOE Buildings Technologies Program is essential and requires full FY11 funding levels to continue deploying technologies that will reduce pressure on tight energy supplies and help to restrain prices while protecting the environment. This program encourages innovation for emerging technologies and contributes to our global leadership while creating jobs and strengthening our economy.

Also, the Weatherization Program is essential to helping low-income families, the elderly and disabled by improving the energy efficiency of their homes and lowering their energy bills. During the economic strain that we are experiencing all across the country, cutting funding to this program would create even a larger burden on our citizens forcing them into more difficult choices on basic needs.

I strongly urge you to vote in favor of the Tonko Amendment so that these critical programs can continue contributing toward our Nation's energy goals.

U.S. GREEN BUILDING COUNCIL,

Washington, DC, July 7, 2011.

Hon. PAUL TONKO,  
House of Representatives, Cannon House Office Building, Washington, DC.

Hon. CHARLES F. BASS,  
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMEN TONKO AND BASS: On behalf of the U.S. Green Building Council and our nearly 16,000 organizational members and 80 local chapters, I would like to thank you for introducing an amendment to the FY'12 Energy and Water Appropriations Bill that will restore funding for the U.S. Department of Energy's Weatherization Assistance Program, U.S. State Energy Program, and Building Technologies Program to FY'11 levels. Each of these programs has an established record of successfully returning significant value to the American people. Continued funding for these programs is a crucial investment that reaches beyond short-term energy efficiency: they create jobs and savings opportunities for low-income families; support and spur building industry activity; and contribute to long-term national energy security goals.

Over the past thirty years, the Weatherization Assistance Program has served as the

nation's largest residential energy conservation program. According to the Energy Information Administration (EIA)'s Short Term Energy Report, homes weatherized through WAP saved low-income residents \$2.1 billion dollars in 2010. Weatherization returns \$2.51 for every \$1 invested and annually decreases national energy consumption by the equivalent of 24.1 million barrels of oil. WAP is an essential part of both present and future national energy saving strategies.

The U.S. State Energy Program is a thirty-year-old cost-shared program that provides direct support and funding to State Energy Offices to develop and implement state allocated energy efficiency and innovation projects. The Oak Ridge National Laboratory (ORNL) found that, in a single year, the program enabled states to collectively perform 15,264 energy audits, 12,896 building upgrades, provide \$12,345,608 in grants, and loan \$30,403,388 towards energy efficiency projects. ORNL also found that \$1 of federal funding leveraged \$10.71 in state and private funding.

The Building Technologies Program works with organizations across sectors to help develop technologies that make commercial and residential buildings more efficient and affordable. Over the life of the program, \$14 billion of direct savings to the consumer has been reinvested in local economies. Additionally, since its founding 20 years ago, the Building Technologies Programs has saved the equivalent of over 12 billion gallons of gasoline.

This suite of programs provides both measurable and immeasurable value to tax-payers across the country. The U.S. Green Building Council commends your leadership by supporting these programs as they have proven to be a sound investment for this country's ability to thrive. We urge all other members to support this amendment to restore funding for each of these programs to FY'11 levels to maintain this country's commitment to energy security and economic stability.

Sincerely,

JASON HARTKE,  
Vice President, National Policy,  
U.S. Green Building Council.

SUPPORT THE TONKO/BASS AMENDMENT TO THE  
FY'12 ENERGY AND WATER DEVELOPMENT  
APPROPRIATIONS BILL

JULY 11, 2011.

DEAR REPRESENTATIVE: The undersigned companies, organizations and associations all strongly urge you to support the bi-partisan Tonko/Bass amendment to restore funding for energy efficiency programs within the FY'12 Energy and Water Development Appropriations Bill. If the country is serious about addressing our energy security concerns, reducing energy costs, promoting economic growth and domestic jobs and cutting oil imports, then we should not give up on energy efficiency programs. Energy efficiency is a cornerstone of a balanced energy policy.

The Tonko/Bass amendment would restore funding to the FY'11 levels for the Weatherization Assistance Program, the State Energy Program (SEP) and the Buildings Technology Program.

The Weatherization Assistance Program is the largest residential energy efficiency program in the nation. It reduces the energy burden on low-income families, the elderly and disabled, and creates jobs, invests in local businesses and advances technology. The 35% energy savings as a result of weatherizing homes under this program saves \$437 in annual utility bills for the average homeowner.

SEP delivers extraordinary economic benefits to all sectors of the economy by working with the private sector in delivering key energy services. A study by Oak Ridge National Laboratory found that for every federal dollar invested in this program, \$7 in energy savings are achieved and almost \$11 in non-federal funds are leveraged.

Buildings consume approximately 40% of our energy in this country. The Buildings Technology Program conducts critical R&D that permits the private sector to incorporate new technologies into their construction. This allows businesses to maintain their competitive edge by reducing their costs of doing business and expanding against fierce global competition. These new products and technologies also help consumers every day.

These three programs that would be restored to FY'11 funding levels as a result of this amendment are critical to our future. The proposed amendment will increase Weatherization funding by \$141.3 million, SEP funding by \$25 million and the Buildings Technology Program by \$60.5 million, for a total of \$226.8 million. The amendment is fully offset.

Sincerely,

Adirondack Community Action Programs,  
Inc. (NY)

Alexandria Economic Opportunity Commission (VA)

Alliance to Save Energy

American Council for an Energy Efficient Economy

Association of State Energy Research and Technology Transfer Institutions

Baltimore County Community Action Agency

Boston Community Development, Inc.

Business Council for Sustainable Energy

California/Nevada Community Action Partnership

Central Florida Community Action Agency (CFAA), Inc.

Chesapeake Climate Action Network

Citizens Utility Board of Wisconsin

Community Action Partnership

Community Action Partnership of Idaho

Community Action Partnership of Lake County (IL)

Community Action Partnership of Northwest Montana

Community Action Partnership of San Luis Obispo Co., Inc. (CA)

Conservation Law Foundation

Conservation Services Group

Corporation for Ohio Appalachian Development

Direct Energy

Earth Advantage Institute

Eastern Idaho Community Action Partnership

Efficiency First

ENE (Environment Northeast)

Energy Future Coalition

Energy Platforms, LLC

Environmental and Energy Study Institute

Environment America

Illuminating Engineering Society

Izaak Walton League of America

Jefferson County Committee for Economic Opportunity (AL)

Johnson Controls, Inc.

Knauf Insulation

LACAP (LA)

League of Conservation Voters

Mid-Willamette Valley Community Action Agency (OR)

National Association for State Community Services Programs

National Association of Energy Service Companies

National Association of State Energy Officials (NASEO)

National Community Action Foundation

National Insulation Association

National Wildlife Federation

Natural Resources Defense Council

Newburgh Community Action Committee, Inc. (NY)

Nicholas Community Action (WV)

North American Insulation Manufacturing Association

North Carolina Community Action Association

Northeast Missouri Community Action Agency

NYS Community Action Association (NY)

Ohio Association of Community Action Agencies

Ohio Heartland Community Action Commission

Ohio Partners for Affordable Energy

People Incorporated of Virginia

Polyisocyanurate Insulation Manufacturers Association

Pro Action of Steuben and Yates, Inc. (NY)

Safe Climate Campaign

Schenectady Community Action Program (NY)

S.E. Idaho Community Action Agency, Inc.

Sierra Club

Southeastern Association of Community Action Agencies (NC)

Supportive Housing Network of New York

The Sheet Metal and Air Conditioning Contractors National Association, Inc. (SMACNA)

Tompkins Community Action, Inc. (NY)

The Dow Chemical Company

The Mechanical Contractors Association of America (MCAA)

The Weidt Group

Union of Concerned Scientists

U.S. Green Buildings Council

West CAP (WI)

West Virginia Community Action Partnership, Inc.

Wider Opportunities for Women

WSOS Community Action Commission, Inc. (OH)

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. In order to increase funding for this energy efficiency and renewable account, the gentleman's amendment again suggests we decrease funding for weapons activities.

As I said earlier the modernization of the nuclear complex is a critical national security priority and must be refunded. Reductions of this magnitude would be unacceptable and impact our ability and our nuclear security strategy.

These reductions in the nuclear account would be to increase funding for Energy Efficiency and Renewable Energy programs primarily in the area of weatherization in the State Energy Program. For your information, these two programs have \$3.4 billion in unspent funds from the 2009 stimulus and a full \$2.7 billion is expected to be available for use in fiscal year 2012.

They don't need any more money. The Department of Energy needs to get

the money out of the door, and if they aren't capable, they need to make sure States that have received money get money out of the door. So I therefore oppose the amendment.

I yield back the balance of my time. Mr. BASS of New Hampshire. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BASS of New Hampshire. As much as it pains me to oppose the position of my good friend from the State of New Jersey, I rise in support of this very worthy amendment and want to thank my friend from New York for his sponsorship of it.

As he said, it raises the Weatherization Assistance Program by about \$141.3 million, the State Energy Program by \$25 million, and the Buildings Technologies Program by \$60.5 million, basically to the level funded at the 2011 level. It is offset, as was mentioned, by a reduction of an increase in the Nuclear Security Administration's Weapons Activities, which would make that line item level funded as well.

And I believe, as has been said by my friend from Indiana, as well as my friend from New Jersey, that the Weapons Activities Programs are laudable, especially as they relate to the safety and security of our weapons stockpile. But I think level funding the 2011 levels is adequate.

□ 2030

When you look at the weatherization programs and what they do, you can't dispute it. Low-income individuals cannot afford to spend money on efficiency. It's just not possible. Yet when they do, it has a positive impact on all sorts of other programs, one of which is LIHEAP.

As was mentioned by my friend from New York, these programs pay back on the order of \$7, \$8, \$9, \$10, \$11 to \$1 spent, not only in savings to low-income individuals but also to the Federal Government. This is good for the economy. It puts people to work. It's good for energy efficiency and lessening our dependence on foreign sources of oil, and it does contribute to the long-term national energy goals for this country as I see them.

So all that Mr. TONKO and I are looking for is level funding for fiscal year 2011 for both the nuclear weapons program as well as the weatherization program, the State Energy Program, and the Building Technologies Program, which benefit so many people in so many different parts of America.

So I urge adoption of this amendment.

I yield back the balance of my time.

Mr. TONKO. Mr. Chairman, I ask unanimous consent to strike the last word.

The Acting CHAIR. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. TONKO. For a point of clarification, I would just point out the statutory deadline for the weatherization program and the State Energy Program is on March 31 of any given year, in this case 2012. So, of course, it's not all spent yet. There is expected to be an accelerated spending on these investments that are made. The draw-down on those moneys will come in an accelerated way. But also the intent was a 3-year spend-out. And I think if we pull the rug out from these job creators at this stage, we stand to reduce employment among our private sector contractors, our builders and renovators. What I had seen in New York, especially with the State Energy Programs, they had a 3-year waiting list.

There is a great deal of good that comes from this program, and I think everyone in this Chamber is well served by investment in this program.

Mr. SABLAN. Mr. Chair, I rise in support of the amendment, submitted by my good friends and colleagues, Mr. TONKO and Mr. BASS, that would amend the Energy and Water Appropriations for fiscal year 2012. This important amendment restores funds to the fiscal year 2011 levels for the Weatherization Assistance Program and the State Energy Program.

The Weatherization Assistance Program funds are intended to assist low-income residents across America and in the Northern Marianas to improve energy efficiency, and reduce energy use and fossil fuel emissions in their homes. The State Energy Program funds are used to upgrade the efficiency of government facilities, promote consumer products that carry the Energy Star® label, or invest in alternative fuel infrastructure. Both of these funds create an immediate benefit to those being helped and a long-term benefit to all of us by investing in our future and making America more energy efficient and independent.

Where I live in the Northern Mariana Islands, electricity rates are unusually high and energy efficiency is especially important due to the fact that the Northern Mariana Islands is warmer in climate. As of January 2011, the current base electric rate is 28 cents per kilowatt hour. While electricity rates are one of the highest in the nation, our minimum wage is only \$5.05 an hour. Therefore, we rely on Weatherization Assistance Program to give funds to those who need the assistance the most and to alleviate the financial burden that energy use places on these low-income households.

The Northern Mariana Islands also benefit from the funds under the State Energy Program by creating programs like the Green Energy Project, which provided for solar panels and wind turbines at eleven of our public schools on Saipan, Tinian and Rota.

In addition, both programs have the potential and a record of creating local jobs in the construction and energy sectors for all of our economies. I ask that my colleagues support the Tonko-Bass amendment. It is an amendment that helps those that need it most and invests in our future. Taking money away from these very important programs hurts our progress in energy efficiency and job creation.

Mr. TONKO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. TONKO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. TONKO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT OFFERED BY MR. GARRETT

Mr. GARRETT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount, insert "(reduced by \$300,000,000)".

Page 24, line 18, after the dollar amount, insert "(reduced by \$32,000,000)".

Page 28, line 13, after the dollar amount, insert "(reduced by \$167,500,000)".

Page 32, line 4, after the dollar amount, insert "(reduced by \$500,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$500,000,000)".

Mr. GARRETT (during the reading). Mr. Chairman, I ask unanimous consent to consider the amendment read.

The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. GARRETT. Mr. Chairman, I ask my colleagues to rise with me in support for my amendment, which will save Americans over \$500 million.

My amendment before us today makes reasonable and targeted spending reductions in order to do what? Achieve significant savings that will contribute to our Nation's fiscal health.

Mr. Chairman, we must really now step forward and take bold steps to reduce spending. And I do commend my colleague from the State of New Jersey for the hard work that he has put in, and I appreciate so many of the comments that he has already made on the floor, pointing out to the other side that in so many cases there is money in these accounts, the money hasn't been spent, and they have taken a serious look to try to rein in spending throughout the committee process. For they realize that our Nation is on a path to bankruptcy and we have maxed out our Nation's credit card.

So while the committee did an admirable job and made significant cuts in the underlying bill, I stand here myself, and I and the Republican Study Committee believe that we can go further than this. So this amendment is a very reasonable attempt at showing that this body is serious about cutting spending.

Mr. Chairman, for too long the Federal Government's energy programs have been sold to the American public as basically wise investments that will yield vast new technologies whose costs would basically pale in comparison to the benefits later on. But when you think about it, when you think about the billions and billions of dollars that we have spent year after year, our energy infrastructure remains largely the same in many respects, and we are still here today dependent upon foreign sources of oil. And energy prices? Well, they just continue to spiral upward.

The other side talked wise energy policy. Well, time and time again, Federal energy programs have failed to live up to their potential. These Federal programs have allowed the government to basically play venture capitalists, if you will, and they do so not with their own money. Not at all. They do it with taxpayer moneys. And despite the little return on their investment, they have little choice in making these investments. American taxpayers basically are commanded to increase this investment every year.

For example—I will just give out one since we have been here for a long time this evening—the American people are being asked by their government to invest literally millions to promote something called “advanced solid-state lighting.” What is that? It's a technology that even its supporters can see is far too expensive to compete in today's marketplace. So does this sound like something that an intelligent investor would do? I think not. But only Members of Congress who are spending other people's money would do so.

Mr. Chairman, the United States is home to the most vibrant marketplace of ideas and investors. So the very best way for government to encourage energy innovation and revolutionary technology is to do what? It is to use that marketplace and get out of the way and allow private capital to make those investments. It is in the marketplace where private individuals will assess the risks and rewards, and they will invest responsibly with their own money on projects that will merit further development.

So to conclude, considering the precarious state of our economy and the fiscal condition of this country, the government can no longer invest in some of these extremely risky and unproven projects without regard to loss and expense. Government can no longer play the role of that reckless investor. We must eliminate the waste where it exists and encourage the Federal Government to spend the American public's money in a wise and prudent manner.

For that reason I urge my colleagues on both sides of the aisle to vote in favor of this amendment and fiscal responsibility.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. First of all, let me compliment my colleague and good friend from New Jersey (Mr. GARRETT). And, of course, I'm reluctant because he's done his homework and he's worked hard, and I believe, with him, that we need to reduce Federal spending. We've been going over a financial precipice.

But we on the Energy and Water Committee made a commitment. Of course, we were given a very low allocation, so we had to meet that. But we have cut Energy and Water back to approximately the 2006 level after multiple hearings. We have put into the bill more oversight. I believe we have made the tough choices. We've reviewed all accounts. We've put at the pinnacle, of course, our responsibility for national security, national defense, and the weapons program and the nuclear navy, the next class of Ohio ballistic submarines, and also made substantial investments in the Army Corps of Engineers.

I am reluctant to oppose this amendment, but I think we've made the tough choices. I urge Members to oppose the amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I rise also to join my chairman in opposition to the gentleman's amendment relative to, again, cutting back on what I think are very necessary investments in our economy as far as research, both as far as renewables, as far as fossil energy, as far as the science account.

The gentleman mentioned advanced solid-state lighting. It is my understanding that Philips has indicated that a small investment in manufacturing technology to improve the mechanisms as far as the construction and manufacturing of these lightbulbs would allow them to bring back jobs that are currently outsourced overseas. If we make that investment, and I hope we do, I certainly would want to join with other colleagues to see if, in fact, Philips Electronics is good to their word. But at this point I would state my objection.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARRETT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

□ 2040

AMENDMENT OFFERED BY MR. WU

Mr. WU. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount insert “(increased by \$60,500,000)”.

Page 32, line 4, after the dollar amount insert “(reduced by \$60,500,000)”.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. WU. Mr. Chairman, I rise today to urge my colleagues to support my commonsense amendment to save consumers significant costs in heating and cooling their homes and businesses. I am joined by my colleagues Don YOUNG of Alaska, CHARLES BASS of New Hampshire, and PAUL TONKO of New York in this bipartisan, commonsense amendment.

Now, it's important because buildings use more energy than either transportation or industry. Fully 40 percent of our energy is consumed by building systems and in homes. My friend PAUL TONKO cited the figure that 70 percent of electricity in America is used in buildings.

At a time of both record energy costs and record unemployment, we need to protect Americans from crushing energy costs by improving the efficiency of existing and new buildings and homes. It's not just an issue for cold weather regions like the State of one of my cosponsors, Representative YOUNG of Alaska. It's also an issue for hot climates like what we have here in Washington, DC. Even at this late hour, at 8:30 p.m., you can just about hear the air conditioning straining to keep it cool in this Chamber. The cost for air conditioning the U.S. Capitol is a fortune. It is also very costly at my 13-foot-wide townhouse near the Capitol, and, of course, heating cost is a big issue in my home in Oregon.

The Building Technologies Program reduces the cost of operating homes and buildings by fostering public-private partnerships and developing technologies, techniques, and tools for making homes and businesses more affordable, productive, and efficient.

According to the Department of Energy, the Building Technologies Program has resulted in fully \$14 billion of direct savings to the consumer, savings that have been reinvested in local economies. Additionally, since its founding 20 years ago, the Building Technologies Program has saved the equivalent of over 12 billion gallons of gasoline.

This amendment would return the Building Technologies Program to just

its current fiscal year 2011 funding level. This amendment will cost nothing extra because it is fully offset by taking funds from the Office of the Secretary.

According to the Energy and Water Appropriations Subcommittee report, "a significant fraction of the funding directed in prior appropriations reports to specified energy efficiency and renewable energy activities has been diverted by department management to other purposes in recent years. In some cases, as much as 12 percent of the funding directed by the Congress for this activity has been diverted."

The offset for this amendment will simply return the funds to the Building Technologies Program as intended by this Congress. This, my colleagues, is low-hanging fruit, and we should pick it.

I want to thank my colleagues DON YOUNG, CHARLES BASS, and PAUL TONKO for their joint sponsorship.

I urge passage of this amendment, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to oppose the gentleman's amendment, but I give him credit for pursuing it. I have already noted that the bill reduces funds for Energy Efficiency and Renewable Energy activities from that account because the government needs to live within its means and really because they don't need any additional funding.

This amendment increases that account despite, as I said earlier, \$9 billion in unspent stimulus money. But perhaps the amendment illustrates how there is simply no room to increase funding for this provision, as the amendment makes an unrealistic cut to departmental administration to do so.

It's not responsible to cut administration and oversight, the very thing that both the ranking and I would suggest the Department of Energy needs more than anything. They need people to review their programs, provide accountability, meet the benchmarks we've set and the timetables we've set and report back to our committee.

So I oppose the amendment and urge others to do so as well.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. WU).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WU. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from Oregon will be postponed.

AMENDMENT OFFERED BY MR. WOODALL

Mr. WOODALL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount, insert "(reduced by \$200,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$200,000)".

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. WOODALL. Mr. Chairman, I realize \$200,000 doesn't seem like a lot of money as we talk about millions and billions and then on to trillions. But, Mr. Chairman, when I got this press release from the Department of Energy dated May 24, 2011, it read this:

The U.S. Department of Energy, together with the U.S. Department of Education, today announces the launch of a new energy education initiative, America's Home Energy Education Challenge, to educate America's youth about the benefits of energy efficiency.

Now, Mr. Chairman, you know as I do, this committee has been asked to make tough, tough decisions about how to allocate money in this appropriations bill and has done an amazing job in doing that. And yet what we continue to see out of agencies from downtown is the creation of new programs.

Now you know as I know that we could go through and eliminate, we could zero out this entire appropriations bill and we wouldn't be anywhere close to balance. We could zero out all the discretionary spending and wouldn't be close to balance. And I wonder if folks downtown are getting that same message. Now more than ever is not the right time to start a new program for which there is no demand and bring that to the American people.

Now, Mr. Chairman, I grew up before there was a Department of Energy. And believe it or not—and this program is targeted at folks in grades 3 to 8—when I was in elementary school, we had an energy efficiency program. There was a sign on the wall that said, Please turn out the lights when you leave. There was another room in my younger days that had a bird, and the light switch came right out through the beak that said, Tweet the beak when you leave.

Lots of those things were going on in America's classrooms, Mr. Chairman. They don't need to originate from Washington, D.C. They don't need the U.S. Department of Education and the U.S. Department of Energy to get involved training children to turn out the lights.

We've heard from speaker after speaker after speaker who is trying to move dollars around to make sure that we are targeting our few dollars that we have at those critical, cutting-edge

technology programs, those critical research programs, those critical infrastructure programs, and yet here we have a brand new program, Mr. Chairman, going to teach children to turn out the lights when they leave.

I think that is a wonderful goal, and I hope parents across America who are watching this tonight, Mr. Chairman, will take this as their push to go and begin that program at home if they haven't already. Knowing how tight dollars are in my community, I'm sure families are already doing that.

But this is a serious issue that requires folks across this board to come together to make the kinds of spending decisions that we have to make to dig ourselves out of this hole. Creating new programs to do something that are State responsibilities, local responsibilities, family responsibilities, this is not the time nor the bill for it, Mr. Chairman. And I urge my colleagues to support this amendment, to cut this \$200,000 and eliminate this new program and put these dollars in the spending reduction account before the new school year begins.

I yield back the balance of my time.

□ 2050

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to speak in support of the gentleman from Georgia's amendment. He is so articulate and so convincing, we are willing to accept his amendment.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I would like to thank the gentleman from Georgia for providing us with a copy of the amendment ahead of time and join with the chairman in accepting the amendment.

Mr. FRELINGHUYSEN. One of the convincing arguments you made, you made reference to the Department of Energy newsletter, a new program where maybe personal responsibility should be perhaps ahead of what they may suggest.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WOODALL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MCCLINTOCK

Mr. MCCLINTOCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, after the dollar amount, insert "(reduced by \$166,143,000)".

Page 62, line 2, after the dollar amount, insert "(increased by \$166,143,000)".

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.



Mr. McCLINTOCK. Mr. Chairman, this amendment saves \$166 million by relieving taxpayers of having to subsidize yet another year of handouts to the solar industry.

Solar power is not some fragile, new technology. Photovoltaic electricity generation was invented by Edmund Becquerel in 1839, more than 170 years ago. And in more than 170 years of continuing research and development and technological advancement, not to mention untold billions of taxpayer subsidies, we have not yet invented a more expensive way to generate electricity.

Yet we're perfectly comfortable telling our constituents that we are taking another \$166 million from their families this year to throw at this 19th-century technology for no particular reason other than it makes us feel good.

Not only is this the most expensive way we have ever invented to generate electricity; it also adds nothing to our baseline power. Our electricity systems operate on an integrated grid, meaning we constantly have to match the power going onto the grid with the power coming off the grid. And since there's no way to predict when a cloud passing over a solar array will immediately drop the output to zero, we have to construct an equal amount of reliable conventional power to back it up at a moment's notice.

In other words, for every kilowatt of solar power we add to the grid, we also have to add an additional kilowatt of backup power. If this technology was truly on the verge of a breakthrough, it would be the hottest thing in the stock market right now, and investors would be tripping over themselves to get a piece of the action. They are not.

We have no right to take our constituents' money and put it into yet another losing proposition. We're told the solar industry is making great strides in the marketplace. Lots of new jobs. That's true, but it is making those strides not on its own merit, but solely because we are hiding its true cost from consumers through massive tax subsidies that in turn we are borrowing from the Chinese.

It is true that if you hand over \$166 million of taxpayer money to certain solar corporations, those corporations are going to do very well financially. But their government-funded windfall comes at the expense of not only the hardworking Americans who are the source of this largess; it comes at the expense of our ability to generate the most energy for the lowest price.

Perhaps it is just human nature that the more we invest in our mistakes, the less willing we are to admit them. But with the mistakes of the last 30 years now contributing to the bankruptcy of our country and the impoverishment of our people, perhaps it is time to tell not only the solar industry but every part of the energy sector, get

off the public dole, compete on your own merit, and restore to consumers the accurate and unadulterated price signals that they need to make rational decisions in the marketplace.

I yield back the balance of my time.  
Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I rise in opposition to the gentleman's amendment for reasons I have stated on other very similar amendments relative to energy research into renewable accounts.

I would point out there has been reference about the care that the subcommittee has taken as far as drafting this legislation. Stated in the committee report is language relative to solar, that the committee encourages the Department to include in its efforts disruptive solar energy utilization technologies, fabrication methods that yield ultra-low-cost solar cells, technology for ultrahigh efficiency solar cells, and technologies designed to simulate the operation of solar cells and other methods to yield advance sciences.

The committee also recommended no funding for solar demonstration zone projects, as the Department has adequate facilities at its existing laboratories. So they certainly recognized that they did not want money expended in that area.

The committee also indicated in its report that it is aware of the significant cost and efficiency advantages that solar films can provide to thin film and crystalline silicon modules, and we encouraged the Department to expand the funding of solar film research and development.

So, again, the moneys that are provided, which are very tight, are also very thoughtfully put forth with very directive language by the committee.

For that reason, I do oppose the gentleman's amendment.

I yield back the balance of my time.  
Mr. GARAMENDI. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. We clearly have to move away from fossil fuels. In order to do so, we need to understand the other opportunities that are available to us. Indeed, solar has been around for a long time. But also in the last decade, 15 years, there have been extraordinary increases in the efficiencies in the solar systems, and they continue to increase.

This is not the time for us to back away from the future. It is time for us to move aggressively forward, providing the research, providing the incentives to move to a new source of energy.

If you want to continue to pollute the atmosphere, then stay with coal. If

you want to continue to be indebted to the petro dictators of the world, then stay with oil. But we need to move away from that. And this money in this particular part of the bill provides us with the opportunity to seize the next generation of power, and that is the sun. Yes, the sun has been around a long time, warming us and providing us with what we need to survive. We need to use it more effectively and efficiently, and that is what this money allows us to do. Removing the \$154 million is exactly the wrong thing to do. I oppose the amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I oppose this amendment, but agree with the gentleman's concern about the use of the taxpayers' dollars. In this account, which we have been debating for perhaps an hour and a half, I don't think any program has probably had a larger cut than the solar program, perhaps for the very reasons that the gentleman raises. Solar technologies have been around for a long time. We have a fairly viable public sector, but I still think we do need within the Department of Energy people in the Department of Energy who can put together and provide some degree of expertise and advice to a variety of different entrepreneurs.

So I reluctantly oppose the amendment, but certainly know his heart is in the right place.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. McCLINTOCK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. McCLINTOCK. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

ELECTRICITY DELIVERY AND ENERGY  
RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$139,496,000, to remain available until expended.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and



other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than 10 buses, all for replacement only, \$733,633,000, to remain available until expended.

AMENDMENT OFFERED BY MR. SCHIFF

Mr. SCHIFF. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 24, line 6, after the dollar amount insert “(reduced by \$10,000,000) (increased by \$10,000,000)”.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

□ 2100

Mr. SCHIFF. Mr. Chairman, my amendment is very simple. Of the \$733 million appropriated in this bill for nuclear energy research at the Department of Energy, it separates out \$10 million to spend on a cooperative effort with NASA to restart the production of plutonium-238.

Advancing the state of nuclear energy technology was the initial mission of the DOE, and it was hugely successful, developing technologies now used in power plants, submarines and deep space missions. This last focus is now one of the smallest: DOE spends about \$40 million a year building plutonium-238 radioisotope thermal generators, RTGs, for NASA and for national security purposes. This program began in the fifties. RTGs flew on all of the Apollo missions and many times since. In deep space, RTGs are often the only possible source of power.

Unfortunately, in the early nineties, the U.S. shut down plutonium-238 production, and since then, the Department of Energy has been using stockpiled material and material purchased from Russia to build these devices. Recently, though, Russia refused to continue that relationship, and our supply of plutonium-238 is almost exhausted. There are no other viable ways to provide this power, so the U.S. must restart production to allow any deep space or national security uses to continue.

This project has been requested in the last three budget requests, under the Bush and Obama administrations. Over the course of 5 years, the total cost of the project is estimated at \$75-\$90 million. By agreement between the agencies, the project would be equally funded by NASA and the DOE as NASA has the largest need for the power and the DOE has the expertise and would build and maintain the facility. The \$10 million requested this year in the NASA budget was included in the CJS billing making its way through the Appropriations Committee. This 50/50 cost

share is consistent with the decades-long history of the RTG program in which NASA has paid for each RTG produced for its purposes and the DOE has paid for the infrastructure required.

In the context of the nuclear energy research budget, which, in fact, receives a modest increase in this bill, this is a very small project, but it would have an outsized influence on our ability to do the kind of space exploration that no one else in the world can. It may also provide an opportunity for national security agencies to pursue important projects that would otherwise not be available.

I hope that every Member can support this amendment so that we can continue the long history of space exploration for which this Nation is known around the world.

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

Mr. FRELINGHUYSEN. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment, but let me thank him for his historical perspective of the department and of its initial responsibility and for his own deep knowledge, which he shared with many of us in the House, of its necessity in terms of space exploration.

The gentleman's amendment increases funding for the plutonium-238 production restart project, as it's called. To do so, funding for other valuable nuclear energy activities would have to be cut, including the advanced reactor concept research, fuel cycle development, and promising avenues like small modular reactors licensing and research.

The administration has proposed this new project for several years in order to increase domestic supplies of plutonium-238. The vast majority of this material, as Mr. SCHIFF has said, would be used by NASA for in-space power supplies, and only a small fraction would be used by the Department of Energy. Unfortunately, after the committee repeatedly expressed concerns since fiscal year 2010, the administration once again proposed in the 2012 budget request for the Department of Energy to share a full half of the project's financial cost. The administration has neither altered its stance nor addressed or even acknowledged the committee's concerns about this disproportionate sharing.

The funding plans in the budget request and the amendment simply don't make sense, particularly given the other critical priorities in this bill. As we have expressed for 2 years, the administration must develop a more sensible plan. Therefore, I oppose the amendment, and urge Members to do likewise.

I yield back the balance of my time.

Mr. HOLT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. I would like to make a brief comment in support of the gentleman's amendment.

As he said and as I would like to reiterate, there is a class of space exploration that cannot be carried out without these RTGs. Our domestic supply is unreliable at best, essentially nonexistent, and it takes a while to regenerate that.

I strongly support the gentleman's move to restart that program so that we could have a reliable domestic program for deep space exploration that cannot be conducted in any way with other energy sources. I think it is a reasonable amendment and is not overstated, and I would urge its adoption.

I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. I rise in opposition to the gentleman's amendment.

I certainly appreciate, again, the gentleman's seriousness in offering it. I appreciate what he wants to accomplish, but the history of this issue has been discussed by a number of speakers.

The fact is there have been Presidents of both parties who have made this recommendation over the last 3 years, and there has been directive language by this committee under the direction of both political parties over the last 3 years. The point is there is a benefit to another agency in the government outside the Department of Energy picking up a reasonable cost, and there ought to be an agreement. Until that is done, I would, with all due respect, rise to oppose the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SCHIFF).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SCHIFF. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 24, line 6, after the dollar amount, insert “(increased by \$20,000,000)”.

Page 24, line 18, after the dollar amount, insert “(reduced by \$20,000,000)”.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. The gentleman reserves a point of order.

The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. This particular section provides \$700 million-plus for nuclear power research, various kinds. The chairman spoke to this issue a few moments ago.

The purpose of my amendment is to carve out of that \$700 million-plus a sum of \$20 million to restart America's program on recycling spent nuclear fuel. We currently call this spent nuclear fuel a "waste" when, in fact, it still possesses about 97 percent of the energy that was originally in the uranium and then processed once through the light water reactors. The purpose of the amendment is to restart.

In the 1960s, 1970s and 1980s, America undertook a program to close the nuclear fuel cycle. That was abandoned in 1994 after a successful effort to recycle and to use that energy that is found in the nuclear fuel. Unfortunately, now this spent nuclear fuel, which we call a "waste product," is sitting at every reactor in the United States and mostly around the world, creating a significant hazard. We only need to think about Fukushima's little swimming pool that went dry and of the meltdown that occurred at that point.

We need to recycle and completely use, or as much as possible completely use, the energy in these spent nuclear fuel pools. If we do so, we can do it in a way that significantly reduces the hazards and that significantly reduces the longevity of the problem from some 200,000 to some 300 years and create an enormous energy opportunity.

This is a beginning. There is a long path ahead of us, and we have to start on this immediately. That is the purpose of this. Unfortunately, it is going to be ruled out of order. However, in the future, as we move forward, I would hope that the committee and this House and the Senate deem fit to put this kind of program back into action.

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

□ 2110

Mr. FRELINGHUYSEN. Mr. Chairman, I continue to reserve my point of order.

The Acting CHAIR. The point of order is reserved.

Mr. FRELINGHUYSEN. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I will insist on my point of order but would first make a few comments.

The gentleman's amendment prescribes a path forward for the back end of the nuclear energy fuel cycle by di-

recting the Department of Energy to develop a specific type of reprocessing plant and facility, the integral fast reactor.

Let me say I appreciate our colleague from California's passion for moving forward our Nation's strategy for handling spent nuclear fuel, and I want to thank him for the many times he approached me on this issue. I and many of my colleagues share the gentleman's concerns, and I have repeatedly pushed the administration to move forward at least one piece of the solution, which is the Yucca Mountain repository. There is, however, ongoing debate about the future of the back end of our Nation's fuel cycle.

There are many approaches, including open, closed and modified fuel cycles. Each of these approaches—some of which utilize reprocessing facilities—are far from straightforward and can be accomplished using a variety of competing technologies. While I appreciate my colleague's desire to move the Nation forward, we must carefully evaluate these highly technical issues to address the economic safety and non-proliferation impacts that accompany any fuel cycle option. The gentleman's amendment chooses one winning technology, and I believe it deserves more careful evaluation before moving forward.

#### POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. FRELINGHUYSEN. Mr. Chairman, the amendment proposes to amend portions of the bill not yet read. The amendment may not be considered en bloc under clause 2(f) of rule XXI because of outlays in the bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to speak on the point of order?

Mr. GARAMENDI. I do wish to speak on the point of order.

The Acting CHAIR. The gentleman from California is recognized.

Mr. GARAMENDI. I think the point of order is out of order. In fact, the issue before us is of utmost importance to this Nation—and indeed to the world—as more and more light water reactors are built.

The problem of spent fuel continues to mount and creates hazards. The United States did, in fact, figure out how to close the nuclear gap.

The Acting CHAIR. The gentleman needs to speak to the point of order.

Mr. GARAMENDI. I'm working towards that.

The Acting CHAIR. Well, the gentleman needs to speak to the point of order.

Mr. GARAMENDI. The point of order that I would have wished to speak to, I will yield back my time and take up the subject later.

The Acting CHAIR. The Chair is prepared to rule.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill.

Because the amendment offered by the gentleman from California proposes a net increase in the level of outlays in the bill, as argued by the chairman of the Subcommittee on Appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read.

The point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

#### FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95-91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), \$476,993,000, to remain available until expended: *Provided*, That for all programs funded under Fossil Energy appropriations in this Act or any other Act, the Secretary may vest fee title or other property interests acquired under projects in any entity, including the United States.

#### AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 24, line 18, after the dollar amount insert "(reduced by \$450,000,000)".

Page 28, line 23, after the dollar amount insert "(increased by \$450,000,000)".

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. This amendment would transfer \$450 million from the Fossil Fuel Research Account to ARPA-E. The reason for the amendment is that we have to move off the 19th-century fuel, that is, coal and oil, and move to future energy sources, one of which I talked about a few moments ago, that is, the nuclear. The other energy sources are out there. We discussed on this floor here over the last hour the issue of solar. There are fuels, advanced biofuels. There are also wind, solar, wave, geothermal. All of these are being advanced at this time by the ARPA-E program within the Department of Energy. That's where the future is.

Now, we can make a choice here about staying with the past and trying to figure out how to create clean coal, which is probably the oxymoron of the century, or we can simply shift our resources to look at other energy sources, and that's what we have to do. The purpose of this amendment is to do

that, to shift \$450 million into ARPA-E so that we can look for the energy systems of the future, providing the support that they need both in the research and in the early development of those resources.

There has been much success in this area. There have been numerous research programs that have been done not only at the Department of Energy facilities, but at universities around this country that have taken advantage of the ARPA-E program. It is modeled after the very successful and very long-lasting Department of Defense ARPA program, and it works. We've actually seen major scientific breakthroughs that have occurred as a result of the funding from the ARPA-E program.

Modest as it was, if this amendment were to be adopted, it would be a very big program, one that has the potential of advancing this Nation's future and freeing us—in the case of oil—from the petro dictators of the world and also, in the case of coal, from the extraordinary problems that coal brings to the environment and to communities throughout this Nation. I understand the coal industry and their desire to continue to dig for coal, but we know that at some point we're going to have to move away into the future, and that is what this amendment would attempt to accomplish.

Mr. Chairman, I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. With all respect, I do rise in opposition to the gentleman's amendment. I appreciate his comments about ARPA-E. I appreciate the purpose behind its creation. And I will certainly acknowledge that it would appear at ARPA-E there is a new culture, if you would, at that element of the Department of Energy to move projects along and to have a conclusion to research.

As I indicated in my opening remarks in general debate on this bill, I wish the Department of Energy had brought the same vigor and that same commitment that they had to ARPA-E to existing programs at the Department of Energy because my concern is that at some point in time we have too many programs that are going to solve the problem and we're tripping over each other.

At this point, we have 46 Energy Frontier Research Centers, and there is a request to add three to eight more. We have a new administration, and it is not unique to the Obama administration that at the Department of Energy we need, as I would characterize it, a new silver ball to chase around. We need new hubs so that people can talk to each other about critical research.

At this point in time, there are three hubs in place, as I understand, for about 18 months. There are two more called for in this bill, totaling five.

We need a bioenergy research center. There are now three in the United States: one in Berkeley, California; one in Madison, Wisconsin; and one in Oak Ridge, Tennessee. We also need defined research being done at the Joint Genome Institute that was established in 1997 under President Clinton.

I, at this point in time, would like to make sure that ARPA-E works over a longer term, as advertised, and that as advertised the Department takes that culture that is being developed at ARPA-E and to infuse it into these other programs and to show the Congress of the United States there is communication between these numerous programs before we provide any additional monies over and above those called for in the bill.

So again, very respectfully, I would oppose the gentleman's amendment.

Mr. Chairman, I yield back the balance of my time.

□ 2120

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to oppose the amendment but also to associate myself with the ranking member's comments on ARPA-E, which I'm supportive of. Of course our colleague's amendment would add funding to ARPA-E, which receives some \$100 million in our bill; but the way he would do it would be virtually to eliminate funding for the Fossil Energy Research and Development program, I think causing excessive job losses. And I think the program makes major contributions.

Of course we can't forget that fossil fuels, coal, and natural gas generate about 70 percent of our Nation's electricity. ARPA-E may someday generate a much greater percentage than perhaps it potentially does today, but we're a long way from there. So I oppose the gentleman's amendment and certainly the source, using the Fossil Fuels account for this additional money, that he suggests.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BROUN of Georgia) having assumed the chair, Mr. CONAWAY, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAVIS of Illinois (at the request of Ms. PELOSI) for today.

Ms. BROWN of Florida (at the request of Ms. PELOSI) for today on account of official business in the district.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 12, 2011, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2367. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pears Grown in Oregon and Washington; Amendment To Allow Additional Exemptions [Doc. No.: AMS-FV-10-0072; FV10-927-1 FIR] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2368. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — User Fees for 2011 Crop Cotton Classification Services to Growers [AMS-CN-10-0111; CN-11-001] (RIN: 0581-AD11) received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2369. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Nectarines and Peaches Grown in California; Suspension of Handling Requirements [Doc. No.: AMS-FV-11-0019; FV11-916/917-5 IR] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2370. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Grapes Grown in Designated Area of Southeastern California; Increases Assessment Rate [Doc. No.: AMS-FV-10-0104; FV11-925-1 FR] received June 13,

2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2371. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Olives Grown in California; Decreased Assessment Rate [Doc. No.: AMS-FV-10-0115; FV11-932-1 IR] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2372. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Raisins Produced From Grapes Grown in California; Increased Assessment Rate [Doc. No.: AMS-FV-10-0090; FV10-989-3 FR] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2373. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Federal Seed Act Regulations [Doc. No.: AMS-LS-08-0002] (RIN: 0581-AC74) received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2374. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Regulations Issued Under the Export Grape and Plum Act; Revision to the Minimum Requirements [Doc. No.: AMS-FV-10-0091; FV11-35-1 FR] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2375. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Washington; Decreased Assessment Rate [Doc. No.: AMS-FV-11-0012; FV11-946-2 IR] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2376. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Blueberry Promotion, Research, and Information Order; Section 610 Review [Document Number: AMS-FV-10-0006] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2377. A letter from the Deputy Director, Food and Community Resources, Department of Agriculture, transmitting the Department's final rule — Competitive and Noncompetitive Non-Formula Federal Assistance Programs—Specific Administrative Provisions for the Beginning Farmer and Rancher Development Program (RIN: 0524-AA59) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2378. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Federal Agricultural Mortgage Corporation Funding and Fiscal Affairs; Farmer Mac Risk-Based Capital Stress Test, Version 5.0 (RIN: 3052-AC70) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2379. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General David H. Petraeus, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

2380. A letter from the Under Secretary, Department of Defense, transmitting a letter of correction concerning the RQ-4A/B Unmanned Aircraft System (UAS) Global Hawk Block 30 Program of Record; to the Committee on Armed Services.

2381. A letter from the Chairman, The Appraisal Subcommittee, Federal Financial In-

stitutions Examination Council, transmitting the 2010 Annual Report of the Appraisal Subcommittee, pursuant to 12 U.S.C. 3332; to the Committee on Financial Services.

2382. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Beneficial Ownership Reporting Requirements and Security-Based Swaps [Release No.: 34-64628; File No. S7-10-11] (RIN: 3235-AK98) received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2383. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Exemptions for Advisers to Venture Capital Funds, Private Fund Advisers With Less Than \$150 Million in Assets Under Management, and Foreign Private Advisers [Release No.: IA-3222; File No. S7-37-10] (RIN: 3235-AK81) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2384. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

2385. A letter from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2386. A letter from the Secretary, Department of Education, transmitting the sixty-second Semiannual Report to Congress of the Office of the Inspector General for the period October 1, 2010, through March 31, 2011; to the Committee on Oversight and Government Reform.

2387. A letter from the Chair, Equal Employment Opportunity Commission, transmitting the Inspector General's Semiannual Report to Congress for the period ending March 31, 2011; to the Committee on Oversight and Government Reform.

2388. A letter from the Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Reinstatement of Listing Protections for the Virginia Northern Flying Squirrel in Compliance With a Court Order [Docket No.: FWS-R5-ES-2011-0035] (RIN: 1018-AX80) June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2389. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Linde Ceramics Plant in Tonawanda, New York, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

2390. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Dow Chemical Company in Madison, Illinois, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

2391. A letter from the Board Members, Railroad Retirement Board, transmitting

the Board's 2011 annual report on the financial status of the railroad unemployment insurance system, pursuant to 45 U.S.C. 369; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

2392. A letter from the Board Members, Railroad Retirement Board, transmitting a report on the actuarial status of the railroad retirement system, including any recommendations for financing changes, pursuant to 45 U.S.C. 231f-1; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DINGELL (for himself and Mr. GENE GREEN of Texas):

H.R. 2482. A bill to establish the sense of Congress that Congress should enact, and the President should sign, bipartisan legislation to strengthen public safety and to enhance wireless communications, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIMM (for himself, Mr. GARRETT, Mr. STIVERS, and Mr. CAMPBELL):

H.R. 2483. A bill to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to modify certain provisions relating to whistleblower incentives and protection; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARRIS (for himself, Mrs. CHRISTENSEN, Mr. MICHAUD, Mr. GRIMALVA, Ms. PINGREE of Maine, and Mr. MACK):

H.R. 2484. A bill to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 to include a comprehensive and integrated strategy to address harmful algal blooms and hypoxia, to provide for the development and implementation of a comprehensive research plan and action strategy to reduce harmful algal blooms and hypoxia, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Pennsylvania (for himself, Mr. BUTTERFIELD, Mr. BARLETTA, Mr. PETRI, Mr. PLATTS, Mr. HANNA, Ms. SLAUGHTER, Mr. HINOJOSA, Mr. ROSS of Arkansas, Mr. KELLY, and Mr. BOREN):

H.R. 2485. A bill to amend, for certain fiscal years, the weighted child count used to determine targeted grant amounts and education finance incentive grant amounts for local educational agencies under title I of the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Ms. BORDALLO (for herself, Mr. FALCOMA, Mr. SABLON, Mrs.

CHRISTENSEN, Mr. HONDA, Ms. HANABUSA, Ms. HIRONO, Ms. LEE, and Ms. CHU):

H.R. 2486. A bill to amend the Public Health Service Act to provide for health data regarding Native Hawaiians and other Pacific Islanders; to the Committee on Energy and Commerce.

By Mr. FLAKE:

H.R. 2487. A bill to amend the Food, Conservation, and Energy Act of 2008 to terminate direct payments for the 2012 crop year; to the Committee on Agriculture.

By Mr. HINCHEY (for himself, Mr. CRITZ, Mrs. LOWEY, Mr. PETERSON, Mr. GALLEGLEY, Mr. HANNA, Mr. WU, Mr. FILNER, and Mr. GRIJALVA):

H.R. 2488. A bill to amend the Internal Revenue Code of 1986 to allow a \$1,000 refundable credit for individuals who are bona fide volunteer members of volunteer firefighting and emergency medical service organizations; to the Committee on Ways and Means.

By Mr. HOLT (for himself, Mr. HINCHEY, Mr. FORTENBERRY, Mr. ROTHMAN of New Jersey, and Mr. WELCH):

H.R. 2489. A bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program; to the Committee on Natural Resources.

By Mr. INSLEE (for himself, Mr. DICKS, Mr. LARSEN of Washington, Mr. SMITH of Washington, Mr. McDERMOTT, and Mr. BASS of New Hampshire):

H.R. 2490. A bill to amend the National Trails System Act to provide for a study of the Cascadia Marine Trail; to the Committee on Natural Resources.

By Mr. LUETKEMEYER (for himself and Mrs. MYRICK):

H.R. 2491. A bill to amend the Internal Revenue Code of 1986 to allow refunds of Federal motor fuel excise taxes on fuels used in mobile mammography vehicles; to the Committee on Ways and Means.

By Mr. MARINO (for himself and Ms. SUTTON):

H.R. 2492. A bill to prohibit attendance of an animal fighting venture, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McDERMOTT (for himself, Mr. RANGEL, Mr. LEWIS of Georgia, and Mr. JOHNSON of Georgia):

H.R. 2493. A bill to amend the African Growth and Opportunity Act to extend the third country fabric program, and for other purposes; to the Committee on Ways and Means.

By Mr. NADLER:

H.R. 2494. A bill to authorize and direct the Secretary of State and the Commissioner of Social Security to continue to work with the governments of the states of the former Soviet Union to encourage such states to adopt policies that would allow receipt of pensions for individuals who worked in any such state and earned a pension and currently reside in the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TIERNEY (for himself, Mr. ELLISON, Mr. GRIJALVA, Mr. JACKSON of Illinois, and Ms. MCCOLLUM):

H.R. 2495. A bill to amend the Internal Revenue Code of 1986 to eliminate certain tax expenditures; to the Committee on Ways and Means.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

85. The SPEAKER presented a memorial of the House of Representatives of the State of Texas, relative to House Resolution No. 1955 urging the United States Fish and Wildlife Service to withdraw its proposal to list the dunes sagebrush lizard under the Endangered Species Act of 1973; to the Committee on Natural Resources.

86. Also, a memorial of the General Assembly of the State of Rhode Island, relative to Senate Resolution S. 976 urging the swift adoption of the Main Street Fairness Act; to the Committee on the Judiciary.

87. Also, a memorial of the House of Representatives of the State of Texas, relative to House Resolution No. 1483 endorsing the inclusion of Taiwan in the United States Visa Waiver Program; to the Committee on the Judiciary.

88. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 94 memorializing the Congress to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and enacting the Social Security Fairness Act; to the Committee on Ways and Means.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DINGELL:

H.R. 2482.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3, and Article I, section 8, clause 18 of the Constitution of the United States.

By Mr. GRIMM:

H.R. 2483.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. HARRIS:

H.R. 2484.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 & 18 of the United States Constitution.

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. THOMPSON of Pennsylvania:

H.R. 2485.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18; and including, but not solely limited to the 14th Amendment.

By Ms. BORDALLO:

H.R. 2486.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I.

By Mr. FLAKE:

H.R. 2487.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States), clause 3 (relating to the power to regulate interstate commerce), and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. HINCHEY:

H.R. 2488.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. HOLT:

H.R. 2489.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States.

By Mr. INSLEE:

H.R. 2490.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority of Congress to enact this legislation is provided by Article 1, Section 8, Clause 18, which provides that Congress shall have the power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LUETKEMEYER:

H.R. 2491.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerated in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

Additionally, the constitutional authority on which the tax provisions of this bill rest is the power of Congress to explicitly lay and collect taxes, duties, imposts and excises, to pay the Debts and provide for the common defense and general welfare of the United States and, therefore, implicitly allows Congress to reduce taxes, as enumerated in Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. MARINO:

H.R. 2492.

Congress has the power to enact this legislation pursuant to the following:

1) Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

2) Article I, Section 9, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. McDERMOTT:

H.R. 2493.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution

By Mr. NADLER:

H.R. 2494.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18.

By Mr. TIERNEY:

H.R. 2495.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. CONNOLLY of Virginia, Mr. CALVERT, Mr. WEST, and Mr. BOSWELL.

H.R. 27: Mr. SMITH of Texas, Mr. BONNER, and Mr. KISSELL.

H.R. 329: Mr. BOSWELL.

H.R. 333: Mr. GINGREY of Georgia, Mr. HONDA, Mr. HINOJOSA, and Mr. SCHOCK.

H.R. 376: Mr. MICHAUD.

H.R. 389: Mr. FORBES.

H.R. 402: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. NORTON.

H.R. 436: Mrs. HARTZLER, Mr. KING of Iowa, and Mr. MATHESON.

H.R. 452: Mrs. HARTZLER, Mr. DANIEL E. LUNGREN of California, Mr. STUTZMAN, and Mrs. CHRISTENSEN.

H.R. 466: Mr. BURGESS.

H.R. 495: Mr. RIGELL.

H.R. 607: Mr. GARAMENDI and Mr. BARLETTA.

H.R. 687: Mr. FRANKS of Arizona and Mr. REHBERG.

H.R. 692: Mr. DUNCAN of South Carolina.

H.R. 704: Mr. DUNCAN of South Carolina.

H.R. 719: Mrs. ELLMERS and Mr. SCHIFF.

H.R. 721: Mr. WATT and Mr. THORNBERRY.

H.R. 733: Mr. AL GREEN of Texas, Mr. RUNYAN, and Mr. BOSWELL.

H.R. 743: Mr. COBLE.

H.R. 756: Mr. FILNER.

H.R. 795: Mr. WALDEN and Mr. DENHAM.

H.R. 805: Mr. BOSWELL.

H.R. 812: Mr. LARSON of Connecticut.

H.R. 860: Mr. MILLER of North Carolina, Ms. NORTON, Mr. AUSTRIA, Mr. MCCOTTER, Mr. NADLER, Mr. MCKINLEY, Ms. BALDWIN, Mr. NEAL, Mr. MICHAUD, Mrs. CAPPS, Mr. DEUTCH, Mr. ROE of Tennessee, Mr. CONAWAY, Mr. LATOURETTE, Mr. HANNA, Mr. CONYERS, and Mr. WATT.

H.R. 865: Mr. CARNAHAN and Mr. SCHIFF.

H.R. 886: Mrs. MYRICK.

H.R. 931: Mr. MILLER of Florida.

H.R. 965: Mr. FARR and Mr. TIERNEY.

H.R. 992: Mr. SCHIFF.

H.R. 998: Mr. SCHIFF.

H.R. 1001: Mr. JONES, Mr. YOUNG of Alaska, and Mr. COSTELLO.

H.R. 1006: Mr. DUNCAN of South Carolina and Mr. McCLINTOCK.

H.R. 1031: Mr. MICA.

H.R. 1041: Mrs. BIGGERT, Mr. YOUNG of Indiana, and Mr. AKIN.

H.R. 1044: Mr. ROE of Tennessee and Mr. HEINRICH.

H.R. 1063: Mr. SIRES.

H.R. 1127: Mrs. NAPOLITANO and Mr. RUSH.

H.R. 1170: Mr. CARTER.

H.R. 1175: Mr. BLUMENAUER.

H.R. 1187: Mr. HANNA.

H.R. 1188: Mr. TIERNEY.

H.R. 1234: Mr. PALLONE.

H.R. 1236: Mr. POE of Texas and Mr. MCINTYRE.

H.R. 1240: Mr. COHEN.

H.R. 1256: Mr. QUIGLEY.

H.R. 1284: Mr. PAYNE.

H.R. 1288: Mr. WATT and Mr. MCCAUL.

H.R. 1297: Mr. AUSTIN SCOTT of Georgia.

H.R. 1300: Ms. DELAURO.

H.R. 1327: Mr. MCDERMOTT.

H.R. 1351: Mr. STARK, Ms. MCCOLLUM, Mr. SCOTT of Virginia, and Mr. LANCE.

H.R. 1358: Mr. GOWDY.

H.R. 1370: Mr. WALSH of Illinois, Mr. GUTHRIE, and Mr. CONAWAY.

H.R. 1381: Ms. SCHAKOWSKY.

H.R. 1404: Mr. PETERS.

H.R. 1416: Mr. GARAMENDI.

H.R. 1417: Mr. RUSH and Mr. GRIMM.

H.R. 1418: Mr. POE of Texas.

H.R. 1439: Mr. DANIEL E. LUNGREN of California.

H.R. 1465: Mr. MORAN and Mr. GUTIERREZ.

H.R. 1477: Mr. HONDA and Ms. BASS of California.

H.R. 1515: Mr. CROWLEY.

H.R. 1533: Mr. MICA.

H.R. 1556: Mr. YOUNG of Alaska.

H.R. 1558: Mr. LANKFORD, Mr. BISHOP of Utah, Mr. PLATTS, Mr. JORDAN, and Mr. DENHAM.

H.R. 1575: Mr. RANGEL.

H.R. 1583: Mr. CROWLEY.

H.R. 1591: Mr. FRANKS of Arizona.

H.R. 1639: Mr. BOUSTANY, Mr. DENHAM, and Mr. LONG.

H.R. 1707: Mr. LIPINSKI.

H.R. 1715: Mr. DUNCAN of South Carolina.

H.R. 1723: Mr. LONG, Mr. GIBBS, and Mr. GARDNER.

H.R. 1741: Mr. DUNCAN of South Carolina.

H.R. 1744: Mr. PLATTS, Mr. YOUNG of Indiana, Mr. KINGSTON, and Mr. LATTA.

H.R. 1756: Mr. NADLER, Mr. ENGEL, and Mr. PASCRELL.

H.R. 1775: Mr. FRANKS of Arizona, Mrs. CHRISTENSEN, and Mr. FORTENBERRY.

H.R. 1792: Mr. LATHAM and Mr. MILLER of Florida.

H.R. 1817: Mr. QUIGLEY.

H.R. 1832: Mr. DUNCAN of South Carolina.

H.R. 1848: Mr. MULVANEY.

H.R. 1856: Mr. DUNCAN of South Carolina and Mr. SIRES.

H.R. 1901: Mr. COHEN.

H.R. 1932: Mr. MANZULLO and Mr. HERGER.

H.R. 1941: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1964: Mr. FORBES.

H.R. 1980: Mr. FRANKS of Arizona, Mr. POE of Texas, and Mr. FRANK of Massachusetts.

H.R. 1981: Mr. COBLE, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GOWDY, Mr. CHABOT, Mr. DEUTCH, Mr. SHULER, Mr. DANIEL E. LUNGREN of California, and Mr. CRITZ.

H.R. 2010: Mrs. BLACKBURN.

H.R. 2033: Mr. PETERS.

H.R. 2054: Mr. CHANDLER.

H.R. 2068: Mr. HULTGREN.

H.R. 2085: Mr. BRADY of Pennsylvania.

H.R. 2088: Mr. RYAN of Ohio.

H.R. 2104: Mr. TIBERI, Mr. GIBBS, Ms. KAPTUR, and Mr. NEUGEBAUER.

H.R. 2108: Mrs. BLACKBURN and Mr. MCNERNEY.

H.R. 2111: Mr. ROTHMAN of New Jersey, Mrs. MALONEY, and Ms. ZOE LOFGREN of California.

H.R. 2139: Mr. YOUNG of Indiana, Mr. LOEBSACK, Mr. PEARCE, Mr. GOSAR, and Mr. VISLOSKEY.

H.R. 2190: Ms. SCHAKOWSKY.

H.R. 2198: Mr. BURTON of Indiana.

H.R. 2206: Mrs. ELLMERS.

H.R. 2214: Mr. RIGELL.

H.R. 2228: Mr. LIPINSKI.

H.R. 2238: Mr. LOEBSACK and Ms. HIRONO.

H.R. 2247: Ms. RICHARDSON.

H.R. 2250: Mr. ROKITA, Mrs. HARTZLER, Mr. JONES, Mr. THOMPSON of Mississippi, Mr. CRAVAACK, and Mr. HULTGREN.

H.R. 2280: Mr. CONYERS.

H.R. 2281: Mr. RUSH.

H.R. 2288: Mr. COURTNEY.

H.R. 2304: Mr. GRIMM and Mr. SCOTT of South Carolina.

H.R. 2315: Mr. STARK and Mr. COHEN.

H.R. 2333: Mr. HONDA.

H.R. 2355: Mr. SCHOCK.

H.R. 2357: Mr. YOUNG of Alaska and Mr. COBLE.

H.R. 2360: Mrs. MILLER of Michigan, Mr. HUNTER, Mr. NUNNELEE, Mr. SOUTHERLAND, Mr. ROKITA, Mr. GOWDY, Mr. DUNCAN of South Carolina, Mr. WITTMAN, Mr. YOUNG of Alaska, Mr. ALEXANDER, and Mr. BONNER.

H.R. 2402: Mr. BISHOP of Utah, Mrs. ADAMS, Mr. WEST, Mr. PEARCE, Mr. SESSIONS, Mr. AUSTIN SCOTT of Georgia, Mr. ROE of Tennessee, and Mr. ROONEY.

H.R. 2407: Mr. FILNER.

H.R. 2412: Mr. SCHIFF.

H.R. 2417: Mr. FITZPATRICK and Mr. WOMACK.

H.R. 2432: Mr. ROSKAM.

H.R. 2436: Mr. CANSECO.

H.R. 2445: Mrs. ROBY and Mr. ROSS of Florida.

H.R. 2446: Mr. WESTMORELAND.

H.R. 2457: Mr. HULTGREN.

H.R. 2458: Mr. McCLINTOCK, Mrs. MCMORRIS RODGERS, Mr. HULTGREN, and Mr. LATTA.

H.R. 2472: Mr. GINGREY of Georgia.

H.J. Res. 10: Mr. COOPER.

H.J. Res. 13: Mr. LANCE.

H.J. Res. 47: Ms. CHU and Mr. PETERS.

H. Con. Res. 39: Mr. HULTGREN and Mr. OLSON.

H. Res. 25: Mr. PEARCE.

H. Res. 111: Mr. COURTNEY.

H. Res. 137: Ms. HERRERA BEUTLER.

H. Res. 262: Mr. YOUNG of Florida.

H. Res. 298: Mr. DIAZ-BALART and Mr. ROE of Tennessee.

H. Res. 332: Mr. CLAY.

### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1309

OFFERED BY: MR. GOSAR

AMENDMENT No. 1: Page 19, after line 8, insert the following new subsection:

(f) EFFECTIVE DATE OF POLICIES FOR CERTAIN PROPERTIES AFFECTED BY WILDFIRE.—Paragraph (2) of section 1306(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(c)(2)) is amended—

(1) in subparagraph (A), by striking “or” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(C) the initial purchase of flood insurance coverage pursuant to a determination by the Administrator that the waiting period under paragraph (1) shall be waived for private property that is affected by flooding on Federal land affected by wildfire.”

H.R. 2434

OFFERED BY: MR. WESTMORELAND

AMENDMENT No. 1: Page 3, line 20, strike “\$200,000,000” and insert “\$100,000,000”.

Page 4, line 3, strike “\$200,000,000” and insert “\$100,000,000”.

H.R. 2434

OFFERED BY: MR. WESTMORELAND

AMENDMENT NO. 2: Page 75, line 19, after the dollar amount, insert “(reduced by \$342,000,000)”.

Page 76, line 12, after the dollar amount, insert “(reduced by \$342,000,000)”.

Page 130, line 11, after the dollar amount, insert “(increased by \$342,000,000)”.

H.R. 2354

OFFERED BY: MR. FLORES

AMENDMENT NO. 27: At the end of the bill (before the short title), add the following new section:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

H.R. 2354

OFFERED BY: MS. KAPTUR

AMENDMENT NO. 28: Page 23, line 4, after the dollar amount insert “(increased by \$10,000,000)”.

Page 32, line 4, after the dollar amount insert “(reduced by \$10,000,000)”.

H.R. 2354

OFFERED BY: MR. TURNER

AMENDMENT NO. 29: Page 3, line 24, after the dollar amount, insert “(reduced by \$118,400,000)”.

Page 6, line 6, after the dollar amount, insert “(reduced by \$123,313,000)”.

Page 33, line 20, after the dollar amount, insert “(increased by \$129,353,000)”.

Page 34, line 20, after the dollar amount, insert “(increased by \$71,475,000)”.

Page 35, line 10, after the dollar amount, insert “(increased by \$40,885,000)”.

H.R. 2354

OFFERED BY: MR. COURTNEY

AMENDMENT NO. 30: Page 7, line 15, insert before the period at the end “: *Provided further*, That in addition, there is appropriated \$808,000,000, which shall be derived from the Harbor Maintenance Trust Fund”.

H.R. 2354

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 31: Page 23, line 4, after the dollar amount, insert “(reduced by \$1,304,636,000)”.

Page 24, line 6, after the dollar amount, insert “(reduced by \$289,420,000)”.

Page 24, line 18, after the dollar amount, insert “(reduced by \$476,993,000)”.

Page 28, line 13, after the dollar amount, insert “(reduced by \$820,488,000)”.

Page 28, line 23, after the dollar amount, insert “(reduced by \$100,000,000)”.

Page 29, line 7, after the dollar amount, insert “(reduced by \$160,000,000)”.

Page 31, line 21, after the dollar amount, insert “(reduced by \$6,000,000)”.

Page 32, line 4, after the dollar amount, insert “(reduced by \$500,000)”.

Page 52, line 15, after the dollar amount, insert “(reduced by \$68,400,000)”.

Page 53, line 7, after the dollar amount, insert “(reduced by \$11,700,000)”.

Page 53, line 13, after the dollar amount, insert “(reduced by \$10,700,000)”.

Page 54, line 4, after the dollar amount, insert “(reduced by \$1,350,000)”.

Page 54, line 12, after the dollar amount, insert “(reduced by \$250,000)”.

Page 62, line 2, after the dollar amount, insert “(increased by \$3,250,437,000)”.

H.R. 2354

OFFERED BY: MR. WELCH

AMENDMENT NO. 32: Page 23, line 4, after the dollar amount, insert “(increased by \$491,000,000)”.

Page 33, line 20, after the dollar amount, insert “(reduced by \$491,000,000)”.

H.R. 2354

OFFERED BY: MR. MORAN

AMENDMENT NO. 33: Page 14, strike lines 3 through 11 (and redesignate the subsequent sections accordingly).

H.R. 2354

OFFERED BY: MR. TONKO

AMENDMENT NO. 34: Page 23, line 4, after the dollar amount insert the following: “(increased by \$226,800,000)”.

Page 33, line 20, after the dollar amount insert the following: “(reduced by \$226,800,000)”.

H.R. 2354

OFFERED BY: MR. BISHOP OF NEW YORK

AMENDMENT NO. 35: Page 6, line 6, after the dollar amount insert “(increased by \$33,535,000)”.

Page 24, line 18, after the dollar amount insert “(reduced by \$33,535,000)”.

H.R. 2354

OFFERED BY: MR. TERRY

AMENDMENT NO. 36: At the end of title I, insert the following:

SEC. XX. Not later than 1 year after the date of enactment of this Act, the Army Corps of Engineers shall conduct and publish the results of a study regarding the reasons and contributing factors that led to the abnormal flooding of the Missouri River during the spring and summer of 2011, with specific focus on whether the water management activities of the Corps, conducted for any purpose other than flood prevention and control, contributed to the 2011 flooding and in what ways.

H.R. 2354

OFFERED BY: MR. CHAFFETZ

AMENDMENT NO. 37: Page 52, line 15, after the dollar amount, insert “(reduced by \$68,400,000)”.

Page 62, line 2, after the dollar amount, insert “(increased by \$68,400,000)”.

H.R. 2354

OFFERED BY: MR. CHAFFETZ

AMENDMENT NO. 38: Page 53, line 7, after the dollar amount, insert “(reduced by \$11,700,000)”.

Page 62, line 2, after the dollar amount, insert “(increased by \$11,700,000)”.

H.R. 2354

OFFERED BY: MR. CHAFFETZ

AMENDMENT NO. 39: Page 53, line 13, after the dollar amount, insert “(reduced by \$10,700,000)”.

Page 62, line 2, after the dollar amount, insert “(increased by \$10,700,000)”.

H.R. 2354

OFFERED BY: MR. CHAFFETZ

AMENDMENT NO. 40: Page 24, line 18, after the dollar amount insert “(reduced by \$32,464,000)”.

Page 62, line 2, after the dollar amount insert “(increased by \$32,464,000)”.

H.R. 2354

OFFERED BY: MS. KAPTUR

AMENDMENT NO. 41: Page 23, line 4, after the dollar amount insert “(increased by \$10,000,000)”.

Page 32, line 4, after the dollar amount insert “(reduced by \$10,000,000)”.

Page 32, line 23, after the dollar amount insert “(reduced by \$10,000,000)”.

H.R. 2354

OFFERED BY: MR. POMPEO

AMENDMENT NO. 42: Page 23, line 4, after the dollar amount insert “(reduced by \$45,641,000)”.

Page 62, line 2, after the dollar amount insert “(increased by \$45,641,000)”.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 43: Page 28, line 13, after the dollar amount insert “(reduced by \$820,488,000)”.

Page 62, line 2, after the dollar amount insert “(increased by \$820,488,000)”.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 44: Page 32, line 4, after the dollar amount insert “(reduced by \$2,500,000)”.

Page 32, line 23, after the dollar amount insert “(reduced by \$2,500,000)”.

Page 62, line 2, after the dollar amount insert “(increased by \$2,500,000)”.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 45: Page 23, line 4, after the dollar amount insert “(reduced by \$1,304,636,000)”.

Page 62, line 2, after the dollar amount insert “(increased by \$1,304,636,000)”.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 46: Page 53, line 13, after the dollar amount insert “(reduced by \$10,700,000)”.

Page 62, line 2, after the dollar amount insert “(increased by \$10,700,000)”.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 47: Page 54, line 12, after the dollar amount insert “(reduced by \$250,000)”.

Page 62, line 2, after the dollar amount insert “(increased by \$250,000)”.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 48: Page 31, line 21, after the dollar amount insert “(reduced by \$6,000,000)”.

Page 62, line 2, after the dollar amount insert “(increased by \$6,000,000)”.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT NO. 49: Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available in this Act may be used to prohibit or limit, based on material content, the types of traditional hunting and fishing implements used for hunting and fishing to the extent a specific law or regulation is in effect on the date of enactment of this Act.

H.R. 2354

OFFERED BY: MR. CONNOLLY OF VIRGINIA

AMENDMENT NO. 50: Page 24, line 18, after the dollar amount, insert “(reduced by \$92,000,000)”.

Page 23, line 4, after the dollar amount, insert “(increased by \$46,000,000)”.

H.R. 2354

OFFERED BY: MR. GARRETT

AMENDMENT NO. 51: Page 23, line 4, after the dollar amount, insert “(reduced by \$300,000,000)”.

Page 24, line 18, after the dollar amount, insert “(reduced by \$32,000,000)”.

Page 28, line 13, after the dollar amount, insert “(reduced by \$167,500,000)”.

Page 32, line 4, after the dollar amount, insert “(reduced by \$500,000)”.

Page 32, line 23, after the dollar amount, insert “(reduced by \$500,000)”.

Page 62, line 2, after the dollar amount, insert “(increased by \$500,000,000)”.



H.R. 2354

OFFERED BY: MR. GOSAR

AMENDMENT No. 52: Insert after section 607 the following new section:

SEC. 608. None of the funds made available under this Act may be expended to administer or enforce the requirements of subchapter IV of chapter 31 or title 40, United States Code (commonly referred to as the Davis-Bacon Act), except with respect to a contract that exceeds \$20,000,000.

Page 61, line 22, strike “SEC. 608” and insert “SEC. 609”.

H.R. 2354

OFFERED BY: MR. HARRIS

AMENDMENT No. 53: Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to fund any portion of the International program activities at the Office of Energy Efficiency and Renewable Energy of the Department of Energy with the exception of the activities authorized in section 917 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337).

H.R. 2354

OFFERED BY: MR. WU

AMENDMENT No. 54: Page 23, line 4, after the dollar amount insert “(increased by \$60,500,000)”.

Page 32, line 4, after the dollar amount insert “(reduced by \$60,500,000)”.

Page 32, line 23, after the dollar amount insert “(reduced by \$60,500,000)”.

H.R. 2354

OFFERED BY: MR. WU

AMENDMENT No. 55: Page 52, after line 5, insert the following new section:

SEC. 314. It is the sense of Congress that demonstrating advanced technologies developed in the Energy Efficiency and Renewable Energy Building Technologies Program is critical to fostering broader market adoption and spurring the creation of new industries.

H.R. 2354

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT No. 56: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used in contravention of, or to delay the implementation of, Executive Order No. 12898 of February 11, 1994 (“Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”).

H.R. 2354

OFFERED BY: MR. REHBERG

AMENDMENT No. 57: Page 24, line 18, after the dollar amount insert “(reduced by \$2,200,000) (increased by \$2,200,000)”.

H.R. 2354

OFFERED BY: MR. REED

AMENDMENT No. 58: Page 27, line 10, after the dollar amount, insert “(increased by \$41,000,000)”.

Page 32, line 4, after the dollar amount, insert “(reduced by \$21,000,000)”.

Page 32, line 23, after the dollar amount, insert “(reduced by \$21,000,000)”.

Page 35, line 15, after the second dollar amount, insert “(reduced by \$20,000,000)”.

H.R. 2354

OFFERED BY: MR. SCHIFF

AMENDMENT No. 59: Page 28, line 23, after the dollar amount insert “(increased by \$79,640,000)”.

Page 32, line 4, after the dollar amount insert “(reduced by \$79,640,000)”.

Page 32, line 23, after the dollar amount insert “(reduced by \$79,640,000)”.

H.R. 2354

OFFERED BY: MR. SCHIFF

AMENDMENT No. 60: Page 24, line 6, after the dollar amount insert “(reduced by \$10,000,000) (increased by \$10,000,000)”.

H.R. 2354

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 61: None of the funds made available in this Act may be used to contravene the comprehensive plan authorized in section 4091 of the Water Resources Development Act of 2007.

## EXTENSIONS OF REMARKS

### HONORING LUPUS AND COMMUNITY EMPOWERING SUPPORT ORGANIZATION

**HON. HENRY C. "HANK" JOHNSON, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, In 2003, Ms. Kim Schofield founded the Lupus And Community Empowering Support organization better known as "LACES"; and

Whereas, LACES is an organization that continues to serve those who live with or are affected by the chronic autoimmune disorder lupus, by empowering patients, bringing attention to the disease, and leading the way to find a cure through research; and

Whereas, today LACES sponsors its 3rd Annual Ride 4 Lupus Motorcycle ride to raise awareness and funds to assist individuals living with lupus; and

Whereas, this unique organization has given of themselves tirelessly and unconditionally to advocate for our citizens and their families who battle lupus; and

Whereas, LACES continues to serve our county, state and country by being the sword and shield for those who live with lupus, encouraging better treatments, funding research and educating people about the disease to help heal families and strengthen our resolve to find a cure; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize LACES for their outstanding service to our District;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim July 9, 2011 as Lupus And Community Empowering Support Day in the 4th Congressional District.

Proclaimed, this 9th day of July, 2011.

### HONORING EVA LYNN GANS

**HON. STEVEN R. ROTHMAN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2011

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to honor my dear friend, Eva Lynn Gans, outgoing president of the Jewish Center of Teaneck and a dedicated leader of the Jewish community in northern New Jersey.

Throughout her tenure as president, Eva's inspired leadership and unwavering devotion has been instrumental in strengthening the Jewish Center of Teaneck and moving the synagogue toward a bright future. She has guided the center's transition from what was an independent traditional/conservative Jewish congregation to a fully Orthodox congregation,

which puts the center in a great position to benefit from exciting new growth in the Teaneck community. With nearly 80 years of serving the community, the Center is Teaneck's first and oldest Jewish house of worship, and Eva is its first-ever female president. She is no stranger to this particular accomplishment, having also been the first woman to serve as president of the Endowment Foundation of the United Jewish Appeal (UJA) Federation of Bergen County and its successor organization, UJA Federation of Northern New Jersey; as well as the first female Campaign Chairman for the Bergen County Federation. Additionally, Ms. Gans has served as the Women's Division President of the United Jewish Communities (UJC) of Bergen County.

Eva Lynn Gans is a proven local leader, yet she also works to strengthen the Jewish community on the national level and abroad. She is a member of the Board of Trustees for the Jewish Federation of North America, as well as several national committees. She has traveled to Israel an impressive 26 times since 1970, including 14 UJA Israel missions during which she has worked to continue the strong and vibrant relationship between Israeli and American Jews. Her deep personal connection to and involvement with the State of Israel is one of the many reasons Ms. Gans has been a successful leader in the Jewish community.

Eva has received numerous accolades and distinctions from the grateful organizations which have been privileged to have her involved in their causes. These include the Gates of Jerusalem Award from Boys Town Jerusalem, the Woman of Valor Award and the Award of Honor from Bergen County Israel Bonds Women's Division, the Woman of Vision Tribute from Women's American Organization for Rehabilitation through Training (ORT) Northeastern New Jersey Region, the Lion of Judah Award from Israel Bonds, and selection as an Honoree at the United Jewish Community Women's Division Spring Luncheon. Additionally, Ms. Gans was the first woman in Bergen County to receive the Shofar Award from the Boy Scouts of America's Jewish Community on Scouting, Bergen Council.

A resident of Teaneck, New Jersey, Eva Lynn Gans and her loving husband Leo have raised three wonderful sons, who have enriched her life with five amazing grandchildren.

Mr. Speaker, today I rise to congratulate my constituent and dear friend, Eva Lynn Gans, on her successful tenure as president of the Jewish Center of Teaneck. I join with the grateful members of her synagogue in thanking her for innumerable contributions to the northern Jersey Jewish community and American Jewry at large. I am confident that her involvement in Jewish life and leadership will continue to strengthen this special community.

### INTRODUCTION OF NATIVE HAWAIIAN AND OTHER PACIFIC ISLANDER HEALTH DATA ACT OF 2011

**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2011

Ms. BORDALLO. Mr. Speaker, today I have reintroduced legislation to amend the Public Health Service Act for the purposes of providing the resources necessary for the Department of Health and Human Services to survey the health of Native Hawaiians and other Pacific Islanders, NHOPI. Specifically, the bill directs the Secretary of Health and Human Services to develop and implement an ongoing national strategy for evaluating the health status and needs of NHOPI populations living in the continental U.S., Hawaii, American Samoa, the CNMI, Guam, and the Freely Associated States. The Secretary would conduct a health survey to determine the major regions in which NHOPI people reside and include data helpful in determining the health care needs of the respective NHOPI communities. In developing both the national strategy and survey, the Secretary would work in consultation with community groups and non-governmental organizations to develop the best methods and practices. Additionally, the legislation would update the work of the 1998 Institutes of Medicine report: "Pacific Partnerships for the Health: Charting a New Course for the 21st Century." The report would include the data regarding the status and performance of health care systems in the insular areas, and determine the effectiveness of donor aid in addressing the insular areas' needs.

In 1997, the Office of Management and Budget (OMB) revised federal data collection standards to recognize the significant demographic, historical, cultural, and ethnic differences that exist between Native Hawaiians and other Pacific Islanders and Asian Americans. These important distinctions are not simply cultural or historical, but also encompass unique health and socio-economic challenges among the different populations. The standard requires that Native Hawaiian and other Pacific Islander data be collected, disaggregated and reported separately from Asian American data by all federal agencies no later than January 1, 2003.

However, not all federal agencies are in full compliance with OMB Revised Directive 15. In the places where limited agency data do exist, they are not made publicly available or it takes years to release. On a national level, the sample size of the NHOPI population in studies and reports is not represented because of a lack of data—resulting in meaningful information and statistics being unavailable to health organizations, federal, state, territorial and local agencies and policymakers.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Native Hawaiians and other Pacific Islanders are ready to move forward with efforts to improve public health in their communities. This scientific survey would establish baseline health information to inform health policy and interventions so that individual and community health can be properly tracked and evaluated. Additionally, it would provide critical information for both NHOPI communities' health care providers and organizations that work with these communities to develop appropriate health care strategies for public health education and resources.

I look forward to working with my colleagues in addressing this need and the larger cause of eliminating health disparities. I would like to thank Chairman DANIEL INOUE for his leadership introducing companion legislation in the Senate. I would also like to thank my fellow cosponsors in the House for their support: Congresswoman JUDY CHU, Congressman MIKE HONDA, Congresswoman BARBARA LEE, Congresswoman MAZIE HIRONO, Congresswoman COLLEEN HANABUSA, Congresswoman DONNA CHRISTENSEN, Congressman ENI FALDOMAEGA, and Congressman GREGORIO KILILI CAMACHO SABLAN.

IN HONOR OF GREG BALDWIN

**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Mr. BLUMENAUER. Mr. Speaker, I am proud that my hometown is often held out as an example of a community where livability is a primary goal. For the last forty years, people have been pioneering efforts to make cities work better through creative land use planning, zoning, transportation initiatives, public art and public spaces.

There have been many who have helped shape this way of thinking and prove its effectiveness with results on the ground. Politicians, civic and business leaders have all played important roles, but none has been more influential but less publicly known than Greg Baldwin.

Greg was a prominent Portland architect and designer who grew up in the city and went on to earn three Harvard degrees and study abroad. He came by his vision and commitment honestly; his father was a dedicated public servant and a key administrator in Portland for years with schools, the Port Commission, and later in life as the first real Commissioner of Transportation for the state of Oregon.

Greg played a leadership role, striving for excellence in design in our community with revitalization of our schools, creating our light rail system, and the Portland Transit Mall. Greg Baldwin was sought after for projects around the country that benefited from his keen eye and grand sense of aesthetics—the things that one would expect from a leading architect.

Yet, his most enduring gift was an insight into how planning and civic engagement can coax more out of these opportunities to shape our built environment, which in turn shapes us. Greg was patient, thoughtful, and a good lis-

tener, as well as being fair and smart. He excelled in bringing various groups together. He seemed able to help anyone who shared the ultimate goal of a signature project to help understand the contributions that everyone could make to achieve the desired objective.

With all his intellect and professional accomplishments, he was foremost a great friend and accomplished artist. Committed to family, friends, and coworkers he was an outstanding human being. While he will be deeply missed, those who mourn his passing will take comfort knowing his many contributions will influence communities across America for generations to come.

CONGRATULATING VERSAILLES RESTAURANT ON ITS 40TH ANNIVERSARY

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Ms. ROS-LEHTINEN. Mr. Speaker, this week a true Miami landmark celebrates its 40th anniversary.

Versailles restaurant has been a beloved institution in my South Florida community for decades.

Felipe Valls, Sr., opened Versailles in 1971. From the very beginning, Versailles has been a family affair.

Early on, his son, Felipe Valls, Jr., bussed tables and worked with maintenance crews after school.

From these humble beginnings, Versailles has become a franchise with restaurants throughout Miami, Doral and even Pembroke Pines.

The secret to Versailles' success has been its family-oriented atmosphere and its simplicity.

Its menu of traditional Cuban cuisine has enriched the cultural palate of South Florida.

From *ropa vieja* to its house-made fried plantains and yes, even its famed "cafecito," Versailles has become a culinary delight for its patrons.

Versailles allowed many Cuban-Americans to reconnect with their heritage.

For countless Cuban exiles, Versailles is much more than a restaurant.

It is a tangible piece of what they left behind when they fled Castro's gulag.

As a Cuban-American, I know the cultural and emotional link Versailles has with so many members of our community.

Versailles is a place where the Cuban community can come together and discuss topics as far ranging as politics, sports or the latest gossip or "chisme."

But Versailles has also become a destination for individuals from all backgrounds.

Its status as a cultural landmark has brought politicians, artists and celebrities of all stripes to its doors.

Today the Valls family is celebrating 40 years of Versailles.

Despite all their success, family is still the most important component in their lives.

It is also the reason why Versailles resonates with so many members of my community.

It reflects the love and devotion the Valls family has for one another and their community.

I congratulate Felipe Valls and the entire Valls family on this milestone.

PROCLAMATION FOR CHIEF MICHAEL MOYER FOR TWENTY-SEVEN YEARS OF SERVICE IN THE LACONIA POLICE DEPARTMENT

**HON. FRANK C. GUINTA**

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Mr. GUINTA. Mr. Speaker, on May 31, 2011, Chief Michael Moyer retired from the Laconia Police Department after twenty-seven years of faithful service. The Chief began his career as a Special Officer on January 3, 1984 and became a full time Police Officer the following February 11. After rising through the ranks, he was appointed the Chief of Police in Laconia on November 1, 2007 and served in that position for the next three and one-half years.

Chief Moyer is a native of Laconia, New Hampshire and has dedicated his professional life toward the safety and wellbeing of his home town. Chief Moyer is a graduate of the Federal Bureau of Investigation's National Academy and is a recipient of the Congressional Law Enforcement Award for his actions involving the Hells Angels during the 1998 Motorcycle Week Rally. Among many noteworthy achievements, Chief Moyer is to be commended for starting Laconia's first Citizens Police Academy.

I congratulate Chief Moyer on his well earned retirement and thank him for his outstanding support of the community. I wish both Chief Moyer and his wife Robin continued success in their life together.

HONORING THE LIFE OF NADINE McCAW

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Mr. MILLER of Florida. Mr. Speaker, I rise today to honor the extraordinary life of Mrs. Nadine Driskell McCaw of Century, Florida who passed away on July 7, 2011. Nadine was a tremendous public servant committed to helping others, and I am humbled to commemorate her life.

Born 57 years ago, Nadine is a lifelong Century resident and graduated from Century High School in 1972. She worked at the Century Branch Library, and her life's passion was service to others. As a Century Town Council Member, Nadine worked to better the lives of those in her community. She was an avid supporter of the American Cancer Society's Relay for Life and numerous other causes. Nadine and her husband Eddie were married for more than 39 years.

Four years ago, Nadine was diagnosed with invasive cancer and given six months to live

by doctors. She survived and went on to continue her service as Councilwoman and active community member. Her smile touched all of those who had the pleasure of her company, and her service to the Town of Century will not be forgotten. Nadine was a dedicated, courageous, and loving person, and it is with a heavy heart that we acknowledge her passing to be in God's hands.

Mr. Speaker, on behalf of the United States Congress, I am privileged to honor the life of Nadine McCaw. My wife Vicki and I offer our prayers for her husband, Eddie, her children, Juanita Watson and Felicia Jones, eight grandchildren, and entire extended family. She will be missed by all of us.

#### PERSONAL EXPLANATION

### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Ms. DELAURO. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote No. 502 on Representative BARBARA LEE's amendment to the 2012 Defense Appropriations Act to "strike \$33,000,124,000 from title IX and increase the Spending Reduction Account by the same amount" in order to redeploy U.S. armed forces out of Afghanistan by the end of 2012. Had I been present, I would have voted "Yes."

#### HONORING KERA-TV (CHANNEL 13)

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor KERA-TV and Radio, a broadcasting station in Dallas, Texas, for 50 years of quality programming on the air.

In the late 1950's, in my home of North Texas, community leaders, educators and owners of commercial television stations had a vision to build a television station centered around educational issues. KERA Channel 13 went on the air in late 1960 with only a few programs intended for teachers and students. Since then, KERA-TV has grown and has evolved to carry a full slate of public television programs and independent productions, including an extensive lineup of weekday programs committed to the intellectual and social development of children.

KERA expanded its outreach and founded its public radio station 90.1 (KERA FM) which went on the air in 1974, serving Dallas, Fort Worth and Denton. KERA FM has a news and information format. The station's own productions include reports and specials from the KERA news staff, Think with Krys Boyd and Anything You Ever Wanted to Know with Jeff Whittington.

A second radio station, KKXT 91.7 FM, with a music format, began broadcasting in late 2009 to the greater Dallas, Fort Worth and Denton metropolitan area. This station's pro-

gramming is also streamed online at kxt.org. To celebrate its 50th anniversary, KERA-TV will be airing vintage episodes of shows, documentaries and concerts from its archives on select Friday and Sunday nights through the end of 2011.

Mr. Speaker, my community has benefitted immensely from the quality programming of KERA-TV and radio. I congratulate them on 50 years of excellence in public broadcasting.

#### INTRODUCTION OF THE PUBLIC SAFETY SPECTRUM AND WIRELESS INNOVATION ACT

### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Mr. DINGELL. Mr. Speaker, along with my good friend and colleague, Congressman GENE GREEN of Texas, I am introducing the Public Safety Spectrum and Wireless Innovation Act today to address the sensible and long neglected needs of public safety. This legislation builds on S. 911, Senators ROCKEFELLER and HUTCHISON's outstanding bipartisan bill, which was recently reported favorably by the Senate Committee on Commerce, Science, and Transportation.

Congressman GREEN's and my bill do all the same things as S. 911. It allocates the D-Block free of charge to public safety and establishes a framework for the deployment of a nationwide, interoperable, wireless broadband network for public safety. The bill also establishes a funding mechanism to ensure the construction, maintenance, and upgrade of this network. It has been nearly 10 years since 9/11, and Congressman GREEN and I find it disgraceful that public safety has neither sufficient spectrum nor a national interoperable network to use. Our bill will remedy that and help public safety better protect American lives.

The one important difference between our bill and its Senate companion is that ours builds in stricter conditions and requirements for a voluntary incentive auction of broadcaster spectrum. Our bill, like S. 911, seeks to tackle the Nation's growing need for wireless spectrum, but ours makes explicit that the Commission may conduct only one incentive auction, that broadcasters not be coerced into relinquishing spectrum, and that broadcasters be fully compensated for costs associated with repacking. Congressman GREEN and I have sought answers from the Federal Communications Commission about the effects of broad incentive auction authority on broadcasters and consumers. The Commission has provided us little assurance that these effects will not be far-reaching and negative, so Congressman GREEN and I feel compelled to include more rigid protections in our bill.

Mr. Speaker, this is a strong bill and one worthy of the entire House's support. I would note that this bill has been endorsed by many stakeholders, including the Communications Workers of America (CWA), the Public Safety Alliance (PSA), APCO, the National Association of Sheriffs (NSA), and the National Association of Broadcasters (NAB). I urge my col-

leagues to join with Congressman GREEN and me in supporting public safety and addressing our country's critical spectrum needs by co-sponsoring the Public Safety Spectrum and Wireless Innovation Act.

#### A TRIBUTE TO PATROLMAN WILL PHILLIPS

### HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Mr. BURTON of Indiana. Mr. Speaker, I rise today to salute the life of Patrolman William Edward (Will) Phillips III of Greenfield, Indiana who died on September 20, 2010 while serving the city of Greenfield.

Will's life was one dedicated to duty. After graduating from Elwood Community High School in 1996, he promptly joined the United States Marine Corps, where he served from 1996-2000. Upon his return, he entered the Indiana Law Enforcement Academy, graduating 5th out of 163 students. Will served with the McCordsville Police Department before joining the Greenfield Police Department, where he served on both the Bike Patrol and SWAT Team, dedicating himself to the force for the past 4½ years. Will's commitment for this community is something we can all be proud of.

On September 30, 2010 Officer Phillips and two other members of the bike patrol team had just finished their shift and were conducting a training ride on department-issued bicycles. While riding westbound on U.S. 40, at approximately 12:45 am, Will was struck from behind by a vehicle, which then fled the scene. Although all of the officers took the proper safety measures, Will sadly lost his life.

This past weekend, during the 6th Annual Indiana Fallen Heroes Memorial Ride in Indianapolis, Hoosiers came out to honor our fallen Police, Firefighters, Military and emergency first responders. Fellow Officers were in attendance to honor Will and keep his memory alive. He will be deeply missed, but the strength of his character and the courage he demonstrated through his service will live on.

Patrolman Will Phillips, husband of 7 years, father of two, and U.S. Marine Corps Veteran was and forever will be an All-American hero whose dedication to the force, determination and selflessness continue to serve our country and inspire our hearts. Today, we salute you.

#### HONORING DR. ELLEN C. WEAVER

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Dr. Ellen C. Weaver who passed away May 14, 2011. Dr. Weaver was a modern-day Renaissance woman who was a world-class scientist as well as an artist, musician, environmentalist, skier, cook, and beloved wife and mother.

Dr. Weaver received her BA in Chemistry from Flora Stone Mather College at Western

Reserve University in 1945 and worked as an analytical chemist for the Manhattan Project where she joined her physicist husband, Harry Weaver after their marriage in 1946. After World War II, the couple moved west to attend Stanford University, where she earned her MS in Chemistry followed by a Ph.D. in genetics from U.C. Berkeley. She had a life-long career as a research plant physiologist, including a collaboration with Jacques Cousteau at NASA Ames Research Center helping to map the photosynthetic productivity of fishing areas off the South American coast.

Joining the faculty of San Jose State University, Dr. Weaver taught plant physiology, served as Director of the San Jose State University Foundation and as Interim Executive Vice President. Retiring from teaching in 1991, she held the position for two years of Associate Dean for Development for the University. She also served on the boards of many professional societies and tirelessly promoted the advancement of women in science.

As a political liberal and dedicated environmentalist with a passion for preservation of redwoods, Dr. Weaver was active as Chairman of the Board for Sempervirens Fund and was a member of the science advisory committee for the Save the Redwoods League.

With her husband Harry and their three children—Lynne, Mark, and Tom—Dr. Weaver lived in Portola Valley, CA, for most of her life before retiring to San Rafael in 2000.

Mr. Speaker, please join me in celebrating Dr. Ellen Weaver's full and rich life which touched countless people.

#### HONORING THE GULLETT FAMILY

### HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation.

Whereas, Jim Gullett, Sr., was born in Camden, Alabama between 1850 and 1852 in slavery, his life has blessed us with descendants that have helped to shape our nation; and

Whereas, the Gullett Family has produced many well respected citizens and their patriarchs and patriarchs of the family are pillars of strength not only for their families, but for our nation as well; and

Whereas, in our beloved Fourth Congressional District of Georgia, we are honored to have many members of the Gullett family, including Mrs. Adrienne Clark one of our most beloved citizens in our District who resides in Lithonia, Georgia; and

Whereas, family is one of the most honored and cherished institutions in the world, we take pride in knowing that families such as the Gullett family have set aside this time to fellowship with each other, honor one another and to pass along history to each other by meeting at this year's family reunion in Lithonia, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Gullett family in our District;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim Friday, July 15,

2011 as Gullett Family Reunion Day in the 4th Congressional District.

Proclaimed, this 15th day of July, 2011.

HONORING JAVIER COLON, WINNER OF THE FIRST SEASON OF "THE VOICE"

### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Ms. DELAURO. Mr. Speaker, it is with the greatest pride that I rise today to extend my heartfelt congratulations to Stratford, Connecticut's native son, Javier Colon, the winner of the first season of television's "The Voice." Javier has an extraordinary talent and I am honored to join his hometown community of Stratford in congratulating him on his success.

Those who knew Javier as he was growing up in Stratford knew that he was destined for success. As a student at Bunnell High School, he was known as a performer—acting in many school plays and standing out in the choir. He pursued his dream as a singer-songwriter, attending the Hart Music School in West Hartford, Connecticut and playing locally—solo at Starbucks in Bishop's Corner and fronting EmcQ at the Arch Street Tavern. He even self-produced an album last year. Javier took a risk when he auditioned for "The Voice"—taking time off from the job he was holding to support his family—but it was a risk he had to take to realize his dream.

In its first season "The Voice," the NBC vocal competition, invited talent from across the country to compete on live television for a chance at a cash prize and recording contract. Javier was one of thousands who chose to audition and he battled his way through three additional stages of competition and in the end, his unique style and renditions of Cyndi Lauper's "Time After Time," Ben E. King's "Stand by Me," and Coldplay's "Fix You" won the hearts of the shows judges and the American public to become "America's Voice."

Throughout the competition, Javier said that his inspiration was his two girls—that he was doing it for them, so that they could have a better life. As they grow older, they will certainly be proud of all that he has achieved. Javier has made us all proud. In fact, in Connecticut, week after week, hundreds would gather in bars, restaurants, and living rooms to cheer him on. His dedication to his singing and his commitment to the hard work it takes to succeed has inspired countless people, not only in Connecticut, but across the country to pursue their own dreams. Today, the Stratford community will gather to welcome him home and wish him well as he enjoys this remarkable achievement.

I am honored to stand today to extend my sincere congratulations to Javier Colon, his parents, Migdalea and Pablo, as well as his wife, Maureen, and two daughters, Solana and Amaia. I can only imagine what a special time this must be for them and I wish them all the best for many more years of health, happiness, and success.

THE WORLD WILL MISS KIP TIERNAN

### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Mr. FRANK of Massachusetts. Mr. Speaker, an extraordinary woman died earlier this month and she is mourned by a vast number of her closest relatives—the poor, the people down on their luck, and the homeless. Kip Tiernan had a passion for helping those most in need of help that was coupled with an extraordinary understanding of how to get things done, even in the bleakest situations. She was inspired both by her own passion for battling the pain of her fellow human beings, and by Dorothy Day, another extraordinary woman who, like Kip Tiernan, translated her Catholic faith into a daily routine of charity to the best sense. Among those who worked closely with Kip on behalf of the homeless was my mother, Elsie, and I take great pride that these two women, both now passed away, admired each other strongly, and each often told of their great respect for each other.

Mr. Speaker, on the Fourth of July the Boston Globe ran an article by Bryan Marquard that did a first-rate job of telling those who did not know Kip Tiernan about her, and giving those of us who did know her and benefitted from the warmth that she radiated for humanity, a chance to remember the best of times.

Mr. Speaker, in the hopes that Kip Tiernan's life will inspire others the way she herself was inspired by Dorothy Day, I ask that Mr. Marquard's eloquent obituary of this great woman be printed here.

[From the Boston Globe, July 4, 2011]

(By Bryan Marquard)

Kip Tiernan, who founded Rosie's Place, the nation's first shelter for homeless women, and whose persistent, raspy voice echoed from the streets to the State House as she advocated for the poor, died of cancer Saturday in her South End apartment.

She was 85.

Usually clad in a canvas hat and work pants, a cross and a skate key dangling from a leather strap around her neck, Ms. Tiernan helped create an A-to-Z of agencies that assist the disadvantaged in Massachusetts. By example, she also inspired so many people to try to ease suffering that, directly or indirectly, she may have touched more lives of the poor in the Commonwealth than anyone else in the past four decades.

"Every day of her life she lived for social justice, and the lives she saved were untold," Mayor Thomas M. Menino said. "She always said that someday we will stamp out homelessness, but until that day we have to make sure everyone understands that a homeless person could be one of us. She was a very special person, and there's a big hole in our lives today because Kip's not here. This nation is going to miss Kip Tiernan because of her fight for social justice."

Along with Fran Froehlich, her partner in advocacy for more than 35 years, Ms. Tiernan founded, helped found, or was a founding member of a number of agencies and panels, including Boston Health Care for the Homeless, Boston Food Bank, Community Works, Aid to Incarcerated Mothers, Finex House, Food for Free, John Leary House, My Sister's Place, Transition House,

the Greater Boston Union of the Homeless, and Boston's Emergency Shelter Commission.

The range of suffering was such that "sometimes you think there aren't any tears left," Ms. Tiernan told the *Globe* in 1988, "and you find yourself sobbing."

Strong words were her response more often than tears, however. Drawn by faith to her calling, she brought unconditional love to each encounter with the homeless, and she didn't hesitate to criticize the powerful if they backed what she believed were unfair policies or tried to slide by with words of pity.

The cross she wore was more than a symbol.

"A rooted woman, Kip always wears that cross," *Globe* op-ed columnist James Carroll wrote in 1996, "which marks her not for piety or for a religion of easy answers, but for being, in her words, 'an angry daughter of Christ. . . . I find that the cross of Jesus is the radical condemnation of an unjust world. You have to stay with the one crucified or stand with the crucifiers.'"

Sue Marsh, executive director of Rosie's Place, said in a statement she was "so sorry to be saying goodbye to a good friend of mine. . . . She has been the fiery, feisty, and beloved touchstone for the mission and vision of Rosie's Place, a compassionate friend to every woman in need."

On behalf of housing, health care, and an array of social justice issues, Ms. Tiernan lobbied, fasted, marched in protest, and was arrested during sit-ins at government offices. In November 1990, she began a fast in Arlington Street Church and explained why in an op-ed essay for the *Globe*.

"We should atone for what we have allowed to happen to all poor people in this state, in the name of fiscal austerity or plain mean-spiritedness. . . . We have, as citizens, much to repent for, for what we have and have not done, to ease the suffering of our sisters and brothers who have no lobby to protect them."

Before founding Rosie's Place in 1974, Ms. Tiernan traveled to meet with legendary Catholic activist Dorothy Day, from whose life she drew inspiration and spiritual sustenance for the decades that lay ahead.

Beth Healy, a *Globe* reporter who is writing a biography of Ms. Tiernan, said: "She had this soft spot in her heart for broken people, whether they were sick or mentally ill or struggling with addiction. Kip would hug a person dying of AIDS back in the 1980s when everyone else was running away. She would talk to someone living on the streets that no one else would talk to."

Ms. Tiernan, Froehlich said, combined compassion with "a pragmatic approach to solving issues, like: Hungry? Food. Homeless? Housing. And she challenged people with that clarity."

Though Ms. Tiernan asked "hard questions, at the same time, I was always impressed that she embraced people of all persuasions because she wanted them to see what she saw," Froehlich said. "And I mean really embraced them. She would hold somebody's hand while they were disagreeing with her. She really wanted you to join her in this pursuit of justice for people who have nothing."

Born in West Haven, Conn., Ms. Tiernan was 6 months old when her father died and 11 when her mother died. Raised by her maternal grandmother, she learned during the Great Depression to help others.

"Her grandmother always had soup or stew on the stove," Froehlich said, "and when

people came to the house who were down on their luck, she always had bowls of soup or stew ready for them."

By her teens, she was learning to fly a plane and play jazz piano. She also was expelled from a Catholic boarding school, telling the *Globe* she had failed math and asked too many difficult moral questions.

She worked as a newspaper reporter and moved to Boston in 1947 to attend the Boston Conservatory on a scholarship, only to be expelled for drinking. "I was raped once," she told the *Globe* in 1988. "I was 19. Drunk."

Speaking of the women she served at Rosie's Place, she added: "I'll tell you one thing. It helps me identify with what some of these women have been through."

Ms. Tiernan joined Alcoholics Anonymous, learned from recovering street drunks how to stay sober, and became a successful advertising copywriter with her own agency. In 1968, she did some free work for priests who had invited activist Daniel Berrigan to speak at a church.

Listening to him, she later recalled, it was as if a voice inside her head said, "I have just passed through a door, and there is no going back."

Leaving the affluence of her advertising life, she moved into Warwick House, an urban ministry center in Roxbury. Using her copywriter's facility, with language, she became one of Boston's most quotable advocates for the poor, coining phrases such as "from the Great Society to the Grate Society."

A service will be announced for Ms. Tiernan, whose longtime companion of decades, Edith Nicholson, died in the 1990s.

Ms. Tiernan helped raise Nicholson's three children and leaves one of those children, Peg Wright of Saugerties, N.Y.; seven grandchildren; and three great-grandchildren. For the past 15 years, Ms. Tiernan and Donna Pomponio have been a couple. They married in 2004.

"The tragedies in the world continued to propel her to fix things and make them better," Pomponio said of Ms. Tiernan. "She knew that as human beings, we could do better for each other. There was a support and strength that came from that woman, and having her by your side and in your life, you knew that you could do it, too."

#### HONORING THE LIFE AND MEMORY OF BARBARA DONNELLY

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Mr. KILDEE. Mr. Speaker, I rise today to honor the life and memory of my longtime friend and staff member, Barbara Donnelly.

Mr. Speaker, the first person I hired for my office when I was elected back in 1976 was Barbara, which was one of the best decisions I have made during my 35 years in Congress. From the moment I took the oath of office, Barbara served the people of my district with a level of selflessness, loyalty and dedication to helping others that is unrivaled. You will never meet a more reliable or meticulous staffer, or a more caring person than Barbara Donnelly was. She was a perfectionist with a heart.

Throughout her career, Barbara touched the lives of thousands of residents in my district.

From helping constituents with Social Security or veterans benefits, to assisting with immigration difficulties or the adoption of a child, Barbara did it all with compassion, discretion and determination. With Barbara at the helm of my constituent service program, I knew that she would not rest until our office had done everything possible to help people in need.

Barbara was the definition of a public servant, giving everything to her job and never asking for any credit. People like Barbara are the unsung heroes of public service, who work day and night to help others and almost never see their names in the newspapers or on TV. Barbara did not seek glory or recognition for her work, she only sought to improve the lives of others.

Mr. Speaker, there are few people like Barbara in this world. I feel blessed to have had the honor of knowing her and calling her my colleague. Over the years, I learned a lot from Barbara's example and it is my hope that she will inspire others to lives of public service and good works.

Mr. Speaker, Barbara was an irreplaceable friend, staffer and human being. My condolences go out to her family, friends and all the people who had the privilege of knowing her and working with her. At this time of great sorrow, I ask the House of Representatives to join me in honoring the life and memory of Barbara Donnelly.

#### A BILL TO AMEND THE AFRICAN GROWTH AND OPPORTUNITY ACT

**HON. JIM McDERMOTT**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 11, 2011*

Mr. McDERMOTT. Mr. Speaker, today I am introducing legislation that would update one of our most important preference programs—the African Growth and Opportunity Act (AGOA). This bill addresses two important issues.

First, it extends the "third-country fabric" provision of AGOA for three years, which is due to expire in September 2012. This will align the third-country fabric provision with the rest of the AGOA program which expires in 2015. Of course we are working on an improvement and extension of the AGOA program beyond 2015 right now.

The "third-country fabric" provision is one of AGOA's most important elements. It allows apparel producers in lesser-developed sub-Saharan African countries to use third-country fabric in making apparel that gets duty-free treatment under AGOA (subject to a quantity limit).

In 2010, textiles and apparel were one of the leading AGOA import categories—\$730 million in trade last year alone. Much of these imports require fabric that is not commercially available in sub-Saharan Africa. They depend, in other words, on use of the third-country fabric benefits.

Textiles and apparel are key exports for a number of AGOA countries including Lesotho, Kenya, Mauritius, and Swaziland who last year exported \$692 million of goods to us, mostly in apparel.

As U.S. Trade Representative Kirk recognized at last month's "AGOA Forum" held in Lusaka, Zambia, "AGOA textiles and apparel have created new opportunities for investment and trade that benefit businesses and consumers in both the United States and Africa. This sector remains an important foundation for Africa's growing industrial base."

It is critical that the AGOA third-country fabric provision be extended now. It's critical for businesses here in the U.S. and for jobs.

Buyers and retailers work on substantial lead times and need stable terms and conditions into the future. If there is uncertainty about whether AGOA apparel products will be there next year, they will begin to turn away from Africa. We cannot allow that to happen.

The second part of my bill takes another step in welcoming the new Republic of South Sudan to the community of nations.

On July 9—the South Sudanese took their future into their own hands and created the Republic of South Sudan.

The democratic process that resulted in the birth of this new country is an astonishing achievement—honoring the results of a referendum in which more than 4 million people, or 97 percent of registered voters, participated with 98 percent voting for secession.

The fact that this comes at the end of the longest and bloodiest civil wars in Africa makes it all the more incredible.

President Obama and Secretary Clinton have already signaled U.S. support for the new Republic of South Sudan.

We need to make sure we do all we can to help South Sudan be successful. We should act expeditiously, which is why I am introducing this bill on the first legislative day after the creation of this new nation.

I strongly urge all of my colleagues to support it.

#### HONORING THE CITY OF TACOMA

#### HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 11, 2011

Mr. DICKS. Mr. Speaker, I rise to commend the City of Tacoma for ensuring that sustainable policies and business practices are considered in utility operations and all departmental decisions. I was gratified to see that the City of Tacoma has partnered with the Institute for Environmental Research and Education and local businesses to become a "Life-Cycle City"—making a formal commitment to evaluate the life cycle environmental impacts of goods and services. Those environmental costs added up over time are significant to our constituents and I commend Tacoma's efforts to ensure that we are making the best possible investments with taxpayer dollars while being responsible stewards of our environment.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all

meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 12, 2011 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

JULY 13

9 a.m.

#### Finance

To hold joint hearings with the House Committee on Ways and Means to examine tax reform and the tax treatment of debt and equity.

HVC-210

10 a.m.

#### Commerce, Science, and Transportation

To hold hearings to examine unauthorized charges on telephone bills, focusing on why crammers win and consumers lose.

SR-253

#### Environment and Public Works

Business meeting to consider S. 538, to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act, S. 899, to provide for the eradication and control of nutria, S. 861, to restore the natural resources, ecosystems, fisheries, marine habitats, and coastal wetland of Gulf Coast States, to create jobs and revive the economic health of communities adversely affected by the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, S. 846, to designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse, S. 1302, to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy, S. 1313, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, a proposed resolution in the Corps Study, and a proposed resolution relating to the General Services Administration.

SD-406

#### Homeland Security and Governmental Affairs

To hold hearings to examine ten years after 9/11, focusing on preventing terrorist travel.

SD-342

#### Judiciary

To hold hearings to examine the "Violence Against Women Act", focusing on building on seventeen years of accomplishments.

SD-226

2:30 p.m.

#### Judiciary

To hold hearings to examine the nominations of Morgan Christen, of Alaska, to be United States Circuit Judge for the Ninth Circuit, Scott Wesley Skavdahl, to be United States District Judge for the District of Wyoming, Sharon L. Gleason, to be United States District Judge for the District of Alaska, Yvonne Gonzalez Rogers, to be United States District Judge for the Northern District of California, and Richard G. Andrews, to be United States District Judge for the District of Delaware.

SD-226

#### Armed Services

#### SeaPower Subcommittee

To hold hearings to examine the required force level of strategic airlift aircraft mandated by title 10, United States Code, and the administration's request to eliminate that requirement in review of the Defense Authorization Request and the Future Years Defense Program.

SR-232A

3 p.m.

#### Foreign Relations

To hold hearings to examine the nominations of Paul D. Wohlers, of Washington, to be Ambassador of the Republic of Macedonia, William H. Moser, of North Carolina, to be Ambassador to the Republic of Moldova, John A. Heffern, of Missouri, to be Ambassador to the Republic of Armenia, Thomas M. Countryman, of Washington, to be Assistant Secretary for International Security and Non-Proliferation, Jeffrey DeLaurentis, of New York, to be Alternate Representative for Special Political Affairs in the United Nations, with the rank of Ambassador, and to be an Alternate Representative to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative for Special Political Affairs in the United Nations, all of the Department of State.

SD-419

JULY 14

10 a.m.

#### Agriculture, Nutrition, and Forestry

To hold hearings to examine growing jobs in rural America.

SD-G50

#### Banking, Housing, and Urban Affairs

To hold hearings to examine the semi-annual Monetary Policy Report to Congress.

SD-538

#### Energy and Natural Resources

Business meeting to consider pending calendar business.

SD-366

#### Appropriations

#### Energy and Water Development Subcommittee

To hold hearings to examine the safety and economics of light water small modular reactors.

SD-192

#### Health, Education, Labor, and Pensions

To hold hearings to examine learning from what works for employment for persons with disabilities.

SD-430

#### Judiciary

Business meeting to consider S. 1231, to reauthorize the Second Chance Act of 2007, S. 27, to prohibit brand name drug



companies from compensating generic drug companies to delay the entry of a generic drug into the market, S. 1228, to prohibit trafficking in counterfeit military goods or services, and the nominations of Steve Six, of Kansas, to be United States Circuit Judge for the Tenth Circuit, Stephen A. Higginson, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, Jane Margaret Triche-Milazzo, to be United States District Judge for the Eastern District of Louisiana, Alison J. Nathan, and Katherine B. Forrest, both to be United States District Judge for the Southern District of New York, Susan Owens Hickey, to be United States District Judge for the Western District of Arkansas, Christopher Droney, of Connecticut, to be United States Circuit Judge for the Second Circuit, Robert David Mariani, to be United States District Judge for the Middle District of Pennsylvania, Cathy Bissoon, and Mark Raymond Hornak, both to be United States District Judge for the Western District of Pennsylvania, Robert N. Scola, Jr., to be United States District Judge for the Southern District of Florida, and David V. Brewer, of Oregon, to be a Member of the Board of Directors of the State Justice Institute. SD-226

Commerce, Science, and Transportation Science and Space Subcommittee  
To hold hearings to examine the National Nanotechnology Investment, focusing on manufacturing, commercialization, and job creation. SR-253

Veterans' Affairs  
To hold hearings to examine Veterans' Affairs mental health care, focusing on closing the gaps. SR-418

2:15 p.m.  
Indian Affairs  
Business meeting to consider the nominations of Cynthia Chavez Lamar, of New Mexico, Barbara Jeanne Ells, of Colorado, and Deborah Downing Goodman, of Oklahoma, all to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development; to be immediately followed by an oversight hearing to examine native women. SD-628

2:30 p.m.  
Foreign Relations  
To hold hearings to examine Sudan, focusing on a roadmap forward. SD-419

Intelligence  
To hold closed hearings to examine certain intelligence matters. SH-219

JULY 15

10 a.m.  
Commission on Security and Cooperation in Europe  
To hold hearings to examine internet freedom in the Organization for Security and Co-operation in Europe (OSCE) region, focusing on current trends in internet governance. 210, Cannon Building SD-628

JULY 19

2:30 p.m.  
Homeland Security and Governmental Affairs  
Disaster Recovery and Intergovernmental Affairs Subcommittee  
To hold hearings to examine 2011 spring storms, focusing on picking up the pieces and building back stronger. SD-342

JULY 20

10 a.m.  
Foreign Relations  
To hold hearings to examine the nominations of Earl Anthony Wayne, of Maryland, to be Ambassador to Mexico, and Arnold A. Chacon, of Virginia, to be Ambassador to the Republic of Guatemala, both of the Department of State. SD-419

Health, Education, Labor, and Pensions  
Business meeting to consider S. 958, to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, S. 1094, to reauthorize the Combating Autism Act of 2006 (Public Law 109-416), an original bill entitled, "Workforce Investment Act Reauthorization of 2011", and any pending nominations. SD-430

JULY 21

2:15 p.m.  
Indian Affairs  
To hold an oversight hearing to examine floods and fires, focusing on emergency preparedness for natural disasters in the native communities. SD-628

JULY 27

2 p.m.  
Armed Services  
Readiness and Management Support Subcommittee  
To hold hearings to examine financial management and business transformation at the Department of Defense. SR-232A

JULY 28

2:15 p.m.  
Indian Affairs  
To hold an oversight hearing to examine enforcing the "Indian Gaming Regulatory Act", focusing on the role of the National Indian Gaming Commission and tribes as regulators. SD-628

## SENATE—Tuesday, July 12, 2011

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.  
 Ever-present and ever-gracious God, touch the hearts of our lawmakers today with the warmth of Your love and the blessing of Your wisdom. May they develop from the warmth of Your love a civility and respect that will enable them to accomplish Your will on Earth. Empower them to use the blessing of Your wisdom to build a better nation and world. Enlarge their powers with Your strength by infusing their lives with the qualities of character which are needed in these challenging days. Lord, help them to see beyond the baffling and bewildering events of our times, the unfolding of Your loving providence, as they honor their office by striving to please You.

We pray in Your holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,  
 PRESIDENT PRO TEMPORE,  
 Washington, DC, July 12, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,  
 President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will be in a period of morning business for 1 hour, with the majority controlling the first half and the Republicans controlling the final half.

Following morning business, the Senate will resume consideration of S. 1323, which is a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit. The filing deadline for all first-degree amendments to S. 1323 is noon today.

The Senate will recess from 12:30 until 2:15 today for our weekly caucus meetings.

As a reminder to all Senators, last night I filed cloture on S. 1323, which is the matter I just spoke about. I also filed cloture on the motion to proceed to H.R. 2055, which is the Military Construction, Veterans Affairs, and Related Agencies Appropriations bill. As a result, there will be up to two rollcall votes tomorrow morning.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

### ECONOMIC POLICY

Mr. MCCONNELL. Madam President, for more than 2 years now, Republicans in Washington have stood united in the belief that America would never recover from the economic crisis that struck our Nation 3 years ago so long as some in Washington persisted in the mistaken belief that government had the cure. For most clear-eyed observers, that view has found its clearest vindication in the daily drumbeat of news about lost jobs, shuttered businesses, and slumping home values, and in the stories each of us hears from our constituents about the economic hardships they continue to face. If anyone was still looking for proof that the President's economic policies have been a failure, they don't have to look any further than the morning papers or their constituent mail. Indeed, the more the administration insisted on spending and debt as a solution to our problems, the worse those problems became and the more Americans demanded the status quo in Washington had to change. But the administration was slow to get the message.

After an election that any honest observer saw as a repudiation of its policies, the White House continued to

cling to its playbook. As concerns about debt and deficit grew, the President presented a budget so unequal to the task that not a single Democrat voted for it—not one. As the Nation inched closer to a potential default, the President focused his attention elsewhere.

Meanwhile, Republicans were offering detailed solutions to the approaching crisis. We offered detailed budgets of our own. We offered to work out a compromise that lowered the debt and protected entitlements from bankruptcy. And here is what we got in return: silence.

That is where the debate over the debt limit came in. If Democrats would not agree on their own to do something about their addiction to spending and debt, then we refused to enable it. If they wanted our votes to increase the debt limit, then they would have to do something to restrain the size and scope of government first. For a while, there weren't many takers. Democrats from the President on down insisted that we simply raise the debt ceiling and endorse the status quo on spending without any reforms.

That changed a couple of months ago when the President agreed to delegate bipartisan debt-reduction talks to the Vice President. Then, a couple of weeks ago, the President broke his own silence on the debt ceiling and got personally involved himself. Incredibly, for those of us who had been calling for action on this issue day-in and day-out for about 2 years, the President tried to put the burden on us. With the Nation edging closer to the debt limit deadline, the President retreated behind the poll-tested rhetoric of class warfare. At a moment when we needed leadership the most, we got it the least. The financial security of the Nation was being gambled on the President's wager that he could convince people our problems would be solved if we would all agree to take it out on the guy in the fancy house down the street. In my view, that was the saddest commentary on the status of leadership at the White House.

I am proud of the fact that Republicans refused to play along. We stood our ground. We know that what Americans need right now is for the government to make job creation easier, not harder, and we said so. At a time when 14 million Americans are looking for work, we refused to support a tax hike. We supported jobs and economic growth instead. When Democrats saw we wouldn't budge, they proposed one last offer to craft a deal. They asked us to join them in another Washington effort to pull the wool over the eyes of

the American people. They offered us the opportunity to participate in the kind of deliberate deception of the public that has given public service such a bad name in recent years. We all saw how it worked. The administration carefully leaked to the media, without any details, the idea that it was willing to go along with trillions of dollars in spending cuts. The lack of detail concealed the fact that the savings they were supposedly willing to support were at best smoke and mirrors. The hope here was that the budget gimmicks and deferred decisionmaking they actually supported would have the appearance of serious belt-tightening, but the practical effect would have been at most about a couple of billion dollars in cuts up front with empty promises of more to follow. We have seen this kind of thing before. It is just the kind of sleight-of-hand governing that has put our Nation more than \$14 trillion in debt. I will not associate myself with it, and I refuse to join in an effort to fool the American people.

Republicans have told the President we are not interested in business as usual in Washington, and we actually mean it. We will not be party to something that claims to save trillions but leaves future generations to pick up the tab and future Congresses to reverse it with a simple vote. We will not pretend a bad deal is a good one, which brings me to a larger point.

The suggestion has been made that this debate was hinged on the question of whether the two parties could find a solution to our economic problems without raising taxes. Wrong. We could have done that without breaking a sweat. The truth is, the Democrats saw this debate as a unique opportunity to impose the types of tax hikes they want so badly but couldn't even pass in a Democrat-controlled Senate last year. So let's not be fooled by a false choice. This was not in the end a debate about whether taxes needed to be raised; it was a debate about the kind of government we want. This was a debate between those who believe Washington doesn't have enough money to spend and those, like me, who believe Washington has become too big, too expensive, and too burdensome already. If one thinks the Federal Government isn't big enough, then the only responsible thing to do is to support higher taxes. For those who are honest about that, I appreciate their candor. But for those of us who don't think the Federal Government should be in charge of banks, the auto industry, the housing business, the student loans business, health care, and regulating everything else under the Sun, we are not about to further enable that model of government by shaking down the American people for more money at a time when they can least afford it. That is what this debate is about. It is about saying Washington has gotten too big, and if

it can't afford its commitments, then it needs to find a way to cut back on them. But don't demand that the American people pay more so Washington can make its bad habits permanent. I read an article yesterday that said \$2 out of every \$5 Americans spend right now comes from the Federal Government. Is this really the model we want?

I have a lot of meetings with constituents, and I am not sure I have ever heard anyone say the problem with Washington is they don't have enough money to spend. I don't think I have ever heard that.

It was my hope the two parties could reach a meaningful, bipartisan agreement. I have to say I was initially encouraged by the prospect of the bipartisan discussions led by the Vice President. Although I disagree with him on most issues, Vice President BIDEN is a man I have come to respect as a straight-shooting negotiator. We found common ground last December to prevent a tax hike on the American people, and my hope was we could find a solution once again.

Sadly, these discussions started with the shared goal of reducing the debt but quickly regressed to a public sideshow in which the price of admission became an insistence that we raise taxes on job creators and on millions of American families who don't have yachts or corporate jets. At a time when jobs are few and far between, that is not a price the American people can afford.

So Republicans searched in good faith for common ground, but the goalposts just kept moving. We trudged on, hoping the administration would at some point realize the crisis we face demands a clear change in direction, a departure from the government-driven policies of the past 2 years. But our hopes for a grand bargain eventually ran into the bitter reality that this administration is just not interested in a meaningful and lasting solution to our mounting debt. It is simply too committed to big government. We showed a willingness to sacrifice all along, even as we made it crystal clear from the outset that tax increases would not be a part of any agreement. It was their commitment to big government that stood in the way of a grand bargain. It was their determination to freeze the policies of the past 2 years in place, permanently. The American people don't want that, and Republicans won't be seduced into enabling it.

An ideological commitment to big government has outweighed the White House's commitment to find a meaningful compromise that does not damage our fragile economy in the process. Rather than find a way to bring government back to the people, the administration has committed itself to protecting the size and scope of government at the cost of job creation, eco-

nomics growth, and America's status in the global economy.

The tragedy in all of this is that we all know what is necessary to solve the economic crisis we face. The answer is to cut spending. The answer is to cut spending.

It is no secret how to solve the entitlement crisis, either. Any one of the people involved in these discussions could write it out on the back of an envelope. It is also no secret that Democrats would rather demagogue any solution Republicans propose in next year's election than join us in seriously reforming them, despite what some Democrats started to say once it became clear Republicans wouldn't agree to a plan that raises taxes.

We all saw the news stories yesterday about how senior Democrats have been worried that reforming Medicare now would make it harder for them to campaign against Republicans later. Evidently, they would rather save their own jobs than save these programs from insolvency.

I truly believed we could get this done. I truly believed, perhaps naively, that this administration would see the necessity of preserving Social Security and Medicare for future generations.

In the end, it appears that the perceived electoral success of demagoguing a solution proved its undoing. Or perhaps it was the ideological commitment to preserving the size of government by the most stridently liberal Members of the other side. Whatever the reasons, Madam President—whatever the reasons—it is a tragic missed opportunity for the country.

I hope the economists are wrong and that our economy will continue to grow over the next year and a half to buy us time to tackle the problems we face. But after years of discussions and months of negotiations, I have little question that as long as this President is in the Oval Office a real solution is probably unattainable. This was not an easy decision for me.

From my first day as Republican leader in the Senate, I have called on Presidents from both parties to work with Congress on real solutions to the problems we face. For more than 2 years I have had conversations with the administration about working together to accomplish something big for the country. On each occasion, I have been met initially with encouraging words that gradually give way to moving the goalposts.

In the end, they have always expressed a fundamental unwillingness to engage in a meaningful effort to reduce spending as a means to rein in the debt. Despite our stagnant economy, and the dire warnings of economic and security experts that we cannot sustain our mounting debt or unfunded liabilities, this President has proven

that he will do almost anything to protect the size and the scope of Washington, DC's burgeoning bureaucracy, including to threaten the economic security of every American by backing us up to the edge of default.

I have heard some on the other side of the aisle suggest that Republicans have put us in this position by refusing to accept what they call a balanced approach.

My response is that if the American people have learned one thing over the past few years, it is that they need to bring their decoder rings to any debate in Washington these days. When Democrats say "investment," they mean government spending. When they say "revenue," they mean higher taxes. And when they say "shared sacrifice," they mean they want you to take the hit, not Washington. It starts with the so-called rich, with the owners of the corporate jets, but pretty soon it hits the family flying in coach. Eventually everyone gets fleeced.

Well, Americans have had enough. They think it is time Washington shares in the sacrifice. Republicans invited Democrats into these discussions about finding a solution to our problems, and while we approached them with clear and unwavering principles, we also brought an open mind. The record reflects that. I will not betray the confidence of those who were willing to negotiate with us, but there can be no question by anyone involved in these discussions that Republicans were willing to make tough choices.

So where do we go from here?

Well, I was one of those who had long hoped we could do something big for the country. But in my view the President has presented us with three choices: smoke and mirrors, tax hikes, or default. Republicans choose none of the above. I had hoped to do good, but I refuse to do harm. So Republicans will choose a path that actually reflects the will of the people, which is to do the responsible thing and ensure the government does not default on its obligations, and to continue to press the administration to rein in Washington, not to freeze it in place.

That is why I will continue to urge the President to rein in our deficits and debt in a way that puts the short- and long-term health of our economy ahead of his personal vision of government. That is what the American people want. That is what Republicans will continue to insist on. Nothing less will solve the crises we face. Nothing less will do.

Madam President, I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period of morning business for 1 hour, with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the final half.

Mr. MCCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### HONORING SERGEANT FIRST CLASS LEROY ARTHUR PETRY

Mr. UDALL of New Mexico. Madam President, I rise today as our Nation honors the bravery and sacrifice of Santa Fe native Leroy Arthur Petry, an Army Ranger who, in 2008, risked his life to save his fellow soldiers on the battlefields of Afghanistan.

Today Sergeant First Class Petry will be honored for his "conspicuous gallantry" with our Nation's highest military decoration: the Medal of Honor.

I will be humbled to be at the White House along with Sergeant First Class Petry's family, friends, and fellow soldiers as President Obama honors him with the Congressional Medal of Honor.

It will be a special day for Sergeant First Class Petry, for his wife and his children, and all his family, and for his fellow Americans, as he becomes only the second living active-duty servicemember to receive the Medal of Honor for actions in Iraq or Afghanistan.

Sergeant First Class Petry's story is one of courage and sacrifice and immense love of country. It is a story that began years ago in Santa Fe with a young man who struggled in high school but refused to give up and, instead, buckled down, dug deep, and found the hero within—a hero to the men he saved on that fateful day in Afghanistan, and a hero to all Americans who owe their freedoms to our brave men and women in uniform. It is the story of that day in May of 2008 that I wish to tell you today.

Sergeant First Class Petry was a member of the 75th Ranger Regiment when he and his fellow rangers were deployed to capture a high-value target in Afghanistan. During their raid, they were engaged in a firefight with the enemy when several in their regiment were pinned down by grenades.

Petry had already been wounded by bullet fire, shot through both legs by a

hidden enemy. But Petry did not allow his wounds to stop him as the battle raged on. Pinned inside a courtyard with a fellow ranger, he continued the fight, calling in support and creating a brief pause in enemy fire by throwing a grenade their way.

One enemy grenade exploded within 10 yards of Petry and a group of rangers. The explosion knocked the rangers down and wounded two members of the team.

Soon after the first grenade exploded, the insurgents threw a second. This time the grenade landed near two of Petry's comrades. With no thought to his personal safety, Ranger Petry grabbed the grenade and attempted to toss it away. The grenade exploded as he tossed it, taking Petry's hand with it, but saving the lives of those near him.

Losing a hand would have been enough to break most people, but not Sergeant First Class Petry. Instead, he calmly inspected his wound, stemmed the flow of blood with a tourniquet, and continued the fight, helping to pin down the insurgents until they could be killed.

It was this immense act of bravery that saved the lives of his brothers in arms. In fact, one of his fellow rangers, SGT Daniel Higgins, wrote in a statement about that day:

If not for Staff Sergeant Petry's actions, we would have been seriously wounded or killed.

On that fateful day in 2008, then-Staff Sergeant Petry was no stranger to service to his country. He was on his eighth deployment—let me repeat that: his eighth deployment—in support of U.S. operations overseas, his sixth in Afghanistan, after two tours in Iraq.

Sergeant First Class Petry's life of heroic service was based in humble beginnings. A 1998 story in the Santa Fe New Mexican newspaper featured a then 18-year-old Petry. The young man was a senior at St. Catherine Indian school—the institution's final graduating class. He was also a recipient of the "Bootstrap" award, which honored area high school seniors who had committed to improving themselves and their community.

Here is what the teacher who nominated him wrote:

With a record of fights, suspensions, and ditching school, Petry realized that he was on a path that led nowhere. He tried harder in school and appreciated how it felt to make his parents proud.

From a path to nowhere to a path to history as a national hero, Sergeant First Class Petry is an inspiration for all young people who are struggling to find their place in the world. To young people who may be considering giving up and taking a more destructive path, he is a model.

Three years after his heroic actions on the battlefield, Sergeant First Class Petry continues to give back to his

country and his fellow soldiers. As a liaison officer for the U.S. Special Operations Command Care Coalition in Washington State, Sergeant First Class Petry provides a helping hand and much needed resources to wounded soldiers, ill and injured servicemembers, and their families.

Here is what Leroy's father Larry Petry said of his son in a recent interview with a local New Mexico television station:

He's really overwhelmed by this. He keeps saying, "Dad, I was just doing my job. Any other soldier would have done it."

I think we will all agree with what his father said in return:

Well, son, you did something great, and they really want to honor you for that.

Despite all the attention and recognition brought by this award, Petry—like so many of those brave warriors before him—remains humble. A recent posting on his Facebook page reads:

The award is bigger than the person . . . and I will always remember that.

New Mexico has a long and proud tradition of military service—exemplified in the heroic actions of SFC Leroy Petry on the battlefields of Afghanistan.

To Sergeant First Class Petry's wife Ashley and their four children, to his mother and father and siblings and extended family, I know I speak for the people of New Mexico and all of America when I offer the thanks of a grateful nation. You sacrificed time with your loved ones so he could bravely serve our country. Along with Sergeant First Class Petry, you are all heroes in our eyes.

Sergeant First Class Petry is highly deserving of this honor, and New Mexico is honored to call him a native son.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Madam President, first let me thank the Senator from New Mexico for his heartfelt remarks. I know how much he cares about his constituents and our country. We too at the opposite end of the country thank our soldiers for their sacrifice and also the families of those who make the highest sacrifice to our Nation.

#### DEBT DEFAULT

Mr. SCHUMER. Madam President, I rise to speak about a subject that is foremost on my mind and the mind of my Democratic colleagues here today; that is, the danger of defaulting on our debt.

In the entire history of this great country, we have never once defaulted on our debt. America has always kept her promises. But an alarming number of my colleagues on the other side of the aisle seem content to reverse that proud record.

Time after time, they have rejected sensible compromises to avert default.

Late last year, all the House Republicans voted against the Simpson-Bowles commission. Then a key Republican walked away from the Gang of 6. Then Leader CANTOR abandoned the Biden-led talks. Most recently, Speaker BOEHNER balked at President Obama's grand bargain-style offer because of pressure from so many in his party. It is an obvious and unsettling trend.

In each of these instances, the Republican retreat was precipitated by one thing and one thing only: an ideological quest to ensure that tax breaks for the richest few are protected. They have insisted we can't raise a single dollar from millionaires and billionaires, no matter how wasteful the tax break or how generous the subsidy.

Instead, they would rather balance the budget on the backs of middle-class families. They think giving tax breaks to millionaires and billionaires creates jobs. What about all those dollars that sit there in vaults and bank accounts? Isn't it true that taking away money from middle-class people hurts the job effort? It is a one-sided ideological quest to help the most privileged few among us.

This morning, The Hill newspaper reported that Majority Leader CANTOR made a proposal at the White House yesterday that outlined \$353 billion in health care cuts. Among the cuts listed by Leader CANTOR were approximately \$250 billion in reductions in Medicare. According to The Hill, several of his proposals "would raise costs for Medicare and Medicaid beneficiaries."

That would protect the wealthiest among us—the millionaires and billionaires—and hurt the average middle-class senior citizens.

This is the tradeoff Leader CANTOR and the Republicans wish to make: protect millionaires and cut Medicare benefits instead. This approach is not balanced, it is not fair, it is not moral, and it will not be accepted.

The proposal by Leader CANTOR is very troubling, but we can't ignore it because, according to press reports this morning, Leader CANTOR is now the leader of these negotiations for the Republicans. It was reported that he did the plurality, if not the majority, of the talking on the Republican side at the meeting yesterday.

Leader CANTOR will need to approach this set of negotiations better than he did the last one. During the Biden-led talks, Leader CANTOR bolted the room as soon as it was time to make tough decisions he didn't like.

Let me read from the front page of the Washington Post this morning. This is the Washington Post story, not my words:

Cantor thinks the way to win this haggling session—one of Washington's most important in years—is by walking out of it.

I will repeat that from the Washington Post front page:

Cantor thinks the way to win this haggling session—one of Washington's most important in years—is by walking out of it.

Leader CANTOR cannot repeat that maneuver again this time. We are too close to the debt limit deadline, and there is no margin for error.

This is crunch time. The clock is ticking. If we don't reach an agreement in the next few weeks, we risk roiling the financial markets, and our Nation's fragile economy will suffer a serious setback. Middle-class families will see their mortgage rates and credit card rates go up. Even a technical default—the failure to pay interest on our debt for just a few days—will cause the GDP to contract and jobs to be lost, in all likelihood. It doesn't just affect the government. It is not just something far away. It affects every family with a variable rate mortgage or credit card debt. That is why it is time for my GOP colleagues to jettison their ideological blinders and get down to pragmatic problem-solving that will allow us to avoid default and its aftermath.

We have had debt ceiling renewals on our desks for decades. No one has ever played brinkmanship like this. No one has ever said our Nation will not live up to its obligations—this great Nation, which always has, from the days of the Founding Fathers and Alexander Hamilton.

On this side of the aisle, we are working in good faith to reach a deal. Over the past few months, we have worked diligently to identify more than \$1 trillion in spending cuts, many of which are just as painful to our caucus as taking away tax breaks to millionaires are to the caucus on the other side. It can't be just one way. We have put these difficult cuts on the table because, on this side of the aisle, we recognize our deficit is unprecedented and bold comprehensive action needs to be taken.

Let me say this: A budget agreement cannot be considered bold and comprehensive unless it asks millionaires, billionaires, and wealthy corporations to contribute to deficit reduction. They don't have to do the whole thing, but they have to do their share. That is why we want to repeal tax breaks that serve no purpose whatsoever, other than to bloat our budget deficit. We want to make sure that at this time of fiscal restraint there is shared sacrifice.

Let's face it, middle-class Americans and working-class Americans depend on government programs in ways the wealthy do not. If you are a millionaire or billionaire, you don't need Pell grants to send your kids to college. You don't need to go to a community health clinic to have your teeth examined when they ache. You don't have the high cost of prescription drugs to be a barrier to you, and you don't need help to pay them.

If we are going to scale back vital spending programs, which go right to

the core of middle-class, hard-working American families, we must also scale back special interest tax breaks that benefit only the wealthiest few, such as tax breaks for yachters and corporate jet owners.

I wish to make something clear. I have nothing against those who have made a lot of money. I think that is great. I think that is America. I know lots of people like that. Most of the ones I know say: Yes, I should pay my fair share. But somehow there is a small group that seems to feel they should not pay almost any taxes. Those people are running the show on the other side of the aisle.

If we are going to bequeath the American dream to future generations and ensure that the American dream continues to burn brightly in the American breast, then we need to institute some shared sacrifice.

In normal times, this would be a consensus, middle-of-the road position. It is a position Ronald Reagan took. It is a position George H.W. Bush took. As David Brooks and other commonsense Republicans have noted, Republican Presidents and leaders have long supported coupling increased revenue with spending cuts to reduce deficits.

But today's GOP has, unfortunately and sadly, been dragged so far to the right by its ideological fringe that they now reject this balanced approach out of hand. They would sooner end Medicare as we know it than ask millionaires and billionaires to pay a little more in taxes. That is the nub of it. They would sooner end Medicare as we know it than ask millionaires and billionaires to pay a little more in taxes.

How many Americans agree with that? Certainly, our political system, for all its faults, at the end of the day has truth at the bottom of it. This position will not help my colleagues on the other side of the aisle. When either party moves too far to the extreme—Republicans too far to the right or Democrats too far to the left—they ultimately lose. That is what is happening to the Grand Old Party in this Chamber.

More than 40 Republicans, unfortunately—40 in the House—have vowed to vote against any increase in the debt limit no matter how much deficit reduction accompanies it. I am not aware of a single Democrat who has drawn such a dangerous, Draconian line in the sand. Remember, it is not future spending you are voting against. You are voting against paying your bills, paying your debt. Every American family has to do it. Every American worker has to do it. To say the government should not do it is unprecedented.

I urge my colleagues on the other side of the aisle to reevaluate their position. It is time for Republican leaders to do some much needed soul searching. Are they willing to risk an economic cataclysm to mollify an extreme

wing of their party and score political points against the President? Do they want us to be remembered in the history books as the first generation of Americans to renege on our obligations? Will they put their country before party, come to the bargaining table, and forge a bipartisan path forward?

Similar to most Americans, I am a natural optimist. Sure, I don't have much evidence on which to base my optimism, when Republicans walk out on negotiations time after time when they don't get their way. But I nevertheless possess an innate belief that at the end of the day, we will do what is best for our country and our economy; we will raise the debt limit, pass a far-reaching deficit reduction package that includes both spending cuts and repeal of tax breaks for the richest few among us. As the President recently put it—and he was, whether intentionally or not, quoting a great thinker from ancient Babylon—"If not now, when?"

Let us hope we arrive at an agreement soon. Time is, unfortunately, not on our side.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

#### ETHANOL

Ms. KLOBUCHAR. Madam President, I am here to talk about the recent bipartisan compromise on biofuels. I have come to the floor a number of times to talk about this country's biofuels policy.

In the last month, I have worked on a bipartisan basis with Senator FEINSTEIN of California and Senator THUNE of South Dakota to develop a compromise agreement that represents a good-faith effort to improve our energy policy under very difficult economic times.

At a time of bitter budget debates and entrenched positions, we worked together to find common ground and we took a step in the right direction and that is a step of reducing the debt immediately by \$1.3 billion of the \$2 billion remaining on the subsidy. I will add that this is a subsidy this Congress voted for just in January of this year. The biofuels industry understands this subsidy was going to end at the end of this year, but they didn't just let it whittle away toward the end every year, knowing there was waning support for it; they came to the table and said let's see if we can do something good for energy policy and for this country's fiscal position.

Under this deal, the Volumetric Ethanol Excise Tax Credit will expire at the end of the month, instead of the end of 2011, as scheduled.

I have continued to say this debate is not about whether we end this tax credit; it is about how we do it. This compromise agreement represents a re-

sponsible and cost-effective approach to reforming our Nation's biofuels policy.

First, this compromise dedicates \$1.3 billion or two-thirds of the remaining ethanol subsidies in savings toward deficit reduction. It goes right into the coffers of the government to reduce the debt. At a time when our country is struggling with increasing debt and partisan bickering, the compromise represents a step forward. Two-thirds of the money goes toward the debt.

What happens to the rest of the money? Normally, it would be going into that tax credit—\$400 million every month—for the rest of this year. Instead, we take that existing \$668 million—the other third—and use it to extend and expand support for the production of cellulosic biofuels. As the occupant of the chair knows, coming from New Hampshire, we have a lot of cellulosic biofuels in the Midwest, but it is something you can see all over the country. It is a commitment to a new generation of fuel—algae, biofuels, switchgrass, you name it.

There are a lot of possibilities here when you look at what could be the next generation of cellulosic ethanol. In fact, many of the first advanced biofuels plants are expected to be retrofitted onto existing corn-based ethanol facilities, providing additional benefits to rural communities.

This compromise also extends the small-producer tax credit for 1 year at a reduced rate. This tax credit benefits smaller ethanol plants, which were some of the earliest pioneers in the industry and often structured as farmer co-ops. Again, this is not new money. The money is ending, under our plan, as of July 31 for the tax credit. It simply takes one-third of the existing money and uses it in a smart way so that Congress won't have to spend any new money on very important areas, such as cellulosic biofuels. This extension helps provide small ethanol plants located in rural communities a glide-path to adjust to the elimination of the Volumetric Ethanol Excise Tax Credit.

Lastly, the compromise invests in the infrastructure we need to bring greater competition to the fuel market. This means extending tax credits—the existing money—to help gas stations install a variety of fuel-dispensing technologies, including ethanol, hydrogen, natural gas, and electric charging stations.

So let me again repeat that this is not just about biofuels, it is about all kinds of alternative energy that competes with oil. We should encourage our homegrown fuels to compete with foreign oil, and this investment will help do just that and give consumers a real choice at the pump. I have always believed we should be investing in the farmers and workers of our country instead of the oil cartels in the Mid-eastern countries.

The ethanol industry should be commended for coming to the table to offer over \$1 billion in savings during these difficult budget discussions. I think this is most significant for some of the discussions Senator SCHUMER was having and we have all been having about the debt. This compromise, while it may be \$1 billion instead of \$1 trillion, is an example of what we can do if we are really serious about reducing our debt. It is a model for what can happen to reduce government subsidies going forward.

Take for example the oil industry. Traditional ethanol is a maturing market providing only about 10 percent of America's fuel supply—10 percent of the fuel supply. We are now at the point where we are making more biofuels than we import oil from Saudi Arabia. That is pretty significant, but we are still only 10 percent with biofuels.

How about oil? Well, the rest is oil. The oil industry has been a mature industry and collected subsidies for nearly 100 years. Americans have shouldered these costs for too long. The oil companies no longer need these tax breaks, and we simply can't afford them when we look at the debt we are facing.

The list of the oil production tax deductions includes the domestic manufacturing tax deduction for oil production, costing \$18.2 billion over 10 years; the expensing of intangible drilling, costing \$12.5 billion to taxpayers over 10 years; the percentage depletion allowance, costing \$11.2 billion over 10 years; and the dual-capacity rule for foreign tax credits, costing \$10.8 billion to taxpayers over 10 years.

The question isn't about whether the oil companies deserve the profits; it is a question about whether the American people should pay the cost of providing preferential tax treatment for the five largest oil companies in the United States, which have racked up almost \$1 trillion in profits in just the past decade. That is the issue. When we are dealing with this debt, when we are dealing with a debt where middle-class families are paying multiple amounts every single year—multiple dollars in interest on our debt—should they also be asked to foot the bill to pay for these subsidies to oil companies when these oil companies have made almost \$1 trillion in profits in the past decade? That is the issue. It is a question about whether the mature oil industry should continue to receive billions in subsidies at a time when their profits are up 30 percent in the first quarter of 2011.

I am not against drilling at all. I am pleased about what is going on in North Dakota, right to our west. But when I look at what is happening with this debt right now, we have to be smart, and this is clearly one place to look for savings. It is a question about whether a hugely profitable industry

should continue to enjoy lucrative tax advantages at a time when our Nation can least afford it. With oil prices much higher than actual costs, the oil industry doesn't need extra money from the government.

We must get serious about tackling the deficit and putting our country back on sound fiscal ground. The problem we are facing now is not only a crisis of dollars and cents, it is also a crisis of the divide and the deadlock. It is time to open the deadlock. We did it with biofuels. We came forward with a compromise with Senator FEINSTEIN, who has spent her lifetime in the Senate fighting against ethanol. Senator THUNE and I came together on a bipartisan basis and got it done. We did it—two-thirds of their immediate subsidy going to debt reduction.

We know this deficit isn't going to fix itself.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Ms. KLOBUCHAR. I ask unanimous consent to speak for 1 more minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. KLOBUCHAR. We all know this debt isn't just going to go away. We all know we can't just close our eyes and click our heels and wish our debts away.

In their report, the National Commission on Fiscal Responsibility and Reform wrote that "every modest sacrifice we refuse to make today only forces far greater sacrifices of hope and opportunity upon the next generation." And they are right. A relatively small industry such as ethanol is willing to put two-thirds of its tax breaks on the table for deficit reduction immediately. The much larger and much more profitable oil industry can certainly afford to do the same, if not more.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

#### BUDGET NEGOTIATIONS

Mr. SESSIONS. Madam President, I ask unanimous consent to enter into a colloquy with my Republican colleagues.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I thank Senator KLOBUCHAR. She is a valuable Member of the Senate, and she mentioned some savings or additional revenue from tax increases—some were \$10 billion, one was \$8 billion, and I think one was \$3 billion. I would just say that over 10 years, that is how much those changes would raise.

I would recall for all my colleagues that we unwisely spent \$847 billion on a stimulus package that produced little

income, and we are paying interest on that of about \$27 billion to \$30 billion a year. It adds up as the years go by, every year, just the interest on that one single expenditure.

We have now gone 804 days without a budget in this body. During that time, this country has spent \$7.3 trillion. That is \$7,300 billion. We have paid in interest on the money we have borrowed \$439 billion just in that period of time we haven't had a budget. Interest on our debt is \$439 billion in 804 days. And we have accumulated, during this time, an additional \$3.2 trillion in debt. During the past 2 years, under the super Democratic majority here in the Senate and in the House—60 Democratic Senators and the President's leadership—the discretionary non-defense spending went up 24 percent, and the President proposes in his budget next year to increase the Education Department, the State Department, the Energy Department, and the Transportation Department double-digit increases again, when this year 40 cents of every dollar we spend is borrowed.

I am glad my colleagues can be with me now. I see Senator JOHNSON is here. He is a member of the Budget Committee. We had more people want to get on the Budget Committee this year, the new Senators who were recently elected. Senator JOHNSON was one of the few to be selected. And they hope to make a difference and to confront the problems we face.

Senator JOHNSON is a successful businessman. He just joined the Senate last year. How has the Senator felt to date about the process?

Mr. JOHNSON of Wisconsin. I appreciate the kind words. My background is in accounting, and I have been in business for 34 years. I have produced budgets for people on time. I have had people produce budgets for me on time. I look at the process—or the lack of a process here as absurd. Think about it. I have certainly produced budgets for smaller businesses—let's say a \$10 million company. They would go through an awful lot of detail to draw up a budget. Talk about a little bit larger business, maybe a \$1 billion-per-year business. There would be a lot of people involved, a lot of detail, and all that information filters up to the top. Then you come here to Washington and you see business as usual. I just want to make sure the American people understand how absurd this process is, the fact we haven't passed a budget in the Senate in over 2 years.

We now have the President—at least he has finally gotten engaged this last week. They are meeting behind closed doors. Is it really true they are going to produce a budget over the course of a couple of meetings—a budget for the Federal Government that would be \$3.7 trillion, \$3,700 billion worth—and they are going to do this behind closed doors, just a couple of people? That is an absurd process.



The fact is, I am glad the President finally acknowledged Medicare is unsustainable. That is a sad fact. I wish it weren't so, but the first step, of course, in any process of being healed is to acknowledge that you have a problem. So I am glad the President finally acknowledged Medicare is unsustainable. But if he was really serious about structural reform, if he was really coming to the table in good faith, he would have come to the table 6 months ago. He would have been sitting down in good faith with Republican Senators, Republican Members of Congress, who understand how urgent the problem is, who want to work with this President, who want to work with anyone who is willing to seriously address the fact that we are bankrupting this Nation.

So, again, I find this process absurd. And I would ask the American people to please think about what is happening here. Rather than an orderly process, rather than a process being conducted in the light of day, we are doing it behind closed doors, and there will be something dropped, I am afraid, in our laps with no time to review it—another of these bills nobody has time to read. And that is what the financial fate of America rests on? I don't think so. It should not be that way.

Mr. WICKER. I wonder if my friend would yield on the matter of the process.

Mr. JOHNSON of Wisconsin. Absolutely. The floor is the Senator's.

Mr. WICKER. Of course, the process is important, and it is designed for the President and the Congress to work together to solve these problems. I think the process may be broken, which I think points up why we really, bottom line, need a constitutional amendment to require the President to submit a balanced budget and to require this Congress to enact a balanced budget.

You know, the President submitted a budget to us with deficits as far as the eye could see. The budget was brought to a vote under sort of an interesting procedure here, and it didn't get one single vote. Not one Republican, not one Democrat would vote for President Obama's budget.

We hear rumblings that the Democratic chairman of the Senate Budget Committee may actually be about to bring a budget forward. It has been 800 days. We passed the 800-day mark last week. The chairman of the Budget Committee and the process have failed to work to actually bring a budget out to the floor, out from behind closed doors, as my friend from Wisconsin had said, and let us vote on all of these procedures.

So I would simply say the President's budget was a nonstarter. I think if the Senate Democratic version ever were to be devised and brought to the floor, it would be a nonstarter, which is why we haven't seen such a proposal in 800 days.

Bottom line: Republicans are united on this side in resisting tax increases on our economy at a time when we are at 9.2 percent unemployment, and we are united—all 47 of us—in saying we need a basic change in the process in this country of enacting a balanced budget amendment and sending that amendment out to the States for ratification. That would be the type of process reform I think the American people agree we need.

Mr. SESSIONS. Madam President, I ask my colleague, Senator LEE from Utah who just joined us, his late father was Solicitor General of the United States and law school dean, and we are glad that Senator LEE has put a lot of effort in drafting a constitutional amendment, the good lawyer that he is, that would make a difference for our country.

Maybe the Senator would share his thoughts about his observations as a new Senator on how things are going and why he believes a constitutional amendment, as Senator WICKER from Mississippi said, would be helpful for our country and help put us on a sound path for the future.

Mr. LEE. Madam President, the need has never been greater for us to avoid gimmicks. Gimmickry in this context can have very high stakes and can prove most detrimental to our economy and to the ability of our government to function.

We have to look out for those gimmicks that would say we are going to make a few cuts now, but most of the cuts we are going to propose in return for our ability to raise the debt limit will involve sacrifices by future Congresses, not the 112th Congress. We will just make a few. But we will say that the 113th and the 114th and successive Congresses after will make the difficult necessary sacrifices.

We can't do that. Nothing allows us to bind a future Congress. That is why we need something that is gimmick free. That is why we need to amend our laws of laws, our U.S. Constitution, to place important, meaningful, permanent restrictions on the ability of Congress to engage in perpetual reckless deficit spending of the sort that has produced a national debt now fast approaching \$15 trillion, to a degree that is escalating now at a rate in excess of \$1.5 trillion every single year.

In order to rid the problem, we have to change the root causes. We have to change the ability of the Congress to exercise its authority that it has so severely abused in recent decades under clause 2 of article I, section 8 to engage in deficit spending. A balanced budget amendment, the balanced budget amendment that has been endorsed and embraced and cosponsored by all 47 Republicans in the Senate will do that. We have a growing number of Republicans, a couple dozen, who have now gotten behind the one proposal that

would allow us to approach the debt limit with this in mind, and would require the balanced budget amendment to be part of that, and I urge my colleagues to support that.

Mr. SESSIONS. I thank Senator LEE for his leadership and hard work on that. It is not an easy thing to draft something that people would all agree with, but I think all the Republicans have signed on to that, and we are happy for that, and I believe this is not an impossible dream.

When I came to the Senate in 1997, we had a vote on the balanced budget amendment. It fell one vote short. We got 66; it required 67. How much better off would we have been today, how much less debt would we have placed on our children and grandchildren had that amendment been passed then? I do think it is time for a national discussion again on this issue and to make that change, and would wish to point out something about the debt we now have.

The unemployment rate came in disappointingly with only 18,000 jobs created last month, in June. We look to have 150,000 just to stay level. Unemployment went up. Economic growth in the first quarter was expected to be much higher than it came in. I think the first number was 1.8. Maybe it has been revised to 2 percent.

The Rogoff-Reinhart study has studied debt defaults in countries all over the world for eight centuries, a highly respected study. Secretary Geithner, the Treasury Secretary, said it is an excellent study and in some ways it underestimates the risk.

This study says when your debt reaches 90 percent of the economy, 90 percent of the gross domestic product, it pulls down economic growth by 1 percent to 2 percent. We are now at 95 percent debt to GDP. We will be at 100 percent of debt to GDP by the end of this year.

I believe our growth could have been 3 percent instead of 2 percent the first quarter. And 1 percent growth, according to Obama White House's economic adviser Christina Romer amounts to 1 million jobs created. So I believe we have lost 1 million jobs that could have been created, we have lost additional tax revenue and growth and prosperity that would help us deal with our debt because of the debt. You see, you can't keep borrowing.

Maybe when we get our GDP was 30 percent—maybe that is what it was when Senator WICKER probably came to Congress and now we are at 100 percent. Our debt is as large as the entire productivity of our economy, and economists tell us it is pulling down our growth and it is costing jobs. Americans are not working today because of debt, and what we hear is, Don't worry about it; debts don't matter.

Senator WICKER has been here in the House and in the Senate. Has the Senator seen the situation in which our financial crisis, short term and long term, systemically is more severe than it is today?

Mr. WICKER. Well, I guess I got to the House in 1995; my friend from Alabama came to the Senate 2 years later. I don't think we could have imagined an annual deficit of \$1.5 trillion in 1 short year. We are spending that much more than we are taking in. In other words, we take in \$2.2 trillion a year, approximately, and we spend \$3.7 trillion a year, a difference of \$1.5 trillion. I don't think we ever expected it to get that serious when the Senator from Alabama and I first got here.

Clearly there is no way we can turn back the clock, but the Senator is correct. If we had enacted with just one more vote in this very body a constitutional amendment to balance the budget, clearly we would not be facing this fiscal crisis.

I want to also make a very important point, and it is what all of the papers are talking about, and that is whether somehow a tax increase targeted to deficit reduction is the thing to do.

Listen, my friends, Republicans and Democrats over time until recently have been united in saying tax increases are a bad thing to do. I want to ask my colleagues if they can help identify the public official who said this quote:

The last thing you want to do is to raise taxes in the middle of a recession, because that would take more demand out of the economy and put businesses in a further hole.

Would any of my colleagues care to guess? Senator LEE?

Mr. LEE. That was President Obama in the middle of 2009 who made that comment.

Mr. WICKER. Absolutely. Somehow the President, who made a very cogent and correct statement in 2009, has completely changed his tune now.

We could have a budget deal in place on the floor of the House and Senate and ready to be passed if the President of the United States would simply come back to the position he took in 2009 and 2010. As late as December of 2010, the President was telling the New York Daily News we should keep the tax rates in place. The budget chairman in the Senate told Reuters last July, only 1 year ago, that he supported extending the tax cuts and keeping them in place, because to raise taxes on the private sector during a time of economic downturn is taking money out of the private sector and killing its ability to create jobs.

I would simply call on my colleagues from the other side of the aisle to return to the position they had 1 year ago and 2 years ago. Let's get a budget deal that addresses the debt by cutting spending and be united as we were on that issue some 1 year and 2 years ago.

Mr. SESSIONS. Senator JOHNSON, as I recognized, is a businessman. President Clinton recently said we need to reduce our corporate tax rate. I was on a TV show with Senator BILL NELSON, my good Democratic colleague, who said we ought to reduce some of these tax expenditures, as some call them. My understanding was we could use that to help get our rates down so we are more competitive worldwide and create more jobs.

I guess my question is, if you simplify the Tax Code and you eliminate gimmicks, should the money be applied, as President Clinton suggested, to reducing our rates so we are more competitive or should they be used to subsidize more spending by Washington?

Mr. JOHNSON of Wisconsin. Well, obviously it makes more sense to actually use them to make us more competitive so that global capital actually flows to the United States to create jobs here.

I am a long-term job producer. I certainly recognize it is the private sector that creates long-term self-sustaining jobs. I am afraid that is what our colleagues on the other side of the aisle and President Obama simply don't understand.

I am often asked, Are you surprised by anything in Washington? I will tell you one thing I am not surprised about is that their solution is increasing taxes. Let's face it, we just undertook a \$4 trillion experiment in Keynesian economics. We are down more than 2 million jobs since that grand experience began when President Obama became elected. It doesn't work. And now for the Democrats and President Obama proposing \$1 trillion, \$2 trillion or, as was pointed out, as much as \$2.8 trillion in new taxes? What is that? That is actually taking money out of the private sector where real jobs are created. That would be the wrong direction. That would be a big mistake. That is why the Republicans are united in saying increasing taxes at any time, particularly in a weak economy, is the wrong prescription.

Getting our debt and deficit and spending under control, a balanced budget amendment is the solution. It can actually be enacted very quickly. We don't have to face the crisis that President Obama and the Treasury Secretary are trying to whip up here.

Mr. SESSIONS. I would say that I do believe we are at a national crisis with our debt. I believe it endangers the Nation, because Erskine Bowles, who chaired the Debt Commission appointed by President Obama, has told us that we are facing an economic crisis as a result of the debt in written testimony to the Budget Committee, and he warned that we have to change our course. I certainly believe that is true; and I believe the Rogoff and Reinhart study, affirmed by Secretary

Geithner, is correct, that it is already pulling down our growth. I am worried about the future of our country.

Maybe Senator LEE will wrap up for us. He just finished a campaign, talking to hundreds of thousands of people in his State. What is the Senator's perception of what we need to be doing at this point in time?

Mr. LEE. The American people expect us to stop burying our children and our grandchildren under a mountain of debt, to stop spending money we don't have, particularly when we are spending about 40 cents out of every dollar that is borrowed, much of that being borrowed from foreign sovereign governments such as China.

Obviously there are times when as a country we have needed to do this, when our circumstances have required it. The reason Congress was given this power to begin with is to make sure that, particularly in a time of war, Congress had the means at its disposal to provide for our national defense and to provide for other immediate emergent needs.

But this practice of what I refer to as perpetual deficit spending has become not just something we do on an emergency basis, not just something we do in a time of war or other kind of unusual circumstance; it has become something we do as a matter of course to keep things moving, to keep business as usual operating in Washington to the point where we are accumulating over \$1.5 trillion a year in new debt.

Our constituents in every single State expect more and they deserve better. The reason for this has everything to do with the fact that this unites people along every point along the political spectrum. Whether you are a conservative and you care about the deficit because you want to protect our national defense system or because you care deeply about our economy or whether you are a liberal and you care about the deficit because you are concerned about what this will do to our entitlement programs, all of those things stand in grave jeopardy as a result of this practice of spending, this practice that will result in the U.S. Government having to spend a lot more money every single year to pay interest on the national debt, interest that doesn't benefit anyone, interest that crowds out private investment and kills jobs. That is what voters in my State and every State are concerned about.

Mr. SESSIONS. I thank the Senator. Madam President, I would cite that the interest factor my colleague mentioned is very real.

This year we are expected to pay \$240 billion in interest. How much is that? That is just a number. The amount of money that we spend under the Federal Highway Program is \$40 billion. The amount of money we spend on Federal

aid to education is \$100 billion. This year we are paying \$240 billion.

However, under the budget that was submitted to the Congress by the President—the Democratic Senate has never brought one forward on their own—that budget added \$13 trillion more to the debt, and the Congressional Budget Office, our nonpartisan accountants, has calculated what the interest payment would be in the 10th year of that 10-year budget. It has concluded the interest payment that year would be \$940 billion. That is larger than Medicare, it is larger than Medicaid, it is larger than Social Security, it is larger than the defense budget. These numbers are incredibly large and we cannot—as a gentleman told me at a townhall meeting—borrow our way out of debt. We cannot keep spending. It is dragging down our economic growth right now. It is costing jobs right now.

There are some people who say we do not have enough jobs; we need to spend more. Where are we going to get that money? Borrow that money. We are already borrowing 40 cents of every dollar we spend. Can we afford to borrow more to try to get a sugar high, keep growth artificially growing now? I think we just have to be mature, grownup, and realize we are going to have to work our way out of this fix.

We can do it if we create stability and soundness in our economy. If we do this right we can create a system in which we can have growth. Our business community is hanging in there. They are doing pretty well. They are holding up, but we have to create jobs. We have to have more job growth and more growth in the entire economy. That is what we need.

I do believe the debt is a weight on us. It is a burden that is reducing growth, and we must have that to pull our way out of this crisis. I am glad to see the President has joined in the discussions, but I have to say I think he has moved from the budget he submitted just a few months ago, which was the most irresponsible budget ever submitted to Congress calling for more taxes, more spending, and more debt. In other words, over the period of 10 years his budget laid out that taxes would go up, the spending would go up more than the taxes, and the deficit would go up more than the current path we are on. It made it worse.

We cannot do that. When that budget was brought to the floor—I brought it to the floor—and we got a vote, it failed 97 to 0.

I am glad the President is working now. Together we have to somehow develop a strategy to put us on a course so all Americans and the business community in our country and the world financial community will say: Boy, the United States is getting their act together. They are making the right decisions. They are on a sound course

now. Maybe that is where we need to put our money instead of some other place because they are on the right path. Right now it is very dangerous.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Illinois.

#### DAUNTING CHALLENGE

Mr. DURBIN. Mr. President, I have been participating in the White House meetings with President Obama and the leaders of the House and Senate from both Democratic and Republican Parties for the last several days discussing the deadline we face of August 2, where we are required to extend the debt ceiling of the United States and the larger question about what we will do with our Nation's deficit and debt. It is a daunting challenge but one with a sense of immediacy. Most people across America would just react intuitively and say: Please, no more debt. They wonder why we want to extend the debt ceiling. It is a part of our government and part of our economy that needs at least a little bit of explanation.

Imagine that you have decided to purchase a home and you have a mortgage. To stay in your home and enjoy it, you have to make your monthly mortgage payment. When the time comes, if you do not make your monthly mortgage payment, you run the risk of being pushed out of your home, evicted, foreclosed. That is what we face on August 2, in a different form. If we fail to extend the debt ceiling, we are, in fact, missing our mortgage payment, and it creates problems. The credit rating of the United States of America will suffer as the credit rating of any family would suffer if they did not make a mortgage payment. The likelihood that the United States could borrow more money soon without higher interest rates is diminished. In fact, we would face higher interest rates—our government would—if we did not extend our debt ceiling. That is not the only problem. Higher interest rates for our government mean more taxes have to be paid by our citizens to finance our debt, and interest rates across America will go up as well. So average citizens and families who had nothing to say with this extension of the debt ceiling are going to face higher inter-

est rates when it comes to purchases that they might make for cars and homes and appliances. It would be the height of irresponsibility not to extend the debt ceiling.

Since 1939, I was told this morning, we have consistently, time after time, extended the debt ceiling of America without fail. We have never defaulted. We have never called into question the full faith and credit of the United States. We have never jeopardized our credit rating in the world by failing to meet this responsibility, and we cannot do it now. With an unemployment rate of 9.2 percent, with an economy still recovering very slowly, we cannot run the risk of creating more unemployment and hurting businesses with higher interest rates, and so we have to do it.

At the same time, though, we are embarking on an important, strategic national discussion about our deficit and debt. I don't know whether I am fortunate or unfortunate. For the past year and a half I have been engaged in this conversation in a much more focused way than at any time in my career. I was appointed to be a member of President Obama's deficit commission. There are 18 of us, and I have stayed on to work with 5 of my colleagues, 2 Democratic Senators and 3 Republican Senators, to see if we can come up with a bipartisan approach to deal with a very difficult problem.

Let me give a few facts and a little history that puts it in perspective. Today, for every dollar our government spends in America, we borrow 40 cents. I just left the meeting of the Chinese-American Interparliamentary Union where members of the Chinese Parliament are just a few steps away. China is our No. 1 creditor in the world. China loans more money to the United States, buys more of our debt, than any other Nation. That is worrisome because China, though it is our largest creditor, is also our largest competitor.

Go to your local Big Box store and flip the product over and see where the product is made. Time and time again they are made in China. So this country that is financing our debt is also competing with American producers and workers. It is not a healthy situation. The more dependent we are on these countries to finance our debt, the weaker our economy. So reducing the amount of money we borrow is in our economic best interest, and it lessens the chance that our children and grandchildren will have to pay off the debts we incur.

What is the status of the debt in America? It is about \$14.5 trillion, but it has not been at that level before, and it has not been at that level for a long time. It is likely to go up. Just to give a perspective on it, 10 years ago—just 10 years ago—the national debt of America was \$5 trillion. Now it is \$14.5 trillion. Mr. President, \$5 trillion. It

was the end of the Clinton Presidency, and as President Clinton left office we had 3 straight years of Federal budget surplus. We were bringing in more revenue than we were spending. It was healthy because the excess we collected we put into programs such as Social Security to make sure they would be there for years and years to come. President Clinton, as he left office with a \$5 trillion national debt, which was the debt accumulated across the history of America, and surpluses coming in each year, said to the incoming President, George W. Bush: Next year's budget is going to generate another surplus, \$120 billion. Welcome to Washington.

President Bush became President, and now fast-forward 8 years later. What happened? The \$5 trillion national debt during the Bush administration grew to almost \$11 trillion. It more than doubled in an 8-year period of time. Instead of leaving President Obama a surplus, President Bush said: Next year's budget is going to have a \$1.2 trillion deficit. Mr. President, a \$1.2 trillion deficit. So the President faced the largest single annual deficit as he came to office, President Obama, and a national debt that had more than doubled in the previous 8 years. How does one double the national debt of America in 8 years?

From George Washington until the end of President Clinton, the net national debt of America was \$5 trillion. How did it more than double in 8 years? Here is how: You wage two wars in Iraq and Afghanistan and you don't pay for them. You add them to the national debt. Then you do something that no President has ever done in the history of the United States, in the middle of a war, with annual deficits: you cut taxes. It is counterintuitive. You are taking revenue away from the government when it needs it to pay for a war and to continue the functions of government. So there were unpaid-for wars and tax cuts primarily for the wealthy people in America, followed by programs that were not paid for. Put those three together and build into it an economic theory that if we just keep cutting taxes on high-income individuals, America will get well. The theory fails, and the debt of America doubles in 8 years. That is what happened. It is a fact. It went to \$10.5 trillion from \$5 trillion in just 8 years, and we know what we have gone through since. People are out of work, folks are struggling to get by, and businesses are struggling. That is a reality of where we are.

So when we come together to talk about dealing with this debt, it is a painful topic, and it affects every single American. Here is what we found on the Bowles-Simpson Commission: Any serious conversation about reducing America's debt requires cutting spending and raising revenue. If we do not do

those two things, it will not work. What do we cut? Well, almost everything. We take a look across the board at all Federal spending, whether it is discretionary spending for domestic purposes or for defense purposes. We take a look at the entitlement programs, programs such as Medicare, Medicaid, veterans, agriculture, and we see where we can save money there. And we look at revenue. Where can we come up with revenue that will not hurt the economic recovery but will help us bring our debt under control? The deficit commission came to that conclusion, other Senators have come to that conclusion, and now we are debating it again with the President on a daily basis in the White House.

This morning my colleagues from the Republican side of the aisle came with their solution—at least one of their solutions. It is not a new idea. In fact, it is an idea that has been around a long time. It is called a balanced budget constitutional amendment. We first saw the move for a balanced budget constitutional amendment in modern times during President Reagan's Presidency. It was interesting.

President Reagan increased the debt limit of the United States more than any other President. He ran up the highest deficits of any President in history before him and had this push on to amend the Constitution. It is ironic that at the same time members of his party were spending the money and plunging us in debt, they said the answer was to change the Constitution—not change their conduct, not change the way they managed the government, but change the Constitution. It is like saying: I will not tell you I am going to stop stealing, but I will tell you I will vote for the Ten Commandments. It doesn't work.

We have it within our power, as Members of the Senate and the House, to change the way we spend money in Washington. To say we are going to wait for a constitutional amendment to get it done is to submit it to the States and let them see if three-fourths of the States agree we should amend the Constitution. How long does that take to amend the Constitution? The last amendment to the Constitution took 203 years before all the States—three-fourths of them—got around to ratifying it. Some of them take much shorter periods of time, but there is no guarantee when the States will get around to doing this if they agree with amending the Constitution.

So I ask my friends on the Republican side of the aisle: Instead of focusing on the Constitution, why don't you focus on the here and now, the authority we have as elected Senators and Members of the House to do something, not to give speeches and preach about changing our Constitution.

I have to tell you, when it comes to this Constitution, I don't address it

with fear but with humility. This is a document which is revered not only in the United States but around the world. To say that, well, we are just going to change the Constitution to deal with today's problems, I am skeptical and I am reluctant and I am humbled by the fact that those words have created the greatest, strongest democracy on Earth.

Before we start changing the words of that Constitution, I always say: Is there another way to do it? The answer is, yes; clearly there is. Instead of speeches on the floor of the Senate about constitutional amendments, why don't we have speeches on the floor talking about the bipartisan deficit commission and what we can do about our debt? Why don't we honestly come together and say everything has to be on the table—everything? All spending programs, all entitlement programs, all taxes have to be on the table, and let's take an honest look at how we can address them and make this economy strong and moving forward. That is what we face.

We have had a bad track record from some Members on the other side of the aisle who give speeches about constitutional amendments but don't stick around for the hard choices. We had a chance to put a bill together into a law that would have made a vote of Congress mandatory on bringing the budget deficit down dramatically. Seven Republican Senators who were cosponsors of that bill when it came to the floor voted against it and defeated it. They walked away from it. We have had conversations here where Senators have come together and tried to work out our differences on deficits and come up with a plan. In one group I have been part of, one of the Republican Senators walked away from it, and it basically was put on hold because of that.

Vice President BIDEN was given the authority to sit down in a bipartisan conversation and come up with an approach to the deficit and the Republican House majority leader walked away and said, I am not going to participate. This last week, President Obama was working directly with the Republican House Speaker, trying to come up with a plan over the weekend and the House Speaker said, I am walking away from it.

So the Republican Party has become the "walk away, Renee" party when it comes to this deficit. We have to keep them in the room. They have to stop theorizing about constitutional amendments down the road months and years from now and deal with the here and now. The reality is we need to extend our debt limit, we need to deal with our deficit in an honest way, and we need to put everything—underline everything—on the table. That is painful on our side of the aisle when it comes to entitlement programs and it is painful on their side of the aisle when it

comes to taxing those in higher income categories. But until we reach that point, this conversation is going to continue to lead to more debt, more money being borrowed from China, and an economy that is not going to get back on its feet.

I think we can do this in a responsible fashion. I hope we can have a bipartisan approach to it. It is the only way it will work. With a Republican House and a Democratic Senate, we need a bipartisan approach. We will be returning this afternoon with the President to deal with this, to work on approaches to it, and I hope we can get something done in a positive fashion.

This morning Senator McCONNELL said some interesting things I wish to address. Senator McCONNELL is the Senate Republican leader. He implied that this debate should be fairly easy. I wish he were right. He said the Republicans have been the party that has brought an open mind to these discussions. Well, I don't think that is a fact that can be proven based on what I said earlier.

He said:

The suggestion has been made that this debate was hinged on the question of whether or not the two parties could find a solution to our economic problems without raising taxes. Wrong. We could have done that without breaking a sweat.

He added:

It's no secret how to solve the entitlement crisis either. Any one of the people involved in these discussions could write it out on the back of an envelope.

Perhaps that is part of the challenge here. I know the Republican approach to Medicare is much different than the Democratic approach. The House Republican budget would have dramatically changed Medicare as we know it. It would have doubled the out-of-pocket expenditures of senior citizens. It would have put the Medicare Program in the hands of private health insurance companies. Unfortunately, it would have put many seniors in their sixties, seventies, and eighties at the tender mercies of health insurance adjusters. That is not a good approach to health care for our seniors.

The challenges we face are not easy, they are not cosmetic, and they can't be solved by letting the market—meaning insurance companies—run Medicare.

In these negotiations, I believe many Democrats, myself included, are willing to sit down and talk about reductions in government spending. Even though I believe in my heart of hearts our economy needs a stimulus at this point and reducing spending may be exactly the wrong thing to do, I am still prepared to sit at the table and find a consensus if we can when it comes to spending cuts.

But we shouldn't make this economic challenge be subject to dramatically changing the benefits under Social Se-

curity and Medicare and Medicaid. These programs are critical for families across America. Some of them have watched their savings disappear, their pension plans evaporate in a bankruptcy court, and they count on Social Security. We have to be there to make sure Social Security will be there for them.

Senator McCONNELL also wants the Senate and the American people to think Republicans are negotiating in good faith and the Democrats are not. He said:

We showed a willingness to sacrifice all along even as we made it crystal clear from the outset that tax increases would not be a part of the agreement.

So I have to ask Senator McCONNELL: What is it the Republicans are willing to sacrifice in this debate? He went on to say:

There can be no question by anyone involved in these discussions that Republicans are willing to make tough choices.

Again, which tough choices? Right now we are at a stalemate in our conversations with the President because the Republicans have been unable to come up with an approach that will meet the needs of deficit reduction.

So we need to work together. Both sides need to be willing to make these tough choices and face these challenges. Unless and until we do this on a bipartisan basis, we will not be serving the people who elected us.

It struck me as I sat in that room the other night—the Cabinet Room with the President—what a rare honor it is for me and for every one of us in that room to be there, to be entrusted with this responsibility for this great Nation of over 300 million people who are counting on us to do something historic and maybe politically bold. I am prepared to do that. I hope others are as well. I think if we approach it on a bipartisan basis, with both sides willing to give, with everything on the table, we can solve this, and we should do it as quickly as possible.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1323, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1323) to express the sense of the Senate on shared sacrifice and in resolving the budget deficit.

Pending:

Reid amendment No. 529, to change the enactment date.

Reid amendment No. 530 (to amendment No. 529), of a perfecting nature.

Reid motion to commit the bill to the Committee on Finance, with instructions, Reid amendment No. 531, of a perfecting nature.

Reid amendment No. 532 (to the instructions (amendment No. 531) of the motion to commit), of a perfecting nature.

Reid amendment No. 533 (to amendment No. 532), of a perfecting nature.

Mr. DURBIN. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, let us be very clear that in terms of the deficit-reduction package that is being debated, we are talking about an issue of huge consequence not only for people today but for our kids and our grandchildren. This is likely, from a domestic perspective, the most important issue any Member of the Senate or the House will ever vote on in his or her political career. This is a huge deal which in many ways will shape the future of America.

I know the media refers to the discussion as whether we are going to have a big deal of \$4 trillion or whether we are going to have a smaller deal of \$2 trillion, but the real issue is whether we are going to have a fair deal—a deficit-reduction package that represents the interests of working people and the vast majority of our people or whether we are going to have a deficit-reduction package that ends up reflecting the needs of the wealthiest people in this country, who are doing phenomenally well, and the largest corporations, which in many instances are making recordbreaking profits. That is really what the debate is about.

The Republican position on deficit reduction has been extremely clear and is consistent with their rightwing ideology. Despite the fact that our current deficit crisis has been caused by two wars—unpaid for—huge tax breaks that have gone to the wealthiest people in this country, and a recession caused by the deregulation of Wall Street and the lack of revenue coming in as a result of that recession, our Republican friends are adamant that while the richest people in this country are becoming much richer, while today we have the most unequal distribution of income and wealth of any major country, where the top 400 individuals own more wealth than the bottom 150 million Americans—that gap between the very rich and everybody else is growing wider—our Republican friends say the deficit must be balanced on the backs of working families, the elderly, the

sick, and the children. No, the very rich, the top 1 percent, who now earn more income than the bottom 50 percent, should not be asked to contribute one penny more.

The Republicans are very clear, despite the fact that corporate profits are soaring, that corporation after corporation is enjoying huge tax loopholes that enable them to make billions of dollars a year in profits and not pay one penny in taxes. Republicans say: Sorry, off the table. Large, profitable corporations, with CEOs making millions a year, don't have to contribute to deficit reduction. Only the children have to contribute, the elderly have to contribute, and only working families, the unemployed, and the sick have to contribute to deficit reduction. We have to balance the budget on the backs of those people. But if you are very rich and getting richer, if you are a profitable corporation, that is off the table. You don't have to contribute a nickel.

Poll after poll shows that the Republican position and their ideology is way out of touch with what the American people need or want. This is not BERNIE SANDERS talking; this is the American people talking. In poll after poll, when the American people are asked, "What is your preferred option in terms of deficit reduction?" they say it is to ask the wealthy to pay more in taxes. So when our Republican friends say the American people don't want to raise taxes on the wealthy, that is just not true.

To my mind, what the Republicans are proposing is immoral in terms of coming down heavy on the most vulnerable people in our society, people who are already hurting as a result of the recession. When real unemployment is 15 percent, what do you want to take out of those people? They do not have any job. We have the highest rate of childhood poverty in the industrialized world—21 percent of our kids living in poverty. They want to cut them even more? We have hunger among senior citizens in this country going up. They want to take away their nutrition programs? Not only is that immoral, to my mind, it is bad economics because you don't get the economy moving until working people have some money to go out and buy the goods and services that companies are selling.

To my mind, where the Republicans are coming from on this issue is way out in right field and way out of touch with where the American people believe we should go. But having said that, I have to say I am very confused as to where President Obama is coming from on this issue. And maybe I speak here as an Independent—not a Republican, not a Democrat, but the longest serving Independent in American congressional history—but I think I speak for the vast majority of the American

people on this issue. Where is President Obama on this issue? We know where the Republicans are coming from. But suddenly, out of nowhere, President Obama tells us that Social Security cuts have got to be placed on the table.

Where does this come from? The President understands that Social Security hasn't contributed one nickel to our deficit. In fact, Social Security has a \$2.6 trillion surplus today and can pay out every benefit owed to every eligible American for the next 25 years. Social Security is funded by the payroll tax, not by the U.S. Treasury. The President understands that. Yet the President has now put on the table significant cuts in Social Security as well as Medicare, as well as Medicaid, despite his knowledge and his previous statements that cuts in these programs would be devastating to ordinary Americans.

The President of the United States, Barack Obama, in recent statements has talked about the growth of political cynicism in this country and has argued the American people are sick and tired of politicians who refuse to tackle big issues. There is truth to what he is saying. But there is also a bigger truth, and that is the American people are sick and tired and dismayed about candidates who run for office saying one thing, and then, after they are elected, doing something very different.

In that regard, let me mention that when candidate Barack Obama ran for office he told the American people over and over he was going to fight to protect the needs of ordinary Americans, and the elderly and the sick and the children. Among many other promises he made during his tough campaign against Senator MCCAIN, he said he was not going to cut Social Security benefits. That is what he said over and over.

Let me quote then-Senator Barack Obama and what he told the AARP on September 6, 2008:

John McCain's campaign has suggested that the best answer for the growing pressures on Social Security might be to cut cost-of-living adjustments or raise the retirement age. Let me be clear: I will not do either.

That was Barack Obama in September 2008. So, Mr. President, when you ask why the American people are frustrated with politicians, why they are increasingly cynical, it has a lot to do with candidates who say one thing and do another. If you told the American people you are not going to cut Social Security, then don't cut Social Security. Keep your word.

In case people think: Well, these proposed cuts are not significant; they are trifling, let me quote from a document from Social Security Works, a coalition of many organizations that is doing a great job defending Social Security. And when President Obama and

others are talking about cutting Social Security, one of the approaches they are looking at is changing how we do COLAs—how we do CPIs. So this is from that document by Social Security Works:

The Congressional Budget Office estimates the adoption of the so-called "Chained-CPI,"—

Which is what I believe the President is talking about.

which would be used to determine Social Security's annual COLA under this proposal, would cut benefits by \$112 billion over 10 years. The Social Security Administration's Chief Actuary estimates the effects of this change would be that beneficiaries who retire at age 65 and receive average benefits would get \$560 less a year at age 75.

Let me repeat that. They would receive \$560 less a year at age 75. That may not seem like a lot of money to some folks around here, but when you are trying to get by at the age of 75—when you have all kinds of medical bills and you have all kinds of prescription drug costs and you are trying to eat, and maybe you are getting \$14,000 a year in Social Security—\$560 a year is a lot of money.

But then it gets worse. Because what the Social Security Administration estimates is that at 85—and more and more people, thank God, are living to 85, people who are very fragile at age 85—people would see cuts of about \$1,000 a year. So the longer you live, the more your cuts.

Is that what we are about in America now? We don't ask billionaires to pay any more in taxes, but we tell somebody who is 85 years of age, living on \$14,000 a year, they would get \$1,000 less than otherwise because we have adopted this so-called chained CPI that I gather the President is pushing.

I think the issue is very clear, and that is that the Senate, this Congress, have got to stand with the overwhelming majority of the American people who understand that the solution to this deficit crisis requires shared sacrifice. Yes, we have to take a look at waste and fraud and bureaucracy at every agency of government. No one disputes that. Yes, we have to take a hard look at military spending, which has tripled since 1997. And yes, maybe we have to bring the troops home from Iraq and Afghanistan sooner than many here wish, or that the President wishes, and save substantial sums as we do that. But most certainly, if we are going to go forward with shared sacrifice, yes, we do have to ask billionaires, who—despite all their power and all their campaign contributions and all of their lobbying—are doing phenomenally well, to contribute to deficit reduction. And yes, maybe those companies that stash their money in tax havens in Bermuda and the Cayman Islands in order to avoid taxes to this country—\$100 billion a year—will have to start paying their fair share.

On my Web site, which is [sanders.senate.gov](http://sanders.senate.gov), I put a letter which said: Mr. President, stand tall, take on these rightwing ideologues who want to make devastating cuts to working families. In a couple of weeks, we have had 135,000 signatures on that letter. I think that letter reflects what the American people want. They want shared sacrifice. They do not want to see the elderly, the kids, or working families being battered more and more, especially in the midst of this recession.

I would say to President Obama: Do not assume—do not assume—because you work and reach an agreement that everybody here is going to support that agreement. The American people demand fairness, they demand shared sacrifice, and some of us intend to bring that about.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, I ask unanimous consent to speak for up to 7 minutes. I don't believe I will need all of that.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Massachusetts. Mr. President, I always enjoy listening to my New England colleague speak. The rightwing rhetoric stuff, though, doesn't work for me when people of good will on both sides of the aisle are trying to solve these problems.

We are working on a sense of the Senate here today, and I am rising to speak about my own sense of the Senate. It is an amendment I filed to this bill we are on addressing a key commonsense idea. It is very simple: Don't raise taxes on small businesses, period. But especially don't raise taxes at a time when unemployment is over 9 percent and there is meager job growth throughout the country. Quite frankly, it has stalled out. We can't afford more of the failed economic policies we have been experiencing. Frankly, I can't believe increasing the tax burden on small businesses is even on the radar screen here in Washington. It makes no sense to me. I want to do the opposite. I think we should respond to these terrible unemployment numbers with a progrowth idea such as a payroll tax deduction for businesses that hire workers. Let's do something constructive, something that adds incentives to actually get our economic engine moving again, especially with the businesses that do it best, which are small businesses.

The idea we would raise taxes right now on small businesses is the very definition of being out of touch with the people back home who actually work for a living and who create jobs for others. As I travel back to Massachusetts—and I do that virtually every weekend—I meet with constituents,

and I think I have had over 230 or 240 meetings since I have been elected. The biggest question I am always faced with is: What is going on in Washington? Why do you guys always throw a wet blanket over us, with overregulation, overtaxation, creating a lack of stability and certainty? It is not something that is making a lot of sense back home.

When I hear from small business people back in Massachusetts, they are worried they can't hire more workers. We need to actually create confidence in our small businesses so they will put people back to work. Instead, we are terrifying them with these tax proposals and a lot of the rhetoric they are hearing here today. They do not know what is coming down. They do not know what is next. People up here listening have no clue what is next. What are we in Washington going to do next that will throw that wet blanket on things? Yet we expect them to hire a new employee? It is not going to happen.

In particular, there have been recent calls from some on the other side of the aisle to repeal the LIFO—last in, first out—accounting method, and applying it retroactively, without even reducing the corporate tax rate or doing anything to soften the blow on small businesses. That would be disastrous on those who depend on the current system. As the Presiding Officer knows, our corporate tax rate is already the second highest in the world. If Japan lowers theirs, ours will be the highest. And it is often the small local companies that get punished the most. Yet some here in Washington want to tax small businesses more. I don't get it; I am sorry.

Despite these many challenges, in the past decade this country has seen the creation of more than 300,000 small businesses—companies with 500 employees or less. These small firms and the founders who started them took risks during a time many large companies had been downsizing. As a member of the Small Business Committee, I hear testimony regularly from many of our business leaders expressing the difficulties of the current environment, and I believe we absolutely need to do everything in our power to protect small businesses from the heavy hand of government—the overregulation, the lack of certainty and stability, the potential overtaxation.

In Massachusetts and throughout this great country, small businesses, and especially manufacturers, have been the key to our economic recovery. They are the economic engines in Massachusetts and the rest of the country. They are the lifeblood of our economy. They range from mom-and-pop stores to some of the country's most cutting-edge, high-tech startup companies. How can we tax these job-creating small businesses and then stand on the

Senate floor and speak about how awful it is that unemployment is at an all-time high, cloaking it in the language of rhetoric of "millionaires and billionaires, and corporate jets." We all know, even if we do the things we talk about, it doesn't get us close to solving or dealing with the problems.

It is outrageous and, quite frankly, the American people can see right through it. We should be doing better. So I filed the amendment today to say that I, for one, will not support more burdens on small businesses. They already face enough problems and challenges.

The current unemployment numbers that we are all seeing from States across the country should serve as a wake-up call that people are still hurting. They need some relief. They want to do their best, but they are being stifled. That wet blanket is hurting them and stopping them from creating jobs. It should be our No. 1 priority, and I hope it will get the attention and support of every one of my colleagues.

If you care about the survival of your State's small businesses, stop proposing increasing the taxes, increasing regulatory burdens, creating that wet blanket and killing off the incentive to actually go out and hire.

Mr. President, I thank you for your courtesy in the beginning, and I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

#### SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT—Continued

Mr. KIRK. Mr. President, I ask unanimous consent to speak for 2 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### VETERANS AFFAIRS AND MILITARY CONSTRUCTION APPROPRIATIONS

Mr. KIRK. Mr. President, I urge Members of this body to support closure on taking up the debate on the veterans and military affairs appropriations bill for next fiscal year. Chairman JOHNSON and I have put together a completely bipartisan bill which was unanimously supported by Republicans and Democrats in the Senate Appropriations Committee. This bill basically marked its spending level to the level approved by the House of Representatives, that passed the subcommittee, the full committee, and out on the House floor. The bottom line for its budget authority discretionary spending is the bill comes in \$1.2 billion below the President's spending request, \$620 million below last



year's enacted level, and is even \$2.6 billion below the House. There are no earmarks in this bill.

A few details. The bill does provide \$128 billion to support our over 22 million veterans. That is \$182 million in budget authority discretionary below the administration's request.

The bill provides \$13.7 billion for military construction. That is about \$1 billion below the administration's request or \$279 million below the House bill.

Our Senate bill cuts or eliminates 24 separate projects, and all of those cut decisions were made in coordination with Chairman LEVIN and Ranking Member MCCAIN from the draft Senate Armed Services Committee bill so that appropriations and authorization are synched up. We also completely denied funding for the building of a new facility to house the current Court of Appeals for Veterans Claims.

The bill also lays the policy groundwork for making further spending reductions in outyears for Obama administration potential requests for funding in South Korea, Germany, and Bahrain.

In short, we believe that this bill should move forward, that the Appropriations Committee should begin its regular work, and because this is a unanimous, bipartisan product from the Senate appropriations bill and it marks to the House level, I urge Members to support cloture on a vote we expect tomorrow morning.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I take this time to talk about the pending business: the deficit of this country and the looming debt ceiling limit that will be exceeded in August if we don't take any action in the Congress.

First, let me talk a little bit about the debt ceiling. There has been a lot of talk about the debt ceiling as to what is responsible for Congress to do.

We all know that over the last 50 years or so, the debt ceiling has been increased over 80 times. It is done after the fact. That means we have already incurred the liability, and the question is whether we will pay our bills.

The decisions we have to make in regard to our fiscal policies need to be made at the time we consider the budget, but now we have to pay our bills, and raising the debt ceiling is not only a legal responsibility that we have to pay our bills, it is also a moral responsibility and speaks to whether we are willing to live up to our obligations.

The failure to raise the debt ceiling would be irresponsible. It would jeopardize our national security because it would cost taxpayers more money, and it would say to the world that U.S. bonds, which are the safest in the world, are called into question. I think we all should agree we need to make

sure we increase the debt ceiling in time so we do not cause those adverse effects to our Nation.

The debt ceiling debate gives us an opportunity to do something about the deficit. Our deficit is not sustainable. By that, I mean if we do not change course, our debt will be too large as a percentage of our economy to be sustainable. We need to deal with spending and we need to deal with revenue and bring them into balance.

The discussions on the debt ceiling could be the opportunity for us to develop a credible plan to manage our deficit, and I certainly hope that is the case, that we come together with a credible plan to manage our deficit. I hope it will be bipartisan, that Democrats and Republicans will work together on a plan. It would not be exactly what either side wants. In fact, we will both have to make compromises. If we do that, if we have a credible plan, I believe it will stimulate our economy and clearly help us create more jobs, which is the best we can do to help reduce our deficit.

To start, we have to understand how we got to this point. Ten years ago, we had surpluses. Ten short years ago, we had surpluses. We were concerned that we might be retiring all of our privately held debt. I was proud to have been part of the Congress that voted on the legislation that brought our deficits down and gave us a surplus and one of the longest periods of economic growth in America's history.

Then, during the previous administration which inherited that large surplus, policies were brought forward to cut taxes, not once but twice. Many of those tax cuts went to our wealthiest people. The United States went to war in two countries and borrowed money in order to pursue those wars—I think the first time in modern history the United States went to war and asked the people to sacrifice by cutting taxes. The end result was large deficits, and when Barack Obama became President, he had huge deficits, unlike George W. Bush, who had huge surpluses. When George W. Bush took the oath of office for the Presidency, our economy was growing jobs. When Barack Obama became President of the United States, we were losing 750,000 jobs a month.

That is the current situation. The situation we face today is we have these deficits we have to deal with. How do we deal with them? We need a balanced approach.

I must tell you that I am proud Senator CONRAD, on behalf of the Democrats on the Budget Committee, has come forward with a credible plan that preserves the priorities of this country to grow and does bring our deficit under control. I am proud to be a member of the Budget Committee. Working with Senator CONRAD, working with my Democratic colleagues, we put together the plan Senator CONRAD spoke about on the floor earlier this week.

First, the most important aspect of Senator CONRAD's budget is that it brings down the deficit by \$4 trillion over the next 10 years. It actually has more deficit reduction than the House-passed so-called Ryan plan that the Republicans in the House sent over to us. The Conrad plan that the Senate Democrats have come up with will bring about more deficit reduction and substantially more deficit reduction than the Bowles-Simpson commission had recommended because we are using more accurate numbers.

It would stabilize the debt by 2014. That is a very important point. I think what we are all trying to do is manage our deficit and at the same time help our economy. That is what the Conrad budget does. It stabilizes the debts by 2014, and it starts with reducing domestic spending. When we look at spending generally and what has happened, we are now spending about 24.1 percent of our GDP. The Conrad budget over 10 years would bring that down to 22.1 percent—a substantial reduction in our spending programs. Let me tell you, 22.1 percent would be the same amount of government spending as we were spending during the Reagan Presidency. This is not any radical approach to saying we are going to spend a lot more money. Instead, we are bringing spending down to the level it was when Ronald Reagan was President of the United States.

The budget would also deal with our obligations for mandatory spending. We took major steps to do that in the last Congress. The passage of the affordable care act helped us to put forward a blueprint to manage our health care costs as a nation by providing universal coverage, by investing in health information technology, by investing in wellness programs, by investing in reducing readmissions to hospitals—the list goes on and on. We are getting a handle on health care costs. The CBO says to us that the bill we passed in the last Congress would reduce Federal spending by over \$1 trillion over the next 20 years. By reducing health care costs, we reduce Medicare and Medicaid future responsibilities. So we have already taken some steps.

The Conrad budget that the Democrats in the Senate have brought forward will build on that to bring about additional savings in domestic spending. But the important thing about the budget Senator CONRAD has brought forward as compared to the Ryan budget, the Republican budget that passed the House, is that the Conrad budget invests in America's future because it is balanced. We invest in what is important for job growth in America. We continue to make education a top priority so American families can afford to send their children to college, so we invest in improving educational opportunities for all people in our Nation.

The Conrad budget allows us to invest so America can continue to lead

the world in innovation. That has been where we have created so many jobs. In my own State of Maryland, I look at where the job growth is, and I see small innovative companies developing ways to protect our Nation in cyber security, I see them finding ways to solve our energy problems, moving forward with health technology—all in innovation, all from the ability to use our creative genius to keep America in the lead economically.

The Conrad budget allows us to continue our investments in NIH in basic research. The Ryan budget does not allow us to do that. There are significant cutbacks in all those areas.

The Conrad budget, which the House and Senate Democrats have brought forward, allows us to invest in our infrastructure—our roads, our bridges, our water systems, our transit systems—so that America can truly be competitive in the future, creating more jobs for the people in this Nation.

The budget also deals with our military spending. Let me tell you one fact that I think the people of this Nation should understand. America spends as much on defense as almost the entire amount spent by all the other nations of the world. It is difficult to see how our Nation can continue to grow the way we want to with so much of our budget tied up in national defense. We need to figure out a better way and one where we can save money. Between 1997 and 2011, the defense budget of our country grew from \$254 billion a year to \$688 billion a year. What does the Republican budget do? They just increase those numbers dramatically over the next year, 5 years, 10 years. The Democratic proposal recognizes the reality that we can bring our combat troops home from Afghanistan, that we can expect the international community to do more, and we can bring about savings on the military side.

Let me talk about the last major component of the Conrad budget and how it differs substantially from the Ryan budget; that is, the area of revenues. I know there has been a lot of discussion about revenues. What does the Democratic budget do in this regard? It takes our revenues to 19.5 percent of our gross domestic product. That is the same amount that was raised during the Clinton Presidency when we had unprecedented prosperity and job growth in America. How do we get there? How do we get the revenues we need in order to be able to bring this debt under control? Senator CONRAD has given us some direction on how we can do that. He has pointed out that shelters and loopholes need to be closed. These are inefficiencies in our Tax Code today.

I have taken the floor on two occasions recently to talk about some that I think we should eliminate. One is the ethanol subsidy. We had a vote on the

floor of the Senate, and the majority of Senators voted in favor of eliminating the ethanol subsidy. Why? Because it is not needed. Ethanol sales are not dependent upon a Federal tax break. Second, it is causing a disruption in the agricultural community. I pointed out that the poultry industry in Maryland suffers from the high price of corn, costing us jobs. Eliminating the ethanol subsidies is a win-win situation. Why not take that money and use it for deficit reduction?

I also pointed out the major gas companies in this country are receiving subsidies from the taxpayers. Their profits in the first 3 months of this year were \$34 billion. They certainly don't need the help from the taxpayers. The taxpayers have already given them too much in the price of gasoline at the pump, which has hurt our economy except for the profits of the gasoline companies. So there are tax loopholes, and there are shelters that could be closed that amount to a substantial amount of Federal expenditure. And, yes, the highest income taxpayers, the millionaires and billionaires, is it reasonable or right or fair to expect that they should continue to get these lower tax rates that were temporarily extended under the Bush administration indefinitely when we are trying to figure out ways in which we could bring the budget into balance?

Senator CONRAD has made it very clear that there would be no change from the current tax rates for those families who have \$1 million of income or less. I think that is a pretty generous commitment about not changing tax rates, particularly during these economic times.

Let's compare the budgets. The Republican budget, the Ryan budget, says: Look, all the savings are going to come out of the spending side and, in fact, we are going to have some additional tax cuts—asking middle-income families to pay more while our wealthiest enjoy even more tax breaks.

The Democratic budget, submitted by Senator CONRAD, says: We are going to be balanced. Mr. President, 50 percent of our deficit reduction is on the revenue side, but that includes reducing tax expenditures, tax spending. We spend money in the Tax Code, \$1.4 trillion a year. I don't understand the difference if we are spending more on housing on the Tax Code or spending money on housing on the appropriations bill. Both should be subject to the same type of scrutiny.

So why aren't we using a similar standard? Well, we have a chance to do that in the Conrad budget—50 percent from revenues, including tax spending, 50 percent from the direct spending cuts. That is a balanced approach. That is a credible approach. It is an approach that will protect our most vulnerable. Our students are protected to make sure we continue our commit-

ment to education and to the cost of higher education through the Pell grants. Our seniors are protected in that we do not do what the Ryan budget would do with Medicare and Medicaid.

Let me remind you, the budget the Republicans passed in the House would change Medicare fundamentally, changing it from a program that guarantees benefits to our seniors to a program where seniors would get a voucher and have to go out and buy from a private insurance company and be at the whim of private insurance companies for adequate protection against their health care needs. It is estimated their health care costs would grow when fully implemented by \$6,000 a year. The seniors of Maryland cannot afford an extra \$6,000 a year. That will be the difference between an individual getting adequate health care or not.

The Conrad budget rejects that type of radical change in our Medicare system. The Ryan budget would require the block-granting of Medicaid to our States. Our States are already burdened. The chances of them being able to maintain their commitment to young people who depend on the Medicaid system, our seniors who depend upon it for long-term care, is very remote. The Conrad budget protects those programs to make sure we live up to our commitments to provide adequate protection to our families and seniors.

Social Security is protected in the Conrad budget because Social Security didn't cause the deficit. Social Security should be considered outside the budget debates, and I think more and more of the Members are now coming to that conclusion.

Let me mention one other point I think is very important about the Democratic budget that Senator CONRAD has brought forward. It recognizes our Federal workforce. I know my colleague is particularly concerned about that representing the State of Virginia. I am particularly concerned about that representing the people of Maryland. We have a lot of dedicated Federal workers who have devoted their careers to helping this Nation by protecting our Nation in their service in homeland security or protecting us in regards to how they deal with health services or how they deal with our veterans. These are dedicated people, and they have already contributed to this deficit reduction. Two-year pay freezes have already been implemented. They have already done their share in helping us bring our budget into balance. The Conrad budget, I am proud to say, says that is enough. Let's not jeopardize our Federal workforce by reducing their compensation package in addition to the freezes. It shows we can do it that way.

Take a look at the Ryan budget that the Republicans have sent over. It contains major reductions in the compensation packages going forward for our Federal workforce. There is a better way. The better way is the Conrad budget.

Quite frankly, we have a choice. We have a choice on whether we are going to move forward and how we are going to move forward. I strongly support a credible plan to deal with the deficit. As I said, we need to get our deficit under control, but we can do it in a way that preserves opportunities for all Americans, creates job opportunities that are desperately needed for our Nation, and protects America's most vulnerable. To me, that is maintaining America's future. That is giving us the best hope so our children and grandchildren will enjoy the opportunities of this great Nation, and that should be the guiding force for our work.

I certainly hope my colleagues will work together so we can come together for the future of this Nation.

With that, I would suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. BLUNT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. BLUNT. Madam President, conversations continue today about exactly how we are going to meet the financial obligations our country faces. A fundamental question on hand seems to be do we borrow more and spend more or do we make the serious decisions that will get our Nation back on sound financial footing.

Today, our national debt stands at over \$14 trillion. Unemployment continues to rise, with more than 14 million Americans out of work now, and the government continues to spend more money than it collects, or that I believe it should collect.

As the cochairs of the President's own fiscal commission have warned, if we fail to take swift action, the United States faces, according to them, the most predictable economic crisis in history. A quote attributed to many people, including my fellow Missourian Mark Twain, would be that it is hard to make predictions, especially when you are talking about the future. But the easiest to predict is demographics. If you know how many people are here now and have all the other demographic information you need, you should be able to figure out what the population is going to look like.

As the population gets older, our programs for seniors will cost more. At his news conference yesterday, President Obama was asked about Social Security

reform. He said, in a statement that I didn't quite understand, that Social Security is not the source of our deficit problem. Then he went on to say that the reason we do Social Security in the debt ceiling plan is to strengthen Social Security, to make sure benefits are there for the seniors in the outyears.

I agree totally. This is the time to deal with Social Security—particularly the time to deal with it if you are going to deal with Social Security in a way that doesn't impact anyone who is retired or who is approaching retirement. The President went on to say the Republicans want to talk about Social Security as part of a broader deal because it is politically difficult to vote on.

I actually think a lot of Democrats and Republicans want to talk about Social Security because we know now is the right time to save it. If you are going to save it for future generations, you have to start sooner rather than later.

Our colleague, Senator BAUCUS, chairman of the Finance Committee, said during a hearing in May on deficit reduction and Social Security:

Addressing our deficits and debt is an economic issue, a national security issue, and a moral issue.

He went on to say:

We have a moral obligation to leave this place better than we found it.

I agree with his quote. If we are going to leave Social Security better than we found it, we have to begin to work on it right now. Each year, Social Security costs are higher. This year, they are going to be 3.6 percent higher than last year. That is a 1-year increase—3.6 percent in 1 year. The workers-to-beneficiary ratio—and we know how Social Security works, with people paying in who largely fund the money going out today. The people paying in in 2035 will be 2.1 for every person working.

In the current system, there is no way the pages on the floor today are going to be able to pay half of whatever the average recipient gets. But that is what you would have to do if we don't change the system.

We have to deal with the deficit facing Social Security. I think we need to deal with that now, whether it is politically difficult or not; otherwise, there won't be a Social Security Program that works for the people who are paying in today. Social Security no longer collects what it spends. We have a \$45 billion deficit, or a shortfall, in 2011, and the truth is that we are still cashing in the IOUs to Social Security, and we will do that as long as they are there, but eventually those IOUs will run out as well.

Over the next 10 years, it is projected that we will spend \$547 billion more than comes into the Social Security trust fund. According to this year's

Medicare and Social Security trustees report, Social Security is now operating under permanent annual deficit for as long as they can calculate. Permanent annual deficits won't work, so what would work?

Today, I want to discuss a plan to put Social Security on a path that means our children and grandchildren can have confidence that the contributions that come out of their hard-earned paychecks will result in benefits when they retire. Ask people you know at work who are in their twenties and thirties if they expect to collect Social Security benefits. Just under 26 percent of voters under 40 believe it is even somewhat likely they will receive all their promised Social Security benefits—26 percent believe it is somewhat likely—not absolute but somewhat likely.

And just to give you an idea, 15 percent of people believe Social Security will be fine if it is not reformed—15 percent—while 20 percent of people polled believe aliens exist and live among us. So the number of people who believe aliens exist and live among us is higher than the number of people who believe Social Security will be fine if it is not reformed.

The last time the Senate and the House made comprehensive changes in Social Security was 1983. Well, it is time to do it again. It is time to do it again, and we can make changes in the program that will not affect those who are approaching retirement, though that will be always the charge: They are going to take Social Security from retirees. Well, this is a plan that talks about people who are 55 and younger and no change for anybody who is 55 or older today.

So if you are 55 or older, and you hear the discussion about this plan, it has nothing to do with you. It will not affect your Social Security. So that is the first point. The second point is we would need to look at a new cost-of-living index that is based on the costs that seniors have. The third point is that we need a new distribution formula. If we do those three things, we will have a solvent system for at least seven decades.

In the next 70 years, somebody can look at this to come up with a plan to be sure it goes beyond then. But seven decades is about as far as we can safely predict anything. This would protect the life of Social Security for at least that long as a solvent system.

Most seniors live on a fixed income, and they feel it when their utility bills go up, their health care costs go up, or when their food prices go up. The current cost-of-living adjustment, the so-called COLA formula—calculated by the Bureau of Labor Statistics, known as the CPI or the Consumer Price Index—tracks purchases by working-age individuals. Frankly, what working-age individuals buy may be quite

different from what seniors spend their money on, or at least how most seniors spend their money. Many economists believe this causes the CPI to misrepresent the inflation that impacts seniors, and seniors deserve better.

For example, the rising cost of education and childcare are heavily weighted in the current formula. These costs don't often have the same impact on seniors as they do on the working-age population or the younger population. But health care costs and utility bills, as an example, have more impact on seniors and on the budget of seniors than they do on the working-age population.

My plan directs the Bureau of Labor Statistics to develop a more accurate method of calculating COLAs for Social Security recipients. It would move to a chain-weighted CPI that accounts for the purchasing habits of individuals—not of all ages—who are over 65, and health care costs would account for a much larger portion of seniors' spending in this type of index. What seniors spend their money on is what we would be looking at instead of what everybody who is in the working-age population spends their money on.

This plan will eliminate the program's long-term funding shortfall and ensure payments for the next 70 to 75 years. As does the President's fiscal commission, my plan would account for the increase in life expectancy and would call for an increase in the normal retirement age.

Now, remember, primarily these are for retirees who don't believe they are going to benefit from the system anyhow. Most of the people we are talking about who will be impacted don't think the system is going to be there for them. We are trying to ensure it will be. Over time, the retirement age changes to 69 years. That is 1 year younger than the proposal of the President's commission, but I think it is an age that works, and it looks like it is working as we look through these numbers. This means the retirement age will rise slowly for future retirees—3 months for each year from 2022 to 2030. Nobody would be impacted at all until 2022. The person who was going to retire in 2022 would retire 3 months later, and that would be added on every year until 2030. Likewise, the plan would change early retirement benefits from 62 to 64 beginning in 2022. So it only, again, impacts people who get to that age in 2022.

Our current benefit structure is simply not sustainable, and that is why my plan would also modify the current benefit structure to ensure that seniors who earn at or below the 40th percentile receive exactly the same amount of retirement benefits as they would if the program continued exactly as it is today, and a new index slightly reduces benefits that would occur above the 40th percentile.

Wealthier future seniors can plan for their retirement years through personal savings, through retirement plans, through alternative investments, through IRAs, or through employer-sponsored plans. But those who are not in that category would continue to get exactly the same benefit when they retire they would get at today's retirement age.

So back to President Obama's comments yesterday. Let's look at a plan that does the following, President Obama: Let's look at a plan that has no higher rate of contributions, no means test for Social Security recipients, no tax on future beneficiaries but slightly lower benefits and a slightly longer time to work until retirement. The difference is, if you work until retirement, you actually get a benefit.

This is no longer a topic we can avoid, so let's not miss this opportunity. Let's make a promise right now—while we are dealing, hopefully, with big issues—to workers paying the bill today that Social Security will be there for them when they retire.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. I rise today to talk about the significant financial challenges our Nation faces.

It will come as a surprise to no one that the topic of greatest concern is jobs, jobs in partnership with how we manage our deficit and our debt so as to put America on a firm financial footing down the road, put American families back on a firm financial footing.

My mailbox is full from families who have a lot of concerns about the Republican plan for cutting programs that serve working Americans. It is a host of programs that are affected, but I pulled a couple letters to bring with me.

One is Linda writing from Canby, OR. She is a parent of a disabled young adult. She writes:

My daughter, Nicole, has cerebral palsy and other medical issues. She is dependent on my husband and I for her total 24/7 care. Medicaid is essential because it helps her with medical and dental needs and her mobility. If Medicaid is cut or reduced, many of the disabled will be forced to live in nursing homes or institutions, which as we both know would not be cost effective. Please vote against cuts to our Medicaid system.

Trudy from Keizer, OR, writes a very similar letter about her grandson diagnosed with Asperger's.

The mail goes on and on from citizens who are working-class Americans,

have fundamental jobs, often with modest to no health care. They have children and they have grandchildren who will be profoundly affected by the choices we make on health care, the choices we make on education, and the choices we make in terms of creating jobs here in America. So this debate has enormous import for the success of our families, and in the context of that importance, we need to understand how we got to the point we are right now. So let's start with a 10-year view of what has happened. These statistics might come as a surprise to many of you because they are a little bit out of synch with some of the rhetoric we hear on the floor of the Senate.

Over the last 10 years, from 2001 to 2011, we have had a revenue decrease of 18 percent. So revenue has decreased by nearly one-fifth.

On nondefense spending, you will see no bar here either negative or positive; the change has been zero over a 10-year period, zero change. Those are the programs that affect working America, programs that affect unemployment, programs that affect food support, nutritional support, Head Start Programs, health care programs, and training programs so that people can get better jobs.

Then over here we have defense spending up 74 percent. Well, that is interesting because these three bars tell the story of decisions made during the 8 years of the George W. Bush administration.

Over here on revenue, we have breaks that were granted to the best off in our society and that have been fought for vigorously—the extension of those breaks—by some of my colleagues across the aisle. Breaks for the best off and revenues down over that 10-year period.

Over here we have the fact that decisions were made for two wars not funded by the American people. That is an anomaly in our history. When we go to war, we raise the funds to pay for it, but not during the irresponsible 8 years of the George W. Bush administration.

So it is not a surprise that we now have a deficit problem and that we now have a debt problem because concrete decisions were made. And these are only part of the story. The rest of the story is that deregulation of mortgages, leading to a vast tsunami of predatory mortgages on working Americans turned into securities that poisoned financial houses throughout the United States and, for that matter, throughout the globe, also contributed to blowing up the economy and driving down the revenue.

So concrete decisions from those 8 years have placed us where we are.

How do we address this shortfall? Well, let's start by looking at how the Republican budget has been laid out with three principal points. The first is to end Medicare as we know it. Well,

this plan to create a voucher system in lieu of Medicare is one that, frankly, terrifies every senior citizen in America and every citizen who knows they will be a senior citizen, who knows they have been paying for years into a program with administrative costs that are far more efficient than the general insurance market. But the goal of the Republican plan is to dismantle that efficiency and throw people into the highly inefficient private insurance markets with a voucher that does not rise proportionately with health care costs. I don't think destroying the very successful program to provide Medicare and health care for our seniors is where we should be going. The second part of the plan is to do roughly \$4 trillion in cuts to programs for working Americans. The third is to protect all of the programs for the best off in our society, the benefits for the best off.

I think most citizens understand that when we come to a time of national challenge financially, everyone should participate. There shouldn't be the sacred cows for the very best off while the workers are asked to pick up even more of the burden. In fact, let's take a look at a chart that displays how this functions.

The average tax rate in America is 20.7 percent. Let's take the richest 400 in America. The top 400, their average tax rate is 18 percent. Now, why do the richest 400 get the lowest tax rates? That is what Americans have a right to know. Why is it that the Republican plan is asking to cut programs for working America while protecting the bonus benefits for the best off in our society?

These richest 400 earn over \$270 million per year—not collectively; that is their average income. Well, wouldn't all of us love to be in a situation where we earn even a fraction of \$270 million a year.

And that structure, while reflected here for the top 400, is really a structure for the best off of a high array—a 5- to 10-percent array of the best earners in America.

So those three points—end Medicare as we know it, replaced with a voucher program, cut programs for working Americans, and protect programs for the best off—that is the Republican plan.

The chair of the Senate Budget Committee came to the floor this week with a very different plan, and that plan has the same savings the Republican plan has. Let's take a look at that.

Under this plan, the budget framework includes the same amount of deficit reduction as the House Republican plan—in fact, actually a little bit more reduction: \$4 trillion versus \$3.9 trillion. So both plans get towards the same objective of fiscal responsibility, but they go about it in very different ways.

First, the Conrad plan tosses away the Republican plan to end Medicare as we know it.

The second thing it does is it puts all spending programs on the table. So let's turn to that piece of the structure. Here we have the Republican plan, and it is all in direct spending cuts, touching none of the programs for the best off that have been carefully embedded in the Tax Code.

Now, every American understands this game: You can fund a project with a \$10,000 grant or you can give a \$10,000 tax credit that is in the Tax Code or you can give a tax deduction that is worth \$10,000, also in the Tax Code—three different ways of accomplishing the very same objective. But the Republican plan is to say: Wait. Let's only do the first of those three strategies because the second and third strategy we have utilized to create the programs for the best off in America, and we don't want to touch those. We want to place this burden on working Americans.

Well, the Conrad plan says: That is not right. There needs to be a conversation about fairness. We know those best off pay the lowest tax rates compared to working Americans, as I just showed in that previous chart—just 18 percent. So the Conrad plan says: Let's take 50 percent of that effort to close the deficit and do it in direct spending, and let's take 50 percent by closing tax loopholes, cutting tax subsidies, cutting tax earmarks, and promoting fairness.

I came to the floor last week to talk about the bluegrass boondoggle. Now, that is not a lot of money in terms of the overall challenge we face as America—\$120 million over 10 years—but to a working American \$120 million is a lot.

That was a special provision inserted not for companies but for the owners. It was to the individual Tax Code for the richest Americans, millionaires and billionaires who own thoroughbreds. They get a special break the rest of America doesn't get. There is program after program such as that, inserted for the best off. The Conrad plan says all of this spending, whether it has been in the appropriations bill or it has been in the tax bill, is going to be examined. That is a fundamentally fair approach.

Let's look at that in a little more detail, look at what the Conrad budget does in terms of fair rates for the middle class. First, it provides the alternative minimum tax protection for the middle class. Second, it continues tax reductions for the middle class that we have currently. Third, it cancels the bonus breaks for the millionaires and billionaires. That is basic rate fairness.

In addition, it says let's take on those special tax subsidies and tax earmarks that my colleagues across the aisle have been so proud of inserting

into the Tax Code to protect the best off in society. Let's examine them and if they do not meet the fundamental test of creating employment, contributing to fairness, and being more important than other programs compared against each other, then they should be eliminated.

In addition, let's take off on those offshore tax havens. There are so many setups in which companies have essentially false addresses in the Caribbean so they can transport their profits to a place where they pay no taxes. Those tax havens, in combination with abusive tax shelters, need to be ended. These are all part of tax fairness and taking on this very important challenge we have in terms of our national deficit and our debt and taking it on in a manner that strengthens the programs that need to be strengthened.

You will find the Conrad budget, in contrast to the Republican budget, says let's invest in education. We are in a knowledge economy world. We must invest in education if our economy is going to thrive and our children are going to be successful.

The Conrad budget, in contrast to the Republican budget, says let's invest in infrastructure. We are falling behind in terms of supporting infrastructure. China is spending 10 to 12 percent a year. Europe is spending 5 percent a year. America is spending only 2 percent and that is barely enough to repair our existing infrastructure. In fact, sometimes those repairs are falling short. I know our county officials and city officials will be glad to provide us with a list of how short we are.

The third area is the Conrad budget invests in energy. Why is energy so important? Because currently we are spending \$1 billion a day, sending it overseas, basically as a result of our addiction to oil. When you send \$1 billion overseas for oil, you do three things. The first is you create a danger to our national security because of the dependence for our energy on governments in the Middle East and other places around the world that do not share our fundamental interests.

The second is you create jobs overseas spending that money rather than creating jobs here in the United States. Let's spend that \$1 billion a day here in the United States of America on red, white, and blue American-made renewable energy. Not only does our security improve but in addition we create the jobs here in the United States.

Third, by ending our addiction to oil we contribute to addressing the carbon pollution challenge faced around this globe rather than being part of the problem ourselves.

Let's not adopt a budget plan that ends Medicare as we know it and replaces it with a voucher program, that savages programs for working Americans, and that protects the programs

for the best off in our society. Let's instead invest in energy, invest in education, invest in infrastructure, and obtain the same impact on our deficit but do it in a manner that builds our economy and builds American families. That is the type of program that Trudy from Keizer, OR, wishes to see, Linda from Canby, OR, wishes to see, and workers throughout the United States want to see because they know we should have a plan that creates jobs and builds the success of our families rather than doing the reverse.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, now you hear the other side of the story. It is a privilege for me to come to the floor of the Senate to speak on the issue of the bill before us, which is a sense-of-the-Senate bill, which means basically the Senate is debating something that is not shooting with real bullets. In other words, it just expresses the sense of the Senate, it does not change any law, so it doesn't amount to much.

As the President and congressional leaders continue to debate how best to reduce the deficit, it seems my friends on the other side of the aisle and my President continue to demand a tax increase as part of any deal. For sure, any discussion of reducing the deficit should include a discussion of tax reform, but tax reform is different from tax increases. You heard the previous speaker speak about Republican plans that deal with reducing expenditures, and that is right, because we believe the deficit problem in this country is not because the American people are undertaxed, it is because Congress and Washington overspend. However, what is being discussed with this bill currently is tax increases on targeted groups, supposedly because they can afford it. This is not tax reform.

Professor Vedder of Ohio University has studied tax increases and spending for more than two decades. In the late 1980s he coauthored with Lowell Galloway, also of Ohio University, a research paper for the Congressional Joint Economic Committee. That study found that every new dollar of new taxes led to more than \$1 of new spending by the Congress. It did not reduce the deficit then—you raise a dollar, you increase the deficit. I will be a little more specific.

Working with Stephen Moore of the Wall Street Journal, Professor Vedder updated that research last year and came to the same result. Specifically, Moore and Vedder found:

Over the entire post-World War II era, through the year 2009, each dollar of new tax revenue was associated with \$1.17 in new spending.

That is like a dog chasing its tail. Very few dogs catch them, so when you raise a dollar here, common sense might dictate it goes to the bottom

line, but it doesn't work out that way. It actually increases the deficit because Congress believes we have a new dollar coming in, let's spend \$1.17.

History proves tax increases result in spending increases. We know that increasing taxes is not going to reduce the deficit. History also shows that tax increases do not increase revenues. That is probably contrary to most people's common sense, but I have a chart here that I think demonstrates this very clearly. I will be somewhat repetitive because I want to leave my remarks and go to this chart, and I will refer to it again.

What this chart basically shows is that over a long period of time, going back to World War II to the present, all the taxes coming into the Federal Government have been roughly 18.2 percent of gross national product, but pretty much even-steven across the board. Sometimes it is up a little bit, sometimes down a little bit, but for 50 or more years it is averaging about 18.2 percent of gross national product.

What this chart also shows is—contrary to what you believe, that if you raise taxes you are going to bring in more revenue, and if you reduce taxes you are going to bring in less revenue—that is not true.

That gets to this issue of taxing the wealthy. It gets to the issue of raising taxes on anybody. From World War II until Jack Kennedy, President Jack Kennedy, we had 90 percent marginal tax rates. Then from President Kennedy to President Reagan, we had 70 percent marginal tax rates. Then in the last half of the Reagan administration and up until 1986 it was reduced to 50 percent, under Reagan's administration. Then Reagan had another tax bill and it was reduced to 30 percent. Then of course President Bush the dad made this promise in the campaign:

Read my lips, no new taxes.

But he didn't keep his promise so the taxes went back up to about 40 percent for a period of time until you get to a period when Bush the son comes into office and the marginal tax rate is reduced to where it is now, 35 percent.

But whether you have high marginal tax rates or low marginal tax rates, you get about the same amount of revenue. I am going to be repetitive on that point but it is very important that you understand that.

History shows that tax increases do not increase revenues. The chart here shows that revenue as a percentage of gross domestic product hovers around 20 percent as far back as post-World War II. I said in my off-the-cuff remarks it averaged out about 18.2 percent.

This chart also shows where you have high and low marginal tax rates over those same years. During the last years of World War II, we had a 94-percent tax rate. Then from 1950 through 1963, it was 90 percent, as this chart shows,

and under President Kennedy—and I want to emphasize that he was a Democrat—he was smart enough to reduce marginal tax rates to incentivize entrepreneurship. He reduced the marginal tax rates to 70 percent. They stayed around 70 percent until President Reagan brought it down to 50 percent.

Let me say at this point, I gave President Reagan credit for it, but I was a brandnew Member of the Senate Finance Committee in 1981 and we had some very brave Democrats on that committee who believed that 70 percent was too high and it was going to promote entrepreneurship more if you reduced it to 50 percent. President Reagan gets credit for it. I don't think any Republican on the Senate Finance Committee could take credit for it because we would have been accused, as we have just been accused, of wanting to reduce taxes on wealthy people, so thank God there were a lot of smart, intellectually honest Democrats on the Senate Finance Committee in 1981, who said the tax ought to be reduced to 50 percent. Well, then it went down to 30 percent when we reduced marginal tax rates further during the Reagan administration. Then, as I said before, the first President Bush reneged on his promise to not raise taxes, and the marginal tax rates went back up to 40 percent and stayed there until the tax relief enacted under the second President Bush. During all of these tax increases and decreases, the amount of revenue as a percentage of GDP stayed roughly flat, with a 50-year average of 18.2 percent.

So everybody thinks that if you raise the marginal tax rates, you are going to bring in more revenue—seemingly common sense but not true because the taxpayers, the workers in America, the investors in this country that create jobs are smarter than we are, but we don't think they are smarter than we are. And we have had 93 percent marginal tax rates, 70 percent, 50 percent, 30 percent, back to 40 percent, now 35 percent. Regardless of that rate, we get roughly the same amount of revenue. Higher tax rates just provide incentives for taxpayers to invest and earn money in ways that result in the least amount of taxes paid or you might say it this way: Some people just say to themselves that they are not going to work hard because why should I work so darn hard if I am going to send the money to Washington for people in Congress to spend and waste? In other words, taxpayers have decided they are going to give us politicians in Washington just so much money to spend, and it comes out about right here.

We ought to have some principles of taxation that we abide by, and I abide by this principle that 18 percent of the gross domestic product of our country is good enough for the government to collect and to spend. That leaves 82 percent in the pockets of taxpayers for



them to decide how to spend. When you send money to Washington with 535 of us deciding how to spend it, it doesn't do as much economic good or turn over as much in the economy and create jobs as it would if it was left in the pockets of the 130-some million taxpayers individually to decide how to spend it.

This benchmark of 18 percent of gross domestic product is good, and it has been consistent throughout recent history. It is a principle we should keep in mind while we debate Tax Code changes.

This level of taxation—another reason I say it is justified is it has not been harmful to the economy, as higher tax rates such as we find in Europe are harmful to the economy—much higher tax rates than we have in this country—and it seems to be a level of taxation that there has not been a great deal of revolt by the taxpayers of America against.

There is another principle I would like to have you keep in mind; that is, What is the purpose of tax law? Those who support bills such as the one we have here currently debated, this meaningless bill, assume that the key objective for our Federal Government through the Federal income tax laws should be to ensure that income is distributed equally throughout the country as opposed to government taxing for the purposes of government but not for the purposes of the redistribution of wealth. In other words, the authors of this bill believe the Federal Government is the best judge of how your income should be spent.

Bills such as the one we are considering today assume—I say it for a second time—assume that 535 Members of Congress know how to best spend the resources of this country, and presently that is about 18 percent, but that is not enough. Well, actually, they are spending more than 18 percent because the expenditures of this country add up to about 25 percent of the gross national product from the Federal Government because we borrow 42 cents out of every dollar we are spending today.

It assumes that government creates wealth and should therefore spread it around the way they do in Europe. In fact, government doesn't create wealth; government consumes wealth. Only workers and investors, laborers, and people who provide capital and, in turn, people who use their brain to invent and create, is what creates wealth. Yet, as history shows, there is evidence that tax increases lead to more spending—and I quoted Professor Vedder—and that revenues as a percentage of gross domestic product pretty much stay the same regardless, even if the marginal tax rates are very, very high.

It would be one thing for me to vote for a tax increase if it went to the bot-

tom line: reducing the deficit. It is quite another thing to vote for a tax increase that just allows more spending and raises the deficit instead of getting the deficit down.

The resolution before us now in the Senate requires us to concede “that any agreement to reduce the deficit should require that those earning more than \$1,000,000 per year make a meaningful contribution to the deficit reduction effort.” The bill does not state that such a “meaningful contribution” would be accomplished through tax increases, but how else would the authors of this bill and the taxpayers intend to or make such a contribution?

Let me make clear that I do not support this bill and will vote no on its adoption. However, I think it is a good thing we are debating such an issue. It is clear that those who support this bill believe those earning more than \$1 million per year are not paying their fair share. Note, however, that just last year, these very same people believed that a single person who earned \$200,000 or a married couple who earned \$250,000 weren't paying their fair share.

In evaluating whether people are paying their fair share, experts frequently look at whether the proposal retains or improves the progressivity of our tax system.

Critics of lower tax rates continue to attempt to use distribution tables to show that tax relief proposals disproportionately benefit upper income taxpayers. We keep hearing that the rich are getting richer while the poor are getting poorer, don't we? Almost every day. This is not an intellectually honest statement, as it implies—what does it imply? It implies that those who are poor seem to stay poor and that those who are rich seem to stay rich. So I want to dispute that position.

In 2007, the Department of Treasury published a report entitled “Income Mobility in the United States From 1996 to 2005.” The key findings of this study include the following:

There was considerable income mobility of individuals in the U.S. economy during the period 1996 through 2005 as over half of taxpayers moved to a different income quintile over this period.

Roughly half the taxpayers who began at the bottom income quintile in 1996 moved up to a higher income group by the year 2005.

Among those with the very highest incomes in 1996—the top 1/100 of 1 percent—only 25 percent remained in the group in 2005.

One in four 10 years later. So the poor aren't always poor and the rich aren't always rich.

Moreover, the median real income of these taxpayers actually declined over this period.

The degree of mobility among income groups is unchanged from the prior decade (1987 through 1996).

So I used the group 1996 through 2005, and I am comparing it with the group 1987 through 1996, so I want to repeat

that the degree of mobility among income groups was unchanged over a 20-year period of time.

Continuing to quote:

Economic growth resulted in rising incomes for most taxpayers over the period of 1996 through 2005. Median income of all taxpayers increased by 24 percent after adjusting for inflation. The real incomes of two-thirds of all taxpayers increased over this period. In addition, the median incomes of those initially in the lower income groups increased more than the median income of those initially in the higher income group.

Therefore, whoever is saying that once rich, Americans stay rich, and once poor, they stay poor, is purely mistaken because America is a country and land of opportunity.

Now, I want to say that the Internal Revenue Service data supports the analysis I just gave. I was done quoting at that point.

A study of 400 tax returns with the highest income reported over 14 years—and I don't know whether these are the same 400 taxpayers my friend on the other side just referred to in his speech, but a study of 400 tax returns with the highest incomes reported over 14 years, from the year 1992 to the year 2006, shows that in any given year, on average, about 40 percent of the returns that were filed were not in the top 400 in any of the other 14 years. I got the impression that the top 400 taxpayers in the previous speech were maybe always the same people, but 40 percent were not in that group.

The so-called shared sacrifice bill before the Senate now does not acknowledge these trends; hence, I think it is intellectually dishonest. It presupposes that anyone making more than \$1 million should be contributing more to reduce a deficit that they likely did not create in the first place. We created it.

The bill assumes that the folks in this income category have always made more than \$1 million, that they haven't paid their dues on their way up the ladder of success and, as a result, should pay a penalty for their current success even if they are on the way down the ladder. The bill also assumes these folks will continue earning what they are earning now.

As I just noted, however, the Treasury report and the IRS tax data contradict this position.

I welcome this data on this important matter for one simple reason: It sheds light on what America really is all about, what this great country is all about—vast opportunities. Of course, as I just said in these statistics, but you can see it in a lot of different ways as well, we are a country of great economic mobility. This country is built by people from all over the world. Our country truly provides unique opportunities for everyone. These opportunities include better education, health care, financial security, and probably a lot of other things. But, most importantly, our country provides people with a freedom to obtain



the necessary skills to climb the economic ladder and live better lives. We are a free nation. We are a mobile nation. We are a nation of hard-working, innovative, skilled, and resilient people who like to take risks when necessary in order to succeed. We have an obligation as lawmakers to incorporate these fundamental principles into our tax system.

On another matter in this debate, we have also heard much about “closing loopholes.” Well, that sounds good. I don’t want to tell you how I believe that ought to be done. There are things that are legal, and there are things that are not legal. There are things that are legal and there are things that aren’t legal. Let me say if there are, in fact, loopholes to be closed, I would support closing them.

During my tenure as chairman and then ranking member of the Finance Committee, I worked with colleagues from both sides of the aisle to cut off tax cheats at the pass. The American Jobs Creation Act signed into law in October of 2004 included a sweeping package to end tax avoidance abuses such as corporations claiming tax deductions for taxpayer-funded infrastructure such as subways, sewers, and bridge leases; corporate and individual expatriation to escape taxes; and Enron-generated tax evasion schemes. We closed them.

One of the tax avoidance provisions the jobs bill shut down was so-called corporate inversions. Average workers in America can’t pull up stakes and move to Bermuda or set up a fancy tax shelter to avoid paying taxes. Companies that do this make a sucker out of workers and companies that stay here in this great country and pay their fair share of taxes. So that was closed. Corporate inversions, we called that.

We also closed loopholes used by individual taxpayers. The jobs bill contained a provision that restricted the deduction for donations of used vehicles to actual sales price. Prior to that fix, individuals were claiming inflated fair market values before they gave their car to a nonprofit organization.

Then in the Pension Protection Act, which was signed into law in August of 2006, I championed reforms to deductions for gifts of “fractional interests” in art as well as donations to charities that were controlled by the donor. Because if you give money away, it ought to be given away. A person should not be able to control it after they give it away. The same way with art. In both cases, individuals were taking huge deductions for donations without providing equivalent benefits to the charities to which they donated.

In addition to ensuring income and deductions are properly reported, I also supported giving the Internal Revenue Service more tools to go after tax cheats. The jobs bill contained provisions that required taxpayers to dis-

close to the IRS their participation in tax shelters and increased penalties for participating in such tax shelters as well as not disclosing such participation to the IRS.

I also authored the updates to the tax whistleblower provisions included in the Tax Relief and Health Care Act which was signed into law in December of 2006. There was a whistleblower statute long before that, but because of the low dollar threshold, it encouraged neighbors to blow the whistle on their neighbors. So the 2006 changes I championed increased the awards for those blowing the whistle on the big fish—individuals and businesses engaged in large-dollar tax cheating through complex financial transactions.

I don’t know why it took the IRS so long to get this law under way because they have had plenty of whistleblowers come forward, but we have only had one time so far—I think we will get a lot of others now—but we have only had one time so far under this provision, which was instituted in April of this year, and we recovered \$20 million for taxpayers that otherwise would have been lost to fraud—from one company.

These are just a few examples of my support for provisions to stop abuses of the Tax Code to make sure everyone pays their fair share. If and when we get around to considering comprehensive tax reform, I look forward to shutting down any other abuses that exist. But first we need to be clear on what a loophole is.

Itemized deductions are just that: itemized deductions. They are not loopholes. Similarly, deductions and tax credits that enable a corporation to zero out its tax liability are not loopholes. For instance, if a person had a loss last year, they can carry it forward to this year. The question of whether deductions and credits should be limited is a question that should be answered not to raise revenue but in the context of comprehensive tax reform. Eliminating deductions and credits for certain taxpayers should be subject to extensive review and extensive debate. Taxpayers should not be targeted for tax increases for political sport, as this resolution before us does.

I wish to finish by summing up in three points, very quickly. First, according to this chart, tax increases don’t—well, not according to this chart. That is the second point I will make. First, tax increases don’t reduce deficits and they don’t increase revenue as a percentage of GDP.

Secondly, we ought to have some principles of taxation. First of all, this chart shows that we get about the same amount of revenue coming in over a 50-year period of time—about 18.2 percent of gross national product. We have high marginal tax rates, really low marginal tax rates, but it still brings in about the same amount of revenue.

Second, we ought to have some principles of taxation that we abide by. Limiting revenues to the historical average of 18 percent of GDP should be one, while ensuring income equality should not be one. In other words, we raise revenue for the purpose of funding the functions of government, not to redistribute wealth.

Last but not least, it is right to consider tax reform when discussing deficit reduction. However, the proposals put forth so far, including the current bill, are political proposals—not reform proposals. Tax reform requires Presidential leadership, and we are just now seeing that. I mean, we are not seeing it on tax reform, but we are finally seeing it on deficit reduction. But I don’t think it is going to last very long.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator withhold his request?

Mr. GRASSLEY. Yes.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Madam President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### FLORIDA’S CITRUS CROP

Mr. NELSON of Florida. Madam President, I will speak on this bill before us tomorrow and matters about the budget, the deficit, and how it ought to be solved, and it has to be solved. I will reserve comments on that until tomorrow.

In the meantime, what I wish to point out to the Senate is that we had a very significant benefit to not only the Florida citrus industry but to the worldwide citrus industry, because there is a bacterial disease and, of all things, it is called citrus greening. Well, it is anything but that, because what it does is it kills a citrus tree within 5 years. It has infected every grove in Florida.

When I say the worldwide citrus industry is being threatened, I mean just that. This strain of bacteria came somewhere from Asia and has been imported not only into the United States but into a lot of other countries that have moderate climates, warm climates, humid climates. There is another version that came from a different part of the world that is not as virulent. But what happens is this bacteria that has now been brought into this country—it is in Brazil as well, another major citrus-producing country—and it is carried by a little insect called a psyllid.

The little psyllid carrying this bacteria bites into the tree, the bacteria gets into the sap, and it will kill the tree in 5 years, and there is no known cure. Well, if it is going to kill a tree in 5 years, we can see the potential for

the destruction of what we have come to think of as standard fare—that we are going to have orange juice on our breakfast table, and that those who enjoy the mild elixirs and mix certain elixirs with orange juice—called maybe mimosas, whatever—that this is going to be a thing of the past if we don't get serious about finding a cure for this disease.

The reason it is so extraordinarily lethal for the United States and for the State of Florida is the fact that since every grove has been affected, and since almost all of our orange juice that we consume in domestic consumption in the United States—I say almost all; the biggest percentage comes from Florida, and some of it, a little bit, from California; mostly the juice that is added to Florida juice comes from Brazil, but when there is a bumper crop in Florida, they don't have to ship it in, in refrigerated ships from Brazil—we are going to have a whole way of life, a whole tradition, we are going to have domestic consumption that is threatened if we don't come up with a cure.

The Florida citrus industry, to its credit, has been taxing itself—the growers—to produce a stream of revenue that will allow it to continue the research to try to find a cure. We have gotten some limited amount also from the U.S. Department of Agriculture, and supplementing all of that with back at the time when we could make a specific appropriations request, otherwise called an earmark, this Senator certainly was asking for appropriations to help find a cure to this dread disease. We haven't found the cure, and we have to have a stream of revenue to keep this going.

Since it is so difficult to pass anything around here these days—even the citrus trust fund I filed last year, we had a whole bunch of cosponsors. But this year, of course, we are all wound around the axle here on passing anything if it has to do with the budget. So what I did was go to the U.S. Department of Agriculture and I asked for help. We have to have some help immediately. Fortunately, the administration—and I talked to the Chief of Staff of the White House about how dire this situation is. We can't wait. So they announced yesterday they are releasing \$2 million immediately that will go into the USDA Research Station at Fort Pierce, FL, for the remainder of this fiscal year. In the next fiscal year, assuming the competitive grants fund is funded by the Congress for the Department of Agriculture—which we have to assume is going to continue—the USDA has set aside an amount of \$5 million in the next fiscal year, starting October 1, that will go directly into this research, and they have agreed to set aside in the following 2 years \$2 million, \$2 million in each of those years, so that we have a steady stream

of funding of \$11 million for research specifically for citrus greening.

California may have this bacteria. If Texas doesn't have it, it is just a matter of days or months, and the same with the citrus that is grown in Arizona. Of course, in a country such as Brazil, it is to their credit some of the citrus growers in Brazil have actually contributed money to our U.S. research institutions trying to find a cure, because Brazil has the same problem. They have it in a lot of their groves. The big difference between the Brazilian citrus industry and the United States is that they have more land, so they can mow down and burn a citrus grove and go over and clear new land that is unaffected and go on and start a new grove.

You don't have that luxury. We don't have it in any of our citrus-growing States in the Sun Belt, and certainly we don't have the luxury in Florida to go out and find new land to plant new citrus groves.

This is a very significant departure and a welcome new announcement by the U.S. Department of Agriculture that they will be sending \$11 million over the next 3 years specifically dedicated to finding a cure for citrus greening before it is too late.

Citrus growers can prolong the life of a grove by doing certain spraying and so forth, but at the end of the day the tree is going to die, and they are not going to produce any oranges for orange juice and no grapefruit for the grapefruit we enjoy.

Just so the rest of the Senate will understand, this industry is part of us as Floridians. We have, even on our license tags in Florida, an orange. We have an industry that has been a mainstay of our economy for years and years. Of course, because of the forward thinking, the Florida Citrus Commission, in the late forties, fifties, and sixties made orange juice become a wanted and acceptable commodity on most every American breakfast table. And it is threatened. It is up to us to do something about it.

I was particularly thankful to the administration that they would come up with the \$2 million immediately because, in addition to the growers taxing themselves on a per citrus box produced assessment, they were counting on the State of Florida to produce a \$2 million appropriation to go into a \$15 million research fund, and this year, lo and behold, the Governor of Florida vetoed that in the appropriations bill. So the replacement of that vetoed item by the Governor, with this Federal money from USDA, considered an emergency allocation, is welcome, timely, and it is much appreciated by all of the aficionados across America that enjoy orange juice as a staple in their diet.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. NELSON of Florida. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### SPACE SHUTTLE LAUNCH

Mr. NELSON of Florida. Madam President, let me just say that with the last space shuttle launching last Friday—and it was a beautiful launch—of course, the expertise of the finest launch team anywhere in the world was very evident. When they got down to T-minus 31 they saw an indication on the controls that there had not been a retraction of one of the arms, which is a servicing arm, but they were ready for that, and as it turned out, it was a faulty sensor. Of course, the way they checked is they have cameras all over the launch tower. So they turned the cameras on and trained them over there and saw that it had, in fact, retracted and was pulled into a safe position. So with only 53 seconds left in the launch window—the window being that they had to launch the shuttle at that time so that it, once in orbit, could catch up with the space station, which was its destination, with 53 seconds to go, the count continued then, starting at T minus 31 and went down to a flawless launch and flawless flight, as they are now docked with the space station, and as they are now transferring this 20,000 pounds of cargo and equipment and supplies that will keep the International Space Station supplied for the next year.

I don't think people realize how big the International Space Station is. It is 120 yards long. If you sat on the 50-yard line of a football stadium and looked from the end of one end zone all the way to the other, that is how big the International Space Station is that we have built with another 15 national partners. Primarily, our partner in building it was Russia. Of course, you remember that the iteration before the International Space Station was originally the Soviet space station that became the Russian space station called MIR, which we used to fly our astronauts with the space shuttle to the Russian space station. So the Russians have been our partners.

Remember, when we have been down—for example, after the destruction of the space shuttle *Columbia* in early 2003, for over 2 years we would not fly the space shuttle as we went through and made the corrections that had caused the destruction of *Columbia* and the loss of seven astronauts. We relied on the Russians to get us to and from the space station.

The sad thing is that the new rockets that we are building to go to and from the space station—there is one version of those rockets that, in fact, is going

to fly later this year, rendezvous and dock with the space station and deliver cargo. But it has not been human rated. To do that, we have to go through and put in all the redundancies for safety, all of the escape mechanisms on the capsule, and once that is done this will be a rocket that will be much safer than the space shuttle—as a matter of fact, we can save the crew even from—if they had an explosion on the pad, the crew can safely eject in the escape rocket with the capsule parachuting to safety, all the way, 8½ minutes to orbit—if they had a malfunction.

Contrast that with the space shuttle. When we saw *Atlantis* lift off, for the first 2 minutes there is no escape. You are married to those big solid rockets. If there is a failure then, there is no way out for the crew, and, as we saw, that was how *Challenger*, 25 years ago, was destroyed. They had a malfunction in one of the rockets. It caused the whole thing to explode—one of the solid rockets—within the first 2 minutes of flight.

We are going to have a much safer way to get to and from the space station. The sad thing, however, is that the rocket for humans is not ready. It is going to take about another 3 years. Therefore, it is sad that with all of that finest launch team in the world at the Kennedy Space Center, a good part of them are having to be laid off. That employment will ramp up over the next several years as we build and launch those kinds of rockets.

There is another set of human-rated rockets. I am talking about the manned space program now, not the unmanned. This year we are going to Jupiter. Later on we are getting ready to launch a Volkswagen-size rover that will go to the surface of Mars.

Do you know what those little rovers have done over the last number of years? They have gone, like the energizer bunny, all over the surface. This one is going to be the size of a Volkswagen. So we have these kinds of mixes going on, but the human space program—the next big one to get NASA out of the Earth's orbit is the rocket that we are developing, a monster rocket. The capsule contract has already been let, and we are now going on in the process of—pursuant to the NASA law we passed last year—proceeding with the design and building of this rocket, which will take us, on the goal set by the President, to Mars with interim stations along the way. He has suggested an asteroid—to rendezvous and land with an asteroid by 2025. We have a vigorous space program going ahead.

Senator HUTCHISON, who has been a wonderful partner in helping set NASA policy in all of this, and I are going to have something to say about this in the next few days because we think there is a holdup in the Office of Man-

agement and Budget with regard to the rocket design and the architecture for the big rocket. We are wondering why this delay keeps occurring. But we will talk about that in the later session.

With that, I yield the floor.

Mr. RUBIO. Madam President, had I been present to vote on the motion to proceed to consider S. 1323, I would have voted no.

There is broad consensus in Washington that a “balanced approach” between spending cuts, controls, and increased revenue is the only possible way to reduce our \$14.3 trillion national debt and avert a Greek-style debt crisis. I share this perspective.

As the ongoing debt negotiations advance, Members of Congress should evaluate the components of a debt package through one question: Will this make it harder or easier for the American people to create jobs? For my part, I have never met a job creator in Florida that has told me they are waiting for Congress to pass another tax hike before they start growing their business.

Unfortunately, as evident by S. 1323, some in Washington believe higher revenues in a debt package should come from massive tax increases, even at a time when the unemployment rate is 9.2 percent and 25 million Americans are unemployed or underemployed. I vehemently disagree with this approach and will oppose a net tax increase on the economy that makes its way into a debt reduction deal.

To be clear, new revenues are an essential component of debt reduction. We can't simply cut our way out of this debt; we also need to grow our way out of it. The best way to do this is by increasing the number of taxpayers gainfully employed in our economy and by easing burdensome regulations, not by raising taxes.

We can generate lasting economic growth and trillions in new revenues for the Federal Government through pro-growth tax reform. Senator PAT TOOMEY has a budget proposal that lowers top marginal tax rates to 25 percent in a revenue-neutral way and eliminates loopholes and deductions, resulting in \$1.5 trillion of additional real growth over the next decade and millions of new private-sector jobs, according to the Heritage Foundation. His budget recognizes that tax cuts and an overhaul of our 70,000 page Tax Code will create jobs and generate trillions in new revenue.

Net tax increases are poor economic policy. Will raising taxes on manufacturers make it easier for them to hire new workers? Will raising taxes on American energy companies make it easier to create jobs? Will raising taxes on the businesses that Democrats refer to as “millionaires” allow those businesses to expand? Across the board, the answer is no. Instead, these tax increases will kill jobs in every district,

State, and industry in the country. Regardless of the rhetoric coming from Washington politicians, these taxes will also have a mathematically insignificant effect on deficit reduction.

I proudly support a “balanced approach” in the context of debt reduction that grows the economy and boosts tax revenues in the process, but when presented with the option of choking our weak economy with yet another tax increase, I will oppose it. Our country needs new taxpayers, not new taxes.

#### HONORING OUR ARMED FORCES

SERGEANT FIRST CLASS TERRY L. PASKER

Mr. GRASSLEY. Madam President, the State of Iowa has lost one of its native sons, and the Nation has lost a true patriot. SFC Terry L. Pasker from Cedar Rapids, IA, was shot and killed in Panjshir Province, Afghanistan, while serving with the Iowa National Guard in support of Operation Enduring Freedom. He was 39 years old and was just completing his second tour in Afghanistan. My thoughts and prayers are with his wife Erica, his parents Mary and David, and those who knew him and cared about him. Terry Pasker is described as an upbeat, religious man. He was known as a hard worker and he owned a contracting business in his civilian life. The loss of someone in their prime, with a bright future and a whole life left to live is a tragic thing. It gives us pause to reflect on the tremendous sacrifice we ask of our servicemembers, and have since the first minutemen rallied at Lexington and Concord. I would like to pay tribute to the life and service of SFC Terry Pasker and ask that my colleagues join me in honoring his memory.

#### VIOLENCE AGAINST ANTIMINING ACTIVISTS IN EL SALVADOR

Mr. LEAHY. Madam President, I want to speak briefly about some troubling developments in El Salvador, which should concern us all.

On June 14, 2011, the body of Juan Francisco Duran Ayala was found with a gunshot wound to the head in the Soyapango Municipality of San Salvador. He was reportedly last seen alive on June 2 in Ilobasco, Cabanas, posting flyers critical of gold mining in that area, the day before he disappeared. In addition to studying at the Technological University in San Salvador, Mr. Duran had volunteered for the Environmental Committee of Cabañas in Defense of Water and Culture. His death is one of a shocking number of instances of violence against antimining activists in Cabañas.

In 2009, Gustavo Marcelo Rivera went missing for nearly 2 weeks before his body was found on June 30 in a well with signs of torture. Mr. Rivera was

the cofounder of the Asociación Amigos de San Isidro Cabañas, and was a vocal leader in the anti-mining campaign in San Isidro, Cabañas. Since Mr. Rivera's death, at least eight other members of the antimining community in Cabañas have reportedly been killed, including Mr. Duran, and yet it is still unclear who is behind this pattern of deadly violence.

There have also been recurrent threats against the lives of journalists at Radio Victoria, which broadcasts in that area.

Cabañas is located in the north central part of El Salvador and has a long history of gold mining. Pacific Rim Mining, a Canadian company that acquired a large mine named El Dorado, was the subject of Mr. Rivera's and Mr. Duran's protests. Now that their voices have been silenced, people in that community are demanding thorough, credible investigations of these crimes, both to obtain justice for their families and in order that future activists can exercise their right to speak out peacefully without losing their lives.

Unfortunately, El Salvador is a country where criminal investigations rarely result in arrests, and those that do almost never result in convictions. Impunity and corruption within the police are common, as in many other countries of the region. Some accuse local police and municipal officials of complicity in the harassment and threats against antimining activists and the radio station, and point to the fact that no one has been punished for these crimes.

To compound the problem, judicial independence, already fragile, is under threat in El Salvador. On June 2 the Salvadoran Legislative Assembly approved a decree which requires the five members of the Constitutional Court to rule unanimously instead of with the previous four person majority. The law was approved with the support of a broad spectrum of political parties.

The vote was reportedly in response to a number of unpopular decisions by the Court over the past 2 years. The passage of the decree threatens judicial independence in a country where the Court has only recently demonstrated a willingness to act as a check on executive and legislative power. That is the role of the judiciary in a democracy, and the outcome of this impasse will have profound implications for the country.

El Salvador has been through a difficult history. The 1980s civil war polarized the country and those who suffered most, the rural poor, are still struggling to recover. The country's democratic institutions are weak, particularly the judiciary. The country is coping with rampant violent crime, and the infiltration of well financed criminal gangs into all sectors of society.

In the midst of this, the brutal slayings of people like Juan Francisco

Duran Ayala and Gustavo Marcelo Rivera might be regarded as little more than a grim statistic, soon to be forgotten. But we have not forgotten them. All indications are that they did nothing more than act as the voices of people in their communities who are concerned that their way of life, and the land they depend on, is being destroyed.

We know the Funes Government is coping with many problems. We are helping, by providing tens of millions of dollars to support programs in health, education, economic development, and to strengthen law enforcement. We provided additional funding to help the country rebuild from the devastating floods in November 2009. But there is no more important responsibility of government than upholding the rule of law. The urgent necessity of the message that would be sent to all the people of El Salvador by bringing the perpetrators of these crimes to justice cannot be overstated.

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#### VA INFECTION CONTROL PRACTICES

Mrs. MURRAY. Madam President, I would like to take a moment today to recognize the success of recent efforts at the Department of Veterans Affairs, VA, to reduce Methicillin-resistant Staphylococcus aureus, MRSA, infections by more than 60 percent in intensive care units. This initiative by VA was highlighted in a New England Journal of Medicine article this year.

MRSA is a nationwide problem. It is estimated that it kills 20,000 U.S. residents a year and hospitals remain an important source of this infection. Three years ago, VA launched this initiative to ensure that it leads the way on eradicating MRSA infections from their facilities. The success of this initiative has created a culture that promotes infection prevention by adding patient screening programs for MRSA, precautions for hospitalized patients found to have MRSA, and hand hygiene reminders with readily available hand sanitizer stations throughout VA medical centers.

Every day thousands of veterans visit VA health facilities to receive care. VA provides care for more than 6 million veterans each year. In the first 3 years of this initiative, more than 1.7 million screening tests for MRSA were given to veteran patients at VA medical facilities throughout the United States. Screening tests such as these help our veterans stay safe from deadly antibiotic-resistant infections, a threat no American should face when they visit a hospital.

Since the initiative's start in 2007, VA has increased the amount of MRSA screenings to 96 percent of all admitted patients. This newly instituted culture that promotes infection prevention has been so successful that infection rates

for MRSA have decreased by 62 percent over the past 3 years within VA intensive care units and by 45 percent in other areas of the hospital. The success of VA's work on MRSA prevention is proof that with dedication and strong leadership, VA can make significant improvements in their ability to control infections and deliver high quality health care. It is my hope that these results will be replicated across the healthcare system nationwide and that success achieved by VA in improving the safe delivery of care through the reduction in MRSA infections will be mirrored in their efforts in other areas, like the sterilization and reprocessing of reusable medical equipment.

As the chairman of Senate Committee on Veterans' Affairs and the daughter of a disabled World War II veteran, I know firsthand the need for quality health care for our veterans. No one who has made sacrifices to serve our Nation should ever struggle to find quality, timely health care, which is why I am so pleased today to highlight this successful initiative and commend VA on their efforts to eradicate MRSA from their health care facilities and continue to provide care for our Nation's heroes.

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#### ADDITIONAL STATEMENTS

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##### TRIBUTE TO FATHER WILLIAM HULTBERG

• Mr. CASEY. Madam President, today I wish to honor Father William Hultberg, a very special priest from my home State of Pennsylvania. Known to many simply as "Father Bill," he is a member of the Oblates of St. Francis DeSales and has provided both his country and his Pennsylvania community with a lifetime of service as a spiritual and religious counselor. Saturday, July 16, 2011, will mark his 80th birthday.

To those who know him, Father Bill is a man whose commitment to spirituality, concern for his fellow man, and sense of service is virtually unparalleled. After earning his bachelor's degree in education and Spanish from LaSalle University and his master's degree in education and guidance from Niagara University, Father Bill began his lifelong commitment to country and community with his chaplain service in both the U.S. Army and U.S. Navy. He retired as a lieutenant colonel in 1991 after 35 years of exemplary service. During his time as a Navy Chaplain with the Marines, he received the Bronze Star Medal with a "Combat V" for valor. As an Active-Duty chaplain with the U.S. Army, he was awarded four Meritorious Service Medals for his efforts in developing and implementing alcohol and drug prevention programs for servicemembers.

Father Bill's commitment to providing spiritual and religious counseling to those suffering from alcohol and drug addictions continues to this day. As a certified pastoral and drug addiction counselor at Caron Treatment Center in Wernersville, PA, Father Bill has offered spiritual guidance and an understanding of the 12-step spirituality of recovery to addicts and their families. His efforts over his 24 years of service to Caron have been central in providing those who suffer from addiction with the necessary tools to achieve sobriety and have truly left their mark on the Caron community. To this point, his unique Sunday services have become an honored, albeit mandatory, tradition at Caron. Described by some as an "evangelical rally," Father Bill integrates 12-step traditions, elements of Christian worship, and other material at these services to provide opportunities for those in recovery and their families to share their pain and hope with one another as they struggle with addiction.

Throughout his career, Father Bill has also been a beacon of hope to those suffering from HIV/AIDS. His development and implementation of a spiritual program for those afflicted with the disease and his contribution to Caron's HIV retreat weekends have provided comfort and guidance to many. Not only have these efforts had an immeasurable impact in Pennsylvania, but they have also garnered Father Bill national recognition in the form of the Ryan White Youth Service Award, a national awards program recognizing leaders for reaching out to support youth in the prevention of HIV.

I would like to join the Caron Treatment Center's community in wishing Father Bill a very happy 80th birthday this weekend and to thank him for his lifetime of service to both the Commonwealth and the country. I, and many others, wish him many more years of health and happiness as he celebrates this milestone.●

#### 29TH METRO DETROIT YOUTH DAY

● Mr. LEVIN. Madam President, it is with pride that I recognize the 29th Annual Metro Detroit Youth Day, which will take place tomorrow on Belle Isle in Detroit. This engaging and family-oriented event is a herculean undertaking, bringing together more than 1,600 volunteers to welcome more than 37,000 young people within the Greater Detroit community. This day-long event, which is sponsored by a multitude of businesses and more than 320 community and youth organizations across Michigan, provides a wonderful platform to bring the community together to award scholarships and recognize outstanding community service for and by young people.

From sports clinics to motivational talks to entertainment, this event has grown to become the largest youth event in Michigan, with a mission of promoting community service and the need for physical education and fitness. This event also seeks to inspire young people to strive to better themselves through education, good deeds and other positive means.

Through the years, Youth Day has been recognized by many on the State and national level. In 1991, Metro Youth Day was recognized by President George H.W. Bush as the 477th Point of Light, and in 1999, the Governor's Council on Physical Fitness, Health and Sports named Metro Youth Day the top youth event in Michigan. These honors are the direct result of the hard work and dedication of the many individuals, organizations and businesses that team up to make sure this event is rewarding and memorable for the many youth across the Detroit metro area that participate.

Inspiring young people to better themselves and fostering stronger community bonds are noble pursuits that reap rewards far into the future. I salute all those who have played a role in making this year's Metro Detroit Youth Day a tremendous success. This event has become a tradition in southeast Michigan over the last 28 years, and I look forward to hearing about this exciting celebration for many years to come.●

#### PARKSTON, SOUTH DAKOTA

● Mr. THUNE. Madam President, today I recognize Parkston, SD. This year the town of Parkston will commemorate the 125th anniversary of its founding.

Located in Hutchinson County, Parkston was originally known as Dakota City and was located southeast of what is now Parkston. When the railroad was built, it did not run through Dakota City as expected. So the residents of Dakota City moved their buildings with teams of horses to where Parkston is currently located. Today Parkston is a growing community with many local shops and excellent health care and educational facilities. It is also home to the Parkston Classic, a high school basketball tradition.

Parkston has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to extend my congratulations to the citizens of Parkston on this landmark date and wish them continued prosperity in the years to come.●

#### VIBORG, SOUTH DAKOTA

● Mr. THUNE. Madam President, today I recognize Viborg, SD. This year the

town of Viborg will commemorate the 125th anniversary of its founding.

Located in Turner County, Viborg was originally known as Daneville. It was named Daneville because it was a booming settlement of Danish immigrants. When the railroad was built, it did not run through Daneville but, rather, was located a half mile from the village. Residents relocated to the current location of Viborg, which was named for an ancient city in Denmark. Today, Viborg is a growing community and is well known for its annual Danish Days celebration, which celebrates the strong cultural heritage in Viborg.

Viborg has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Viborg on this landmark date and wish them continued prosperity in the years to come.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Health, Education, Labor, and Pensions.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MEASURES DISCHARGED

The following bill was discharged from the Committee on Energy and Natural Resources, and referred as indicated:

S. 869. A bill to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority; to the Committee on Homeland Security and Governmental Affairs.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEVIN (for himself, Mr. CONRAD, Mr. NELSON of Florida, Mr. SANDERS, Mrs. SHAHEEN, and Mr. WHITEHOUSE):

S. 1346. A bill to restrict the use of offshore tax havens and abusive tax shelters to inappropriately avoid Federal taxation, and for other purposes; to the Committee on Finance.

By Mr. LIEBERMAN (for himself and Mr. BLUMENTHAL):

S. 1347. A bill to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN of Massachusetts (for himself, Mr. LIEBERMAN, Mr. WEBB, Mr. INHOFE, Mr. CASEY, and Mr. BEGICH):

S. 1348. A bill to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day; to the Committee on the Judiciary.

By Mr. JOHANNIS:

S. 1349. A bill to amend the National Flood Insurance Act of 1968 to clarify the effective date of policies covering properties affected by floods in progress; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COONS (for himself, Mr. CRAPO, Mrs. MURRAY, and Mr. KIRK):

S. 1350. A bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW:

S. 1351. A bill to promote the development, manufacturing, and use of advanced batteries, and for other purposes; to the Committee on Energy and Natural Resources.

#### ADDITIONAL COSPONSORS

S. 57

At the request of Mr. INOUE, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 57, a bill to amend the Internal Revenue Code of 1986 to modify the application of the tonnage tax on certain vessels.

S. 170

At the request of Mrs. BOXER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 170, a bill to provide for the affordable refinancing of mortgages held by Fannie Mae and Freddie Mac.

S. 344

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 387

At the request of Mrs. BOXER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 387, a bill to amend title 37, United States Code, to provide flexible spending arrangements for members of uniformed services, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from North Caro-

lina (Mr. BURR) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 438

At the request of Ms. STABENOW, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 438, a bill to amend the Public Health Service Act to improve women's health by prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 506

At the request of Mr. CASEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 506, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 697

At the request of Mr. CASEY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Services for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 922

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 922, a bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes.

S. 971

At the request of Mr. THUNE, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 971, a bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1035

At the request of Mr. CARPER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1035, a bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler systems as section 179 property and classify certain automated fire sprinkler systems as 15-year property for purposes of depreciation.

S. 1046

At the request of Mr. INHOFE, the names of the Senator from Idaho (Mr. RISCHE), the Senator from Oklahoma (Mr. COBURN), the Senator from South Dakota (Mr. THUNE), the Senator from Massachusetts (Mr. BROWN), the Senator from Alabama (Mr. SESSIONS), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Mississippi (Mr. WICKER) and the Senator from Nebraska (Mr. JOHANNIS) were added as cosponsors of S. 1046, a bill to require the detention at United States Naval Station, Guantanamo Bay, Cuba, of high-value enemy combatants who will be detained long-term.

S. 1061

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1061, a bill to amend title 5 and 28, United States Code, with respect to the award of fees and other expenses in cases brought against agencies of the United States, to require the Administrative Conference of the United States to compile, and make publically available, certain data relating to the Equal Access to Justice Act, and for other purposes.

S. 1094

At the request of Mr. MENENDEZ, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109-416).

S. 1108

At the request of Mr. SANDERS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1108, a bill to provide local communities with tools to make solar permitting more efficient, and for other purposes.

S. 1188

At the request of Mr. BROWN of Ohio, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1188, a bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government.

S. 1200

At the request of Mr. SANDERS, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1200, a bill to require the Chairman of the Commodity Futures Trading Commission to impose unilaterally position limits and margin requirements to eliminate excessive oil speculation, and to take other actions to ensure that the price of crude oil, gasoline, diesel fuel, jet fuel, and heating oil accurately reflects the fundamentals of supply and demand, to remain in effect until the date on which the Commission establishes position limits to diminish, eliminate, or prevent excessive speculation as required by title VII of the Dodd-Frank Wall

Street Reform and Consumer Protection Act, and for other purposes.

S. 1225

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1225, a bill to transfer certain facilities, easements, and rights-of-way to Fort Sumner Irrigation District, New Mexico.

S. 1231

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1231, a bill to reauthorize the Second Chance Act of 2007.

S. 1241

At the request of Mr. RUBIO, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1241, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 1250

At the request of Mr. BENNET, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1250, a bill to create and expand innovative teacher and principal preparation programs known as teacher and principal preparation academies.

S. 1299

At the request of Mr. MORAN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1341

At the request of Mr. SESSIONS, the names of the Senator from South Carolina (Mr. DEMINT) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 1341, a bill to provide a point of order against consideration of any measure that would increase the statutory limit on the public debt above \$14.294 trillion unless that measure has been publicly available for a full 7 calendar days before consideration on the floor of the Senate.

S.J. RES. 17

At the request of Mr. MCCONNELL, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the

United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself, Mr. CONRAD, Mr. NELSON of Florida, Mr. SANDERS, Mrs. SHAHEEN, and Mr. WHITEHOUSE):

S. 1346. A bill to restrict the use of offshore tax havens and abusive tax shelters to inappropriately avoid Federal taxation, and for other purposes; to the Committee on Finance.

Mr. LEVIN. Mr. President, I am introducing today with my colleagues Senators CONRAD, BILL NELSON, SANDERS, SHAHEEN, and WHITEHOUSE, the Stop Tax Haven Abuse Act, legislation which is geared to stop the \$100 billion yearly drain on the U.S. treasury caused by offshore tax abuses. Offshore tax abuses are not only undermining public confidence in our tax system, but widening the deficit and increasing the tax burden on middle America.

People are sick and tired of tax dodgers using offshore trickery and abusive tax shelters to avoid paying their fair share. This bill offers powerful new tools to combat those offshore and tax shelter abuses, raise revenues, and eliminate incentives to send U.S. profits and jobs offshore. Its provisions will hopefully be part of any deficit reduction package this year, but should be adopted in any event.

The bill is supported by a wide array of small business, labor, and public interest groups, including the Financial Accountability and Corporate Transparency, FACT, Coalition, American Sustainable Business Council, Business for Shared Prosperity, Main Street Alliance, AFL-CIO, SEIU, Citizens for Tax Justice, Tax Justice Network-USA, U.S. Public Interest Research Group, Global Financial Integrity, Global Witness, Jubilee USA, and Public Citizen.

Frank Knapp, president and CEO of the South Carolina Small Business Chamber of Commerce, has explained small business support for the bill this way:

Small businesses are the lifeblood of local economies. We pay our fair share of taxes and generate most of the new jobs. Why should we be subsidizing U.S. multinationals that use offshore tax havens to avoid paying taxes? Big corporations benefit immensely from all the advantages of being headquartered in our country. It is time to end tax haven abuse and level the playing field.

The Stop Tax Haven Abuse Act is a product of the investigative work of the Permanent Subcommittee on Investigations which I chair. For more than 10 years, the Subcommittee has conducted inquiries into offshore abuses, including the use of offshore corporations and trusts to hide assets, the use of tax haven banks to set up se-

cret accounts, and the use of U.S. bankers, lawyers, accountants and other professionals to devise and conduct abusive tax shelters. Over the years, we have learned a lot of the offshore tricks and have designed this bill to fight back by closing obnoxious offshore tax loopholes and strengthening offshore tax enforcement.

The 112th Congress is the fifth Congress in which I have introduced a comprehensive bill to combat offshore and tax shelter abuses. A number of provisions from past bills have made it into law, such as measures to curb abusive foreign trusts, close offshore dividend tax loopholes, and strengthen penalties on tax shelter promoters, but much more needs to be done.

The last Congress made significant progress in the offshore battle. We finally enacted into law the economic substance doctrine which authorizes courts to strike down phony business deals with no economic purpose other than to avoid the payment of tax. My past bills supported the economic substance doctrine, and its enactment into law is a victory many years in the making.

Last year also saw enactment of the Baucus-Rangel Foreign Account Tax Compliance Act or FATCA, which is a tough new law designed to flush out hidden offshore bank accounts. Foreign banks are currently engaged in a massive lobbying effort to weaken its disclosure requirements, but U.S. banks have had it with foreign banks using secrecy to attract U.S. clients and want those banks to have to meet the same disclosure requirements U.S. banks do. The Administration is so far resisting calls to water down the provisions.

President Obama, who when in the Senate cosponsored my bills in 2005 and 2007 to end tax haven abuses, is a long-time opponent of offshore tax evasion. He knows how fed up Americans are with tax dodgers who hide their money offshore, use complex tax shelters to thumb their nose at Uncle Sam, and offload their tax burden onto the backs of honest Americans.

The bottom line is that each of us has a legal and civil obligation to pay taxes, and most Americans fulfill that obligation. It is time to force the tax scofflaws, the tax dodgers, and the tax cheats to do the same, and end their misuse of offshore tax havens.

The bill I am introducing today is a stronger version of the Stop Tax Haven Abuse Act introduced in the last Congress. In addition to preserving the provisions from last year that have not yet been enacted into law, it contains several new measures to stop tax dodgers from taking advantage of middle Americans who play by the rules.

Among the bill's provisions are special measures to combat persons who impede U.S. tax enforcement; establishment of legal presumptions to overcome secrecy barriers; the treatment of



offshore corporations as domestic corporations for tax purposes when controlled by U.S. persons; closing a tax loophole benefiting credit default swaps that send money offshore; closing another loophole that allows corporate deposits of foreign funds in U.S. accounts to be treated as nontaxable, unrepatriated foreign income; disclosure requirements for basic information on country-by-country tax payments by multinationals; and stronger penalties against tax shelter promoters and aiders and abettors of tax evasion.

Probably the biggest change in the bill from the last Congress is that it would no longer require Treasury to develop a list of offshore secrecy jurisdictions and then impose tougher requirements on U.S. taxpayers who use those jurisdictions. Instead, the bill would build on the Foreign Account Tax Compliance Act of 2010, by creating tougher disclosure, evidentiary, and enforcement consequences for U.S. persons who do business with foreign financial institutions that reject FATCA's call for disclosing accounts used by U.S. persons. By focusing on non-FATCA financial institutions instead of offshore secrecy jurisdictions, the bill relieves Treasury of a difficult task, while providing additional incentives for foreign banks to adopt FATCA's disclosure requirements.

Mr. President, I ask unanimous consent that a section by section analysis and a bill summary be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### Section 101—Special Measures Where U.S. Tax Enforcement Is Impeded

The first section of the bill, Section 101, which is carried over from the last Congress, would allow the Treasury Secretary to apply an array of sanctions against any foreign jurisdiction or financial institution which the Secretary determined was impeding U.S. tax enforcement.

This provision has added significance now that Congress has enacted the Foreign Account Tax Compliance Act requiring foreign financial institutions with U.S. investments to disclose all accounts opened by U.S. persons or pay a hefty tax on their U.S. investment income. FATCA goes into effect in 2013, but some foreign financial institutions are saying that they will refuse to adopt FATCA's approach and will instead stop holding any U.S. assets. While that is their right, the question being raised by some foreign banks planning to comply with FATCA is what happens to non-FATCA institutions that take on U.S. clients and don't report the accounts to the United States. Right now, the U.S. government has no way to take effective action against foreign financial institutions that open secret accounts for U.S. tax evaders. Section 101 of our bill would change that by providing just the powerful new tool needed to stop non-FATCA institutions from facilitating U.S. tax evasion.

Section 101 is designed to build upon existing Treasury authority to take action against foreign financial institutions that engage in money laundering by extending that same authority to the tax area. In 2001,

the Patriot Act gave Treasury the authority under 31 U.S.C. 5318A to require domestic financial institutions and agencies to take special measures with respect to foreign jurisdictions, financial institutions, or transactions found to be of "primary money laundering concern." Once Treasury designates a foreign jurisdiction or financial institution to be of primary money laundering concern, Section 5318A allows Treasury to impose a range of requirements on U.S. financial institutions in their dealings with the designated entity—from requiring U.S. financial institutions, for example, to provide greater information than normal about transactions involving the designated entity, to prohibiting U.S. financial institutions from opening accounts for that foreign entity.

This Patriot Act authority has been used sparingly, but to telling effect. In some instances Treasury has employed special measures against an entire country, such as Burma, to stop its financial institutions from laundering funds through the U.S. financial system. More often, Treasury has used the authority surgically, against a single problem financial institution, to stop laundered funds from entering the United States. The provision has clearly succeeded in giving Treasury a powerful tool to protect the U.S. financial system from money laundering abuses.

The bill would authorize Treasury to use that same tool to require U.S. financial institutions to take the same special measures against foreign jurisdictions or financial institutions found by Treasury to be "impeding U.S. tax enforcement." Treasury could, for example, in consultation with the IRS, the Secretary of State, and the Attorney General, require U.S. financial institutions that have correspondent accounts for a designated foreign bank to produce information on all of that foreign bank's customers. Alternatively, Treasury could prohibit U.S. financial institutions from opening accounts for a designated foreign bank, thereby cutting off that foreign bank's access to the U.S. financial system. These types of sanctions could be as effective in ending the worst tax haven abuses as they have been in curbing money laundering.

In addition to extending Treasury's ability to impose special measures against foreign entities impeding U.S. tax enforcement, the bill would add one new measure to the list of possible sanctions that could be applied: it would allow Treasury to instruct U.S. financial institutions not to authorize or accept credit card transactions involving a designated foreign jurisdiction or financial institution. Denying tax haven banks the ability to issue credit cards for use in the United States, for example, offers an effective new way to stop U.S. tax cheats from obtaining access to funds hidden offshore.

#### Section 102—Strengthening FATCA

Section 102 of the bill is a new section that seeks to clarify, build upon, and strengthen the Foreign Account Tax Compliance Act or FATCA, to flush out hidden foreign accounts and assets used by U.S. taxpayers to evade paying U.S. taxes. When the law becomes effective in 2013, it will require disclosure of account held by U.S. persons at foreign banks, broker-dealers, investment advisers, hedge funds, private equity funds, and other financial firms.

Some foreign financial institutions are likely to choose to forego all U.S. investments rather than comply with FATCA's disclosure rules. If some foreign financial institutions decide not to participate in the FATCA system, that's their business. But if

U.S. taxpayers start using those same foreign financial institutions to hide assets and evade U.S. taxes to the tune of \$100 billion per year, that's our business. The United States has a right to enforce our tax laws and to expect that financial institutions will not assist U.S. tax cheats.

Section 101 of the bill would provide U.S. authorities with a way to take direct action against foreign financial institutions that decide to operate outside of the FATCA system and allow U.S. clients to open hidden accounts. If the U.S. Treasury determines that such a foreign financial institution is impeding U.S. tax enforcement, Section 101 would give U.S. authorities a menu of special measures that could be taken in response, including by prohibiting U.S. banks from doing business with that institution.

Section 102, in contrast, does not seek to take action against a non-FATCA institution, but instead seeks to strengthen tax enforcement efforts with respect to the U.S. persons taking advantage of the non-disclosure practices at non-FATCA institutions. Section 102 would also clarify when foreign financial institutions are obligated to disclose accounts to the United States under FATCA.

Background. In 2006, the Permanent Subcommittee on Investigations released a report with six case histories detailing how U.S. taxpayers were using offshore tax havens to avoid payment of the taxes they owed. These case histories examined an Internet-based company that helped persons obtain offshore entities and accounts; U.S. promoters that designed complex offshore structures to hide client assets, even providing clients with a how-to manual for going offshore; U.S. taxpayers who diverted business income offshore through phony loans and invoices; a one-time tax dodge that deducted phantom offshore stock losses from real U.S. stock income to shelter that income from U.S. taxes; and a 13-year offshore network of 58 offshore trusts and corporations built by American brothers Sam and Charles Wyly. Each of these case histories presented the same fact pattern in which the U.S. taxpayer, through lawyers, banks, or other representatives, set up offshore trusts, corporations, or other entities which had all the trappings of independence but, in fact, were controlled by the U.S. taxpayer whose directives were implemented by compliant offshore personnel acting as the trustees, officers, directors or nominee owners of the offshore entities.

In the case of the Wyllys, the brothers and their representatives communicated Wyly directives to a so-called trust protector who then relayed the directives to the offshore trustees. In the 13 years examined by the Subcommittee, the offshore trustees never once rejected a Wyly request and never once initiated an action without Wyly approval. They simply did what they were told. A U.S. taxpayer in another case history told the Subcommittee that the offshore personnel who nominally owned and controlled his offshore entities, in fact, always followed his directions, describing himself as the "puppet master" in charge of his offshore holdings.

When the Subcommittee discussed these case histories with financial administrators from the Isle of Man, the regulators explained that none of the offshore personnel were engaged in any wrongdoing, because their laws permit foreign clients to transmit detailed, daily instructions to offshore service providers on how to handle offshore assets, so long as it is the offshore trustee or corporate officer who gives the final order to

buy or sell the assets. They explained that, under their law, an offshore entity is considered legally independent from the person directing its activities so long as that person follows the form of transmitting “requests” to the offshore personnel who retain the formal right to make the decisions, even though the offshore personnel always do as they are asked.

The Subcommittee case histories illustrate what the tax literature and law enforcement experience have shown for years: that the business model followed in all offshore secrecy jurisdictions is for compliant trustees, corporate administrators, and financial institutions to provide a veneer of independence while ensuring that their U.S. clients retain complete and unfettered control over “their” offshore assets. That’s the standard operating procedure offshore. Offshore service providers pretend to own or control the offshore trusts, corporations, and accounts they help establish, but what they really do is whatever their clients tell them to do.

**Rebuttable Evidentiary Presumptions.** The reality behind these offshore practices makes a mockery of U.S. laws that normally view trusts and corporations as independent actors. They invite game-playing and tax evasion. To combat these abusive offshore practices, Section 102(g) of the bill would implement a bipartisan recommendation in the 2006 report by establishing several rebuttable evidentiary presumptions that would presume U.S. taxpayer control of offshore entities that they form or do business with, unless the U.S. taxpayer presents clear and convincing evidence to the contrary.

The presumptions would apply only in civil, judicial, or administrative tax or securities enforcement proceedings examining offshore entities or transactions. They would place the burden of producing evidence from offshore jurisdiction on the taxpayer who chose to do business in those jurisdictions and who has access to the information, rather than on the federal government which has little or no practical ability to get the information.

Section 102(g)(1) would establish three evidentiary presumptions that could be used in a civil tax enforcement proceeding. First is a presumption that a U.S. taxpayer who “formed, transferred assets to, was a beneficiary of, had a beneficial interest in, or received money or property or the use thereof” from an offshore entity, such as a trust or corporation, controls that entity. Second is a presumption that funds or other property received from offshore are taxable income, and that funds or other property transferred offshore have not yet been taxed. Third is a presumption that a financial account controlled by a U.S. taxpayer in a foreign country contains enough money—\$10,000—to trigger an existing statutory reporting threshold and allow the IRS to assert the minimum penalty for nondisclosure of the account by the taxpayer.

Section 102(g)(2) would establish two evidentiary presumptions applicable to civil proceedings to enforce U.S. securities laws. The first would specify that if a director, officer, or major shareholder of a U.S. publicly traded corporation were associated with an offshore entity, that person would be presumed to control that offshore entity. The second presumption would provide that securities nominally owned by an offshore entity are presumed to be beneficially owned by any U.S. person who controlled that offshore entity.

All of these presumptions are rebuttable, which means that the U.S. person who is the

subject of the proceeding could provide clear and convincing evidence to show that the presumptions were factually inaccurate. To rebut the presumptions, a taxpayer could establish, for example, that an offshore corporation really was controlled by an independent third party, or that money sent from an offshore account really represented a nontaxable gift instead of taxable income. If the taxpayer wished to introduce evidence from a foreign person, such as an offshore banker, corporate officer, or trust administrator, to establish those facts, that foreign person would have to actually appear in the U.S. proceeding in a manner that would permit cross examination.

The bill also includes several limitations on the presumptions to ensure their operation is fair and reasonable. First, criminal cases would not be affected by this bill which would apply only to civil proceedings. Second, because the presumptions apply only in enforcement “proceedings,” they would not directly affect, for example, a person’s reporting obligations on a tax return or SEC filing. The presumptions would come into play only if the IRS or SEC were to challenge a matter in a formal proceeding. Third, the bill would not apply the presumptions to situations where either the U.S. person or the offshore entity is a publicly traded company, because in those situations, even if a transaction were abusive, IRS and SEC officials are generally able to obtain access to necessary information. Fourth, the bill recognizes that certain classes of offshore transactions, such as corporate reorganizations, may not present a potential for abuse, and accordingly authorizes Treasury and the SEC to issue regulations or guidance identifying such classes of transactions, to which the presumptions would not apply.

An even more fundamental limitation on the presumptions is that they would apply only to U.S. persons who directly or through an offshore entity choose to do business with a “non-FATCA institution,” meaning a foreign financial institution which has not adopted the FATCA disclosure requirements and instead takes advantage of banking, corporate, and tax secrecy laws and practices that make it very difficult for U.S. tax authorities to detect financial accounts benefiting U.S. persons.

FATCA’s disclosure requirements were designed to combat offshore secrecy and flush out hidden accounts being used by U.S. persons to evade U.S. taxes. Section 102(g) would continue the fight by allowing federal authorities to benefit from rebuttable presumptions regarding the control, ownership, and assets of offshore entities that open accounts at financial institutions outside the FATCA disclosure system. These presumptions would allow U.S. law enforcement to establish what we all know from experience is normally the case in an offshore jurisdiction—that a U.S. person associated with an offshore entity controls that entity; that money and property sent to or from an offshore entity involves taxable income; and that an offshore account that hasn’t been disclosed to U.S. authorities should be made subject to inspection. U.S. law enforcement can establish those facts presumptively, without having to pierce the secrecy veil. At the same time, U.S. persons who chose to transact their affairs through accounts at a non-FATCA institution are given the opportunity to lift the veil of secrecy and demonstrate that the presumptions are factually wrong. These rebuttable evidentiary presumptions will provide U.S. tax and securities law enforcement with powerful new tools to shut down tax haven abuses.

FATCA Disclosure Obligations. In addition to establishing presumptions, Section 102 would make several changes to clarify and strengthen FATCA’s disclosure obligations.

Section 102(b) would amend 26 U.S.C. Section 1471 to make it clear that the types of financial accounts that must be disclosed by foreign financial institutions under FATCA include not just savings, money market, or securities accounts, but also transaction accounts that some banks might claim are not depository accounts, such as checking accounts. The section would also make it clear that financial institutions could not omit from their disclosures client assets in the form of derivatives, including swap agreements.

Section 102(c) would amend 26 U.S.C. 1472 to clarify when a withholding agent “knows or has reason to know” that an account is directly or indirectly owned by a U.S. person and must be disclosed to the United States. The bill provision would make it clear that the withholding agent would have to take into account information obtained as the result of “any customer identification, anti-money laundering, anti-corruption, or similar obligation to identify accountholders.” In other words, if a foreign bank knows, as a result of due diligence inquiries made under its anti-money laundering program, that a non-U.S. corporation was beneficially owned by a U.S. person, the foreign bank would have to report that account to the IRS—it could not treat the offshore corporation as a non-U.S. customer. That approach is already implied in the statutory language, but this amendment would make it crystal clear.

Section 102(c) would also amend the law to make it clear that the Treasury Secretary, when exercising authority under FATCA to waive disclosure or withholding requirements for non-financial foreign entities, can waive those requirements for only for a class of entities which the Secretary identifies as “posing a low risk of tax evasion.” A variety of foreign financial institutions are pressing Treasury to issue waivers under Section 1472, and this amendment would make it clear that such waivers are possible only when the risk of tax evasion is minimal.

Section 102(d) would amend 26 U.S.C. 1473 to clarify that the definition of “substantial United States owner” includes U.S. persons who are beneficial owners of corporations or the beneficial owner of an entity that is one of the partners in a partnership. While the current statutory language already implies that beneficial owners are included, this amendment would leave no doubt.

Section 102(e) would amend 26 U.S.C. 1474 to make two exceptions to the statutory provision which makes account information disclosed to the IRS by foreign financial institutions under FATCA confidential tax return information. The first exception would allow the IRS to disclose the account information to federal law enforcement agencies, including the SEC and bank regulators, investigating possible violations of U.S. law. The second would allow the IRS to disclose the name of any foreign financial institution whose disclosure agreement under FATCA was terminated, either by the institution, its government, or the IRS. Financial institutions should not be able to portray themselves as FATCA institutions if, in fact, they are not.

Section 102(f) would amend 26 U.S.C. 6038D, which creates a new tax return disclosure obligation for U.S. taxpayers with interests in “specified foreign financial assets,” to clarify that the disclosure requirement applies not only to persons who have a direct or

nominal ownership interest in those foreign financial assets, but also to persons who have a beneficial, meaning real, ownership interest in them. While the existing statutory language implies this broad reporting obligation, the amendment would make it clear.

Finally, Section 102(a) would amend a new annual tax return obligation established in 26 U.S.C. 1298(f) for passive foreign investment companies (PFICs). PFICs are typically used as holding companies for foreign assets held by U.S. persons, and the intent of the new Section 1298(f) is to require all PFICs to begin filing annual informational tax returns with the IRS. The current statutory language, however, limits the disclosure obligation to any U.S. person who is a "shareholder" in a PFIC, and does not cover PFICs whose shares may be nominally held by an offshore corporation or trust, but beneficially owned by a U.S. person. The bill provision would broaden the PFIC reporting requirement to apply to any U.S. person who "directly or indirectly, forms, transfers assets to, is a beneficiary of, has a beneficial interest in, or receives money or property or the use thereof" from a PFIC. That broader formulation of who should file the new PFIC annual tax return would ensure that virtually all PFICs associated with U.S. persons will begin filing informational returns with the IRS.

#### Section 103—Corporations Managed and Controlled in the United States

Section 103 of the bill focuses on corporations which claim foreign status—often in a tax haven jurisdiction—in order to avoid payment of U.S. taxes, but then operate right here in the United States in direct competition with domestic corporations that are paying their fair share.

This offshore game is all too common. In 2008, the Senate Finance Committee held a hearing describing a trip made by GAO to the Cayman Islands to look at the infamous Uglund House, a five-story building that is the official address for over 18,800 registered companies. GAO found that about half of the alleged Uglund House tenants—around 9,000 entities—had a billing address in the United States and were not actual occupants of the building. In fact, GAO determined that none of the companies registered at the Uglund House was an actual occupant. GAO found that the only true occupant of the building was a Cayman law firm, Maples and Calder.

Here's what the GAO wrote:

"Very few Uglund House registered entities have a significant physical presence in the Cayman Islands or carry out business in the Cayman Islands. According to Maples and Calder partners, the persons establishing these entities are typically referred to Maples by counsel from outside the Cayman Islands, fund managers, and investment banks. As of March 2008 the Cayman Islands Registrar reported that 18,857 entities were registered at the Uglund House address. Approximately 96 percent of these entities were classified as exempted entities under Cayman Islands law, and were thus generally prohibited from carrying out domestic business within the Cayman Islands."

Section 103 of the bill is designed to address the Uglund House problem. It focuses on the situation where a corporation is incorporated in a tax haven as a mere shell operation with little or no physical presence or employees in the jurisdiction. The shell entity pretends it is operating in the tax haven, even though its key personnel and decision-makers are in the United States. The objec-

tive of this set up is to enable the owners of the shell entity to take advantage of all of the benefits provided by U.S. legal, educational, financial, and commercial systems, and at the same time avoid paying U.S. taxes.

My Subcommittee has seen numerous companies exploit this situation, declaring themselves to be foreign corporations, even though they really operate out of the United States. For example, thousands of hedge funds whose financial experts live in Connecticut, New York, Texas, or California play this game to escape taxes and avoid regulation. In an October 2008 Subcommittee hearing, three sizeable hedge funds, Highbridge Capital which is associated with JPMorgan Chase, Angelo Gordon, and Maverick Capital, admitted that, although all they claimed to be based in the Cayman Islands, none had an office or a single full time employee in that jurisdiction. Instead, their offices and key decisionmakers were located and did business right here in the United States.

According to a recent Wall Street Journal article, over 20 percent of the corporations that made initial public offerings or IPOs in the United States in 2010 and so far in 2011, have been incorporated in Bermuda or the Cayman Islands, but also described themselves to investors as based in another country, including the United States. The article also described how Samsonite, a Denver-based company, reincorporated in Luxembourg before going public. Too many of these tax-haven incorporations appear to be a deliberate effort to take advantage of U.S. benefits, while dodging U.S. taxation and undercutting U.S. competitors who pay their taxes.

Section 103 would put an end to such corporate fictions and offshore tax dodging. It provides that if a corporation is publicly traded or has aggregate gross assets of \$50 million or more, and its management and control occurs primarily in the United States, that corporation will be treated as a U.S. domestic corporation for income tax purposes.

To implement this provision, Treasury is directed to issue regulations to guide the determination of when management and control occur primarily in the United States, looking at whether "substantially all of the executive officers and senior management of the corporation who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the corporation are located primarily within the United States."

This new section relies on the same principles regarding the true location of ownership and control of a company that underlie the corporate inversion rules adopted in the American Jobs Creation Act of 2005. Those inversion rules, however, do not address the fact that some entities directly incorporate in foreign countries and manage their businesses activities from the United States. Section 103 would level the playing field and ensure that entities which incorporate directly in another country are subject to a similar management and control test. Section 103 is also similar in concept to the substantial presence test in the income tax treaty between the United States and the Netherlands, which looks to the primary place of management and control to determine corporate residency.

Section 103 would provide an exception for foreign corporations with U.S. parents. This exception from the \$50 million gross assets test recognizes that, within a multinational

operation, strategic, financial, and operational decisions are often made from a global or regional headquarters location and then implemented by affiliated foreign corporations. Where such decisions are undertaken by a parent corporation that is actively engaged in a U.S. trade or business and is organized in the United States—and is, therefore, already a domestic corporation—the bill generally would not override existing U.S. taxation of international operations. At the same time, the exception makes it clear that the mere existence of a U.S. parent corporation is not sufficient to shield a foreign corporation from also being treated as a domestic corporation under this section. The section would also create an exception for private companies that once met the section's test for treatment as a domestic corporation but, during a later tax year, fell below the \$50 million gross assets test, do not expect to exceed that threshold again, and are granted a waiver by the Treasury Secretary.

Section 103 contains specific language to stop the outrageous tax dodging that now goes on by too many hedge funds and investment management businesses that structure themselves to appear to be foreign entities, even though their key decisionmakers—the folks who exercise control of the company, its assets, and investment decisions—live and work in the United States. It is unacceptable that such companies utilize U.S. offices, personnel, laws, and markets to make their money, but then stiff Uncle Sam and offload their tax burden onto competitors who play by the rules.

To put an end to this charade, Section 103 specifically directs Treasury regulations to specify that, when investment decisions are being made in the United States, the management and control of that corporation shall be treated as occurring primarily in the United States, and that corporation shall be subject to U.S. taxes in the same manner as any other U.S. corporation.

If enacted into law, Section 103 would put an end to the unfair situation where some U.S.-based companies pay their fair share of taxes, while others who set up a shell corporation in a tax haven are able to defer or escape taxation, despite the fact that their foreign status is nothing more than a paper fiction.

#### Section 104—Increased Disclosure of Offshore Accounts and Entities

Offshore tax abuses thrive in secrecy. Section 104(a) attempts to pierce that secrecy by creating two new disclosure mechanisms requiring third parties to report on offshore transactions undertaken by U.S. persons. The first disclosure mechanism focuses on U.S. financial institutions that open a U.S. account in the name of an offshore entity, such as an offshore trust or corporation, and learn from an anti-money laundering due diligence review, that a U.S. person is the beneficial owner behind that offshore entity. In the Wyly case history examined by the Subcommittee, for example, three major U.S. financial institutions opened dozens of accounts for offshore trusts and corporations which they knew were associated with the Wyly family.

Under current anti-money laundering law, all U.S. financial institutions are supposed to know who is behind an account opened in the name of, for example, an offshore shell corporation or trust. They are supposed to obtain this information to safeguard the U.S. financial system against misuse by terrorists, money launderers, and other criminals.

Under current tax law, a bank or securities broker that opens an account for a U.S. person is also required to give the IRS a 1099

form reporting any capital gains or other reportable income earned on the account. However, the bank or securities broker need not file a 1099 form if the account is owned by a foreign entity not subject to U.S. tax law. Problems arise when an account is opened in the name of an offshore entity that is nominally not subject to tax, but which the bank or broker knows, from its anti-money laundering review, is owned or controlled by a U.S. person who is subject to tax. The U.S. person should be filing a tax return with the IRS reporting the income of the "controlled foreign corporation." However, since he or she knows it is difficult for the IRS to connect an offshore accountholder to a particular taxpayer, the U.S. person may feel safe in not reporting that income. That complacency might change, however, if the U.S. person knew that the bank or broker who opened the account and learned of the connection had a legal obligation to report any account income to the IRS.

Under current law, the way the regulations are written and typically interpreted, the bank or broker can treat an account opened in the name of a foreign corporation as an account that is held by an independent entity that is separate from the U.S. person, even if it knows that the foreign corporation is acting merely as a screen to hide the identity of the U.S. person, who exercises complete authority over the corporation and benefits from any income earned on the account. Many banks and brokers contend that the current regulations impose no duty on them to file a 1099 or other form disclosing that type of account to the IRS.

The bill would strengthen current law by expressly requiring a bank or broker that knows, as a result of its anti-money laundering due diligence or otherwise that a U.S. person is the beneficial owner of a foreign entity that opened an account, to disclose that account to the IRS by filing a 1099 or equivalent form reporting the account income. This reporting obligation would not require banks or brokers to gather any new information—financial institutions are already required to perform anti-money laundering due diligence for accounts opened by offshore shell entities. The bill would instead require U.S. financial institutions to act on what they already know by filing the relevant form with the IRS.

This section would require such reports to the IRS from two sets of financial institutions. The first set are financial institutions which are located and do business in the United States. The second set is foreign financial institutions which are located and do business outside of the United States, but are voluntary participants in either the FATCA or Qualified Intermediary Program, and have agreed to provide information to the IRS about certain accounts. Under this section, if a foreign financial institution has an account under the FATCA or QI Program, and the accountholder is a non-U.S. entity that is controlled or beneficially owned by a U.S. person, then that foreign financial institution would have to report any reportable assets or income in that account to the IRS.

The second disclosure mechanism created by Section 104(a) targets U.S. financial institutions that open foreign bank accounts for U.S. clients at non-FATCA institutions, meaning foreign financial institutions that have not agreed under FATCA to disclose to the IRS the accounts they open for U.S. persons. Past Subcommittee investigations have found that some U.S. financial institutions help their U.S. clients both to form offshore entities and to open foreign bank ac-

counts for those entities, so that their clients do not even need to leave home to set up an offshore structure. Since non-FATCA institutions, by definition, have no obligation to disclose the accounts to U.S. authorities, Section 104(a) would instead impose that disclosure obligation on the U.S. financial institution that helped set up the account for its U.S. client.

Section 104(b) imposes the same penalties for the failure to report such accounts as apply to the failure to meet other reporting obligations of withholding agents.

#### Section 105—CDS Loophole

Section 105 of the bill targets a tax loophole benefiting credit default swaps, which I call the CDS loophole.

A CDS in simple terms is a financial bet about whether a company, a loan, a bond, a mortgage backed security, or some other financial instrument or arrangement will default or experience some other defined "credit event" during a specified period of time. The CDS buyer bets that the default or other credit event will happen, while the CDS seller bets it won't. The CDS buyer typically makes a series of payments to the seller over a specified period of time in exchange for a promise that, if a default or other credit event takes place during the covered period, the seller will make a bigger payoff to the buyer. In some cases, CDS buyers and sellers also agree to make payments to each other over the course of the covered period as the CDS rises or falls in value according to whether a credit event looks more or less likely.

Five years ago, few people outside of financial circles had ever heard of a credit default swap, but we all learned more than we wanted to during the financial crisis when CDS disasters brought down storied financial firms and almost pushed the U.S. financial system over the cliff. We found out there is now a \$30 trillion CDS market worldwide, and that virtually all U.S. financial players engage in CDS transactions. And credit default swaps continue to play a role in financial crises around the world, from Greece to Ireland to Portugal.

Well it turns out there's a tax angle which promotes not only CDS gambling, but also offshore finagling. That's because U.S. tax regulations currently allow CDS payments that are sent from the United States to someone offshore to be treated as non-taxable, non-U.S. source income. Let me repeat that. CDS payments sent from the United States are now deemed non-U.S. source income to the recipient for tax purposes. That's because current regs deem the "source" of the CDS payment to be where the payment ends up—exactly the opposite of the normal definition of the word "source."

Well, you can imagine the use that some hedge funds that operate here in the United States, but are incorporated offshore and maintain post office boxes and bank accounts in tax havens, may be making of that tax loophole. They can tell their CDS counterparties to send any CDS payments to their offshore post box or bank account, tell Uncle Sam that those payments are legally considered non-U.S. source income, and bank the CDS payments as foreign income immune to U.S. tax. Hedge funds are likely far from alone in sheltering their CDS income from taxation by sending it offshore. Banks, securities firms, other financial firms, and a lot of commercial firms may be doing the same thing.

Our bill would shut down that offshore game simply by recognizing reality—that

CDS payments sent from the United States are U.S. source income subject to taxation.

#### Section 106—Foreign Subsidiary Deposits Loophole

Section 106 of the bill would take on another type of offshore trickery, closing what I call the foreign subsidiary deposits loophole.

Right now, U.S. corporations report holding substantial funds offshore, in the range of \$1 trillion in accumulated undistributed earnings. Some of that cash is the result of legitimate foreign business operations, such as plants, stores, or restaurant chains located in other countries. Some of it is the result of transfer pricing arrangements that moved the funds out of the United States with varying degrees of legitimacy. But regardless of how or why the funds are outside of the United States, U.S. corporations generally do not pay taxes on them, invoking tax code provisions that allow them to defer taxation of foreign income as long as those funds are not brought back—repatriated—to the United States.

But we need to look closer at the corporations claiming that their funds are offshore. In some cases, those so-called offshore funds are apparently being held in U.S. dollars in U.S. bank and securities accounts located right here in the United States.

One easy way for that to happen is for a U.S. corporation to direct its foreign subsidiary to deposit its foreign earnings at a foreign bank, let's say in the Cayman Islands, and ask the Cayman bank to convert any foreign currency into U.S. dollars. The Cayman bank typically complies by opening a U.S. dollar account at a U.S. bank. When one bank opens an account at another bank, the account is generally referred to as a correspondent account.

So the Cayman bank opens a correspondent account at a U.S. bank, deposits the funds belonging to the foreign subsidiary of the U.S. corporation, converts the funds into U.S. dollars, and perhaps even invests those dollars in an overnight or money market account or certificate of deposit to earn interest on the money. The U.S. corporation or its foreign subsidiary could even direct the Cayman bank to invest the U.S. dollars in U.S. securities, which the Cayman bank could do by opening a correspondent account at a U.S. securities firm, depositing the corporate dollars, and directing those dollars to be used to buy stocks or bonds. Again, the correspondent account would be in the name of the Cayman bank rather than in the name of the U.S. corporation or its foreign subsidiary, although the funds involved are beneficially owned by the corporate client.

The end result is that the U.S. corporation's offshore funds aren't really offshore at all. They are sitting in a U.S. bank or securities firm right here in the United States. The U.S. corporation is getting the benefit of using U.S. dollars, the safest currency in the world. It is also getting the benefit of using U.S. financial institutions, sending funds through U.S. wire transfer networks, and investing in U.S. financial markets, all without paying a dime of income taxes.

Our bill would put an end to the fiction that corporate funds deposited in U.S. financial accounts somehow still qualify as offshore funds that have not been repatriated to the United States. Instead, the bill would recognize the reality that the funds are in the United States and are no longer immune to taxation. It would do so by treating any funds that have been deposited by or on behalf of a foreign subsidiary in an account physically located in the United States as a

taxable distribution by that foreign subsidiary to its U.S. parent.

If U.S. corporations want to defer U.S. taxation on their foreign income by keeping that income offshore, then they should have to actually keep those funds outside of the United States. If they bring that income here to the United States to seek the protections and benefits of having it deposited in U.S. currency at U.S. financial institutions, then those deposits should be treated as repatriated and subject to the same taxes that other domestic corporations pay.

#### Section 201—Country-by-Country Reporting

Section 201 of the bill would tackle the problem of offshore secrecy that currently surrounds most multinational corporations by requiring them to provide basic information on a country-by-country basis to the investing public and government authorities.

Many multinationals today are complex businesses with sprawling operations that cross multiple international boundaries. In many cases, no one outside of the corporations themselves knows much about what a particular corporation is doing on a per country basis or how its country-specific activities fit into the corporation's overall performance, planning, and operations.

The lack of country-specific information deprives investors of key data to analyze a multinational's financial health, exposure to individual countries' problems, and worldwide operations. There is also a lack of information to evaluate tax revenues on a country-specific basis to combat tax evasion, financial fraud, and corruption by government officials.

The lack of country-specific information also impedes efficient tax administration, leaving tax authorities unable to effectively analyze transfer pricing arrangements, foreign tax credits, business arrangements that attempt to play one country off another to avoid taxation, and illicit tactics to move profits to tax havens.

The bill would assist investors and tax administrators by requiring corporations that are registered with the Securities and Exchange Commission to provide basic information concerning their operations on a country-by-country basis. This basic information would be the approximate number of their employees per country, total amount of sales and purchases involving related and third parties, total amount of financing arrangements with related and third parties; and the total amount of tax obligations and actual tax payments made on a per country basis. This information would have to be furnished to the SEC as part of the corporation's existing SEC filings.

The bill requires disclosure of basic data that most multinational corporations would already have. The data wouldn't be burdensome to collect; it's just information that isn't routinely released by many multinationals. It's time to end the secrecy that now enables too many multinationals to run circles around tax administrators.

In the case of the United States, the value of country-by-country data becomes apparent after reading a recent article by Professor Kimberly Clausing who estimated that, in 2008 alone, "the income shifting of multinational firms reduced U.S. government corporate tax revenue by about \$90 billion," which was "approximately 30 percent of corporate tax revenues." Think about that. Incoming shifting—in which multinationals use various tactics to shift income to tax havens to escape U.S. taxes—is responsible for \$90 billion in unpaid taxes in a single year. Over ten years, that translates

into \$900 billion—nearly a trillion dollars. It is unacceptable to allow that magnitude of nonpayment of corporate taxes to continue year after year in light of the mounting deficits facing this country.

IRS data shows that the overall share of federal taxes paid by U.S. corporations has fallen dramatically, from 32% in 1952, to about 9% in 2009, the last year in which data is available. A 2008 report by the Government Accountability Office found that, over an eight-year period, about 1.2 million U.S. controlled corporations, or 67% of the corporate tax returns filed, paid no federal corporate income tax at all, despite total gross receipts of \$2.1 trillion. At the same time corporations are dodging payment of U.S. taxes, corporate misconduct is continuing to drain the U.S. treasury of billions upon billions of taxpayer dollars to combat mortgage fraud, oil spills, bank bailouts, and more.

Corporate nonpayment of tax involves a host of issues, but transfer pricing and offshore tax dodging by multinationals is a big part of the problem. Section 201 of the bill would take the necessary first step to stop multinational corporations from continuing to dodge payment of U.S. taxes through offshore trickery by requiring them to disclose basic corporate data on a country-by-country basis.

#### Section 202—\$1 Million Penalty for Hiding Offshore Stock Holdings

In addition to tax abuses, the 2006 Subcommittee investigation into the Wyly case history uncovered a host of troubling transactions involving U.S. securities held by the 58 offshore trusts and corporations associated with the two Wyly brothers. Over the course of a number of years, the Wyllys had obtained about \$190 million in stock options as compensation from three U.S. publicly traded corporations at which they were directors and major shareholders. Over time, the Wyllys transferred these stock options to the network of offshore entities they had established.

The investigation found that, for years, the Wyllys had generally failed to report the offshore entities' stock holdings or transactions in their filings with the Securities and Exchange Commission (SEC). They did not report these stock holdings on the ground that the 58 offshore trusts and corporations functioned as independent entities, even though the Wyllys continued to direct the entities' investment activities. The public companies where the Wyllys were corporate insiders also failed to include in their SEC filings information about the company shares held by the offshore entities, even though the companies knew of their close relationship to the Wyllys, that the Wyllys had provided the offshore entities with significant stock options, and that the offshore entities held large blocks of the company stock. On other occasions, the public companies and various financial institutions failed to treat the shares held by the offshore entities as affiliated stock, even though they were aware of the offshore entities' close association with the Wyllys. The investigation found that, because both the Wyllys and the public companies had failed to disclose the holdings of the offshore entities, for 13 years federal regulators had been unaware of those stock holdings and the relationships between the offshore entities and the Wyly brothers.

Corporate insiders and public companies are already obligated by current law to disclose stock holdings and transactions of offshore entities affiliated with a company director, officer, or major shareholder. In fact, in 2010, the SEC filed a civil complaint

against the Wyllys in connection with their hidden offshore holdings and alleged insider trading. Current penalties, however, appear insufficient to ensure compliance in light of the low likelihood that U.S. authorities will learn of transactions that take place in an offshore jurisdiction. To address this problem, Section 202 of the bill would establish a new monetary penalty of up to \$1 million for persons who knowingly fail to disclose offshore stock holdings and transactions in violation of U.S. securities laws.

#### Sections 203 and 204—Anti-Money Laundering Programs

The Subcommittee's 2006 investigation showed that the Wyly brothers used two hedge funds and a private equity fund controlled by them to funnel millions of untaxed offshore dollars into U.S. investments. Other Subcommittee investigations provide extensive evidence of the role played by U.S. formation agents in assisting U.S. persons to set up offshore structures as well as U.S. shell companies later used in illicit activities, including money laundering, terrorism, tax evasion, and other misconduct. Because hedge funds, private equity funds, and formation agents are as vulnerable as other financial institutions to money launderers seeking entry into the U.S. financial system, the bill contains two provisions aimed at ensuring that these groups know their clients and do not accept or transmit suspect funds into the U.S. financial system.

Currently, many unregistered investment companies, such as hedge funds and private equity funds, transmit substantial offshore funds into the United States, yet are not required by law to have anti-money laundering programs, including Know-Your-Customer due diligence procedures and procedures to file suspicious activity reports. There is no reason why this sector of our financial services industry should continue to serve as a gateway into the U.S. financial system for substantial funds that could be connected to tax evasion, terrorist financing, money laundering, or other misconduct.

Nine years ago, in 2002, the Treasury Department proposed anti-money laundering regulations for these companies, but never finalized them. In 2008, the Department withdrew them with no explanation. Section 203 of the bill would require Treasury to issue final anti-money laundering regulations for unregistered investment companies within 180 days of the enactment of the bill. Treasury would be free to draw upon its 2002 proposal, but the bill would also require the final regulations to direct hedge funds and private equity funds to exercise due diligence before accepting offshore funds and to comply with the same procedures as other financial institutions if asked by federal regulators to produce records kept offshore.

In addition, Section 204 of the bill would add formation agents to the list of persons with anti-money laundering obligations. For the first time, those engaged in the business of forming corporations and other entities, both offshore and in the 50 States, would be responsible for knowing who their clients were and avoiding suspect funds. The bill also directs Treasury to develop anti-money laundering regulations for this group. Treasury's key anti-money laundering agency, the Financial Crimes Enforcement Network, testified before the Subcommittee in 2006, that it was considering drafting such regulations but five years later has yet to do so. Section 204 also creates an exemption for government personnel and for attorneys who use paid formation agents when forming entities for their clients. Since paid formation agents

would already be subject to anti-money laundering obligations under the bill, there would be no reason to simultaneously subject attorneys using their services to the same anti-money laundering requirements.

We expect and intend that, as in the case of all other entities required to institute anti-money laundering programs, the regulations issued in response to this bill would instruct hedge funds, private equity funds, and formation agents to adopt risk-based procedures that would concentrate their due diligence efforts on clients that pose the highest risk of money laundering.

#### Section 205—IRS John Doe Summons

Section 205 of the bill focuses on an important tool used by the IRS in recent years to uncover taxpayers involved in offshore tax schemes, known as John Doe summons. Section 205 would make three technical changes to make the use of John Doe summons more effective in offshore and other complex investigations.

A John Doe summons is an administrative IRS summons used to request information in cases where the identity of a taxpayer is unknown. In cases involving a known taxpayer, the IRS may issue a summons to a third party to obtain information about the U.S. taxpayer, but must also notify the taxpayer who then has 20 days to petition a court to quash the summons to the third party. With a John Doe summons, however, IRS does not have the taxpayer's name and does not know where to send the taxpayer notice, so the statute substitutes a procedure in which the IRS must instead apply to a court for advance permission to serve the summons on the third party. To obtain approval of the summons, the IRS must show the court, in public filings to be resolved in open court, that: (1) the summons relates to a particular person or ascertainable class of persons, (2) there is a reasonable basis for concluding that there is a tax compliance issue involving that person or class of persons, and (3) the information sought is not readily available from other sources.

In recent years, the IRS has used John Doe summonses to try to obtain information about taxpayers operating in offshore secrecy jurisdictions. For example, the IRS obtained court approval to serve a John Doe summons on a Swiss bank, UBS AG, to obtain the names of tens of thousands of U.S. clients who opened UBS accounts in Switzerland without disclosing those accounts to the IRS. This landmark effort to overcome Swiss secrecy laws not only led to the bank's turning over thousands of U.S. client names to the United States, but also to abandon the country's longtime stance of using its secrecy rules to protect U.S. tax evaders. In earlier years, the IRS obtained court approval to issue John Doe summonses to credit card associations, credit card processors, and credit card merchants, to collect information about taxpayers using credit cards issued by offshore banks. This information led to many successful cases in which the IRS identified funds hidden offshore and recovered unpaid taxes.

Currently, however, use of the John Doe summons process is time consuming and expensive. For each John Doe summons involving an offshore secrecy jurisdiction, the IRS has had to establish in court that the involvement of accounts and transactions in offshore secrecy jurisdictions meant there was a significant likelihood of tax compliance problems. To relieve the IRS of the need to make this same proof over and over in court after court, the bill would provide that, in any John Doe summons proceeding

involving a class defined in terms of a correspondent or payable through account at a non-FATCA institution, the court may presume that the case raises tax compliance issues. This presumption would then eliminate the need for the IRS to repeatedly establish in court the obvious fact that accounts at non-FATCA institutions raise tax compliance issues.

Finally, the bill would streamline the John Doe summons approval process in large "project" investigations where the IRS anticipates issuing multiple summonses to definable classes of third parties, such as banks or credit card associations, to obtain information related to particular taxpayers. Right now, for each summons issued in connection with a project, the IRS has to obtain the approval of a court, often having to repeatedly establish the same facts before multiple judges in multiple courts. This repetitive exercise wastes IRS, Justice Department, and court resources, and fragments oversight of the overall IRS investigative effort.

To streamline this process and strengthen court oversight of IRS use of John Doe summons, the bill would authorize the IRS to present an investigative project, as a whole, to a single judge to obtain approval for issuing multiple summonses related to that project. In such cases, the court would retain jurisdiction over the case after approval is granted, to exercise ongoing oversight of IRS issuance of summonses under the project. To further strengthen court oversight, the IRS would be required to file a publicly available report with the court on at least an annual basis describing the summonses issued under the project. The court would retain authority to restrict the use of further summonses at any point during the project. To evaluate the effectiveness of this approach, the bill would also direct the Government Accountability Office to report on the use of the provision after five years.

#### Section 206—FBAR Investigations and Suspicious Activity Reports

Section 206 of the bill would make several amendments to strengthen the ability of the IRS to enforce the Foreign Bank Account Report (FBAR) requirements and clarify the right of access by IRS civil enforcement authorities to Suspicious Activity Reports.

Under present law, a person controlling a foreign financial account with over \$10,000 is required to check a box on his or her income tax return and, under Title 31, also file an FBAR form with the IRS. Treasury has delegated to the IRS responsibility for investigating FBAR violations and assessing FBAR penalties. Because the FBAR enforcement jurisdiction derives from Title 31, however, the IRS has set up a complex process for when its personnel may use tax return information when acting in its role as FBAR enforcer. The tax disclosure law, in Section 6103(b)(4) of the tax code, permits the use of tax information only for the administration of the internal revenue laws or "related statutes." To implement this statutory requirement, the IRS currently requires its personnel to determine, at a managerial level and on a case by case basis, that the Title 31 FBAR law is a "related statute." Not only does this necessitate a repetitive determination in every FBAR case before an IRS agent can look at the potential non-filer's income tax return to determine if filer checked the FBAR box, but it also prevents the IRS from comparing FBAR filing records to bulk data on foreign accounts received from tax treaty partners to find non-filers.

One of the stated purposes for the FBAR filing requirement is that such reports "have

a high degree of usefulness in . . . tax . . . investigations or proceedings." 31 U.S.C. 5311. If one of the reasons for requiring taxpayers to file FBARs is to use the information for tax purposes, and if the IRS has been charged with FBAR enforcement because of the FBARs' close connection to tax administration, common sense dictates that the FBAR statute should be viewed as a "related statute" as for tax disclosure purposes. Section 206(a) of the bill would make that clear by adding a provision to Section 6103(b) of the tax code deeming FBAR-related statutes to be "related statutes," thereby allowing IRS personnel to make routine use of tax return information when working on FBAR matters.

The second change that would be made by Section 206 is an amendment to simplify the calculation of FBAR penalties. Currently the penalty is determined in part by the balance in the foreign bank account at the time of the "violation." The violation has been interpreted to have occurred on the due date of the FBAR return, which is June 30 of the year following the year to which the report relates. The statute's use of this specific June 30th date can lead to strange results if money is withdrawn from the foreign account after the reporting period closed but before the return due date. To eliminate this unintended problem, Section 206(b) of the bill would instead calculate the penalty using the highest balance in the account during the covered reporting period.

The third part of section 206 relates to Suspicious Activity Reports or SARs, which financial institutions are required to file with the Financial Crimes Enforcement Center (FinCEN) of the Treasury Department when they encounter suspicious transactions. FinCEN is required to share this information with law enforcement, but currently does not permit IRS civil investigators access to the information, even though IRS civil investigators are federal law enforcement officials. Sharing SAR information with civil IRS investigators would likely prove very useful in tax investigations and would not increase the risk of disclosure of SAR information, since IRS civil personnel operate under the same tough disclosure rules as IRS criminal investigators. In some cases, IRS civil agents are now issuing an IRS summons to a financial institution to get access, for a production fee, to the very same information the financial institution has already filed with Treasury in a SAR. Section 206(c) of the bill would end that inefficient and costly practice by making it clear that "law enforcement" includes civil tax law enforcement.

#### Title III on Abusive Tax Shelters

Until now, I've been talking about what the bill would do to combat offshore tax abuses. Now I want to turn to the final title of the bill which offers measures to combat abusive tax shelters and their promoters who use both domestic and offshore means to achieve their ends.

Abusive tax shelters are complicated transactions promoted to provide tax benefits unintended by the tax code. They are very different from legitimate tax shelters, such as deducting the interest paid on a home mortgage or Congressionally approved tax deductions for building affordable housing. Some abusive tax shelters involve complicated domestic transactions; others make use of offshore shenanigans. All abusive tax shelters are marked by one characteristic: there is no real economic or business rationale other than tax avoidance. As Judge Learned Hand wrote in *Gregory v. Helvering*,



they are “entered upon for no other motive but to escape taxation.”

Abusive tax shelters are usually tough to prosecute. Crimes such as terrorism and murder produce instant recognition of the immorality involved. Abusive tax shelters, by contrast, are often “MEGOs,” meaning “My Eyes Glaze Over.” Those who cook up these concoctions count on their complexity to escape scrutiny and public ire. But regardless of how complicated or eye-glazing, the hawking of abusive tax shelters by tax professionals like accountants, bankers, investment advisers, and lawyers to thousands of people like late-night, cut-rate T.V. bargains is scandalous, and we need to stop it.

My Subcommittee has spent years examining the design, sale, and implementation of abusive tax shelters. Our first hearing on this topic in recent years was held in January 2002, when the Subcommittee examined an abusive tax shelter purchased by Enron. In November 2003, the Subcommittee held two days of hearings and released a staff report that pulled back the curtain on how even some respected accounting firms, banks, investment advisers, and law firms had become engines pushing the design and sale of abusive tax shelters to corporations and individuals across this country. In February 2005, the Subcommittee issued a bipartisan report that provided further details on the role these professional firms played in the proliferation of these abusive shelters. Our Subcommittee report was endorsed by the full Committee on Homeland Security and Governmental Affairs in April 2005.

In 2006, the Subcommittee released a report and held a hearing showing how financial and legal professionals designed and sold an abusive tax shelter known as the POINT Strategy, which depended upon secrecy laws and practices in the Isle of Man to conceal the phony nature of securities trades that lay at the center of this tax shelter transaction. In 2008, the Subcommittee released a staff report and held a hearing on how financial firms have designed and sold so-called dividend enhancement transactions to help offshore hedge funds and others escape payment of U.S. taxes on U.S. stock dividends.

The Subcommittee investigations have found that many abusive tax shelters are not dreamed up by the taxpayers who use them. Instead, they are devised by tax professionals who then sell the tax shelter to clients for a fee. In fact, over the years we’ve found U.S. tax advisors cooking up one complex scheme after another, packaging them up as generic “tax products” with boilerplate legal and tax opinion letters, and then undertaking elaborate marketing schemes to peddle these products to literally thousands of persons across the country. In return, these tax shelter promoters were getting hundreds of millions of dollars in fees, while diverting billions of dollars in tax revenues from the U.S. Treasury each year.

For example, one shelter investigated by the Subcommittee and featured in the 2003 hearings became part of an IRS settlement effort involving a set of abusive tax shelters known as “Son of Boss.” Following our hearing, more than 1,200 taxpayers admitted wrongdoing and agreed to pay back taxes, interest and penalties totaling more than \$3.7 billion. That’s billions of dollars the IRS collected on just one type of tax shelter, demonstrating both the depth of the problem and the potential for progress. The POINT shelter featured in our 2006 hearing involved another \$300 million in tax loss on transactions conducted by just six taxpayers. The offshore dividend tax scams we examined in 2008

meant additional billions of dollars in unpaid taxes over a ten year period.

Title III of the bill contains a number of measures to curb abusive tax shelters. It would strengthen the penalties imposed on those who aid or abet tax evasion. Several provisions would deter bank participation in abusive tax shelter activities by requiring regulators to develop new examination procedures to detect and stop such activities. Others would end outdated communication barriers between the IRS and other federal enforcement agencies such as the SEC, bank regulators, and the Public Company Accounting Oversight Board, to allow the exchange of information relating to tax evasion cases. The bill also provides for increased disclosure of tax shelter information to Congress. In addition, the bill would simplify and clarify an existing prohibition on the payment of fees linked to tax benefits; and authorize Treasury to issue tougher standards for tax shelter opinion letters.

Let me be more specific about these key provisions to curb abusive tax shelters.

#### Sections 301 and 302—Strengthening Tax Shelter Penalties

Sections 301 and 302 of the bill would strengthen two very important penalties that the IRS can use in its fight against the professionals who make complex abusive shelters possible. When we started investigating abusive tax shelters, the penalty for promoting these scams, as set forth in Section 6700 of the tax code, was the lesser of \$1,000 or 100 percent of the promoter’s gross income derived from the prohibited activity. That meant in most cases the maximum fine was just \$1,000.

We’ve investigated abusive tax shelters that sold for \$100,000 or \$250,000 apiece, and some that sold for as much as \$5 million apiece. We also saw instances in which the same cookie-cutter tax opinion letter was sold to 100 or even 200 clients. Given the huge profits, the \$1,000 fine was laughable.

The Senate acknowledged that in 2004, when it adopted the Levin-Coleman amendment to the JOBS Act, S. 1637, raising the Section 6700 penalty on abusive tax shelter promoters to 100 percent of the fees earned by the promoter from the abusive shelter. A 100 percent penalty would have ensured that the abusive tax shelter hucksters would not get to keep a single penny of their ill-gotten gains. That figure, however, was cut in half during the conference on the JOBS Act, with the result being that the current Section 6700 penalty can now reach, but not exceed, 50 percent of the fees earned by a promoter of an abusive tax shelter.

While a 50 percent penalty is an obvious improvement over \$1,000, this penalty still is inadequate and makes no sense. Why should anyone who pushes an illegal tax shelter that robs our Treasury of needed revenues get to keep half of their ill-gotten gains? What deterrent effect is created by a penalty that allows promoters to keep half of their fees if caught, and all of their fees if they are not caught?

Effective penalties should make sure that the peddler of an abusive tax shelter is deprived of every penny of profit earned from selling or implementing the shelter and then is fined on top of that. Section 301 of this bill would do just that by increasing the penalty on tax shelter promoters to an amount equal to up to 150 percent of the promoters’ gross income from the prohibited activity.

Section 302 of the bill would address a second weak tax code penalty which currently is supposed to deter and punish those who knowingly help taxpayers understate their

taxes to the IRS. Aside from tax shelter “promoters,” there are many other types of professional firms that aid and abet tax evasion by helping taxpayers carry out abusive tax schemes. For example, law firms are often asked to write “opinion letters” to help taxpayers head off IRS inquiries and fines that might otherwise apply to their use of an abusive shelter. Currently, under Section 6701 of the tax code, these aiders and abettors face a maximum penalty of only \$1,000, or \$10,000 if the offender is a corporation. When law firms are getting \$50,000 for issuing cookie-cutter opinion letters, a \$1,000 fine provides no deterrent effect whatsoever. A \$1,000 fine is like getting a jaywalking ticket for robbing a bank.

Section 302 of the bill would strengthen Section 6701 of the tax code by subjecting aiders and abettors to a maximum fine of up to 150 percent of the aider and abettor’s gross income from the prohibited activity. This penalty would apply to all aiders and abettors, not just tax return preparers.

Again, the Senate has recognized the need to toughen this critical penalty. In the 2004 JOBS Act, Senator Coleman and I successfully increased this fine to 100 percent of the gross income derived from the prohibited activity. Unfortunately, the conference report completely omitted this change, allowing many aiders and abettors to continue to profit without penalty from their wrongdoing.

If further justification for toughening these penalties is needed, one document uncovered by our investigation shows the cold calculation engaged in by a tax advisor facing low fines. A senior tax professional at accounting giant KPMG compared possible tax shelter fees with possible tax shelter penalties if the firm were caught promoting an illegal tax shelter. This senior tax professional wrote to his colleagues the following: “[O]ur average deal would result in KPMG fees of \$360,000 with a maximum penalty exposure of only \$31,000.” He then recommended the obvious: going forward with sales of the abusive tax shelter on a cost-benefit basis.

#### Section 303—Fees Contingent upon Obtaining Tax Benefits

Another finding of the Subcommittee investigations is that some tax practitioners are circumventing current state and federal constraints on charging tax service fees that are dependent on the amount of promised tax benefits. Traditionally, accounting firms charged flat fees or hourly fees for their tax services. In the 1990s, however, they began charging “value added” fees based on, in the words of one accounting firm’s manual, “the value of the services provided, as opposed to the time required to perform the services.” In addition, some firms began charging “contingent fees” that were calculated according to the size of the paper “loss” that could be produced for a client and used to offset the client’s taxable income—the greater the so-called loss, the greater the fee.

In response, many states prohibited accounting firms from charging contingent fees for tax work to avoid creating incentives for these firms to devise ways to shelter substantial sums. The SEC and the American Institute of Certified Public Accountants also issued rules restricting contingent fees, allowing them in only limited circumstances. The Public Company Accounting Oversight Board issued a similar rule prohibiting public accounting firms from charging contingent fees for tax services provided to the public companies they audit. Each of these federal, state, and professional ethics rules seeks to limit the use



of contingent fees under certain, limited circumstances.

The Subcommittee investigation found several instances of tax shelter fees that were linked to the amount of a taxpayer's projected paper losses which could be used to shelter income from taxation. For example, in four tax shelters examined by the Subcommittee in 2003, documents showed that the fees were equal to a percentage of the paper loss to be generated by the transaction. In one case, the fees were typically set at 7 percent of the transaction's generated "tax loss" that clients could use to reduce other taxable income. In another, the fee was only 3.5 percent of the loss, but the losses were large enough to generate a fee of over \$53 million on a single transaction. In other words, the greater the loss that could be concocted for the taxpayer or "investor," the greater the profit for the tax promoter. Think about that—greater the loss, the greater the fee. How's that for turning capitalism on its head?

In addition, evidence indicated that, in at least one instance, a tax advisor was willing to deliberately manipulate the way it handled certain tax products to circumvent contingent fee prohibitions. An internal document at an accounting firm related to a specific tax shelter, for example, identified the states that prohibited contingent fees. Then, rather than prohibit the tax shelter transactions in those states or require an alternative fee structure, the memorandum directed the firm's tax professionals to make sure the engagement letter was signed, the engagement was managed, and the bulk of services was performed "in a jurisdiction that does not prohibit contingency fees."

Right now, the prohibitions on contingent fees are complex and must be evaluated in the context of a patchwork of federal, state, and professional ethics rules. Section 303 of the bill would establish a single enforceable rule, applicable nationwide, that would prohibit tax practitioners from charging fees calculated according to a projected or actual amount of tax savings or paper losses.

#### Section 304—Deterring Participation in Abusive Tax Shelter Activities

Section 304 of the bill targets financial institutions that offer financing or securities transactions to advance abusive tax shelters disguised as investment opportunities. Tax shelter schemes lack the economic risks and rewards associated with true investments. But to make these phony transactions look legitimate, some abusive tax shelters make use of significant amounts of money in low risk schemes mischaracterized as real investments. The financing or securities transactions called for by these schemes are often supplied by a bank, securities firm, or other financial institution and used to generate paper losses that the taxpayer can then use to shelter income from taxation.

Currently the tax code prohibits financial institutions from providing products or services that aid or abet tax evasion or that promote or implement abusive tax shelters. The agencies that oversee these financial institutions on a daily basis, however, are experts in banking and securities law and generally lack the expertise to spot abusive tax shelter activity. Section 304 would crack down on financial institutions' illegal tax shelter activities by requiring federal bank regulators and the SEC to work with the IRS to develop examination techniques to detect such abusive activities and put an end to them.

These examination techniques are intended to be part of routine regulatory examinations, with regulators reporting sus-

pect activity or potential violations to the IRS. The agencies would also be required to prepare a joint report to Congress in 2013 on preventing the participation of financial institutions in tax evasion or tax shelter activities.

#### Section 305—Ending Communication Barriers between Enforcement Agencies

During hearings before the Permanent Subcommittee on Investigations on tax shelters in November 2003, IRS Commissioner Mark Everson testified that his agency was barred by Section 6103 of the tax code from communicating information to other federal agencies that would assist those agencies in their law enforcement duties. He pointed out that the IRS was barred from providing tax return information to the SEC, federal bank regulators, and the Public Company Accounting Oversight Board (PCAOB)—even, for example, when that information might assist the SEC in evaluating whether an abusive tax shelter resulted in deceptive accounting in a public company's financial statements, might help the Federal Reserve determine whether a bank selling tax products to its clients had violated the law against promoting abusive tax shelters, or help the PCAOB judge whether an accounting firm had impaired its independence by selling tax shelters to its audit clients.

Another example demonstrates how harmful these information barriers are to legitimate law enforcement efforts. In 2004, the IRS offered a settlement initiative to companies and corporate executives who participated in an abusive tax shelter involving the transfer of stock options to family-controlled entities. Over a hundred corporations and executives responded with admissions of wrongdoing. In addition to tax violations, their misconduct may be linked to securities law violations and improprieties by corporate auditors or banks, but the IRS told the Subcommittee that it was barred by law from sharing the names of the wrongdoers with the SEC, banking regulators, or PCAOB. The same is true for the offshore dividend tax shelters exposed in the Subcommittee's 2008 hearing. The IRS knows who the offending banks and investment firms are that designed and sold questionable dividend enhancement transactions to offshore hedge funds and others, but it is barred by Section 6103 of the tax code from providing detailed information or documents to the SEC or banking regulators who oversee the relevant financial institutions.

These communication barriers are outdated, inefficient, and ill-suited to stopping the tax schemes now affecting public companies, banks, investment firms, and accounting firms. To address this problem, Section 305 of this bill would authorize the Treasury Secretary, with appropriate privacy safeguards, to disclose to the SEC, federal banking agencies, and the PCAOB, upon request, tax return information related to abusive tax shelters, inappropriate tax avoidance, or tax evasion. The agencies could then use this information only for law enforcement purposes, such as preventing accounting firms, investment firms, or banks from promoting abusive tax shelters, or detecting accounting fraud in the financial statements of public companies.

#### Section 306—Increased Disclosure of Tax Shelter Information to Congress

The bill would also provide for increased disclosure of tax shelter information to Congress. Section 306 would make it clear that companies providing tax return preparation services to taxpayers cannot refuse to com-

ply with a Congressional document subpoena by citing Section 7216, which prohibits tax return preparers from disclosing taxpayer information to third parties. Several accounting and law firms raised this claim in response to document subpoenas issued by the Permanent Subcommittee on Investigations, contending they were barred by the nondisclosure provision in Section 7216 from producing documents related to the sale of abusive tax shelters to clients.

The accounting and law firms maintained this position despite an analysis provided by the Senate legal counsel showing that the nondisclosure provision was never intended to create a privilege or to override a Senate subpoena, as demonstrated in federal regulations interpreting the provision. This bill would codify the existing regulations interpreting Section 7216 and make it clear that Congressional document subpoenas must be honored.

Section 306 would also ensure Congress has access to information about decisions by Treasury related to an organization's tax exempt status. A 2003 decision by the D.C. Circuit Court of Appeals, *Tax Analysts v. IRS*, struck down certain IRS regulations and held that the IRS must disclose letters denying or revoking an organization's tax exempt status. Despite this court decision, the IRS has been reluctant to disclose such information, not only to the public, but also to Congress, including in response to requests by the Subcommittee.

For example, in 2005, the IRS revoked the tax exempt status of four credit counseling firms, and, despite the *Tax Analysts* case, claimed that it could not disclose to the Subcommittee the names of the four firms or the reasons for revoking their tax exemption. Section 306 would make it clear that, upon receipt of a request from a Congressional committee or subcommittee, the IRS must disclose documents, other than a tax return, related to the agency's determination to grant, deny, revoke or restore an organization's exemption from taxation.

#### Section 307—Tax Shelter Opinion Letters

The final provision in the bill would address issues related to opinion letters issued by law firms and others in support of complex tax schemes. The Treasury Department has already issued a set of standards for tax practitioners who provide opinion letters on the tax implications of potential tax shelters under Circular 230. Section 308 of the bill would not only provide the express statutory authority which is currently lacking for these standards, but also strengthen them.

The public has traditionally relied on tax opinion letters to obtain informed and trustworthy advice about whether a tax-motivated transaction meets the requirements of the law. The Permanent Subcommittee on Investigations has found that, in too many cases, tax opinion letters no longer contain disinterested and reliable tax advice, even when issued by supposedly reputable accounting or law firms. Instead, some tax opinion letters have become marketing tools used by tax shelter promoters and their allies to sell clients on their latest tax products. In many of these cases, financial interests and biases were concealed, unreasonable factual assumptions were used to justify dubious legal conclusions, and taxpayers were misled about the risk that the proposed transaction would later be designated an illegal tax shelter. Reforms are essential to address these abuses and restore the integrity of tax opinion letters.

The Circular 230 standards should be strengthened by addressing a wider spectrum

of tax shelter opinion letter problems, including preventing concealed collaboration among supposedly independent letter writers; avoiding conflicts of interest that would impair auditor independence; ensuring appropriate fee charges; preventing practitioners and firms from aiding and abetting the understatement of tax liability by clients; and banning the promotion of potentially abusive tax shelters. By authorizing Treasury to address each of these areas, a beefed-up Circular 230 could help reduce the ongoing abusive practices related to tax shelter opinion letters.

Conclusion. Tax evasion eats at the fabric of society, not only by widening deficits and starving health care, education, and other needed government services of resources, but also by undermining public trust—making honest folks feel like they are being taken advantage of when they pay their fair share. While the eyes of some people may glaze over when tax havens and tax shelters are discussed, unscrupulous taxpayers and tax professionals see illicit dollar signs. Our commitment to crack down on their abuses must be as strong as their determination to get away with ripping off Uncle Sam and honest American taxpayers.

We can fight back against offshore tax abuses and abusive tax shelters if we summon the political will. The Stop Tax Haven Abuse Act, which is the product of years of work, offers the tools needed to tear down tax haven secrecy walls in favour of transparency, cooperation, and tax compliance. I urge my colleagues to include its provisions in any deficit reduction or budget package this year or, if not, to adopt it by separate action.

I ask unanimous consent that following my remarks that a summary of the bill be reprinted in the record.

#### STOP TAX HAVEN ABUSE ACT

Targeting \$100 billion in lost revenue each year from offshore tax dodges, the bill would:

Authorize Special Measures To Stop Offshore Tax Abuse (§101) by allowing Treasury to take specified steps against foreign jurisdictions or financial institutions that impede U.S. tax enforcement.

Strengthen FATCA (§102) by clarifying under the Foreign Account Tax Compliance Act when foreign financial institutions and U.S. persons must report foreign financial accounts to the IRS.

Establish Rebuttable Presumptions To Combat Offshore Secrecy (§102) in U.S. tax and securities law enforcement proceedings by treating non-publicly traded offshore entities as controlled by the U.S. taxpayer who formed them, sent them assets, received assets from them, or benefited from them when those entities have accounts or assets in non-FATCA institutions, unless the taxpayer proves otherwise.

Stop Companies Run From the United States Claiming Foreign Status (§103) by treating foreign corporations that are publicly traded or have gross assets of \$50 million or more and whose management and control occur primarily in the United States as U.S. domestic corporations for income tax purposes.

Strengthen Detection of Offshore Activities (§104) by requiring U.S. financial institutions that open accounts for foreign entities controlled by U.S. clients or open foreign accounts in non-FATCA institutions for U.S. clients to report the accounts to the IRS.

Close Credit Default Swap (CDS) Loophole (§105) by treating CDS payments sent offshore from the United States as taxable U.S. source income.

Close Foreign Subsidiary Deposits Loop-hole (§106) by treating deposits made by a controlled foreign corporation (CFC) to a financial account located in the United States, including a correspondent account of a foreign bank, as a taxable constructive distribution by the CFC to its U.S. parent.

Require Annual Country-by-Country Reporting (§201) by SEC-registered corporations on employees, sales, financing, tax obligations, and tax payments.

Establish a Penalty for Corporate Insiders Who Hide Offshore Holdings (§202) by authorizing a fine of up to \$1 million per violation of securities laws.

Require Anti-Money Laundering Programs (§§203–204) for hedge funds, private equity funds, and formation agents to ensure they screen clients and offshore funds.

Strengthen John Doe Summons (§205) by allowing the IRS to issue summons to a class of persons that relate to a long-term project approved and overseen by a court.

Combat Hidden Foreign Financial Accounts (§206) by allowing IRS use of tax return information to evaluate foreign financial account reports, simplifying penalty calculations for unreported foreign accounts, and facilitating use of suspicious activity reports in civil tax enforcement.

Strengthen Penalties (§§301–302) on tax shelter promoters and those who aid and abet tax evasion by increasing the maximum fine to 150 percent of any ill-gotten gains.

Prohibit Fee Arrangements (§303) in which a tax advisor is paid a fee based upon the amount of paper losses generated to shelter income or taxes not paid by a client.

Require Bank Examination Techniques (§304) to detect and prevent abusive tax shelter activities or the aiding and abetting of tax evasion by financial institutions.

Allow Sharing of Tax Information (§305) upon request by a federal financial regulator engaged in a law enforcement effort.

Require Disclosure of Information to Congress (§306) related to an IRS determination of whether to exempt an organization from taxation.

Direct the Establishment of Standards for Tax Opinions (§307) rendering advice on transactions with a potential for tax avoidance or evasion.

By Mr. LIEBERMAN (for himself and Mr. BLUMENTHAL):

S. 1347. A bill to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. LIEBERMAN. Mr. President, I rise today to introduce the Coltsville National Historical Park Act, and express my strong support for the designation of the Coltsville Historical District in Hartford, Connecticut as a National Park. I thank my colleague Senator BLUMENTHAL for joining me as an original cosponsor of this legislation, and also wish to thank my longtime friend and colleague, Congressman JOHN LARSON, who recently introduced an identical version of this bill in the House.

In 1990, I had the privilege of introducing and successfully fighting for the legislation that established the Weir Farm National Historic Site as Connecticut's first and, as yet, only contribution to the National Park System.

Over two decades later, I am honored to strive for the same outcome for Coltsville.

Located on the banks of the Connecticut River in Hartford, Coltsville is at the heart of a cluster of historical landmarks of great significance for Connecticut and our entire Nation. A newly established national park in Coltsville would span more than 200 acres and beckon tourists to such Hartford destinations as the homes of Mark Twain and Harriet Beecher Stowe, as well as to the great events organized by Riverfront Recapture, along our beautiful waterfront.

Coltsville's past is as compelling as its future possibilities. Samuel Colt, born in Hartford, was first famous for developing the revolving-breech pistol, which became one of the standard small arms of the world in the last half of the nineteenth century. Production of that firearm helped build a model town on the banks of the Connecticut River, including the Colt Armory, workers' housing, Colt Park, the Church of the Good Shepherd, and the Colt family home, known as "Armsmead." At its peak during the twentieth century, the factory at Coltsville employed over 10,000 people and made a significant contribution to the country's war effort.

But the legacy of the Colt operation goes well beyond the manufacturing of guns. Colt himself invented a submarine battery used in harbor defense, a submarine telegraph cable, and other innovations. The success of Samuel and Elizabeth Colt's precision firearms business led to other industrial advancements in Connecticut and throughout New England, including the manufacture of sewing machines and typewriters. Ultimately, the spirit of innovation fostered at Coltsville was crucial to establishing Connecticut's proud tradition of manufacturing everything from small arms to jet engines, and even the submarines that our servicemembers use to defend our freedoms.

The early industrial innovators represented the same pioneering spirit of American ingenuity that we see today in defense, information, and biotechnology firms. Today, we sometimes take this innovation for granted. In Samuel Colt's day, every ingenious development was a grand achievement and a small revelation.

The industrial revolution transformed our nation culturally and economically like no other force ever has. People moved into the cities. Living standards rose. The middle class grew and economic growth intensified.

Unfortunately, Hartford has not been immune to the economic hardships the country is facing. That is why Coltsville must be a beacon to our nation of what once was and can be again, the center of industry, innovation, and prosperity. Just as Coltsville did for

Hartford during the Industrial Revolution, the designation of a National Park will serve as a catalyst for growth in a struggling city.

I believe that memorializing Sam and Elizabeth Colt and their movement is particularly important as Americans struggle to emerge from a deep recession. The way we are going to revitalize our economy is to invest in people, to invest in and inspire innovation that will pioneer new industries that will create millions of new jobs. Coltsville is a historic landmark and a living reminder of the extraordinary advances in technology and innovation that have been America's story for over 400 years.

I thank Senator BLUMENTHAL and Congressman LARSON for their work and dedication to advance Coltsville's status as a National Historical Park. I reaffirm my strong support today for recognizing these values, and I look forward to working cooperatively with my colleagues in making it happen.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1347

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Coltsville National Historical Park Act".

#### SEC. 2. DEFINITIONS.

For the purposes of this Act:

(1) CITY.—The term "city" means the city of Hartford, Connecticut.

(2) COMMISSION.—The term "Commission" means the Coltsville National Historical Park Advisory Commission established by subsection 6(a).

(3) HISTORIC DISTRICT.—The term "Historic District" means the Coltsville Historic District.

(4) MAP.—The term "map" means the map titled "Coltsville National Historical Park—Proposed Boundary", numbered T25/102087, and dated May 11, 2010.

(5) PARK.—The term "park" means the Coltsville National Historical Park in the State of Connecticut.

(6) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(7) STATE.—The term "State" means the State of Connecticut.

#### SEC. 3. COLTSVILLE NATIONAL HISTORICAL PARK.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to paragraph (2), there is established in the State a unit of the National Park System to be known as the "Coltsville National Historical Park".

(2) CONDITIONS FOR ESTABLISHMENT.—The park shall not be established until the date on which the Secretary determines that—

(A) the Secretary has acquired by donation sufficient land or an interest in land within the boundary of the park to constitute a manageable unit;

(B) the State, city, or private property owner, as appropriate, has entered into a written agreement with the Secretary to donate at least 10,000 square feet of space in the

East Armory which would include facilities for park administration and visitor services;

(C) the Secretary has entered into a written agreement with the State, city, or other public entity, as appropriate, providing that—

(i) land owned by the State, city, or other public entity within the Coltsville Historic District shall be managed consistent with this section; and

(ii) future uses of land within the historic district shall be compatible with the designation of the park and the city's preservation ordinance; and

(D) the Secretary has reviewed the financial resources of the owners of private and public property within the boundary of the proposed park to ensure the viability of the park based on those resources.

(b) BOUNDARIES.—The park shall include and provide appropriate interpretation and viewing of the following sites, as generally depicted on the map:

(1) The East Armory.

(2) The Church of the Good Shepherd.

(3) The Caldwell/Colt Memorial Parish House.

(4) Colt Park.

(5) The Potsdam Cottages.

(6) Armsmear.

(7) The James Colt House.

(c) COLLECTIONS.—The Secretary shall enter into a written agreement with the State of Connecticut State Library, Wadsworth Atheneum, and the Colt Trust, or other public entities, as appropriate, to gain appropriate access to Colt-related artifacts for the purposes of having items routinely on display in the East Armory or within the park as determined by the Secretary as a major function of the visitor experience.

#### SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the park in accordance with—

(1) this Act; and

(2) the laws generally applicable to units of the National Park System, including—

(A) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(b) STATE AND LOCAL JURISDICTION.—Nothing in this Act enlarges, diminishes, or modifies any authority of the State, or any political subdivision of the State (including the city)—

(1) to exercise civil and criminal jurisdiction; or

(2) to carry out State laws (including regulations) and rules on non-Federal land located within the boundary of the park.

(c) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—As the Secretary determines to be appropriate to carry out this Act, the Secretary may enter into cooperative agreements with the owner of any property within the Coltsville Historic District or any nationally significant properties within the boundary of the park, under which the Secretary may identify, interpret, restore, rehabilitate, and provide technical assistance for the preservation of the properties.

(2) RIGHT OF ACCESS.—A cooperative agreement entered into under paragraph (1) shall provide that the Secretary, acting through the Director of the National Park Service, shall have the right of access at all reasonable times to all public portions of the property covered by the agreement for the purposes of—

(A) conducting visitors through the properties; and

(B) interpreting the properties for the public.

(3) CHANGES OR ALTERATIONS.—No changes or alterations shall be made to any properties covered by a cooperative agreement entered into under paragraph (1) unless the Secretary and the other party to the agreement agree to the changes or alterations.

(4) CONVERSION, USE, OR DISPOSAL.—Any payment by the Secretary under this subsection shall be subject to an agreement that the conversion, use, or disposal of a project for purposes contrary to the purposes of this section, as determined by the Secretary, shall entitle the United States to reimbursement in an amount equal to the greater of—

(A) the amounts made available to the project by the United States; or

(B) the portion of the increased value of the project attributable to the amounts made available under this subsection, as determined at the time of the conversion, use, or disposal.

(5) MATCHING FUNDS.—

(A) IN GENERAL.—As a condition of the receipt of funds under this subsection, the Secretary shall require that any Federal funds made available under a cooperative agreement shall be matched on a 1-to-1 basis by non-Federal funds.

(B) FORM.—With the approval of the Secretary, the non-Federal share required under subparagraph (A) may be in the form of donated property, goods, or services from a non-Federal source, fairly valued.

(d) ACQUISITION OF LAND.—The Secretary is authorized to acquire land or interests in land by donation, purchase with donated or appropriated funds, or exchange. Land or interests in land owned by the State or any political subdivision of the State may be acquired only by donation.

(e) TECHNICAL ASSISTANCE AND PUBLIC INTERPRETATION.—The Secretary may provide technical assistance and public interpretation of related historic and cultural resources within the boundary of the historic district.

#### SEC. 5. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 fiscal years after the date on which funds are made available to carry out this Act, the Secretary, in consultation with the Commission, shall complete a management plan for the park in accordance with—

(1) section 12(b) of Public Law 91-383 (commonly known as the National Park Service General Authorities Act) (16 U.S.C. 1a-7(b)); and

(2) other applicable laws.

(b) COST SHARE.—The management plan shall include provisions that identify costs to be shared by the Federal Government, the State, and the city, and other public or private entities or individuals for necessary capital improvements to, and maintenance and operations of, the park.

(c) SUBMISSION TO CONGRESS.—On completion of the management plan, the Secretary shall submit the management plan to—

(1) the Committee on Natural Resources of the House of Representatives; and

(2) the Committee on Energy and Natural Resources of the Senate.

#### SEC. 6. COLTSVILLE NATIONAL HISTORICAL PARK ADVISORY COMMISSION.

(a) ESTABLISHMENT.—There is established a Commission to be known as the Coltsville National Historical Park Advisory Commission.

(b) DUTY.—The Commission shall advise the Secretary in the development and implementation of the management plan.

(c) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 11 members, to be appointed by the Secretary, of whom—

(A) 2 members shall be appointed after consideration of recommendations submitted by the Governor of the State;

(B) 1 member shall be appointed after consideration of recommendations submitted by the State Senate President;

(C) 1 member shall be appointed after consideration of recommendations submitted by the Speaker of the State House of Representatives;

(D) 2 members shall be appointed after consideration of recommendations submitted by the Mayor of Hartford, Connecticut;

(E) 2 members shall be appointed after consideration of recommendations submitted by Connecticut's 2 United States Senators;

(F) 1 member shall be appointed after consideration of recommendations submitted by Connecticut's First Congressional District Representative;

(G) 2 members shall have experience with national parks and historic preservation;

(H) all appointments must have significant experience with and knowledge of the Coltsville Historic District; and

(I) 1 member of the Commission must live in the Sheldon/Charter Oak neighborhood within the Coltsville Historic District.

(2) INITIAL APPOINTMENTS.—The Secretary shall appoint the initial members of the Commission not later than the earlier of—

(A) the date that is 30 days after the date on which the Secretary has received all of the recommendations for appointments under paragraph (1); or

(B) the date that is 30 days after the park is established.

(d) TERM; VACANCIES.—

(1) TERM.—

(A) IN GENERAL.—A member shall be appointed for a term of 3 years.

(B) REAPPOINTMENT.—A member may be reappointed for not more than 1 additional term.

(2) VACANCIES.—A vacancy on the Commission shall be filled in the same manner as the original appointment was made.

(e) MEETINGS.—The Commission shall meet at the call of—

(1) the Chairperson; or

(2) a majority of the members of the Commission.

(f) QUORUM.—A majority of the Commission shall constitute a quorum.

(g) CHAIRPERSON AND VICE CHAIRPERSON.—

(1) IN GENERAL.—The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.

(2) VICE CHAIRPERSON.—The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson.

(3) TERM.—A member may serve as Chairperson or Vice Chairperson for not more than 1 year in each office.

(h) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—

(A) IN GENERAL.—Members of the Commission shall serve without compensation.

(B) TRAVEL EXPENSES.—Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duty of the Commission.

(2) STAFF.—

(A) IN GENERAL.—The Secretary shall provide the Commission with any staff members and technical assistance that the Secretary, after consultation with the Commission, determines to be appropriate to enable the

Commission to carry out the duty of the Commission.

(B) DETAIL OF EMPLOYEES.—The Secretary may accept the services of personnel detailed from the State or any political subdivision of the State.

(i) FACIA NONAPPLICABILITY.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(j) TERMINATION.—

(1) IN GENERAL.—Unless extended under paragraph (2), the Commission shall terminate on the date that is 10 years after the date of the enactment of this Act.

(2) EXTENSION.—Eight years after the date of the enactment of this Act, the Commission shall make a recommendation to the Secretary if a body of its nature is still necessary to advise on the development of the park. If, based on a recommendation under this paragraph, the Secretary determines that the Commission is still necessary, the Secretary may extend the life of the Commission for not more than 10 years.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 534. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table.

SA 535. Mr. WHITEHOUSE (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Mr. FRANKEN, Mr. BROWN of Ohio, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 536. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 1323, supra; which was ordered to lie on the table.

SA 537. Mrs. HUTCHISON (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 1323, supra; which was ordered to lie on the table.

SA 538. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

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SA 542. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 543. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 544. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 545. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 546. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him

to the bill S. 1323, supra; which was ordered to lie on the table.

SA 547. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 548. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

SA 549. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 534. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. . . SENSE OF THE SENATE THAT INCREASED REVENUE SHOULD COME FROM NEW TAXPAYERS, NOT NEW TAXES.

(a) FINDINGS.—

(1) According to the Bureau of Labor Statistics, the national unemployment rate is 9.2 percent and 25 million Americans are unemployed or underemployed.

(2) According to the Congressional Budget Office—

(A) the historical burden of government spending is 20.6 percent of Gross Domestic Product;

(B) government spending is currently above 24 percent of Gross Domestic Product;

(C) tax revenues have historically averaged between 18 and 19 percent of Gross Domestic Product regardless of how high the top marginal tax rate is; and

(D) tax revenues are projected to reach 18.4 percent in 2021 without tax increases.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Washington has a spending problem, not a revenue problem;

(2) raising taxes on our fragile economy will neither create jobs nor generate significant revenue for debt reduction;

(3) increased tax revenue should come from economic growth that creates new taxpayers, not new taxes, and such revenue increases should be dedicated to reducing the national debt;

(4) to boost the economy and reduce our Nation's unsustainable debt in the process, Congress should pursue comprehensive tax reform in lieu of tax increases that—

(A) simplifies the tax code and sharply reduces marginal tax rates for individuals, families, and businesses;

(B) broadens the tax base;

(C) ends punitive double taxation of savings and investment; and

(D) does not impose a net tax increase on the American economy.

SA 535. Mr. WHITEHOUSE (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Mr. FRANKEN, Mr. BROWN of Ohio, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_\_\_ . SENSE OF THE SENATE ON PROTECTING SOCIAL SECURITY AND MEDICARE.**

(a) FINDINGS.—

(1) Over 34,000,000 retired workers currently receive Social Security benefits in amounts that average a modest \$14,100 a year.

(2) In 2008, 23 percent of retired workers receiving Social Security benefits depended on those benefits for all or almost all of their income.

(3) According to AARP, Social Security benefits kept 36 percent of seniors out of poverty in 2008.

(4) Reducing Social Security benefits would cause many seniors to have to choose between food, drugs, rent, and heat.

(5) Ninety-five percent of seniors in the United States, who numbered almost 37,000,000 in 2008, got their health care coverage through the Medicare program.

(6) Without Medicare benefits, seniors, many of whom live off of Social Security benefits, would have to turn to the costly and uncertain private market for health care coverage.

(7) The Social Security program and the Medicare program are extremely successful social insurance programs that permit seniors in America to retire with dignity and security after a lifetime of hard work.

(8) The Social Security program and the Medicare program help relieve young American families from worry about their own futures, allowing freedom of opportunity in America.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that any agreement to reduce the budget deficit should not include cuts to Social Security benefits or Medicare benefits.

**SA 536.** Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. EXTENDING THE SOLVENCY OF THE SOCIAL SECURITY TRUST FUNDS.**

(a) SHORT TITLE.—This section may be cited as the “Defend and Save Social Security Act”.

(b) ADJUSTMENT TO NORMAL AND EARLY RETIREMENT AGE.—

(1) IN GENERAL.—Section 216(1) of the Social Security Act (42 U.S.C. 416(1)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking “2017” and inserting “2016”; and

(ii) by striking subparagraphs (D) and (E) and inserting the following new subparagraphs:

“(D) with respect to an individual who—

“(i) attains 62 years of age after December 31, 2015, and before January 1, 2024, such individual’s early retirement age (as determined under paragraph (2)(A)) plus 48 months; or

“(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2015, and before January 1, 2024, 66 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(A)(i));

“(E) with respect to an individual who—

“(i) attains 62 years of age after December 31, 2023, and before January 1, 2027, 68 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(B)(ii)); or

“(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2023, and before January 1, 2027, 68 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(B)(i)); and

“(F) with respect to an individual who—

“(i) attains 62 years of age after December 31, 2026, 69 years of age; or

“(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2026, 69 years of age.”;

(B) by amending paragraph (2) to read as follows:

“(2) The term ‘early retirement age’ means—

“(A) in the case of an old-age, wife’s, or husband’s insurance benefit—

“(i) 62 years of age with respect to an individual who attains such age before January 1, 2016;

“(ii) with respect to an individual who attains 62 years of age after December 31, 2015, and before January 1, 2023, 62 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(A)(ii)) for the calendar year in which such individual attains 62 years of age; and

“(iii) with respect to an individual who attains age 62 after December 31, 2022, 64 years of age; or

“(B) in the case of a widow’s or widower’s insurance benefit, 60 years of age.”;

(C) by striking paragraph (3) and inserting the following:

“(3) With respect to an individual who attains early retirement age in the 5-year period consisting of the calendar years 2000 through 2004, the age increase factor shall be equal to two-twelfths of the number of months in the period beginning with January 2000 and ending with December of the year in which the individual attains early retirement age.”; and

(D) by adding at the end the following new paragraph:

“(4) The age increase factor shall be equal to three-twelfths of the number of months in the period—

“(A) beginning with January 2016 and ending with December of the year in which—

“(i) for purposes of paragraphs (1)(D)(ii), the individual attains 60 years of age; or

“(ii) for purposes of paragraph (2)(A)(ii), the individual attains 62 years of age; and

“(B) beginning with January 2024 and ending with December of the year in which—

“(i) for purposes of (1)(E)(ii), the individual attains 60 years of age; or

“(ii) for purposes of (1)(E)(i), the individual attains 62 years of age.”.

(2) CONFORMING INCREASE IN NUMBER OF ELAPSED YEARS FOR PURPOSES OF DETERMINING PRIMARY INSURANCE AMOUNT.—Section 215(b)(2)(B)(iii) of such Act (42 U.S.C. 415(b)(2)(B)(iii)) is amended by striking “age 62” and inserting “early retirement age (or, in the case of an individual who receives a benefit described in section 216(1)(2)(B), 62 years of age)”.

(c) COST-OF-LIVING ADJUSTMENT.—Section 215(i) of the Social Security Act (42 U.S.C. 415(i)) is amended—

(1) in paragraph (1)(D), by inserting “subject to paragraph (6),” before “the term”; and

(2) by adding at the end the following new paragraph:

“(6)(A) Subject to subparagraph (B), with respect to a base quarter or cost-of-living computation quarter in any calendar year after 2010, the term ‘CPI increase percentage’ means the percentage determined under paragraph (1)(D) for the quarter reduced (but not below zero) by 1 percentage point.

“(B) The reduction under subparagraph (A) shall apply only for purposes of determining the amount of benefits under this title and not for purposes of determining the amount of, or any increases in, benefits under other provisions of law which operate by reference to increases in benefits under this title.”.

**SA 537.** Mrs. HUTCHISON (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. EMERGENCY FUNDING TO PROVIDE PAY AND ALLOWANCES FOR MEMBERS OF THE ARMED FORCES AND SUPPORTING CIVILIAN AND CONTRACTOR PERSONNEL DURING FUNDING GAP IMPACTING THE DEPARTMENT OF DEFENSE OR DEPARTMENT OF HOMELAND SECURITY.**

(a) FUNDING FOR MILITARY PAY AND ALLOWANCES.—During a funding gap impacting the Armed Forces, the Secretary of the Treasury shall make available to the Secretary of Defense (and the Secretary of Homeland Security in the case of the Coast Guard), out of any amounts in the general fund of the Treasury not otherwise appropriated, such amounts as the Secretary of Defense (and the Secretary of Homeland Security in the case of the Coast Guard) determines to be necessary to continue to provide pay and allowances (without interruption) to the following:

(1) Members of the Army, Navy, Air Force, Marine Corps, and Coast Guard, including reserve components thereof, who perform active service during the funding gap.

(2) At the discretion of the Secretary of Defense, such civilian personnel of the Department of Defense who are providing support to the members of the Armed Forces described in paragraph (1) as the Secretary considers appropriate.

(3) At the discretion of the Secretary of Defense, such personnel of contractors of the Department of Defense who are providing direct support to the members of the Armed Forces described in paragraph (1) as the Secretary considers appropriate.

(b) FUNDING GAP DEFINED.—In this section, the term “funding gap” means any period of time after the beginning of a fiscal year for which interim or full-year appropriations for the personnel accounts of the Armed Forces for that fiscal year have not been enacted.

(c) DURATION OF TRANSFER AUTHORITY.—No transfer may be made by the Secretary of the Treasury under subsection (a) after December 31, 2011.

**SA 538.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_\_\_ . SENSE OF THE SENATE RELATING TO EXPANDING OR EXTENDING SPENDING INCLUDED IN THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.**

It is the sense of the Senate that Congress should not enact any legislation that expands or extends the spending provisions included in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 179).

**SA 539.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_\_\_ . SENSE OF THE SENATE RELATING TO NEW SPENDING.**

It is the sense of the Senate that Congress should not enact any legislation that reduces expenditures under the Medicare program and uses the savings from such reduction for new spending.

**SA 540.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_\_\_ . SENSE OF THE SENATE RELATING TO RAISING THE DEBT CEILING.**

It is the sense of the Senate that any legislation that increases the limit on public debt, as provided in section 3101(b) of title 31, United States Code, shall not include any increase in taxes unless the Secretary of the Treasury submits a certification to Congress that the increase in taxes will not cause any further loss of jobs.

**SA 541.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_\_\_ . SENSE OF THE SENATE RELATING TO NEW SPENDING.**

It is the sense of the Senate that Congress should not enact any legislation that reduces expenditures under the Social Security program and uses the savings from such reduction for new spending.

**SA 542.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

**SEC. \_\_\_\_ . REDUCTION IN NON-SECURITY DISCRETIONARY SPENDING.**

(a) IN GENERAL.—Amounts appropriated for non-security discretionary spending for fiscal year 2011 are reduced on a pro rata basis by 2.5 percent.

(b) NON-SECURITY SPENDING.—In this section, the term ‘non-security discretionary spending’ means discretionary spending other than spending for the Department of Defense, homeland security activities, intelligence related activities within the Department of State, the Department of Veterans Affairs, and national security related activities in the Department of Energy.

**SA 543.** Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on

shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 2. CONGRESSIONAL RETIREMENT AGE.**

(a) SHORT TITLE.—This section may be cited as the ‘‘Congressional Retirement Age Act of 2011’’.

(b) CSRS.—Subchapter III of chapter 83 of title 5, United States Code, is amended—

(1) in section 8336, by adding at the end the following:

‘‘(q)(1) An individual serving as a Member on or after the date of enactment of this subsection—

‘‘(A) shall not be eligible for an annuity under any other provision of this section; and

‘‘(B) shall be eligible for an annuity if the individual is separated from the service after attaining retirement age (as defined in section 216(1)(1) of the Social Security Act (42 U.S.C. 416(1)(1)) and completing 5 years of service.

‘‘(2) This subsection applies to an individual serving as a Member on or after the date of enactment of this subsection without regard to whether—

‘‘(A) the individual is separated from the service while serving as an employee or a Member; or

‘‘(B) any service by the individual is subject to section 8334(k)’’; and

(2) in section 8338, by adding at the end the following:

‘‘(i)(1) An individual serving as a Member on or after the date of enactment of this subsection—

‘‘(A) shall not be eligible for an annuity under any other provision of this section; and

‘‘(B) if the individual is separated from the service, or transferred to a position in which the individual does not continue subject to this subchapter, after completing 5 years of service, is eligible for an annuity beginning at retirement age (as defined in section 216(1)(1) of the Social Security Act (42 U.S.C. 416(1)(1)).

‘‘(2) This subsection applies to an individual serving as a Member on or after the date of enactment of this subsection without regard to whether—

‘‘(A) the individual serves as an employee before, on, or after the date of enactment of this subsection; or

‘‘(B) any service by the individual is subject to section 8334(k)’’.

(c) FERS.—Chapter 84 of title 5, United States Code, is amended—

(1) in section 8412, by adding at the end the following:

‘‘(i)(1) An individual serving as a Member on or after the date of enactment of this subsection—

‘‘(A) shall not be eligible for an annuity under any other provision of this section; and

‘‘(B) shall be eligible for an annuity if the individual is separated from the service after attaining retirement age (as defined in section 216(1)(1) of the Social Security Act (42 U.S.C. 416(1)(1)) and completing 5 years of service.

‘‘(2) This subsection applies to an individual serving as a Member on or after the date of enactment of this subsection without regard to whether the individual is separated from the service while serving as an employee or a Member.’’;

(2) in section 8413, by adding at the end the following:

‘‘(c)(1) An individual serving as a Member on or after the date of enactment of this subsection—

‘‘(A) shall not be eligible for an annuity under any other provision of this section; and

‘‘(B) if the individual is separated from the service, or transferred to a position in which the individual does not continue subject to this chapter, after completing 5 years of service, is eligible for an annuity beginning at retirement age (as defined in section 216(1)(1) of the Social Security Act (42 U.S.C. 416(1)(1)).

‘‘(2) This subsection applies to an individual serving as a Member on or after the date of enactment of this subsection without regard to whether the individual serves as an employee before, on, or after the date of enactment of this subsection.’’; and

(3) in section 8414, by adding at the end the following:

‘‘(e) Notwithstanding any other provision of this section, an individual serving as a Member on or after the date of enactment of this subsection who otherwise meets the requirements for an annuity under another provision of this section shall not be entitled to an annuity until after attaining retirement age (as defined in section 216(1)(1) of the Social Security Act (42 U.S.C. 416(1)(1))).’’.

**SA 544.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 2. FEDERAL WORKFORCE.**

It is the sense of the Senate that—

(1) the pay, retirement benefits, and composition of Federal employees needs to be preserved;

(2) Federal employees have already made significant contributions toward deficit reduction with the Federal employee pay freeze;

(3) it is necessary to maintain Federal employee pay and benefits at rates that incentivize talented Americans to join the Federal workforce;

(4) it is important to have the best and brightest individuals working for the Federal Government;

(5) radical proposals that would harm our Nation should be rejected, including the proposal of reducing the current Federal workforce by attrition and privatizing Federal jobs;

(6) privatizing Federal jobs can lead to complex, expensive results as noted by former Secretary of Defense Robert Gates; and

(7) private contractors cost on average 25 percent more per employee each year compared to the cost of hiring a civil servant.

**SA 545.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

On page \_\_, between lines \_\_ and \_\_, insert the following:

**SEC. \_\_\_\_ . SENSE OF SENATE REGARDING PROHIBITION ON FUNDING FOR GLOBAL CLIMATE CHANGE INITIATIVE.**

(a) FINDING.—The Senate finds that the budget request of the President for fiscal year 2012 included a total of \$1,329,000,000 for the United States Agency for International



Development, the Department of the Treasury, and the Department of State for the Global Climate Change Initiative.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Department of State, the United States Agency for International Development, and the Department of the Treasury should not expend taxpayer funds to provide foreign assistance through the Global Climate Change Initiative.

**SA 546.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . SENSE OF THE SENATE REGARDING CORPORATE TAX LOOPHOLES.**

It is the sense of the Senate that loopholes that allow large and profitable corporations to avoid paying their fair share of federal taxes should be closed as part of any deficit reduction legislation.

**SA 547.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . SENSE OF THE SENATE WITH RESPECT TO NEW OR EXTENDED TAX CUTS FOR THE WEALTHY.**

It is the sense of the Senate that no new tax cuts for the wealthy, including an extension of the Bush tax cuts for upper income earners, should be enacted until annual federal deficits have been eliminated.

**SA 548.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . SENSE OF THE SENATE ON TAX LOOPHOLES FOR LUXURY ITEMS.**

It is the sense of the Senate that tax loopholes for luxury items including racehorses, yachts, and private jets, should be repealed as part of any deficit reduction legislation.

**SA 549.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . SENSE OF THE SENATE RELATING TO THE ESTATE TAX.**

It is the sense of the Senate that the estate tax should be returned to its 2001 levels as part of any deficit reduction legislation.

**NOTICE OF HEARING**

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the infor-

mation of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 19, 2011, at 10:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the recent report of the MIT Energy Initiative entitled “The Future of Natural Gas.”

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Meagan\_Gins@energy.senate.gov.

For further information, please contact Allyson Anderson or Meagan Gins.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on July 12, 2011, at 10 a.m., to conduct a hearing entitled “Enhanced Investor Protection After the Financial Crisis.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 12, 2011, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 12, 2011, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, “Oversight Hearing on the Environmental Protection Agency’s Implementation of the Safe Drinking Water Act’s Unregulated Drinking Water Contaminants Program.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “The Power of Pensions: Building a Strong Middle

Class and Strong Economy” on July 12, 2011, at 2:30 p.m. in 430 Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 12, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs’ Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on July 12, 2011, at 2:30 p.m. to conduct a hearing entitled “Can New Technology and Private Sector Business Practices Cut Waste and Fraud in Medicare and Medicaid?”

The PRESIDING OFFICER. Without objection, it is so ordered.

**PRIVILEGES OF THE FLOOR**

Mr. CARDIN. Mr. President, I ask unanimous consent that CPT Michael K. Lynch, a U.S. Army aviation officer who is currently serving as the defense legislative fellow for the majority leader, be granted the privilege of the floor for the duration of consideration of S. 1255, the Military Construction Authorization Act for Fiscal Year 2012.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the privileges of the floor be extended to Conner Myers, an intern in my office, for the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

**NOTICE: REGISTRATION OF MASS MAILINGS**

The filing date for the 2011 second quarter Mass Mailing report is Monday, July 25, 2011. If your office did no mass mailings during this period, please submit a form that states “none.”

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, temporarily located in the Dirksen Building in room B40-B.

The Senate Office of Public Records will be open from 9 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Senate Office of Public Records at (202) 224-0322.



DISCHARGE AND REFERRAL—S. 869

Mr. NELSON of Florida. Madam President, I ask unanimous consent that S. 869, the Former Charleston Naval Base Land Exchange Act of 2011, be discharged from the Committee on Energy and Natural Resources, and be referred to the Committee on Homeland Security and Governmental Affairs.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

resume consideration of S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit, with 1 hour of debate equally divided and controlled between the two leaders or their designees, prior to the cloture vote on S. 1323; further, that the filing deadline for all second-degree amendments on S. 1323 be at 10 a.m. tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. NELSON of Florida. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 4:47 p.m., adjourned until Wednesday, July 13, 2011, at 9:30 a.m.

ORDERS FOR WEDNESDAY, JULY 13, 2011

Mr. NELSON of Florida. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, July 13; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate

PROGRAM

Mr. NELSON of Florida. Madam President, there will be up to two roll-call votes at approximately 10:30 a.m. tomorrow. The first vote will be on the motion to invoke cloture on S. 1323, the sense-of-the-Senate bill on shared sacrifice in resolving the budget deficit. If cloture is not invoked, there will be a second cloture vote on the motion to proceed to H.R. 2055, the Military Construction, Veterans Affairs and Related Agencies appropriations bill.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL COUNCIL ON DISABILITY

MATAN ARYEH KOCH, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2013, VICE CAROL JEAN REYNOLDS, TERM EXPIRED.

STEPHANIE ORLANDO, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 17, 2011, VICE HEATHER MCCALLUM, RESIGNED.

STEPHANIE ORLANDO, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2014. (REAPPOINTMENT)

## HOUSE OF REPRESENTATIVES—Tuesday, July 12, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. BUERKLE).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC.  
July 12, 2011.

I hereby appoint the Honorable ANN MARIE BUERKLE to act as Speaker pro tempore on this day.

JOHN BOEHNER,  
Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### OBAMAISM HAS MADE AMERICA WORSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Madam Speaker, we are worse off now than we were in 2008. The country is suffering through an economic recession with more long-term unemployment than during the Great Depression.

The economy was in bad shape, but this administration has made it worse. The unconstitutional government takeover of health care created a cloud of uncertainty for small business owners, stalling job growth. Our health care system was in trouble before, but this administration has made it worse.

Our country is spiraling toward a domestic energy crisis thanks to the administration's insistence on punishing U.S. oil companies. The price of energy was high before, but this administration makes it worse. Americans are becoming used to living with the word "crisis." Under Obamaism, crisis has become the new status quo.

The President admits we're on a bumpy road. But, Mr. President, this road is full of potholes. The national

debt is expected to equal 101 percent of the economy in 10 years. Unemployment is around 9.2 percent. Home sales have declined. The number of food stamp recipients has skyrocketed.

Over the past 3 years, we have witnessed an administration set on entitling people and paying them not to work as opposed to helping businesses hire people to work. We are worse off now than we were before the President stepped foot on 1600 Pennsylvania Avenue.

We are stuck in this hole because White House policies have been toxic to this country's job creators. Businesses do not operate like the government does. They don't function under short-term budgets. They don't plan for the next 6 days or 6 months, like our government does. Business owners want a plan. They want to know what will happen next.

Under this cloud of uncertainty, businesses face ObamaCare's employer mandate and an onslaught of costly government relations. This leaves them with few choices: hold tight and wait it out, comply with government oppression and suffer, or shut down and move overseas.

Coming up on this bumpy road is a domestic energy shortage. The White House seeks to punish the energy of today and tomorrow in favor of potential energy after our lifetimes. An energy agenda that is synonymous with stall, obstruct, discourage, and penalize will only devastate the economy further and force more businesses and jobs to go away.

We've seen the administration slow-walk the approval process for offshore drilling permits despite lifting the moratorium. The delays have been costly, so costly that rigs have left the Gulf of Mexico never to return, and those jobs will not return either.

The coming domestic energy shortage will be partly due to the White House's desire to help foreign nations with their domestic energy instead of maximizing our own God-given natural resources. When the President told Brazil that America would help expand its offshore drilling operations and be one of its best customers, he sent a clear message: He doesn't support U.S. oil, U.S. companies, or U.S. workers. Each day that passes without a decision on the Keystone XL pipeline, a pipeline that will transport oil shale from our stable neighbor to the north right down to my congressional district in Texas, is another day that the White House pivots on U.S. energy

jobs. Meanwhile, China is eager and ready to be Canada's customer if we snub Canada on the pipeline.

The White House has a none-from-below mentality. We need an all-of-the-above strategy that encourages use of our natural resources and puts Americans back to work. The administration has mastered the art of turning a crisis into an opportunity to shove unpopular policies through.

Over a year after the Deepwater Horizon explosion, the administration has come as close as it can to shutting down operations in the Gulf. The impact, 12,000 jobs have been lost.

Are we better off today than we were in 2008? No. Our economy is still in a crisis of uncertainty.

The answers under Obamaism are to increase government control over our lives and raise taxes on people who pay taxes. This plan is an attack on freedom. More government spending and control is the problem, not the solution. As Senator RUBIO has said, instead of raising taxes, we should have more taxpayers. More new taxpayers under the concept of developing more businesses, more jobs also yield more taxpayers. This will create revenue.

The White House has operated under crisis management. The doctrine of Obamaism with its expansion of the government has made America worse. It is time for new hope, new change, and a new American day.

And that's just the way it is.

### CHRONIC UNEMPLOYMENT IS BIGGEST AMERICAN PROBLEM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Madam Speaker, we are in the 10th year of the Bush tax cuts and the third year of the Obama tax cuts. Taxes today are at the lowest percentage of our national economy since 1950; and, of course, that preexists a few things like Medicare, homeland security, massive spending on wars overseas, et cetera.

Yet last Friday, with this very, very light tax burden, we had the official unemployment numbers. They were horrible. But guess what. The reality is worse than the numbers. There are about 20 million people, not 16 million people, unemployed, looking for work, or underemployed. So I guess all we need to do is cut taxes more and cut spending and we will have an economic boom. Yes, we will have a boom, like the boom of an imploding economy.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Just like the last 10 years, the worst job creation since the Great Depression under this theory that tax cuts solve every problem.

Now the President's response on Friday was, not surprisingly, continue tax cuts. The new one he has adopted is the Social Security tax holiday. But don't worry, we will make Social Security whole. If we cut their income, we've got to make the trust fund whole. We'll borrow \$110 billion from China. We'll put it into the Social Security trust fund and everybody will get \$15 or \$20 a week, and that'll solve the problems of this economy. Of course, it doesn't do much for the people who aren't working, and it's not going to create jobs. That's his big solution.

Number two solution: more job-killing free trade agreements. Oh, that's great.

Patent reform. Yeah, maybe some day.

And then at the very end, oh, we should have a little bitty infrastructure bank. Okay. Great.

Now, the Republicans on Thursday, they preceded all this and one-upped him. They proposed that the United States of America, with crumbling highways, falling-down bridges, and obsolete transit systems, cut investment in infrastructure by 35 percent. So the construction industry that has today 16 percent unemployment, under the Republican plan, 25 percent unemployment. That's great. That's going to work, too. Oh, yes, and more tax cuts.

You know, we lack the will around here to address our Nation's greatest problems, not the means. Chronic unemployment is the greatest problem in this country. If we solve chronic unemployment, a quarter of the deficit goes away because those people aren't collecting unemployment benefits, food stamps and other things they need just to survive, and they are working and paying taxes.

Now, how about canceling some of these stupid tax cuts, particularly the Social Security tax holiday? Let's not borrow \$110 billion from China for people to dribble way in \$20-a-week payments. Let's take that \$110 billion and build things in America with American workers and buy American requirements.

□ 1010

We could put 4 million or 5 million people to work. Let's cancel the tax cuts for people earning over \$200,000 a year—the job creators—who are pretty undertaxed right now and who have record savings and wealth. If they contributed a little bit, that would be about another 1 million jobs if we put that \$23 billion a year into investments in infrastructure. These aren't just construction jobs. They're engineering jobs; they're manufacturing jobs; they're small business suppliers. We need an investment-driven recovery.

For too long, we've been trying under both Bush and under Obama to have a borrowed money, consumption-driven recovery.

Ain't going to work. Not good long term.

Instead of indebtedting our kids and giving them nothing but current consumption, let's have something that's investment-driven that will provide benefits for generations to come with a 21st century infrastructure for this country.

#### H.R. 1861: INFRASTRUCTURE JOBS AND ENERGY INDEPENDENCE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Madam Speaker, while deliberations continue on dealing with our \$14.3 trillion debt and while deliberations continue on raising the debt ceiling, Americans are very concerned about where we're going.

June unemployment at 9.2 percent and a growth of only 18,000 jobs translates into a meager 360 jobs per State. Now, when you look at how many high school students graduated in June, that's 3.7 million. Colleges graduated 1.7 million. Those 360 jobs barely equal the size of a typical large American high school graduating class, and certainly barely covers students at one typical college per State with a typical major. No wonder Americans are worried about our economy when so many youth are entering the job market only to find there are no jobs.

So while our leaders on both sides of the aisle are deliberating—and, unfortunately, too much of this immediately becomes a battle of words—let's keep in mind that one way to balance America's budget, one very important way to deal with America's debt, is to grow jobs. For each 1 percent decline in unemployment, it's \$90 billion per year in Federal revenue. That's a decrease in unemployment compensation. That's an increase in Federal revenues. That's 1.5 million jobs for every 1 percent decline in unemployment.

Let me quote our colleague from across the building here, Senator RUBIO, who said: This is not about increasing taxes; it's about increasing taxpayers. And this could do it.

Now, the cost per job in the failed stimulus bill was at least \$278,000 based upon \$660 billion spent. Of course, that number per job increases dramatically and rapidly if you include the interest paid on that stimulus bill, which takes us over the \$1 trillion mark. That sort of approach is not going to work, and if we open our eyes, we can all honestly admit that. Increasing unemployment is not going to decrease the Federal debt or deficit. We have to grow our way out of this.

Now, a bill that I've introduced and that several colleagues in a bipartisan way have signed onto as cosponsors—and I ask my colleagues to join on as cosponsors—is H.R. 1861. This bill would allow us to say, instead of sending \$129 billion a year to OPEC for foreign aid, to buy their oil, we drill for and we use our own. It would yield somewhere between \$2.2 trillion and \$3.7 trillion over a 30-year period in Federal revenues, not from raising taxes, but from using the standard royalties and lease agreements that come from this. It starts out as a crawl and increases to a walk and then into a run as this money comes through.

What we do in this bill is about growth in America. It isn't just talking about it. It's putting our money where our jobs are because it leads to 1.2 million jobs annually based upon estimates of the American Energy Alliance. That's jobs making steel, making steel pipes, wire, software, technology. It's jobs for the roughnecks. It's the steelworkers, the electricians and the laborers who work on these rigs. It's jobs for those who take this oil and convert it into gasoline, and it's jobs for those who have to put together all the infrastructure to make that happen.

Beyond that, what we do is we dedicate these funds into the infrastructure which America needs. According to the American Society for Civil Engineers, we need over \$2 trillion to deal with our current infrastructure needs. Many States find that 25 percent of their roads and bridges are structurally deficient, which is unsafe; but for every \$1 billion we spend on our infrastructure, it yields 38,000 jobs. Those jobs are for operating engineers and laborers and carpenters or electricians and engineers and for those who make concrete and steel and all the things that go with what we need for our roads, our highways, our bridges, our locks, our dams, our water and sewer systems.

Let's grow our way back to prosperity. Let's stop saying we're going to send money to OPEC and watch them grow. Let's stop just pointing fingers and blaming and complaining about China. We have the tools here in America to make this happen. So, while our leaders are over at the White House, arguing about how to take care of the debt, let's not forget that, overall, Americans are saying that one way to grow out of this debt is to grow more jobs, to grow more taxpayers, not just to find ways of taxing them. We can do this.

Again, I ask my colleagues to join me in supporting H.R. 1861, where we can do this. Let's not talk about jobs, and let's not complain about it. Americans know when the wool is being pulled over their eyes, and Americans know when they're working. Let's truly help them out and get jobs back on the table.

## FIGHTING FOR PEACE EVERY DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Madam Speaker, in April of the year 2004, my staff came to me with a memo, asking if I wanted to give a Special Order speech on some issue of which I can't remember the subject. My answer at that time was, no, I didn't want to speak on that issue, but I did want to deliver a 5-minute speech that day and every day thereafter, when it was possible, to express my opposition to the wars in Iraq and Afghanistan and to express my belief that there is a smarter way to achieve our national security goals.

So, Madam Speaker, since that day, I've stood here in this spot to say over and over again that these wars are eroding our spiritual core, bankrupting us morally and fiscally, teaching our children that warfare is the new normal. I have delivered these speeches as a member of the majority and the minority, when the President was a member of my party and when he was not, and today, I am doing it for the 400th time.

When I began, the war in Iraq was still quite popular, as was the President who launched it, but we spoke out anyway, refusing to bend on principle because we knew that we did not belong there. My colleagues Representative BARBARA LEE and Representative MAXINE WATERS and I called ourselves the "Triad." We started the Out of Iraq Caucus, and we forced the first House vote to bring our troops home. Along the way, I visited Iraq, and my opinion was confirmed against that very war, but at the same time, it increased my admiration for our troops. Gradually, the tide of public opinion turned. President Bush lost the confidence of the American people, and eventually had to start winding down the war. I don't believe that would have happened unless a few lonely voices had dared to be heard in those early, early days.

I am proud of what we have accomplished, but I am also very frustrated because nearly a decade after the first American boots hit the ground in Afghanistan, here we are—still at war, still occupying sovereign countries on missions that aren't making us safer or advancing our interests. The cost has been devastating. Over 6,100 Americans are dead, and thousands more civilians have died for the cause of their so-called "liberation." Thousands of U.S. servicemembers have come home but may never be the same, either because of physical wounds or mental health trauma, which can, with the physical and the mental health, destroy lives just as well.

In addition to the staggering \$3.2 trillion price tag that has piled up over the last 10 years, I don't think we've even begun to come to grips with the

resources that the VA will need for the next 50 or so years to meet the responsibility we have to our veterans as a result of these wars.

Madam Speaker, I've said it over and over again that I'm not suggesting we abandon the people of Afghanistan and Iraq. Anti-war doesn't mean anti-engagement or anti-security. The underlying principle behind my 400 speeches has been that we need a completely different approach to protecting America—one that emphasizes diplomacy, reconciliation and peaceful conflict resolution.

□ 1020

From the beginning, I have been pushing my own solution called SMART Security, fighting terrorism with better intelligence, with a stronger nuclear nonproliferation program, with humanitarian and economic aid that will give hope to people around the world, with less spending on weapon systems and more on homeland security, human rights monitoring, and energy independence.

Most importantly, SMART Security insists that war is an absolute last resort because, Madam Speaker, for the sake of the future of the human race, we must and we can figure out a way to resolve our differences without resorting to war and violence. I will continue to do this for the remaining 1½ years that I will be in Congress, giving as many of these speeches as I can. And Madam Speaker, I will not rest until we finally bring our troops home and we adopt the SMART Security approach to preventing war and preserving peace so that my grandchildren and your grandchildren and their grandchildren will have a peaceful, productive world to live in in the future.

LET'S GET SERIOUS ABOUT THE DEBT CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. LANDRY) for 5 minutes.

Mr. LANDRY. Madam Speaker, let me help this body interpret how the American people see this debt crisis. Now some of you may question how I can, with this accent, provide an interpretation. Well, let me show you.

Americans have a keen understanding of how credit cards work. They know that each card holds a limit on it, and this limit is the borrowing limit on that particular card. And it is a fact that when one reaches the limit on his or her card, that they are unable to borrow more money or charge more at that time.

Now it is not factual to say, however, that when one maxes out his credit card, that he is in default personally, or in layman's terms, that he is bankrupt. No. When one reaches his limit, you simply cannot use the card anymore. If you want to continue to use

the card, you need to pay down on the principal amount that is owed.

If and when you reach this unfortunate circumstance, you and your family are required to live within your means. As long as you can continue to pay the interest on the card and the bills that you have accrued, then you are not in jeopardy of defaulting. Of course you can only do this if you're employed and you have income, unlike the approximately 9.2 percent of Americans out there who are looking for us to do everything we can to help create private sector jobs.

So this is where we are. Look, I don't believe if we fail to raise the debt ceiling that we will default. What I do believe is not raising the debt ceiling will finally require Congress to make the tough decisions necessary to restore fiscal sanity to our Federal Government. It will force Congress to understand that at this time we need to live within our means. Why? Because going back to our layman's term, if the Federal Government was a person, that person is not unemployed, they still have a job, unlike the approximately 9.2 percent of Americans I spoke earlier about. So if we still have a job, that means we're still getting a paycheck. That paycheck is currently sufficient to pay our bills.

After 2 years, where the President and previous Congresses spent like they were going out of style, the President is starting to understand that we have spent too much. What he hasn't realized yet—and I hope he does—is that we don't have a revenue problem here; we have a spending problem.

Now, I know that we would like to spend more on things we like. That is human nature. But the reason so many of us are opposed to increasing taxes is that our constituents are opposed to increasing taxes. Make no mistake about it: If the American people believe that an increase in taxes would once and for all eliminate our debt problems here in this country, they would support it.

But, you see, this institution has a credibility problem—in fact, the entire Federal Government has a credibility problem with the American people. The American people do not have confidence in our ability to be prudent with their tax dollars. Do you blame them? When over the course of the last 2 years we have spent over \$3 trillion on money, on stimuluses and bailouts, promising that we would increase their opportunity to be more financially secure, and of course that didn't happen. The proof is in the pudding. We spent the money, and guess what? No results.

We have a spending problem. Why? Because so many politicians here who have been here for a long time believe that everything in the budget is a need, not a want. As a parent of a young child, I'm constantly having to explain to him the difference between needs

and wants. So the longtime politicians here believe that government is the solution to everything. Well, my friends, believe you me, some of us know it's not, and the vast majority of people know it's not. Trust me. Trust me.

We must get serious. Washington is not an elastic piggybank that is able to continue to fund everyone's wants. Let's get serious. Let's quit spending what we don't have. Let's restore credibility. And we do this by cutting spending through prioritizing. It is that simple. Restore credibility, restore trust. Get down to creating certainty, reducing redtape and creating jobs.

#### DEBT AND RESPONSIBILITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL) for 5 minutes.

Mr. RANGEL. Madam Speaker and my colleagues, last week, I tried to point out that there was a serious meeting going on in the White House last weekend between the President and our congressional leaders to point out that we were facing a serious crisis and that we had to do something to make certain that the President felt sure that we would increase the debt ceiling and that we would make certain that we did stop this unnecessary spending. And of course the question of revenues has always been a part of the debate.

What I was trying to do was to point out that on one side it appeared the issue was that we shouldn't tax those people that created jobs—and these are people, as people have pointed out, who are the wealthiest corporations that have record profits, and of course the wealthy that have really had the lowest tax rates and have received more money in the last decade than in the history of the country.

And I was really trying to say that, since the vulnerable and the poor did not have any lobbyists or voices to debate this issue, that when we talk about entitlements, that when we talk about Social Security and Medicare and Medicaid, these are not just political labels. The Medicaid, of course we're talking about the vulnerable, the poor, and those who are sick. Medicare, we're talking about the aged that need help. I was also pointing out that, unfortunately, Social Security has become the main income for so many Americans. And we have veterans that are coming home, we have the jobless, the homeless, the hopeless. And even though they did not have a lobbyist to say, hey, I want to have a seat at that table, that I called to all of our spiritual leaders, since I knew that in every religion there was a good Samaritan aspect which really ended up saying, just do the right thing. I didn't put politics in it, I didn't put party labels in it. And I wasn't just talking to Christians and ministers and Catholics

and Protestants; I was reaching out to the rabbis, to the imams, to the Buddhists, to the Mormons, to the Muslims and saying that in every Scripture, in every religious document, taking care of the vulnerable and those who can't take care of themselves, that that moral issue should be on the table.

Well, as a result of that, some people thought that instead of just a good Samaritan, I would ask what Jesus would do. And I just want to make it clear: I haven't the slightest idea what he would do, but my very dear friend, Governor Huckabee, said one of the things that Jesus would do would be to pay his taxes. And, of course, that was something that reminded me.

□ 1030

He also went to Deuteronomy. And he said it on TV: "For the Lord your God will bless you as He has promised, and you will lend to many nations but will borrow from none. And you will rule over many nations but none will rule over you."

Well, again, that scored for the good Governor, but however, when you have got a \$14.3 trillion debt, it's kind of late for that message to have a strong impact.

But what I want to make clear is that no matter what religion you are, it appears to me that what we're talking about are two sides of sincere Americans that do recognize that this is not just saying that the sky may fall. All economists agree that there are various ways to do it, and we cannot just cut back spending in order to resolve this serious economic problem we have.

As a matter of fact, we have to be very sensitive when we do cut back spending that we don't create an addition to the unemployment and those that provide services to the disadvantaged. And I am talking specifically about our hospitals, about our social workers. Because there is no one in this Chamber that doesn't believe that the homeless and the sick, those that are disabled and those that are dependent on these programs should be ignored as we protect those people who, for whatever reason, have not participated in the creation of those jobs, even though we all are waiting.

But more importantly, we have not heard any complaints from the wealthiest of Americans that more equity should be involved in our taxing system. When the billionaires can say that their secretaries have a higher tax rate than they do, it means that we have a responsibility not to raise taxes but at least to close the inequity that exists that would raise revenue.

So when we do get home it seems to me that we would say this is not a Democratic issue, this is not a Republican issue alone, it is a moral issue.

Thank you, Governor Huckabee.

HONORING COLONEL GERALD F. RUSSELL OF CENTRE COUNTY, PENNSYLVANIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to recognize and honor a true patriot, humanitarian, and all-around great American, Colonel Gerald F. Russell, United States Marine Corps, of Centre County, Pennsylvania. Colonel Gerald F. Russell is a combat veteran of Guadalcanal, Korea, the Cuban Missile Crisis, and World War II, including the Battle of Iwo Jima, which remains today a seminal event in our Nation's history.

May 1 was Colonel Russell's birthday. I use this time to celebrate his service to our country and his thankless contributions to our local communities of central Pennsylvania.

Madam Speaker, May 1, 1916, was the beginning of a long life of service. In 1940, Colonel Gerald F. Russell graduated from Boston College, enlisted in the first Marine Corps Office Candidates Class, and later that year was commissioned a second lieutenant in the United States Marine Corps. He was assigned to the 11th Marines, 1st Marine Division, Parris Island, South Carolina, and then promoted to first lieutenant.

In September 1942, Colonel Russell landed in the assault waves on Guadalcanal in the first U.S. offensive of World War II. He was promoted to captain that very same day, assigned as battery commander ship, he was hit by Japanese aircraft during landing, which later sank. Colonel Russell suffered shrapnel wounds during the campaign, was not evacuated, and soon contracted malaria. Shortly after, he moved with the 1st Marine Division to Melbourne, Australia, and only returned to the U.S. to recover.

From 1943 to 1945, Russell was assigned to attend the United States Marine Corps Command and Staff College. He was assigned to the 5th Marine Division, Camp Lejeune, as artillery battalion exec, promoted to major, and transferred from artillery to infantry. With 5th Marine Division, he transferred to Hawaii as infantry battalion executive officer. As battalion executive officer, Russell landed in the third assault wave on Iwo Jima, Red Beach One, where he observed the historic flag raising.

Despite wounds to his face and being evacuated, Russell volunteered to stay and lead the battalion after his commander went down. On the 10th day, Russell was elevated to infantry battalion commander, one of the youngest battalion commanders in World War II, and so served the remainder of the campaign.

Russell commanded one of two units to land in Japan for occupation, at

Kyushu, and provided protection for the U.S. technical teams covering the atomic bomb site at Nagasaki. Commander Russell accepted the surrender of the Tsushima Islands off the coast of the Japanese mainland. He was then returned to the U.S. and was assigned to the Staff Officers Basic School in Quantico, Virginia, where he served as instructor.

In 1949, Russell was assigned to the 1st Marine Division, Korea, where he served as commander of frontline infantry battalion for 8 months, and as chief of the advisory group of a frontline Korean Marine brigade for 8 months. When he returned to the U.S., he was assigned to the Marine Corps Research and Development Staff in Quantico, Virginia.

In 1952, Russell was assigned to staff, U.S. European Command, Paris, France. That year, he returned to Headquarters U.S. Marine Corps, Washington, D.C., and later transferred to Quantico, assigned as director of the Amphibious Warfare School. He transferred to Camp Lejeune, then appointed commanding officer of the 8th Marine Infantry Regiment. Later, Russell was transferred to Guantanamo Bay, Cuba, to command U.S. Ground Defense Force during the early difficulties with Cuba.

In 1967, Colonel Russell was transferred to Headquarters Marine Corps, Washington, D.C., where he served as Head Marine Corps Division of Morale Services until his retirement from the Marine Corps in 1968.

Russell retired from the Marine Corps on a Friday and started work on Monday as the assistant to the provost at Penn State University. While at Penn State, Colonel Russell served as assistant to the provost, assistant to President Oswald, and assistant secretary for the Penn State Board of Trustees, assistant professor, and assistant to dean of College of Health and Physical Education, and as associate dean until his retirement in 1987.

Since his retirement from Penn State, Colonel Russell has continued as a tireless community volunteer, volunteer advocate, and is known throughout central Pennsylvania and beyond.

Today, Colonel Russell serves as a member of the Centre County United Way Board of Directors, chairman of the Centre County United Way Day of Caring, and remains active in various efforts, which include the Pennsylvania Special Olympics, Centre County Toys for Tots, and many other programs that benefit our community.

After a long and distinguished career, Colonel Russell has a Republic of Korea Distinguished Service Medal, Bronze Star with "V" for Valor, the Navy Commendation Medal, the Army Commendation Medal, Purple Heart Medal with two gold stars, U.S. Presidential Citation with four stars, Korean Presidential Unit Citation with three stars,

Navy Meritorious Unit Citation, the Defense Medal, Asiatic Pacific Medal with three stars, World War II Victory Medal, National Defense Medal, World War II Japan Occupation Medal, the United Nations Service Medal, Korean Service Medal, among others, for his eminent service to our country.

A decorated veteran with almost three decades of active service, today Colonel Russell is one of just three living regimental commanders of Iwo Jima. The Battle of Iwo Jima served as a watershed moment for the United States in World War II. After capturing Iwo Jima, U.S. Forces were able to have a staging ground for the aerial assault that would help defeat the Japanese Empire.

I want to thank Colonel Russell for his service to this great Nation. Happy birthday, Colonel Russell.

This great victory did not come without great sacrifice. More than 70,000 Marines participated in the Battle of Iwo Jima, 17,372 Marines were wounded and 5,931 Marines made the ultimate sacrifice for this Nation.

Through a life of sacrifice and service to others, Colonel Gerald F. Russell today stands as a living memory of those who lost their lives in WWII and the many others who've given the ultimate sacrifice for this Nation.

Again, thank you for your service to this Nation.

#### CONGRESSWOMAN WOOLSEY'S 400TH SPECIAL ORDER ON IRAQ

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE. Madam Speaker, I rise today, first of all, to pay tribute to a true champion for peace and justice, Congresswoman LYNN WOOLSEY. Her leadership is reflected in the fact that today marks the 400th occasion on which she has spoken on the House floor against the ongoing war in Iraq and the war in Afghanistan.

Today is really a landmark not only because of Congresswoman WOOLSEY's outstanding commitment to ending the wars we are engaged in, but also because she is my good friend. And she will be retiring at the end of this term. I was truly honored to be by her side when she announced her retirement after 20 years of bold and visionary service in this House and serving her district. It was a bittersweet occasion. But I know she will do wonderful things in the next chapter of her life.

Congresswoman WOOLSEY should really be commended for being an unparalleled leader and a guiding light, a truly guiding light in Congress for peace, for SMART Security, and for justice.

Madam Speaker, I would also like to thank Congresswoman WOOLSEY for her unwavering leadership and commitment to end the unsustainable wars in Iraq and Afghanistan. She introduced the very first resolution calling for us

to bring our young brave men and women home from Iraq. I believe she pulled together then, what, 130 votes maybe for that resolution? And I want to remind you, this was a time when this body was, quite frankly, very timid in its opposition to the war.

□ 1040

She broke that silence, and I have to thank you for that very historic moment, Congresswoman WOOLSEY. Now we must ensure that the 45,000 United States troops and our military contractors who remain in Iraq leave Iraq at the end of this year, as stated in our Nation's Status of Forces Agreement with Iraq.

Congresswoman WOOLSEY's fight to end these wars is directly tied to, really, the impasse that we are facing over our Nation's debt limit, which we are discussing today. She has tirelessly reminded this body, time and time again, that in order to pay for these wars, the United States has taken on incredible debt. This reckless spending and resulting debt are now being used by many in a dangerous political game which threatens the economic future of our country.

Allowing our government to default on this Nation's legal obligations would threaten every American's economic security, it would devastate people's retirement savings, and it would cripple an already struggling housing market.

The truth is, and Congresswoman WOOLSEY always reminds us of this, is that raising the debt ceiling should be really a very simple thing. This should be a straightforward vote to allow the United States Treasury to fund all of the programs and obligations of the entire government that are already in the law, very simple.

Republicans in the House have already passed a \$9 trillion increase in the national debt. And now, instead of working to fund the programs that they already voted to authorize, Republicans are playing a high-stakes game of chicken with the safety and security of every single American so that they can protect the massive tax breaks for the super rich, Big Oil and, of course, hedge funds. They have taken an incredibly irresponsible position that protecting tax breaks for the super rich and Wall Street is more important than protecting the United States Government and Main Street from defaulting on our debt.

And, again, Congresswoman WOOLSEY has been a leader in protecting Social Security, and I want to remind all of us today that Social Security and Medicare did not create the national debt, and that is really unconscionable to ask our most vulnerable communities to be the ones who must bear the burden of balancing our budget.

It was the Republicans who told us that the financial markets would regulate themselves. In return, what did we get? The financial crisis.

It's the Republican politicians who keep telling us that tax cuts pay for themselves and create jobs. In return, we have a huge deficit and an unacceptable unemployment rate. And it was Republicans who told us that we could fight two wars while giving more tax breaks to their rich friends.

Of course, Congresswoman WOOLSEY for years and years and years had reminded us that, first of all, the wars did not need to be fought, but, secondly, they were morally and fiscally wrong. In return, now we will end up paying a cost of nearly \$6 trillion by borrowing the money and adding this to the tally of our Nation's debt.

Now, unfortunately, Republicans are blaming their debts on the most vulnerable Americans. Even now they continue to drive our Nation closer and closer to the brink of disaster just to protect massive tax breaks for billionaires.

So once again, in closing, I am proud to stand here with Congresswoman WOOLSEY as a member of the triad. She is working to end our Nation's wars and will continue to do so to promote national security and to protect our seniors and our children, our working families and the most vulnerable Americans.

Thank you. We owe you, Congresswoman WOOLSEY, a debt of gratitude.

#### AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Madam Speaker, on the floor today I think America and all of us in Congress are certainly concerned about the debt ceiling issue and what we are going to do and how we are going to be able to resolve it. But like many of my colleagues on the Democratic side, I am here today to talk about the war in Afghanistan.

Madam Speaker, I have beside me a really profound photograph of a wife in tears and a little girl sitting on her knee, who is too young to understand that her father, United States Army Sergeant Jeffrey Sherer, is laid under the flag that is now folded, being presented to the wife.

This is the pain of war, and I do say to Ms. WOOLSEY, thank you very much for what you have done to try to wake up the Congress and the American people.

Ten billion dollars a month going to Afghanistan. We can't even fix the bridges, we can't fix the roads, we are cutting children's programs, we are cutting senior programs. And yet Mr. Karzai, who is known as a corrupt leader of Afghanistan, is going to get his \$10 billion a month while these programs that we are going to cut are going to be denied \$10 billion a month. It doesn't make any sense, Madam Speaker.

That brings me to an article written by A.C. Snow. He is well-known in North Carolina, where I am from, for his writings in *The News and Observer*, which is a State paper in Raleigh, North Carolina. This past July 4th, his article was titled "Time to Bring Them Home, Let Them Live."

"Time to Bring Them Home, Let Them Live."

Let this little girl's father live. Obviously, he will not live. He's dead. But how about the next little girl or little boy, or the wife and, in some cases, the husband?

Let me share with the House from A.C. Snow's writing, "Time to Bring Them Home, Let Them Live":

"It seems we never run out of wars. It is as if one small country after another sends out engraved invitations reading: 'We're having a war. Please come.' And Uncle Sam goes, lugging borrowed billions and thousands of young men and women to sacrifice on the altar of so-called freedom or 'nation building.'"

Snow closes his comments by quoting lyrics from "Les Miserables": "He is young. He is only a boy. You can take, you can give, Let him be, Let him live. Bring him home, Bring him home."

Snow further writes, "It's way past time to stop playing politics with the lives of America's youth. Bring them home. Let them live. Not just 30,000 of them. All of them."

Madam Speaker, I sit here day after day, in committees and on the floor of the House, listening to debate, sometimes being part of the debate. I just hope that the American people will understand that in this discussion at the White House with the leadership of the House and the leadership of the Senate, we could save \$100 billion. That's what it costs per year to be in Afghanistan.

Madam Speaker, I have Camp Lejeune Marine Base in my district. I have over 60,000 retired military. I listen to them. No, I did not serve, but I listen to those who are serving and those who did serve.

And like my colleagues, I go to Walter Reed, I go to Bethesda. I see the broken bodies, the amputated legs, the paralyzed; and I have written over 10,300 letters to families like Sergeant Sherer's to say to the families, I regret that I voted to send our kids into Iraq. It was a lie that got us there, and we never should have gone.

So I join my colleagues in both parties to do my part to say let's bring them home from Afghanistan. Let's bring them home before 2014 or 2015.

And, Madam Speaker, may God bless our men and women in uniform, and may God bless America.

#### FICTITIOUS DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. HIMES) for 5 minutes.

Mr. HIMES. Madam Speaker, I would like to thank my Republican colleague from North Carolina for that very powerful statement, and I am very glad that Congresswoman WOOLSEY was in the Chamber to hear that, Congresswoman WOOLSEY who has worked so hard to remind us of the terrible consequences of war.

I often sit here as we debate and seize from time to time at the statements of Republican colleagues, but that was profoundly moving, and I thank the gentleman from North Carolina.

I stand today, Madam Speaker, to talk on another issue that should unite our parties, and that is the fundamental question about whether or not the United States honors its commitments.

□ 1050

Today is July 12, exactly 3 weeks before August 2. August 2 is the date at which this government can no longer honor its commitments, at which time it will be forced to choose between paying those soldiers that we heard so movingly described and sending out Social Security checks, running a court system, paying Social Security and Medicare. Do we honor our commitments in the United States of America? I would think that both parties would say "yes" to that question. The Treasury Secretary, CEOs of American corporations and economist after economist have told us, Do not play around with the debt ceiling.

What is this debt ceiling, by the way, that is putting into peril the question of whether we honor our commitments? The debt ceiling is a pernicious fiction. It is a fiction that was put in place by this body decades ago to try to convince the American people that we could control our debts. And since then, it has never done that. It has been raised dozens of times as this body took the spending decisions and the tax cut decisions that required borrowing.

Under the Bush administration, the debt ceiling was raised seven times. Dozens and dozens of times, the debt ceiling has been raised. It is a fiction. It is a particularly pernicious set of smoke and mirrors that this institution uses to make people feel better while the debt rises, as it did under President Reagan, as it did under the first President Bush, as it did not under President Clinton, and as it did under President George W. Bush and President Obama.

So now the question is, do we honor the commitments made historically in this Chamber? We raise the debt ceiling not to spend more new money, to start new programs or to cut new taxes, but because we honor the commitments that were made in this Chamber to cut taxes in '01 and '03, to go to war twice in the last decade and to add an expensive new drug benefit in Medicare.



Look, these are all things that people supported and opposed, but we committed to do them as a body. And you cannot make those decisions, you cannot vote to lower taxes or to increase spending and then turn around and say, I'm not going to pay for that. That is the worst sort of hypocrisy.

I'm glad that my friend from Louisiana (Mr. LANDRY) talked about credit cards, but he got it a little bit wrong. The debt ceiling is sort of like a credit card, but what we're talking about right now, because we are talking about paying for past decisions and commitments, would be as if I went to the electronics store and I bought myself a big screen TV, I bought myself a new microwave, and I bought myself a new home security system, and then I get home and a month later I get the credit card bill and I say, uh, I don't know if I'm going to pay this credit card bill. I took the decisions. I made the commitments. And now the time has come to honor those commitments.

Do we act as stewards of one of the best assets that this country has, our full faith and credit, the belief that the United States honors its commitments? This is a critical asset, particularly now at a time of great economic uncertainty. Do we act as stewards of that full faith and credit? Or do we use the debt ceiling as a gun to the head to say that unless you do X, Y and Z, unless you cut 2 trillion or 3 trillion, we won't raise the debt ceiling, which is what we are hearing from the Republican side today? Do you use it? Do you hold it hostage, the full faith and credit of the United States? That is what we are seeing today.

Look, there is no question we need to address the deficit. We need to address the long-term sustainability of Medicare and Social Security in an equitable way. We should do that. And this President has basically put everything on the table, including making some of my colleagues on the Democratic side very uncomfortable with Social Security and Medicare. But he has put them on the table because there can be no sacred cows, unless you're JOHN BOEHNER, or a Republican, and not everything is on the table because we won't put the immense amount of spending we do through the Tax Code for advantages for oil companies, for advantages for big agriculture and for all sorts of tax breaks for corporations and others. We won't even talk about that.

My friends, this comes down to the question of do we honor our commitments? The answer to that question must be yes.

#### CONGRESSIONAL PENSION PLAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. COBLE) for 5 minutes.

Mr. COBLE. This week, Madam Speaker, I will introduce a bill that

will amend the rules applicable to participation in the congressional pension plan. Under the present plan, upon completion of 5 years' service, a Member's pension vests. I believe a Member should make a more firm commitment than 5 years to become eligible to participate in the plan.

My bill, Madam Speaker, will increase the eligibility requirement from 5 years to 12 years. The bill, if enacted, will become effective at the convening of the 113th Congress. A Member could serve six 2-year House terms, two 6-year Senate terms or a combination thereof to become eligible to participate in the congressional pension plan.

If any colleagues are interested in my proposal, I will welcome cosponsors to the bill.

#### ENDING THE WAR IN AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. GRIJALVA) for 5 minutes.

Mr. GRIJALVA. Madam Speaker, I am here to join with my colleagues in thanking the gentlelady from California (Ms. WOOLSEY) for all that she has done to provide leadership on an issue that has been critical to the American people on an issue that she could very justifiably say, "I told you so."

Since I've been in this House, it's been my distinct privilege to consider her a friend and to enjoy the leadership and the insight that she has provided to many of us. Her position on Afghanistan is correct and a necessary position as we see these times before us. Americans who feel the sting of doing more with less are connecting the dots between Federal spending priorities and the pain that they're feeling at home right now.

Americans struggling to put their kids through college without any Pell Grants or running out of unemployment benefits with no new job on the horizon cannot ignore the cost of this war. The war has cost taxpayers in my congressional district more than \$580 million so far. That's about 11,000 elementary school teachers that could be hired for a year or 84,000 students that could go to community college or a university or a trade school or a career school.

These are just some of the bad trade-offs we are making by spending our national resources on a war instead of fixing the problems that we have here at home. Ask yourself, which would you rather have, a war that is not making us safer and not worth the cost, or a more educated, prosperous America?

We cannot afford the nearly \$10 billion per month while families struggle to stay afloat and the slow recovery of our Nation continues. Keeping America safe does not require 100,000 troops in Afghanistan. Al Qaeda is no longer in

Afghanistan but scattered across the world. It did not take 100,000 troops to find Osama bin Laden, and it does not take a military occupation of Afghanistan to protect us from terrorist threats.

I am deeply proud of the hard work and incredible sacrifice of our brave men and women in uniform. We know they are carrying out the mission in Afghanistan with dedication and extraordinary competence. Through this nearly 10-year military campaign, they have done all that we have asked of them and represented our Nation's very best values and ideals. Now it's time to bring our troops home, and bring them home to a new reality. Since the year 2000, we have lost 2 million jobs in this country while we have added 30 million people to our population. After 10 years of a failed fiscal policy that brags about job creators through tax cuts, incentives and subsidies to corporations, this failed policy continues to be promoted as a solution to our economy and to the recession that we find ourselves in.

We need to bring our troops home. We need to integrate them fully back into our society and into our country. One of the best ways to do that is to provide jobs and opportunity. And one way is for the government to create jobs in public service and public works. By putting America back to work, we are beginning to crawl out of the hole that we have been in for the last 10 years.

Afghanistan is a stark example of flawed priorities. As we go forward with the discussion of the debt ceiling, with how to balance this budget and how to articulate priorities that the American people want, let us not forget that one of the priorities the American people have insisted on time and time again is to end these two misadventures in Iraq and Afghanistan, bring those troops home, redirect those resources to the needs that the American people face right now, and in this way, begin not only to make our economy better, but return some moral imperative to this Nation.

□ 1100

#### JOBS AND THE ECONOMY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. QUAYLE) for 5 minutes.

Mr. QUAYLE. Madam Speaker, last Friday's jobs report was incredibly disappointing. We only added 18,000 jobs to the U.S. economy. Our unemployment rate went up to 9.2 percent. Not to mention the fact that we had a downgrade, a revision, of last month's, of May's job report to only 25,000 jobs. The deeper you go into that jobs report, the worse it gets, because for those who are underemployed, that's about 16 percent to 17 percent of the

United States population, and that is not even including the 250,000 people who went off the rolls of the unemployed because they just stopped looking for work.

We've been talking about jobs for a long time. You hear it all the time in the halls of Congress. But what have we done? The House has passed a number of bills that would immediately open up a marketplace for job creation and job growth, but unfortunately our friends on the other side of the Capitol in the Senate have done nothing to advance these pieces of legislation. And it's not like they've had anything to do. I mean, they haven't even passed a budget in over 800 days. So I would ask our friends in the Senate to start to push these pro-growth economic policies so we can get Americans back to work.

But it's not just our friends on the other side of the Capitol who are holding us back. It's the administration who has pursued policies that have hurt job creation and economic growth. To be a good manager, to be a good executive, you have to be able to do two things well: One is to be able to analyze and pinpoint a problem, and the second part is to find a solution for that problem. Unfortunately, we have an administration that doesn't even do the first part well. They actually pinpoint problems that don't exist, or problems that aren't problems at all, so you can't even get to a solution that will get Americans back to work.

Let me give you a couple of examples of this. Recently, the President said that one of the problems we have with job creation is with ATMs and kiosks at our airports. I didn't know about the scourge of ATMs and kiosks, but apparently those are what are holding back our job creators. This is called innovation. This is called efficiency.

It reminds me of a story of when the famed economist Milton Friedman went to China. He was witnessing some excavation for a canal, and there were thousands of people who were digging with shovels. Milton Friedman asked: Why aren't you guys using bulldozers or excavators, those things that will make this more efficient?

The Chinese officials said: Then we couldn't put these people to work.

To that, Milton Friedman responded: Why don't you give them spoons?

Innovation and efficiency make our economy stronger, they're net job creators, so we should be going after what is really holding our country and is really holding back economic growth, and that is the NLRB who is attacking American companies who want to create American jobs. That is the EPA, who is going after numerous pieces of regulation that will in the near term kill jobs, in the medium term kill jobs, and in the long term kill jobs. We should be going after the FTC who is now going after Captain Crunch and

Tony the Tiger. Those sorts of things are the ones that are holding our country back and holding back economic growth. We should be looking at those burdensome regulations and removing that and letting our entrepreneurs and our job creators unleash the ingenuity that they have within them.

There is one area of agreement that I do have with the President, and that is with the free trade agreements. The free trade agreements with South Korea, Colombia and Panama need to be passed through the House. But we've got to agree on something. They have been sitting on the President's desk since he has been in office. I urge the President to send those free trade agreements without any additional spending attached to them, because those are job creators. For every billion dollars worth of exports, it is 10,000 jobs here at home.

So I really hope the administration starts to pinpoint and look at the real problems that our country is facing so we can get America back to work and we can lead to more economic growth and prosperity, because it starts with the American worker.

#### DEBT CEILING NEGOTIATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GARAMENDI) for 5 minutes.

Mr. GARAMENDI. Thank you, Madam Speaker.

I was just kind of curious about which one of those EPA regulations that my colleague was talking about. Perhaps it's the one that would prevent the emission of mercury into the air, or arsenic into the water. Maybe they want to poison the air and the water. Maybe that's what they're looking at. Or the SEC regulation that would bring to heel Wall Street and all of its excesses which just about terminated the economies of the world. Maybe those are the regulations they don't want to see. In any case, what I would really like to talk about here is the negotiations that are under way to deal with the looming crisis of the debt.

The President of the United States has said, okay, let's not kick the can down the road any further, let's deal with this issue, and has proposed a \$4 trillion solution. No sooner did he make that proposal than our Republican colleagues said, oh, no, we can't do that because that will include finally creating in America a fair Tax Code, one in which the superwealthy are actually going to get to pay for their share of the burden. For example, the hedge fund managers who pay a 15 percent rate on their earnings, their ordinary income, while the rest of us get to pay the full freight, whatever that might be, 35 percent for those at the top brackets. But, no, no, we can't deal with that problem, so we can't have a \$4 trillion solution.

The President also says, We're not going to kick the can down the road. We want to extend the debt limit to at least 2013, to put this issue off. But the Republicans don't want to do that. They want to do a short term.

I wonder what's going on here. Talking about cuts, the only cut that I've seen thus far defined by our Republican colleagues is to cut Medicare. In fact, not just cut it, terminate Medicare, to somehow take all of those Americans who are 55 years or younger, and say to them, no, when you become 65, you will not have Medicare. We'll give you a voucher and you can go out and take your best shot with the private insurance sector.

Good luck. I was an insurance commissioner. I know what those private insurance companies will do. They'll deny you benefits, deny you coverage, and they will tell the doctor exactly what you might actually receive in terms of health care. It doesn't make much sense to me.

I think we need to support the President in this matter. I think we need a balanced approach here, one in which the wealthy finally get to pay their fair share, in which the oil companies no longer receive our hard-earned tax dollars so that they can have their \$4 billion subsidy. I think it's time, as we heard earlier from our colleagues, to end the wars. If we end the war in Afghanistan, we could over the next 4 or 5 years have a third of a trillion dollar reduction in our deficit.

There are many things that can be done, but one thing we will not do is to attack Social Security. Social Security and Medicare are the foundation of support for all Americans. When they become old, 65 and older, they know that they have that benefit available to them.

Medicare works. Medicare is actually far more efficient than any private health insurance system. It has provided seniors across this Nation with an opportunity to not be impoverished when they become 65, that their health care will be provided to them. It has allowed for the extension of their lives. It has reduced the poverty rate. Together with Social Security, these are two of the foundations that we have promised every American. When they become 65, they will not face poverty. They will have a foundation. Not enough to provide all that they might want but at least a foundation.

And so as we go through this whole issue of whether we're going to raise the debt limit or not, let us be mindful that we will not do it on the backs of the seniors, and we will do it in a balanced way as the President has said. We will provide for a fair Tax Code in which the superwealthy pay their fair share, in which corporations are no longer able to evade taxes, in which the oil companies no longer will receive our hard-earned tax dollars so that

they can have even greater profits, and let us be mindful that the oil industry itself over the last 10 years, the top five oil companies have had over a trillion dollars of profits. It's time to bring back those subsidies and to balance our budget. We can do these things.

□ 1110

#### DEBT LIMIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SCHILLING) for 5 minutes.

Mr. SCHILLING. Madam Speaker, I come before the floor of the House this morning to talk about the top issue of the Illinois 17th Congressional District, and that is the debt limit. The debt limit has been raised 51 times since 1978. Mr. Geithner has indicated that doing the same thing over and over again is insanity, and I tend to agree with him.

Where are we at today? \$14.2 trillion in debt. We reached the debt limit on May 16, 2011. Business owners such as myself share a message with people: it is time that we did the responsible thing and come up with some solutions so we stop the continuance of leaving this debt to our kids and our grandkids.

As a small business owner, I'm asking President Obama not to balance the budget on the backs of the small businesses across the United States of America. The thing that I understand as a small business owner is that in a downturn economy, the worst thing we can do here from Washington, DC, is raise taxes on small businesses. The reason why, and I use my business as an example is, in a downturn economy, I understand that raising prices on my product when people are already struggling to purchase a product is not the best thing to do. When my taxes go up, I can raise the price or I can let someone go. And, you know, as hard as it is to let someone go, that's what businesses will have to do because people won't be able to afford their product.

We need to try a different way, and that's why we are promoting a new train of thought here in Washington, DC. These 87 Members of Congress have changed the thought process of Washington, DC. We've changed the thought process from how much can we spend to how much can we cut. What we have also done is, we are trying to get Washington, DC, to focus in on wants versus needs and then prioritizing those out.

The President has even admitted that the overregulation needs to be addressed. Whether it is the EPA, OSHA, the overtaxing, the 1099 tax form that we just got repealed, the Small Business Administration says that businesses like my little pizzeria in Moline spend four-and-a-half times as much per employee to comply with environ-

mental regulations than bigger companies. We spend three times more per employee on tax compliance than large businesses.

Congress needs to provide an environment with some economic certainties. We can do this by stopping tax increases on our job creators. My home State of Illinois, and quite frankly President Obama's State of Illinois, recently had the largest tax increase in the history of the State. It seems like every morning you open up the paper in Illinois and another business is threatening to leave. We can do something about this. We can provide our job creators with a certainty that with the unemployment rate at 9.2 percent, we don't need to add any more tax burden or further any more overregulation.

#### HOME RULE FOR THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 5 minutes.

Ms. NORTON. Madam Speaker, before I begin my remarks, I too want to acknowledge my good friend, LYNN WOOLSEY, for 20 really illustrious years in the Congress. I cannot imagine why she would want to end her illustrious career here so early. We will miss her.

I should warn Members of Congress that a peculiar part of the Financial Services appropriations, which comes to the floor this week, will seem particularly strange, even inappropriate. It is a historical anachronism, and I can only apologize for it. We must quickly make sure that we enter the 21st century on the District of Columbia local budget. Yes, it is our budget. We raise it all in the District of Columbia. We are American citizens.

Some have said, But the District of Columbia is mentioned and comes under the Constitution. So be it. I'm a constitutional lawyer; I concede that. But in their wisdom, after 150 years of shame, the Congress of the United States decided to grant home rule, as we call it, to the District of Columbia. So that instead of having a city of hundreds of thousands of Americans run by a Federal body, the Congress said that we delegate, we use our power under the Constitution to delegate to the District of Columbia the ability to elect its local officials, and raise its own money—we were raising our own budget all along. And spend its own money. For the most part Congress has adhered to this delegation by law. After all, we raise \$4 billion. That's more than some States.

It is, of course, the very essence of the principle of federalism embraced by both sides of the aisle of this body. Our federalism is what has held the Union together. We are a very different jurisdiction, so we have acknowledged dif-

ferent strokes for different folks. As if to reinforce that principle, a new crop of Republicans has come with federalism as a virtual original principle, giving new meaning to the notion of local control. Indeed, these new Republicans want the Federal Government out of even many Federal matters and to them turned back to the States. And so I imagine that the whole notion of the big foot of the Federal Government on the District of Columbia in local matters would particularly offend the new so-called "tea party" Republicans if they are adhering to their own principles.

The appropriation that will come before this body already intrudes on the District of Columbia with one rider, a rider involving abortion services for local women. That's embedded in it. If this Congress holds to principle, there certainly will be no more.

The world saw the reaction the last time the Congress tried to add attachments to the District of Columbia appropriation. It was in the budget deal of 2011. At a time when people in the Mideast were in the streets against their government, it was our government that went into the streets, and you saw elected officials from the top of the government, both the executive and the legislature, arrested in acts of civil disobedience because of intrusion on the way that the citizens of the District of Columbia spend their own local money. And the White House was not exempt. Residents also went to the White House and some were arrested right there because the White House agreed to the 2011 budget deal at the very last minute.

Now a new national organization composed of national organizations that themselves have millions of members across the United States have come forward to help us, and they have sent letters to Members of Congress saying that you will not be able to anonymously any more engage in intrusion on the local affairs of a local jurisdiction. We are activating our members to let them know if you intrude by voting for any attachment that takes away the ability of the District of Columbia to spend its own local funds as it sees fit. Local taxes, my friends, local issues. Not your business unless you raise the money.

Some of these issues are controversial. That also is the essence of federalism. We, of course, bow to the differences among us instead of trying to take away our rights to embrace those differences. Much that occurs in your district is enough to raise the hairs of my own citizens. We would not want to deprive you of your rights. We ask that you do not deprive us of ours. There will be consequences.

## DEBT CEILING NEGOTIATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. ROKITA) for 5 minutes.

Mr. ROKITA. Madam Speaker, I rise today to address the ongoing debt ceiling negotiations, or so they're called. The debt crisis currently facing our country is a grave one. Make no mistake, the Chairman of the Joint Chiefs of Staff has called the debt the greatest threat to our national security. Not Iraq, not Afghanistan, not al Qaeda, but our debt.

Since January 2009, \$3.7 trillion has been added to the national debt. Currently, our debt stands at \$14.3 trillion, and I'm told if you add in the cost, the present day cost of all of the promises that irresponsible people who have stood here before me have made to the American people, that the cost would be over \$70 trillion.

□ 1120

Many Americans, including this one, can't even conceptualize that, can't count that high. And that's not their fault; that's this body's fault. There is a lot of fearmongering going on by people who want us to spend more. They have seen these tactics work in the past—bank bailouts, massive spending bills.

Even if the calamity forecast were to come to pass, it doesn't change the fact that the debt crisis we face is our fiscal sin. Our generation and generations before ours are responsible for it; not my kids, not your kids, and not our grandchildren. If addressing it hurts in the short term, then I say so be it.

I reject the idea that we would pass this mess on to our kids for some short-term economic or political gain. That is one of the most piggish ideas I've ever heard, and it runs counter to the spirit that helped make this Nation great, an exceptional Nation. We own this mess. If we have to suffer a little bit in the short term to right our fiscal house in the long term, that's our duty, and it's our duty to fix it. It is debt that is hurting the economy and, don't forget, the misguided, big-government economic ideas that have been implemented over the last 2½ years.

These debt ceiling negotiations are a great opportunity to enact monumental reform within the Federal Government, making the future brighter for all Americans, so the next 2 weeks, my colleagues, are critical. We can do it, if we want to, in a bipartisan fashion. We must seize the opportunity. It is more important that we craft a deal that gets it right for the sake of our children and grandchildren than we implement a false fix driven by short-term thinking. Getting it right means enacting permanent and structural reforms to the way Washington spends. Raising taxes is not necessary and would only hurt the economy. Our government doesn't tax too little. Our government spends too much.

By "permanent and structural," I mean a balanced budget amendment. A balanced budget amendment would be hard for a future Congress or a future President to change, and it would force the necessary things that cause us to live within our means again. In order to raise the debt ceiling, the price for that concession must be the passage of permanent and structural reforms like the balanced budget amendment—period. There is no additional negotiation. There is no additional request. The request is to raise the debt ceiling \$2 trillion. Okay. Let's do it, but if we do it, let's make sure it never has to be done again. The only way to do that is through permanent and structural reforms like a balanced budget amendment. If the consequences of not raising the debt ceiling are as severe as some suggest, surely we can find the common ground necessary for a deal that forces our government to balance its budget like American families do every month.

I'm excited. Rarely does a legislative body have a chance to do something so monumental and so monumentally great. This would be among the most significant reforms in our Nation's history. I don't know that an opportunity to enact a balanced budget amendment will be within our reach again for a very long time.

I do know I've only been around for 6 months on this floor, and no matter how long I or others stay, I think we will look back on the next 3 weeks as one of the best opportunities we will have ever had for making things better for our future, for our posterity. That ultimately is how we should look at every vote we take on this floor, not how it will benefit us in the here and now, but how it will benefit our children's chances to inherit what we did—the greatest, most exceptional Nation the world has ever known. I didn't come here to vote for us in the here and now. I came here to vote for our future.

Now is the time for bold, decisive action. Now is the time for a balanced budget amendment. Nothing short of the future of our children and grandchildren is at stake.

#### AMERICA NEEDS TO ADDRESS CAUSES, NOT EFFECTS, OF AMERICA'S ECONOMIC PREDICAMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Madam Speaker, America's so-called "spending problem" directly relates to unemployment. Revenues just aren't growing fast enough because of unemployment. Yet Washington, D.C., is tied in knots over raising the debt limit and over how much more America has to borrow because our economy isn't growing fast

enough to put millions of Americans back to work.

But you can't balance a budget unless people are working, because unemployment equals a loss of revenues with rising deficits. People know this. When they're out of work, they have deficits in their own family budgets, and they have to cut back. Our local school systems have to cut back because we know revenues aren't there, and certainly our Nation has to cut back when the revenues aren't coming in. Yet many inside Washington, D.C., have their eyes on the effect, not on the cause, of our predicament.

The principal cause of deficits is unemployment. Triggered by what? Triggered first by Wall Street corruption and greed. As well, deficits are triggered by growing trade deficits, which I will talk about in a second, due to the outsourcing of U.S. jobs, and rising deficits are due to endless wars.

America needs to address these causes, but Washington is addressing only effects. Again today, we have news that one of the principal causes of chronic unemployment and deficits is headed in the wrong direction. The United States trade deficit, our balance of goods and services accounts with other countries, is seriously hemorrhaging. In May, the U.S. trade deficit grew again—more in the red—by over \$50.2 billion. More lost jobs. Yes, the imports of higher priced oil keep pushing all of America deeper into the red. People know it because they're paying over \$4 a gallon when they fill up their cars with gas. I did that last night again.

America has a jobs problem, and that triggers the red ink. America has a jobs problem. That triggers the red ink. Wake up, Washington. America has a jobs problem.

In 1993, some Members here in Congress argued, Oh, pass NAFTA, over my strong objections, because it's going to create millions of jobs, and we will have this terrific trade balance with Mexico and Canada. Exactly the reverse happened. We have over \$1 trillion of trade deficit post-NAFTA, and there hasn't been a single year in which it has been balanced. Millions of U.S. jobs have been lost. And each year more red ink due to NAFTA stacks up—over a trillion dollars and counting.

Then in the late 1990s, the same Members said, Oh, let's sign the same kind of deal with China, and we did, over my strong objections again. Guess what happened? Millions more lost jobs in this country. In fact, the Manufacturing Policy Project estimates that there have been over 14 million jobs lost just in terms of NAFTA and PNTR.

We can no longer afford to add hundreds of billions of dollars annually to our trade deficit, because it throttles economic growth. It literally crushes

it. It creates more unemployment in this country. Today, we are facing unsustainable levels of unemployment for the third year since the recklessness of Wall Street brought the economy crushing down after gas prices went up to over \$4 a gallon in 2007. The official unemployment rates today are over 9 percent, and this causes red ink at every level; but rather than focusing on job creation, Washington wants to give us more of these trade agreements, this time they say with South Korea, Colombia and Panama, using the same failed trade model that has resulted in huge trade deficits and more lost jobs.

Congress needs to address causes. We need to get our deficits under control by balancing our trade accounts and stopping job outsourcing. We need to get our deficits under control by putting people back to work. We need to get our deficits under control by ending endless wars, and we need to balance our accounts by making sure that Wall Street and the greedy who are getting a free ride pay their fair share.

America needs a results-oriented trade policy that creates jobs here in our country, with more exports going out than imports coming in, and a trade policy that holds our trade partners accountable. We don't need more NAFTA trade model-type agreements, which is what they're going to try to push through again. Madam Speaker, America's deficit problem relates directly to a lack of jobs—to vast pools of unemployed people, to Americans who want to work but who are losing hope. Unemployment translates into red ink and a lack of revenue. Until this Congress addresses unemployment, it won't solve the deficit problem.

America needs to address the causes, not the effects of America's economic predicament. When will this Congress address those causes?

#### THE OATH TO DEFEND THE U.S. CONSTITUTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. GRAVES) for 5 minutes.

Mr. GRAVES of Georgia. Madam Speaker, I rise today to remind my colleagues why we are here.

We are here to represent our constituents, and we are bound by an oath that we all took when we were sworn into office.

As each of us stood in this Chamber, we solemnly swore that we would support and defend the Constitution of the United States against all enemies, foreign and domestic; that we would bear true faith and allegiance to the same; that we would take this obligation freely, without any mental reservation or purpose of evasion; and that we would well and faithfully discharge the duties of this office in which we serve, so help us God.

□ 1130

Madam Speaker, there is a constituent of mine, Jack Smith. He is a defender of the Constitution and one of the strongest conservatives I know. Jack never fails to sound the alarm when Washington is off track when it comes to the Constitution—and I think we all know that comes quite often; it is very frequent.

So whether it's a foreign or domestic enemy of the Constitution, I stand committed to defend this document whenever and wherever I can. And today, in honor of Jack and the Ninth Congressional District, Liberty Council, and all my constituents, I urge the Members of this House, the Senate, and the Office of the President to reflect on your oath, to reflect on what you swore as you took that oath of office and the clear guidelines that it and the Constitution have bound us by, because the future of this great and glorious cause we call America depends on it.

#### SEXUAL ASSAULT IN THE MILITARY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Madam Speaker, for a number of months now I have come to this floor to tell the stories of men and women in the military who have been raped by other soldiers. As heinous as those assaults are, the greatest injustice is suffered after the assault when victims are doubted, debased, disrespected, and discharged from the military that they have so proudly enlisted in.

Last night, I had a long conversation with an Army and Navy veteran, Terri Odom, who told me she dreamed to serve in the military since she was a little girl. She was so determined that between her junior and senior summer she went to boot camp—not to some playground area somewhere in her community, but to boot camp. After high school, she went to Sicily with the Seabees. She told me that she had never been happier, serving her country, seeing the world, even swimming in the Mediterranean. It was like Terri was living a military recruiting commercial.

While there, she was befriended by an NCO 25 years her senior. He was a father figure to Terri, and she trusted him explicitly. When he volunteered to walk her home one night, Terri accepted the offer without hesitation. She told me that when he first grabbed her, she was more confused than scared. This is a young woman who was very proud of her service and had the utmost respect for her colleagues, particularly one who had such a distinguished career. This couldn't possibly be happening.

Terri's story is graphic. I only tell you the details so you can understand

how horrific the response has been from our military.

Terri was raped repeatedly. Her abuser used pipes and other objects he found in her bathroom that was being remodeled. He cut her arms and vagina, then poured paint thinner into her wounds. He punched her with the full force of his 6-foot-4-inch, 270-pound frame. Terri, it should be noted, is 5 foot 3 inches. She fought back, even did some damage, but she was outmatched.

She woke up in a bathtub covered in blood. She was missing teeth and fingernails, yet her first thought was that she couldn't be late for duty. She also knew that she could get medical attention and file a criminal complaint at the base. Surely, the Navy would take care of her. It turns out she was wrong about that, as she was about her rapist.

Terri cleaned herself up, showered, showed up for duty, and reported the rape to her chain of command. She requested medical attention, but was told instead to take an aspirin and sleep it off. No one in Terri's chain of command allowed her to get medical attention. Instead, they told her to drop the rape story or her career would be over. Despite valiant efforts to stop it, Terri was eventually honorably discharged against her will, which is exactly what happens to 90 percent of military personnel who report rapes.

The Navy lost a good soldier that day. The Navy also kept a rapist—not officially, of course, because there was never an investigation. The reason? Because in the military, the authority to request one lies with the chain of command; but the chain of command is incentivized not to, because they are judged on how few instances of rape and other mishaps occur during their command. This is as true today as it was when Terri served. That is why Terri Odom has once again answered the call to service. She is here with me this morning to make sure her story is heard.

This Nation must aggressively pursue rape charges in our military. Sexual assault cases must be taken out of the chain of command and must never be punished by nonjudicial remedies like a mere demotion in rank. Finally, a uniform is not a get-out-of-jail-free card. Military sex offenders must be entered into the same national database as those in the civilian world.

Two decades ago, a young woman served proudly in the United States Navy and knew she was making the world a better place; then, a criminal and a criminally negligent system conspired to take it all away from her. But that young woman is back and she is not alone. Women and men from every branch of the military are speaking up. This is a problem we can fix. We only have to want to.

NO RAISING TAXES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. BURTON) for 5 minutes.

Mr. BURTON of Indiana. Madam Speaker, I have listened to my colleagues on the other side of the aisle talking about the need for us to get our economic house in order.

The President down at the White House is saying that we have to raise taxes because we have a revenue problem and we need to bring in more money. The fact of the matter is that this last year we had a 7 percent increase in taxes coming in. We had a 7 percent increase in taxes coming in even though we have the unemployment problems that we have. The problem was we spent 11 percent more than we took in.

So the problem we have right now is that the White House is spending too much money. We have to cut spending. We're bringing in more money than we did last year, last fiscal year, but we're spending way more than that. So we have a spending problem, not a taxing problem.

Now, they also said that we ought to tax the rich more. The fact is that the top 20 percent of wage earners in this country pay over 85 percent of the taxes. Now, if they raise that tax up, you're taking more money out of the people's pockets who can invest in companies, in business and industry that will create jobs and products that we can export around the world.

I don't understand why we can't get that point across very clearly to the American people. If we want to cure the unemployment problem, which is now 9.2 percent, what we have to do is get the private sector in a position where they can create more jobs. That means we need to lower taxes, not raise them, like Ronald Reagan did. We need to cut government regulations, so that the private sector won't be strangled by the regulations in this country, and then let the free enterprise system work. If we do that, unemployment will go down; there will be more people working. Therefore, there will be more taxpayers paying into the treasury. Therefore, the deficit will go down and we won't have the economic problems we have today.

But raising taxes right now on any part of our society will only exacerbate the problem. And if the President has his way and we end up raising taxes—and I'm not going to vote for it—then what's going to happen is we're going to see unemployment get worse and worse and worse.

We've got to do what's economically correct, fiscally responsible, and that is to cut spending and to not raise taxes, especially in this climate. And if we do that and free up the free enterprise system, this country will get back on track very quickly.

RECESS

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

Accordingly (at 11 o'clock and 39 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and gracious God, we give You thanks for giving us another day.

We ask today that You bless the Members of this assembly to be the best and most faithful servants of the people they serve. Purify their intentions, that they will say what they believe and act consistent with their words.

May they be filled with gratitude at the opportunity they have to serve in this place. We thank You for the abilities they have been given to do their work, to contribute to the common good. May they use their talents as good stewards of Your many gifts and thereby be true servants of justice and partners in peace.

We thank You as well for this marvelous forum, where the important business of this Nation has been done in the past and is done today. May the work being done now be guided by Your Spirit.

May all that is done this day in the people's House be for Your greater honor and glory. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arkansas (Mr. CRAWFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. CRAWFORD led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

OFFICER BRYAN HEBERT, TEXAS  
LAWMAN

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

Mr. POE of Texas. Mr. Speaker, over the weekend John Wesley Nero got into an argument with his mother and his grandmother. So, being a scoundrel, he beat them both up and then fled into the darkness of the night.

Local Beaumont, Texas, police officers confronted the outlaw to talk to him, but he fled away in his truck, and a high-speed chase occurred.

Meanwhile Officer Bryan Hebert—right here is a photograph of him—had positioned his vehicle ahead of the chase. He attempted to retrieve road spikes out of the trunk to stop Nero's vehicle. According to witnesses, when Nero spotted Hebert's car, Nero intentionally crashed into Hebert's patrol car, shoving the vehicle over Officer Hebert and killing him.

Officer Bryan Hebert, 36, was a 10-year veteran of the Beaumont, Texas, Police Department. John Wesley Nero is charged with capital murder.

Officer Hebert and police officers like him protect the rest of us from killers like Nero. They are the wall between the law and the lawless, the barrier between us and evildoers.

So today the badges of peace officers in southeast Texas are covered with the black cloth of sacrifice in honor of Officer Hebert, a lawman who sacrificed life to uphold the law.

And that's just the way it is.

PROTECTING SENIOR CITIZENS  
FROM THE RAID ON SOCIAL SECURITY

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

Mr. KUCINICH. Social Security didn't create the deficit, but America's seniors are being presented with a fake Social Security crisis to try to trick them into accepting reduced benefits.

Social Security will be able to pay 100 percent of its benefits through 2037 without any changes whatsoever. So why the panic today? If seniors accept cuts in Social Security benefits today, a surplus cash flow will build in the Social Security Trust Fund. According to CRS, "Social Security's cash surpluses are borrowed by the U.S. Treasury and can be used for tax cuts, spending, or repaying debt."

So here's what's going on: Social Security benefit cuts or an increase in taxes paid to Social Security or extending the retirement age will give the government more money for tax cut spending or repaying the debt, except for one thing: Social Security money belongs to those who have paid into the fund. It's not the government's money to use, and it shouldn't be the government's money to play with.

Senior citizens should not have to accept a reduced standard of living to finance tax cuts for the rich.

We must take a stand for senior citizens and protect Social Security and protect future generations from this raid on Social Security funds.

#### SUPPORTING INVESTMENT IN OUR NATION'S INFRASTRUCTURE AND LEVEE SYSTEM

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

Mr. CRAWFORD. Madam Speaker, I rise today in support of funding for the Army Corps of Engineers directed toward improving infrastructure and the damaged levee system that needs critical restoration after this historic season of flooding.

The unprecedented flooding along the Lower Mississippi River Valley area touched every part of the First District of Arkansas, my home district, and profoundly impacted our way of life. Homes and property were damaged, businesses were closed, and a vast amount of cropland was under water shortly after planting season had begun.

Preliminary estimates of crop damage across Arkansas has surpassed half a billion dollars, a huge toll on my district's agriculture-based economy. Farming is our way of life, and this bill provides farmers with the assurance necessary to reinvest in future production. Much of America's commodities are produced along the Mississippi Delta, and we must take the necessary steps to ensure our safe and reliable food supply is protected.

This vital investment in our Nation's infrastructure and levee system will provide security not only to our farmers but the families who live and work there as well as our consumers all across the country.

#### TRIBUTE TO LEONARD EARL ROBERTS, SR.

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

Ms. BASS of California. Madam Speaker, I come to the House floor today to pay tribute to a man of exceptional valor, a quiet hero, a committed family man, a successful entrepreneur, and my constituent: Leonard Earl Roberts, Sr.

Mr. Roberts lived an extraordinary life. At the age of 16, he joined the Civilian Conservation Corps and later voluntarily enlisted in the U.S. Army after the attack on Pearl Harbor. Platoon Sergeant Roberts led a special unit ashore on D-day. He and his entire squadron received the Bronze Indian Arrowhead for Assault Troopers, and he received the Purple Heart.

After he was honorably discharged at the close of the war, Mr. Roberts re-

turned home to claim the hand of his childhood sweetheart, Dessie, and then used the GI Bill to attend the Massachusetts Institute of Technology. Mr. Roberts used his MIT engineering degree to invent a machine that would revolutionize the aerospace industry. And in 1972 in Torrance, California, with his wife and family by his side, Leonard Sr. established Roberts Aerospace Manufacturing Engineering Corporation, one of today's leading companies in the industry.

Leonard Earl Roberts, Sr. was a great American born of a great generation. He was a man of service, honor, integrity, faith, and family. He lived an inspirational life, and our Nation will forever be enriched because of him.

□ 1210

#### JOBS AND JOB CREATION

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

Mr. GUINTA. Madam Speaker, I rise today to address the issue of jobs and job creation in our country. For 29 consecutive months we have seen unemployment exceed 8 percent. Back in June, we announced 18,000 jobs were created in this country. That's less than 300 jobs per State, for a now 9.2 percent unemployment rate.

In response to this, in New Hampshire I have established a getting Granite Staters back to work initiative, where I have hosted two job fairs. Over 400 people have attended, where one gentleman had said to me he was out of work for 3 years. Back here in Washington, people like that gentleman need us to pass a balanced budget, reduce our spending, reduce our debt and deficit, and get serious about creating an environment where small business can once again succeed in our country.

I have and hope that the Senate and the administration will join the House in this effort.

#### TAXING OUR SENIORS

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

Mrs. MALONEY. Madam Speaker, I respectfully suggest a small correction to the Republicans' statement that their position on the deficit negotiations is no new taxes. It would be far more accurate for them to state their position is no new taxes except for seniors, because sharp increases to participate in the costs of Medicare and Medicaid or decreases in the benefits of Social Security would act just like a tax on income targeted right at the elderly.

The Republican proposal for Medicare would hit retired seniors immediately by reopening the doughnut hole. And according to a report from

the Joint Economic Committee, for my home State of New York it would cost future retirees an additional \$6,500 out of pocket. You can call that some sort of adjustment if you like, but I call it a tax, and I call it wrong. Grover Norquist agrees. He says changes to the CPI is a stealth tax increase: wrong for our seniors, wrong for the economy, and wrong for the country.

#### PRESIDENT OBAMA, JOIN US IN SUPPORTING POLICIES THAT WILL PUT AMERICANS BACK TO WORK

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

Mr. HULTGREN. Madam Speaker, 9.2 percent unemployment in June. Twenty-nine months in a row of over 8 percent unemployment. Twenty million Americans remain unemployed or underemployed. It has to stop. These are stark reminders that President Obama's excessive spending, unprecedented debt, and overregulation, as well as the threats of job-killing taxes on small businesses and entrepreneurs, are holding back private sector job creation in our economy.

American job creators fear the regulatory and fiscal environment they will face in the near future. Until they have some certainty, they will not invest or hire. We are working hard to bring back that certainty and ensure our pro-growth economic environment. By doing that, we must cut red tape, cut spending, and keep taxes low, but also pass legislation to expand domestic energy production and open new markets for American goods overseas.

We need President Obama and his party to stop trying to raise taxes on job creators and instead embrace our commonsense proposal to put Americans back to work.

#### WE NEED A BIPARTISAN DEBT LIMIT AGREEMENT

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

Mr. QUIGLEY. Madam Speaker, as Secretary Geithner has observed, failure to raise the debt ceiling would have catastrophic economic consequences that would last for decades. This view was shared by former Treasury Secretary Paulson, who says that inaction is simply not an option. I agree, and believe that raising the debt ceiling must be accompanied by deficit reduction, mostly by cutting spending, but also by eliminating some unnecessary tax breaks.

Now, there are those who say that there are no unnecessary tax breaks. Let me just give you one. If your neighbor buys a car and pays interest on the loan to buy that car, that interest is not tax-deductible. If your other



neighbor buys a yacht and pays interest on the loan to buy that yacht, that interest is tax-deductible.

When we are borrowing 40 cents for every dollar, we have to ask ourselves if those tax breaks are really worth it. If we are starting from scratch, would we really give yacht owners an extra tax break?

#### BETTY FORD MEMORIAL

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

Mr. AMASH. Madam Speaker, it is with great sadness that west Michigan learned on Friday of the passing of our First Lady, Betty Ford.

The First Lady spent most of her life in Grand Rapids. A graduate of Central High School, she worked in a department store downtown and was a dance instructor. Early on, Mrs. Ford showed her heart for the disadvantaged in our community, teaching dance to children who were physically disabled, deaf, and blind.

A mutual friend introduced Mrs. Ford to Jerry in 1947. A successful lawyer and former star of the University of Michigan's football team, the future President was not quite in public life when they met. No one could have foreseen the set of circumstances that thrust the Fords into the White House, but Mrs. Ford took the challenge with gusto.

As First Lady, she revealed many of her struggles to the public so that she could help others with similar difficulties. In the 1970s, she publicly spoke about her battle with breast cancer, which was not often discussed during that time. In the 1980s, she took the lessons she learned battling alcoholism to found a number of foundations and institutes dedicated to helping others with the condition.

Betty Ford honored west Michigan with her public service, humor, and grace. We are proud to have called such a fine citizen one of our own.

#### RAISING THE DEBT CEILING

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

Mr. COURTNEY. Madam Speaker, in 1983 President Ronald Reagan said the following: "The full consequences of a default—or even the serious prospect of a default—by the United States are impossible to predict and awesome to contemplate. Denigration of the full faith and credit of the United States would have substantial effects on domestic financial markets and the value of the dollar in exchange markets. The risks, the costs, the disruptions, and the incalculable damage lead me to but one conclusion: the Senate must pass this legislation before the Congress adjourns."

Thank goodness Congress had the good sense to listen and pass a higher debt limit with no conditions at a time, by the way, when Medicare solvency was far worse than it is today, and then did it 16 more times during the Reagan Presidency.

Today, we have the head of the national Republican Party, Reince Priebus, saying yesterday, don't worry, the government will find some other way to pay its bills. That is dangerous nonsense. It is time for the Republican Party to stop playing Russian roulette with the American economy and American families. Let's pass a clean debt limit and move on to growing the U.S. economy and creating jobs.

#### CONGRATULATING THE U.S. WOMEN'S NATIONAL SOCCER TEAM

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

Mr. COHEN. Madam Speaker, on Sunday, like millions of other Americans, I was watching the women's soccer team play in Germany. What a wonderful moment it was when they came back at the last second and grabbed victory from defeat. Abby Wambach's tremendous header, the save by Hope Solo, and the five kicks by the American women made us all proud to be Americans. The American soccer team won, and they are going to play again tomorrow, and we need to cheer for them.

Abby Wambach, when asked about her kick, said it was something about being an American. We don't give up. We know we can win, and we don't give up, and we win. I would ask my Republican colleagues to remember Abby Wambach and not give up and win on the deficit, because otherwise we will be losers in the eyes of the world on our economics and our ability to finance our own debt. Go United States of America.

#### FAILURE OF LEADERSHIP

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

Mr. PENCE. Well, negotiations over the Nation's debt ceiling have reached an impasse. After more than 2 years in office, trillions of dollars in borrowing and spending and bailouts and takeovers, the President now says the failure to reach an agreement is because of Republicans in the Congress, Republicans who were in the minority in the last Congress in fact; the President says because Republicans in Washington haven't "fully realized that the philosophy of politics does not work in governing." He is telling us to eat our peas.

Okay. Well, the President basically is saying that Congress owns the prob-

lem. But that's not what he said 5 years ago. Explaining his opposition to raising the debt ceiling, then-Senator Barack Obama said, "The fact we are here today raising America's debt limit is a sign of leadership failure." He said that doing so weakens us domestically. He said, "Leadership means the buck stops here. America has a debt problem and a failure of leadership." He said Americans deserve better. Well, I say Senator Obama, you were right.

When the U.S. Government can't pay its bills, it's not only a debt problem, but it is a failure of leadership at the Presidential level, just as you said. The truth is it's the President's problem. If President Obama wants to raise the debt ceiling, he should recognize it's his responsibility, it's his problem, and come to the Congress and ask us to step forward and help him solve that problem by cutting spending now, capping spending, and sending a balanced budget amendment to the States.

□ 1220

#### SOCIAL SECURITY

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

Ms. HIRONO. Madam Speaker, we can all agree that we need to bring down our deficit, but we disagree on how to do it.

Republicans in Congress say that the only way to do this is to gut the services that American families rely on. Their priority is to protect the wealthiest among us who continue to enjoy loopholes and tax breaks. They should be paying their fair share.

Social Security is a promise to every American worker for years of hard work and provides dignity in retirement and help to support surviving children. Today nearly 55 million Americans rely on Social Security, including 214,000 in Hawaii. The program is vital to women, particularly single women, who disproportionately face poverty in old age.

The American middle class and our seniors deserve a fair solution on the deficit that gets our economy back on track and creates jobs—but not, not on the backs of our families and seniors.

#### PUTTING OUR COUNTRY AT RISK

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

Ms. EDWARDS. Madam Speaker, the ongoing stubbornness by my Republican colleagues to even entertain the idea of increasing revenues is putting our country at risk.

Over the past decade, the top 2 percent of Americans making over \$250,000 have done incredibly well. And while I have enjoyed reduced taxes as a result

of the Bush-era tax cuts, our seniors, our workers don't even come close. They have lost pensions, 401(k) plans, home values, and all that's left is Social Security and Medicare. As you can see here, these tax cuts are the primary contributor to our debt and deficit over the long term.

Madam Speaker, default on America's debt would be catastrophic to both our economy and the world. It's time for my Republican colleagues to get serious. Stop playing with fire and put the future of the Nation first ahead of millionaires, corporations that avoid taxes and benefit from loopholes in the law, and ahead of those who would ship jobs overseas.

So, no, seniors and those with disabilities didn't cause this deficit, as we can see, and the long-term debt, and they shouldn't have to cut their benefits to pay for it.

#### JOBS, OFFSHORING PREVENTION ACT OF 2011

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

Mr. CICILLINE. Madam Speaker, last week's jobs report showing an unemployment rate going in the wrong direction from 9.1 percent to 9.2 percent underscores the urgent need to focus on policies in this House that help create jobs and grow the economy.

Part of that agenda should be the passage of the Offshoring Prevention Act of 2011, which I introduced last week. At a time when we should be working to restore our manufacturing sector, we are undermining it because our Tax Code actually rewards companies that send manufacturing jobs overseas.

The Offshoring Prevention Act will close the tax loophole that allows this to happen. It has been 27 weeks since the majority party took control of this House, and they have done nothing to create jobs. They haven't even brought a single jobs bill to the House floor.

While they have been stalling on the most important priority for our country, Democrats have put forth our jobs agenda, the Make It in America agenda, which will help rebuild our manufacturing base, invest in policies that keep good-paying jobs here in America, and allow us to compete in the global economy.

Madam Speaker, this is the kind of legislation we should be pursuing here in this House. Sensible legislation that helps our recovering economy, helps us compete in the global marketplace, and puts Americans back to work.

#### HONORING MEDAL OF HONOR RECIPIENT SERGEANT FIRST CLASS LEROY PETRY

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

Mr. LUJÁN. Madam Speaker, I rise today to honor the bravery and valor of Sergeant First Class Leroy Petry of Santa Fe, who will be awarded the Medal of Honor today by President Obama.

As the second living, active duty Medal of Honor recipient for actions in Iraq or Afghanistan, Sergeant Petry's heroism and sacrifice in the face of extreme danger went above and beyond the call of duty.

As an Army Ranger serving in Afghanistan, Sergeant Petry acted without regard for his own personal safety, thinking only of his fellow soldiers when he threw a grenade away from his squad. His selfless actions cost him his right hand yet saved the lives of his brothers in arms.

New Mexico has a long tradition of serving our country during times of war. In World War II, Navajo code talkers contributed to the victory of our Allied Forces. Seventy-one daughters and sons of New Mexico have made the ultimate sacrifice in service during the Afghanistan and Iraq wars.

Now, with his courageous actions in the face of great danger, Sergeant Petry takes his place among his fellow New Mexicans as a true American hero.

#### RAISING THE DEBT CEILING

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

Mr. WELCH. Madam Speaker, President Reagan is an iconic figure in the Republican Party and revered by many Democrats. He did fight to shrink government and he lowered taxes, but he also raised taxes eight times and he also fought against the absurd notion that America had an option when it came to paying our bills. When the debt ceiling had to be raised, he did it because he knew that was essential, that was our responsibility.

We have got an argument on the other side today that paying our bills is optional. That is dangerous; that is absurd.

There are two arguments the other side is making: One, that it's Obama's problem, despite the fact that they insisted on the Iraq war, the Afghanistan war, going into nation building, tax cuts that we can't afford, Medicare prescription part D. But, second—this is what's really not on the level—every single person who voted for the Ryan budget voted for a budget that will raise the debt from \$14.3 trillion to \$23 trillion. And after voting for that budget, now we will vote against raising the debt ceiling that is required to implement the budget that you voted for.

#### DEBT LIMIT

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

Mr. BACA. Madam Speaker, as negotiations continue on the upcoming debt ceiling, the retirement savings, mortgages, and pensions of the American people hang in the balance.

It is long past time for both sides—I say, for both sides—to get serious about a balanced budget. Any long-term budget must—I state, must—protect Medicare and Social Security for all Americans, create jobs here at home, and begin to reduce the deficit with intelligent class protection.

It's time for the wealthiest among us to step up to the plate and take up their share. We must end tax breaks for ultrarich, Big Oil companies, and the corporations that ship jobs overseas.

No jobs have been created—I state, no jobs have been created—in the United States since the Bush tax cuts first went into effect. No taxes, no jobs. No taxes, no jobs.

Let us put politics aside and do what is best for the interests of the American people before it is too late.

#### MEDICARE

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

Mr. CARNAHAN. Madam Speaker, this image depicts a watershed moment for our Nation's senior citizens. President Harry Truman conceived of Medicare during his Presidency and received first Medicare card after President Johnson signed the program into law 46 years ago, when 40 percent of Americans over the age of 65 lived at or below the poverty level, largely due to medical costs. Now only 10 percent live in poverty.

But my Republican colleagues seek to radically alter this successful program. Their plan would double annual out-of-pocket expenses from \$6,000 to \$12,000, would give insurance companies the power to ration care, and would force seniors to spend another \$2.2 billion on prescription drugs by reopening the doughnut hole.

Madam Speaker, balancing the budget is a national priority. Everyone needs to work together, and everyone has to sacrifice to get our fiscal house in order.

But my Republican colleagues continue to argue for special interest exceptions from that national sacrifice. They are letting oil companies and companies sending jobs overseas off the hook. Why should profitable companies continue receiving taxpayer subsidies while we're asking Grandma to pay more?

Madam Speaker, as Medicare turns 46, let's get serious. Let's be sure that this is a national priority and a national sacrifice.

□ 1230

REPUBLICANS' RECKLESS  
BEHAVIOR

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

Mr. YARMUTH. Madam Speaker, we have a lot of Americans who engage in very reckless behavior; but generally, that reckless behavior only affects them or maybe their friends or neighbors.

The Republican majority in this Congress is reckless enough that they want to endanger 310 million Americans; reckless enough that they will refuse to pay our debts no matter what kind of a deal is worked out; reckless enough to make us default on the full faith and credit of the United States; reckless enough to raise interest rates on not only our debt, thereby making the deficit worse, but on every American who has a credit card or an adjustable rate mortgage or is borrowing any money; and reckless enough, according to a bipartisan panel that came to this body last week, to take away 10 percent of GDP, costing this country hundreds of thousands, if not millions, of jobs in the month of August alone.

We have a responsibility to the American people to perform for the interests of their lives and this country. And reckless behavior—refusing to raise the debt limit of the United States is about as reckless as you can get. We need to act responsibly.

WE WILL NOT SACRIFICE SOCIAL  
SECURITY

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

Mr. ELLISON. Madam Speaker, let me draw your attention to this important chart drafted by the Congressional Budget Office. It shows what the drivers of our debt are.

Now, there's something on here that you see and there's something on here that you won't see. You will see Bush-era tax cuts. This is the orange. You will see the wars in Iraq and Afghanistan. That's the red. You will see the economic downturn. That's this blue. This tiny little line here, that's TARP and Fannie and Freddie. And these are the expenses that we paid to try to get our country back on track—the recovery.

What don't you see? You don't see Social Security. Don't let anybody tell you, Madam Speaker, that Social Security is the problem. It's not. Social Security is the promise one generation makes to another so that every senior in America will live in dignity. That's what it's for. That's what it's about. We are not being unreasonable when we demand protection of Social Security. It's not driving the deficit, and it does honor our seniors. And that is what it's

all about. That's what we are going to do, and we are not going to give on that.

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1309.

The SPEAKER pro tempore (Mr. HULTGREN). Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

FLOOD INSURANCE REFORM ACT  
OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 340 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1309.

□ 1234

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes, with Ms. FOXX in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentlewoman from Illinois (Mrs. BIGGERT) and the gentlewoman from California (Ms. WATERS) each will control 30 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. BIGGERT. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I rise in support of H.R. 1309, the Flood Insurance Reform Act of 2011. I'd like to thank Ms. WATERS and all the Members from both sides of the aisle who helped to craft this bill.

On May 13, the Financial Services Committee favorably reported the Flood Insurance Reform Act by a unanimous vote of 54-0. This bill is important and reflects the hard work and bipartisan support of the Financial Services Committee.

It would reauthorize for 5 years the National Flood Insurance Program, NFIP. The bill would enact a series of reforms designed to, number one, improve NFIP's financial stability; two, to reduce the burden on taxpayers; three, restore integrity to the FEMA mapping system; four, to explore ways to increase private market participa-

tion; and, five, to help bring certainty to the housing market.

For over 40 years, taxpayers have subsidized flood insurance premiums for policyholders. To improve NFIP's financial stability, H.R. 1309 phases in actuarially sound rates for policyholders and phases out taxpayer-subsidized rates. As a result, the Congressional Budget Office stated that the bill generates \$4.2 billion; and absent a Katrina-like catastrophe, the bill will actually accelerate NFIP's payments on its \$17.75 billion debt to the taxpayer. As it stands, NFIP has already paid back taxpayers about \$1.8 billion.

But perhaps most importantly, H.R. 1309 eliminates a barrier to the development of a private flood insurance market and puts us on a path towards a responsible, long-term plan that eliminates taxpayer risk.

For the first time, policyholders can choose private flood insurance over government flood insurance without the risk of lender rejection; and the bill eliminates taxpayer-subsidized rates so that the private sector can offer consumers increasingly competitive rates as compared to the NFIP. Second, FEMA is required to solicit bids to determine the cost to the private sector, not to the taxpayer, bearing the risk of flood insurance.

Third, it requires that GAO and FEMA evaluate the feasibility of voluntary, community-based flood insurance. And, fourth, the bill reiterates FEMA's existing authority to purchase reinsurance from the private sector as an alternative to the U.S. Treasury and taxpayers serving as a backstop to NFIP.

Finally, the bill addresses many of the concerns that Members have raised with us about new maps, especially as they relate to the dam and levee decertifications. It allows communities to suspend the requirement to purchase flood insurance while they work to construct or fix their flood protection systems.

Madam Chairman, when Congress created NFIP, there was no viable private-sector flood insurance market. Taxpayers were providing increasing amounts of direct assistance through disaster relief to flood victims. Without reforms contained in this bill, taxpayers will never be paid back the debt they are owed; homeowners and businesses will have limited or no access to flood insurance; and Congress will inevitably have to bail out flood disaster victims, as it did prior to 1968. We cannot allow this to happen.

This bill is the first significant reform to the program in nearly a decade. The NFIP is too important to let lapse and too in debt to continue without reform. I look forward to today's amendment debate and urge my colleagues to support the underlying bill.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, June 2, 2011.

Hon. SPENCER BACHUS,  
Chairman, Committee on Financial Services,  
Rayburn House Office Building, Wash-  
ington, DC.

DEAR CHAIRMAN BACHUS: I am writing concerning H.R. 1309, the "Flood Insurance Reform Act of 2011," which is scheduled for floor consideration soon. As a result of your having consulted with us on provisions in H.R. 1309 that fall within the Rule X jurisdiction of the Committee on the Judiciary, we are able to agree to forego action on this bill in order that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1309 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

I would appreciate your response to this letter confirming this understanding with respect to H.R. 1309, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

LAMAR SMITH,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FINANCIAL SERVICES,  
Washington, DC, June 2, 2011.

Hon. LAMAR SMITH,  
Chairman, Committee on the Judiciary, Ray-  
burn House Office Building, Washington,  
DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 1309, the Flood Insurance Reform Act of 2011. I agree that there are provisions in the legislation that fall under the jurisdiction of the Committee on the Judiciary. I am most appreciative of your decision not to request a referral in the interest of expediting Floor consideration of H.R. 1309.

Further, I agree that by foregoing a sequential referral, the Committee on Judiciary is not waiving its jurisdiction. I will include this exchange of letters in our Committee Report on H.R. 1309 and the Congressional Record during Floor consideration.

Thank you for your attention to these matters.

Sincerely,

SPENCER BACHUS,  
Chairman.

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON SCIENCE, SPACE, AND  
TECHNOLOGY,  
Washington, DC, June 2, 2011.

Hon. SPENCER BACHUS,  
Chairman, Committee on Financial Services,  
Rayburn House Office Building, Wash-  
ington, DC.

DEAR CHAIRMAN BACHUS: I am writing to you concerning the jurisdictional interest of the Committee on Science, Space, and Technology in H.R. 1309, the Flood Insurance Reform Act of 2011. H.R. 1309 has been marked up by the Committee on Financial Services.

The amended version of the bill contains provisions that fall within the jurisdiction of the Committee on Science, Space, and Technology.

Based on discussions that the staff of our two committees have had regarding this legislation and in the interest of permitting your Committee to proceed expeditiously to floor consideration of this important legislation, I am willing to waive consideration of this bill. However, agreeing to waive consideration of this bill should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on Science, Space, and Technology.

Additionally, the Committee on Science, Space, and Technology expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee for conferees on H.R. 1309, as well as any similar or related legislation.

I ask that a copy of this letter and your response be included in the report on H.R. 1309 and in the Congressional Record during consideration of this bill.

I look forward to working with you as this important measure moves through the legislative process.

Sincerely,

RALPH M. HALL,  
Chairman, Committee on Science,  
Space, and Technology.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FINANCIAL SERVICES,  
Washington, DC, June 2, 2011.

Hon. RALPH M. HALL,  
Chairman, Committee on Science, Space and  
Technology, Rayburn House Office Build-  
ing, Washington, DC.

DEAR CHAIRMAN HALL: Thank you for your letter regarding H.R. 1309, the Flood Insurance Reform Act of 2011. I agree that the section requiring a study on graduated risk in this important legislation falls under the jurisdiction of both the Committee on Financial Services and the Committee on Science, Space and Technology. I am most appreciative of your decision not to request a referral in the interest of expediting consideration of H.R. 1309.

Further, I agree that by foregoing a sequential referral, the Committee on Science, Space and Technology is not waiving its jurisdiction. I will include this exchange of letters in our Committee Report on H.R. 1309 and in the Congressional Record during consideration of this bill.

Thank you for your attention to these matters.

Sincerely,

SPENCER BACHUS,  
Chairman.

I reserve the balance of my time.

Ms. WATERS. Madam Chairwoman, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1309, the Flood Insurance Reform Act of 2011. Before I begin my remarks, I would like to thank Chairman SPENCER BACHUS, Chairwoman JUDY BIGGERT, and Ranking Member BARNEY FRANK for their assistance and support with this bill.

We were able to work in a bipartisan manner on this bill in our committee passing it on a vote of 54-0. The spirit of cooperation between Republicans

and Democrats on this bill has been extremely welcome, and this is why I am proud to be an original cosponsor of this bill.

□ 1240

Madam Chairwoman, earlier this year I introduced similar legislation, H.R. 1026, the Flood Insurance Reform Priorities Act. A version of my bill passed the House last year on a bipartisan vote, and I hope that the bill offered by the gentlewoman from Illinois will also pass the House with significant support from both parties.

The flood insurance program is more important now than ever before. Floods are the most common natural disaster and flood insurance is the most effective means for helping families to rebuild after a flood. Therefore, it is vital that flood insurance remain accessible, affordable and available to the 5.5 million homeowners with policies and the many more who may want or need to purchase them.

Unfortunately, the lack of a long-term authorization has placed the flood insurance program at risk. The program lapsed three times last year. These lapses meant that FEMA was not able to write new policies, renew expiring policies or increase coverage limits. Given the current crisis in the housing market, this inability in the flood insurance program is unacceptable and must be addressed. I am pleased that the gentlewoman's bill not only reauthorizes the program for 5 years but also provides the program with the tools it needs to return to a strong financial footing while protecting homeowners.

The bill also addresses the impact of new flood maps on communities. The mapping process has caused confusion and financial strain on homeowners who now find themselves in flood zones and subject to mandatory purchase requirements. I saw this firsthand in my home city of Los Angeles. Last year, I was able to assist homeowners in the Park Mesa Heights area of the city who had been mistakenly placed in a flood zone. In that case, FEMA acted quickly to respond to new data and correct the mistake. However, there are thousands of homeowners nationwide who now find themselves in flood zones and subject to mandatory purchase requirements.

The gentlewoman's bill would ease the financial strain on newly mapped homeowners by allowing for a 3-year delay of the mandatory purchase requirement and allows for a 5-year phase-in of actuarial rates afterwards. In addition, I know that the gentleman from Alabama, the chairman of the committee, will be offering an amendment similar to the one I offered at markup that would extend the 3-year delay to 5 years. I know that the gentleman has worked with a bipartisan coalition of members of the House

Levee Caucus, led by the gentleman from Illinois (Mr. COSTELLO), and I look forward to passage of that amendment.

To make sure that FEMA issues the most accurate maps, the bill establishes a Technical Mapping Advisory Council. By improving the mapping process, the council would prevent instances of erroneous flood maps, like the one I encountered in Park Mesa Heights. The bill also makes other improvements to the program by phasing in actuarial rates for pre-FIRM properties, raising maximum coverage limits, providing notice to renters about contents insurance, and allowing homeowners that receive letters of map amendment to be reimbursed for their costs.

Madam Chairwoman, I believe that the gentlewoman from Illinois and I have produced a good bill that will protect homeowners, the flood insurance program, and taxpayers. I hope that we can pass this bill today and that the Senate takes up flood insurance reform in short order so that we do not risk another lapse when the program expires on September 30 of this year. Again, I thank the gentlewoman from Illinois for her tremendous work on this bill, and I strongly urge an "aye" vote.

I reserve the balance of my time.

Mrs. BIGGERT. I yield 2 minutes to the gentlelady from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Madam Chair, I rise in support of the legislation that is before us today to reform the National Flood Insurance Program.

I would like to thank the gentlelady from Illinois (Mrs. BIGGERT) and the gentlelady from California (Ms. WATERS) for their hard work to bring forth a bipartisan bill which addresses many of the concerns to a program hampered by extraordinary losses and currently facing about \$18 billion of debt.

H.R. 1309 provides a long-term extension of the National Flood Insurance Program, but it makes a significantly indebted program more fiscally sound. A 5-year reauthorization will give the certainty that is needed to a program that has been without it for the past 2 years. It is irresponsible and unfair to communities and individuals, especially those who live in flood-prone areas such as mine, to pass short-term extensions and allow temporary lapses when more than 5 million policyholders depend on it for financial security against flooding. Unless congressional action is taken, on September 30, 2011, these policyholders will again be put in danger of losing protection.

Unfortunately, the persistence of subsidized rates for properties in high-risk areas has left the NFIP underfunded and at risk. This bill makes needed reforms to put premiums more in line with risk by incorporating actu-

arial rates for at-risk properties. Increasing the limit on annual premium rate increases will gradually phase out subsidized premiums and help reduce taxpayer exposure. At the same time, this legislation allows properties relief from the mandatory purchase requirement for up to 3 years so they may be able to plan better for being newly mapped into special flood hazard areas.

Most importantly, this bill gives us a chance to give long-term certainty to policyholders as well as insurers who participate in the program. In a still unsure housing market, it is critical that we provide as much clarity as possible to current and future homeowners.

I am very pleased that this legislation looks at privatization initiatives and the possibilities that the private market as well as reinsurance can play in protecting communities against future flood damages. It is my hope that we will pass this bill.

Again, I want to congratulate the chairwoman for her hard work.

Ms. WATERS. Madam Chairwoman, I yield 3 minutes to the gentlewoman from New York (Mrs. MCCARTHY). She has been very much involved in the development of this legislation and has worked very hard.

Mrs. MCCARTHY of New York. I would like to thank the gentlewoman from California (Ms. WATERS) for yielding me this time. It has been a pleasure working with her. I would also like to thank Chairman BACHUS and Subcommittee Chair BIGGERT with whom we have worked. This is something that is important to both of our districts. I also thank Ranking Member BARNEY FRANK.

Madam Chairman, H.R. 1309, the Flood Insurance Reform Act of 2011, reauthorizes the National Flood Insurance Program for 5 years, but it also provides much needed reforms to the National Flood Insurance Program.

My district in Long Island, especially the community of Valley Stream, was included in the early rounds of FEMA's implementation of the flood map modernization process, and we have experienced much of the frustrations associated with the process. The whole idea of redoing what we're doing in this flood map is hopefully to prevent other Members of Congress from being frustrated as much as I have when they're trying to help their community.

Since our maps were enacted in the fall of 2009, I hear daily from our frustrated homeowners who are required to purchase flood insurance because of the updated maps and who feel they did not have the time or the tools necessary to understand and respond to the maps' results. H.R. 1309 contains provisions to better inform homeowners who are required to purchase flood insurance because of updated maps. For example, the bill requires FEMA to notify federally elected officials when there are

changes to a flood zone or a map directly in their district.

The bill also requires FEMA to create a method for flood insurance policies to be paid for with installment payments, to ease the burden of having to pay the up-front full payment which can cost thousands of dollars. The bill also allows for homeowners who are in the reduced cost preferred risk policy program to enter into the 5-year phase-in for full actuarial rates when the extended rate expires in 2013.

To ensure the accuracy of the data and process FEMA used in creating the updated maps around the country, H.R. 1309 also creates a Technical Mapping Council made up of agency employees and experts in the field of mapping to develop new mapping standards for future map modernization activities. We need to use every tool available to bring relief to homeowners who are being burdened by FEMA's map modernization process, and the bill before us is a good start.

□ 1250

I would like also to say, once again, working with my colleague Mrs. BIGGERT, working on the subcommittee has been a really good process. We have been able to bring our experiences, what happened in my community in Valley Stream and the frustration that homeowners have gone through. This legislation, although it doesn't cure everything, it will help constituents. And those who have not had their maps done yet, this is a good way for going forward.

Mrs. BIGGERT. Madam Chair, I yield 1½ minutes to the gentleman from Tennessee (Mr. FINCHER), a member of the Financial Services Committee.

Mr. FINCHER. Madam Chairman, I stand before you today because my district recently suffered severe flooding this spring and summer which we are now just beginning to recover from. The flooding of the Mississippi River, caused by an unusual amount of rain from back-to-back storms, left thousands of Tennesseans with flood damage. In my district alone, over 3,000 homes were damaged by storms and floods, and over 4,000 registered for disaster assistance.

Because the Mississippi River borders 110 miles of Tennessee's Eighth Congressional District, many small towns and farms are subject to unpredictable flooding each year. With this in mind, I am pleased to support H.R. 1309 today.

H.R. 1309 reauthorizes the National Flood Insurance Program for 5 years, which would provide some certainty for the economy and to the national housing market. During a period of 9.2 percent unemployment, we need this certainty to boost the housing construction industry and to help create badly needed jobs.

Another reason I am supporting H.R. 1309 today is this legislation encourages greater private sector participation in the National Flood Insurance Program. Madam Chairman, if we are to reduce Federal spending and the size of government in our lives, we need to put every program on the table and analyze ways we can encourage the private sector to shoulder more government risk.

I am pleased to support H.R. 1309 and encourage my colleagues to vote in favor of this bill.

Ms. WATERS. Madam Chairwoman, I am so pleased to yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER). He has a long history in this area, and the National Flood Insurance Act of 2004 bears his name. I appreciate his support.

Mr. BLUMENAUER. I appreciate the gentlelady's courtesy, as I appreciate her leadership and the leadership of Chair BIGGERT for bringing this important legislation to the floor.

It is true, I have been working in these areas for the last 10 years to make sure that the program is stable in the long term and encourages participation. Here we are raising rates where necessary to more accurately reflect flood risk.

For too long, homeowners in low-risk areas have been subsidizing those in high-risk areas, all backed by the Federal taxpayers. This bill will make the program closer to being actuarially sound. I appreciate the work done to deal with repetitively flooded properties, which comprise 2 percent of the properties insured by the program but are responsible for 30 percent of the claims.

We do people no favors by paying them to rebuild in the same way, in the same place, time and time again in harm's way. That's why I strongly support the amendment that has been included in the en bloc to reauthorize and streamline a number of mitigation programs targeted towards repetitive flood programs.

I authored, with my colleague Doug Bereuter of Nebraska, a program to provide mitigation assistance for "severe repetitive loss properties." Unfortunately, since 2004, we found the program has been hard for FEMA to administer. When they have been able to get the program off the ground, it has allowed mitigation of almost 600 properties and saved \$125 million. But if we are able to move forward here, allowing the program to work right, it can make a huge, long-term difference both in the lives of property owners as well as the fiscal stability of the program.

The Waters amendment addresses the administrative programs by combining three mitigation programs into one streamlined provision, removes red tape, and enables FEMA to more easily work with the communities to mitigate the properties.

It is important to note that it does not cost the taxpayers any money. The money for mitigation comes from the flood insurance fund made up of premium dollars, and each dollar spent on mitigation saves the fund far more in the future.

I appreciate the work of Mrs. BIGGERT, Ms. WATERS, Chair BACHUS, Ranking Member FRANK, and the committee to dig into the details here to ensure that FEMA will continue to have the tools it needs to address the properties that are costing the program the most. This is going to go a long way toward helping people out of the cycle of flooding and will help reduce the heavy drain that these properties have on the flood insurance program.

Mrs. BIGGERT. Madam Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. CANSECO), another great member of the Financial Services Committee.

Mr. CANSECO. I would like to thank Chairman BIGGERT for her leadership on this bill which makes vital reforms to a troubled program.

Madam Chairman, we are all aware of the importance of flood insurance. Back in Texas, floods are a common occurrence. And when they happen, they destroy homes, property, and even entire communities.

Yes, this program provides flood victims with the monetary compensation necessary to begin rebuilding their homes and their lives; yet we cannot forget that the only reason this program is still operating is because taxpayers have bailed it out as, by any measure, it has been insolvent.

That is why I am offering a very simple amendment to this bill that accomplishes three things:

Number one, it adds a provision to the bill that recognizes that while flood insurance is important to millions of Americans, this program is deeply in debt to the American taxpayer and there is currently no tangible plan to pay that money back;

Number two, it requires the administrator of FEMA to report back to the Congress within 6 months a 10-year plan to pay back the \$18 billion it currently owes taxpayers;

Number three, it adds accountability to a program that is far from being fiscally sound.

Let's keep in mind that if the National Flood Insurance Program were an initiative solely of the private sector, it would have declared bankruptcy long ago. Remember also that the person propping up this program, the American taxpayer, is very weary and tired from continually being held responsible for bailing out government's failed initiatives. For years the taxpayer has been asked to pick up the tab for government programs no matter how effective or how solvent they may be. The argument was that we could

hold off worrying about overspending until we reached a crisis point. Well, with each American family now responsible for over \$120,000 of the Nation's debt and with annual trillion-plus dollar deficits, we are now at that crisis point.

Madam Chairman, my amendment and this bill are a step toward bringing fiscal responsibility back to this program. But, more importantly, it stands up for the American taxpayer whose voice has been ignored in Washington for too long.

Ms. WATERS. Madam Chairwoman, I am very pleased to yield 3 minutes to the gentleman from Georgia (Mr. DAVID SCOTT). Mr. SCOTT has been a strong advocate for his constituents, making sure that they could afford it. The installment part of this bill is all because of his work.

Mr. DAVID SCOTT of Georgia. Let me commend Ms. WATERS and Mrs. BIGGERT for their extraordinarily important work on this legislation that is very much needed. People all across this country are very grateful that we are finally bringing some help here.

Madam Chair, nothing is more devastating to a family, to a community, than to lose, almost in the flick of an eye, to lose your home to a flood—I mean, totally underwater—to lose businesses. This happened in my State in a devastating manner in 2009. It was the worst flood in modern history of the State of Georgia. We lost over 20,000 homes throughout the State, but no area was more impacted than my own congressional district. Ten people statewide lost their lives. There was a cost of over \$500 million to lost businesses and homes. And of those 10 people who lost their lives, seven of them were from my congressional district.

□ 1300

To even make this more pointed, seven of them were from one county in my district. Douglas County and Cobb County were just devastated by this flood. The communities of Austell and Powder Springs and Douglasville and Lithia Springs and College Park had to all virtually start over. Imagine yourself as a child with your whole school under water. It was an extraordinarily unfortunate situation. To make matters worse, Madam Chair, most of these individuals had no flood insurance. The reason they didn't have any flood insurance was the cost of flood insurance and the requirement that you had to pay for your flood insurance in one lump sum.

Thanks to this committee, thanks to this bill, thanks to the work of Ms. WATERS, Mrs. BIGGERT, Chairman BACHUS, and Ranking Member FRANK, we have galvanized this. Thanks to the Federal Government and FEMA and now thanks to this bill and the amendment that you all were kind enough to adopt, which was mine, individuals can

now purchase their flood insurance in monthly installments.

What a relief. What a great measure. This is what the American people expect of us—to come up here and immediately respond to a pressing need. This is a great day. It is a great bill. I want to thank all of you for working with us on this.

Madam Chairman, again, I want to thank Mrs. BIGGERT and Ms. WATERS for their excellent work, for a job well done. The people of this country thank us, too, as they can pay for their flood insurance in installments.

Mrs. BIGGERT. Madam Chairman, may I inquire of the Chair how much time both sides have remaining?

The CHAIR. The gentlewoman from Illinois has 20 minutes. The gentlewoman from California has 16½ minutes.

Mrs. BIGGERT. I yield 2 minutes to the gentlewoman from Michigan, CANDICE MILLER.

Mrs. MILLER of Michigan. I certainly thank the gentlelady for yielding some time to me.

I hate to rain on this bipartisan parade. I know that there's a bipartisan effort here, but I think this program needs to be eliminated, not to be reformed, and I would start with this basic premise:

Why in the world is the Federal Government in the flood insurance business?

If you read the Constitution, what does it say? Actually, in the preamble, it says the first and foremost responsibility of the Federal Government is to provide for the common defense. I can't find anywhere in that Constitution that says we're supposed to be in the Federal flood insurance business. I just can't find it. I'll tell you what. I know we're trying to reform what, I think, is an unnecessary boondoggle, ridiculous program, but rather than reforming it, as I say, I think it needs to be eliminated.

This program started in 1968, and we started writing policies in 1972. The FEMA administrator just recently testified, I believe before the Financial Services Committee, and said this Federal Flood Insurance Program is in debt. As has been mentioned here, it is almost \$18 billion in debt. We have to raise the debt ceiling for the Federal Flood Insurance Program to about \$25 billion, and the FEMA administrator is telling us that it is always going to be in debt—forever—massive debt.

The biggest issue facing Congress today is what we are going to do about the \$14 trillion in debt we are currently faced with and raising the debt ceiling for that. So, as we are struggling with all of this, it is almost ludicrous to me that we are talking about raising the debt ceiling on a program that the Federal Government should not be involved in. One of the reasons it's not doing particularly well is—guess what?

big surprise—the Federal Government is probably not the best insurance agent in the world. I mean, when you see that 1 percent of the policyholders is getting 40 percent of the claims, something is seriously wrong.

I am going to be offering amendments shortly to eliminate this program, and I'll speak more to it at that time.

Ms. WATERS. Madam Chairwoman, I yield 3 minutes to the gentleman from Texas (Mr. CUELLAR), who has worked very hard to make sure that we open up communications with communities that are located in areas where flood insurance rate maps have not been updated in 20 years.

Mr. CUELLAR. I want to thank Congresswoman WATERS for her courtesy and, of course, for her leadership on this issue. I also want to thank the subcommittee chairwoman, Mrs. BIGGERT, as well as Financial Services Chairman BACHUS and Ranking Member FRANK, for their bipartisan work on this piece of legislation.

I consulted with my colleagues on both sides of the aisle with regard to my amendment, and I believe this will be included en bloc with the other amendments.

Homeowners, businesses and regions throughout the country are hit by flood disasters every year, and I understand that, in such traumatic and desperate times, our communities must be prepared and equipped with the most up-to-date information and resources. I have repeatedly met with my constituents and district county judges, specifically Judge Eloy Vera from Starr County in South Texas, who experienced flooding issues recently. I learned that flood zone maps had not been updated for decades—decades—and that this hampered economic development when they were struck by a flood recently. The reasons for outdated flood maps vary, and maps from the 1970s are not uncommon, but there is a need to strengthen the relationships between entities that handle flood insurance maps to address regional concerns.

My amendment is simple and bipartisan. It encourages FEMA, State emergency agencies and localities to increase communications to resolve outstanding issues and to provide necessary, tailored information in an effort to decrease the prevalence of outdated flood zone maps. Flood-threatened areas with outdated flood zone maps are not only contradictory, but can result in serious problems for the region. Increasing FEMA, State and local relationships is a practical and effective way to assist communities and to ensure a steady process to modernize flood maps.

So we are ready when a disaster strikes, I urge support for my common-sense amendment that will be included en bloc.

Mrs. BIGGERT. I yield 1½ minutes to the gentleman from North Dakota (Mr. BERG).

Mr. BERG. This has been a very tough spring for North Dakota as well as for many other districts along these overflowing rivers. Unprecedented flooding has devastated many communities, leaving property destroyed, thousands without homes and hundreds of thousands of acres of farmland flooded. Roads and bridges are severely damaged as well.

This year's flooding is unusual both in the scope of its damage as well as in how long the flooding has lasted. Many North Dakotans purchased flood insurance to be prepared for the floods and to protect themselves and their families from the losses that these floods cause. Unfortunately, FEMA's current policy fails to account for a long-lasting flood event like the one that we've seen along the Missouri River.

I support the 30-day waiting period. If individuals purchase insurance 30 days before their properties are damaged, they should be protected regardless of when FEMA declares a "flood in progress." That declaration could be counties or even States away or unexpectedly worsened by the Corps' decision to increase the outflows from dams along the flooded rivers upstream and to do this with very little warning.

The Terry-Berg amendment would protect these individuals who have played by the rules. We need responsible policies that help plan for the uncertainty of natural disasters. We also need to protect and help the people who have suffered when these disasters hit home. This amendment will do both. So I urge my colleagues to support these victims by voting in favor of this amendment.

□ 1310

Ms. WATERS. I am pleased to yield 3 minutes to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ of Minnesota. I thank the ranking member for her work on this and the chairwoman of the subcommittee. Thank you for coming together and creating a process that allowed us to interact and work for our constituents.

Recognizing the gentleman from North Dakota, I have actually been on those flood flights that he's experiencing and am very appreciative of what he brought forward.

Today, I have a pretty simple amendment, I think, that addresses a real issue that we're having.

Over the past decade, there have been two real changes to the levee system that protects our communities in this country. The first, of course, was FEMA increasing the amount of information and the due diligence they're doing on recertification of levees. That's appropriate after Hurricane Katrina. Secondly, the private engineering firms that perform the recertifications are facing astronomically



increased costs from their private insurers.

No one wants to insure a levee in a flood-prone area other than the rest of the community, thus the government. Together, these two changes have added increasingly high costs to our local communities as they're trying to protect their residents and keep their levees up to standards. It has created an extra burden on these communities that they can ill afford. This amendment offers a solution.

The Army Corps of Engineers stands ready and able to perform these levee certifications. In many cases, they built the levees. They can do it at a significantly reduced cost to the local communities. But under legislation passed in the 2000 Water Resources Development Act, State and local communities cannot hire the Corps of Engineers to do the work; they must first go to private contractors. It's exactly what happened in my town of Mankato, Minnesota. The north Mankato levee, which was designed and built by the Corps, needed to be recertified because of these changes. Because they couldn't use the Corps of Engineers, our local officials had to scramble and go out of their way to find a private contractor willing to do the work at an added cost of tens of thousands of dollars. At no fault to the private contractors, their insurance of liability was so high they had to pass the cost on to the local communities.

This approach was worked on in the last Congress with then-Representative BOOZMAN, now-Senator BOOZMAN. It has the support of the National Association of Counties, the National League of Cities, and the National Association of Towns and Townships. And here's the good thing: The Congressional Budget Office has certified this amendment will cost nothing to the taxpayers. Our taxpayers on the local level are paying far more as it is. This is a way to get it right, use the Corps that we already have, save taxpayers money, increase the efficiency of our levees, and reduce the claims that are made by this.

I urge my colleagues to support this piece of legislation, and once again I thank the committee for their outstanding work on the underlying bill.

Mrs. BIGGERT. Madam Chair, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. I want to thank the gentlelady from Illinois and the entire Financial Services Committee for working with us on this amendment and recognizing the tragedy and disaster that's currently occurring along the Missouri River, with my constituents, North Dakota, South Dakota, Nebraska, Iowa, and Missouri.

What occurred here is that at the beginning, when they started realizing there was going to be flooding and the Corps had to run the traps through the dam system, one government agency

started telling people downriver to buy flood insurance. Then FEMA steps in and sets a start-of-flood or flood-in-progress date that nullified what the constituents and people bought.

Now, what the Terry-Berg amendment does is, it would protect those individuals during a flood in progress if the individual has purchased flood insurance and has not sustained damage or loss of property within that 30-day window. That's the clear language of the policies that they were purchasing that had been nullified by FEMA's declaration. This amendment does not dispute the 30-day waiting period—which is designed to discourage people from waiting until a flood is imminent to buy insurance—it simply ensures American families who purchase flood insurance are covered if they sustain damage after the declaration of a flood in progress. This resolves the conflict caused between two government agencies and adheres to the intent, and I want to thank the Financial Services Committee for including this in the en bloc package.

Ms. WATERS. I reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, I yield 1½ minutes to the gentleman from Missouri (Mr. LUETKEMEYER).

Mr. LUETKEMEYER. I would like to thank the gentlewoman from Illinois for her leadership on this important issue.

I rise today in support of House Resolution 1309 and in support of my en bloc amendment that aims to provide more certainty to the National Flood Insurance Program.

My amendment calls on FEMA to take into account the effects and implications of weather conditions when making a flood-in-progress determination. Currently, FEMA's flood determinations are made independently by a FEMA adjuster, allowing a significant amount of room for subjectivity. I appreciate the need for FEMA's flexibility, but taking a more formulaic approach to flood events will provide increased certainty to our river communities. My amendment would also require FEMA to review the process for providing public notification of a flood event.

When the Missouri River started flooding earlier this summer, FEMA was delinquent in reporting their flood-in-progress determination to the public. That determination was made June 1 but was not announced until June 6. For 5 days, we had no way of knowing that FEMA had made this determination, impacting policyholders and new homebuyers.

We believe that FEMA must look at the policies in place and make recommendations for a more objective and precise determination process, along with public notification standards that will keep policyholders better informed. It is critical that FEMA de-

velop enhanced procedures for flood determinations and communications with the public.

I urge support for my amendment and for the underlying bill.

Ms. WATERS. I continue to reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, I yield myself such time as I may consume.

With the NFIP's authorization set to expire on September 30, it's really critical that the House pass the bill and work with the Senate to shape a final commonsense reform measure. We have to avoid a recurrence of what happened in the last Congress when the program lapsed and caused turmoil in a recovering housing market. Houses couldn't be closed if they didn't have insurance and if they had a mortgage. At that time, it was simply extended without any reforms. So if there is no viable private insurance market, we're going to have to pay more. So I would suggest that we really look forward to passing this bill.

Madam Chair, I now yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. I would like to thank my good friend from Illinois for the time. She has been a wonderful advocate on behalf of homeowners and renters of the United States, and especially in my area.

Madam Chairman, I rise in support of this bill to reauthorize the National Flood Insurance Program as administered by FEMA through the year 2016.

Granted, the bill before us is not perfect, but homeowners and businesses in my congressional district—that stretches from Miami Beach all the way down to Key West—deserve to see stability brought to this vital program.

Since September of 2008, the NFIP has had 11 short-term extensions, and just last year alone the program was allowed to lapse three times. That is inexcusable. These lapses meant that FEMA was not able to write new policies, renew expiring policies, or increase coverage limits. And for a program that insures over 90 percent of all flood insurance policies nationwide—40 percent of those being in my home State of Florida—this is rightly inexcusable. Just as bad, for each of the 53 days that the NFIP was lapsed, over 1,400 homebuyers who wanted to purchase homes located in floodplains were unable to close on their home purchases.

□ 1320

It is necessary to demonstrate these irresponsible lapses will not occur again; and those of us in south Florida and the Miami Beach area to the Keys will stay prepared for any event that could occur during hurricane season, which is upon us again, and we need to know that the NFIP is there to help us recover. Let us not let another lapse

happen right in the middle of hurricane season.

I urge my colleagues to join me in voting for this much-needed, way overdue important reauthorization.

I thank the gentlewoman for the time, and let's pass this bill.

Ms. WATERS. I continue to reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, I yield 9 minutes to our distinguished chairman of the Financial Services Committee, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I thank the gentlewoman.

Madam Chairman, this month we're all focused on the debt and the deficit and our negotiations to try to balance the budget. So it's with great pride that I tell the House that all 54 members of the Financial Services Committee, both Republicans and Democrats, have unanimously passed out of the committee a bipartisan piece of legislation which will save the U.S. Government and the American taxpayers \$4.2 billion over the next 10 years. It does that without decreasing any of the benefits of the program. It does it in some commonsense ways.

One is that premiums will be actuarially sound. They will be based on the risk, and we will be eliminating subsidies to bring the program into balance. We further insulate taxpayers from losses by adding a reinsurance provision whereby part of the premium that people pay, just as if they do on their house or for wind coverage if they have a home on the beach—part of it is in private insurance laid off into reinsurance. The program today, if you eat up the reserves, then the Treasury is responsible for making up the difference.

After this legislation goes into effect, there will be reinsurance that will be purchased, and the taxpayer will only be exposed after risk-based premiums are exhausted, reinsurance in addition to that is exhausted. So we reduce taxpayer exposure to a tremendous extent.

Also, people have said, why is there not private insurance? Well, we have a provision in here, supported by both parties, that if the private market comes in and offers insurance for the same coverage that people will be free to choose that coverage as opposed to the national flood insurance offered by the government.

You've heard the gentlelady from Florida express her concern that 11 times this legislation has been extended. Where it has been extended, it has retarded economic growth along our coastlines, along our rivers; and you can actually imagine that a lot of the economic activity and the job creation in our country comes in these areas.

And today I think there would be no one in the House that says we want to put the economies of those areas on

hold for 3 months or 6 months. We want the economy to have much fewer problems. We don't want to stop home sales; we don't want to stop commercial developments in those areas.

There are other shortcomings with the present program. One is there are disputes over whether or not land should be included within the floodplains, whether coverage should be offered. We make improvements there. We returned to a program several years ago where there's a technical advisory committee that, in addition to FEMA, will make these decisions, and it will be a more professionally based decision. Those areas which are spending money, local areas like Los Angeles, California, Ms. WATERS' district; along the Mississippi River, where local governments have come together and made expenditures to protect against floods, there's acknowledgment of their work, and the phase-in period for them is extended to encourage more of that.

All in all, I think that I would just go back to where I started and say that the Financial Services Committee is no different from any other committee in this House. There are conservatives, there are liberals, there are moderates that serve on that committee, both Republicans and Democrats. But all 54 members—let me stress that again—all 54 members of the Financial Services Committee voted unanimously for this legislation. And we are prepared in our debate as we go forward to accept amendments offered by several other Members, both Democrats and Republicans, to accept those amendments where it does not do violence to the program, where it doesn't increase costs or exposure to the taxpayer.

All in all, I want to congratulate the chairman of the subcommittee, who produced this legislation. I think our constituents for months have been saying to the Congress, please set aside your political differences, please try to work together, please try to cooperate when you can do so without violating your principles.

And Mrs. BIGGERT and Ms. WATERS, the subcommittee ranking member on her side, they put aside their differences. I worked with Chairman FRANK. We had hearings, we had mark-ups, and we produced something that I thought was not possible, and that's a bill that we all think will improve the program tremendously, will reduce the cost and reduce taxpayer exposure and really make the mapping better and the protection for our communities in flood-prone areas work more effectively.

Ms. WATERS. Madam Chair, I yield myself the balance of my time to close.

I am very pleased and proud to be a cosponsor of this tremendous comprehensive legislation.

I would like to thank the chairwoman from Illinois (Mrs. BIGGERT) for

her work, her leadership, and her cooperation. And I would like to thank both the chairman of our committee, Mr. BACHUS, and the ranking member, Mr. FRANK, for their support and their cooperation on this legislation.

□ 1330

You heard Mr. BACHUS, our chairman, recount for you that 54 members of the committee unanimously voted to support this legislation. That is pretty unheard of. And I think that the committee, the entire committee is to be congratulated for the tremendous work that we all put in to making sure that we have comprehensive legislation that would afford protection for our citizens and, at the same time, as was mentioned, reduce the costs, but recognize that this has been a long time in coming.

So as a cosponsor of this bill, H.R. 1309, the Flood Insurance Reform Act of 2011, this bipartisan effort that has brought us to this point, I would like to say that all of the Members who have spoken today, for the most part, on both sides of the aisle, have been complimentary of this comprehensive work. Of course, we did have one Member who disagreed with government's involvement in this flood insurance program. That's a rather radical view. I think most Members of this Congress believe that we have a responsibility to give support to those who are the victims of natural disaster, disasters that have been caused through, of course, no fault of their own. They're pleased that they have an opportunity to get some protection, with the help of their government, and to make sure that their homes and their families can be supported at a time that can be very traumatic in their lives.

Again, I will have to remind all of my colleagues that unfortunately the lack of a long-term authorization has placed the flood insurance program at risk. The program lapsed three times last year. These lapses meant that FEMA was not able to write new policies, renew expiring policies, or increase coverage limits.

Today, you have heard the Members of Congress again on both sides of the aisle give appreciation for the mapping reform that we have included in this legislation, for the outreach that we have included in this en bloc amendment that would allow the constituents of all of our districts to understand better what FEMA is doing, how it's doing, and how they can be a part of it. I am also pleased that included in this en bloc amendment is protection for small businesses. And I am very, very pleased that we have seen this as an effort not only to reauthorize, but to correct some of the weaknesses in the program and to strengthen the program in general.

With that, Madam Chair, I would ask for support for this bill. I know that

there are some amendments that are being introduced a little bit later on; and I think that, again, you will see bipartisan support for most of these amendments. And I look forward to completing the bill with the amendments and to sending this bill on, where I believe we will have like support on the Senate side, and eventually to the President's desk. It's about time. I think that this country's going to be better off for it.

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

Mrs. BIGGERT. Madam Chairman, I urge my colleagues to support H.R. 1309. It's a bill to reform and reauthorize the National Flood Insurance Program. I think that we have had a great debate, and it certainly is a pleasure to have a bill that has such bipartisan support. I think it's such an important bill.

It's going to enact a series of reforms designed to improve NFIP's financial stability, reduce the burden on taxpayers, restore integrity to the FEMA mapping system, and explore ways to increase the private market participation and help bring certainty to the housing market. It's a \$4.2 billion revenue raiser. And I think that that's very important too, that we will really be able to change the scope of this. If we go back to 1968 when this started, there was no private insurance, and this is why this happened. And we have to keep it that way, or we will pay so much more for disaster relief when this happens to so many people who live in floodplains.

I urge my colleagues to support the bill, and I really thank the members of the Financial Services Committee, particularly Ms. WATERS and Mr. FRANK, and on our side Mr. BACHUS, the chairman.

SMARTERSAFER.ORG,  
Washington, DC, June 30, 2011.

Hon. JOHN A. BOEHNER,  
*Speaker of the House of Representatives, U.S. Capitol, Washington, DC.*

Hon. NANCY PELOSI,  
*Minority Leader, U.S. House of Representatives, U.S. Capitol, Washington, DC.*

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: SmarterSafer.org, a diverse coalition of taxpayer advocates, environmental organizations and insurance interests, urges you to quickly take up comprehensive flood insurance reform, like H.R. 1309, a bill that extends the program for five years and makes meaningful reform to the program.

Congress must act quickly to reauthorize the program before it expires in September, and must couple any reauthorization with meaningful reforms. The flood program is almost \$18 billion in debt to the U.S. Treasury, and that amount will likely grow as a result of recent flooding. To ensure the viability of the program so that those at risk can rebuild after a disaster, to protect taxpayers, and to protect environmentally sensitive areas, Congress must make significant reforms to the flood insurance program.

A comprehensive bill, like H.R. 1309, which was the subject of significant hearings and

debate, is needed. When you consider this bill, we ask that you look at adopting changes to do the following: phase out all subsidies, extend and streamline the mitigation grants program including making permanent the severe repetitive loss mitigation program; ensure the program is not expanded to additional coverages; and allow for no mapping or mandatory purchase delays. Though we believe that H.R. 1309 is a step in the right direction, with these changes you will be putting the flood program on a sustainable path. Under H.R. 1309 flood maps will be up to date and accurate; subsidies in the program will be phased out; and FEMA is authorized to purchase reinsurance to cover losses and protect taxpayers. We urge you to schedule this bill for consideration.

Sincerely,  
Environmental Organizations—American Rivers, Ceres, Defenders of Wildlife, Environmental Defense Fund, National Wildlife Federation, Republicans for Environmental Protection, Sierra Club, The Nature Conservancy; Consumer and Taxpayer Advocates—American Conservative Union, Americans for Prosperity, Americans for Tax Reform, Center on Risk, Regulation, and Markets—The Heartland Institute, Competitive Enterprise Institute.

Insurer Interests—Allianz of America, Association of Bermuda Insurers and Reinsurers, Chubb, Liberty Mutual Group, National Association of Mutual Insurance Companies, National Flood Determination Association, Reinsurance Association of America, Swiss Re, USAA; Housing—National Low Income Housing Coalition, National Leased Housing Association; Allied Organizations—American Consumer Institute, Friends of the Earth, International Code Council, National Fire Protection Association, Taxpayers for Common Sense, Zurich.

MAY 27, 2011.

Hon. JOHN A. BOEHNER,  
*Speaker of the House of Representatives, U.S. Capitol, Washington, DC.*

Hon. NANCY PELOSI,  
*Minority Leader, U.S. House of Representatives, U.S. Capitol, Washington, DC.*

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: On behalf of the undersigned associations, we are writing to respectfully urge you to schedule floor consideration of H.R. 1309, the Flood Insurance Reform Act of 2011 at the first available opportunity. Significant reform and long-term reauthorization of the National Flood Insurance Program (NFIP) is critically important to the citizens and taxpayers who rely on this vital flood protection program.

Without action, on September 30, 2011, the NFIP authorization will expire. More than 5.6 million policyholders depend on the NFIP as their main source of protection against flooding, the most common natural disaster in the United States. A long-term extension is necessary to provide certainty to recovering real estate, insurance and financial markets and every participant in the economy that the NFIP effects—homeowners, small business owners, builders, real estate professionals, mortgage lenders, investors, insurance agents and insurance companies. All these entities depend on the program for flood damage protection.

H.R. 1309 includes both a long-term reauthorization and important reforms that will optimize the current program with important coverage and rate reforms, needed improvements to the floodplain mapping and appeals processes, and other key reforms which would encourage program participa-

tion and put the NFIP back on the path to sound financial footing.

As you know, H.R. 1309 was favorably reported by the House Financial Services Committee with unanimous, bipartisan support. We thank the bill sponsors and the Committee for their leadership on this important issue. We respectfully urge you to work for quick passage of this legislation by the full House.

Sincerely,  
American Bankers Association, American Bankers Insurers Association, American Financial Services Association, American Insurance Association, American Land Title Association, American Resort Development Association, American Securitization Forum, Chamber Southwest LA, Commercial Real Estate Finance Council, Consumer Bankers Association, Council of Insurance Agents and Brokers, Credit Union National Association, The Financial Services Roundtable, Independent Community Bankers of America.

Independent Insurance Agents and Brokers of America, International Council of Shopping Centers, Mortgage Bankers Association, National Association of Federal Credit Unions, National Association of Home Builders, National Association of Mutual Insurance Companies, National Association of REALTORS®, National Apartment Association, National Multi-Housing Council, National Ready Mixed Concrete Association, Property Casualty Insurers Association of America, The Real Estate Roundtable, Reinsurance Association of America, Risk and Insurance Management Society, Inc.

I yield the balance of my time to the gentleman from Illinois (Mr. DOLD).

The CHAIR. The gentleman is recognized for 1 minute.

Mr. DOLD. I thank the gentlelady for yielding.

I do want to talk about the flood insurance program, one that I think enjoys great bipartisan support. I want to thank the chairwoman for her guidance and, obviously, Ms. WATERS for her leadership as well.

Five million, actually, residential and commercial properties across the land rely on this flood insurance. They depend on it for stability. And we have to recognize that there, indeed, are problems. We have debt; there is no question about that. It's undercapitalized, which is placing the taxpayers at risk. But this bill would minimize taxpayer risk by making the program more self-sufficient over time by expanding the private sector's role while allowing—and not allowing for coverage gaps.

It also moves toward actuarially sound rates and creates a new flooding map, which creates a platform upon which risk can be measured and priced by the private sector. This is exactly the kind of solution that we need to have here in the United States Congress, to be able to still provide coverage in areas that need it so desperately and yet move us gradually over to actuarially sound rates.

With that, I thank the gentlelady for her leadership.

Mr. GENE GREEN of Texas. Madam Chair, I rise today in support of the Flood Insurance Reform Act, H.R. 1309.

Flood insurance is critical for homeowners in our area who rely on this program to protect their hard-earned investments in their homes. The National Flood Insurance Program is the primary source of flood insurance for Americans and people in our district. About 5.6 million homes and businesses nationwide rely on NFIP.

In our district, in Houston and East Harris County, Texas, flood insurance is a top priority. The Harris County Flood Control District does an impressive job of implementing new flood control measures in the way of maintaining bayous, building retention basins, and implementing drainage features, but even the best flood control will be defeated by a particularly bad storm.

While I support the underlying bill, I am especially supportive of measures that I first advocated for in 2007. During Floor Debate of the 2007 bill, I offered an amendment that was adopted, and it is also included in the bill we are debating today.

Our language provides for a limited, five-year phase-in of flood insurance premiums for low-income homeowners or renters whose primary residence is placed within a flood plain through an updating of flood insurance program maps. These homes can be valued at no more than 75 percent of the median home value for the state in which the property is located. This is important to residents of our district, who need the stability and stability that this provision allows.

I want to thank Chairman BACHUS and Ranking Member FRANK for their leadership on this issue and for including this important provision.

Mr. VAN HOLLEN. Madam Chair, I rise in support of the Flood Insurance Reform Act of 2011 (H.R. 1309).

The National Flood Insurance Program is the primary source of reliable and affordable flood insurance for over 5.6 million homes and businesses. Today's bipartisan legislation reauthorizes the program for five years through FY 2016 and contains numerous reforms designed to put the program on firmer financial footing.

The bill is supported by the National Association of Realtors, the National Association of Homebuilders, the American Insurance Association, the Property Casualty Insurers Association and the Independent Insurance Agents and Brokers of America, and in my judgment, strikes the proper balance between providing Americans with the flood insurance protection they need at a price taxpayers can afford.

Mr. REED. Madam Chair, I rise today to express my frustration regarding the FEMA flood remapping process, an issue that will impact my district and many others.

We have recently debated and accepted multiple amendments and voted on H.R. 1309, the Flood Insurance Reform Act of 2011. While I supported this bill and am grateful for all it does to help our constituents navigate through this very complex issue, I think we need to continue to examine the root of the problem, which is the flood mapping process that determines these areas require constituents to purchase flood insurance in the first place.

I understand the importance of the FEMA flood maps. It is vital that we are able to iden-

tify flood risk areas and make sure people living in those areas are protected from catastrophic flooding. However, with these new maps, due to be completed in the near future, FEMA has changed the standards which affect more than 100,000 miles of levees across the United States.

As a result, many of my constituents who have never had any issues with major flooding could be forced to purchase mandatory flood insurance costing thousands of dollars a year. This is despite the fact that these constituents enjoy the protection, in the case of a major flood, of a sound levee system.

It may not be the exact protection that FEMA has begun demanding, but it is adequate as constructed by the Army Corps of Engineers following the flooding caused by Hurricane Agnes.

Yet the new regulation requires these hard-working family homeowners to find a way to pay for completely unnecessary flood insurance for a flood they will never see. It's a classic example of a concept which looks good on a white board in some Washington office but that has unintended negative consequences in the real world.

While H.R. 1309 helps to alleviate some of these issues, we must get to the heart of the matter. I believe Mr. WALBERG's amendment to H.R. 1309 was an excellent step towards doing so and I was very pleased to lend my support to it.

The Walberg amendment placed a moratorium on new updated maps until a Technical Mapping Advisory Council submits new mapping standards to FEMA and Congress, which allows for map revision and updates with local input. I also supported Mr. MCGOVERN's amendment to gain reimbursement for communities when they rightfully challenge FEMA on its mapping errors.

I am determined and will continue working for a long-term solution to the root of the problem, which is that these maps simply don't accurately reflect actual flood risks. The proposed maps certainly don't accurately reflect the flood risks, or lack thereof, in my district.

Ms. MCCOLLUM. Madam Chair, I rise in support of H.R. 1309, the Flood Insurance Reform Act of 2011. This important bill reauthorizes the National Flood Insurance Program (NFIP) through Fiscal Year 2016 and secures the program's near-term fiscal health. Minnesota has experienced its fair share of flooding this year. This bill is vitally needed to help communities in my state and states across the country recover from natural disasters.

The National Flood Insurance Program (NFIP) was established by Congress under the National Flood Insurance Act of 1968. The NFIP is a federal program that enables property owners in participating communities to purchase flood insurance in exchange for state and community flood protections. The National Flood Insurance Program is the primary source of reliable, affordable flood insurance coverage for about 5.6 million homes and businesses.

H.R. 1309 takes the necessary steps to ensure the NFIP's long term viability by encouraging broader participation in the program, eliminating wasteful subsidies, and updating the program to meet needs of the 21st century. Lastly, this bill delays the mandatory re-

quirement for homeowners in newly classified "Special Flood Hazard Areas" to purchase flood insurance. The three year delay ensures affected homeowners are not suddenly burdened with new insurance costs and allows them adequate time to challenge new flood zone designations.

I urge my colleagues to support the Flood Insurance Reform Act of 2011.

The CHAIR. All time for general debate has expired.

Mrs. BIGGERT. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KLINE) having assumed the chair, Ms. FOXX, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes, had come to no resolution thereon.

#### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 337 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2354.

□ 1340

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Ms. FOXX (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Monday, July 11, 2011, the bill had been read through page 24, line 23.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

An amendment by Mr. SESSIONS of Texas.

An amendment by Mr. MORAN of Virginia.

An amendment by Mr. MARKEY of Massachusetts.

Amendment No. 5 by Mr. LAMBORN of Colorado.

An amendment by Mr. CONNOLLY of Virginia.

An amendment by Mr. MILLER of North Carolina.

An amendment by Mr. BROUN of Georgia.

An amendment by Mr. WELCH of Vermont.

An amendment by Mr. POMPEO of Kansas.

An amendment by Mr. TONKO of New York.

An amendment by Mr. GARRETT of New Jersey.

An amendment by Mr. WU of Oregon.

An amendment by Mr. MCCLINTOCK of California.

An amendment by Mr. SCHIFF of California.

An amendment by Mr. GARAMENDI of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT OFFERED BY MR. SESSIONS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 224, noes 196, not voting 11, as follows:

[Roll No. 539]

AYES—224

Adams	Chabot	Gingrey (GA)
Aderholt	Chaffetz	Gohmert
Akin	Coble	Goodlatte
Alexander	Coffman (CO)	Gosar
Amash	Conaway	Gowdy
Austria	Connolly (VA)	Granger
Bachmann	Cravaack	Graves (GA)
Bachus	Crawford	Graves (MO)
Barletta	Crenshaw	Griffin (AR)
Bartlett	Cuellar	Griffith (VA)
Barton (TX)	Culberson	Guinta
Bass (NH)	Davis (KY)	Guthrie
Benishkek	Denham	Hall
Berg	Dent	Hanna
Biggert	DesJarlais	Harper
Bilbray	Diaz-Balart	Harris
Bilirakis	Dold	Hartzler
Bishop (UT)	Dreier	Hastings (WA)
Black	Duffy	Hayworth
Blackburn	Duncan (SC)	Heck
Bonner	Duncan (TN)	Hensarling
Bono Mack	Ellmers	Hergert
Boustany	Farenthold	Herrera Beutler
Brady (TX)	Fincher	Huelskamp
Brooks	Flake	Huizenga (MI)
Broun (GA)	Fleischmann	Hultgren
Buchanan	Fleming	Hunter
Bueshon	Flores	Hurt
Buerkle	Forbes	Issa
Burgess	Fortenberry	Jenkins
Burton (IN)	Fox	Johnson (IL)
Calvert	Franks (AZ)	Johnson (OH)
Camp	Frelinghuysen	Johnson, Sam
Campbell	Gallely	Jordan
Canseco	Gardner	Kelly
Cantor	Garrett	King (IA)
Capito	Gerlach	Kingston
Carter	Gibbs	Kinzinger (IL)
Cassidy	Gibson	Kline

Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee

Ackerman
Altmire
Andrews
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Bralley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Ciilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Emerson

#### NOES—196

Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hanabusa
Hastings (FL)
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Insee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
King (NY)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowe
Lynch
Maloney
Markey
Matheson
Matsui

Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Quayle
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Roby
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Roskam
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Shimkus
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)

Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters

Watt
Waxman
Welch
Wilson (FL)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

#### NOT VOTING—11

Baca
Deutch
Giffords
Heinrich

Hinchev
Holden
Hoyer
Lujan

Pearce
Pelosi
Pingree (ME)

#### □ 1406

Messrs. KEATING, HIMES, and DOGGETT changed their vote from “aye” to “no.”

Mr. SOUTHERLAND changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

#### AMENDMENT OFFERED BY MR. MORAN

The Acting CHAIR (Mr. LANDRY). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 170, noes 250, not voting 11, as follows:

[Roll No. 540]

AYES—170

Ackerman	Davis (CA)	Inslee
Andrews	Davis (IL)	Israel
Baldwin	DeFazio	Jackson (IL)
Barletta	DeGette	Jackson Lee (TX)
Bass (CA)	DeLauro	Johnson (GA)
Becerra	Dicks	Johnson, E. B.
Berkley	Dingell	Kaptur
Berman	Doggett	Keating
Bishop (NY)	Dold	Kildee
Blumenauer	Doyle	Kind
Boswell	Edwards	Kucinich
Brady (PA)	Ellison	Lance
Bralley (IA)	Engel	Langevin
Brown (FL)	Eshoo	Lankford
Butterfield	Farr	Larsen (WA)
Capps	Fattah	Larson (CT)
Capuano	Filner	Lee (CA)
Carnahan	Fitzpatrick	Levin
Carney	Frank (MA)	Lewis (GA)
Carson (IN)	Fudge	Lipinski
Castor (FL)	Garamendi	LoBiondo
Chu	Green, Al	Loebsack
Ciilline	Green, Gene	Lofgren, Zoe
Clarke (MI)	Grijalva	Lowey
Clarke (NY)	Gutierrez	Lynch
Clay	Hanabusa	Maloney
Cleaver	Hastings (FL)	Markey
Clyburn	Hayworth	Matsui
Cohen	Higgins	McCarthy (NY)
Connolly (VA)	Himes	McCollum
Conyers	Hinojosa	McDermott
Cooper	Hirono	McGovern
Courtney	Hochul	McNerney
Crowley	Holt	Meeks
Cummings	Honda	

Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Peters  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rangel  
Reyes  
Richardson

Richmond  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Sires  
Slaughter  
Smith (NJ)  
Smith (WA)  
Speier

Stark  
Sutton  
Thompson (MS)  
Tierney  
Tonko  
Townes  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Wittman  
Woolsey  
Wu  
Yarmuth

Schilling  
Schmidt  
Schock  
Schrader  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuler  
Shuster  
Simpson  
Smith (NE)

Smith (TX)  
Southernland  
Stearns  
Stivers  
Stutzman  
Terry  
Thompson (CA)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Walberg

Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

Neal  
Olver  
Pallone  
Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rangel  
Reyes  
Richardson  
Rothman (NJ)  
Roybal-Allard  
Rush

Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sherman  
Sires  
Slaughter  
Smith (NJ)  
Smith (WA)  
Speier  
Stark  
Thompson (CA)  
Thompson (MS)

Tierney  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Walden  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

NOES—250

Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Amash  
Austria  
Bachmann  
Bachus  
Barrow  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Cansaco  
Cantor  
Capito  
Cardoza  
Carter  
Cassidy  
Chabot  
Chaffetz  
Chandler  
Coble  
Coffman (CO)  
Cole  
Conaway  
Costa  
Costello  
Cravaack  
Crawford  
Crenshaw  
Critz  
Cuellar  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Donnelly (IN)  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold

Fincher  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Labrador  
Lamborn  
Landry  
Latham  
LaTourette  
Latta  
Lewis (CA)  
Long  
Lucas  
Luetkemeyer  
Lummis

Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paul  
Paulsen  
Pence  
Perlmutter  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)  
Scalise

NOT VOTING—11  
Baca  
Bishop (UT)  
Deutch  
Giffords  
Heinrich  
Hinchev  
Holden  
Hoyer  
Luján  
Pearce  
Sullivan

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1411

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

AMENDMENT OFFERED BY MR. MARKEY  
The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Massachusetts (Mr.  
MARKEY) on which further proceedings  
were postponed and on which the noes  
prevailed by voice vote.

The Clerk will redesignate the  
amendment.  
The Clerk redesignated the amend-  
ment.

RECORDED VOTE  
The Acting CHAIR. A recorded vote  
has been demanded.  
A recorded vote was ordered.  
The Acting CHAIR. This is a 2-  
minute vote.  
The vote was taken by electronic de-  
vice, and there were—ayes 154, noes 266,  
not voting 11, as follows:

[Roll No. 541]  
AYES—154

Ackerman  
Andrews  
Baldwin  
Bass (CA)  
Bass (NH)  
Becerra  
Berkley  
Berman  
Bishop (NY)  
Blumenauer  
Boswell  
Brady (PA)  
Brady (IA)  
Brown (FL)  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Courtney  
Crowley  
Cummings

Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Dicks  
Dingell  
Doggett  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Frank (NY)  
Garamendi  
Green, Al  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings (FL)  
Heck  
Higgins  
Himes  
Hirono  
Holt  
Honda  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)

Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kucinich  
Langevin  
Larsen (WA)  
Lee (CA)  
Levin  
Lewis (GA)  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano

Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Amash  
Austria  
Bachmann  
Bachus  
Barrow  
Bartlett  
Barton (TX)  
Benishek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Butterfield  
Calvert  
Camp  
Campbell  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Chandler  
Clyburn  
Coble  
Coffman (CO)  
Cole  
Conaway  
Costa  
Costello  
Cravaack  
Crawford  
Crenshaw  
Critz  
Cuellar  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Donnelly (IN)  
Doyle  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick

NOES—266

Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fox  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Hensarling  
Herger  
Herrera Beutler  
Hinojosa  
Hochul  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lewis (CA)  
Lipinski  
LoBiondo  
Long  
Lucas

Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pastor (AZ)  
Paul  
Paulsen  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Richmond  
Rigell  
Kingston  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ruppersberger  
Ryan (OH)  
Ryan (WI)

Sanchez, Loretta	Smith (TX)	Walsh (IL)	Johnson (OH)	Miller (FL)	Runyan	Rahall	Schilling	Tonko
Scalise	Southerland	Webster	Jordan	Miller, Gary	Ryan (WI)	Rangel	Schrader	Towns
Schilling	Stearns	West	King (IA)	Mulvaney	Scalise	Reed	Schwartz	Tsongas
Schmidt	Stivers	Westmoreland	Kingston	Murphy (PA)	Schmidt	Renacci	Scott (VA)	Turner
Schock	Stutzman	Whitfield	Kintzinger (IL)	Myrick	Schock	Reyes	Scott, David	Upton
Schweikert	Sullivan	Wilson (SC)	Kissell	Neugebauer	Schweikert	Richardson	Serrano	Van Hollen
Scott (SC)	Sutton	Wittman	Kline	Noem	Scott (SC)	Richmond	Sewell	Velázquez
Scott, Austin	Terry	Wolf	Labrador	Nugent	Scott, Austin	Rivera	Sherman	Visclosky
Sensenbrenner	Thompson (PA)	Womack	Lamborn	Nunes	Sensenbrenner	Roby	Shimkus	Walden
Sessions	Thornberry	Woodall	Landry	Nunnelee	Sessions	Rogers (AL)	Shuler	Walz (MN)
Sewell	Tiberi	Yoder	Lankford	Olson	Smith (NE)	Rogers (KY)	Shuster	Wasserman
Shimkus	Tipton	Young (AK)	Latta	Paul	Southerland	Ros-Lehtinen	Simpson	Schultz
Shuler	Turner	Young (FL)	Lewis (CA)	Paulsen	Stearns	Roskam	Sires	Waters
Shuster	Upton	Young (IN)	Long	Pence	Stutzman	Ross (AR)	Slaughter	Watt
Simpson	Visclosky		Luetkemeyer	Petri	Sullivan	Ross (FL)	Smith (NJ)	Waxman
Smith (NE)	Walberg		Lummis	Pitts	Terry	Rothman (NJ)	Smith (TX)	Welch

## NOT VOTING—11

Baca	Giffords	Hoyer
Barletta	Heinrich	Luján
Canseco	Hinchey	Pearce
Deutch	Holden	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in the vote.

□ 1414

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BARLETTA. Mr. Chair, on rollcall No. 541, I was unavoidably detained. Had I been present, I would have voted "no."

## AMENDMENT NO. 5 OFFERED BY MR. LAMBORN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. LAMBORN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 164, noes 259, not voting 8, as follows:

[Roll No. 542]

AYES—164

Adams	Capito	Gohmert
Aderholt	Cassidy	Goodlatte
Akin	Chabot	Gosar
Alexander	Chaffetz	Gowdy
Amash	Coble	Graves (GA)
Bachmann	Coffman (CO)	Graves (MO)
Bachus	Conaway	Griffin (AR)
Benishek	Cravaack	Griffith (VA)
Berg	Crawford	Hall
Bilirakis	Culberson	Hanna
Bishop (UT)	DesJarlais	Harris
Black	Duffy	Hartzler
Blackburn	Duncan (SC)	Hayworth
Bonner	Duncan (TN)	Heck
Bono Mack	Farenthold	Hensarling
Boustany	Flake	Henger
Brady (TX)	Fleming	Herrera Beutler
Broun (GA)	Flores	Huelskamp
Bucshon	Forbes	Huizenga (MI)
Burgess	Fortenberry	Hultgren
Burton (IN)	Fox	Hunter
Calvert	Franks (AZ)	Hurt
Campbell	Galleghy	Issa
Canseco	Gardner	Jenkins
Cantor	Garrett	Johnson (IL)

DeFazio	Kaptur
DeGette	Keating
DeLauro	Kelly
Denham	Kildee
Dent	Kind
Diaz-Balart	King (NY)
Dicks	Kucinich
Dingell	Lance
Doggett	Langevin
Dold	Larsen (WA)
Donnelly (IN)	Larson (CT)
Doyle	Latham
Dreier	LaTourette
Edwards	Lee (CA)
Ellison	Levin
Ellmers	Lewis (GA)
Emerson	Lipinski
Engel	LoBiondo
Eshoo	Loebsack
Farr	Lofgren, Zoe
Fattah	Lowey
Filner	Lucas
Fincher	Lynch
Fitzpatrick	Maloney
Fleischmann	Markey
Frank (MA)	Matsui
Frelinghuysen	McCarthy (NY)
Fudge	McCaul
Garamendi	McCollum
Gerlach	McCotter
Gibbs	McDermott
Gibson	McGovern
Gingrey (GA)	McIntyre
Gonzalez	McNerney
Granger	Meehan
Green, Al	Meeks
Green, Gene	Michaud
Grijalva	Miller (MI)
Grimm	Miller (NC)
Guinta	Miller, George
Guthrie	Moore
Gutierrez	Moran
Hanabusa	Murphy (CT)
Harper	Nadler
Hastings (FL)	Napolitano
Hastings (WA)	Neal
Higgins	Olver
Himes	Owens
Hinojosa	Palazzo
Hirono	Pallone
Hochul	Pascarell
Holt	Pastor (AZ)
Honda	Payne
Inslaw	Pelosi
Israel	Perlmutter
Jackson (IL)	Peters
Jackson Lee	Peterson
(TX)	Pingree (ME)
Johnson (GA)	Platts
Johnson, E. B.	Polis
Johnson, Sam	Price (NC)
Jones	Quigley

## NOES—259

Ackerman	DeFazio	Kaptur
Altmire	DeGette	Keating
Andrews	DeLauro	Kelly
Austria	Denham	Kildee
Baca	Dent	Kind
Baldwin	Diaz-Balart	King (NY)
Barletta	Dicks	Kucinich
Barrow	Dingell	Lance
Bartlett	Doggett	Langevin
Barton (TX)	Dold	Larsen (WA)
Bass (CA)	Donnelly (IN)	Larson (CT)
Bass (NH)	Doyle	Latham
Becerra	Dreier	LaTourette
Berkley	Edwards	Lee (CA)
Berman	Ellison	Levin
Biggert	Ellmers	Lewis (GA)
Bibray	Emerson	Lipinski
Bishop (GA)	Engel	LoBiondo
Bishop (NY)	Eshoo	Loebsack
Blumenauer	Farr	Lofgren, Zoe
Boren	Fattah	Lowey
Boswell	Filner	Lucas
Brady (PA)	Fincher	Lynch
Braley (IA)	Fitzpatrick	Maloney
Brooks	Fleischmann	Markey
Brown (FL)	Frank (MA)	Matsui
Buchanan	Frelinghuysen	McCarthy (NY)
Buerkle	Fudge	McCaul
Butterfield	Garamendi	McCollum
Camp	Gerlach	McCotter
Capps	Gibbs	McDermott
Capuano	Gibson	McGovern
Cardoza	Gingrey (GA)	McIntyre
Carnahan	Gonzalez	McNerney
Carney	Granger	Meehan
Carson (IN)	Green, Al	Meeks
Carter	Green, Gene	Michaud
Castor (FL)	Grijalva	Miller (MI)
Chandler	Grimm	Miller (NC)
Chu	Guinta	Miller, George
Cicilline	Guthrie	Moore
Clarke (MI)	Gutierrez	Moran
Clarke (NY)	Hanabusa	Murphy (CT)
Clay	Harper	Nadler
Cleaver	Hastings (FL)	Napolitano
Clyburn	Hastings (WA)	Neal
Cohen	Higgins	Olver
Cole	Himes	Owens
Connolly (VA)	Hinojosa	Palazzo
Conyers	Hirono	Pallone
Cooper	Hochul	Pascarell
Costa	Holt	Pastor (AZ)
Costello	Honda	Payne
Courtney	Inslaw	Pelosi
Crenshaw	Israel	Perlmutter
Critz	Jackson (IL)	Peters
Crowley	Jackson Lee	Peterson
Cuellar	(TX)	Pingree (ME)
Cummings	Johnson (GA)	Platts
Davis (CA)	Johnson, E. B.	Polis
Davis (IL)	Johnson, Sam	Price (NC)
Davis (KY)	Jones	Quigley

## NOT VOTING—8

Deutch	Hinchey	Luján
Giffords	Holden	Pearce
Heinrich	Hoyer	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. CAMPBELL) (during the vote). There is 1 minute remaining in this vote.

□ 1418

Mr. ROYCE changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 249, not voting 9, as follows:

[Roll No. 543]

AYES—173

Ackerman	Camp	Conyers
Andrews	Capps	Courtney
Baca	Capuano	Crowley
Baldwin	Cardoza	Cummings
Bartlett	Carnahan	Davis (CA)
Bass (CA)	Carney	Davis (IL)
Bass (NH)	Carson (IN)	DeFazio
Becerra	Castor (FL)	DeGette
Berkley	Chandler	DeLauro
Berman	Chu	Dicks
Bishop (GA)	Cicilline	Dingell
Bishop (NY)	Clarke (MI)	Doggett
Blumenauer	Clarke (NY)	Dold
Boswell	Clay	Edwards
Brady (PA)	Cleaver	Ellison
Braley (IA)	Clyburn	Engel
Brown (FL)	Cohen	Eshoo
Butterfield	Connolly (VA)	Farr



Fattah  
 Filner  
 Frank (MA)  
 Fudge  
 Garamendi  
 Gibson  
 Green, Al  
 Grijalva  
 Gutierrez  
 Hanabusa  
 Hastings (FL)  
 Higgins  
 Himes  
 Hirono  
 Hochul  
 Holt  
 Honda  
 Hoyer  
 Inslee  
 Israel  
 Jackson (IL)  
 Jackson Lee  
 (TX)  
 Johnson (GA)  
 Johnson, E. B.  
 Jones  
 Kaptur  
 Keating  
 Kildee  
 Kind  
 Kucinich  
 Langevin  
 Larsen (WA)  
 Lee (CA)  
 Levin  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Loeb sack  
 Lofgren, Zoe  
 Lowey

Lynch  
 Maloney  
 Markey  
 Matheson  
 Matsui  
 McCarthy (NY)  
 McCollum  
 McDermott  
 McGovern  
 McNerney  
 Meeks  
 Michaud  
 Miller (NC)  
 Miller, George  
 Moore  
 Moran  
 Murphy (CT)  
 Nadler  
 Napolitano  
 Neal  
 Olver  
 Owens  
 Pallone  
 Pascrell  
 Pastor (AZ)  
 Paul  
 Paulsen  
 Payne  
 Pelosi  
 Perlmutter  
 Peters  
 Pingree (ME)  
 Platts  
 Polis  
 Price (NC)  
 Quigley  
 Rangel  
 Reyes  
 Richardson  
 Richmond  
 Ross (AR)

Rothman (NJ)  
 Roybal-Allard  
 Ruppersberger  
 Rush  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schwartz  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sherman  
 Shuler  
 Olson  
 Palazzo  
 Pence  
 Peterson  
 Petri  
 Pitts  
 Poe (TX)  
 Pompeo  
 Thompson (MS)  
 Tierney  
 Tonko  
 Towns  
 Tsongas  
 Van Hollen  
 Velázquez  
 Walz (MN)  
 Wasserman  
 Schultz  
 Waters  
 Watt  
 Waxman  
 Welch  
 Wilson (FL)  
 Woolsey  
 Wu  
 Yarmuth

McMorris  
 Rodgers  
 Meehan  
 Mica  
 Miller (FL)  
 Miller (MI)  
 Miller, Gary  
 Mulvaney  
 Murphy (PA)  
 Myrick  
 Neugebauer  
 Noem  
 Nugent  
 Nunes  
 Nunnelee  
 Runyan  
 Olson  
 Palazzo  
 Pence  
 Peterson  
 Petri  
 Pitts  
 Poe (TX)  
 Pompeo  
 Thompson (MS)  
 Tierney  
 Tonko  
 Towns  
 Tsongas  
 Van Hollen  
 Velázquez  
 Walz (MN)  
 Wasserman  
 Ribble

Deutch  
 Giffords  
 Heinrich

Rigell  
 Rivera  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross (FL)  
 Royce  
 Runyan  
 Ryan (OH)  
 Ryan (WI)  
 Scalise  
 Schilling  
 Schmidt  
 Schock  
 Schrader  
 Schweikert  
 Scott (SC)  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Sewell  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)

NOT VOTING—9

Hinchey  
 Holden  
 Landry

Smith (NJ)  
 Smith (TX)  
 Souterland  
 Stearns  
 Stivers  
 Stutzman  
 Sullivan  
 Sutton  
 Terry  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Turner  
 Upton  
 Visclosky  
 Walberg  
 Walden  
 Walsh (IL)  
 Webster  
 West  
 Westmoreland  
 Whitfield  
 Wilson (SC)  
 Wittman  
 Wolf  
 Womack  
 Woodall  
 Yoder  
 Young (AK)  
 Young (FL)  
 Young (IN)

LaTourette  
 Luján  
 Pearce

Edwards  
 Ellison  
 Engel  
 Eshoo  
 Farr  
 Filner  
 Fortenberry  
 Frank (MA)  
 Fudge  
 Garamendi  
 Gibson  
 Green, Al  
 Grijalva  
 Gutierrez  
 Hanabusa  
 Hanna  
 Hastings (FL)  
 Higgins  
 Himes  
 Hirono  
 Hochul  
 Holt  
 Honda  
 Hoyer  
 Huelskamp  
 Inslee  
 Israel  
 Jackson (IL)  
 Jackson Lee  
 (TX)  
 Johnson (GA)  
 Johnson, E. B.  
 Jones  
 Kaptur  
 Keating  
 Kildee  
 Kind  
 Kissell  
 Kucinich  
 Lamborn  
 Langevin  
 Larsen (WA)  
 Lee (CA)  
 Levin  
 Lewis (GA)

Lipinski  
 LoBiondo  
 Loeb sack  
 Lofgren, Zoe  
 Roybal-Allard  
 Lynch  
 Maloney  
 Markey  
 Matheson  
 Matsui  
 McCarthy (NY)  
 McCollum  
 McDermott  
 McGovern  
 McIntyre  
 McNerney  
 Meeks  
 Michaud  
 Miller (NC)  
 Miller, George  
 Moore  
 Moran  
 Mulvaney  
 Murphy (CT)  
 Nadler  
 Napolitano  
 Neal  
 Olver  
 Owens  
 Pallone  
 Pascrell  
 Pastor (AZ)  
 Paul  
 Payne  
 Pelosi  
 Perlmutter  
 Peters  
 Pingree (ME)  
 Platts  
 Polis  
 Price (NC)  
 Quigley  
 Rangel  
 Reichert  
 Reyes

NOES—244

Costello  
 Cravaack  
 Crawford  
 Crenshaw  
 Critz  
 Cuellar  
 Culberson  
 Davis (KY)  
 Denham  
 DesJarlais  
 Diaz-Balart  
 Donnelly (IN)  
 Doyle  
 Dreier  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Ellmers  
 Emerson  
 Farenthold  
 Fattah  
 Fincher  
 Fitzpatrick  
 Flake  
 Fleischmann  
 Fleming  
 Flores  
 Forbes  
 Foxx  
 Franks (AZ)  
 Frelinghuysen  
 Gallegly  
 Gardner  
 Garrett  
 Gerlach  
 Gibbs  
 Gingrey (GA)  
 Gohmert  
 Gonzalez  
 Goodlatte  
 Gosar  
 Gowdy  
 Granger  
 Graves (GA)  
 Graves (MO)  
 Green, Gene  
 Griffin (AR)  
 Grimm  
 Guinta  
 Guthrie  
 Hall  
 Hanna  
 Harper  
 Harris  
 Hartzler

Richardson  
 Richmond  
 Ross (AR)  
 Rothman (NJ)  
 Lowey  
 Ruppersberger  
 Rush  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schrader  
 Schwartz  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sherman  
 Shuler  
 Sires  
 Slaughter  
 Smith (WA)  
 Speier  
 Stark  
 Thompson (CA)  
 Tierney  
 Tonko  
 Towns  
 Tsongas  
 Van Hollen  
 Velázquez  
 Walden  
 Walz (MN)  
 Wasserman  
 Schultz  
 Waters  
 Watt  
 Waxman  
 Welch  
 Wilson (FL)  
 Woolsey  
 Yarmuth

Griffith (VA)  
 Grimm  
 Guinta  
 Guthrie  
 Hall  
 Harper  
 Harris  
 Hartzler  
 Hastings (WA)  
 Hayworth  
 Heck  
 Hensarling  
 Herger  
 Herrera Beutler  
 Hinojosa  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt  
 Issa  
 Jenkins  
 Johnson (IL)  
 Johnson (OH)  
 Johnson, Sam  
 Jordan  
 Kelly  
 King (IA)  
 King (NY)  
 Kingston  
 Kinzinger (IL)  
 Kline  
 Labrador  
 Lance  
 Lankford  
 Larson (CT)  
 Latham  
 LaTourette  
 Latta  
 Lewis (CA)  
 Long  
 Lucas  
 Luetkemeyer  
 Lummis  
 Lungren, Daniel  
 E.  
 Mack  
 Manzullo  
 Marchant

NOES—249

Adams  
 Aderholt  
 Akin  
 Alexander  
 Altmire  
 Amash  
 Austria  
 Bachmann  
 Bachus  
 Barletta  
 Barrow  
 Barton (TX)  
 Benishkek  
 Berg  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (UT)  
 Black  
 Blackburn  
 Bonner  
 Bono Mack  
 Boren  
 Boustany  
 Brady (TX)  
 Brooks  
 Broun (GA)  
 Buchanan  
 Bueshon  
 Buerkle  
 Burgess  
 Burton (IN)  
 Calvert  
 Campbell  
 Canseco  
 Cantor  
 Capito  
 Carter  
 Cassidy  
 Chabot  
 Chaffetz  
 Coble  
 Coffman (CO)  
 Cole  
 Conaway  
 Cooper  
 Costa  
 Costello  
 Cravaack  
 Crawford  
 Crenshaw  
 Critz

Cuellar  
 Culberson  
 Davis (KY)  
 Denham  
 Dent  
 DesJarlais  
 Diaz-Balart  
 Donnelly (IN)  
 Doyle  
 Dreier  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Ellmers  
 Emerson  
 Farenthold  
 Fincher  
 Johnson, Sam  
 Jordan  
 Kelly  
 King (IA)  
 King (NY)  
 Kingston  
 Kinzinger (IL)  
 Kissell  
 Kline  
 Labrador  
 Lamborn  
 Gallegly  
 Lance  
 Lankford  
 Larson (CT)  
 Latham  
 Latta  
 Lewis (CA)  
 Long  
 Lucas  
 Luetkemeyer  
 Lummis  
 Lungren, Daniel  
 E.  
 Mack  
 Manzullo  
 Marchant  
 Marino  
 McCarthy (CA)  
 McCaul  
 McClintock  
 McCotter  
 McHenry  
 McIntyre  
 McKeon  
 McKinley

Hastings (WA)  
 Hayworth  
 Heck  
 Hensarling  
 Herger  
 Herrera Beutler  
 Hinojosa  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt  
 Issa  
 Jenkins  
 Johnson (IL)  
 Johnson (OH)  
 Johnson, Sam  
 Jordan  
 Kelly  
 King (IA)  
 King (NY)  
 Kingston  
 Kinzinger (IL)  
 Kissell  
 Kline  
 Labrador  
 Lamborn  
 Gallegly  
 Lance  
 Lankford  
 Larson (CT)  
 Latham  
 Latta  
 Lewis (CA)  
 Long  
 Lucas  
 Luetkemeyer  
 Lummis  
 Lungren, Daniel  
 E.  
 Mack  
 Manzullo  
 Marchant  
 Marino  
 McCarthy (CA)  
 McCaul  
 McClintock  
 McCotter  
 McHenry  
 McIntyre  
 McKeon  
 McKinley

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting Chair (during the vote).  
 There is 1 minute remaining.

□ 1423

So the amendment was rejected.  
 The result of the vote was announced  
 as above recorded.

AMENDMENT OFFERED BY MR. MILLER OF NORTH  
 CAROLINA

The Acting CHAIR. The unfinished  
 business is the demand for a recorded  
 vote on the amendment offered by the  
 gentleman from North Carolina (Mr.  
 MILLER) on which further proceedings  
 were postponed and on which the noes  
 prevailed by voice vote.

The Clerk will redesignate the  
 amendment.

The Clerk redesignated the amend-  
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote  
 has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
 minute vote.

The vote was taken by electronic de-  
 vice, and there were—ayes 179, noes 244,  
 not voting 8, as follows:

[Roll No. 544]

AYES—179

Ackerman  
 Andrews  
 Baca  
 Baldwin  
 Bartlett  
 Bass (CA)  
 Bass (NH)  
 Becerra  
 Berkeley  
 Berman  
 Biggert  
 Bishop (NY)  
 Blumenauer  
 Boswell  
 Brady (PA)  
 Brown (FL)

Butterfield  
 Capps  
 Capuano  
 Cardoza  
 Carnahan  
 Carney  
 Carson (IN)  
 Castor (FL)  
 Chandler  
 Chu  
 Cicilline  
 Clarke (MI)  
 Clarke (NY)  
 Clay  
 Cleaver  
 Clyburn

Cohen  
 Connolly (VA)  
 Conyers  
 Cooper  
 Courtney  
 Crowley  
 Cummings  
 Davis (CA)  
 Davis (IL)  
 DeFazio  
 DeGette  
 DeLauro  
 Dicks  
 Dingell  
 Doggett  
 Dold

Adams  
 Aderholt  
 Akin  
 Alexander  
 Altmire  
 Amash  
 Austria  
 Bachmann  
 Bachus  
 Barletta  
 Barrow  
 Barton (TX)  
 Benishkek  
 Berg  
 Bilbray  
 Bilirakis  
 Bishop (GA)  
 Bishop (UT)  
 Black  
 Blackburn  
 Bonner  
 Bono Mack  
 Boren  
 Boustany  
 Brady (TX)  
 Braley (IA)  
 Brooks  
 Broun (GA)  
 Buchanan  
 Bueshon  
 Buerkle  
 Burgess  
 Burton (IN)  
 Calvert  
 Camp  
 Campbell  
 Canseco  
 Cantor  
 Capito  
 Carter  
 Cassidy  
 Chabot  
 Chaffetz  
 Coble  
 Coffman (CO)  
 Cole  
 Conaway  
 Costa

Marino	Rahall	Simpson	Gohmert	Latta	Rehberg	Neal	Ros-Lehtinen	Sullivan
McCarthy (CA)	Reed	Smith (NE)	Goodlatte	Long	Ribble	Noem	Roskam	Sutton
McCaul	Rehberg	Smith (NJ)	Goody	Luetkemeyer	Roe (TN)	Nunnelee	Ross (AR)	Terry
McClintock	Renacci	Smith (TX)	Graves (GA)	Lummis	Rohrabacher	Olson	Rothman (NJ)	Thompson (CA)
McCotter	Ribble	Southerland	Graves (MO)	Lungren, Daniel E.	Rokita	Olver	Roybal-Allard	Thompson (MS)
McHenry	Rigell	Stearns	Griffith (AR)	Mack	Rooney	Owens	Runyan	Thompson (PA)
McKeon	Rivera	Stivers	Griffith (VA)	Manzullo	Ross (FL)	Palazzo	Ruppersberger	Tiberi
McKinley	Roby	Stutzman	Guinta	Marchant	Royce	Pallone	Rush	Tierney
McMorris	Roe (TN)	Sullivan	Hall	Marino	Ryan (WI)	Pascrell	Ryan (OH)	Tipton
Rodgers	Rogers (AL)	Sutton	Harris	Matheson	Scalise	Pastor (AZ)	Sanchez, Linda T.	Tonko
Meehan	Rogers (KY)	Terry	Hartzler	Schilling	Schmitt	Paulsen	Sanchez, Loretta T.	Towns
Mica	Rogers (MI)	Thompson (MS)	Hensarling	Schmitt	Scott (SC)	Payne	Sanchez, Loretta T.	Tsongas
Miller (FL)	Rohrabacher	Thompson (PA)	Herger	McClintock	Scott, Austin	Pelosi	Sarbanes	Turner
Miller (MI)	Rokita	Thornberry	Herrera Beutler	McHenry	Sensenbrenner	Perlmutter	Schakowsky	Upton
Miller, Gary	Rooney	Tiberi	Huelskamp	Mica	Sessions	Peters	Schiff	Van Hollen
Murphy (PA)	Ros-Lehtinen	Tipton	Huizenga (MI)	Miller (FL)	Smith (NE)	Peterson	Schock	Velázquez
Myrick	Roskam	Turner	Hultgren	Miller, Gary	Mulvaney	Pingree (ME)	Schrader	Visclosky
Neugebauer	Ross (FL)	Upton	Hunter	Myrick	Neugebauer	Platts	Schwartz	Walberg
Noem	Royce	Visclosky	Hurt	Neugebauer	Issa	Polis	Schweikert	Walden
Nugent	Runyan	Walberg	Issa	Nugent	Jenkins	Posey	Scott (VA)	Walz (MN)
Nunes	Ryan (OH)	Walsh (IL)	Jenkins	Nunes	Johnson (IL)	Price (NC)	Scott, David	Wasserman
Nunnelee	Ryan (WI)	Webster	Johnson (IL)	Paul	Johnson (OH)	Quigley	Serrano	Wasserman
Olson	Scalise	West	Johnson, Sam	Pence	Jordan	Rahall	Sewell	Schultz
Palazzo	Schilling	Westmoreland	Kingston	Petri	Kline	Rangel	Sherman	Waters
Paulsen	Schmidt	Whitfield	Kingston	Pitts	Labrador	Reed	Shimkus	Watt
Pence	Schock	Wilson (SC)	Kline	Pitts	Lamborn	Reichert	Shuler	Waxman
Peterson	Schweikert	Wittman	Labrador	Poe (TX)	Lankford	Renacci	Shuster	Welch
Petri	Scott (SC)	Wolf	Kingston	Pompeo	Quayle	Reyes	Simpson	Wilson (FL)
Pitts	Scott, Austin	Womack	Johnson (IL)	Price (GA)	Critz	Richardson	Sires	Wittman
Poe (TX)	Sensenbrenner	Woodall	Johnson (OH)	Quayle	Crowley	Richmond	Slaughter	Wolf
Pompeo	Sessions	Yoder	Johnson, Sam	Hoyer	Crowley	Rigell	Smith (NJ)	Womack
Posey	Sewell	Young (AK)	Jordan	Insole	Cuellar	Rivera	Smith (TX)	Woolsey
Price (GA)	Shimkus	Young (FL)	Ackerman	Israel	Cummings	Rogers (AL)	Smith (WA)	Wu
Quayle	Shuster	Young (IN)	Alexander	Israel	Davis (CA)	Rogers (KY)	Speier	Yarmuth
			Alexander	Israel	Davis (CA)	Rogers (MI)	Stark	Yoder
			Altmire	Israel	Davis (KY)		Stivers	Young (FL)
			Andrews	Israel	DeFazio			
			Austria	Israel	DeGette			
			Baca	Israel	DeLauro			
			Bachus	Israel	Dent			
			Baldwin	Israel	Diaz-Balart			
			Barletta	Israel	Dicks			
			Barrow	Israel	Dingell			
			Bartlett	Israel	Doggett			
			Barton (TX)	Israel	Dold			
			Bass (CA)	Israel	Donnelly (IN)			
			Bass (NH)	Israel	Doyle			
			Becerra	Israel	Edwards			
			Berg	Israel	Ellison			
			Berkley	Israel	Ellmers			
			Berman	Israel	Emerson			
			Biggert	Israel	Engel			
			Bilbray	Israel	Eshoo			
			Bilirakis	Israel	Farr			
			Bishop (GA)	Israel	Fattah			
			Bishop (NY)	Israel	Filner			
			Blumenauer	Israel	Fitzpatrick			
			Bonner	Israel	Fleischmann			
			Bono Mack	Israel	Forbes			
			Boren	Israel	Fortenberry			
			Boswell	Israel	Frank (MA)			
			Boustany	Israel	Frelinghuysen			
			Brady (PA)	Israel	Fudge			
			Bralley (IA)	Israel	Gallegly			
			Brown (FL)	Israel	Garamendi			
			Butterfield	Israel	Gardner			
			Calvert	Israel	Gerlach			
			Camp	Israel	Gibbs			
			Capito	Israel	Gibson			
			Capps	Israel	Gonzalez			
			Capuano	Israel	Gosar			
			Cardoza	Israel	Granger			
			Carnahan	Israel	Green, Al			
			Carney	Israel	Green, Gene			
			Carson (IN)	Israel	Grijalva			
			Carter	Israel	Grimm			
			Castor (FL)	Israel	Guthrie			
			Chandler	Israel	Gutierrez			
			Chu	Israel	Hanabusa			
			Ciilline	Israel	Hanna			
			Clarke (MI)	Israel	Harper			
			Clarke (NY)	Israel	Hastings (FL)			
			Clay	Israel	Hastings (WA)			
			Cleaver	Israel	Hayworth			
			Clyburn	Israel	Heck			
			Coble	Israel	Higgins			
			Coffman (CO)	Israel	Himes			
			Cohen	Israel	Hinojosa			
			Cole	Israel	Hirono			
			Connolly (VA)	Israel	Hochul			
			Conyers	Israel	Holt			
			Cooper	Israel	Honda			
			Costa	Israel				
			Costello	Israel				
			Courtney	Israel				
			Crenshaw	Israel				

## NOES—292

## NOT VOTING—8

Deutch	Hinchey	Luján
Giffords	Holden	Pearce
Heinrich	Landry	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1427

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

AMENDMENT OFFERED BY MR. BROUN OF  
GEORGIA

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Georgia (Mr. BROUN)  
on which further proceedings were  
postponed and on which the ayes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 131, noes 292,  
not voting 8, as follows:

[Roll No. 545]

AYES—131

Adams	Buerkle	DesJarlais
Aderholt	Burgess	Dreier
Akin	Burton (IN)	Duffy
Amash	Campbell	Duncan (SC)
Bachmann	Canseco	Duncan (TN)
Benishek	Cantor	Farenthold
Bishop (UT)	Cassidy	Fincher
Black	Chabot	Flake
Blackburn	Chaffetz	Fleming
Brady (TX)	Conaway	Flores
Brooks	Cravaack	Foxx
Broun (GA)	Crawford	Franks (AZ)
Buchanan	Culberson	Garrett
Bucshon	Denham	Gingrey (GA)

Ackerman	Critz	Hoyer
Alexander	Crowley	Insole
Altmire	Cuellar	Israel
Andrews	Cummings	Jackson (IL)
Austria	Davis (CA)	Jackson Lee
Baca	Davis (LL)	(TX)
Bachus	Davis (KY)	Johnson (GA)
Baldwin	DeFazio	Johnson, E. B.
Barletta	DeGette	Jones
Barrow	DeLauro	Kaptur
Bartlett	Dent	Keating
Barton (TX)	Diaz-Balart	Kelly
Bass (CA)	Dicks	Kildee
Bass (NH)	Dingell	Kind
Becerra	Doggett	King (IA)
Berg	Dold	King (NY)
Berkley	Donnelly (IN)	Kinzinger (IL)
Berman	Doyle	Kissell
Biggert	Edwards	Kucinich
Bilbray	Ellison	Lance
Bilirakis	Ellmers	Langevin
Bishop (GA)	Emerson	Larsen (WA)
Bishop (NY)	Engel	Larson (CT)
Blumenauer	Eshoo	Latham
Bonner	Farr	LaTourette
Bono Mack	Fattah	Lee (CA)
Boren	Filner	Levin
Boswell	Fitzpatrick	Lewis (CA)
Boustany	Fleischmann	Lewis (GA)
Brady (PA)	Forbes	Lipinski
Bralley (IA)	Fortenberry	LoBiondo
Brown (FL)	Frank (MA)	Loebsack
Butterfield	Frelinghuysen	Lofgren, Zoe
Calvert	Fudge	Lowey
Camp	Gallegly	Lucas
Capito	Garamendi	Lynch
Capps	Gardner	Maloney
Capuano	Gerlach	Markey
Cardoza	Gibbs	Matsui
Carnahan	Gibson	McCarthy (NY)
Carney	Gonzalez	McCaul
Carson (IN)	Gosar	McCollum
Carter	Granger	McCotter
Castor (FL)	Green, Al	McDermott
Chandler	Green, Gene	McGovern
Chu	Grijalva	McIntyre
Ciilline	Grimm	McKeon
Clarke (MI)	Guthrie	McKinley
Clarke (NY)	Gutierrez	McMorris
Clay	Hanabusa	Rodgers
Cleaver	Hanna	McNerney
Clyburn	Harper	Meehan
Coble	Hastings (FL)	Meeks
Coffman (CO)	Hastings (WA)	Michaud
Cohen	Hayworth	Miller (MI)
Cole	Heck	Miller (NC)
Connolly (VA)	Higgins	Miller, George
Conyers	Himes	Moore
Cooper	Hinojosa	Moran
Costa	Hirono	Murphy (CT)
Costello	Hochul	Murphy (PA)
Courtney	Holt	Nadler
Crenshaw	Honda	Napolitano

## NOT VOTING—8

Deutch	Hinchey	Luján
Giffords	Holden	Pearce
Heinrich	Landry	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1430

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT OFFERED BY MR. WELCH

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Vermont (Mr. WELCH)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 123, noes 300,  
not voting 8, as follows:

[Roll No. 546]

AYES—123

Ackerman	Capuano	Crowley
Andrews	Cardoza	Cummings
Baca	Carnahan	Davis (IL)
Baldwin	Carson (IN)	DeFazio
Bartlett	Chu	DeGette
Bass (CA)	Clarke (MI)	DeLauro
Bishop (NY)	Clarke (NY)	Dingell
Blumenauer	Clay	Doggett
Boswell	Cleaver	Doyle
Brady (PA)	Cohen	Edwards
Bralley (IA)	Conyers	Ellison
Brown (FL)	Costello	Engel
Butterfield	Courtney	Fattah

Filner  
Frank (MA)  
Fudge  
Gibson  
Gonzalez  
Green, Gene  
Grijalva  
Gutierrez  
Hastings (FL)  
Higgins  
Himes  
Hirono  
Holt  
Honda  
Hoyer  
Inslee  
Jackson (IL)  
Johnson, E. B.  
Keating  
Kildee  
Kind  
Kucinich  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lowey  
Lynch  
Maloney

NOES—300

Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Amash  
Austria  
Bachmann  
Bachus  
Barletta  
Barrow  
Barton (TX)  
Bass (NH)  
Becerra  
Benishek  
Berg  
Berkley  
Berman  
Biggart  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Buchson  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Capito  
Capps  
Carney  
Carter  
Cassidy  
Castor (FL)  
Chabot  
Chaffetz  
Chandler  
Cicilline  
Clyburn  
Coble  
Coffman (CO)  
Cole  
Conaway  
Connolly (VA)  
Cooper  
Costa  
Cravaack  
Crawford  
Crenshaw  
Critz

Markey  
McCarthy (NY)  
McDermott  
McGovern  
Meeks  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Oliver  
Pallone  
Pascrell  
Paul  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rangel  
Reyes  
Richmond  
Rothman (NJ)  
Roybal-Allard  
Rush

NOES—300  
Cuellar  
Culberson  
Davis (CA)  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dicks  
Dold  
Donnelly (IN)  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Eshoo  
Farenthold  
Farr  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garamendi  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Al  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Hinojosa

Hochul  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Israel  
Issa  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kaptur  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Labrador  
Lamborn  
Lance  
Langevin  
Lankford  
Larsen (WA)  
Latham  
LaTourette  
Latta  
Lewis (CA)  
Lipinski  
LoBiondo  
Loebsack  
Lofgren, Zoe  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
Matsui  
McCarthy (CA)  
McCaul  
McClintock  
McCollum  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meehan

Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Pastor (AZ)  
Paulsen  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Richardson  
Rigell

Deutch  
Giffords  
Heinrich  
Hinchey  
Holden  
Landry

NOT VOTING—8

So the amendment was rejected.  
The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

AMENDMENT OFFERED BY MR. POMPEO  
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kansas (Mr. POMPEO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

RECORDED VOTE  
The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.  
The Acting CHAIR. This is a 2-minute vote.  
The vote was taken by electronic device, and there were—ayes 127, noes 296, not voting 8, as follows:

[Roll No. 547]  
AYES—127  
Adams  
Aderholt  
Akin  
Amash  
Bachmann  
Barton (TX)  
Benishek  
Bishop (UT)  
Black  
Blackburn  
Bono Mack  
Brady (TX)  
Brooks  
Broun (GA)  
Buerkle  
Burgess  
Burton (IN)  
Campbell  
Canseco  
Cantor  
Cassidy  
Chabot  
Chaffetz  
Conaway  
Cravaack  
Crawford  
Culberson  
Denham  
DesJarlais  
Dreier

Duffy  
Duncan (SC)  
Duncan (TN)  
Farenthold  
Fincher  
Stutzman  
Flake  
Fleming  
Flores  
Foxy  
Franks (AZ)  
Garrett  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gowdy  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Guinta  
Hall  
Harris  
Hartzler  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Hultgren  
Hunter  
Hurt  
Issa  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam

NOES—296

Ackerman  
Alexander  
Altmire  
Andrews  
Austria  
Baca  
Bachus  
Baldwin  
Barletta  
Barrow  
Bartlett  
Bass (CA)  
Bass (NH)  
Becerra  
Berg  
Berkley  
Berman  
Biggart  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bonner  
Boren  
Boswell  
Boustany  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Buchanan  
Buchson  
Butterfield  
Calvert  
Camp  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Coble  
Coffman (CO)  
Cohen  
Cole  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Crenshaw  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
Davis (KY)  
DeFazio  
DeGette  
DeLauro  
Dent  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Dold  
Donnelly (IN)  
Doyle  
Edwards  
Ellison  
Ellmers  
Emerson  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Fitzpatrick  
Fleischmann  
Forbes  
Fortenberry  
Frank (MA)  
Frelinghuysen  
Fudge  
Gallegly  
Garamendi  
Gardner  
Gerlach  
Gibbs  
Gibson  
Gonzalez  
Gosar  
Granger  
Green, Al  
Green, Gene  
Griffith (VA)  
Grijalva  
Grimm  
Guthrie  
Gutierrez  
Hanabusa  
Hanna  
Harper  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heck  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holt  
Honda  
Hoyer  
Huizenga (MI)  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly  
Kildee  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kissell  
Kucinich  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Lee (CA)  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Loebsack  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Lewis (CA)  
Lipinski  
LoBiondo  
Loebsack  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCaul  
McCollum  
McCotter  
McDermott  
McGovern  
McIntyre  
McKeon  
McKinley  
McNerney  
Meehan

NOES—296

Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holt  
Honda  
Hoyer  
Huizenga (MI)  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly  
Kildee  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kissell  
Kucinich  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Lee (CA)  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Loebsack  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCaul  
McCollum  
McCotter  
McDermott  
McGovern  
McIntyre  
McKeon  
McKinley  
McNerney  
Meehan

Meeks	Richmond	Smith (WA)	Clay	Israel	Pingree (ME)	Lucas	Platts	Shuler
Michaud	Rigell	Speier	Cleaver	Jackson (IL)	Polis	Luetkemeyer	Poe (TX)	Shuster
Miller (MI)	Rivera	Stark	Cohen	Jackson Lee	Price (NC)	Lummis	Pompeo	Simpson
Miller (NC)	Roby	Stivers	Connolly (VA)	(TX)	Quigley	Lungren, Daniel	Posey	Smith (NE)
Miller, George	Rogers (AL)	Sullivan	Conyers	Johnson, E. B.	Rangel	E.	Price (GA)	Smith (NJ)
Moore	Rogers (KY)	Sutton	Cooper	Kaptur	Reed	Mack	Quayle	Smith (TX)
Moran	Rogers (MI)	Terry	Costa	Keating	Renacci	Manzullo	Rahall	Smith (WA)
Murphy (CT)	Ros-Lehtinen	Thompson (CA)	Costello	Kildee	Reyes	Marchant	Rehberg	Southerland
Murphy (PA)	Roskam	Thompson (MS)	Courtney	Kind	Richmond	Marino	Reichert	Stearns
Myrick	Ross (AR)	Thompson (PA)	Crowley	Kucinich	Ross (AR)	Matsui	Ribble	Stivers
Nadler	Rothman (NJ)	Tiberi	Cummings	Larson (CT)	Rothman (NJ)	McCarthy (CA)	Richardson	Stutzman
Napolitano	Roybal-Allard	Tierney	Davis (CA)	Lee (CA)	Roybal-Allard	McCaul	Rigell	Sullivan
Neal	Runyan	Tipton	Davis (IL)	Levin	Rush	McClintock	Rivera	Terry
Noem	Ruppersberger	Tonko	DeFazio	Lewis (GA)	Ryan (OH)	McCotter	Roby	Thompson (CA)
Nunnelee	Rush	Towns	DeGette	Lipinski	Sánchez, Linda	McHenry	Roe (TN)	Thompson (MS)
Olson	Ryan (OH)	Tsongas	DeLauro	Lowey	T.	McIntyre	Rogers (AL)	Thompson (PA)
Olver	Sánchez, Linda	Turner	Dent	Lynch	Sarbanes	McKeon	Rogers (KY)	Thornberry
Owens	T.	Upton	Dingell	Maloney	Schakowsky	McKinley	Rogers (MI)	Tiberi
Palazzo	Sanchez, Loretta	Van Hollen	Doggett	Markey	Schiff	McMorris	Rohrabacher	Tipton
Pallone	Sarbanes	Velázquez	Doyle	Matheson	Schrader	Rodgers	Rokita	Tsongas
Pascrell	Schakowsky	Visclosky	Edwards	McCarthy (NY)	Schwartz	McNerney	Rooney	Turner
Pastor (AZ)	Schiff	Walberg	Ellison	McCollum	Serrano	Mica	Ros-Lehtinen	Upton
Paulsen	Schilling	Walden	Engel	McDermott	Sherman	Miller (FL)	Roskam	Visclosky
Payne	Schock	Walz (MN)	Fattah	McGovern	Sires	Miller (MI)	Ross (FL)	Walberg
Pelosi	Schrader	Wasserman	Finler	Frank (MA)	Slaughter	Miller (NC)	Royce	Walden
Perlmutter	Schwartz	Schultz	Frank (MA)	Meeke	Speier	Miller, Gary	Runyan	Walsh (IL)
Peters	Scott (VA)	Waters	Fudge	Michaud	Stark	Miller, George	Ruppersberger	Walz (MN)
Pingree (ME)	Scott, David	Watt	Gibson	Moore	Sutton	Mulvaney	Ryan (WI)	Webster
Platts	Serrano	Waxman	Gonzalez	Moran	Tierney	Murphy (PA)	Sanchez, Loretta	West
Polis	Sewell	Welch	Green, Al	Murphy (CT)	Tonko	Myrick	Scalise	Westmoreland
Posey	Sherman	Wilson (FL)	Green, Gene	Nadler	Towns	Neugebauer	Schilling	Whitfield
Price (NC)	Shimkus	Wittman	Grijalva	Napolitano	Van Hollen	Noem	Schmidt	Wilson (SC)
Quigley	Shuler	Witt	Guinta	Neal	Velázquez	Nugent	Schock	Wittman
Rahall	Shuster	Wolf	Gutiérrez	Olver	Wasserman	Nunes	Schweikert	Wolf
Rangel	Simpson	Womack	Hanna	Owens	Schultz	Nunnelee	Scott (SC)	Womack
Reed	Sires	Woolsey	Hastings (FL)	Pallone	Waters	Olson	Scott (VA)	Woodall
Reichert	Slaughter	Wu	Higgins	Pascrell	Watt	Palazzo	Scott, Austin	Woolsey
Renacci	Smith (NE)	Yarmuth	Himes	Paul	Waxman	Pastor (AZ)	Scott, David	Yoder
Reyes	Smith (NJ)	Yoder	Hirono	Payne	Welch	Paulsen	Sensenbrenner	Young (AK)
Richardson	Smith (TX)	Young (FL)	Hochul	Pelosi	Wilson (FL)	Pence	Sessions	Young (FL)
			Holt	Perlmutter	Wu	Petri	Sewell	Young (IN)
			Hoyer	Peters	Yarmuth	Pitts	Shimkus	
			Inslee	Peterson				

## NOT VOTING—8

Deutch  
Giffords  
Holden  
Heinrich

Hinchev  
Luján  
Landry  
Pearce

## NOES—273

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

□ 1438

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. TONKO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 149, noes 273, not voting 9, as follows:

[Roll No. 548]

AYES—149

Ackerman	Blumenauer	Cardoza
Baca	Boren	Carnahan
Baldwin	Boswell	Carney
Barletta	Brady (PA)	Carson (IN)
Bass (CA)	Brown (FL)	Chandler
Bass (NH)	Butterfield	Chu
Becerra	Capps	Clarke (MI)
Bishop (NY)	Capuano	Clarke (NY)

Adams	Cole	Griffith (VA)
Aderholt	Conaway	Grimm
Akin	Cravaack	Guthrie
Alexander	Crawford	Hall
Altmire	Crenshaw	Hanabusa
Amash	Critz	Harper
Andrews	Cuellar	Harris
Austria	Culberson	Hartzler
Bachmann	Davis (KY)	Hastings (WA)
Bachus	Denham	Hayworth
Barrow	DesJarlais	Heck
Bartlett	Diaz-Balart	Heck
Barton (TX)	Dicks	Hensarling
Benishek	Dold	Herger
Berg	Donnelly (IN)	Herrera Beutler
Berkley	Dreier	Hinojosa
Berman	Duffy	Honda
Biggart	Duncan (SC)	Huelskamp
Bilbray	Duncan (TN)	Huizenga (MI)
Bilirakis	Ellmers	Hultgren
Bishop (GA)	Emerson	Hunter
Bishop (UT)	Eshoo	Hurt
Black	Farenthold	Issa
Blackburn	Farr	Jenkins
Bonner	Fincher	Johnson (GA)
Bono Mack	Fitzpatrick	Johnson (IL)
Boustany	Flake	Johnson (OH)
Braley (IA)	Fleischmann	Johnson, Sam
Brooks	Fleming	Jones
Broun (GA)	Flores	Jordan
Buchanan	Forbes	Kelly
Bucshon	Fortenberry	King (IA)
Buerkle	Fox	King (NY)
Burgess	Franks (AZ)	Kingston
Burton (IN)	Frelinghuysen	Kinzinger (IL)
Calvert	Gallagher	Kissell
Camp	Garamendi	Kline
Campbell	Gardner	Labrador
Canseco	Garrett	Lamborn
Cantor	Gerlach	Lance
Capito	Gibbs	Langevin
Carter	Gingrey (GA)	Lankford
Cassidy	Gohmert	Larsen (WA)
Castor (FL)	Goodlatte	Latham
Chabot	Gosar	LaTourette
Chaffetz	Gowdy	Latta
Cicilline	Granger	Lewis (CA)
Clyburn	Graves (GA)	LoBiondo
Coble	Graves (MO)	Loeback
Coffman (CO)	Griffin (AR)	Lofgren, Zoe

## NOT VOTING—9

Brady (TX)  
Deutch  
Giffords

Heinrich  
Luján  
Holden

Landry  
Pearce

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

□ 1441

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARRETT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 149, noes 274, not voting 8, as follows:

[Roll No. 549]

AYES—149

Adams	Benishek	Boustany
Akin	Berg	Brady (TX)
Alexander	Bishop (UT)	Brooks
Amash	Black	Broun (GA)
Bachmann	Blackburn	Buchanan
Barton (TX)	Bono Mack	Buerkle



Forbes Lewis (CA) Rogers (KY)  
 Foxx Long Rogers (MI)  
 Franks (AZ) Lucas Rohrabacher  
 Frelinghuysen Luetkemeyer Rokita  
 Gallegly Lummis Rooney  
 Gardner Lungren, Daniel Ros-Lehtinen  
 Garrett E. Roskam  
 Gibbs Mack Ross (AR)  
 Gingrey (GA) Manzullo Ross (FL)  
 Gohmert Marchant Royce  
 Goodlatte Matheson Runyan  
 Gosar McCarthy (CA) Ryan (WI)  
 Gowdy McCaul Scalise  
 Granger McClintock Schmidt  
 Graves (GA) McCotter Schock  
 Graves (MO) McKeon Schweikert  
 Griffin (AR) McKinley Scott (SC)  
 Griffith (VA) McMorris Scott, Austin  
 Grimm Rodgers Sessions  
 Guinta Meehan Shimkus  
 Guthrie Mica Shuler  
 Hall Miller (FL) Shuster  
 Harper Miller (MI) Simpson  
 Hartzler Miller, Gary Slaughter  
 Hastings (WA) Moran Smith (NE)  
 Hayworth Mulvaney Smith (NJ)  
 Hensarling Murphy (PA) Smith (TX)  
 Herger Myrick Southerland  
 Herrera Beutler Neugebauer Stearns  
 Hoyer Noem Stivers  
 Huelskamp Nugent Sullivan  
 Huizenga (MI) Nunes Tipton  
 Hultgren Nunnelee Turner  
 Hunter Olson Palazzo  
 Hurt Paulsen Paulsen  
 Issa Pence Peterson  
 Jenkins Johnson (OH) Pitts  
 Johnson, E. B. Poe (TX)  
 Johnson, Sam Pompeo  
 Jordan Posey  
 Kaptur Kelly Price (GA)  
 King (IA) Quayle  
 King (NY) Rahall  
 Kingston Reed  
 Kinzinger (IL) Rehberg  
 Kline Renacci  
 Labrador Ribble  
 Lamborn Rigell  
 Lance Rivera  
 Landry Roby  
 Lankford Roe (TN)  
 Latta Rogers (AL)

NOT VOTING—7

Deutch Hinchey Pearce  
 Giffords Holden  
 Heinrich Luján

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. LANDRY) (during the vote). One minute remains in this vote.

□ 1449

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 119, noes 305, not voting 7, as follows:

[Roll No. 551]

AYES—119

Akin Graves (MO) Noem  
 Alexander Nunes  
 Amash Griffin (AR)  
 Bachmann Griffith (VA)  
 Barton (TX) Grimm  
 Benishek Guthrie  
 Berg Hall  
 Bishop (UT) Hartzler  
 Blackburn Herger  
 Brady (TX) Huelskamp  
 Broun (GA) Huizenga (MI)  
 Buerkle Hultgren  
 Burgess Hunter  
 Burton (IN) Hurt  
 Campbell Issa  
 Canseco Johnson, Sam  
 Cassidy Jordan  
 Chabot Kingston  
 Chaffetz Kline  
 Coble Labrador  
 Conaway Lamborn  
 Cravaack Landry  
 Crawford Lankford  
 Culberson Long  
 DesJarlais Luetkemeyer  
 Dreier Mack  
 Duncan (SC) Manzullo  
 Duncan (TN) Marchant  
 Farenthold Marino  
 Flake Matheson  
 Fleming McClintock  
 Flores McHenry  
 Foxx McKinley  
 Garrett Mica  
 Gingrey (GA) Miller (FL)  
 Gohmert Miller (MI)  
 Goodlatte Miller, Gary  
 Gowdy Mulvaney  
 Graves (GA) Myrick  
 Neugebauer Neugebauer

NOES—305

Ackerman Carter  
 Adams Castor (FL)  
 Aderholt Chandler  
 Altmire Chu  
 Andrews Cicilline  
 Austria Clarke (MI)  
 Baca Clarke (NY)  
 Bachus Baldwin  
 Baldwin Barletta  
 Barrow Barrow  
 Bartlett Bartlett  
 Bass (CA) Bass (CA)  
 Bass (NH) Bass (NH)  
 Becerra Conyers  
 Berkeley Cooper  
 Berman Cooper  
 Biggert Costello  
 Bilbray Courtney  
 Bilirakis Crenshaw  
 Bishop (GA) Critz  
 Bishop (NY) Crowley  
 Black Cuellar  
 Blumenauer Cummings  
 Bonner Davis (CA)  
 Bono Mack Davis (IL)  
 Boren Davis (KY)  
 Boswell DeFazio  
 Boustany DeGette  
 Brady (PA) DeLauro  
 Braley (IA) Denham  
 Brooks Dent  
 Brown (FL) Diaz-Balart  
 Buchanan Dicks  
 Bucshon Dingell  
 Butterfield Doggett  
 Calvert Dold  
 Camp Donnelly (IN)  
 Cantor Doyle  
 Capito Duffy  
 Capps Edwards  
 Capuano Ellison  
 Cardoza Ellmers  
 Carnahan Emerson  
 Carney Engel  
 Carson (IN) Eshoo

Jackson Lee Miller, George  
 (TX) Moore Schilling  
 Jenkins Moran Schrock  
 Johnson (GA) Murphy (CT) Schrader  
 Johnson (IL) Murphy (PA) Schwartz  
 Johnson (OH) Nadler Schweikert  
 Johnson, E. B. Napolitano Scott (VA)  
 Jones Neal Scott, David  
 Kaptur Nugent Serrano  
 Keating Nunnelee Sewell  
 Kelly Olson Sherman  
 Kildee Olver Shimkus  
 Kind Owens Shuler  
 King (IA) Palazzo Shuster  
 King (NY) Pallone Simpson  
 Kinzinger (IL) Pascrell Sires  
 Kissell Pastor (AZ) Slaughter  
 Kucinich Paulsen Smith (NE)  
 Lance Payne Smith (NJ)  
 Langevin Pelosi Smith (TX)  
 Larsen (WA) Perlmutter Smith (WA)  
 Larson (CT) Peters Speier  
 Latham Pingree (ME) Stark  
 LaTourette Platts Sullivan  
 Latta Polis Sutton  
 Lee (CA) Posey Terry  
 Levin Price (NC) Thompson (CA)  
 Lewis (CA) Quayle Thompson (MS)  
 Lewis (GA) Quigley Thompson (PA)  
 Lipinski Rahall Tiberi  
 LoBiondo Rangel Tierney  
 Loeb sack Reed Tipton  
 Lofgren, Zoe Reichert Tonko  
 Lowey Renacci Towns  
 Lucas Reyes Tsongas  
 Lummis Richardson Turner  
 Lungren, Daniel Richmond Upton  
 E. Rigell Van Hollen  
 Lynch Rivera Velázquez  
 Maloney Roby Visclosky  
 Markey Rogers (AL) Walden  
 Matsui Rogers (KY) Walz (MN)  
 McCarthy (CA) Rogers (MI) Wasserman  
 McCarthy (NY) Rohrabacher Schultz  
 McCaul Ros-Lehtinen Waters  
 McCollum Ross (AR) Watt  
 McCotter Rothman (NJ) Waxman  
 McDermott Roybal-Allard Welch  
 McGovern Runyan West  
 McIntyre Ruppertsberger Wilson (FL)  
 McKeon Rush Wittman  
 McMorris Ryan (OH) Wolf  
 Rodgers Sánchez, Linda Womack  
 McNerney T. Woolsey  
 Meehan Sanchez, Loretta Wu  
 Meeks Sarbanes Yarmuth  
 Michaud Schakowsky Young (AK)  
 Miller (NC) Schiff Young (FL)

NOT VOTING—7

Deutch Hinchey Pearce  
 Giffords Holden  
 Heinrich Luján

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1453

Mr. FATTAH changed his vote from “aye” to “no.”

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SCHIFF

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. SCHIFF) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 257, not voting 7, as follows:

[Roll No. 552]

AYES—167

Ackerman Garamendi Poe (TX)  
 Adams Gardner Polis  
 Aderholt Gonzalez Posey  
 Altmire Gosar Price (GA)  
 Austria Granger Price (NC)  
 Barrow Green, Al Rangel  
 Bass (CA) Green, Gene Reichert  
 Berkley Griffith (VA) Renacci  
 Berman Gutierrez Richardson  
 Bilirakis Hall Rivera  
 Bishop (UT) Hanabusa Rooney  
 Blumenauer Harris Ross (FL)  
 Bonner Hastings (FL) Roybal-Allard  
 Brady (TX) Higgins Ruppertsberger  
 Braley (IA) Himes Rush  
 Brooks Hirono Sánchez, Linda  
 Brown (FL) Holt T.  
 Buchanan Honda Scalise  
 Burgess Hoyer Schakowsky  
 Calvert Hurt Schiff  
 Campbell Israel Schock  
 Capps Jackson (IL) Schrader  
 Carney Jackson Lee  
 Carson (IN) (TX) Schwartz  
 Carter Johnson (OH) Scott (VA)  
 Castor (FL) Johnson, Sam Sensenbrenner  
 Chu Kinzinger (IL) Sessions  
 Cicilline Kissell Sewell  
 Clarke (MI) Lamborn Sherman  
 Clarke (NY) Langevin Shuler  
 Cleaver Larsen (WA) Smith (TX)  
 Cohen Larson (CT) Smith (WA)  
 Conaway LaTourrette Speier  
 Connolly (VA) Levin Stearns  
 Cooper Lewis (GA) Stivers  
 Costello Lipinski Stutzman  
 Courtney Manzullo Thompson (CA)  
 Crowley Matsui Thornberry  
 Cuellar McCollum Tiberi  
 Culberson McGovern Tierney  
 Cummings McNeerney Tonko  
 Davis (CA) Meeks Towns  
 Davis (IL) Michaud Tsongas  
 DeGette Miller (MI) Turner  
 DesJarlais Miller (NC) Van Hollen  
 Dicks Moore Wasserman  
 Doggett Napolitano Schultz  
 Dreier Neal Waters  
 Duffy Nugent Watt  
 Edwards Olson Waxman  
 Engel Olver Webster  
 Eshoo Palazzo Welch  
 Farenthold Fattah Pelosi Wilson (FL)  
 Filner Perlmutter Wu  
 Frank (MA) Pitts Yarmuth  
 Fudge Platts Yoder  
 Young (IN)

NOES—257

Akin Brady (PA) Crawford  
 Alexander Broun (GA) Crenshaw  
 Amash Bucshon Critz  
 Andrews Buerkle Davis (KY)  
 Baca Burton (IN) DeFazio  
 Bachmann Butterfield DeLauro  
 Bachus Camp Denham  
 Baldwin Canseco Dent  
 Barletta Cantor Diaz-Balart  
 Bartlett Capito Dingell  
 Barton (TX) Capuano Dold  
 Bass (NH) Cardoza Donnelly (IN)  
 Becerra Carnahan Doyle  
 Benishek Cassidy Duncan (SC)  
 Berg Chabot Duncan (TN)  
 Biggert Chaffetz Ellison  
 Bilbray Chandler Ellmers  
 Bishop (GA) Clay Emerson  
 Bishop (NY) Clyburn Farr  
 Black Coble Fincher  
 Blackburn Coffman (CO) Fitzpatrick  
 Bono Mack Cole Flake  
 Boren Conyers Fleischmann  
 Boswell Costa Fleming  
 Boustany Cravaack Flores

Forbes LoBiondo Ribble  
 Fortenberry Loebsock Richmond  
 Foxx Lofgren, Zoe Rigell  
 Franks (AZ) Long Roby  
 Frelinghuysen Lowey Roe (TN)  
 Gallegly Lucas Rogers (AL)  
 Garrett Luetkemeyer Rogers (KY)  
 Gerlach Lummis Rogers (MI)  
 Gibbs Lungren, Daniel  
 Gibson E.  
 Gingrey (GA) Lynch  
 Gohmert Mack  
 Goodlatte Maloney  
 Gowdy Marchant  
 Graves (GA) Marino  
 Graves (MO) Markey  
 Griffin (AR) Matheson  
 Grijalva McCarthy (CA)  
 Grimm McCarthy (NY)  
 Guinta McCaul  
 Guthrie McClintock  
 Hanna McCotter  
 Harper McDermott  
 Hartzler McHenry  
 Hastings (WA) McIntyre  
 Hayworth McKeon  
 Heck McKinley  
 Hensarling McMorris  
 Herger Rodgers  
 Herrera Beutler Meehan  
 Hinojosa Mica  
 Hochul Miller (FL)  
 Huelskamp Miller, Gary  
 Huizenga (MI) Miller, George  
 Hultgren Moran  
 Hunter Mulvaney  
 Inslee Murphy (CT)  
 Issa Murphy (PA)  
 Jenkins Myrick  
 Johnson (GA) Nadler  
 Johnson (IL) Neugebauer  
 Johnson, E. B. Noem  
 Jones Nunes  
 Jordan Nunnelee  
 Kaptur Owens  
 Keating Pallone  
 Kelly Pascrell  
 Kildee Pastor (AZ)  
 Kind Paul  
 King (IA) Paulsen  
 King (NY) Payne  
 Kingston Pence  
 Kline Peters  
 Kucinich Peterson  
 Labrador Petri  
 Lance Pompeo  
 Landry Quayle  
 Lankford Quigley  
 Latham Rahall  
 Latta Reed  
 Lee (CA) Rehberg  
 Lewis (CA) Reyes

NOT VOTING—7  
 Deutch Hinchey Pearce  
 Giffords Holden  
 Heinrich Luján

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1456

Ms. LEE changed her vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amend-

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 145, noes 276, not voting 10, as follows:

[Roll No. 553]

AYES—145

Ackerman Garamendi Pastor (AZ)  
 Andrews Grijalva Paul  
 Baca Gutierrez Payne  
 Baldwin Hanabusa Pelosi  
 Bartlett Hastings (FL) Perlmutter  
 Bass (CA) Higgins Peters  
 Berkley Himes Pingree (ME)  
 Berman Hirono Polis  
 Bishop (NY) Hochul Price (NC)  
 Blumenauer Holt Quigley  
 Boswell Honda Rangel  
 Brady (PA) Hoyer Reyes  
 Braley (IA) Inslee Richardson  
 Brown (FL) Israel Rothman (NJ)  
 Brown (FL) Jackson (IL) Roybal-Allard  
 Butterfield Johnson (GA) Rush  
 Capps Johnson, E. B. Sánchez, Linda  
 Capuano Jones T.  
 Cardoza Kaptur Sanchez, Loretta  
 Carnahan Kildee Sarbanes  
 Carney Kind Schakowsky  
 Carson (IN) Kucinich Schiff  
 Castor (FL) Langevin Schwartz  
 Chu Larsen (WA) Scott (VA)  
 Cicilline Lee (CA) Scott, David  
 Clarke (MI) Levin Serrano  
 Clarke (NY) Lewis (GA) Sherman  
 Clyburn Loebsock Sires  
 Cohen Lofgren, Zoe Slaughter  
 Connolly (VA) Lowey Smith (WA)  
 Conyers Lynch Speier  
 Crowley Maloney Stark  
 Davis (CA) Markey Thompson (CA)  
 Davis (IL) Matsui Tierney  
 DeFazio McCarthy (NY) Tonko  
 DeGette McCollum Towns  
 Dicks McDermott Tsongas  
 Dingell McGovern Van Hollen  
 Doggett McNeerney Velázquez  
 Edwards Michaud Walz (MN)  
 Ellison Miller, George Wasserman  
 Engel Moore Schultz  
 Eshoo Moran Waters  
 Farr Nadler Watt  
 Fattah Napolitano Waxman  
 Filner Neal Wilson (FL)  
 Frank (MA) Olver Woolsey  
 Fudge Pallone Wu  
 Pascrell Yarmuth

NOES—276

Adams Buerkle Davis (KY)  
 Aderholt Burgess DeLauro  
 Akin Burton (IN) Denham  
 Alexander Calvert Dent  
 Altmire Camp DesJarlais  
 Amash Campbell Diaz-Balart  
 Austria Canseco Dold  
 Bachmann Cantor Donnelly (IN)  
 Bachus Capito Doyle  
 Barletta Carter Dreier  
 Barrow Cassidy Duffy  
 Barton (TX) Chabot Duncan (SC)  
 Benishek Benishek Chaffetz Duncan (TN)  
 Berg Chandler Ellmers  
 Biggert Clay Emerson  
 Bilbray Cleaver Farenthold  
 Bilirakis Coble Fincher  
 Bishop (GA) Coffman (CO) Fitzpatrick  
 Bishop (UT) Cole Flake  
 Black Conaway Fleischmann  
 Blackburn Cooper Fleming  
 Bonner Costa Flores  
 Bono Mack Costello Forbes  
 Boren Courtney Fortenberry  
 Boustany Cravaack Foxx  
 Brady (TX) Crawford Franks (AZ)  
 Brooks Crenshaw Frelinghuysen  
 Broun (GA) Critz Gallegly  
 Buchanan Cuellar Gardner  
 Bucshon Culberson Garrett



Gerlach	Long	Rogers (MI)
Gibbs	Lucas	Rohrabacher
Gibson	Luetkemeyer	Rokita
Gingrey (GA)	Lummis	Rooney
Gohmert	Lungren, Daniel	Ros-Lehtinen
Gonzalez	E.	Roskam
Goodlatte	Mack	Ross (AR)
Gosar	Manzullo	Ross (FL)
Govdy	Marchant	Royce
Granger	Marino	Runyan
Graves (GA)	Matheson	Ruppersberger
Graves (MO)	McCarthy (CA)	Ryan (OH)
Green, Al	McCaul	Ryan (WI)
Green, Gene	McClintock	Scalise
Griffin (AR)	McCotter	Schilling
Griffith (VA)	McHenry	Schmidt
Grimm	McIntyre	Schock
Guinta	McKeon	Schrader
Guthrie	McKinley	Schweikert
Hall	McMorris	Scott (SC)
Hanna	Rodgers	Scott, Austin
Harper	Meehan	Sensenbrenner
Harris	Meeks	Sessions
Hartzler	Mica	Sewell
Hastings (WA)	Miller (FL)	Shimkus
Hayworth	Miller (MI)	Shuler
Heck	Miller (NC)	Shuster
Hensarling	Miller, Gary	Simpson
Herger	Mulvaney	Smith (NE)
Herrera Beutler	Murphy (CT)	Smith (NJ)
Hinojosa	Murphy (PA)	Smith (TX)
Huelskamp	Myrick	Southerland
Huizenga (MI)	Neugebauer	Stearns
Hultgren	Noem	Stivers
Hunter	Nugent	Stutzman
Hurt	Nunes	Sullivan
Issa	Nunnelee	Sutton
Jackson Lee	Olson	Terry
(TX)	Owens	Thompson (MS)
Jenkins	Paulsen	Thompson (PA)
Johnson (IL)	Pence	Thornberry
Johnson (OH)	Peterson	Tiberi
Johnson, Sam	Petri	Tipton
Jordan	Pitts	Turner
Kelly	Platts	Upton
King (IA)	Poe (TX)	Visclosky
King (NY)	Pompeo	Walberg
Kingston	Posey	Walden
Kinzinger (IL)	Price (GA)	Walsh (IL)
Kissell	Quayle	Webster
Kline	Rahall	Welch
Labrador	Reed	West
Lamborn	Rehberg	Westmoreland
Lance	Reichert	Whitfield
Landry	Renacci	Wilson (SC)
Lankford	Ribble	Wittman
Larson (CT)	Richmond	Wolf
Latham	Rigell	Womack
LaTourette	Rivera	Woodall
Latta	Roby	Yoder
Lewis (CA)	Roe (TN)	Young (AK)
Lipinski	Rogers (AL)	Young (FL)
LoBiondo	Rogers (KY)	Young (IN)

## NOT VOTING—10

Cummings	Hinchey	Palazzo
Deutch	Holden	Pearce
Giffords	Keating	
Heinrich	Lujan	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1500

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. PALAZZO. Mr. Chair, on rollcall No. 553 I was unavoidably detained. Had I been present, I would have voted "no."

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. JOHNSON of Ohio) having assumed the chair, Mr. LANDRY, Acting Chair of the Committee of the Whole House on the

state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

## GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2354.

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

There was no objection.

## FLOOD INSURANCE REFORM ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 340 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1309.

□ 1503

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes, with Mr. LANDRY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 1309

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Flood Insurance Reform Act of 2011".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

Sec. 2. Extensions.

Sec. 3. Mandatory purchase.

Sec. 4. Reforms of coverage terms.

Sec. 5. Reforms of premium rates.

Sec. 6. Technical Mapping Advisory Council.

Sec. 7. FEMA incorporation of new mapping protocols.

Sec. 8. Treatment of levees.

Sec. 9. Privatization initiatives.

Sec. 10. FEMA annual report on insurance program.

Sec. 11. Actuarial rates for severe repetitive loss properties refusing mitigation or purchase offers.

Sec. 12. Mitigation assistance.

Sec. 13. Grants for direct funding of mitigation activities for individual repetitive claims properties.

Sec. 14. Notification to homeowners regarding mandatory purchase requirement applicability and rate phase-ins.

Sec. 15. Notification of establishment of flood elevations.

Sec. 16. Notification to tenants of availability of contents insurance.

Sec. 17. Notification to policy holders regarding direct management of policy by FEMA.

Sec. 18. Notice of availability of flood insurance and escrow in RESPA good faith estimate.

Sec. 19. Reimbursement for costs incurred by homeowners obtaining letters of map amendment.

Sec. 20. Treatment of swimming pool enclosures outside of hurricane season.

Sec. 21. CDBG eligibility for flood insurance outreach activities and community building code administration grants.

Sec. 22. Technical corrections.

Sec. 23. Report on Write-Your-Own Program.

Sec. 24. Studies of voluntary community-based flood insurance options.

Sec. 25. Report on inclusion of building codes in floodplain management criteria.

Sec. 26. Study on graduated risk.

Sec. 27. No cause of action.

## SEC. 2. EXTENSIONS.

(a) EXTENSION OF PROGRAM.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking "September 30, 2011" and inserting "September 30, 2016".

(b) EXTENSION OF FINANCING.—Section 1309(a) of such Act (42 U.S.C. 4016(a)) is amended by striking "September 30, 2011" and inserting "September 30, 2016".

## SEC. 3. MANDATORY PURCHASE.

(a) AUTHORITY TO TEMPORARILY SUSPEND MANDATORY PURCHASE REQUIREMENT.—

(1) IN GENERAL.—Section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) is amended by adding at the end the following new subsection:

"(i) AUTHORITY TO TEMPORARILY SUSPEND MANDATORY PURCHASE REQUIREMENT.—

"(1) FINDING BY ADMINISTRATOR THAT AREA IS AN ELIGIBLE AREA.—For any area, upon a request submitted to the Administrator by a local government authority having jurisdiction over any portion of the area, the Administrator shall make a finding of whether the area is an eligible area under paragraph (3). If the Administrator finds that such area is an eligible area, the Administrator shall, in the discretion of the Administrator, designate a period during which such finding shall be effective, which shall not be longer in duration than 12 months.

"(2) SUSPENSION OF MANDATORY PURCHASE REQUIREMENT.—If the Administrator makes a finding under paragraph (1) that an area is an eligible area under paragraph (3), during the period specified in the finding, the designation of such eligible area as an area having special flood

hazards shall not be effective for purposes of subsection (a), (b), and (e) of this section, and section 202(a) of this Act. Nothing in this paragraph may be construed to prevent any lender, servicer, regulated lending institution, Federal agency lender, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation, at the discretion of such entity, from requiring the purchase of flood insurance coverage in connection with the making, increasing, extending, or renewing of a loan secured by improved real estate or a mobile home located or to be located in such eligible area during such period or a lender or servicer from purchasing coverage on behalf of a borrower pursuant to subsection (e).

“(3) **ELIGIBLE AREAS.**—An eligible area under this paragraph is an area that is designated or will, pursuant to any issuance, revision, updating, or other change in flood insurance maps that takes effect on or after the date of the enactment of the Flood Insurance Reform Act of 2011, become designated as an area having special flood hazards and that meets any one of the following 3 requirements:

“(A) **AREAS WITH NO HISTORY OF SPECIAL FLOOD HAZARDS.**—The area does not include any area that has ever previously been designated as an area having special flood hazards.

“(B) **AREAS WITH FLOOD PROTECTION SYSTEMS UNDER IMPROVEMENTS.**—The area was intended to be protected by a flood protection system—

“(i) that has been decertified, or is required to be certified, as providing protection for the 100-year frequency flood standard;

“(ii) that is being improved, constructed, or reconstructed; and

“(iii) for which the Administrator has determined measurable progress toward completion of such improvement, construction, reconstruction is being made and toward securing financial commitments sufficient to fund such completion.

“(C) **AREAS FOR WHICH APPEAL HAS BEEN FILED.**—An area for which a community has appealed—

“(i) designation of the area as having special flood hazards in a timely manner under section 1363; or

“(ii) any decertification or deaccreditation of a dam, levee, or other flood protection system or the level of protection afforded by a dam, levee, or system.

“(4) **EXTENSION OF DELAY.**—Upon a request submitted by a local government authority having jurisdiction over any portion of the eligible area, the Administrator may extend the period during which a finding under paragraph (1) shall be effective, except that—

“(A) each such extension under this paragraph shall not be for a period exceeding 12 months; and

“(B) for any area, the cumulative number of such extensions may not exceed 2.

“(5) **RULE OF CONSTRUCTION.**—Nothing in this subsection may be construed to affect the applicability of a designation of any area as an area having special flood hazards for purposes of the availability of flood insurance coverage, criteria for land management and use, notification of flood hazards, eligibility for mitigation assistance, or any other purpose or provision not specifically referred to in paragraph (2).

“(6) **REPORTS.**—The Administrator shall, in each annual report submitted pursuant to section 1320, include information identifying each finding under paragraph (1) by the Administrator during the preceding year that an area is an area having special flood hazards, the basis for each such finding, any extensions pursuant to paragraph (4) of the periods of effectiveness of such findings, and the reasons for such extensions.”

(2) **NO REFUNDS.**—Nothing in this subsection or the amendments made by this subsection may

be construed to authorize or require any payment or refund for flood insurance coverage purchased for any property that covered any period during which such coverage is not required for the property pursuant to the applicability of the amendment made by paragraph (1).

(b) **TERMINATION OF FORCE-PLACED INSURANCE.**—Section 102(e) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(e)) is amended—

(1) in paragraph (2), by striking “insurance.” and inserting “insurance, including premiums or fees incurred for coverage beginning on the date on which flood insurance coverage lapsed or did not provide a sufficient coverage amount.”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (2) the following new paragraphs:

“(3) **TERMINATION OF FORCE-PLACED INSURANCE.**—Within 30 days of receipt by the lender or servicer of a confirmation of a borrower’s existing flood insurance coverage, the lender or servicer shall—

“(A) terminate the force-placed insurance; and

“(B) refund to the borrower all force-placed insurance premiums paid by the borrower during any period during which the borrower’s flood insurance coverage and the force-placed flood insurance coverage were each in effect, and any related fees charged to the borrower with respect to the force-placed insurance during such period.

“(4) **SUFFICIENCY OF DEMONSTRATION.**—For purposes of confirming a borrower’s existing flood insurance coverage, a lender or servicer for a loan shall accept from the borrower an insurance policy declarations page that includes the existing flood insurance policy number and the identity of, and contact information for, the insurance company or agent.”

(c) **USE OF PRIVATE INSURANCE TO SATISFY MANDATORY PURCHASE REQUIREMENT.**—Section 102(b) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(b)) is amended—

(1) in paragraph (1)—

(A) by striking “lending institutions not to make” and inserting “lending institutions—

“(A) not to make”;

(B) in subparagraph (A), as designated by subparagraph (A) of this paragraph, by striking “less.” and inserting “less; and”;

(C) by adding at the end the following new subparagraph:

“(B) to accept private flood insurance as satisfaction of the flood insurance coverage requirement under subparagraph (A) if the coverage provided by such private flood insurance meets the requirements for coverage under such subparagraph.”;

(2) in paragraph (2), by inserting after “provided in paragraph (1).” the following new sentence: “Each Federal agency lender shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.”;

(3) in paragraph (3), in the matter following subparagraph (B), by adding at the end the following new sentence: “The Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.”;

(4) by adding at the end the following new paragraph:

“(5) **PRIVATE FLOOD INSURANCE DEFINED.**—In this subsection, the term ‘private flood insurance’ means a contract for flood insurance coverage allowed for sale under the laws of any State.”

#### SEC. 4. REFORMS OF COVERAGE TERMS.

(a) **MINIMUM DEDUCTIBLES FOR CLAIMS.**—Section 1312 of the National Flood Insurance Act of 1968 (42 U.S.C. 4019) is amended—

(1) by striking “The Director is” and inserting the following: “(a) **IN GENERAL.**—The Administrator is”; and

(2) by adding at the end the following:

“(b) **MINIMUM ANNUAL DEDUCTIBLES.**—

“(1) **SUBSIDIZED RATE PROPERTIES.**—For any structure that is covered by flood insurance under this title, and for which the chargeable rate for such coverage is less than the applicable estimated risk premium rate under section 1307(a)(1) for the area (or subdivision thereof) in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be \$2,000.

“(2) **ACTUARIAL RATE PROPERTIES.**—For any structure that is covered by flood insurance under this title, for which the chargeable rate for such coverage is not less than the applicable estimated risk premium rate under section 1307(a)(1) for the area (or subdivision thereof) in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be \$1,000.”

(b) **CLARIFICATION OF RESIDENTIAL AND COMMERCIAL COVERAGE LIMITS.**—Section 1306(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

(1) in paragraph (2)—

(A) by striking “in the case of any residential property” and inserting “in the case of any residential building designed for the occupancy of from one to four families”; and

(B) by striking “shall be made available to every insured upon renewal and every applicant for insurance so as to enable such insured or applicant to receive coverage up to a total amount (including such limits specified in paragraph (1)(A)(i)) of \$250,000” and inserting “shall be made available, with respect to any single such building, up to an aggregate liability (including such limits specified in paragraph (1)(A)(i)) of \$250,000”; and

(2) in paragraph (4)—

(A) by striking “in the case of any nonresidential property, including nonresidential buildings, including a church.”; and

(B) by striking “shall be made available to every insured upon renewal and every applicant for insurance, in respect to any single structure, up to a total amount (including such limit specified in subparagraph (B) or (C) of paragraph (1), as applicable) of \$500,000 for each structure and \$500,000 for any contents related to each structure” and inserting “shall be made available with respect to any single such building, up to an aggregate liability (including such limits specified in subparagraph (B) or (C) of paragraph (1), as applicable) of \$500,000, and coverage shall be made available up to a total of \$500,000 aggregate liability for contents owned by the building owner and \$500,000 aggregate liability for each unit within the building for contents owned by the tenant”.

(c) **INDEXING OF MAXIMUM COVERAGE LIMITS.**—Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting “; and”;

(3) by redesignating paragraph (5) as paragraph (7); and

(4) by adding at the end the following new paragraph:

“(8) each of the dollar amount limitations under paragraphs (2), (3), (4), (5), and (6) shall be adjusted effective on the date of the enactment of the Flood Insurance Reform Act of 2011, such adjustments shall be calculated using the percentage change, over the period beginning on September 30, 1994, and ending on such date of enactment, in such inflationary index as the Administrator shall, by regulation, specify, and the dollar amount of such adjustment shall be rounded to the next lower dollar; and the Administrator shall cause to be published in the Federal Register the adjustments under this paragraph to such dollar amount limitations; except that in the case of coverage for a property that is made available, pursuant to this paragraph, in an amount that exceeds the limitation otherwise applicable to such coverage as specified in paragraph (2), (3), (4), (5), or (6), the total of such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1).”.

(d) **OPTIONAL COVERAGE FOR LOSS OF USE OF PERSONAL RESIDENCE AND BUSINESS INTERRUPTION.**—Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)), as amended by the preceding provisions of this section, is further amended by inserting after paragraph (4) the following new paragraphs:

“(5) the Administrator may provide that, in the case of any residential property, each renewal or new contract for flood insurance coverage may provide not more than \$5,000 aggregate liability per dwelling unit for any necessary increases in living expenses incurred by the insured when losses from a flood make the residence unfit to live in, except that—

“(A) purchase of such coverage shall be at the option of the insured;

“(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and

“(C) the Administrator may make such coverage available only if the Administrator makes a determination and causes notice of such determination to be published in the Federal Register that—

“(i) a competitive private insurance market for such coverage does not exist; and

“(ii) the national flood insurance program has the capacity to make such coverage available without borrowing funds from the Secretary of the Treasury under section 1309 or otherwise;

“(6) the Administrator may provide that, in the case of any commercial property or other residential property, including multifamily rental property, coverage for losses resulting from any partial or total interruption of the insured's business caused by damage to, or loss of, such property from a flood may be made available to every insured upon renewal and every applicant, up to a total amount of \$20,000 per property, except that—

“(A) purchase of such coverage shall be at the option of the insured;

“(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and

“(C) the Administrator may make such coverage available only if the Administrator makes a determination and causes notice of such determination to be published in the Federal Register that—

“(i) a competitive private insurance market for such coverage does not exist; and

“(ii) the national flood insurance program has the capacity to make such coverage available

without borrowing funds from the Secretary of the Treasury under section 1309 or otherwise;”.

(e) **PAYMENT OF PREMIUMS IN INSTALLMENTS FOR RESIDENTIAL PROPERTIES.**—Section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013) is amended by adding at the end the following new subsection:

“(d) **PAYMENT OF PREMIUMS IN INSTALLMENTS FOR RESIDENTIAL PROPERTIES.**—

“(1) **AUTHORITY.**—In addition to any other terms and conditions under subsection (a), such regulations shall provide that, in the case of any residential property, premiums for flood insurance coverage made available under this title for such property may be paid in installments.

“(2) **LIMITATIONS.**—In implementing the authority under paragraph (1), the Administrator may establish increased chargeable premium rates and surcharges, and deny coverage and establish such other sanctions, as the Administrator considers necessary to ensure that insureds purchase, pay for, and maintain coverage for the full term of a contract for flood insurance coverage or to prevent insureds from purchasing coverage only for periods during a year when risk of flooding is comparatively higher or canceling coverage for periods when such risk is comparatively lower.”.

#### SEC. 5. REFORMS OF PREMIUM RATES.

(a) **INCREASE IN ANNUAL LIMITATION ON PREMIUM INCREASES.**—Section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)) is amended by striking “10 percent” and inserting “20 percent”.

(b) **PHASE-IN OF RATES FOR CERTAIN PROPERTIES IN NEWLY MAPPED AREAS.**—

(1) **IN GENERAL.**—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by inserting “or notice” after “prescribe by regulation”;

(B) in subsection (c), by inserting “and subsection (g)” before the first comma; and

(C) by adding at the end the following new subsection:

“(g) **5-YEAR PHASE-IN OF FLOOD INSURANCE RATES FOR CERTAIN PROPERTIES IN NEWLY MAPPED AREAS.**—

“(1) **50 PERCENT RATE FOR INITIAL YEAR.**—Notwithstanding subsection (c) or any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, in the case of any area that was not previously designated as an area having special flood hazards and that, pursuant to any issuance, revision, updating, or other change in flood insurance maps, becomes designated as such an area, during the 12-month period that begins, except as provided in paragraph (2), upon the date that such maps, as issued, revised, updated, or otherwise changed, become effective, the chargeable premium rate for flood insurance under this title with respect to any covered property that is located within such area shall be 50 percent of the chargeable risk premium rate otherwise applicable under this title to the property.

“(2) **APPLICABILITY TO PREFERRED RISK RATE AREAS.**—In the case of any area described in paragraph (1) that consists of or includes an area that, as of date of the effectiveness of the flood insurance maps for such area referred to in paragraph (1) as so issued, revised, updated, or changed, is eligible for any reason for preferred risk rate method premiums for flood insurance coverage and was eligible for such premiums as of the enactment of the Flood Insurance Reform Act of 2011, the 12-month period referred to in paragraph (1) for such area eligible for preferred risk rate method premiums shall begin upon the expiration of the period during which such area is eligible for such preferred risk rate method premiums.

“(3) **PHASE-IN OF FULL ACTUARIAL RATES.**—With respect to any area described in paragraph (1), upon the expiration of the 12-month period under paragraph (1) or (2), as applicable, for such area, the Administrator shall increase the chargeable risk premium rates for flood insurance under this title for covered properties in such area by 20 percent, and by 20 percent upon the expiration of each successive 12-month period thereafter until the chargeable risk premium rates comply with subsection (c).

“(4) **COVERED PROPERTIES.**—For purposes of the subsection, the term ‘covered property’ means any residential property occupied by its owner or a bona fide tenant as a primary residence.”.

(2) **REGULATION OR NOTICE.**—The Administrator of the Federal Emergency Management Agency shall issue an interim final rule or notice to implement this subsection and the amendments made by this subsection as soon as practicable after the date of the enactment of this Act.

(c) **PHASE-IN OF ACTUARIAL RATES FOR CERTAIN PROPERTIES.**—

(1) **IN GENERAL.**—Section 1308(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(c)) is amended—

(A) by redesignating paragraph (2) as paragraph (7); and

(B) by inserting after paragraph (1) the following new paragraphs:

“(2) **COMMERCIAL PROPERTIES.**—Any nonresidential property.

“(3) **SECOND HOMES AND VACATION HOMES.**—Any residential property that is not the primary residence of any individual.

“(4) **HOMES SOLD TO NEW OWNERS.**—Any single family property that—

“(A) has been constructed or substantially improved and for which such construction or improvement was started, as determined by the Administrator, before December 31, 1974, or before the effective date of the initial rate map published by the Administrator under paragraph (2) of section 1360(a) for the area in which such property is located, whichever is later; and

“(B) is purchased after the effective date of this paragraph, pursuant to section 5(c)(3)(A) of the Flood Insurance Reform Act of 2011.

“(5) **HOMES DAMAGED OR IMPROVED.**—Any property that, on or after the date of the enactment of the Flood Insurance Reform Act of 2011, has experienced or sustained—

“(A) substantial flood damage exceeding 50 percent of the fair market value of such property; or

“(B) substantial improvement exceeding 30 percent of the fair market value of such property.

“(6) **HOMES WITH MULTIPLE CLAIMS.**—Any severe repetitive loss property (as such term is defined in section 1361A(b)).”.

(2) **TECHNICAL AMENDMENTS.**—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—

(A) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking “the limitations provided under paragraphs (1) and (2)” and inserting “subsection (e)”; and

(ii) in paragraph (1), by striking “, except” and all that follows through “subsection (e)”; and

(B) in subsection (e), by striking “paragraph (2) or (3)” and inserting “paragraph (7)”.

(3) **EFFECTIVE DATE AND TRANSITION.**—

(A) **EFFECTIVE DATE.**—The amendments made by paragraphs (1) and (2) shall apply beginning upon the expiration of the 12-month period that begins on the date of the enactment of this Act, except as provided in subparagraph (B) of this paragraph.

(B) TRANSITION FOR PROPERTIES COVERED BY FLOOD INSURANCE UPON EFFECTIVE DATE.—

(i) INCREASE OF RATES OVER TIME.—In the case of any property described in paragraph (2), (3), (4), (5), or (6) of section 1308(c) of the National Flood Insurance Act of 1968, as amended by paragraph (1) of this subsection, that, as of the effective date under subparagraph (A) of this paragraph, is covered under a policy for flood insurance made available under the national flood insurance program for which the chargeable premium rates are less than the applicable estimated risk premium rate under section 1307(a)(1) of such Act for the area in which the property is located, the Administrator of the Federal Emergency Management Agency shall increase the chargeable premium rates for such property over time to such applicable estimated risk premium rate under section 1307(a)(1).

(ii) AMOUNT OF ANNUAL INCREASE.—Such increase shall be made by increasing the chargeable premium rates for the property (after application of any increase in the premium rates otherwise applicable to such property), once during the 12-month period that begins upon the effective date under subparagraph (A) of this paragraph and once every 12 months thereafter until such increase is accomplished, by 20 percent (or such lesser amount as may be necessary so that the chargeable rate does not exceed such applicable estimated risk premium rate or to comply with clause (iii)).

(iii) PROPERTIES SUBJECT TO PHASE-IN AND ANNUAL INCREASES.—In the case of any pre-FIRM property (as such term is defined in section 578(b) of the National Flood Insurance Reform Act of 1974), the aggregate increase, during any 12-month period, in the chargeable premium rate for the property that is attributable to this subparagraph or to an increase described in section 1308(e) of the National Flood Insurance Act of 1968 may not exceed 20 percent.

(iv) FULL ACTUARIAL RATES.—The provisions of paragraphs (2), (3), (4), (5), and (6) of such section 1308(c) shall apply to such a property upon the accomplishment of the increase under this subparagraph and thereafter.

(d) PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended—

(1) in subsection (e), by inserting “or subsection (h)” after “subsection (c)”;

(2) by adding at the end the following new subsection:

“(h) PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.—Notwithstanding any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, the Administrator shall not provide flood insurance coverage under this title for any property for which a policy for such coverage for the property has previously lapsed in coverage as a result of the deliberate choice of the holder of such policy, at a rate less than the applicable estimated risk premium rates for the area (or subdivision thereof) in which such property is located.”

(e) RECOGNITION OF STATE AND LOCAL FUNDING FOR CONSTRUCTION, RECONSTRUCTION, AND IMPROVEMENT OF FLOOD PROTECTION SYSTEMS IN DETERMINATION OF RATES.—

(1) IN GENERAL.—Section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014) is amended—

(A) in subsection (e)—

(i) in the first sentence, by striking “construction of a flood protection system” and inserting “construction, reconstruction, or improvement of a flood protection system (without respect to the level of Federal investment or participation)”;

(ii) in the second sentence—

(I) by striking “construction of a flood protection system” and inserting “construction, reconstruction, or improvement of a flood protection system”;

(II) by inserting “based on the present value of the completed system” after “has been expended”;

(B) in subsection (f)—

(i) in the first sentence in the matter preceding paragraph (1), by inserting “(without respect to the level of Federal investment or participation)” before the period at the end;

(ii) in the third sentence in the matter preceding paragraph (1), by inserting “, whether coastal or riverine,” after “special flood hazard”;

(iii) in paragraph (1), by striking “a Federal agency in consultation with the local project sponsor” and inserting “the entity or entities that own, operate, maintain, or repair such system”.

(2) REGULATIONS.—The Administrator of the Federal Emergency Management Agency shall promulgate regulations to implement this subsection and the amendments made by this subsection as soon as practicable, but not more than 18 months after the date of the enactment of this Act. Paragraph (3) may not be construed to annul, alter, affect, authorize any waiver of, or establish any exception to, the requirement under the preceding sentence.

#### SEC. 6. TECHNICAL MAPPING ADVISORY COUNCIL.

(a) ESTABLISHMENT.—There is established a council to be known as the Technical Mapping Advisory Council (in this section referred to as the “Council”).

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall consist of—

(A) the Administrator of the Federal Emergency Management Agency (in this section referred to as the “Administrator”), or the designee thereof;

(B) the Director of the United States Geological Survey of the Department of the Interior, or the designee thereof;

(C) the Under Secretary of Commerce for Oceans and Atmosphere, or the designee thereof;

(D) the commanding officer of the United States Army Corps of Engineers, or the designee thereof;

(E) the chief of the Natural Resources Conservation Service of the Department of Agriculture, or the designee thereof;

(F) the Director of the United States Fish and Wildlife Service of the Department of the Interior, or the designee thereof;

(G) the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration of the Department of Commerce, or the designee thereof; and

(H) 14 additional members to be appointed by the Administrator of the Federal Emergency Management Agency, who shall be—

(i) an expert in data management;

(ii) an expert in real estate;

(iii) an expert in insurance;

(iv) a member of a recognized regional flood and storm water management organization;

(v) a representative of a State emergency management agency or association or organization for such agencies;

(vi) a member of a recognized professional surveying association or organization;

(vii) a member of a recognized professional mapping association or organization;

(viii) a member of a recognized professional engineering association or organization;

(ix) a member of a recognized professional association or organization representing flood hazard determination firms;

(x) a representative of State national flood insurance coordination offices;

(xi) representatives of two local governments, at least one of whom is a local levee flood manager or executive, designated by the Federal Emergency Management Agency as Cooperating Technical Partners; and

(xii) representatives of two State governments designated by the Federal Emergency Management Agency as Cooperating Technical States.

(2) QUALIFICATIONS.—Members of the Council shall be appointed based on their demonstrated knowledge and competence regarding surveying, cartography, remote sensing, geographic information systems, or the technical aspects of preparing and using flood insurance rate maps. In appointing members under paragraph (1)(I), the Administrator shall ensure that the membership of the Council has a balance of Federal, State, local, and private members.

(c) DUTIES.—

(1) NEW MAPPING STANDARDS.—Not later than the expiration of the 12-month period beginning upon the date of the enactment of this Act, the Council shall develop and submit to the Administrator and the Congress proposed new mapping standards for 100-year flood insurance rate maps used under the national flood insurance program under the National Flood Insurance Act of 1968. In developing such proposed standards the Council shall—

(A) ensure that the flood insurance rate maps reflect true risk, including graduated risk that better reflects the financial risk to each property; such reflection of risk should be at the smallest geographic level possible (but not necessarily property-by-property) to ensure that communities are mapped in a manner that takes into consideration different risk levels within the community;

(B) ensure the most efficient generation, display, and distribution of flood risk data, models, and maps where practicable through dynamic digital environments using spatial database technology and the Internet;

(C) ensure that flood insurance rate maps reflect current hydrologic and hydraulic data, current land use, and topography, incorporating the most current and accurate ground and bathymetric elevation data;

(D) determine the best ways to include in such flood insurance rate maps levees, decertified levees, and areas located below dams, including determining a methodology for ensuring that decertified levees and other protections are included in flood insurance rate maps and their corresponding flood zones reflect the level of protection conferred;

(E) consider how to incorporate restored wetlands and other natural buffers into flood insurance rate maps, which may include wetlands, groundwater recharge areas, erosion zones, meander belts, endangered species habitat, barrier islands and shoreline buffer features, riparian forests, and other features;

(F) consider whether to use vertical positioning (as defined by the Administrator) for flood insurance rate maps;

(G) ensure that flood insurance rate maps differentiate between a property that is located in a flood zone and a structure located on such property that is not at the same risk level for flooding as such property due to the elevation of the structure;

(H) ensure that flood insurance rate maps take into consideration the best scientific data and potential future conditions (including projections for sea level rise); and

(I) consider how to incorporate the new standards proposed pursuant to this paragraph in existing mapping efforts.

(2) ONGOING DUTIES.—The Council shall, on an ongoing basis, review the mapping protocols developed pursuant to paragraph (1), and make recommendations to the Administrator when the Council determines that mapping protocols should be altered.

(3) **MEETINGS.**—In carrying out its duties under this section, the Council shall consult with stakeholders through at least 4 public meetings annually, and shall seek input of all stakeholder interests including State and local representatives, environmental and conservation organizations, insurance industry representatives, advocacy groups, planning organizations, and mapping organizations.

(d) **PROHIBITION ON COMPENSATION.**—Members of the Council shall receive no additional compensation by reason of their service on the Council.

(e) **CHAIRPERSON.**—The Administrator shall serve as the Chairperson of the Council.

(f) **STAFF.**—

(1) **FEMA.**—Upon the request of the Council, the Administrator may detail, on a nonreimbursable basis, personnel of the Federal Emergency Management Agency to assist the Council in carrying out its duties.

(2) **OTHER FEDERAL AGENCIES.**—Upon request of the Council, any other Federal agency that is a member of the Council may detail, on a nonreimbursable basis, personnel to assist the Council in carrying out its duties.

(g) **POWERS.**—In carrying out this section, the Council may hold hearings, receive evidence and assistance, provide information, and conduct research, as the Council considers appropriate.

(h) **TERMINATION.**—The Council shall terminate upon the expiration of the 5-year period beginning on the date of the enactment of this Act.

#### **SEC. 7. FEMA INCORPORATION OF NEW MAPPING PROTOCOLS.**

(a) **NEW RATE MAPPING STANDARDS.**—Not later than the expiration of the 6-month period beginning upon submission by the Technical Mapping Advisory Council under section 6 of the proposed new mapping standards for flood insurance rate maps used under the national flood insurance program developed by the Council pursuant to section 6(c), the Administrator of the Federal Emergency Management Agency (in this section referred to as the “Administrator”) shall establish new standards for such rate maps based on such proposed new standards and the recommendations of the Council.

(b) **REQUIREMENTS.**—The new standards for flood insurance rate maps established by the Administrator pursuant to subsection (a) shall—

(1) delineate and include in any such rate maps—

(A) all areas located within the 100-year flood plain;

(B) areas of residual risk, including areas behind levees, dams, and other man-made structures; and

(C) areas subject to graduated and other risk levels, to the maximum extent possible;

(2) ensure that any such rate maps—

(A) include levees, including decertified levees, and the level of protection they confer;

(B) reflect current land use and topography and incorporate the most current and accurate ground level data;

(C) take into consideration the impacts and use of fill and the flood risks associated with altered hydrology;

(D) differentiate between a property that is located in a flood zone and a structure located on such property that is not at the same risk level for flooding as such property due to the elevation of the structure;

(E) identify and incorporate natural features and their associated flood protection benefits into mapping and rates; and

(F) identify, analyze, and incorporate the impact of significant changes to building and development throughout any river or coastal water system, including all tributaries, which may impact flooding in areas downstream; and

(3) provide that such rate maps are developed on a watershed basis.

(c) **REPORT.**—If, in establishing new standards for flood insurance rate maps pursuant to subsection (a) of this section, the Administrator does not implement all of the recommendations of the Council made under the proposed new mapping standards developed by the Council pursuant to section 6(c), upon establishment of the new standards the Administrator shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate specifying which such recommendations were not adopted and explaining the reasons such recommendations were not adopted.

(d) **IMPLEMENTATION.**—The Administrator shall, not later than the expiration of the 6-month period beginning upon establishment of the new standards for flood insurance rate maps pursuant to subsection (a) of this section, commence use of the new standards and updating of flood insurance rate maps in accordance with the new standards. Not later than the expiration of the 5-year period beginning upon the establishment of such new standards, the Administrator shall complete updating of all flood insurance rate maps in accordance with the new standards, subject to the availability of sufficient amounts for such activities provided in appropriation Acts.

(e) **TEMPORARY SUSPENSION OF MANDATORY PURCHASE REQUIREMENT FOR CERTAIN PROPERTIES.**—

(1) **SUBMISSION OF ELEVATION CERTIFICATE.**—Subject to paragraphs (2) and (3) of this subsection, subsections (a), (b), and (e) of section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a), and section 202(a) of such Act, shall not apply to a property located in an area designated as having a special flood hazard if the owner of such property submits to the Administrator an elevation certificate for such property showing that the lowest level of the primary residence on such property is at an elevation that is at least three feet higher than the elevation of the 100-year flood plain.

(2) **REVIEW OF SURVEY.**—The Administrator shall accept as conclusive each elevation survey submitted under paragraph (1) unless the Administrator conducts a subsequent elevation survey and determines that the lowest level of the primary residence on the property in question is not at an elevation that is at least three feet higher than the elevation of the 100-year flood plain. The Administrator shall provide any such subsequent elevation survey to the owner of such property.

(3) **DETERMINATIONS FOR PROPERTIES ON BORDERS OF SPECIAL FLOOD HAZARD AREAS.**—

(A) **EXPEDITED DETERMINATION.**—In the case of any survey for a property submitted to the Administrator pursuant to paragraph (1) showing that a portion of the property is located within an area having special flood hazards and that a structure located on the property is not located within such area having special flood hazards, the Administrator shall expeditiously process any request made by an owner of the property for a determination pursuant to paragraph (2) or a determination of whether the structure is located within the area having special flood hazards.

(B) **PROHIBITION OF FEE.**—If the Administrator determines pursuant to subparagraph (A) that the structure on the property is not located within the area having special flood hazards, the Administrator shall not charge a fee for reviewing the flood hazard data and shall not require the owner to provide any additional elevation data.

(C) **SIMPLIFICATION OF REVIEW PROCESS.**—The Administrator shall collaborate with private sector flood insurers to simplify the review process for properties described in subparagraph (A)

and to ensure that the review process provides for accurate determinations.

(4) **TERMINATION OF AUTHORITY.**—This subsection shall cease to apply to a property on the date on which the Administrator updates the flood insurance rate map that applies to such property in accordance with the requirements of subsection (d).

#### **SEC. 8. TREATMENT OF LEVEES.**

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) is amended by adding at the end the following new subsection:

“(k) **TREATMENT OF LEVEES.**—The Administrator may not issue flood insurance maps, or make effective updated flood insurance maps, that omit or disregard the actual protection afforded by an existing levee, floodwall, pump or other flood protection feature, regardless of the accreditation status of such feature.”.

#### **SEC. 9. PRIVATIZATION INITIATIVES.**

(a) **FEMA AND GAO REPORTS.**—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess a broad range of options, methods, and strategies for privatizing the national flood insurance program and shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate with recommendations for the best manner to accomplish such privatization.

(b) **PRIVATE RISK-MANAGEMENT INITIATIVES.**—

(1) **AUTHORITY.**—The Administrator of the Federal Emergency Management Agency may carry out such private risk-management initiatives under the national flood insurance program as the Administrator considers appropriate to determine the capacity of private insurers, reinsurers, and financial markets to assist communities, on a voluntary basis only, in managing the full range of financial risks associated with flooding.

(2) **ASSESSMENT.**—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Administrator shall assess the capacity of the private reinsurance, capital, and financial markets by seeking proposals to assume a portion of the program’s insurance risk and submit to the Congress a report describing the response to such request for proposals and the results of such assessment.

(3) **PROTOCOL FOR RELEASE OF DATA.**—The Administrator shall develop a protocol to provide for the release of data sufficient to conduct the assessment required under paragraph (2).

(c) **REINSURANCE.**—The National Flood Insurance Act of 1968 is amended—

(1) in section 1331(a)(2) (42 U.S.C. 4051(a)(2)), by inserting “, including as reinsurance of insurance coverage provided by the flood insurance program” before “, on such terms”;

(2) in section 1332(c)(2) (42 U.S.C. 4052(c)(2)), by inserting “or reinsurance” after “flood insurance coverage”;

(3) in section 1335(a) (42 U.S.C. 4055(a))—

(A) by inserting “(1)” after “(a)”; and

(B) by adding at the end the following new paragraph:

“(2) The Administrator is authorized to secure reinsurance coverage of coverage provided by the flood insurance program from private market insurance, reinsurance, and capital market sources at rates and on terms determined by the Administrator to be reasonable and appropriate in an amount sufficient to maintain the ability of the program to pay claims and that minimizes the likelihood that the program will utilize the borrowing authority provided under section 1309.”;

(4) in section 1346(a) (12 U.S.C. 4082(a))—

(A) in the matter preceding paragraph (1), by inserting “, or for purposes of securing reinsurance of insurance coverage provided by the program,” before “of any or all of”;

(B) in paragraph (1)—

(i) by striking “estimating” and inserting “Estimating”; and

(ii) by striking the semicolon at the end and inserting a period;

(C) in paragraph (2)—

(i) by striking “receiving” and inserting “Receiving”; and

(ii) by striking the semicolon at the end and inserting a period;

(D) in paragraph (3)—

(i) by striking “making” and inserting “Making”; and

(ii) by striking “; and” and inserting a period;

(E) in paragraph (4)—

(i) by striking “otherwise” and inserting “Otherwise”; and

(ii) by redesignating such paragraph as paragraph (5); and

(F) by inserting after paragraph (3) the following new paragraph:

“(4) Placing reinsurance coverage on insurance provided by such program.”; and

(5) in section 1370(a)(3) (42 U.S.C. 4121(a)(3)), by inserting before the semicolon at the end the following: “, is subject to the reporting requirements of the Securities Exchange Act of 1934, pursuant to section 13(a) or 15(d) of such Act (15 U.S.C. 78m(a), 78o(d)), or is authorized by the Administrator to assume reinsurance on risks insured by the flood insurance program”.

(d) ASSESSMENT OF CLAIMS-PAYING ABILITY.—

(1) ASSESSMENT.—Not later than September 30 of each year, the Administrator of the Federal Emergency Management Agency shall conduct an assessment of the claims-paying ability of the national flood insurance program, including the program’s utilization of private sector reinsurance and reinsurance equivalents, with and without reliance on borrowing authority under section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016). In conducting the assessment, the Administrator shall take into consideration regional concentrations of coverage written by the program, peak flood zones, and relevant mitigation measures.

(2) REPORT.—The Administrator shall submit a report to the Congress of the results of each such assessment, and make such report available to the public, not later than 30 days after completion of the assessment.

#### SEC. 10. FEMA ANNUAL REPORT ON INSURANCE PROGRAM.

Section 1320 of the National Flood Insurance Act of 1968 (42 U.S.C. 4027) is amended—

(1) in the section heading, by striking “REPORT TO THE PRESIDENT” and inserting “ANNUAL REPORT TO CONGRESS”;

(2) in subsection (a)—

(A) by striking “biennially”;

(B) by striking “the President for submission to”; and

(C) by inserting “not later than June 30 of each year” before the period at the end;

(3) in subsection (b), by striking “biennial” and inserting “annual”; and

(4) by adding at the end the following new subsection:

“(c) FINANCIAL STATUS OF PROGRAM.—The report under this section for each year shall include information regarding the financial status of the national flood insurance program under this title, including a description of the financial status of the National Flood Insurance Fund and current and projected levels of claims, premium receipts, expenses, and borrowing under the program.”.

#### SEC. 11. ACTUARIAL RATES FOR SEVERE REPETITIVE LOSS PROPERTIES REFUSING MITIGATION OR PURCHASE OFFERS.

Subsection (h) of section 1361A of the National Flood Insurance Act of 1968 (42 U.S.C. 4102a(h)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking “150 percent” and all that follows through “paragraph (3)” and inserting “the applicable estimated risk premium rate for such coverage for the area (or subdivision thereof) determined in accordance with section 1307(a), subject to phase-in of such rates in the same manner provided under paragraph (2) of section 1308(g) for properties described in paragraph (1) of such section”; and

(B) by inserting after and below subparagraph (B) the following:

“An offer to take action under paragraph (1) or (2) of subsection (c) shall be considered to be made for purposes of this paragraph with respect to a severe repetitive loss property regardless of the time that the offer was made and regardless of whether the Administrator has transferred financial assistance under this section to the State or community making the offer for funding such action, but only if the owner of the property is provided a reasonable period of time, not to exceed 15 days, to respond to the offer.”;

(2) by striking paragraphs (2) and (3); and

(3) by redesignating paragraphs (4) through (6) as paragraphs (2) through (4), respectively.

#### SEC. 12. MITIGATION ASSISTANCE.

Subsection (e) of section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e)) is amended by adding at the end the following new paragraph:

“(6) ELIGIBILITY OF DEMOLITION AND REBUILDING OF PROPERTIES.—The Administrator shall consider as an eligible activity the demolition and rebuilding of properties to at least base flood levels or higher, if required by the Administrator or if required by any State or local ordinance, and in accordance with project implementation criteria established by the Administrator.”.

#### SEC. 13. GRANTS FOR DIRECT FUNDING OF MITIGATION ACTIVITIES FOR INDIVIDUAL REPETITIVE CLAIMS PROPERTIES.

(a) DIRECT GRANTS TO OWNERS.—Section 1323 of the National Flood Insurance Act of 1968 (42 U.S.C. 4030) is amended—

(1) in the section heading, by inserting “DIRECT” before “GRANTS”; and

(2) in subsection (a), in the the matter preceding paragraph (1)—

(A) by inserting “, to owners of such properties,” before “for mitigation actions”; and

(B) by striking “1” and inserting “two”.

(b) AVAILABILITY OF FUNDS.—Paragraph (9) of section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended by inserting “which shall remain available until expended,” after “any fiscal year,”.

#### SEC. 14. NOTIFICATION TO HOMEOWNERS REGARDING MANDATORY PURCHASE REQUIREMENT APPLICABILITY AND RATE PHASE-INS.

Section 201 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4105) is amended by adding at the end the following new subsection:

“(f) ANNUAL NOTIFICATION.—The Administrator, in consultation with affected communities, shall establish and carry out a plan to notify residents of areas having special flood hazards, on an annual basis—

“(1) that they reside in such an area;

“(2) of the geographical boundaries of such area;

“(3) of whether section 1308(h) of the National Flood Insurance Act of 1968 applies to properties within such area;

“(4) of the provisions of section 102 requiring purchase of flood insurance coverage for properties located in such an area, including the date on which such provisions apply with respect to such area, taking into consideration section 102(i); and

“(5) of a general estimate of what similar homeowners in similar areas typically pay for flood insurance coverage, taking into consideration section 1308(g) of the National Flood Insurance Act of 1968.”.

#### SEC. 15. NOTIFICATION OF ESTABLISHMENT OF FLOOD ELEVATIONS.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(1) NOTIFICATION TO MEMBERS OF CONGRESS OF MAP MODERNIZATION.—Upon any revision or update of any floodplain area or flood-risk zone pursuant to subsection (f), any decision pursuant to subsection (f)(1) that such revision or update is necessary, any issuance of preliminary maps for such revision or updating, or any other significant action relating to any such revision or update, the Administrator shall notify the Senators for each State affected, and each Member of the House of Representatives for each congressional district affected, by such revision or update in writing of the action taken.”.

#### SEC. 16. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.

The National Flood Insurance Act of 1968 is amended by inserting after section 1308 (42 U.S.C. 4015) the following new section:

#### “SEC. 1308A. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.

“(a) IN GENERAL.—The Administrator shall, upon entering into a contract for flood insurance coverage under this title for any property—

“(1) provide to the insured sufficient copies of the notice developed pursuant to subsection (b); and

“(2) require the insured to provide a copy of the notice, or otherwise provide notification of the information under subsection (b) in the manner that the manager or landlord deems most appropriate, to each such tenant and to each new tenant upon commencement of such a tenancy.

“(b) NOTICE.—Notice to a tenant of a property in accordance with this subsection is written notice that clearly informs a tenant—

“(1) whether the property is located in an area having special flood hazards;

“(2) that flood insurance coverage is available under the national flood insurance program under this title for contents of the unit or structure leased by the tenant;

“(3) of the maximum amount of such coverage for contents available under this title at that time; and

“(4) of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Administrator where such information is available.”.

#### SEC. 17. NOTIFICATION TO POLICY HOLDERS REGARDING DIRECT MANAGEMENT OF POLICY BY FEMA.

Part C of chapter II of the National Flood Insurance Act of 1968 (42 U.S.C. 4081 et seq.) is amended by adding at the end the following new section:

#### “SEC. 1349. NOTIFICATION TO POLICY HOLDERS REGARDING DIRECT MANAGEMENT OF POLICY BY FEMA.

“(a) NOTIFICATION.—Not later than 60 days before the date on which a transferred flood insurance policy expires, and annually thereafter until such time as the Federal Emergency Management Agency is no longer directly administering such policy, the Administrator shall notify the holder of such policy that—

“(1) the Federal Emergency Management Agency is directly administering the policy;

“(2) such holder may purchase flood insurance that is directly administered by an insurance company; and



“(3) purchasing flood insurance offered under the National Flood Insurance Program that is directly administered by an insurance company will not alter the coverage provided or the premiums charged to such holder that otherwise would be provided or charged if the policy was directly administered by the Federal Emergency Management Agency.

“(b) DEFINITION.—In this section, the term ‘transferred flood insurance policy’ means a flood insurance policy that—

“(1) was directly administered by an insurance company at the time the policy was originally purchased by the policy holder; and

“(2) at the time of renewal of the policy, direct administration of the policy was or will be transferred to the Federal Emergency Management Agency.”.

**SEC. 18. NOTICE OF AVAILABILITY OF FLOOD INSURANCE AND ESCROW IN RESPFA GOOD FAITH ESTIMATE.**

Subsection (c) of section 5 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604(c)) is amended by adding at the end the following new sentence: “Each such good faith estimate shall include the following conspicuous statements and information: (1) that flood insurance coverage for residential real estate is generally available under the national flood insurance program whether or not the real estate is located in an area having special flood hazards and that, to obtain such coverage, a home owner or purchaser should contact the national flood insurance program; (2) a telephone number and a location on the Internet by which a home owner or purchaser can contact the national flood insurance program; and (3) that the escrowing of flood insurance payments is required for many loans under section 102(d) of the Flood Disaster Protection Act of 1973, and may be a convenient and available option with respect to other loans.”.

**SEC. 19. REIMBURSEMENT FOR COSTS INCURRED BY HOMEOWNERS OBTAINING LETTERS OF MAP AMENDMENT.**

(a) IN GENERAL.—Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(m) REIMBURSEMENT.—

“(1) REQUIREMENT UPON BONA FIDE OFFER.—If an owner of any property located in an area described in section 102(i)(3) of the Flood Disaster Protection Act of 1973 obtains a letter of map amendment due to a bona fide error on the part of the Administrator of the Federal Emergency Management Agency, the Administrator shall reimburse such owner, or such entity or jurisdiction acting on such owner’s behalf, for any reasonable costs incurred in obtaining such letter.

“(2) REASONABLE COSTS.—The Administrator shall, by regulation or notice, determine a reasonable amount of costs to be reimbursed under paragraph (1), except that such costs shall not include legal or attorneys fees. In determining the reasonableness of costs, the Administrator shall only consider the actual costs to the owner of utilizing the services of an engineer, surveyor, or similar services.”.

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue the regulations or notice required under section 1360(m)(2) of the National Flood Insurance Act of 1968, as added by the amendment made by subsection (a) of this section.

**SEC. 20. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.**

Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended by adding at the end the following new section:

**“SEC. 1325. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.**

“In the case of any property that is otherwise in compliance with the coverage and building requirements of the national flood insurance program, the presence of an enclosed swimming pool located at ground level or in the space below the lowest floor of a building after November 30 and before June 1 of any year shall have no effect on the terms of coverage or the ability to receive coverage for such building under the national flood insurance program established pursuant to this title, if the pool is enclosed with non-supporting breakaway walls.”.

**SEC. 21. CDBG ELIGIBILITY FOR FLOOD INSURANCE OUTREACH ACTIVITIES AND COMMUNITY BUILDING CODE ADMINISTRATION GRANTS.**

Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (24), by striking “and” at the end;

(2) in paragraph (25), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(26) supplementing existing State or local funding for administration of building code enforcement by local building code enforcement departments, including for increasing staffing, providing staff training, increasing staff competence and professional qualifications, and supporting individual certification or departmental accreditation, and for capital expenditures specifically dedicated to the administration of the building code enforcement department, except that, to be eligible to use amounts as provided in this paragraph—

“(A) a building code enforcement department shall provide matching, non-Federal funds to be used in conjunction with amounts used under this paragraph in an amount—

“(i) in the case of a building code enforcement department serving an area with a population of more than 50,000, equal to not less than 50 percent of the total amount of any funds made available under this title that are used under this paragraph;

“(ii) in the case of a building code enforcement department serving an area with a population of between 20,001 and 50,000, equal to not less than 25 percent of the total amount of any funds made available under this title that are used under this paragraph; and

“(iii) in the case of a building code enforcement department serving an area with a population of less than 20,000, equal to not less than 12.5 percent of the total amount of any funds made available under this title that are used under this paragraph;

except that the Secretary may waive the matching fund requirements under this subparagraph, in whole or in part, based upon the level of economic distress of the jurisdiction in which is located the local building code enforcement department that is using amounts for purposes under this paragraph, and shall waive such matching fund requirements in whole for any recipient jurisdiction that has dedicated all building code permitting fees to the conduct of local building code enforcement; and

“(B) any building code enforcement department using funds made available under this title for purposes under this paragraph shall empanel a code administration and enforcement team consisting of at least 1 full-time building code enforcement officer, a city planner, and a health planner or similar officer; and

“(27) provision of assistance to local governmental agencies responsible for floodplain management activities (including such agencies of Indians tribes, as such term is defined in section 4 of the Native American Housing Assistance

and Self-Determination Act of 1996 (25 U.S.C. 4103)) in communities that participate in the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), only for carrying out outreach activities to encourage and facilitate the purchase of flood insurance protection under such Act by owners and renters of properties in such communities and to promote educational activities that increase awareness of flood risk reduction; except that—

“(A) amounts used as provided under this paragraph shall be used only for activities designed to—

“(i) identify owners and renters of properties in communities that participate in the national flood insurance program, including owners of residential and commercial properties;

“(ii) notify such owners and renters when their properties become included in, or when they are excluded from, an area having special flood hazards and the effect of such inclusion or exclusion on the applicability of the mandatory flood insurance purchase requirement under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) to such properties;

“(iii) educate such owners and renters regarding the flood risk and reduction of this risk in their community, including the continued flood risks to areas that are no longer subject to the flood insurance mandatory purchase requirement;

“(iv) educate such owners and renters regarding the benefits and costs of maintaining or acquiring flood insurance, including, where applicable, lower-cost preferred risk policies under this title for such properties and the contents of such properties;

“(v) encourage such owners and renters to maintain or acquire such coverage;

“(vi) notify such owners of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Administrator of the Federal Emergency Management Agency (in this paragraph referred to as the ‘Administrator’) where such information is available; and

“(vii) educate local real estate agents in communities participating in the national flood insurance program regarding the program and the availability of coverage under the program for owners and renters of properties in such communities, and establish coordination and liaisons with such real estate agents to facilitate purchase of coverage under the National Flood Insurance Act of 1968 and increase awareness of flood risk reduction;

“(B) in any fiscal year, a local governmental agency may not use an amount under this paragraph that exceeds 3 times the amount that the agency certifies, as the Secretary, in consultation with the Administrator, shall require, that the agency will contribute from non-Federal funds to be used with such amounts used under this paragraph only for carrying out activities described in subparagraph (A); and for purposes of this subparagraph, the term ‘non-Federal funds’ includes State or local government agency amounts, in-kind contributions, any salary paid to staff to carry out the eligible activities of the local governmental agency involved, the value of the time and services contributed by volunteers to carry out such services (at a rate determined by the Secretary), and the value of any donated material or building and the value of any lease on a building;

“(C) a local governmental agency that uses amounts as provided under this paragraph may coordinate or contract with other agencies and entities having particular capacities, specialties, or experience with respect to certain populations or constituencies, including elderly or disabled



families or persons, to carry out activities described in subparagraph (A) with respect to such populations or constituencies; and

“(D) each local government agency that uses amounts as provided under this paragraph shall submit a report to the Secretary and the Administrator, not later than 12 months after such amounts are first received, which shall include such information as the Secretary and the Administrator jointly consider appropriate to describe the activities conducted using such amounts and the effect of such activities on the retention or acquisition of flood insurance coverage.”.

**SEC. 22. TECHNICAL CORRECTIONS.**

(a) **FLOOD DISASTER PROTECTION ACT OF 1973.**—The Flood Disaster Protection Act of 1973 (42 U.S.C. 4002 et seq.) is amended—

(1) by striking “Director” each place such term appears, except in section 102(f)(3) (42 U.S.C. 4012a(f)(3)), and inserting “Administrator”;

(2) in section 201(b) (42 U.S.C. 4105(b)), by striking “Director’s” and inserting “Administrator’s”.

(b) **NATIONAL FLOOD INSURANCE ACT OF 1968.**—The National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended—

(1) by striking “Director” each place such term appears and inserting “Administrator”;

(2) in sections 1363 (42 U.S.C. 4104), by striking “Director’s” each place such term appears and inserting “Administrator’s”.

(c) **FEDERAL FLOOD INSURANCE ACT OF 1956.**—Section 15(e) of the Federal Flood Insurance Act of 1956 (42 U.S.C. 2414(e)) is amended by striking “Director” each place such term appears and inserting “Administrator”.

**SEC. 23. REPORT ON WRITE-YOUR-OWN PROGRAM.**

Not later than one year after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to Congress a report describing procedures and policies that the Administrator can implement to limit the percentage of flood insurance policies directly managed by the Agency to not more than 10 percent, if possible, of all flood insurance policies issued in accordance with the National Flood Insurance Program.

**SEC. 24. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.**

(a) **STUDIES.**—The Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess options, methods, and strategies for offering voluntary community-based flood insurance policy options and incorporating such options into the national flood insurance program. Such studies shall take into consideration and analyze how the policy options would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches.

(b) **REPORTS.**—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the results and conclusions of the study such agency conducted under subsection (a), and each such report shall include recommendations for the best manner to incorporate voluntary community-based flood insurance options into the national flood insurance program and for a strategy to implement such options that would encourage communities to undertake flood mitigation activities.

**SEC. 25. REPORT ON INCLUSION OF BUILDING CODES IN FLOODPLAIN MANAGEMENT CRITERIA.**

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall conduct a study and submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate regarding the impact, effectiveness, and feasibility of amending section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C. 4102) to include widely used and nationally recognized building codes as part of the floodplain management criteria developed under such section, and shall determine—

(1) the regulatory, financial, and economic impacts of such a building code requirement on homeowners, States and local communities, local land use policies, and the Federal Emergency Management Agency;

(2) the resources required of State and local communities to administer and enforce such a building code requirement;

(3) the effectiveness of such a building code requirement in reducing flood-related damage to buildings and contents;

(4) the impact of such a building code requirement on the actuarial soundness of the National Flood Insurance Program;

(5) the effectiveness of nationally recognized codes in allowing innovative materials and systems for flood-resistant construction;

(6) the feasibility and effectiveness of providing an incentive in lower premium rates for flood insurance coverage under such Act for structures meeting whichever of such widely used and nationally recognized building code or any applicable local building code provides greater protection from flood damage;

(7) the impact of such a building code requirement on rural communities with different building code challenges than more urban environments; and

(8) the impact of such a building code requirement on Indian reservations.

**SEC. 26. STUDY ON GRADUATED RISK.**

(a) **STUDY.**—The National Academy of Sciences shall conduct a study exploring methods for understanding graduated risk behind levees and the associated land development, insurance, and risk communication dimensions, which shall—

(1) research, review, and recommend current best practices for estimating direct annualized flood losses behind levees for residential and commercial structures;

(2) rank such practices based on their best value, balancing cost, scientific integrity, and the inherent uncertainties associated with all aspects of the loss estimate, including geotechnical engineering, flood frequency estimates, economic value, and direct damages;

(3) research, review, and identify current best floodplain management and land use practices behind levees that effectively balance social, economic, and environmental considerations as part of an overall flood risk management strategy;

(4) identify examples where such practices have proven effective and recommend methods and processes by which they could be applied more broadly across the United States, given the variety of different flood risks, State and local legal frameworks, and evolving judicial opinions;

(5) research, review, and identify a variety of flood insurance pricing options for flood hazards behind levees which are actuarially sound and based on the flood risk data developed using the top three best value approaches identified pursuant to paragraph (1);

(6) evaluate and recommend methods to reduce insurance costs through creative arrangements between insureds and insurers while keeping a clear accounting of how much financial risk is being borne by various parties such that the entire risk is accounted for, including establishment of explicit limits on disaster aid or other assistance in the event of a flood; and

(7) taking into consideration the recommendations pursuant to paragraphs (1) through (3), recommend approaches to communicating the associated risks to community officials, homeowners, and other residents.

(b) **REPORT.**—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the National Academy of Sciences shall submit a report to the Committees on Financial Services and Science, Space, and Technology of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Commerce, Science and Transportation of the Senate on the study under subsection (a) including the information and recommendations required under such subsection.

**SEC. 27. NO CAUSE OF ACTION.**

No cause of action shall exist and no claim may be brought against the United States for violation of any notification requirement imposed upon the United States by this Act or any amendment made by this Act.

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 112-138, and amendments en bloc described in section 3 of House Resolution 340. Each amendment printed in the report may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Financial Services or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the chair and ranking minority member of the committee or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

AMENDMENTS EN BLOC OFFERED BY MRS. BIGGERT

Mrs. BIGGERT. Mr. Chairman, pursuant to House Resolution 340, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc consisting of amendments numbered 1, 6, 7, 8, 9, 12, 15, 18, 21, 22, and 24 printed in House Report 112-138 offered by Mrs. BIGGERT:

AMENDMENT NO. 1 OFFERED BY MRS. BIGGERT  
Page 38, line 23, strike “5-year” and insert “10-year”.

Page 39, line 18 strike “SURVEY” and insert “CERTIFICATE”.

Page 39, line 19 strike “survey” and insert “certificate”.

Page 50, line 7, strike “1308(h)” and insert “1308(g)”.

Page 50, lines 20 and 21 strike “OF ESTABLISHMENT OF FLOOD ELEVATIONS” and insert “TO MEMBERS OF CONGRESS OF FLOOD MAP REVISIONS AND UPDATES”.

Page 55, line 11, strike “OFFER” and insert “ERROR”.

Page 64, line 16, strike “sections” and insert “section”.

AMENDMENT NO. 6 OFFERED BY MS. MATSUI

Page 20, line 3, strike “50 PERCENT RATE FOR INITIAL YEAR” and insert “5-YEAR PHASE-IN PERIOD”.

Page 20, line 11, strike “12-month period” and insert “5-year period”.

Page 20, lines 17 through 19, strike “50 percent of the chargeable risk premium rate otherwise applicable under this title to the property” and insert “the rate described in paragraph (3)”.

Page 21, line 4, strike “12-month period” and insert “5-year period”.

Page 21, strike lines 11 through 18, and insert the following:

“the chargeable risk premium rate for flood insurance under this title for a covered property that is located in such area shall be—

“(A) for the first year of the 5-year period referred to in paragraph (1), the greater of—

“(i) 20 percent of the chargeable risk premium rate otherwise applicable under this title to the property; and

“(ii) in the case of any property that, as of the beginning of such first year, is eligible for preferred risk rate method premiums for flood insurance coverage, such preferred risk rate method premium for the property;

“(B) for the second year of such 5-year period, 40 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

“(C) for the third year of such 5-year period, 60 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

“(D) for the fourth year of such 5-year period, 80 percent of the chargeable risk premium rate otherwise applicable under this title to the property; and

“(E) for the fifth year of such 5-year period, 100 percent of the chargeable risk premium rate otherwise applicable under this title to the property.”.

AMENDMENT NO. 7 OFFERED BY MR. TERRY

Page 19, after line 8, insert the following new subsection:

(f) EFFECTIVE DATE OF POLICIES COVERING PROPERTIES AFFECTED BY FLOODS IN PROGRESS.—Paragraph (1) of section 1306(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(c)) is amended by adding after the period at the end the following: “With respect to any flood that has commenced or is in progress before the expiration of such 30-day period, such flood insurance coverage for a property shall take effect upon the expiration of such 30-day period and shall cover damage to such property occurring after the expiration of such period that results from such flood, but only if the property has not suffered damage or loss as a result of such flood before the expiration of such 30-day period.”.

AMENDMENT NO. 8 OFFERED BY MS. WATERS

Page 23, line 17, strike “section 1361A(b)” and insert “section 1366(j)”.

Strike line 10 on page 47 and all that follows through page 48, line 15.

Strike line 16 on page 48 and all that follows through page 49, line 19 and insert the following new section:

**SEC. 12. MITIGATION ASSISTANCE.**

(a) MITIGATION ASSISTANCE GRANTS.—Section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended—

(1) in subsection (a), by striking the last sentence and inserting the following: “Such financial assistance shall be made available—

“(1) to States and communities in the form of grants under this section for carrying out mitigation activities;

“(2) to States and communities in the form of grants under this section for carrying out mitigation activities that reduce flood damage to severe repetitive loss structures; and

“(3) to property owners in the form of direct grants under this section for carrying out mitigation activities that reduce flood damage to individual structures for which 2 or more claim payments for losses have been made under flood insurance coverage under this title if the Administrator, after consultation with the State and community, determines that neither the State nor community in which such a structure is located has the capacity to manage such grants.”.

(2) by striking subsection (b);

(3) in subsection (c)—

(A) by striking “flood risk” and inserting “multi-hazard”;

(B) by striking “provides protection against” and inserting “examines reduction of”; and

(C) by redesignating such subsection as subsection (b);

(4) by striking subsection (d);

(5) in subsection (e)—

(A) in paragraph (1), by striking the paragraph designation and all that follows through the end of the first sentence and inserting the following:

“(1) REQUIREMENT OF CONSISTENCY WITH APPROVED MITIGATION PLAN.—Amounts provided under this section may be used only for mitigation activities that are consistent with mitigation plans that are approved by the Administrator and identified under subparagraph (4).”.

(B) by striking paragraphs (2), (3), and (4) and inserting the following new paragraphs:

“(2) REQUIREMENTS OF TECHNICAL FEASIBILITY, COST EFFECTIVENESS, AND INTEREST OF NFIF.—The Administrator may approve only mitigation activities that the Administrator determines are technically feasible and cost-effective and in the interest of, and represent savings to, the National Flood Insurance Fund. In making such determinations, the Administrator shall take into consideration recognized benefits that are difficult to quantify.

“(3) PRIORITY FOR MITIGATION ASSISTANCE.—In providing grants under this section for mitigation activities, the Administrator shall give priority for funding to activities that the Administrator determines will result in the greatest savings to the National Flood Insurance Fund, including activities for—

“(A) severe repetitive loss structures;

“(B) repetitive loss structures; and

“(C) other subsets of structures as the Administrator may establish.”;

(C) in paragraph (5)—

(i) by striking all of the matter that precedes subparagraph (A) and inserting the following:

“(4) ELIGIBLE ACTIVITIES.—Eligible activities may include—;

(ii) by striking subparagraphs (E) and (H);

(iii) by redesignating subparagraphs (D), (F), and (G) as subparagraphs (F), (H), and (I);

(iv) by inserting after subparagraph (C) the following new subparagraphs:

“(D) demolition and rebuilding of properties to at least base flood elevation or greater, if required by the Administrator or if required by any State regulation or local ordinance, and in accordance with criteria established by the Administrator;

“(E) elevation, relocation, and floodproofing of utilities (including equipment that serve structures);”;

(v) by inserting after subparagraph (F), as so redesignated by clause (iii) of this subparagraph, the following new subparagraph:

“(G) the development or update of State, local, or Indian tribal mitigation plans which meet the planning criteria established by the Administrator, except that the amount from grants under this section that may be used under this subparagraph may not exceed \$50,000 for any mitigation plan of a State or \$25,000 for any mitigation plan of a local government or Indian tribe;”;

(vi) in subparagraph (I); as so redesignated by clause (iii) of this subparagraph, by striking “and” at the end; and

(vii) by adding at the end the following new subparagraphs:

“(J) other mitigation activities not described in subparagraphs (A) through (H) or the regulations issued under subparagraph (I), that are described in the mitigation plan of a State, community, or Indian tribe; and

“(K) personnel costs for State staff that provide technical assistance to communities to identify eligible activities, to develop grant applications, and to implement grants awarded under this section, not to exceed \$50,000 per State in any Federal fiscal year, so long as the State applied for and was awarded at least \$1,000,000 in grants available under this section in the prior Federal fiscal year; the requirements of subsections (d)(1) and (d)(2) shall not apply to the activity under this subparagraph.”;

(D) by redesignating such subsection as subsection (c);

(6) by striking subsections (f), (g), and (h) and inserting the following new subsection:

“(d) MATCHING REQUIREMENT.—The Administrator may provide grants for eligible mitigation activities as follows:

“(1) SEVERE REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to severe repetitive loss structures, in an amount up to 100 percent of all eligible costs.

“(2) REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to repetitive loss structures, in an amount up to 90 percent of all eligible costs.

“(3) OTHER MITIGATION ACTIVITIES.—In the case of all other mitigation activities, in an amount up to 75 percent of all eligible costs.”;

(7) in subsection (i)—

(A) in paragraph (2)—

(i) by striking “certified under subsection (g)” and inserting “required under subsection (d)”;

(ii) by striking “3 times the amount” and inserting “the amount”; and

(B) by redesignating such subsection as subsection (e);

(8) in subsection (j)—

(A) in paragraph (1), by striking “Riegle Community Development and Regulatory Improvement Act of 1994” and inserting “Flood Insurance Reform Act of 2011”;

(B) by redesignating such subsection as subsection (f); and

(9) by striking subsections (k) and (m) and inserting the following new subsections:

“(g) FAILURE TO MAKE GRANT AWARD WITHIN 5 YEARS.—For any application for a grant under this section for which the Administrator fails to make a grant award within 5 years of the date of application, the grant application shall be considered to be denied and any funding amounts allocated for such grant applications shall remain in the National Flood Mitigation Fund under section 1367 of this title and shall be made available for grants under this section.

“(h) LIMITATION ON FUNDING FOR MITIGATION ACTIVITIES FOR SEVERE REPETITIVE LOSS STRUCTURES.—The amount used pursuant to section 1310(a)(8) in any fiscal year may not exceed \$40,000,000 and shall remain available until expended.

“(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

“(1) COMMUNITY.—The term ‘community’ means—

“(A) a political subdivision that—  
“(i) has zoning and building code jurisdiction over a particular area having special flood hazards, and

“(ii) is participating in the national flood insurance program; or

“(B) a political subdivision of a State, or other authority, that is designated by political subdivisions, all of which meet the requirements of subparagraph (A), to administer grants for mitigation activities for such political subdivisions.

“(2) REPETITIVE LOSS STRUCTURE.—The term ‘repetitive loss structure’ has the meaning given such term in section 1370.

“(3) SEVERE REPETITIVE LOSS STRUCTURE.—The term ‘severe repetitive loss structure’ means a structure that—

“(A) is covered under a contract for flood insurance made available under this title; and

“(B) has incurred flood-related damage—

“(i) for which 4 or more separate claims payments have been made under flood insurance coverage under this title, with the amount of each such claim exceeding \$15,000, and with the cumulative amount of such claims payments exceeding \$60,000; or

“(ii) for which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the value of the insured structure.”

(b) ELIMINATION OF GRANTS PROGRAM FOR REPETITIVE INSURANCE CLAIMS PROPERTIES.—Chapter I of the National Flood Insurance Act of 1968 is amended by striking section 1323 (42 U.S.C. 4030).

(c) ELIMINATION OF PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.—Chapter III of the National Flood Insurance Act of 1968 is amended by striking section 1361A (42 U.S.C. 4102a).

(d) NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (6), by inserting “and” after the semicolon;

(2) in paragraph (7), by striking the semicolon and inserting a period; and

(3) by striking paragraphs (8) and (9).

(e) NATIONAL FLOOD MITIGATION FUND.—Section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d) is amended—

(1) in subsection (b)—

(A) by striking paragraph (1) and inserting the following new paragraph:

“(1) in each fiscal year, from the National Flood Insurance Fund in amounts not exceeding \$90,000,000 to remain available until expended, of which—

“(A) not more than \$40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(1);

“(B) not more than \$40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(2); and

“(C) not more than \$10,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(3).”

(B) in paragraph (3), by striking “section 1366(i)” and inserting “section 1366(e)”;

(2) in subsection (c), by striking “sections 1366 and 1323” and inserting “section 1366”;

(3) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(4) by inserting after subsection (c) the following new subsections:

“(d) PROHIBITION ON OFFSETTING COLLECTIONS.—Notwithstanding any other provision of this title, amounts made available pursuant to this section shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.

“(e) CONTINUED AVAILABILITY AND REALLOCATION.—Any amounts made available pursuant to subparagraph (A), (B), or (C) of subsection (b)(1) that are not used in any fiscal year shall continue to be available for the purposes specified in such subparagraph of subsection (b)(1) pursuant to which such amounts were made available, unless the Administrator determines that reallocation of such unused amounts to meet demonstrated need for other mitigation activities under section 1366 is in the best interest of the National Flood Insurance Fund.”

(f) INCREASED COST OF COMPLIANCE COVERAGE.—Section 1304(b)(4) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)(4)) is amended—

(1) by striking subparagraph (B); and

(2) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively.

AMENDMENT NO. 9 OFFERED BY MR. PALAZZO

Page 32, line 6, before the period insert the following: “, and includes an adequate number of representatives from the States with coastline on the Gulf of Mexico and other States containing areas identified by the Administrator of the Federal Emergency Management Agency as at high-risk for flooding or special flood hazard areas”.

AMENDMENT NO. 12 OFFERED BY MR. BURTON OF INDIANA

Page 50, line 20, insert “TO MEMBERS OF CONGRESS” after “NOTIFICATION”.

Page 51, after line 11, insert the following new section:

**SEC. 16. NOTIFICATION AND APPEAL OF MAP CHANGES; NOTIFICATION TO COMMUNITIES OF ESTABLISHMENT OF FLOOD ELEVATIONS.**

Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) is amended by striking the section designation and all that follows through the end of subsection (a) and inserting the following:

“SEC. 1363. (a) In establishing projected flood elevations for land use purposes with respect to any community pursuant to section 1361, the Director shall first propose such determinations—

“(1) by providing the chief executive officer of each community affected by the proposed elevations, by certified mail, with a return receipt requested, notice of the elevations, including a copy of the maps for the elevations for such community and a statement explaining the process under this section to appeal for changes in such elevations;

“(2) by causing notice of such elevations to be published in the Federal Register, which notice shall include information sufficient to identify the elevation determinations and the communities affected, information explaining how to obtain copies of the elevations, and a statement explaining the process under this section to appeal for changes in the elevations;

“(3) by publishing in a prominent local newspaper the elevations, a description of the appeals process for flood determinations, and the mailing address and telephone number of a person the owner may contact for more information or to initiate an appeal; and

“(4) by providing written notification, by first class mail, to each owner of real property affected by the proposed elevations of—

“(A) the status of such property, both prior to and after the effective date of the proposed determination, with respect to flood zone and flood insurance requirements under this Act and the Flood Disaster Protection Act of 1973;

“(B) the process under this section to appeal a flood elevation determination; and

“(C) the mailing address and phone number of a person the owner may contact for more information or to initiate an appeal.”

AMENDMENT NO. 15 OFFERED BY MR. CUELLAR

Page 56, after line 9, insert the following new section:

**SEC. 20. ENHANCED COMMUNICATION WITH CERTAIN COMMUNITIES DURING MAP UPDATING PROCESS.**

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(n) ENHANCED COMMUNICATION WITH CERTAIN COMMUNITIES DURING MAP UPDATING PROCESS.—In updating flood insurance maps under this section, the Administrator shall communicate with communities located in areas where flood insurance rate maps have not been updated in 20 years or more and the appropriate State emergency agencies to resolve outstanding issues, provide technical assistance, and disseminate all necessary information to reduce the prevalence of outdated maps in flood-prone areas.”

AMENDMENT NO. 18 OFFERED BY MR. PALAZZO

Page 57, after line 2, insert the following new section:

**SEC. 21. INFORMATION REGARDING MULTIPLE PERILS CLAIMS.**

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

“(d) INFORMATION REGARDING MULTIPLE PERILS CLAIMS.—

“(1) IN GENERAL.—Subject to paragraph (2), if an insured having flood insurance coverage under a policy issued under the program under this title by the Administrator or a company, insurer, or entity offering flood insurance coverage under such program (in this subsection referred to as a ‘participating company’) has wind or other homeowners coverage from any company, insurer, or other entity covering property covered by such flood insurance, in the case of damage to such property that may have been caused by flood or by wind, the Administrator and the participating company, upon the request of the insured, shall provide to the insured, within 30 days of such request—

“(A) a copy of the estimate of structure damage;

“(B) proofs of loss;

“(C) any expert or engineering reports or documents commissioned by or relied upon by the Administrator or participating company in determining whether the damage was caused by flood or any other peril; and

“(D) the Administrator’s or the participating company’s final determination on the claim.

“(2) **TIMING.**—Paragraph (1) shall apply only with respect to a request described in such paragraph made by an insured after the Administrator or the participating company, or both, as applicable, have issued a final decision on the flood claim involved and resolution of all appeals with respect to such claim.”.

AMENDMENT NO. 21 OFFERED BY MR. LUTKEMEYER

Page 70, after line 5, insert the following new section:

**SEC. 27. REPORT ON FLOOD-IN-PROGRESS DETERMINATION.**

The Administrator of the Federal Emergency Management Agency shall review the processes and procedures for determining that a flood event has commenced or is in progress for purposes of flood insurance coverage made available under the national flood insurance program under the National Flood Insurance Act of 1968 and for providing public notification that such an event has commenced or is in progress. In such review, the Administrator shall take into consideration the effects and implications that weather conditions, such as rainfall, snowfall, projected snowmelt, existing water levels, and other conditions have on the determination that a flood event has commenced or is in progress. Not later than the expiration of the 6-month period beginning upon the date of the enactment of this Act, the Administrator shall submit a report to the Congress setting forth the results and conclusions of the review undertaken pursuant to this section and any actions undertaken or proposed actions to be taken to provide for a more precise and technical determination that a flooding event has commenced or is in progress.

AMENDMENT NO. 22 OFFERED BY MR. CANSECO

On page 70, after line 5, insert the following new section:

**SEC. 27. STUDY ON REPAYING FLOOD INSURANCE DEBT.**

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit a report to the Congress setting forth a plan for repaying within 10 years all amounts, including any amounts previously borrowed but not yet repaid, owed pursuant to clause (2) of subsection (a) of section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)(2)).

AMENDMENT NO. 24 OFFERED BY MR. WALZ OF MINNESOTA

At the end of the bill, add the following new section:

**SEC. 28. AUTHORITY FOR THE CORPS OF ENGINEERS TO PROVIDE SPECIALIZED OR TECHNICAL SERVICES.**

(a) **IN GENERAL.**—Notwithstanding any other provision of law, upon the request of a State or local government, the Secretary of the Army may evaluate a levee system that was designed or constructed by the Secretary for the purposes of the National Flood Insurance Program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(b) **REQUIREMENTS.**—A levee system evaluation under subsection (a) shall—

(1) comply with applicable regulations related to areas protected by a levee system;

(2) be carried out in accordance with such procedures as the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, may establish; and

(3) be carried out only if the State or local government agrees to reimburse the Secretary for all cost associated with the performance of the activities.

AMENDMENT NO. 8, AS MODIFIED

Mrs. BIGGERT. Mr. Chairman, I ask unanimous consent that amendment No. 8 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Page 23, line 17, strike “section 1361A(b)” and insert “section 1366(j)”.

Strike line 10 on page 47 and all that follows through page 48, line 15.

Strike line 16 on page 48 and all that follows through page 49, line 19 and insert the following new section:

**SEC. 12. MITIGATION ASSISTANCE.**

(a) **MITIGATION ASSISTANCE GRANTS.**—Section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended—

(1) in subsection (a), by striking the last sentence and inserting the following: “Such financial assistance shall be made available—

“(1) to States and communities in the form of grants under this section for carrying out mitigation activities;

“(2) to States and communities in the form of grants under this section for carrying out mitigation activities that reduce flood damage to severe repetitive loss structures; and

“(3) to property owners in the form of direct grants under this section for carrying out mitigation activities that reduce flood damage to individual structures for which 2 or more claim payments for losses have been made under flood insurance coverage under this title if the Administrator, after consultation with the State and community, determines that neither the State nor community in which such a structure is located has the capacity to manage such grants.”.

(2) by striking subsection (b);

(3) in subsection (c)—

(A) by striking “flood risk” and inserting “multi-hazard”;

(B) by striking “provides protection against” and inserting “examines reduction of”; and

(C) by redesignating such subsection as subsection (b);

(4) by striking subsection (d);

(5) in subsection (e)—

(A) in paragraph (1), by striking the paragraph designation and all that follows through the end of the first sentence and inserting the following:

“(1) **REQUIREMENT OF CONSISTENCY WITH APPROVED MITIGATION PLAN.**—Amounts provided under this section may be used only for mitigation activities that are consistent with mitigation plans that are approved by the Administrator and identified under subparagraph (4).”;

(B) by striking paragraphs (2), (3), and (4) and inserting the following new paragraphs:

“(2) **REQUIREMENTS OF TECHNICAL FEASIBILITY, COST EFFECTIVENESS, AND INTEREST OF NFI.**—The Administrator may approve only mitigation activities that the Administrator determines are technically feasible and cost-effective and in the interest of, and represent savings to, the National Flood Insurance

Fund. In making such determinations, the Administrator shall take into consideration recognized benefits that are difficult to quantify.

“(3) **PRIORITY FOR MITIGATION ASSISTANCE.**—In providing grants under this section for mitigation activities, the Administrator shall give priority for funding to activities that the Administrator determines will result in the greatest savings to the National Flood Insurance Fund, including activities for—

“(A) severe repetitive loss structures;

“(B) repetitive loss structures; and

“(C) other subsets of structures as the Administrator may establish.”;

(C) in paragraph (5)—

(i) by striking all of the matter that precedes subparagraph (A) and inserting the following:

“(4) **ELIGIBLE ACTIVITIES.**—Eligible activities may include—”;

(ii) by striking subparagraphs (E) and (H);

(iii) by redesignating subparagraphs (D), (F), and (G) as subparagraphs (E), (G), and (H);

(iv) by inserting after subparagraph (C) the following new subparagraph:

“(D) elevation, relocation, and floodproofing of utilities (including equipment that serve structures);”;

(v) by inserting after subparagraph (E), as so redesignated by clause (iii) of this subparagraph, the following new subparagraph:

“(F) the development or update of State, local, or Indian tribal mitigation plans which meet the planning criteria established by the Administrator, except that the amount from grants under this section that may be used under this subparagraph may not exceed \$50,000 for any mitigation plan of a State or \$25,000 for any mitigation plan of a local government or Indian tribe;”;

(vi) in subparagraph (H); as so redesignated by clause (ii) of this subparagraph, by striking “and” at the end; and

(vii) by adding at the end the following new subparagraphs:

“(I) other mitigation activities not described in subparagraphs (A) through (G) or the regulations issued under subparagraph (H), that are described in the mitigation plan of a State, community, or Indian tribe; and

“(J) personnel costs for State staff that provide technical assistance to communities to identify eligible activities, to develop grant applications, and to implement grants awarded under this section, not to exceed \$50,000 per State in any Federal fiscal year, so long as the State applied for and was awarded at least \$1,000,000 in grants available under this section in the prior Federal fiscal year; the requirements of subsections (d)(1) and (d)(2) shall not apply to the activity under this subparagraph.”;

(D) by adding at the end the following new paragraph:

“(6) **ELIGIBILITY OF DEMOLITION AND REBUILDING OF PROPERTIES.**—The Administrator shall consider as an eligible activity the demolition and rebuilding of properties to at least base flood elevation or greater, if required by the Administrator or if required by any State regulation or local ordinance, and in accordance with criteria established by the Administrator.”; and

(E) by redesignating such subsection as subsection (c);

(6) by striking subsections (f), (g), and (h) and inserting the following new subsection:

“(d) **MATCHING REQUIREMENT.**—The Administrator may provide grants for eligible mitigation activities as follows:

“(1) **SEVERE REPETITIVE LOSS STRUCTURES.**—In the case of mitigation activities

to severe repetitive loss structures, in an amount up to 100 percent of all eligible costs.

“(2) REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to repetitive loss structures, in an amount up to 90 percent of all eligible costs.

“(3) OTHER MITIGATION ACTIVITIES.— In the case of all other mitigation activities, in an amount up to 75 percent of all eligible costs.”;

(7) in subsection (i)—

(A) in paragraph (2)—

(i) by striking “certified under subsection (g)” and inserting “required under subsection (d)”;

(ii) by striking “3 times the amount” and inserting “the amount”;

(B) by redesignating such subsection as subsection (e);

(8) in subsection (j)—

(A) in paragraph (1), by striking “Riegle Community Development and Regulatory Improvement Act of 1994” and inserting “Flood Insurance Reform Act of 2011”;

(B) by redesignating such subsection as subsection (f); and

(9) by striking subsections (k) and (m) and inserting the following new subsections:

“(g) FAILURE TO MAKE GRANT AWARD WITHIN 5 YEARS.—For any application for a grant under this section for which the Administrator fails to make a grant award within 5 years of the date of application, the grant application shall be considered to be denied and any funding amounts allocated for such grant applications shall remain in the National Flood Mitigation Fund under section 1367 of this title and shall be made available for grants under this section.

“(h) LIMITATION ON FUNDING FOR MITIGATION ACTIVITIES FOR SEVERE REPETITIVE LOSS STRUCTURES.—The amount used pursuant to section 1310(a)(8) in any fiscal year may not exceed \$40,000,000 and shall remain available until expended.

“(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

“(1) COMMUNITY.—The term ‘community’ means—

“(A) a political subdivision—

“(i) has zoning and building code jurisdiction over a particular area having special flood hazards, and

“(ii) is participating in the national flood insurance program; or

“(B) a political subdivision of a State, or other authority, that is designated by political subdivisions, all of which meet the requirements of subparagraph (A), to administer grants for mitigation activities for such political subdivisions.

“(2) REPETITIVE LOSS STRUCTURE.—The term ‘repetitive loss structure’ has the meaning given such term in section 1370.

“(3) SEVERE REPETITIVE LOSS STRUCTURE.—The term ‘severe repetitive loss structure’ means a structure that—

“(A) is covered under a contract for flood insurance made available under this title; and

“(B) has incurred flood-related damage—

“(i) for which 4 or more separate claims payments have been made under flood insurance coverage under this title, with the amount of each such claim exceeding \$15,000, and with the cumulative amount of such claims payments exceeding \$60,000; or

“(ii) for which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the value of the insured structure.”.

(b) ELIMINATION OF GRANTS PROGRAM FOR REPETITIVE INSURANCE CLAIMS PROPERTIES.—

Chapter I of the National Flood Insurance Act of 1968 is amended by striking section 1323 (42 U.S.C. 4030).

(c) ELIMINATION OF PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.—Chapter III of the National Flood Insurance Act of 1968 is amended by striking section 1361A (42 U.S.C. 4102a).

(d) NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (6), by inserting “and” after the semicolon;

(2) in paragraph (7), by striking the semicolon and inserting a period; and

(3) by striking paragraphs (8) and (9).

(e) NATIONAL FLOOD MITIGATION FUND.—Section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d) is amended—

(1) in subsection (b)—

(A) by striking paragraph (1) and inserting the following new paragraph:

“(1) in each fiscal year, from the National Flood Insurance Fund in amounts not exceeding \$90,000,000 to remain available until expended, of which—

“(A) not more than \$40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(1);

“(B) not more than \$40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(2); and

“(C) not more than \$10,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(3).”.

(B) in paragraph (3), by striking “section 1366(i)” and inserting “section 1366(e)”;

(2) in subsection (c), by striking “sections 1366 and 1323” and inserting “section 1366”;

(3) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(4) by inserting after subsection (c) the following new subsections:

“(d) PROHIBITION ON OFFSETTING COLLECTIONS.—Notwithstanding any other provision of this title, amounts made available pursuant to this section shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.

“(e) CONTINUED AVAILABILITY AND REALLOCATION.—Any amounts made available pursuant to subparagraph (A), (B), or (C) of subsection (b)(1) that are not used in any fiscal year shall continue to be available for the purposes specified in such subparagraph of subsection (b)(1) pursuant to which such amounts were made available, unless the Administrator determines that reallocation of such unused amounts to meet demonstrated need for other mitigation activities under section 1366 is in the best interest of the National Flood Insurance Fund.”.

(f) INCREASED COST OF COMPLIANCE COVERAGE.—Section 1304(b)(4) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)(4)) is amended—

(1) by striking subparagraph (B); and

(2) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively.

Mrs. BIGGERT (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading of the modification.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Massachusetts (Mr. CAPUANO) each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. BIGGERT. Mr. Chairman, this is a bipartisan package of amendments that we are accepting. I urge my colleagues to support the amendments en bloc.

I reserve the balance of my time.

Mr. CAPUANO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. I thank the gentleman from Massachusetts for yielding me time.

Mr. Chairman, I want to commend Chairwoman BIGGERT and Ranking Member WATERS for their leadership and their support for my amendment to phase in higher flood insurance rates when preferred risk policies are no longer available in a community.

I represent the city of Sacramento, which is home to both the American and Sacramento rivers. After New Orleans, we are the most at-risk river city in our Nation.

Since Hurricane Katrina, more than 25,000 homeowners in my district have been remapped, and for them flood insurance is now mandatory.

Their flood insurance costs increased from the PRP rate of \$350 to over \$1,350 overnight.

□ 1510

The sticker shock to a homeowner, whether it be a senior citizen on a fixed income or a family struggling to make ends meet, is unreasonable.

My amendment would simply raise the cost of flood insurance from remapped areas from the PRP rate to the full price rate over a period of 5 years. Specifically, my amendment would start the phase-in for homeowners at their current PRP rate. Each year after that, the price of flood insurance would rise by 20 percent until it reaches its full price in year 5.

My amendment will save the average policyholder in a remapped area about \$843 over 5 years while not impacting the solvency of the NFIP. I believe this to be a fair and equitable way forward, especially in these trying economic times.

Again, I thank Chairwoman BIGGERT and Ranking Member WATERS for their leadership. I urge my colleagues to join me in supporting this amendment.

Mrs. BIGGERT. I reserve the balance of my time.

Mr. CAPUANO. Mr. Chairman, this en bloc amendment is perfectly fine with us, and I urge its adoption.

I have no further requests for time, and I yield back the balance of my time.

Mrs. BIGGERT. I yield such time as he may consume to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. I would like to thank Chairwoman BIGGERT for yielding and for her leadership on this issue.

I rise today in support of the reauthorization of the National Flood Insurance Reform Act. As a representative of the Katrina-devastated Mississippi gulf coast, I understand both the importance of the National Flood Insurance Program but also the need for its reform.

I have introduced two amendments to the bill which will be a part of the en bloc amendment. The first calls for the newly created Technical Mapping Advisory Council to include members from coastal or other high-risk flood areas. This assures that the advisory council has members that are not just technical experts but have experienced firsthand the hardship and heartbreak catastrophic flooding and damage causes families and communities.

My other amendment allows any claimant to obtain from the administrator any engineering reports or other documents relied on in determining whether the damage was caused by flood or any other peril. When the FEMA administrator or participating company have the task of determining whether a home's damage was caused by wind or by water, the policyholder would now have the right to request those documents relied upon in making that determination.

It is my belief that transparency in government is important, especially for policyholders. For those who may have lost their property, they have the right to know the details in the determination of their claim.

I urge your support of both of my amendments as well as the full passage of H.R. 1309.

Mrs. NOEM. Mr. Chair, I rise today in support of Representatives TERRY and BERG's amendment to H.R. 1309.

As you may know, the Missouri River Basin is in the midst of record flooding. In order to determine a trigger date for a flood-in-progress, FEMA's National Flood Insurance Program sent an examiner to Garrison Dam in North Dakota at the end of May on a fact-finding mission. After looking at the dam and both sides of the river, the adjuster determined a flood was in progress and declared June 1st as the trigger date for the entire Missouri River Basin.

The flooding along the Missouri River stretches more than one thousand miles and is affecting multiple states. Very few homes in South Dakota were underwater on June 1st, yet this trigger date is used to determine if flood insurance policies are valid, regardless of location and when flooding actually began.

Not all my constituents along the Missouri River have flood insurance. Some, however, had the foresight to purchase a policy prior to being underwater, and, more importantly, prior to FEMA's declaration that June 1st was the universal flood-in-progress date. Flood insur-

ance requires a 30-day wait period before the policy becomes effective. Individuals who purchased flood insurance on May 1st will be covered for their losses in this flood, but those who waited until May 2nd are out of luck. This amendment rectifies this problem. It would allow for reasonable flexibility for policy holders when a universal trigger date is used for such a vast multi-state event.

I urge my colleagues to support this amendment.

Mrs. BIGGERT. I urge support for the amendments en bloc.

I have no further requests for time, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc, as modified, offered by the gentlewoman from Illinois (Mrs. BIGGERT).

The amendments en bloc, as modified, were agreed to.

AMENDMENT NO. 2 OFFERED BY MR. SCHOCK

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-138.

Mr. SCHOCK. Mr. Chairman, as the designee for Mr. BACHUS, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, strike the dash in line 3 and all that follows through line 10 and insert "designation of the area as having special flood hazards in a timely manner under section 1363."

Page 7, after line 21 insert the following:

"(5) ADDITIONAL EXTENSION FOR COMMUNITIES MAKING MORE THAN ADEQUATE PROGRESS ON FLOOD PROTECTION SYSTEM.—

"(A) EXTENSION.—

"(i) AUTHORITY.—Except as provided in subparagraph (B), in the case of an eligible area for which the Administrator has, pursuant to paragraph (4), extended the period of effectiveness of the finding under paragraph (1) for the area, upon a request submitted by a local government authority having jurisdiction over any portion of the eligible area, if the Administrator finds that more than adequate progress has been made on the construction of a flood protection system for such area, as determined in accordance with the last sentence of section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e)), the Administrator may, in the discretion of the Administrator, further extend the period during which the finding under paragraph (1) shall be effective for such area for an additional 12 months.

"(ii) LIMIT.—For any eligible area, the cumulative number of extensions under this subparagraph may not exceed 2.

"(B) EXCLUSION FOR NEW MORTGAGES.—

"(i) EXCLUSION.—Any extension under subparagraph (A) of this paragraph of a finding under paragraph (1) shall not be effective with respect to any excluded property after the origination, increase, extension, or renewal of the loan referred to in clause (ii)(II) for the property.

"(ii) EXCLUDED PROPERTIES.—For purposes of this subparagraph, the term 'excluded property' means any improved real estate or mobile home—

"(I) that is located in an eligible area; and

"(II) for which, during the period that any extension under subparagraph (A) of this

paragraph of a finding under paragraph (1) is otherwise in effect for the eligible area in which such property is located—

"(aa) a loan that is secured by the property is originated; or

"(bb) any existing loan that is secured by the property is increased, extended, or renewed."

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Illinois (Mr. SCHOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SCHOCK. Mr. Chairman, I rise in strong support of amendment No. 2, drafted by the chairman and my friend, Mr. BACHUS, to help solve a problem that is prevalent in my district as well as many rural districts across the heartland.

As you know, this flood insurance issue affects every town, but especially those along the riverbanks. And FEMA's new requirements that require many of these small towns to make necessary improvements in their upgrades of their levees and dams require significant investment, investment that America's small businesses, family farms, and private properties will have to come up with the revenue to pay for.

This amendment in no way seeks to get anyone off the hook but, rather, to give them the necessary time given the large investments that many of these small towns will have to make, given the economic times that we are in right now, and recognizing that many of these small towns will require more than the 3 years as is allowed in the underlying bill to make the necessary improvements.

It does require, however, in years 4 and 5, which this amendment allows for an extension of the years 4 and 5, to allow to make the improvements. But those communities have to show stated improvement or at least progress toward the final necessary improvements in years 4 and 5 in order for them to get the necessary extension.

So I think it makes sense. It's a pretty commonsense amendment.

And I just want to say thank you personally to Chairman BACHUS for his work with other members of my delegation in Illinois and, I know, those along the Mississippi and other waterways whose towns are feeling the pain of many of these new unfunded mandates put forward by FEMA.

With that, I would urge passage of amendment No. 2.

I reserve the balance of my time.

Mr. CAPUANO. Mr. Chairman, I rise to claim the time in opposition, though I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. CAPUANO. I yield to the gentleman from Illinois.



Mr. COSTELLO. Let me thank my friend Mr. CAPUANO for yielding.

Mr. Chairman, I would like to first thank the chair of the subcommittee, the gentlelady from Illinois (Mrs. BIGGERT), and also the ranking member, MAXINE WATERS, as well as Chairman BACHUS and Ranking Member FRANK of the full committee, and also my friend Mr. SCHOCK and Mr. SHIMKUS from Illinois. We all worked on this amendment together. It's a good amendment.

As I think Mr. SCHOCK just explained, the Bachus amendment gives the administrator the authority to allow for a possible fourth and fifth suspension of the mandatory purchase for certain communities that are making adequate progress in construction of the flood protection system.

It's a commonsense amendment. It's a bipartisan agreement. I urge its adoption, and I not only support the amendment but the underlying bill as well.

Mr. SCHOCK. Mr. Chairman, I yield the balance of my time to the author of the amendment, the chairman of the committee, SPENCER BACHUS.

Mr. BACHUS. I appreciate the remarks of the gentleman from Illinois.

I believe this is a noncontroversial amendment. It will encourage local governments to undertake repairs and remedial efforts. And I believe it is a fair, equitable change in the bill to reward local and State governments for their efforts.

With that, I would recommend passage of the amendment.

Mr. CAPUANO. Mr. Chairman, I support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SCHOCK).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. SPEIER

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-138.

Ms. SPEIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 11, after line 22, insert the following new subsection:

(d) PENALTIES FOR REQUIRING PURCHASE OF COVERAGE EXCEEDING MINIMUM MANDATORY PURCHASE REQUIREMENT.—Paragraph (2) of section 102(f) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(f)(2)) is amended—

(1) in subparagraph (A)(iii), by striking “or” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(C) in connection with the making, increasing, extending, servicing, or renewing of any loan, requiring the purchase of flood insurance coverage under the National Flood Insurance Act of 1968, or purchasing such coverage pursuant to subsection (e)(2), in an

amount in excess of the minimum amount required under subsections (a) and (b) of this section.”.

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from California (Ms. SPEIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

□ 1520

Ms. SPEIER. Mr. Chairman, I am pleased to present this amendment. This actually was adopted by a voice vote in the Financial Services Committee in 2010; and my good friend and colleague, Congresswoman BIGGERT, may recall it. It was something that came up in my district where an elderly woman, living on Social Security, had a mortgage balance on her home of \$13,000; but because she was being included in a newly mapped flood zone, her bank required her to purchase the full \$250,000 in flood insurance at a cost of more than \$2,400 per year.

I would venture to say that we don't see ourselves as being in the insurance business by choice. We are in the flood insurance business out of necessity, and it would seem to me that it doesn't make a lot of sense to impose an obligation on homeowners to purchase insurance that exceeds the actual cost of their mortgage, especially when we note that the average flood damage claims are anywhere from \$25,000 to \$35,000. So to require someone who has a \$13,000 loan balance to purchase flood insurance for \$250,000 and pay a fee, a yearly premium of \$2,400, is just, I think, unacceptable; and I would think my colleagues on both sides of the aisle would like to do something for those people who have been responsible, pay down their mortgages, and have small balances.

This particular amendment makes it a violation for a lender, whose only interest in the property is the amount of the outstanding mortgage indebtedness, to use the National Flood Insurance Program to require a homeowner to purchase more than the legally required amount of flood insurance, an amount equal to the outstanding principal balance. Nothing, however, would prohibit a homeowner who wished to purchase more coverage from doing so, and nothing would preclude a mortgage lender from including such a requirement in the mortgage contract up front, as long as it was fully disclosed. In both cases, the homeowner would be able to make a choice, and this would be full disclosure as well.

In California, where we have mandatory auto insurance, once a car owner has discharged their debt on the car, they are no longer obligated to carry coverage for the damage to their own car, only the liability insurance if they crash into someone else's car. This amendment is very consistent with giv-

ing people a choice as well. Again, I offer this amendment and ask for its support.

Mr. Chairman, I yield back the balance of my time.

Mrs. BIGGERT. I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Thank you, Mr. Chairman.

This amendment would impose penalties against lenders who require borrowers to maintain flood insurance in an amount greater than the outstanding principal balance of the loan.

Limiting the amount of coverage to the unpaid principal balance leaves consumers at risk of having to incur the costs of repair on their own and, additionally, is not reflective of the current state of industry practices. In fact, with the exception of VA loans, limiting insurance to the unpaid principal balance is not recommended under existing law.

Consumers, not lenders, will bear the financial brunt of a disaster. Limiting flood insurance to the unpaid principal balance may protect the lender's financial interest in the property; however, it doesn't protect the consumer's equity and investment in the property.

NFIP establishes the minimum amount of coverage required at the lesser of the outstanding balance of the loan or the maximum available NFIP coverage, which today is \$250,000 for residential and \$500,000 for commercial properties.

The standard NFIP dwelling flood policy requires that one to two family owner-occupied dwellings be insured for the replacement value in order for losses to be paid for the cost to repair or replace the property. If these properties are not insured for at least 80 percent of the replacement value at the time of loss, the policyholder cannot obtain the full benefits of the policy and may not receive sufficient funds to repair or replace the property damaged by flood.

Guidelines issued by Federal regulators encourage and authorize lenders to require flood insurance at replacement cost, not to exceed NFIP maximum available coverage. The guidelines also urge lenders to follow the same rules in calculating flood coverage as they do in calculating hazard coverage, where standard industry practice is to require coverage at replacement cost.

In the case of condominiums, the guidelines issued by Federal regulators require lenders to ensure that flood protection has been obtained for the replacement value of the property improvements, not to exceed the NFIP maximum limits.

I would request a “no” vote on the Speier amendment.

I yield back the balance of my time.



The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. SPEIER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. BIGGERT. I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-138.

Mr. FLAKE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, line 24, strike the second semicolon and insert “; and”.

Strike paragraph (3) of section 4(c) (page 15, lines 1 and 2).

Page 15, line 5, strike “(8)” and insert “(6)”.

Page 15, line 6, strike “(2), (3), (4), (5), and (6)” and insert “(2), (3), and (4)”.

Strike subsection (d) of section 4 (page 16, line 1 and all that follows through page 18, line 10).

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair.

This amendment would strike additional flood-related coverage provided in the underlying bill for business interruption and cost-of-living expenses. Specifically, this amendment would prohibit FEMA from offering individuals up to \$5,000 for living expenses and up to \$20,000 for interruption of business expenses.

I understand that the committee worked to ensure that the inclusion of this additional coverage would be provided at fully actuarial rates, but let me remind this body that Congress does not have a great track record when it comes to pricing risks. One has to look no further than Fannie Mae and Freddie Mac to see an example of that, or just look at this program, itself.

The National Flood Insurance Program is about \$18 billion in the red. Let me say that again. We have a Federal flood insurance program that currently owes the Treasury Department nearly \$18 billion, so we shouldn't take at face value the notion that any new coverage that's offered is priced at fully actuarial rates.

This expansion of coverage will only increase taxpayer liability, which is the last thing that this Congress ought to do with a program so severely in debt and with a country so severely in

debt. Instead, we should be passing legislation to narrow the scope of the NFIP, not to expand it.

Simply put, any reform to the NFIP should be moving toward privatization, and I am sure this belief is shared by a number of my colleagues. Voting against this amendment is a vote to expand the current National Flood Insurance Program. Again, a vote against this amendment is a vote to expand the current flood insurance program, a program that is currently \$18 billion in debt to the U.S. Treasury.

My understanding is that private market participants are hesitant to offer this type of coverage because it is not profitable for them to do so. I'm not sure I've ever seen an instance where government involvement in the market incentivized the private sector to compete. In fact, according to testimony from Taxpayers for Common Sense:

“We have learned from Federal flood insurance itself that the best way to stifle a private market is to have the Federal Government provide the same product.” That simply makes sense.

When you have a Federal Government borrowing 41 cents on the dollar, the last thing we need to do is expand an insurance program that is already \$18 billion in the red. Again, voting for this amendment isn't to cut this program—I wish it were—but it is simply to not allow the program to expand further.

□ 1530

FEMA estimated that had this same policy been enacted in 2005 before Katrina and Rita hit, combined losses from additional expenses and business interruption would have been about \$600 million in net losses. If you consider the increase in policies since 2005, they estimated if we had another 2005-like year, this additional coverage would result in \$850 million in net losses just for 2011. We can't afford to do that, Mr. Chairman.

If there is no private market for this type of coverage, we ought to understand why there is no private market, and having government enter the marketplace will only ensure there is no private market for it. We shouldn't be comforted by the notion that we will hear, I am sure, that the premiums will be priced at fully actuarial rates. That's saying that there's no private market out there, government has to be involved, but we have priced it as if the private sector were involved. Anybody who believes that, I have a bridge somewhere to sell you. Government entrance into this type of marketplace is simply not right. We shouldn't be doing it. And to my colleagues who think that we have a debt problem today, think what problem we will have if we have another year like 2005.

According to FEMA's only projections, it could result in \$850 million in

net losses. So I would urge adoption of the amendment.

I yield back the balance of my time.

Mr. CAPUANO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. CAPUANO. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. BACHUS), the chairman of the full committee.

Mr. BACHUS. Mr. Chairman, I don't think anyone in this Congress is more sincere on cutting government spending than Mr. FLAKE. I believe he comes here with pure motivation. I would simply say this to him and my colleagues: this is an issue that we carefully considered. It was first proposed as a result of Katrina and the losses there. As he said correctly, this program is \$16 billion in the red. After Katrina, the Federal Government through FEMA, SBA and others, paid out several billion dollars not on the flood insurance program but paid out an estimated \$6 billion or \$7 billion to businesses because of their losses from business interruption and temporary shelter and living expenses.

In 2006, really as a result of that, the subcommittee chairman, Richard Baker, held hearings and determined that business interruption and cost-of-living coverage should be included. It has passed the House, but we have actually since then never passed a flood insurance reform bill.

As all of us know, and I think all of us agree, the legislation before us today has already been scored as a \$4.2 billion savings. The reason that it saves money, the reason that it takes a program that is costing taxpayers money every day is because it requires a risk-based premium. Now, beyond that, it also requires reinsurance if the risk-based premium proves insufficient. So it has a cushion.

It also says that if private insurers will offer this plan, then the government will not. It makes a finding that a competitive private market for such coverage does not exist. That was actually based on 2006 and again last year. It certifies that the National Flood Insurance Program will offer such coverage with the prohibition that it is supplemented by taxpayer money from the Treasury. This was a concern that many of us, including Mr. FLAKE, you know, had, that the taxpayer would end up subsidizing this.

This legislation with this provision actually scores as a \$4.2 billion savings over the next 10 years. Actually, I think it could be greater than that because, as Mr. FLAKE said, we don't know what is going to happen next year or the year after that. We do know this: we know when we have one of these, and in fact this year is a great example, when we have four \$1 billion

disasters, what did this Congress do? It appropriated disaster assistance. And that included reimbursement for living expenses and business interruption. Not only that, but the SBA, the Agricultural Department and I can't imagine how many others that we don't know about, FEMA, as a realistic matter, they are handing out checks every day when we have these disasters. Local and State governments are doing the same.

Why not, instead of this being handed out, why not have the people who own the businesses, who are living there, why not offer them coverage and let them pay the premium and let them share the loss? There are many places in the West where a flood, it would be almost impossible. There are many places in this country where a flood is simply not a problem. Why should those people be required to pay taxpayer money for what has become basically the Federal Government coming in and reimbursing everyone that doesn't have insurance? That is a question that we have asked.

We have just had the largest outbreak of tornadoes and death in the United States in Alabama. I have heard people say we have a situation where there is no insurance and the Federal Government comes in and says, if you have insurance, you have got it covered; and if you don't, we'll make it up. I don't like that idea. I think it encourages people not to have coverage.

This offers them coverage. The next step is telling them no to these others program; you should have had insurance.

Mr. CAPUANO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. ROS-LEHTINEN

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-138.

Ms. ROS-LEHTINEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 19, strike lines 10 to 13.

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. ROS-LEHTINEN. I thank the Chairman.

My amendment is quite simple. It removes the 100 percent increase and possible flood insurance rate increases from the underlying bill. Currently, rate increases are capped at 10 percent a year; yet this bill would double that to 20 percent per year.

Homeowners in this down-turned economy can little afford to have this looming possibility. One in four Floridians is covered under the National Flood Insurance Program, and they collectively pay nearly \$900 million in premiums per year. Since 1978, Florida policyholders have paid \$14.1 billion in premiums and have received only \$3.6 billion in payments. That is 3.9 times more in premiums than they received in claims.

Our residents, usually in high-risk flood areas, pay disproportionately more in premiums than they will likely ever see in payments on claims. Despite this fact, Floridians were near the cap of a 10 percent increase in the premium rates from the years 2009 and 2010, while the average national increase during the same time was 8 percent.

□ 1540

Despite these problems, the residents in my area say they need this program, but they need this cap where it is. People outside of at-risk areas file over 20 percent of NFIP claims and receive one-third of disaster assistance for flooding. Floridians, my constituents, know that the doubling of the amount that FEMA can charge for their flood insurance is aimed at them.

I urge my colleagues to support my amendment, which is one that will prevent unnecessary and unprecedented rate hikes for hardworking Americans on their flood insurance bills.

I yield the balance of my time to my good friend from Florida (Ms. WILSON).

Ms. WILSON of Florida. I rise today in support of this bipartisan amendment that strikes a blow for fairness for those consumers who need flood insurance. I rise along with my colleagues from Florida: Representative LEANA ROS-LEHTINEN, DAVID RIVERA, RUBÉN HINOJOSA, and RUSH HOLT.

I am a proud Floridian by birth. I make Florida my home. Most of my family and friends live in the great State of Florida. On top of our sunshine, Florida has a regular hurricane season and torrential rainfalls. The majority of the people who live in Florida live in this reality for the majority of their lives. However, flooding does not only affect the State of Florida, so I want to ensure that taxpayers who live in flood zones do not pay too much for their vitally needed flood insurance. This amendment is very simple:

It prevents flood insurance rates from potentially going up 100 percent. The current cap on flood insurance rate

increases in a given year is 10 percent. My amendment would keep it that way. This commonsense, bipartisan amendment is fiscally responsible. It protects consumers, and it ensures that the National Flood Insurance Program will remain sound.

Mr. Chair, I rise today in support of my bipartisan amendment that strikes a blow for fairness for those consumers who need flood insurance. Along with my colleagues Reps. LEANA ROS-LEHTINEN, DAVID RIVERA, RUBÉN HINOJOSA, and RUSH HOLT, I want to ensure that taxpayers who live in flood zones do not pay too much for their vitally needed flood insurance. My amendment is very simple. It prevents flood insurance rates from going up 100%. The current cap on flood insurance rates is ten percent. My amendment would keep it that way.

I am a proud Floridian by birth. I make Florida my home. Most of my family and friends live in the great State of Florida. On top of our sunshine, Florida has a regular hurricane season and torrential rainfalls. The majority of the people who live in Florida live with this reality for the majority of their lives. However, flooding does not only affect the State of Florida. Flooding is our Nation's most common disaster. While flooding affects every State, most private insurance companies do not offer their own flood insurance. Plus, standard homeowner insurance policies do not cover flooding.

In 1968, Congress started the National Flood Insurance Program, or the NFIP. This allows homebuyers to purchase flood insurance for their homes. In Florida, you cannot get a mortgage on your property if you do not have a flood insurance policy on your home. Ninety percent of all flood insurance is done through the NFIP. There are more than 20,000 NFIP communities throughout our nation and all of them are not in Florida.

Since 1978, Florida policyholders have paid 14.1 billion dollars in premiums and have had 231,595 individual losses and received ONLY \$3.6 billion in payments—3.9 times more in premiums than they receive in claims. Yet Floridians had a 9.6% increase in premium rates from 2009 to 2010. Nationally, from 2009 to 2010, premiums increased an average of 8%.

The NFIP today covers approximately 5.6 billion households and businesses across the country for a total of \$1.25 trillion in exposure. Forty percent of those policies are held in Florida, and one in four Floridians is covered under NFIP. Floridians collectively pay nearly \$900 million in premiums per year.

The near \$19 billion in debts held by the NFIP are mostly as a result of the 2005 hurricane season (Hurricanes Katrina, Rita, and Wilma) and the 2008 Midwest floods. While the average flood insurance policy is about \$600 per year, residents of high-risk flood areas pay disproportionately more in premiums. However, these residents do not take near the same proportion in payments on claims. Furthermore, individuals outside of high-risk areas file over 20% of NFIP claims and receive one-third of disaster assistance for flooding.

The NFIP paid \$709 million in flood insurance claims to homeowners, business owners, and renters in 2010. In fact, in 2010, New Jersey had the highest number of claims, and

Tennessee had the highest payments on claims—not Florida. As a matter of fact, Florida was not in the top 10 in either category of claims or payments.

I thank the Chair for the time. My common-sense amendment is fiscally responsible, protects consumers, and ensures that the NFIP will remain sound.

Mrs. BIGGERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Congresswoman ROSLEHTINEN's amendment, while well intentioned, would prevent the National Flood Insurance Program from moving toward a more actuarially sound basis for calculating premiums in as quick a manner as possible.

The underlying bill provides that FEMA, at the discretion of the administrator, can increase the chargeable premiums for flood policyholders by up to 20 percent once every 12 months until the premium being paid properly reflects the risk associated with the property.

The amendment is intended to save policyholders from the "sticker shock" premium increases potentially pose, but the underlying bill addresses this concern by allowing for a gradual phase-in of the actuarial rates instead of an abrupt adjustment.

One of the core goals of this bill is to move the NFIP towards a more actuarially sound, properly functioning program, and any amendment to slow down that effort must be opposed.

The amendment would strike part of section 5 that would increase annual limits on premium rates. It increases from 10 to 20 percent. The sponsors of the amendment have stated that their objective is to prevent a 100 percent increase in possible premium hikes, but what it's doing is really going to delay our being able to have a more actuarially sound basis for calculating the premiums in as quick a manner as possible.

Section 5 really addresses this concern by phasing in all of the non pre-FIRM properties to full actuarial rates over time to eliminate the subsidy and to allow the premiums paid for policies to reflect the risk covered by those policies. So I would oppose this amendment.

Mr. HOLT. Mr. Chair, I rise in support of this bipartisan amendment to maintain the 10 percent statutory NFIP premium increases.

While it is important to keep NFIP authorized and to begin solving its funding problems, we must make sure we are improving participation in the program and keeping premiums affordable. Low participation in NFIP in high-risk areas has been one of the program's most persistent challenges.

That is why I joined my colleagues in sponsoring this amendment. Doubling the maximum premium rate increase from 10 to 20 percent would hurt existing policyholders nationwide and in my Central New Jersey district.

If homeowners get hit with annual premium increases in excess of 10 percent, I am concerned that that they will decide flood insurance is something they can do without. And when a catastrophic event occurs, taxpayers will pick up the tab with disaster aid.

I have heard from homeowners, flood plain managers, insurers, and realtors in my congressional district about the importance of passing an extension of NFIP. Although I am pleased that we are considering the underlying bill, we should be encouraging more homeowners to obtain flood insurance, not placing an extra burden on policyholders who are doing the right thing protecting their homes from flood.

I ask my colleagues to join me supporting this amendment.

Mrs. BIGGERT. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. ROSLEHTINEN).

The amendment was rejected.

AMENDMENT NO. 10 OFFERED BY MR. WALBERG

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112-138.

Mr. WALBERG. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, after line 3, insert the following new subsection:

(1) MORATORIUM ON FLOOD MAP CHANGES.—  
(1) MORATORIUM.—Except as provided in paragraph (2) and notwithstanding any other provision of this Act, the National Flood Insurance Act of 1968, or the Flood Disaster Protection Act of 1973, during the period beginning upon the date of the enactment of this Act and ending upon the submission by the Council to the Administrator and the Congress of the proposed new mapping standards required under subsection (c)(1), the Administrator may not make effective any new or updated rate maps for flood insurance coverage under the national flood insurance program that were not in effect for such program as of such date of enactment, or otherwise revise, update, or change the flood insurance rate maps in effect for such program as of such date.

(2) LETTERS OF MAP CHANGE.—During the period described in paragraph (1), the Administrator may revise, update, and change the flood insurance rate maps in effect for the national flood insurance program only pursuant to a letter of map change (including a letter of map amendment, letter of map revision, and letter of map revision based on fill).

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Michigan (Mr. WALBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. Mr. Chairman, the amendment I am offering today addresses the most pressing concern my constituents have with the National Flood Insurance Program, and that problem is inaccurate flood maps.

I certainly understand that the NFIP is on shaky financial ground, and I commend Chairman BACHUS and Congresswoman BIGGERT and the Financial Services Committee for their work in crafting this bill; but as we vote today to put the NFIP on a path to solvency, we must not let this opportunity to strengthen the program pass us by.

Since I returned to Congress in January, my office has been barraged with letters and phone calls expressing concerns about the new and revised flood insurance rate maps that FEMA is rolling out in my district. These maps determine whether property owners will be required to purchase flood insurance, and evidence shows that the current mapping methods are oftentimes inaccurate, onerous or punitive; and while this insurance represents an essential lifeline to some property owners who face a real risk of flood damage, it is a costly, unnecessary mandate on those who face no actual threat of being flooded.

I am encouraged that the underlying bill, H.R. 1309, establishes a Technical Mapping Advisory Council to review the current mapping standards and that it proposes revised standards to be implemented by the FEMA administrator. Within 12 months of organization, the TMAC is required to report to Congress and the administrator on how to improve mapping methodology. H.R. 1309 clearly instructs the TMAC on their task, and that is to ensure that the flood insurance rate maps reflect true risk and that the most current and accurate data is used.

I look forward to receiving this report from TMAC and to the administrator's implementation of the new mapping standards; but in my view, this review is a tacit admission that the current practices are not working and that they represent a poorly implemented government mandate that cannot continue. The maps FEMA has been rolling out across the country are not based on the best information available, and this needs to stop.

My amendment improves on the work of the TMAC, simply requiring that, while the TMAC studies the best possible mapping methods, none of our constituents will be at risk of inclusion in a new map that uses the faulty, questionable methods currently in place. Simply put, this amendment would implement a moratorium on the issuance of new flood maps until the TMAC has done its due diligence and has issued its report on new mapping standards.

I am glad to have the support of Chairman BACHUS, and I ask that you support me in voting for this common-sense amendment.

I yield back the balance of my time.

Mr. CAPUANO. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. CAPUANO. While I understand the gentleman's concern about the accuracy of the FEMA maps, this bill does contain a 3-year delay of mandatory purchase and a 5-year phase-in thereafter. That's 8 years. We already have mechanisms in this bill that would insulate homeowners from the sticker shock of mandatory purchase while still alerting them to the fact that they actually live in a flood zone.

I am very concerned that, in the absence of any maps, we place our homeowners and communities in the dark about the risks they may be facing. This is why the bill does not delay the maps, themselves, but only the mandatory purchase requirement. So, while I understand the gentleman's concerns, I must oppose his amendment.

I yield back the balance of my time.

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The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. WALBERG). The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. CARDOZA

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112-138.

Mr. CARDOZA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, line 23, after the semicolon insert "and".

Page 37, strike lines 1 through 3.

Page 37, line 4, strike "(C)" and insert "(B)".

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from California (Mr. CARDOZA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CARDOZA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment that would remove onerous requirements on properties that already have existing flood protection and would prevent unnecessary economic harm to communities already struggling to recover.

My amendment strikes the language in the legislation requiring FEMA to include on its flood maps areas of residual risk. I'm offering this amendment because large areas across the country, such as large parts of the Central Valley and Los Angeles and Orange Counties, are already protected by existing levees and have no history of flooding, but would find themselves in newly designated "residual risk" floodplains under H.R. 1309. Such a policy would essentially map the entire area in the new residual risk flood zone as though

the levee that had been protecting the community for years had never existed. This would have a significant economic impact, and in many cases more than double the insurance premiums of those regions throughout the country.

In the area I represent of Stockton, California, and other affected areas of the San Joaquin Valley, this bill would place in the floodplain an additional 280,000 people who currently have flood protection provided by significant levees.

In 1995, annual premium payments were estimated at \$30 million. The CBO estimates that rates will more than double under this bill, totaling an estimated \$68 million in annual premiums from the greater Stockton area alone. Floodplain building restrictions for these protected areas would have an even greater impact on the cost of construction. These building restrictions would substantially increase the cost of home construction and severely impact housing affordability at a time when the housing market is already on life support in my area.

For my district and many other districts across the country, entire communities would be mapped into the floodplain. Mapping areas that have existing flood protection for residual risk effectively amounts to double taxation of these regions, where citizens are paying taxes to the local flood control agencies and then having to pay additional flood insurance as well as a result of being mapped into these areas.

This mapping requirement would also remove an important incentive for State and local governments to invest in flood control projects. If communities will still have to buy flood insurance after they improve and protect their communities, then why would they devote precious resources to these expensive projects? The cost benefits just simply wouldn't exist.

Mr. Chairman, at this point, I would like to yield 1 minute to my colleague from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Chairman, I rise in support of the amendment offered by Mr. CARDOZA.

He and I are fortunate to represent San Joaquin County in California, which is home to many, many miles of levees and waterways. His amendment is especially important to our constituents.

While the "residual risk" section of H.R. 1309 may be well intended, I believe it should be removed. We all believe that homeowners living in high-risk areas for flooding should have an insurance policy, but this language is overly broad and will hurt my constituents.

I've consulted closely with flood control officials from my district who share this concern and have expressed strong support for this amendment.

Our country is experiencing tough economic times, and we should take

great care to protect homeowners from unnecessary burdens. Our homeowners are losing their homes; let's not give them an extra burden that will send many of them into the street.

I am proud to rise in support of this amendment offered by my colleague, Mr. CARDOZA, which will significantly improve the bill we are considering today.

Mr. CARDOZA. Mr. Chairman, I urge my colleagues to vote for this commonsense amendment and prevent undue economic harm to our communities.

I yield back the balance of my time. Mrs. BIGGERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Under H.R. 1309, FEMA is required to update its flood maps according to the Technical Mapping Advisory Council's recommendations within 6 months or report to Congress why it has rejected them. As part of the new standard for the flood insurance rate maps, FEMA must include in any rate map areas of residual risk, including areas behind levees, dams and other manmade structures. I'm afraid that the Cardoza amendment would fail to provide homeowners with a real assessment of their risks, thereby impairing their ability to prepare for such natural disasters.

And to address concerns about the mapping process, H.R. 1309 reinstates the Technical Mapping Advisory Council to bring in the expertise and perspectives of other stakeholders in FEMA's process for setting new mapping standards. The amendment I think would weaken these new mapping standards that are designed to give homeowners and the NFIP an accurate portrait of flood risk, and I would oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CARDOZA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CARDOZA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 13 OFFERED BY MR. MCGOVERN

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 112-138.

Mr. MCGOVERN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 55, line 4, before "OBTAINING" insert "AND COMMUNITIES".

Page 55, line 5, before the period insert **“OR REVISION”**.

Page 55, line 14, after “1973” insert “, or a community in which such a property is located.”

Page 55, line 15, before “due” insert “, or a letter of map revision.”

Page 55, line 19, after “behalf,” insert “or such community, as applicable.”

Page 56, line 2, after “owner” insert “or community, as applicable.”

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Massachusetts (Mr. MCGOVERN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Chairman, I will be brief.

My amendment is simple. If FEMA makes a mistake in designing a flood map, communities can be reimbursed for the cost of mounting a successful challenge. If FEMA makes a mistake in mapping a flood area, then they should pay for it. Doing so will result in significant savings for cities and towns and homeowners. And to me, this is something that should be non-controversial and hopefully wins bipartisan support.

Mr. Chair, I was pleased that the Rules Committee made in order my amendment to H.R. 1309.

My amendment is simple: if FEMA makes a mistake in designing a flood map, communities can be reimbursed the costs of mounting a successful challenge.

Currently, communities that dispute FEMA's flood elevations can hire a private engineering firm to get a “second opinion” flood map.

While this may sound like an attractive option, it puts small communities in a very difficult financial position. Hiring a private engineering firm is expensive and cost-prohibitive for many small communities.

On the one hand, if the community decides that it's too expensive to get a second opinion, homeowners are forced to pay higher, or in some cases, needless flood insurance premiums.

On the other hand, if the community does mount a successful challenge to the original FEMA map, homeowners are spared from having to pay the higher flood insurance premiums. But, the town must still pay the costs associated with obtaining that second map.

I've heard of many small communities that are forced into this tough situation, including the Town of Holliston in my district. There is substantial evidence to support the case that the FEMA flood map is inaccurate, but town officials are struggling to find a way to pay the estimated \$30,000 it would cost to conduct a second engineering study.

I feel for these town officials. They want to do the right thing and help their residents, but these small towns are already cash-strapped and cutting funding left and right for essential services like teachers, cops and firefighters. There simply is no money for a legitimate but expensive second opinion map.

If FEMA makes a mistake in mapping a flood area, they should pay for it. Doing so would relieve towns like Holliston from the

enormous burden of fixing a mistake they did not make and saving residents hundreds of dollars in unnecessary flood insurance premiums.

I urge my colleagues to support my amendment.

Mr. Chairman, I yield back the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I support the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. BRADY OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 112-138.

Mr. BRADY of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 56, after line 9, insert the following new section:

**SEC. 20. NOTIFICATION TO RESIDENTS NEWLY INCLUDED IN FLOOD HAZARD AREAS.**

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(n) NOTIFICATION TO RESIDENTS NEWLY INCLUDED IN FLOOD HAZARD AREA.—In revising or updating any areas having special flood hazards, the Administrator shall provide to each owner of a property to be newly included in such a special flood hazard area, at the time of issuance of such proposed revised or updated flood insurance maps, a copy of the proposed revised or updated flood insurance maps together with information regarding the appeals process under section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104).”

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Texas (Mr. BRADY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BRADY of Texas. Mr. Chairman, this amendment might well be described as the “Homeowner's Right to Know.”

The original bill, H.R. 1309, contains several very positive notification requirements to help ensure that our constituents are more aware of the National Flood Insurance Program, the flood mapping process, and how they can protect their property from the risk of flood. However, one critical area in which the underlying bill needs to require adequate notification is when a homeowner is being newly added into a revised or updated flood map.

□ 1600

My amendment would require the FEMA Administrator to provide a copy of a flood insurance risk map to property owners who are newly added to

such a map along with information regarding the appeals process at the time the map is issued. The purpose is simple: One, bring more transparency to the flood mapping process; and, two, protect homeowners' rights by ensuring they have adequate notice their property is being added to the floodplain while ensuring that they have the information about the appeals process.

Too often, homeowners aren't even aware that FEMA is making changes to the flood maps in their communities until after a map is finalized and they receive a notice from their mortgage lender that they are now required to purchase flood insurance. Perhaps just as often, properties are not only unknowingly added to the floodplain, but they are added based on inconsistent or inaccurate data used by FEMA to create the maps. As a result, many homeowners are forced into buying flood insurance for the first time and mandated to do so when, in fact, their flood risk hasn't changed.

Constituents in my own district have experienced these issues firsthand. One county in my district has been going through the remapping process for the past couple of years. Last year, FEMA introduced a draft map that would have added literally thousands of homes into the floodplain. In one portion of the county, I would estimate that nearly 10 percent of the total number of homes would be added by FEMA's draft map, yet few people were even aware. I know they weren't aware because I had conversations with insurance agents who write flood policies in the community, and they weren't aware. I have had major developers who are building in that area talk to me about other related issues but didn't know about the new draft map. To make matters worse, we believe the map was technically inaccurate. FEMA was using incongruent data. As a result, new floodplains were proposed when, in fact, flood risk could not increase.

In a second community, the outcry was so great that FEMA had to come back for a public town hall meeting to discuss the mapping process after the map went into effect. Local residents started getting notifications from their lenders that they needed to purchase flood insurance, and they simply didn't know why. My office received calls from residents in one portion of that community where the homes have been confirmed as nearly 8 feet above the highest recorded level of flooding in that area ever, but they were now in the floodplain. No one had bothered to tell them.

My amendment would ensure that in all these scenarios the homeowner would simply be notified that their home was potentially being added to a floodplain and tell them about their right to appeal. Homeowners deserve to be informed when the government is

making decisions that impact their property. This simple amendment will ensure that they do.

I yield back the balance of my time.

Mr. CAPUANO. Mr. Chairman, as I understand it, the amendment is perfectly fine, and we hope that it will be adopted.

The Acting CHAIR (Mr. HASTINGS of Washington). The question is on the amendment offered by the gentleman from Texas (Mr. BRADY).

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. SHERMAN

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 112-138.

Mr. SHERMAN. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 57, after line 2, insert the following new section:

**SEC. 21. FEMA AUTHORITY TO REJECT TRANSFER OF POLICIES.**

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

“(d) FEMA AUTHORITY TO REJECT TRANSFER OF POLICIES.—Notwithstanding any other provision of this Act, the Administrator may, at the discretion of the Administrator, refuse to accept the transfer of the administration of policies for coverage under the flood insurance program under this title that are written and administered by any insurance company or other insurer, or any insurance agent or broker.”

Strike line 23 on page 64 and all that follows through page 65, line 5, and insert the following new section:

**SEC. 24. REQUIRING COMPETITION FOR NATIONAL FLOOD INSURANCE PROGRAM POLICIES.**

(a) REPORT.—Not later than the expiration of the 90-day period beginning upon the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency, in consultation with insurance companies, insurance agents and other organizations with which the Administrator has contracted, shall submit to the Congress a report describing procedures and policies that the Administrator shall implement to limit the percentage of policies for flood insurance coverage under the national flood insurance program that are directly managed by the Agency to not more than 10 percent of the aggregate number of flood insurance policies in force under such program.

(b) IMPLEMENTATION.—Upon submission of the report under subsection (a) to the Congress, the Administrator shall implement the policies and procedures described in the report. The Administrator shall, not later than the expiration of the 12-month period beginning upon submission of such report, reduce the number of policies for flood insurance coverage that are directly managed by the Agency, or by the Agency’s direct servicing contractor that is not an insurer, to not more than 10 percent of the aggregate number of flood insurance policies in force as of the expiration of such 12-month period.

(c) CONTINUATION OF CURRENT AGENT RELATIONSHIPS.—In carrying out subsection (b), the Administrator shall ensure that—

(1) agents selling or servicing policies described in such subsection are not prevented

from continuing to sell or service such policies; and

(2) insurance companies are not prevented from waiving any limitation such companies could otherwise enforce to limit any such activity.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from California (Mr. SHERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SHERMAN. I rise to offer an amendment that is coauthored by Chairman BACHUS and by my friend GREGORY MEEKS from New York. It is a bipartisan and, I hope, noncontroversial amendment.

This flood insurance program is usually a partnership between private companies and the Federal Government. The Write Your Own Program involves the companies servicing the policies. And one major company that used to write policies in this area decided to pull out of the program and turned over 800,000 policies to the Federal Government. The whole idea behind the program is that the Federal Government will administer as few of these insurance policies as possible.

The purpose of this amendment is to require that the vast majority of these policies be made available to be handled by private insurance companies. It is simply a privatization amendment. This includes language in the amendment designed to protect the agents of State Farm, which is the company that is no longer in this business, ensuring that they will be able to continue servicing the policies that shift from the Federal Government to private insurance companies. This is an effort to ensure that these policies are taken off the taxpayers’ books without interfering in the relationship between consumers and their insurance agents.

I would hope that this would be a noncontroversial amendment. As I said, it is supported by the chairman of the committee and is offered on his behalf as well as the gentleman from New York (Mr. MEEKS).

With that, I reserve the balance of my time.

Mr. BACHUS. I rise to claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Alabama is recognized for 5 minutes.

There was no objection.

Mr. BACHUS. Mr. Chairman, this is a commonsense amendment. As many of us on the Financial Services Committee know, the flood insurance program is a public-private partnership where private insurance companies write the coverage and service the policies, with the government setting the coverage and the requirements.

Recently, State Farm Insurance decided that they no longer wanted to participate in the program, and they

transferred—I guess that’s a nice word. An unflattering term which is more accurate would be they dumped 800,000 policies back on the Federal Government. This was after they collected premiums and their agents sold the coverage.

This amendment would make changes to that, where if an insurance company wants to participate in the plan, they can; if they want to profit from the plan, they can. But they don’t have the unilateral right to dump those policies back on the government agencies.

Prior to that, there were about 150 policies that the government was administering directly.

What this amendment would do is called a depopulation amendment. It directs FEMA and the National Flood Insurance Program to take those policies and distribute them among insurance companies who are willing to service those contracts. And I’m happy to report to the Congress and the Members that many mainline insurance companies have agreed to take up these policies.

Out of respect for State Farm agents, many of whom I think were displeased and surprised by their parent company abandoning these policies, it would give them the right to also service those policies. However, there may be some legal problems with that, but we at least don’t rule that out.

The depopulation of these policies—and by that, the return to what the program was set up to function like, and that was with private servicers and agents. Handling the policies would be done over a 1-year time frame.

I actually believe that we should have actually depopulated more than we did, but we did this as an accommodation to FEMA and to some of the State Farm agents. I think this is a noncontroversial amendment.

Mr. JOHNSON of Illinois. Mr. Chair, I rise today in opposition to the amendment offered by Mr. Sherman and would like to make a few points.

First, I would like to point out that I fully understand and support the goal of encouraging private sector involvement in offering flood insurance and exploring ways to diminish unnecessary reliance on government programs.

However, I am not convinced that this amendment gets us any closer to achieve this goal. In fact, this Amendment may actually put Congress in the position of picking winners and losers in the market place, interfering with private contracts, and creating millions of dollars in new federal spending.

I would like to make the following points:

Regardless of whether a flood insurance policy is provided through NFIP Direct or through a WYO insurer, the federal government is responsible for all losses covered under the policy. Regardless of whether a policy is issued by NFIP Direct of a WYO insurer, a private company will handle all aspects of policy issuance and claims administration and these services will be paid for through the federal government.



FEMA has informed Congress that private contractors handling NFIP Direct policies can manage the recently transferred policies for \$50 million less each year than WYO carriers. This is a savings of \$250 million for the life of the bill.

Redistribution of these policies destroys consumer choice and dictates to consumers the company and agent they are required to use for flood insurance while taking property from the agents who produce the business. This redistribution affects flood insurance policy holders and insurance agents in every Congressional District across the country.

The only thing this amendment accomplishes is the forcible transfer of policies from one group to another, with absolutely no cost savings and no improvement in customer service.

There are many questions to answer, and I believe the Committee took the right step in requesting a study before acting on the issue. Unfortunately, we seem to be acting today before we have these answers.

I would like to submit the following statements: (1) A summary of the issue provided to the Senate Banking Committee in connection with their hearings on NFIP authorization; and (2) A letter from FEMA to House Financial Services and Oversight and Investigations Subcommittee Chairman NEUGEBAUER answering questions about the redistribution amendment and highlighting the increased cost to taxpayers of this amendment.

#### STATE FARM INSURANCE—JUNE 30, 2011

STATE FARM FIRE AND CASUALTY COMPANY (STATE FARM) VIEWS ON EFFORTS TO REDISTRIBUTE NFIP DIRECT POLICIES TO WRITE YOUR OWN INSURERS

State Farm supports reauthorizing the National Flood Insurance Program (NFIP) and would like to take this opportunity to clear up any confusion surrounding State Farm's and its agents' participation in the NFIP and the operational differences between flood insurance policies distributed through the Write Your Own (WYO) program and NFIP Direct.

#### I. The Proposed Redistribution of NFIP Policies Will Not Decrease the Federal Government's Risk

Unfortunately, under the guise of NFIP "reform," the attributes of the WYO and NFIP Direct distribution channels have been mischaracterized in order to pursue an ill-advised scheme to enlist the federal government's powers to take insurance business marketed, solicited, and sold by one group of private insurance agents and redistribute those policies to other agents and companies who had no role in generating these policies in the first instance. There are proprietary rights of insurance agents at stake in this matter.

Characterized as NFIP "depopulation," this scheme hijacks familiar terminology relating to programs used in several states that transfer insurance policies out of state-run insurance pools into the private sector. However, unlike "depopulation" at the state level, where the entire risk of a policy is shifted to the private insurer, the scheme as advocated for NFIP merely redistributes customers, policies, and revenues associated with administering those policies from private businesses connected with NFIP Direct to selected WYO insurers. No changes are made in the risk bearing of companies in the WYO distribution channel. The federal gov-

ernment retains 100% responsibility for paying all covered flood losses.

Far from being an effort towards privatization reform, the true nature of WYO participation is captured best in the U.S. Securities and Exchange Commission filing of a firm that is the largest WYO insurer—Fidelity National Financial, Inc. As described in the firm's most recent Form 10-K for calendar year 2010:

"We earn fees under [the NFIP] program for settling flood claims and administering the program. We serve as administrator and processor in our flood insurance business, and bear none of the underwriting or claims risk. The U.S. federal government is guarantor of flood insurance coverage written under the NFIP and bears the underwriting risk. Revenues from our flood insurance business are impacted by the volume and magnitude of claims processed as well as the volume and rates for policies written. For example, when a large number of claims are processed as a result of a natural disaster, such as a hurricane, we experience an increase in the fees that we receive for settling the claims."

The suggestion that this confiscatory redistribution scheme would shrink the public sector while growing the private sector is wrong. It also completely ignores the fact that, just like the WYO program, NFIP Direct fully utilizes the private sector in handling flood insurance policies.

To be clear:

(1) Regardless of whether a flood insurance policy is provided through NFIP Direct or through a WYO insurer, the policy provides federal insurance coverage and the federal government is responsible for all losses covered under the policy;

(2) NFIP redistribution is a confiscatory scheme that does not diminish federal obligations on a flood insurance policy placed with a WYO insurer;

(3) Whether a policy is issued by NFIP Direct or a WYO insurer, a private company will handle all aspects of policy issuance and claims administration and these services will be paid for through the federal government;

(4) Since NFIP costs are funded entirely with federal monies and FEMA utilizes private parties for handling policies under both the WYO program and NFIP Direct, there are no demonstrated federal savings from redistributing federal flood insurance policies from NFIP Direct to WYO insurers;

(5) Redistribution of NFIP Direct policies to WYO insurers does nothing to increase consumer participation rates which are critical to program solvency; redistribution actually creates disincentives for more than 17,000 agents to increase such participation rates; and

(6) Redistribution destroys consumer choice and dictates to consumers the company and/or agent they are required to use for flood insurance while taking property from the agents who produced the business.

Following is more detailed background information.

#### II. Background on NFIP

##### a. The WYO Program and State Farm's Participation

The NFIP program has been in place since 1968. The NFIP's WYO program began in 1983 through statute and federal rule as a financial arrangement between participating property and casualty insurers and the Federal Emergency Management Agency (FEMA). The WYO program permits participating property and casualty insurers to sell

and service the NFIP's standard flood insurance policies in their own names. Although participating insurance companies receive an expense allowance for policies written and claims processed, the federal government retains full responsibility for underwriting losses and all premiums paid by purchasers of flood insurance go into the US Treasury. Currently, about 88 insurance companies participate in the WYO arrangement with FEMA; this is a decrease from previous years.

Insurers participate in the program through a WYO Arrangement. FEMA publishes the WYO Arrangement, which is a federal rule, in the Federal Register before the end of August every year. Each WYO insurer considers annually whether or not to sign the WYO arrangement.

State Farm began its WYO participation in 1985. Following its entry in the program, each year State Farm carefully evaluated its continuing participation in the WYO Arrangement. In recent years, NFIP has presented a more challenging landscape of changing requirements and directives which requires the expenditure of resources with varying degrees of notice and clarity of instruction. In addition, the WYO program's continuing existence became more uncertain with each gap in authorizations and there were numerous occasions when the program was allowed to lapse. These situations complicated our ability to serve our customers' needs. Subsequently, State Farm made a very difficult business decision to no longer participate in the WYO Arrangement.

##### b. Transition to NFIP Direct and Meeting Customer Needs:

Based on existing regulations, State Farm's orderly transfer plan was structured in a way that permitted State Farm agents to continue servicing their customers' needs through NFIP Direct, regardless of whether State Farm itself participated as a WYO insurer. For example, under the Arrangement, a WYO company has the option to sell its book of business to another WYO insurer (subject to FEMA approval) or to transfer policies to the NFIP Direct program. State Farm exercised the option to transfer the policies to the NFIP Direct Program, which avoided the potential for substantial customer confusion and disrupting the relationship customers have with their State Farm agent. More specifically, in utilizing NFIP Direct, the State Farm agent remains the agent of record on transferred policies. This means that State Farm's decision to discontinue participation in the WYO Arrangement did nothing to undermine our exclusive independent contractor agents' ability to continue servicing the needs of their flood insurance customers who maintained or sought federal flood insurance protection in the future. From a consumer perspective, this seamless transition of the policies was effortless; renewal of flood insurance coverage did not require any additional steps by policyholders. The customer placed their coverage as they did previously—through their State Farm agent, an individual who was a familiar face to the customer and had an existing understanding of the customer's property and needs.

State Farm did not receive any compensation for its orderly transfer of policies to NFIP Direct. Of approximately 800,000 policies, State Farm has transferred to date over 550,000 policies. Each State Farm WYO policyholder has already received a notice regarding the transfer plan. Each policyholder has also received or will receive a second notice prior to the policy transfer.



*c. The Critical Role of State Farm Agents*

Perhaps more important to the functioning of NFIP, active agent participation in the marketing and selling flood insurance is a significant issue of concern to FEMA. It is widely recognized that one major shortcoming of the NFIP is that the purchase of flood insurance is often limited to only those who need coverage or are mandated to purchase coverage in connection with the purchase of a home. This limited demand impedes the ability of the NFIP to broaden its insurance base to satisfy a fundamental tenet of insurance underwriting—spreading the risk of loss among a larger and more diverse pool of policyholders who are unlikely to experience losses at the same time. Consequently, an agent workforce actively engaged in marketing and soliciting NFIP policies is a critical component of making the program more actuarially sound.

Indeed, FEMA recognized that having State Farm agents actively market and sell NFIP Direct policies is a major benefit to the program. However, if the federal government were to redistribute policies brought into NFIP by an agent to another company or agent (which includes commissions), the incentive for agents to originate policies in NFIP Direct would be removed without any commensurate benefit, which would undermine the entire program. Equally pernicious, it would be tantamount to a government taking of business property from individual businessmen and businesswomen solely for the benefit of another private party.

*III. Proposed Redistribution Scheme Offers No Cost Advantage: Private Parties Handle the Servicing of all NFIP Policies Regardless of Who Distributes Them*

Contrary to the assertions made by supporters of NFIP “depopulation,” the confiscatory redistribution of NFIP Direct policies to WYO insurers will not create smaller government, increase the role of the private sector, or diminish the government’s risk of loss on flood insurance policies. All NFIP policies have an agent of record that handles the sales and some aspects of servicing. These agents may or may not be associated with a WYO company, but they are paid a commission through NFIP, regardless of whether they are affiliated with a WYO company or not. A similar pattern is followed for claims handling where private sector parties service all NFIP claims regardless of how they are distributed.

Claims handling for NFIP Direct policies is done by a private contractor, Computer Sciences Corporation (CSC), through a competitively bid contract. Furthermore, as described in its own marketing materials, CSC provides identical services to several WYO carriers, including some of the largest. As a result, there is a strong probability that the so-called “reforms” achieved through confiscatory redistribution would do nothing more than transfer the handling of flood insurance policies from CSC under its NFIP Direct hat to CSC wearing its WYO hat. Significantly, the proponents of confiscatory redistribution have not produced any evidence suggesting that their servicing will save the NFIP money. Indeed, the only difference for policies so redistributed would be that insurance agents—primarily small businesspeople who sold the flood policy in the first instance, would see their book of business confiscated by the federal government and simply handed over to another company. This is not reform and is not about “making the government smaller.”

*IV. Proposed Redistribution Scheme Destroys Consumer Choice*

Another insidious result of NFIP confiscatory redistribution is the elimination of consumer choice and engaging the federal government to forcibly require consumers to accept companies and/or agents with whom they have no prior relationship, or, even worse, whom they have affirmatively rejected in the past. Far from creating a seamless transition for consumers, redistribution generates several problems. For example, if a consumer has chosen to work with an agent and has been with an agent for many years, should the federal government overrule the consumer’s choice through redistribution? What if a policy has been redistributed to a company with whom the consumer does not want to do business? Does the consumer have any control? Does the federal government really want to be involved in this type of decision?

*V. Conclusion*

“Depopulation” of NFIP is a myth. Current efforts along these lines are nothing more than a scheme to use the federal government’s authority to redistribute existing policies from one group of private insurance agents and give that business to other private entities. This confiscatory redistribution scheme makes no changes in the federal government’s risk exposure under NFIP, fails to increase participation rates in purchasing flood insurance, provides no demonstrated savings to the federal government, and destroys consumer choice. Such measures should be opposed.

U.S. DEPARTMENT OF  
HOMELAND SECURITY,  
Washington, DC, June 27, 2011.

Hon. RANDY NEUGEBAUER,  
Chairman, Oversight and Investigations Subcommittee, Financial Services Committee, House of Representatives, Washington, DC.

DEAR CHAIRMAN NEUGEBAUER: Thank you for your letter of May 23, 2011, in which you requested clarification of the Federal Emergency Management Agency’s (FEMA) position on a proposed “depopulation amendment” to H.R. 1309. As a preliminary matter, please accept my assurances that FEMA is committed to administering the National Flood Insurance Program (NFIP) in a manner that provides affordable insurance combined with a floodplain management program designed to reduce the nation’s risk from flood. Since 1983, FEMA has taken advantage of the expertise of the private insurance industry through the Write Your Own (WYO) program, and we remain convinced that a public-private partnership provides the appropriate vehicle for administering the NFIP.

Below are FEMA’s responses to your questions.

1. *Please explain in detail how the NFIP plans to expand its ability to administer the additional 800,000 policies which State Farm is ceding to the NFIP program, when it is currently handling approximately 120,000 policies under the NFIP Direct program? What is the anticipated additional annual expense to the program to administer this vastly expanded book of business?*

The NFIP Direct program is administered by a contractor acting as FEMA’s servicing agent. That contractor, Computer Sciences Corporation (CSC), has increased its capacity to process the transferred policies by hiring additional staff. State Farm will transfer the policies to NFIP Direct on a monthly basis as they expire. The transition is already underway, with all policies anticipated to be transferred by September 30, 2011.

We estimate that the transfer will reduce NFIP expenses by about \$50 million a year for FY 2012 and subsequent years. During FY 2011 while the policies transition from State Farm to NFIP Direct, the savings will be slightly less. NFIP policyholders and the National Flood Insurance Fund will share the \$50 million in savings. Thirty million dollars of the savings comes from our full-risk policyholders, and the NFIP will pass the savings back to them through slightly lower premiums. We estimate that the average savings per policy will be about \$7, which will be a 1.5% premium reduction. Twenty million dollars of this savings comes from our subsidized policyholders. By retaining that savings within the NFIP, we can slightly reduce the average amount of the subsidy and there will be more funds available either to pay claims or to reduce the current borrowing.

2. *Does FEMA or the NFIP support, oppose, or take a neutral position with respect to an amendment to HR. 1309, which would have required the NFIP to make the right to service these policies available to other WYO companies, their agents, or to independent agents in a timely, orderly and reasonable manner?*

Without seeing the specific language of the amendment, FEMA would oppose such an amendment unless it allowed, but did not require, the individuals who hold the State Farm policies to move to other companies. Requiring the policies to be transferred to other WYO companies, their agents, or independent agents could harm agents who work with State Farm because State Farm prohibits its agents from working with any other insurance companies, so its agents would have to choose between continuing to work with State Farm or continuing to work with the individuals who hold the State Farm flood insurance policies. FEMA does plan to notify policyholders of their right to voluntarily move from the NFIP Direct program to other companies or agents at the time of policy renewal. We estimate that providing such notifications will cost NFIP over \$900,000 annually.

3. *What, if any, contractual obligations prevent FEMA or the NFIP from making available to the remaining WYO companies the right to service flood insurance policies no longer being serviced by State Farm? If such contracts or agreements exist, please provide a copy to my staff in electronic format.*

State Farm policyholders may move from the NFIP Direct program to a WYO company, and FEMA plans to notify policyholders of that fact at the time of their policy renewals.

Without seeing specific legislative language, FEMA cannot fully assess the nature of the contractual obligations that may be impacted by an amendment. However, to require FEMA to transfer the policies to a WYO company could impact existing contractual obligations.

FEMA has a contractual agreement with the Computer Science Corporation (CSC) to act as its NFIP Direct servicing agent. As the NFIP Direct servicing agent, CSC services flood insurance policies sold directly by FEMA, collects premiums, adjusts and settles claims, and disseminates insurance information to the public, lenders, and agents. Prior to State Farm’s decision to terminate its participation in the WYO Program, CSC acted as NFIP Direct servicing agent for approximately 150,000 policies. In March 2011, FEMA competitively awarded a contract to CSC to handle approximately 900,000 State Farm policies that will move to NFIP Direct upon policy renewal. The contract is valid

for five years. Because of the increased volume of business now handled by NFIP Direct, FEMA negotiated a 40% per policy discount on the amount charged for each policy handled by CSC through NFIP Direct, which is a significant cost savings to NFIP. Pursuant to the newly-awarded contract, CSC has stepped up its operations, including hiring new employees to assist in servicing the 900,000 new NFIP Direct policies.

Additionally, as explained below, the State Farm insurance agents have contractual obligations that make it difficult to implement a broad-based transfer of policies.

4. Does NFIP currently possess the legal authority to offer the right to service these policies to the remaining WYO companies, their agents, or independent agents? If so, have there been any efforts on the part of the NFIP to make these rights available to these companies or agents? If the NFIP does in fact have such authority, and if there have been no such efforts to utilize that authority to return these rights to the private market, why has NFIP not made these rights available to the remaining WYO companies or agents? Does NFIP intend to make these rights available to the private market?

Once a policy has been transferred to NFIP Direct, FEMA has the authority to allow the policy to be written by participating WYO companies, and typically, policies tend to migrate to WYO companies as those companies compete for the business. FEMA is committed to notifying the insureds in NFIP Direct of the option to take their business elsewhere and has formulated a proposal to provide notice upon policy renewal.

Without seeing the specific language of the amendment, FEMA cannot fully assess the legal implications of such an amendment. However, there are impediments to requiring FEMA to offer the opportunity to service NFIP Direct policies to WYO companies, their agents, or independent agents, particularly with respect to policies that were written by State Farm insurance agents.

When the State Farm policies transfer to NFIP Direct at the time the policies are renewed, State Farm agents will be the agents of record for the policies. While State Farm allows its agents to work with NFIP Direct to provide policyholders with flood insurance, the company prohibits its agents from working with any other private insurance companies. Therefore, State Farm agents would have to choose between continuing to work with State Farm or continuing to work with the approximately 900,000 policyholders who have other lines of insurance with the agents. Moreover, mandating that all, or a certain subset, of NFIP Direct policies be transferred to WYO carriers would harm the agents of record on those policies if those agents are not affiliated with the particular WYO carrier that receives those policies.

Requiring FEMA to offer the opportunity to service NFIP Direct policies to WYO companies, their agents, or independent agents could also create a disincentive to policy renewal and negatively affect the number of policies in force because of the additional steps that would be required to obtain a new carrier and transfer the policy to the new carrier. This may require a policyholder to obtain more than one agent to handle all of their insurance needs. Additionally, such a provision could limit individual citizens' right to choose their insurance agent because some policyholders may not be able to work with their current agents if those agents are not affiliated with the particular WYO carriers that received the policyholder's business from the NFIP Direct.

Although the NFIP has not transferred NFIP Direct policies to the WYO insurers,

their agents, or independent insurance agents for the reasons provided above, the NFIP intends to advise NFIP Direct policyholders of the option to move their policies to another WYO carrier or to continue with NFIP Direct at the time their policies are renewed. This notification will inform policyholders that they have a choice about who handles their business, while allowing the policyholders' current agents the opportunity to compete to retain that business.

I trust that this information is helpful. If you have further questions or concerns, please do not hesitate to contact the Federal Emergency Management Agency's Legislative Affairs at Division.

Sincerely,

EDWARD L. CONNOR,  
Deputy Federal Insurance and  
Mitigation Administration Insurance.

Mr. BACHUS. I yield back the balance of my time.

Mr. SHERMAN. I move the adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SHERMAN).

The amendment was agreed to.

□ 1610

AMENDMENT NO. 17 OFFERED BY MR. LOEBSACK

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 112-138.

Mr. LOEBSACK. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 57, after line 2, insert the following new section:

**SEC. 21. APPEALS.**

(a) TELEVISION AND RADIO ANNOUNCEMENT.—Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) is amended—

(1) in subsection (a), by inserting after “determinations” by inserting the following: “by notifying a local television and radio station,”; and

(2) in the first sentence of subsection (b), by inserting before the period at the end the following: “and shall notify a local television and radio station at least once during the same 10-day period”.

(b) EXTENSION OF APPEALS PERIOD.—Subsection (b) of section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(b)) is amended—

(1) by striking “(b) The Director” and inserting “(b)(1) The Administrator”; and

(2) by adding at the end the following new paragraph:

“(2) The Administrator shall grant an extension of the 90-day period for appeals referred to in paragraph (1) for 90 additional days if an affected community certifies to the Administrator, after the expiration of at least 60 days of such period, that the community—

“(A) believes there are property owners or lessees in the community who are unaware of such period for appeals; and

“(B) will utilize the extension under this paragraph to notify property owners or lessees who are affected by the proposed flood elevation determinations of the period for appeals and the opportunity to appeal the determinations proposed by the Administrator.”.

(c) APPLICABILITY.—The amendments made by subsections (a) and (b) shall apply with respect to any flood elevation determination for any area in a community that has not, as of the date of the enactment of this Act, been issued a Letter of Final Determination for such determination under the flood insurance map modernization process.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Iowa (Mr. LOEBSACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. LOEBSACK. Mr. Chairman, I yield myself such time as I may consume.

I want to thank Congresswoman BIGGETT for bringing this bill to the floor. I look forward to supporting this important legislation that will address many of the issues I have been experiencing in my district, and ones that I know are occurring all across the country.

In Iowa, we are all too familiar with the flood insurance program because of the devastating floods of 2008, and again on the Missouri River in western Iowa this summer. We also have many communities throughout the State going through the mapping process. Unfortunately, due to a lack of adequate notification during the process of flood mapping, many homeowners continue to be surprised when they find out that their homes are newly placed in a floodplain and they will be required to purchase flood insurance.

My amendment will help ensure communities and property owners that are affected by new maps are made aware of the process taking place from the beginning. Currently, FEMA is only required to publish notice of new flood elevations in a local newspaper. For one community in my district, this translated literally to a paragraph in the legal notice section. My amendment will require FEMA to notify not only the local paper, but also a local television and radio station, because I think it's time we update this law to be more reflective of all the media our constituents use daily.

Ensuring communities have the information needed at the beginning is one step. The next is ensuring that there is appropriate time and ability for communities and property owners to appeal the drafts. Currently, there is a 90-day appeal period for property owners to dispute FEMA's draft maps. Many property owners don't find out this process is taking place until after the map is finalized, meaning the 90-day appeal period has long passed, and they no longer have the ability to ensure their houses are not included in the final map in error.

My amendment ensures that communities and property owners have an additional 90 days to appeal the draft maps if they weren't aware of the original appeal period and believe there are

property owners that haven't been made aware of the appeals process already.

I think we can all agree that every property owner who might be affected by flood maps should have an opportunity to fully participate in the established process, and that we should strive to have the most accurate maps possible. My amendment will ensure that homeowners have the information they need to make informed decisions and preparations at the beginning of the process and fully participate in the existing appeals process.

The more homeowners that are aware of flood maps, the more participation there is in the process, in the program; and the more accurate our maps will be. Greater map accuracy will give us better awareness of the flood risks in our communities and allow homeowners and community leaders alike to take steps to mitigate and prepare for that risk.

I urge my colleagues to support this amendment on behalf of property owners in all of our districts.

I reserve the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I claim time in opposition to the amendment, even though I support the amendment.

The Acting CHAIR. Without objection, the gentlewoman from Illinois is recognized for 5 minutes.

There was no objection.

Mrs. BIGGERT. Mr. Chairman, I rise in support of this amendment.

I think that proper and effective notification by FEMA allows the protection provided by the NFIP to reach out to those who need it. And the amendment also includes provisions designed to benefit communities that believe that they have been incorrectly mapped in the flood program, further enhancing the validity of the maps by providing an appeal for newly mapped areas. I support it.

I reserve the balance of my time.

Mr. LOEBSACK. In closing, I urge my colleagues to support this amendment. Again, I thank Mrs. BIGGERT for her support of this amendment.

I yield back the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I would like to commend Mr. LOEBSACK for his amendment. I also would like to say that because it does require or ask that TV and radio be utilized to get the word out, the next amendment by the lady from Michigan actually would—and I have taken no position on her amendment—but it actually asks that national flood insurance not incur advertising expenses. And I think there is some good points to that, some bad points. But as this amendment proves, the local stations themselves and the local media can get these things out. So that might be a point in favor of her first amendment.

I am very opposed to her second amendment. I don't want the Members to confuse support, or at least non-opposition to her first amendment, as support for her second. But I commend the gentleman, and I think it's a good sense amendment and would urge strong support to the Loeb sack amendment.

Mrs. BIGGERT. I now yield 2 minutes to the gentleman from Illinois (Mr. JOHNSON).

Mr. JOHNSON of Illinois. I thank the distinguished sponsor and would preface my comments by saying I am strongly in support of Congresswoman BIGGERT's superb piece of legislation.

However, I rise today in opposition to this amendment offered by Representative SHERMAN. I would like to point out first that I fully understand and support the goal of encouraging private sector involvement and exploring ways to diminish unnecessary reliance on government programs. However, I am not convinced, in fact I am unconvinced, this amendment gets us any closer to achieving that goal. In fact, this amendment may put Congress in the position of choosing winners and losers in the marketplace, interfering with private contracts, and creating millions of dollars in new Federal spending.

I would like to make the following points: regardless of whether a flood insurance policy is provided through NFIP Direct or WIO, the Federal Government's responsible for all the losses incurred under the policy. FEMA has informed Congress that private contractors handling NFIP Direct policies can manage the recently transferred policies for \$50 million less, which is a saving of \$250 million over the life of the bill. I don't have to tell any individuals in today's world what that means.

Redistribution of these policies destroys, in my judgment, consumer choice, dictates to consumers the company and agent they are required to use for flood insurance, while taking property from the agents who produce the business. This redistribution affects flood insurance policyholders and insurance agents in every district in the country.

Really, the only thing this amendment does is the forcible transfer of policies from one group to the other with not only no cost savings, with significant costs to the Federal Government. A lot of questions to answer.

I believe the committee and Representative BIGGERT took the right approach in requesting a study before acting on the issue. Unfortunately, today, we seem to be acting contrary-wise before we have these answers. With all due respect again to the sponsor of the amendment, and certainly in concert with the sponsor of the bill, I urge a "no" vote on this amendment.

Mrs. BIGGERT. I yield such time as he may consume to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I think the gentleman from Illinois was arguing on the last amendment, not this amendment. If the Members will take everything he said, transfer it to the amendment before, it would be appropriate. But I disagree with his argument.

Mrs. BIGGERT. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. LOEBSACK).

The amendment was agreed to.

□ 1620

AMENDMENT NO. 19 OFFERED BY MR. WESTMORELAND

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in House Report 112-138.

Mr. WESTMORELAND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 57, after line 2, insert the following new section:

**SEC. 21. RESERVE FUND.**

(a) ESTABLISHMENT.—Chapter I of the National Flood Insurance Act of 1968 is amended by inserting after section 1310 (42 U.S.C. 4017) the following new section:

**"SEC. 1310A. RESERVE FUND.**

"(a) ESTABLISHMENT OF RESERVE FUND.—In carrying out the flood insurance program authorized by this title, the Administrator shall establish in the Treasury of the United States a National Flood Insurance Reserve Fund (in this section referred to as the 'Reserve Fund') which shall—

"(1) be an account separate from any other accounts or funds available to the Administrator; and

"(2) be available for meeting the expected future obligations of the flood insurance program.

"(b) RESERVE RATIO.—Subject to the phase-in requirements under subsection (d), the Reserve Fund shall maintain a balance equal to—

"(1) 1 percent of the sum of the total potential loss exposure of all outstanding flood insurance policies in force in the prior fiscal year; or

"(2) such higher percentage as the Administrator determines to be appropriate, taking into consideration any circumstance that may raise a significant risk of substantial future losses to the Reserve Fund.

**"(c) MAINTENANCE OF RESERVE RATIO.—**

"(1) IN GENERAL.—The Administrator shall have the authority to establish, increase, or decrease the amount of aggregate annual insurance premiums to be collected for any fiscal year necessary—

"(A) to maintain the reserve ratio required under subsection (b); and

"(B) to achieve such reserve ratio, if the actual balance of such reserve is below the amount required under subsection (b).

"(2) CONSIDERATIONS.—In exercising the authority under paragraph (1), the Administrator shall consider—

"(A) the expected operating expenses of the Reserve Fund;

"(B) the insurance loss expenditures under the flood insurance program;

“(C) any investment income generated under the flood insurance program; and

“(D) any other factor that the Administrator determines appropriate.

“(3) LIMITATIONS.—In exercising the authority under paragraph (1), the Administrator shall be subject to all other provisions of this Act, including any provisions relating to chargeable premium rates and annual increases of such rates.

“(d) PHASE-IN REQUIREMENTS.—The phase-in requirements under this subsection are as follows:

“(1) IN GENERAL.—Beginning in fiscal year 2012 and not ending until the fiscal year in which the ratio required under subsection (b) is achieved, in each such fiscal year the Administrator shall place in the Reserve Fund an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

“(2) AMOUNT SATISFIED.—As soon as the ratio required under subsection (b) is achieved, and except as provided in paragraph (3), the Administrator shall not be required to set aside any amounts for the Reserve Fund.

“(3) EXCEPTION.—If at any time after the ratio required under subsection (b) is achieved, the Reserve Fund falls below the required ratio under subsection (b), the Administrator shall place in the Reserve Fund for that fiscal year an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

“(e) LIMITATION ON RESERVE RATIO.—In any given fiscal year, if the Administrator determines that the reserve ratio required under subsection (b) cannot be achieved, the Administrator shall submit a report to the Congress that—

“(1) describes and details the specific concerns of the Administrator regarding such consequences;

“(2) demonstrates how such consequences would harm the long-term financial soundness of the flood insurance program; and

“(3) indicates the maximum attainable reserve ratio for that particular fiscal year.

“(f) AVAILABILITY OF AMOUNTS.—The reserve ratio requirements under subsection (b) and the phase-in requirements under subsection (d) shall be subject to the availability of amounts in the National Flood Insurance Fund for transfer under section 1310(a)(10), as provided in section 1310(f).”

(b) FUNDING.—Subsection (a) of section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (8), by striking “and” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(10) for transfers to the National Flood Insurance Reserve Fund under section 1310A, in accordance with such section.”

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Georgia (Mr. WESTMORELAND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WESTMORELAND. I want to thank Chairwoman BIGGERT for her hard work on this bill and the ranking member, Mr. GUTIERREZ, and the gentlewoman from California, who is the overseer of this program.

This amendment is a forward thinking amendment to put the flood insur-

ance program on sound footing. Consider this amendment the national flood insurance emergency fund. Currently premiums come in, payments go out, but nothing is reserved for the events that no one can predict.

Claims are paid with existing premiums and everyone crosses their fingers that nothing really bad happens.

If incoming premiums are not enough, then the National Flood Insurance Program has no other option than to ask for a bailout.

In fact, the NFIP program has carried debt in 18 of the past 30 years. Most interesting of all is that not all of these years saw catastrophic flooding. FEMA just didn't do a good job managing premiums and claims. It's clear that in good years and in bad the flood insurance program does not have a good grasp on how much they will pay out in claims.

However, when catastrophic flooding does happen, the NFIP program is even less prepared for the claims. The year of 2005 was one of those years that nobody could predict. Hurricanes Katrina, Rita, and Wilma together cost \$17 billion in losses for the National Flood Insurance Program. Six years later, including principal and interest, the NFIP debt is now \$18 billion.

Every year it seems like flooding impacts a wide swath of the United States, and 2011 has been no different. No one can predict the weather. What NFIP needs is the ability to save up to help smooth out those unpredictable years. If the program could stash money away in good times, it would have money to pay for the years when the estimates were incorrect.

My amendment does just that. It establishes a reserve fund in NFIP. This is just common sense, so much so, NFIP is one of the few Federal funds that does not have a reserve fund. FHA has a 2 percent reserve requirement. The FDIC deposit insurance fund is required to have a 1.35 percent reserve ratio.

Now I want to take a moment to address some of the possible concerns with the amendment.

First, this amendment does not expand the NFIP to other catastrophic events, like earthquakes or tornados. This fund and the bill remains specific to flooding.

Second, the administrator gets the funds from the existing premiums. The administrator and this amendment are bound to adhere to the parameters established in the underlying bill on premium rates and annual increases.

Third, this amendment does not take away from debt repayment. Any premium collected would be spent to cover losses because the program is running up the deficit. This takes precedent.

At some point in the future, the program might be able to collect enough to cover all costs and set aside a reserve. But given the magnitude of the

current debt, this is not likely to occur in the short-term.

Finally, this amendment does not stand in the way of reinsurance opportunity for the flood program. I support reinsurance for the flood program and firmly believe that both reinsurance and a reserve fund can coexist.

In fact, many private insurers reserve for losses and purchase reinsurance. Private insurers will use reserve funds as a deductible for reinsurance coverage.

However, I fundamentally believe that as long as taxpayers are involved, it's an ultimate backstop. This program needs a reserve. It is not responsible to tell taxpayers no more bailouts but offer no solution to the ongoing bailout of NFIP.

If there is no reserve fund, there will be more bailouts. It is just a matter of when.

Adopting this amendment would address a fundamental deficiency in the program that is ripe for bailouts. I urge adoption of the amendment.

I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chairman, I oppose the gentleman's amendment.

In drafting this bill, the chairwoman and I sought to strike the right balance between protecting homeowners and strengthening the flood insurance program. I believe that the bill before us today does just that.

Unfortunately, I do not believe that the gentleman's amendment strikes the same balance. Specifically, by creating a reserve fund, the gentleman's amendment would allow the NFIP to increase insurance premiums on homeowners.

So regardless of their flood risk, homeowners will have to pay more in order to fund a reserve fund that will never have enough money to pay out claims for catastrophic events. This isn't fair to our taxpayers, Mr. Chairman, and, in fact, would stall the already slow recovery of the housing market.

I understand the problem that the gentleman is attempting to solve. We all know that the flood insurance program is over \$17 billion in debt due to claims resulting from Hurricane Katrina.

However, I think we have to be clear that Hurricane Katrina was a catastrophic, once in a lifetime event. Prior to Katrina, the flood insurance program operated completely in the black.

In addition, I believe that the bill contains many provisions that would allow the flood insurance program to reform its premium structure so that it can collect the premiums it needs to

pay out claims. For example, the bill ends subsidies for 350,000 pre-FIRM properties, including second homes, commercial properties, homes with new owners, homes substantially damaged or improved, and homes with repetitive claims.

By making these properties pay actuarial rates that reflect their full risk, the bill would make these properties pay their fair share, thereby increasing the amount of funding to the flood insurance fund.

Mr. Chairman, while I believe that the gentleman's amendment is very well intended, I believe that it is unnecessary given the strong reforms in this bill and the potential problems it may cause for homeowners, particularly those that have been phased into actuarial rates.

For these reasons, Mr. Chairman, I must oppose the amendment and I would urge a "no" vote.

I yield back the balance of my time.

Mr. WESTMORELAND. Mr. Chairman, I respect the gentlewoman's opinion, and I know that she is very familiar with this program, but I don't think a reserve fund would cost anybody any additional money. It does not go up on premiums. The premium amount stays the same.

This is a rainy day thing, excuse the pun, a fund that would be there. It would not even be started until this current \$18 billion in debt is paid off. But we are fooling ourselves if we think that we can predict the weather, if we think we know when Katrina or Rita or Wilma is going to come.

This fund would only be established after the debt is repaid, and so it's a very commonsense measure to have this reserve fund, as many other government agencies do.

With that, I would ask for a "yes" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. WATERS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 20 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in House Report 112-138.

Mrs. MILLER of Michigan. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 64, after line 22, insert the following new section:

**SEC. 23. TERMINATION OF BROADCAST PERSONIFIED FLOOD INSURANCE COMMERCIALS.**

(a) PROHIBITION.—The Administrator of the Federal Emergency Management Agency may not, after the date of the enactment of this Act, obligate any amounts for purchasing time or space for any advertisement or commercial for flood insurance coverage under the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.). This subsection may not be construed to prohibit obligation of amounts for dissemination of information regarding such program to holders of flood insurance policies under such program.

(b) REDUCTION OF NATIONAL FLOOD INSURANCE FUND DEBT.—Any amounts made available to the Administrator and allocated for advertising or commercials described in subsection (a) that remain unobligated on the date of the enactment of this Act shall be used only for reducing the debt of the National Flood Insurance Fund incurred pursuant to the authority under section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016).

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from Michigan (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mrs. MILLER of Michigan. Mr. Chairman, today I am offering an amendment that would end TV and radio ads that I believe to be a total waste of taxpayers' dollars. Over the past 2 years FEMA has actually spent over half a million dollars on the production of what they called "Home Personified flood insurance commercials." These slick commercials sort of depict actors with roofs hovering over their heads talking about the need to obtain flood insurance, and about the fact that one in four homes are in a high-risk flood zone, and they pitch to contact FEMA for a free brochure about the program.

□ 1630

These commercials between April of 2010 and April of 2011 cost over \$7 million in airtime to broadcast all across the 50 States, and they are slated to be aired for an additional year at least. Seven million dollars spent on promoting the National Flood Insurance Program, which is a federally mandated flood program, which has been mentioned all across the day here, is already almost \$18 billion in debt. I would say, why not spend that \$7 million to pay back the American taxpayers? Or better yet, to begin paying off the program's \$18 billion in debt?

Mr. Chairman, last year in the election in the fall, the American people sent a very clear message to Washington. And I don't think the message to Congress here was urging us to spend millions of dollars of taxpayers' money on TV commercials asking them to put money into a failing, bloated, and completely unnecessary government program. No, they were de-

manding that we get a grip on government spending, on out-of-control government spending, and they were asking us to end programs where the government is trying to fill a role best done by the private sector.

Shortly, Mr. Chairman, all of us in this House, in the Congress, in both Chambers, are going to be asked to raise the national debt limit because we have not been able to get our fiscal house in order. And this week, here we are being asked to renew a Federal program that is over \$17 billion in debt currently, all of which falls on the backs of the American taxpayers, and we need to raise the debt ceiling of the flood insurance program, as well, to almost \$25 billion. Who cares? I guess it's just taxpayers' money.

If we want to stop adding to our national debt, we should not continue the Federal flood insurance program—and I'm going to be offering an amendment to that in a moment—nor should we continue to spend millions each year on TV commercials for a program that constituents in many, many States, most of the States across the Nation, are wondering about, at a minimum, and many of them are outraged. I certainly hear from my constituents back in Michigan who are looking for some relief. These hard-pressed taxpayers from my State are asking for less spending, for less government, for lower taxes and less government intrusion into their lives. They're certainly not asking us for wasteful government programs to be shoved down their throats on television with television ads.

My amendment today, Mr. Chairman, to end unnecessary spending on TV commercials for the National Flood Insurance Program will be a downpayment on the relief that we owe to the American taxpayers who are concerned about these commercials that seem to be on repeat all across the airwaves in all of the States across our Nation.

Mr. Chairman, I would ask that my colleagues support this amendment today and vote in favor of saving money, taxpayers' money, for the American taxpayers.

I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chairman, I oppose the gentlewoman's amendment.

The gentlewoman's amendment would prohibit FEMA from spending any funds on television or radio commercials to promote the purchase of flood insurance.

Floods are the most common natural disaster in the United States. Unfortunately, even areas that aren't in floodplains experience floods sometimes. When that happens, the Federal

Government provides aid to those homeowners and communities, and it is the taxpayer who pays for that aid.

Under the National Flood Insurance Program, insurance premiums pay for the cost of flood damage. Therefore, if homeowners outside floodplains buy flood insurance, taxpayers won't be on the hook if their properties flood. However, in order to have these homeowners buy flood insurance, they have to learn about the program and its benefits to them. This is where radio and television advertising are helpful—essential, that is. The ads reach a wide audience and present clear facts about the availability and affordability of flood insurance.

To take away FEMA's ability to let the people know what's available to them would actually place the millions of Americans who choose and are not required to purchase flood insurance at risk. Given these times of record deficits, this is simply irresponsible. That is why I urge a "no" vote on this amendment.

Mr. Chairman, I reserve the balance of my time.

Mrs. MILLER of Michigan. Mr. Chairman, I would simply observe that, for the most part, the reason that folks, property owners, get national flood insurance is because the Federal Government holds a gun to their heads and says that you cannot get a federally backed mortgage unless you buy Federal national flood insurance through the National Flood Insurance Program. So I don't think we have to spend millions and millions of dollars to convince them to do something that, in my mind, I question whether it is even constitutional that we are forcing people to do this kind of a thing; but I certainly don't think we need to spend millions of dollars to notify them of something that we are mandating for them.

Certainly if you live in a flood-prone area, you probably know it. And with everything going on in the Nation, I just can't believe we're wasting money like this. And I would certainly urge my colleagues to support this amendment.

I yield back the balance of my time.

Ms. WATERS. Mr. Chairman, as I mentioned earlier, when the gentlelady offered her views during the general discussion, she certainly does not join with her colleagues who have joined with us in a bipartisan way to produce a bill that is in the best interests of all of the citizens of this country. As a matter of fact, I have referred to her views on this issue as rather radical. I think that for us to have an insurance program that allows participation by the average citizen so that they can be in a position to make themselves whole after a disaster, to basically repair their homes, to replace their furnishings, and to basically have a way of continuing a decent quality of life is

not too much to ask of your government.

So I would oppose this amendment and consider this amendment also just as radical. To say that you have a program but you can't tell anybody about it simply does not make good sense.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. MILLER of Michigan. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

AMENDMENT NO. 23 OFFERED BY MR. SCOTT

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in House Report 112-138.

Mr. SCOTT of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 70, after line 5, insert the following new section:

**SEC. 27. STUDY OF ALL-PERIL INSURANCE COVERAGE FOR RESIDENTIAL PROPERTIES.**

(a) STUDY.—The Comptroller General of the United States shall conduct a study to determine various means and methods by which a market could be established, and the effectiveness and feasibility of each such means and method, for providing all-peril insurance coverage for residential properties. Such study shall analyze and determine, for only residential properties with mortgages insured under the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for all residential properties—

(1) whether a viable insurance market could be established, including by establishment of a Federal program for reinsurance for such all-peril insurance coverage and by other means and methods;

(2) the effects of each such means and method of establishing such a market in facilitating and encouraging the private insurance market to develop and offer all-peril insurance products for residential properties;

(3) the cost of such all-peril insurance coverage for various types of residential properties; and

(4) the effects that requiring such insurance coverage would have on prices for existing housing and for housing constructed in the future.

(b) REPORT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Comptroller General shall submit to the Congress a report describing the study conducted pursuant to subsection (a) and the analysis conducted under such study, and setting forth the results and determinations of the study.

(c) ALL-PERIL INSURANCE.—For purposes of this section, the term "all-peril insurance" means, with respect to a residential property, insurance coverage meeting the following requirements:

(1) SUBSTANTIAL DEDUCTIBLE.—The coverage is made available subject to a substantial deductible in relation to the amount of coverage provided.

(2) COVERED LOSSES.—The coverage covers only damage and losses to the property that—

(A) render the property uninhabitable or substantially impair the habitability of the property; and

(B) result from any of the following hazards—

(i) movement of the earth, including earthquakes, shockwaves, sinkholes, landslides, and mudflows;

(ii) water damage, including floods, sewer back-ups, and water seepage through the foundation;

(iii) war, including undeclared war and civil war;

(iv) nuclear hazards, including explosion of nuclear devices and nuclear reactor accidents;

(v) governmental action, including the destruction, confiscation, or seizure of covered property by any governmental or public authority; or

(vi) bad repair or workmanship on a property, use of faulty construction materials in a property, or defective maintenance to a property.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this amendment today to propose what I believe would be a proactive solution for homeowners when they face unforeseen disasters. My amendment will simply ask the GAO to report to Congress the means and effects of facilitating a market for all-peril insurance policies. This amendment comes directly from an issue faced by many of my constituents and in nearly 4,000 households around the country—problems associated with the unforeseen disaster caused by the use of toxic Chinese drywall.

Over the last 5 years, nearly 4,000 homes in over 40 States have been discovered to contain toxic Chinese drywall. This drywall has been tested by the Consumer Product Safety Commission and has been found to be responsible for hazardous chemicals oozing into these homes. Americans living in these homes have experienced everything from cold and flu-like symptoms to migraine headaches, chronic nosebleeds, gastrointestinal problems, and other debilitating symptoms.

Homeowners with homes tainted with toxic drywall have had the expectation that the costs associated with remediating their home would be covered by their homeowner's insurance policy. But virtually all of their policies exclude from coverage many of the different classes of damages. In the case of Chinese drywall, a standard



homeowner's policy does not cover "losses to property resulting from faulty zoning, bad repair or workmanship, faulty construction materials, or defective maintenance." And so these families are stuck with paying mortgages and have homes that are essentially uninhabitable.

This problem is not limited to just Chinese drywall. In the aftermath of hurricanes, many homeowners discover that they are not covered for water damage and frequently have to argue whether or not their home was destroyed by water or by wind. Sinkholes, which are normally associated with areas with histories of mining or seismic activity are springing up outside of these typical areas, and homeowners are learning the hard way that they are not covered by damages caused by them.

I believe that homeowners need all-peril insurance, insurance that covers homeowners from catastrophic losses regardless of cause, provided, of course, that the homeowners did not cause the loss themselves.

□ 1640

All-peril plans would be supplemental insurance policies that would cover losses resulting from any of the causes currently excluded from the standard homeowners policy. These policies could be limited to catastrophic losses and provide for substantial deductibles and possibly only cover losses that rendered a property uninhabitable.

With that in mind, Mr. Chairman, my amendment would direct the GAO to fully study the implications of an all-peril policy. Why can't a policy be bought now? Is there no interest in it? Could the Federal Government successfully market the plans with the private sector? I feel that answers to these questions are needed.

What we do know is that when circumstances beyond a homeowner's control make a home uninhabitable, the last thing they want to do is look through a policy and find that their completely destroyed home isn't protected by the insurance policy that they bought. It is for this reason that I offer the amendment, Mr. Chairman, for a GAO study and ask that the amendment be adopted.

I reserve the balance of my time.

Mrs. BIGGERT. I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Thank you, Mr. Chairman.

This amendment, which would direct the GAO to conduct a study on all-peril insurance policies for residential properties, to me really expands beyond the scope of this bill.

Fundamental reform of the National Flood Insurance Program should be the

priority of this Congress, including the removal of subsidies over time to improve the long-term solvency of the program. In contrast, the Scott amendment would dramatically increase the scope at a time when government insurance programs, such as the NFIP, are essentially insolvent and remain grossly underfunded.

If the gentleman would like to have an all-peril study, he has the option to write a letter to the GAO and request such a study, and that will be done, but to tie it into the flood insurance makes it seem like we're going to expand the flood insurance when we're really trying to decrease the expansion and really to bring in the private sector to do this. I really think that this is way beyond what we should be doing.

His amendment would pave the way to expand the Federal Government's role in the private insurance market by creating a massive new program to offer government-provided coverage backed by taxpayer dollars against property losses. If the gentleman is really interested in the drywall particularly, this is something that he can ask for a study on that, and it really should not be within the scope of this bill.

I would urge opposition to this amendment.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 1½ minutes remaining.

Mr. SCOTT of Virginia. Mr. Chairman, this study would not affect the underlying provisions of the bill. The priorities of the bill remain the priorities of the bill. This would just affect the situation where people find their homes uninhabitable and are looking for help.

This does not have to be a government program. The GAO could recommend that it could be a private program and possibly get out of the flood insurance business altogether if it covered all perils.

I would hope that we would at least study the issue to see if it is feasible. Anybody who has talked to people with Chinese drywall and find that their house is uninhabitable, they're paying their mortgage, they don't have anywhere to go, they can't afford another mortgage, and their insurance policy that they paid premiums for every month, month after month after month, doesn't cover anything. I think if you're buying insurance, it ought to insure you for unforeseen circumstances, and that is what this study would provide.

I hope you would adopt the amendment.

I yield back the balance of my time.

Mrs. BIGGERT. I yield back the balance of my time and request a "no" vote.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. BIGGERT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 25 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in House Report 112-138.

Mrs. MILLER of Michigan. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "National Flood Insurance Program Termination Act of 2011".

**SEC. 2. TERMINATION OF NATIONAL FLOOD INSURANCE PROGRAM.**

(a) **TERMINATION OF AUTHORITY TO PROVIDE COVERAGE.**—Effective January 1, 2012, the Administrator of the Federal Emergency Management Agency (in this section referred to as the "Administrator") shall not provide any new flood insurance coverage, or renew any coverage provided before such date, under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

(b) **TREATMENT OF EXISTING COVERAGE.**—Subsection (a) shall not—

(1) affect any flood insurance coverage provided under such Act under a contract or agreement entered into before the date specified in such subsection and, notwithstanding the repeals under section 3, such provisions as in effect immediately before such repeal shall continue to apply with respect to flood insurance coverage in force after such repeal; or

(2) require the termination of any contract or other agreement for flood insurance coverage entered into before such date.

(c) **WIND-UP.**—After the date specified in subsection (a), the Administrator shall take such actions as may be necessary steps to wind up the affairs of the National Flood Insurance Program.

(d) **TREATMENT OF FUNDS.**—Amounts in the National Flood Insurance Fund established under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017) shall be available to the Administrator for performing the functions of the Administrator with respect to flood insurance coverage remaining in force after the date specified in subsection (a). Upon the expiration of the contracts and agreements for such coverage, any unexpended balances in such Fund shall be deposited in the Treasury as miscellaneous receipts.

(e) **SAVINGS PROVISIONS.**—

(1) **TREATMENT OF PRIOR DETERMINATIONS.**—The repeals made by section 3 of the provisions of law specified in such section shall not affect any order, determination, regulation, or contract that has been issued, made, or allowed to become effective under such



provisions before the effective date of the repeal. All such orders, determinations, regulations, and contracts shall continue in effect until modified, superseded, terminated, set aside, or revoked in accordance with law by the President, the Administrator, or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) PENDING PROCEEDINGS.—

(A) EFFECT ON PENDING PROCEEDINGS.—The repeals made by section 3 shall not affect any proceedings relating to the National Flood Insurance Program, including notices of proposed rulemaking, pending on the effective date of the repeals, before the Federal Emergency Management Agency, except that no assistance or flood insurance coverage may be provided pursuant to any application pending on such effective date. Such proceedings, to the extent that they relate to functions performed by the Administrator after such repeal, shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the Administrator, by a court of competent jurisdiction, or by operation of law.

(B) CONSTRUCTION.—Nothing in this subsection may be construed to prohibit the discontinuance or modification of any proceeding described in subparagraph (A) under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

(3) ACTIONS.—This section shall not affect suits commenced before the effective date of the repeals made by section 3, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this section had not been enacted.

(4) LIABILITIES INCURRED.—No suit, action, or other proceeding commenced by or against an individual in the official capacity of such individual as an officer of the Federal Emergency Management Agency having any responsibility for the National Flood Insurance Program shall abate by reason of the enactment of this section. No cause of action relating to such Program, by or against the Federal Emergency Management Agency, or by or against any officer thereof in the official capacity of such officer having any responsibility for such program, shall abate by reason of the enactment of this section.

**SEC. 3. REPEALS AND CONTINUATION OF FEMA MAPPING RESPONSIBILITIES.**

(a) NATIONAL FLOOD INSURANCE ACT OF 1968.—The National Flood Insurance Act of 1968 is amended—

(1) by striking section 1302 (42 U.S.C. 4001);

(2) by striking chapters I and II (42 U.S.C. 4011 et seq.);

(3) in section 1360 (42 U.S.C. 4101)—

(A) in subsection (a)(2), by striking “until the date specified in section 1319”;

(B) by striking subsection (d);

(C) in subsection (g)—

(i) by striking “To promote compliance with the requirements of this title, the” and inserting “The”;

(ii) by striking “directly responsible for coordinating the national flood insurance program”;

(iii) in the last sentence, by striking “National Flood Insurance Fund, pursuant to section 1310(b)(6)” and inserting the following: “General Fund of the Treasury and shall be used only for reducing the budget deficit of the Federal Government”; and

(D) in subsection (i)—

(i) by striking “free of charge” and inserting “at cost”;

(ii) by striking “and States and communities participating in the national flood insurance program pursuant to section 1310 and at cost to all other” and inserting “, States and communities, and other interested”; and

(iii) in the he last sentence, by striking “National Flood Insurance Fund, pursuant to section 1310(b)(6)” and inserting the following: “General Fund of the Treasury and shall be used only for reducing the budget deficit of the Federal Government”;

(4) by striking sections 1361A (42 U.S.C. 4102a);

(5) in section 1363(e) (42 U.S.C. 4104(e)), by striking the third and fifth sentences; and

(6) in section 1364 (42 U.S.C. 4104a)—

(A) in subsection (a)—

(i) in paragraphs (1) and (2), by striking “or the Flood Disaster Protection Act of 1973” each place such term appears; and

(ii) in paragraph (3)—

(I) by striking subparagraphs (B) and (C) and inserting the following:

“(B) a statement that flood insurance coverage may be available in the private market or through a State-sponsored program; and”;

(II) by redesignating subparagraph (D) as subparagraph (C);

(B) by striking subsections (b) and (c);

(7) in section 1365 (42 U.S.C. 4104b)—

(A) in subsection (a), by striking “and in which flood insurance under this title is available”; and

(B) in subsection (b)—

(i) by striking paragraph (1); and

(ii) in paragraph (2)—

(I) in the first sentence, by striking “the community identification number and community participation status (for purposes of the national flood insurance program) of the community in which the improved real estate or such property is located,”; and

(II) in the third sentence, by striking “because the building or mobile home is not located in a community that is participating in the national flood insurance program or”;

(8) by striking sections 1366 and 1367 (42 U.S.C. 4104c, 4104d);

(9) in section 1370 (42 U.S.C. 4121)—

(A) by striking paragraphs (3), (4), (5), (7), (14), and (15);

(B) in paragraph (12)(B), by striking the semicolon at the end and inserting “; and”;

(C) in paragraph (13), by striking the semicolon at the end and inserting a period; and

(D) by redesignating paragraphs (6), (8), (9), (10), (11), (12), and (13), as so amended, as paragraphs (3), (4), (5), (6), (7), (8), and (9), respectively;

(10) by striking sections 1371 through 1375 (42 U.S.C. 4122-26);

(11) in section 1376 (42 U.S.C. 4127)—

(A) in subsection (a), by striking “to carry out this title” and all that follows through the end of paragraph (3) and inserting “to carry out the mapping, studies, investigations, and other responsibilities of the Director under this title”; and

(B) by striking subsection (c); and

(12) by striking section 1377 (42 U.S.C. 4001 note).

(b) FLOOD DISASTER PROTECTION ACT OF 1973.—The Flood Disaster Protection Act of 1973 is amended—

(1) by striking section 2 (42 U.S.C. 4002);

(2) by striking section 102 (42 U.S.C. 4012a);

(3) in section 201 (42 U.S.C. 4105)—

(A) by striking subsection (a) and inserting the following new subsection:

“(a) As information becomes available to the Director concerning the existence of flood hazards, the Director shall publish information in accordance with section 1360(a)(1) of the National Flood Insurance Act of 1968 and shall notify the chief executive officer of each known flood-prone community of its tentative identification as a community containing one or more areas having special flood hazards.”;

(B) in subsection (b), by striking “shall either (1) promptly make proper application to participate in the national flood insurance program or (2)” and inserting “may”;

(C) by striking subsections (c) and (d);

(D) by redesignating subsection (e) as subsection (c); and

(4) by striking section 202 (42 U.S.C. 4106).

(c) BUNNING-BEREUTER-BLUMENAUER FLOOD INSURANCE REFORM ACT OF 2004.—Title II of the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (42 U.S.C. 4011 note).

(d) NATIONAL FLOOD INSURANCE REFORM ACT OF 1994.—The National Flood Insurance Reform Act of 1994 is amended by striking sections 561 (42 U.S.C. 4011 note), 562 (42 U.S.C. 4102 note), 578 (42 U.S.C. 4014 note), 579(b), and 582 (42 U.S.C. 5154a).

(e) FEDERAL FLOOD INSURANCE ACT OF 1956.—Section 15 of the Federal Flood Insurance Act of 1956 (42 U.S.C. 2414) is amended by striking subsection (e).

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2012.

**SEC. 4. INTERSTATE COMPACTS FOR FLOOD INSURANCE COVERAGE.**

(a) CONGRESSIONAL CONSENT.—The consent of the Congress is hereby given to any two or more States to enter into agreement or compacts, not in conflict with any law of the United States, for making available to interested persons insurance coverage against loss resulting from physical damage to or loss of real property or personal property related thereto arising from any flood occurring in the United States.

(b) RIGHTS RESERVED.—The right to alter, amend, or repeal this section, or consent granted by this section, is expressly reserved to the Congress.

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from Michigan (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. MILLER of Michigan. I yield myself such time as I may consume.

I would begin by asking a very fundamental question: Why in the world is the Federal Government in the flood insurance business? Really, I do not understand it.

I don't think anyone should be surprised to learn that the Federal Government is not a very good insurance agent, that they run a terrible insurance program, as evidenced by the \$18 billion in debt that the NFIP, the National Flood Insurance Program, has racked up over the years and will probably never repay. I don't think they'll ever repay it. If you don't believe me, you can consider the testimony that the administrator of FEMA made before the Financial Services Committee. In congressional testimony, he said the program will likely always be in debt, massive debt.

Congress set up the NFIP to ostensibly be an insurance company, but it is not held to the same standards as private insurance companies. Instead of holding cash reserves, the NFIP has a bottomless pit of money that it shamelessly taps into. That money pit is also known as the U.S. Treasury, or the American taxpayers. If the NFIP were a private insurance company, it would have gone bankrupt years ago, or it would have been in need of a Federal bailout. In other words, when this government-authorized Ponzi scheme runs out of money, it simply gets more by dipping into the pockets of taxpayers. Mr. Chairman, I would say that this is a program that would make Bernie Madoff blush.

The American people are fed up with bailouts, and this bill is just that: another bailout for another broken program. If we want to stop adding to our national debt, we should not continue the Federal flood insurance program.

My home State of Michigan is just one of a majority of States that is actually disadvantaged by this Ponzi scheme. The State House of Representatives has recently passed a resolution condemning the NFIP as fundamentally flawed and unfair, and I would expect the State Senate to follow suit shortly. So there is an entire State. I don't think that's radical.

My amendment would actually end the program at the end of this year and allow States to work together to form a regional coalition to shape insurance policies that meet the needs of their particular State. There is no way that a one-size-fits-all insurance program that dramatically subsidizes rates in some of the most flood-prone areas of our Nation while at the same time forcing those in less flood-prone areas to pay much higher rates can be sustained. States like mine will simply become fed up and opt out, which is what's going to happen, so that they can better protect their citizens. Then, of course, it would force this program even deeper into debt. It is time to end this program now.

My amendment would also, and perhaps more importantly, allow the private market to get into the flood insurance business without the Federal Government's unfair competition of politically based premiums, which would allow premiums to be set based on actual risk.

If you want to get a handle on out-of-control Federal spending and start eliminating government programs that do nothing except enforce bad policy and recklessly spend the taxpayers' money, I would ask my colleagues to support my amendment.

A RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO MAKE SIGNIFICANT REFORMS TO THE NATIONAL FLOOD INSURANCE PROGRAM

Whereas, Under the National Flood Insurance Program, most property owners must

purchase flood insurance if their property is located within a mapped floodplain; and

Whereas, The Federal Emergency Management Agency (FEMA) has recently revised existing floodplain maps in Michigan that, in many cases, have increased the amount of land within the floodplain without adequate explanation of perceived additional flood risk. Flood insurance for buildings within redrawn areas is a significant added expense. These revisions amount to a penalty that will be felt far into the future, especially as the market value of impacted properties suffers needlessly; and

Whereas, The revised maps exacerbate disparities between the premiums paid by Michigan residents relative to claims received. Michigan residents have paid nearly five times as much in flood insurance premiums than they have received back in claims over the last 30 years. The remaining funds from these premiums goes to subsidize flood insurance claims in higher risk areas of the country; and

Whereas, The National Flood Insurance Program is operated without transparency to the public in rate-setting methods. Rebuilding within a floodplain has continued in higher risk areas of the country where multiple recent flood events have occurred, contributing to the \$20 billion in debt of the National Flood Insurance Program. Rebuilding in very high risk areas would be avoided if flood insurance was set at actuarially sound rates; and

Whereas, The National Flood Insurance Program is fundamentally flawed and unfair. Year after year, the program takes money from property owners in most states and uses that money to rebuild in only a few states. Congresswoman Candice Miller has introduced legislation (H.R. 435) to eliminate the National Flood Insurance Program in 2013 and to authorize states to work together to provide flood insurance as they deem appropriate; and

Whereas, Congresswoman Judy Biggert has introduced legislation, the Flood Insurance Reform Act of 2011 (H.R. 1309), to begin the process of modernizing and reforming the National Flood Insurance Program; now, therefore, be it

*Resolved by the House of Representatives,* That we memorialize the Congress of the United States to make significant reforms to the National Flood Insurance Program; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Adopted by the House of Representatives, June 21, 2011.

I reserve the balance of my time.

Ms. WATERS. I claim time in opposition.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chairman, I strongly oppose this amendment.

The gentlewoman's amendment would terminate entirely the flood insurance program, which provides much needed insurance for 5.5 million homeowners. The flood insurance program was created in 1968 after record flooding led the private insurance industry to stop writing flood policies. The private sector didn't want to write these

policies because floods are very common and very expensive. However, the Federal Government didn't want to simply write a blank check for homeowners every time it flooded. This is why the flood insurance program was created.

□ 1650

Mr. Chairman, I yield the balance of my time to the gentlewoman from Illinois, Chairwoman BIGGERT, who has worked so hard on this legislation.

The Acting CHAIR. Without objection, the gentlewoman from Illinois will control the time.

There was no objection.

Mrs. BIGGERT. I thank the gentlewoman for yielding.

I know we have had quite a bit of discussion about this already, but maybe we will bring this to a close with this amendment, for a while anyway.

Let me just say that the underlying bill really doesn't ask for additional borrowing authority. In fact, the reforms in the underlying bill will accelerate the ability of NFIP to pay down its debt. This bill is a revenue raiser and will bring in \$4.2 billion to the program.

We have addressed the fact that there have been some problems with NFIP. I think there was some mismanagement, and there was a need for reform. That is why we have spent so much time on this bill to talk to all of the different groups, to talk to all of the Members who have had concerns.

I have got here a list. According to a broad coalition of industry experts and trade associations who all support this, more than 5.6 million policyholders depend on the NFIP as their only source of protection against economic devastation from a flood. In fact, I could read all of those who asked for a "no" vote on this amendment. We have the American Insurance Association, American Land Title Association, Building Owners and Management Association, CCIM Institute, Chamber SWLA, Council of Insurer Agents and Brokers, The Financial Services Roundtable, Independent Insurance Agents and Brokers of America, Institute of Real Estate Management, International Council of Shopping Centers, Manufactured Housing Institute, Mortgage Bankers Association, National Association of Home Builders, National Association of Mutual Insurance Companies, National Association of REALTORS, National Ready Mix Concrete Association, Society of Industrial and Office Realtors, Property and Casualty Insurance Association of America, The Risk and Insurance Management Society, and the U.S. Chamber of Commerce.

You know, if 5.6 million property owners can't rely on this, what is going to happen? What is going to happen is we wouldn't have flood insurance. And on May 13, the Financial Services Committee favorably reported the Flood Insurance Reform Act by a unanimous

vote of 54-0. Anybody who doesn't think that is something on how much time we put into this and how much people care about it, 54-0 in this Congress, I don't think that has happened for a bill that is this important for a long, long time. It really reflects the hard work and the bipartisan support of the Financial Services Committee.

Again, it has a series of reforms that are going to make this a much better program. It improves the financial stability of the NFIP. It reduces the burden on taxpayers. It restores integrity to the FEMA mapping system and explores ways to increase private market participation. It helps to bring certainty to the housing market. I would oppose this amendment strongly.

I reserve the balance of my time.

Mrs. MILLER of Michigan. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. HIGGINS).

Mr. HIGGINS. I thank my friend and colleague from Michigan for yielding.

Mr. Chairman, I rise in strong support of this amendment to terminate the National Flood Insurance Program. The National Flood Insurance Program is, both in its design and execution, the worst Federal program I have encountered in my time in Congress.

This program levies a mandatory flood tax on homeowners who are at virtually no risk of flooding and see absolutely no benefit from the program. In western New York, the requirement to purchase flood insurance has increased mortgage costs and created economic dead zones in once-vibrant neighborhoods.

This amendment will finally end this unfair burden on homeowners in communities like Buffalo and Lackawanna, New York, who neither want nor need to purchase flood insurance. I urge my colleagues to support it as well. I thank the gentlelady from Michigan.

Mrs. MILLER of Michigan. Mr. Chairman, I would simply reiterate that I don't think this is something that the Federal Government should be involved in. If you are truly a friend of the taxpayers, and believe me, I appreciate the bipartisanship and the hard work about reforming this program. I understand the need to reform programs, but I also understand the need to get a handle on the Federal debt and deficit; and one way to do that is to eliminate unnecessary programs, not just nibble around the edges, which is what I think we are doing here today.

I certainly urge my colleagues to support this amendment.

I yield back the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I yield myself the balance of my time.

If this bill were not to pass and if this amendment were to be agreed to, it would be devastating to at least 20,000 communities if there was no flood insurance. Congress would inevitably have to bail out flood disaster victims, as it did prior to 1968; and it

would cost so much more money. And the President would have to sign on to any devastation that might be made, as is what happened in Louisiana after Katrina. I oppose this amendment and support the underlying bill.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. MILLER of Michigan. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-138 on which further proceedings were postponed, in the following order:

Amendment No. 3 by Ms. SPEIER of California.

Amendment No. 4 by Mr. FLAKE of Arizona.

Amendment No. 11 by Mr. CARDOZA of California.

Amendment No. 19 by Mr. WESTMORELAND of Georgia.

Amendment No. 20 by Mrs. MILLER of Michigan.

Amendment No. 23 by Mr. SCOTT of Virginia.

Amendment No. 25 by Mrs. MILLER of Michigan.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 3 OFFERED BY MS. SPEIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. SPEIER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 195, noes 230, not voting 6, as follows:

[Roll No. 554]

AYES—195

Ackerman  
Andrews  
Baca  
Baldwin  
Barietta  
Bartlett  
Bass (CA)  
Becerra  
Berkley

Berman  
Bishop (GA)  
Bishop (NY)  
Bono Mack  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Burgess

Butterfield  
Camp  
Campbell  
Capps  
Capuano  
Cardoza  
Carnahan  
Carson (IN)  
Castor (FL)

Chaffetz  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Costa  
Costello  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Fitzpatrick  
Frank (MA)  
Fudge  
Garamendi  
Gibson  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hanabusa  
Harris  
Hastings (FL)  
Heinrich  
Higgins  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda

Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kingston  
Kissell  
Ryan (OH)  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Lofgren, Zoe  
Lowey  
Luján  
Lynch  
Mack  
Maloney  
Markey  
Matsui  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Michaud  
Miller (MI)  
Miller (NC)  
Miller, George  
Moore  
Moran  
Nadler  
Napolitano  
Neal  
Oliver  
Pallone  
Pascrell  
Pastor (AZ)  
Paul  
Payne  
Peters  
Petri  
Pingree (ME)  
Polis  
Posey  
Price (NC)

Quigley  
Rahall  
Rangel  
Renacci  
Reyes  
Richardson  
Richmond  
Rigell  
Ros-Lehtinen  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schradler  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Shuler  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Towns  
Tsongas  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walden  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Webster  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

#### NOES—230

Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Amash  
Austria  
Bachmann  
Bachus  
Barrow  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Blumenauer  
Bonner  
Boren  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burton (IN)  
Calvert  
Canseco  
Capito  
Carney  
Carter

Cassidy  
Chabot  
Coble  
Coffman (CO)  
Cole  
Conaway  
Cooper  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Eillmers  
Emerson  
Farenthold  
Fincher  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner

Garrett  
Gerlach  
Gibbs  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Himes  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunt  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)

Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Loeb sack  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller, Gary

NOT VOTING—6

Cantor  
Deutch

□ 1731

Messrs. WESTMORELAND, RIBBLE, BLUMENAUER, GARY G. MILLER of California, HALL, and AKIN changed their vote from “aye” to “no.”

Messrs. POSEY, UPTON, SHERMAN, Ms. ROS-LEHTINEN, Mr. PAUL, Mrs. BONO MACK, Messrs. BARTLETT, WALDEN, BURGESS, HOLDEN, KINGSTON, and HARRIS changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 118, noes 305, not voting 8, as follows:

[Roll No. 555]  
AYES—118  
Adams  
Akin  
Amash  
Bachmann  
Benishek  
Bishop (UT)  
Blackburn  
Blumenauer  
Bono Mack  
Brady (TX)  
Brooks  
Broun (GA)  
Buerkle  
Burgess  
Burton (IN)  
Camp  
Campbell  
Chabot  
Chaffetz  
Coffman (CO)  
Conaway  
Culberson  
DesJarlais  
Duncan (SC)  
Duncan (TN)  
Eshoo  
Flake  
Mack  
Marchant  
Flores  
Jordan  
Kingston  
Kline  
Labrador  
Lamborn  
Lankford  
Latta  
Long  
Lummis  
Mack  
Marchant  
Marino  
McClintock  
McCaul  
McDermott  
McMorris  
Rodgers  
Miller (FL)  
Miller (MI)  
Mulvaney  
Murphy (PA)  
Neugebauer  
Nugent

NOES—305

Ackerman  
Aderholt  
Alexander  
Altmire  
Andrews  
Austria  
Baca  
Bachus  
Baldwin  
Barletta  
Barrow  
Bartlett  
Barton (TX)  
Bass (CA)  
Bass (NH)  
Becerra  
Berg  
Berkley  
Berman  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Black  
Bonner  
Boren  
Boswell  
Boustany  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Buchanan  
Bucshon  
Butterfield  
Calvert  
Canseco  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Cassidy  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Coble  
Cohen  
Cole  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (LY)  
Davis (KY)  
DeFazio  
DeGette  
DeLauro  
Denham  
Dent  
Diaz-Balart  
Dicks  
Holden  
Holt  
Dingell  
Doggett  
Dold  
Donnelly (IN)  
Doyle  
Dreier  
Duffy  
Edwards  
Ellison  
Ellmers  
Emerson  
Engel  
Farenthold  
Farr  
Fattah  
Filner  
Fincher  
Fitzpatrick  
Fleming  
Forbes  
Frank (MA)  
Frelinghuysen  
Fudge  
Gerlach  
Gibbs  
Gibson  
Gonzalez  
Griffin (AR)  
Grijalva  
Grimm  
Guinta  
Guthrie  
Gutierrez  
Hall  
Hanabusa  
Hanna  
Harper  
Hartzler  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Huizenga (MI)  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly  
Kildee  
Kind  
King (IA)  
King (NY)

Kinzinger (IL)  
Kissell  
Kucinich  
Lance  
Landry  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
Pearce  
LaTourette  
Lee (CA)  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Lujan  
Lungren, Daniel  
E.  
Lynch  
Maloney  
Manzullo  
Markey  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCollum  
McCotter  
McGovern  
McIntyre  
McKeon  
McKinley  
McNerney  
Meehan  
Meeks  
Mica  
Michaud  
Miller (NC)  
Miller, Gary  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Myrick  
Nadler  
Napolitano  
Neal  
Noem  
Nunes  
Olver  
Owens  
Palazzo  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pearce  
Perlmutter  
Levin  
Peterson  
Petri  
Pingree (ME)  
Platts  
Polis  
Price (GA)  
Price (NC)  
Rahall  
Rangel  
Rehberg  
Reichert  
Renacci  
Reyes  
Richardson  
Richmond  
Rigell  
Rivera  
Robby  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schilling  
Schock  
Schrader  
Schwartz  
Scott (VA)  
Scott, Austin  
Scott, David  
Serrano  
Sessions  
Sewell  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Souterland  
Speier  
Stearns  
Stivers  
Sutton  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Tiberi  
Tierney  
Tonko  
Towns  
Tsongas  
Turner  
Velázquez  
Visclosky  
Walden  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
West  
Whitfield  
Wilson (FL)  
Wittman  
Wolf  
Womack  
Woolsey  
Wu  
Yarmuth  
Yoder  
Young (AK)  
Young (FL)

NOT VOTING—8

Cantor  
Deutch  
Giffords  
Gohmert  
Hinchey  
Hoyer  
McHenry  
Pelosi

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1736

Ms. ESHOO changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. CARDOZA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CARDOZA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 163, not voting 7, as follows:

[Roll No. 556]

AYES—261

Ackerman Fortenberry Nadler  
 Adams Frank (MA) Napolitano  
 Aderholt Franks (AZ) Neal  
 Akin Fudge Nugent  
 Alexander Gardner Nunes  
 Altire Gerlach Nunnelee  
 Amash Gohmert Olver  
 Andrews Gonzalez Owens  
 Austria Graves (MO) Pallone  
 Baca Green, Al Pascarell  
 Bachmann Green, Gene Pastor (AZ)  
 Baldwin Griffin (AR) Paul  
 Barrow Griffith (VA) Paulsen  
 Bartlett Grijalva Payne  
 Bass (CA) Guthrie Pearce  
 Bass (NH) Gutierrez Peters  
 Becerra Hanabusa Peterson  
 Benishek Harris Platts  
 Berg Hastings (FL) Pompeo  
 Berkley Hastings (WA) Price (GA)  
 Berman Heck Rahall  
 Bilbray Heinrich Rangel  
 Bishop (GA) Herger Rehberg  
 Bishop (NY) Herrera Beutler Reichert  
 Bono Mack Higgins Reyes  
 Boren Hinojosa Ribble  
 Boswell Hochul Richardson  
 Boustany Holden Richmond  
 Brady (PA) Honda Roe (TN)  
 Brady (TX) Inslee Rohrabacher  
 Braley (IA) Israel Rooney  
 Brown (GA) Issa Ross (AR)  
 Brown (FL) Jackson (IL) Rothman (NJ)  
 Buerkle Jackson Lee Roybal-Allard  
 Burgess (TX) Ruppberger  
 Calvert Jenkins Rush  
 Camp Johnson (OH) Flores  
 Campbell Johnson, E. B. Sánchez, Linda  
 Capps Jordan T.  
 Capuano Kaptur Sanchez, Loretta  
 Cardoza Keating Sarbanes  
 Carnahan Kelly Scalise  
 Carson (IN) Kildee Schakowsky  
 Cassidy King (IA) Schiff  
 Castor (FL) Kinzinger (IL) Schock  
 Chandler Kissell Schrader  
 Chu Kucinich Schwartz  
 Cicilline Landry Scott (VA)  
 Clarke (MI) Langevin Scott, David  
 Clarke (NY) Larson (CT) Sensenbrenner  
 Clay Latham Serrano  
 Cleaver LaTourette Sessions  
 Clyburn Lee (CA) Sewell  
 Cohen Levin Sherman  
 Connolly (VA) Lewis (CA) Shuler  
 Conyers Lewis (GA) Slaughter  
 Costa Lipinski Smith (NJ)  
 Costello LoBiondo Smith (WA)  
 Courtney Long Southerland  
 Crawford Lowey Speier  
 Critz Luetkemeyer Stark  
 Crowley Luján Stutzman  
 Cuellar Lungren, Daniel Sutton  
 Cummings E. Terry  
 Davis (CA) Lynch Thompson (CA)  
 Davis (IL) Maloney Thompson (MS)  
 DeFazio Matheson  
 DeLauro Matsui  
 Denham McCarthy (CA) Tierney  
 Dent McCotter Towns  
 Dicks McDermott Tsongas  
 Dingell McGovern Upton  
 Doggett McHenry Van Hollen  
 Donnelly (IN) McIntyre Velázquez  
 Doyle McKeon Vislosky  
 Duncan (SC) McMorris Walz (MN)  
 Duncan (TN) Rodgers Wasserman  
 Edwards McNerney Schultz  
 Ellison Meehan Waters  
 Emerson Meeks Waxman  
 Engel Mica Webster  
 Farr Miller (FL) Welch  
 Fattah Miller (MI) West  
 Filner Miller, Gary Westmoreland  
 Fincher Miller, George Whitfield  
 Fitzpatrick Moore Wilson (FL)  
 Fleming Moran Womack

Woolsey Yarmuth Young (AK)  
 Wu Yoder Young (FL)

NOES—163

Bachus Graves (GA) Perlmutter  
 Barletta Grimm Petri  
 Barton (TX) Guinta Pingree (ME)  
 Biggert Hall Pitts  
 Bilirakis Hanna Poe (TX)  
 Bishop (UT) Harper Polis  
 Black Hartzler Posey  
 Blackburn Hayworth Price (NC)  
 Blumenauer Hensarling Quayle  
 Bonner Himes Quigley  
 Brooks Hirono Reed  
 Buchanan Holt Renacci  
 Bucshon Huelskamp Rigell  
 Burton (IN) Huizenga (MI) Rivera  
 Butterfield Hultgren Roby  
 Canseco Hunter Rogers (AL)  
 Capito Hurt Rogers (KY)  
 Carney Johnson (IL) Rogers (MI)  
 Carter Johnson, Sam Rokita  
 Chabot Jones Ros-Lehtinen  
 Chaffetz Kind Roskam  
 Coble King (NY) Ross (FL)  
 Coffman (CO) Kingston Royce  
 Cole Kline Runyan  
 Conaway Labrador Lamborn  
 Cooper Cravaack Lance  
 Crenshaw Lankford Schilling  
 Culberson Larsen (WA) Schmidt  
 Davis (KY) Latta Schweikert  
 DeGette Loeb sack Scott (SC)  
 DesJarlais Lofgren, Zoe Scott, Austin  
 Diaz-Balart Lucas Shimkus  
 Dold Lummis Shuster  
 Dreier Mack Simpson  
 Duffy Manzanillo Sires  
 Ellmers Marchant Smith (NE)  
 Eshoo Marino Smith (TX)  
 Farenthold Marino Stearns  
 Flake McCarthy (NY) Stivers  
 Fleischmann McCaul Sullivan  
 Flores McClintock Thompson (PA)  
 Forbes McCollum Thornberry  
 Foxx McKinley Tipton  
 Frelinghuysen Michaud Tonko  
 Gallegly Miller (NC) Turner  
 Garamendi Mulvaney Walberg  
 Garrett Murphy (CT) Walden  
 Gibbs Murphy (PA) Walsh (IL)  
 Gibson Myrick Watt  
 Gingrey (GA) Neugebauer Wilson (SC)  
 Goodlatte Noem Wittman  
 Gosar Olson Wolf  
 Gowdy Palazzo Woodall  
 Granger Pence Young (IN)

NOT VOTING—7

Cantor Hinchey Pelosi  
 Deutch Hoyer  
 Giffords Johnson (GA)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1740

Mr. MULVANEY changed his vote from “aye” to “no.”

Messrs. DUNCAN of South Carolina and WESTMORELAND changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 19 OFFERED BY MR.

WESTMORELAND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 183, not voting 7, as follows:

[Roll No. 557]

AYES—241

Adams Gingrey (GA) Neugebauer  
 Aderholt Gohmert Noem  
 Akin Goodlatte Nugent  
 Alexander Gosar Nunes  
 Altire Gowdy Nunnelee  
 Austria Granger Olson  
 Bachmann Graves (GA) Owens  
 Bachus Graves (MO) Palazzo  
 Barletta Griffin (AR) Paul  
 Bartlett Griffith (VA) Paulsen  
 Grimm Barton (TX) Pearce  
 Bass (NH) Guinta Pence  
 Berg Guthrie Petri  
 Biggert Hall Pitts  
 Bilirakis Hanna Platts  
 Bishop (UT) Harper Poe (TX)  
 Black Harris Pompeo  
 Blackburn Hartzler Posey  
 Bonner Hastings (WA) Price (GA)  
 Bono Mack Hayworth Quayle  
 Boren Heck Reed  
 Boustany Hensarling Rehberg  
 Brady (TX) Herger Reichert  
 Brooks Herrera Beutler Renacci  
 Buchanan Hochul Ribble  
 Bucshon Huelskamp Richmond  
 Buerkle Huizenga (MI) Rigell  
 Burgess Rivera  
 Burton (IN) Hunter Roby  
 Calvert Hurt Roe (TN)  
 Camp Issa Rogers (AL)  
 Campbell Jenkins Rogers (KY)  
 Canseco Johnson (IL) Rogers (MI)  
 Capito Johnson (OH) Rohrabacher  
 Cardoza Johnson, Sam Rokita  
 Carter Jordan Rooney  
 Cassidy Kelly Ros-Lehtinen  
 Chabot King (IA) Roskam  
 Chaffetz King (NY) Ross (AR)  
 Chandler Kingston Ross (FL)  
 Coble Kinzinger (IL) Royce  
 Coffman (CO) Kline Runyan  
 Cole Labrador Ryan (WI)  
 Conaway Lamborn Scalise  
 Costa Lance Schilling  
 Cravaack Landry Schmidt  
 Crawford Lankford Schock  
 Crenshaw Latham Schrader  
 Cuellar LaTourette Schweikert  
 Culberson Latta Scott (SC)  
 Davis (KY) Lewis (CA) Scott, Austin  
 Denham LoBiondo Sensenbrenner  
 Dent Long Sessions  
 DesJarlais Lucas Shimkus  
 Diaz-Balart Luetkemeyer Shuster  
 Dold Lummis Simpson  
 Dreier Lungren, Daniel Smith (NE)  
 Duffy E. Smith (NJ)  
 Duncan (SC) Manzanillo Smith (TX)  
 Duncan (TN) Marchant Southerland  
 Ellmers Marino Stearns  
 Farenthold Matheson Stivers  
 Fincher McCarthy (CA) Stutzman  
 Fitzpatrick McCaul Sullivan  
 Flake McCotter Terry  
 Fleischmann McHenry Thompson (PA)  
 Fleming McKeon Thornberry  
 Flores McKinley Tiberi  
 Forbes McMorris Tipton  
 Fortenberry Rodgers Turner  
 Foxx Meehan Upton  
 Franks (AZ) Mica Walberg  
 Frelinghuysen Miller (FL) Walden  
 Gardner Miller (MI) Walsh (IL)  
 Garrett Miller, Gary Webster  
 Gerlach Mulvaney West  
 Gibbs Murphy (PA) Westmoreland  
 Gibson Myrick Whitfield

Wilson (SC) Womack
Wittman Woodall
Wolf Yoder

NOES—183

Ackerman Fudge
Amash Gallegly
Andrews Garamendi
Baca Gonzalez
Baldwin Green, Al
Barrow Green, Gene
Bass (CA) Grijalva
Becerra Gutierrez
Benishek Hanabusa
Berkley Hastings (FL)
Berman Heinrich
Billbray Higgins
Bishop (GA) Himes
Bishop (NY) Hinojosa
Blumenauer Hirono
Boswell Holden
Brady (PA) Holt
Braley (IA) Honda
Broun (GA) Inslee
Brown (FL) Israel
Butterfield Jackson (IL)
Capps Jackson Lee
Capuano (TX)
Carnahan Johnson (GA)
Carney Johnson, E. B.
Carson (IN) Jones
Castor (FL) Kaptur
Chu Keating
Cicilline Kildee
Clarke (MI) Kind
Clarke (NY) Kissell
Clay Kucinich
Clever Langevin
Clyburn Larsen (WA)
Cohen Larson (CT)
Connolly (VA) Lee (CA)
Conyers Levin
Cooper Lewis (GA)
Costello Lipinski
Courtney Loeb sack
Critz Lofgren, Zoe
Crowley Lowey
Cummings Lujan
Davis (CA) Lynch
Davis (IL) Mack
DeFazio Maloney
DeGette Markey
DeLauro Matsui
Dicks McCarthy (NY)
Dingell McClintock
Doggett McCollum
Donnelly (IN) McDermott
Doyle McGovern
Edwards McIntyre
Ellison McNerney
Emerson Meeks
Engel Michaud
Eshoo Miller (NC)
Farr Miller, George
Fattah Moore
Filner Moran
Frank (MA) Murphy (CT)

NOT VOTING—7

Cantor Hinchey
Deutch Hoyer
Giffords Payne

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1744

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 20 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 238, not voting 7, as follows:

[Roll No. 558]

AYES—186

Adams Gosar
Aderholt Mulvaney
Akin Myrick
Granger Neugebauer
Graves (GA) Nugent
Graves (MO) Nunes
Griffin (AR) Nunnelee
Griffith (VA) Olson
Grimm Paul
Guinta Paulsen
Hall Pearce
Harper Pence
Hartzler Petri
Hastings (WA) Pitts
Hayworth Platts
Heck Poe (TX)
Heinrich Pompeo
Herger Posey
Herrera Beutler Price (GA)
Higgins Quayle
Buchanan Reichert
Hochul Ribble
Huelskamp Roby
Huizenga (MI) Roe (TN)
Hultgren Rogers (KY)
Hurt Rogers (MI)
Issa Rohrabacher
Jenkins Rokita
Johnson, Sam Rooney
Jones Ross (FL)
Jordan Royce
Kelly Ryan (WI)
King (IA) Scalise
Kingston Schilling
Kline Schmidt
Labrador Schock
Lamborn Schweikert
Lance Scott, Austin
Latta Sensenbrenner
Lewis (CA) Sessions
Long Smith (NE)
Lucas Southerland
Lummis Stearns
Lungren, Daniel Stutzman
E. Terry
Mack Thompson (PA)
Manzullo Thornberry
Marchant Tiberi
Marino Tipton
Matheson Turner
McCarthy (CA) Upton
McCaul Walberg
McClintock Walden
McCotter Walsh (IL)
McHenry Webster
McKeon Westmoreland
McMorris Whitfield
Rodgers Wilson (SC)
Meehan Womack
Mica Woodall
Miller (FL) Yoder
Miller (MI) Young (AK)
Miller, Gary Young (IN)

NOES—238

Ackerman
Alexander
Andrews
Austria
Baca
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Buerkle
Butterfield
Capito
Capps
Capuano

Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Fincher
Fitzpatrick
Forbes
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Guthrie
Gutierrez
Hanabusa
Harris
Hastings (FL)
Hensarling
Himes
Hirono
Holden
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowe y
Luetkemeyer
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Rogers (AL)
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—7

Cantor Giffords
Deutch Hinchey
Ellison Hoyer

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1749

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 23 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. SCOTT)

on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 230, not voting 9, as follows:

[Roll No. 559]

AYES—192

Ackerman	Fudge	Owens
Andrews	Garamendi	Pallone
Baca	Gibson	Pascrell
Baldwin	Gonzalez	Pastor (AZ)
Barrow	Green, Al	Peters
Barton (TX)	Green, Gene	Peterson
Bass (CA)	Grijalva	Pingree (ME)
Becerra	Gutierrez	Platts
Berkley	Hanabusa	Polis
Berman	Hastings (FL)	Price (NC)
Bishop (GA)	Higgins	Rahall
Bishop (NY)	Himes	Rangel
Boren	Hinojosa	Reyes
Boswell	Hirono	Richardson
Boustany	Hochul	Richmond
Brady (PA)	Holden	Rigell
Braley (IA)	Holt	Rothman (NJ)
Brown (FL)	Honda	Roybal-Allard
Butterfield	Insee	Ruppersberger
Capps	Israel	Rush
Capuano	Jackson (IL)	Ryan (OH)
Cardoza	Jackson Lee	Sánchez, Linda
Carnahan	(TX)	T.
Carney	Johnson (GA)	Sanchez, Loretta
Carson (IN)	Johnson, E. B.	Sarbanes
Cassidy	Jones	Scalise
Castor (FL)	Kaptur	Schakowsky
Chu	Keating	Schiff
Cicilline	Kildee	Schrader
Clarke (MI)	Kind	Schwartz
Clarke (NY)	Kissell	Scott (VA)
Clay	Kucinich	Scott, David
Cleaver	Landry	Serrano
Clyburn	Langevin	Sewell
Coble	Larsen (WA)	Sherman
Cohen	Larson (CT)	Simpson
Connolly (VA)	Latham	Sires
Conyers	Lee (CA)	Slaughter
Cooper	Levin	Stark
Costa	Lewis (GA)	Sutton
Courtney	Lipinski	Terry
Critz	Loeback	Thompson (CA)
Crowley	Lofgren, Zoe	Tierney
Cuellar	Lowey	Tonko
Cummings	Lujan	Towns
Davis (CA)	Lynch	Tsongas
Davis (IL)	Maloney	Upton
DeFazio	Markey	Van Hollen
DeGette	Matsui	Velázquez
DeLauro	McCarthy (NY)	Visclosky
Diaz-Balart	McCormack	Walz (MN)
Dicks	McDermott	Wasserman
Dingell	McGovern	Schultz
Doggett	McNerney	Waters
Donnelly (IN)	Michaud	Watt
Doyle	Miller (MI)	Waxman
Edwards	Miller (NC)	Webster
Ellison	Miller, George	Welch
Engel	Moore	Wilson (FL)
Eshoo	Moran	Wittman
Farr	Murphy (CT)	Wolf
Fattah	Nadler	Woolsey
Filner	Napolitano	Wu
Forbes	Neal	Yarmuth
Frank (MA)	Olver	Young (FL)

NOES—230

Adams	Altmire	Bachus
Aderholt	Amash	Barletta
Akin	Austria	Bartlett
Alexander	Bachmann	Bass (NH)

Benishek	Guinta	Paul
Berg	Guthrie	Paulsen
Biggart	Hall	Pearce
Bilbray	Hanna	Pence
Bilirakis	Harper	Perlmutter
Bishop (UT)	Harris	Petri
Black	Hartzler	Pitts
Blackburn	Hastings (WA)	Poe (TX)
Blumenauer	Hayworth	Pompeo
Bono Mack	Heck	Possey
Brady (TX)	Heinrich	Price (GA)
Brooks	Hensarling	Quayle
Broun (GA)	Herger	Quigley
Buchanan	Herrera Beutler	Reed
Bucshon	Huelskamp	Rehberg
Buerkle	Huizenga (MI)	Reichert
Burgess	Hultgren	Renacci
Burton (IN)	Hunter	Ribble
Calvert	Hurt	Rivera
Camp	Issa	Roby
Campbell	Jenkins	Roe (TN)
Canseco	Johnson (IL)	Rogers (AL)
Capito	Johnson (OH)	Rogers (MI)
Carter	Johnson, Sam	Rohrabacher
Chabot	Jordan	Rokita
Chaffetz	Kelly	Rooney
Chandler	King (IA)	Ros-Lehtinen
Coffman (CO)	King (NY)	Roskam
Cole	Kingston	Ross (AR)
Conaway	Kinzinger (IL)	Ross (FL)
Costello	Kline	Royce
Cravaack	Labrador	Runyan
Crawford	Lamborn	Ryan (WI)
Crenshaw	Lance	Schilling
Culberson	Lankford	Schmidt
Davis (KY)	LaTourette	Schock
Denham	Latta	Schweikert
Dent	Lewis (CA)	Scott (SC)
DesJarlais	LoBiondo	Scott, Austin
Dold	Long	Sensenbrenner
Dreier	Lucas	Sessions
Duffy	Luetkemeyer	Shimkus
Duncan (SC)	Lummis	Shuler
Duncan (TN)	Lungren, Daniel	Shuster
Emerson	E.	Smith (NE)
Farenthold	Mack	Smith (NJ)
Fincher	Manzullo	Smith (TX)
Fitzpatrick	Marchant	Smith (WA)
Flake	Marino	Southerland
Fleischmann	Matheson	Speier
Fleming	McCarthy (CA)	Stearns
Flores	McCaul	Stivers
Fortenberry	McClintock	Stutzman
Fox	McCotter	Sullivan
Fox	McHenry	Thompson (MS)
Franks (AZ)	McIntyre	Thompson (PA)
Frelinghuysen	McKeon	Thornberry
Galleghy	McKinley	Tiberi
Gardner	McMorris	Tipton
Garrett	McMorris	Turner
Gerlach	Rodgers	Walberg
Gibbs	Meehan	Walden
Gingrey (GA)	Mica	Walsh (IL)
Gohmert	Miller (FL)	West
Goodlatte	Miller, Gary	Westmoreland
Gosar	Mulvaney	Whitfield
Gowdy	Murphy (PA)	Wilson (SC)
Granger	Myrick	Womack
Graves (GA)	Neugebauer	Woodall
Graves (MO)	Noem	Yoder
Griffin (AR)	Nugent	Young (AK)
Griffith (VA)	Nunes	Young (IN)
Grimm	Nunnelee	
	Olson	
	Palazzo	

NOT VOTING—9

Cantor	Hinche	Payne
Deutch	Hoyer	Pelosi
Giffords	Meeks	Rogers (KY)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1752

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 25 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 38, noes 384, not voting 9, as follows:

[Roll No. 560]

AYES—38

Amash	Goodlatte	Myrick
Bartlett	Graves (GA)	Nunes
Barton (TX)	Hensarling	Paul
Benishek	Higgins	Petri
Broun (GA)	Holden	Price (GA)
Brown (FL)	Huelskamp	Quayle
Chaffetz	Labrador	Rohrabacher
DesJarlais	Lamborn	Royce
Duncan (TN)	Mack	Sensenbrenner
Flake	McClintock	Walsh (IL)
Fox	McHenry	Westmoreland
Franks (AZ)	Miller (MI)	Woodall
Galleghy	Mulvaney	

NOES—384

Ackerman	Carter	Eshoo
Adams	Cassidy	Farenthold
Aderholt	Castor (FL)	Farr
Akin	Chabot	Fattah
Alexander	Chandler	Filner
Altmire	Chu	Fincher
Andrews	Cicilline	Fitzpatrick
Austria	Clarke (MI)	Fleischmann
Baca	Clarke (NY)	Fleming
Bachmann	Clay	Flores
Bachus	Cleaver	Forbes
Baldwin	Clyburn	Fortenberry
Barletta	Coble	Frank (AR)
Barrow	Coffman (CO)	Frelinghuysen
Bass (CA)	Cohen	Fudge
Bass (NH)	Cole	Garamendi
Becerra	Conaway	Gardner
Berg	Connolly (VA)	Garrett
Berkley	Conyers	Gerlach
Berman	Cooper	Gibbs
Biggart	Costa	Gibson
Bilbray	Costello	Gingrey (GA)
Bilirakis	Courtney	Gonzalez
Bishop (GA)	Cravaack	Gosar
Bishop (NY)	Crawford	Gowdy
Bishop (UT)	Crenshaw	Granger
Black	Critz	Graves (MO)
Blackburn	Crowley	Green, Al
Blumenauer	Cuellar	Green, Gene
Bonner	Culberson	Griffin (AR)
Bono Mack	Cummings	Griffin (VA)
Boren	Davis (CA)	Grijalva
Boswell	Davis (IL)	Grimm
Boustany	Davis (KY)	Guinta
Brady (PA)	DeFazio	Guthrie
Brady (TX)	DeGette	Gutierrez
Braley (IA)	DeLauro	Hall
Brooks	Denham	Hanabusa
Buchanan	Dent	Hanna
Bucshon	Diaz-Balart	Harper
Buerkle	Dicks	Harris
Burgess	Dingell	Hartzler
Burton (IN)	Doggett	Hastings (FL)
Butterfield	Dold	Hastings (WA)
Calvert	Donnelly (IN)	Hayworth
Camp	Doyle	Heck
Campbell	Dreier	Heinrich
Capito	Duffy	Herger
Capps	Duncan (SC)	Herrera Beutler
Capuano	Edwards	Himes
Cardoza	Ellison	Hinojosa
Carnahan	Ellmers	Hirono
Carney	Emerson	Hochul
Carson (IN)	Engel	Holt



Honda	Meehan	Scalise
Huizenga (MI)	Meeks	Schakowsky
Hultgren	Mica	Schiff
Hunter	Michaud	Schilling
Hurt	Miller (FL)	Schmidt
Inslee	Miller (NC)	Schock
Israel	Miller, Gary	Schrader
Issa	Miller, George	Schwartz
Jackson (IL)	Moore	Schweikert
Jackson Lee	Moran	Scott (SC)
(TX)	Murphy (CT)	Scott (VA)
Jenkins	Murphy (PA)	Scott, Austin
Johnson (IL)	Nadler	Scott, David
Johnson (OH)	Napolitano	Serrano
Johnson, E. B.	Neal	Sessions
Johnson, Sam	Neugebauer	Sewell
Jones	Nugent	Sherman
Jordan	Nunnelee	Shimkus
Kaptur	Olson	Shuler
Keating	Olver	Shuster
Kelly	Owens	Simpson
Kildee	Palazzo	Sires
Kind	Pallone	Slaughter
King (IA)	Pascrell	Smith (NE)
King (NY)	Pastor (AZ)	Smith (NJ)
Kingston	Paulsen	Smith (TX)
Kinzinger (IL)	Payne	Smith (WA)
Kissell	Pearce	Southerland
Kline	Pence	Speier
Kucinich	Perlmutter	Stark
Lance	Peters	Stearns
Landry	Peterson	Stivers
Langevin	Pingree (ME)	Stutzman
Lankford	Pitts	Sullivan
Larsen (WA)	Platts	Sutton
Larson (CT)	Poe (TX)	Terry
Latham	Polis	Thompson (CA)
LaTourette	Pompeo	Thompson (MS)
Latta	Posey	Thompson (PA)
Lee (CA)	Price (NC)	Thornberry
Levin	Quigley	Tiberi
Lewis (CA)	Rahall	Tierney
Lewis (GA)	Rangel	Tipton
Lipinski	Reed	Tonko
LoBiondo	Rehberg	Towns
Loeback	Reichert	Tsongas
Lofgren, Zoe	Renacci	Turner
Long	Reyes	Upton
Lowey	Ribble	Van Hollen
Lucas	Richardson	Velázquez
Luetkemeyer	Richmond	Visclosky
Luján	Rigell	Walberg
Lummis	Rivera	Walden
Lungren, Daniel	Roby	Walz (MN)
E.	Roe (TN)	Wasserman
Lynch	Rogers (AL)	Schultz
Maloney	Rogers (KY)	Waters
Manzullo	Rogers (MI)	Watt
Marchant	Rokita	Waxman
Marino	Rooney	Webster
Markey	Ros-Lehtinen	Welch
Matheson	Roskam	West
Matsui	Ross (AR)	Whitfield
McCarthy (CA)	Ross (FL)	Wilson (FL)
McCarthy (NY)	Rothman (NJ)	Wilson (SC)
McCaul	Roybal-Allard	Wittman
McCollum	Runyan	Wolf
McCotter	Ruppersberger	Womack
McDermott	Rush	Woolsey
McGovern	Ryan (OH)	Wu
McIntyre	Ryan (WI)	Yarmuth
McKeon	Sánchez, Linda	Yoder
McKinley	T.	Young (AK)
McMorris	Sánchez, Loretta	Young (FL)
Rodgers	Sarbanes	Young (IN)
McNerney		

NOT VOTING—9

Canseco	Giffords	Hoyer
Cantor	Gohmert	Johnson (GA)
Deutch	Hinchee	Pelosi

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1756

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. HULTGREN). The question is on the committee

amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes, and, pursuant to House Resolution 340, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BOSWELL. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BOSWELL. In its current form, I am.

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

The Clerk read as follows:

Mr. BOSWELL moves to recommit the bill, H.R. 1309, to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 57, after line 2, insert the following new sections:

**SEC. 14. SENSE OF CONGRESS REGARDING RELIEF FOR 2011 FLOOD VICTIMS.**

(a) FINDINGS.—The Congress finds the following:

(1) The flood disasters and emergencies of 2011 have been unprecedented.

(2) Such flood disasters and emergencies cover 696 counties in 29 States.

(3) The President has declared a major disaster from flooding in 2011 for 26 counties in Louisiana. 32 counties in Indiana, 34 counties in Montana, 7 counties in Vermont, 23 counties in New York, 3 counties in Alaska, 21 counties in Illinois, 16 counties in Oklahoma, 6 counties in Idaho, 37 counties in South Dakota, 48 counties in Mississippi, 34 counties in Minnesota, 47 counties in North Dakota, 38 counties in Missouri, 64 counties in Ten-

nessee, 76 counties in Kentucky, 57 counties in Arkansas, 23 counties in Georgia, 67 counties in Alabama, 20 counties in North Carolina, 13 counties in California, 3 counties in Hawaii, 8 counties in Oregon, 7 counties in Washington, 3 counties in Utah, and 3 counties in Maine.

(4) The President has declared an emergency from flooding in 2011 for 28 counties in Missouri, 4 counties in Kansas, 18 counties in Nebraska, 26 counties in Louisiana, 4 counties in Tennessee, 14 counties in Mississippi, and 22 counties in North Dakota.

(b) PURPOSE.—It is the sense of the Congress that relief should be provided in the form of grants to families in areas affected by flooding to repair damage to their homes and in the form of assurances that such homeowners are not subjected to additional flood insurance premium increases as they struggle in the aftermath of disaster recovery.

**SEC. 15. EMERGENCY AID TO ASSIST 2011 FLOOD VICTIMS.**

(a) ASSISTANCE WITH INCREASED COST OF COMPLIANCE.—Subsection (b) of section 1304 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)) is amended—

(1) in paragraph (3), by striking the period at the end and inserting a semicolon;

(2) in paragraph (4), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(5) properties for which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.”.

(b) GRANTS.—

(1) AUTHORITY.—Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new section:

**“SEC. 1326. GRANTS FOR REPAIRING FLOOD DAMAGE TO HOMES IN DISASTER AREAS.**

“(a) AUTHORITY.—The Administrator may make grants under this section to owners of qualified residences for costs of repairing damage to such residences caused by flooding for which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act on or after January 1, 2011.

“(b) TERMS.—The Administrator shall issue such regulations as may be necessary to establish appropriate limitations and terms regarding grants under this section, which may include limitations and terms regarding the amount of grants, avoiding duplication of reimbursement for damages, use of grant amounts, and such other issues as the Administrator considers appropriate.

“(c) QUALIFIED RESIDENCE.—For purposes of this section, the term ‘qualified residence’ means a residential structure that—

“(1) consists of from 1 to 4 dwelling units;

“(2) is located within the area for which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act as a result of flooding; and

“(3) is covered, upon issuance of such declaration, by a contract for flood insurance coverage under this title.”.

(2) AVAILABILITY OF NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017), as amended by the preceding provisions of this Act, is further amended—

(A) in paragraph (6), by striking “and” at the end;

(B) in paragraph (7), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(8) for grants under section 1326.”.

Page 21, line 22, strike the closing quotation marks and the last period.

Page 21, after line 22, insert the following new paragraph:

“(5) TOLLING OF PERIODS AFTER DISASTERS.—In the case of any covered property that is subject under subsection (i) to a prohibition on increases in chargeable risk premium rates, any 12-month period applicable to such covered property under paragraph (1), (2), or (3) shall be tolled for the duration of the 36-month period applicable to such covered property under subsection (i), and any increases in risk premium rates otherwise effective upon expiration of any of such 12-month periods shall take effect upon the expiration of such periods as resumed after such tolling.”.

Page 27, after line 11, insert the following new subsection:

(e) RELIEF FROM PREMIUM INCREASES TO ASSIST 2011 FLOOD VICTIMS.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended—

(1) in subsection (c), in the matter that precedes paragraph (1), as amended by the preceding provisions of this Act, by inserting “, and subsection (i)” after “subsection (g)”;

(2) by adding at the end the following new subsection:

“(i) RELIEF FROM PREMIUM INCREASES TO ASSIST 2011 FLOOD VICTIMS.—Subject to subsection (h) and notwithstanding any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, in the case of any area for which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act on or after January 1, 2011, as a result of flooding, the chargeable risk premium rates for flood insurance coverage under this title for any structure located within such area upon the issuance of such declaration may not be increased at any time during the 36-month period beginning upon issuance of such declaration.”.

Page 27, line 12, strike “(e)” and insert “(f)”.

Page 19, line 22, strike “and” and insert a comma.

Page 20, lines 3 and 4, strike “Notwithstanding” and insert the following: “Subject only to subsections (h) and (i) and notwithstanding”.

Mr. BOSWELL (during the reading). Mr. Speaker, I ask unanimous consent to dispense with further reading.

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

Mr. DOLD. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. DOLD (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Iowa is recognized for 5 minutes.

Mr. BOSWELL. Thank you, Mr. Speaker.

At the outset, let me say this amendment does not—repeat, does not—kill the underlying bill.

Mr. Speaker, our Nation has been hit by devastating and unprecedented flooding this past spring that has displaced and damaged homes in 29 States and nearly 700 counties. That is right. Nearly three-fifths of the States in this country, 60 percent, have counties that have been declared emergency areas by the President. I would like to insert into the RECORD the list of States and counties that have been hit by the floods of 2011.

In my home State of Iowa, right as we stand here in this Chamber, we are seeing flooding as the Missouri River rises on the western border. Just last week, the Department of Agriculture declared Fremont, Harrison, Mills, Monona, Pottawattamie, and Woodbury Counties in Iowa as agriculture disaster areas. Farmers, homeowners, and small business owners are seeing their lives and their very livelihoods quite literally being washed away. As I talk to mayors, county supervisors, and my friends across the State who are being affected, they want to know if their government, this Congress, will stand with them in their time of dire need. We need to step up to the plate and help these flood victims rebuild their lives and repair the damage, and they should not be subjected to premium increases as they struggle to get back on their feet.

This final amendment helps flood victims in three important ways:

First, this amendment builds on a bipartisan program that was established in 1994 following the devastating Midwestern floods by reimbursing a flood policyholder for the cost of rebuilding a flood-damaged structure as needed to comply with State and local floodplain management laws.

Second, this amendment provides a new important tool to aid victims of the 2011 floods by giving the agency discretion to provide grants to homeowners to repair flood damage.

Third, this amendment provides a temporary reprieve from any increases in flood insurance premiums for policyholders as they struggle to rebuild their homes and their lives. It does so by suspending any increases in flood insurance premiums for a period of 36 months—we’re talking about increases—for policyholders located in areas designated by the President as a major disaster or emergency.

Importantly, this amendment accomplishes this in a responsible way by limiting such assistance to homeowners with existing flood policies. It rewards those who have obtained flood insurance and have paid into the Flood Insurance Fund. This amendment is consistent with the underlying policy of this bill by encouraging homeowners to obtain flood insurance, and by placing the program on stronger financial

footing through a responsible phase-in of risk premium rates to full actuarial rates.

In past years, Congress has stepped up to the plate and provided assistance to victims of natural disasters. That is what epitomizes our great country and its spirit. Yet this Congress has shown a disregard for flood victims at a time when we are struggling to recover from the worst financial crisis since the Great Depression. Yes, we are a country marked by individual initiative, but we are also a country of compassion.

□ 1810

This final amendment is not a hand-out. It provides immediate assistance and relief to those homeowners who have paid into the Flood Insurance Fund. The Flood Insurance Fund is paid through premiums and fees paid by policyholders, not the taxpayer.

I urge my colleagues to read the list of 29 States and 696 counties that have been hit by these devastating floods and join me in providing swift and immediate assistance to your constituents. These are your friends, your neighbors; and they are asking for your help. So I ask you to stand with them, and I ask my colleagues to do the same.

Vote “yes” on this final amendment; and, remember, it does not kill the underlying bill.

STATEMENT OF REP. LEONARD L. BOSWELL TO ACCOMPANY THE MOTION TO RECOMMEND THE BILL, H.R. 1309 WITH INSTRUCTIONS

According to the Federal Emergency Management Agency, there have been a total of 696 counties in 29 states for which a Major Disaster or Emergency has been declared. There is some overlap of states for which a major disaster and emergency have been declared and some overlap of counties for which a major disaster and emergency have been declared. Below is a breakdown of the affected counties and states by major disaster and by emergency.

26 STATES FOR WHICH A MAJOR DISASTER HAS BEEN DECLARED IN 2011 FOR FLOODING\*

Alabama, Alaska, Arkansas, California, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Maine, Minnesota, Mississippi, Missouri, Montana, New York, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Tennessee, Utah, Vermont, Washington

696 COUNTIES IN 26 STATES COVERED BY A MAJOR DISASTER DECLARATION IN 2011 FOR FLOODING\*

Alabama Counties

Autauga County, Baldwin County, Barbour County, Bibb County, Blount County, Bullock County, Butler County, Calhoun County, Chambers County, Cherokee County, Chilton County, Choctaw County, Clarke County, Clay County, Cleburne County, Coffee County, Colbert County, Conecuh County, Coosa County, Covington County, Crenshaw County, Cullman County, Dale County, Dallas County, DeKalb County, Elmore County, Escambia County, Etowah County, Fayette County, Franklin County, Geneva County, Greene County, Hale County, Henry County, Houston County, Jackson County, Jefferson County, Lamar County, Lauderdale

County, Lawrence County, Lee County, Limestone County, Lowndes County, Macon County, Madison County, Marengo County, Marion County, Marshall County, Mobile County, Monroe County, Montgomery County, Morgan County, Perry County, Pickens County, Pike County, Randolph County, Russell County, Saint Clair County, Shelby County, Sumter County, Talladega County, Tallapoosa County, Tuscaloosa County, Walker County, Washington County, Wilcox County, and Winston County.

#### *Alaska Counties*

Crooked Creek (ANV/ANVSA), Kuspuk Regional Educational Attendance Area, and Red Devil (ANV/ANVSA).

#### *Arkansas Counties*

Arkansas County, Baxter County, Benton County, Boone County, Bradley County, Calhoun County, Carroll County, Chicot County, Clark County, Clay County, Cleburne County, Cleveland County, Conway County, Craighead County, Crawford County, Crittenden County, Dallas County, Faulkner County, Franklin County, Fulton County, Garland County, Greene County, Hot Spring County, Howard County, Independence County, Izard County, Jackson County, Johnson County, Lawrence County, Lee County, Lincoln County, Lonoke County, Madison County, Marion County, Mississippi County, Monroe County, Montgomery County, Nevada County, Newton County, Perry County, Phillips County, Pike County, Poinsett County, Polk County, Prairie County, Pulaski County, Randolph County, Saint Francis County, Saline County, Searcy County, Sharp County, Stone County, Van Buren County, Washington County, White County, Woodruff County, and Yell County.

#### *California Counties*

Del Norte County, Inyo County, Kern County, Kings County, Monterey County, Orange County, Riverside County, San Bernardino County, San Diego County, San Luis Obispo County, Santa Barbara County, Santa Cruz County, and Tulare County.

#### *Georgia Counties*

Bartow County, Catoosa County, Cherokee County, Coweta County, Dade County, Floyd County, Gordon County, Greene County, Harris County, Heard County, Jasper County, Lamar County, Lumpkin County, Meriwether County, Monroe County, Morgan County, Newton County, Pickens County, Rabun County, Spalding County, Troup County, Walker County, and White County.

#### *Hawaii Counties*

Hawaii County, Honolulu County, and Maui County.

#### *Idaho Counties and Indian Reservations*

Bonner County, Clearwater County, Idaho County, Nez Perce County, Nez Perce Indian Reservation, and Shoshone County.

#### *Illinois Counties*

Alexander County, Franklin County, Gallatin County, Hamilton County, Hardin County, Jackson County, Jefferson County, Lawrence County, Marion County, Massac County, Perry County, Pope County, Pulaski County, Randolph County, Saline County, Union County, Wabash County, Washington County, Wayne County, White County, and Williamson County.

#### *Indiana Counties*

Benton County, Clark County, Crawford County, Daviess County, Dearborn County, Dubois County, Floyd County, Franklin County, Gibson County, Harrison County, Jackson County, Jefferson County, Jennings

County, Knox County, Martin County, Monroe County, Ohio County, Orange County, Parke County, Perry County, Pike County, Posey County, Putnam County, Ripley County, Scott County, Spencer County, Starke County, Sullivan County, Switzerland County, Vanderburgh County, Warrick County, and Washington County.

#### *Iowa Counties*

Fremont County, Harrison County, Mills County, Monona County, Pottawattamie County, and Woodbury County.

#### *Kentucky Counties*

Anderson County, Ballard County, Bath County, Boone County, Boyd County, Bracken County, Breathitt County, Breckinridge County, Butler County, Caldwell County, Calloway County, Campbell County, Carlisle County, Carroll County, Carter County, Christian County, Clay County, Crittenden County, Daviess County, Edmonson County, Elliott County, Estill County, Fleming County, Floyd County, Franklin County, Fulton County, Gallatin County, Grant County, Graves County, Grayson County, Green County, Greenup County, Hancock County, Harlan County, Henderson County, Henry County, Hickman County, Hopkins County, Johnson County, Kenton County, Knott County, Lawrence County, Lee County, Lewis County, Livingston County, Logan County, Lyon County, Magoffin County, Marion County, Marshall County, Martin County, Mason County, McCracken County, McLean County, Meade County, Menifee County, Mercer County, Monroe County, Morgan County, Nelson County, Nicholas County, Oldham County, Owen County, Owsley County, Pendleton County, Perry County, Robertson County, Rowan County, Spencer County, Todd County, Trigg County, Trimble County, Union County, Washington County, Webster County, and Wolfe County.

#### *Maine Counties*

Aroostook County, Piscataquis County, and Washington County.

#### *Minnesota Counties*

Becker County, Beltrami County, Big Stone County, Blue Earth County, Brown County, Carver County, Chippewa County, Clay County, Grant County, Kittson County, Lac qui Parle County, Le Sueur County, Lyon County, Marshall County, McLeod County, Nicollet County, Norman County, Otter Tail County, Polk County, Ramsey County, Red Lake County, Red Lake Indian Reservation, Redwood County, Renville County, Roseau County, Scott County, Sibley County, Stevens County, Swift County, Traverse County, Washington County, Wilkin County, Wright County, and Yellow Medicine County.

#### *Mississippi Counties*

Adams County, Alcorn County, Attala County, Benton County, Bolivar County, Calhoun County, Carroll County, Chickasaw County, Choctaw County, Claiborne County, Clarke County, Clay County, Coahoma County, DeSoto County, Greene County, Hinds County, Holmes County, Humphreys County, Issaquena County, Itawamba County, Jasper County, Jefferson County, Kemper County, Lafayette County, Lee County, Marshall County, Monroe County, Montgomery County, Neshoba County, Newton County, Noxubee County, Panola County, Prentiss County, Quitman County, Scott County, Sharkey County, Smith County, Tate County, Tippah County, Tishomingo County, Tunica County, Union County, Warren County, Washington County, Webster County, Wilkinson County, Winston County, and Yazoo County.

#### *Missouri Counties*

Barry County, Bollinger County, Butler County, Cape Girardeau County, Carter County, Christian County, Douglas County, Dunklin County, Howell County, Iron County, Jasper County, Madison County, McDonald County, Miller County, Mississippi County, New Madrid County, Newton County, Oregon County, Ozark County, Pemiscot County, Perry County, Pettis County, Polk County, Reynolds County, Ripley County, Saint Francois County, Saint Louis County, Sainte Genevieve County, Scott County, Shannon County, Stoddard County, Stone County, Taney County, Texas County, Washington County, Wayne County, Webster County, and Wright County.

#### *Montana Counties and Indian Reservations*

Big Horn County, Blaine County, Broadwater County, Carbon County, Carter County, Cascade County, Chouteau County, Crow Indian Reservation, Custer County, Dawson County, Fallon County, Fergus County, Fort Belknap Indian Reservation, Garfield County, Golden Valley County, Hill County, Judith Basin County, McCone County, Meagher County, Musselshell County, Petroleum County, Phillips County, Powder River County, Prairie County, Rocky Boy's Indian Reservation, Roosevelt County, Rosebud County, Stillwater County, Sweet Grass County, Treasure County, Valley County, Wheatland County, Wibaux County, and Yellowstone County.

#### *New York Counties*

Allegany County, Broome County, Chemung County, Chenango County, Clinton County, Delaware County, Essex County, Franklin County, Hamilton County, Herkimer County, Lewis County, Livingston County, Madison County, Niagara County, Oneida County, Onondaga County, Ontario County, Steuben County, Tioga County, Ulster County, Warren County, Wyoming County, and Yates County.

#### *North Carolina Counties*

Alamance County, Bertie County, Bladen County, Craven County, Cumberland County, Currituck County, Greene County, Halifax County, Harnett County, Hertford County, Hoke County, Johnston County, Lee County, Onslow County, Pitt County, Robeson County, Sampson County, Tyrrell County, Wake County, and Wilson County.

#### *North Dakota Counties and Indian Reservations*

Barnes County, Benson County, Billings County, Bottineau County, Burke County, Burleigh County, Cass County, Cavalier County, Dickey County, Divide County, Eddy County, Fort Berthold Indian Reservation, Foster County, Grand Forks County, Grant County, Griggs County, Kidder County, LaMoure County, Logan County, McHenry County, McIntosh County, McKenzie County, McLean County, Mercer County, Morton County, Mountrail County, Nelson County, Pembina County, Pierce County, Ramsey County, Ransom County, Renville County, Richland County, Rolette County, Sargent County, Sheridan County, Spirit Lake Reservation, Steele County, Stutsman County, Towner County, Traill County, Turtle Mountain Indian Reservation, Walsh County, Ward County, Wells County, and Williams County.

#### *Oklahoma Counties*

Adair County, Caddo County, Canadian County, Cherokee County, Delaware County, Grady County, Haskell County, Kingfisher County, Le Flore County, Logan County, McClain County, McIntosh County, Muskogee County, Okmulgee County, Pittsburg County, and Sequoyah County.

*Oregon Counties*

Clackamas County, Clatsop County, Coos County, Crook County, Curry County, Douglas County, Lincoln County, and Tillamook County.

*South Dakota Counties*

Aurora County, Beadle County, Brookings County, Brown County, Buffalo County, Butte County, Charles Mix County, Clark County, Clay County, Codington County, Day County, Deuel County, Edmunds County, Faulk County, Grant County, Hamlin County, Hand County, Hanson County, Hughes County, Hutchinson County, Hyde County, Jackson County, Jerauld County, Kingsbury County, Lake County, Marshall County, Miner County, Moody County, Perkins County, Potter County, Roberts County, Sanborn County, Spink County, Stanley County, Sully County, Union County, and Yankton County.

*Tennessee Counties*

Benton County, Bledsoe County, Blount County, Bradley County, Campbell County, Carroll County, Chester County, Cocke County, Crockett County, Davidson County, Decatur County, Dickson County, Dyer County, Fayette County, Fentress County, Franklin County, Gibson County, Giles County, Grainger County, Greene County, Hamilton County, Hardeman County, Hardin County, Henderson County, Henry County, Hickman County, Houston County, Humphreys County, Jackson County, Jefferson County, Johnson County, Knox County, Lake County, Lauderdale County, Lawrence County, Lewis County, Lincoln County, Loudon County, Madison County, Marion County, Marshall County, McMinn County, McNairy County, Monroe County, Montgomery County, Moore County, Morgan County, Obion County, Perry County, Pickett County, Polk County, Rhea County, Scott County, Sequatchie County, Shelby County, Smith County, Stewart County, Sullivan County, Sumner County, Tipton County, Union County, Washington County, Wayne County, and Weakley County.

*Utah Counties*

Garfield County, Kane County, and Washington County.

*Vermont Counties*

Addison County, Chittenden County, Essex County, Franklin County, Grand Isle County, Lamoille County, and Orleans County.

*Washington Counties*

King County, Kittitas County, Klickitat County, Lewis County, Skagit County, Skamania County, and Wahkiakum County.

7 STATES FOR WHICH AN EMERGENCY HAS BEEN DECLARED IN 2011 FOR FLOODING\*

Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Dakota, Tennessee

116 COUNTIES IN 7 STATES COVERED BY EMERGENCY DECLARATION IN 2011 FOR FLOODING\*

*Kansas Counties*

Atchison County, Doniphan County, Leavenworth County, and Wyandotte County.

*Louisiana Counties*

Ascension Parish, Assumption Parish, Avoyelles Parish, Catahoula Parish, Concordia Parish, East Baton Rouge Parish, East Carroll Parish, East Feliciana Parish, Franklin Parish, Iberia Parish, Iberville Parish, La Salle Parish, Lafourche Parish, Madison Parish, Pointe Coupee Parish, Richland Parish, Saint Charles Parish, Saint James Parish, Saint John the Baptist Parish, Saint Landry Parish, Saint Martin Parish, Saint Mary Parish, Tensas Parish, Terrebonne Par-

ish, West Baton Rouge Parish, and West Feliciana Parish.

*Mississippi Counties*

Adams County, Bolivar County, Claiborne County, Coahoma County, DeSoto County, Humphreys County, Issaquena County, Jefferson County, Sharkey County, Tunica County, Warren County, Washington County, Wilkinson County, and Yazoo County.

*Missouri Counties*

Andrew County, Atchison County, Boone County, Buchanan County, Callaway County, Carroll County, Chariton County, Clark County, Clay County, Cole County, Cooper County, Franklin County, Gasconade County, Holt County, Howard County, Jackson County, Lafayette County, Lewis County, Moniteau County, Montgomery County, Osage County, Platte County, Ray County, Saint Charles County, Saint Louis, Saint Louis County, Saline County, and Warren County.

*Nebraska Counties*

Boyd County, Burt County, Cass County, Cedar County, Dakota County, Dixon County, Douglas County, Garden County, Knox County, Lincoln County, Morrill County, Nemaha County, Otoe County, Richardson County, Sarpy County, Scotts Bluff County, Thurston County, and Washington County.

*North Dakota Counties*

Barnes County, Benson County, Burleigh County, Cass County, Eddy County, Emmons County, Grand Forks County, McLean County, Mercer County, Morton County, Nelson County, Oliver County, Pembina County, Ramsey County, Ransom County, Richland County, Sioux County, Standing Rock Indian Reservation (also SD), Towner County, Traill County, Walsh County, and Ward County.

*Tennessee Counties*

Dyer County, Lake County, Shelby County, and Stewart County.

\*Data is based on information publicly available on the Federal Agency Management Association (FEMA) website at: <http://www.fema.gov/news/disasters.fema>.

I yield back the balance of my time. Mr. DOLD. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. DOLD. Mr. Speaker, I rise in strong opposition to this motion to recommit, and I must say that I'm very disappointed in my friends on the other side of the aisle for offering up yet another politically motivated motion, especially considering that the flood insurance bill passed out of the Financial Services Committee 54-0; 54-0 out of the Financial Services Committee.

On top of that, we spent the majority of today debating the bill before the House and entertaining some 25 motions and amendments to the bill. The motion to recommit cynically undermines the broad bipartisan cooperation I have been pleased to see throughout this legislative process.

Mr. Speaker, this is exactly the type of political bickering that the American people have loudly rejected. This circumvents the flood insurance program. It is actually a disservice to the people who you are attempting to try

to help. The point of flood insurance is to prevent assistance packages like this and should be taken up in regular order. We have no idea of the cost of the new grants, the new programs, and the new spending in this disaster relief package.

It prohibits us from charging actuarial rates. What the flood insurance bill tries to do is infuse more private sector solutions, put in a new map, and provide actuarial rates which will help benefit the American public. Over 5 million residents and commercial properties rely on flood insurance today; 20,000 American communities rely on it. We must make sure that this flood insurance bill goes through, not circumvent the process with some disaster relief package.

This is an attempt to have an insurance program without paying the premiums. Frankly, we can't afford to do that. I would urge my colleagues, especially those on the Financial Services Committee who again passed it out of committee 54-0, to vote "no" on this motion to recommit.

I want to thank the chairmen, Chairman BIGGERT and the chairman of the full committee, Chairman BACHUS, and also the ranking member, Mr. FRANK, and the ranking member in the subcommittee, Ms. WATERS, for their leadership. What we don't need now is to have the other side try to circumvent this process with a disaster relief bill.

I urge my colleagues on this side and that side to support the underlying bill and reject the motion to recommit.

I yield back the balance of my time.

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

There was no objection.

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

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

## RECORDED VOTE

Mr. BOSWELL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and the motion to suspend the rules on H.R. 2417.

The vote was taken by electronic device, and there were—ayes 181, noes 244, not voting 6, as follows:

[Roll No. 561]

AYES—181

Ackerman	Bishop (GA)	Carney
Altmire	Bishop (NY)	Carson (IN)
Andrews	Boren	Castor (FL)
Baca	Boswell	Chandler
Baldwin	Brady (PA)	Chu
Barrow	Braley (IA)	Ciциlline
Bass (CA)	Brown (FL)	Clarke (MI)
Becerra	Butterfield	Clarke (NY)
Berkley	Capps	Clay
Berman	Carnahan	Cleaver

Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costello  
Courtney  
Critz  
Crowley  
Cummings  
Davis (CA)  
Davis (IL)  
DeGette  
DeLauro  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Inslie  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.

Jones  
Kaptur  
Keating  
Kildee  
Kind  
King (IA)  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lowey  
Lujan  
Lynch  
Maloney  
Markey  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Oliver  
Owens  
Pallone  
Pascarell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Polis

Price (NC)  
Quigley  
Rahall  
Rangel  
Reyes  
Richardson  
Richmond  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Shuler  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Lofgren, Zoe  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem

Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paul  
Paulsen  
Pearce  
Pence  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)  
Scalise  
Schilling  
Schmidt

Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southerland  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tierney  
Tipton  
Turner  
Upton  
Walberg  
Walden  
Walsh (IL)  
Waters  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

Ellmers  
Emerson  
Engel  
Eshoo  
Farenthold  
Farr  
Fattah  
Filner  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Frank (MA)  
Frelinghuysen  
Fudge  
Garamendi  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (MO)  
Green, Al  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grijalva  
Grimm  
Guinta  
Guthrie  
Gutierrez  
Hall  
Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heck  
Heinrich  
Hensarling  
Herger  
Herrera Beutler  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Inslie  
Israel  
Issa  
Jackson (IL)  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan  
Kaptur  
Keating  
Kelly  
Kildee  
King (IA)  
King (NY)  
Kingston  
Kissell  
Kline  
Kucinich  
Lamborn  
Lance

NOT VOTING—6

Deutch Himes Rush  
Giffords Hinchey Stearns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (Mr. WEBSTER) (during the vote). There are 2 minutes remaining in this vote.

□ 1831

Mr. COSTA changed his vote from “aye” to “no.”

Mr. BUTTERFIELD changed his vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:  
Mr. STEARNS. Mr. Speaker, on rollcall No. 561 I was unavoidably detained. Had I been present, I would have voted “no.”

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Ms. WATERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 406, noes 22, not voting 3, as follows:

[Roll No. 562]

AYES—406

NOES—244  
Adams  
Aderholt  
Akin  
Alexander  
Amash  
Austria  
Bachmann  
Bachus  
Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Blumenauer  
Bonner  
Bono Mack  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Capito  
Capuano  
Cardoza  
Carter

Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (NY)  
Kingston

Ackerman  
Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Andrews  
Austria  
Baca  
Bachmann  
Bachus  
Baldwin  
Barletta  
Barrow  
Bartlett

Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman (CO)  
Cohen  
Cole  
Conaway  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Crowley  
Cuellar  
Culberson  
Cummings  
Davis (CA)  
Davis (IL)  
Davis (KY)  
DeFazio  
DeGette  
DeLauro  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Dold  
Donnelly (IN)  
Doyle  
Dreier  
Duffy  
Duncan (SC)  
Edwards  
Ellison

Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heck  
Heinrich  
Hensarling  
Herger  
Herrera Beutler  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Inslie  
Israel  
Issa  
Jackson (IL)  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan  
Kaptur  
Keating  
Kelly  
Kildee  
King (IA)  
King (NY)  
Kingston  
Kissell  
Kline  
Kucinich  
Lamborn  
Lance

Rehberg Schmidt Tiberi  
 Reichert Schock Tierney  
 Renacci Schrader Tipton  
 Reyes Schwartz Tonko  
 Ribble Schweikert Towns  
 Richardson Scott (SC) Tsongas  
 Richmond Scott (VA) Turner  
 Rigell Scott, Austin Upton  
 Rivera Scott, David Van Hollen  
 Roby Serrano Velázquez  
 Roe (TN) Sessions Visclosky  
 Rogers (AL) Sewell Walberg  
 Rogers (KY) Sherman Walden  
 Rogers (MI) Shimkus Walz (MN)  
 Rokita Shuler Wasserman  
 Rooney Shuster Schultz  
 Ros-Lehtinen Simpson Waters  
 Roskam Sires Watt  
 Ross (AR) Slaughter Waxman  
 Ross (FL) Smith (NE) Webster  
 Rothman (NJ) Smith (NJ) Welch  
 Roybal-Allard Smith (TX) West  
 Royce Smith (WA) Westmoreland  
 Runyan Southerland Whitfield  
 Ruppertsberger Speier Wilson (FL)  
 Rush Stark Wilson (SC)  
 Ryan (OH) Stearns Wittman  
 Ryan (WI) Stivers Wolf  
 Sánchez, Linda Stutzman Womack  
 T. Sullivan Woodall  
 Sanchez, Loretta Sutton Woolsey  
 Sarbanes Terry Wu  
 Scalise Thompson (CA) Yarmuth  
 Schakowsky Thompson (MS) Young (AK)  
 Schiff Thompson (PA) Young (FL)  
 Schilling Thornberry Young (IN)

NOES—22

Amash Graves (GA) Petri  
 Benishek Higgins Quayle  
 Broun (GA) Huelskamp Rohrabacher  
 Chaffetz Labrador Sensenbrenner  
 Duncan (TN) Mack Walsh (IL)  
 Flake McClintock Yoder  
 Franks (AZ) Miller (MI)  
 Gallegly Paul

NOT VOTING—3

Deutch Giffords Hinchey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1839

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BETTER USE OF LIGHT BULBS ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on the motion to suspend the rules previously postponed.

The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2417) to repeal certain amendments to the Energy Policy and Conservation Act with respect to lighting energy efficiency, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BARTON) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays

193, answered “present” 1, not voting 4, as follows:

[Roll No. 563]  
 YEAS—233

Adams Goodlatte Nunnelee  
 Aderholt Gosar Olson  
 Akin Gowdy Palazzo  
 Alexander Granger Paul  
 Amash Graves (GA) Paulsen  
 Austria Graves (MO) Pearce  
 Bachmann Griffin (AR) Pence  
 Bachus Grimm Peterson  
 Barletta Guinta Petri  
 Bartlett Guthrie Pitts  
 Barton (TX) Hall Platts  
 Benishek Harper Poe (TX)  
 Berg Harris Posey  
 Biggert Hartzler Pompeo  
 Bilirakis Hastings (WA) Posey  
 Black Hayworth Price (GA)  
 Blackburn Heck Quayle  
 Bonner Hensarling Rahall  
 Bono Mack Herger Rehberg  
 Boren Herrera Beutler Renacci  
 Boustany Huizenga (MI) Ribble  
 Brady (TX) Hultgren Rivera  
 Brooks Hunter Roby  
 Broun (GA) Hurt Roe (TN)  
 Buchanan Issa Rogers (AL)  
 Bucshon Jenkins Rogers (KY)  
 Buerkle Johnson (IL) Rogers (MI)  
 Burgess Johnson (OH) Rohrabacher  
 Burton (IN) Johnson, Sam Rokita  
 Calvert Jones Rooney  
 Camp Jordan Ros-Lehtinen  
 Campbell Kelly Roskam  
 Canseco King (IA) Ross (FL)  
 Cantor King (NY) Royce  
 Capito Kingston Runyan  
 Carter Kinzinger (IL) Ryan (WI)  
 Cassidy Kline Scalise  
 Chabot Labrador Schilling  
 Chaffetz Lamborn Schmidt  
 Coble Schock Schweikert  
 Coffman (CO) Landry Scott (SC)  
 Conaway Lankford Scott, Austin  
 Costello Latham Scott, Austin  
 Cravaack LaTourette Sensenbrenner  
 Crawford Latta Sessions  
 Crenshaw Lewis (CA) Shimkus  
 Culberson LoBiondo Shuster  
 Davis (KY) Long Simpson  
 Denham Lucas Smith (NE)  
 Dent Luetkemeyer Smith (NJ)  
 DesJarlais Lummis Smith (TX)  
 Diaz-Balart Lungren, Daniel Southerland  
 Dold E. Stearns  
 Dreier Mack Stivers  
 Duffy Marchant Stutzman  
 Duncan (SC) Marino Sullivan  
 Duncan (TN) Matheson Terry  
 Ellmers McCarthy (CA) Thornberry  
 Emerson McCaul Tiberi  
 Farenthold McClintock Tipton  
 Fincher McCotter Turner  
 Fitzpatrick McHenry Upton  
 Flake McKeon Walberg  
 Fleischmann McKinley Walden  
 Fleming McMorris Walsh (IL)  
 Flores Rodgers Webber  
 Forbes Meehan West  
 Fortenberry Mica Westmoreland  
 Foxx Miller (FL) Whitfield  
 Franks (AZ) Miller (MI) Wilson (SC)  
 Frelinghuysen Miller, Gary Wittman  
 Gallegly Mulvaney Wolf  
 Gardner Murphy (PA) Womack  
 Gerlach Myrick Woodall  
 Gibbs Neugebauer Yoder  
 Gibson Noem Young (AK)  
 Gingrey (GA) Nugent Young (FL)  
 Gohmert Nunes Young (IN)

NAYS—193

Ackerman Butterfield  
 Altmire Capps  
 Andrews Bilbray  
 Baca Bishop (NY)  
 Baldwin Blumenauer  
 Barrow Boswell  
 Bass (CA) Brady (PA)  
 Bass (NH) Braley (IA)  
 Becerra Brown (FL)

Chu  
 Cicilline  
 Clarke (MI)  
 Clarke (NY)  
 Clay  
 Cleaver  
 Clyburn  
 Cohen  
 Connolly (VA)  
 Conyers  
 Cooper  
 Costa  
 Courtney  
 Critz  
 Crowley  
 Cuellar  
 Cummings  
 Davis (CA)  
 Davis (IL)  
 DeFazio  
 DeGette  
 DeLauro  
 Dicks  
 Dingell  
 Doggett  
 Donnelly (IN)  
 Doyle  
 Edwards  
 Ellison  
 Engel  
 Eshoo  
 Farr  
 Fattah  
 Filner  
 Frank (MA)  
 Fudge  
 Garamendi  
 Garrett  
 Gonzalez  
 Green, Al  
 Green, Gene  
 Griffith (VA)  
 Grijalva  
 Gutierrez  
 Hanabusa  
 Hanna  
 Hastings (FL)  
 Heinrich  
 Higgins  
 Himes  
 Hinojosa  
 Hirono  
 Hochul  
 Holden  
 Holt  
 Honda  
 Hoyer  
 Huelskamp  
 Inslee  
 Israel  
 Jackson (IL)  
 Jackson Lee  
 (TX)  
 Johnson (GA)  
 Johnson, E. B.  
 Kaptur  
 Keating  
 Kildee  
 Kind  
 Kissell  
 Kucinich  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Lee (CA)  
 Levin  
 Lewis (GA)  
 Lipinski  
 Loeb sack  
 Lofgren, Zoe  
 Lowey  
 Luján  
 Lynch  
 Maloney  
 Markey  
 Matsui  
 McCarthy (NY)  
 McCollum  
 McDermott  
 McGovern  
 McIntyre  
 McNeerney  
 Meeks  
 Michaud  
 Miller (NC)  
 Miller, George  
 Moore  
 Moran  
 Murphy (CT)  
 Nadler  
 Napolitano  
 Neal  
 Olver  
 Owens  
 Pallone  
 Pascrell  
 Pastor (AZ)  
 Payne  
 Pelosi  
 Perlmutter  
 Peters  
 Pingree (ME)  
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 Price (NC)  
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 Reyes  
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 Rothman (NJ)  
 Roybal-Allard  
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standards, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### PERSONAL EXPLANATION

Ms. JACKSON LEE of Texas. Mr. Speaker, I was on official business on last Friday, July 8, with the privilege of seeing the last shuttle launch in Florida, the Atlantis, a very important issue for my congressional district and, I might say, a mighty, magnificent expression of American genius.

Because of that, I missed the following roll call votes on Thursday, July 7, which I would like to submit into the RECORD. I will read them very briefly. For roll call vote No. 521—and these were under the Defense appropriations bill—I would have voted “yes.” For roll call vote 522, I would have voted “no.” Roll call vote 523, I would have voted “yes.” For roll call vote 524, “Reaffirming the United States commitment to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, and for other purposes,” I would have voted “aye.”

For Friday, July 8, when I, as well, missed votes for that reason, official business, for roll call vote No. 525, I would have voted “no.” For roll call vote 526, I would have voted “no.” Roll call vote 527, I would have voted “no.” Roll call vote 528, which interferes with the chaplain’s duties in the United States military, I would have voted a resounding “no.” For roll call vote 529, I would have voted “no.” Roll call vote 530, I would have voted “no.” And for roll call vote 533, I would have voted “yes.”

Mr. Speaker, I rise to address the Chair regarding my absence from rollcall votes 515–524 on Thursday, July 7, 2011.

I was not able to cast my votes during rollcall 515–524 because I was on official business. I would like to state for the RECORD how I would have voted had I been present.

For rollcall vote 521, on agreeing to an Amendment to H.R. 2219 offered by Representative WELCH of Vermont, “An amendment to limit the use of funds to not more than \$200,000,000, provided by title IX under the heading ‘Operation and Maintenance, Army,’ may be available for the Commander’s Emergency Response Program. Also, the amount otherwise provided under such heading is reduced by \$200,000,000,” I would have voted yes.

For rollcall vote 522, on agreeing to Amendment No. 4 to H.R. 2219 offered by Representative COLE of Oklahoma, “An amendment numbered 4 printed in the CONGRESSIONAL RECORD to prohibit the use of funds be used to implement any rule, regulation, or executive order regarding the disclosure of political contributions that takes effect on or after the date of enactment of the this Act,” I would have voted nay.

For rollcall vote 523, on agreeing to Amendment No. 97 to H.R. 2219 offered by Representative FRANK, “An Amendment to add a

section at the end of the bill which reduces the total amount of appropriations by \$8,500,000,000 not to be derived from amounts of appropriations made available by title I (“Military Personnel”), under the heading “Defense Health Program” in title VI, or by title IX (“Overseas Contingency Operations”),” I would have voted aye.

For rollcall vote 524, on motion to suspend the rules and agree as amended in H. Res. 268, “Reaffirming the United States commitment to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, and for other purposes,” I would have voted aye.

Mr. Speaker, I rise to address the Chair regarding my absence from rollcall votes 525–533 on Friday, July 8, 2011.

I was not able to cast my votes during rollcall 525–533 because I was on official business. I would like to state for the RECORD how I would have voted had I been present.

For rollcall vote 525, on agreeing to Amendment No. 1 to H.R. 2219 offered by Representative FLAKE of Arizona, “An amendment to reduce funds made available by this Act for ‘Operation and Maintenance, Defense-Wide’ by \$250,000,000,” I would have voted “nay.”

For rollcall vote 526, on agreeing to Amendment No. 2 to H.R. 2219 offered by Representative FLAKE of Arizona, “An amendment to reduce the amounts made available in sundry sections of title IV,” I would have voted “nay.”

For rollcall vote 527, on agreeing to Amendment No. 3 to H.R. 2219 offered by Representative FLAKE of Arizona, “An amendment to reduce the amounts made available in sundry sections of title IV,” I would have voted “nay.”

For rollcall vote 528, on agreeing to Amendment No. 77 to H.R. 2219 offered by Representative HUELSKAMP of Kansas, “An amendment numbered 77 printed in the CONGRESSIONAL RECORD to prohibit the use of funds to implement the curriculum of the Chaplain Corps Tier 1 DATD repeal training dated April 11, 2011” I would have voted “nay.”

For rollcall vote 529, on agreeing to an Amendment to H.R. 2219 offered by Representative POLIS of Colorado, “An amendment to prohibit use of funds in the bill to maintain an end strength level of troops in Europe to more than 30,000 and to reduce military personnel accounts accordingly” I would have voted “nay.”

For rollcall vote 530, on agreeing to an Amendment to H.R. 2219 offered by Representative KUCINICH of Ohio, “An amendment to prohibit the use of funds for military operations in or against Libya except under a declaration of war against Libya pursuant to clause 11 in section 8 of article I of the Constitution” I would have voted “nay.”

For rollcall vote 533, on agreeing to a resolution H. Res. 340 to “Providing for consideration of the bill (H.R. 1309) to extend the authorization of the national flood insurance program” I would have voted “yea.”

#### TODAY’S AFRICAN AMERICAN PARENTS

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, there have been a number of points that I would just like to bring really to the attention of my colleagues and to indicate that I hope we can do better. That’s my message: I hope we can do better.

I hope we can do better than having two Presidential candidates in the Republican Party sign a pledge that would suggest that children of slaves were much better off than the children of African American parents today. We know that we have a high number of single parents throughout the United States raising children. But just read the slave narratives and the biography of Frederick Douglass to know that there were no marriages among slaves—it was not allowed—and that children were torn away from their parents. And husbands or wives or those who had given birth or created children were torn away from each other. Slavery was a destructive part of this country, and never compare it with the life that we have today.

I would also suggest that if we are negotiating the debt ceiling, we should not have leaders in the room that make the statement that we’ll have no resolution because President Barack Obama is President. I’m insulted, offended, and it is not becoming as adults.

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#### HOUSE ENERGY ACTION TEAM

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

Mr. DUNCAN of South Carolina. Mr. Speaker, the last Congress was known as the Congress of bailouts, takeovers, taxation, and regulation. This Congress is working to be the Congress of free markets, achieving American energy independence, and job creation.

Back in May, the House passed three sweeping pieces of energy legislation designed to help end our country’s dependence on Middle Eastern oil and help create American jobs by allowing deep sea energy exploration and production.

Tonight we are going to talk about American energy independence and how energy is a segue into job creation, how we can put Americans back to work. As a proud member of the House Committee on Natural Resources, we passed three I think very, very strong bills that would put America back to work, especially in the Gulf of Mexico. We passed H.R. 1229. This is the Putting the Gulf Back to Work Act. It would end the Obama administration’s de facto moratorium in the Gulf of Mexico in a safe, responsible, transparent manner by setting firm



timelines for considering permits to drill, which will provide certainty and allow employers and workers to get back on the job.

I don't know how many Members of Congress have been out in the Gulf of Mexico like me and looked at offshore drilling and offshore energy production. There is a difference between drilling and production. Drilling is finding the oil, drilling that well. Then they move a production platform in there to start producing that. And I talk with my colleagues from Louisiana and Mississippi and Texas that understand that the Gulf States are hurting because it's not the Big Oil companies that are out of work. It's the folks that work on those rigs out in the gulf, doing the day-to-day labor of tapping that American energy resource.

But it's also the folks back on the beach that are providing the service industry, the ones that go out and provide the food and the transportation to the workers going back and forth. It's the ships that pull the anchors when the drilling platform wants to move somewhere else. It's the pipefitters and welders back on shore that are providing the necessary service to that industry. We want to put the gulf back to work. We urge the Senate to pass H.R. 1229 that we sent over in May. And let's put the Gulf of Mexico back to work. In a few minutes I'm going to yield to the gentleman from Louisiana, who is going to talk more about that.

Then we passed the Restarting American Offshore Leasing Now Act, which would require the Obama administration to move forward and promptly conduct offshore lease sales in the Gulf of Mexico. I served on the Outer Continental Shelf 5-year Planning Subcommittee that looked at oil and natural gas leases on the Outer Continental Shelf all around the United States. And I know what a convoluted, long process it is to have a lease sale.

The administration is failing America by not having lease sales in the Gulf of Mexico, or off the coast of Alaska, or really anywhere else on the Outer Continental Shelf. It's time to restart that leasing program so that we can tap the American resources that we have in this country. H.R. 1230 is another bill we passed out on May 5. The Senate needs to act on that one, Mr. Speaker. We passed it with a bipartisan vote of 266-149.

The third bill that came out, Reversing President Obama's Offshore Moratorium Act, H.R. 1231, another one the Senate has failed to act on. This would lift the President's ban on new offshore drilling by requiring the administration to move forward on the 2012 to 2017 lease plan with energy production in the areas containing the most oil and natural gas resources.

We know where those resources are. They are off the coast of Mississippi

and Alabama and Texas and the western Gulf of Mexico. They are also off the coast of South Carolina and Virginia on the Outer Continental Shelf. They are in the Alaskan Sea and off the coast of Alaska, where recently we saw the EPA deny Shell Oil Company an air quality permit.

Now, Americans need to listen. This isn't an oil drilling permit. They were ready to go. They had their drilling permit. But the EPA denied them an air quality permit. And a drilling platform does flare off the gas that sometimes seeps through when they are drilling for oil, and they flare that gas off to keep from having a dangerous explosion like we saw in Deepwater Horizon. Flare gas, natural gas that's flared off.

They are denied an air quality permit because 70 miles away on the coast, 70 miles away is an indigenous village of 250 people. So this administration's going to keep us from harvesting our natural resources in Alaska by not denying a drilling permit, but by denying an air quality permit to a drilling platform in the Alaskan Sea because it might impact a small village in Alaska. That's the kind of administration policies that we're dealing with and we're fighting here in this Congress.

Folks, we want to put America back to work. Energy is a segue to job creation. Think about it. The refining capacity that needs to be expanded as we expand the harvesting of oil and natural gas. New refineries in this country. It's been over 30 years, I believe, since we've had a new refinery permit in this country. We often think about energy, we think about fossil fuels, hydrocarbons, oil and natural gas. But when I talk about energy, I think about expanded nuclear power and how one nuclear power plant can put 5,000 people to work, 10,000 people to work in my area with new construction jobs. And then once the construction phase is over with, we've got long-term, good paying jobs like we have at the Oconee nuclear power plant in Seneca, South Carolina.

I believe in nuclear power as a stable, reliable source of energy in this country. We've got to expand nuclear power. We've got to look at modularization and miniaturization. At any given time, folks, we've got over 100 small nuclear reactors floating around the seas of the world in the United States Navy. And you know what? We haven't had a single mishap. Small, modularized nuclear reactors that work. Thinking outside the box, do we do that for small communities, neighborhoods, or small cities with smaller nuclear reactors like we have on aircraft carriers and submarines?

Recent studies from the American Petroleum Institute showed the United States is poised to create thousands of new jobs next year only if the Federal Government stops blocking the permit-

ting process. There is a study that says that in Alaska alone—this was conducted by the University of Alaska—over 54,000 jobs could be created and sustained with deep sea production in Alaska.

I am going to yield in a little while to the gentleman from North Dakota, who will tell you that North Dakota's got one of the lowest, if not the lowest, unemployment rate in the United States, 3.2 percent. It's because of the energy jobs that are being created in the Bakken oil field in North Dakota. He is going to tell you more about that because it is a wonderful success story on how energy-related jobs expand the economy and put Americans back to work.

At this time, I would like to yield to the gentlewoman from Washington State, who knows that putting Americans back to work can happen if we harvest the natural resources that we've got in this great country.

Ms. HERRERA BEUTLER. Thank you for that. I couldn't agree more. You know what we're talking about here is jobs, job creation. And the best way to do that is to explore for energy here, to develop our energy resources. And that's why I am pleased to be a part of this Congress.

When I hear from folks back home, they say, "JAMIE, we sent you to D.C. for solutions." And that's precisely what this Congress has been about. With the gentleman you are going to hear from and others, I helped launch the House Energy Action Team, or HEAT is what we like to call it. It's an initiative with my House colleagues that we've started to bring forward energy solutions that put forward jobs for Americans. And I am a solutions-oriented person.

Solutions are definitely what America needs right now. And I see this from the vantage point of my corner of this country in southwest Washington State. Here is a good example. Just a few weeks ago, I met with John Leber. He is the owner of Swanson Bark in Longview. And basically, his business moves material for the forest products industry, including biomass for energy producers.

Now, the first problem we have encountered, and he has seen here with regard to some of these regulations, is we have very strict boiler MACT rules that are on hold. But if they are implemented, they would cost the forest products industry alone \$5 billion to \$7 billion to implement. And that's not hiring new people, that's not expanding their business, that's just costs of complying with Federal Government rules.

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And there is more. The second problem is thousands of manufacturing and industrial facilities across this country use incinerators that would be affected, meaning they are going to have to

spend more money, not to hire more people or to grow their business, but to comply with Federal Government rules.

Now, instead of stepping on the air hose of employers like John Leber, I cosponsored legislation and a solution that would allow the EPA to make the Boiler MACT rule more reasonable. Makes common sense; right? In turn, this would help the promising industry of biomass and the jobs that would come with it.

Now, the gentleman from South Carolina very rightly pointed out the energy exploration solutions that we passed here off this House floor. This is just one solution that I think is going to help, and I want to add it to those four. We are working on that. HEAT members here tonight are joining together to call on the Senate.

We have passed at least four bills that provide American energy solutions that will promote American energy jobs. The Senate needs to step up. I am going to share for you and reiterate some of those bills that we passed because they are very important. This is important to America's energy security and America's energy independence.

The first one is the Jobs and Energy Permitting Act of 2011. This would have simply required the EPA to speed up its approvals for energy exploration in Alaska. That's it. Speed up your approvals. That's pretty simple.

Developing and safely exploring for energy here would have produced a million barrels of oil per day, and it would create more than 54,000 American energy jobs. Now, not all of us like the gentleman from North Dakota have such low unemployment rates. I think it was quoted as about 3 percent. I would be doing backflips for 3 percent unemployment.

In southwest Washington, we have had double-digit unemployment now for 3 years, 3-plus years, and it's horrible. So we need to get these things moving here in America and create those jobs, especially when it's within our reach to do.

And one of the other solutions that we worked on as a team was reversing President Obama's offshore moratorium. This would contribute over 1.2 million new jobs for Americans who are hurting across this country; 800 million in revenue would have come in if the Senate would move this bill.

Now, as we are talking about the deficit and deficit reductions and the debt ceiling—and I agree with what one of the Senators said. We don't need new taxes; we need new taxpayers. So getting more people to work, paying taxes is going to help us get out of the debt that this country is facing, and it's going to create more jobs.

The third bill that we worked on and passed off of this House, one of the solutions that we have already pushed

through this Chamber, is the Putting the Gulf Back to Work Act, and that bill simply reinforces safety measures through permitting inspections while increasing American energy.

I hope you are sensing a theme here tonight: American energy solutions and American jobs.

And the fourth one that we were pleased to get off this floor a few months ago was the Restarting the American Offshore Leasing Now Act. Now, this moves us forward with lease sales that were cancelled or postponed by this administration.

Remember, I mentioned stepping on that air hose. Well, a lot of the rules that have come out this administration have stepped on the air hose for employers in our Nation, and it has got to stop. We need to increase America's energy supply. This would increase thousands of American jobs, and it's common sense. All of these commonsense solutions that increase American energy production make it cheaper for families to fill their car with gas, to heat their homes, and it would give relief to American employers.

I am merely asking, and my colleagues here tonight, we are merely asking the Senate to imagine a future in the United States where energy is abundant and affordable and where we aren't riding the roller coaster of high gas prices that. Basically, those prices are set by other nations that don't like us very much.

So I encourage our Senate colleagues to join us in passing and pursuing more solutions like these that the people of this country deserve.

Mr. DUNCAN of South Carolina. I was out in Washington State with the gentlewoman from Washington several years ago, looking at nuclear power, looking at the Hanford site, talking about reprocessing of nuclear, spent nuclear fuel rods and how reprocessing can deal with some of the waste by-product but can also provide an energy source for our nuclear power reactors, and I know you are interested in that as well. So thank you for your comments.

I next want to introduce and yield to the gentleman from Ohio, who understands that these are resources that we are talking about here in America. All the natural gas resources don't belong to President Obama; they belong to the American people. And it's time that the American people speak loudly that we want to put Americans back to work, providing American solutions for American energy issues.

Mr. JOHNSON of Ohio. I thank my colleague.

We are sitting here today with unemployment over 9 percent and rising, 22 million Americans out of work, and what are we getting? We are getting an administration whose bureaucrats have got a stranglehold on America's energy future.

I stood in this Chamber just a couple of months ago when the Prime Minister of Australia addressed a joint session of the House. I know my colleagues will remember that. And the Prime Minister said something that was profound. She related a story. She talked about being a young girl sitting in front of her television and watching Neil Armstrong and Buzz Aldrin land on the moon and thinking to herself, Wow, those Americans can do anything.

She went on to give her speech, and she talked about the long relationship between Australia and America and how we have solved many of the world's problems. At the end of her speech, she said, You know something? She said, I am not that young girl any more. I am the Prime Minister of our country, but today I still believe that Americans can do anything.

That was profound, and I think for many of us it was like you could hear a pin drop here in the House Chamber because what she said was something that we need to hear from our national leaders, and we are not getting that kind of leadership here in America today.

I believe that Americans can do anything. We saw, when President Kennedy decided that we were going to the Moon in 10 years, he mobilized our academic institutions. He engaged our industrial base, our military, our political will, our economic will. Every fabric of our culture was focused on that goal.

I remember as a young boy watching the space race shots from school or being sent home because it was like a national holiday. We had a national vision. We saw industries crop up. We saw hundreds of thousands of jobs created. We saw young people going into disciplines that would prepare them for careers in aerospace and astronautics and other disciplines to support our conquest of the space frontier.

I am so proud to be a part House Energy Action Team because we are trying to promote that same type of national vision around energy independence and security.

I believe if we had a national vision that said, look, over the next 10 years we are drawing a line in the sand starting today, and we are going to establish a goal to be energy secure and energy independent over the next 10 years. And we are going to drill for our own oil; we are going to drill for our own natural gas. We are going to continue to mine coal, and we are going to learn how to use it environmentally soundly and safely. We are going to expand our nuclear footprint. We are going to look at our alternative forms of energy like wind and solar and find out where they fit into our overall energy profile. But what we are not going to do is sit on the sidelines any longer and depend on foreign sources for our

energy and put future generations at risk. I believe if we had that kind of vision, we would again see industries crop up. We would see hundreds of thousands of jobs created as a result. And at the end of the day, we would learn how to produce and store and use energy in ways that we have never, ever imagined, because guess what? Americans can do anything. With a national vision around energy independence and security, Americans would be put back to work.

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I live in a district and represent a district where unemployment rates are popping up well over 10 percent. Some of them 12-plus percent. Ladies and gentlemen, people from my district have lost hope in the American Dream. We need a national vision around energy. That's what this House is promoting. That's what my colleagues and I are striving for. I, too, urge the Senate, take action on these bills. Get America back to work, and let's secure America's energy future.

Thank you for letting me have some time.

Mr. DUNCAN of South Carolina. I, too, believe in America's greatness. And I stood here and heard her talk about the world is looking to America to be great again. This is an area that we can be great in. I've traveled around my district recently and asked folks about rising gas prices and the impact that they were having on the family budget, how they were having to reach deeper into their wallet and not take out the \$20 bill, but take out the \$100 bill to fill up their tank for their family for their normal commute, grocery shopping and other things they do. Americans are hurting.

The gentleman from Ohio is on the Natural Resources Committee. And when we passed those bills out to this floor and passed those bills out from this floor to the Senate, you saw an immediate reaction by the administration, saying that we need to harvest American resources and increase domestic energy. The action of this Congress, we saw a reduction in fuel prices the next week, I think a 15-cent per gallon reduction, in my district. That's the kind of impact, that's the kind of signals we can send to the market by doing the right thing for the American people and focusing on domestic production and putting Americans back to work.

The gentleman from Louisiana came from the oil and natural gas industry. He and I have had numerous conversations about the impact that the moratorium and the de facto moratorium has had on the economies in the Gulf States. And it's not only the loss of jobs and the income taxes that are associated with that, but it's the loss of revenue to the States from the royalties that they get from the oil and natural gas production.

But in this country, at a time when we are hurting economically from loss of jobs and the lessening of income revenue to this country, keep in mind that I believe second only to—well, actually third only—to income tax revenue and corporate income tax and other revenue and borrowing. The revenue this country receives from oil and natural gas royalties is third only to those two things.

So I would like to yield to the gentleman from Louisiana, because he has got a unique story to tell.

Mr. LANDRY. I thank the gentleman from South Carolina. I thank him for speaking today on what I believe is one of the most important areas in this country for getting our economy back on track. And I want to share with him and the rest of you an email I received today.

Today I received an email that said, JEFF, my wife has finally convinced me to send you an email and update you on where I am in Louisiana. It says, I still have not returned to work, but it is looking like I may go to work in early August. And I'm going to be headed out to a particular block out in the deep waters of the Gulf of Mexico to do a P&A job, a plug and abandonment job.

So this isn't looking for additional oil and gas or producing more oil and gas. It's a plug and abandonment job.

He says, I'm not sure when we will actually get back to drilling or completing wells. This moratorium is beginning to impact me. I am fortunate that my company has kept me on since I'm a consultant, not an employee. But my income is down significantly, and my concerns about the future of the Gulf of Mexico has me looking elsewhere. I recently turned down an opportunity in Malaysia but may not turn it down again. At a time when our country is hurting, it is unbelievable that our leaders are putting more of us out of work, yet still giving money to other countries. The government spends. Spending and total unconcern for the working people of this country is wearing on us. It is also annoying to see that one of the first cuts in government spending is in education, but numerous other entitlement programs continue to keep money going towards them.

He is fed up. And the sad part, the sad part about this is that this is an American worker. And our government is basically saying, to him, a guy who has a trade, who is plying his trade, that you can no longer ply that trade in this country. If you want to continue to earn a living for your family, you need to go to another country. You need to go to Brazil or Malaysia or to Egypt and follow the rigs out of the Gulf of Mexico, out of this country, in order to keep your job.

Think about that. We are basically telling Americans right now that we

don't like the job that you've been doing. Regardless of how dangerous it was and regardless of how many weeks away from your family offshore you spent, Christmases, Easters, that doesn't count. Your job isn't good enough for this country anymore. You need to go somewhere else to ply your trade.

That is just absurd when we have an opportunity in this country to do all the things that fix the economy. We can reduce the deficit, just like the gentleman from South Carolina said, we could, by increasing drilling in the Gulf of Mexico and domestically, we could send an additional \$1.7 billion, \$1.7 billion, to the Treasury to reduce our deficit simply by increasing our drilling activity. We could increase employment. We all know we need it. The jobs numbers came out last week, 9.2 percent unemployment. We are not creating jobs. We can create jobs by drilling domestically.

And I'm not talking minimum wage jobs. There is not a person in the Gulf of Mexico on a drilling platform who makes minimum wage. Those jobs pay good money. So we can do that. We can reduce our deficit, and we can reduce unemployment.

Do you know what else we can do? We can lower the price of energy for Americans out there. Drilling domestically does all three. It creates jobs, reduces the deficit, and decreases energy costs to Americans all over the country. It lowers the price at the pump. The President has already acknowledged that supply affects the market when he went out there and released millions of barrels—30 million barrels—out of the Strategic Petroleum Reserve. It's the wrong reserve, Mr. President. The proper reserve is in the Gulf of Mexico, in Alaska and elsewhere in this country.

I thank the gentleman from South Carolina for giving me this time.

Mr. DUNCAN of South Carolina. What would happen if we had a hurricane? We're in hurricane season, and we've released 30 billion gallons from the reserve. Wasn't that there for that purpose?

Mr. LANDRY. That is why, the last time prior to this when we did release oil from the strategic reserve was exactly that instance, when Hurricane Katrina affected the refineries and the production platforms in the Gulf of Mexico. And you're right. We should not be using that reserve unless it is an emergency.

Mr. DUNCAN of South Carolina. I tell you what, you've hit on something that I think we need to talk more about in this Congress, and that is the administration taking the easy road, trying to lessen fuel prices at the pump for Americans. But it was a short-term, short-lived impact, if it had any impact at all.

I appreciate your comments on the administration having a "drill there

and not here" policy, encouraging exploration and drilling off the coast of Brazil when we've got the resources right here in this country. The Outer Continental Shelf off the coast of my State or off the coast of Virginia, where they have an energy policy that wants to tap those resources. In the Alaskan Sea off the coast, where we know there is proven oil and natural gas resources. An expansion in deep-water in the Gulf of Mexico. So I appreciate your comments.

The gentleman from North Dakota knows all too well what energy production means for jobs. The Bakken oil formation in North Dakota, Montana, and up into Canada even, has tremendous resources that can be harvested. There's an estimated 12 billion barrels of oil in North Dakota alone in the Bakken formation.

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I hope he will talk about the impact that jobs created in North Dakota have on that unemployment rate.

I yield to the gentleman from North Dakota.

Mr. BERG. I thank the gentleman for yielding.

Mr. Speaker, we know the tremendous potential of energy production here in America. Recent studies show just how much energy we have available. In fact, by 2020, in the West we could produce as much oil and gas as the U.S. is currently importing from Saudi Arabia, Iraq, Kuwait, Venezuela, Colombia, Algeria, Nigeria, and Russia combined. The West alone has the potential to produce more than 1.3 million barrels of oil every single day. That's more than our current imports from Russia, Iraq, and Kuwait combined. If we're serious about creating American jobs, serious about lowering energy prices, and breaking our dependence on foreign oil, we must invest in energy resources and reserves within our borders.

In North Dakota, we know the potential of oil and natural gas. The last U.S. Geological Survey estimated that the Bakken field held nearly 4 million barrels of recoverable oil; but the new estimates, as the gentleman from South Carolina said, suggest that the Bakken formation offers at least 12 billion barrels of recoverable oil.

We produce more than 355,000 barrels of oil each day. We are home to the largest deposit of lignite coal in the world. Our State holds tremendous wind potential as well, and we've attracted thousands of jobs to North Dakota. It is projected by 2020 that jobs in the oil industry will increase by over 16,000. That is a direct result of developing these energy resources in North Dakota. That's a 35 percent increase over 2010 levels.

North Dakota's unemployment is less than 3.5 percent. It's 3.2 percent. In western North Dakota, where Bakken

development is taking place, we can't find enough people to work. In that county, unemployment is below 1 percent. Starting wages for people are over \$80,000. We need people to help increase this supply of oil.

I just think every day when I'm out here and coming back from North Dakota, imagine what we could do if our whole country had the same approach as we do in North Dakota, the jobs that we could create across this country and the security that we could protect within our country by reducing our dependence on foreign oil. We could reduce our 9.2 percent unemployment rate if we move forward with energy development. We have to get rid of the burdensome regulations which are preventing businesses from creating American jobs.

This is not the time to restrict energy production and prevent jobs from being created. Yet that is exactly what the President's policies have done. In fact, I've kind of joked, if you want to see exactly what not to do to increase the supply and lower the price and reduce the cost of energy for individuals and businesses, small businesses across America, look at what's happening out here in our Nation's Capital.

The President's official moratorium on drilling cost 12,000 jobs. Declining energy production in the Gulf of Mexico is costing the U.S. over \$4.7 million a day in lost revenue. Overreaching government regulations continue to hinder energy production in the United States. With thousands of Americans still out of work and prices at the pump remaining high, now is not the time to slow down our energy growth. Now is the time to invest in our own energy resources. We need a long-term, commonsense energy plan like EmPower in North Dakota. We need a plan that will lower energy costs, that will create jobs and break our dependence on foreign oil. We did it in North Dakota. We can do it across America.

We can create good-paying American jobs, we can lower energy prices, and we can break our dependence on foreign oil. It's time to work together to end the overregulation, to encourage energy development, and to work to strengthen America's energy potential.

Thank you.

Mr. DUNCAN of South Carolina. I thank the gentleman.

The time is now. The time is now to stop the policies of this administration of taking Federal land off the table when it comes to wind, solar, and hydrogen.

The wind farms. There's a bill in our committee that deals with NOAA's obstacles to wind farms off the coast. To the Federal land in the West that's off the table for solar, land that's owned by you, the taxpayer, that is not available for new solar panels and solar technology and wind farms and expansion of the power grid and power cables and transmission lines.

The folks in Oklahoma have known energy production for a long time. I was talking with a gentleman from Oklahoma earlier about a new technology to lessen our dependence on Middle Eastern oil by using the gray matter that God gave us to create new technologies.

I now yield to the gentleman from Oklahoma to share some exciting news with us coming out of his great State.

Mr. LANKFORD. Thank you.

I am honored to get a chance to talk about a great American resource, and that is our energy. Let me take you back a little bit. I'm 43 years old. I can remember in elementary school I was allowed to be able to work with the debate team in high school. It was my honor to be the littlest guy in the middle of this high school debate team. In the 1970s, the debate topic that year was "Resolved, America Should Pursue Alternative Energy Options."

Since the 1970s, we've been talking about hydroelectric and solar and wind. We've been trying to advance this technology, and I hope we will continue to crack the code on that to make those energy solutions work well for us. Since the 1970s, we've been talking about trying to get off fossil fuels and—guess what—it is still the dominant resource that we are using in our country, and it is still the most effective resource to be able to move our vehicles, to be able to heat our homes and to be able to produce these petrochemicals that are used in almost everything that we lay our hands on nowadays.

I hope one day I can run my car off a pinwheel that's on the top of it, but currently I run my car on gasoline. I hope I can heat my home one day with a solar panel on the roof, but currently the technology is not there to be able to do that. My home is heated with natural gas. There's electricity in all the different dynamics that come in. I look at it and I say, at 43 years old, I've been hearing my whole life that we need a national energy policy—drilling, pipelines, production, retailing—to be able to work out a plan that we can run as a country that is all of the above that is every bit of our energy, but that is not ignoring the energy that we have here.

I can tell you I am sick to death of hearing how we need to shut down fossil fuel production in the United States because of environmental reasons, knowing full well that we will just import more of those fossil fuels from all around the world. The United States produces the cleanest energy on the planet. If we want to have clean energy, whether that be fossil fuels or alternative fuels, we should be doing whatever it takes to make sure we drill here, that we produce here, and that we are the ones that are using the energy in the cleanest method possible. No one does it cleaner than us. I can assure

you we don't go to Saudi Arabia and find out they produce energy cleaner there.

So if you're truly concerned about planetary issues with the environment, you would make sure all the production that's needed in the United States is produced in the United States to make sure that we continue to protect that.

Let me take you to my beautiful State. Come walk into Oklahoma sometime. Since 1949 in Oklahoma, we've been fracking for oil. What many people are calling some new technology of fracking, and everyone seems to be afraid of it, and say, Is it going to hurt the groundwater and is it going to hurt all these things, I smile and I say, Come to my beautiful State. Since 1949, we've been fracking. Over 100,000 times we have fracked in Oklahoma; 100,000 times plus. Come drink our water, come breathe our air, and come see our absolutely beautiful God-given State. We can do this in an environmentally friendly way.

We have in my district 5.7 percent unemployment because we have a lot of great energy companies that are doing a terrific job of both protecting our environment and providing jobs for the people in our area. We can do this. And to flippantly say, these are dirty oil companies and they're big oil companies, and we've got to do whatever it takes to punish Big Oil is flippant.

I was in a hearing not long ago with Timothy Geithner. He was discussing punishing Big Oil and getting more taxes on that. I was able to say to him, Mr. Secretary, are you aware that the majority of energy companies in the United States are independent producers and they're small companies? Ninety-five percent of the drilling and the oil and gas production that happens in the United States is done by independent producers, these 18,000 small companies that are out there.

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These 18,000 small companies that are out there, they account for 67 percent of the total energy production in the United States. These small companies, on average, have 12 people on staff, 12 employees. These are not big, giant companies. And throwing around terms like "Big Oil" and attacking them makes me smile when I think about what is happening in Oklahoma with lots and lots of service companies and producers and drillers that are really doing great jobs.

I was talking to one of those companies recently. Guess who they are targeting to be able to hire? Their favorite people to be able to hire are returning vets because of their work ethic and because of the skills they are bringing back. They are companies specifically going after returning Iraq and Afghanistan veterans to be able to hire them.

It was interesting. We were talking about drilling. You go into a drilling

platform, and they say their favorite people to be able to hire are actually tank drivers returning from the war zone because they are used to driving equipment and looking at a screen and dealing with multiple things all at once. These are folks who are employing our veterans and providing great jobs.

Recently, I was on a fracking site, being given a chance to watch it. When you go into a frack site, I don't know what your image is of what it looks like to actually see a well being fracked, but it is high-tech jobs, people on computers, as well as people and pumping. It is trucks and people providing food and people providing all the equipment. It is both people with big wrenches and people with small computers. And you see this multitude of jobs that are provided by oil and gas and by fossil fuels that we are producing right here in America.

We are at a moment that we can either say: We want all green jobs. We want to destroy the jobs that are in producing fossil fuels and try to create new jobs in green jobs; or we can say: Let's do both. Let's encourage the growth of green jobs, but let's not, in the process, also discourage one of the most productive industries that we have in the United States, and that is providing our own energy.

I would love for folks to come to Oklahoma and to be able to see the great companies that are doing some very innovative things.

If I may mention one more thing, just today, one of our companies, Chesapeake, announced a new initiative that is taking natural gas and injecting it into a heat-up service and using biomass and injecting air at a high temperature, and out comes gasoline that runs in our cars. They are not asking for any kind of Federal grant. They are doing it on their own and producing brand new clean energy that will run the current vehicles we have now. At the same time, they are, in the next 10 years, dropping \$1 billion to upgrade an infrastructure for natural gas on the highway system so big trucks can run on natural gas and will have a place to be able to fill up.

Industries are doing this. They want to see this. This is a way that great American companies can produce great American energy. They are patriots, and I hope we will continue to encourage these folks.

Mr. DUNCAN of South Carolina. The same American greatness that the gentleman from Ohio was talking about, where innovation meets a need.

We have a need for energy independence, and innovation is meeting that need by creating a brand new company and technology to put gasoline in America's cars and trucks and tractors. And what an amazing story coming out of Oklahoma. Hydraulic fracturing is something that I think is

next on the table for this Congress to address because we are seeing a lot of misinformation out there about hydraulic fracturing contaminating drinking water. Folks, that is just wrong. There hasn't been a single instance where a hydraulic fracturing operation has contaminated drinking water.

From my understanding, most of the natural gas shales, such as Marcellus or the ones out in Oklahoma and Texas, are 10,000 feet to 6,000 feet deep in the earth. And most wells where we get our drinking water are 300 feet to 1,000 feet. A thousand feet would be a deep well, a very expensive well for Americans. That's why they don't go that far. They look somewhere else for water.

The fracking takes place much deeper, so there hasn't been a single instance. The misinformation out there has been refuted by you many times in Oklahoma when you say, I repeat, Come drink our water in Oklahoma. I appreciate that.

A key Republican energy proposal is the National Petroleum Reserve Alaska Access Act that will cut through bureaucratic red tape and unlock the full potential of energy resources in the Alaskan Natural Petroleum Reserve by ensuring that oil and natural gas are developed and transported in a timely and efficient manner. But there are delays in accessing that from this administration. And whether these delays are the result of government incompetence or ideological vendettas, the fact of the matter is that these regulations are costing American jobs and raising energy prices.

The House has offered a clear path on job creation and economic recovery. That path is less taxation, less regulation, less government intervention, and more economic certainty in the marketplace.

The folks from Kansas have talked to me numerous times about energy, and so I would like to take an opportunity to yield to Mr. HUELSKAMP from Kansas to talk about what is going on out there and that great American State's focus on American energy independence.

Mr. HUELSKAMP. Thank you. I appreciate the opportunity to speak today. I am very interested in learning what continues to happen every day in our other States, particularly our State to the south.

Being from the State of Kansas, I would like to talk a little bit about the coal industry. You might say, Kansas and the coal industry, what does that have to do with Kansas?

I am a farmer by trade, and we produce a lot of corn and wheat and soybeans and many other things. But in order to produce those, we need a lot of electricity. A number of decades ago we built a coal-fired electrical power plant in western Kansas. It generates

electricity that covers six to seven States. About 5 or 6 or 7 years ago, we said we need more electricity. Our economy continues to grow, and we need more electricity. We began the process in western Kansas to expand our electrical production. We need more electricity.

If the economy is going to grow—and I'm sorry to say, now the economy is not growing very quickly under this administration, and let me tell you why. It is called overregulation. It is called litigation. It is called the attempt by this administration and others outside that are working together with this administration to stop the generation of more electricity, more energy of various types. We need more energy. We need more American energy, and we can produce that. We are trying to do that right now in western Kansas. We are trying to produce more jobs.

This administration and folks close to this administration—and this is hard to believe—they have said that you want 1,900 construction jobs. You want to create 1,900 jobs in western Kansas to grow your ability to produce American electricity. You know what the answer is from this administration? You know what the answer is from environmental groups? You know what the answer is? They said: No, we don't want your jobs. We don't want 1,900 jobs in western Kansas.

We have rural communities all across western Kansas, and they depend on this power. Actually, if they don't have more electricity, we will begin to see brownouts in less than a decade in a rural area.

We are trying to grow our production of energy, of coal-fired electrical power, and this administration says: No, we're going to sue you. And the EPA says: No, we're going to stop you with new regulations. Various outside groups are throwing lawsuits. It is death by litigation. And that is not only stopping our power plants. They are stopping power plants all across the country.

Now, it is hard to understand. I talk to my constituents and they say: Why can't we have more electricity? Who is opposed to this? Who is opposed to jobs? Somebody in Washington is opposed to jobs. There are regulators all over this country, particularly in our Nation's capital, who say: No, I would rather you pay for \$5 gasoline. No, I would rather you have higher electricity rates.

If we don't generate more electricity in my State, in western Kansas, they anticipate a 40 to 50 percent increase in electricity rates. But by the time that would happen, 4 or 5 years from now, they'll say: Why didn't you do something about it? That is why I am here tonight. We have to do something about it now.

Our competitors across the way in China, I believe they have figured it

out. They recognize that you need more energy in whatever form. We need more energy. We need to produce more electricity. We need to produce more diesel fuel and more gasoline. We need an all-of-the-above strategy. But when you have an administration and a culture in Washington that is dedicated to eliminating access to energy, when you have an Energy Secretary that suggests that Americans need to pay \$5 a gallon on gasoline, our Energy Secretary suggests that we need to pay \$5 a gallon on our gasoline, what is going on?

We need to pay more? No, we need to pay less. And the way we do that is not having a brand-new policy, a new program in Washington. No, we need to let American entrepreneurs continue to do what they have been doing for years, and that is producing a needed product called energy. And we can produce it in many ways in Kansas and all throughout the Midwest and all throughout the Nation. But when you have this narrow agenda of those in Washington that have dedicated their lives to make certain that our electrical prices go up, our energy prices in all forms go up, that is going to cost us more unless we can turn on the entrepreneurs.

□ 1940

Actually, there was a report from our U.S. Chamber of Commerce—and there are folks in this town who get upset when you talk about people who create jobs because it is actually the private sector that creates jobs. It estimates there are 351 stalled energy projects across America, and the one in western Kansas, Sunflower Electric Cooperative, is just one of those, but there are 350 others. They estimate that if those stalled energy projects would move forward that they would create 2 million jobs in the short term just in construction, but in the long term, they would create affordable energy to allow us to compete across the world. Frankly, as our energy prices increase, our ability to compete and export and to compete with China and many other countries is incredibly diminished.

So we need—we must—and are responsible here in this Chamber for freeing up entrepreneurs. We are responsible for forcing the U.S. Senate to come to the table and actually do what they talked about doing.

I don't think there is a Member of Congress in the House or Senate who went home and said, Do you know what I like? I like high energy prices.

Nobody said that. No. They went home, and said, We're doing everything we can.

They're not doing everything they can. The U.S. Senate is not doing a single thing to help this along, and the administration is doing everything it can to make sure our energy prices go up.

That's so frustrating to me because we do have an easy answer. Let's let

American entrepreneurs, American energy companies—basically small businesses—move forward. In my district, we are heavily dependent on agriculture, but the second largest industry is the oil and gas industry, and we must continue to encourage them to move forward.

I appreciate the opportunity to visit about this tonight. It's something I am very passionate about because the people in this House who are working for it cannot be blamed for high energy prices in the future, because we are doing what we can do today. Thank you for the opportunity.

Mr. DUNCAN of South Carolina. Thank you, the gentleman from Kansas.

You hit on something. Obama's Energy Secretary, Steven Chu, before he was nominated to be the Secretary of Energy, wanted to figure out how to boost the price of a gallon of gasoline in this country to the levels in Europe. At the time he made that statement, gasoline in Europe cost around \$7 to \$8 a gallon. That's what the administration's Secretary of Energy really expects and wants the American people to pay for a gallon of gasoline. When fuel prices got to be \$4 a gallon—\$4.35, \$4.50 a gallon—in August of 2008, I know what that meant for my small business, and we only had two trucks on the road. Americans can't afford that when we've got the resources here in this country to meet our energy needs.

I know that the gentlewoman from North Carolina fully understands that we've got the resources to meet our needs and that we've got to expand that and put Americans back to work through harvesting American resources. So I yield to the gentlewoman from North Carolina.

Ms. FOXX. I want to thank the gentleman from South Carolina for taking on this Special Order tonight and for bringing with him a group of his colleagues who are called "freshmen" around here, but I will tell you the people watching this tonight don't know you guys are freshmen. You're doing a wonderful job, and I want to compliment you on the fantastic job you've taken on here to explain to the American people some of the issues related to energy independence.

I was home, like you were, during the Fourth of July and Independence Day, the little break that we had. I was home, talking to people about the fact that we need to declare a new war for independence, and that is a war for energy independence. So I agree with all of the comments that you all have made, and I want to piggyback on what our colleague from South Carolina was talking about.

In April 2011, families spent an average of \$369 each month on gasoline, which represented 8.9 percent of monthly household income, which was

an increase from the average of 5.7 percent. Now, that is hurting the people in my district, and it is hurting the people in your district.

We need to continue to point out that this administration has created these problems. These weren't created by Republicans. Democrats were in control of the Congress from January of 2007 to January of 2011. We were in the minority during those 4 years. In the last 2 years, the President and the Democrats were in charge of the entire Congress. They have the responsibility for what has happened in terms of energy prices.

What Republicans have done in the last 4 years, as well as this year, is we have put forth and passed legislation that would eliminate needless permitting delays that have stalled energy production. We have put forward commonsense solutions to these high energy prices. Again, we believe in an all-of-the-above principle. We want to see us have all of the things that we need in this country to make us energy independent.

Our government should be promoting our energy resources, not blocking their development. If we don't do that, we are going to continue to have a 9 percent unemployment rate. As for all of the comments that have been made about what producing energy in this country can do to unemployment, we must do that, and until we get an administration that understands that and a larger number of people in Congress who understand that, American families are going to be hurting.

So I want to compliment all of you tonight who have come here and spoken out about these issues.

Mr. DUNCAN of South Carolina. I yield to the gentleman from Kansas. He comes from an energy background—supplying parts to the energy production field.

Mr. POMPEO. I thank the gentleman from South Carolina. I just want to say a couple of things quickly.

I had a chance to hear, speaking before me, the gentleman from Oklahoma, who was talking about drilling and service companies. Until just over 6 months ago, I ran one of those small companies. It created energy jobs in Kansas and in Oklahoma and in Midland, Texas, and in Kilgore, Texas, and in all the places where American energy can be produced for American consumers. It's not that hard. This President just makes it so. We know we can have safe, clean, affordable energy produced here in America by American innovators, American businesses and American jobs if we will just do the simple things and get the Federal Government out of the way.

Just a few minutes ago, my colleague from Kansas spoke about a power plant in his district in Kansas that we've been trying to build with clean coal technology. We've been trying to build

it for years. It's cleaner than the plant that exists today. It will reduce overall emissions in the State of Kansas; yet this administration and our previous Governor, who is now the Secretary of Health and Human Services, just says, No. Don't produce that energy. Don't produce that affordable energy so we can build things here in America.

I was just talking to my colleague from Colorado about that very same power plant and what it does to his State, the State of Colorado. I yield to the gentleman from Colorado.

Mr. GARDNER. I thank both the gentlemen from Kansas, my neighbors to the east of Colorado.

When you talk about the Holcomb plant, you're talking about something that affected Colorado, my constituents, directly. My district borders western Kansas, and many of the farmers/ranchers who rely on rural electric supplies for their energy were going to rely on that plant. Their ability to get cheap, abundant, affordable energy from that plant was critical to the future of their operations. I know they continue to work on it and will continue to work with their neighbors in Kansas on that. So it doesn't just affect one State. This is a national issue: the ability to generate abundant, affordable energy.

I'll also point out that those same communities in southeastern Colorado were hoping to build wind farms. Do you know what? They also rely on transmission lines, and with that power plant came transmission lines—the ability to get power from point A to point B, from where the resource is to where the people live. So, once again, we have a need for a source of abundant, affordable energy.

Mr. POMPEO. I know we're wrapping up here tonight, but I want to talk about one more thing and how the President's policies and his Environmental Protection Agency are destroying jobs in Kansas.

In Kansas' Fourth Congressional District, we build an awful lot of airplanes. They need an awful lot of electricity to build those planes and to run those plants. Our agriculture community also depends on having the EPA out of the way. Today, I sat in a hearing where the Democrats continued to say we need tighter utility regulations, that we need a set of utility rules that will make it almost impossible to build a new utility plant in America. We need that energy. When we don't have that energy, prices and costs for our farmers go up, and that translates very directly. It translates into the cost of food at the table.

When I talk to seniors, they say, MIKE, we know what we spend money on. We spend it on the simple things. We spend it on food and energy to heat our homes.

If we keep these policies up, we will be pricing our seniors into a place no one wants them.

□ 1950

It doesn't have to be. We have American energy; we can get it.

Mr. DUNCAN of South Carolina. We're about out of time. I just wanted to thank my colleagues for understanding and expressing very clearly that we have the resources in this country to meet our energy needs. We need to put America back to work, harvesting those as a segue to job creation. The House Energy Action Team, the committees charged with this, have passed the bills to the Senate. The Senate needs to act. Let's put America back to work solving our energy needs.

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

#### DEBT CEILING LIMIT TALKS

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

Mr. TONKO. Mr. Speaker, this evening it is my pleasure to initiate discussion as to the events here in Washington as they affect our debt ceiling limit.

There is much attention being paid to the efforts for America to pay her bills, and obviously America's working families understand what it's all about. They understand that you work hard, you roll up your sleeves, you make ends meet, and you pay your bills on time.

Well, the concern we have today is that as we attempt to get that phenomenon done—as we have many times over the last several years—the bills have been rung up, perhaps by those Members of Congress before us and by administrations before us; but nonetheless, they are bills that need to be paid. And as we go forward, I think it's important for us to recognize that the honorable thing to do is to acknowledge that we need to pay those bills so as not to accrue additional interest charges, pay them as soon as we can, and make certain that we don't draw all sorts of havoc and damage to the American economy and perhaps the international economy as we move forward with the saga of being able to pay our bills with a debt ceiling limit being addressed.

Now, many Presidents have asked for this opportunity so as to be responsible in their administrative role, in their executive role. This President has now been addressing this issue. And we have brought in discussion to enable to authorize that debt ceiling limit being adjusted, that it should be accompanied by spending cuts. And so it has created a certain give and take, a tug of war, so to speak, here in Washington to enable us to pay those bills and have the ceiling limit addressed.

An agenda is being attached that would include spending cuts, spending



cuts that in some ways can devastate the working families of this Nation, an assault on many of the needs that they have.

There is, with the Ryan plan—that now has become the “Republican plan,” as it has been passed by this House—would address Medicare as we know it. It would end Medicare, a program that was initiated back in 1965, took hold about 45 years ago in 1966, and has addressed the economic vitality of many senior households since that time.

Prior to that legislation for Medicare, many of the seniors were victimized, not being able to access that sort of care, not having the health care plans they required. The industry would cherry pick; they would take certain elements of a senior population that were a safer risk, an easier risk. And when it came to affordability, again, a drain on the economic vitality of retirees. Those who would retire at a certain level of economic viability would have that situation dip southward as their medical costs would drain those retirement savings.

And so history has shown that that economic vitality of our senior community has stayed more constant, more durable since the time of Medicare. It has enabled a cushion, a security to be there for our senior population so as they advanced into their golden years, they would have that coverage that was so essential.

There is this correlation of the need for health care with growing older. That’s easily understood. And so what we needed was a plan that would provide security and stability, and we found it, and the Nation celebrated in bipartisan fashion. And for decades we have improved the system and addressed it so as to meet the needs of our Nation’s seniors.

And now, as we look to address a debt ceiling limit, discussions have brought in a cutting services agenda where we are going to deny certain programs, amongst them Social Security, Medicare, Medicaid being reduced, programs that speak to core needs—Pell Grants for higher education, education aid and Head Start for our youngsters, the workforce of the future. A number of issues under attack, an assault on the middle class, programs that are required for working families, for their children, for seniors, for veterans, for establishment of jobs.

To create a jobs agenda, we need oftentimes to invest. Also at a time when we’re asked to invest in a clean energy and innovation economy because there is a global sweepstakes going on amongst the world nations to compete for clean energy with investments that are required for R&D, and you name it, so as to develop that soundness of an agenda and create jobs here, utilizing and embracing the American intellect.

So all of that is put at risk by this frenzy to have spending cuts while we

authorize this debt ceiling limit, which allows us, authorizes us to pay our bills, has the executive branch pay its bills, has this country pay its bills, as the President has suggested time and time again.

But the outcome is that many are thinking this is giving us new authorization to spend when in fact it covers the bills of the past. And to accompany their vote here, they would want spending cuts. And so Medicare has been on that block; it has been on that chopping block, and many of my colleagues are concerned about that.

We’re joined tonight by my colleague from California, who represents, I believe, the 32nd District of the State of California, Representative JUDY CHU, who has been outspoken in her defense of maintaining the Medicare program, improving it, strengthening it, providing greater opportunity for generations of seniors yet to come, and not ending it. Ending Medicare would be a torturous thought for many out there. And there are those who defend the program here in the House, amongst them Representative JUDY CHU.

Representative CHU, thank you for joining us this evening, and I welcome your thoughts on where we’re at as we address these debt ceiling limit negotiations and now having these demands of spending cuts put upon us that could impact the senior population via the end to Medicare.

Ms. CHU. Thank you, Congressman TONKO. Thank you for putting this hour together for us to talk about what is at stake with regard to Medicare.

The economic recession is hurting our seniors. The programs they rely on to get by, like Nursicare and Meals on Wheels, are being slashed at the local, State and Federal level. Though prices have risen, they haven’t seen a cost-of-living increase in their Social Security checks. Yet the Republicans have been in control of the House for over 6 months and have done nothing to help our struggling seniors. Instead, they have been waging a war on programs that keep them afloat.

First, they pushed through a budget for next year that ends Medicare. It would deny seniors and those of us who are getting older what was a 50-year health care guarantee, one that we have been paying throughout our lives.

Today, under Medicare you are guaranteed coverage the day you turn 65 and for the rest of your life. You can get free preventive care. You can get a 50 percent discount on brand-name prescriptions if you are in the doughnut hole. But now the Republicans are trying to take all that away. The GOP wants to replace Medicare with a voucher system where seniors, once they turn 67, go out into the private market to buy their own health insurance. That puts seniors at the mercy of insurance companies instead of in control of their own care.

We’ve seen that private insurers will line their pockets rather than provide quality and secure health care. Insurance companies could limit benefits, raise copays, and change which doctors are in their network, none of which occur under Medicare today.

□ 2000

The proposal, rather than tackling skyrocketing health care costs, simply shifts these costs onto the backs of seniors in Medicare. And because the amount of the Medicare voucher won’t be tied to rising health care costs, seniors will be forced to shoulder the burden as health care costs increase. According to the nonpartisan Congressional Budget Office, in just 10 short years, out-of-pocket health care expenses for a typical 65-year-old will double under the Republican budget. And in 2030, a new retiree will be paying over \$20,000 out of pocket for medical expenses. Rather than fixing our fiscal problems, it just makes seniors pay the bill.

Proponents voted to end Medicare for our seniors because they say we can’t afford it. But they’re openly pushing for even more budget-busting millionaire tax giveaways. In the same budget that ends Medicare as we know it and makes seniors pay double the health care costs, Big Oil gets tax subsidies, millionaires get tax breaks, and corporations have to pay less taxes. And now we’re hearing that Republicans want to make massive cuts in Medicare as payment for their votes on the debt ceiling. Some have proposed requiring Medicare beneficiaries to pay even more for their Medicare benefits, either through higher copays or through higher premiums.

The solution is fixing the real problem of increasing health care costs for all Americans, not shifting cost burdens on our seniors. That’s not going to work for the 40 million seniors enrolled in the program who have Medicare for their health and economic security.

But that’s not all. Next week, Republicans are going to push through a constitutional amendment to the floor that will force the deepest cuts in Medicare yet. This so-called “balanced budget amendment” is just pulling the rug from under the seniors in the name of cutting spending. This amendment is designed to make it easier to reduce the deficit by slashing Medicare benefits rather than by closing tax loopholes for private jets. The way the bill is written, we’d have to privatize Medicare completely and raise its eligibility age to 67.

By forcing Congress to keep spending at unheard of levels, we would inevitably shift the real economic burdens onto the backs of our Nation’s most vulnerable, the elderly. It would make it virtually impossible to repeal special tax breaks for the wealthy or Big Oil and gas producers. But it would allow

Congress to destroy Medicare with a simple voice vote.

Well, I think that our Federal debt and budget is more than just about dollars and cents. The way we spend our money is a statement of our values and priorities. Republicans want us to believe that cutting benefits to seniors is the only way we can solve our debt crisis, but I say there are other ways. The debt must be addressed, but it should be done in a way that's fair to all. Today the average senior lives on \$19,000 a year, just \$19,000. We should not balance the budget on the backs of our Nation's seniors. We must protect and strengthen Medicare, not gut it. These talks are about priorities. And my priority is keeping seniors in their own homes, communities, and off the streets.

Mr. TONKO. Representative CHU, you raised an interesting fact with the end to Medicare proposed by the Republicans in the House. The cost shifting that takes hold, it's about a two-thirds/one-third split today. And the out-of-pocket expenses to a senior at times—as you pointed out, \$19,000 as an average income—even those out-of-pockets for the one-third today can be rather demanding. But to shift that now to flip it to one-third/two-thirds, where 32 cents on the dollar would be what you're provided with your voucher—as you suggested, through the course of time, it will not reflect accurately well enough the growth in health care costs because they don't index it correctly.

So you start with a one-third burden of what government will contribute. That means 68 cents out of pocket for seniors. I don't know how they would afford it. I represent a disproportionately high number of senior citizens in the 21st Congressional District in New York State. This would be a drain on many households. And when we see the costs that some of them would have to absorb, with pharmaceutical costs that enable them to either recover or at least live in some sort of dignified manner, it is really a strong concern.

And for the groups who are proposing this to have the audacity to suggest that it's what Congress gets—when Congress is getting 72 cents, I believe, on the dollar for their health care coverage, so for every dollar of premium that they pay, 72 cents is covered, as opposed to the 32 cents they would have go the way of senior citizens—nothing could be farther from factual than what they portray here. So this is a cost shifting that is a very painful measure.

We've had a program that's worked so well that seniors in my district say, Hands off my Medicare. Hands off the Medicare. If you want to do anything, make it even stronger. Protect that Medicare program. But that, for 45 years, has worked so well and has worked in a way that has addressed the dignity of seniors in their retirement

years. So Representative CHU, we thank you for your participation here this evening.

We've been joined by another colleague, from the State of Maryland, DONNA EDWARDS. I believe it's Maryland's Fourth District, Representative EDWARDS?

Ms. EDWARDS. I thank the gentleman. It is Maryland's Fourth Congressional District, which is just outside of the Nation's Capital. But I can tell you that in the Fourth Congressional District in Maryland, just like across the country, people in my congressional district are just stymied at the idea that we would in any way reduce Medicare benefits—

Mr. TONKO. Or end them.

Ms. EDWARDS. That we would end them, that we would shift costs on things like Medicaid to our States, that we would reduce benefits for Social Security, all of this in the context of a conversation about lifting a debt ceiling and making cost cuts to things that impact our debt, our long-term debt and our deficits.

I just wanted to point out to the gentleman, most Americans don't know this, but I think they need to understand that, as you can see here from this chart, that the largest portion of our long-term debt is caused by the Bush-era tax cuts, not by Medicare and not by Social Security. Now to be sure, one might argue, I think that we need to make sure that Medicare and Social Security are solvent for generations to come because we want to honor the contract that I've made with my mother, that my son has made with me. But that shouldn't be anywhere near this conversation about lifting the debt ceiling because it isn't the burden of seniors and those with disabilities to bear the burden of paying for these Bush-era tax cuts for those who make over \$250,000 instead of shifting that burden where it really needs to be.

Mr. TONKO. Representative EDWARDS, when you talk about this debt, I think we need to state too very clearly that these were off-budget. All of these tax cuts, the wars during those Bush years were paid for by borrowing, and we borrowed from China and other nations totally to pay for this because they were totally off-budget. So people need to know, this debt ceiling limit authorization is to pay for bills that have accrued from decisions made in administrations prior to this and perhaps sessions of Congress that came far before the 112th session of Congress. So it is an authorization to pay bills. And in order to get that approval, there are many who are suggesting we have to cut spending, including ending Medicare.

Ms. EDWARDS. Right. And I think that you were right to correct me. I mean, I think sometimes even I would like to think that perhaps what we're talking about with the Ryan budget

that we've heard so much about and with these other ideas is about changing Medicare. But it's actually not about changing Medicare. You're right. It's about ending Medicare, turning it into a system where our seniors and those with disabilities would just kind of get, you know, a check or a voucher and then have to go negotiate with their insurance companies.

Well, I have to tell you, although my mother's a pretty tough negotiator, it would be tough for me to imagine her and other seniors around this country having to negotiate a better health care cost and to navigate that system by negotiating with insurance companies. I think the only one who wins in that game are the insurance companies.

□ 2010

Mr. TONKO. Again, if you would suffer an interruption, when we talk about the beginning days of Medicare, the propensity to do something then would become the same cause today, because people were being impacted by cherry picking, by unaffordable rates, by inaccessible outcomes, where there was absolutely no desire to write a policy for some. And as we look at that age curve rise exponentially, I mean the life expectancy, I believe, in 1965 was 70 years of age. That has grown tremendously. And so now you are going to have more and more people living longer, and we need to help strengthen Medicare. But to end it at a time when people would go back to this rat race of trying to find someone to cover you, it puts the insurance company back in the driver's seat. Seniors would have precious little control over their destiny.

And what I think can be documented clearly from that time in 1965, 1966 is that the economic vitality of senior households, that durability of their income status was held harmless with Medicare. And it used to dip south because health care costs would drain those retirement incomes in some format that would really impoverish our senior community. We're going to head back into the disaster of pre-1965.

Ms. EDWARDS. If the gentleman would yield, I think you point exactly to what the problem is: that rather than our seniors facing their older age with some degree of certainty about being able to meet their health care needs, instead we throw them out to the wolves. This plan would throw them out to the wolves. And I know that's why the gentleman from New York and this gentlewoman from Maryland and all across, frankly, our Democratic Caucus we stand very firmly united behind protecting Medicare benefits from those kinds of cuts and, really, from demolishing the program.

After all, can you imagine that if you were—I just turned 53. And that for

those of us who were under age 55, that we would have to, starting now, dig into our pockets, saving up to \$6,000 a year so that we could actually pay for costs. That would mean that between now and the time of my retirement, I would have to save up to almost \$200,000 to be able to meet those costs. And this at an age when I should be thinking about how I have saved up to this point to have a more comfortable retirement.

Well, that's the predicament that the Ryan budget that was passed by the majority in this Congress in April, that would be the result. Now, we may not know all the dirty details of the proposals that some on the other side have for Medicare in the context of this debt ceiling, but we can only imagine that if their true gift that they wanted to give to the American public and give to our seniors was a plan that would decimate Medicare, I can only imagine what the ideas are for so-called cost savings, which could be quite devastating for our seniors as they look to increase out-of-pocket costs.

And let's think about Medicare for a minute. Because what a lot of people don't understand is they get caught in this business of discussing things like the Consumer Price Index. Well, you know, adjusting things like that is just a fancy way for saying "cuts." So I like to use the one syllable word "cuts" to describe what has been on the table for Medicare. Cuts that would result in our seniors having to meet more of the expenses for their health care out of their pockets.

I have talked to seniors in my congressional district who told horrifying stories about how challenging it is for them to meet their day-to-day needs, and that they live and rely almost exclusively on Social Security and on Medicare for their health care coverage. They even do things like, to save money, to save money on their prescription drugs, you know, they may split that heart medication in half. Well, consider, if you will, that if some of these proposals were to go into effect that rather than even splitting that pill in half they would be splitting it in thirds. I mean, this would have a devastating impact on our seniors.

Some have suggested, and the gentleman from New York understands this, that these are about scare tactics. Well, the seniors in my district don't need a scare tactic; they just need the facts. And the facts are that those on the other side, in exchange for providing this huge orange clump here in Bush-era tax cuts for the wealthiest Americans, those 2 percenters who make over \$250,000 a year, rather than have them pay their own way, we want to tell our seniors, Dip into your own pocket and meet your health care costs. Negotiate with health insurance companies, when we know that as you

age things happen. And they would just say, No, can't cover you or, if we can, it would be for a real premium.

This would be devastating to the Nation's seniors.

I think the thing that I most admire about those who first enacted Medicare is that it really was about how we feel about one neighbor to the next, one generation to the next, that bond that we have that says we actually care about each other and meeting our health care costs, that we don't want seniors left out in the cold when it comes to their health care in their golden years. I want to keep that promise. And I know the gentleman from New York wants to keep it, too.

Mr. TONKO. Absolutely. Representative EDWARDS, you struck on a chord that is just repeated over and over again in my district. Many thought, well, if the seniors are told that this will affect senior communities into the future, that they will get buy-in from today's senior citizens. I am impressed with the very generous statements made, the advocacy embraced by our senior community of today saying, This has served me so well, I don't want it denied my children or my grandchildren.

And as you pointed out, you know, a 54-year-old of today will have to save about \$182,000 out of her or his pocket in order to pick up the slack that would be part of this shop on your own, you know, putting the insurance companies back into control. The senior's going to get a voucher that covers a third of the costs that they need to have health care coverage and then dig into their pockets for the rest. So that means a 54-year-old of today will have to save \$182,000, but then the 30-year-old will have to save \$400,000.

Where are we going with this? This is all to cut a program that has served, with dignity, the senior community of this country, all to pay for the Bush-era tax cuts. So this is a way of sliding savings by ending Medicare and bringing it over to pay for millionaire and billionaire tax cuts and for subsidies to oil companies. This is as vulgar as it can get.

And to attach this to a discussion on debt limit, where we look for authorization to pay our bills, just like America's working families roll up their sleeves, earn that money and pay their bills, they expect the government to do the same thing. And to play a game on Medicare where you deny access and affordability for a basic core human need after a record of tremendous performance since 1966 is, I think, so objectionable that it's no wonder when we go home, when you go to Maryland, when I go back to upstate New York, people are saying, Hands off my Medicare.

Ms. EDWARDS. Will the gentleman yield?

Mr. TONKO. Absolutely.

Ms. EDWARDS. They are saying it with good reason. It's because it's worked. It's because our seniors are no longer wondering in their golden years whether they will be able to meet their health care needs. It's because our seniors and their families are not struggling to make sure that those health care needs are met.

It would be one thing if we were arguing about a program that was inefficient and not cost-effective. But every single piece of data about Medicare tells us it's more efficient than the private sector, that in terms of its cost-effectiveness it's more cost-effective than the private sector. And what I like is that when we passed the Affordable Care Act, and the gentleman will remember this, is that we actually did some things to really strengthen Medicare. I am proud of that.

And I do want to have the discussion about making sure that we strengthen, for future generations, Medicare, Social Security, these important safety net programs. I don't know about your district, the gentleman's district, but I know that in my district in Maryland people have lost their 401(k) plans. They've lost their private pensions to the extent that they have had them. They've lost value in their homes.

□ 2020

The only thing they have left in their golden years is their retirement, their Medicare, and their Social Security; and they are counting on us to protect that

And perhaps it is that unfortunately this debate about raising the debt ceiling, which I think is an imperative, a moral imperative for us to do, has actually crystallized the bright line between those of us who want to protect Medicare and Social Security and Medicaid and those who want to destroy it, those who have long held the belief that these systems should be privatized, as though somehow that market that fell apart yesterday, if we were investing there, that that would protect people's retirement security when all of us, each of us knows that that won't be true.

And so I am interested in making sure that the 2 percenters, those who make over \$250,000, should not have to put the cost and have the cost shifted to our seniors to bear the costs for their tax breaks for corporate loopholes and for things that our seniors didn't have anything to do with, and that's why I like the bright line test of those of us who want to protect Medicare for future generations and those who want to destroy it.

Mr. TONKO. Very well said, Representative EDWARDS, and I just want to attach my comments to yours about the impact of Medicare, an investment that has produced a lucrative dividend. We have kept the dignity factor alive

for seniors, we have kept our seniors well, we have enabled them to recover, we have enabled them to live because of an attachment to our health care plan.

On the other side, we have allowed for spending for a tax cut for millionaires and billionaires, spending on a tax cut for millionaires and billionaires time and time again, knowing that the result is no real lucrative dividend, negligible. We look at not only the spending that people acknowledge was okay for something not returning a dividend, we lost 8.2 million jobs in the Bush recession, but then we borrowed all the money to spend, needed to spend, for that tax cut.

What a contrast. And the Democrats in this House have said, no, let's do programs that have a return. Let's invest in our senior community and let's not spend on these tax cuts that have no dividend, no lucrative dividend.

And if we didn't have the money to spend for tax cuts for millionaires and billionaires, why then did we go and borrow from China and Saudi Arabia?

So it makes very little sense to follow that road to ruin which the Republican plan, once the Ryan plan, now speaks to.

We have been joined by Representative JACKSON LEE from the State of Texas. Welcome, Representative, and thank you for joining in the discussion on the attempts here to end Medicare and to allow for those savings to go toward spending on tax cuts that get somehow attached to a discussion on the debt ceiling, the debt ceiling being raised so that America can pay her bills. It's convoluted at best.

Ms. JACKSON LEE of Texas. I am so glad to have the opportunity to join the gentleman from New York and to specifically focus on his leadership, along with my colleague from Maryland, who, as we were developing the Affordable Care Act, worked so hard on some of these finite issues ensuring that we had the oversight over insurance rates.

We tried to do everything that we could to produce legislation that embraced the concept of Medicare, for example, recognizing and respecting Medicare and then broadening the concept to ensuring that all people had access to health care. But isn't it interesting just a few months later we are standing in the well of the House and we are literally having to hang on to the commonsense program of Medicare.

If I could, I would like to frame the discussion in this manner. You have articulated a very commonsense approach that in any debt ceiling—by the way, let me give my editorial comment. I have voted for a clean debt ceiling just simply to pay America's bills. Unfortunately, that didn't carry the weight of the day.

But what I will say is that the discussions that are being crafted in the

media, or at least have been perceived in the media that our Republican friends want to provide to the American people, is that we are broke, is that we have no way of doing anything.

I want to be very clear, I am aware that Americans are out of work. I am aware that we have had 6 months without a jobs bill and that Democrats are trying to put one on the floor.

But I want everyone to know that we have had a significant recovery because of the American Recovery and Reinvestment Act. So we are moving forward except for the fact that we have got to get jobs. We have had seven consecutive quarters where the GDP has grown.

So to make our seniors the brunt of what we have made up in terms of saying we have no money, we cannot think any other way, we have to hit someone who has paid their dues, if you will, is simply wrong and unfair.

As I have said, we are not where we want to be, but the sacrifices that Democrats have made in the Recovery and Reinvestment Act have put us forward. In addition, we have seen growth.

Now we have a budget. First of all, we started off in 2011 with a budget, a Ryan budget, that then suggested that we were so broke we had to voucher Medicare. Frankly, vouchering Medicare is extinguishing Medicare. It's eliminating Medicare as we know it. It is telling a senior that you need a dollar's worth of health care, we can give you a quarter. We are going to give a senior who has invested in America, who has worked all of his or her life, who, as my colleague has said, maybe has fallen on difficult times with a 401(k) and certainly that is because markets have gone up and markets have gone down, and you are going to say now you are going to get a quarter.

Now bring us forward. That bill, of course, was passed by the House, predominantly Republican, with any number of Members who believe there is nothing wrong with that. It has gone nowhere in the Senate. Now we are at a crucial point where the President has asked for us all to be adults, to sit around the table and talk about how can we work this together.

Can we do it with the airplanes and jets? Can we let the Bush tax cuts expire? Can we call upon our friends in the energy industry that is leaps and bounds in profits to craft or to understand a way that we can recraft those particular provisions to bring that money here into the Federal Government?

And I would say to my good friends in business, where it might be, the climate of the United States allows you to thrive. You are doing better because you live in a democracy, you live in a place where we respect property, where we don't run into a corporation and say, you know what, I think I am going

to take about, you know, half a trillion dollars from you if you have that much. Just send that check over to the United States Treasury.

We don't do that.

So I want the point to be made tonight that we are on the side of the angels, because it is absolutely ludicrous to not see the difference in life span pre-1965, before Lyndon Baines Johnson, a fellow Texan, announced his desire in the Great Society to find a way to, in essence, respect the senior citizens, the elderly. And at that time he was probably looking at individuals in their 60s because of the wear and tear and the lack of health care to be able to give them an extra lifeline.

To say that he was right and to make sure, I just want to add these points as I come to a close, to be able to suggest that the millions of seniors who now have access to guaranteed benefits are in jeopardy because of the games that are being played about the debt ceiling, a simple, procedural vote, if you will, that allows the debt ceiling to be raised so that we can pay our bills, something that we have done, if I may put in the RECORD, some 74 times since 1962 with no quarrel whatsoever.

Finally, I would argue this: many of those on Medicare are families of veterans, themselves, obviously, may have served, even though I know that they have veterans benefits. But they are people who are willing to sacrifice to build this country. They are seniors.

For us to take away this lifeline is unspeakable. And I hope that as Democrats we will draw a few friends, a few reasonable friends to know that there should be no tying of raising the debt ceiling to Medicare. There should be a tie to raising revenue. That's the commonsense approach to take.

Mr. TONKO. Well said, Representative JACKSON LEE.

You know, for us to now quickly approach this deadline by which the debt ceiling has to be raised and to put the added pressure of ending Medicare into that discussion is vulgar.

□ 2030

Forty-six million Americans are watching this. And they know that they're at risk here simply because people want to unnecessarily attach the end of Medicare into this discussion. And as Representative EDWARDS said earlier, we've improved it with the Affordable Care Act, we've allowed for no deductibles, no copayments for annual checkups and for certain screenings. We're making it stronger. We're trying to get prevention in there to bend that cost curve. Many of us are looking to allow for bulk purchasing of pharmaceuticals, which we do with Medicaid and we do with the VA program. But it was not allowed when the Bush agenda was authorized.

Representative EDWARDS, that chart that you're holding there tonight is

still haunting me because I look at all of that debt that was assumed for tax cuts for millionaires that now they want to do again, continue forward, and I look at the wars that were not paid for, I look at the, again, the Medicare part D program that was part of that growth of debt that we're now being asked to pay as the bills have accrued, the interest that we would have to pay if we don't raise that debt ceiling is astronomical.

So, again, we welcome you to the floor this evening on a very important discussion. And your thoughts. You were going into the concerns about Medicare being ended for those that count on you to be their voice here in the House.

Ms. EDWARDS. Thank you for yielding, and it's wonderful to be able to join my colleague from New York and my colleague from Texas in this discussion.

It's so important for the American people, and I just want to remind my colleagues that 46 million to 47 million people, Americans, rely on Medicare for comprehensive health care coverage. When Medicare was first passed, more than half of those who were over 65 didn't have any health care coverage—more than half. Today, that's not true. Thirty percent of the number of elderly Americans lived in poverty before Medicare, and that number is now reduced to about 7½ percent. So the quality of life and the health care of our seniors has improved radically since Medicare's passage in 1965.

So, what would it really mean to end Medicare? Well, it would mean that those seniors who are out in my congressional district and yours around the country would be subject, once again, to perhaps being one of the more than half of those who would not have comprehensive health care coverage.

And I am struck, as you are, when I look at these lines of what is really causing our long-term debt. And I see this big orange glob right here into the future, and I realize that it is the Bush-era tax cuts for millionaires and billionaires. And I think, how fair is that to our seniors who are living on Medicare and Social Security? I look at the cost of the wars in Iraq and Afghanistan. Some have argued that those wars are really unsustainable into the future, and yet they comprise a substantial portion of our long-term debt because they were never paid for when we began those engagements.

I look at the Troubled Asset Relief Program into the future. But what I see there is that it's this thin bluish line here, the thin one there. And what that means is that we have actually paid that back under the Obama administration and Democratic control of the Congress. And then we have this big glob here that's about the current economic downturn. And it strikes me

that if the Congress really wanted to do something, if the majority really wanted to do something, leave Medicare alone, leave Social Security alone and leave Medicaid alone. Don't shift that to the States. Focus on creating jobs and getting 20-some million people back to work so that they can contribute to our tax base, so that they can contribute to Medicare and to Social Security. Do a jobs program, and that will strengthen some of these programs that we care so deeply about.

Mr. TONKO. Congresswoman EDWARDS and Congresswoman JACKSON LEE, I would say, too, that Medicare, yes, speaks to the health care needs of senior households, but there's also a stability there. There's a security so that some of the available expenditures that are out there today from seniors investing in their community, spending in their community, would be lost. And so the economic recovery, then, again, gets threatened.

And when I look at this, all through that blob of color of which you speak, all during that time was like a loss of 8.2 million jobs. So where was the quantifiable benefit of all of this relief to those perched way high on the income ladder? There wasn't a corresponding benefit. So we need to recognize what works and works well. And when Medicare has worked for all these years, why would we threaten it? And what I think bothers me most—I'm on the Budget Committee, and today we had a hearing with Secretary Sebelius. And when you talk about bending that health care cost curve, the Republican plan, after they end Medicare and they toss it to the market for the shopping to be done by our senior community, there's no bending of the cost curve. They're saying sharpen the pencil, bottom-line benefit through competition to help our seniors.

We have watched, Representative JACKSON LEE, since the start of Medicare the private sector insurance costs have risen by over 5,000 percent, that's 5,000 percent. The track record on Medicare, no administrative burden to speak of—no heavy one—no marketing budget, no wasteful expenditures and no high profit columns, we've seen back-to-back profit columns go out of sight for these industries. And when we look at this, when we say we need to go to the bank to borrow, that's helping the friends in the big bank industry. When we need to put it in the private sector and end Medicare, that's helping the deep pockets of the insurance industry. This is like helping those who are looking for more business at the expense of containing costs, bending a health care curve, providing for dignity for the senior community and shedding a program that has worked for nearly half a century and that people have advocated should be there for their children and their grandchildren and gen-

erations yet unborn. That is uniquely American. That's uniquely American. It shows and expresses a degree of sensitivity, of compassion and of ability to make things happen.

A budget, a plan that we put together here is merely a listing of our priorities. What do we deem most essential? And when you can reach 46 million, 47 million people in their golden years and provide guaranteed health care, that ought to be a high priority, not taking the savings of ending Medicare to pay for millionaire tax cuts, billionaire tax cuts, or oil industry handouts. Let's get real. Let's get real here. Let's get compassionate. Let's be understanding that what we're ending has a tremendously sound bit of history.

Ms. JACKSON LEE of Texas. I thank you for your passion. What you're saying makes me think what we're doing even to the younger generation because you just made a point that it's lasted for over half a century, if I could use that term, over 50 years. And it is a framework that can be in place for those who are young. And if we take it apart, we will not have this structure that has been helpful. There is no reason to ignore modernizing. We're not against that, looking at ways to improve Medicare. But that's not what our Republican friends are saying. They're talking about ending it as we know it, vouchering it.

And there's a story about the running of the bulls. And frankly, I have this image of a voucher plan, or the plan that will come about through cuts in guaranteed benefits, of the running of the bulls, the running of seniors running toward, trying to get that last voucher that is being handed out, trampling each other because they're seeking that one lifeline that they need.

In addition, we need to be very real about Medicare. Medicare is the infrastructure of our hospital system. You cut into Medicare, you're talking about closing hospitals, you're talking about eliminating physicians, and you're talking about ending care as we know it. Is there any understanding to the fact that we need to be adults and sit down?

When I left my city of Houston, I spoke to my constituents on Sunday. I held a press conference to indicate my commitment to helping to preserve Social Security, Medicaid and Medicare. The idea was that this will impact our city. You will see jobs lost. We have the Texas Medical Center. It will see businesses close and people have the inability to care for themselves or their senior family members.

So this simple issue of a debt ceiling speaks, I think, very eloquently to the need for common sense. And you have laid out very clearly we've had it for this period of time, we've been able to keep a structure that has helped to

save lives, it has this amount of life, it can have a longer life as we continue to improve it and to ensure that there is no waste, fraud, and abuse. And for me, I cannot imagine, I cannot imagine a picture of seniors trampling each other to get that last voucher or having to be told by their government, a country that they've served and worked for and raised their children in, there is no room at the inn for you, there's no opportunity for your health care, there's no more Medicare; by the way, we had to pay tax cuts or we had to give the billionaires and rich folk the long period of time of tax holidays, and we just didn't have any opportunity for you.

That is unacceptable. It is un-American. And I think we can do better. And we need to fight to protect Medicare as we are doing as Democrats. And I would encourage and welcome my friends, my Republican friends, to join us in doing the right thing.

□ 2040

Mr. TONKO. The Representative from Texas talked about strengthening and improving Medicare, not ending it.

Some have suggested as much as \$156 billion could be saved by bulk purchasing for our pharmaceutical needs for the program, for Medicare. That also is a savings of probably, I think I've heard, \$27 billion as the number for seniors, themselves, because there is a fraction that they assume in those costs. If we do that, we send over not only the savings for government but we send it over to the senior community, also. And so there are ways to address fraud and inefficiency.

The New York Times reported just a short while ago that there were double chest CT scans being done, CT chest scans being done and that the Federal Government was overbilled by some \$25 million. That's one small example of accountability, or lack thereof, and the need to continually stay vigilant in our efforts to search out fraud and inefficiency.

But take it, make it work, strengthen it and provide for that continuation, just the stability that we can provide to enable seniors to breathe more easily, to know that a basic core need for them that's correlated as they grow older, as any of us grows older, it's correlated that you're going to require that health care attachment.

And how dare we—I say “we”—how dare they, how dare a Republican majority in this House suggest it's worked well, it's been there for seniors for 46 years, but we're ending it, because we're going to box the situation: if you want your debt ceiling limit to be raised so America can pay her bills, you're going to do it with spending cuts and we're starting with Medicare and Social Security and Medicaid.

Well, isn't that nice? That's a take-it-and-weep scenario, and that is ter-

rible because the people that would weep deserve our voice to be heard resoundingly on the floor, to say we step in and we defend the program and, more importantly, we defend the recipients of the program.

Representative EDWARDS, Maryland's Fourth District Rep.

Ms. EDWARDS. I thank the gentleman from New York and the gentlewoman from Texas for pointing out the fallacy of this argument that somehow in this discussion of lifting the debt ceiling, which I believe each of us voted to lift that debt ceiling in a clean vote. We understand that that is our moral responsibility, it's our obligation to meet the full faith and credit obligations of the United States, but that's not what this discussion is, and it is precisely the reason that I caution us against putting into the debt ceiling discussion any changes to Medicare benefits and Social Security benefits and Medicaid. The reason is because, as I've demonstrated by showing this chart, and I would love to say that this is my chart but it's not. It was produced by the independent Congressional Budget Office, and it shows the contributing factors, the significant contributing factors in these colors here of the long-term debt. That's what we're talking about, raising the debt ceiling to meet those obligations that have already been laid out.

Some people have described that those of us who are speaking in favor of Medicare and Social Security and making sure that we protect Medicare and Social Security beneficiaries from cuts, that we're passionate, but that passion is deeply connected to fact. It is connected to the fact that we are passionate about the guaranteed benefit of Medicare. It's connected to the fact that we are committed to lowering prescription drug costs by closing the doughnut hole, whereas the Ryan budget, the Republican budget, would open that doughnut hole all over again for our seniors, causing them to dip into their already fragile pockets to meet their prescription drug needs.

The gentleman from New York has already pointed to ways in which we could actually negotiate prescription drugs in bulk so that we could significantly lower costs for our seniors, but that's not what's on the table. Those of us who are passionate have been described as passionate because we want to ensure that our seniors are receiving primary care, getting preventive care so that it does bend that cost curve. That's the source of our passion, but it's rooted in fact.

And what is really true is the fact that our seniors did not cause the significant factors that are related to our long-term debt. I want to repeat that to the gentleman. I know that you know this, but it's really important for the American people to understand

that the contributors to our long-term debt are tax cuts, that are not paid for, for millionaires and billionaires. We should get rid of them. We should not be protecting those tax cuts on the backs of our seniors.

The wars in Iraq and Afghanistan, the President has already begun a drawdown. It could be more significant so that we could save in the long run, making certain that we get people back to work so that they are contributing to our tax base in the way that we need. And, of course, we know that we have to raise revenue. We must raise revenue. Our seniors understand that. But what we cannot do is shift the burden for these things that were not caused by seniors onto the backs of our seniors by pushing them into really unfair cuts to their Medicare and Social Security benefits.

Mr. TONKO. Very well said.

We have about 5 minutes left. I'm just going to do a bit of close and then ask for each of our Representatives that remain here on the floor—we were joined earlier by Representative CHU from California—to offer your sentiments, and then we will bring the hour to a close.

What I think is very important to note is that if we can find ways to save on Medicare, we should invest that in Medicare to strengthen Medicare. If we can find ways to save in Social Security, reinvest in Social Security. They deserve to be stand-alones because they are prime, prime opportunities, programs for strengthening the fabric of America's families. So that should be a separate turf and not be using these dollars, these savings as the Republicans would end Medicare, to somehow bring that over in a fungible fashion to pay for these tax cuts.

Today, I talked to my medical colleges, and they are going to get impacted by the cuts to NIH. In New York State, we probably have over a billion dollars in revenue streams that go to hospitals for research. So you cut the NIH program, you put more people out of work, and you cut a revenue stream for hospitals that need to train the human infrastructure that will make all of our health care programs work. Similarly, when you look at our need to compete effectively in a global economy on clean energy and innovation, the winner of that race will be the go-to nation that will create stability for generations of their workers. Why shouldn't America be number one in that investment?

If we can find savings somewhere or if we do create revenues, they need to go into investments to grow jobs. That's what America told us at the polls last November: we want jobs to be the number one priority. We haven't done a jobs bill in this House; but we've come up and found ways to end Medicare, which right now is so vulnerable

to this discussion on the debt ceiling limit. We have to end that crazy plan, and we need to go forward with a sensible plan that enables us to invest in jobs, invest in our senior community, invest in their well-being and to again see these two programs worthy of saving and strengthening; and if we have the economic means, let's do it.

Representative JACKSON Lee, we will go to you and then to Representative EDWARDS, and we will be done with our hour.

Ms. JACKSON LEE of Texas. Thank you very much for leading us in this discussion.

The message should be albeit we have some concerns, we are not broke. We need to fix jobs and investment and we need to save Medicare, Medicaid, and Social Security. They have not contributed to our debt, and we cannot allow seniors to run like bulls to seek medical care in this great and wonderful country. I, for one, will not stand for it.

Thank you.

Mr. TONKO. And now to Representative EDWARDS, and then we will be through.

□ 2050

Ms. EDWARDS. Well, I thank you, and I thank the gentleman for bringing us together.

I hope what the American people understand is that the Democrats in this House are prepared to protect Medicare benefits and Social Security benefits for our seniors and for future generations; that our young people should know that as they enter the workforce, because we are going to make sure that they have jobs for the future, that they will be contributing to Medicare and Social Security for future generations.

This is really a values test. This is where we have to have the perfect alignment of policy, of politics, and our values, and that rests in protecting Medicare and Social Security from benefits cuts.

Mr. TONKO. Thank you very much.

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

#### IMMIGRATION

The SPEAKER pro tempore (Mr. JOHNSON of Ohio). Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to address you here on the floor of the United States House of Representatives and to bring to the attention of this body some subject matter that doesn't often get a debate here on the floor but it does get some discussion in Special Order time and sometimes in the 1-minute and 5-minutes that Members present to you here in this great deliberative place that we have the privilege to serve in.

One of the things that I wanted to bring before your attention here this evening is the immigration issue here in the United States. It is something that I don't know has been discussed here for some time. I bring this forward because it is an important issue. It is essential that we maintain and sustain and enhance the rule of law here in the United States. So I bring this forward. A number of things are on my mind.

The first thing that comes to mind for me is a subject that was reported on Fox News on July 11. I picked up this article and I wanted to express this to you on what is going on.

I introduced early in January, one of the first days of business here in this new 112th Congress, the Birthright Citizenship Act of 2011. Mr. Speaker, I brought this act forward working with people who have been leaders on this issue for some time. One of them would be our friend, Nathan Deal, now Governor Deal of Georgia, who was the lead on this issue when he served in the United States Congress. And some of the successor people involved would be Congressman PHIL GINGREY of Georgia and the incoming freshman from Georgia, ROB WOODALL; from California, Congressman GARY G. MILLER, one who has been a strong proponent of the rule of law and standing up for the rights of American citizens. These people and others have been strong supporters of the Birthright Citizenship Act. And because of my role on the Immigration Committee where I have been for now going onto the 9th year, it seemed to be a better fit for me to carry this legislation, so I stepped forward with it because we needed to take a position.

What is going on, Mr. Speaker, is that in the United States of America, there are people who erroneously read the 14th Amendment of the Constitution in the component that addresses what we call birthright citizenship. It says, in the 14th Amendment, that all persons born or naturalized in the United States and subject to the jurisdiction thereof are American citizens. All persons born or naturalized in the United States and subject to the jurisdiction thereof are American citizens.

Now, the circumstances are that it has created a misinterpretation. A misinterpretation of this section of the 14th Amendment has created birthright tourism. So we have, you might see a \$30,000 turnkey operation going on where a pregnant woman in China, and she is probably going to have a benefactor that would sponsor this, could receive a turnkey operation for a little tourism trip into the United States, get her on an airplane and smuggle her into the United States one way or another where she would have a baby. She would be 8½ months pregnant or so, theoretically, and have the baby here in the United States. The baby would get a nice, new American birth

certificate with his little footprint stamped on it. And then that baby might go back to China with the baby's mother, or the mother might stay here in the United States with family and friends, whoever might want to harbor that mother and/or child. And when that child is old enough, the child can sponsor the entire family to come in the United States by virtue of that automatic citizenship that is conferred upon a child that is born here to an illegal mother and a who-knows father.

That is going on not just in rare circumstances, and certainly not just with Chinese. In fact, that is not one of the larger numbers. It is happening in this country someplace between 340,000 times a year and 750,000 times a year, Mr. Speaker. We have a people that sneak into the United States for the purpose of having a baby so that baby can become an American citizenship.

I believe, as the chairman of the full Judiciary Committee, LAMAR SMITH, believes, that citizenship should be precious. It should be precious. It shouldn't be dealt out. It shouldn't be something that you can buy a turnkey ticket to game the system to have a baby that then is automatically an American citizen subject to the jurisdiction thereof.

Mr. Speaker, I will argue that Chinese woman that flies into the United States with a \$30,000 turnkey tourism for birthright is not subject to the jurisdiction of the United States, not in the way that was envisioned by the people that wrote the 14th Amendment to the Constitution.

The 14th Amendment to the Constitution was put in place to guarantee that the babies born to formerly slaves, and then at that time of ratification freed slaves, would be American citizens, that the babies born to the freed slaves would not be denied all of the rights of citizenship as were guaranteed to them in the 13th and 14th Amendments. And it took into account that babies born on Indian reservations, some of them, would have lost their rights, their tribal rights on those reservations if they had become automatic American citizens. So some of the Native Americans said, no, they didn't want that conferred upon them.

The drafters of the 14th Amendment then wrote language in it to preclude automatic citizenship to any Homo sapien that was born within the territory of the United States. They also had to be subject to the jurisdiction thereof. And this Congress went through a great deal of debate in the House and in the Senate on what that actually meant in the clause, "subject to the jurisdiction thereof."

It was not contemplated that the children of diplomats would become automatic American citizens. It was not contemplated that certain Native Americans born on certain reservations would be subject to the jurisdiction



thereof and become American citizens. But it was contemplated that the children born to freed slaves would be American citizens.

It is a guarantee, and it was written with a significant amount of wisdom. They could not have anticipated that America would get so lazy and so lax that this constitutional amendment would drift its way into a practice, an erroneous practice of conferring automatic citizenship on mostly any baby that would be born in America.

Now, here is how it is. If there is a plane flying through the United States, and let's just say this plane is bound from China to Toronto, which does happen, Mr. Speaker. And it was going to be a flight that was going to be a direct flight and drop into Toronto, but because of weather conditions or maybe mechanical problems, it had to land in Chicago. Let's just say if there is a woman pregnant on that plane who is flying into Toronto and the plane lands in Chicago and it is stuck there for mechanical repairs or a weather-related delay and the woman is inside security and has the baby, the baby is not an American citizen. But if she walks through the security, is outside the security during the layover and has the baby out there, this baby is an American citizen.

That is what has been going on in the practice of this automatic citizenship that I think is an erroneous misinterpretation, and I think a willful misinterpretation, or probably more often a lazy misinterpretation of the 14th Amendment of the Constitution.

And so I have introduced the Birthright Citizenship Act of 2011, along with the friends and colleagues that I have mentioned and many others, and a good number of cosponsors who take the position with me that if a child is born in America, has to be born to at least one legal parent in order to be a citizen of the United States. It is pretty simple. It clarifies the 14th Amendment. It clarifies the clause in the 14th Amendment, "subject to the jurisdiction thereof." Congress has the authority to do that.

I got concerned about this when there were a couple of Senators who were talking about the need to amend the Constitution to fix this problem.

□ 2100

Mr. Speaker, it doesn't require a constitutional amendment to fix the automatic citizenship practice that is so flawed that it confers an automatic citizenship on as many as 750,000 babies born to illegal parents here in the United States.

To give you an example, as I said, it's not just a Chinese woman who comes over here, pregnant, to have the baby here—and that happens on a very regular basis. It's often someone who comes in from a neighboring country. We know, of the criminal aliens that

are in our prisons, two-thirds of them come from Mexico. One might presume that of a similar number of these automatic citizenship babies also their mothers are citizens of Mexico who are in the United States illegally, having the babies here and picking up that automatic citizenship, that birth certificate. They may or may not go back to their home country, but you can bet that when the time comes that that child will already be programmed to petition for the family reunification plan, which has our immigration plan in America out of control—out of control.

So what do we do about this?

The Birthright Citizenship Act of 2011.

It should be a simple decision for this United States Congress to address this situation, but some will argue, well, "subject to the jurisdiction thereof" means nothing, that that clause in the 14th Amendment doesn't have meaning; therefore, it requires that they all be citizens. I think that is a very thin and a very marginal argument at best. The clause must mean something.

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof," are American citizens. There is a reason that it says: "and subject to the jurisdiction thereof." If everyone born in the territory of the United States is automatically a citizen, you would strike that language from the 14th Amendment "and subject to the jurisdiction thereof," and it would simply read: "All persons born or naturalized in the United States" are American citizens. If that were the intent, if that were the understanding of the 14th Amendment, that's what it would have said, Mr. Speaker, but it says: "and subject to the jurisdiction thereof." The definition of that phrase is subject to the interpretation of the understanding of what it meant at the time of the ratification of the 14th Amendment, and it meant that "subject to the jurisdiction thereof" didn't mean that there was going to be automatic citizenship for illegals.

Granted, we didn't have much for immigration laws at the time. There wasn't enough human migration to be very concerned about it, but they clearly didn't intend to confer automatic citizenship on Native Americans born on reservations that were not subject to the jurisdiction of the United States. They clearly didn't intend to confer automatic citizenship on the children born to the diplomats or their staff, or for tourists for that matter. I mention the tourism part when I explain what happens if a plane lands in Chicago on its way to Toronto and a baby is born. Which side of the security? Here is automatic citizenship on the U.S. side of the security. That's nuts, Mr. Speaker, but we've gotten lazy and lax with the practice of conferring automatic citizenship.

So people don't challenge it, and I'm really worried about an administration—actually, I've been worried about a couple of those administrations since I've arrived in this town—that doesn't seem to have much vigor for enforcing immigration law. It's pretty frustrating to be here in the United States Congress, pounding away to have to pass legislation to fix something that's just a matter of intellectual laziness; but the people who are enforcing this, the people who are handing out birth certificates almost like candy, aren't challenging it. They don't have a very good constitutional understanding or there would be some pushback out there from across the countryside.

In the OB ward of the hospitals around the country, they've got to have stacks of these birth certificates, and when a baby is born, it's almost an automatic process. Here is the footprint. Here is the data. Here is the birth certificate. Send that child off. He's an American citizen. What do we suppose happens if a diplomat or the wife of a diplomat or even a staff of the diplomat comes into the hospital to have a baby?

Do they meet them at the door and say, "Do you happen to be a diplomat? Are you here on some kind of foreign immunity, and you're planning on having a baby here, and do you think that baby is going to be an American citizen?"

"No, we're not going to allow it. Citizenship is not going to be cheapened like that."

That doesn't happen, Mr. Speaker. What really happens is the children of diplomats are often conferred with automatic citizenship because the whole system of America is so automatic that any baby born inside the U.S. territory is just given the paperwork and the documents.

Here is an article that came out on Fox News, as I mentioned a little bit earlier, reported on July 11—by good, thorough people, I might add. This is Elizabeth Robichaux Brown who has written this article.

The Center for Immigration Studies says: "Foreign diplomats are obtaining U.S. birth certificates and Social Security numbers for their newborn children—effectively becoming U.S. citizens. On top of their new status in the world, these children carry an additional perk that most Americans do not have—diplomatic immunity." So it creates what the CIS describes as a "super citizen." Just like their parents, most are immune to the criminal jurisdiction of the United States, creating super citizens. These super citizens are, of course, children of diplomats, and all they need to have is a U.S. birth certificate and a Social Security number, and they're effectively American citizens.

Who is going to challenge it? There's no question on the birth certificate

that asks the question: Are you a diplomat? Is one of your parents legal? an American citizen, perhaps? Those questions don't get asked. They just routinely stamp those birth certificates and send those children off with automatic citizenship 340,000 to 750,000 times a year—some who are clearly not subject to the jurisdiction thereof.

In fact, in the concluding statement in the article, you've got a statement here from one of the proponents of the policy that I advocate, a statement that says: "Despite Congress' clear intent to not create a completely universal and automatic birthright citizenship policy, the current application of the Citizenship Clause is so lax that the United States has a de facto universal birthright citizenship policy that denies U.S. citizenship by birth to no one, including children born to foreign diplomats."

Mr. Speaker, that has to change. We intend to change that with the Birthright Citizenship Act of 2011—that's H.R. 140—and I intend to be engaged in that and to be helping to move that legislation forward.

It has gotten to the point where the children of diplomats, with diplomatic immunity, are getting automatic American citizenship just because they're born inside the territory of the United States—perhaps not even born on U.S. soil. They might even potentially be born in that sovereign territory of the Embassy itself, and they're still American citizens.

Then, Mr. Speaker, we also have an out-of-control legal immigration system, aside from the illegal immigration, which I talk about quite a lot. If we look back over the last decade, we'll see that we brought in, roughly, one and a quarter legal immigrants a year. Over that last decade, if you would look at the new jobs created by the United States economy, those new jobs created are going to average about one and a quarter million jobs a year. This is before the recession began. These numbers held up then, and they're even stronger now. The new jobs created by the American economy have been almost exactly the same number of jobs that would be taken by the legal immigrants who come into the United States.

If we had shut down, slowed down, the legal immigration in the United States over the last 10 years, there would have been just, say, roughly, 10 million fewer legal immigrants in America, and we'd have 10 million fewer unemployed Americans. That's just a simple way of looking at this. I don't propose that we eliminate all legal immigration, not by any means, Mr. Speaker. What I do propose is that we do an economic analysis of this. When we look at real numbers of testimony that have come before the committee, under oath data, here is what we have:

A country should establish an immigration policy that is designed to enhance the economic, the social and the cultural well-being of the United States of America. That should be our task. Yet, with our legal immigration, that legal immigration that is based upon merit, when we take a look at what these individuals have to offer the United States, when we take a look at what they have for capital to invest or their ability to assimilate or their educational background or their relative youth so they've got some years to contribute before they start to draw from the system, these are all logical things that we should ask for.

□ 2110

But it's only between 7 and 11 percent of the legal immigration in America that is based upon anything that has to do with what's good for America. And the balance of it would be 89 to 93 percent of the legal immigration in America is out of the control of the value judgment of the American people, in the hands of the legal immigrants—or sometimes the illegal immigrants—themselves. It's out of our control.

Birthright citizenship is a piece of that that I'm not even sure is part of this equation that I've just described to you. There is a family reunification plan that takes up a big chunk of this, that once someone comes in they can start bringing in their family and their extended family, and it goes out like a tree to no end. We need to limit that family reunification plan. And we need to roll this thing back around and base the legal immigration in America on merit again—what do they have to offer the United States?

And Mr. Speaker, I will say also, we had testimony before the committee, and there were a number of strong faithful representatives that testified there. Some of them are national leaders in the faith community who argued that we need to find a way to accommodate the 11 million to 20 million illegals that are here in America and give them a path to citizenship. And every one of them said that they thought they should go to the back of the line. They should go to the back of the line, the 11 million to 20 million illegals in America should go to the back of the line, but we should give them a means by which they can earn American citizenship. Well, think about it, Mr. Speaker, go to the back of the line. Which line? I asked them, which line? Well, the back of the line. Now that's a talking point that apparently wasn't thought about any deeper than that because if they can't answer the question which line, they surely don't know where that line is. Is it in the United States or is it in lines in the foreign countries, people waiting to come into the United States?

I would submit that if those who are in the United States illegally are to go

to the back of the line, it's not a line in the United States. The people in line to come into the United States legally are, by definition, not in the United States. They're outside the United States, they're in their home country, they're following the laws of America, they're lined up to come in the right way—God bless them for doing that. But that line, that line of legal waitees—to maybe coin a phrase—the line of people who are willing to respect American immigration law, get in line and wait in line isn't just some short little old line that you can put 11 million to 20 million people behind and think you're going to process them through. That line of the people who are respecting American laws and are waiting to come into the United States legally, none of them are in the United States. It's 50 million strong, Mr. Speaker; 50 million people have taken the trouble to line up to try to come into the United States legally.

We are the most generous country in the world by far, letting in around 1.25 million legal immigrants—a very small percentage of them actually come here because of merit, as I said—and meanwhile we've got 11 million to 20 million here in this country that have disrespected our laws. And I would suggest that I would much rather see the 11 million to 20 million who are in the line respecting American laws waiting to come in, I would like to see them come in and become American citizens ahead of those who have disrespected American laws. That sustains the rule of law. That upholds the rule of law. That strengthens us as a Nation. And rewarding law breakers weakens the rule of law and weakens us as a Nation and chisels away at that beautiful marble pillar of American exceptionalism called the rule of law. That's the equation.

And I hear constantly arguments from people that have their own interests, their own viewpoint. They need somebody to milk the cows or they need somebody to take care of their equestrian herd or they need somebody to do their gardening, they need somebody to be their butler or their maid. So they're saying, I can't afford to hire somebody in this country. You need to bring me some cheaper labor.

I would suggest that Robert Rector of the Heritage Foundation is right: We have become a welfare state. And a household headed by a high school dropout, without regard to their immigration status, costs the taxpayer annually \$23,449 a year. But it boils down to this: They will draw down \$32,000 a year in benefits—a welfare state—they will pay \$9,000 a year in taxes. And that's the change, that's the difference. And when you multiply it times 50 years of managing the household, being the head of the household, 50 years, it costs the taxpayers an average of \$1.5 million to subsidize that household.

And that's a high school dropout. Now it may not get worse when they're an illegal high school dropout, but it doesn't get a lot better. There is a net number, too, that he produces, I think that's around the order of \$19,499 a year. In this area, let's say \$20,000 a year, plus or minus a thousand or two, for a household headed by a high school dropout and/or an illegal immigrant.

Now the burden to the taxpayer, because we're a welfare state, can't be ignored. And the weight on the taxpayers, when we have an oversupply of cheap labor and an undersupply of taxpayers, and 47 percent of households don't pay income tax, we're living in a welfare state, and we're giving automatic citizenship to 340,000 to 750,000 babies a year that are born to an illegal mother who sneaks into the United States.

And then the President has the temerity to go down to the border in El Paso and make fun of people who think like I do, that say let's build a fence, a wall and a fence. He said some will want a moat, some will want alligators in it. He was standing down there within 220 yards of this, Mr. Speaker. This is El Paso, Texas. This is Juarez, Mexico. Some people would want a moat, some people would want a fence, some people would want alligators in it—I don't think there are any alligators in here, Mr. Speaker. But this is the aerial picture that I had seen just a few weeks before the President gave this speech in El Paso. The records are good—not many people are getting across the border here. Why? Because we have—here's a fence right here, this is the Rio Grande River. We have a fence, a river, another fence—here is a patrol road that is patrolled by the Border Patrol. There is a Border Patrol vehicle right here, another one up around the curve—a patrol road, then another fence, then a canal that's forwarding a lot of water, and it flows pretty fast, then another fence. If you can get over that, you're in the United States, into El Paso, and maybe you can catch a ride here and you're home free.

Not a moat, not a moat with alligators; you might say two moats and four fences—a fence, the Rio Grande River, a fence, a patrol road, a fence, a canal with flowing water—and deep—another fence, and then you're off into the United States. Three of those fences you have to climb wet. This is very effective. And the President is standing within 220 yards of that making fun of Americans who think that physical structures help control illegal immigration.

So we're spending \$12 billion a year on this southern border, enforcing it and chasing people across the desert 100 miles into the United States. And out of that \$12 billion a year, that's \$6 million a mile, on average, for every mile on our southern border. I can build you a fence, a wall and a fence for

about \$2 million a mile, about one-third of the annual budget. And I don't suggest that we build 2,000 miles of it right away, Mr. Speaker. I suggest that we start building it and stop building when they stop going around the end. That's the scenario, that's the logical way to address this. Build a fence, a wall and a fence; use the funding that we have, roll it into that kind of infrastructure. It is effective. And the President's staff didn't serve him very well if he was standing with his back to a fence, a river, a fence, a patrol road, another fence, a canal, and another fence. Those are the barriers to get into the United States, and he's making fun of it. And the Border Patrol is telling us this is effective. It is effective. It's been effective in El Paso, it keeps them in Juarez. It's been effective in San Luis in southwest Arizona. It's not effective where there is nothing. And we have to pay a lot of people a lot of time and money to chase all over the desert after people that walked around the end.

Let's build it until they stop going around the end. Let's pass the Birthright Citizenship Act of 2011. Let's make sure that the kind of security that is in El Paso can be applied in other high-traffic areas. Build a fence until they stop going around the end, and then, Mr. Speaker, we can also pass my New Idea Act, which shuts off the Federal deductibility for wages and benefits paid to illegals, brings the IRS into this mix, and gives the employer safe harbor. All of that. Simple solutions to a complex problem, Mr. Speaker.

I would conclude with that statement, thank you for your attention, and I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WALDEN (at the request of Mr. CANTOR) for July 11 on account of travel delays.

Mr. NEUGEBAUER (at the request of Mr. CANTOR) for July 11 on account of an unforeseen family medical emergency.

#### ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 13, 2011, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2393. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cloquintocet-mexyl; Pesticide Tolerances [EPA-HQ-OPP-2010-0980; FRL-8877-2] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2394. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Diethylene glycol mono butyl ether; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0474; FRL-8877-5] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2395. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Propylene Oxide; Pesticide Tolerances [EPA-HQ-OPP-2005-0253; FRL-8877-7] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2396. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Report to Congress on the Social and Economic Conditions of Native Americans: Fiscal Years 2005 and 2006", pursuant to Section 811A of the Native American Programs Act of 1974; to the Committee on Education and the Workforce.

2397. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Disapproval and Promulgation of Air Quality Implementation Plans; Montana; Revisions to the Administrative Rules of Montana — Air Quality, Subchapter 7 and other Subchapters [EPA-R08-OAR-2006-0601; FRL-9223-4] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2398. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Royal Fiberglass Pools, Inc. Adjusted Standard [EPA-R05-OAR-2010-0973; FRL-9319-2] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2399. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Alabama; Birmingham; Determination of Attaining Data for the 1997 Annual Fine Particulate Standard [EPA-R04-OAR-2011-0316-201139; FRL-9426-1] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2400. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Louisiana: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2010-0307; FRL-9323-9] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2401. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Outer Continental Shelf Air Regulations Consistency Update for Alaska [EPA-R10-OAR-2011-0045; FRL-9317-8] received June 24, 2011, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Energy and Commerce.

2402. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-15, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2403. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 7-11 informing of an intent to sign a Memorandum of Understanding with the Kingdom of Norway; to the Committee on Foreign Affairs.

2404. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a copy of the report entitled, "Certification of the Fiscal Year 2011 Total Non-Dedicated Revised Local Source Revenues in Support of the District's \$181,330,000 General Obligation Bonds (Series 2010A)", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

2405. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank Atlanta, transmitting the 2010 management report and statements on system of internal controls of the Federal Home Loan Bank of Atlanta, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2406. A letter from the Administrator, Small Business Administration, transmitting the Administration's semiannual report from the office of the Inspector General for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2407. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Newcastle, WY [Docket No.: FAA-2011-0252; Airspace Docket No. 11-ANM-5] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2408. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Brunswick, ME [Docket No.: FAA-2011-0116; Airspace Docket No. 11-ANE-1] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2409. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Bozeman, MT [Docket No.: FAA-2011-0249; Airspace Docket No. 11-ANM-6] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2410. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Cocoa, FL [Docket No.: FAA-2011-0070; Airspace Docket No. 11-ASO-43] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2411. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Waynesboro, VA [Docket No.: FAA-2010-1232; Airspace Docket No. 10-AEA-28] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2412. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Amendment of Class E Airspace; Duluth, MN [Docket No.: FAA-2011-0123; Airspace Docket No. 11-AGL-2] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2413. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Federal Airways; Alaska [Docket No.: FAA-2011-0010; Airspace Docket No. 11-AAL-1] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2414. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting recommendations for the implementation of four projects by the Secretary of the Army; (H. Doc. No. 112-43); to the Committee on Transportation and Infrastructure and ordered to be printed.

2415. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's report entitled, "Report to Congress on Abnormal Occurrences: Fiscal Year [FY] 2010", pursuant to 42 U.S.C. 5848; jointly to the Committees on Energy and Commerce and Natural Resources.

2416. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the 2010 annual report on the operation of the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act; jointly to the Committees on Foreign Affairs and Agriculture.

2417. A letter from the Under Secretary, Department of Defense, transmitting the annual report on the National Security Education Program (NSEP) for 2010, pursuant to 50 U.S.C. 1906; jointly to the Committees on Intelligence (Permanent Select) and Education and the Workforce.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. H.R. 1062. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to repeal certain additional disclosure requirements, and for other purposes (Rept. 112-142). Referred to the Committee of the Whole House on the State of the Union.

Mr. BACHUS: Committee on Financial Services. H.R. 1082. A bill to amend the Investment Advisers Act of 1940 to provide a registration exemption for private equity fund advisers, and for other purposes; with an amendment (Rept. 112-143). Referred to the Committee of the Whole House on the State of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 347. Resolution providing for consideration of the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes (Rept. 112-144). Referred to the House Calendar.

Mr. ROGERS of Kentucky: Committee on Appropriations. First Semiannual Report on the Activities of the Committee on Appropriations for the 112th Congress (Rept. 112-145). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KING of Iowa (for himself, Mr. GOHMERT, and Mrs. BACHMANN):

H.R. 2496. A bill to specify that in the event that the debt ceiling is reached, the United States shall prioritize the payment of pay and allowances to members of the Armed Forces, including reserve components thereof, and the payment of obligations on the public debt, and to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, continue to receive pay and allowances for active service performed when a funding gap occurs; to the Committee on Ways and Means, and in addition to the Committees on Armed Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mrs. BLACKBURN, Mr. ROYCE, Mr. CAMPBELL, Mr. AKIN, Mr. MARCHANT, Mr. ROHRBACHER, Mrs. MYRICK, Mr. DUNCAN of Tennessee, Mr. JONES, Mr. WOMACK, Mr. YOUNG of Florida, Mr. BUCHANAN, Mr. FORBES, Mr. FRANKS of Arizona, Mr. ROE of Tennessee, Mr. COFFMAN of Colorado, Mr. GARY G. MILLER of California, Mr. GALLEGLY, Mr. CARTER, and Mr. HUNTER):

H.R. 2497. A bill to suspend until January 21, 2013, certain provisions of Federal immigration law, and for other purposes; to the Committee on the Judiciary.

By Mr. FRANK of Massachusetts (for himself, Mr. GUNTA, Ms. TSONGAS, Mr. GRIMM, Mr. MARKEY, Mr. REYES, Ms. RICHARDSON, Mr. GRIJALVA, Ms. CLARKE of New York, Mr. CAPUANO, and Mr. LYNCH):

H.R. 2498. A bill to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day; to the Committee on Veterans' Affairs.

By Mr. KISSELL (for himself, Mr. ROE of Tennessee, Mr. PAUL, Mr. BLUMENAUER, Mr. RANGEL, Ms. BROWN of Florida, Mr. COBLE, Mr. HOLT, Ms. RICHARDSON, Mr. CONNOLLY of Virginia, Mr. MICHAUD, Ms. MOORE, Mr. JACKSON of Illinois, Ms. NORTON, Mr. MILLER of North Carolina, Mr. FRANK of Massachusetts, Mr. SCHIFF, and Mr. PRICE of North Carolina):

H.R. 2499. A bill to amend title XVIII of the Social Security Act to improve the diagnosis and treatment of lymphedema under the Medicare program and to reduce costs under such program related to the treatment of lymphedema; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS (for himself, Mr. ENGEL, Mr. BRADY of Texas, Mr. RANGEL, Mr. GRIMM, Mr. SESSIONS, Mrs. MALONEY, Mrs. CAPITO, Mr. HINCHEY, Mr. SCALISE, Mr. GERLACH, Mr. KING of New York, Mr. GENE GREEN of Texas, Mr. HIGGINS, Mr. CROWLEY, Mrs. BLACKBURN, Mr. KIND, Mr. LEWIS of Georgia, Mr. GONZALEZ, Mr. OLSON,

Mr. ACKERMAN, Mr. STIVERS, Mr. BUCSHON, Mrs. LOWEY, Mrs. ELLMERS, Mr. BRADY of Pennsylvania, Ms. CLARKE of New York, Mr. MARINO, Mr. PASCRELL, Mr. FRANK of Massachusetts, Mr. STARK, Mr. PETRI, Mr. LATOURETTE, Mr. SHUSTER, Mr. FARR, Mr. TIBERI, Mr. POMPEO, Mr. LEVIN, Mr. HANNA, Mr. BOSWELL, Mr. RUNYAN, Mr. NEAL, Mr. MCGOVERN, Mr. NADLER, Mr. BUTTERFIELD, Mr. HEINRICH, Mr. BECERRA, Mr. MCDERMOTT, Ms. BERKLEY, Mr. SCHOCK, Mr. MARCHANT, Ms. JACKSON LEE of Texas, and Mr. CANSECO):

H.R. 2500. A bill to amend titles XVIII and XIX of the Social Security Act to clarify the application of EHR payment incentives in cases of multi-campus hospitals; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. JOHNSON of Georgia, Mr. DAVIS of Illinois, Mr. CUMMINGS, Mr. THOMPSON of Mississippi, Ms. SCHAKOWSKY, Mr. FILNER, Mrs. MALONEY, Mr. RANGEL, Mr. GEORGE MILLER of California, Mr. MCDERMOTT, Mr. GRIJALVA, Mr. FATTAH, Mr. TOWNS, Mr. FRANK of Massachusetts, Mr. JACKSON of Illinois, Ms. HIRONO, Ms. NORTON, Ms. MOORE, Ms. FUDGE, Ms. WILSON of Florida, Ms. WOOLSEY, Mrs. CHRISTENSEN, Mr. FARR, Mr. MORAN, Mr. LEWIS of Georgia, Ms. PINGREE of Maine, Ms. RICHARDSON, and Mr. ELLISON):

H.R. 2501. A bill to prohibit discrimination in employment on the basis of an individual's status or history of unemployment; to the Committee on Education and the Workforce.

By Mr. HERGER (for himself and Mr. BLUMENAUER):

H.R. 2502. A bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes; to the Committee on Ways and Means.

By Mr. KING of New York (for himself and Mr. GRIMM):

H.R. 2503. A bill to provide for the award of a gold medal on behalf of Congress posthumously to Father Mychal Judge, O.F.M., beloved Chaplain of the Fire Department of New York who passed away as the first recorded victim of the September 11, 2001, attacks in recognition of his example to the Nation of selfless dedication to duty and compassion for one's fellow citizens; to the Committee on Financial Services.

By Mr. LARSON of Connecticut (for himself, Mr. HIMES, Ms. DELAURO, Mr. COURTNEY, and Mr. MURPHY of Connecticut):

H.R. 2504. A bill to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes; to the Committee on Natural Resources.

By Mr. PAULSEN (for himself, Ms. BALDWIN, and Mr. MARKEY):

H.R. 2505. A bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PETRI (for himself and Ms. TSONGAS):

H.R. 2506. A bill to establish the National Commission on Effective Marginal Tax Rates for Low-Income Families; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, Veterans' Affairs, Financial Services, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROKITA (for himself, Mr. HARPER, Mr. FRANKS of Arizona, Mr. GRIFFIN of Arkansas, Mrs. ELLMERS, Mr. NUNNELEE, Mr. CONAWAY, and Mr. BUCSHON):

H.R. 2507. A bill to exclude employees of the Transportation Security Administration from the collective bargaining rights of Federal employees and provide employment rights and an employee engagement mechanism for passenger and property screeners; to the Committee on Homeland Security, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

89. The SPEAKER presented a memorial of the Senate of the State of Tennessee, relative to Senate Joint Resolution No. 111 memorializing the Congress to continue to support career and technical education programs; to the Committee on Education and the Workforce.

90. Also, a memorial of the House of Representatives of the State of Iowa, relative to House Resolution No. 44 supporting the positive impact of the CSBG program in Iowa; to the Committee on Education and the Workforce.

91. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 163 memorializing the Congress and the President of the United States to take such actions as are necessary to provide adequate funding for essential dredging activities on the Lower Mississippi River; to the Committee on Transportation and Infrastructure.

92. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 93 urging the Congress to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2011; to the Committee on Ways and Means.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KING of Iowa:  
H.R. 2496.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 states that "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States."

In addition, Article I, Section 8, Clauses 12 and 13 states that Congress shall have power "To raise and support Armies" and "To provide and maintain a Navy."

Together, these provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds to ensure that U.S. service members will not lose pay due to a funding gap, as well as the power to prioritize the payment of debts.

By Mr. SMITH of Texas:

H.R. 2497.

Congress has the power to enact this legislation pursuant to the following:

Clause 4 of section 8 of article I of the Constitution

By Mr. FRANK of Massachusetts:

H.R. 2498.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution; clause 18 of section 8 of article I of the Constitution; section 5 of Amendment XIV to the Constitution.

By Mr. KISSELL:

H.R. 2499.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause

By Mr. BURGESS:

H.R. 2500.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress' legislative powers under Article 1, Section 8, of the Constitution. Under this provision, Congress has the authority to regulate "commerce among the several states," "To lay and collect Taxes, Duties, Imposts and Excises," and "To make Rules for the Government."

By Ms. DELAURO:

H.R. 2501.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. HERGER:

H.R. 2502.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. KING of New York:

H.R. 2503.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5

The Congress shall have the Power to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

By Mr. LARSON of Connecticut:

H.R. 2504.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution;

Clause 18 of Section 8 of Article I of the Constitution; and

Clause 2 of Section 3 of Article IV of the Constitution.

By Mr. PAULSEN:

H.R. 2505.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. PETRI:

H.R. 2506.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I, which grants Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. ROKITA:

H.R. 2507.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 58: Mr. NUGENT.  
 H.R. 104: Mrs. EMERSON and Mr. PETERSON.  
 H.R. 136: Mr. SHERMAN.  
 H.R. 176: Ms. CLARKE of New York.  
 H.R. 177: Mr. LATHAM.  
 H.R. 178: Mrs. HARTZLER and Mr. COHEN.  
 H.R. 181: Mr. COURTNEY and Mr. CRITZ.  
 H.R. 186: Mr. COHEN.  
 H.R. 198: Mr. BARLETTA and Mr. RUNYAN.  
 H.R. 218: Ms. MOORE.  
 H.R. 280: Mr. MCCLINTOCK.  
 H.R. 282: Mr. MCCLINTOCK.  
 H.R. 303: Mr. COHEN.  
 H.R. 327: Mr. HOLDEN.  
 H.R. 436: Mr. DESJARLAIS.  
 H.R. 546: Mr. CICILLINE and Mr. GRIFFIN of Arkansas.  
 H.R. 563: Mr. MARINO.  
 H.R. 615: Mr. FRANKS of Arizona, Mr. BONNER, Mr. THOMPSON of Pennsylvania, Mr. JOHNSON of Ohio, and Mr. HULTGREN.  
 H.R. 645: Mr. BARTON of Texas and Mr. CASSIDY.  
 H.R. 674: Mr. FRANKS of Arizona, Mr. REBERG, Mr. WEST, Mr. CRAWFORD, Mr. HARRIS, Mrs. EMERSON, Mr. PRICE of Georgia, Mr. SCHWEIKERT, Mr. HIGGINS, and Mr. MARCHANT.  
 H.R. 687: Mr. REYES.  
 H.R. 719: Mr. COFFMAN of Colorado, Mrs. LUMMIS, and Mr. SIMPSON.  
 H.R. 743: Mr. GALLEGLEY.  
 H.R. 745: Mrs. LUMMIS.  
 H.R. 791: Mr. BENISHEK, Mr. OWENS, and Mr. COURTNEY.  
 H.R. 798: Ms. NORTON.  
 H.R. 849: Mr. MILLER of Florida.  
 H.R. 870: Mr. CLARKE of Michigan.  
 H.R. 894: Mr. RANGEL.  
 H.R. 904: Mr. DUNCAN of South Carolina.  
 H.R. 923: Mr. LIPINSKI and Mr. HULTGREN.  
 H.R. 931: Mr. DESJARLAIS.  
 H.R. 997: Mr. BENISHEK, Mr. LUETKEMEYER, Mr. PRICE of Georgia, and Mr. HARPER.  
 H.R. 1093: Mr. MACK, Mr. DENHAM, Mr. BARTON of Texas, Mr. NUNNELEE, and Mr. HENSARLING.  
 H.R. 1113: Ms. DELAURO.  
 H.R. 1161: Mr. CHABOT, Mr. LOEBSACK, and Mr. CASSIDY.  
 H.R. 1175: Mr. SCHRADER.  
 H.R. 1195: Ms. NORTON.

H.R. 1206: Mr. BROOKS, Mr. LOBIONDO, and Mr. KING of Iowa.

H.R. 1219: Mr. COURTNEY and Mr. LANGEVIN.  
 H.R. 1259: Mr. YODER and Ms. ROSLEHTINEN.

H.R. 1283: Mr. OWENS.  
 H.R. 1297: Mr. DOYLE.  
 H.R. 1340: Mr. GRAVES of Missouri.  
 H.R. 1364: Ms. ZOE LOFGREN of California.  
 H.R. 1386: Ms. ESHOO, Mr. ACKERMAN, and Ms. TSONGAS.

H.R. 1417: Mr. DOYLE and Mr. HONDA.  
 H.R. 1426: Mr. RUNYAN.  
 H.R. 1464: Mr. SCHOCK, Ms. RICHARDSON, Mr. HULTGREN, Mr. HINCHEY, Mr. RANGEL, and Mr. FRANK of Massachusetts.

H.R. 1466: Mr. YOUNG of Alaska.  
 H.R. 1475: Mr. MORAN.  
 H.R. 1515: Mr. CONYERS.  
 H.R. 1558: Mr. SCALISE, Mr. JOHNSON of Ohio, Mr. PETERSON, and Mr. MICHAUD.  
 H.R. 1581: Mr. BROUN of Georgia and Mr. KLINE.

H.R. 1588: Ms. CASTOR of Florida.  
 H.R. 1591: Mrs. ELLMERS.  
 H.R. 1633: Mrs. EMERSON, Mr. KLINE, and Mr. DUNCAN of South Carolina.

H.R. 1663: Mr. MILLER of Florida, Mr. SOUTHERLAND, and Mr. BARLETTA.  
 H.R. 1703: Ms. SUTTON.  
 H.R. 1738: Mr. SCHOCK.

H.R. 1744: Mr. REED, Mr. GINGREY of Georgia, Mr. SULLIVAN, Mr. TERRY, Mr. WHITFIELD, Mr. HERGER, Mr. WEBSTER, and Mr. HUNTER.

H.R. 1747: Mr. GIBBS, Mr. JOHNSON of Illinois, and Mr. CRAWFORD.

H.R. 1755: Mr. BARLETTA and Mr. CARNAHAN.

H.R. 1756: Mrs. SCHMIDT.  
 H.R. 1803: Mr. PETERSON and Mr. COHEN.  
 H.R. 1852: Mr. QUIGLEY, Mrs. EMERSON, Ms. SEWELL, and Mr. CLAY.

H.R. 1865: Mr. WALZ of Minnesota, Mr. MILLER of Florida, Mr. DEFAZIO, and Mr. CRAWFORD.

H.R. 1872: Mr. CASSIDY.  
 H.R. 1876: Mr. RANGEL.  
 H.R. 1894: Mr. DUNCAN of South Carolina.

H.R. 1921: Mr. BURTON of Indiana and Mr. LONG.

H.R. 1932: Mr. HUNTER.  
 H.R. 1966: Mr. OWENS.

H.R. 1981: Mr. UPTON, Mr. LATOURETTE, Mrs. EMERSON, Mrs. LUMMIS, Mr. QUIGLEY, and Mr. MARINO.

H.R. 1994: Mr. CARNAHAN.  
 H.R. 2040: Mrs. BACHMANN.  
 H.R. 2068: Mr. ISRAEL.

H.R. 2069: Mr. WEST and Mr. RIVERA.  
 H.R. 2091: Mr. MCGOVERN.  
 H.R. 2140: Ms. ZOE LOFGREN of California and Mr. SCHRADER.

H.R. 2150: Mr. DENHAM.  
 H.R. 2170: Mr. SOUTHERLAND, Mr. FLORES, Mr. LABRADOR, and Mrs. McMORRIS RODGERS.

H.R. 2173: Mr. LABRADOR and Mr. FLORES.  
 H.R. 2182: Mr. LANCE.  
 H.R. 2198: Mr. WALSH of Illinois.

H.R. 2199: Mr. DUNCAN of South Carolina.  
 H.R. 2200: Mr. RUSH.  
 H.R. 2215: Ms. SCHWARTZ.

H.R. 2218: Mr. ROKITA.  
 H.R. 2236: Ms. TSONGAS, Mr. CONYERS, and Mr. HOLT.

H.R. 2250: Mr. OWENS.  
 H.R. 2255: Mr. JACKSON of Illinois.  
 H.R. 2257: Mrs. BLACKBURN.

H.R. 2299: Mr. LONG.  
 H.R. 2304: Mr. WEST.  
 H.R. 2324: Mr. WOLF and Mrs. SCHMIDT.

H.R. 2333: Mr. CUMMINGS.  
 H.R. 2334: Mr. COHEN.  
 H.R. 2335: Mrs. MILLER of Michigan.

H.R. 2348: Mrs. HARTZLER.

H.R. 2358: Mr. COURTNEY.  
 H.R. 2371: Mr. LONG, Mr. YOUNG of Alaska, Mr. ROKITA, and Mr. BURTON of Indiana.

H.R. 2375: Mr. BROUN of Georgia.  
 H.R. 2401: Mr. SCALISE.  
 H.R. 2402: Mr. SCOTT of South Carolina, Mr. BARLETTA, Mr. FARENTHOLD, Mr. ADERHOLT, Mr. FRANKS of Arizona, and Mr. LABRADOR.

H.R. 2421: Mr. STARK and Ms. BROWN of Florida.

H.R. 2433: Mr. STUTZMAN, Mr. HANNA, Mr. MICA, Mr. GRIMM, and Mr. RUNYAN.

H.R. 2440: Mr. CONSECO.  
 H.R. 2443: Mr. RUNYAN and Mr. MICA.  
 H.R. 2457: Mr. POMPEO.

H.R. 2463: Mr. HARRIS.  
 H.R. 2492: Mr. BARLETTA.

H. Con. Res. 64: Mr. DAVIS of Illinois, Mr. FRANK of Massachusetts, Ms. WATERS, Mr. CROWLEY, Ms. FUDGE, Mr. LOEBSACK, Ms. BORDALLO, Mr. CICILLINE, Mr. McDERMOTT, Mr. KUCINICH, Mr. FILNER, Mr. DEFAZIO, Mr. LEWIS of Georgia, Ms. JACKSON LEE of Texas, Mr. THOMPSON of Mississippi, Mr. ROTHAM of New Jersey, Ms. PINGREE of Maine, and Mr. STARK.

H. Res. 130: Mr. FARR.  
 H. Res. 134: Mr. KING of Iowa and Mr. WALBERG.

H. Res. 137: Ms. MCCOLLUM.  
 H. Res. 159: Mr. DUNCAN of South Carolina.  
 H. Res. 220: Mr. GRIMM and Mr. ENGEL.

H. Res. 306: Mr. GRIMM and Mrs. MCCARTHY of New York.

H. Res. 317: Mr. GOSAR.  
 H. Res. 332: Mr. MCCLINTOCK.

#### PETITIONS, ETC.

Under clause 3 of rule XII.

17. The SPEAKER presented a petition of The Legislature of Rockland County, New York, relative to Resolution No. 281 urging the Federal Communications Commission to adopt and implement rules that would require mobile service providers to provide service usage alerts and information to customers; which was referred to the Committee on Energy and Commerce.

#### AMENDMENTS

Under clause 8 of rule XVII, proposed amendments were submitted as follows:

H.R. 2434

OFFERED BY: MR. RIGELL

AMENDMENT No. 3: At the end of the bill (before the short title), insert the following:  
 Sec. \_\_\_\_\_. None of the funds made available in this Act may be used to implement any pay adjustment for Members of Congress under section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31(2)).

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 62: Page 32, lines 4 and 23, insert after the dollar amount "(reduced by \$2,500,000)".

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 63: Page 62, after line 2, insert the following new section:  
 Sec. 609. None of the funds made available by this Act may be used to carry out the activities specified in section 505 of the Energy Policy Act of 1992 (42 U.S.C. 13255).

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 64: Page 32, line 4, after the dollar amount insert "(reduced by \$2,500,000)".

Page 62, line 2, after the dollar amount insert “(increased by \$2,500,000)”.

H.R. 2354

OFFERED BY: MR. HOLT

AMENDMENT NO. 65: Page 28, line 13, after the dollar amount, insert “increased by \$42,665,000”.

Page 33, line 20, after the dollar amount, insert “(reduced by \$42,665,000)”.

H.R. 2354

OFFERED BY: MR. GOSAR

AMENDMENT NO. 66: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement or enforce section 327.13(a) of title 36, Code of Federal Regulations.

H.R. 2354

OFFERED BY: MR. ROYCE

AMENDMENT NO. 67: Page 62, after line 2, insert the following:

SEC. 609. None of the funds made available by this Act may be used by the Department of Energy for a methane hydrates program.

H.R. 2354

OFFERED BY: MR. ROYCE

AMENDMENT NO. 68: Page 28, line 13, after the dollar amount insert “reduced by \$10,000,000”.

Page 62, line 2, after the dollar amount insert “(increased by \$10,000,000)”.



**EXTENSIONS OF REMARKS**

HONORING SERGEANT JAMES T. HACKEMER

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. HIGGINS. Mr. Speaker, I rise today to honor Sergeant James T. Hackemer, a veteran of the Iraq War who tragically died in an accident on July 8, 2011 at the age of twenty-nine.

A native of the Village of Gowanda, Sergeant Hackemer joined the military after graduating from Gowanda High School. He had hopes of becoming a state trooper after serving his country. Sergeant Hackemer's selfless ambitions made him a model of heroism for his generation.

In March of 2008, Sergeant Hackemer was in southern Baghdad when a bomb exploded under his vehicle. The disaster robbed him of both his legs and his left hip. After spending the next three years in physical therapy, Sergeant Hackemer defied his doctors' expectations by regaining his ability to walk again with the help of prosthetic legs.

After leaving the hospital, Sergeant Hackemer returned to his life in Western New York. Even while struggling with his loss, Sergeant Hackemer made an effort to enjoy life through spending time with his friends and family and learning how to bike again. His story is a lesson of hope for everybody in his community.

Sergeant Hackemer is survived by his wife, Alycia, and his two young daughters, Kaelynn and Addison.

It is my honor to pay tribute to Sergeant James T. Hackemer's life, and I offer my deepest condolences to the Hackemer family for their loss. His resolute spirit and valor will be remembered by those in his community.

PERSONAL EXPLANATION

**HON. RUSS CARNAHAN**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. CARNAHAN. Mr. Speaker, due to being unavoidably delayed, I missed the vote on the Polis Amendment to H.R. 2219 (Roll No. 529). I would like to reflect that I would have voted against this amendment, which failed by a margin of 113-307, had I been present to record my vote.

CRAIG OLIVE "PUTTING PEOPLE FIRST"

**HON. RENEE L. ELLMERS**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mrs. ELLMERS. Mr. Speaker, I rise today to acknowledge my dear friend Craig Olive. Since taking office in December, 2002, as Johnston County's Registrar of Deeds, Craig Olive has made tremendous strides in efficiency, innovative office automation, streamlining services, reducing costs to citizens and going the extra mile to serve the people of Johnston County.

Craig has been consistent in his efforts to reduce fees, maximize office efficiency, improve computerization and automation of services, and provide excellent customer service for Johnston's citizens. He implemented a recording software program, to streamline the process of recording documents at a cost savings of over \$300,000 in a five year period. He has automated the marriage license process—allowing issuance of a license in 10 minutes. He has also automated the issuance of other vital records, i.e., birth and death certificates, reducing waiting time and increasing productivity. He has digitized all records dating back to the beginning of the county; mid-1700s. Craig was the first Registrar of Deeds in North Carolina to follow the North Carolina Secretary of State's standards and submit an "eRecording." Craig's office was the first in the Nation to electronically record a survey map. Through the automation of his office, Craig has been able to increase the efficiency of his office, while at the same time saving valuable tax dollars.

In service to the county and State, Craig has spearheaded the effort to have legislation enacted that would conceal individuals' Social Security and driver's license numbers from appearing on the Internet, via public records.

Craig and his staff always go the extra mile while treating everyone with respect. In February 2010, NC Secretary of State awarded Craig with the Honorary Keeper of the Constitution for outstanding recordkeeping of public documents.

Craig has been consistent in carrying out policies and methods that have reduced fees and costs for citizens and professionals, improved productivity and efficiency through automation, and has consistently made sure that his office provides outstanding customer service. Mr. Olive, through his service, provides the blueprint of how a Registrar of Deeds office should be run in order to provide the highest levels of efficiency, productivity, innovation and service for the people of this county.

HONORING SCOTT CITY, KANSAS FOR ITS DESIGNATION AS A 2011 "ALL-AMERICAN CITY"

**HON. TIM HUELSKAMP**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. HUELSKAMP. Mr. Speaker, today I recognize the citizens of Scott City, Kansas. In June 2011, the National Civic League recognized Scott City as an "All-American City." Only ten communities across the country received this honor.

Scott City presented to a panel of judges three projects involving community collaboration. First, community members shared information about how the town has been holding potluck dinners and fiestas to bridge gaps that exist among different cultures. These events have facilitated greater dialogue and understanding among the various populations of Scott City.

Second, community members presented information about how town volunteers and First Baptist Church transformed a vacant storefront and warehouse into a community youth center. Known as "Area 96," this site provides a safe and welcoming place for young people to spend their free time, as well as a site for other community groups to utilize.

Third, Scott City residents shared how they have used the renovation and expansion of the Scott County Library as an opportunity to transform the role of the Library in the community from just a building to a community information center. Not only have they increased youth services and youth-driven programs, but they have also expanded their services and offerings for English language learners.

The achievements of Scott City, Kansas demonstrate that the efforts of communities and individuals provide the true backbone of America. I congratulate Scott City for this remarkable and well-deserved honor.

EXPRESSING SUPPORT FOR THE CASCADIA MARINE TRAIL STUDY ACT

**HON. JAY INSLEE**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. INSLEE. Mr. Speaker, I rise today to introduce the Cascadia Marine Trail Study Act.

The Cascadia Marine Trail is a unique, 150-mile long water trail stretching from the Canadian border south through the San Juan Islands and Puget Sound to Olympia. It was started in the late 1980s by local kayaking enthusiasts wanting to highlight the 5,000-year old small-boating tradition along the water trail. The trail's popularity with both tourists and

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

local boating enthusiasts is a testament to its grassroots beginnings and extensive local support, making it a valuable economic and natural State resource.

The Cascadia Marine Trail has been recognized as a significant environmental and tourist resource, including its 1994 designation as a National Recreation Trail and in 1999 as a National Millennium Trail. In 2005, the American Canoe Association (ACA) designated the trail an ACA-Recommended Water Trail. The trail's 55 safe pull-out zones and campsites are managed by a multitude of State and local agencies, despite its extensive length.

First introduced in 2009, the Cascadia Marine Trail Study Act directs the Department of Interior to study the feasibility of adding the trail to the National Trail system. During the 110th Congress, the bill passed the House with unanimous support but unfortunately, did not make it out of the Senate. Today, with bipartisan support, I am reintroducing the Cascadia Marine Trail Study Act. The trail's designation as a National Scenic or Historic Trail, if recommended by the Department of Interior study mandated by the bill, would raise its national profile, provide for educational and interpretive resources along the trail, and coordinate management and restoration of the trail and surrounding campsites.

The bill has wide support, including endorsements from several national and statewide recreation and conservation agencies and is the first step toward enhancing the visibility and preservation of this historic water trail. Designation will help encourage tourism across the Puget Sound, which will bolster local economies in the Puget Sound region. According to the Prosperity Partnership, the Tourism and Visitor industry cluster is the region's largest economic cluster with more than 108,000 jobs across the region. Scenic travel to places like the Cascadia Marine Trail can have a significant impact on the economy of surrounding communities. The Cascadia Marine Trail is a State gem that deserves its chance to become a national treasure.

TRIBUTE TO JOYCE REILLY DREW  
UNIVERSITY—CENTER FOR HOLAUST/GENOCIDE STUDIES

**HON. DONALD M. PAYNE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. PAYNE. Mr. Speaker, I ask my colleagues here in the U.S. House of Representatives to join me as I rise to offer this tribute to Ms. Joyce Reilly as she is honored on April 3, 2011 by Drew University's Center for Holocaust/Genocide Studies. This is a well deserved honor for a woman who has had an incredible interest in and compassion for her fellow human beings who have been victims of various atrocities throughout our world. The empathy that Joyce Reilly demonstrates towards all people in general, and victims of genocide, in particular manifested itself when she was a young child. She knew at a tender age that she would want to spend her life promoting activities and serving in capacities that would be meaningful to the survivors and would honor the memories of the deceased.

Joyce Reilly's passion to increase awareness of past and on-going acts of genocide led her to pursue multiple ventures to achieve her goals. Fortunately, for Drew University, Joyce began her studies in psychology there in 1970. She would subsequently work in various residential communities serving emotionally and mentally challenged individuals. These communities included Great Britain, Germany and the United States. A life-long learner, Joyce continued her studies at Mercy College (now Sunbridge College) in Detroit, Michigan and served for a time on its faculty. In 1982, Joyce would move to Kimberton, Pennsylvania where she founded Gheel House, a therapeutic community for the mentally and emotionally challenged. She serves as the Executive Director of Logos Foundation, a foundation for young children endangered by war, poverty and their effects on modern life. Through Joyce's many interactions with victims and visits to sites of conflicts, she has been able to meet some incredible people including Dr. Joseph Seberenzi, former Speaker of the House in Rwanda who is a survivor of that genocide and a conflict transformation specialist.

Mr. Speaker, I know that the family, friends and associates of the Ms. Reilly are proud of what she has accomplished so far in her life. My office has been fortunate to work with her on Darfur through a collaboration of organizations working to assist those victims who struggle daily to overcome the tragedies visited on its people in recent years. I ask my fellow members to join me in this tribute to excellence. It is a proud moment for me to acknowledge her today and to let her know how much all of us appreciate the work she continues to do.

HONORING THE MEN AND WOMAN  
WHO TRAVEL WITH THE NA-  
TIONAL 9/11 FLAG

**HON. MICHAEL H. MICHAUD**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today to recognize those who travel around the country with the National 9/11 Flag.

During the cleanup of the World Trade Center disaster, a large tattered flag was pulled from the rubble. It was brought by the New York Says Thank You organization to Greensburg, Kansas, a city recovering from a devastating tornado. Volunteers from New York, along with Greensburg residents, began stitching the flag back together with flags recovered from the Greensburg tornado.

The flag now serves as a symbol of American resilience and compassion. It is carried around our country by a core group of volunteers. These patriotic men and women sacrifice their time and travel at their own expense to bring this great flag to millions throughout our Nation. Over 160 million Americans have seen the flag in person or on television. The flag is brought to public events, town gatherings and cultural and sporting events. At these venues, American citizens can share their national pride, even adding

stitches to the flag itself. Once completed, the flag will become part of the National September 11th Memorial Museum being built at the World Trade Center.

On March 29, 2011, the National 9/11 Flag was brought to the York Beach, Maine Fire Department. Alongside FDNY firefighters, local service heroes stitched a patch onto the flag. Through their participation, these remarkable men and women add to the American story, honoring their colleagues and country in an historic stitching ceremony. The volunteers who travel with the flag and the local community partners make these events of honor possible.

Mr. Speaker, please join me again in recognizing the men and women who participate in the restoration of the National 9/11 Flag.

IN RECOGNITION OF DR. MELVIN  
SABSHIN

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. PALLONE. Mr. Speaker, I rise today to remember former medical director for the American Psychiatric Association, Melvin Sabshin. He led the APA for nearly a quarter century from 1974 to 1997. Dr. Sabshin passed away on Saturday, June 4, 2011 at the age of 85.

Dr. Sabshin's accomplishments during his tenure at APA were numerous and far-reaching. His years at APA included publication of new editions of the "Diagnostic and Statistical Manual of Mental Disorders"; creation of the American Psychiatric Press, Inc.; development of practice guidelines; and strengthening research, advocacy, education, and public affairs. Sabshin also increased the organization's international involvement, including working with the World Psychiatric Association and others to help end the use of psychiatry to suppress political dissent in the Soviet Union and other parts of the world.

Dr. Sabshin completed high school at age 14 and undergraduate study at the age of 17. After brief service in the U.S. Army, he completed medical school and residency at Tulane University. He then took a position at the Michael Reese Hospital in Chicago and in 1961 became the head of the Department of Psychiatry at the University of Illinois College of Medicine. During this time he became active in the APA and was elected to the Board of Trustees; and in 1974 he became the medical director of the APA.

Upon his retirement from APA, he took a position as clinical professor of psychiatry with the University of Maryland and lived much of the year in London with his British wife, where he was an Honorary Fellow of the Royal College of Psychiatrists. He remained active in the APA, attending Annual Meetings throughout his retirement.

Dr. Sabshin was an author of dozens of scientific articles and author or co-author of 7 books, including his latest in 2008, "Changing American Psychiatry: a Personal Perspective," in which he describes changes in psychiatry in

the post WWII era and later and offers his insights into the process. Dr. Sabshin is survived by his wife, Marion Bennathan, his son, James Sabshin, MD, and 4 granddaughters.

Mr. Speaker, please join me in remembering the life of Dr. Melvin Sabshin.

TRIBUTE TO MR. JOSEPH  
LITTLEFIELD

**HON. CHELLIE PINGREE**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Ms. PINGREE of Maine. Mr. Speaker, I rise today to recognize and honor Mr. Joseph Littlefield of Ogunquit, Maine. Mr. Littlefield, through lifelong service to his community and state, exemplifies Maine's great tradition of philanthropy. Last year, Mr. Littlefield was named the 'Ogunquit Outstanding Citizen.' In addition to his many other generous contributions to the community, Mr. Littlefield recently donated Beach Plum Farm to the Great Works Regional Land Trust. Beach Plum Farm is a 23-acre parcel of land that includes paths, gardens, and beach plums. Residents of Ogunquit will have this wonderful gift forever. Mr. Littlefield's continued passion for life and his generosity to his fellow Mainers is extraordinary. Maine is fortunate to have Mr. Littlefield in our community.

PERSONAL EXPLANATION

**HON. BRUCE L. BRALEY**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. BRALEY of Iowa. Mr. Speaker, I regret missing floor votes on Monday, July 11, 2011. Had I registered my vote, I would have voted: "yea" on rollcall 534, On Agreeing to the Amendment for H.R. 2354—Tierney of Massachusetts amendment; "nay" on rollcall 535, On Agreeing to the Amendment for H.R. 2354—Graves of Missouri amendment; "yea" on rollcall 536, On Agreeing to the Amendment for H.R. 2354—Scalise of Louisiana amendment; "nay" on rollcall 537, On Agreeing to the Amendment for H.R. 2354—Woodall of Georgia amendment; "nay" on rollcall 538, On Agreeing to the Amendment for H.R. 2354—McClintock of California amendment.

HONORING SHANNA ROGERS

**HON. MICHAEL H. MICHAUD**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today to recognize Shanna Rogers for being awarded the Geneva Kirk Award by the United Way Foundation of Androscoggin.

The Geneva Kirk Award is given annually by United Way of Androscoggin to individuals who have exemplified exceptional volunteerism and service to their community. This

award honors the memory of Miss Geneva Kirk who dedicated her life to serving and teaching others, volunteering in a multitude of ways throughout her community.

Shanna was nominated by Androscoggin Head Start not only for her innumerable hours of community service to Head Start, but also for her involvement in many other organizations. Shanna works part time for the Neighborhood Housing League and part time at Marché's Restaurant. In her work with the Neighborhood Housing League, Shanna acts as an advocate for safe and affordable housing and as a mentor for tenants in the downtown area.

Her tireless work with Androscoggin Head Start and Child Care, the Neighborhood Housing League, the Women's Wisdom Center and the Visible Community demonstrates a commitment to her neighbors that would have made Geneva proud.

I am extremely honored to congratulate Shanna Rogers for receiving the Geneva Kirk Award.

Mr. Speaker, please join me again in recognizing Shanna Rogers for her hard work within her community.

PERSONAL EXPLANATION

**HON. TIMOTHY V. JOHNSON**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday July 11, 2011, due to inclement weather in Chicago, Illinois, I was unable to cast my votes for Roll Nos. 534, 535, 536, 537, and 538. I was originally booked on United flight 5347 from Springfield at 1:15 (CST), connecting to United flight 704 leaving O'Hare at 3:00 p.m. and arriving in DCA at 5:49 (EST). I was also backed up on American Airlines flight 3879 departing Chicago O'Hare at 3:00 p.m. However, I could not make either of these flights due to my original flight from Springfield being delayed until 7:00 p.m.

Had I been present, my votes would have been as follows:

For Roll No. 534, to increase funding for the Corps of Engineers construction by \$133.8 million and Operations and Maintenance by \$51 million and reduce funding for Nuclear Energy by \$133.8 million and Fossil Energy Research and Development by \$92.8 million, I would have voted "nay."

For Roll No. 535, which reduces the Missouri River Fish and Wildlife project by \$1.75 million and increases Operations and Maintenance by \$1 million for levee repair, I would have voted "yea." In light of the recent problems with flooding along the Mississippi, this transfer appears to be prudent.

For Roll No. 536, which transfer \$6.3 million from supervision and general administrative expenses in the headquarters of the Corps of Engineers to Corps of Engineers, Operation and Maintenance for dredging of waterways, I would have voted "yea." As with Roll No. 535, recent flooding problems make this transfer prudent.

For Roll No. 537, which transfers \$4.9 million from Operation and Maintenance for glob-

al warming to the Spending Reduction Account, I would have voted "yea." I have voted to cut spending in a host of programs including those with which I am sympathetic.

For Roll No. 538, which transfers \$3.25 billion from various research and development accounts and regional economic development commissions to the Spending Reduction Account, I would have voted "yea." I have voted to cut spending in a host of programs including those with which I am sympathetic.

TRIBUTE TO GEORGE E.  
SHINHOSTER ON HIS RETIREMENT

**HON. DONALD M. PAYNE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. PAYNE. Mr. Speaker, I ask my colleagues here in the House of Representatives to join me as I rise to pay tribute to the wonderful accomplishments of George E. Shinhoster as he retires from the YMCA of Newark and Vicinity. It is indeed a pleasure for me to add my congratulations to that of his family, friends and colleagues of the YMCA of Newark and Vicinity as they celebrate in honor of a man who has been a Y professional for 42 years. George Shinhoster's retirement caps a career that saw him lead YMCA's in multiple states, with his last five years in the great State of New Jersey. For all the contributions he has made over the years, Mr. Shinhoster deserves to be feted on this marvelous albeit melancholy occasion.

The YMCA of Newark and Vicinity was fortunate to have the wise counsel of Mr. Shinhoster who came to serve on an interim basis but chose to stay for an extended period. During his tenure, he was able to accomplish multiple goals including a positive financial bottom line. Rarely has an individual been such an integral part of an organization where strength, integrity and determination have been the driving forces of the outcomes. Clearly, George Shinhoster could have taken his talents elsewhere but the Y is extremely grateful that he chose to follow in the footsteps of the Rev. Dr. Martin Luther King whom he credits with much of his accomplishments. In fact, George Shinhoster worked with Dr. King during the 1960's and participated in many of the civil rights initiatives occurring during that time period.

Based on George's background, it is no wonder that he chose to serve and he has served well. As a strong supporter of the YMCA and its programs for youth, it has been my personal honor to work with George Shinhoster and to encourage his efforts. These efforts have led to some dynamic improvements and image boosting for the YMCA of Newark and Vicinity. His sphere of influence in the community and the synergy he helped to create through the Y will always be remembered by the many employees, program participants and residents of the Greater Newark area.

Mr. Speaker, I know my fellow members of the House of Representatives agree that George Shinhoster has been a part of the fabric of the Y and that his departure will leave

a void that will not easily be filled. We wish him well in this new phase of his life.

TRIBUTE TO ORANGE BEACH FIRE  
CHIEF FORNEY HOWARD

**HON. JO BONNER**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. BONNER. Mr. Speaker, I rise to honor an Alabamian who for more than four decades has stood watch over our communities and our homes, keeping us safe and risking his own life to protect many who were at the mercy of a fire, an accident or an unforeseen force of nature. On August 1, 2011, after forty-plus years on the job, Orange Beach Fire Chief Forney Howard will officially retire from public service.

Chief Howard began his career in 1970 when he joined the City of Birmingham Fire Department. During his tenure in Alabama's largest city, Forney served in the Birmingham Fire Training Division for five years as Captain and as Chief of Training.

During this period, over 500 firefighter recruits were trained and graduated from the Training Bureau. He had the privilege of being part of the first Paramedic Class in the State of Alabama during the summer of 1973. Chief Howard also served on the Birmingham's first Hazmat Unit. At his retirement from the Birmingham Fire Department, Chief Howard was Battalion Chief for the eastern district of that city.

In April 2004, Forney Howard was appointed interim Fire Chief for the City of Orange Beach, and the following month the Mayor and City Council made the appointment permanent. His experience and abilities were put to the test early in his tenure when Hurricane Ivan made a direct hit on the Gulf Coast in September of that same year.

Under his tenure with the City of Orange Beach, Chief Howard has led the Fire Department and their Emergency Management services through several tropical occurrences, fires and the 2010 BP oil spill. Less than two months prior to his retirement, Chief Howard directed the Orange Beach Fire and Rescue response effort that successfully battled a significant wildfire at Gulf State Park.

In 2003, Chief Howard was recognized as Firefighter of the Year in Orange Beach, Emergency Technician of the Year for Birmingham in 1975, and has been a past member and past President of the Alabama Association of Fire Chiefs. Chief Howard served on the Board of Trustees for South Baldwin Medical Center and is currently on the Board of Trustees for Columbia Southern University, where he also obtained a Bachelor's Degree in Fire Science.

A fighter who not only saved lives but is also a cancer survivor himself, Chief Howard recently told the Baldwin Register newspaper that he always enjoyed his work. "People's worst days are our best days. That's when we get to do something and help people. We don't want anybody's house to burn, but we know what to do. We don't want anybody to get sick and have chest pains, but we know how to help you."

On behalf of the people of South Alabama, I wish to extend heartfelt congratulations to Chief Howard for a job well done. As he prepares to pass the reins of leadership, I wish all the best to him, his lovely wife of 45 years, Joyce, and their two children and five grandchildren.

HONORING DENNIS SISTO OF NAPA  
COUNTY, CALIFORNIA

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Dennis Sisto on the occasion of his retirement as President and Chief Executive Officer of Queen of the Valley Medical Center in Napa County, California. Dennis' leadership will be truly missed by his colleagues, health care providers throughout the Napa Valley, and all of us in the community who have received superlative medical care from Queen of the Valley during his tenure.

Mr. Sisto has worked for the St. Joseph Health System for 24 years, the past 13 at Queen of the Valley. During his tenure, Mr. Sisto has served as a champion for the health and quality of life of the Napa Valley community. To respond to the needs of the underserved, he has guided Queen of the Valley through the creation of new healthcare services for persons with HIV/AIDS, cancer and congestive heart failure directed at individuals without health insurance or the ability to pay. His leadership has ushered in an unprecedented era of technological growth for healthcare services in the Valley, bringing such advancements as the robotic surgical system, a state-of-the-art linear accelerator for the treatment of cancer patients, an imaging center housing the world's finest diagnostic imaging equipment and a new Outpatient Surgery and Procedure Center.

To focus on improving community health and address higher than anticipated Napa County mortality rates for heart disease, cancer, stroke and diabetes, Mr. Sisto has led the development process for the Queen of the Valley Medical Center's state of the art Wellness Center. The Wellness Center offers specialized programs directed at persons who need professional supervision to manage high health risks and chronic diseases. The creation of the Wellness Center represents a significant step forward for hospitals, allowing Queen of the Valley to expand its focus beyond acute care and offer preventive services as well as health maintenance programs.

Running a medical center in today's world can be a thankless and complex endeavor. It takes great integrity, a steady hand and a strong sense of humor to handle all of the challenges that present themselves to our hospital administrators. Mr. Sisto has all of these qualities in spades. He has been an invaluable partner in the process as we implement the Affordable Care Act on the local level.

Mr. Speaker, it is my distinct pleasure to recognize Dennis Sisto for his many years of

service to Napa and to thank him for his contributions to wellness and health care in our community. I join his wife, Judy, his entire family and our colleagues in wishing him the best as he enters this new phase of his life.

RECOGNIZING POLAND'S PRESI-  
DENCY OF THE COUNCIL OF THE  
EUROPEAN UNION

**HON. MIKE QUIGLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. QUIGLEY. Mr. Speaker, I rise today on behalf of more than 110,000 of my constituents who are of Polish descent. It is my privilege to recognize Poland's upcoming role as the governing body of the Presidency of the Council of the European Union. Poland is a strong democratic ally of the United States with diplomatic relations extending over 100 years.

Last summer I had the privilege to travel to Poland and represent the United States Congress in Krakow for the Community of Democracies conference. Over 70 ambassadors from democratic and currently democratizing countries around the world attended the 10th annual conference to discuss the future of democracy, and to celebrate the progress democracy has made so far. The trip was an important moment in solidifying the already strong diplomatic relations between the United States and Poland and displayed Poland's ardent commitment to furthering democratic ideals throughout the world.

While in Poland, I was fortunate to witness democracy first hand as the nation held a special presidential election after the death of Polish President Lech Kaczyński. President Kaczyński and 95 others tragically died in a plane crash over Smolensk, Russia more than a year ago. During my trip to Krakow, I visited the Wawel Cathedral and had the opportunity to lay a wreath at the grave of President Kaczyński. I was truly humbled to experience the incredible sense of community and togetherness among the Polish people. I was also honored to deliver a flag and resolution from Speaker NANCY PELOSI on behalf of the House of Representatives to Foreign Minister Radoslaw Sikorski expressing sympathy for Poland's tragic loss. The people of the United States stand in admiration of the strength of Poland's democratic institutions, which have persevered through three centuries filled with many hardships.

Poland's leadership at the Presidency of the European Union not only displays Poland's influence in the world's largest economy, but shows the growing respect the Nation receives as a growing voice within the global community. During its presidency, Poland hopes to successfully lead the European Union toward economic growth and an enhanced political community. Poland has set forth a "Six-Month Program" that will focus on three fundamental priorities it plans to achieve during their tenure. The first priority is to increase integration with the European Union. Poland believes that it is essential to create an internally competitive Europe and to develop a single European

market within the European Union. Additionally, Poland hopes to improve the security of the European Union primarily through an increase in economic macro-security and through the development of an external energy policy. Poland also believes that the European Union will significantly benefit from economic openness. The Presidency will fully support any European Union enlargement, as well as continued participation in the World Trade Organization.

Finally, I would like to remind my colleagues in Congress to keep in mind Poland's inclusion in the Visa Waiver Program, supported by President Obama. With Poland's strong diplomatic ties to the United States, and their growing influence in the European Union and the global community, it is important to finally include Poland in visa-free travel to the United States. It will promote increased relations with a democratic ally of the United States, as well as further encourage economic and cultural exchange between our two nations.

Mr. Speaker, I am honored to recognize Poland as the upcoming governing body of the Presidency of the Council of the European Union. Poland is a democratic ally of the United States whose diplomatic relations will only strengthen as time goes on. I have seen first-hand their commitment to democracy and their importance as an ally.

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#### HONORING THE TOWN OF EXETER

### HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today to honor the families who petitioned the General Court in Boston on February 16, 1811, to incorporate the town of Exeter in the state of Maine. On July 23, 2011, Exeter officially celebrates its bicentennial.

At the time of the 1810 Census, Exeter was home to 140 people comprising 40 different families. Working together to settle and clear the land, a thriving community was established. In only the second official town meeting, the community voted to raise \$200 for the purpose of building schools. The town went on to become famous for its apple orchards and its saw and grist mills, as well as the Exeter Fair, which occurred every September from 1867 to 1950, drawing families from all over New England.

Today, the people of Exeter celebrate the bicentennial of their town filled with the same local spirit and sense of common purpose that filled the founding 40 families as they petitioned to have their community recognized. These individuals embody the hardworking people of Maine who throughout our history have embraced the challenges and opportunities of living in our state.

It is an honor and a privilege to represent the people of Exeter, and I am pleased to have the opportunity to help this community celebrate its 200th anniversary.

Mr. Speaker, please join me in wishing all the citizens of Exeter well on this joyous occasion.

#### HONORING ELLIS COGDILL

### HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a beloved husband, father, grandfather, and veteran Ellis Cogdill.

Ellis Cogdill passed away Sunday, June 26th at the Alexander Cohen Hospice House in Hughson, CA after a devastating, albeit blessedly brief battle with cancer. Ellis was born in Stanberry, Missouri. He and his family lived and farmed in the area until Ellis enlisted in the U.S. Navy at age 17. He served 4 years as a radioman before being discharged from active duty in 1949. Ellis then returned home, where he met the love of his life, Viola Cruse, his soon to be devoted wife of over 61 years. A few months later, Ellis was called to serve again, during the Korean conflict, a duty that would last another 16 months and send him to China and the South Pacific.

In 1957 the family moved to California, settling in San Bernardino, where Ellis worked as a union meat cutter for Stater Bros. Markets for 33 years. In 1962 he was called to be a Deacon at Immanuel Baptist Church, where he diligently served the Lord for many years.

After retirement Ellis and Vi moved to Madera, and were active at the First So. Baptist Church. In 2005 Ellis and Vi moved to Modesto, living at Friendly Village MHP, and attending first, Orangeburg Ave. Baptist Church, then, the North Modesto Church of God.

Ellis loved to travel, spend time with his family and friends, help those in need, or do just about anything that was productive. Not one to play, he valued work, and never shirked a duty or a task. Those that knew him, knew his word was his bond, and as good as gold.

Ellis is preceded in death by his parents, Ellis Sr. and Mary Cogdill, and brother Tom Cogdill. He is survived by his wife and sons, Dave and Jim, and daughter Diana; daughters-in-law, Stephanie and Lisa; grandchildren David and Carrie, Meghan and Mike, Ryan and Brandon, Karma, Lauren, Joel and Moneshay; and great-grandchildren Connor, Kathleen, Xiomara, Christian, and Ashton.

Mr. Speaker, please join me in honoring Ellis Cogdill for his service to United States of America and his example of excellence to those who knew him.

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#### PERSONAL EXPLANATION

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, on Friday, July 8, 2011 I was unable to be in Washington, DC and thus missed several roll-call votes. Had I been present, I would have voted "yea" on Nos. 528, 532, 533 and "nay" on Nos. 525, 526, 527, 529, 530, and 531.

#### PERSONAL EXPLANATION

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. GEORGE MILLER of California. Mr. Speaker, I was unavoidably detained during the votes on July 7, 2011. Had I been present, I would have voted "aye" on rollcall No. 503, the Lee amendment to reduce funding for combat operations in Afghanistan.

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#### HONORING THE TOWN OF GREENVILLE, MAINE

### HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate the town of Greenville, Maine as it celebrates its 175th anniversary on August 27, 2011.

Nestled along the edge of the largest mountain lake in the eastern United States, the Greenville community's history in Maine precedes the establishment of the State itself. Its land, originally just 6 square miles, was granted by the Massachusetts General Court to Saco Academy in 1812. After acquiring the Academy in 1824, Nathaniel Haskell joined with Oliver Young and John Smith in clearing trees near Wilson pond. It was just over a decade later that Henry Gower built the Seboomook House, and Greenville was incorporated from the Haskell Plantation.

In many ways, the history of Greenville stands in line with much of the State. Its residents have been farmers, lumbermen and mill workers. But somewhere between the cascades of Wilson's stream and the breathtaking vistas atop Indian Hill, the town puts forth its own unique identity. As the gateway to Moosehead and the Northern Woods, Greenville attracts thousands of visitors every year to witness the International Seaplane Fly-in, to ride the "Kate" up the lake or to camp in Maine's storied forests.

On August 27, this small town will celebrate its birthday with a week full of events and festivities commemorating this special milestone. I am pleased to share in the celebration as Greenville looks back on 175 years of rich and varied history.

Mr. Speaker, please join me in wishing all the citizens of Greenville, Maine, well on this joyous occasion.

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#### IN MEMORY OF LEONARD EARL ROBERTS, SR.

### HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. CLYBURN. Mr. Speaker, I would like to submit a tribute commemorating the life of Leonard Earl Roberts, Sr., a great husband, father, staff sergeant, and engineer. Mr. Roberts passed away last week, leaving a legacy

of service to his family, friends, faith, community, and country. I had the pleasure of meeting Mr. Roberts and his lovely wife Mrs. Dessie Roberts during a visit to Washington a few years ago. I know that all who were close to him reflect on his memory with respect, admiration, and pride. While I did not know Mr. Roberts for an extended time, his grandson Marcus Mason is a great friend; I might add that his great-granddaughter Taelor served as an intern in my office for several summers. Mr. Roberts epitomized the Greatest Generation and a life well lived. I would like to submit the following heartfelt obituary for Mr. Roberts, written by his family.

#### THE LEGACY

"I hope you don't mind if we put down in words, how wonderful life has been with you in the world."

December 30, 1925—Leonard Earl Roberts, Sr. entered the world at the height of the Harlem Renaissance. Born to Mary Queen Dorsey in Vidalia, Louisiana, Leonard Sr. was the eldest of five. Two brothers and one sister have preceded him in death. He attended and completed his secondary school education at Madison Parish Training School in Tallulah, Louisiana where he was an academic high achiever. He began demonstrating his engineering acuity by creating a hand carved, functioning orchestra that remained on display in the sandbox for several years following his graduation.

Leonard Sr. was no stranger to meeting and overcoming adversity. In his desire to serve his country he joined the Civilian Conservation Corps (CCC) at the young age of sixteen, where he participated in the efforts to rebuild our nation's infrastructure, supporting the economic recovery efforts from the Great Depression of the 1930s. Later that year, Leonard Sr. answered the call of his personal conviction and love of country and voluntarily enlisted in the US Army. Leonard Sr. stepped forward to defend our country following the events of Pearl Harbor, despite being under age. He quickly advanced to the rank of Staff Sergeant. Leonard Sr. was in the first wave to land on Omaha Beach during the Normandy invasion on June 6, 1944 as part of Operation Overlord, coined D-Day by the world. He successfully led his platoon on many battles until his honorable discharge on December 7, 1945 at the close of the war. His entire outfit received the Bronze Indian Arrowhead for Assault Trooper, the Cor-De-Guerre, France's highest military honor, and several other medals and honors.

Upon his return home, he quickly sought, found and married his childhood sweetheart, and life-long love and soul mate, Dessie. Leonard Sr. and Dessie began to build their family while also engaging in his academic pursuits. Leonard Sr. moved to Boston, Massachusetts, taking advantage of the GI Bill, made available to WWII veterans, where he attended Massachusetts Institute of Technology (MIT) and received his Engineering degree. Leonard Sr. began his family while in Las Vegas, NV and became father to Donna, Janet and Leonard Jr.

Leonard Sr. moved his family to Los Angeles, California, where Jacqueline and Keith were born, to begin his lifelong career in the aerospace industry. He designed a four axis machine for specialized production of precision oversized aircraft parts which revolutionized the industry. In 1972, Leonard Sr. established Roberts Aerospace Manufacturing Engineering Corporation (RAMEC) and continued to receive coveted government con-

tracts as a result of his expertise in precision manufacturing for nearly four decades until the time of his passing. He was well known in the industry as a man of integrity.

After supporting his wife's philanthropic pursuits in Christianity and community service for over fifty years, Leonard Sr. or "Mr. Honey" as he was often referred to by members of the sororities Order of the Eastern Star and Top Ladies of Distinction, joined First African Methodist Episcopal Church in 1998 where he attended faithfully. Leonard Sr. valued God, Country and family above all else, demonstrated by his marriage to Dessie for sixty-five years and his commitment to his children Donna, Janet, Leonard, Jr., Jacqueline and Keith. His love will live forever in the hearts of his grandchildren Allen Talbert, Kellie Clay (deceased), Chanel Troy-Thompson, Danielle Benoit-Williams, Natalie Roberts, Raquel Roberts-Richards and Bridgette Craddock and great-grandchildren Taelor Chanel Mason, Jeraud, Jeremiah Jr. and Jehman Williams, Carl Quincy Clay, II, Lauren, Sydney and Brandon Talbert, and Rameses Earl Roberts Richards.

Leonard Sr. will be lovingly remembered by his sister Dottie, his nieces Cheri, Donna and Shanell along with a host of other relatives and friends.

He recently imparted the profound statement to his loved ones, a motto which he lived by, "Everything is manageable in a family." Leonard Sr. lived his life by anticipating the outcome of an effort before beginning the task.

On Tuesday, July 5th God descended to call him home. It mattered not how straight the gate or how charged with punishment the scroll, Leonard Sr. was the master of his fate, he was the captain of his soul.

#### INTRODUCTION OF THE MAKING WORK AND MARRIAGE PAY ACT

#### HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 12, 2011

Mr. PETRI. Mr. Speaker, today, I am introducing the Making Work and Marriage Pay Act of 2011. This legislation will establish a bipartisan commission to study the negative impact that high effective marginal rates can have on families as they attempt to improve their circumstances through work or marriage. The National Commission on Effective Marginal Tax Rates for Low-Income Families would provide an important opportunity for removing the disincentives that hold many back, in spite of their personal efforts to get ahead.

Federal and state governments provide financial assistance to low-income families through many means-tested programs and a variety of income tax credits. Each of these benefits is income-based, and as income rises benefits are reduced through phase-outs. These reductions occur at various earnings levels and on differing schedules.

While it is appropriate for benefits to be withdrawn as family income increases, not enough thought has been given to the combined impact on behavior of these multiple phase-outs. Different programs are created within separate Congressional committees and are implemented by assorted federal and state agencies. No one entity has the authority to

consider our vast system as a whole. The Commission established under this Act would be given this task and charged with the responsibility to propose a legislative package to remove the disincentives to work and marriage that these high effective marginal rates impose.

Marginal rates matter. Economists have long contended that high tax rates affect the investment decisions of affluent individuals. People at all income levels, however, respond rationally to economic incentives and disincentives. If we want people to work their way into the middle class, we need to change a system which says that if you're poor and you struggle to earn a higher income, you won't be able to keep enough of it to make it all seem really worthwhile.

I have looked at the impact these marginal rates have on a typical single mother with two children living in Wisconsin. From \$17,000 to \$40,000 in earnings, this single parent would experience combined effective marginal tax rates in excess of 50 percent—averaging 59 percent between \$24,000 and \$41,000. At lower income levels, she even approaches a rate of 100 percent. Putting this into perspective, the U.S. corporate tax rate is 35 percent (one of the highest in the industrialized world). The highest U.S. income tax rate for individuals is also 35 percent.

Thus, for every dollar of new income earned by increased effort or the acquisition of new skills, this single mother finds herself only incrementally ahead and, perhaps, wondering whether her hard work is being justly rewarded. Despite the good intentions, these programs, in effect, offer no incentive to get ahead. Rather, the incentives are backwards and low-income workers often are encouraged to stay where they are.

The same dynamic can also affect an individual's decision whether to marry. Experts from across the political divide agree that marriage is good. Government policy, however, as enacted in this assortment of programs and phase-outs actually discourages marriage among low-income couples.

Varying benefit levels across the fifty states produce different results, but in Wisconsin, for a married couple with two children, the marriage penalty starts rising from about zero at \$19,000 of combined income to \$7,000 in after-tax income at \$28,000 of combined earnings, which is what you get if two people earn minimum wage. At \$42,000, the cost of being married reaches \$8,154. That's a high price for a marriage license.

This penalty results from the high effective marginal tax rates produced by taxes and the phase-out of various benefit programs. As income rises, taxes go up and benefits go down. The couple that has combined their lives and their income sees a steeper loss of income than does the comparable couple that has remained unmarried. If marriage is a recognized good for both society and the individual couples, then government policy should not stand in the way of people choosing to marry.

It's time that Congress rationalizes this web of programs to ensure that hard work brings rewards by removing the punishingly high effective marginal tax rates faced by low-income individuals and families.

This is why I am introducing the Making Work and Marriage Pay Act.

My bill would authorize a Commission made up of Cabinet Secretaries, Governors, and recognized policy experts to recommend solutions for the problems posed by these high effective marginal tax rates. The Commission would be constructed to achieve partisan balance, input from states offering a varying level of income support, and expert participation from government and private sector experts.

The Commission would be charged with seeking a solution along certain policy lines, but would have full authority to offer additional policy recommendations. The Commission's recommendations would be in the form of a legislative blueprint to ease consideration of its comprehensive solution by the wide range of Congressional committees.

For too long, Congress has neglected to clean up the mess of uncoordinated federal benefit programs. The Making Work and Marriage Pay Act is the first step toward a benefit structure that rewards work and effort and reflects our shared belief that marriage is the basis of stable communities. I urge my colleagues to support this important legislation.

#### PERSONAL EXPLANATION

### HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. BLUMENAUER. Mr. Speaker, I am submitting notice that I will not be able to attend the legislative sessions of the House of Representatives on the following dates that are currently scheduled. I will be absent from July 19 through July 22 and from August 2 through August 5 for the marriages of my daughter and my son.

HONORING THE RECIPIENTS OF THE 2011 "FORTY UNDER 40" AWARD FOR EMERGING MAINE LEADERS

### HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate MaineTodayMedia and the Recipients of the 2011 "Forty under 40" Award for Emerging Maine Leaders.

The "Forty under 40" Award is given annually by MaineTodayMedia to talented individuals under the age of forty who are making significant contributions to their career field and to the community at large. The award honors Maine's emerging generation of leaders by acknowledging their achievement and recognizing their potential. These fresh faces represent the future of our state as they come to fill the big shoes left by Maine's historic line of leaders.

I would like to take this opportunity to recognize these distinguished individuals by name:

Wendy Ayotte, Jeff Badger, Josh Broder, Rob Brown, Kevin Bunker, Adam Burk,

Lindsay Cadawallader, Michael Carey, Eric Conlon, Josh Davis, Gibson Fay-LeBlanc, Chelsea Fournier, Ben Fowlie, David Gulak, Shannon Haines, Erik Hayward, David Her-ring, Jr., Geoffrey Iacuesssa, Drew Johnson, Charlie Longo.

Becky McKinnell, Corey Norman, Amanda O'Brien, Robert O'Brien, Shirar Patterson, Marc Pitman, Monica Quimby, Erica Quin-Easter, Brian Rayback, Jeremy Reynolds, Steve Sawczyn, Matthew Siegel, MD, Andrew Sigfridson, Liz Smith, Andrew Tenenbaum, Jesse Thompson, Scott Townsend, Jenna Vendil, Sean Wilkinson, Megan Williams.

Mr. Speaker, please join me in congratulating all the recipients of the 2011 "Forty under 40" Award for Emerging Maine Leaders and in thanking MaineTodayMedia for shining the spotlight on these outstanding individuals.

#### OUR UNCONSCIONABLE NATIONAL DEBT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is \$14,342,977,065,892.73.

On January 6, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$3,704,551,319,598.93 since then.

This debt and its interest payments we are passing to our children and all future Americans.

CONGRATULATING TRINITY BALLPARK FOR HOSTING C.A.B.A. MIDWEST NATIONAL CHAMPIONSHIP

### HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. ROKITA. Mr. Speaker, I rise today to recognize and congratulate, Trinity Ballpark located in Noblesville, Indiana, for hosting this year's C.A.B.A. Midwest National Championship.

The Continental Amateur Baseball Association was developed by Ron Golden and Roger Tremaine in 1984 to provide youth the privilege to compete at the national level. C.A.B.A. hosts events at the national level for age groups 9–18. Since C.A.B.A. was first started, thousands of teams from nearly every state along with other countries including Panama, Guam, Brazil, the Dominican Republic, Mexico, Japan, and Canada have participated in C.A.B.A. Current Major League Baseball Stars, Alex Rodriguez and Todd Helton, were both Graduates of the Year of this superior organization.

I am proud to honor Trinity Ballpark for hosting this year's Midwest National Championship, and wish all the players the best of

luck in the tournament. Today is a fine day to celebrate America's favorite pastime with elite players from all over the country.

#### A MODEL FORD

### HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Ms. FOXX. Mr. Speaker, I wish to insert the following poem by Albert Carey Caswell into the CONGRESSIONAL RECORD. This poem is a fitting tribute to former First Lady Betty Ford.

A MODEL FORD

In life . . .  
Do we dance? Or do we stand?  
A . . .  
A Model Ford . . .  
A strong woman, our Nation loved and adored . . .  
Nothing Ordinary about her!  
About this Ford!  
From behind the scenes, a star was born!  
Touching hearts, so very deeply . . . so very warm!  
Who became an activist, for our nation this!  
A role model for women to look up to!  
Who evolved and into a work of art . . . so grew!  
The only person a great President, owed anything to!  
Took away the shame, that women knew . . .  
Giving them courage to speak up and out, to fight Cancer too!  
With her profiles of courage, out of her own diseases . . . creating something new!  
A place for all to so face, and battle and fight their dark demons too . . .  
For in you, we all so saw ourselves so too!  
As the Betty Ford Clinic grew into a haven for saving lives so true!  
A place on this earth so very bright, to win that battle that fight!  
Oh Yes, oh how you spoke up and out for women's rights!  
A Mother . . . A Wife . . . A First Lady so very bright . . .  
An activist who so brought her light!  
A Midwesterner, through and through!  
A Michigander True Blue!  
To bless our Nation, me and you!  
A Model Ford, and a Cadillac of first ladies too . . . who now so who . . .  
Is up in Heaven as but an Angel, with her husband Gerald too!  
Because in the end, in your life Betty . . . you danced!

In Memory of a great First Lady and a giving American, Betty Ford

—By Albert Carey Caswell

#### HONORING THE TOWN OF EDDINGTON, MAINE

### HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate the people of the town of Eddington, Maine, as they celebrate their community's bicentennial.

In 1784, after the close of the Revolutionary War, Colonel Jonathan Eddy was granted



9,000 acres on the east bank of the Penobscot River in appreciation of his services during the conflict. This area would later be incorporated in 1811 as the town of Eddington, becoming the 184th town in the District of Maine. Working together to clear the land, the early settlers erected buildings, planted crops and built roads. Town records over the years from the individual villages show saw and gristmills, a post office, general stores, churches, schools and other large and small enterprises. The town of Eddington illustrates the spirit of industry and perseverance that Maine people throughout history have demonstrated in embracing the challenges and opportunities of living in our state.

Eddington has shared in many of our nation's experiences. There is evidence of the Underground Railroad, and in the Civil War, one-eighth of the total population of the town was in service. Industrialization brought railroads to neighboring towns, small factories, and electric lights. The depression hit hard as the lumber industry began to diminish and mills were relocated. The conflicts of the twentieth century called upon many Eddington residents to protect their country, state and community, but the members of this town have always risen to the challenge.

Today, the people of Eddington celebrate the bicentennial of their town filled with the same local spirit and sense of common purpose that filled the first families as they petitioned to have their community recognized. These individuals embody the hardworking people of Maine.

Mr. Speaker, please join me in congratulating the people of Eddington. It is an honor and a privilege to represent them, and I am pleased to have this opportunity to help Eddington celebrate its 200th anniversary.

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#### PERSONAL EXPLANATION

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#### HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. NEUGEBAUER. Mr. Speaker, due to an unforeseen family medical emergency yesterday morning, I was unable to vote on amendments to H.R. 2354 that were rollcall vote numbers 534–538. Had I been present, I would have voted the following way on the amendments: rollcall No. 534, Tierney of Massachusetts Amendment, “nay”; rollcall No. 535, Graves of Missouri Amendment, “yea”; rollcall No. 536, Scalise of Louisiana Amendment, “yea”; rollcall No. 537, Woodall of Georgia Amendment, “yea”; rollcall No. 538, McClintock of California, “yea.”

#### RECOGNIZING THE POVERELLO CENTER AND COMMEMORATING THE GRAND OPENING OF ITS NEW FOOD BANK AND THRIFT STORE

#### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to recognize The Poverello Center of Wilton Manors, Florida and commemorate the grand opening of its new food bank and thrift store. For 25 years, The Poverello Center has been an institution in the Broward County community, providing support services to men, women, and children living with HIV/AIDS. With the dedication of its new, green facility at 2056 North Dixie Highway in Wilton Manors, The Poverello Center begins a new chapter in its mission of ensuring that individuals living with HIV/AIDS have life-sustaining food and basic living essentials.

The Poverello Center was founded in 1986 by Father Bill Collins, a man whose courage and compassion know no limits. At a time when many were turning their backs on individuals living with HIV/AIDS, Father Collins reached out to help them with the utmost understanding, respect, and love. Operating at first out of the trunk of his car, he used much of his pension to open the first Poverello food bank and thrift store in Pompano Beach. From those humble beginnings, The Poverello Center has continued to expand and improve its operations to better meet the needs of its clients.

Today, The Poverello Center provides a wide variety of support services to more than 2,500 low-income Broward County residents living with HIV/AIDS while protecting their privacy. Through its food bank, Poverello volunteers ensure that individuals receive 21 meals per week and meet the nutritional requirements necessary to remain adherent to their treatment. Furthermore, clients are given vouchers for clothing that can be redeemed in the Poverello thrift store. And, in order to help promote wellness and physical fitness, clients also have access to Poverello's full-service gym and alternative therapies annex.

Since Poverello's founding, Father Collins and his outstanding team of volunteers have helped over 12,600 lives touched by HIV/AIDS. Remarkably, they are able to provide these services completely free of charge. This would not be possible without the tremendous support of the community or critical HIV/AIDS programs at the state and national levels. That is why I pledge to continue doing everything in my power to help fund the Ryan White HIV/AIDS Program and other efforts that address the issues affecting individuals living with HIV/AIDS.

Mr. Speaker, as we recognize The Poverello Center's tremendous success and celebrate the dedication of its new home, I would like to take this opportunity to honor Father Bill Collins as well as each and every member of the Poverello team for all the hard work they continue to do on behalf of the AIDS community in Broward County and the least of us in our society. Their selflessness is a true inspiration to us all.

#### TRIBUTE TO HONORABLE RICARDO M. URBINA

#### HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. GONZALEZ. Mr. Speaker, I ask my colleagues to join me in honoring Judge Ricardo Manuel Urbina for his distinguished career and long outstanding service to his community.

Over the course of his career as an NCAA track and field champion and Georgetown University honors graduate, he distinguished himself as an athlete and a scholar. In the early years of his life, Judge Urbina was frequently recognized for his exceptional athletic achievements which included his running in the 1968 Olympic trials. After receiving his law degree in 1970, he continued to break barriers with every stride further earning a stellar reputation as a trial lawyer, academician and tenacious advocate for the fair and equal administration of law.

In 1981 President Reagan appointed him to the DC Superior Court. Thirteen years later, President Clinton appointed Judge Urbina to serve on the United States District Court for the District of Columbia where he currently presides after thirty years of service on the bench.

I am inspired by Judge Urbina's steadfast commitment to the law and strict adherence to the highest ethical standards. Numerous lawyers, judges, and Latino leaders have had the privilege to be mentored by Judge Urbina and have benefited from his counsel and guidance. He has inspired a diverse network of people to strive to reach their fullest potential and pursue their dreams.

Judge Urbina's career exemplifies not only notable legal accomplishments and a long history of achievements in every arena of endeavor, but also a man's tireless efforts to improve the line of succeeding generations. Mister Speaker, it is my distinct pleasure to congratulate Judge Urbina for his thirty years of service on the bench, to wish him the best as he assumes senior status and to recognize the many contributions he has made to the administration of justice.

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#### HONORING MAUREEN AUBÉ

#### HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. MICHAUD. Mr. Speaker, I rise today in recognition of the accomplishments of Maureen Aubé of Auburn, Maine.

Maureen is the recent recipient of the Jim Phillips Award bestowed upon her by United Way of America. The Jim Phillips Award is given to an individual who exemplifies the missions, visions and values of the United Way. Jim Phillips served United Way in numerous capacities over the years: marketing committee, campaigner, board member and board chairman prior to his death in 2002. The award is now given to one whom exhibits a character of compassion that is visible

throughout his or her business, personal and family life.

I have had the honor to know Maureen personally, and she more than meets these standards. The United Way of America defines community impact as "mobilizing communities to create lasting changes in community conditions that improve lives." Maureen does just that. She has been a long-time volunteer with United Way, serving 4 terms on the Campaign Cabinet, as well as advocating for those in the National Guard and working on community revitalization and service projects through the Elks Club.

In addition to serving on the Androscoggin County Chamber of Commerce, Maureen is also a volunteer for the Public Theatre, the L/A Film Festival and the Regional Plan Advisory Committee. She also serves on the Ben Hayes Support Fund Committee.

Maureen has left a lasting mark on Androscoggin County and the state of Maine. On behalf of the people of Maine, it is with pride that I congratulate Maureen for her excellent work.

Mr. Speaker, please join me in congratulating Maureen Aubé on the receipt of this award and in thanking her for her dedication to the people of Maine.

PERSONAL EXPLANATION

**HON. ADRIAN SMITH**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. SMITH of Nebraska. Mr. Speaker, on rollcall No. 526, I voted "yea," when I intended to vote, "nay."

HONORING PAUL SPANIOLA

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. KILDEE. Mr. Speaker, I ask the House of Representatives to join me in congratulating Paul Spaniola for his 83rd year as the owner of Paul's Pipe Shop in Downtown Flint. Paul's Pipe shop is a local landmark and has resided in the same location for over 48 years.

Paul was born in Owosso, Michigan on January 29th, 1913. At the age of 15 he opened his original location in Morrice, Michigan. Shortly after, in 1930, he moved the shop to Swartz Creek. In 1948 he moved to Flint's Downtown District, where he resides to this day.

Paul is a world renowned pipe smoker and his reputation precedes him in the competitive pipe smoking community. Paul is the only person to win the International Association of Pipe Smokers World Championship six times. He won his first championship in 1951 smoking for over 68 minutes, again in 1966, 1970, 1973, 1977, and his last in 1992 smoking for over 98 minutes.

Through his travels as shop owner and world champion, Paul was able to smoke a pipe with many interesting people and celeb-

rities. One very notable occasion came about when he was asked to teach Susan Hayward how to smoke a pipe for her role in "The President's Lady." Others include Charles Stewart Mott, Billy Martin and Gov. G. Mennen Williams. As well as maintaining his shop and winning championships Paul is involved in many local charities and community organizations.

Paul is known for his pipe shop but he is more than that. He is a devout Catholic and family man. Paul married Leona Merrill and had 11 children. In 1978, Leona passed away. Several years later, he married Doris Bloss and she had 3 children. All together, Paul has 14 children, 47 grandchildren, 74 great grandchildren and 10 great-great grand children.

Mr. Speaker I would like to congratulate my friend Paul Spaniola on his 83rd years in business and his commitment to the downtown area.

HONORING DR. DAVID BURR

**HON. VIRGINIA FOXX**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Ms. FOXX. Mr. Speaker, it is with great sadness that I join the friends and family of Dr. David Burr in mourning his passing earlier this week.

Dr. Burr, the father of Senator RICHARD BURR, was a faithful pastor to many over the course of his decades of service as pastor at First Presbyterian Church in Winston-Salem, North Carolina. His was a life well lived and his passing leaves a great void in the community in which he was very active.

During his 90 years of life Dr. Burr exemplified an ethic of service. He served honorably in the Navy during World War II. He shepherded the flock at First Presbyterian with great care and compassion. And he never neglected the needs and lives of those around him in the community.

He was a great man who lived for God, who inspired by example and who will leave a legacy of love of which his family and friends can be proud.

Today the loved ones of Dr. Burr are in my prayers as they grieve this great loss and look forward to one day being reunited with a beloved husband, father, pastor and friend.

PERSONAL EXPLANATION

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. GEORGE MILLER of California. Mr. Speaker, I was unavoidably detained during the votes on July 11, 2011. Had I been present, I would have voted "aye" on rollcall No. 534, the Tierney amendment to restore funding to the U.S. Army Corps of Engineers Construction and Operation and Maintenance accounts, and I would have voted "no" on rollcall Nos. 535, 536, 537, and 538.

HONORING PAUL SANTORO, CRNA, MS, PRESIDENT OF THE AMERICAN ASSOCIATION OF NURSE ANESTHETISTS

**HON. GARY C. PETERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mr. PETERS. Mr. Speaker, today I pay tribute to my constituent Paul Santoro, CRNA, MS. Mr. Santoro will soon complete his year as national president of the American Association of Nurse Anesthetists (AANA). I am proud that Mr. Santoro was tapped as the 2010-2011 President of this prestigious national organization.

Certified Registered Nurse Anesthetists (CRNAs) are advanced practice registered nurses who administer approximately 32 million anesthetics to patients each year. They work in every setting in which anesthesia is delivered including hospital surgical suites, obstetrical delivery rooms, ambulatory surgical centers, and the offices of dentists, podiatrists, and specialty surgeons. They also provide acute and chronic pain management services to patients in need of such care. CRNAs provide anesthesia for all types of surgical cases and, in some states, are the sole anesthesia providers in rural hospitals.

Mr. Santoro has contributed greatly to the health care community in southeast Michigan. He is the founder and Chief Executive Officer of Anesthesia Staffing Consultants, Inc. located in Bingham Farms, MI and a member of the allied medical staff at numerous hospitals and surgery centers in southeast and mid-Michigan. He graduated Magna Cum Laude from the University of Detroit Mercy with a bachelor's degree in science, and received his master's degree in nurse anesthesia from the Henry Ford Hospital/University of Detroit Mercy Nurse Anesthesia Program.

In addition to his current service as AANA President, Mr. Santoro has held various leadership positions in the AANA, including President-elect, Vice President, Treasurer, Region 3 Director, and has served on numerous committees. He is a former president of the Michigan Association of Nurse Anesthetists.

Mr. Santoro is a distinguished speaker on anesthesia and health care economics and has lectured nationwide on the safety, value and cost-effectiveness of CRNA care. During his AANA Presidency, Mr. Santoro was an important advocate for the practice of nurse anesthesia and its patients before federal agencies and members of Congress. He has worked tirelessly to promote the value of CRNAs to our health care system.

I extend my sincere congratulations to Mr. Santoro today on a job well done. His service to the AANA and the patients of southeast Michigan is commendable, and I ask my colleagues to join me in recognizing his notable career and outstanding achievements.

HONORING THE LIFE OF LEONARD EARL ROBERTS, SR.

**HON. LAURA RICHARDSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Ms. RICHARDSON. Mr. Speaker, I rise today to honor the life of Leonard Earl Roberts, Sr., a public servant and community leader, whose impact has been felt not only in Southern California but throughout the country. On July 5, 2011, Mr. Roberts passed away, leaving a legacy of service and patriotism. He will be dearly missed by all who knew him, but his example lives on in all of the lives that he touched.

Leonard Earl Roberts, Sr. was born in 1925—at the height of the Harlem Renaissance—to Mary Queen Dorsey in Vidalia, Louisiana.

Leonard, Sr. was no stranger to meeting and overcoming adversity. In his desire to serve his country, he joined the Civilian Conservation Corps (CCC) at the young age of sixteen, where he participated in the efforts to rebuild our Nation's infrastructure during the economic recovery efforts from the Great Depression. Later that year, Leonard, Sr. stepped forward to defend our country following the events of Pearl Harbor, despite being under age, and quickly advanced to the rank of staff sergeant. Leonard, Sr. was in the first wave to land on Omaha Beach during the Normandy invasion on June 6, 1944, as part of Operation Overlord, now known to most of the world as D-Day. He successfully led his platoon in many battles until his honorable discharge on December 7, 1945 at the close of the war. His entire outfit received the Bronze Indian Arrowhead for Assault Trooper, the Cor-De-Guerre—France's highest military honor—and several other medals and honors.

Upon his return home after military service, he sought out and married his childhood sweetheart, Dessie. Leonard, Sr. and Dessie moved to Boston, Massachusetts, taking advantage of the GI Bill and attending the Massachusetts Institute of Technology (MIT), where he received an Engineering degree. In the following years, Leonard and Dessie welcomed three children to the family—Donna, Janet, and Leonard, Jr.

Leonard, Sr. soon moved his family to Los Angeles, California—where children Jacqueline and Keith were born—to begin his lifelong career in the Aerospace industry which was his civilian way of continuing his service to our country. He designed a four axis machine for specialized production of precision oversized aircraft parts which revolutionized the industry. In 1972, Leonard, Sr. established Roberts Aerospace Manufacturing Engineering Corporation (RAMEC), and continued to receive coveted government contracts, as a result of his expertise in precision manufacturing for nearly four decades until the time of his passing. Equally of note, Mr. Roberts was well known in the industry as a man of integrity.

Leonard, Sr. valued God, Country and, above all else, family, which is demonstrated

by his marriage to Dessie for sixty-five years and his commitment to his children. His love will live forever in the hearts of his Grandchildren Allen Talbert, Kellie Clay (deceased), Chanel Troy-Thompson, Danielle Benoit-Williams, Natalie Roberts, Raquel Roberts-Richards and Bridgette Craddock and Grandchildren Tealor Chanel Mason, Jeraud, Jeremiah Jr. and Jehman Williams, Carl Quincy Clay, II, Lauren, Sydney and Brandon Talbert, Rameses Earl Roberts Richards, and Marcus Sebastian Mason.

Leonard, Sr. will be lovingly remembered by his sister Dottie and his nieces Cheri, Donna and Shanel, along with a host of other relatives and friends.

He recently imparted the profound statement to his loved ones, a motto which he lived by, "Everything is manageable in a family." Leonard, Sr. lived his life by anticipating the outcome of an effort before beginning the task. It mattered not how straight the gate or how charged with punishment the scroll, Leonard Sr. was the master of his fate, he was the captain of his soul.

My thoughts and prayers are with the Leonard E. Roberts family. His passing is an enormous loss for my district, Southern California, and the Nation as a whole.

COMMEMORATING THE LIFE AND CONTRIBUTIONS OF FORMER FIRST LADY BETTY FORD

**HON. MARY BONO MACK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 12, 2011*

Mrs. BONO MACK. Mr. Speaker, I rise today to pay tribute to one of the most influential and transformative First Ladies of our time, Betty Ford.

Born Elizabeth Ann Bloomer on April 8, 1918, Betty grew up in Michigan and studied dance, which ultimately helped lead her to the city of New York where she found work as a model and taught children to support her studies. In 1948, Betty married Gerald R. Ford, the future President of the United States, shortly before he began serving the first of his 13 successful terms in the U.S. House of Representatives. Mrs. Ford made it clear early on that her first priority was her family, but, it soon became apparent that would not be her only role in public life.

As First Lady during a particularly turbulent time for our Nation, Mrs. Ford spoke plainly and openly about the challenges confronting all Americans; and the people loved her for her candor and common sense. The Ford family reflected the core values of the American people, but, they were also not afraid to let the Nation see that their family was not perfect simply because it resided in the White House. Mrs. Ford spoke openly about the struggles their family faced and became one of the first women in public life to discuss her own battles with breast cancer and prescription drug addiction. Sharing her story raised the level of public consciousness and under-

standing of these important issues and made it "OK" for people to seek treatment and recovery.

Although her actions as First Lady had an immediate and profound impact on American culture, her work after she left the White House may have had the biggest impact on ensuring her lasting legacy as a leader in the recovery movement.

Following their time in the White House, President and Mrs. Ford relocated to Rancho Mirage, California and Vail, Colorado. As full-time residents of Rancho Mirage, they resided in the Congressional District which I would come to have the honor of representing, and I was incredibly proud to call the Fords constituents and dear friends. The Fords were fixtures in our desert community and many local residents counted them as friends. President and Mrs. Ford contributed greatly to countless worthwhile causes and generously shared that most precious of commodities, their time. In 2008, I proudly authored a bill designating their neighborhood post office as the "Gerald R. Ford Post Office Building" in honor of my mentor and friend, and Betty's beloved late husband.

In 1982, The Betty Ford Clinic, now known the world over as the Betty Ford Center, opened its doors on the Eisenhower Medical Center campus to provide those seeking treatment of alcohol and substance abuse addiction with a state of the art program to help them on their journey to recovery. Betty Ford, whose name has become synonymous with recovery and treatment, greeted countless patients and visitors with a simple salutation, "hello, my name is Betty Ford and I'm an alcoholic and drug addict." Nearly 30 years later, over 90,000 people have been treated at the center, including those of humble means to some of the wealthiest and most famous celebrities in the world.

As Co-Chair of the Congressional Caucus on Prescription Drug Abuse, I dedicate my work on the caucus to her memory and will continue to work tirelessly to advance the causes to which Mrs. Ford devoted much of her adult life. As a woman, I am especially grateful for the path she blazed, and consider her a great role model for any generation of women who want to make our Nation and the world a better place.

And as someone whose family, like so many others, has been affected by addiction, I am personally forever indebted to Mrs. Ford and have the utmost respect for her leadership on this important issue. Mrs. Ford was a great First Lady, a remarkable woman and valued friend. Our Nation has lost a national treasure with her passing, and I extend my deepest condolences to her family and all those who loved her.

Mr. Speaker, please join me in commemorating the life and contributions of First Lady Betty Ford, who departed this earth on July 8, 2011. Her memory will live on through her many good works and our country is enriched for her life and service. May God Bless her, and God Bless America.

**SENATE—Wednesday, July 13, 2011**

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our refuge and strength, our ever-present help in troubled times, we need You during this season of challenge. Our lawmakers need Your presence to help them build bridges that will keep our Nation strong and to forge alliances that will glorify You. Filled with Your wisdom, may our Senators find solutions to the complex problems we face.

With gratitude for all the blessings and benefits You generously bestow, help us to reveal our appreciation by living with honor. Keep us from taking for granted the faithful service of the many unsung heroes and heroines who support our Senators, and reward them for their willingness to make daily sacrifices for liberty. During this time of armed conflict, we also pray for our courageous men and women in harm's way.

We lift this prayer in Your sacred Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

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

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 13, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. REID. Madam President, following any leader remarks, the Senate will resume consideration of S. 1323, which is a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit, with 1 hour of debate equally divided and controlled. The filing deadline for all second-degree amendments to S. 1323 is 10 a.m. this morning.

At approximately 10:40, there will be up to two rollcall votes. The first will be a motion to invoke cloture on S. 1323, the piece of legislation I just spoke about. The second rollcall vote will be on a motion to invoke cloture on the motion to proceed to the Military Construction, Veterans Affairs, and related agencies appropriations bill.

**ECONOMIC TEAMWORK**

Mr. REID. Madam President, sometimes it is very hard to find common ground in Washington. But there is one thing on which Republicans and Democrats agree: It is absolutely necessary that Congress prevent a catastrophic default on the Nation's debt that would put our economy at grave risk. I have said it, and so have my Republican colleagues.

The business community is shouting out very loudly the same thing. This week, business leaders wrote to Congress—in fact, it was yesterday—and the White House to ask us to put our differences aside and avert a default crisis before it is too late. Literally hundreds of CEOs, including executives of some of the Nation's largest companies and the most respected business groups, signed the letter—more than 300. They wrote, "This is a risk our country must not take." They said that if we don't reach a deal soon, the stock market will be in "disarray." We all know that. We all know we cannot afford to have our country crash. Our economy is already struggling to stay on course to recovery. The U.S. Chamber of Commerce president Tom Donahue, who signed the letter, also said earlier this week that a default would have "dire consequences for our economy, our markets, and Main Street Americans."

Business leaders are begging us to do something and to do it quickly. That is

why I was shocked to hear the Speaker of the House say yesterday that averting a default crisis was President Obama's problem, not his. That is not what he said a few months ago when he urged us to "deal like adults" with the problem. It wasn't what he said when he voted to raise the debt ceiling seven times while George W. Bush was President, increasing the debt limit by \$4 trillion. In fact, when the Speaker voted to increase the debt limit by nearly \$1 trillion one time alone in 2003, he didn't demand that it be accompanied by massive spending cuts or any spending cuts. Instead, a Republican Congress approved hundreds of billions of dollars in tax cuts for the wealthy, which contributed to our massive debt, and they were all on borrowed money. All those massive tax cuts people received around the country were on America's credit card that has now come due.

Congress has raised the debt limit 89 times since it was created in 1939—54 times with Republican Presidents and 35 times under Democratic Presidents. Ronald Reagan asked Congress to raise the limit 18 times—and we raised it—twice as many as any other President. Republicans never claimed then that the issue was the President's problem. For Republicans to claim now that the deficit is a problem only for the President or Democrats in Congress is irresponsible. It is even more irresponsible considering President Bush, with the help of Republicans here in Congress, doubled the debt while he was President. That is more debt accumulated than any President in history, by far.

This problem belongs to all of us in Congress, and it will take all of us working together—political parties aside—to make a deal possible. This is not money being borrowed to spend more money; it is money we need to raise the debt ceiling so we can pay the bills we have already accrued.

Democrats realize finding common ground isn't always easy. If it were, we would have hammered out an agreement a long time ago. But reducing the deficit and getting our fiscal house in order is too important to quit when the going gets tough.

Theodore Hesburgh, the famous president of the University of Notre Dame, said this about making difficult decisions:

You don't make decisions because they are easy; you don't make them because they are cheap; you don't make them because they're popular; you make them because they're right.

It is time for Democrats and Republicans to get together to do what is

right for our Nation. We simply cannot allow our country to fail to pay its bills for the first time in its history. I am confident we will find a way to get this done. The risks to our economy are too great not to.

I was happy to hear yesterday—I received a phone call from the Republican leader at 12:30 yesterday. He has come forward with a proposal to address the debt limit. I am studying it and discussing it with my Senators. I have another meeting at 11 o'clock. Senator MCCONNELL has spent a great deal of time working on this, and I commend him for his thoughtful and unique proposal. It is something we have to look at very closely. I am heartened by what I read. This is a serious proposal, and I commend the Republican leader for coming forward.

I believe the Republican leader's proposal, combined with ideas he and I have been discussing to force a vote on deficit-reduction proposals, could go a long way toward resolving the impasse in which we now find ourselves. We both agreed a long time ago that the problem is not the President's. It is our problem, it is every American's problem, and certainly it is the problem of every Member of Congress.

In the meantime, this afternoon congressional leaders will again meet with President Obama and his senior advisers to try to advance our discussions.

Democrats realize finding common ground isn't always easy. As I said before, if it were, we would have hammered out an agreement a long time ago. But I say again, reducing the deficit and getting our fiscal house in order is too important to quit when the going gets tough. I am confident that somehow, someway, we will find a way to get this done. We can't allow our country for the first time in its history to fail to pay its bills. The risks to our economy are far too great not to.

In that letter we received yesterday, American business leaders said it very well:

Now is the time for our political leaders to put aside partisan differences and act in the Nation's best interests. It is time to pull together rather than pull apart.

So I urge my Republican colleagues to remember this: We are not opponents, squaring off across a baseball diamond or some playing field. We are on the same team with the same goal in mind. Let's take, for example, the baseball team I just talked about. If the catcher doesn't show up or refuses to play, it doesn't matter how good the pitcher is, it doesn't matter how good his curve is or how fast he can throw that ball, the team doesn't stand a chance without a catcher. A team is needed to accomplish the goals of a baseball team. We need a team to accomplish the goals this Congress has. It is time each and every one of us here in Congress remembered that. In the words of American business leaders,

"It's time to pull together rather than pull apart."

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

#### SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1323, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1323) to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

Pending:

Reid amendment No. 529, to change the enactment date.

Reid amendment No. 530 (to amendment No. 529), of a perfecting nature.

Reid motion to commit the bill to the Committee on Finance, with instructions, Reid amendment No. 531, of a perfecting nature.

Reid amendment No. 532 (to the instructions (amendment No. 531) of the motion to commit), of a perfecting nature.

Reid amendment No. 533 (to amendment No. 532), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 1 hour of debate equally divided and controlled between the two leaders or their designees.

The Senator from Illinois.

Mr. DURBIN. Madam President, I rise to speak in morning business.

I wish to thank my colleague, the Democratic majority leader, for his opening remarks. He and I have been given an assignment of going to the White House each day to sit down with the leaders—Democratic and Republican leaders in the House and the Senate, as well as the President, Vice President, Secretary of the Treasury, and leaders in the President's staff—to deal with this pending crisis over the debt ceiling limit.

On August 2, we are required to extend the debt ceiling of the United States of America. It is an interesting exercise which usually goes unnoticed.

Senator JEFF BINGAMAN from New Mexico presented to us yesterday a history of the debt ceiling. I was glad to learn a little bit more. In 1939, we passed a law which said we could extend the debt ceiling of the United States as needed, rather than have congressional approval of every bond issued by the Government of the United States. It made it a much more efficient way for the government to operate. As Senator REID said earlier, since 1939, we have extended the debt ceiling 89 times, and on most every occasion it has gone unnoticed because the United States has quickly extended its debt ceiling and kept its credit rat-

ing in the eyes of the world because of our timeliness. There was only one exception—a technical lapse that led to perhaps an increase in costs of government for just a brief time—but by and large, on 88 occasions this was done without any fanfare or notice.

It is interesting to look at the Presidents who extended the debt ceiling. The alltime recordbreaker when it comes to extending the debt ceiling was Ronald Reagan, who extended the debt ceiling 18 times in a matter of 8 years. So more than twice a year, Congress was extending the debt ceiling as our national debt increased dramatically under President Reagan. The same thing happened under President Bush. He holds the record—the second highest record, I believe—with eight or nine extensions of the debt in his 8-year tenure as President. On both occasions, under President Reagan and under President George W. Bush, the debt of the United States increased dramatically.

As Senator REID said earlier, under President George W. Bush, the debt of the United States of America in 8 years nearly doubled. In fact, some say it more than doubled. This was a period of time when we were doing things that, frankly, cost us a lot of money in terms of our national expenditures.

President George W. Bush waged two wars without paying for them. When we do that, of course, the cost of the war is added to the Nation's debt. President George W. Bush also did something no President had ever done: He cut taxes on American taxpayers in the midst of a war. Most Presidents understand we have to do just the opposite—we have to raise more money to wage a war because we have the ordinary costs of government that have to be met as well. So the idea of cutting taxes in the midst of a war added even more to the deficit under President George W. Bush. Then he had this theory that there were major programs we could enact and not pay for, such as Medicare prescription Part D.

All of these things accumulated together with the basic philosophy of the Republican Party that if we just keep cutting taxes, the economy will get well. It didn't happen. Just the opposite occurred. When President George W. Bush took office, our Nation's budget was in surplus. When he left office, it faced the largest deficit in its history. Instead of giving President Obama a positive economy when President Obama was sworn in as President, we were losing hundreds of thousands of jobs each month. Now we face a deadline of August 2 on whether we extend the debt ceiling.

I see the Republican leader has come to the floor. I commend him for what I consider to be a positive and thoughtful response. He understands, as most all of us do, that extending the debt ceiling is essential for the economy of

the United States and for our recovery from this recession. I asked my staff what would happen—what would happen if we defaulted on our debt ceiling and didn't pay and interest rates went up 1 percent. They are around 2.8 percent, 2.9 percent now.

What if interest rates went up 1 percent because of this self-inflicted wound of a failure to extend the debt ceiling? The consequences are real, and not just for the government but for families and businesses across America. A 1-percent increase in the interest rate, if we would default and not extend our debt ceiling—here is what the Third Way reports: Treasury rates, if it increased 1 percent, would cause deficits to increase by \$20 billion in the first year and by \$150 billion in the out-years. In other words, the debt of the United States would increase by a dramatic amount.

Increased Treasury rates would cause the gross domestic product; that is, the economic activity of America, the sum total of our goods and services, to decrease by 1 percent, according to J.P. Morgan. That would cause the U.S. economy to lose 640,000 jobs. At a time when we are losing jobs in the public sector but gaining them in the private sector, the failure to extend the debt ceiling would, in fact, increase unemployment in America.

J.P. Morgan predicts that a 1-percent increase would cause a stock market loss of 9 percent. What does that mean to the savings and 401(k) plans of American families? They would lose, on average, \$8,816—something no family would like to see. And raising mortgage rates by 1 percent would cause the typical mortgage to increase by somewhere in the range of \$38,000—\$38,000 in payments that need to be made.

So why would we inflict this wound on ourselves? As we sit with the President and try to find our way through this crisis, we should understand that as the business leaders reported to us yesterday, this would be a disaster—a self-imposed disaster, a failure of political leadership.

The President has called us together, and he has said: You are going to meet every single day until we get it done. That determination by the President is keeping us at the table and focusing us on the mission at hand.

I will tell you, I believe we can reduce this deficit if we are honest about the spending in Washington. To focus only on domestic discretionary spending—a part of the budget that has not increased in real dollar terms in the last 10 years—and to ignore the costs that are growing on the security side, the defense side, as well as the cost of entitlement programs, is not only being blinded to reality, it really means the cuts that are made in domestic discretionary spending are outrageously deep.

What we need to do, what the Bowles-Simpson commission told us

needed to be done was painful but necessary: Put everything on the table—everything on the table. That means all spending, all entitlements, and revenue.

I find it hard to understand the Republican position that says we can impose new obligations on the families of children going to college to pay more for student loans but we cannot impose any additional burden on the wealthiest people in America to pay more taxes. To think that the George Bush tax cuts means that for a person making \$1 million in income each year—that is \$20,000 a week in income—to think that George Bush tax cut is worth \$200,000 a year in tax cuts for a millionaire and that we would blithely hear from the other side that we should allow that to continue while asking everyone else in America to sacrifice is upside down.

It is instructive to me that, when asked, people across America believe we should put everything on the table, including taxes and revenue. We can do this.

The argument that this is the wrong time to raise taxes on anybody because of the state of the economy is not borne out by history. Whenever taxes have been increased in recent times, we have seen the opposite occur. If they are increased in a thoughtful way—not imposed on working and middle-income families and lower income groups—in fact, we have seen in the past that the economy has grown. It has not stopped us from growing.

We now have a top income tax rate of 35 percent. When it was over 39 percent under President Clinton, we had the fastest and most dynamic growth in our economy in modern time. There is no linkage between taxes on the wealthy and the growth of our economy other than the exact opposite of the Republican argument. Where taxes have been raised on higher income groups, we have actually seen our economy expand time and time and time again.

So I would hope we would have a balanced approach to dealing with this deficit and put everything on the table. I would hope that as we meet with the President, we get the job done. And we ought to do it soon. The longer we wait, the more the uncertainty, and it is not good for our economy in a world where we have a volatile economic situation, particularly in Europe. It is not good for job growth, where we know we desperately need to create more good-paying jobs right here in America. And it is certainly not good for our reputation in Congress. We were elected to lead, to make hard decisions. We have that opportunity, and we need to do it now.

Madam President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

BALANCED BUDGET AMENDMENT

Mr. MCCONNELL. Madam President, yesterday morning I came to the floor to announce my conclusion that, despite his repeated claims to the contrary, the President has no real intention of cutting spending or dealing with our deficits and debt. It has been my fervent hope that the President could be persuaded to view the upcoming debt limit vote as an opportunity—an opportunity—to change direction, to cut spending, to cut debt, and to preserve entitlement programs. But those hopes have evaporated as the President began to insist in recent weeks that he would only consider spending cuts later if Republicans agreed now to one of the biggest tax hikes in history. Republicans refused to be drawn into this legislative trap.

When Democrats proposed a smaller plan that they claimed, without any details, amounted to more than \$1 trillion in cuts, we refused to go along again because we knew that it really did not cut \$1 trillion. We refused to pretend that a bad idea was a good one. Our bottom line is this: The White House would have to prove that the cuts it was claiming to support were real and enforceable before Republicans would sign off on any plan to endorse them.

As it turned out, our skepticism was well founded.

Earlier this week, I asked an administration official point blank what the cuts they were proposing as part of their so-called bipartisan deal would amount to next year; that is, year 2012. He said they were talking about a \$2 billion reduction—\$2 billion—for next year. We will borrow more than \$4 billion today. That, Madam President, is not a deal in which I am particularly interested. This is what they were planning to spin as more than \$1 trillion over 10 years. It was at that point that I realized the White House simply was not serious about cutting spending or debt. The only thing they were serious about was putting together a plan that appeared serious but really was not, and they wanted Republicans to go along with it. Well, we are not interested in playing that game.

In the end, the White House gave us three choices in exchange for a vote to increase the debt limit: a massive tax hike, smoke and mirrors, or default. And none of these options is acceptable. So yesterday I proposed a possible fourth option as a last resort if the President continues to shirk his duty to do something about our dire fiscal situation. If the White House continues to insist on either tax hikes or default, then we would send legislation to the President that requires him to propose spending cuts greater than the debt limit he requests; make the President show in black and white the specific cuts he claims to support. If he refuses, he will have to raise the debt ceiling on

his own. But he is not going to get Republicans to go along with that. That way, the President cannot pretend to support cuts when he does not. He is forced to simply put up.

I understand the reluctance the American people have in concluding that a serious solution is not going to happen. I hope I am wrong. The idea of not doing something serious about the debt before August, frankly, sickens me. Like most Americans, I previously did not believe anyone in this country could seriously deny the need to rein in government spending. Like most Americans, I previously did not believe anyone could be so shortsighted as to propose massive tax hikes in a weakened economy. Like all of you, I did not think even the most liberal among us would go to such lengths to protect the expansion of government. I am sorry to report there are people who believe all of those things, and they currently reside right down at 1600 Pennsylvania Avenue. But Republicans refuse to let the President use the threat of a debt limit deadline to get us to cave on tax increases or on phony spending cuts that future Congresses could just as easily reverse with a single vote. We are not gambling our Nation's fiscal future on the promise of spending cuts tomorrow for tax hikes today.

It is time to change the conversation altogether. It is time to refocus this debate on the kinds of real cuts and debt reduction Americans are demanding of us. It is time to show there are two different versions of our Nation's future at work here. So over the next several days, Republicans will redouble our efforts to avoid all four scenarios. Americans do not want tax hikes, they do not want phony spending cuts, they do not want a debt disapproval plan, and they do not want us to default on our debts. They want real cuts and real reforms now, and that is what Republicans will spend the next 2 weeks fighting for—the one thing that will ensure that Washington gets its house in order and forces future Congresses to live within their means.

The time has come for a balanced budget amendment that forces Washington to balance its books. If these debt negotiations have convinced us of anything, it is that we cannot leave it to politicians in Washington to make the difficult decisions they need to get our fiscal house in order. The balanced budget amendment will do that for them. Now is the moment. No more games. No more gimmicks. The Constitution must be amended to keep the government in check. We have tried persuasion. We have tried negotiations. We have tried elections. Nothing has worked. If the President will not do something about the debt, we will go around him and take it to the American people. We will have a real debate. Those who support endless spending and debt will vote against it. It is time we all stand up to be counted.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank the Republican leader for his efforts in this regard. I know for a fact that Senator MCCONNELL and the leadership on our side hoped and believed it was possible to take advantage of the opportunity of the discussion over raising the debt limit to create a major alteration in our plan of spending in this country. It has been disappointing to not have been met halfway in that regard.

When Senator MCCONNELL was told the White House's plan included only a \$2 billion cut next year in spending, I found it stunning. Our deficit this fiscal year will have added \$1,500 billion to our debt. We are going to save \$2 billion next year? This is not acceptable, and I am disappointed. I appreciate the Republican leader's efforts in that regard.

I would note, as to the discussion about that the war is causing our deficit, it has been expensive over 10 years. The war on terrorism, Iraq, and Afghanistan together have cost about \$1.5 trillion. This next year, we are projecting a little over \$100 billion to be spent. So I will just say that the amount of the deficit this one year will equal the cost of the Afghanistan and Iraq wars over 10 years. The deficit this year is \$1,500 billion. The cost of the war this year is about \$150 billion. It is about 10 percent of the deficit we are running this year. Although we hope to bring those numbers down and are already projecting next year those numbers to come down to closer to \$100 billion from \$150 billion, the cause of our deficit is not the war. It represents about 10 percent of the total deficit we are running this year. That is just a fact. That is what the numbers show.

One of the few things mandated for Congress to do every year is to pass a budget. According to the Congressional Budget Act, contained in the U.S. Code, signed into law in 1974, the Senate Budget Committee must produce a budget resolution by April 1 and adopt a conference agreement on that budget by April 15. Furthermore, a budget must include total levels of spending, expected revenue, and deficits for no less than 5 years, and frequently we do 10-year budgets.

Once a budget is in place, Congress is prohibited from passing legislation with spending that exceeds the levels that were in the budget—sort of like we do in our homes. In essence, a budget is both a concrete plan for the future, and an enforcement mechanism to help us stay within the limits we set, and to ensure honest accounting.

One of these enforcement mechanisms in the Budget Act as set forth in the code is a prohibition against the consideration of any appropriations bills in the absence of a budget. We

should not move forward with spending bills until we have established a budget. How simple is that? That is why we are supposed to have it done by April 15, because the appropriations bills come along afterwards.

This is the essence of good government. We should not spend taxpayer dollars without a plan for how to officially allocate the dollars and in a way that maximizes the effectiveness of our spending and minimizes waste and abuse and fraud. We have too much of that in our government.

This point of order—and there is a point of order in the code—contained in section 303(c) of the Congressional Budget Act, once that point of order is raised, the legislation in question cannot move forward unless a majority of the Senators vote to waive the budget requirement that taxpayer money should not be appropriated without a budget—without a plan.

This is what the law dictates. I believe this is our responsibility as legislators and as Senators. This is what the organizational structure of this very Senate requires, and this is the duty the Democrat-led Senate has refused to fulfill for 805 days. Senate Democrats have failed to adopt a budget in more than 2 years, and this year they have refused to even produce a budget for public review. They claim they have one. They claim it does some good things, and they leak portions of it to the public and spin it as being a positive document. But when asked to produce it, they do not do so. When asked to have hearings on it, they do not do so.

If they are proud of it, if it will sustain public scrutiny, why do they not bring it forward? I have never imagined that I would serve 2 years in the Senate and now be ranking member of the Budget Committee, and we would not have a budget even presented. Today we are scheduled to vote on a motion to proceed to the Military Construction appropriations bill for fiscal year 2012, beginning October 1 of this year.

Regardless of my feelings about the legislation or my high admiration for those who have worked on it, I think I have a responsibility, a duty, as ranking member of the Budget Committee during this time of extreme fiscal danger, the greatest debt we have ever seen, to oppose cloture on this measure and to raise the 303(c) point of order should cloture be invoked.

My objection does not mean I do not support the bill. To any who would suggest otherwise, let me say that this action is at its core a defense of our men and women in uniform. No one understands duty better than those who wear the uniform, and it is our duty to write a budget that sets priorities and ensures the needs of our troops are met. The military is a priority of the highest order. To protect that priority, we must have a budget, especially in these challenging economic times.



The Senate has failed those in uniform if it chooses political expedience over drafting a budget that includes a military spending plan. How can we protect the military from unwise cuts if spending plans are not even made public?

The only area of government significantly cut in the unseen Democratic budget proposal that I have referred to previously—that I have called a “phantom budget”—appears to be the Pentagon’s.

If we take the numbers that were leaked from their budget plan, it calls for \$900 billion in cuts to the Pentagon, to the government, to the military. Well, if this is their plan we ought to know it. So I do not want to hear people say that I am objecting to the Military Construction bill because I do not appreciate the military, while the Democratic majority, who is producing this Military Construction bill, claim they have a budget that hammers the Defense Department by \$900 billion.

Indeed, while that appears to be the plan, the budget submitted by President Obama earlier this year—not one produced by the Senate Democrats but the President’s own budget—calls for a 9.5-percent increase in the Energy Department, a 10.5-percent increase for the Education Department, a 10.5-percent increase for the State Department, and a 60-percent increase for high-speed rail and the Transportation budget without money to fund it.

While they are proposing major cuts in defense, we have major plans on the table to increase spending next year when we are, again, going to run a \$1 trillion-plus deficit. The authors of the Congressional Budget Act likely did not contemplate a future in which the governing party believes budgets are no longer necessary. That seems to be the case today. That is why I am also bringing forward legislation that will raise a 303(c) point of order threshold to 60 votes—no appropriations without a budget unless 60 Senators choose to waive that requirement. That is in the law.

We sometimes put requirements in the law. We do not have very good enforcement mechanisms. The danger we face from continuing to operate this government without a clear, concrete budget is simply too great. Admiral Mullen, the Chairman of the Joint Chiefs of Staff, warned that our Nation’s debt is the gravest of all national security threats we face. It is so. We are reaching a point where our economy could enter into a financial crisis as a result of our national debt.

We owe it to the extraordinary men and women who serve this country to defend at home the way of life they have defended abroad. That means the Senate must confront the debt problem that threatens us with economic disaster. Already, as economists Rogoff and Reinhart demonstrated, we are los-

ing at least 1 million jobs a year as a result of our high debt, which is now 95 percent of GDP and soon to be 100 percent of GDP.

In just a little over 2 months our Nation’s gross debt will be as large as our entire economy and growing larger. This year we will take in \$2.2 trillion, but we will spend \$3.7 trillion. By the end of the first 3 years of the Obama administration, we will have accumulated \$5 trillion in gross debt—new debt.

Over the next 10 years we are projected to spend \$46 trillion, adding another \$13 trillion to our national debt. That is 13,000 billion. The President proposed saving \$2 billion next year. He proposes we increase taxes on corporate jets that over 10 years would save \$3 billion, while he has a budget submitted to the Senate that would increase the debt by \$13,000 billion over the next 10 years.

I do not defend corporate jets. We can eliminate that as far as I am concerned and change our whole tax structure, which needs simplifying and more integrity and more effectiveness in it. But that is not a responsible way for a leader to suggest that we are going to fix our debt problems—by changing the corporate tax rate for jets. No nation can sustain this level of debt, nor can any nation ever raise enough taxes to cover this level of spending. The course we are on is not merely unsustainable, it is unimaginable. The American people have every right to be angry with their Congress. We are sitting here running a government and borrowing 40 cents of every dollar we spend. They should be furious with us. It is unacceptable. It is unexplainable.

We spend and borrow all we can. That is the fact. There is only one sound answer: control spending and grow the economy, not tax it into submission. For Americans to regain prosperity, Washington must regain discipline. Hiking taxes to bail out the Washington spenders who have put us in debt by increasing domestic nondefense spending in the last 2 years—not war, not Social Security, I am talking about general expenditures of our government have gone up 24 percent in the last 2 years. They have run up huge debts, and now they want the American people to pay more so they can continue to spend at this irresponsible level. I say no to that. I am not for that.

Since the Democratic-led Senate last passed a budget, we have spent \$7.3 trillion and increased the debt by \$3.2 trillion. When President Obama took office the public debt of the United States was about \$5.7 trillion. In 3 years we have added close to \$4 trillion in debt. In 4 years President Obama’s debt that he will have run up at this rate will be larger than the debt that has been accumulated in the entire history of America.

We are on an unsustainable course. This fiscal abandon has brought us to the brink of the debt ceiling that we have. We have a limit on how much debt we can run up statutorily. Yet, still, the Senate Democrats will not produce a budget, and the White House will not put together an honest plan with real spending cuts that they will stand behind and let people analyze and score. Just more gimmicks, tricks, and games. That is not acceptable. That is why we are in this fix today.

Majority Leader REID actually declared it would be “foolish” to have a budget—“foolish” to have a budget. Would you tell a family who is having difficulty with their finances it is foolish to have a budget? Would you declare to a family who is running up credit card debt and 40 percent of what they are spending is put on a credit card every month that they should not have a budget?

The United States Code requires us to have a budget by April 15. It is easy to claim deficit reduction as a priority, but if our leaders were actually to put a plan on paper it would become all too clear that their real desire is for larger taxes and only meager cuts to spending. That is the truth. That will not get the job done. Numbers do not lie. Their rhetoric creates the appearance of savings, but those savings do not exist when you look at the numbers carefully.

But while the White House and Senate Democrats may think their strategy is clever, I do not think the American people should be amused. I do not think the American people are amused. Until the majority, who asked for the responsibility to lead this Senate—that is what they wanted. They have it. Until they allow this Chamber to adopt a badly needed budget, I am going to continue to raise points of order on appropriations bills.

Now more than ever, we should fulfill our legal duties, not shirk them. More than ever today we should. We were not elected to preside over the financial decline of this country. We were not elected to shut down the committees, deny them the right to function, to shut down debate or cede our constitutional responsibility to secret meetings and closed-door proceedings.

The debt limit is not only about fulfilling our obligation to creditors, it is about fulfilling our obligation to the all of the people we serve, good Americans. We owe them a Senate that works, that works openly and tirelessly on their behalf, which casts votes on these important matters and has to respond and be accountable to the American people. We owe the people an honest, competent, limited, efficient government. We owe them a Senate that is worthy of their faith and trust.

We are not there. We are not fulfilling that responsibility. Therefore, I

expect that I will object and raise a budget point of order against movement to the Military Construction bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized.

Mr. THUNE. Madam President, I want to echo some of the remarks made by my colleague from Alabama regarding a budget. He is the ranking Republican member on our side on the Budget Committee.

It is ironic that we are on the floor of the Senate this week, as we were last week, debating a nonbinding sense-of-the-Senate bill that states "those earning \$1 million or more per year make a more meaningful contribution to the deficit reduction effort."

It doesn't specify what that is. It doesn't say there should be tax increases or spending cuts that should have an impact on these high-income earners. I echo what was stated by my colleague, which is that this is no substitute for a budget. Congress's job is to pass a budget. That is why we are here. That is why the taxpayers elected us. It is to set priorities and make decisions about where we are going to allocate their hard-earned tax dollars.

The Democrats have not passed a budget for 805 days. Now, this sense-of-the-Senate bill—which is vague, ambiguous, and meaningless—does not do anything to address the fiscal challenges our country faces or achieve any level of budgetary savings.

Mr. SESSIONS. Will the Senator yield for a question?

Mr. THUNE. I am happy to yield for a question.

Mr. SESSIONS. The Senator from South Dakota is an experienced member of the Budget Committee and a member of the leadership on the Republican side in the Senate. Isn't it true that we had more interest from Members wanting to join the Budget Committee this year, particularly new Members who had gotten elected and talked to their constituents about their fear of America's debt and they wanted to be on the Budget Committee, and only a few could be selected out of the group who wanted to be on it?

What has been the Senator's observation as to how they have reacted to the fact that no budget has been presented; that the committee has never met or even marked up and held hearings as the United States Code requires? Maybe the Senator can share how they feel about this.

Mr. THUNE. My colleague is absolutely right. There was tremendous interest this year. If we look at the last election, the 2010 election, a lot of the people who were elected in the House and Senate were elected because they ran on a message to their constituents of getting America's fiscal house in order, getting spending and debt under control.

Where does that start? It starts with a budget. So they got here and tried to get on the Senate Budget Committee. We have all these bright new Members of the Senate who have a lot to contribute and who have had no opportunity to do that because we haven't had a budget, a markup, and we haven't done the necessary things in order to move the budget process forward.

I am completely in agreement with the Senator from Alabama when it comes to what the priorities should be. It ought to be doing a budget that actually focuses on cutting spending and getting this debt under control.

I tried to offer an amendment to this nonbinding sense-of-the-Senate bill, but the majority is blocking amendments. That amendment would cut all nonsecurity discretionary spending for the current fiscal year by 2.5 percent. It is a nominal amount, I recognize that. It is not a big spending cut. It is a small haircut. It will not solve our problem. It would produce about \$11 billion in savings from some of these accounts that have seen, as the Senator noted, extraordinary growth since 2008.

Spending has increased in the discretionary part of the budget by 24 percent in 2 years, when inflation was about 2 percent. The government was spending at a rate of 10 or 12 times the right of inflation. It is unsustainable.

We cannot argue to the American people with a straight face that that is the kind of spending that ought to be going on in Washington, DC. Because the amendments have been blocked, we are probably not going to have a chance to vote on that. But the amendment says: Let's cut by 2.5 percent the discretionary spending, given the fact that it has increased 24 percent in the last 2 years.

These accounts started to feel downward pressure when the continuing resolution passed earlier this year, but more needs to be done. We need to put pressure on the spending side of the equation, not the tax side. All of my Republican colleagues have said it multiple times, but I think it bears repeating and explaining that our problem in Washington isn't that Washington taxes too little; it is that it spends too much. That is true.

Revenues are below their historical average, but spending is dramatically higher than its historical average. The reason we have revenues that are lower than the historical average is because we have an anemic economic recovery. If we get the economy growing and expanding and creating jobs again, we will start to see some of the tax revenue pick up. Just as a point of fact, in 2006 and 2007, we had a very similar income tax system to what we have today. At that time it raised more revenue than our historical average. Our historical average is around 18 percent

of our entire economy—what we raise in tax revenues. In 2006 and 2007, in the Tax Code, the rates were similar to today. We have exceeded the average.

The issue is not that we have too little revenue in Washington, not that Washington taxes too little; it spends too much. Once the economy starts to turn around, we know we are going to be raising a substantial and sufficient amount of revenue without having to resort to tax increases. In fact, if we were to enact tax reform that was revenue neutral—and by that I mean it doesn't generate more revenue for Washington to spend—but if we were to lower the rates on people and businesses and broaden the tax base, our economy would grow and expand dramatically, and we would see even more revenue generated for the Federal Government and more jobs created, which is what everybody wants to see. We should not, however, simply increase taxes to pay for ever-increasing spending for programs that aren't sustainable.

This year Federal government spending will comprise 24.3 percent of our Nation's entire economic output. So almost a quarter of every dollar spent in this country will be spent by the Federal Government. That doesn't take into consideration spending by State and local governments. But it is 18 percent more than our historical average. We spend about 20.6 percent, historically, of our entire economy on the Federal Government. This year it is 24.3 percent. We are almost at a quarter out of every dollar being spent by our Federal Government in Washington, DC.

What happens? That means there is less activity in the private economy, which is where the real jobs are created. When the Federal Government is spending this much and borrowing this much, it crowds out private investment and makes it difficult for the private economy to create jobs that are permanent, good-paying jobs for the people of this country.

Perhaps an even more pertinent statistic is the years in which our budget has been balanced since 1969. These budgets were balanced because spending was constrained. If we look at the 5 years when the budget was balanced, the Federal Government's spending in those 5 years comprises just under 18.7 percent of our GDP, our economic output. So if we look at the problem that we are trying to diagnose in this country, our colleagues on the other side diagnose it as a revenue problem. I submit that the problem we are trying to solve is fundamentally a spending problem. Five times, when the budget was balanced since 1969, in every instance it was because we were spending less than the historical average.

This year's spending is over 30 percent more than the years in which we balanced the budget; that is, as a percentage of our entire economy. That is

how much higher it is than the years in which we balanced our budget. That is how much and how fast government spending is growing. Unfortunately, it remains above the historical average every year in the President's budget. He submitted a budget that borrows more, spends more, and taxes more. I can't think of a worse way to get out of an economic downturn and start creating jobs than to continue to spend at this uncontrollable rate, to continue to borrow more and more money, and impose higher taxes on an American economy that is already struggling.

After 2018, according to the President's budget, spending increases every single year. That is a spending problem; that is not a revenue problem. Despite that, the administration wants to take what they call a "balanced approach" and to have shared sacrifice.

Only in Washington, DC, would spending more and taxing more be considered a balanced approach. Only in Washington would shared sacrifice mean taking more of taxpayers' hard-earned money to spend on the administration's priorities.

To put a fine point on that, this week, the President said he would "rather be talking about things that everyone wants, like new programs." This is code for: I need more of your money so I can spend more.

I reject that notion. We don't need more spending in Washington, DC. We don't need more programs. We don't need to expand government. Government is too big already, at 25 percent of our entire economy.

Let's pretend for a minute that deficit reduction really was the President's priority. What has happened in the past with these "balanced budget" deals? In 1990 the budget agreement reached by President Bush at Andrews Air Force Base was supposed to have spending cuts that outnumbered tax increases by a 2-to-1 margin. Spending was supposed to be cut by \$274 billion, and taxes were going to be increased by \$137 billion.

What actually happened? Tax hikes certainly materialized, but the reality is that spending actually increased. So in the 1990 "balanced" budget approach, we got increased spending and increased taxes. In 1982, under President Reagan, the exact same thing happened.

Madam President, I simply say to my colleagues that this is fundamentally a debate about the size of our government. We believe in a debt crisis we ought to make government smaller, not larger, and not create more programs. Our colleagues on the other side have a different view. We ought to be talking about what we can do to get people in this country back to work and small businesses hiring.

There was a Chamber of Commerce survey that said 64 percent of small businesses will not add to their pay-

rolls this year, and 12 percent will cut jobs. Why? Because of the economic uncertainty created in Washington and because we are unwilling to deal with the spending and debt issue that is in front of us and to put policies into place that will enable job creation and economic growth.

I hope my colleagues will work with us to reduce the size of government, not grow it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Madam President, how much time remains?

The ACTING PRESIDENT pro tempore. On the Democratic side, 15 minutes remains, and there is no time on the Republican side.

Mr. SCHUMER. Madam President, I rise to speak about the budget and deficit issues that are facing us. The first point, which is becoming clearer and clearer to the American people, is how bad a default would be.

The bottom line is very simple: America has never defaulted on its debt—nor should any country, particularly the greatest country in the world—debt that is a promise of expenditures that have already been made. When we raise the debt ceiling, we are simply saying we are going to pay our bills.

The bottom line is that every family in America has to do that. If you own a mortgage, you can't say, after you have signed the mortgage and lived in the house: I am not going to pay my mortgage unless ABC happens.

If you have credit card debt and you have incurred significant debt, you can't say to the credit card company: I am not going to pay that debt unless you do ABC.

Yet some of our colleagues on the other side—and particularly in the House of Representatives—seem to say that. It would lead to disaster. It would lead to disaster for the government. In August America has \$306 billion—this government, this Federal Government, has \$306 billion in obligations and \$172 billion in income. If we don't raise the debt ceiling, we are going to have awful choices: Do we pay the Social Security recipients and not the veterans? Do we pay the veterans and not those to whom we owe money? Do we say we will pay veterans but not pay people who inspect food or guard our borders? The choices are awful, and choices the American people should not have foisted on them by an irresponsible Congress that says we will not raise the debt ceiling.

It will also hurt American homeowners and debtors. If you are a mortgagor, your debt will go up. If you have a variable-rate mortgage, and we don't raise the debt ceiling, you will pay perhaps hundreds of dollars more each month. If you have credit card debt, which most Americans have, the rates are likely to go up.

Overall, at a time when we need jobs and the economy is so precarious, it could send us back into a recession and perhaps even worse, according to some economists. So not raising the debt ceiling and defaulting on our debt is not an option.

Yesterday, Senator MCCONNELL realized that. The substantive good news here is that the plan MITCH MCCONNELL offered, for all its faults, makes the likelihood of our not paying our bills, of not raising the debt ceiling less likely. However, the plan has a good deal of fault to it. It seems to be a political document. It says what we care most about is two things: It says we want to throw the responsibility of raising the debt ceiling to the other side, and it says the Republican Party cares more about preserving tax breaks for the wealthy and corporate America than actually bringing down our debt.

All the talk about deficit reduction, all the talk about getting a handle on our debt has been thrown to the wind, all in an effort to say: We know if we raise the debt ceiling there will be trouble. Senator MCCONNELL is well aware—he is very smart when it comes to the politics of it—that had the debt ceiling not been raised, the blame would have fallen on the party that has been saying they don't care about raising the debt ceiling.

Hundreds of members of the Republican Party throughout the country—scores in this Congress both in this House and the other—have said: We are not going to raise the debt ceiling. Senator MCCONNELL, realizing the consequences of doing that would fall on the party that doesn't believe it is important to do so, had to act. But at the end of the day, where is the debt reduction? Where is the deficit reduction we have heard about in speech after speech after speech from the other side?

The bottom line is very simple: Again, when President Obama offered a plan that would remove tax breaks from the rich, that would close corporate loopholes, the other side said: We can't tolerate that, even if it means debt reduction. The McConnell plan shows what the other party, the other side of the aisle, cares about: preserving tax breaks for the rich and preserving corporate loopholes much more than reducing our deficit and bringing down our debt.

Having said that, as I said, Senator MCCONNELL has at least recognized, even if partially politically, the gravity of the situation, and he joins the other leaders in Washington in doing that. President Obama has as well, and that is why he put out his \$4 trillion plan. Speaker BOEHNER has also. That is why he was willing to entertain—until the rug was pulled out from under him—a big plan. Leader REID and Leader PELOSI have constantly talked about their views and ways we can reduce the deficit and avoid default. There is only

one person who hasn't come up with a plan, who hasn't compromised, and who hasn't reached out to the other side in an effort to move forward, and that is the majority leader in the House, Mr. CANTOR. He is the only one who still says: My way or the highway. Every other leader has said they are willing to make certain concessions—even though they do not like them—to avoid default.

The Nation, and, of course, this Congress is waiting for Leader CANTOR to step to the plate in a similar way so that maybe we can come to a compromise that actually avoids default and, at the same time, gets a handle on the debt and deficit problems and reduces both of those.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON of Florida. Madam President, I know we have a vote that is coming up momentarily, but I just wanted to say my wish for those folks who are huddling up down at the White House every day: Don't miss this opportunity for a grand bargain to do something serious about deficit reduction. That is why I am concerned about Senator MCCONNELL's proposal because it would take us off that practice.

When they look at that real opportunity for \$4 trillion of deficit reduction, they ought to look at the proposal of the Senate Budget Committee—\$4 trillion, \$2 trillion of which over 10 years comes out of the \$14 trillion of the tax expenditures—or tax preferences that special interests have. We would only have to take from 9 to 17 percent of all that \$14 trillion of tax preferences in order to produce the \$2 trillion of revenue over 10 years.

I have just put that issue to a panel of experts in a joint Ways and Means-Finance Committee meeting as to what they would recommend, and I will talk about that later today.

With that, I yield the floor.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that all time be yielded back.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 1323, a bill to

express the sense of the Senate on shared sacrifice in resolving the budget deficit.

Harry Reid, Richard J. Durbin, Patty Murray, Daniel K. Inouye, Christopher A. Coons, Sheldon Whitehouse, Barbara Boxer, Robert P. Casey, Jr., Bernard Sanders, Frank R. Lautenberg, Sherrod Brown, Jack Reed, Dianne Feinstein, Jeff Merkley, Benjamin L. Cardin, Carl Levin, Charles E. Schumer.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 51, nays 49, as follows:

[Rollcall Vote No. 108 Leg.]

YEAS—51

Akaka	Gillibrand	Mikulski
Baucus	Hagan	Murray
Begich	Harkin	Nelson (FL)
Bennet	Inouye	Reed
Bingaman	Johnson (SD)	Reid
Blumenthal	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown (OH)	Kohl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	Manchin	Warner
Durbin	McCaskill	Webb
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wyden

NAYS—49

Alexander	Graham	Murkowski
Ayotte	Grassley	Nelson (NE)
Barrasso	Hatch	Paul
Blunt	Heller	Portman
Boozman	Hoeven	Pryor
Brown (MA)	Hutchison	Risch
Burr	Inhofe	Roberts
Chambliss	Isakson	Rubio
Coats	Johanns	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	Kirk	Snowe
Collins	Kyl	Thune
Corker	Lee	Toomey
Cornyn	Lugar	Vitter
Crapo	McCain	Wicker
DeMint	McConnell	
Enzi	Moran	

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 51, the nays are 49. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

MAKING APPROPRIATIONS FOR MILITARY CONSTRUCTION, THE DEPARTMENT OF VETERANS AFFAIRS, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012—MOTION TO PROCEED

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 91, H.R. 2055, an act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

Harry Reid, Richard J. Durbin, Patty Murray, Daniel K. Inouye, Christopher A. Coons, Sheldon Whitehouse, Barbara Boxer, Robert P. Casey, Jr., Tim Johnson, Frank R. Lautenberg, Sherrod Brown, Jack Reed, Dianne Feinstein, Jeff Merkley, Benjamin L. Cardin, Mark L. Pryor, Carl Levin, Charles E. Schumer.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2055, an act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 89, nays 11, as follows:

[Rollcall Vote No. 109 Leg.]

YEAS—89

Akaka	Franken	Merkley
Alexander	Gillibrand	Mikulski
Ayotte	Graham	Moran
Barrasso	Hagan	Murkowski
Baucus	Harkin	Murray
Begich	Hatch	Nelson (NE)
Bennet	Heller	Nelson (FL)
Bingaman	Hoeven	Portman
Blumenthal	Hutchison	Pryor
Blunt	Inhofe	Reed
Boozman	Inouye	Reid
Boxer	Isakson	Risch
Brown (MA)	Johanns	Roberts
Brown (OH)	Johnson (SD)	Rockefeller
Burr	Kerry	Sanders
Cantwell	Kirk	Schumer
Cardin	Klobuchar	Shaheen
Carper	Kohl	Shelby
Casey	Kyl	Snowe
Chambliss	Landrieu	Stabenow
Coats	Lautenberg	Tester
Coburn	Leahy	Thune
Cochran	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Lugar	Warner
Coons	Manchin	Webb
Crapo	McCain	Whitehouse
Durbin	McCaskill	Wicker
Enzi	McConnell	Wyden
Feinstein	Menendez	

NAYS—11

Corker	Johnson (WI)	Sessions
Cornyn	Lee	Toomey
DeMint	Paul	Vitter
Grassley	Rubio	

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 89, the nays are 11. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

Mr. REID. Madam President, I would hope following the Republicans' luncheon they will allow us to move to this bill. Senator JOHNSON and staff are ready to move forward on this legislation. We would hope after the luncheon they would allow us to be on it. So it would be open for amendment. There are lots of spots open for people to offer amendments. This would be our first appropriations bill. I think it would be, especially in that we are working on these budgets, deficit-reduction programs right now here and at the White House, a good message to everybody that we can do an appropriations bill and stay within our legislative framework as far as spending.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I also ask unanimous consent to speak as in morning business for—well, it will not be 20 minutes but let me ask for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### STATE OF THE OCEAN

Mr. WHITEHOUSE. Mr. President, nothing is more important in the short term than resolving our debt limit impasse, and I would urge my colleagues to take Social Security out of their gun sights. It has not contributed to our debt or deficits.

I would urge my colleagues to focus not on Medicare benefit cuts but, rather, on health care system reforms that will save not only Medicare and Medicaid costs but private health care and health insurance costs as well—cost savings throughout the system. I would urge my colleagues to yield a bit on defending every tax loophole, every tax gimmick and tax preference as if they were tax hikes. They are not. They are just not. They are earmarks in the Tax Code. They are special benefits in which ordinary Americans usually do not share, and we should not put the special interests first, ahead of ordinary Americans who did not get special tax deals.

But as important as all of that is in the short term, there are some things that are more important in the long term than our debt limit, and I rise to speak about one.

In April of this year a group of scientific experts came together to discuss an issue with consequences that will influence the planet and our American society for generations to come. They met at the University of Oxford to discuss the current state, and eventual fate, of our oceans. "The ocean,"

as stated in the workshop's summary report, "is the largest ecosystem on Earth, supports us and maintains our world in a habitable condition."

For 3 days, 27 scientists representing 18 prominent research and conservation organizations worldwide, reviewed the latest findings on ocean stressors—and in particular the consequences of multiple, combined stressors—for marine life and for the human population. The scientists found that stressors in combination magnify the negative effect of each one occurring alone.

Based on this determination, the scientists at this meeting concluded:

We have underestimated the overall risks and that the whole of marine degradation is greater than the sum of its parts, and that degradation is now happening at a faster rate than predicted.

In short, things for the ocean are worse than we thought and getting worse faster than expected.

All too often, we take for granted the fact that our oceans feed us, support our coastal communities, and drive our tourism economies. Unfortunately, these ocean ecosystems are severely stressed, from nutrient pollution, chemical dumping, overfishing, marine debris, invasions of exotic species, warming waters and, perhaps most alarming, a drop in ocean pH to levels not seen for more than 8,000 centuries: acidification of our oceans. Individually, these stressors would be cause for concern. In combination with each other, this expert group of scientists concluded, they are driving our ocean toward the brink of a mass extinction and ecosystem collapse.

One example of the multiplier effect on marine life comes from plastic debris and toxic chemicals. Plastics make their way as trash into the ocean where they break down into small particles that are consumed by marine life, like sea turtles, sea birds, and microscopic plankton. Consumption of plastic alone becomes fatal for marine life, when they consume so much indigestible material that they stop eating all together and starve to death. But the surfaces of plastic particles also easily absorb chemical pollutants, so they amplify the load of chemical pollution on these creatures.

The levels of chemical pollution are themselves on the rise in even the most remote seas where no human development exists. Many of these chemical pollutants, like flame retardants and fluorinated compounds are poured down home sinks, or expelled as waste from industrial facilities, directly into the ocean. Plants and animals have not evolved ways to break down these new synthetic compounds, so they "bioaccumulate," meaning they become increasingly concentrated as they are passed up the food chain, or passed in marine mammals from mothers to calves in their milk, until many of our top oceanic predators, our most majes-

tic creatures, are now swimming toxic waste.

Another example of what the scientists call "negatively synergistic" environmental harms is the combination of destructive fishing practices, nutrient runoff, and the presence of hormone-disrupting pharmaceuticals in our wastewater on coral reefs. But now, these precious ecosystems, known as the rainforests of the sea, do not have to just contend with overfishing, nutrient, and wastewater pollution. Now the reefs, like the mangroves, salt marsh estuaries, and seagrass meadows, in their damaged and less resilient state, must also face a rapidly changing climate and its dual effects of ocean warming and acidification. Coral reefs are more likely to bleach when exposed to both increased temperature and acidification than if they are exposed to either condition separately.

Add both conditions to pre-existing stressors, and 35 percent of the world's reefs are classified as in a critical or threatened stage. Scientific projections indicate that without urgent action, coral reef ecosystems could be eliminated in 30–50 years.

The death and decline of coral reefs, the most diverse ecosystems on the planet, dramatically impairs the reproduction and development of hundreds of other species that call them home. When a reef ecosystem collapses and does not recover, it quickly becomes dominated by algae, and the phenomenal biodiversity once present disappears. For human society, this is accompanied by a loss of food, loss of income, and damage to the billion-dollar per year tourist industries.

The workshop report echoes the overwhelming body of peer-reviewed science and literature on climate change and carbon pollution, stating that:

Human actions have resulted in warming and acidification of the oceans and are now causing increased hypoxia (lack of oxygen). Studies of the Earth's past indicate that these are the three symptoms . . . associated with each of the previous five mass extinctions on Earth.

We are now talking about changes whose precedents can only be found in geologic time. I have often said how we have veered outside of the bandwidth of carbon concentration that has prevailed for 800,000 years. This comparison is to mass ocean extinction events 55 and 251 million years ago. Back then, the rates of carbon entering the atmosphere in the lead-up to these extinctions are estimated to be 2.2 and 1.2 gigatons of carbon per year, respectively, over several thousand years. But, as this new report identifies, "Both these estimates are dwarfed in comparison to today's emissions of roughly 30 Gt of CO<sub>2</sub> per year." Such a massive dumping of carbon pollution into our atmosphere creates the prospect of devastating damage to our oceans.

And, in fact, we may already be witnessing this devastation. In one breathtaking part of the report, the scientists remark that, "The speeds of many negative changes to the ocean are near to or are tracking the worst-case scenarios from the IPCC and other predictions." The IPCC, or Intergovernmental Panel on Climate Change, created several scenarios predicting how the Earth's natural systems could respond to ever-increasing amounts of carbon dioxide in the atmosphere. This report says observations are worse than the IPCC's worse case scenarios. The predictions of the IPCC have received a lot of special-interest-sponsored mockery on this floor, but these are not predictions now, they are observations. For instance, the decrease in Arctic Sea ice cover and the melting of the Greenland and Antarctic ice sheets, which hold enough water to raise sea levels by more than 200 ft, are actually occurring, and faster than expected. Correspondingly, sea levels are rising.

Likewise, the report observes that "acidification is occurring faster than in the past 55 million years, and with the added man-made stressors of overfishing and pollution undermining ocean resilience."

These observations should be sobering. Not only are the changes great, but they are happening so quickly that marine life cannot adapt.

Numerically, the average ocean pH has decreased from 8.2 to 8.1 since the industrialized revolution. This seems like a small change, but the pH scale is logarithmic, so the change is profound. If that same amount of change in pH occurred in our blood, we could suffer respiratory or kidney failure. It is not difficult to imagine how this change has huge consequences for marine life and especially the calcifying organisms, like coral reefs, shellfish, and plankton, which are increasingly becoming soluble in their environment as it becomes increasingly acidic. If this unprecedented rate of change in ocean pH continues it could mean an almost 20 percent decrease by mid century. It is not an exaggeration to say that we are on the verge of an ecosystem collapse that we could see happen in a single generation.

Though mass extinction events have occurred in the past, workshop participants state that, "comparing the current environmental change with these events is difficult because the rates of environmental change are unprecedented. It is therefore difficult to predict what the outcome of the current anthropogenic experiment will be." However, the report continues: "it can be said that we are pushing the Earth system to its limits."

The workshop participants concluded, "Unless action is taken now, the consequences of our activities are at a high risk of causing, through the

combined effects of climate change, overexploitation, pollution and habitat loss, the next globally significant extinction event in the ocean." Again, they mean in geologic time.

So what will we do? This is not the first report to state with certainty that our oceans, and thus our ocean dependent populations and economies, are in serious jeopardy. In 2003 the Pew Ocean Commission report led off with the following, "America's oceans are in crisis and the stakes could not be higher." In 2004, the U.S. Commission on Ocean Policy, as mandated by Congress in the Oceans Act of 2000, published their final report and pronounced, "The importance of our oceans, coasts, and Great Lakes cannot be overstated; they are critical to the very existence and wellbeing of the nation and its people. Yet, as the 21st century dawns, it is clear that these invaluable and life-sustaining assets are vulnerable to the activities of humans."

Nearly two centuries ago, the poet Byron could write:

Roll on, thou deep and dark blue Ocean—roll,  
Ten-thousand fleets sweep over thee in vain;  
Man marks the earth with ruin—his control  
Stops with the shore.

Well, no more. Now, in 2011, this international group of scientists reminds us that we are now marking the oceans with ruin and that "the human interactions with the ocean must change," to quote their report, "to sustainable management of all activities that impinge marine ecosystems."

Mr. President, we must work together to preserve and protect the ocean ecosystems we rely on so heavily, for we too are greater than the sum of our parts. In a bipartisan effort, Senator SNOWE and I have introduced the National Endowment for the Oceans to provide dedicated funding for ocean and coastal research, restoration, protection, and conservation. Too often, the knowledge and the information we need to better protect and understand these ecosystems comes too late or comes not at all. We hope to change that.

Together, we can still turn the tide to protect our ocean and our society, but if we are to have any chance, we must act soon, and we must make progress quickly. I look forward to working with my colleagues to confront these looming challenges.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

Mr. COATS. Mr. President, I am in somewhat of a unique position as a re-

turning Senator after being out of Congress for 12 years. I never contemplated running for the Senate again or being back on this floor in any capacity except as a former Senator, but I had a chance to do it over, I guess is the best phrase, and assess what is important and why I am here.

I ran for only one reason. I am deeply concerned about the direction of our country and our plunge into debt. I want to try and avoid coming here and assessing blame, but rather set aside who is responsible. I want us to avoid the politics of all this and simply recognize this is the situation we face. Our fiscal situation has potentially dire consequences for the future of this country, not just for our children and grandchildren, but even for this generation.

Our economy is not in good shape. We still have not recovered from one of the deepest recessions since the Great Depression. There are a lot of people out of work. The official unemployment number is 9.2 percent. The real number is a lot higher than that because many people have given up looking for work, or they extended their time in school because they know that if they graduate and get out into the job market they are not going to be able to find work in the area they are trained for, or perhaps in any area. A lot of people have tried and tried and simply cannot find work.

It is clear and I think there is a consensus—if not total consensus—at least pretty close to total consensus—that we simply have run out of money. As a government we have made promises that we can no longer afford to pay for and fulfill, without serious financial restructuring. We have enjoyed a lot of largess and a lot of prosperity in the past. As a result, commitments were made for spending in discretionary programs, building highways, and sewer systems, etc.—a lot of good things but things we simply no longer can afford.

We see this happening across the world. There has been a 60-year spurt or commitment to credit and now the money has run out to pay for all that. Whether it is southern Europe, other parts of the world or the United States, this is a very difficult situation. For the last 6 or 7 months a lot of us have worked very hard to try to find a solution. We are now in the month of July, and we are approaching the date in which we reach our debt limit. We no longer can continue to borrow without raising that limit.

About 40 percent of everything we spend now has to be borrowed. That is unsustainable. We are told that funding for the basic programs that help the senior citizens of our country enjoy the rest of their lives—Medicare and Social Security—are drying up, and it will not be long before either benefits have to be cut or programs become insolvent. No one here wants to see that

happen. What we do want to see happen, though, are necessary steps to preserve those programs for the future.

This crisis is occurring all over the world. We are watching it take place as it creeps through different countries, and now we are facing that. Whether it is a liberal economist or conservative economist or someone in between, or someone with no political interest, there is consensus that we have to take action and we need to take it now. We cannot postpone it. We have been doing this for years.

We all knew the baby boomers would retire and put tremendous pressure on our budget, and that is exactly what has happened. The quicker we take action, the less painful it will be. It is going to be painful because we have put fixing this problem off for so long.

For 6 or 7 months there has been a sincere effort by a lot of people to solve this problem—Republicans and Democrats. These are people who genuinely have concern for the future of this country and believe we need to address these issues, as painful as they are. It goes against political instincts of preparing and positioning oneself for reelection, whether it is 2012 or beyond.

But as I said from the beginning, we must find a way to transcend politics and the 2012 election. Unfortunately, the closer we get to the crisis, the more we see politicians positioning themselves so as not to be blamed.

The reason we came here was not to position ourselves politically so we can succeed in the next election. The reason we came was to deal with the problem in front of us right now and that needs to be addressed right now. What is the rough consensus? The rough consensus is that if we don't have at least, over the next 10 years, \$4 trillion to \$6 trillion of cuts in discretionary spending and in some of the mandatory programs, we are not going to have a credible program the financial world will be able to look at and say: You can still trust in the value of the dollar and ability to continue viewing America as a safe haven to place investments.

There is a consensus that unless we make structural changes—not just cuts and nicks and little slices here and there, but structural changes—in the entitlement programs, they will not be solvent in the years ahead. Then we will have to turn to those senior citizens and beneficiaries and low-income people and say: I am sorry. We simply cannot pay you what we had committed to pay you. Your benefits are going to have to be reduced, or we are going to have to raise taxes to pay for it.

Without comprehensive tax reform, we are not going to have the kind of package we need to create a dynamic, growing economy that can solve some of our revenue problems. It is not just cutting, it is not just growth, but it is a combination of those items and

structural reform that is necessary in a package, and that is what we have been debating: how to get there.

What is disturbing to me lately is that we have shifted away from that central focus, and now we are focusing on who will take the blame when we default or don't default on August 2. There is a lot of political posturing around here. This is not about corporate jets. It is not about all these ads out there and mailings and so forth saying: Congress is going to take away your Social Security. Congress is going to slash your Medicare benefits.

I guess I am asking that we acknowledge the reality of the situation we are in, that we do our very best to put this above the politics of 2012, and work to find some sensible solution to all of this.

I believe comprehensive tax reform can potentially provide a way to address the need for revenue and the need for growth. As we know, there are hundreds, if not thousands, of special expenditures, exemptions, subsidies, credits in the Tax Code that were put in for the few and not for the many, that have complicated our Tax Code to the point where no one can understand it except for someone with an advanced degree in accounting or law.

So I believe tax reform is essential as a part of whatever reform package we finally come up with to address the debt. Senator WYDEN and I, on a bipartisan basis—a Democrat from Oregon, a Republican from Indiana—have put together a comprehensive tax reform package. We don't call it perfect. We are open to suggestions. But it eliminates those special exemptions and uses the revenues gained from cutting loopholes to lower tax rates for Americans. Our corporations pay the highest corporate tax rate of every one of our global competitors except one. There are 36 countries that compete and sell their products around the world, and we are 35 out of 36 when it comes to our tax rate. We want to level playing field with the rest of them because we think we can outcompete, and that will be a significant and positive impact on our economy. So using those revenues from eliminating loopholes as a way of lowering tax rates and addressing some of the needs we have is certainly something we ought to be exploring.

Lastly, let me just say we need to focus on the reality of the situation in a personal way because we get caught up in numbers, and we get caught up in generalities. What are we trying to do? We are trying to get this economy moving again so people who have been searching for work for 2 and 3 years can get their jobs back; so young couples who wish to raise a family have the opportunity to buy a home; so parents who are saving and trying to get their children into good schools for postsecondary education have the ability to do that; so college graduates can

come out of school with a degree and find a place to work and begin a career.

We owe it to the people of our country who are suffering right now, and there are many. We owe it to this Nation that has provided so much opportunity and so much prosperity for so many people. No country in the world has come close to what America has achieved. We owe it to our children and our grandchildren who will inherit what we have done or not done. The reality is, we are going to transfer a debt load onto our children and future generations that they may not be able to overcome. I don't want to leave that legacy. I don't want to be part of a generation that does that. So I think it is time for us to stand up and do what is necessary to address this problem.

Letters and emails from Indiana are running 100 to 1 in favor of cutting government, and running 100 to 1 against cutting anything in Social Security or Medicare. I have people coming into my office every day saying: We know we have to get our fiscal house in order, but let me tell you why our program needs to be exempted.

As politicians, we want to say yes to people. As responsible, elected officials faced with a very difficult situation, we have to, with compassion, look at people and say: No, we are not able to do this. We are not able to afford this, but we are taking this action today so we can afford it in the future. We are taking action now so we can leave future generations with the same types of opportunities our generation has enjoyed and the benefits that come from living in America. That may cost some people their elections. There are a number of people here who are willing to sacrifice for that purpose.

Do we want to leave and say: Well, I survived all these years unscathed politically, or do we want to leave here saying at the right time we did the right thing? At the time of crisis, at a time when our country desperately needed us to come together to address this very serious problem that could plunge our country into a deep recession, if not depression, at a time when financial institutions around the world are fragile, at a time when wars and conflicts are popping up all over the globe, did we do the right thing? What do we want our legacy to be regardless of the consequences?

We are 2 or 3 weeks away from defaulting on our debt. There are a lot of excuses around here about that and some even think it will not have many consequences. It will. The idea of using that as leverage to gain what we need to do doesn't appear to have worked.

I think if we keep our focus simply on default or not default, we still have a major problem. Just simply finding a way to get through this and raising the debt limit does not solve the underlying problem. That has to be addressed. I wish we had been able to do



that because the situation is dire. We cannot wait until 2013. We need to do it now.

So here I am. I don't have answers. I have some guidelines from people who know a lot more about this than I do, people who do not have a political stake in this in terms of what they think we need to do to put together a package. We need a plan that has credibility with the financial world, so that what has happened in Greece, Portugal and Ireland and maybe now in Italy or Spain, and other places in the world will not happen here because we have restored some confidence and faith in the American people and the investment see the United States as a safe haven for their money. We need credibility so others know we have seen the problem, we have recognized it, we have taken meaningful steps, and while it will be painful and take time—America has come through.

To paraphrase Winston Churchill: America always will do the right thing after it has tried all the wrong things. Well, we spent a lot of years doing the wrong things and not recognizing that we were building up an unsustainable fiscal situation that would come back to haunt us. We have tried a lot of methods and postponements and deferments and everything else. What we have not done is stand up to the problem we have and do what is necessary, take this above politics, and do what is right for America.

I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Alaska.

#### CROATIA

Mr. BEGICH. Mr. President, I rise to speak briefly about progress in the nation of Croatia, which I was honored to visit recently.

At the invitation of the Croatian Minister of Defense, I participated in what is known as the "Croatian Summit," a gathering of leaders from Eastern Europe.

The theme of this year's summit was: "A New Decade for Southeast Europe: Finalizing the Transition."

Less than 15 years after a terrible ethnic war that devastated Croatia, the nation is making enormous progress. It is rapidly making a transition to a market-based economy and its government leaders are committed to a strong and lasting partnership with the United States.

They are a great partner of ours in Afghanistan and in other trouble spots across the globe.

That is personally important to me because 100 years ago this year, my grandfather emigrated from Croatia to this country. John Begich—then it was spelled B-E-G-I-C—then 17 years old, left his farm and eventually settled in northern Minnesota's Iron Range.

John Begich and his young bride, Anna Martinich had four children. Their youngest, Nicholas, made his way to

America's new frontier of Alaska even before we were a state. He was my father.

Nick Begich was an educator and eventually was elected Alaska's lone Member of the U.S. House of Representatives in 1970. I am honored to follow in his footsteps as a Member of the Senate, where I am the only Member of Croatian descent.

My recent visit to Dubrovnik was my first to Croatia. I was honored to represent this body at the summit, along with officials from the State Department and U.S. Embassy.

I was impressed with the great progress underway there, as well as the excellent job being performed by our embassy personnel. There are enormous opportunities for partnership between the United States and Croatia, and I am anxious to pursue those.

I ask unanimous consent that my remarks at the Croatia Summit be printed in the RECORD to document my participation in the summit and the strong partnership between our nations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### CROATIA SUMMIT PANEL: SECURITY CHALLENGES IN THE ALTERED MEDITERRANEAN

Thank you, Defense Minister Božinović, for that kind introduction.

Thanks to all the government leaders of Croatia and to the people of Croatia for the warm hospitality you have extended to me in the short time I've been here. It's also an honor to meet with many of the other leaders of the region at this Summit.

Visiting Croatia has been a life-long dream of mine, never realized until yesterday. It was exactly 100 years ago that a 17-year-old farmer by the name of John Begich left the family farm in the small village of Podlapaca, over the mountains from the Adriatic not far from Zagreb.

Upon landing at Ellis Island, they gave him a new name—Begich—with an H. And permission to establish himself in America. John Begich was my grandfather. He eventually settled in Minnesota's Iron Range.

John Begich and his young bride, Anna Martinich, had four children. Their youngest—Nicholas—made his way to America's new frontier of Alaska even before we were a state. He was my father.

Nick Begich was an educator and eventually was elected Alaska's lone member of the United States House of Representatives in 1970. I'm honored to follow in his footsteps as a member of the United States Senate, where I am the only member of Croatian descent.

From the moment of my election nearly three years ago, the people of Croatia have treated me as a long-lost son. In fact, I've had better coverage in the Croatian press than my hometown newspapers back in Alaska!

When I was invited to participate in this Croatian Summit, I jumped at the opportunity. Not because I'm an expert in the issues of this region, but more to commend the people of Croatia for your enormous progress and your great partnership with my country.

Croatia has made remarkable political progress since the end of the war more than 15 years ago. You are a welcome member of

NATO and will soon become the 28th member of the European Union. Both of these landmarks came with enormous challenge, and I salute your achievement. There will be bumps in the road to this new future.

And there is no doubt that Croatia has earned membership in both. As a NATO member, Croatia has stepped up to the responsibility of providing security in both the region and internationally.

As a member of the Senate Armed Services Committee, I am closely tuned to military engagements across the globe. By the end of this year, nearly 10,000 soldiers from my own state of Alaska will be serving in harm's way in Afghanistan. This is one of the highest percentages of any state. Their service on the front lines is not without controversy back home, and I know you face the same questions here. So I thank you for your partnership.

Croatia's troop commitment in Afghanistan—330, soon to be 350—is one of the highest per-capita contributions in the International Security and Assistance Force there. And Croatia has taken the lead in establishing a military police training center in Afghanistan, to which other members in the region will also contribute trainers.

This cooperation alone, in faraway Afghanistan, involving countries that not long ago were embroiled in a vicious war, brings a certain stability to the region of the former Yugoslavia and creates a unique opportunity.

Fifteen years ago Croatia was a security consumer, with UN Peacekeeping troops deployed throughout the country. It is now a security provider, with 472 troops deployed across the globe, including in Kosovo, the Golan Heights, Afghanistan, Western Sahara, India-Pakistan, and in counter-piracy operations in the Gulf of Aden. They even have staff officers assigned to NATO operations in Libya.

One impressive observation: Croatia recently hosted the U.S.-led "Immediate Response" military exercise involving troops from countries throughout the region. Most importantly, Serbian troops participated.

Imagine, just more than 15 years since Serb and Croat troops fought it out throughout this country, Serbian and Croatian troops cooperated side by side in an exercise to ensure security in the region. This is a testament to the determination of the governments of Serbia and Croatia to put the past behind them. This type of cooperation ensures that this region will have a secure and prosperous future.

Croatia has also demonstrated a desire to play a constructive role in assisting neighboring Bosnia and Herzegovina. Bosnia's stability and prosperity are absolutely key to security in the region.

Croatia is in a position to play a positive and leading role in assisting countries in the region in their efforts at Euro-Atlantic integration. Joining the EU and NATO, with their shared values of democracy, human rights and rule of law, is perhaps the best way to ensure security and prosperity in the region.

In early May, I was honored to welcome to my office Croatian President Josipović. I congratulated him then on the enormous progress Croatia has achieved in a little more than a decade after a devastating war.

I understand that per capita income is the second highest in the former Yugoslav states. Health, education and other quality of life factors are on par with many European countries. Despite these signs of progress, the president reminded me that

Croatia's economy remains troubled, with high unemployment and outdated industries. That's a situation we can certainly sympathize with in my country.

One note of caution: Croatia still has a long way to go to reform its overly bureaucratized economy in a way that will ensure prosperity ensures stability and encourages investment.

Croatia, like many of its European neighbors, is in a position to play a positive role in providing security in a Mediterranean that is in transition. I noted earlier that Croatia has provided staff officers as members of the NATO team conducting operations in Libya. Croatia has also stated publicly that it is working with the anti-Ghaddafi Transitional National Council, and has recognized it as the legitimate voice of the Libyan people.

Just as the countries of East and Central Europe had their own European Spring in 1989 and after, North Africa and the Middle East is groping toward a kind of democracy and social justice that for the most part had eluded them. The nations of Europe, especially those like Croatia who made the transition from dictatorship to democracy, can and are playing a special role to help all the people of the Mediterranean achieve democracy, rule of law and prosperity. Euro-Atlantic engagement with the pro-Democracy movements in North Africa and the Middle East is the best way to ensure their revolutions do not take a turn down the wrong path.

The U.S. is anxious to assist with economic partnerships with this region. One specific area is with increased tourism.

From what little I've been able to see of Dubrovnik, you have an enormously attractive city which many Americans would love to visit. And we'd certainly welcome Croatian visitors to our states, including Alaska. I am working with Senator Mikulski of Maryland on her visa waiver bill to ease the ability of Croatians to get visas to visit the United States.

Let me conclude by restating how excited I am to be here in Croatia and to commend you for a productive and lasting partnership with the United States. I hope this conference creates many more opportunities for cooperation within this region.

Mr. BEGICH. Mr. President, I wish to say thank you for the opportunity to put on the RECORD my experiences in Croatia this last weekend and, again, seeing the country after 15 years ago going through incredible devastation to where they are today.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BUDGET LISTENING TOUR

Mrs. HAGAN. Mr. President, I rise today to report to the Senate on the completion of my North Carolina Budget Listening Tour. While people in this town were mired in political gamesmanship that seems to be pushing par-

ties further apart, I wanted to hear directly from community leaders and business leaders in North Carolina about how they think we should be approaching the responsibility we have to reduce our deficit and our debt. I held listening sessions all over the State—from Raleigh to Greensboro and Charlotte to Wilmington—and I heard from North Carolinians of every kind: small business owners, health care workers, veterans, entrepreneurs, and more.

The message I heard could not have been more different from the partisan bickering in Washington that is dominating the airwaves. In Washington, we see negotiators walking away from the table, refusing any and all compromise, putting politics ahead of what is best for the American people. In North Carolina, people were coming to the table and putting party aside for commonsense solutions to meet our shared budget obligations. To me, the message was crystal clear: Washington needs to take a lesson from North Carolina. It is far past time to put partisanship aside and do what is right for the American people.

At the Charlotte listening session, I heard from the executive director of a health care nonprofit responsible for caring for the elderly. She told me about important ways we can reduce health care costs and save lives, such as expanding access to preventive care for seniors to reduce the onset of expensive chronic diseases. Gayla Woody, the director of aging at the Centralina Council of Governments, told me the story of how one of her clients—a man caring for his wife with Alzheimer's—was able to continue to care for her at their home thanks to the comparatively small investments made in the Family Caregiver Program rather than a more expensive nursing home. They both also told me we cannot afford an extreme plan to turn Medicare into a voucher program for vulnerable seniors. Balancing the budget on their backs is not a solution I can support.

I also heard from small business owners, economic development coordinators, and community bankers at our Wilmington and Raleigh tour stops. They told me about how Washington's partisan paralysis is preventing them from having the sort of certainty they need to be able to make the hard decisions to invest in their businesses and to grow jobs in this economy for their companies. If these businesses don't know whether they ought to be investing in new equipment or new employees, then we are not going to be able to sustain the economic growth that is a necessary component to reducing our deficit and our debt.

I also heard from a veteran of the U.S. Marines Corps and current chaplain for the Onslow County Special Incident Response Team. This dedicated public servant talked about the importance of protecting services for our vet-

erans. And I will fight for them just as hard as they fought for us. He also talked to me about the importance of priorities. He said we ought to keep our promises to those who sacrificed for us—our seniors and our veterans—but we also need to invest in our children and their education. It was important for the future, he believed, and I agree he was right.

While the challenge of reducing our deficit may appear daunting, I don't believe meeting it is impossible if Washington takes to heart the message I heard all over North Carolina last month. Both sides—Democrats and Republicans—need to put aside partisanship and come to an agreement that is bipartisan and balanced, one that includes a shared sacrifice but also fulfills the sacred promises made to our seniors and our veterans and makes the critical investments necessary for a prosperous American future. Above all else, they do not want us to kick the can down the road one more time. They sent us here to make hard decisions. Putting them off to resolve during some future crisis is simply not an option.

These broad goals and values are widely shared across party lines. I recognize turning them into a bipartisan, balanced solution to our fiscal challenges will not be easy, but the consequences of failing to do so are simply too great to ignore.

Thank you, Mr. President. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE DEBT

Mr. BARRASSO. Mr. President, I come to the floor today as a Member of the Senate—specifically, though, as a Senator from Wyoming because in Wyoming our families know they have to live within their means. Wyoming is a State that lives within its means. In Wyoming, our very constitution requires that our State live within its means.

Washington has a total debt now that is over \$14 trillion and continues to climb every day. Wyoming's total debt is zero. How did Washington fail where Wyoming succeeded? Well, in Washington, this city overspends in Washington there is nothing really to stop it. In Wyoming, we live within our means because our constitution demands that we balance our budget every year. It is time for Washington to take a lesson from Wyoming and the other States that balance their budgets every year.

The President says, "All of us agree that we should use this opportunity to

do something meaningful on debt and deficits." Well, passing a balanced budget amendment to the Constitution is possibly the most meaningful thing we could do.

This city's finances are in disarray. Our Nation's finances are in disarray. It has been over 800 days since this body has passed a budget resolution. Since the last time a full budget was passed, our country has spent over \$7 trillion, and \$3.2 trillion of that was money we did not have.

Our total debt now is over \$14 trillion. People say: How much money is that? The number is astonishingly large. Let's try to put it a little bit into perspective. Every day, Washington borrows over \$4 billion. We borrowed over \$4 billion yesterday, \$4 billion today, and if someone will lend us the money, we will borrow over \$4 billion tomorrow. That is over \$2 million a minute, every minute. Every single day, Washington borrows enough money to buy tens of thousands of new homes. Every single hour, Washington borrows enough to buy nearly 2 million barrels of oil. Every single minute, Washington borrows enough to send 53 students to private college for a full year. Every single second, Washington borrows enough to buy two new automobiles. We paid over \$200 billion last year in interest on the debt alone. The President talks about a tax on private jets. That is enough money—the interest alone—to buy over 200 private jets every day.

It is not enough to think about this in the large terms; you have to try to put it in terms that people understand. Because we are spending and borrowing so much money, it is difficult to put it into terms that people grasp and that they see. It is good to hear the President acknowledge that we have to stop making more than the minimum payments in order to pay off and deal with this incredible debt.

The President has also announced his willingness to make a deal that he says involves meaningful changes to Medicare, to Social Security, and to Medicaid. To his credit, the President has accepted that much of the problem with saving these programs springs from his own side of the aisle. He says, and I agree, that now is the time to do it.

The Associated Press quoted the President asking the most important question of all: "If not now, when?" Well, the clock is ticking. In just 13 years, Medicare will be bankrupt. We have to strengthen Medicare. In 25 years, the same will be true of Social Security. Unlike our debt limit, this is not a limit Congress can simply legislate away. We have to act now to prevent these programs from failing not just today's generation but future generations.

The Senate minority leader said: I commend the President for putting So-

cial Security and Medicare on the table.

He is correct in doing that. So with the President seeing the light on so many issues, why are we still talking about finding a solution instead of actually getting one passed here in the Congress? Because, for all that he claims to understand, the President has still fallen back on the same tax-and-spend policies that made this economic situation worse. It is clear that the policies of this administration have taken a tough problem and may have made it worse. On the President's inauguration day, the unemployment rate in this country was just under 8 percent. Today, it is 9.2 percent. Every American child who is born today will owe roughly \$45,000. Let's compare that to the day President Obama was inaugurated. Every child then owed roughly \$35,000. So in just those short years, the debt on a child born in America, the debt they are born with has gone up from \$35,000 to \$45,000. These disturbing economic results are the direct result of the past 2 years of policies.

Liberals want to hold the U.S. credit rating hostage for more tax hikes, and the President is leading the charge. He is trying to push more tax hikes despite the very fact that even he has now said it is the worst time to raise taxes. Back in 2009, President Obama said: The last thing you want to do is raise taxes during a recession. So why, then, is he calling for \$400 billion in tax increases today? And why is the Senate Budget Committee chairman trying to one-up the President by calling for \$2 trillion? Well, of course, the President will not admit he wants to raise taxes. He likes to use wiggle words. He uses words such as "revenue" or the "spending in the Tax Code" instead. But when you translate this Washington doublespeak, it comes out "higher taxes."

With the spin exposed, liberals are trying another tack: They are trying to claim they will delay the tax increases until the economy recovers. They are not saying they are not going to raise taxes; they say: Let's put it off for a while. This week, the President showed what this really means. He said, "Nobody is going to raise taxes right now." He said, "We are talking about potentially 2013 and the out-years." So, in other words, this is not really about waiting until the economic recovery comes; it is about waiting until 2013, until after the President's reelection campaign.

More troubling still, the President has already signaled that he wants to spend more in the future. Our problem is not that we are taxed too little, it is that we spend too much. Yet the President wants to spend even more. At his press conference, he said he is only tackling our debt so we can be "in a position to make the kind of investments I think are going to be necessary

to win the future." When the President talks about investment, it is common knowledge that what he is talking about is spending.

Finally, for all his posturing about getting this done, now it is really the President who seems to want to kick the can down the road. His plan may cut trillions, but Washington would be able to take as long as 10 years to do it.

Minority Leader MCCONNELL has already blown the liberal cover on these very cynical political bluffs. He said, "The President has presented us with three choices: smoke and mirrors, tax hikes, or default." Well, Republicans choose none of the above.

As a doctor, I have taken the Hippocratic Oath. The oath says: Do no harm.

Raising taxes will harm our economy. Cutting spending at a snail's pace will do very little to help. We have to tackle our fiscal problems today. The first step toward solving these problems should be to pass an amendment to our Constitution requiring Washington to balance its budget.

A balanced budget amendment would require Washington to spend no more money than it takes in every year. Such an amendment would force Washington to live within its means as many States do and as families across the country do.

I come to the floor as cosponsor of the balanced budget amendment. As a matter of fact, every Republican in the Senate is a cosponsor of the balanced budget amendment, 47 Republican Senators. Every one is a cosponsor of the balanced budget amendment. We are united and will remain united. This is a commonsense approach, and it will show the American people that they can trust their government with their money once again because right now the American people have little confidence they are getting value for the money they send to Washington.

I believe we need to lead today, not defer leadership until tomorrow. Americans are courageous; they deserve a courageous government. That is why I know the American people overwhelmingly support a balanced budget amendment to the Constitution.

The President said the other day that it is time to "eat our peas." We all saw him on television saying it is time to "eat our peas." I agree with another President, Ronald Reagan, who said it is time to "starve the beast." The beast is Washington and the Washington wasteful spending that the American people are seeing every day.

Mr. President, Americans pay their debts. They want their country to do so too. It is time for Washington to listen. It is time for a balanced budget constitutional amendment, and then it is time to start paying off this massive debt.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. BENNET. Madam President, like you, I have heard a lot of loose talk over the past months invoking the Founding Fathers—loose talk to underscore an expedient argument about what they would be doing if they were legislating today. But the way our Founders are often used is as a caricature to distort history for the benefit of partisan and narrow interests.

To hear some people talk about it, you would think the Founders were engaged in a process of dismantling a country rather than building one. That version of events is not only wrong but it also thoroughly diminishes the founding generation's extraordinary accomplishments and the lessons we should draw from them.

Our Founders met enormous challenges with great courage and sacrifice to start a country around an ideal. In the same vein, our modern history has been characterized by meeting great challenges with distinct qualities. We are hard working. We meet our challenges by refusing to allow their complexities or attendant political difficulty to lead us toward accepting failure as an option. We are inclusive. We meet our great challenges by meeting them as one, by crafting solutions that involve buy-in, participation, and sacrifice from all parts of the political landscape, and the American people.

We act with courage. We meet our great challenges when, and only when, the leaders of the day have the courage to decide they will be the ones who meet those challenges, that they will transcend the short-term incentives and political imperatives of their time to do something of greater importance.

These traits have enabled us to end a Civil War, overcome the Great Depression, and march toward civil rights. But they have also allowed us to do smaller and still very important things such as work together in the 1980s to protect and preserve Social Security.

Today, that honorable past and the sacrifice it entailed has been hijacked to protect and defend narrow interest group politics and tax loopholes.

Our tax and regulatory codes are backward, facing in a way that is straining our recession-battered middle class and failing to drive innovation in our economy. As a result, middle-class income continues to fall, the gap between rich and poor grows wider, and all of us wait for a 20th-century economy to produce 21st-century jobs. That wait will be in vain.

It will particularly be in vain for those of our citizens unlucky enough to

be born poor and who therefore stand a 9 in 100 chance of ever graduating from college in the United States of America in the year 2011. That is because year after year we have torn each other up so much on issue after issue, because of the smallness we have exhibited in the face of what our big challenges are, and now we find ourselves at a crisis point without a politics capable of even addressing the kinds of challenges we face each year, let alone a generational crisis like our deficit and debt.

I have come to the floor for months arguing for the need for a comprehensive approach to addressing our deficits and debt. What Colorado wants is nothing more than what this country has seen from past generations of leaders in past times of crisis. As I have said over and over, what people in red parts of the State and what people in blue parts of the State want is a solution that materially addresses the problem. They know we are not going to fix it overnight, but they want it materially addressed. They want a demonstration that we are all in it together, that everybody has something to contribute to solving the problem. They emphatically want it to be bipartisan because they don't believe in an either-party-going-it-alone approach when it comes to our debt and our deficit.

I add a corollary to that, which is that we need to assure our capital markets that the paper they bought is actually worth what they paid for it.

It was in the spirit of getting together on a solution like that my colleague, Senator MIKE JOHANNIS, and I wrote a letter to the President. Sixty-four Members of the Senate—evenly divided between both parties—signed onto an approach that called for entitlement reform, tax reform, and discretionary spending cuts. The math compels this answer. The economy needs this certainty. Colorado and the country want this result. It should achieve the \$4.5 trillion in deficit reduction over 10 years and should have a 3-to-1 ratio of spending cuts to revenue increases. That is what the Bowles-Simpson Commission recommended.

Our political system seems intent on thwarting an approach supported by Senators in both parties. Both parties seem willing to submit to that flawed system's perverse incentives.

While I am convinced that many in this body and the House would actually like to make this deal, these interests distort the conversation into a partisan war and rip it apart from the inside.

On one side, some advocate for no changes to the Medicare Program; on the other, for no changes to revenue. Yet these are among the two biggest drivers of our long-term debt—and everybody knows it.

Only in Washington could people pretend that significant deficit reduction could be accomplished while ignoring

the two biggest fiscal challenges we face. I am a former school superintendent, and what that tells me is that Washington has a severe math problem. We are in need of remediation.

When it comes to a solution on the debt, the contrast between Washington's dysfunction and Colorado's common sense could not be clearer. Yesterday, I had a call with Colorado business leaders who spanned the ideological spectrum—both Democrats and Republicans—to talk about our deficit and debt. Despite their differing party affiliations, there was clearly a consensus that everything needed to be on the table when it comes to the debt—including both tax revenue and entitlement changes. But somehow this common sense gets lost in the current debate.

If changes to entitlements are off the table, we as leaders will fail. If changes in revenue are off the table, we as leaders will fail.

I turn to the American people watching this debate with worry or disgust and say: If challenges to our ideological beliefs or to the politics that historically define our debate are off the table, then as a generation we cannot meet the challenges we face, and we are not going to be able to support the aspirations we have for our kids and our grandkids.

This is about courage: courage on the part of Democrats who know refusing to touch Medicare is an argument we could win, but the price of winning that argument may be losing America's ability to pay its bills; courage on the part of Republicans who know revenues are unpopular but who secretly understand that we can't simply cut our way out of this budget hole. And in a moment of such crisis, this should be the least Americans can expect of us.

During the worst recession since the Great Depression, Madam President, it was my privilege to spend the last 2½ years traveling my State while we were going through this horrible economic turmoil. Americans and Coloradans have made gut-wrenching decisions in their personal lives—about where to send their children to school, how and where to live, what medicines they can afford, and what medicines they might hope to live without. Local officials have been held accountable to citizens for the decisions they have had to make. Yet Congress has struggled to reflect the ideals and aspirations of the people we represent.

This DC political culture serves special interests but it doesn't even register the needs of Coloradans. No business would sacrifice the economic interests of its shareholders, because the ones that do are gone. No mayors in Colorado would threaten their bond rating for political ideology—not one. It wouldn't occur to one of them to threaten their credit rating, because

mothers, fathers, taxpayers, and every-day citizens would have their heads, and rightfully so. I think the difference is that no special interest stands between a Colorado local government official and the people he or she represents.

Having served in local government, I have to say what often seems to be an unattainable standard for a high officeholder is simply life in the real world for the rest of us. Last week, we came to Washington to cast a series of inconsequential votes. But by the end of the week, some of us were encouraged by the talk coming from the President and the Speaker.

My friend JOHN MCCAIN came to the floor pushing the need for a breakout strategy, referenced a Wall Street Journal editorial that called for a far more comprehensive and far-reaching plan. But now we learn a comprehensive deal feels once again out of reach. We are told we will have to settle for something small that one more time kicks the can down the road; that taxes and entitlements are just too hard for Washington politics.

I may not have spent enough time here to see through these political games. This may all be part of an elaborate strategy to get to yes. But I shudder—I shudder—when I wonder what investors, our creditors, and the American people think of this political game of chicken. Unlike Congress, they do not conduct their business with winks and nods, and they solve their problems before they become insurmountable.

All of which brings me back to our Founders and the political leadership of other generations past that made these enormous and difficult decisions. As for us, we have chosen to put them off time after time, and now we are at an inflection point where we need to get this done. We have a \$1.5 trillion deficit and almost \$15 trillion in debt. Revenue is at a 60-year low and spending is at over a 60-year high. And we have the path to begin to bridge this. The Simpson-Bowles commission has given us that path forward.

I am the first to say—and I should say—this debt is something we all own. I voted for things that contributed to it, as have all of my colleagues, and of all the things that comprise the debt, there is something each member of our great Nation wants or needs. We all share in the responsibility for how we arrived at this point.

So to be clear, if anybody thinks this is merely an attack on the institution, we need to understand this massive debt is something for which we are all responsible. Those who voted to fight the wars and to pass the tax cuts did so as a reflection of what they believed was a moment of truth. These decisions were not made in a vacuum. We got here because we aspire to be a society that is better than our competitors. We

are all responsible. We are all responsible for the crisis that looms. But the inflection point we have reached has led to a different mandate, a different moment of truth. The American people are asking us to lead.

This is a country of patriots, of incredibly courageous people who take on challenges little and big every day. I have tremendous respect for my colleagues and for this institution, and I am well aware that until about 6 months ago I had never even been elected dogcatcher. So I recognize how much I have to learn. But clearly—clearly—we are not living up to the standard of courage that past generations of leaders and every generation of ordinary Americans have set for us. Congress is certainly not living up to the standard the people of Colorado and of this country expect from us.

I wonder if maybe we have looked at this the wrong way. The President has put entitlement cuts on the table, and that is the right thing to do. I encourage him to do more.

As for the question of revenue, I will tell any politician that this is not the time to be wedded to the status quo. There is nothing magical about current revenue levels, about our Tax Code, or about all the loopholes and special interest perks that we account for only by borrowing more and more money.

But there is something else important to mention, which is also lost in the debate. We have waged two long and costly wars. I don't want to re-litigate today the wisdom of going to war. My colleagues in the Senate and House—many of whom are still here in the Congress—had to cast difficult votes to send our young men and women into harm's way. But regardless of your position for or against, Congress ultimately made a decision to layer those costs on top of our current budget. We did this instead of accounting for them as part of our annual expenses. That was the decision that Congress made, and it began our slide from surplus to deficit.

So for a moment let us separate the costs of these wars from the important and robust debate we are having about entitlement spending—Medicare, Social Security, and our discretionary programs—and resolve a threshold question, or maybe two: Are we, as a generation, going to pay for these wars or are we going to continue to borrow from foreign governments and stick our kids with the bill? Are we even willing to make just a down payment on their incremental costs? Because that is what we are talking about.

The amount outlined by the Debt and Deficit Commission—\$785 billion in tax reform—which, by the way, would lead to lower rates, doesn't even cover the incremental expense of the war commitments we have made. But it would be a good start. Are we willing to walk away from this moment and say we put

the burden of fighting and dying in these wars on our sons and daughters, and at the same time leave the burden of paying it to our grandchildren?

And, after all, are we really willing to threaten the full faith and credit of the United States by failing to raise the debt ceiling for debts we already owe? This is not like cutting up your credit card. This is like getting your mortgage this month and saying, I'm not going to pay it because I spent my money somewhere else. Are we really willing to do that by failing to act comprehensively against our debt at a moment of global fragility in the capital markets? Would we risk all of this just for politics?

Interestingly enough, in their wisdom, the Founders understood and anticipated this very problem. They had a spirited debate about whether the Federal Government should have what they called "a general power of taxation" or whether we should have a system of "internal and external taxation"—a system where the States could impose taxes but the Federal Government would be limited to collecting its revenue through duties on imports.

Ultimately, the Founders resolved the question in favor of the general power of taxation for the exact reasons that are staring us in the face today. So rather than talk about the Founders, I actually want to read what they said on this subject, in the hopes it will give us some guidance. Let me quote from Federalist No. 30. I apologize for the length, Madam President, but, as always, their words impoverish our own.

If the opinions of those who contend for the distinction [between internal and external taxation] were to be received as evidence of truth, one would be led to conclude that there was some known point in the economy of national affairs at which it would be safe to stop and say: Thus far the ends of public happiness will be promoted by supplying the wants of government, and all beyond this is unworthy of our care or anxiety.

They went on to say:

Let us attend to what would be the effects of this situation in the very first war in which we should happen to be engaged. We will presume, for argument's sake, that the revenue arising from the impost duties answers the purposes of a provision for the public debt and of a peace establishment for the Union. Thus circumstanced, a war breaks out. What would be the probable conduct of the government in such an emergency? Taught by experience that proper dependence could not be placed on the success of requisitions, unable by its own authority to lay hold of fresh resources, and urged by considerations of national danger, would it not be driven to the expedient of diverting the funds already appropriated from their proper objects to the defense of the state? It is not easy to see how a step of this kind could be avoided; and if it should be taken, it is evident that it would prove the destruction of public credit at the very moment it was becoming essential to the public safety. To imagine that such a credit crisis might be

dispensed with, would be the extreme of infatuation. In the modern system of war, nations the most wealthy are obliged to have recourse to large loans. A country so little opulent as ours must feel this necessity in a much stronger degree. But who would lend to a government that prefaced its overtures for borrowing by an act which demonstrated that no reliance could be placed on the steadiness of its measures for paying? The loans it might be able to procure would be as limited in their extent as burdensome in their conditions. They would be made upon the same principles that usurers commonly lend to bankrupt and fraudulent debtors, with a sparing hand and enormous premiums.

I am going to paraphrase that in a minute. But it is almost as though Alexander Hamilton, who wrote these words in 1787, were sitting here today. And from the bottom of my heart, I wish he were. He closed the *Federalist* Paper No. 30 with an admonition to ideologues, writing that:

. . . [s]uch men must behold the actual situation of their country with painful solicitude, and deprecate the evils which ambition or revenge might, with too much facility, inflict upon it.

As we have at other times in our history, we experienced the kind of evils that Hamilton anticipated on 9/11. We responded. And now, at this extraordinary time, it is left for us to get our house in order.

In truth, these are small decisions, when we consider them in the context of what our Founders faced. Their greatness is measured by the large task they took on and conquered. Ours is merely a junction between our own institutional impulse toward fecklessness and our individual love for our country and for our kids. When faced with similar decisions, families cut back; they sacrifice. And now we must do the same. Now, to paraphrase Hamilton, the last thing we need to do now is act in a way that jacks up our interest rates.

The 100 of us who are here in the Senate didn't create the system in which we operate. None of us decided it would be fun to have special interest groups scoring our every move or lobbyists hounding us about this or that tiny little provision or television channels reducing everything we do and say to a story line of endless minute conflict. And look, I understand what the incentives are here. It is possible we could fail and get away with blaming somebody else. It is possible cutting off our nose to spite our face could be a smart political move in this insane system. But there is a reason we venerate the Founders and Lincoln and the great legislative and executive figures of the last century. They were great not only because of what history threw at them, but because of the way they threw themselves at history.

They raised their hands. They showed real courage not only when they had to but when they didn't. They made themselves of use.

The Founders were practical people—dare I say it, Madam President, practical politicians searching for an ideal that became the United States of America, and they created in their practicality what Lincoln called the last, best hope of Earth. Think of that. Think of our actual history, not a cartoon, and imagine that we stumble, not because the Founders in their time failed to form a union but because in our time we failed to act as one.

Madam President, I yield the floor, and I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

#### THE BUDGET

Mr. TOOMEY. Mr. President, I think it is fair to say we have two really major problems we are grappling with here in this Congress. More importantly, the people all across our country are grappling with them.

First, there is an economy that is far too weak. It is growing far too slowly, if at all, and it is certainly producing far too few jobs. The latest data is particularly discouraging on the job-creation front. Until we turn this around and get strong growth, we are not going to produce nearly the number of jobs we need.

The second big problem that strikes me as very disturbing is the unsustainable level of Federal spending and corresponding deficits and debt that have mounted as a result of all that spending. Federal spending since the year 2000, from 2000 to 2010, has doubled from just a couple of years ago when spending was less than 20 percent of our total economic output. Today, it is nearly 25 percent of our total economy, and that is way too large and unsustainable.

All this spending has predictably led to huge deficits. We have been running annual deficits these last couple of years of nearly 10 percent of our entire economy—really staggering in size, \$1.5 trillion for the last couple of years running. The deficits are covered by issuing debt, so we have been accumulating debt at this really breakneck pace.

Of course, all of this debt has caused us to crash into our debt limit, and we are now mired in this debate, in this discussion, in these ongoing, very difficult negotiations over what to do because we have reached the statutory ceiling of the amount of money the Federal Government is permitted by law to borrow—\$14.3 trillion. That is a number which is very difficult to grasp because of its sheer enormity, but there we are. We are at the limit, and

we have to decide what we are going to do about it.

I am not impressed with where the current negotiations seem to be and where they have been. I think we have yet to see a plan from the President that lays out exactly what he is willing to cut in spending to put us on a sustainable path.

The President proposed a budget. I sit on the Budget Committee. We looked at that budget, we had testimony about that budget, and what we learned was it is not a serious budget. It would continue with huge deficits and mounting debt. It did not address any of the fundamental problems. When that budget was on the Senate floor for a vote, the President's budget got zero votes. The President subsequently backed away from his own budget but has not proposed an alternative. Unfortunately, my colleagues in this Chamber on the other side have proposed no budget whatsoever.

So here we are, the world's largest enterprise, the U.S. Government, preparing to spend this year—as we did last year—something on the order of \$3.7 trillion without so much as a blueprint for how we are going to spend that, rules that would govern how it gets allocated in different categories, guidelines for where the revenue is going to come from, how big the deficit will be—none of that. We are simply proceeding along without a budget. I have to say I think that is shockingly irresponsible. Now we go into these discussions about the debt limit. Frankly, it is not clear to me that we are any closer to a resolution today than we were several weeks ago.

Some of us have suggested a solution. We have suggested a way out of this impasse that I would like to describe today. The solution we are proposing is that we go ahead and raise the debt limit by the amount the President has asked. Many of us are not particularly enthusiastic about that, but we acknowledge that failure to do so will at some point in, presumably, early August result in a considerable disruption and a partial government shutdown. It will not result in a default on our debt, and there are many of our ongoing expenses we could continue to cover from ongoing tax revenue, but it would nevertheless be very disruptive, and it is my hope that we never get there and instead find a resolution.

The resolution some of us are proposing—specifically Senator MIKE LEE from Utah, whom I credit a great deal for his leadership—Senator LEE and I have introduced a bill, together with a number of other colleagues—I think we have over 25 cosponsors in the Senate—based on the idea we call cut, cap, and balance. We would agree to raise the debt limit by \$2.4 trillion, as the President has requested, provided that we get ourselves on a path to a balanced budget. By that, we see three pieces:



cuts in immediate spending; statutory caps in spending over the next few years; and a balanced budget amendment to the Constitution, which we acknowledge would take several years to achieve. But the point is that the combined effect of these measures would clearly put us on a path to a balanced budget, end the practice of running deficits, and eventually end the need to raise debt limits because we would not be issuing new debt. We would, instead, as a government be living within our means.

If you ask me, this is very reasonable, to suggest that the Federal Government ought to live within its means. It is reasonable for families. Families do not have any choice; they live within their means. Businesses have to live within their means or they do not survive. And 49 of the 50 States have a requirement that they balance their budgets every year, and they find a way to do it.

This President would not be the first Democratic President to embrace this if he were to embrace this idea. President Clinton, working with a Republican-controlled Congress in the 1990s, first embraced the idea that we ought to strive for a balanced budget, that it was a worthwhile goal, that it was an achievable goal, and within a few years, in fact, they achieved it, two different parties working together—not always enjoying each other's company as much as one might like, but the fact is they got it done. I think we ought to consider using that model today.

As recently as 2007, we were actually quite close to a balanced budget. Our deficit was just over 1 percent of our total economy, as opposed to today, where it is nearly 10 percent of our total economy. I fully acknowledge that we cannot get there overnight, as much as many of us would like to. We have dug a deep hole. We are borrowing almost 40 cents of every dollar we spend. It would be too sudden and Draconian to think we could balance the budget overnight. So we suggested a path that might take 8 or 9 or 10 years to actually reach a balance, but it would surely put us on a path that would get us there, and that would be enormously constructive, not only in the sense that it would ensure the long-term fiscal viability of our country, which is in and of itself an absolutely vital goal, but it would also create some certainty in the market, reduce the risk of huge inflation and huge interest rates and the other dangers that accompany the irresponsibly large deficits, and in the process help to encourage stronger economic growth and job creation.

I think we ought to be flexible in how we get there. We have proposed one way. It is not the only way to do it, but it, importantly, is premised on this principle that we can reach a balance and we ought to do that. It is abso-

lutely critical that we demonstrate that we have the political will and the ability to tackle this, arguably the biggest challenge we face.

We have seen what has been unfolding in Europe because they chose not to tackle these problems in recent years. I suggest we are not that far behind some of the countries in Europe that are in the middle of truly devastating sovereign debt crises. We are not quite there yet, but if we do not change the path we are on, that is the direction we are heading.

Let me walk through the particular items in this approach we are advocating in which we would cut, cap, and balance.

First is to cut spending. We are suggesting a cut from the 2011 levels of \$142 billion. That is actually less than 4 percent of the amount of money the government spent last year—we are still in the current year, but the fiscal year of 2011. It would still spend more than we spent in 2010, so it is very hard to see how this could fairly be described as any kind of Draconian cut. It is a very modest cut in spending. By 2012, the levels will be almost \$½ trillion more than the levels of spending in 2008. But that is the first step, to cut spending in the immediate future, in this next fiscal year.

The second is to cap spending over the next several years. To do this, we have established a set of caps, statutory limits on how much the government can spend each year based on the level of spending in the budget resolution I introduced on the Senate floor, which had almost all the Republicans' support. I wish we had some Democratic support, and I still hope we will get some. But the important thing about this budget resolution and these cap levels is they reach a balance—not overnight; it takes 9 years. But by controlling spending and adopting progrowth policies that encourage an expanding economy, we would, following these cap levels, be able to balance our budget. Then, finally, we are advocating that as part of this package, as part of an arrangement, we would agree to raise the debt ceiling. We would also pass in both the House and Senate a balanced budget amendment to the Constitution and send it off to the States.

We would not suggest the increase in the debt limit be contingent upon State option, but I am confident the States would, in fact, pass a balanced budget amendment to the Constitution if we in Congress would send it to them. It would have three big features and, again, the details ought to be a subject of discussion. One that would not be open for negotiation would be that the first outlays need to equal revenues. That is obviously the fundamental definition of a balance. We don't run deficits; we make sure we spend no more than we take in.

The second aspect some of us feel strongly about, and I am one of them, is we ought to limit spending as a percentage of our economy so the economy doesn't keep growing, which is what happens when the government occupies too large a segment of our economy.

Finally, we have advocated that we not create a mechanism that simply guarantees big tax increases in order to balance the budget, and to do that we would like—and we have included—a supermajority requirement to raise taxes so that a simple majority wouldn't be enough. It would require a supermajority which would only occur, presumably, in truly extraordinary circumstances.

I believe very strongly we can have strong economic growth and the job creation we need, but to get there we have to create an environment in Washington; we have to pass legislation and create an environment that encourages risk taking, encourages business formation, encourages new hiring, and we have not been doing such a good job. One of the ways to do that is to put us on a sustainable, viable fiscal path, and the cut, cap, and balance approach would do that.

We would raise the debt limit by the full amount that the President has asked for provided he agree with us to put this country on a path to a balanced budget. I do not think that is asking too much. I think that is a way to achieve long-term fiscal sustainability, and just as importantly it is a way to create an environment for the strong economic growth and job creation we need.

**THE PRESIDING OFFICER.** The Senator from Florida.

**MR. NELSON of Florida.** Mr. President, I request unanimous consent to speak up to 20 minutes.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

(The remarks of Mr. NELSON of Florida pertaining to the introduction of S. 1364 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### MORNING BUSINESS

**MR. NELSON of Florida.** Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

#### HONORING OUR ARMED FORCES

**CORPORAL BRANDON M. KIRTON**

**MR. BENNET.** Mr. President, it is with great sadness that I report the passing of a brave soldier, loving son, dedicated husband, and proud father from Centennial, CO. CPL Brandon M. Kirton died on May 18, 2011, in



Kandahar Province, Afghanistan, of injuries sustained when his dismounted patrol received small arms and mortar fire. This is one of the most strategically important areas of Afghanistan. He was 25 years old.

Family and friends remember Corporal Kirton as a warm, lighthearted young man. Robert Kirton, his father, said that his son's cheerful disposition at home provided a great contrast to the solemn commitment with which he faced his duties as a soldier. This makes perfect sense, Robert said, because Corporal Kirton had dreamed of putting on an Army uniform from an early age.

Corporal Kirton attended Englewood High School in Englewood, CO, where he was a member of the baseball and soccer teams. He enlisted in the Army shortly after his graduation in 2004, and he was assigned to C Company, 2nd Battalion, 502nd Infantry Regiment, 101st Airborne Division, based at Fort Campbell, KY. Corporal Kirton served a tour of duty in Iraq and one in Afghanistan—both with distinction.

His record as a soldier demonstrates the Army's proudest traditions of valor, commitment to duty, and strength of character. Corporal Kirton was carrying 70 pounds of gear when CPT Gary Flowers, his commander, first met him in Afghanistan in 115-degree heat. Captain Flowers offered to shoulder a bag for him, an offer which Corporal Kirton declined. He simply replied, "Are you kidding me?"

Corporal Kirton's commanding officers immediately recognized his exceptional bravery and talent. He earned, among other decorations, the Bronze Star Medal, the Purple Heart Medal, the Afghanistan Campaign Medal, the Iraq Campaign Medal, and the Global War on Terrorism Service Medal.

Mark Twain once said, "The fear of death follows from the fear of life. A man who lives fully is prepared to die at any time." Corporal Kirton's service was in keeping with this sentiment by selflessly putting country first, he lived life to the fullest. He lived with a sense of the highest honorable purpose.

Mr. President, I stand with Colorado and people nationwide in profound gratitude for Corporal Kirton's tremendous sacrifice. He followed through on his dream of becoming a soldier in the U.S. Army and served honorably in Iraq and Afghanistan when his country needed him most. We are forever humbled by and indebted to the memory of his courageous actions. I ask my colleagues to join in me extending our deepest respects and condolences to Corporal Kirton's family.

#### THE GOLDEN EAGLE AWARD

Mr. ENZI. Mr. President, I rise today to recognize two of Wyoming's best ski areas—Grand Targhee and the Jackson Hole Mountain Resort—for their hard

work and commitment to better management practices. Their records of improving efficiency, reducing energy use, promoting better environmental management, and focusing on sustainable operations have earned them the 2011 National Ski Areas Association Golden Eagle Award for Overall Environmental Excellence. The Golden Eagle Award is presented to ski areas and resorts that have shown a true commitment to making sure our great outdoors will be enjoyed for years to come. I congratulate Grand Targhee and Jackson Hole Mountain Resort for their accomplishments. Wyoming is proud to be home to both of these great ski opportunities.

Jackson Hole Mountain Resort has a history of environmental excellence. They have earned their 2011 Golden Eagle Award for working for 5 years to implement an integrated environmental management system to achieve the International Organization for Standardization's, ISO, 14001 standards. This system is an overall approach to sustainability, continual improvement, and a future of responsible stewardship of some of the most pristine areas in our country. But this isn't the first time that Jackson Hole Mountain Resort has been recognized for environmental excellence. They have a history of commitment to sound environmental management going back 15 years. They first received the Golden Eagle Award in 1995, and were also awarded a Silver Eagle Award for Excellence in Energy Conservation and Clean Energy in 2003, as well as a Silver Eagle Award for Excellence in Visual Impact in 2005.

Grand Targhee has also worked hard to demonstrate their commitment to environmental quality. This year, they are being recognized with a Golden Eagle Award for committing to reduce their energy use by 10 percent, and then exceeding their goal and achieving an energy savings of 18 percent. Their investments in energy efficiency upgrades, weatherization, and better management practices helped them meet and exceed their goals for improving their energy use. This year marks the third award for environmental excellence for Grand Targhee. In 2008, they received the Silver Eagle Award for Excellence in Waste Reduction and Recycling, and in 2009 they received their first Golden Eagle Award.

Both Jackson Hole Mountain Resort and Grand Targhee have been operating in the Teton Range since the 1960s. They have a history of being some of the best ways to experience Wyoming's amazing landscapes. Their commitment to sound environmental management, conservation, and improving how they use energy demonstrates their commitment to being part of Wyoming's futures for years to come.

I congratulate both resorts for this tremendous accomplishment. It is

truly an honor to receive the Golden Eagle Award from the National Ski Areas Association and is one more example of Wyoming businesses leading the way.

Mr. BARRASSO. Mr. President, I rise today to compliment two Wyoming ski resorts for their dedication to environmental excellence. Grand Targhee and Jackson Hole Mountain Resort each received the 2011 National Ski Areas Association Golden Eagle Award for Environmental Excellence. The Golden Eagle Award is the most prestigious environmental honor given by the ski industry.

Grand Targhee received the award in the small ski area category for their efforts to reduce energy consumption. Grand Targhee's stated goal was to reduce energy use by 10 percent below their previous 5-year average. By implementing better management practices, investing in energy-efficient upgrades and retrofits, and weatherizing their buildings, the resort almost doubled their original goal by realizing an 18 percent reduction in energy use. Environmental success is not new for Grand Targhee. In 2008 they received the Silver Eagle Award for Excellence in Waste Reduction and Recycling, followed by their first Golden Eagle Award in 2009.

In the medium-sized ski area category, the Golden Eagle Award was presented to Jackson Hole Mountain Resort. This recognition is the result of a long-term dedication to environmental management. For the past 5 years, Jackson Hole Mountain Resort's environmental management system has met the 14001 standards for the International Organization for Standardization, ISO. This lofty benchmark has been achieved now by only two resorts in the United States. Jackson Hole Mountain Resort's steadfast approach to sustainable environmental management practices is an ongoing commitment. This award is the fourth time Jackson Hole Mountain Resort has been honored. In 1995 they also received the Golden Eagle Award, followed by Silver Eagle Awards for Excellence in Energy Conservation and Clean Energy and Excellence in Visual impact in 2003 and 2005, respectively.

Mr. President, Grand Targhee and Jackson Hole Mountain Resort's ongoing commitment to environmental excellence are outstanding examples of the private sector working to preserve our natural resources. Wyoming is a wonderful place to live, work, and recreate. I want to congratulate each resort and their employees for hard work and dedication. The National Ski Areas Association Golden Eagle Award is a tribute to their achievements. Because of their efforts, the natural wonder of Wyoming's landscapes will continue to be enjoyed now and in the future by those who ski our slopes.

## REMEMBERING KIP TIERNAN

Mr. BROWN of Massachusetts. Mr. President, I rise today in tribute to Ms. Kip Tiernan of Boston, MA, who died on July 2. Kip was an immense force for good and a towering figure in the fight to better the lives of the less fortunate.

Kip Tiernan was, herself, accustomed to loss and struggle and redemption. A child of the Depression, Kip lost both parents by age 11 and was raised by her grandmother who taught her by example the importance of helping those in need. At a time when young women were discouraged from taking a stand or speaking out she was precocious, learning to fly a plane while still a teenager.

She led a remarkable life not just in spite of her own struggles but perhaps because of them. Her early years were marked by her own struggle with substance abuse. She spoke openly about the consequences of her drinking and how her recovery from alcoholism helped her to empathize with the women she would help.

Kip is best known for founding Rosie's Place in 1974, the Nation's first homeless shelter for women. Rosie's Place is a remarkable institution that has grown from simply providing emergency shelter and a hot meal to assisting women of all ages to put their lives back together. Each year they serve nearly 75,000 meals, hand out tons of groceries, provide thousands of hours of counseling and educational services, help dozens of low-income homeowners to avoid eviction or find permanent housing, and deliver numerous other services to thousands of women.

In addition to Rosie's Place, Kip helped found the Boston Food Bank, the Boston Women's Fund, Community Works, Transition House, Aid to Incarcerated Mothers, Food for Free, Finex House, John Leary House, My Sister's Place, the Greater Boston Union of the Homeless, and numerous other organizations dedicated to providing immediate help and longer term assistance to the poor and homeless.

It is impossible to measure with any accuracy the impact of Rosie's Place and the many other organizations that Kip helped to found. We will never know just how many women were saved from dangerous streets or abusive relationships. Nor can we estimate how many children and families were spared the deprivation and indignity of a life on the streets. We can never be sure how many people who were touched by Kip were inspired to go on to help others.

Kip once said: Compassion is a discipline; it's not just a smiley face. She knew that helping on a larger scale required organization. She used her own marketing and PR skills to raise money and awareness for various groups and knew that running increasingly sophisticated operations that

served thousands required recruiting other professionals with their own God-given talents.

People may disagree about how best to fight poverty or help the neediest among us, but there should be no disagreement that Kip Tiernan transcended the disagreements and politics by committing herself to do the hard work, the sometimes uncomfortable work of demonstrating compassion and helping others one on one.

While some volunteer a day or two a year, Kip made it her life's work. Kip Tiernan leaves behind an incredible legacy of service and love. Our city, State, and world are far better places because of her.

## MCCALL, IDAHO

Mr. RISCH. Mr. President, I rise today to congratulate and acknowledge the 100th anniversary of the founding of the city of McCall, ID. On July 19, 2011, the citizens of McCall will gather at Depot Park to commemorate the 100th year of its founding. This is a very historic and special day for this central Idaho community.

From its early days as a settlement in 1818, McCall has embodied the frontier spirit and entrepreneurship that makes the United States a land of opportunity. After a discovery of gold in the Salmon River Mountains, miners advanced along the west side of Payette Lake, accelerating the construction of Warren Wagon Road. Around 1890, the town's namesake, Tom McCall, plotted a 4-block town site from his homestead on the south end of the lake, taking in the abandoned Lardo U.S. Post Office.

In the years following, there was an extraordinary amount of growth. Tom McCall bought the Warren Gold Dredging Company sawmill, thus initiating his lumber company that provided lumber for the manufacturing of business buildings, hotels, and homes until the 1970s. A school and post office were also established, with McCall naming himself postmaster. A few short years later, the town was officially incorporated on July 19, 1911.

In 1914, the railroad arrived in McCall bringing with it scores of tourists. McCall's picturesque location on the shores of Payette Lake and abundant snowfall and hot, dry summers make it a natural vacation destination. And yes, this glacially-carved lake, nearly 400 feet deep, is rumored to be the home of a sea serpent named "Sharlie," which has been sighted by tourists and locals alike over the past century.

The winter of '24 spawned the annual winter carnival. Its spectacular snow sculptures now draw thousands each year. Even Hollywood took notice of this beauty in 1938, when McCall served as the elaborate backdrop of the Academy Award-nominated movie, "Northwest Passage."

Today, McCall is known as an alluring all-season vacation destination anchored by historic Shore Lodge and the ski slopes at nearby Brundage Mountain, which forge the frontier spirit of its people and enhance its natural beauty. McCall has much to celebrate and look forward to in its next century.

Congratulations to the vibrant town of McCall for 100 years of success.

## ADDITIONAL STATEMENTS

## PARKSTON, SOUTH DAKOTA

• Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize the community of Parkston, SD, on reaching the 125th anniversary of its founding. This vibrant town in Hutchinson County truly is, as its motto states: "A Great Place to Grow."

Originally founded as Dakota City by Peter Swartz in 1880, Parkston as we know it today was moved to its current location in order to be closer to the Milwaukee and St. Paul Railroad built running from Scotland to Mitchell. The town was thus renamed Parkston in honor of Edwin R. Parks, the resident engineer of that division of the railroad because, as the Dakota City Advance put it: "Mr. Parks is a first class fellow and Parkston is a first class town."

Today, as with many rural communities, Parkston takes particular pride in their school system, home of the Trojans. Parkston students consistently rank high on achievement exams, a testament to their dedication to education. Local small businesses provide a continually growing economic sector for the town. Parkston is also known for the Klauss-James Archive & Art Museum, which houses the Klauss Archive of music manuscripts, and watercolors and drawings of Bernard Albert James. The citizens of Parkston plan to celebrate this milestone with many community events including a parade, live music, golf tournament, talent show, and an all-school reunion.

Over the past 125 years, Parkston has become a shining star in South Dakota. I commend small towns, such as Parkston, for their residents' sense of community pride and friendship that is evident to all. Congratulations to Parkston and their citizens for all their achievements, and I look forward to seeing what they will achieve in the future and wish them well on all their endeavors.●

## TRENT, SOUTH DAKOTA

• Mr. JOHNSON of South Dakota. Mr. President, today, I wish to pay tribute to the 125th anniversary of the founding of Trent, SD. Located along the historic Milwaukee Railroad line, Trent is a humble community in Moody County. On July 22 to 24, 2011,

the citizens of Trent will celebrate their town's proud past and look forward to its promising future.

At the time of its founding in 1886, Trent was often referred to as Brookfield. The railroad requested that the town of Brookfield officially change its name to Trent in order to avoid confusion with a town of the same name on the line. In 1903, Trent was moved to higher ground east of the railroad tracks due to continual flooding. Today, Trent is home to a community pool, known as the "Swimming Hole," and numerous shops, restaurants, and other local businesses.

Trent will be commemorating 125 years of rich history with a community potluck, dance, and free swimming on Sunday. The community will celebrate with many activities including a fishing derby, parade, pork loin feed, horseshoes, mud volleyball, and even cardboard and duct tape boat races.

Trent continues to grow and thrive, even 125 years after its founding. I congratulate the residents of Trent, SD as they celebrate the town's quasiquintennial and wish them continued success and prosperity in the years to come. It is truly an honor and a privilege to represent the people of the exceptional town of Trent.●

#### MESSAGE FROM THE HOUSE

At 4:20 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1309. An act to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1309. An act to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. GILLIBRAND (for herself and Mr. SANDERS):

S. 1352. A bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to include

freight and passenger rail among eligible uses of funding under the coordinated border infrastructure program and to reauthorize that program; to the Committee on Environment and Public Works.

By Mr. WICKER (for himself, Ms. COLLINS, and Mr. PAUL):

S. 1353. A bill to exclude employees of the Transportation Security Administration from the collective bargaining rights of Federal employees and provide employment rights and an employee engagement mechanism for passenger and property screeners; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. HAGAN:

S. 1354. A bill to authorize grants to promote media literacy and youth empowerment programs, to authorize research on the role and impact of depictions of girls and women in the media, to provide for the establishment of a National Task Force on Girls and Women in the Media, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself and Mr. DURBIN):

S. 1355. A bill to regulate political robocalls; to the Committee on Rules and Administration.

By Mr. BROWN of Massachusetts (for himself, Mr. WYDEN, and Mr. MCCAIN):

S. 1356. A bill to amend title XIX of the Social Security Act to encourage States to increase generic drug utilization under Medicaid, and for other purposes; to the Committee on Finance.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 1357. A bill to exempt National Forest System land in the State of Alaska from the Roadless Area Conservation Rule; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 1358. A bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Mr. BEGICH):

S. 1359. A bill to make the National Parks and Federal Recreation Lands Pass available at a discount to members of the Armed Forces and veterans; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself, Mr. BLUMENTHAL, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mr. BROWN of Ohio, and Mrs. FEINSTEIN):

S. 1360. A bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KERRY:

S. 1361. A bill to reduce human exposure to endocrine-disrupting chemicals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WEBB:

S. 1362. A bill to simplify the Trafficking in Persons Report by reducing the number of country categories and ranking countries within each category according to their relative adherence to the minimum standards set forth in section 108 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106); to the Committee on Foreign Relations.

By Mr. ROCKEFELLER:

S. 1363. A bill to amend titles 10 and 41, United States Code, to allow contracting of-

ficers to consider information regarding domestic employment before awarding a Federal contract, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Florida:

S. 1364. A bill to ensure the timely payment of Social Security benefits in August 2011; to the Committee on Finance.

By Mrs. HUTCHISON:

S. 1365. A bill to provide funds to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian personnel continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services; to the Committee on Armed Services.

By Ms. CANTWELL (for herself, Mr. CRAPO, and Mrs. MURRAY):

S. 1366. A bill to amend the Internal Revenue Code of 1986 to broaden the special rules for certain governmental plans under section 105(j) to include plans established by political subdivisions; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself and Mr. COBURN):

S. Res. 232. A resolution recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners; to the Committee on Foreign Relations.

By Mr. NELSON of Florida (for himself, Mr. BROWN of Ohio, Mrs. HUTCHISON, Mr. BOOZMAN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mr. RUBIO, Mr. UDALL of Colorado, Mr. WARNER, and Mr. VITTER):

S. Res. 233. A resolution honoring the men and women of the National Aeronautics and Space Administration Space Shuttle Program on reaching the historic milestone of the 135th and final flight of the Space Transportation System; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 44

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 44, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 48

At the request of Mr. INOUE, the names of the Senator from Nevada (Mr. REID) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 48, a bill to amend the

Public Health Service Act to provide for the participation of pharmacists in National Health Services Corps programs, and for other purposes.

S. 82

At the request of Mr. JOHANNIS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 82, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs, to repeal the sunset of the Patient Protection and Affordable Care Act with respect to increased dollar limitations for such credit and programs, and to allow the adoption credit to be claimed in the year expenses are incurred, regardless of when the adoption becomes final.

S. 133

At the request of Mrs. MCCASKILL, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 133, a bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 384

At the request of Mrs. FEINSTEIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Iowa (Mr. HARKIN) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 412

At the request of Mr. LEVIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 534

At the request of Mr. KERRY, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 539

At the request of Mr. WHITEHOUSE, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 539, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental

health, and substance abuse professionals and facilities, and for other purposes.

S. 745

At the request of Mr. SCHUMER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 745, a bill to amend title 38, United States Code, to protect certain veterans who would otherwise be subject to a reduction in educational assistance benefits, and for other purposes.

S. 800

At the request of Mr. HARKIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 800, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 807

At the request of Mr. ENZI, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 807, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 838

At the request of Mr. TESTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 906

At the request of Mr. WICKER, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 968

At the request of Mr. LEAHY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1049

At the request of Mr. KYL, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1049, a bill to lower health premiums and increase choice for small business.

S. 1107

At the request of Mr. MENENDEZ, the name of the Senator from Hawaii (Mr.

INOUYE) was added as a cosponsor of S. 1107, a bill to authorize and support psoriasis and psoriatic arthritis data collection, to express the sense of the Congress to encourage and leverage public and private investment in psoriasis research with a particular focus on interdisciplinary collaborative research on the relationship between psoriasis and its comorbid conditions, and for other purposes.

S. 1147

At the request of Mr. BLUMENTHAL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1147, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and service to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 1228

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1228, a bill to prohibit trafficking in counterfeit military goods or services.

S. 1251

At the request of Mr. CARPER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1251, a bill to amend title XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1257

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1257, a bill to establish grant programs to improve the health of border area residents and for all hazards preparedness in the border area including bioterrorism and infectious disease, and for other purposes.

S. 1265

At the request of Mr. BINGAMAN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1280

At the request of Mr. ISAKSON, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims' advocates, the establishment of a

Sexual Assault Advisory Council, and for other purposes.

S. 1292

At the request of Mr. TOOMEY, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 1292, a bill to require the Administrator of the Environmental Protection Agency to consider the impact on employment levels and economic activity prior to issuing a regulation, policy statement, guidance document, endangerment finding, or other requirement, implementing any new or substantially altered program, or denying any permit, and for other purposes.

S. 1297

At the request of Mr. BURR, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Kansas (Mr. MORAN), the Senator from North Dakota (Mr. HOEVEN) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 1297, a bill to preserve State and institutional authority relating to State authorization and the definition of credit hour.

S. 1308

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. RUBIO) was withdrawn as a cosponsor of S. 1308, a bill to amend title 18, United States Code, with respect to child pornography and child exploitation offenses.

S. 1313

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1313, a bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

S. 1316

At the request of Mr. ENZI, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1316, a bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending.

S. 1340

At the request of Mr. LEE, the names of the Senator from Texas (Mr. CORNYN), the Senator from Kansas (Mr. MORAN), the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Nebraska (Mr. JOHANN) were added as cosponsors of S. 1340, a bill to cut, cap, and balance the Federal budget.

S. 1341

At the request of Mr. SESSIONS, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 1341, a bill to provide a point of order against consideration of any measure that would increase the

statutory limit on the public debt above \$14.294 trillion unless that measure has been publicly available for a full 7 calendar days before consideration on the floor of the Senate.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Dakota (Mr. HOEVEN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 226

At the request of Mr. GRAHAM, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. Res. 226, a resolution expressing the sense of the Senate that the President does not have the authority to ignore the statutory debt limit by ordering the Secretary of the Treasury to continue issuing debt on the full faith and credit of the United States.

S. RES. 228

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. Res. 228, a resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mr. DURBIN):

S. 1355. A bill to regulate political robocalls; to the Committee on Rules and Administration.

Mrs. FEINSTEIN. Mr. President, today I am introducing the Robocall

Privacy Act, a simple, straight-forward bill that would allow continued political outreach through prerecorded phone messages, but protect American families from being inundated by calls throughout the day and night. I am pleased to be joined by Senator DURBIN.

In recent years, we have seen an increase in the development of new technologies that help political candidates reach out to voters. This is a good thing. Political speech is essential and should be protected. The vast majority of these developments strengthen the Democratic process by promoting an interchange of information and ideas.

One of these developments is the robocall—a prerecorded message that can be sent out to tens of thousands of voters at a minor cost through computer automation. With television and radio ads becoming so expensive, these prerecorded calls can play an important role in alerting voters to a candidate's position and urging their support at the polls.

But the process can be abused. Throughout recent elections, we have continued to hear stories about people being inundated with phone calls throughout the day and night. There is simply no good reason why Americans wanting a good night's sleep should be awakened at 4:30 in the morning by a robocall.

Commercial calls are already limited by the Federal Trade Commission's "Do Not Call" list, which millions of individuals have registered for. But political calls are specifically exempted from this list.

Let me be clear: I am not seeking to eliminate all robocalls. Instead, this legislation is carefully designed to provide some safeguards. Let me tell you exactly what this bill would do.

It would ban political robocalls between the hours of 9 p.m. and 8 a.m.

It would ban any campaign or group from making more than two robocalls to the same telephone number in a single day.

It would prohibit the organizer of any robocall from blocking the "caller identification" number and require an announcement at the beginning of the call identifying the individual or organization making the call, and the fact that it is a prerecorded message. This is to prevent robocalls from misleading the recipient of the call.

The enforcement provisions of this bill are simple and directed toward stopping the worst of these calls. The bill would create a civil fine for violators of the law, with additional fines for callers who willfully violate the law.

The bill also allows voters to sue to stop those calls immediately, but not receive monetary damages. A judge can order violators of the law to stop these abusive calls.

Let me briefly describe a few incidents that showcase why the provisions in this bill are so important.

On Election Day in 2010, over 110,000 Maryland voters began receiving anonymous robocalls instructing them to “relax” and stay home because Governor Martin O’Malley had already won re-election. These calls came a full two hours before the polls would close.

Days before the 2010 Midterm elections, voters in Kansas received anonymous robocalls telling them to bring a voter registration card and proof of home ownership to the polls on Wednesday. Not only are these items not required to vote, but as we know, the election was on a Tuesday.

Similarly, in my home state of California, about two dozen Los Angeles residents complained of receiving Spanish language robocalls from an unidentifiable source instructing them to vote on Wednesday, November 3—the day after Election Day.

Shortly before last year’s elections, individuals in St. Louis, Missouri, heard their phones ring and checked the caller ID to find a number belonging to a local hospital. Expecting the worst, they answered the call. The voice on the other end was not a hospital employee, but rather a prerecorded political message from an organization that had been able to manipulate caller ID devices to make it seem as if the calls were coming from emergency officials.

In October 2010, 50,000 Nevadans were awoken at 1 a.m. by a robocall regarding a ballot question in the state that would change the judicial selection process. The calls came in the middle of the night due to a programming error—they were supposed to be made at 1 p.m.

To be clear, incidences like these involving the malicious or untimely use of robocalls are not unique to the recent election.

In a Maryland race in November 2006, in a conservative area residents received a middle-of-the-night robocall from the nonexistent “Gay and Lesbian Push Organization,” urging them to support one of the candidates. That candidate lost the election, in part because of the false, late-night call.

In the 2006 Congressional elections, many calls wrongly implied that one candidate was making a robocall. The message began with a recorded voice stating that the call contained information about U.S. Representative Melissa Bean. Some voters called Bean’s office to complain without listening to the entire message, which eventually identified an opposing party committee as the sponsor—when most voters had hung up. Representative Bean had to spend campaign funds informing voters she had not made that call.

I am a strong supporter of the First Amendment protection for political speech, but the worst of these calls are disturbing people in their homes and spreading misleading and outright false information. Something must be

done to rein in the robocalls which perpetrate these actions.

This bill presents a solution. It does not ban robocalls. It merely provides a reasonable framework of tailored time, place, and manner restrictions.

I hope my colleagues will join me in supporting the Robocall Privacy Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1355

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Robocall Privacy Act of 2011”.

**SEC. 2. FINDINGS.**

Congress makes the following findings:

(1) Abusive political robocalls harass voters and discourage them from participating in the political process.

(2) Abusive political robocalls infringe on the privacy rights of individuals by disturbing them in their homes.

**SEC. 3. DEFINITIONS.**

For purposes of this Act—

(1) **POLITICAL ROBOCALL.**—The term “political robocall” means any outbound telephone call—

(A) in which a person is not available to speak with the person answering the call, and the call instead plays a recorded message; and

(B) which promotes, supports, attacks, or opposes a candidate for Federal office.

(2) **IDENTITY.**—The term “identity” means, with respect to any individual making a political robocall or causing a political robocall to be made, the name of the sponsor or originator of the call.

(3) **SPECIFIED PERIOD.**—The term “specified period” means, with respect to any candidate for Federal office who is promoted, supported, attacked, or opposed in a political robocall—

(A) the 60-day period ending on the date of any general, special, or run-off election for the office sought by such candidate; and

(B) the 30-day period ending on the date of any primary or preference election, or any convention or caucus of a political party that has authority to nominate a candidate, for the office sought by such candidate.

(4) **OTHER DEFINITIONS.**—The terms “candidate” and “Federal office” have the respective meanings given such terms under section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431).

**SEC. 4. REGULATION OF POLITICAL ROBOCALLS.**

It shall be unlawful for any person during the specified period to make a political robocall or to cause a political robocall to be made—

(1) to any person during the period beginning at 9 p.m. and ending at 8 a.m. in the place which the call is directed;

(2) to the same telephone number more than twice on the same day;

(3) without disclosing, at the beginning of the call—

(A) that the call is a recorded message; and

(B) the identity of the person making the call or causing the call to be made; or

(4) without transmitting the telephone number and the name of the person making the political robocall or causing the political

robocall to be made to the caller identification service of the recipient.

**SEC. 5. ENFORCEMENT.**

(a) **ENFORCEMENT BY FEDERAL ELECTION COMMISSION.**—

(1) **IN GENERAL.**—Any person aggrieved by a violation of section 4 may file a complaint with the Federal Election Commission under rules similar to the rules under section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)).

(2) **CIVIL PENALTY.**—

(A) **IN GENERAL.**—If the Federal Election Commission or any court determines that there has been a violation of section 4, there shall be imposed a civil penalty of not more than \$1,000 per violation.

(B) **WILLFUL VIOLATIONS.**—In the case the Federal Election Commission or any court determines that there has been a knowing or willful violation of section 4, the amount of any civil penalty under subparagraph (A) for such violation may be increased to not more than 300 percent of the amount under subparagraph (A).

(b) **PRIVATE RIGHT OF ACTION.**—Any person may bring in an appropriate district court of the United States an action based on a violation of section 4 to enjoin such violation without regard to whether such person has filed a complaint with the Federal Election Commission.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 1357. A bill to exempt National Forest System land in the State of Alaska from the Roadless Area Conservation Rule; to the Committee on Energy and Natural Resources.

Mr. BEGICH. Mr. President, I wish to speak about legislation I am introducing today that would repeal an ill-fitting and broad-reaching rule that limits not only timber harvest and mining but important renewable energy projects in Southeast Alaska.

In March of this year, a Federal District Court ruling set aside the 2003 Tongass Exemption and reinstated the application of the 2001 Roadless Area Conservation Rule in the Tongass National Forest. This decision means that the Tongass National Forest is now managed by a cookie-cutter rule imposed upon all national forests rather than by the 2008 Tongass Land Management Plan developed by Forest Service personnel under a wide reaching multi-year collaboration with Alaskans.

This will have a severe impact and reverse efforts to revitalize local communities and increase economic diversification throughout the region. Over the past few months, I have spoken with Tongass Forest Supervisor Forest Cole and Department of Agriculture staff about what flexibility they have under the rule.

I appreciate that Secretary Vilsack and the plaintiffs in this most recent court case recognize the importance of hydropower development, mining and personal use wood policies to the economy of Southeast Alaska. However, what I have read of their settlement agreement doesn’t offer any certainty that there won’t be more challenges and delays. Our experience over the past decade suggests there will be.



With lots of demands on the Tongass Forest, the Forest Service needs greater flexibility to address these issues while crafting a reasonably sized timber sale program that keeps the few existing mills alive and allows for modest expansion into second growth markets. Unemployment in the rural portions of Southeast Alaska currently averages more than 15 percent. Energy costs in these non-hydropower communities are too high as well. Instead of adding options, the roadless rule takes them away. It is time once and for all to do away with the rule in Alaska.

I want to thank my colleague, Senator MURKOWSKI, for joining me as a cosponsor.

By Mr. KERRY:

S. 1361. A bill to reduce human exposure to endocrine-disrupting chemicals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KERRY. Mr. President, today I am introducing the Endocrine-Disrupting Chemicals Exposure Elimination Act to create a research program through the National Institute of Environmental Health Sciences to further endocrine related research.

There are approximately 80,000 known chemicals in our environment that are potentially harmful. Many of those chemicals have never been tested to determine if they are damaging to human health. Products that American families use every day such as household cleaners, cosmetics, and personal care products could actually be causing them harm.

This legislation establishes the Endocrine Disruption Expert Panel to study and evaluate up to 10 chemicals per year that are potentially endocrine-disrupting to determine whether they have a high, substantial, minimal, or no level of concern. Any chemical that is deemed a high level of concern could be banned from use within 2 years. This commonsense approach provides vital protections against harmful chemicals while giving industry an opportunity to either find a way to eliminate human exposure to the toxin or eliminate it from use.

The increased rate of disorders affecting the human endocrine system is alarming. Children developing in the womb are particularly vulnerable. Many scientists believe there are connections between effects on the endocrine system and the chemicals around us, and it is time to do more about it.

This bill promotes action based on hard, scientific evidence. I urge all my colleagues to support it.

By Mr. ROCKEFELLER:

S. 1363. A bill to amend titles 10 and 41, United States Code, to allow contracting officers to consider information regarding domestic employment before awarding a Federal contract, and for other purposes; to the Com-

mittee on Homeland Security and Governmental Affairs.

Mr. ROCKEFELLER. Mr. President, today I am introducing the American Jobs Matter Act, legislation that will promote domestic job creation in the field of Federal contracting.

We must do all that we can to stop the outward migration of jobs. This bill takes the important step of directing the Federal Government to notify contract applicants that it may consider American job impact when deciding which bids to accept. The government would then be allowed to use that information in making award decisions.

There should be no greater champion of American-made goods than the Federal Government. Members of Congress come from 50 States and 435 districts and we each know of the special skill sets that our constituents possess and how fortunate the Federal Government would be to have these employees working on Federal projects. Yet our flawed procurement policy has no mechanism to assess the impact of government purchasing on American jobs.

This bill seeks to change that. Under the American Jobs Matter Act, contractors will be allowed to submit information related to the net effect of their offer on American employment. This information could include the number of American jobs expected to be created or retained as a result of the work. Bidders would also be allowed to guarantee that the jobs created would not be moved outside the United States after the contract is awarded. The legislation would finally give Federal agencies the ability to assess the impact of procurement decisions on American jobs. It does not dictate that a contract go to the applicant that will create the most jobs. It just elevates job creation to its right place in the hierarchy of criteria that should be studied before making a decision.

The American Jobs Matter Act would be an important step towards promoting a vibrant manufacturing base which is essential to our standard of living, the health of our communities, and ensuring our long-term economic security.

I want to thank my counterpart from the House of Representatives, Representative CHRIS MURPHY, for his leadership in that body on this legislation. I ask my colleagues to join me in supporting this important legislation and thank the chair for allowing me to speak on this issue.

By Mr. NELSON of Florida:

S. 1364. A bill to ensure the timely payment of Social Security benefits in August 2011; to the Committee on Finance.

Mr. NELSON of Florida. Mr. President, the Budget Committee chairman, the Senator from North Dakota, has, in fact, laid out a budget. It puts us on a serious road toward budget balance by

utilizing real numbers, not sleight of hand numbers, not budget fakery numbers, not a budget as a political document but a budget as an economic document. And it nips—indeed, it savages—the annual deficit and the Federal debt of \$4 trillion over 10 years.

This is real money, and it is real money that is basically in balance between \$2 trillion of spending cuts—which we have had all of those kinds of talks going on down at the White House, and they seem to get to an agreement of \$2 trillion of spending cuts. But when it comes to the revenue side, there seems to be an unwillingness to accept revenues.

What I would like to do is elucidate further on the Budget Committee chairman's presentation yesterday or the day before of this budget on how we can produce \$2 trillion of new revenue and it not be considered as just straight tax increases but, instead, of going to two other parts of the Tax Code that have been off limits to so much of the tax planning and tax cuts that we have been talking about. Of course, I am talking about the \$14 trillion of tax expenditures that the Federal Government expends by not having that tax revenue coming in to the tune of \$14 trillion for special tax preferences over the course of the next decade.

Now, if that were not enough in itself, there is also an additional \$1 trillion that is money that is kept abroad that is not brought back into this country and, therefore, is not taxed. Just a little portion of that money being kept overseas could be brought in and used in productive activities in the United States. But it would be brought in as income instead of housed in one three-story building in the Cayman Islands for 18,000 corporations, where all it is is a residence for a corporation to use to avoid U.S. taxes.

Now, if we are going to do anything serious about lowering the deficit, we are going to have to try to stop this nonsense that is going on. In the case of tax preferences, the tax expenditures, the \$14 trillion, the Senate, in an overwhelming vote a couple of weeks ago, actually attacked one of those tax preferences.

Remember when we voted something like 95 to 5 here to get rid of the subsidy on ethanol made from corn? It was a subsidy put in years ago to encourage ethanol made from corn as a way of blending it with gasoline that would then lessen our reliance on oil, particularly foreign oil. But now we know we can make ethanol from a whole bunch of other things, and it doesn't have to be making ethanol from something that we eat, which all it was doing was driving the price of corn higher and, of course, corn is being used as a feed in the feed lots and, therefore, the meat products that the American consumer



was getting at the grocery store went much higher in price.

So we realized here was a tax subsidy, a tax preference, in other words, a tax expenditure, that had outlived its usefulness. There are \$14 trillion of these tax preferences that are, in effect, for the next decade, and it would not be an unreasonable question to ask: Could we reduce those tax preferences just a little bit? If you reduced them, just 17 percent of all those tax preferences, you would produce \$2 trillion. If that \$1 trillion that is kept overseas—if you could stop some of those laws that keep foreign income held by U.S. companies abroad, if you could just tax a little bit of that, then we could even lower the percentage that we needed to get into the tax expenditures.

Now, there are some tax expenditures that are obviously very popular and very necessary. Charitable contributions, which include contributions to churches, they get a charitable deduction that you deduct from your overall income in order to get your adjusted gross income. From that you subtract the various deductions you have to get to your taxable income. Clearly, giving charitable contributions is an activity that we want to encourage, and we encourage that in the Tax Code.

Another example is, you own a home. You go to the bank, you get a mortgage, the mortgage payments that include principal and interest. You are able to deduct the interest that you are paying on that mortgage, and that is a tax preference. It was originally put in to encourage home ownership. Well, should that preference continue for those who don't need the help?

I think these are questions. So if we start just doing little things with this \$14 trillion of tax preferences, we can make major reductions in the annual deficit.

Let me give another example: Oil and gas. There are a lot of tax preferences for the oil and gas industry. Normally, when a business goes in and provides capital to get a business up and going, that capital equipment is allowed to be deducted over the life of that piece of equipment.

Well, so much of oil and gas equipment is allowed to be written off in the very first year as an expense of doing business in that first year. That is just one other example. So if we look at it, are we capable of taking \$14 trillion of tax preferences—some people call them tax expenditures; some people call them tax giveaways—and, therefore, reduce those, especially the ones that are ineffective and inefficient, even though it is going to step on somebody's toes? Some special interest that has that tax preference, they are not going to like it. They want their goodies. But for the purpose of balancing the budget, for the purpose of bringing this deficit down so we can

get on the road to fiscal order instead of the fiscal chaos that we have now, is that not a legitimate question to ask and a legitimate road to go down?

No less than one of the senior economic advisers to President Reagan—his name is Martin Feldstein. He was a Harvard professor and the Chairman of the Council of Economic Advisers to President Reagan. I want you to see what he says about reducing tax expenditures.

Cutting tax expenditures is really the best way to reduce government spending. Eliminating tax expenditures does not increase marginal tax rates or reduce the reward for saving, investment or risk-taking. It would also increase overall economic efficiency by removing incentives that distort private spending decisions. And eliminating or consolidating the large number of overlapping tax-based subsidies would also greatly simplify tax filing. In short, cutting tax expenditures is not at all like other ways of raising revenue.

Martin Feldstein, well regarded in conservative circles.

With this crisis looming, why can't we get people to recognize that if we want balance, they have to give, too, and here is a good way. I want to expand on this—another way we could do it.

We could actually, as the Simpson-Bowles commission suggested, lower these tax expenditures Martin Feldstein is talking about. We could even take that additional revenue and pour it into the rest of the Tax Code and lower the tax rates for everybody, including corporate tax rates, and in the process we could also simplify the Tax Code into three tax brackets. All of the tax brackets would be lowered if we got rid of some of those tax expenditures. There are multiple ways we can use this, and in the process, then, we are starting some serious tax reform.

The Senator from North Dakota has laid this out. He has explained this to the Senate. He has the unanimous support of the majority of the Senate Budget Committee. He has the near-unanimous support of the entire majority in the U.S. Senate. He has explained this to the President and to the Vice President.

Of course, one of the easy ways to react to this is, well, there is not enough time. If we want to do major tax reform and tax simplification for the sake of our consumers, there sure is time because we could solve this debt ceiling crisis with a commitment down the line to doing just exactly what I have talked about.

As we are in this maelstrom of all of these different ideas going around about what we are going to do before August 2 so the debt ceiling can be raised and so the country can pay its bills, I have heard about some disturbing things out there on the horizon. One is that Social Security is going to get whacked and that Medicare is going to get whacked.

By the way, what the Budget Committee is proposing does not whack Social Security or Medicare providers. In the first place, Social Security is not in financial trouble in the foreseeable future. It is not until the late 2030s that it starts to get into difficulty. It is around 2035 that it would not, in that year, be able to pay 100 percent of its payments. We can correct that before then.

Our problem is now. Our problem is this next decade of bringing this budget on a path toward balance and bringing the annual deficit down to a much lower percentage of gross domestic product.

The budget I have just outlined, that is the work product of the Senate Budget Committee chairman, brings it down at the end of the decade to 1.8 percent—the deficit—to GDP. Anytime we get below 3 percent of the deficit being a percentage of GDP, we are on the path to fiscal stability, and we would be moving toward that position of balance—a position, by the way, we enjoyed 11 years ago because we were in surplus. Eleven years ago, we had 4 years of surplus in a row, but we started enacting policies—and, I might say, not with the vote of this Senator—that caused the revenues to drop off considerably. Then, of course, when we got in the situation where we started increasing expenditures for one reason or another—increasing expenditures for national defense, for two wars—and those were wars we were not paying for with a revenue source; in fact, we were just going out and borrowing the money.

So this brings me now to Medicare and Social Security. It might make some people in Washington, DC, feel good to whack Medicare. It certainly wouldn't make this Senator feel good. It certainly wouldn't make an awful lot—as a matter of fact, some 45 million senior citizens in this country are on Medicare, some of whom are living from hand to mouth, from Social Security check to Social Security check, and from Medicare reimbursement to Medicare reimbursement for their health care. It certainly wouldn't make them feel good. And it is not going to do anything immediately for the deficit we are having to confront. So why trade off, saying we are going to whack these two programs and not attack things such as tax expenditures that are inefficient and don't produce what they are supposed to do via the incentives in the Tax Code? It simply doesn't make sense.

Oh, by the way, isn't it interesting, isn't it almost ironic that the people who are now attacking Medicare and saying we have to whack it are the very people who were criticizing us 2 years ago in the health care bill when we eliminated \$½ trillion of inefficiencies and overpayments out of Medicare to put the program on a more financially solvent path? And they were the

very ones who were criticizing us for taking that money out of Medicare. Well, I say to my colleagues, we already took on Medicare, so we ought to get down to the hard choices of budget deficit reduction, which means cutting spending and getting rid of some of these tax expenditures so we can start bringing our budget into balance.

My final subject is Social Security. Now, why in the world would we want to scare the bejabbers out of 45 million senior citizens of this country, some of whom literally are living hand to mouth and from Social Security check to Social Security check and some of whom cannot afford the cost of drugs even partially provided for through Medicare Part D, the prescription drug benefit? I don't think we want to do that.

As we get closer to August 2, I am hearing—and I hope every other Senator is hearing from all of these senior citizens and these disabled workers who are relying on Social Security—that they are concerned about Washington's failure to get its house in order, and if we fail to get our house in order, it is going to threaten the very source of income they count on. So to risk a government default and to say the only way we can do it is by taking it out of Social Security is not going to do anything for us in reducing the deficit over the next decade, which is the problem at hand.

Yesterday, the President was asked if he could tell the folks at home that no matter what happens, Social Security checks are going to go out the day after the government is supposedly going to go into default. Do my colleagues remember what the President said? He said: I cannot guarantee that those checks go out on August 3 if we haven't resolved this issue because there may simply not be the money in the coffers to do it.

So the people who are relying on a fixed income of Social Security to survive—Social Security payments are more than just a government statistic. For them, Social Security is more than just a Federal outlay or an entitlement expenditure. There are almost 4 million Social Security beneficiaries in my State. I can tell my colleagues that their Social Security pays the rent, it pays for the groceries, and it helps pay their medical copays. It helps pay for that over and above what is provided in Medicare.

It is interesting, these speeches I hear. It is all "it is your fault, and it is your fault, and it is the other guy's fault, and it is so partisan, and it is so ideologically rigid." The only way we are going to solve something that is as tangled up as this is for people of good will to be willing to respect the other fellow's point of view and come together and build consensus to find a workable solution.

So as we get closer—and we can almost hear the background music; it is

getting more ominous day by day as the clock ticks down to August 2—there is something we can do about it. The threat that Social Security payments could be delayed should not be used as a weapon to force a slash-and-burn cut to these entitlements. I said 45 million earlier; it is actually 56 million retirees who rely on these payments.

A recent report from the Congressional Research Service states:

Under normal procedures Treasury pays Social Security benefits from the General Fund and offsets this by redeeming an equivalent amount of the Social Security Trust Funds' holdings of government debt. Treasury now may need to issue new public debt to raise the cash needed to pay benefits. Treasury may be unable to issue new public debt, however, because of the debt limit.

In other words, if the debt ceiling is not raised, Social Security benefits could be delayed or jeopardized. So perhaps what we ought to do is enact some legislation that takes Social Security out of the equation in the event we don't reach a deal on the debt ceiling by August 2.

In the past, the President and the Congress have agreed to exempt Social Security from the debt ceiling in order to ensure that the payments go out to Social Security recipients. As a matter of fact, as recently as 1996, Treasury reported it had insufficient cash to pay Social Security benefits in March of that year. In response, Congress then passed—and it was a bipartisan Congress; it was headed by a majority of the Republican Party, and there was a Democratic President, President Clinton. They passed—and it was signed into law—a measure that provided the Treasury with temporary authority to issue securities to the public in the amount equal to the Social Security benefit payments due.

I will conclude by pointing out that after that was done in 1996, Congress later extended the borrowing authority for an additional 2 weeks.

I believe we should use what we know works and not play games with Social Security benefits. So I am introducing some legislation, and I am introducing it today. It is called the Social Security Benefit Protection Act. What it suggests is the way we ought to go. Now, I know we are not going to take up and pass this legislation, but I have a means by which I can get this idea out. What it does is guarantee that the Social Security Administration will be able to continue paying Social Security benefits to retirees, survivors, and disabled workers regardless of what happens to this political gridlock here in Washington.

Similar to the 1996 legislation, this legislation gives the Treasury Department temporary authority to issue new debt to ensure the payments can be made to Social Security beneficiaries, but only to the extent necessary to cover the needs of the Social Security Program.

I urge our colleagues to try to come together and give the assurances to millions of retirees that they are not going to be whacked and, especially so, they are not going to be whacked out of political gridlock by all the rest of us for these excessive reasons. I urge my colleagues to take a look at the ideas in this legislation that I have filed.

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## SUBMITTED RESOLUTIONS

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SENATE RESOLUTION 232—RECOGNIZING THE CONTINUED PERSECUTION OF FALUN GONG PRACTITIONERS IN CHINA ON THE 12TH ANNIVERSARY OF THE CAMPAIGN BY THE CHINESE COMMUNIST PARTY TO SUPPRESS THE FALUN GONG MOVEMENT, RECOGNIZING THE TUIDANG MOVEMENT WHEREBY CHINESE CITIZENS RENOUNCE THEIR TIES TO THE CHINESE COMMUNIST PARTY AND ITS AFFILIATES, AND CALLING FOR AN IMMEDIATE END TO THE CAMPAIGN TO PERSECUTE FALUN GONG PRACTITIONERS

Mr. MENENDEZ (for himself and Mr. COBURN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

### S. RES. 232

Whereas Falun Gong (also known as Falun Dafa) is a Chinese spiritual discipline founded by Li Hongzhi in 1992 that consists of spiritual and moral teachings, meditation, and exercise based upon the universal principles of truthfulness, compassion, and forbearance;

Whereas, during the mid-1990s, Falun Gong acquired a large and diverse following, with as many as 70,000,000 practitioners at its peak;

Whereas, on April 25, 1999, an estimated 10,000 to 30,000 Falun Gong practitioners gathered in Beijing to protest growing restrictions by the Government of the People's Republic of China on the activities of Falun Gong practitioners, and the Government of the People's Republic of China responded with an intensive, comprehensive, and unforgiving campaign against the movement that began on July 20, 1999, with the outlawing of Falun Gong;

Whereas the Government of the People's Republic of China has stated that it fully respects and protects citizen's freedom of religion in accordance with the law, but that "Falun Gong is neither a religion nor a spiritual movement; rather it is an evil cult against humanity, science and society";

Whereas, on October 30, 1999, China's National People's Congress promulgated an "anti-cult" law (article 300 of the Criminal Law), effective retroactively, to suppress the Falun Gong movement and thousands of religious sects across the country;

Whereas, since 1999, more than 6,000 Falun Gong practitioners have reportedly served time in prison, with estimates of those in re-education through labor camps reaching as

many as 125,000 people, and Falun Gong practitioners are said to constitute approximately two-thirds of all prisoners and detainees of conscience in China (roughly 15,000 people);

Whereas the publication of "Nine Commentaries on the Communist Party" in November 2004 by the United States-based newspaper, the Epoch Times, led to the creation of the Tuidang movement;

Whereas the Tuidang movement, which translates literally as "withdraw from the communist party", has encouraged as many as 90,000,000 people to publicly renounce their membership in the Chinese Communist Party and its affiliates since 2004;

Whereas, in the lead up to and during the 2010 World Expo in Shanghai, authorities conducted propaganda campaigns portraying "cults" like Falun Gong as "dangers" to society that "wreck families" and "poison the minds of youth", carried out strict surveillance of practitioners, and detained and imprisoned large numbers of practitioners;

Whereas, according to estimates by the Department of State and human rights organizations, since 1999, from several hundred to a few thousand Falun Gong adherents have died in custody from torture, abuse, and neglect;

Whereas a review of the Government of the People's Republic of China by the United Nations Human Rights Council's Working Group on the Universal Periodic Review in February 2009 reiterated concerns regarding human rights violations against Falun Gong practitioners, including arrests, detention, torture, and reeducation through labor camps;

Whereas the Department of State's 2010 Human Rights Report on China cited reports of Falun Gong adherents being committed to mental health facilities, medicated against their will, and forcibly subjected to electric shock treatment;

Whereas the Department of State's 2010 Human Rights Report on China stated that the Government of the People's Republic of China automatically censored e-mail and web chats based on an ever-changing list of sensitive key words, such as "Falun Gong", and periodically blocked the blogs of a number of prominent activists, artists, scholars, and university professors; and

Whereas the 2010 Annual Report of the Congressional-Executive Commission on China found that lawyers involved in human rights advocacy work—including in legal cases involving Falun Gong practitioners and others deemed by the Government of the People's Republic of China to threaten "social stability"—have been harassed by the Government of the People's Republic of China based on who their clients are and the causes those clients represent: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses solidarity with Falun Gong practitioners and their families for the lives, freedoms, and rights they lost for adhering to their beliefs and practices;

(2) calls upon the Chinese Communist Party to immediately cease and desist from its campaign to persecute Falun Gong practitioners and promptly release all Falun Gong practitioners who have been confined, detained, or imprisoned in retaliation for pursuing their right to hold and exercise spiritual beliefs;

(3) emphasizes to the Government of the People's Republic of China that freedom of religion includes the right of Falun Gong practitioners to freely practice Falun Gong in China;

(4) calls upon the President, the Secretary of State, and Members of Congress to—

(A) mark the anniversary of the Government of the People's Republic of China's official repression of the Falun Gong spiritual movement;

(B) express solidarity with persecuted Falun Gong practitioners in China; and

(C) meet with Falun Gong practitioners; and

(5) expresses support for volunteers and participants of the Tuidang movement for their peaceful efforts to reclaim Chinese history and culture, and for their pursuit of a fair and open government, a free people, and a society rooted in the practice of virtue.

SENATE RESOLUTION 233—HONORING THE MEN AND WOMEN OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION SPACE SHUTTLE PROGRAM ON REACHING THE HISTORIC MILESTONE OF THE 135TH AND FINAL FLIGHT OF THE SPACE TRANSPORTATION SYSTEM

Mr. NELSON of Florida (for himself, Mr. BROWN of Ohio, Mrs. HUTCHISON, Mr. BOOZMAN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mr. RUBIO, Mr. UDALL of Colorado, Mr. WARNER, and Mr. VITTER) submitted the following resolution; which was considered and agreed to:

S. RES. 233

Whereas the launch of the space shuttle Atlantis on July 8, 2011, is the 135th and final flight of the National Aeronautics and Space Administration Space Transportation System (STS-135) and the 33rd flight of the space shuttle Atlantis;

Whereas the National Aeronautics and Space Administration built 5 space-capable orbiters, the Columbia, the Challenger, the Discovery, the Atlantis, and the Endeavour;

Whereas, with the launch of STS-135, 355 individuals will have flown 852 times during the history of the Space Shuttle Program, beginning with the launch of the first Space Transportation System flight on April 12, 1981;

Whereas a spirit of international partnership has been fostered among the 16 countries represented on the space shuttle missions flown during the history of the Space Shuttle Program, including Belgium, Canada, France, Germany, Israel, Italy, Japan, Mexico, the Netherlands, Russia, Saudi Arabia, Spain, Sweden, Switzerland, Ukraine, and the United States;

Whereas the space shuttles together have flown 537,114,016 miles, with STS-135 adding an additional 4,000,000 miles;

Whereas, during the history of the Space Shuttle Program, more than 2,000 on-orbit experiments have been conducted in the fields of Earth science, biology, fluids, materials sciences, and astronomy;

Whereas the Space Shuttle Program has executed the launch and service of the Hubble Space Telescope, enabling groundbreaking and breathtaking views of the universe outside of our solar system;

Whereas the space shuttles have docked to 2 different space stations, with 9 missions to Mir, the space station of the Government of Russia, and 37 missions to the International Space Station;

Whereas the Space Shuttle Program has been essential to the on-orbit assembly of the International Space Station and vital to

ensuring the continued viability and support of the International Space Station;

Whereas the space shuttles have landed at the Kennedy Space Center 77 times, at Edwards Air Force Base 54 times, and at the White Sands Test Facility once;

Whereas the launch configuration of the entire Space Transportation System contains approximately 2,500,000 moving parts and, at lift-off, weighs approximately 4,500,000 pounds; and

Whereas the space shuttles can travel around the Earth at a speed of approximately 17,500 miles per hour: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the National Aeronautics and Space Administration on reaching the historic milestone of the 135th and final flight of the Space Transportation System;

(2) honors the men and women of the Space Shuttle Program, who worked tirelessly to design, build, and operate the Space Transportation System, in order to promote science, exploration, and international cooperation;

(3) remembers the 14 crewmembers lost during the space shuttle Challenger accident, which occurred on January 28, 1986, and the space shuttle Columbia accident, which occurred on February 1, 2003;

(4) notes the diligence in applying the lessons learned through the Challenger and Columbia tragedies to honor the 14 crewmembers we lost and enhance the safety of the crewmembers that followed;

(5) recognizes that the Space Shuttle Program has inspired generations of children to become engineers, scientists, and explorers, which has led to maintaining the precedent of leadership in human space exploration set by the United States during the Mercury, Gemini, and Apollo missions; and

(6) acknowledges that the Space Shuttle Program has, through its technological advancements and scientific research, driven innovation in the fields of science, technology, engineering, and mathematics to benefit the people of the United States and all of humankind.

AMENDMENTS SUBMITTED AND PROPOSED

SA 550. Mr. ROCKEFELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 535 submitted by Mr. WHITEHOUSE (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Mr. FRANKEN, Mr. BROWN of Ohio, and Mr. MERKLEY) and intended to be proposed to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table.

SA 551. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 552. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

**SA 550.** Mr. ROCKEFELLER (for himself and Mr. CASEY) submitted an

amendment intended to be proposed to amendment SA 535 submitted by Mr. WHITEHOUSE (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Mr. FRANKEN, Mr. BROWN of Ohio, and Mr. MERKLEY) and intended to be proposed to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . SENSE OF THE SENATE ON PROTECTING MEDICAID.**

(a) FINDINGS.—Congress makes the following findings:

(1) 68,000,000 low-income children, parents, pregnant women, seniors and people with disabilities are served by the Medicaid program.

(2) After almost 50 years, Medicaid is still a life-saving part of what we do as a government—by providing health care to more than 20 percent of all Americans, including 40 percent of the births, 50 percent of long-term care, and, along with the Children's Health Insurance Program, 34 percent of the children in our country.

(3) Medicaid provides essential health coverage, furnishing a usual source of care, lowering infant mortality rates, improving the health of adults and children with chronic illnesses and special health care needs, and providing critical preventive care.

(4) Medicaid provides essential coverage for seniors and people with disabilities. It covers 62 percent of all long-term care services and supports. It also covers premiums and copayments on behalf of low-income Medicare beneficiaries.

(5) The 9,000,000 beneficiaries who are dually eligible for Medicaid and Medicare are among the most medically complex beneficiaries and account for nearly 40 percent of Medicaid spending, although they account for only 15 percent of Medicaid enrollment. Significant Medicaid cuts would undermine efforts to improve care and lower costs for this group of beneficiaries.

(6) Medicaid is a very efficient program. On average, after adjusting for differences in health, Medicaid costs 27 percent less per child than private insurance and 20 percent less for adults. Between 2000 and 2009, per beneficiary spending grew at 4.6 percent compared to 7.7 percent growth in premiums for employer sponsored insurance.

(7) Medicaid is an economic engine supporting millions of home-grown jobs at hospitals, nursing homes, community health centers, and doctor's offices.

(8) Medicaid is the health care program that helps States during times of crises – including after the September 11th attacks, Hurricanes Katrina and Rita, and the recent floods and tornados in the South and Midwest. It automatically expands during an economic downturn to assist families who lose their jobs and health insurance.

(9) Medicaid is the largest source of Federal revenues for States. According to the National Governors Association, "federal spending reductions for Medicaid will result in a direct cost shift to States, which will result in reduced Medicaid expenditures, increased State taxes or reductions in K-12 education, transportation, and public safety funding."

(10) Cuts to federal Medicaid funding will force already cash-strapped States to cut eligibility, benefits, and provider payment rates, inevitably resulting in reduced access to care for children, parents, pregnant women, seniors and people with disabilities

who have nowhere else to turn for affordable, comprehensive coverage.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that any agreement to reduce the budget deficit should not include arbitrary cuts to Medicaid that shift health care costs to States and local governments and jeopardize health care coverage for millions of Americans.

**SA 551.** Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. (a) Using funds appropriated or otherwise made available by this title under the heading "DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005", and notwithstanding the deadline specified in section 2904(a)(5) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), the Umatilla Chemical Depot, Oregon, shall be closed as part of the 2005 round of defense base closure and realignment after the completion of chemical demilitarization activities required under the Chemical Weapons Convention, as provided under Recommendation #160 of the final report of the 2005 Defense Base Closure and Realignment Commission.

(b) None of the funds appropriated or otherwise made available by this or any other Act may be obligated or expended to close Umatilla Army Chemical Depot outside of the process provided for under the 2005 round of defense base closure and realignment.

**SA 552.** Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this or any other Act may be obligated or expended to close Umatilla Army Chemical Depot outside of the process provided for under the 2005 round of defense base closure and realignment pursuant to Recommendation #160 of the final report of the 2005 Defense Base Closure and Realignment Commission.

#### NOTICE OF HEARING

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks. The hearing will be held on Thursday, July 28, 2011, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 264, A bill to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes;

S. 265, A bill to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park;

S. 324, A bill to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission;

S. 764, A bill to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon;

S. 864, A bill to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California;

S. 883, A bill to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution;

S. 888, A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System;

S. 925, A bill to designate Mt. Andrea Lawrence;

S. 970, A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System;

S. 1063, A bill to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska;

S. 1134, A bill to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values; and

S. 1235, A bill to recognize the memorial at the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national memorial of Navy SEALs and their predecessors.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to [jake\\_mccook@energy.senate.gov](mailto:jake_mccook@energy.senate.gov).

For further information, please contact David Brooks or Jake McCook.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 13, 2011, at 10 a.m. in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, "Unauthorized Charges on Telephone Bills: Why Crammers Win and Consumers Lose."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 13, 2011, at 10 a.m. in room SD-406 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 13, 2011, at 9 a.m., in HVC-210 of the Capitol Visitor Center, to conduct a hearing entitled "Tax Reform and the Tax Treatment of Debt and Equity."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 13, 2011, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate, on July 13, 2011, at 10 a.m. to conduct a hearing entitled "Ten Years After 9/11: Preventing Terrorist Travel."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 13, 2011, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Violence Against Women Act: Building on Seventeen Years of Accomplishments."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary be authorized to meet during the session of the Senate, on July 13, 2011, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWER

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on, July 13, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. COATS. Mr. President, I ask unanimous consent that Carlos Algara, an intern in the office of Senator MERKLEY, be granted privilege of the floor for the duration of the remainder of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE MEN AND WOMEN OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION SPACE SHUTTLE PROGRAM

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 233, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 233) honoring the men and women of the National Aeronautics and Space Administration Space Shuttle Program on reaching the historic milestone of the 135th and final flight of the Space Transportation System.

There being no objection, the Senate proceeded to consider the resolution.

Mr. NELSON of Florida. Mr. President, because I was on the floor, the remarkable Senate staff, who do this so much in a routine fashion, asked me to do this. Of course, it was with enormous emotion that I watched *Atlantis* soar into the heavens last Friday. This is a fitting tribute to the people who have made this program possible for 30 years, with 135 flights, not without tragedy for we lost two space shuttles and 14 souls. Now we are going to a vigorous new program with new, more efficient, and safer rockets that will take us into the heavens.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 233) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 233

Whereas the launch of the space shuttle Atlantis on July 8, 2011, is the 135th and final flight of the National Aeronautics and Space Administration Space Transportation System (STS-135) and the 33rd flight of the space shuttle Atlantis;

Whereas the National Aeronautics and Space Administration built 5 space-capable orbiters, the Columbia, the Challenger, the Discovery, the Atlantis, and the Endeavour;

Whereas, with the launch of STS-135, 355 individuals will have flown 852 times during the history of the Space Shuttle Program, beginning with the launch of the first Space Transportation System flight on April 12, 1981;

Whereas a spirit of international partnership has been fostered among the 16 countries represented on the space shuttle missions flown during the history of the Space Shuttle Program, including Belgium, Canada, France, Germany, Israel, Italy, Japan, Mexico, the Netherlands, Russia, Saudi Arabia, Spain, Sweden, Switzerland, Ukraine, and the United States;

Whereas the space shuttles together have flown 537,114,016 miles, with STS-135 adding an additional 4,000,000 miles;

Whereas, during the history of the Space Shuttle Program, more than 2,000 on-orbit experiments have been conducted in the fields of Earth science, biology, fluids, materials sciences, and astronomy;

Whereas the Space Shuttle Program has executed the launch and service of the Hubble Space Telescope, enabling groundbreaking and breathtaking views of the universe outside of our solar system;

Whereas the space shuttles have docked to 2 different space stations, with 9 missions to Mir, the space station of the Government of Russia, and 37 missions to the International Space Station;

Whereas the Space Shuttle Program has been essential to the on-orbit assembly of the International Space Station and vital to ensuring the continued viability and support of the International Space Station;

Whereas the space shuttles have landed at the Kennedy Space Center 77 times, at Edwards Air Force Base 54 times, and at the White Sands Test Facility once;

Whereas the launch configuration of the entire Space Transportation System contains approximately 2,500,000 moving parts and, at lift-off, weighs approximately 4,500,000 pounds; and

Whereas the space shuttles can travel around the Earth at a speed of approximately 17,500 miles per hour: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the National Aeronautics and Space Administration on reaching the historic milestone of the 135th and final flight of the Space Transportation System;

(2) honors the men and women of the Space Shuttle Program, who worked tirelessly to design, build, and operate the Space Transportation System, in order to promote science, exploration, and international cooperation;

(3) remembers the 14 crewmembers lost during the space shuttle Challenger accident, which occurred on January 28, 1986, and the space shuttle Columbia accident, which occurred on February 1, 2003;

(4) notes the diligence in applying the lessons learned through the Challenger and Columbia tragedies to honor the 14 crewmembers we lost and enhance the safety of the crewmembers that followed;

(5) recognizes that the Space Shuttle Program has inspired generations of children to become engineers, scientists, and explorers, which has led to maintaining the precedent of leadership in human space exploration set by the United States during the Mercury, Gemini, and Apollo missions; and

(6) acknowledges that the Space Shuttle Program has, through its technological advancements and scientific research, driven innovation in the fields of science, technology, engineering, and mathematics to benefit the people of the United States and all of humankind.

Mr. NELSON of Florida. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### CONGRESSIONAL RETIREMENT AGE ACT

Mr. BROWN of Ohio. Mr. President, I appreciate the comments of the senior Senator from Florida about Social Security. In my State—and it is not much different in Rhode Island, the State of the Presiding Officer—the average Social Security benefit is \$14,000 a year. A huge percent—I think about half—of Social Security beneficiaries in Ohio rely on Social Security for more than half of their income.

When I hear proposals here, which Senator NELSON also was speaking against, to make significant cuts to seniors who are getting \$1,000 a month from Social Security and letting off hedge fund managers who are paying significantly lower tax rates than most people in the middle class—that the sacrifice is aimed toward the middle class and aimed toward seniors and not spread more evenly among people who are the most privileged of society—it bothers me, as it does, I know, the Presiding Officer.

I rise today about a similar issue, about a Social Security issue also, calling on my colleagues in the Senate and in the House of Representatives to practice what we preach.

Presently, the Congress and the White House are working to find agreement on ways to balance the budget, as we should. I was part of the effort in the 1990s. During the Clinton years we balanced the Federal budget. In fact, during those 8 years, we took a terrible deficit and high unemployment, and even though taxes for upper income people were raised to 39 percent, we saw 21 million private sector jobs created, we saw incomes going up, and we saw that President Clinton left office with the highest budget surplus in American history.

We saw the policies of the next 8 years and what they did to our country: tax cuts for the wealthy, deregulation of Wall Street, bad trade agreements, a giveaway to the drug and in-

surance companies, and two unpaid-for wars and where that got us to this budget situation—exacerbated by this recession in the last 3 years. So we clearly need to move forward in balancing the budget.

Some Washington politicians want to balance the budget by cutting the Social safety net upon which millions of hard-working Americans rely. I oppose those efforts.

In a time of fiscal belt-tightening, Members of Congress should also share the burden of reducing that deficit. That is why I have introduced the Congressional Retirement Age Act of 2011.

The bill is simple. As Congress and the White House seek an agreement on a deficit reduction package, Members of Congress cannot permit themselves to receive benefits denied to ordinary working Americans.

While the wealth of Members of Congress varies, there is no doubt we receive a healthy salary and benefits compared to millions of American families who do not.

Members of Congress also have an added benefit. We can access our Federal retirement benefits early, whether we serve as few as 5 or as many as 25 years. Millions of seniors—who have worked their lives in factories or have worked their lives in construction or have worked their lives walking the floor of retail outlets, department stores or diners—millions of seniors cannot do the same. For too many Americans, Social Security has become their retirement plan, as pensions disappear and 401(k)s plummet.

All Members of Congress are able to collect their pensions at any time—starting at age 50—if they have served 25 years. Most have not by the age of 50, obviously, but once they have served 25 years, they can receive full pensions. If they have served as few as 5 years, they can collect their pensions beginning at age 62.

So with 25 years of congressional service, Members of Congress can receive pensions immediately upon retirement. If they have served 5 years, they can receive a pension—not a large one at that point but a pretty decent pension—at age 62.

But what about a Youngstown steelworker, what about a Columbus store clerk, what about a Cincinnati nurse, what about a Toledo sheet metal worker, what about an Akron worker in a rubber plant? Do they get that option? Of course not. They have to wait until age 65, or age 62 at a discounted amount, to receive retirement benefits.

No longer should any Congressman, no longer should any Congresswoman, no longer should any Senator be treated differently from other Americans. That is what the Congressional Retirement Age Act of 2011 would ensure.

This bill would amend the Federal Employees Retirement System and the Civil Service Retirement System to di-

rectly tie current and future Members of Congress' access to their Federal retirement benefits to the Social Security retirement age.

It is that simple and it is bipartisan. Senator MCCASKILL of Missouri, a Democrat, Senator JOHNSON of South Dakota, a Democrat, are cosponsors. The House companion, introduced by Representative BOBBY SCHILLING of Illinois, a Republican, has seven Republican cosponsors.

This idea is endorsed by the conservative National Taxpayers Union, that calls it “one of the few serious attempts to reform Congressional pensions in recent memory.” I do not agree with the National Taxpayers Union on that many issues; they are too willing to cut benefits for the middle class, in my view. But together, on this issue, we share the belief that Members of Congress should be treated as any other citizen. There is no reason that the benefits of being a Member of Congress should be more generous than being a member of the middle class.

According to reports, 13 sitting Senators and 31 Members of the House of Representatives today have accrued annual pensions worth at last \$50,000, if they were to retire today. Meanwhile, American workers age 65 or older receive a median private pension payment of about \$8,000 a year.

Elected officials do not, frankly—I think you look around this body and you know that most House Members and Senators, at least a number of them, simply do not know enough people who work in construction, who work in a retail store, who work at a diner, who work at a manufacturing plant, who work in a hotel cleaning rooms, who stand up all day as a cosmetologist or as a barber, working in jobs where their bodies simply cannot work until the age of 70.

Members of Congress, dressing like this and doing what we do, can often work—obviously, if the voters say so—can, obviously, work into our 70s. It is not that hard for most of us. But while we go to work in a suit and tie, tens of millions of American workers work in factories and mines and fields and diners and hotels and their bodies simply cannot work until the age of 70.

So when I hear my colleagues say we should raise the Social Security retirement age, I think of people working in the service industry, I think of people doing demanding work in agriculture and on shop floors and in construction and hairdressers, and all that.

Why should they wait longer for their retirement security—albeit it is too small to begin with in many cases; it is minimal, often, at best—but why should they wait longer for their retirement security than Members of Congress?

So for those who think about raising the retirement age for Social Security, think about raising the retirement age

for ourselves. There is simply no reason we, as Members of Congress—no matter how many years of service—should be able to retire at full pension before Social Security beneficiaries in this country.

Why should Members of Congress be treated better than a steelworker or a store clerk or a nurse or a hotel worker?

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JULY 14, 2011

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, July 14; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half; that following morning business, the Senate resume consideration of the motion to proceed to H.R. 2055, the Military Construction, Veterans Affairs and Related Agencies appropriations bill post-

cloture; further that all time during adjournment, morning business and recess count postcloture on the motion to proceed to H.R. 2055.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN of Ohio. We hope to get an agreement to begin consideration of the Military Construction appropriations bill early tomorrow.

ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

Mr. BROWN of Ohio. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:45 p.m., adjourned until Thursday, July 14, 2011, at 9:30 a.m.



## HOUSE OF REPRESENTATIVES—Wednesday, July 13, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. ELLMERS).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 13, 2011.

I hereby appoint the Honorable RENEE L. ELLMERS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### STOP PLAYING POLITICAL GAMES WITH SOCIAL SECURITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. KUCINICH) for 5 minutes.

Mr. KUCINICH. Madam Speaker, 3 months ago, 276 experts on Social Security, the Federal budget or the economy wrote to President Obama "to correct a commonly held misconception that Social Security somehow contributes to the Federal Government's deficit."

Despite the fact that Social Security has a \$2.6 trillion surplus and can pay 100 percent of its benefits through 2037 without any cuts or tax increases, President Obama declared yesterday that Social Security checks may not go out after August 2, presumably unless there is a deal on the Federal deficit, which has nothing to do with Social Security.

According to today's Washington Post, 15 years ago, Congress passed laws which stated Social Security did not count against the debt limit and gave Treasury clear authority to use Social Security trust funds to pay benefits and administration expenses in the event a debt ceiling is reached.

A fake Social Security crisis will do nothing to solve a real debt crisis, will undermine the public's faith in government, and will create unnecessary anxiety among our elderly. Stop playing political games with Social Security.

### THE WILL TO GET AMERICAN JOBS MOVING AGAIN

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DENHAM) for 5 minutes.

Mr. DENHAM. Madam Speaker, with the June national unemployment rate at 9.2 percent and with consistent double-digit unemployment in my district, we must get Americans back to work. June marks 29 consecutive months in which we've had unemployment at or above 8 percent, averaging 9.5 percent during that time. Unemployment hasn't been above 8 percent for that length of time since the Great Depression.

We've got to start utilizing the policies that will get Americans back to work. We need to make sure that we are reducing the regulations and are having the economic policies that get Americans willing to take the risk: the risk to go out and borrow money to start a business, willing to take the risk to not only hire employees but to actually make sure that they're willing to have that long-term employment, making sure that they've got the promise to those employees that they're going to be able to continue on those jobs. We've got to give Americans the opportunity to take that great risk in our economy.

We also need to unleash the strength of our Nation by utilizing our natural resources. The greatest opportunity we have as a Nation to get Americans back to work is by utilizing our own natural resources. In my area, where we've got double-digit unemployment, we've got a water shortage that causes our agriculture to leave land fallow, leaving thousands unemployed. By getting the water flowing again, we will not only get agriculture moving again but the local economies as well.

The mountain areas with timber, if we don't use the natural resources that we have in our forests, if we don't manage our timber harvesting plans, not only will we see the lack of employment opportunities, but we'll see devastation and we'll see fires, because the forests will manage themselves if we don't manage the forests for them.

We need to make sure that we're looking across the Nation at our oil re-

serves. Between our oil, our natural gas, our oil shale reserves, we have the largest resources in the world. We've just got to be willing to tap into them. We need to shorten the time on permits. We need to reduce the regulations so we can actually go in and get the oil so that we're not dependent on other nations.

These aren't Republican jobs. These aren't Democrat jobs. These are American jobs for which we've got to be willing to go out and stand strong on cutting the regulation, on getting the right economic policies, on getting the permits moving again so that we can actually utilize our natural gas, utilize our oil, utilize our oil shale so that we're not relying on other nations, utilize our timber harvesting plans so that we don't see the devastation when the fire hits us, and utilize our water so that we can actually get agriculture moving again.

Ladies and gentlemen, we've got a job to do here in Congress. We've got to get American jobs moving again. That's going to be by utilizing our natural resources and by getting Americans willing to take the risk on our economy: willing to invest, willing to borrow money to start a new business, and willing to go out there and promise new employees, not only that they'll have a job, but a long-term job.

We have the power to do that here in Congress.

We need to have the will.

### HONORING THE LIFE OF DON RICARDO ALEGRIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIERREZ) for 5 minutes.

Mr. GUTIERREZ. Madam Speaker, I rise today to honor a towering figure in Puerto Rican history and culture. Puerto Rico and the world lost a pioneering and leading scholar last week with the passing of Don Ricardo Alegria.

Don Ricardo Alegria devoted his long life to the affirmation of Puerto Rican national identity and culture. His study of the history and culture of the Taino Indians of Puerto Rico was groundbreaking work. By helping Puerto Ricans understand our Taino, African and other heritage, as well as many other important aspects of Puerto Rican history and culture, Don Ricardo helped us all to understand better who we are, where we come from and what being Puerto Rican truly means.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

But Don Ricardo Alegria was not only a scholar whose work was essential to the Puerto Ricans' understanding of our history; he was a determined and proud man who refused to let our culture be forgotten or destroyed. He was a founder and the executive director of the Institute of Puerto Rican Culture and of many other important research, cultural and educational institutions. In this role, he was a warrior, defending our cultural heritage.

It is not an exaggeration to say that, without Don Ricardo's leadership and tenacity, the historic buildings and walls of Old San Juan, which are loved by Puerto Ricans and visited by tourists from around the world, may not be standing today. He led the fight to preserve Old San Juan and to make sure its historic significance was understood by all.

□ 1010

Ricardo Alegria was an example of what makes us all so proud to be Puerto Rican. He looked to a better future while treasuring our past. He embraced what makes Puerto Ricans unique, and he understood that we have our own identity; and we should never run away from it. We should celebrate it. And without history and without question, he loved our people and our history. I offer Don Ricardo Alegria my humble thanks and gratitude for his commitment to Puerto Rico, his leadership for our people, and the way he elevated our history and our culture.

At this time of crisis for Puerto Rico, a time when many in power seem to have forgotten the traits that make us "us," make our island our island, and make our history our history, Don Ricardo was very supportive of my work in Congress. The inspiration of towering Puerto Rican figures like Don Ricardo motivate me to speak out on this floor and denounce attacks on the civil and human rights of Puerto Ricans. These attacks come from the same quarters Don Ricardo fought all his life. They come from those who seek to destroy the national culture and identity of the island of Puerto Rico. And they have not succeeded and will never succeed because there will always be Puerto Ricans like Don Ricardo standing defiantly, proudly, and courageously in their way.

This fact was driven home right here in Congress just yesterday, Madam Speaker, at a well-attended briefing conducted by the ACLU, the National Institute for Latino Policy, and the Puerto Rican Legal Defense and Education Fund.

As part of their briefing, these organizations showed a video depicting the most scenes of violence by the police of Puerto Rico against unarmed and peaceful protestors. I have seen this video, and I am certain that many Members that see these images would

be moved to indignation and action. That these scenes happen under the American flag and that these abuses are committed against American citizens is simply shameful. If any of my colleagues saw these images, I am sure they would feel the same indignation I felt when I saw them.

Madam Speaker, it is out of my deep concern for the people of Puerto Rico that I wish to inform my colleagues that I have sent a letter today to Attorney General Eric Holder. This letter requests the release of any and all documents and information regarding contacts by officials or representatives and lobbyists of the Government of Puerto Rico with the U.S. Department of Justice and their civil rights division into the very serious allegations of systematic police brutality in Puerto Rico, an investigation that is over 2 years old.

I have requested this information under the Freedom of Information Act because public reports allege that the Government of Puerto Rico is using its well-paid top Washington lobbyists and other resources to thwart the release of the Justice Department reports. The reports are based on lobbying disclosure forms that do not give much detail on exactly what the lobbyists are doing for the Government of Puerto Rico. Given the recent history of the ruling party of Puerto Rico trying to act with impunity and in secrecy, these published reports have raised serious doubts in my mind.

So, Madam Speaker, I want to make it clear, while there may not be transparent and open government in Puerto Rico or a Freedom of Information Act there, as far as the Federal Government is concerned, the secrecy and the impunity of the regime in Puerto Rico ends here.

#### CONCEALED CARRY LAWS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. KINZINGER) for 5 minutes.

Mr. KINZINGER of Illinois. Madam Speaker, last Friday something actually very great happened. Wisconsin became the 49th State in the Union to approve concealed carry. Well, that means that leaves my home State, Illinois, as the only State to oppose that constitutional right to concealed carry.

The action taken by Governor Scott Walker was a major step for Wisconsin, but the State of Illinois now remains the only State in the Nation to prohibit concealed carry and deny law-abiding citizens' rights to protect themselves or their family.

The Constitution of the United States and 44 States, common law, and laws of all 50 States recognize the right to use arms in self-defense. In 1895, the Supreme Court case, *Beard v. U.S.*, the Court approved the common law rule

that a person "may repel force by force" in self-defense and concluded that, when attacked, a person is "entitled to stand his ground and meet any attack made upon him with a deadly weapon."

In 2008, the Supreme Court ruled in *District of Columbia v. Heller* that "the inherent right of self-defense has been central to the Second Amendment right," and that the amendment protects "the individual right to possess and carry weapons in case of confrontation."

Right-to-carry laws have proven to be effective. Since 1991 through 2009, 23 States have adopted the right to carry, and violent crime rates have declined 43 percent. This all comes on the heels of a five-fold increase in the number of shall-issue conceal carry States from 1986 to 2006. Along with this, since the 1980s when the conceal carry issue started, the number of conceal carry permit holders is estimated to have risen from 1 million to 6 million people. Of major note, murder has declined 49 percent. Also, the city with the highest gun homicide rate in the Nation, Washington, D.C., happens to also have the strictest gun control.

The lowest rate of gun homicide in the Nation is in Utah, which has some of the most liberal policies when it comes to conceal carry issues. According to the FBI, total violent crime and murder dropped more than 6 percent during the first half of 2011. Anti-gun advocates are in disbelief over this number as not only is the Nation going through an economic downturn, but they've been seeing that the amount of Federal background checks done in order to purchase firearms broke record levels with more than 14 million occurring last year alone. That's a 55 percent increase in firearms purchases in just 4 years, but it has not even led remotely close to the doom and gloom havoc being peddled by anti-gun advocates.

Criminologist Gary Kleck analyzed National Crime Victimization Surveys and concluded that robbery and assault victims who used a gun to resist were less likely to be attacked or to suffer an injury than those who used any other methods of self-protection or those who did not resist at all. Unfortunately, in my home State of Illinois, Governor Quinn took it upon himself in May to determine what's best for Illinois. Rather than listening to the voice of the Illinois constituency, Quinn made desperate 11th-hour phone calls to sway Illinois Democrats to his side and block vital legislation to allow concealed carry in Illinois. He knows better than 49 other States, and he knows better than top law enforcement organizations like the Illinois Association of Chiefs of Police, the Illinois Sheriffs Association, the Chicago Police Lieutenants Association, and the Chicago Police Sergeants Association.

Quinn doesn't get it, but 49 other States do and so do I, which is why I am a proud cosponsor of H.R. 822, the National Right-to-Carry Reciprocity Act of 2011, which was introduced by my colleague, Representative CLIFF STEARNS of Florida. This bill allows any person with a State-issued concealed carry to carry in any other State. Therefore, for the 49 States that issue concealed carry permits, their State laws would apply.

In Illinois, I refuse to deny visitors the right to carry weapons when they are authorized to do so. We must follow the example set by every other State in this Nation and allow law-abiding citizens to own and bear arms. We must restore, defend and preserve this constitutional right at all government levels.

#### REDUCING THE FEDERAL DEFICIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. MCDERMOTT) for 5 minutes.

Mr. MCDERMOTT. Madam Speaker, over the past several weeks, we've been debating ways to reduce the Federal deficit.

Republicans have said that everything is on the table and that nothing is sacred, but that just isn't true. The Republicans refuse to cut tax giveaways to the wealthiest special interests in this country. And when it comes to discussing the merits of continuing our efforts in Afghanistan, the Republicans clamor to defend it despite our fiscal mess.

I want to remind my Republican friends, the situation we are in now is not new. Throughout history, from Rome to the Ottoman Empire to the Soviet Union, the overextension of military and protracted struggles in foreign countries have crippled empires.

Some historians have credited Ronald Reagan for the Soviet Union's collapse, but what really bankrupted the Soviet Union was its wars. Just like us, they paid a crushing price both financially and morally in Afghanistan. Overextending geopolitically comes at a cost over time, and any nation that thinks otherwise is setting itself up to repeat the mistakes of the past.

As of today, the United States has spent more than 2½ times the percentage of GDP on Afghanistan than the Soviet Union spent of its GDP during its 9-year war in Afghanistan. Public polls are clear: Americans know the cost of the war in Afghanistan is unsustainable and want us to withdraw as soon as possible.

And when it comes to cutting back on support for the neediest Americans, we can't seem to face the urgent reality that the money that we spend abroad needs to be spent here at home. The financial facts tell the story. Tax-

payers in my district in Seattle have spent \$1.1 billion for the Afghanistan war to date. Think about that: one city, \$1.1 billion. For the same amount of money, we could provide health care for 700,000 children from low-income families, or put 125,000 kids in Head Start, or health care for 150,000 more veterans.

□ 1020

Imagine how different it would be if States like Wisconsin, which faces a \$3.6 billion budget deficit, did not have to bear the cost of the war in Afghanistan.

So the question before us is simple: What is our priority? Fighting a war with no end or investing in the American people? The answer lies in what kind of country we are, what legacy we leave behind to our children and our grandchildren, and transcending political decisions toward a common commitment to make America strong again.

America will cease to be a world power if we fail to support the domestic foundations of our Nation. Yet the House does not even blink as it approved a \$650 billion defense budget last Friday. While the Republicans were cutting any spending that helps people, they didn't so much as flinch as they threw hundreds of billions of dollars into the bottomless pit of the defense budget.

We need to stop seeing the world through the lens of constant threat and foster a sense of the common good and shared responsibility. That, not our military footprint, is what will advance our interests in the world and make us confident again.

In a national poll conducted last year, 47 percent of Americans rated China's economy as the strongest economy in the world. Our crumbling roads reflect our crumbling self-confidence. Our national prosperity is vital to our national security, and that is why I believe getting out of Afghanistan must be the center of reducing our deficit. Anything short of that would ignore the fiscal reality and the will of the American people to end the Afghanistan war.

We have a choice before us: Continue the war and continue downhill, or stop the war and start up the hill to regain what we've lost over the last few years.

#### NEW TAXES KILL JOBS

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. WILSON) for 5 minutes.

Mr. WILSON of South Carolina. Madam Speaker, before I begin, I would like to join with my colleague from Illinois, Congressman ADAM KINZINGER, in congratulating the people of Wisconsin on passing a concealed weapons bill. I think they'll find, as we have

found in South Carolina, that having a concealed carry permit—we call it Law Abiding Citizen's Self-Defense Act—that the consequence of this a number of years ago now has been a reduction in crime. In fact, many of the people who—as I was a floor leader in the State Senate to propose the concealed carry law, so many of the people who opposed it, and they opposed it thinking that they were doing correctly, have subsequently told me that they really are thrilled that now it has passed, that it, indeed, has promoted a reduction in crime in our State. And I know the same will be true in Wisconsin and possibly one day in Illinois.

Madam Speaker, time is running out for the American people. With just weeks to go before our country defaults on its debts, liberals in Congress continue to roadblock any progress on real spending cuts. The American people want to see spending reforms. The administration can cut other Federal spending before it allows a default on the U.S. debt. Americans understand that the Federal Government is burdening future generations with debt by borrowing over 40 cents of every dollar it spends. Senior citizens are at risk with the value of the dollar in question.

Americans want to see meaningful spending reform. Liberals want to play political games. Republicans have been trying to lead on spending reform. From the moment this new Congress has been in session, House Republicans have passed numerous bills that cut spending, curb government growth, and encourage job growth for American families. The latest news on the debt limit talks shows yet again how out of touch this current administration is with the American people. Cut the spending. Do not impose new taxes which will kill jobs which need to be developed by small businesses.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### HEALTH CARE IN PUERTO RICO: HISTORIC PROGRESS AND CONTINUING CHALLENGES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Madam Speaker, I rise this morning to discuss the issue of Federal support for health care in Puerto Rico and the other U.S. territories. This is a story of unprecedented progress, but it is also a chronicle of continuing challenges.

While the treatment of the territories under Federal health care programs has substantially improved in recent years, serious disparities still remain. The consequence of these inequalities is not difficult to discern.

Last month, a study found that patients at hospitals in the territories

fares significantly worse than patients at hospitals in the States. The study cited funding disparities under Medicaid and Medicare along with the territories' lack of voting representation in the Federal Government as likely causes for these discrepancies. The study concluded that "eliminating the substantial quality gap in the U.S. territories should be a national priority."

Consider Medicaid, which helps our most vulnerable citizens. Medicaid has always operated differently in the territories. The Federal Government pays at least 50 percent of the program's cost in the wealthiest States and upwards of 80 percent in the poorest States. By contrast, Federal law imposes an annual cap on funding in the territories. Historically, Puerto Rico's cut was so low that the Federal Government paid less than 20 percent of Medicaid costs on the island in any given year. Inadequate Federal funding has made it difficult for Puerto Rico to provide quality health care to its low-income population.

If the purpose of this policy was to save the Federal Government money, it was shortsighted. Between 2005 and 2009, over 300,000 Puerto Rican residents moved to the States. Many were men and women of limited means who, upon migrating, immediately became eligible for full benefits under Medicaid and other Federal programs.

Last Congress, my fellow Delegates and I fought hard to ensure that our constituents were treated in an equitable manner in the Affordable Health Care Act. Under the law, funding for Puerto Rico's Medicaid program will triple over the next decade. Though it is far less than Puerto Rico would receive if treated like a State, this increased funding does represent a significant step towards parity.

But the Affordable Care Act did not eliminate serious disparities facing my constituents. For example, Puerto Rico is still subject to unequal treatment under Medicare. Although island residents pay the same payroll taxes as their fellow citizens in the States, ill-conceived Federal formulas provide lower Medicaid reimbursements to Puerto Rico hospitals.

Despite the pressing need to correct all these disparities, I know that to legislate effectively you must choose your battles wisely, especially in a fiscal climate as challenging as the one our country faces today. Therefore, I have introduced three health bills that would correct unprincipled inequalities and do so in a fiscally responsible way.

The first bill amends the HITECH Act, which provides payments to doctors and hospitals that become users of electronic health records. The act inadvertently excluded Puerto Rico hospitals from the Medicare payments, and my budget-neutral bill would include them. My second bill, which has bipartisan support, would modify a

unique Federal law that makes it more difficult for Puerto Rico seniors to enroll in Medicare part B and would reduce the penalties for late enrollment. And my third bill would make it possible for territory Medicaid programs to cover breast and cervical cancer treatments by placing Federal contributions for those services outside the annual cap.

So I have filed these three cost-conscious bills to address some of these disparities we are facing, and I hope to have the support of my colleagues when the time comes to consider them.

Now a word about the current state of affairs in Puerto Rico; after all, I represent Puerto Rico in this Congress. And if we're going to be talking about a crisis in Puerto Rico, I'll tell you about a crisis in Puerto Rico. It is the high incidence of violent crime that is tied to the drug trafficking that is happening in the Caribbean. And I, for one, am doing something productive. I am seeking additional resources because it is in the interest of both the United States as a country, as a whole, and Puerto Rico to increase the presence of Federal law enforcement officers in Puerto Rico.

While I want civil rights to be protected all over America, what I am doing is supporting the ongoing investigation of the Department of Justice. But I am not denigrating the integrity of those who put their lives at risk to defend the safety of our citizenry.

□ 1030

MOURNING THE LOSS OF STAFF  
SERGEANT MICHAEL GARCIA  
AND SERGEANT CHRISTOPHER  
SODERLUND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. FLEMING) for 5 minutes.

Mr. FLEMING. Madam Speaker, I rise today to mourn the loss of two Louisiana soldiers from Fort Polk who recently died in Logar province, Afghanistan, during Operation Enduring Freedom. Staff Sergeant Michael Garcia of Bossier City and Sergeant Christopher Soderlund of Pineville, Louisiana, made the ultimate sacrifice by giving their lives in service to this Nation.

It is at this point that important decisions involving the defense of our Nation become most personal. Instead of thinking in abstract terms like casualties, weapons, equipment, we are confronted with the reality that these are not just soldiers; they are in fact our friends, our neighbors, our sons, fathers, brothers.

Staff Sergeant Garcia and Sergeant Soderlund represented the very best America has to offer. Their contribution serves as an enduring reminder to all Americans that the freedoms and liberties we hold so dear are afforded to

us only by those who wear the uniform and the loved ones who support them.

Let us pause today to remember the sacrifice these brave soldiers made on behalf of this great Nation.

BULB ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. Madam Speaker, we are 2 short weeks away from defaulting on American debt, which would devastate our economy and plunge this country, if not the global economy, into a steep recession. We are engaged in three overseas wars as part of the broader struggle to defeat terrorism. Century-old autocracies are crumbling in the Middle East. Extreme drought is destroying farmers' livelihoods across the Southeast, Texas, and Oklahoma, while floods of biblical proportions inundate the upper Midwest. Unprecedented tornadoes have killed hundreds of people in Missouri, Alabama, and Virginia, while the melting of glaciers and polar ice continues to accelerate. Meanwhile, our economy stagnates for lack of any new congressional action to expedite growth.

In response to these existential threats at home and once-in-a-lifetime opportunities for democracy abroad, the Republican leadership has brought to the floor a bill to repeal a non-existent ban on incandescent light bulbs passed by a Republican Congress and signed by a Republican President, President Bush. That's right, light bulbs. Connoisseurs of Internet hearsay are aware that Tea Party conspiracy theorists think President Obama is trying to outlaw the incandescent light bulb even though President Bush signed that law into enactment. Cooler heads, such as representatives of every major light bulb manufacturer in America, from Philips to Johnson Controls, actually support the light bulb efficiency standards because they provide a competitive advantage for American manufacturers relative to their Chinese competitors, who produce shoddy, light-inefficient bulbs. Who knew that the Tea Party contained so many Manchurian sympathizers who have hidden their proto-internationalist agenda beneath the folds of the Don't Tread on Me flag?

As we have heard, those who would repeal the light bulb efficiency standards believe we are "taxed enough already." Apparently the lowest Federal tax burden in 60 years has left these zealots with extra disposable income, and they want to spend it on inefficient light bulbs. In fact, repeal of the light bulb standards would give Americans the liberty to spend \$85 extra per year on light bulbs to produce no additional light. It's hard to understand how ideologues in this House can suggest

imposing \$85 per year on their constituents in order to buy light bulbs which consume more electricity than necessary.

Those who are baffled by Republican support for this anachronistic incandescent bulb tax may want to refer to the legislative record of the House over the last 7 months. The Republican Party has deviated so far from its historic support for conservation that it now supports legislation that would allow air and water pollution with impunity. The new Republican Caucus supports legislation like the BULB Act, which we dealt with last night, and retrogresses to the time of Thomas Edison and the invention of the light bulb. These Republicans sound like flat earthers, and they must really mean it when they call themselves originalists.

This entire situation would be humorous but for the gravity of the threat our Nation faces, from climate change to the debt puzzle, or the opportunities that we will forgo in the Middle East because this House is distracted by a paranoid attack on light bulbs.

#### STOP SUBSIDIZING ETHANOL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Madam Speaker, there is much discussion these days about ethanol, and for far too long the Federal Government has been subsidizing ethanol production in a very big way. Three years ago, Time Magazine called ethanol and other energy biofuels the clean energy scam. Yet 3 years later, we are dumping more money than ever into the program. It is time to admit that the ethanol program has been a failure.

A study mentioned in a recent column in the Washington Times said that our ethanol policies, if not changed, will cost American consumers more than \$500 billion in the 10 years from 2008 to 2017. According to Time magazine, the biofuel boom is doing the exact opposite of what it was intended to do. The article calls corn ethanol environmentally disastrous.

We went heavily into ethanol because it was supposed to be good for the environment. The very powerful environmental lobby pushed hard on this. Now we have found that it has done more harm than good, even to the environment. This just goes to show that when someone says something is good for the environment, it is usually because they are going to make money off of it or are going to increase contributions to their organization.

I have an even greater concern that hits home with every American. The ethanol program is an economic disaster. We were promised that using ethanol to fuel cars would reduce gas prices. We were told it would reduce

our dependence on foreign oil. If you look at the situation today, gas prices are close to \$4 a gallon, or even higher some places, and we are still at the mercy of foreign producers to supply most of our oil. The only thing the ethanol program has done is raised the price of groceries.

Hardworking Americans are paying more for milk, meats, and everyday items they need from the grocery store. This is because the price of corn has doubled in less than 2 years. In 2009, corn cost \$3.30 a bushel. Today it costs roughly \$7 a bushel. When the price of corn increases, it causes a chain reaction. Corn is used to feed livestock, which increases the price of beef and dairy products. Corn syrup is found in everything, from cereal to salad dressing. Nearly everything at the grocery store costs more today than it did just 1 year ago.

To turn corn into ethanol, it takes diesel fuel to run the machines, fertilizer, and months of hard work from farmers. A study by Cornell University estimates that it costs \$4.50 to produce 1 gallon of ethanol. A gallon of pure ethanol has only about two-thirds the energy of a gallon of gasoline. Yet like a lot of things we tend to do here in Washington, the cost is too high and average Americans are the ones paying for it. In 2010, the Federal Government spent nearly \$8 billion to subsidize the ethanol program. That number is probably closer to \$12 billion when you count money from State and local governments.

The bottom line is that corn should be used to fuel our bodies, not our cars.

I would like to take a moment to tell you about a friend of mine, Harry Wampler. Harry Wampler is the owner of Wampler's Farm Sausage Company in Lenoir City, Tennessee.

The Wampler family started this company in 1937, one of the great small business success stories in my district. However, in 2010, Wampler's Sausage lost money for the first time. They are now losing money every month.

They are not losing money because all of a sudden they are no longer a great company. They are losing money because the cost of raw materials is far too high. Instead of paying 35 cents a pound for hogs like they did in 2009, they pay more than 50 cents a pound, a more than 40 percent increase in just 2 years—40 percent increase in 2 years. To keep up, meat producers like Wampler's are forced to raise prices in the grocery store.

The reason this is happening is simple. It takes a heck of a lot of corn to produce ethanol. The study I mentioned earlier by Cornell estimated that in 2009, one-third of U.S. corn was used to make ethanol.

□ 1040

That is a lot of corn, but it only reduced America's oil consumption by 1.4

percent. In fact, if we were to take all of the corn produced on American farms and convert it to ethanol, it would replace a mere 4 percent of U.S. oil production—a lot of corn with very little result.

Environmentalists shouldn't be happy with the ethanol program either. In this country and around the world, we are destroying forest wetlands and grasslands to make room to plant more corn. The program doesn't make sense for the economy or the environment, even though it was forced on us primarily by environmentalists.

A lot of politicians are afraid to admit the ethanol program was a mistake because they are afraid to offend the farm lobby, and anyone considering running for President may be afraid to offend corn farmers in Iowa. But, Madam Speaker, we can no longer afford to waste money on this program that does not work.

The Ethanol Program does not solve our energy crisis or eliminate our dependence on foreign oil. The only thing it does is drive up grocery prices for everyone in the country.

#### DON'T TREAD ON D.C.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 5 minutes.

Ms. NORTON. Madam Speaker, I come to the floor to alert Members who interfere with the local funds of a local jurisdiction, not your own, in this case the District of Columbia, that this year, it will be highlighted in your own district.

The debt limit discussions spotlight our differences, but one idea always has enjoyed the broadest support in this country and in this House. The Federal Government does not interfere with local matters, especially local funds not raised by the Federal Government.

The Framers formed a federal government only after trying a confederation, but it became clear that there were some matters of overarching concern that could be arbitrated only by a true national government. But, they were at great pains to reserve maximum freedom at the local level where people live.

Nothing is more local than the local funds a jurisdiction raises on its own from its own local taxpayers. You raise the funds, you get to say how they will be spent.

The principle applies to all. No second class citizens on local matters, especially local funds, and that includes the 600,000 residents of the District of Columbia.

Congress ceded its power to run the District of Columbia in 1973 when it passed the Home Rule Act. It still approves the D.C. budget, but it does not change that budget.

Members of Congress, unaccountable to the electorate of the District of Columbia, have no right to use the budget

process to direct spending away from matters that may be controversial to you but not to our own local jurisdiction. That is tea party doctrine; that is a principle of the Democratic Party.

License was taken to put controversial attachments on the 2011 budget deal and the world watched as the entire executive and legislative branches of the local government here were arrested in an act of civil disobedience.

This time a coalition of national organizations with millions of members are taking preventive action, and I quote from a letter all of you will receive: "Should lawmakers continue to advance attacks on D.C.'s autonomy, we will make certain that our members in every district know how their representatives are spending their time in Washington, meddling in the affairs of D.C. residents rather than focusing on the Nation's true pressing business."

Meddle with D.C.'s local funds, we will pull the covers off in your own districts.

Congress, this year "don't tread on D.C."

#### DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. BROWN) for 5 minutes.

Mr. BROWN of Georgia. Madam Speaker, this debt ceiling is starting to feel like déjà vu.

If you think back to 1990, President George Herbert Walker Bush agreed to \$2 in spending cuts for every dollar in tax hikes. He agreed to this with the congressional Democrats, but that's not what ended up happening. All of the Democrats' tax hikes went into effect, but the promised spending cuts never materialized. We cannot fall for this trick again, and that's the same trick that we see from the people on the other side, my Democratic colleagues and the President.

Higher taxes do not lead to more government revenue. We have seen proof of this in years past. Instead of raising taxes, let's leave money in the hands of small businesses, the job creators, so that they can create jobs. More jobs means more revenue and less deficit.

Higher taxes means more people out of work and higher debt. In fact, President Obama admitted in 2009 that "the last thing you want to do in the middle of a recession is raise taxes."

And, in the past, liberals in Congress have adamantly spoken out in opposition to debt ceiling increases. Then-Senator Obama said in 2006 that a debt limit increase was "a sign of leadership failure."

I could not agree more. It's a time for lawmakers to stop talking out of both sides of their mouths and do what is best for the economy, for our Nation, and the American people.

Over the last 10 years we have raised the debt ceiling 16 times. It hasn't

worked, and now we are at the end of that road.

We need to try something new so that we can get started actually paying down our enormous debt. We must get our country on an economically viable course and create jobs in the private sector. That's why I have introduced H.R. 2409, the Debt Ceiling Reduction Act, which would lower the debt ceiling to \$13 trillion, and that would force politicians in Washington to make the cuts to our budget that our economy so desperately needs and start figuring out how to pay off this unsustainable debt that we have created.

Madam Speaker, I hope that my colleagues on both sides of the aisle will cosponsor and support this legislation. It's a great way to both create jobs and to create a stronger economy.

#### RAISING LEADERSHIP SUPPORT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Madam Speaker, I wish to raise concerns this morning that are international and domestic.

I rise today to ask the question, when will Dr. Assad, the President of Syria, begin to act in a manner that respects the human dignity of the people of Syria. It is a tragedy to watch as the Arab Spring continues in many countries that I have visited and to see one country that one had hoped would realize that a civilized government respects the dignity of its people.

Syrian Americans are crying out and reaching out to Members of Congress and leaders across the Nation to attack this horrific violence that is occurring in Syria: The mutilation of a 13-year-old boy; the slaughter of individuals in the street; and, seemingly, the absolute arrogance of the President of this Nation. Many of us have thought that Dr. Assad, the son of the former president, would recognize that the 21st century does not in any way tolerate the kind of abusive and oppressive leadership that has occurred in the past and that it is high time for the leadership to be vested in the people.

Now, we know that there has been a constant tension and brutality as it relates to Israel and the border and Hezbollah, something that has to be addressed, and I have cried out over and over that the dominance of Hezbollah and Syria must cease as well for any entity that does not recognize the existence of any other State, no matter what the State, and in this instance—Israel, it is an absolute abomination.

But now, in American vernacular, they have added insult to injury, killing their people, blood in the streets, ignoring the international calls. So I am gratified for the stance that we have taken, and I want it to be a stronger stance, a stronger position.

□ 1050

How dare you attack the United States Embassy. How dare you violate international law that allows sovereign nations to exist peacefully among themselves. How dare you confront the United States flag by means of the United States military. How dare you violate the human dignity of your people.

And so I'm calling upon world leaders, the United Nations and all of those who have the responsibility of protecting the human rights of all people to denounce the actions of President Assad, denounce the actions of those violent and abusive people in the streets who are killing their own people, and listen to Syrian Americans who have asked for a peaceful resolution. No, we are not calling for war despite the tragedies in Yemen where the president refuses to step down, the conflicts in Libya where the president refuses to step down, the difficulties in Egypt and on and on and on.

But as for the people of that region, we should take heart in America that they have attempted to create a democratic community and a nation of states. The Arab League needs to speak. And we need to denounce the President of Syria and ask him to step down.

That leads me to America's role, Madam Speaker, in this crisis that has now been made by our Republican friends. To my colleagues, America is not broke. We're not in the same posture as some of our European friends. But we are in a ridiculous posture because there's no way in the world that families who are trying to make ends meet don't also attempt to seek revenues—a new job or a raise or multiple jobs. How many of our families are doing that?

No, we are not raising taxes on the middle class. We are, in fact, trying to establish a quality of life for the middle class in protecting Social Security, Medicaid and Medicare. Don't laugh at those. Those are infrastructures that have allowed senior citizens to live. It has allowed our hospitals to stay open and our doctors to work.

And yet we have, in the other body, an individual who has a ludicrous and absolutely absurd proposal that's not going to give anybody relief—let the President of the United States sign off on the debt ceiling. We haven't even tested whether that is constitutional. In fact, we don't know if the debt ceiling itself is constitutional. And so I'm arguing and begging for leaders of consciousness to sit down and work on behalf of the American people, raise the debt ceiling and stop the foolishness.

#### RECESS

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

Accordingly (at 10 o'clock and 32 minutes a.m.), the House stood in recess until noon.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

We ask and will never stop asking that You bless the Members, men and women of the people's House. We remember that in the very first Congress there were problems whose possible solutions seemed to generate division in the Congress. Our national ancestors were able then to overcome their differences to work toward a common goal. Our very existence is proof that such cooperative work can succeed.

Send Your spirit of wisdom upon the Members during these contentious days. Grant them the courage to work together with charity, to join their efforts to accomplish what our Nation needs to live into a prosperous and secure future.

May they understand that they, like their political forebears, make history in the work they do, and continue to build the foundation upon which our Republic rests. Help them to build together an ever stronger foundation.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. QUIGLEY) come forward and lead the House in the Pledge of Allegiance.

Mr. QUIGLEY led the Pledge of Allegiance as follows:

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

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 1-minute requests on each side of the aisle.

#### JOBS

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

Mr. RIGELL. Mr. Speaker, our friends and neighbors are hurting. Last week the Department of Labor told us that the unemployment rate has climbed to 9.2 percent. That's unacceptable. This number reflects, in part, the policies of an administration that is embracing bureaucracy and red tape more than entrepreneurship and common sense. Let me give you a local example.

A respected developer in my district, he has got a job-creating project that is ready to go and has the full support of the City of Virginia Beach, which has already invested millions of dollars in infrastructure improvements for the project. And unlike so many of the projects that have been talked about, this really is shovel ready. HUD just needs to give it a green light. But all we're seeing is red because HUD is locked into a bureaucratic culture evidenced by a rigid first-in, first-out policy. It's resulted in an expensive 6-month delay. It's putting the entire project in jeopardy.

America can't afford even one more month of these kind of jobs numbers. So to the leadership of HUD, I am asking you, work overtime. Do what you must to turn these applications around in a timely manner and you'll unleash the greatest job-creating engine the world's ever known—the American entrepreneur.

#### RECOGNIZING DR. PATRICIA FLANAGAN

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

Mr. CICILLINE. Mr. Speaker, I rise today to recognize Dr. Patricia Flanagan, Rhode Island's nationally recognized expert in the area of teenage parenting and adolescent medicine. Dr. Flanagan recently received the 2011 Silver Rattle Award from the Rhode Island Mothers, Healthy Babies Coalition for her years of leadership and dedicated service to Rhode Island's teen mothers and children.

Dr. Flanagan is rattling the system with her groundbreaking ideas and service to the Hasbro Children's Hospital community. She serves as the chief of clinical affairs at Hasbro; the president of the American Academy of Pediatrics, Rhode Island Chapter; and a professor of pediatrics at Brown University. As director of the Teens with Tots Clinic at Hasbro Children's Hospital, she leads a team in providing social and medical services to nearly 300 teen mothers and their children, following their lives for up to 5 years.

Today I am pleased to congratulate Dr. Patricia Flanagan for her great

contributions to the field of maternal and child health as a pediatrician, a researcher, a teacher, and an advocate.

#### QE3 AND INFLATION

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

Mr. BURTON of Indiana. Mr. Speaker, today the Fed Chairman, Mr. Bernanke, is indicating they are going to increase the money supply again. They call it QE3. What the American people need to know, that means they are going to print more money. And when they print more money, that makes the value of your dollar and your currency worth less. That means milk is going to cost more, bread is going to cost more because the Federal Government's not living within its means and they're going to print more money that's going to make all of our currency worth less.

I want to tell you what's happened in other countries when they've done this. In Hungary in 1946, the price of everything doubled every 16 hours. In Yugoslavia in 1994, the prices doubled every 34 hours. In Germany in 1923, the price of everything doubled every 4 days. In Greece in 1944, it doubled every 4 days. In Zimbabwe in 2008, it doubled every 24 hours.

We need to stop this printing of money. We need to control spending in this body instead of letting the Fed print more money, which is a hidden tax on everybody in this country.

#### CLAIMING VICTORY AND SURRENDERING

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

Mr. COHEN. Mr. Speaker, our Nation and our world is at an economic crossroads, with the debt ceiling needing to be raised by the 2nd of August. Fortunately, I think some common sense appears to be coming from the Senate from Senator MITCH MCCONNELL: the idea of surrendering but claiming victory, more noble than admitting defeat, and much more noble than putting this Nation and the world on an economic precipice all based upon the resistance of putting tax increases on the millionaires and billionaires in this Nation.

People who have benefited and haven't hurt one iota are being told by the Republicans that they will not agree to a compromise if it causes an increase in taxes for the millionaires and billionaires, those tax breaks from the Bush years that helped cause this debt problem and caused the recession.

So I praise Senator MCCONNELL for claiming victory and surrendering in a noble way and keeping our economy.



Hopefully, this project will be successful and save us from having a catastrophic Wall Street and bond market collapse.

#### BALANCED BUDGET AMENDMENT

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

Mr. STUTZMAN. Mr. Speaker, in spite of the empty rhetoric of politicians who promise now and pay later, not even the United States Federal Government can run from the simple principles of economics. When a family continues to spend more than they make, debt will crush them. It will strain their relationships and consume their thoughts. Parents look at their children and wonder how they will afford college.

Motivated by their love, Mom and Dad pull out the checkbook, they go to the kitchen table, and they make a plan. What are we spending now? How can we spend less? Where can we make do? And how can we put us back in the black? Mr. Speaker, that's called a budget. It works in Indiana. And if it works well enough for us Hoosiers, it's good enough for the Federal Government.

Unfortunately, it's been over 800 days since the Senate even passed a budget. Both parties have their fair share in the blame for running us into the red. A balanced budget amendment, however, ought to get bipartisan support here in Washington.

Now is the time for action.

□ 1210

#### DIRTY WATER

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

Mr. QUIGLEY. Mr. Speaker, today the House will take up the so-called Clean Water Cooperative Federal Act, a bill that would more aptly be named the "Dirty Water Act."

Rarely does this body so blatantly attempt to deceive and misinform than in the case of a bill that in neither spirit nor practice seeks cleaner water.

This legislation would render the EPA toothless to enforce the Clean Water Act, giving polluters more leeway to break from clean water standards and make it more difficult for the Army Corps of Engineers to receive constructive advice from environmental experts during the permit process.

Additionally, the bill would make it impossible for the EPA to adjust clean water standards accordingly if new science emerges, an appropriately anti-science provision for those who have promoted a head-in-the-sand attitude toward addressing our environmental problems. We cannot stand by quietly

during this attempt to lower water quality standards under the Orwellian mantle of "clean water," and I hope this body does not fall for the "Dirty Water Act."

#### NO-JOBS AGENDA

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

Mr. SIREs. Mr. Speaker, we are now in week number 27 of the Republican no-jobs agenda.

It is apparent that after last week's disappointing jobs report, that job growth should be our number one priority. But my colleagues across the aisle seem to have not received this message.

Since January 1, not a single bill focused on job creation has come to the floor. Instead the majority has chosen to have focus on legislation that would roll back energy efficiency standards, clean water protections, and health care improvements.

Now, it seems the majority is threatening to hold the economy hostage. They are refusing to raise the debt ceiling unless we continue providing tax breaks for Big Oil and companies that ship jobs overseas. Instead of focusing on an agenda that balances the budget on the backs of America's middle class and seniors, this Congress needs to focus on a plan that will put America back to work.

My Democratic colleagues and I launched an ambitious Make It in America agenda that will rebuild our manufacturing base, create jobs, and position us for long-term economic competition. Mr. Speaker, the millions of unemployed Americans need us to work together to come up with a viable solution to job growth and rebuild our economy.

#### MAKE IT IN AMERICA

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

Mr. WALZ of Minnesota. Mr. Speaker, I too rise today because it's obvious to all of us we need initiatives that make America more competitive.

We need to tap into the can-do spirit of Americans and out-innovate the rest of the world, all those things that made this country so great. We must be able to out-innovate, out-educate, and out-build the rest of the world.

As my colleague said, we need to Make It in America. And, yes, we can do it at the same time that we address long-term national debt. We can cut waste and balance the budget, but we also have to ensure the opportunity for growth exists.

In southern Minnesota we have a rich tradition of small businesses building from the ground up, becoming world

class, like the Mayo Clinic. We are leading the Nation in renewable energy, biotech research, and ways of providing food for not only this country but the world.

We can support job creation today and in the future by encouraging businesses to make products and innovate here in the United States and sell to the world. Mr. Speaker, when we Make It in America, American families will make it too.

Let's create good-paying jobs here at home, and let's rebuild the middle class.

#### MOURNING THE PASSING OF FORMER MEMBER FRANK MASCARA

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

Mr. HOLDEN. Mr. Speaker, it is with deep regret that I rise today to inform the House of the passing of our former colleague and my dear good friend, Frank Mascara. Frank passed away earlier this week and will be laid to rest tomorrow in his beloved Washington County in western Pennsylvania.

Frank dedicated his life to public service, serving as county controller in Washington County, followed by 15 years as a county commissioner in Washington County. He then served with distinction in this body from 1995 to 2003, where he dedicated his career to working on transportation issues important not only to his district but to the Commonwealth of Pennsylvania and all across the country.

Frank will truly be missed. We extend our thoughts and prayers to his wife, Dolores, and their children.

#### WHERE ARE THE JOBS?

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I am delighted to stand this morning and simply ask the question, where are the jobs, and why have we been here for some 27 weeks and we have not been able to say to the American people we are on your side?

Let me deviate for a moment and say the debt ceiling that has consumed us is a procedural matter that has occurred over the years and decades of Presidents, Republicans and Democrats. And so let's not castigate President Obama and say a deal would not be made because he is here. Let's look at ways of finding jobs.

The energy industry, for example, has a program that says veterans to jobs, energy jobs. Let's have youth to jobs, 18-35, energy jobs, and begin to create the jobs that Democrats have been fighting for, putting on the floor of the House, job creation.

Let's have the energy industry broadly look at a tax structure that is responsible and invests back in America. And let's realize that the vulnerable cannot be the brunt of our confusion about the debt ceiling. This is not a fight that we need on behalf of the American people.

What we need to do is to say to the American people here is a job, and we are staying on this floor 24 hours a day, 7 days a week to create jobs.

Now is the time for jobs.

**THE REPUBLICAN ANTI-JOB AGENDA AND THE BUDGET NEGOTIATIONS**

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

Mr. CONNOLLY of Virginia. Mr. Speaker, 27 weeks the Republicans have been in charge of this House, and they have not brought a single jobs bill to the floor.

Instead, House leadership has set its eyes on dogmatically asserting its goals of repealing health care reform and dismantling even the most basic of environmental regulations. Republicans have brought us so far down the path of mass deregulation that even the most basic safeguards are under threat.

They have brought forth insipid legislation to repeal bulb efficiency standards and are still fighting against essential clean water regulation.

The reality is that both of these efforts will kill jobs and hurt innovation, but the Republicans seem perfectly comfortable in sticking to the rhetoric of anti-regulation regardless of whom it harms.

We have gone so far down this path that the anti-tax dogma of the House majority is now bringing debt ceiling negotiations to a terrible, terrible brink of catastrophe. They would rather preserve tax breaks for their corporate jet and oil companies than compromise on a plan that will benefit the middle class of America by better distributing that tax burden.

It's wrong. Let's come to the table.

**JOBS AND THE ECONOMY**

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

Ms. CHU. Mr. Speaker, last week the Nation heard disheartening news: Unemployment is up to 9.2 percent.

But the American people don't need reports to tell them what they already know, that job growth should be Congress' top priority.

But the Republicans still aren't getting the message. It's been 27 weeks since they took control, and they have done nothing to create jobs. In fact, they haven't put a single jobs bill to a

vote. Instead, they are threatening the loss of countless more American jobs by bringing the debt ceiling talks to the brink of economic catastrophe. They are holding America's economy and the American people hostage to their agenda of tax cuts for the rich and loopholes that help mega-corporations.

We need House leaders looking out for the American people and creating jobs, not cutting them. We need strong House leaders who will protect the American people, not corporate interests.

**TAX MARIJUANA AND HEMP**

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

Mr. POLIS. Mr. Speaker, there are ongoing negotiations about how to deal with our Nation's budget deficit. And while we need to make the tough cuts as part of the package, we also need new revenues.

One idea for new revenues would be to regulate and tax marijuana and hemp across the country. Fifteen States and the District of Columbia have various level of degrees of medical marijuana or legalized medical marijuana. And yet rather than have any tax at the Federal level that actually produces income, we effectively have 100 percent tax; namely, it's confiscated by the Federal Government if it's discovered.

By reducing the tax rate on marijuana and hemp to be in line with alcohol and tobacco, we will generate tens of billions of dollars for revenue to reduce the deficit, and it won't make marijuana or hemp legal in any jurisdiction in this country where it is currently illegal. It will simply collect revenue from the States that have chosen to go down the route of medical marijuana or marijuana legalization and create revenue for the taxpayers to bring to the table as part of this deficit deal.

I encourage my colleagues to support reducing the marijuana tax.

□ 1220

**HUMAN RIGHTS ABUSES IN VIETNAM**

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on October 15, 2009, I received disturbing reports that a democracy activist, Tran Khai Thanh Thuy, and her husband, Do Ba Tan, were beaten in front of their 13-year-old daughter and imprisoned by the Vietnamese police and government. Since then, I, along with some of my col-

leagues here in the House, have written countless letters to the Vietnamese Government urging the government to release Mrs. Tran. I have also engaged in direct communications with Secretary Clinton strongly advocating that the United States put pressure on the government in Vietnam to release her and so many other activists who simply want human rights to improve in Vietnam.

Fortunately, last month, thanks to the work of human rights organizations and Members of Congress, Mrs. Tran was released, and the State Department was able to bring Mrs. Tran to the United States where she now resides with her daughter.

Mrs. Tran, along with other activists, were all arrested simply for wanting human rights. I urge my colleagues to please help us with this issue.

**CLEAN ENERGY JOBS**

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

Mr. TONKO. Mr. Speaker, I rise today to talk about jobs. My home district, the capital region of New York, is a leader in clean energy jobs. But don't take my word for it. The Brookings Institution recently completed a study that found that the capital region has the largest share of green jobs in the country. That's over 6 percent. That's over 28,000 green jobs. And not only is the region growing now, it is poised for growth in the future. Whether at Albany NanoTech, GE, Plug Power, AWS Truepower, or GlobalFoundries, the capital region is producing the high-tech manufacturing jobs of today and tomorrow.

This doesn't just impact our domestic economy. Along with L.A., New York, and San Francisco, Albany is the only other metro area contributing \$1 billion annually to the clean export economy. We can "make it in America." We can manufacture the best products in the world here and do so in a way that grows jobs and rebuilds our economy.

The real question is: Does this Congress believe we are worthy of that investment? I think we are. Let's invest in jobs for America, and in so doing, let's cut the deficit. This report from the Brookings Institution proves it.

**THE DEBT CEILING**

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

Mr. HIMES. Mr. Speaker, yesterday, I stood on this floor with 3 weeks to go before August 2, the debt ceiling, to make the argument that we should abide by the commitments that we have made in the past. Today, I heard

Chairman Bernanke of the Federal Reserve say that to fail to raise the debt ceiling would be devastating for jobs.

So what's the holdup? Don't take it from me. Let me read you a paragraph from *The Economist* magazine. This is not Mother Jones. This is not even *The New York Times*. This is *The Economist* magazine.

"The sticking point is not on the spending side. It is because the vast majority of Republicans, driven on by the wilder-eyed members of their party and the cacophony of conservative media, are clinging to the position that not a single cent of deficit reduction must come from a higher tax take. This is economically illiterate and disgracefully cynical."

Let me read that again: "This is economically illiterate and disgracefully cynical."

PROVIDING FOR CONSIDERATION OF H.R. 2018, CLEAN WATER CO-OPERATIVE FEDERALISM ACT OF 2011

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 347 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 347

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All

points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

The SPEAKER pro tempore (Mr. OLSON). The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days during which they may revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, this resolution provides for a structured rule and makes in order 10 specific amendments that were received by the Rules Committee. Nine of those were offered by Democrats; only one amendment made in order was offered by a Republican. So the vast majority of amendments that were received by the Rules Committee which are in compliance with House rules were made in order under this resolution, with most being from Democrats.

So this is a very fair rule and continues the record of the Rules Committee in this Congress of making as many amendments in order as possible which conform to House rules. I commend Chairman DREIER for continuing the record of fairness and openness in the formulation of this particular rule.

Likewise, I would also like to commend the chairman of the Transportation and Infrastructure Committee, Mr. MICA, for bringing this bill forward.

Mr. Speaker, I am a cosponsor of this legislation which seeks to restore just a little bit of balance between States and the Federal Government when it comes to implementation of Clean Water Act mandates. The Clean Water Act was originally intended by Congress to restore and maintain the integrity of our Nation's waters, which is a noble goal. Who can be opposed to that? We all support the idea of clean water in our Nation and our communities. But the Clean Water Act was originally intended to be a partnership between the States and the Federal

Government and allowed the States to be authorized as the lead authority for water quality programs and permits.

Unfortunately, the bill was written in a very careless and sloppy way, and so the time has come when it can be re-altered or reinterpreted as time goes on. It doesn't matter that the Constitution does not allow that. The Constitution clearly says that all legislative powers herein granted shall be vested in the Congress. What we have seen is an agency of the Federal Government start to expand beyond their responsibility because the legislation itself, the core legislation, is somewhat vague.

John Marshall once said that agencies should have the power to fill in the details. We're not talking about details. We're talking about where agencies of the Federal Government have expanded their power and responsibility far beyond what was ever intended, specifically when it relates to the value and the priority of States.

For example, the State of Florida had previously obtained EPA approval for its statewide water quality and nutrient criteria development plan, and even though the State of Florida is well under way in developing its own nutrient standards based on those earlier Federal approvals, the EPA, in 2010, decided to step in and, with what Nelson Rockefeller used to say as the deadening hand of bureaucracy, imposed its own new water quality standards for nutrients in the State of Florida; violating the implicit State and Federal partnership established under the original Clean Water Act and stomping all over the good work that Florida had been doing when it was completing its tasks based on those earlier Federal approvals.

In other States, the same thing has happened. In West Virginia, the EPA retroactively vetoed permits previously issued for coal mining operations by the Army Corps of Engineers.

□ 1230

These examples of overreaching by an administration, specifically the EPA, have upset the longstanding balance between Federal and State partners in regulating our Nation's waters and has undermined the system of cooperative federalism that was supposed to have been established in the original Clean Water Act. The EPA's actions have pulled the rug out from under the States in a very capricious and an extremely arrogant manner, have created an atmosphere of regulatory uncertainty for businesses and local governments, which now have to plan and rely on clean water permits as they think they might be used in the future.

This new uncertainty has an extremely negative impact on businesses both large and small, and has most certainly contributed to the negative impacts on the Nation's economy and the inability of this administration to create jobs and reduce employment below

9 percent in spite of massive record spending and crushing debt.

This bill is indeed common sense. It is a targeted approach at correcting some of the abuses. It is not about distribution of water. It is not actually even about the quality. It is about the process in which we are involved as to who gets to decide. And it also restates that the people who live in the States logically care about their own States and do not have to rely on the largess of the all-wise and all-important Federal Government to make decisions for them.

Passage of H.R. 2018 will not in any way gut the clean air regulations or endanger citizens into drinking dirty water. The EPA retains its ultimate authority. However, the bill has been narrowly drafted to preserve the authority of States to make decisions about their own quality standards without interference or retroactive second guessing by those inside the Beltway, bureaucrats who have little or no local knowledge of the conditions or qualities that are under their consideration.

The growing excesses of the EPA in second-guessing the States and retroactively revoking previously granted approvals must stop. The status quo hurts people, and it does not help the value or the quantity or the quality of our water.

This bill is a good start. It is not completion of the issue, but it is a good start in trying to provide balance and rationality back into the public process that we have and, more importantly, allowing people to know that when decisions are made, they are not going to be arbitrarily taken away and changed in the future. No government can operate that way. No business can operate that way. This should not be the policy of the United States. This is a good bill. More importantly, this is an extremely fair rule, and I urge its adoption.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I would like to thank the gentleman from Utah for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

I would also like to congratulate the gentleman from Utah on the occasion of his birthday and convey my warm birthday wishes to the gentleman from Utah.

Despite it being his birthday, however, I have to disagree with much of what he said regarding the rule and the bill. I rise in opposition to the rule and the bill.

This is an important debate that our country has had for generations with regard to State sovereignty and the role of the Federal Government. It is an ongoing discussion since the revolutionary discussions of Jefferson, Adams, and Hamilton. And as the pendulum of popular discourse swings back

and forth on this fundamental issue, our country has concluded without a doubt that at the very least there are certain decisions that affect the whole country and interstate commerce that cannot be made unilaterally by different States.

That is true for civil rights with regard to the Voting Rights Act and the Civil Rights Act. It is true for immigration, which can only be addressed at a national level, and it is undoubtedly also true, as I will describe, for the protection of our environment and public health. Responsibility is fundamentally an American value, taking responsibility for your own actions.

But, Mr. Speaker, cancer clusters, polluted air and polluted water don't know State boundaries. The Cuyahoga on its way to Lake Erie literally caught on fire from overpollution when the Clean Water Act was written. It wouldn't stop burning simply because of a State borderline. Spilled oil in Montana's Yellowstone River won't stop at the border of North Dakota as it joins the Missouri River and makes its way down to the mighty Mississippi. Maintaining the Federal Government's basic safety net, the Clean Water Act, ensures that each State meets the basic safety standards in their own way, giving them flexibility; but it is a critical application of Federal authority with regard to interstate commerce and interstate activities.

The interstate nature of polluted air, polluted water and the devastating effects that pollution has on all of our health, as well as our economy and jobs with regard to recreational opportunities, demonstrates clearly that it is an issue that should be confronted by all of our States together in the United States of America here at the seat of the Federal Government.

Mr. Speaker, let's not fool ourselves. The bill before us today isn't just about the role of the Federal Government. The bill isn't just a push for State sovereignty. Rather, this bill is satisfying two very niche special interests at the cost of the American public. This bill is designed to benefit mountaintop coal mining companies and large factory farms.

H.R. 2018 would restrict EPA's ability to revise an existing water quality standard or promulgate a new one, unless the State concurs, effectively giving veto power to each State. It would prohibit EPA from rejecting a water quality certification granted by a State. It would prohibit EPA from withdrawing approval of a State or from limiting Federal financial assistance for the State program if a State is out of compliance with water quality standards.

Mr. Speaker, mountaintop coal mining deserves a legitimate debate here in this body, and perhaps the gentleman from Utah and I might agree on

some parts of that and disagree on others. That debate needs to carefully examine the arguments of jobs in the coal industry, energy independence versus environmental and public health concerns, also legitimate concerns; but that debate shouldn't be held under the guise of State control or under the guise of water pollution permits. This is a backdoor handout for a few destructive companies. It is not something that should be discussed under the concept of federalism.

I, for one, think that oversight of mountaintop mining is critical; and, again, I am happy to have that discussion. Continued handouts to the coal industry keep us addicted to a dirty source of energy when more jobs and a better standard of living and true energy independence are possible today through clean energy born of American innovation.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Georgia (Mr. WOODALL), a member of the Rules Committee.

Mr. WOODALL. I thank the gentleman.

I rise today as a member of the Rules Committee. Mr. Speaker, for folks who don't follow exactly what the Rules Committee does, the Rules Committee is that committee that is the very last committee to touch any piece of legislation that comes to the floor; and it is the responsibility of the Rules Committee to decide what kind of choices we will be able to make about the bill once it gets to the floor.

Now, there was a time in this House, Mr. Speaker, where what that meant was that the Rules Committee closed that process down, didn't allow any other options, any other opinions, no amendments at all, sent a bill to the floor and said take it or leave it. But, Mr. Speaker, under the leadership of Chairman DREIER on the Rules Committee and under the leadership of the Speaker of the House, that process has begun to change. Now, it is not perfect, but it has begun to change.

I rise in support of a rule today where the Rules Committee asked all 435 Members of this House, when it comes to the Clean Water Cooperative Federalism Act, asked all 435 members of this House: What would you like to see changed about this bill? How would you like to see this bill improved? What would you like done differently in this piece of legislation?

As you know, Mr. Speaker, yesterday we had that exact same process on the flood insurance program. Not only did we allow lots of amendments to the flood insurance program; we allowed an amendment to eliminate the program altogether. That is the kind of openness that has been incorporated in this 112th Congress.

Well, this rule today is no exception. That is why I rise in strong support of

it. We asked all 435 Members of the House, How would you improve the Clean Water Cooperative Federalism Act? Send in your amendment now, have it preprinted, and let us come and consider your ideas. And, Mr. Speaker, we did that, Republicans and Democrats alike. I have here, we only had one Republican amendment submitted, and we made that in order. We had 11 Democrat amendments submitted. One of those was non-germane. One was duplicative. The other nine were made in order.

Here we are, a Republican-controlled Congress, Mr. Speaker; and through the leadership of the Speaker and the chairman of the Rules Committee, we have said all amendments should be preprinted. All amendments should be considered.

Here we are on the floor of the House today, a Republican House, considering one Republican amendment and nine Democratic amendments. Now, a lot of folks ask why that is, Mr. Speaker. I get that every time I go back home. I live in a very conservative Republican district, as you know, Mr. Speaker. And so folks say: ROB, why don't you just shut down the process and do it your way because your way is the right way?

And I tell them: You're absolutely right. In our part of the world, our opinion is the right opinion. But there are a lot of other opinions. You get to Washington, D.C., 435 Members of Congress, that's 435 opinions. Sometimes it's 436 or 437 opinions among the 435 of us. And we can only have this body, the people's House, work its will when all of the people are heard.

I just say, and I thank the gentleman from Utah for yielding, it has been such a pleasure to be a part of the Rules Committee and serving with folks like the gentleman from Colorado—whose editorial I read in the paper this morning with great interest—serving on a committee with folks like the gentleman from Colorado and the gentleman from Utah, who are committed to openness in this process.

□ 1240

I'm a believer, Mr. Speaker. I'm one of the new guys. I have only been here 6 months. I believe that we can do better for America when we do things in an open process.

Now, because I come from a conservative district, I know for a fact that when we open up the process to all comers, I'm going to lose, Mr. Speaker. I'm going to lose because this House kind of sits in the middle. We are a center-right nation. So I come from a far-right district; that means I'm going to lose. But I tell you, as an American, I want this House to work its will. I want this body to work the way the Founders intended it to work. I want us to take these baby steps, Mr. Speaker, towards restoring the faith of the

American people in the work that we do here.

So, again, it is with great pride that I rise today as a member of the Rules Committee, as someone who supported this rule and as someone who is so appreciative of the leadership of Chairman DREIER and of Speaker BOEHNER and of our friends on the other side of the aisle who enable us to make this process the open process that it is.

I encourage all my colleagues to vote in favor of this rule and then to vote their conscience on the underlying provision.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from New York, the ranking member on the Water Resources and Environment Subcommittee, Mr. BISHOP.

Mr. BISHOP of New York. I thank the gentleman from Colorado for yielding.

I rise in opposition to this rule and I also oppose the underlying bill.

Mr. Speaker, I was heartened that my Republican colleagues accepted many of the amendments offered in the Rules Committee yesterday, and I commend them for their attempts to adhere to the open process that they promised.

However, I was disappointed that an amendment offered by my good friend from Missouri (Mr. CARNAHAN) was not made in order because it would have addressed perhaps one of the most fundamental areas of concern for this bill that I and a great many others share, and that is that it undermines the Federal floor on water quality standards that has made the Clean Water Act such a success. This body should have had the opportunity to vote on such an important issue, and yet the rule denies that opportunity.

I am a strong supporter of efforts to protect the Long Island Sound, which borders the northern shore of my district and also the southern shore of Connecticut. In my view, the investment of Federal, State, and local resources to clean up and protect the sound significantly benefits communities in my district and in our region generally in terms of increased economic productivity, increased revenues from commercial and recreational uses of the sound, and increased quality of life for local residents. As a New Yorker, I take great pride in the efforts my State has made in improving the water quality of the sound, and I appreciate the collective efforts of our neighboring States in cleaning up the sound.

However, under H.R. 2018, we revert back to the State-by-State, go-it-alone approach that was the hallmark of water pollution prevention before the enactment of the Clean Water Act. Under H.R. 2018, if the EPA proposes a revised water quality standard that science dictates is needed to clean up the sound and Connecticut decides that they don't want to implement that

standard, the EPA would no longer have the authority to compel them to do so nor would New York have any recourse under the Clean Water Act to ensure that Connecticut or other upstream States are doing what is needed; in other words, a recipe for the kind of pollution that we dealt with prior to the implementation of the Clean Water Act.

For this and a great many other reasons, H.R. 2018 flies in the face of decades of experience in implementing the Clean Water Act and risks all the gains in water quality that we have made over the past 40 years. For that I urge my colleagues to oppose the rule and the underlying bill.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri, a member of the Water Resources Subcommittee, Mr. CARNAHAN.

Mr. CARNAHAN. I want to thank my colleague from Colorado (Mr. POLIS) for yielding and for the work he is doing on this rule.

I appreciate the consideration of the Rules Committee in making one of the amendments I offered on this bill in order. However, I offered a second amendment that gets right at the heart of the issues addressed by this legislation, and, unfortunately, this amendment was not made in order. I can only assume this is because the majority does not want a floor debate that demonstrates the weaknesses inherent in this legislation.

My constituents in the St. Louis region I represent understand how important the Clean Water Act is. Situated at the confluence of our country's two greatest rivers, the Mississippi and the Missouri, St. Louis has a long relationship with the mighty rivers. We have long relied on the rivers to take our products to market and to connect us to the rest of the country, and, of course, we depend on them to provide clean drinking water. At the same time, we have learned to rebuild after devastating floods, and I'm sorry to see that this year may well go down in history as the most devastating year for flooding since the epic year of 1993.

I appreciate that the Rules Committee made in order my amendment which will allow us to debate and vote to ensure provisions which help ensure that flooded communities do not have to worry about unclean and unsafe water as they recover. However, Mr. Speaker, my constituents want to know that their water is clean and safe at all times, not just in the wake of natural disasters.

This bill seeks to give States greater control over their water, but, unfortunately, water does not always obey State borders. This bill fails—it fails—to ensure that water flowing from an upstream State meets the standards

for water quality for any of the downstream States. This legislation will undermine the precedent we have established since President Nixon signed the Clean Water Act into law in 1972 that allows the EPA to balance the concerns of different States and ensure clean drinking water for everyone.

If H.R. 2018 were to become law as it stands now, the EPA would lose this critical ability. In that case, Missouri would have little recourse if, say, Minnesota or Illinois decided to adopt clean water standards below what is acceptable to Missouri.

My amendment which was not made in order is simple: It would have exempted water that travels between States, thus solving the issue of differing standards between States. If one State chooses to allow polluters to discharge harmful chemicals into a shared water body, other States that share the waters should have a say, and EPA should step in and ensure basic standards are met. Unfortunately, H.R. 2018 without my amendment will allow States to adopt inconsistent standards that will create uncertainty for business, damage our environment, and undermine our public health.

Mr. Speaker, I urge a “no” vote.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. POLIS. I yield myself such time as I may consume.

Mr. Speaker, recent peer-reviewed scientific studies suggest that mountaintop mining is associated with higher cancer risk and elevated birth defect rates and many other health problems in Appalachian coal mining communities. Rates of cancer and birth defects are much higher, and with direct links to mountaintop mining practices, than the national average and even higher than in areas with traditional coal mining. Is this really what the rest of us are being asked to subsidize at the cost of our own States and our health?

If we want to debate mountaintop mining, let's do it—and there are pros and cons, legitimate issues and stalking horses as well—but we don't want to hurt the rest of the States in that process.

This bill throws into question a balance between State and Federal authority that has served the American people well for 30 years.

□ 1250

Why should the rest of us, once again, pay the price for a gain of a few coal mining companies or of a few factory farms when most Americans would prefer that we protect the Chesapeake Bay and the Everglades?

Oklahoma continues to battle Arkansas over water pollution from poultry farms, which starts in Arkansas and flows into Oklahoma. Why are we voting on a bill that would let Arkansas decide the fate of Oklahoma's waters?

Why should a community in Tennessee, whose economy is booming thanks to white water rafting and the growth of the outdoor recreation industry, live and die by the decisions of a North Carolina mining company?

Are we really going to vote for the ability of Pennsylvania to decide the fate of New York, Maryland and West Virginia rivers when Pennsylvania has decided that fracking with chemicals should be done without meaningful oversight?

I will be interested to see how these pronounced downstream States vote on these measures, and it will be interesting to see the outcome of this bill and how anybody who supports it from the downstream States can possibly justify the votes to their constituents, who are on the receiving end of interstate pollution.

H.R. 2018 would undermine the Federal Government's ability to ensure that States effectively implement or make necessary improvements to their water quality standards. If States fail to adhere to their own existing water quality standards, the bill would prohibit the EPA from insisting that States make the improvements that are necessary.

Regarding dredge-and-fill projects, H.R. 2018 would stymie the EPA's ability to stop discharges that have unacceptable adverse effects on municipal water supplies. Now, although this veto authority has only been used 13 times in the past 38 years, it is a critical tool that safeguards against the most destructive and health-threatening proposals.

Americans expect and rely on clean water and clean air that we breathe and drink every day. The Nation's lakes, rivers, bays, wetlands, and streams are vital to our health and vital to our economy. From the Chesapeake Bay to the Great Lakes to the Florida Everglades, all of these waterways and beaches are of interest and value and importance to our entire country. They need to be clean enough to swim and drink and fish from. Americans should have safe, clean water to drink.

H.R. 2018 would remove the EPA's ability to protect communities from unacceptable adverse effects for our Nation's waters and public health. Before the Clean Water Act, there wasn't an effective Federal safety net to ensure the health of our waters, but since the passage of the Clean Water Act, we have made great strides in restoring our waterways. This bill threatens to move that back.

Our current waterways are critical for our economy in my home State of Colorado and across the country. Waterways sustain the activities of 40 million anglers and sportsmen, who spend about \$45 billion a year, and of about 2.3 million people who spend over \$1 billion a year hunting, as well as the

multibillion dollar commercial fishing industry.

Again, we have a national interest as to these issues, and it should not be, consistent with the American value of responsibility, within the ability of any one particular State to damage the economy and health of people in another State.

I reserve the balance of my time.

Mr. BISHOP of Utah. I am happy to yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise in support of H.R. 2018, and I thank the gentleman for yielding me this time.

Last year, Thomas Donahue, the President of the U.S. Chamber of Commerce, said in a speech to a major jobs summit:

“Taken collectively, the regulatory activity now underway is so overwhelmingly beyond anything we have ever seen that we risk moving this country away from a government of the people to a government of regulators.”

Mr. Speaker, if we are ever going to see an economic recovery, if we are ever going to create enough jobs for our young people, we have got to stop this explosion of Federal rules, regulations and red tape. This country could be booming right now, but it is being held back by Federal bureaucrats who have very little or no business experience and who do not realize how difficult it is to survive in small business or on small farms today.

This is my 23rd year in Congress. I believe I have heard and read more complaints about the EPA in the last couple of years than about all other Federal agencies combined. This bill is a very moderate attempt to rein in environmental radicals at the EPA and to put some common sense and, more importantly, some fairness in these clean water rulings.

I have heard from farmers, homebuilders, small business people, Realtors, coal miners, small property owners, and others. These rules and regulations do not hurt the big giants in business—in fact, they help them by driving out competition—but they are sure hurting the little guy, and they are hurting poor and lower income people by driving up the cost of houses, the cost of food and everything else, and are destroying jobs. Simply put, the EPA is out of control.

A few years ago, when I chaired the Water Resources and Environment Subcommittee, we heard testimony from a cranberry farmer in Massachusetts. During his testimony, he broke down into tears over the way he was treated by the EPA. The EPA claimed he filled 46 acres of wetlands that the farmer said never existed. The farmer, a Mr. Johnson, spent \$2 million over two decades in fighting this case. At the end of it, Mr. Johnson said he was

“disgusted” by all the millions of dollars the government spent on a small section of his 400-acre farm.

He said, “For the money they spent, they could have bought all of our property with half of it.”

Several years ago, in one of the most famous wetland cases, the trial judge in a Federal court said, “I don’t know if it’s just a coincidence that I just sentenced Mr. Gonzales, a person selling dope on the streets of the United States. He is an illegal person here. He’s not an American citizen. He has a prior criminal record. So here we have a person who comes to the United States and commits crimes of selling dope, and the government asks me to put him in prison for 10 months; and then we have an American citizen who buys land, pays for it with his own money, and he moves some sand from one end to the other, and the government wants me to give him 63 months in prison.” The judge said, “Now, if that isn’t our system gone crazy, I don’t know what is.”

That’s what this bill is all about. We’ve had so many of these bureaucratic rulings that have just gone crazy.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BISHOP of Utah. I yield the gentleman an additional minute.

Mr. DUNCAN of Tennessee. Mr. Speaker, this is supposed to be a Federal system in which our Founding Fathers felt more power should be given to the States than to the national government. They certainly didn’t envision a Federal dictatorship, with the States being dictated to by unelected Federal bureaucrats.

This bill does not go very far, but it at least tries to put a little more balance and fairness back into our system so that we can have both clean water and a stronger economy.

Mr. POLIS. I have no further requests for time, and am prepared to close.

I would like to ask the gentleman from Utah if he has any remaining speakers.

Mr. BISHOP of Utah. I have no further requests for time, and I am ready to close as well.

Mr. POLIS. Mr. Speaker, from a purely self-interested perspective as a Coloradan—and perhaps we have very little to lose as we’re a headwaters State—snow that falls in my district on the continental divide will either end up in the Arkansas and Mississippi rivers, flowing toward the Gulf of Mexico, or will end up in the Colorado River, supplying my friend from Utah’s State as well as Arizona, Nevada and California. The continental divide runs right through my district in the State of Colorado. If Colorado, for example, opened its doors to unregulated uranium mining, it’s Utah, New Mexico, Arizona, and California which would have to pay that price.

Regardless of self-interest, clean water is an interstate issue that deserves an interstate solution. I can’t think of anything that better fits the description of interstate commerce, which is enshrined in our Constitution, itself. Truly, how we deal with our interstate waterways is at the very base of interstate commerce.

Safe drinking water is critical to economic growth, to the survival of all communities nationally and to all people in the entire world. While States appropriately have led the role in implementing clean water safeguards, the law does not function effectively without a backstop and a floor provided by the Federal Government which ensures that people have clean water and safe drinking water regardless of the State in which they live.

Mr. Speaker, you’ve heard today the call from the right of Federal overreach, of an out-of-control EPA and that kind of rhetoric. Again, these are valid discussions about the degree of regulation from the EPA, how to deal with mountaintop coal mining—all important policy discussions—but they’re simply avoided and punted in the wrong way by saying that these aren’t legitimate interstate issues that have their nexuses here at the Federal level.

This bill is truly about a handout to special interests. A vote for this bill is a vote for a few well-lobbied companies and a vote against the health and environment of downstream States and downstream residents, which, as I noted above, include just about every person in the country. I encourage my colleagues to oppose the rule and the bill.

I yield back the balance of my time.

□ 1300

Mr. BISHOP of Utah. Mr. Speaker, I appreciate my good friend from Colorado and the way he has conducted the debate so far in this rule.

I have to admit, in closing on this particular bill, that as someone who as a State legislator worked on a complex that dealt with the largest undeveloped river in my district that went through and crossed six different State boundaries before it found its way to the Great Salt Lake, the idea that only the Federal Government can actually solve issues that happen between States or across State boundaries is somewhat almost insulting to the idea of the States.

It may be true that in every issue there is always some catalyst that brings it about. The issue in Florida and West Virginia—to which I responded—was a catalyst, but it is not the only situation that has provided the basis for this particular bill. We have a letter from the Louisiana Department of Agriculture and Forestry, which has written in support of this bill simply because Louisiana is currently facing a similar threat from the EPA.

The Chamber of Commerce strongly opposes several amendments to this piece of legislation, but they also wrote: “The Clean Water Act grants States the primary responsibility for protecting water quality. However, recent actions by the EPA upset and supplant this partnership with arbitrary Federal power that is being exercised even over States with effective delegated regulatory programs. Individuals and firms that meet the requirements of, and obtain permits from, State regulators ought not to be left exposed to the enforcement whims and caprice of the Federal Government,” which is the reality.

Finally, the National Association of State Departments of Agriculture also talk about this bipartisan piece of legislation that addresses the Environmental Protection Agency’s ongoing regulatory overreach, and that it allows the basis, if we pass this bill, for States and the Federal Government once again to be able to work together.

I have stated repeatedly that one of the problems we do have with the provisions of the Clean Water Act is the concept of accountability. Where is someone allowed to kind of comprehend against what the Federal Government does when it overreaches? Let me give you one specific example, since the gentleman from Tennessee did, and it states the same concept that happens to be there. I will call this guy Gene, because that’s his first name. But he was a farmer on a family farm, a sugar beet farmer—which I would remind you is a root crop. You try to have a sugar beet crop in a wetland and you come up with just rotted vegetables. But one Federal bureaucrat from these agencies, driving by his property one day, seeing it flooded, declared it to be a wetland, even though the farmer said the only reason the water is here is because we have a pipe from the creek that goes over to the land. And when the farmer removed the pipe from the creek to show that the water was not naturally flowing into that area, he was threatened with a jail term if he actually moved that pipe one more time.

Now even though they took core samples from the water conservancy district to prove there was too much clay in that land to ever have any kind of water bubble up from the underground aquifers, this one bureaucrat from these agencies still maintained this was a wetland. When asked how long would it take to determine—even though the science is against him—that he is wrong in his determination, his response was, well, 6 to 7 years because I want to go through a wet and dry cycle to see if maybe per chance water may not come up again on this person.

Now the issue, and why I’m so passionate about this is because, for Gene, this farm was his heritage. More importantly, it was his retirement, and it



was his legacy for his kids. And what one bureaucrat, using the broad powers given under the Clean Water Act, was able to do is basically impose a taking on this person's property without ever compensating him for it, because they didn't take the land away; they just told him what he could do with it and—more importantly, because of that regulation now on his property—for what he could sell. He was able to finally unload his property at a quarter of the value that a neighbor, which this one bureaucrat did not see, was able to sell his exact same lot on the exact same road with the exact same type of land. That is the unfairness that has developed with a bill that is so loosely written.

Two Supreme Court decisions have criticized the bill and implored Congress to go back there and do our jobs and to tighten it up so that you don't have conflicting strategies and conflicting patterns and conflicting rules and regulations in different parts of the country. That's what we're attempting to do here.

There is a pattern of abuse. It hurts people. It is time to respect the idea that States care as much about their own States as the Federal Government would care about their States. And you can make the presumption that they probably care more. That's why this is a good bill, and that's why this is an issue of Federalism.

This is going back to what the original Clean Water Act was supposed to do, to encourage and indeed control and ensure that there would be bipartisan cooperation between States and the Federal Government. And unfortunately, as the years have progressed, the role of the States have been diminished by arbitrary and capricious actions on the part of the Federal Government. That can no longer be. That is the status quo that is unacceptable. That needs to be changed. That is exactly what this bill is attempting to do.

In closing, I would like to reiterate the fairness of this structured rule and urge its adoption, as well as urging the adoption of the underlying legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 7 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 2 p.m.

PROVIDING FOR CONSIDERATION OF H.R. 2018, CLEAN WATER CO-OPERATIVE FEDERALISM ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 347) providing for consideration of the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 250, nays 171, not voting 10, as follows:

[Roll No. 564]

YEAS—250

Adams	Cole	Graves (GA)
Aderholt	Conaway	Graves (MO)
Akin	Costa	Griffin (AR)
Alexander	Costello	Griffith (VA)
Altmire	Cravaack	Grimm
Amash	Crawford	Guinta
Austria	Crenshaw	Guthrie
Bachmann	Critz	Hall
Bachus	Culberson	Hanna
Barletta	Davis (KY)	Harper
Bartlett	Denham	Harris
Barton (TX)	Dent	Hartzler
Bass (NH)	DesJarlais	Hastings (WA)
Benishek	Diaz-Balart	Hayworth
Berg	Dold	Heck
Biggett	Dreier	Hensarling
Bilbray	Duffy	Herger
Bilirakis	Duncan (SC)	Herrera Beutler
Bishop (UT)	Duncan (TN)	Holden
Black	Ellmers	Huelskamp
Blackburn	Emerson	Huizenga (MI)
Bonner	Farenthold	Hultgren
Bono Mack	Fincher	Hunter
Boren	Fitzpatrick	Hurt
Boustany	Flake	Issa
Brady (TX)	Fleischmann	Jenkins
Brooks	Fleming	Johnson (IL)
Brown (GA)	Flores	Johnson (OH)
Buchanan	Forbes	Johnson, Sam
Buchson	Fortenberry	Jones
Buerkle	Fox	Jordan
Burgess	Franks (AZ)	Kelly
Burton (IN)	Frelinghuysen	King (IA)
Calvert	Gallegly	King (NY)
Camp	Gardner	Kingston
Campbell	Garrett	Kinzinger (IL)
Canseco	Gerlach	Kissell
Cantor	Gibbs	Kline
Capito	Gibson	Labrador
Carter	Gingrey (GA)	Lamborn
Cassidy	Gohmert	Lance
Chabot	Goodlatte	Landry
Chaffetz	Gosar	Lankford
Coble	Gowdy	Latham
Coffman (CO)	Granger	LaTourette

Latta	Paulsen	Scott (SC)
Lewis (CA)	Pearce	Scott, Austin
LoBiondo	Pence	Sensenbrenner
Long	Petri	Sessions
Lucas	Pitts	Shimkus
Luetkemeyer	Platts	Shuler
Lummis	Poe (TX)	Shuster
Lungren, Daniel	Pompeo	Simpson
E.	Posey	Smith (NE)
Mack	Price (GA)	Smith (NJ)
Manzullo	Quayle	Smith (TX)
Marchant	Rahall	Southerland
Marino	Reed	Stearns
Matheson	Rehberg	Stivers
McCarthy (CA)	Reichert	Stutzman
McCaul	Renacci	Sullivan
McClintock	Ribble	Terry
McHenry	Rigell	Thompson (PA)
McKeon	Rivera	Thornberry
McKinley	Roby	Tiberi
McMorris	Roe (TN)	Tipton
Rodgers	Rogers (AL)	Turner
Meehan	Rogers (KY)	Upton
Mica	Rogers (MI)	Walberg
Miller (FL)	Rohrabacher	Walden
Miller (MI)	Rokita	Walsh (IL)
Miller, Gary	Rooney	Webster
Mulvaney	Ros-Lehtinen	West
Murphy (PA)	Roskam	Westmoreland
Myrick	Ross (AR)	Whitfield
Neugebauer	Ross (FL)	Wilson (SC)
Noem	Royce	Wittman
Nugent	Runyan	Wolf
Nunes	Ryan (WI)	Womack
Nunnelee	Scalise	Woodall
Olson	Schilling	Yoder
Owens	Schmidt	Young (AK)
Palazzo	Schock	Young (FL)
Paul	Schweikert	Young (IN)

NAYS—171

Ackerman	Frank (MA)	Miller (NC)
Andrews	Fudge	Miller, George
Baca	Garamendi	Moore
Baldwin	Gonzalez	Moran
Barrow	Green, Al	Murphy (CT)
Becerra	Green, Gene	Nadler
Berkley	Grijalva	Napolitano
Berman	Gutierrez	Neal
Bishop (NY)	Hanabusa	Olver
Blumenauer	Hastings (FL)	Pallone
Boswell	Heinrich	Pascarell
Brady (PA)	Higgins	Payne
Braley (IA)	Himes	Pelosi
Brown (FL)	Hinojosa	Perlmutter
Butterfield	Hirono	Peters
Capps	Hochul	Peterson
Capuano	Holt	Pingree (ME)
Carnahan	Honda	Polis
Carney	Hoyer	Price (NC)
Carson (IN)	Insee	Quigley
Castor (FL)	Israel	Rangel
Chandler	Jackson (IL)	Reyes
Chu	Jackson Lee	Richardson
Ciulline	(TX)	Richmond
Clarke (MI)	Johnson (GA)	Rothman (NJ)
Clarke (NY)	Johnson, E. B.	Roybal-Allard
Clay	Kaptur	Rush
Cleaver	Keating	Ryan (OH)
Clyburn	Kildee	Sanchez, Linda
Cohen	Kind	T.
Connolly (VA)	Kucinich	Sanchez, Loretta
Conyers	Langevin	Sarbanes
Cooper	Larsen (WA)	Schakowsky
Courtney	Larson (CT)	Schiff
Crowley	Lee (CA)	Schrader
Cuellar	Levin	Schwartz
Cummings	Lewis (GA)	Scott (VA)
Davis (CA)	Lipinski	Scott, David
Davis (IL)	Loeback	Serrano
DeFazio	Lofgren, Zoe	Sewell
DeGette	Lowey	Sherman
DeLauro	Lujan	Sires
Deutch	Lynch	Slaughter
Dicks	Maloney	Smith (WA)
Dingell	Markey	Speier
Doggett	Matsui	Stark
Donnelly (IN)	McCarthy (NY)	Sutton
Doyle	McCollum	Thompson (CA)
Edwards	McDermott	Thompson (MS)
Engel	McGovern	Tierney
Eshoo	McIntyre	Tonko
Farr	McNerney	Towns
Fattah	Meeks	Tsongas
Filner	Michaud	Van Hollen

Velázquez  
Viscosky  
Walz (MN)  
Wasserman  
Schultz

Waters  
Watt  
Welch  
Wilson (FL)  
Woolsey

Wu  
Yarmuth

## NOT VOTING—10

Bass (CA)  
Bishop (GA)  
Cardoza  
Ellison

Giffords  
Hinchey  
McCotter  
Pastor (AZ)

Ruppersberger  
Waxman

□ 1429

Ms. EDDIE BERNICE JOHNSON of Texas and Mr. JACKSON of Illinois changed their vote from “yea” to “nay.”

Mr. OWENS, Mrs. SCHMIDT, and Messrs. COSTELLO, TURNER, and GUINTA changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. GIBBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 2018 and to also include extraneous materials and letters of support into the CONGRESSIONAL RECORD.

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). Is there objection to the request of the gentleman from Ohio?

There was no objection.

CLEAN WATER COOPERATIVE  
FEDERALISM ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 347 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2018.

□ 1429

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Ohio (Mr. GIBBS) and the gentleman from West Virginia (Mr. RAHALL) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. GIBBS. Mr. Chairman, I yield myself such time as I may consume.

I rise in strong support of H.R. 2018, the Clean Water Cooperative Fed-

eralism Act of 2011. Almost four decades ago, when it enacted the Clean Water Act, Congress established a system of cooperative federalism by making the Federal Environmental Protection Agency, the EPA, and the States partners in regulating the Nation's water quality and allocated the primary responsibilities for dealing with day-to-day water pollution control matters to the States.

For most of these almost four decades, this system of cooperative federalism between the EPA and the States has worked quite well. However, in recent years, the EPA has begun to use questionable tactics to usurp the States' role under the Clean Water Act in setting water quality standards and to invalidate legally issued permits by the States. EPA has decided to get involved in the implementation of State standards, second-guessing States with respect to how standards are to be implemented and even second-guessing EPA's own prior determinations that the State standards meet the minimum requirements for the Clean Water Act. EPA has also inserted itself into the States and the Army Corps of Engineers' permit issuance decisions and the second-guessing State and other agencies' permitting decisions.

The EPA's recent actions increasingly are amounting to bullying the States and are unprecedented. H.R. 2018 was introduced to clarify and restore the longstanding balance that had existed between the States and the EPA as coregulators under the Clean Water Act and to preserve the authority of States to make determinations relating to their water quality standards and permitting. The bill was carefully and narrowly crafted to preserve the authority of States to make decisions about their own water quality standards and permits without undue interference on second-guessing from EPA bureaucrats in Washington with little or no knowledge of local water quality conditions.

The legislation reins in EPA from unilaterally issuing a revised or new water quality standard for a pollutant adopted by a State and EPA already has approved a water quality standard for that pollutant. H.R. 2018 restricts EPA from withdrawing its previous approval of a State NPDES water quality permitting program or from limiting Federal financial assistance for a State water quality permitting program on the basis that EPA disagrees with the State.

Further, the bill restricts EPA from objecting to NPDES permits issued by a State. Moreover, the bill clarifies that EPA can veto an Army Corps of Engineers Clean Water Act section 404 permitting decision when the State concurs with the veto.

These limitations apply only in situations where EPA is attempting to contradict and unilaterally force its

own one-size-fits-all Federal policies on a State's water quality program. By limiting such overreaching by the EPA, H.R. 2018 in no way affects EPA's proper role in reviewing State permits and standards and coordination pollution control efforts between the States. EPA just has to get back to the more collaborative role it has long played as the overseer of the States' implementation of the Clean Water Act.

Detractors of this legislation claim that the bill only intends to disrupt the complementary roles of EPA and the States under the Clean Water Act and eliminate EPA's ability to protect water quality and public health in downstream States from actions in upstream States. In reality, these detractors want to centralize power in the Federal Government so it can dominate water quality regulation in the States. Implicit in their message is that they do not trust the States in protecting the quality of their waters and the health of their citizens.

This bill returns the balance, certainty, and cooperation between the States and the Federal Government in regards to the environment that our economy, job creators, and permit holders have been begging for. Well over 100 organizations representing a wide variety of public and private entities support this legislation. Just to name a few, these organizations include the National Association of State Departments of Agriculture, the American Farm Bureau Federation, the National Mining Association, the National Water Resources Association, the U.S. Chamber of Commerce, the National Association of Manufacturers, the National Association of Homebuilders, and the Associated General Contractors of America.

JULY 12, 2011.

Hon. JOHN BOEHNER,  
*Speaker, House of Representatives,*  
*Washington, DC.*

Hon. NANCY PELOSI,  
*Minority Leader, House of Representatives,*  
*Washington, DC.*

URGING SWIFT PASSAGE OF THE CLEAN WATER  
COOPERATIVE FEDERALISM ACT (H.R. 2018)

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: The undersigned 121 organizations, representing a broad cross-section of the American economy, are united in their strong support for the Clean Water Cooperative Federalism Act (H.R. 2018), a bipartisan bill passed by the House Transportation and Infrastructure Committee on June 22.

The bill would reaffirm the decades-old state-federal relationship set out in the Clean Water Act (CWA) by addressing the Environmental Protection Agency's (EPA) ongoing regulatory overreach. We urge all House members to vote for passage of this important legislation when it is considered on the House floor later this week.

H.R. 2018 has important job creation, economic security, and federalism implications. Over the years, EPA has repeatedly challenged states' authority and expertise under the CWA and asserted its control as the sole arbiter of evolving CWA permitting requirements and standards. The agency's actions

jeopardize more than \$220 billion of annual economic activity subject to CWA Sec. 402 and 404 permits.

H.R. 2018 would help put people back to work and create new jobs in the sectors our members serve by restoring the proper balance between EPA and the states in regulating the nation's waters, protecting the CWA's system of cooperative federalism, and preventing EPA from second-guessing or delaying a state's CWA permitting and water quality certification decisions.

We urge swift enactment of H.R. 2018 and look forward to working with you to accomplish that important objective.

Sincerely,

Agricultural Retailers Association; Alabama Cattlemen's Association; American Concrete Pavement Association; American Concrete Pressure Pipe Association; American Farm Bureau Federation; American Rental Association; American Road & Transportation Builders Association; American Sugarbeet Growers Association; Arizona Farm Bureau Federation; Arizona Rock Products Association; Associated Equipment Distributors; The Associated General Contractors of America; Association of Equipment Manufacturers; Buckeye Valley Chamber of Commerce; Chamber of Commerce of the Mid-Ohio Valley; Chemical Producers & Distributors Association; Colorado Cattlemen's Association; Colorado Livestock Association; CropLife America; Dairy Producers of New Mexico; Deep South Equipment Dealers Association; Delaware State Chamber of Commerce; Edison Electric Institute; Equipment Distributors Association of Minnesota; Far West Equipment Dealer Association.

Farm Equipment Manufacturers Association; The Fertilizer Institute; Florida Cattlemen's Association; Florida Sugar Cane League; Georgia Construction Aggregate Association; Georgia Mining Association; Greater Phoenix Chamber of Commerce; Greater Pittsburgh Chamber of Commerce; Idaho Cattle Association; Illinois Association of Aggregate Producers; Illinois Chamber of Commerce; Illinois Coal Association; Industrial Minerals Association—North America; Iowa Cattlemen's Association; Iowa Limestone Producers Association; Iowa-Nebraska Equipment Dealers Association; Kansas Aggregate Producers Association; Kansas Livestock Association; Kansas Ready Mixed Concrete Association; Kentucky Association of Manufacturers; Kentucky Chamber of Commerce; Kentucky Coal Association; Kentucky Crushed Stone Association, Inc.; Lodi Chamber of Commerce; Los Angeles Area Chamber of Commerce.

Manhattan Beach Chamber of Commerce; Michigan Aggregates Association; Mid-America Equipment Retailers Association; Midwest Equipment Dealers Association; Minnesota-South Dakota Equipment Dealers Association; Missouri Cattlemen's Association; Montana Equipment Dealers Association; Montana Stockgrowers Association; National Asphalt Pavement Association; National Association of Home Builders; National Association of Manufacturers.

National Cattlemen's Beef Association; National Corn Growers Association; National Milk Producers Federation;

National Mining Association; National Pork Producers Council; National Precast Concrete Association; National Ready Mixed Concrete Association; National Stone, Sand & Gravel Association; National Water Resources Association; Nebraska Cattlemen, Inc.; North American Equipment Dealers Association; North Dakota Implement Dealers Association; Northeast Equipment Dealers Association, Inc.; NUCA Representing Utility and Excavation Contractors.

Ohio Aggregates & Industrial Minerals Association; Ohio Chamber of Commerce; Ohio Equipment Distributors Association; Ohio-Michigan Equipment Dealers Association; Oklahoma Cattlemen's Association; Pacific Northwest Hardware & Implement Association; Palm Desert Area Chamber of Commerce; Pennsylvania Aggregates and Concrete Association; Pennsylvania Cattlemen's Association; Pennsylvania Chamber of Business and Industry; Portland Cement Association; Public Lands Council; Responsible Industry for a Sound Environment; Scottsdale Area Chamber of Commerce; Simi Valley Chamber of Commerce; South Dakota Agri-Business Association; South Dakota Cattlemen's Association; South East Dairy Farmers Association; South Eastern Equipment Dealers Association; South Western Association; Tennessee Concrete Association; Tennessee Road Builders Association; Texas and Southwestern Cattle Raisers Association.

Texas Cattle Feeders Association; Tucson Metropolitan Chamber of Commerce; U.S. Cattlemen's Association; U.S. Chamber of Commerce; United Egg Producers; USA Rice Federation; Utah Cattlemen's Association; Utah Farm Bureau Federation; The Utah School and Institutional Trust Lands Administration; Utah Wool Growers Association; Virginia Agribusiness Council; Virginia Grain Producers Association; Virginia Poultry Federation; Washington Aggregates & Concrete Association; Washington Cattlemen's Association; Washington Farm Bureau; West Virginia Chamber of Commerce; West Virginia Coal Association; West Virginia Manufacturers Association; Western Business Roundtable; Wyoming Ag Business Association; Wyoming Crop Improvement Association; Wyoming Stock Growers.

AMERICAN FARM  
BUREAU FEDERATION,  
Washington, DC, July 13, 2011.

Hon. \_\_\_\_\_  
House of Representatives,  
Washington, DC.

DEAR REP. \_\_\_\_\_ The American Farm Bureau Federation, the nation's largest general farm organization representing farmers and ranchers in every state and Puerto Rico, strongly supports H.R. 2018, the Clean Water Cooperative Federalism Act of 2011. This legislation restores the historic Clean Water Act balance and partnership between the federal government and states.

H.R. 2018 limits the Environmental Protection Agency's (EPA) ability to arbitrarily issue revised or new water quality standards if a state has adopted, and EPA has already approved, a standard that protects water quality, unless the state concurs with the new standard. This important legislation

protects states and permit holders and maintains the successful partnership between states and the federal government in a way that protects water quality and fosters an environment for economic growth and job creation.

Farm Bureau believes this legislation significantly improves the accountability of EPA. Farm Bureau opposes amendments expected to be offered by Reps. Russ Carnahan (D-Mo.), Gerald Connolly (D-Va.), Sheila Jackson Lee (D-Texas), Jared Polis (D-Colo.) and Edward Markey (D-Mass.) and any other amendments that would weaken the legislation.

Farm Bureau strongly supports H.R. 2018 and urges you to vote in favor of its passage.

Sincerely,

BOB STALLMAN,  
President.

CHAMBER OF COMMERCE OF  
THE UNITED STATES OF AMERICA,  
Washington, DC, July 13, 2011.

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, strongly supports H.R. 2018, the "Clean Water Cooperative Federalism Act of 2011," which would restore the historic balance and partnership between the federal government and the states in the administration of the "Clean Water Act (CWA)." The Chamber strongly opposes several amendments that would weaken this important legislation, and supports an amendment that would improve accountability at the Environmental Protection Agency (EPA).

The Clean Water Act grants states the primary responsibility for protecting water quality. However, recent actions by the EPA upset and supplant this partnership with arbitrary federal power that is being exercised even over states with effective delegated regulatory programs. Individuals and firms that meet the requirements of, and obtain permits from, state regulators ought not to be left exposed to the enforcement whim and caprice of the federal government.

H.R. 2018 would prevent EPA from issuing a revised or new water quality standard if a state has adopted—and EPA has already approved—such a standard, unless the state concurs with the new standard. The bill would also prohibit EPA from superseding a water quality certification granted by a state under CWA §401, limit EPA's ability to withdraw approval of a state water quality permitting program under CWA §402, and limit EPA's ability to object to a state's issuance of a pollutant discharge permit or to veto dredge and fill permits issued by the Army Corps of Engineers.

H.R. 2018 would protect states and their permittees from federal bureaucratic overreach, allow flexibility in the administration of approved permitting programs, and restore the successful partnership between states and the federal government to protect water quality throughout the nation.

The Chamber strongly opposes amendments expected to be offered by Reps. Carnahan, Connolly, Jackson Lee, Polis and Markey. Each amendment would significantly weaken, gut, or impair this important legislation.

In addition, the Chamber supports an amendment expected to be offered by Rep. Capito that would require EPA to more fully assess the economic and employment impacts of regulations it promulgates. This

amendment would be an important step towards improving accountability at EPA. Moreover, the amendment would complement provisions of existing law, including Clean Air Act section 321, requiring an analysis of job losses that EPA has historically ignored.

The Chamber strongly supports H.R. 2018 and urges you to vote in favor of this legislation. The Chamber will consider including votes on or in relation to H.R. 2018—including votes on the Capito amendment and several weakening amendments—in our annual How They Voted scorecard.

Sincerely,

R. BRUCE JOSTEN.

THE NATIONAL ASSOCIATION OF  
STATE DEPARTMENTS OF AGRICULTURE,

Washington, DC, July 11, 2011.

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

Hon. NANCY PELOSI,  
Minority Leader, House of Representatives,  
Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: The National Association of State Departments of Agriculture (NASDA) writes in support of the "Clean Water Cooperative Federalism Act" (H.R. 2018). This bipartisan legislation, introduced by Transportation and Infrastructure Committee Chairman John Mica and Ranking Member Nick Rahall, re-affirms the decades-old state-federal relationship set out in the Clean Water Act (CWA) by addressing the Environmental Protection Agency's (EPA) ongoing regulatory overreach. We urge all House members to vote for passage of this important legislation when it is considered on the House floor this month.

The CWA established an effective framework in which the states and the federal government work together to ensure the protection of our nation's waters. However, over a number of years, EPA has eroded states' authority under the CWA, questioned the expertise and integrity of state regulatory officials and attempted to assert control as the sole arbiter of CWA permitting requirements and standards. As the top agriculture officials in the states, NASDA members have seen firsthand the impacts that occur when EPA undermines these state programs.

H.R. 2018 would help restore the proper balance between EPA and the states in regulating the nation's waters, protecting the CWA's system of cooperative federalism, and preventing EPA from second-guessing or delaying a state's CWA permitting and water quality certification decisions.

We urge swift enactment of H.R. 2018 and look forward to working with you to accomplish that important objective.

Sincerely,

STEPHEN HATERIUS,  
Executive Director.

LOUISIANA DEPARTMENT  
OF AGRICULTURE & FORESTRY,  
Baton Rouge, LA, July 11, 2011.

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

Hon. NANCY PELOSI,  
Minority Leader, House of Representatives,  
Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: Recently, the Environmental Protection Agency (EPA) set strict water quality standards for nitrogen and phosphorus in Florida waters, leading many

agriculture organizations to express concern over EPA's approach. A study by the Florida Department of Agriculture and Consumer Services and the University of Florida estimates that the requirements being imposed by EPA in Florida will cost the state's economy in excess of \$1 billion.

Louisiana is currently facing a similar threat. A petition originally filed July 30, 2008, by the Minnesota Center for Environmental Advocacy (MCEA), Natural Resources Defense Council, the Chicago-based Environmental Law and Policy Center, the Midwest Environmental Advocates and the Gulf Restoration Network, among others, asked EPA to set nationwide numeric water quality standards for nitrogen and phosphorus, as well as a nutrient pollution loading plan or total maximum daily load (TMDL) for the Mississippi River and the Gulf of Mexico.

Agriculture is the largest sector of our state's economy. Agriculture, forestry and aquaculture comprise over 85 percent of the surface area of this state, 9.7 percent of our work force, and over 243,000 jobs. Valued at more than \$30 billion, agriculture and forestry combined make up the most economically dependent industry in Louisiana. If Louisiana is forced to comply with these actions, we are certain that Louisiana agriculture cannot meet the EPA nutrient criteria requirements without the implementation of costly edge-of-farm water detention and treatment that would severely impact our ability to produce safe food and fiber for our citizens.

Louisiana agriculture and forestry is proactive in addressing water quality concerns. Scientifically based best management practices (BMPs) have been developed and are being implemented through the Louisiana Master Farmer Program and the Louisiana Master Logger Program. These practices are targeted at reducing the generation and delivery of pollutants into the air and waters of the state, specifically those targeted in the state TMDL program. Our Louisiana Master Farmer Program is firmly rooted in state law, is backed by sound science, and is a critical component of Louisiana's overall water resource management program.

The original intent of the Clean Water Act (CWA) was to establish an effective framework in which the states and the federal government work together to ensure the protection of our nation's waters. However, over a number of years, EPA has eroded the states' authority under the CWA, questioned the expertise and integrity of state regulatory officials, and attempted to assert control as the sole arbiter of CWA permitting requirements and standards.

The Clean Water Cooperative Federalism Act of 2011 (H.R. 2018), bipartisan legislation introduced by Transportation and Infrastructure Committee Chairman John Mica and Ranking Member Nick Rahall, re-affirms the decades-old state-federal relationship set out in the CWA by addressing the EPA's ongoing regulatory overreach. I urge all House members to vote for passage of this important legislation when it is considered on the House floor this month.

H.R. 2018 would help restore the proper balance between EPA and the states in regulating the nation's waters, protecting the CWA's system of cooperative federalism, and preventing EPA from second-guessing or delaying a state's CWA permitting and water quality certification decisions.

We stand ready to assist in water quality efforts in Louisiana; however, we feel that: 1)

Louisiana should be allowed to exercise the authority envisioned by the CWA to develop its own water quality standards and implement them through an EPA approved and predictable process governed by existing state law; 2) decisions should be based on good science; 3) efforts must be sensitive to economic costs to producers; and 4) consideration must be given to the overall impact to the economic health of farm-based communities where agriculture is the economic base of these communities.

Along with the National Association of State Departments of Agriculture (NASDA), I support the "Clean Water Cooperative Federalism Act." We urge swift enactment of H.R. 2018, and look forward to working with you to accomplish this important objective.

Respectfully submitted,

MIKE STRAIN,  
Commissioner.

I urge passage of H.R. 2018, and I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of H.R. 2018. For far too many years now, my State and others throughout the Appalachian region that produce coal to power our Nation have been struggling under the weight of an uncertain Federal permitting process. That uncertainty has left coal miners and mining communities living in an untenable limbo. The result has been a creation of an atmosphere of worry, of distrust, and of bitterness.

I had hoped that under this administration, we would finally find our way to some clarity and common ground. Unfortunately, that has not been the case. Rather than bringing sides together and fostering balance, the EPA's actions in recent months have widened the division. They have spurred the tension of divided opinion over surface coal mining to fracture what should be a cooperative relationship among the Federal and State agencies with permitting responsibility.

Not only is the EPA reaching into the Clean Water Act authorities under the jurisdiction of the Corps of Engineers; it is also reaching into the States and attempting to control their water protection programs. Opponents of this legislation will argue that the EPA does not have statutory authority to limit or otherwise supersede the authority of the States to issue water quality permits under the Clean Water Act, section 401. But that lack of statutory authority has not prevented them from trying to do so. In its very first official step to change the rules of surface mine permitting, on June 11, 2009, the EPA entered into a memorandum of understanding with the Army Corps of Engineers and the Interior Department. It states: "EPA will improve and strengthen oversight and review of water pollution permits for discharges from valley fills under CWA section 402, and of State water quality certifications under CWA section 401, by taking appropriate steps to assist States to strengthen State regulation, enforcement, and permitting of surface

mining operations under these programs.”

The agency may claim that it is only following the law and “assisting” the State, but the reality is that agency is strong-arming the States, just as it is muscling in on the jurisdiction of other agencies. By creating wholly new criteria and new timeliness for Clean Water Act permits and stubbornly insisting, from on high, that the States adhere to them, the EPA is imposing its own will and its own interpretations of water quality standards on the States. It has drawn a line in the sand, and it is daring the States to cross over it.

To my mind, the most logical solution would be for all sides to come together. The Federal agencies ought to work together in cooperative partnership with the States. That was the vision of the CWA, and that’s the goal of H.R. 2018, the Clean Water Cooperative Federalism Act of 2011.

Mr. Chairman, I think we would all prefer not to have to craft this kind of legislation. Certainly it would be preferable that agencies work with each other, with the States, and within the confines of their statutory authority. It would be better if they followed the rules and did not try to change the law through guidance and MOUs. But when they do so, when they abuse their powers, Congress has the constitutional responsibility to serve as a check on them. This is clearly such a time.

Mr. Chairman, I reserve the balance of my time.

Mr. GIBBS. I yield such time as he may consume to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chair, I thank the gentleman from Ohio (Mr. GIBBS) and also the ranking member of the full committee, the gentleman from West Virginia (Mr. RAHALL), for their leadership on this issue. I am pleased to be a sponsor of this legislation.

I urge my colleagues to support H.R. 2018. We call this the Clean Water Cooperative Federalism Act of 2011. It is, indeed, a bipartisan effort. It has broad support from both Republicans and Democrats. It is a measure to restore some balance between the EPA, our Federal regulatory body that oversees the Clean Water Act, and our States, which are responsible for implementation of some of the important work that ensures that we have clean water.

□ 1440

Now, I know there is no one that wants to in any way degrade the quality of clean water, that wants to lower standards for emissions, you know, that is not a good steward of our environment. But there is no question that the action that we’ve seen from EPA has unleashed an unprecedented backlash. Everyone has called this a huge power grab by EPA. And EPA has indeed created a regulatory nightmare

that affects almost every State in the Union.

Our goal here is to assure that the Federal Government sets standards and that we do have a proper role for implementing the Clean Water Act. And once States have taken action, have their plans approved, that there can be some sense of reliability and stability in the decision that EPA has concurred with. What we’ve seen now is EPA changing the rules after States have had a commitment and outline of the protocols that they must follow, raising complete havoc. In fact, the agency’s actions could jeopardize more than \$220 billion worth of annual economic activity which is subject to the Clean Water Act section 402 and 404 permits.

So again, this is almost an unprecedented regulatory grab, creating a potential nightmare, leaving projects on hold. And these projects have not only an environmental impact, but they also have a job and employment and economic impact in the United States at a very difficult time for our economy.

This bill has been very narrowly drafted to preserve the authority of States to make decisions about protecting water quality in their States, and to again impose some restrictions on EPA in this overreach and to try to prohibit some of the second-guessing or delays of actually implementing a State’s water quality permitting process and the standards and decisions that they have made under the Clean Water Act. This is also all done after, again, EPA has already approved a State’s program. So we have great concerns about what’s taking place.

The impact isn’t just Florida. I have a couple of articles here I will refer to. The reaction in the Sunshine News, which is published throughout Florida, our former U.S. Representative who served in this House, who is now the agriculture commissioner in Florida, he released a statement saying that EPA essentially ignores concerns about the effect implementation would have on Florida’s economy. He supports a bipartisan effort to again back up the new rules with sound science.

So whether it’s Florida, or—here’s a Fox News report relating to Appalachia that says, “Appalachian Coal Miners Say EPA Rules Are Killing Their Jobs.” Another article in The Florida Times-Union, “Scientists: EPA ‘Race’ to Protect Florida Rivers Could Leave Science Behind.”

So we join a chorus of numerous organizations. Mr. GIBBS talked about them. We have, again, a huge number of organizations, the U.S. Chamber of Commerce, American Farm Bureau, the National Mining Association, Associated Equipment Distributors, the Associated General Contractors of America, National Association of Manufacturers, groups from labor and others who also believe that this is an EPA

overreach and will have a negative effect, both—and what we are hoping to achieve, again with having the States properly implement clean water regulations—but also a very negative impact on employment at a very precarious time in the economy of this Nation.

So I urge support of our bipartisan effort, and I ask my colleagues to support this bill.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the distinguished Member from New York (Mr. BISHOP), the ranking subcommittee member on our Water Resources Committee.

Mr. BISHOP of New York. I thank the ranking member for yielding me time.

Mr. Chairman, I rise in strong opposition to H.R. 2018, the Clean Water Cooperative Federalism Act of 2011. Despite some of the arguments I have heard in favor of this legislation, H.R. 2018 has not been narrowly crafted to address issues related to nutrient criteria and surface coal mining. I echo the administration’s opposition to this bill when I say that H.R. 2018 would significantly undermine the Clean Water Act and could adversely affect public health, the economy, and the environment.

While proponents of this legislation argue that the changes to the clean water permitting structure are targeted to address the development of nutrient criteria, such as in the State of Florida, the fact that this legislation is drafted to include any pollutant means that its reach extends to any discharge from any point source in any water body in the United States.

Under this legislation, EPA would also be prohibited from recommending stricter discharge standards for toxic pollutants such as lead or mercury, even if the protection of human health is at stake, unless the State consents to such changes. In my view, this policy does not move our Nation forward, but rather reverses our direction and moves our Nation back 40 years to before the enactment of the Clean Water Act.

Some of my friends would like to avoid a one-size-fits-all approach to regulating clean water. I would too. Luckily for us, the basic structure of the Clean Water Act already provides States enormous flexibility in setting water quality standards. Current law allows States to assume authority over day to day implementation of State permitting programs, and allows States to implement more stringent controls on pollution within their borders. The Clean Water Act merely sets the baseline minimum standard for water quality.

Prior to the Clean Water Act establishing a baseline, 70 percent of the Nation’s waters were unsafe for fishing, swimming, or drinking. We are now at 30 percent of our waters in such a condition. And I very much doubt that any

reasonable person would want to return to the days of 70 percent.

Some of my friends on the other side of the aisle have argued that this legislation is necessary because State authority to implement clean water programs is much improved since 1972, and States will do the right thing in protecting water quality. I agree that individual States have increased their capacity to protect the water quality within their States. However, I think it is also fair to suggest that the Clean Water Act has been essential to this Nation's efforts to double the number of waters meeting the fishable and swimmable standard since enactment of this statute in 1972.

In my view, elimination of the EPA's oversight and authority for minimum standards would allow a potential race to the bottom for the establishment of pollution discharge limits within a State border. We have seen disputes between States such as Arkansas and Oklahoma, or North Carolina and Tennessee. Among States like Alabama, Georgia, and Florida, the potential opportunities for one State to send its pollution downstream to another State are real and needs to be prevented.

Mr. Chairman, the role that Congress established for the EPA in the Clean Water Act has served our Nation well for almost 40 years. It has protected public health, and it has been an effective mechanism to protect the many businesses and industries that rely on clean water.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, July 12, 2011.

STATEMENT OF ADMINISTRATION POLICY: H.R. 2018—CLEAN WATER COOPERATIVE FEDERALISM ACT (REP. MICA, R-FL, AND 39 CO-SPONSORS)

The Administration strongly opposes H.R. 2018 because it would significantly undermine the Clean Water Act (CWA) and could adversely affect public health, the economy, and the environment.

Under the CWA, one of the Nation's most successful and effective environmental laws, the Federal Government acts to ensure safe levels of water quality across the country through the Environmental Protection Agency (EPA). Since the enactment of the CWA in 1972, the Federal Government has protected the waterways our citizens depend on by using its checks and balances authority to review and adjust key State water pollution control decisions, where necessary, to assure that they reflect up to date science, comply with the law, and protect downstream water users in other States. H.R. 2018 would roll back the key provisions of the CWA that have been the underpinning of 40 years of progress in making the Nation's waters fishable, swimmable, and drinkable.

H.R. 2018 could limit efforts to safeguard communities by removing the Federal Government's authority to take action when State water quality standards are not protective of public health. In addition, it would restrict EPA's authority to take action when it finds that a State's CWA permit or permit program is inadequate and would shorten EPA's review and collaboration with the

Army Corps of Engineers on permits for dredged or fill material. All of these changes could result in adverse impacts to human health, the economy, and the environment through increased pollution and degradation of water bodies that serve as venues for recreation and tourism, and that provide drinking water sources and habitat for fish and wildlife.

H.R. 2018 would disrupt the carefully constructed complementary CWA roles for EPA, the Army Corps of Engineers, and States in protecting water quality. It also could eliminate EPA's ability to protect water quality and public health in downstream States from actions in upstream States, and could increase the number of lawsuits challenging State permits. In sum, H.R. 2018 would upset the CWA's balanced approach to improve water quality across the Nation, risking the public health and economic benefits of cleaner waters.

If the President is presented with this legislation, his senior advisors would recommend that he veto the bill.

U.S. ENVIRONMENTAL PROTECTION AGENCY, Washington, DC, June 21, 2011.

Hon. TIM BISHOP, U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN BISHOP: Thank you for the letter dated June 17th regarding H.R. 2018, the Clean Water Cooperative Federalism Act. Attached, please find EPA's legal analysis of this legislation.

If you have any further questions, please feel free to contact me at (202) 564-4741.

Sincerely,

ARVIN GANESAN, Deputy Associate Administrator for Congressional Affairs.

TECHNICAL ASSESSMENT OF H.R. 2018

*The bill would overturn almost 40 years of Federal legislation by preventing EPA from protecting public health and water quality.*

This bill would significantly undermine EPA's longstanding role under the CWA to assure that state water quality standards protect clean water and public health and comply with the law. It would fundamentally disrupt the Federal-State relationship outlined in the 1972 CWA and would hinder the federal government's ability to ensure that states protect interstate waters at a common level. This could lead to upstream states implementing standards that degrade waters in downstream states.

This bill would prevent EPA from taking action without state concurrence even in the face of significant scientific information demonstrating threats to human health or aquatic life.

This bill would unnecessarily delay EPA approval of new or revised State water quality standards, even where there are no concerns, and could lead to a higher rate of EPA disapprovals.

*The bill would prevent EPA from providing its views on whether a proposed project that pollutes or even destroys lakes, streams, or wetlands would violate CWA standards.*

This bill would limit EPA from meeting its current CWA responsibility to facilitate disputes between States as to whether permit conditions protect water quality in all affected States.

This bill would restrict EPA from providing its views on proposed permits or taking necessary action under existing law to protect public health and water quality.

*The bill would remove EPA's existing state coordination role and eliminate the careful Federal/State balance established in the current CWA.*

Removing EPA's program oversight role is likely to reduce the quality of state-issued permits and may likely increase the number of lawsuits by citizens and environmental groups. This would shift the dispute resolution process from a productive state-EPA dialogue toward adversarial litigation.

Restricting EPA's authority to ensure that states implement their programs as approved may lead states to reduce the protection they provide to their waters, thereby leading to a "race to the bottom" that jeopardizes water quality and human health.

*The bill would prevent EPA from protecting communities from unacceptable adverse impacts to their water supplies and the environment caused by Federal permits.*

This legislation would remove EPA's ability to take action to protect communities from projects approved by the Corps of Engineers that would have unacceptable adverse effects to our nation's waters and public health. This would fundamentally disrupt the balance established by the original CWA in 1972—a law that carefully constructed complementary roles for EPA, the Corps, and states.

EPA has only used its CWA Section 404(c) authority 13 times in the nearly 40-year history of the CWA.

*This bill would substantively eliminate the opportunity for EPA, the federal government's expert on water quality, to comment on Federal permits impacting water quality and public health.*

This bill would greatly limit EPA's ability to provide constructive and expert comments to the Corps on Section 404 permit applications. The bill would reduce the quality of information available to EPA and the time available to review it, resulting in more frequent EPA objections based on lack of information and unnecessary delays in the permitting process.

This provision would require the Corps to adopt, through regulation, a more complex permitting process, which would add work for the Corps and uncertainty for applicants.

*“ . . . the Administrator may not promulgate a revised or new standard for a pollutant in any case in which the State has submitted to the Administrator and the Administrator has approved a water quality standard for that pollutant, unless the State concurs with the Administrator's determination that the revised or new standard is necessary to meet the requirements of this Act.”*

This provision would significantly undermine EPA's ability to ensure that state water quality standards are adequately protective and meet Clean Water Act (CWA) requirements. It would fundamentally change the Federal-State relationship outlined in the 1972 CWA and would hinder the federal government's ability to ensure there is an equitable level of protection provided to our nation's waters.

The bill would generally prevent EPA, without State concurrence, from taking action to revise outdated State water quality standards. It also would prevent EPA from replacing difficult-to-implement narrative water quality criteria with more protective and easier to implement numeric water quality criteria. EPA would not be able to take action to promulgate new or revised WQS without State concurrence even in the face of significant scientific information demonstrating threats to human health or aquatic life.



This bill would slow the process by which EPA approves new or revised State water quality standards. If EPA were prevented from taking action to replace outdated standards, EPA Regions would need additional time in their review of new or revised state water quality standards. EPA would also be more likely to disapprove state standards if it was precluded from taking action to ensure their protectiveness in the future.

*“With respect to any discharge, if a State or interstate agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate determines under paragraph (1) that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, the Administrator may not take any action to supersede the determination.”*

This subsection would prevent EPA from “superseding” a State certification under Section 401 of the CWA, which applies to Federal licenses or permits. The meaning, context, and application of the word “supersede” is ambiguous.

Because of the provision’s uncertain scope, it has the potential to prevent EPA from fulfilling its CWA responsibility to facilitate disputes between States as to the effectiveness of permit conditions in protecting all affected States’ water quality.

This provision may reflect a misunderstanding of EPA’s recent actions with respect to CWA Sections 401 and 404. EPA formally deviates from a State-issued 401 certification very sparingly. With respect to Section 404 permitting for Appalachian surface coal mining operations, EPA has provided comments to the U.S. Army Corps of Engineers with respect to EPA’s water quality concerns. However, EPA has not taken formal action to “supersede” the State certification, so the practical effect of this provision is unclear.

*“The Administrator may not withdraw approval of a State program under paragraph (3) or (4), or limit Federal financial assistance for the State program, on the basis that the Administrator disagrees with the State regarding—*

*“(A) the implementation of any water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or*

*“(B) the implementation of any Federal guidance that directs the interpretation of the State’s water quality standards.”*

This provision takes a significant step toward eliminating the requirement that states implement water quality standards in their NPDES permits, which is a critical tool in ensuring that our nation’s waters remain fishable and swimmable.

The process of approving state NPDES programs is intended to ensure that they implement the minimum requirements specified in the CWA, thereby ensuring a more-or-less level playing field. Restricting EPA’s authority to ensure that states implement their programs as approved could lead to a race to the bottom as each state seeks to ensure that their program is no more stringent than the least stringent state program.

The term “implementation of any water quality standard” is significantly ambiguous and would likely lead to litigation. This term could include a variety of functions, such as implementing state water quality standards in NPDES permits, implementing applicable Total Maximum Daily Loads (TMDLs), ensuring that states meaningfully implement their narrative water quality standards, or taking enforcement action.

States rely to varying degrees on narrative water quality standards, which are a practical solution to the infeasibility of developing a numeric standard for every pollutant of concern. EPA approval of narrative standards would be hampered if EPA could not then ensure their effective and meaningful incorporating into permits.

EPA is unclear about the practical effect of this provision. EPA has not withdrawn approval of a state program for the reasons outlined above for a significant period of time.

*“The Administrator may not object under paragraph (2) to the issuance of a permit by a State on the basis of—*

*“(A) the Administrator’s interpretation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or*

*“(B) the implementation of any Federal guidance that directs the interpretation of the State’s water quality standards.”*

This provision would prevent EPA from objecting to permits that fail to implement significant provisions of the CWA. EPA’s role in overseeing State CWA programs—a role dating back to 1972—serves a critical purpose by promoting national consistency and encouraging productive dialogue between EPA and states before permits are issued.

Removing EPA’s oversight role is likely to reduce the quality of state-issued permits and would likely increase the number of lawsuits by citizens and environmental groups to remedy these inadequate permits. This would shift dispute resolution from a generally productive state-EPA working relationship to an adversarial litigation-driven process.

This provision appears to be motivated by a fundamental misunderstanding of EPA’s recent actions with respect to Appalachian surface coal mining. EPA has not formally interpreted state narrative water quality standards or directed a specific interpretation of those state standards. Therefore, the practical impact of this provision is questionable.

*Section 404(c): “Paragraph (1) shall not apply to any permit if the State In which the discharge originates or will originate does not concur with the Administrator’s determination that the discharge will result in an unacceptable adverse effect as described in paragraph (1).”*

This legislation would prevent EPA from taking action to protect the nation’s aquatic resources from unacceptable adverse effects on municipal water supplies, shellfish beds and fishery areas, wildlife, or recreational areas without concurrence from the state. This would fundamentally disrupt the structure established by the original CWA in 1972—a law that carefully constructed complementary roles for EPA, the Corps, and the states.

EPA uses Section 404(c) as the action of last resort when no other approach works to prevent unacceptable impacts. EPA must follow a highly deliberative process (including an opportunity for significant public comment) in exercising its ultimate environmental review authority over CWA Section 404 permitting—and this authority only applies in cases where an activity will result in specific and severe adverse environmental effects.

EPA has only used its CWA Section 404(c) authority 13 times in the nearly 40-year history of the CWA, and EPA reserves use of this authority for only the most unaccept-

able cases. EPA’s use of Section 404(c) has protected more than 73,000 acres of wetlands and more than 30 miles of streams from unacceptable adverse impacts.

In 2008, the Bush Administration used Section 404(c) to protect over 67,000 acres of wetlands in Mississippi—some of the richest wetland and aquatic resources in the Nation. This area includes a highly productive floodplain fishery, highly productive bottomland hardwood forests, and important migratory bird foraging grounds.

Similarly in 1990, the first Bush Administration used Section 404(c) to protect a portion of the South Platte River in Colorado which has extraordinary aquatic resource values and supports an outstanding recreational fishery which the State of Colorado designated a “gold medal” trout stream.

Many projects result in effects that cross state lines. In these cases, this bill would contribute to confusion as to which state must “concur” and could result in a situation where another State would unfairly bear the environmental costs associated with an activity.

States already have a powerful tool under Section 401 of the CWA to prevent projects from violating state water quality standards, and they are already provided an important role in EPA’s Section 404(c) process.

*“The Administrator and the head of a department or agency referred to in paragraph (1) shall each submit any comments with respect to an application for a permit under subsection (a) or (e) not later than the 30th day (or the 60th day if additional time is requested) after the date of receipt of an application for a permit under that subsection.”*

This subsection would significantly reduce the opportunity for public and interagency participation in the Corps’ Section 404 permitting process, especially by EPA.

For EPA, the agency entrusted with primary authority to implement the CWA, this bill would severely limit EPA’s ability to provide constructive, informed comments to the Corps. Without access to complete information and adequate time to review and comment, EPA would be severely restricted in carrying out its CWA responsibilities.

Reducing the quality of information available to EPA and the time available to review it, would result in more frequent EPA objections based on lack of information, and unnecessary delays to the applications as the Corps works with the applicant to address EPA and others’ less-informed comments.

This legislation would disrupt the current mechanism by which the Corps receives comments from federal agencies and the public. Implementing this legislation would require agencies to submit comments after the Corps receives an application, regardless of whether the application is complete. This would require the Corps to make changes to its regulations that would create a more complex permitting process, thereby adding work for the Corps and adding uncertainty for applicants as they navigate a less straightforward permitting process.

□ 1450

Mr. GIBBS. I yield 4 minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding.

I rise in strong support of H.R. 2018, the Clean Water Cooperative Federalism Act of 2011.

As a member of the Water Subcommittee and cosponsor of this bill, I



applaud Chairman MICA, Chairman GIBBS, and Ranking Member RAHALL for bringing forward this important bipartisan legislation.

H.R. 2018 seeks to reverse the erosion of the States' authority and partnership with the Federal Government under the Clean Water Act. This well-established and effective partnership has come under increasing attack by the EPA under the Obama administration, and the EPA has progressively undermined the States' shared regulatory authority.

Our bill preserves the system of cooperative federalism established under the Clean Water Act, and in which the primary responsibilities for water pollution control are allocated to the States.

The bill restricts EPA's ability to second-guess or delay a State's permitting in water quality certification decisions under the CWA once the EPA has already approved a State's program. We must put an end to the EPA's one-size-fits-all, and the economy stifling agenda.

This bill ensures a commonsense regulatory regime that protects our environment while at the same time protecting our Nation's farmers, miners, and other businesses critical to our economy.

This bill addresses one of the many areas in which the EPA has overstepped its authority and taken actions that are deeply hurtful to our economy.

In my State of Pennsylvania, the EPA has increased its interference with the Commonwealth to unprecedented levels, creating numerous delays and problems for the Commonwealth and our Department of Environmental Protection, with no scientific basis or environmental payoff.

I received copies of numerous letters from the Pennsylvania DEP Secretary Krancer to the EPA citing EPA's interference and unwillingness to collaborate with the State on the issues that they have led on for three decades.

The first example is regarding the National Pollutant Discharge Elimination System, or the NPDES, permits, which has been a problem with several States in addition to Pennsylvania. Pennsylvania DEP has had the primary authority over the NPDES permitting program since 1984, and the EPA has just recently started to interfere in the Pennsylvania program, specifically in mining-related permits.

The EPA has specifically increased their permit review of mining-related permits under a new guidance, which relies on unsettled science. This is causing long delays in the permitting process with no environmental benefit and is costing Pennsylvania jobs and economic benefits.

The Pennsylvania House of Representatives recently passed a resolution stating the EPA is overstepping

DEP without any Federal legislative or regulatory changes to support this increased oversight. This resolution reasserts Pennsylvania's primary role over the NPDES permitting in the State.

The EPA has refused to work with the Pennsylvania Department of Environmental Protection on Chesapeake Bay issues to address several problems with the EPA's model that do not accurately reflect Pennsylvania's unique issues. A letter from Secretary Krancer to Lisa Jackson states, "PA DEP and our municipality stakeholders have been frustrated with EPA's continued failure to acknowledge the challenge of Pennsylvania's unique municipal structure. Pennsylvania does not agree the TMDL development effort has been collaborative."

Again, there was an EPA letter to the DEP citing DEP's concerns with the State's handling of wastewater for the Marcellus drilling, excessively overstepping the DEP, criticizing their approach, and demanding to direct Pennsylvania's sampling and monitoring programs. It seems the EPA is listening more to The New York Times than the State regulatory agencies that are actually regulating and monitoring the issues on the ground.

The CHAIR. The time of the gentleman has expired.

Mr. GIBBS. I yield the gentleman an additional 30 seconds.

Mr. SHUSTER. The EPA, along with other Federal agencies, continues to grab for more authority, overriding long-standing State policies and roles in regulating oil and gas exploration and environmental protection, in particular States such as Pennsylvania, with long-standing and respected programs.

The EPA needs to back off. Pennsylvania issues are completely different than Texas issues, and no one knows Pennsylvania or wants to protect Pennsylvania better than the State agencies working to protect it.

I strongly support H.R. 2018 and, again, congratulate Mr. GIBBS on a job well done on this legislation.

THE GENERAL ASSEMBLY OF PENNSYLVANIA—  
HOUSE RESOLUTION NO. 87

A RESOLUTION

Urging the Environmental Protection Agency to stop its unlawful application of the Guidance Memo relating to the Federal Water Pollution Control Act, which is a substantive change to the permitting procedure conferred on the states, and restore the regulatory environment that existed prior to the release of the Guidance Memo.

Whereas, Under section 402 of the Federal Water Pollution Control Act (62 Stat. 1155, 33 U.S.C. §1342), National Pollutant Discharge Elimination System (NPDES) permits are typically issued by states for discharge of nondredged and nonfill material; and

Whereas, Once the Environmental Protection Agency (EPA) approves a state permitting program, the state has exclusive authority to issue NPDES permits; and

Whereas, Through a 1991 Memorandum of Agreement executed between the Common-

wealth of Pennsylvania and the EPA, the Department of Environmental Protection (DEP) was identified as the lead agency with exclusive authority for administering and granting NPDES permits for mining-related activities in this Commonwealth; and

Whereas, In September 2010, the EPA informed the DEP that it was altering the Commonwealth's administration of its permitting program and would conduct its own additional review of NPDES permits; and

Whereas, This abrupt change in the Commonwealth's permitting process was not the result of any accompanying Federal statutory or regulatory changes; and

Whereas, As a result of this change, the DEP is required to provide the EPA's Region 3 field office with all pending mining-related NPDES permit applications, whose activity will either discharge into the Monongahela River or into any designated total maximum daily load impaired stream for its independent review; and

Whereas, The EPA's Region 3 field office is not sufficiently staffed to perform these types of reviews in a timely manner, causing indefinite delays in the permitting process; and

Whereas, The EPA's objections to the issuance of these permit applications vary, but generally are based on what the Federal agency perceives are inconsistencies between the applications and an interim final Guidance Memo that the EPA released in April 2010, designed to provide a framework for regional reviews of surface mining projects in Appalachia based on conductivity levels it associated with adverse impacts to streams; and

Whereas, Although the stated intent of the Guidance Memo is to limit its applicability to surface mining projects only, a number of the permits being delayed in this Commonwealth are for activities other than this type of mining; and

Whereas, The Guidance Memo is based on flawed studies with limited application and unconfirmed conclusions that cannot be used to develop a predictive cause and effect relationship between the EPA's established benchmark threshold for conductivity levels and healthy streams in this Commonwealth; and

Whereas, Despite the representation that the Guidance Memo is an interim document, it nevertheless is applied by the EPA in a binding manner in its current version, even though the EPA continues to receive comments on it; and

Whereas, The EPA's application of the Guidance Memo constitutes a substantive change in the basic application of the permitting process; and

Whereas, By substituting the issuance of agency guidance for formal rulemaking, the EPA circumvents the clear requirements of the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 551 et seq.) for public notice and comments; and

Whereas, This unnecessary extended review of NPDES permit applications by the EPA has led to a significant backlog of permits that could result in coal contracts being lost, mining jobs being destroyed and this Commonwealth losing its major source of affordable and reliable electric generation; Therefore be it

*Resolved*, That the House of Representatives of the Commonwealth of Pennsylvania urge the Environmental Protection Agency to stop its unlawful application of the Guidance Memo relating to the Federal Water Pollution Control Act, which is a substantive change to the permitting procedure

conferred on the states, and restore the regulatory environment that existed prior to the release of the Guidance Memo; be it further

*Resolved*, That the Commonwealth of Pennsylvania reassert its rightful role as the sole agency with permitting authority of mining-related National Pollutant Discharge Elimination System permits; and be it further

*Resolved*, That the Chief Clerk of the House of Representatives transmit a copy of this resolution to the Governor of Pennsylvania, the Environmental Protection Agency Administrator and all members of the Pennsylvania Congressional Delegation.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the distinguished member of our Transportation and Infrastructure Committee, the gentleman from Pennsylvania (Mr. HOLDEN).

Mr. HOLDEN. I thank my friend from West Virginia for yielding.

Mr. Chairman, I rise in strong support of H.R. 2018. The Clean Water Act created a partnership between the States and the Federal Government to keep our waterways healthy. However, the EPA has repeatedly tried to impose Federal standards on individual States.

In Pennsylvania, the EPA imposed an unachievable one-size-fits-all standard for water quality that ignores the economic concerns of our farmers, energy producers, small businesses, and local governments. This could cost Pennsylvania thousands of jobs and threaten our energy production.

This bill restores the balance between the States and the EPA as co-regulators under the Clean Water Act. States and local governments are dependent upon Congress to remove regulatory roadblocks to economic growth and job creation in local communities while protecting our vast natural resources. This legislation is essential to providing much-needed certainty to support investment that will create jobs in American mining, manufacturing, agriculture, and related industries that have borne the brunt of EPA's regulatory overreach and interference with State Clean Water Act permits.

Mr. Chairman, I urge adoption of the resolution.

Mr. GIBBS. I yield 1 minute to the gentleman from New Hampshire (Mr. GUINTA).

Mr. GUINTA. I want to thank Subcommittee Chairman GIBBS for yielding me time to speak on this bill. I would also like to thank both Chairman MICA and Ranking Member RAHALL for working in a bipartisan way to address this very important issue.

Mr. Chairman, the first bill that I authored when I came to Congress was the Great Bay Community Protection Act, just a smaller and more focused version of a bill in the House that this bill is addressing today, the Clean Water Cooperative Federalism Act of 2011.

I am proud to be a cosponsor of H.R. 2018. I think this bill amends the CWA

to preserve the authority of each State to make determinations relating to the State's water quality standards and to restrict EPA's ability to second-guess or delay a State's permitting and water quality certification decisions under the CWA in several important respects.

This legislation will help seven communities in my State of New Hampshire save \$250 million in ensuring that we focus on clean water standards, but allowing the State to do so in a timely manner.

I strongly urge passage of this legislation.

Mr. RAHALL. I am honored to yield 1 minute to another distinguished member of our T&I Committee, the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Mr. Chairman, I rise in support of this bipartisan bill, which was crafted and introduced with job protection and regulatory clarity as its top priorities.

The Clean Water Act originally created a working relationship between the Federal Government and the States. But recently that relationship has been undermined by unnecessary intervention by the EPA.

When the government imposes impossible standards on job creators, the entire economy suffers. Businesses go through rigorous processes to receive permits from State governments to proceed with work that creates jobs and provides revenue to local governments, only to be undercut at the last minute by EPA regulations that do not take into account local context or economic impact.

My colleagues should vote "yes" on this bill to prevent this further EPA overreach.

Mr. GIBBS. I yield 2 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. I thank the gentleman from Ohio for yielding.

Mr. Chairman, I come to the floor today to express strong support for H.R. 2018. I commend Chairman MICA and Ranking Member RAHALL for their hard work in crafting a bill that brings back a sane balance between the States and Federal regulators.

By the EPA's own admission, Mr. Chairman, current regulations will cost the United States \$109 billion by the end of year 2020. In areas of the Sixth District of North Carolina, EPA currently has the ability to second-guess or delay the State's Clean Water Act permits, even though it has already approved the State's program.

It is furthermore important to note that the American Farm Bureau Federation, as the gentleman from Ohio previously mentioned, strongly supports this legislation that I believe we need to keep the EPA off the family farm.

□ 1500

Current EPA regs will have a disastrous effect on farmers and quarry

owners and will add tremendous costs and delays to commercial, residential, and infrastructure projects.

Mr. Chairman, I urge passage of H.R. 2018.

Again, I thank the gentleman from Ohio for yielding.

Mr. RAHALL. Mr. Chairman, I am happy to yield 4 minutes to a former member of our Transportation and Infrastructure Committee, now a member of the Ways and Means Committee, the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Still a member in my heart, of the Transportation Committee, Mr. RAHALL. I appreciate your courtesy in permitting me to speak on this.

I've been listening to debate on the floor, and I really could not disagree more with the proponents of this legislation. They would seek to overturn a 40-year record of trying to get people to follow the law. Look at the record of what States have done over the course of the last 100 years dealing with water quality. And it isn't that the Federal Government overreached and the States had done too much. We have the Clean Water Act because the States consistently failed to meet their obligations.

Today, there are wide variations around America in terms of how zealously individual States take their responsibility and how they balance. There's tremendous pressure for short-term economic gain at the expense of the environment. And in some parts of the country, it doesn't bother them to bulldoze mountaintops into streams. And, in fact, EPA has not been vigilant in dealing with that. It's only been recently that we are starting to have people come to grips with this issue.

It is important that EPA has the opportunity to withhold—to have some sanction—when States don't follow through on their plans. This bill would take away the ability of EPA to have sanctions. It's important that we have a third party to be able to do some mediation when there are differences between States. This is not something that is confined to Pennsylvania or West Virginia or Oregon, because our waterways are interconnected. They transcend boundaries. We need to have the Federal Government making sure that, at a minimum, there are reasonable standards that are enforced and that the plans that one administration on a State level commits to are actually followed through.

You don't have to spend very much time on Google to find out that there are places around the country right now where local authorities and where State authorities are not meeting the highest standards of water quality.

I strongly suggest that this is a step backward. Luckily, it's not going to be enacted into law. The administration would veto it. I can't imagine it gets very far in the other body.

Frankly, looking at the list of the organizations, the list that was cited of the people who support this, they are not the people who have championed clean water. They're the people that want looser restrictions, that want to be able to pollute more, and that want to be able to make their own decisions. But the people who care about fish and wildlife, the people who care about environmental protection, and the people who care first about the health and welfare of the American public, they are uniformly opposed to this legislation.

Mr. Chairman, this is important business. There are economics involved with protecting the environment. In State after State, there's a lot of money to be made by having healthy hunting and fishing. There is money to be saved by having healthy waterways and healthy communities. And if we don't stop the pollution in the first place, then that puts the burden on local communities to spend more on water quality and water treatment.

I strongly suggest my colleagues take a hard look at the history of the last 40 years. Look at the uneven application of the Clean Water Act at the State level. Look at how a judicious approach on the part of the Federal Government has helped promote compliance. Even the so-called veto power of EPA has been invoked only 13 times in 38 years.

This is a bad bill. It should be rejected.

Mr. RAHALL. Mr. Chairman, I am ready to close. As we have no further requests on my side under general debate, I will give my closing comments now.

How much time do I have remaining, Mr. Chairman?

The CHAIR. The gentleman from West Virginia has 17½ minutes remaining.

Mr. RAHALL. This is about the process, as I described in my opening comments, not the policy. This bill is not about whether the Members of this body support clean, safe water. We all support clean, safe water. I do not know a single Member in this House that wants to turn back the clock on the gains that this Nation has made in the last 40 years to clean up our rivers and streams. This bill is about process and precedent. It is about whether we should be allowing one Federal agency to run roughshod over the law, over the States, and over other Federal agencies to set policy according to political ideology. Now, I do not think we should be allowing any agency of our Federal Government to be run in that manner.

If this Congress allows the EPA to push the envelope in circumventing the law, in circumventing public comment and public participation, it lays the legal groundwork for the next administration to do the exact same thing—maybe under the guise of cleaner air

and cleaner water, maybe under the guise of lowering those standards. But the precedent that would be set could be devastating. By not taking action, the Congress is tacitly giving the EPA the authority to do what it deems politically necessary, and that is something that this and every Congress has the responsibility to resist.

So this bill, Mr. Chairman, is not about whether any Member in this institution supports the ends that the EPA is trying to reach. It is about whether or not we believe that we should be allowed to use any—any—means to reach those ends. And I do not believe they should.

There are plenty of Members on this floor today who believe that the intentions of the EPA with respect to its mission to ensure clean water are noble. I put myself in that category. But we all have to worry when an agency goes to such lengths to circumvent the Congress and the rulemaking process so as to impose its own agenda, because after the next election or the election after that or the election after that, some future EPA may not have such noble intentions. And if we fail to stand up today, we will suffer the consequences of our inaction later.

This bill is about transparency. It does not tell the EPA they cannot effect improvements in water quality. It says that they cannot do it without letting the people—the people—have a voice in the process. That's the way the rulemaking process is intended to work. But this EPA has effectively thwarted that process and thumbed its nose at the people by issuing guidance and treating it like regulation.

As I said in my opening comments, I wish we were not here on this bill today. I wish it would not be necessary. I would much rather see a cooperative Federal relationship among the agencies and the Federal agencies with the States and with the industries involved, but that has not occurred. And, therefore, it has created an era of mistrust, distrust, and bitterness, an outright scared attitude among our coal miners whether or not they will have a job next year or even tomorrow and for how long their current job will last.

With that, Mr. Chairman, I do conclude by speaking in support of this legislation, and I yield back the balance of my time.

□ 1510

The CHAIR. The gentleman from Ohio has 12 minutes remaining.

Mr. GIBBS. Mr. Chairman, I think what this bill is addressing, we have 21st century problems and challenges, and we are looking for 21st century solutions. I want to lay out the facts to have a little more clarity, and I appreciate my colleague from West Virginia's support of the bill.

We have to realize that the State EPAs have to have an approved plan by

the Federal EPA. That is the framework that they are working under, and you just can't have the Federal EPA come in during the ball game and try to change the rules and undermine the efforts of the State EPAs.

I want to comment regarding the gentleman from Oregon's comments that we are going to go backwards and we have made progress in the last 40 years, and the States didn't do anything in the last 40 years or before. Let's remember what happened prior to 1972.

I grew up 12 miles from the city of Cleveland and the Cuyahoga River. I remember when the Cuyahoga River caught on fire. I remember as a child when I couldn't go down and swim in Lake Erie any more because raw sewage was going into Lake Erie. Those events caused this Congress to pass the Clean Water Act and establish the U.S. EPA and also give authority for the States to set up their programs. Prior to that, nobody was concerned about the environment and we didn't have the so-called environmental movement where we are all concerned about having clean water.

Since then, we have made tremendous progress. On point-source pollution, we have made tremendous progress. On discharges, we don't have the discharges going into our lakes and rivers and streams like we did 40 years ago. We have made significant progress addressing nonsource-point pollution. Now, that is not to say that we don't have more challenges.

I want to talk about one size fits all, and the U.S. EPA has an agenda right now that is overreaching. They want to set policies and parameters that fit for everybody to work under. I will give you an example. The numerical nutrient standard, and let's take phosphorus and nitrogen. You hear a lot about phosphorus sediment pollution in our lakes and rivers. To go in there and set a number, a numerical number that they can't exceed that, discharge at that level, causes some problems.

For the last 40 years, we have been operating under something called the narrative standard. States can go in there and look at what is going on in that watershed or that stream or that river. I can tell you, in every river and stream in this country, there are different things happening. The biology is different. The pH is different. The water temperature, water flow is different. The sunlight. A whole host of things. They can incorporate that and come up with a plan on how to address that in their local locale.

When you set a number at such a high level, it creates a situation where the States can't attain it; it's not possible. We have seen that happen in Florida, and that is why Florida has litigation pending because they set one size fits all. Whereas Florida, ironically, was moving to a point to set a

numerical standard, but they wanted to address and incorporate what I call the narrative standard so they could address what is happening in each locale and not a huge region to address those differences that are happening in that stream or that river. So one size fits all doesn't work. It causes problems, and it will make us to go back, impacting the progress we've made in the last 40 years.

Now, in this bill we also talk about the permitting issue. One of the most egregious things that I have seen since I have been in Congress since January was a revocation of a permit. Yes, it was in West Virginia. It was a coal mine operation that went through 10 years of an environmental impact study, got their permit in 2007, and then 3 years later the permit was revoked, not because they were in permit violation. The Army Corps of Engineers testified in my committee that there were no problems. The State, West Virginia EPA didn't support revoking that permit. I really don't know why they revoked that permit other than it was maybe on an agenda of somebody. But they were not in violation of the permit.

It is one thing to revoke a permit when you are in violation of a permit, but when you are not in violation of the permit, to take that permit away, it sets a very dangerous precedent; because the dangerous precedent it sets across our entire economy, if you're an entity or an enterprise and you have to have a permit from the Federal Government to be in business, and if that Federal Government at the whim of some bureaucrat or the administration comes and pulls that permit any time they want to, who is going to risk capital and make that investment, create jobs, knowing that they could be shut down tomorrow because the permit is not there to stay in business?

That is what this bill addresses. They have to get concurrence. The U.S. EPA would have to get concurrence from the State EPA to support that revocation to shut that business down.

So this is really a jobs bill. We are trying to relieve uncertainty so people know what the playing field is. I can tell you, I think the State EPAs can do a better job in their locales, because they know what is going on there, than to have a one-size-fits-all policy by the Federal Government and an overreaching and burdensome regulatory climate that kills jobs, kills economic investment, and, like I said, kills jobs.

So that is why I think it is important to move this bill forward. This is a jobs bill.

We have sent several bills over to the Senate that are jobs bills. I urge the Senate to take them up because we have unemployment at 9.2 percent and rising.

I think it is important for people to have an opportunity to have a job and

economic opportunities. We need the Federal Government to create the environment for what I call the job creators to have that confidence, to make those investments and start hiring people back and growing their businesses.

This bill is really important to encourage cooperative arrangements working among the Federal EPA and the State EPAs.

I was really floored in the committee hearings we had where we had State EPAs come in—and some of them were from the other side of the aisle from me—and testify against the Federal EPA on their actions and their overreach.

You know, a strong economy—some people don't understand this, although I say this a lot. A strong and growing economy will provide the resources to invest and protect and enhance the environment. An economy that is struggling right now, it makes it tougher to have those resources. As an example, you look at some Third World countries where their biggest challenge is feeding their people, they don't have the resources to build sewage treatment plants and water filtration systems and do other things to protect the environment. We have the resources, and we have a strong, growing economy, and we should be working with those businesses because most businesses and most people want to do the right thing. Everybody wants clean water and clean air.

So I take exception to the comments of my colleague from Oregon who said that we are not protecting the environment. I think a strong, growing economy does protect the environment, and I think the regulatory policies are in place at the State levels because the States are set up to do it now, different than 40 years ago, to regulate and also enforce environmental protection laws, whether it is mountaintop mining or whatever it is. We have the rules in place.

In Ohio, when I was in the State Senate 2 years ago, we passed comprehensive legislation to add additional regulation on the oil and gas industry to protect our groundwater, our water aquifers, and our surface water. And we did.

I am really encouraged now, the potential we have with the Utica shale and the Marcellus shale to make us closer to being energy independent and not dependent and shipping almost a trillion dollars a year away to other countries, some of which don't really like us very much. We have an opportunity to have a strong, growing economy and provide the energy, but also protect the environment at the same time. We just have the regulatory process in place, and I think this enables a stronger regulatory process because it emboldens the State EPAs to do their job and work cooperatively with their partners in Washington, D.C.

Mr. PRICE of North Carolina. Mr. Chair, today, the House is considering H.R. 2018, the so-called Clean Water Cooperative Federalism Act. This bill, which represents the latest attempt by the House to weaken the Environmental Protection Agency, could just as easily be called the "Dirty Water Act."

Since 1972, the Clean Water Act, which is one of the nation's most successful and effective environmental laws, has protected the waterways Americans depend on for fishing, swimming, and clean drinking water. H.R. 2018 would overturn almost 40 years of federal protection by preventing the Environmental Protection Agency from safeguarding public health and protecting water quality. It also would undermine the agency's authority to ensure that state water quality standards comply with the law. What's at stake here is not federal oversight versus state's rights, but rather clean water versus dirty water.

In case anyone is wondering why the Congress might consider such a bill, consider this example: coal companies want to conduct mountaintop removal mining in Appalachia and dump the waste they generate into Appalachia's streams and waterways. The EPA has rightly declined to classify this waste as fill material. Should the financial interests of a few coal companies outweigh the environmental and public health interests of the people of the entire region?

Rather than weakening our federal clean water protection laws, we should be strengthening these laws to protect our oceans, rivers, lakes and streams. I urge my colleagues to vote against H.R. 2018.

Mr. VAN HOLLEN. Mr. Chair, I rise in strong opposition to today's legislation, the so-called "Clean Water Cooperative Federalism Act," which represents another effort on the part of this Republican Majority to systematically dismantle environmental protections by eroding EPA authority under the Clean Water Act.

The Clean Water Act is a partnership between federal and state authorities to maintain water quality standards across the nation. But it also provides a federal backstop if states cannot or will not effectively enforce those standards.

As we all know, water does not stop at the state line. Policies in one state upstream will affect water quality in another downstream. This is a serious issue in my state of Maryland, where the Chesapeake Bay feeds from a watershed that includes six states and the District of Columbia. Inadequate environmental protection in any of those states can have grave consequences for the health of the nation's largest estuary.

It is not difficult to imagine the costs of dismantling Clean Water Act authority. Prior to its enactment in 1972, our nation's waters were in crisis. Lake Erie could not support aquatic life. A floating oil slick on the Cuyahoga River caught fire. Industrial polluters used lakes and streams as dumping grounds for dangerous chemicals and two-thirds of our nation's lakes, rivers, and coastal waters were unsafe for fishing or swimming.

The Clean Water Act was a simple and powerful solution—a baseline for water quality with a federal safety net in the event of state inaction. For nearly 40 years, this approach has helped preserve access to safe water to

all Americans. There is no reason or justification to roll back those protections today. I urge my colleagues to vote against this bill.

Mr. KUCINICH. Mr. Chair, I rise in strong opposition to H.R. 2018, which would be more appropriately titled the “Giveaway to Developer and Coal Company CEOs Act.”

This bill removes protections for our nation’s waters that were absolutely essential to the progress we have shown so far in cleaning up Lake Erie and the rest of the Great Lakes. The Great Lakes comprise 21 percent of the world’s fresh water supply. Lake Erie is the shallowest and smallest, and therefore the most vulnerable of the Great Lakes and it is our primary water source in Northeast Ohio. We cannot afford to go back to days when the Cuyahoga River caught fire because it was so polluted. Already, 77 percent of all stream-miles in the Lake Erie basin are unprotected.

Lake Erie is not only crucial to our health, but to our economy. It generates 10 billion dollars per year in revenue through travel, tourism, wildlife watching, boating, sport and commercial fishing and other activities. One out of every ten jobs in the state is connected to Lake Erie. This economic activity generates 676 million dollars in federal tax revenue, 410 million dollars in state tax revenue and 347 million dollars in local tax revenue annually. Lake Erie is our Golden Goose. We must protect it at all costs.

This bill also removes the EPA’s ability to clamp down on the worst mountaintop removal polluters. These coal mines, which remove entire mountains to get at the coal, are on their way out. There is no room in this country’s energy portfolio for coal. Coal is a major contributor to the environmental, national security, and economic problem that is global warming. It would be difficult to underestimate the urgency of shutting down coal power plants immediately for that reason alone. But coal also devastates communities with open toxic waste holding ponds and with air emissions that create or exacerbate asthma and respiratory disorders. Coal mines kill its miners and leave them with Black Lung. Mountaintop removal fills streams and destroys entire ecosystems, contaminating drinking water supplies with carcinogens and other toxic chemicals in the process. Coal is the single biggest reason that so many of the fish species that were an important part of the diet for billions of people are contaminated with mercury levels that are so high, they can cause IQ loss and birth defects. This bill will take the woefully inadequate environmental protections in place and weaken them.

Coal is not even defensible from an economic standpoint. More jobs are created by renewable energy creation, which is being explored in many mountaintop mining communities, than by coal-based energy.

If communities, workers, the health of families, the ecosystems on which we rely, drinking water and atmospheric stability do not benefit from this bill, who does?

Developers will be able to build in more areas that are critical for drinking water protection and protection from floods, even though we are now saddled with a surplus of housing and commercial unit availability because of the bursting of the housing bubble. And mountaintop removal mining companies will be able to

spend even less on protecting the communities from which they siphon money, livelihoods, and health. Profits and shareholder returns, undoubtedly, will benefit handsomely.

Bills like these take the wealth of this country and funnel it upward. I urge my colleagues to reject this bill.

Mrs. ADAMS. Mr. Chair, I rise in strong support of H.R. 2018, the Clean Water Cooperative Federalism Act of 2011. The Clean Water Act was designed to be a partnership between the federal government and individual states to keep our nation’s waterways healthy and safe. For too long, however, the Environmental Protection Agency has imposed burdensome regulations that harm job creation and are not realistic in implementation.

Recently, Florida has been at the center of a fight over water quality standards with the EPA, a federal regulatory agency that has attempted to impose impractical federal water quality standards over the State’s objections. Rather than adhering to the state-federal partnership originally established under the Clean Water Act, the EPA has repeatedly undermined that partnership to the detriment of states like Florida. Should their regulatory overreach be allowed to continue, tens of thousands of jobs throughout Florida would be affected, hurting both Central Florida families and small businesses.

H.R. 2018 preserves the authority granted to each state by the Clean Water Act and halts the EPA’s proposed “numeric nutrient” regulations. Congress has a responsibility to the states to ensure that regulations which hamper job growth and stifle our economy are removed. For these reasons, I am proud to support this much needed legislation.

Mr. LEVIN. Mr. Chair, I rise in strong opposition to the bill before the House today. The authors of this bill call it “The Clean Water Cooperative Federalism Act,” but this legislation has nothing whatsoever to do with clean water. A better name for this bill is “The Dirty Water Act.”

In 1969, the Cuyahoga River in Ohio—one of the tributaries of the Great Lakes—caught fire, and became a symbol of everything that was wrong with the patchwork system of state water laws that existed at the time. Water pollution does not respect state boundaries and that patchwork of poorly enforced state laws nearly killed the Great Lakes and resulted in rivers and streams that were unfit to swim and fish in.

In 1972, Congress passed the Clean Water Act and replaced the state patchwork approach with a national system of water quality standards. The Clean Water Act has worked. Over the last four decades, we’ve made real progress in reducing water pollution and are well on the way to meeting the Act’s goals of making our nation’s waters fishable, swimmable, and drinkable.

In my own District in Southeast Michigan, we’ve seen extraordinary progress in reducing water pollution. As just one example, in the 1970s and 1980s, the Clinton River was extraordinarily polluted. The River was dying and the beaches downstream on Lake St. Clair were unsafe for swimming. Thanks to the Clean Water Act and the work of many people at the local level, the Clinton River is making a comeback. Pollution is being steadily re-

duced. Fish are returning, and the river is once again becoming a recreational asset to the communities along its banks. There is more work to do, but the progress is there for all to see.

The bill before the House goes in exactly the wrong direction. Instead of building on the Clean Water Act, this legislation takes us backwards to the bad old days when there was a patchwork of state water laws and little enforcement when state standards fell short. In particular, the bill would make it harder to take action against emerging threats to waterways. For example, for a number of years now, a large dead zone has formed each summer in Lake Erie. The problem appears to be getting worse and it is not yet clear what steps will be necessary to combat it. Even now it is evident that we will need a coordinated plan of action involving many states, but this legislation will make taking concerted action that much more difficult.

I urge defeat of this bad bill.

Mr. CONNOLLY of Virginia. Mr. Chair, for the last seven months this nation’s economy has stagnated while the Republican majority has passed a litany of bills repealing environmental standards on behalf of oil and coal companies. Today we have another anti-environment bill before the House, predictably misnamed, in the finest Orwellian tradition, the “Clean Water Cooperative Federalism Act.” This bill is a case study in irony: After seven months of blaming economic malaise on regulatory “uncertainty,” this bill would eliminate predictable and consistent national clean water standards in favor of an uncertain state-based patchwork of regulations. This bill would be more appropriately titled the “Consistency is the Hobgoblin of Small Minds Act,” because its elimination of any regulatory certainty flies in the face of seven months of Republican rhetoric. On the other hand, as an assault on the environment which benefits Republican campaign donors, it is utterly consistent with the majority’s *modus operandi*.

The majority claims to support an “all of the above” energy strategy, and that is accurate if we accept the Republican premise that coal and oil constitute the totality of America’s energy portfolio. After passing countless bills to repeal clean air and water regulations for oil companies, this bill is focused on repealing clean water standards for the coal and mining industry. My colleagues who are not from Virginia, West Virginia, or Kentucky may not be familiar with the ravages of mountaintop removal, and if they aren’t I would encourage them to look at a satellite photo of our region before they vote for this bill. Following Bush Administration abrogation of its responsibility to administer the Clean Water Act, destruction of the Southern Appalachian mountains has accelerated. For example, Wise County, Virginia has had 25 percent of its land area obliterated by mountaintop removal: According to the Nature Conservancy, Southwest Virginia is one of the two most biodiverse regions in America, along with Hawaii. Mountaintop removal is eliminating that region’s biodiversity very efficiently. What used to be extraordinarily productive mountains in my state now resemble a moonscape of man-made plateaus and valleys filled in with rubble.

The purpose of this bill is to prevent Clean Water Act regulation of those “valley fills”

which mining companies use to dispose of former mountains. Valley fills should be a clear violation of the Clean Water Act, and under the Obama Administration the EPA and Army Corps have finally begun to comply with the law and regulate them. This legislation would block that federal regulation which is necessary to protect life and property in Southwest Virginia and other parts of Appalachia.

This legislation would have other negative consequences beyond destroying one of America's greatest and most threatened regions. It is written in such a broad manner that it could allow unregulated destruction of intermittent and ephemeral streams, lakes and prairie potholes, and subterranean waters such as those that are common in places like Virginia's Shenandoah Valley. I strongly encourage my colleagues to reject this legislation.

Mr. WEST. Mr. Chair, I rise to commend my colleague from Florida on his decision to withdraw his amendment to the Clean Water Cooperative Federalism Act.

Like all Floridians, I want clean and safe water. However, the EPA's new Numeric Nutrient Criteria regulations are not over whether we want clean water for Florida; it is over how we reach that goal and at what cost.

For several years now, Florida has been working to improve its water quality. Until 2009, Florida was working cooperatively with EPA to improve our water quality standards.

However in 2009, in an attempt to settle a lawsuit brought by environmental groups, EPA decided to abandon that cooperative approach, federally preempt our state water quality standards, and impose new criteria on the state.

Many are concerned that these new Numeric Nutrient Criteria are not based on sound science, including EPA's own Science Advisory Board, which has expressed serious concerns about the science used by EPA to support the regulation.

The EPA has repeatedly refused to allow third-party review of the science behind the proposed mandate, and they have failed to complete an economic analysis.

This EPA mandate will drive up the cost of doing business, double water bills for all Floridian families, and destroy jobs. By some estimates, this will cost Florida taxpayers an estimated \$21 billion and impact over 14,000 jobs in the state.

The Florida Department of Environmental Protection estimates that this federal mandate may force municipal wastewater and storm water utilities—many in my Congressional District—to spend as much as \$26 billion in capital improvements to upgrade their facilities. These costs will be passed down to the citizens of South Florida.

Given the reality of Florida's economic situation, this is completely unacceptable.

This morning I placed a call to Ron Bergeron, the Commissioner for the Florida Fish and Wildlife Conservation Commission and renowned expert on the Everglades, to discuss this amendment and the underlying EPA Numeric Nutrient Regulations.

Commissioner Bergeron told me in no uncertain terms, I quote, "The EPA is setting standards that can hardly be achieved. Water

standards of 10 parts/billion required by the Numeric Nutrient Criteria is more stringent than rainwater, which is 15 parts/billion, and is a quality of water that is humanly impossible to achieve. EPA is doing things that could possibly shut down the State of Florida."

Let me repeat what Commissioner Bergeron stated—"EPA is doing things that could possibly shut down the State of Florida."

Like all Floridians, I cherish the Everglades—a unique wetland ecosystem—and want to protect and preserve it for future generations of Floridians.

I applaud my colleague from Florida for recognizing that his amendment would have been an attempt to use the Everglades as a political pawn to give the EPA the authority to have carte blanche on setting state-wide water regulations—regulations that Commissioner Bergeron said are humanly impossible to achieve, and thus withdrawing his amendment.

EPA's flawed regulation must be set aside so that the state government can return to an effort to improve Florida's water quality that is cooperative, economically feasible, and based on sound science.

Ms. SCHAKOWSKY. Mr. Chair, I rise today to voice my strong opposition to H.R. 2018, the so-called "Clean Water Cooperative Federalism Act." This bill is neither cooperative nor does it promote clean water.

The American people expect and deserve protection from dirty air, tainted food, and polluted water. The problem with relinquishing federal authority over environmental regulations is that these threats don't stop at state borders. The EPA recently concluded an air pollution analysis demonstrating the upwind-downwind linkages between states. That study demonstrated that my home state of Illinois receives air pollution from more than 10 states as a result of wind patterns. Illinois shares water sources, including Lake Michigan and the Mississippi River, with 11 states. Much like with air, a patchwork of regulations will do nothing to ensure my constituents have access to clean water.

H.R. 2018 removes any federal baseline for what constitutes a clean water program and leaves the process entirely under state control. It is a de facto repeal of the Clean Water Act.

We know what will happen without reasonable oversight of our nation's water sources because we have seen it before. Prior to the 1972 Clean Water Act, American rivers and streams were treated like sewers and chemical pollution was so rampant that rivers caught fire. This bill would hand our waterways and drinking water sources back to corporate polluters.

Promoters of corporate pollution regularly suggest that turning a blind eye to the destruction of our waterways, air supply, and food sources is in the economic best-interest of the country. Even if this were true, it would ignore the health and welfare of the American people. But it is not true. The Office of Management and Budget has demonstrated that the cost of implementing EPA rules over the last decade have cost as much as \$29 billion, but the economic benefits of those regulations have reaped between \$82 billion and \$552 billion. The facts don't lie: EPA regulations save lives and stimulate economic growth.

I urge my colleagues to join me in opposition to H.R. 2018, a bill that offers no tangible benefits and a litany of irreversible costs.

Mr. YOUNG of Alaska. Mr. Chair, I want to thank Chairman MICA and Ranking Member RAHALL for taking action on the Clean Water Cooperative Federalism Act. This bill will restore the balance between the Federal Government and the states in the administration of the Clean Water Act.

This bill contains a provision that is crucial to job creation in my state, as well as the entire nation. This bill will limit EPA's ability to veto dredge and fill permits issued by the Army Corps of Engineers.

I had introduced legislation in both the 111th and 112th Congresses, and requested hearings, to address the EPA's veto authority over the Corps of Engineers when issuing 404 dredge and fill discharge permits. I want to thank the Chairman for working with me to accommodate my concerns.

Section 404 of the Clean Water Act gives authority to the Army Corps of Engineers to issue permits for discharges of dredged or fill material into navigable waters at specified disposal sites.

Permit applicants must meet requirements that have been established by the Corps and the EPA. In turn, the Corps issues these 404 permits for activities including construction, mining, farming, and other purposes.

However, the Clean Water Act also gives EPA the authority to overturn the Corps decision if the discharge of materials will have an unacceptable adverse effect on municipal water supplies, shellfish beds, fishery areas, wildlife, and recreation areas. While this language may have had good intentions, the EPA can stop a project simply by withholding the permit.

Giving EPA so much authority over construction projects, mining activities, and energy production projects has become a problem in recent years, especially under the Obama Administration.

This free-for-all veto authority hands the reigns of our economy over to an agency that lacks interest in our economic well being. The EPA is not concerned with recovering natural resources and creating jobs for the good of the Nation. They are concerned with delaying—and hopefully stopping—all new development in Alaska, and in your states as well.

To illustrate the power of these permits, I simply point to 2 projects in my state:

Conoco Phillips' CD-5 Development is the first step that allows our Nation access to the National Petroleum Reserve in Alaska, which stands to produce 2.7 billion barrels of oil.

This project has been studied extensively over the last decade and measures have been taken to lessen environmental impacts. Due to pressure from the EPA, the necessary 404 permit was denied and remains in limbo, as the Corps is considering an appeal.

Finally, I'll leave you with a hard fought success story of the Kensington Gold Mine outside of Juneau, Alaska. The operators of the mine had to take their fight to the Supreme Court to defend the validly issued permit for their tailings facility from challenges by environmental extremists.

This operation employed approximately 300 workers during the remaining construction



phase, and provides an estimated 370 direct and indirect jobs, including many for the local Alaska Native communities.

This operation will generate an estimated \$25 million in direct and indirect annual payroll, and will be the second largest private employer in Juneau.

The Kensington Mine is a model project that fully meets economic recovery goals of the American public.

Had the 404 permit never been issued, and had the Supreme Court not corrected the wrong of the 9th District, these economic benefits would not have been realized.

Mr. HOLT. Mr. Chair, I rise in opposition to the so-called "Clean Water Cooperative Federalism Act of 2011", H.R. 2018. This misguided bill would undermine the Clean Water Act and significantly limit the federal government's ability to ensure that our nation's rivers, lakes, and streams are pollution-free.

This legislation is an unprecedented attack on the Clean Water Act. Because H.R. 2018 would make the water we drink less clean, I think it is fair to call this legislation what it is: The Dirty Water Act.

Sadly, the Dirty Water Act is the latest in a long line of bills from the majority that puts big polluters before the health and safety of the American people. From the Dirty Air Act that would remove EPA's statutory authority to regulate carbon pollution to legislation that removes accountability for offshore drilling operations, the majority seems intent on rolling back programs that preserve our environment, protect our public health, and grow our economy.

Since the Clean Water Act was enacted in 1972, water quality safeguards have been collaborative effort between States and the Federal government. The Federal government reviews State water pollution control decisions to assure that they reflect up-to-date science and protect water in downstream locations in other States. The Clean Water Act was written wisely to allow pollution safeguards to grow with the scientific understanding of the dangers posed by various chemicals and with the technical means of controlling these chemicals.

The Clean Water Act protects our rivers, lakes, and streams. The success of the Clean Water Act is because its regulations are based in science. Legislators shouldn't pretend to be scientists.

I urge my colleagues to vote no on this bill.

Mr. GIBBS. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2018

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Clean Water Cooperative Federalism Act of 2011".*

**SEC. 2. STATE WATER QUALITY STANDARDS.**

(a) STATE WATER QUALITY STANDARDS.—Section 303(c)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1313(c)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by striking "(4)" and inserting "(4)(A)";

(3) by striking "The Administrator shall promulgate" and inserting the following:

"(B) The Administrator shall promulgate"; and

(4) by adding at the end the following:

"(C) Notwithstanding subparagraph (A)(ii), the Administrator may not promulgate a revised or new standard for a pollutant in any case in which the State has submitted to the Administrator and the Administrator has approved a water quality standard for that pollutant, unless the State concurs with the Administrator's determination that the revised or new standard is necessary to meet the requirements of this Act."

(b) FEDERAL LICENSES AND PERMITS.—Section 401(a) of such Act (33 U.S.C. 1341(a)) is amended by adding at the end the following:

"(7) With respect to any discharge, if a State or interstate agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate determines under paragraph (1) that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, the Administrator may not take any action to supersede the determination."

(c) STATE NPDES PERMIT PROGRAMS.—Section 402(c) of such Act (42 U.S.C. 1342(c)) is amended by adding at the end the following:

"(5) LIMITATION ON AUTHORITY OF ADMINISTRATOR TO WITHDRAW APPROVAL OF STATE PROGRAMS.—The Administrator may not withdraw approval of a State program under paragraph (3) or (4), or limit Federal financial assistance for the State program, on the basis that the Administrator disagrees with the State regarding—

"(A) the implementation of any water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

"(B) the implementation of any Federal guidance that directs the interpretation of the State's water quality standards."

(d) LIMITATION ON AUTHORITY OF ADMINISTRATOR TO OBJECT TO INDIVIDUAL PERMITS.—Section 402(d) of such Act (33 U.S.C. 1342(d)) is amended by adding at the end the following:

"(5) The Administrator may not object under paragraph (2) to the issuance of a permit by a State on the basis of—

"(A) the Administrator's interpretation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c); or

"(B) the implementation of any Federal guidance that directs the interpretation of the State's water quality standards."

**SEC. 3. PERMITS FOR DREDGED OR FILL MATERIAL.**

(a) AUTHORITY OF EPA ADMINISTRATOR.—Section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)) is amended—

(1) by striking "(c)" and inserting "(c)(1)"; and

(2) by adding at the end the following:

"(2) Paragraph (1) shall not apply to any permit if the State in which the discharge originates or will originate does not concur with the Administrator's determination that the discharge will result in an unacceptable adverse effect as described in paragraph (1)."

(b) STATE PERMIT PROGRAMS.—The first sentence of section 404(g)(1) of such Act (33 U.S.C. 1344(g)(1)) is amended by striking "The Governor of any State desiring to administer its own individual and general permit program for the

discharge" and inserting "The Governor of any State desiring to administer its own individual and general permit program for some or all of the discharges".

**SEC. 4. DEADLINES FOR AGENCY COMMENTS.**

Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended—

(1) in subsection (m) by striking "ninetieth day" and inserting "30th day (or the 60th day if additional time is requested)"; and

(2) in subsection (q)—

(A) by striking "(q)" and inserting "(q)(1)"; and

(B) by adding at the end the following:

"(2) The Administrator and the head of a department or agency referred to in paragraph (1) shall each submit any comments with respect to an application for a permit under subsection (a) or (e) not later than the 30th day (or the 60th day if additional time is requested) after the date of receipt of an application for a permit under that subsection."

**SEC. 5. APPLICABILITY OF AMENDMENTS.**

The amendments made by this Act shall apply to actions taken on or after the date of enactment of this Act, including actions taken with respect to permit applications that are pending or revised or new standards that are being promulgated as of such date of enactment.

The CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 112-144. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1520

AMENDMENT NO. 1 OFFERED BY MS. JACKSON LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112-144.

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, strike line 3 and all that follows through line 8 on page 7.

The CHAIR. Pursuant to House Resolution 347, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Let me thank the chairman very much.

I definitely support cooperation between the Federal Government and the State government. That is absolutely the best partnership and one that I encourage.

Having been a member of the local city council of my own city of Houston, I also know that unfunded mandates are very much difficult to overcome. But I argue vigorously against the underlying legislation because it does



equate to undermining the health of Americans. We need clean water, not dirty water.

So this amendment strikes the entire legislation that causes us to ignore a partnership that has been established between the EPA, the Environmental Protection Agency, and the National Pollutant Discharge Elimination System, which is a State system. And to my count, some 47 States have initially gotten into the system and have worked to ensure that they have clean water.

Why do I suggest that this is a very challenging approach to take that the underlying legislation has? Because it prevents the EPA from taking actions to revise outdated State water quality standards. It makes a State the final arbiter of whether an NPDES permit, a license for better water quality, is in fact to be implemented so that one State may do something that impacts negatively on another State.

These are the people we're concerned about: a working nurse and a healthy baby, or we are concerned about a gentleman by the name of Mr. Caldario, who is a resident of Crestwood, who indicated some years ago that he was worried about the water he drank for years without knowing what it was contaminated with—"Cancer Study Triggers Fears in Crestwood," which I will submit for the RECORD. His final sentence states, "I can't help but wonder if what happened to me had something to do with the water."

My amendment is straightforward. It strikes the language of this bill. It says let's go back to the drawing table. I want to be able to help Members, but if you have 47 States that have been engaged in this process, let's find a way that we can come together and have clean water and not dirty water.

This is a straightforward amendment that says that this is overreaching. The EPA would be prohibited from resolving conflicting State decisions on protecting water quality. Join me in supporting the Jackson Lee amendment.

I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, I wish to claim time in opposition.

The CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. GIBBS. Thank you, Mr. Chairman.

The intent of H.R. 2018 is to restore the balance between the States and the Federal Government in carrying out the Clean Water Act.

This amendment simply strikes the entire bill, as she stated, and ensures that the EPA can continue to unilaterally force its own one-size-fits-all Federal policies onto the States' water quality programs, which, by the way, they previously already approved.

Under this amendment EPA will continue to pass unfunded mandates on to the States. It ensures that EPA issues interim guidance that frustrates States

and permit applicants, and ensures that the EPA will continue their legally dubious activities of revoking already legally issued permits, as I stated earlier.

I urge all Members to oppose this amendment.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. I thank the good intentions of the gentleman, but I am concerned by the interpretation.

Let me just share with you very briefly my own State. In my own State, I'm aware of how tributaries can impact the body of water they flow into. Currently there is a dead zone, an area of low oxygen where marine life cannot survive, in the Gulf of Mexico. This dead zone, estimated to reach 9,421 square miles, is due to increased levels of nitrogen and phosphorus that washed into the gulf from the Mississippi River and other tributaries. This legislation prevents the EPA from regulating criteria for pollutants that cause dead zones.

We are the protectors of America's assets, its waterways, its drinking water, the ability to have the opportunity for clean water for our fish and fishing. I ask you, let's go back to the drawing board. If we have States that are already participating, let's demand, in an administrative process, for EPA to restrain itself, but let's not take away the underlying power that is going to allow us to have clean drinking water and for someone who lives in Crestwood to be able to be possibly cancer free.

I ask my colleagues to support this amendment.

Mr. Chair, I rise today in support of my amendment to H.R. 2018 "The Clean Water Cooperative Federalism Act of 2011." My amendment restores the authority of the Environmental Protection Agency (EPA) to work with state governments to establish standards ensuring all Americans have access to clean and safe water.

My amendment strikes the entire bill. The Clean Water Act (CWA) was designed to encourage collaboration between state agencies and the Environmental Protection Agency (EPA) in order to develop acceptable standards for maintaining the safety of our nation's bodies of water. The EPA was created in 1970 to ensure that our air, land, and water receive adequate protection from pollution and we must allow them to do so for the benefit of all Americans.

The Clean Water Cooperative Federalism Act is absolutely not the way to protect our nation's water bodies. The EPA has the expertise and resources for research, standard-setting, monitoring and enforcement with regard to five environmental hazards: air and water pollution, solid waste disposal, radiation, and pesticides. EPA represents a coordinated approach to each of these problems.

Seeking to limit the extent to which the EPA can oversee the safety of our water supply threatens the health of American citizens across the country. The EPA has not only the

right, but the responsibility to update state water pollution regulations and permit procedures if they discover new threats to health or the environment.

The EPA must remain involved in regulating water pollution to ensure a cohesive policy that protects all states from pollution. Should the authority to regulate water pollution levels be given solely to the states, there would be no way to regulate waterways that pass through multiple states.

As a Representative from Texas, a Gulf Coast state, I am aware of how tributaries can impact the body of water they flow into. Currently, there is a dead zone, an area of low oxygen where marine life cannot survive, in the Gulf of Mexico. This dead zone, estimated to reach 9,421 square miles, is due to increased levels of nitrogen and phosphorus that washed into the gulf from the Mississippi River and other tributaries. This legislation prevents the EPA from regulating criteria for pollutants that cause dead zones.

My Republican colleagues feel we must pass this bill urgently. They will tell their constituents, and all of the American people that the Clean Water Cooperative Federalism Act is necessary to issue permits and avoid backlog in mining facilities, factories, agriculture, and other businesses. What my friends on the other side of the aisle will not tell you is that this legislation is helping business at the risk of our nation's health.

Those who support this bill will not mention that EPA regulation prevents toxic chemicals and biological agents from entering our surface water bodies and groundwater. Apparently, those championing this legislation do not feel the American people deserve to know the serious health risks that can result from drinking or bathing in polluted water. Breathing the vapors of a polluted water source, consuming meat or vegetables affected by polluted water, and consuming fish that have been exposed to polluted water are all potentially harmful.

Mr. Chair, I offer this amendment to strike the entire Clean Water Cooperative Federalism Act to protect not only my constituents in the 18th district of Texas, but Americans across the nation from the diseases that result from water pollution. Diseases such as typhoid, hepatitis, encephalitis, and others caused by pathogens in water.

Surely the EPA, the states, and the industries involved can work together to prevent pollution levels in surface and groundwater from causing cancer, or serious damage to the liver, kidneys, nervous system, reproductive system, or endocrine system. Surely, we are not willing to sacrifice the health of this nation to pass a bill to benefit industry.

A study conducted by Cornell University concluded that water pollution accounts for 80% of infectious diseases, and 5 million deaths per year. I urge my colleagues on either side of the aisle to consider the enormous gamble this Congress is taking by reducing regulations to keep our water safe.

Supporting my amendment will strike the dangerous Clean Water Cooperative Federalism Act, and provide an opportunity for new legislation that fosters compromise between the EPA, the states, and stakeholders, without compromising water quality and endangering the health of American citizens.

[From the U.S. Environmental Protection Agency]

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

SPECIFIC STATE PROGRAM STATUS

State	Approved State NPDES Permit Program	Approved to Regulate Federal Facilities	Approved State Pretreatment Program	Approved General Permits Program	Approved Biosolids (Sludge) Program
Alabama	10/19/79	10/19/79	10/19/79	06/26/91	
Alaska*	10/31/08	10/31/08	10/31/08	10/31/08	
American Samoa					
Arizona	12/05/02	12/05/02	12/05/02	12/05/02	04/01/04
Arkansas	11/01/86	11/01/86	11/01/86	11/01/86	
California	05/14/73	05/05/78	09/22/89	09/22/89	
Colorado	03/27/75			03/04/82	
Connecticut	09/25/73	01/09/89	06/03/81	03/10/92	
Delaware	04/01/74			10/23/92	
District of Columbia					
Florida	05/01/95	05/01/00	05/01/95	05/01/95	
Georgia	06/28/74	12/08/80	03/12/81	01/28/91	
Guam					
Hawaii	11/28/74	06/01/79	08/12/83	09/30/91	
Idaho					
Illinois	10/23/77	09/20/79		01/04/84	
Indiana	01/01/75	12/09/78		04/02/91	
Iowa	08/10/78	08/10/78	06/03/81	08/12/92	
Johnston Atoll					
Kansas	06/28/74	08/28/85		11/24/93	
Kentucky	09/30/83	09/30/83	09/30/83	09/30/83	
Louisiana	08/27/96	08/27/96	08/27/96	08/27/96	
Maine	01/12/01	01/12/01	01/12/01	01/12/01	
Maryland	09/05/74	11/10/87	09/30/85	09/30/91	
Massachusetts					
Michigan	10/17/73	12/09/78	06/07/83	11/29/93	09/28/06
Midway Island					
Minnesota	06/30/74	12/09/78	07/16/79	12/15/87	
Mississippi	05/01/74	01/28/83	05/13/82	09/27/91	
Missouri	10/30/74	06/26/79	06/03/81	12/12/85	
Montana	06/10/74	06/23/81		04/29/83	
Nebraska	06/12/74	11/02/79	09/07/84	07/20/89	
Nevada	09/19/75	08/31/78		07/27/92	
New Hampshire					
New Jersey	04/13/82	04/13/82	04/13/82	04/13/82	
New Mexico					
New York	10/28/75	06/13/80		10/15/92	
North Carolina	10/19/75	09/28/84	06/14/82	09/06/91	
North Dakota	06/13/75	01/22/90	09/16/05	01/22/90	
Northern Mariana Islands					
Ohio	03/11/74	01/28/83	07/27/83	08/17/92	03/16/05
Oklahoma**	11/19/96	11/19/96	11/19/96	09/11/97	11/19/96
Oregon	09/26/73	03/02/79	03/12/81	02/23/82	
Pennsylvania	06/30/78	06/30/78		08/02/91	
Puerto Rico					
Rhode Island	09/17/84	09/17/84	09/17/84	09/17/84	
South Carolina	06/10/75	09/26/80	04/09/82	09/03/92	
South Dakota	12/30/93	12/30/93	12/30/93	12/30/93	10/22/01
Tennessee	12/28/77	09/30/86	08/10/83	04/18/91	
Utah	07/07/87	07/07/87	07/07/87	07/07/87	06/14/96
Vermont	03/11/74		03/16/82	08/26/93	
Virgin Islands	06/30/76	12/26/07		12/26/07	
Virginia	03/31/75	02/09/82	04/14/89	04/20/91	
Wake Island					
Washington	11/14/73		09/30/86	09/26/89	
West Virginia	05/10/82	05/10/82	05/10/82	05/10/82	
Wisconsin	02/04/74	11/26/79	12/24/80	12/19/86	07/28/00
Wyoming	01/30/75	05/18/81		09/24/91	

STATE SPECIFIC COMMENTS

Alaska*	Phased program over three (3) years. At time of program approval, Alaska will administer the NPDES program for domestic discharges (individual and general permits), log storage and transfer facilities, seafood processing facilities (individual and general permits), and hatcheries. Alaska will assume authority for federal facilities, pretreatment, and stormwater on 10/31/09.
Oklahoma**	Partial Program. It has not been authorized to issue permits for activities associated with oil and gas exploration, drilling, operations, and pipelines, and for CAFOS and certain other discharges from agriculture. EPA is the permitting authority for those facilities since it is not in Oklahoma DEQ's jurisdiction. All parts of the program within jurisdiction of Oklahoma DEQ are authorized.

[From the Chicago Tribune, Mar. 5, 2010]

CANCER STUDY TRIGGERS FEARS IN CRESTWOOD

(By Jared S. Hopkins)

Like many residents of Crestwood, Frank Caldario has been worried about the water he

drank for years without knowing it was contaminated.

Caldario's concerns, however, were heightened when he was diagnosed with kidney cancer last year. The 30-year-old office worker said surgeons removed a gumball-size tumor and about 40 percent of his right kidney.

"I can't help but wonder if what happened to me had something to do with the water," said Caldario, who doesn't smoke and has lived in Crestwood since 1993.

"It's just unreal for someone my age to get that," he said.

After the state released a report Friday that found toxic chemicals in Crestwood's drinking water could have contributed to elevated cancer rates in the village, residents said they were worried about their families' health, the impact on their property values and footing the bill to defend public officials who may be responsible.

The Illinois Department of Public Health studied cancer cases in the small community of about 11,000 between 1994 and 2006 and found higher-than-expected cases of kidney cancer in men, lung cancer in men and women, and gastrointestinal cancer in men. The state's investigation was prompted by a Tribune report last year that revealed the village's secret use of a tainted well.

"Of course there's a concern. If I said it wasn't in the back of my head, I'd be lying," said Dominic Covone, 37, a resident of about six years. "You don't want to think something bad could happen from just drinking water."

In the report, researchers determined it was possible that chemicals in the drinking water might have contributed to the extra cancer cases but couldn't make a definite link.

For years, the tainted water went undetected as village officials told residents and regulators they used only treated Lake Michigan water. But they continued pumping from a polluted well for up to 20 percent of the water some months, records show.

Bill Shaughnessy, 60, a resident since 1987, said he hears concerns about a falloff in property values and the "unknown," including what may be undiscovered in water lines.

Some residents said they were annoyed about the village's use of taxpayer funds—more than \$1 million last year—to defend Crestwood officials in lawsuits. The tainted well was used under the purview of Chester Stranczek, mayor from 1969 to 2007.

"I feel deceived," said resident Tom Parhis.

Some longtime residents, however, said they still believe the water did not pose a health risk.

"That's all hogwash," said Shirley Beaver, a 44-year resident of Crestwood.

Others described the federal government's current investigation as "Gestapo tactics" against Stranczek and praised the property tax rebates he created. Village officials scrapped the rebates last year to help pay rising legal bills.

"You think he'd poison his own kids?" said Jim Leonard, 73, who has lived in the village for 47 years with his wife, Millie.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. GIBBS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-144.

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 2 of the bill (and redesignate subsequent sections accordingly).

The CHAIR. Pursuant to House Resolution 347, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I thank the distinguished chairman, and again I thank my friends on the floor of the House, and I did not acknowledge my friend the ranking member.

I offer myself as a person who seeks to collaborate and fix problems. So my second amendment says let's work together, but there are times when the heart of the matter has to be addressed.

My amendment strikes the language that really is the heart of the matter. It strikes the language in the bill, ensuring that the vital role played by the EPA in determining whether or not certain pollutants enter our waterways can still exist. Providing States with nearly unlimited authority to determine which pollutants can enter our waterways does not take into account issues that arise when States disagree.

My amendment strikes the language that allows States, 50 States, to conflict against each other and on-upmanship—I'm going to do this; no, you're going to do this. This standardizes the issue of clean water. This stands up for people like those in Crestwood, Illinois, that wonder whether the water caused cancer, kidney cancer, in a 30-year-old.

I reserve the balance of my time.

Mr. GIBBS. I wish to claim the time in opposition.

The CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. GIBBS. Thank you, Mr. Chairman.

By striking section 2 of the bill, this amendment would effectively gut much of the bill.

Section 2 of the bill would limit EPA from unilaterally changing approved State water quality standards and permitting decisions, or from withdrawing approval of a State water quality permitting program or limiting Federal financial assistance for the State water quality permitting program on the basis that the EPA disagrees with the

State regarding a State water quality standard that EPA has approved.

By striking section 2 of the bill, this amendment would continue to allow this administration's EPA to impose one-size-fits-all Federal policies on the States' water quality programs.

We are not in favor of the EPA continuing their regulatory onslaught on the States. I urge all Members to oppose this amendment.

I reserve the balance of my time.

Ms. JACKSON LEE of Texas. I yield 1 minute to the distinguished gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentlewoman from Texas for yielding, and I also thank her for offering this amendment.

Mr. Chairman, I rise in support of the amendment.

The amendment would strike the provisions of the underlying bill that threaten existing Clean Water Act authority related to the discharge of pollutants under the act.

I oppose these provisions in the underlying bill, and I view this amendment as an effort to improve an otherwise very bad bill. On that basis I support the amendment.

Ms. JACKSON LEE of Texas. I thank the gentleman.

Is it my right to close, Mr. Chairman?

The CHAIR. The gentleman from Ohio has the right to close.

Ms. JACKSON LEE of Texas. I yield myself the balance of my time.

Let me refer my colleagues again to basic facts.

Forty-seven States have entered into agreements with the EPA because they have decided, in spite of the challenges that we all have on making sure that we do the right thing, that it is the right thing to do, that clean water is our priority. And I would offer as a viable picture a recollection of Americans who had to live through histories when water was not clean. We did have that era in our lifetime, or at least in the lifetimes of many. I would argue that that is not the life we would like to go back to.

This particular section is protecting us against pollutants that degrade surface water, rendering it unsafe for drinking, fishing, swimming, and other activities coming from a vast variety of chemicals, industry, and other sources. By regulating the sources that disperse these harmful pollutants, the EPA is able to ensure that all States have access to safe drinking water.

□ 1530

Do you want a jobs bill? Then you create the companies that are going to help us keep our waterways clean. Put people to work cleaning water. Put people to work complying with the right thing to do to ensure that we have clean drinking water, to ensure that babies and working moms and

families can turn on that faucet, and to ensure that they can drink that clean water.

We want to work with industry. We want to be able to come halfway, but we don't want to return America to a time when you would dip down. You find in developing nations the enormous number of diseases that children have because they do not have clean water. Go to some of our developing nations. See what they're washing themselves in. See what they're drinking.

That's not America.

We have the opportunity to be the kind of nation that works with our businesses but also the kind that fights for our children and provides the opportunity for clean water. I ask my colleagues to stand with us and to strike section 2 to allow us, one, to go for a compromise if we can, but also to stand for those who would welcome clean water. Let's end diseases that can be caused in this reckless manner.

I ask my colleagues to support the Jackson Lee amendment to support clean water in America.

Mr. Chair, I rise today in support of my amendment to H.R. 2018 the "Clean Water Cooperative Federalism Act of 2011," which ensures the Environmental Protection Agency (EPA) will continue to have authority to oversee issues related to the standards for and issuance of National Pollutant Discharge Elimination System (NPDES) permits.

My amendment will strike section 2 of the bill, ensuring the vital role played by the EPA in determining whether or not certain pollutants enter our waterways. Providing States with nearly unlimited authority to determine which pollutants can enter our waterways does not take into account issues that arise when States disagree.

The EPA is a unifying body, issuing regulations that ensure all States have standards that they must follow. Bodies of water cross State lines, and the water quality standards of one State are very likely to impact neighboring States.

The Clean Water Act (CWA) requires that all wastewater discharges to surface water receive a National Pollutant Discharge Elimination System (NPDES) permit. 47 States, including Texas, where I represent the 18th Congressional District, are currently authorized to issue NPDES permits. Texas has been authorized to issue these permits since September 14, 1998.

The pollutants that degrade surface water, rendering it unsafe for drinking, fishing, swimming, and other activities, come from a vast variety of chemicals, industry and other sources. By regulating the sources that disperse these harmful pollutants, the EPA is able to ensure that all States have access to safe water bodies.

It is important that the EPA be able to set a universal standard that all States follow. States may lack the resources and funding to adequately implement the NPDES program and properly regulate sources of water contaminants. Additionally, States may not have the resources or expertise needed to contin-

ually evaluate regulations in order to ensure that water remains safe.

Preventing the EPA from regulating the levels of pollutants in bodies of water may give jurisdiction over the issuance of permits to the States, but it certainly will not allow States to set their own standards for water quality. If the EPA is not able to set universal standards, downstream States will be subject to the water quality of upstream States. Contaminated groundwater will spread beyond State borders, impacting the lakes, reservoirs, and agriculture of nearby States, putting the people and the economy of its neighbors at risk.

In 1906, Missouri sued Illinois for discharging sewage into a tributary of the Mississippi River that ultimately rendered drinking water unsafe in Missouri. Restricting the EPA from holding all States to the same standards will inevitably lead to many suits of this nature.

I believe this bill sends us in the wrong direction when it comes to protecting our nation's bodies of water. This bill leaves a false impression that the EPA is an organization that arbitrarily picks and chooses what chemicals States can and cannot permit to enter our precious waters. Rather, the EPA has a broad responsibility for research, standard-setting, monitoring, and enforcement with regard to five environmental hazards: air pollution, water pollution, solid waste disposal, radiation, and pesticides. The EPA represents a coordinated approach to each of these problems, including an important standard for clean water.

Mr. Chair, I strongly urge opposition to this bill.

I yield back the balance of my time.

Mr. GIBBS. Mr. Chairman, I just want to reemphasize and restate that the States are operating under an already approved plan from the U.S. EPA which addresses these concerns, so I don't see how we go backwards, because they're operating within the framework that was set up. By the way, under the Clean Water Act, that plan is reviewed every 3 years.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MRS. CAPITO

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-144.

Mrs. CAPITO. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

**SEC. 6. IMPACTS OF EPA REGULATORY ACTIVITY ON EMPLOYMENT AND ECONOMIC ACTIVITY.**

(a) ANALYSIS OF IMPACTS OF ACTIONS ON EMPLOYMENT AND ECONOMIC ACTIVITY.—

(1) ANALYSIS.—Before taking a covered action, the Administrator shall analyze the impact, disaggregated by State, of the covered action on employment levels and economic activity, including estimated job losses and decreased economic activity.

(2) ECONOMIC MODELS.—

(A) IN GENERAL.—In carrying out paragraph (1), the Administrator shall utilize the best available economic models.

(B) ANNUAL GAO REPORT.—Not later than December 31st of each year, the Comptroller General of the United States shall submit to Congress a report on the economic models used by the Administrator to carry out this subsection.

(3) AVAILABILITY OF INFORMATION.—With respect to any covered action, the Administrator shall—

(A) post the analysis under paragraph (1) as a link on the main page of the public Internet Web site of the Environmental Protection Agency; and

(B) request that the Governor of any State experiencing more than a de minimis negative impact post such analysis in the Capitol of such State.

(b) PUBLIC HEARINGS.—

(1) IN GENERAL.—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in a State, the Administrator shall hold a public hearing in each such State at least 30 days prior to the effective date of the covered action.

(2) TIME, LOCATION, AND SELECTION.—A public hearing required under paragraph (1) shall be held at a convenient time and location for impacted residents. In selecting a location for such a public hearing, the Administrator shall give priority to locations in the State that will experience the greatest number of job losses.

(c) NOTIFICATION.—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in any State, the Administrator shall give notice of such impact to the State's Congressional delegation, Governor, and Legislature at least 45 days before the effective date of the covered action.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) COVERED ACTION.—The term "covered action" means any of the following actions taken by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1201 et seq.):

(A) Issuing a regulation, policy statement, guidance, response to a petition, or other requirement.

(B) Implementing a new or substantially altered program.

(3) MORE THAN A DE MINIMIS NEGATIVE IMPACT.—The term "more than a de minimis negative impact" means the following:

(A) With respect to employment levels, a loss of more than 100 jobs. Any offsetting job gains that result from the hypothetical creation of new jobs through new technologies or government employment may not be used in the job loss calculation.

(B) With respect to economic activity, a decrease in economic activity of more than \$1,000,000 over any calendar year. Any offsetting economic activity that results from the hypothetical creation of new economic activity through new technologies or government employment may not be used in the economic activity calculation.

The CHAIR. Pursuant to House Resolution 347, the gentlewoman from West Virginia (Mrs. CAPITO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from West Virginia.

Mrs. CAPITO. I would like to thank the chairman of my subcommittee, the gentleman from Ohio, for his leadership on this issue.

My amendment is a simple reaction to conversations that I've had with the administrator and others at the EPA and also with the President of the United States.

In questioning the President, I asked:

Mr. President, when you're going forth on your rules and regulations at the EPA, do you consider jobs and economic impact?

He said we should and I say we should, and that is the purpose of my amendment. This requires the EPA to analyze the impact on jobs and economic activity prior to issuing a regulation, policy statement, guidance, or prior to implementing any new or substantially altered program under the Clean Water Act.

Earlier this year, the EPA retroactively vetoed a previously approved Clean Water Act permit in West Virginia at the Spruce Mine. This came as quite a surprise, and it was very unprecedented because I don't believe the EPA—if it has, it has been maybe once or twice in its history—has ever retroactively vetoed a permit. It had a very chilling effect not only on jobs but on the economic activity in our State. This action has caused a slow bleed of jobs throughout Appalachia. Reaching back to revoke a permit is particularly concerning because it causes great uncertainty for job creators in our State. This is at a time when we have as a Nation 9.2 percent unemployment.

We need to get people to work.

Why would a company invest in a new project that has been permitted when it would think that there would be a reach-back by the EPA under the Clean Water Act which could revoke this permit? To me, this just chills job creation in our State.

The EPA's ideological war on our energy producers is manifesting itself in other ways in my district and across the country. In the eastern part of West Virginia, the EPA—listen to this—is using aerial surveillance of family farms with the goal of ensuring compliance with the Clean Water Act. According to an article in a local newspaper, the EPA is going so far as to regulate the types of sheds that family farmers can have for their cattle operations. Yet, when asked about the economic impact of this kind of regulatory overreach, the EPA's representative made it clear that jobs are irrelevant.

As the Nation faces 9.2 percent unemployment and as hundreds of thousands of jobs hang in limbo, the administra-

tion has refused to reconsider this agenda. The negative impact of the regulatory actions upon jobs is obvious. However, the EPA has been unable to give me a straight answer on whether it does or does not consider the negative impact on jobs or economic impact.

So let's put it clearly in the law:

You must consider this to strike that balance between environment and economy.

All this amendment is asking for, quite simply, is transparency. It doesn't mandate what decision has to be made when considering what jobs or economic impact is discovered. It does say that, when jobs and economic impact are negative, the EPA has to go to the local governance authority, whether it's the Governor or the smaller community, and explain this action. So it's transparency. I think it will help further clarify decisions, but it will also help our energy producers figure out how to weave the balance between the economy and the environment.

In closing, I've heard a lot of talk about our collective goal of clean air and clean water. We all share that—and no one more than everyone on the floor who is sitting here today and those of us across the country—but we cannot afford this continued unaccountable, nontransparent assault on our American jobs, so I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. BISHOP of New York. I claim time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of New York. We have heard a great deal of how reversals on the part of the EPA have caused uncertainty in the business community—uncertainty that leads to job loss, uncertainty that leads to a lack of interest in investing. Here are the numbers:

In 40 years, the EPA has reversed 13 permits—13—out of over 2 million issued. That is a veto rate of .00065 percent.

I fail to see how a reversal rate of significantly less than 1 percent can create the kind of uncertainty that we hear about from our colleagues. In fact, that kind of reversal rate encourages a reliance on the legitimacy and the validity of a permit granted, not the questioning of it.

I would also point out that, of these 13 reversals, seven took place under the administration of President Reagan; four took place under the Presidency of the first George Bush; one under George W. Bush; and one under President Obama. I think we are hard-pressed to develop a fact-based argument that there is an assault or that there is an overreach on the part of the EPA.

Now, with respect to the subject of the amendment, itself, the EPA has testified before the Water Resources

and Environment Subcommittee that it already considers the implications of its actions on jobs and on the economy. In fact, many of the requirements that bring the EPA to do that were enacted by the Republican majority when they last controlled the House. I would suggest that the enactment of this amendment will only duplicate the analysis that the EPA is already undertaking.

As a result, I fear that this amendment will only increase the opportunity for litigation relating to actions on the part of the EPA, causing a new cause of action in the Clean Water Act for third-party lawsuits. If anything, I fear that the effect of this amendment will be to tie up efforts by the EPA to protect public health and the environment in a bureaucratic morass.

On that basis, I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mrs. CAPITO. I would just like to quickly respond in terms of the revocation of the one permit. Let's talk about the hundreds of permits that are sitting at the EPA, and try to figure out how to meet the balance here.

□ 1540

Let's look at the total picture—that's all I'm saying—of jobs and the environment.

Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. I urge Members to support Mrs. CAPITO's amendment. Her amendment would bring transparency to the development of regulations and require the EPA to provide a more robust analysis of the economic impacts of its regulatory actions.

This will not halt the issuance of regulations, only provide better information to those who are responsible for writing the regulations, in this case the EPA. I think we can all agree the EPA could have better information to utilize to make better regulatory decisions.

I am concerned, as I believe the Administrator of the U.S. EPA has testified, that their main concern, when they look at a regulatory issue, is public health and safety of the environment, and they don't do any cost-benefit analysis and diminishing returns and all that.

I urge support of the amendment.

Mr. BISHOP of New York. Mr. Chairman, may I inquire as to how much time I have remaining.

The CHAIR. The gentleman from New York has 2½ minutes.

Mr. BISHOP of New York. Mr. Chairman, I yield 2 minutes to the ranking member, the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. I thank the gentleman from New York for yielding.

I rise in support of the gentlelady from West Virginia's amendment; let me state that at the very beginning. My only concerns here were attaching

an economic analysis amendment to the pending legislation which is directed at the Clean Water Act interpretations.

The pending amendment by the gentlelady from West Virginia—which as I say, I support—would appear to me to more broaden the direction in which this bill goes, which I think detracts from the original intent of the legislation to zero in on clean water issues.

The gentlelady's amendment should be properly—I believe it is—the subject of another stand-alone bill that's been introduced in this body to judge the economic analysis. That legislation I support as well. I might add, in addition, that I brought this issue up with Cass Sunstein, who is the head of the White House Office of Regulatory Review, whose job it is to determine and to examine the economic analysis of regulations that come out of the Federal agencies. That is the White House Office of Regulatory Review's jurisdiction, not EPA's jurisdiction, as the gentlelady has paraphrased the EPA administrator; and as we've all heard her say, job repercussions is not necessarily part of her job description.

The unfortunate fact is that the Office of Regulatory Review under the White House jurisdiction has very limited staff and does not have the staff availability to examine the economic analysis of every regulation that comes out of every agency of our Federal Government, which they are tasked to do, but certainly don't have the resources to fully do their job.

So the bottom line, I do support the gentlelady's amendment. I do worry that it overly broadens this particular piece of legislation and should be properly, as it is, the subject of a separate stand-alone legislation on its own.

The CHAIR. The gentlewoman from West Virginia has 15 seconds remaining.

Mrs. CAPITO. I want to thank my colleague from West Virginia for his support because he and I are seeing firsthand—we want to see transparency; we want to see the information move forward on the economic impact. We are at a place where we need jobs, we want jobs, we just want to see the facts.

Mr. Chairman, I yield back the balance of my time, and I urge support of my amendment.

Mr. BISHOP of New York. Mr. Chairman, for the reasons I have cited, I urge my colleagues to vote "no" on this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from West Virginia (Mrs. CAPITO).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. BISHOP of New York. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from West Virginia will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. HANABUSA

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-144.

Ms. HANABUSA. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

**SEC. 6. REPORTING ON HARMFUL POLLUTANTS.**

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator of the Environmental Protection Agency shall submit to Congress a report on any increase in waterborne pathogenic microorganisms (including protozoa, viruses, bacteria, and parasites), toxic chemicals, or toxic metals (such as lead and mercury) in waters regulated by a State under the provisions of this Act, including the amendments made by this Act.

The CHAIR. Pursuant to House Resolution 347, the gentlewoman from Hawaii (Ms. HANABUSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii.

Ms. HANABUSA. Mr. Chair, this amendment simply seeks from the Administrator of the EPA to submit to Congress within 1 year, and then annually thereafter, a report on any increase in waterborne pathogenic microorganisms, which include protozoa, viruses, bacteria and parasites, toxic chemicals or toxic metals, such as lead and mercury, in waters regulated by the State under the provisions of H.R. 2018, including any further amendments to this bill.

Mr. Chair, there is nothing as important to all of us, especially for those of us in Hawaii, as water quality. We are the only island State, and of course our pristine waters are very critical to us for our major economic engine, which is tourism. And I don't believe it's any different for any other State, especially those of us who have bordering oceans, and even those who may have navigable streams within our borders. Water is critical.

What H.R. 2018 does is it simply states that the States now have the right to regulate water quality. By doing that, however, we need to know what they're doing and to ensure for all of us and our constituents that the States are doing a good job. All this amendment is seeking from the States is for the EPA to report to us so we can know if in fact they're doing what this bill gives them the authority to do, which is to make the decisions regarding water quality.

For that reason, Mr. Chair, I ask for the support of this amendment.

I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, I wish to claim time in opposition.

The CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. GIBBS. The Hanabusa amendment authorizes the EPA to study the effectiveness of cooperative federalism once H.R. 2018 is enacted.

While the amendment seems to carry a bias in that the EPA can only report an increase of pathogens or toxins, and not reductions, after enactment of H.R. 2018, the EPA will have very little to report upon.

H.R. 2018 will lead to better water quality decisions made at the local level, and this will benefit the environment for all of us. If H.R. 2018 would lead to water quality degradation, none of us in this Chamber would support it if that were the case.

Noting the bias in the amendment, if the sponsor would like to ask for a unanimous consent request to modify her amendment to modify line 5 after "increase" by adding the phrase "or reductions," we then would be able to accept the amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. HANABUSA. Mr. Chair, I would accept the modification. However, I would also like to yield 1 minute to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentlelady for yielding, and I thank her for offering this amendment.

I just want to simply say, as I've made clear, I do not support the underlying legislation, but this is a very prudent amendment that allows us to assess as we go forward whether or not this proposed law is in the best interests of our Nation's clean water and in the interests of our Nation's health. So I commend the gentlelady for offering the amendment, and I am very happy to hear that this may be accepted.

Mr. GIBBS. I continue to reserve the balance of my time.

Ms. HANABUSA. Mr. Chair, I understand with our agreement to their modification, that they will accept the amendment.

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

Mr. GIBBS. With the modification, I think this is a good amendment. I want to commend my colleague for offering it because I think we will get an accurate report from the EPA when they do their study on whether we're making progress because of H.R. 2018 or if we're going backwards. So I think it's important to have this amendment modified to provide those words "or reductions."

Mr. Chairman, I yield back the balance of my time.

□ 1550

MODIFICATION TO AMENDMENT NO. 4

Ms. HANABUSA. Mr. Chair, I ask unanimous consent to modify the amendment.

The CHAIR. The Clerk will report the modification.

The Clerk read as follows:

On line 5, insert "or reduction" after "increase".

The CHAIR. Is there objection to the modification?

Without objection, the modification is agreed to.

There was no objection.

The CHAIR. The question is on the amendment, as modified, offered by the gentlewoman from Hawaii (Ms. HANABUSA).

The amendment, as modified, was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. POLIS

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-144.

Mr. POLIS. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

**SEC. 6. PERMIT HOLDERS IN SIGNIFICANT NON-COMPLIANCE.**

None of the provisions of this Act, including the amendments made by this Act, shall apply to any permit holder that is listed by the Administrator of the Environmental Protection Agency as being in significant noncompliance with any requirement of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

The CHAIR. Pursuant to House Resolution 347, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chair, our country's worst polluters don't deserve a get out of jail free card. I think that's an unintended consequence of the current language of the bill, absent this amendment. And I encourage my colleagues on both sides of the aisle to adopt this amendment.

Regardless of one's position on the underlying bill, one thing I hope we can all agree on is that the most egregious polluters—these are polluters that Republican and Democratic State administrations, Republican and Democratic experts agree are the most egregious polluters, those who simply disregard the law knowingly, those who repeatedly ignore State regulation, are bad actors and they should not be among those who benefit from this bill. The States deserve to have the EPA back them up and help them keep tabs on these polluters who continually violate State rules.

Unfortunately, the vast majority of these polluters have escaped not only punishment but simply increased scrutiny. Polluters that continually violate the law are classified as "significant noncompliance." That's the term that's used. This classification simply puts these polluters under a greater microscope by the EPA. It doesn't change authorities. It doesn't engender

some new regulatory scheme. It simply ensures that the EPA is keeping a close eye on them and ensuring that State programs are being followed.

Again, I believe it's a piece of this that's outside of this larger State versus Federal debate. It's one that is consistent with supporting States' regulation of the most egregious infractors.

States simply don't have the resources to keep our waters safe on their own. According to a 2009 New York Times investigation, State officials attribute rising pollution rates to increased workloads and dwindling resources. In 46 States, local regulators already have primary responsibility for crucial aspects of the Clean Water Act. The job needed to protect our health is simply too big for State regulators alone.

One notable example of significant noncompliance is from the Bush administration between 2001 and 2006. The Bush administration found that Massey Energy, the same company responsible for the Big Branch Mine Disaster, had accrued over 2,000 significant violations, and the State did not have the resources to hold them accountable. Under significant noncompliance, the Bush administration was able to more closely watch Massey and ensure they followed State rules.

Again, in its current form, this bill offers these most extreme polluters a get out of jail free card, unraveling the EPA's long history of backing up State authority and successfully and reasonably keeping these major polluters in check. My amendment very simply states that the EPA can keep a closer eye—that's all, a closer eye—on the most extreme violators of the law, polluters who are habitually out of compliance or significant noncompliance.

Without my amendment, this bill would mean that our Nation's worst offenders would be free from EPA scrutiny, with sole authority being new, less organized, and naive State programs ripe for loopholes and some of which simply don't have the scale to adequately regulate what's at stake.

Mr. Chair, if a student is disruptive in class, it's only common sense they go to the principal's office. That doesn't mean the teacher doesn't have autonomy in the class or the troubled student doesn't respect the teacher. They need to know there are greater consequences for bad behavior.

I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, I wish to claim time in opposition.

The CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. GIBBS. The gentleman from Colorado seems to suggest that States would continue to allow polluters to pollute waters of their States under H.R. 2018 unless this amendment is adopted. Nothing could be further from the truth. If H.R. 2018 degraded water



quality, none of us would support this legislation.

I also question the implementation of the amendment. If you had a permit holder who is in significant noncompliance, does that negate water quality provisions for the water body the permit holder may be polluting? Of course not. Nothing in H.R. 2018 allows a permit holder to violate the terms of a permit.

I urge all Members to oppose the Polis amendment.

I reserve the balance of my time.

Mr. POLIS. I yield 1 minute to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentleman from Colorado for yielding, and I thank the gentleman for offering this, I think, very well thought-out and well-conceived amendment.

I support the amendment offered by the gentleman because it suggests that the most appropriate place for retaining Federal oversight is against polluters who have a track record on the most serious violations of the Clean Water Act, those found to be in significant noncompliance; and, thus, the retention of a Federal oversight role I think is very wise.

And let me just amplify that. In September of 2009, The New York Times ran a front-page story highlighting that, from 2004 to 2008, 506,000 violations of the Clean Water Act were reported for both major and minor facilities; and during that time, the States only took 11,000 enforcement actions, or what is basically a 2 percent enforcement rate. We need to have the Federal Government retain its oversight role. This amendment would do that.

I urge my colleagues to support it.

Mr. GIBBS. I just want to reemphasize that if there is a permit holder in violation, the States have an obligation and a responsibility to step in and take action and enforcement. If they probably didn't, I'm sure that there's some organization that would file a lawsuit against that EPA.

So I don't think this amendment does anything to help the bill. I think the bill takes care of it, and the people who would be in violation would be prosecuted under the law.

I yield back the balance of my time.

Mr. POLIS. Mr. Chair, I don't agree with what the gentleman from Ohio said. I don't believe that this should be yet another unfunded mandate on the States.

While the number of unregulated facilities has more than doubled in the last decade, many State enforcement budgets have been flat when adjusted for inflation. In New York, for example, the number of regulated polluters has almost doubled in the last decade, but the number of inspections have remained the same.

Again, my amendment gives the State the ability to send habitual bad

actors to the EPA, not for the worst punishment, not for some change in authority, not for some overreach, but simply for closer scrutiny. My amendment does not affect punishment. It simply allows the EPA to keep a close eye on the frequent violator in support of the State, as is the practice with significant noncompliance.

I encourage my colleagues on both sides of the aisle to support this amendment to ensure that the worst violators are properly inspected in support of State regulation.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. GIBBS. Mr. Chairman, I ask for a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. CONNOLLY OF VIRGINIA

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-144.

Mr. CONNOLLY of Virginia. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

**SEC. 6. PROTECTION OF WATERS RECEIVING FEDERAL ASSISTANCE.**

None of the provisions of this Act, including the amendments made by this Act, shall apply to waters for which Federal funding is provided for restoration projects, studies, pilot projects, or development of total maximum daily loads, as determined by the Administrator of the Environmental Protection Agency.

The CHAIR. Pursuant to House Resolution 347, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY of Virginia. Mr. Chairman, I would be remiss if I failed to note the irony of the legislation before us today. After 7 months of ranting and raving about the lack of regulatory certainty which causes economic stagnation, the Republican majority is now attempting to pass a bill which would replace a clear, predictable, national clean water standard with an utterly unpredictable patchwork of State standards. Chaos does not federalism make, nor is one State's ability to sully a downstream State's waters consistent with the commerce clause of the United States Constitution.

□ 1600

This legislation, with the Orwellian title the Clean Water Cooperative Fed-

eralism Act, would endanger watersheds all across America, including the precious Chesapeake Bay in our region here in the National Capital Region. As my colleagues are aware, the bay watershed encompasses six States and the District of Columbia.

Logically, the Environmental Protection Agency, the Department of Agriculture, the National Oceanographic and Atmospheric Association, the U.S. Geological Survey, and other agencies work in tandem with States throughout the watershed to reduce pollution entering the bay. Since watersheds do not correspond easily to State lines, this kind of interagency cooperation is essential and efficient to restore America's largest estuary.

H.R. 2018 would unravel that partnership, balkanizing water policy and undermining bay restoration. I have drafted a simple amendment, Mr. Chairman, to exempt watersheds like the Chesapeake Bay from this bill by limiting the bill's jurisdiction to watersheds which do not receive Federal aid for watershed restoration and related activities. This amendment would allow critical efforts, such as the restoration of the bay, Long Island Sound, the Great Lakes, Puget Sound, Gulf of Mexico, San Francisco Bay, and other great waters to continue. It would acknowledge the undeniable fact that water does not stop when it reaches the State line.

This amendment is important because these great waters are an integral part of our American heritage. The Chesapeake Bay was where John Smith arrived and founded Jamestown. The first colonial exploration of Virginia, also by John Smith, used the bay to explore the rivers of Virginia and Maryland. The Chesapeake is home to the French blockade of the British Navy, which enabled George Washington to have victory at Yorktown and a successful conclusion to the Revolutionary War.

For 200 years the Chesapeake Bay was one of America's most productive fisheries, fueling the growth of coastal communities such as Alexandria, Norfolk, and Baltimore, as well as an indigenous fleet of boats such as the skipjacks, deadrisers, and bugeyes.

Unfortunately, development and overfishing wiped out many of the fisheries that were once so productive. When John Smith arrived in the bay, his crew had neglected to bring fishing line, but they were able to pull fish out of the bay by scooping them out of the water. Smith wrote that the oysters on the bay floor lay thick as stones and were so prolific that these filter feeders cleaned the entire volume of the bay daily. The shad runs up the James, Rappahannock, and Potomac Rivers were so immense that colonial observers noted it would have been possible to walk all the way from the James from Richmond to Manchester on the



backs of fish without ever touching water.

These fish were so large and powerful that, when caught, they actually shook the first Manchester Bridge on its piers. Of course, the bay is part of a much larger watershed now that is as historic ecologically as the bay is itself.

To restore this great water body, many Federal agencies have been working in partnership with States, localities, and landowners. As written, H.R. 2018 would rupture that partnership, effectively giving any one State veto authority over the region's restoration efforts. My simple amendment would protect our ability to keep working together as a region to restore the bay.

This regional effort was first started at the Federal level by a Republican, my old friend, Republican U.S. Senator Charles "Mac" Mathias of Maryland. To the extent we are making progress today, it's a result of the partnership between Virginia, whose general assembly is investing over \$100 million annually in private land conservation, a Republican-led initiative that was expanded under a Democratic Governor. Let us not turn our backs on this 30-year partnership.

I ask for your support for this commonsense amendment to continue the improvements to America's largest and most historic estuary, as well as our Nation's other great waters.

I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, I wish to claim time in opposition to the amendment.

The Acting CHAIR (Mr. MCCLINTOCK). The gentleman from Ohio is recognized for 5 minutes.

Mr. GIBBS. The Connolly amendment says that the underlying bill will not apply to any waters for which Federal funding is provided. This would have an effect of realigning Federal funding for projects and subject States with waters for which Federal funding is provided to greater EPA imposition of Federal one-size-fits-all policies.

As drafted, the scope of the Federal funding intended to be covered under this amendment is unclear, but could be interpreted to be almost limitless in coverage. As a result, this amendment would allow EPA to determine that the amendment applies to virtually all waters, with the consequent effect of nullifying the underlying bill.

Rather than nullifying this legislation, I would rather the gentleman from Virginia join those of us who think it would be more productive to ease the burden of unnecessary regulations and provide the States more authority in carrying out the Clean Water Act. I urge all Members to oppose the Connolly amendment.

I reserve the balance of my time.

Mr. CONNOLLY of Virginia. I yield myself the balance of my time.

The Acting CHAIR. The gentleman is recognized for 30 seconds.

Mr. CONNOLLY of Virginia. Let me say to my friend who is managing on the majority side, I spent 14 years in local government. We don't consider the Federal involvement in cleaning up the bay an undue burden. We actually consider it a partnership that has paid off big time, and we need more of it.

SUPPORT THE CONNOLLY AMENDMENT TO H.R. 2018

*Protect these Great Waters:* Great Lakes, Chesapeake Bay, Long Island Sound, South Florida/Everglades, Mississippi River Basin, San Francisco Bay, Gulf of Mexico, Lake Champlain, Puget Sound, Casco Bay (ME), New Hampshire Estuaries, Massachusetts Bays, Buzzards Bay, Narragansett Bay, Peconic Estuary, New York/NJ Harbor, Bernegat Bay, Delaware Inland Bays, Maryland Coastal Bays, Southeast Coast, Albermarle-Pamlico Sound, Indian River Lagoon, Gulf Coast, Charlotte Harbor, Sarasota Bay, Tampa Bay, Mobile Bay, Batareaia-Terrebonne Estuary, Galveston Bay, Coastal Bend Bay, West Coast, Lower Columbia River, Tillamook Bay, Morro Bay

DEAR COLLEAGUE, many of us have worked in collaboration with partners at the state and local level to protect great waters like the Chesapeake Bay, Great Lakes, Everglades, Lake Champlain, Long Island Sound, San Francisco Bay, Puget Sound, Mississippi Basin, and the Gulf of Mexico.

I have drafted a simple amendment to exempt these watersheds and others that receive federal restoration funding from H.R. 2018. This amendment would allow critical efforts such as restoration to continue in acknowledgement of the undeniable fact that water does not stop when it reaches a state line. A more complete list of watersheds that would be protected by this amendment can be found at the end of this letter.

This amendment is important because these great waters are an integral part of our American heritage. The Chesapeake Bay, for example, was where John Smith arrived and founded Jamestown. The first colonial exploration of Virginia, also by John Smith, used the Bay to explore the rivers of Virginia and Maryland. The Chesapeake is home to the French blockade of the British Navy, which enabled George Washington's victory at Yorktown and a successful conclusion to the Revolutionary War. For two hundred years the Chesapeake was one of America's most productive fisheries, fueling the growth of coastal communities such as Alexandria, Norfolk, and Baltimore, as well as an indigenous fleet of boats such as the Skipjacks, Deadrisers, and Bugeyes.

Unfortunately, development and overfishing wiped out many of the fisheries that were once so productive. When John Smith arrived in the Bay, his crew had neglected to bring fishing line, but they were able to pull fish out of the Bay by scooping them out of the water with frying pans. Smith wrote that the oysters on the Bay floor "lay thick as stones" and were so prolific that these filter feeders cleaned the whole volume of the Bay daily. The shad runs up the James, Rappahannock, and Potomac were so immense that colonial observers noted it would have been possible to walk across the James from Richmond to Manchester on the backs of fish without ever touching water. These fish were so large and powerful that, when caught, they shook the first Manchester Bridge on its moorings. Of course, the Bay is part of a much larger watershed that is as historic and ecologically valuable as the Bay itself.

To restore this great water body many federal agencies have been working in partnership with states, localities, and land owners. As written, H.R. 2018 would rupture that partnership, effectively giving any one state veto authority over the region's Bay restoration efforts. This important amendment would protect our ability to keep working together as a region to restore the Bay and other great waters across America.

Please support this amendment and contact [zack.fields@mail.house.gov](mailto:zack.fields@mail.house.gov) (3-3122) with any questions.

Sincerely,

GERALD E. CONNOLLY,  
11th District, Virginia.

Watersheds and States that would be protected from H.R. 2018:

Great Lakes—NY, PA, OH, IL, IN, MN, WI, MI

Chesapeake Bay—NY, PA, MD, DE, VA, WV

Long Island Sound—CT, NY, RI

South Florida/Everglades—FL

Mississippi River Basin—MN, ND, SD, WY, CO, NM, TX, OK, KS, NE, AR, LA, MS, TN, AL, GA, KS, IN, IL, WI, MN, IA, OH, PA, NY, NC

San Francisco Bay—CA, OR, NV

Gulf of Mexico—TX, LA, FL, AL, MS

Lake Champlain—NY, VT

Puget Sound—WA

*National Estuary Programs:*

Casco Bay—ME

New Hampshire Estuaries—NH

Massachusetts Bays—MA

Buzzards Bay—MA, RI

Narragansett Bay—MA, RI

Peconic Estuary—NY

New York/NJ Harbor—NY, NJ

Bernegat Bay—NJ

Delaware Inland Bays—NJ, DE, PA, MD

Inland Bays—DE

Maryland Coastal Bays—MD

Albermarle-Pamlico Sound—NC, VA

Indian River Lagoon—FL

Charlotte Harbor—FL

Sarasota Bay—FL

Tampa Bay—FL

Mobile Bay—AL

Batareaia-Terrebonne Estuary—LA

Galveston Bay—TX

Coastal Bend Bay—TX

Lower Columbia River—WA, OR

Tillamook Bay—OR

Morro Bay—CA

Ms. SLAUGHTER. Mr. Chair, I rise today in strong support of the Connolly Amendment to H.R. 2018, Clean Water Cooperative Federalism Act and stand in strong opposition to the underlying bill. H.R. 2018 is yet another attempt to dismantle our nation's environmental protections and further jeopardize the public health and safety of our citizens.

Simply put, H.R. 2018 would return the U.S. to a structure of Clean Water laws that existed before enactment of the Clean Water Act of 1972 by undermining the Environmental Protection Agency's ability to assure state water quality standards. Before the Clean Water Act of 1972, 70 percent of our nation's waters were unsafe for fishing, swimming, or drinking.

This amendment, offered by my colleague from Virginia, would exempt states that receive federal restoration funding from H.R. 2018. It understands that ongoing cooperation among federal, state and local governments is necessary to ensure that basic water quality standards are upheld across the United States, regardless of which state you reside in.

This amendment also recognizes that our Federal Government has spent billions of dollars on regional collaborative efforts among states to repair and restore our nation's valuable waterways, and that this bill, H.R. 2018, threatens to nullify these efforts and write off valuable investment already undertaken by effectively giving any one state veto authority over a region's restoration efforts.

As a co-chair of the House Great Lakes Task Force, a bipartisan working group of members from eight states surrounding the Great Lakes, I understand how critical it is for our states to work together to save our nation's valuable waterways and that this cooperation must be guided by the underlying premise that water does not stop when it reaches the state line. The Great Lakes have received over \$800 million in federal funding over the last two years alone to undertake such restoration efforts. We must not let these efforts and our valuable nation resources go to waste.

I strongly urge my colleagues to support this amendment and oppose H.R. 2018.

Mr. MORAN. Mr. Chair, I rise in support of the amendment by my colleague from Virginia and against this bad bill.

I am troubled that the bill we are considering today seems to move us backwards to a time when some advocated states should reign supreme and could opt out of federal laws.

We tried that system of government, it was called the Articles of Confederation, and it failed miserably.

Each state did its own thing, and there was no mechanism by which disagreements among the states could be resolved.

The issue today is whether states can opt out or even veto tougher, more stringent water quality standards to protect the public's health.

This bill returns us to a time when we had no uniform national minimum clean water standard and states had conflicting policies or no policies to protect the public.

That was a time when rivers were so polluted they caught fire.

The problem with this reasoning and with this bill is that responsible downstream states suffered the consequences of lax or weak upstream states' policies.

I am sure my colleagues, who seem so enamored with this proposition and this legislation, would raise objections if we were to apply a similar proposal to our immigration policy.

Employing this same logic, states would be granted full rights to disregard federal immigration policies and opt-out or set a different policy on which immigrants to accept or reject.

Water, like immigrants, crosses state lines; and immigrants like water should be governed by a single national standard.

The landmark Clean Water Act provides states full flexibility for meeting the federal standards, and it also allows states flexibility to set higher standards.

The amendment my colleague from Virginia is offering would at least allow Virginia and the other states that are part of the Chesapeake Bay watershed and some of this nation's other great bodies of water—waters that are the primary source of millions of Americans' economic livelihood and drinking water—to proceed with their plans to reduce harmful pollut-

ants that threaten to degrade these great waters and allow current restoration measures to proceed.

Mr. CONNOLLY of Virginia. Mr. Chairman, I yield back the balance of my time.

Mr. GIBBS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONNOLLY of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

It is now in order to consider amendment No. 7 printed in House Report 112-144.

AMENDMENT NO. 8 OFFERED BY MR. COHEN

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112-144.

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

**SEC. 6. PIPELINES CROSSING STREAMBEDS.**

None of the provisions of this Act, including the amendments made by this Act, shall be construed to limit the authority of the Administrator of the Environmental Protection Agency, as in effect on the day before the date of enactment of this Act, to regulate a pipeline that crosses a streambed.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, while on this 4th of July most Americans were partaking in American pastimes like barbecuing and watching ball games, Montanans were immersed in a new American tradition, unfortunately, cleaning up an oil spill. In this case, Montanans were working, and are still working, feverishly to clean up a 40,000 gallon leak from ExxonMobil's Silvertip pipeline, a spill that's having a devastating impact on the residents, economy, and environment in the State of Montana.

As written, this legislation opens the door for more destructive events like the Yellowstone spill. This is why I proposed a simple, zero-cost amendment that will resolve this issue and continue protecting the American people, its environment, our economy, our water system from the harmful effects of pipeline spills.

The investigation into the Yellowstone spill has made it clear that the

spill occurred because the pipeline was not buried deep enough below the streambed. Having only been buried 5 feet below the river, years of the Yellowstone River's powerful flow removed much of the sediment covering the pipeline to the point where the pipeline was directly exposed. Once exposed, the pipeline was weakened by the elements rapidly moving down the Yellowstone River.

In order to bury a pipeline beneath a streambed, the company building the pipeline often has to rely upon and apply to the Corps of Engineers for a permit to dredge and fill. While the Corps has the authority to issue the permit, EPA has the ability to exercise oversight and ensure that the pipeline is sited safely and buried appropriately. This oversight authority is an effective, nonburdensome safety feature of the permitting process that serves as a backstop to Federal and State regulators and protects the health and safety of the American people.

All this amendment does is ensure that this bill does not prevent the Environmental Protection Agency from exercising this authority. It does not create a new permitting requirement or process. Historically, the siting of pipelines has not been an issue where the Federal Government has exercised much oversight. And this amendment does not call for enhanced oversight, create a new process, or require anything more from pipeline owners or builders. Rather, it simply preserves the existing right of the Environmental Protection Agency to exercise oversight in egregious cases.

Every piece of oil infrastructure, whether it's a pipeline or a drill rig, has backup safety features that are critical to ensure the safe operation of the infrastructure. Those safety backups, like the dead man switch on a drill rig, only function when the first set of safety features fail. The EPA's oversight of the Corps' dredge and fill permits for pipelines is just like the dead man's switch on an oil rig. It is only there as a backup protection in case the Corps might fail.

And if the oil industry uses layer upon layer of backup safety systems, why should the Federal Government not do the same? We are the ultimate protector of the water of our people. With the demand for oil in the United States increasing, more and more pipelines are being proposed. Many of these pipelines will cross economically critical, environmentally sensitive bodies of water like the Yellowstone River. Significant pipeline spills like the million gallon Enbridge pipeline spill last year in Michigan are serious events that have real implications for real people. Just ask the citizens of Kalamazoo, Michigan, who almost a year later are recovering from that spill.

□ 1610

In order to avoid similar tragedies in the future, the Federal Government needs to retain the existing protections built into the permitting process. This amendment does that by just maintaining EPA's existing authority to protect the American people and ensure their waters are not contaminated.

I urge passage of this important safety amendment, which will ensure that our Nation's pipelines are as consistent and as safe and reliable as Old Faithful, which resides in Yellowstone Park and whose river is being threatened, and I ask for support.

I yield back the balance of my time.

Mr. GIBBS. Mr. Chairman, I wish to claim time in opposition, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Ohio is recognized for 5 minutes.

There was no objection.

Mr. GIBBS. EPA's role in regulating pipelines is minimal as compared to the role of other agencies. This bill would have little effect on regulating pipelines. Therefore, we can accept this amendment.

Mr. COHEN. If the gentleman will yield, I thank the gentleman for accepting the amendment.

Mr. GIBBS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR.  
BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112-144.

Mr. BLUMENAUER. Mr. Chairman, as the designee of the gentleman from Massachusetts (Mr. MARKEY), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

**SEC. 6. PROTECTION OF WATERS PROVIDING CERTAIN BENEFITS.**

None of the provisions of this Act, including the amendments made by this Act, shall apply to waters that, as determined by the Administrator of the Environmental Protection Agency—

- (1) provide flood protection for communities;
- (2) are a valuable fish and wildlife habitat that provides benefits to the economy; or
- (3) are coastal recreational waters.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. I yield myself 3 minutes.

This amendment ensures protection for waters and wetlands that provide

flood protection or economically valuable habitats for our coastal recreation waters.

Healthy streams and wetlands provide vital public benefits for flood protection, commerce and public health. As there is an effort on the part of my friends on the other side of the aisle to eliminate these critical protections, it's important to keep that in mind.

Pollution destroys habitat and cripples local fishing and tourism. There has been talk about economic development.

Well, it costs money to deal with treating polluted waters. There are 40 million recreational anglers in America that generate \$125 billion in economic output, including \$45 billion in retail sales and pay \$16.4 billion in State and Federal taxes.

The sport supports over 1 million American jobs right here in the United States. And when a wetland is filled with sediment or drained, it can no longer protect towns from devastating floods.

We have had witness over the last couple of years of this devastating impact. An acre of wetland provides more than \$10,000 per person in public benefits. If you lose 1 percent of a watershed's wetland, it can increase flood volume by almost 7 percent. These are nature's sponges that we need to protect.

It's also important to point out that not all States protect the quality of their water. Some States just simply don't care as much as other States; some States are not as capable of protecting it.

In those States where protection is lax, the EPA must have the authority to step in to protect the economy, the environment, and human welfare for residents in that State as well as the States that are downstream that would also be affected. We shouldn't have Americans held hostage to the lowest common denominator of people who are simply not going to maintain the standards.

This amendment preserves that authority for the EPA to protect communities who rely on water for fishing and other economic benefits, along with wetlands that create vital flood protection.

Mr. Chairman, the American public strongly supports clean water. This has been one of the most popular pieces of legislation since it was enacted in the Nixon administration. It, until now, has had pretty broad bipartisan support.

The legislation here represents the most aggressive attack on it, in my memory, in 15 years in Congress. My amendment, at least, would clarify this particular item.

I urge its adoption.

I reserve the balance of my time.

Mr. GIBBS. I wish to claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. GIBBS. Mr. Chairman, I must strongly oppose this amendment because it basically aims to gut the underlying bill.

This amendment is designed to ensure that the EPA can continue to unilaterally force its own one-size-fits-all Federal policies onto the States' water quality programs.

The underlying bill, H.R. 2018, reestablishes the States' balanced role in carrying out the provisions of the Clean Water Act; but this amendment, in effect, says that the underlying bill will not apply virtually anywhere the Clean Water Act applies.

Implicitly, this amendment also says that the States cannot be trusted in protecting the quality of their waters and the health of their citizens, and the Federal Government knows best.

Once States have approved clean water programs, they are capable of administering their programs and caring for the welfare of their citizens. EPA needs to be more respectful of the decisions made by the States in those circumstances.

H.R. 2018 is a good bill that restores balance to an out-of-control U.S. EPA. The intent of this amendment is to make the bill completely unworkable. I would also add that I think that the Clean Water Act has worked until now when the States have been usurped of their authority and ability to enforce the State and Federal EPA environmental laws.

I urge all Members to oppose this amendment.

I reserve the balance of my time.

The Acting CHAIR. The gentleman from Oregon has 2 minutes remaining.

Mr. BLUMENAUER. Mr. Chairman, I would yield 1 minute to my friend and colleague from Oregon (Mr. DEFazio), a gentleman who deeply understands the importance of this amendment.

Mr. DEFazio. Well, the gentleman that just preceded me said this would gut this bill. He is right, it would gut this bill which deserves to be gutted.

This bill would take us back to pre-Clean Water Act standards. He says, oh, the States, if they have standards, shouldn't be bothered by the EPA. Well, this bill says if a State has adopted standards on paper, but they choose not to enforce them and they are out of compliance, the EPA can take no action.

It further says that if we discover a new harmful pollutant, as we did recently when we upgraded the standards for arsenic, most of us don't want our kids drinking arsenic in the water. The EPA cannot enforce new national standards if we discover a new dangerous pollutant unless the State agrees. It's optional; it's up to the State.

And then, of course, if you happen to be a State downstream from a State

that is choosing to kind of stick it to its own people by not adopting the highest standards, or not even enforcing their existing standards, you are downstream, you don't have any choice. You have no recourse.

This bill is absurd in terms of the fact that it is just designed to totally gut the Clean Water Act and turn back the clock to the good old days when we had rivers that burned.

Mr. GIBBS. I continue to reserve the balance of my time.

Mr. BLUMENAUER. I yield the balance of my time to the distinguished gentleman from Long Island, New York (Mr. BISHOP), who has some experience with problems of water pollution and erosion.

The Acting CHAIR. The gentleman from New York is recognized for 1 minute.

Mr. BISHOP of New York. I thank the gentleman for yielding, and I thank the gentleman for offering this amendment, along with Mr. MARKEY and Mr. DEFAZIO.

Mr. Chairman, if H.R. 2018 were enacted as drafted, it would restrict the EPA's ability to protect the Nation's waters from pollution. As we know, if pollution is allowed to increase due to the dueling interests of States, many sources of clean drinking water would be imperiled, valuable fish and wildlife habitat would be endangered and coastal recreational waters, like the shores of my Long Island, would be at risk, along with all the economic benefits these resources provide.

The Markey-DeFazio-Blumenauer amendment simply restricts the provisions of this bill from endangering waters that provide flood protection for communities, our valuable fish and wildlife habitat or our coastal recreational waters that are the backbone of my district's economy. In fact, my district will face real economic danger if this bill is not amended, not to mention the environmental danger that my district and districts all over this country will face.

I strongly urge my colleagues to support this amendment.

□ 1620

Mr. GIBBS. Mr. Chairman, I would just like to comment on the comments from my colleague from Oregon talking about a new pollutant. Well, under H.R. 2018, if there's a new pollutant out there and it comes in and it is not in an already State-approved plan, the State has to take action, and the EPA and the State have to work cooperatively to develop a new plan to address that issue. So I think if the issue of arsenic came up, they would have to work that out cooperatively.

And the comment about States won't take action, I can't believe that a State EPA is not going to take action. Oregon—maybe they're not going to take action in Oregon. It's hard for me

to believe that. But I don't think this amendment is necessary, and I oppose the amendment.

Ms. HIRONO. Mr. Chair, I rise today in strong support of the amendment offered by Mr. MARKEY, of which I am proud to be a co-sponsor.

Many of us have seen iconic images of the Cuyahoga River burning in the 1950s. Sadly, this was not an isolated event—the Cuyahoga caught fire numerous times. The reason for these fires was that the river was heavily, heavily contaminated with flammable industrial waste.

This water was dangerous to drink and to swim in. Fish and wildlife could not survive. Flooding in this river would have spread pollution onto shore and into neighborhoods and homes. In short, this pollution was dangerous for the health of the people and communities that depended on the river.

It was incidents like these that helped raised public awareness of the dangers of water pollution.

Ultimately, that awareness became government action—including the creation of the EPA in 1970, and passage of the Clean Water Act in 1972.

The EPA's purpose is simple: to protect human health and the environment. It does this by acting as a referee between the states—working to ensure minimum standards for water quality nationwide. These standards help to ensure an even playing field for states and businesses, while preserving safe, adequate water supplies for our children and communities.

The underlying bill we are considering, the so-called "Clean Water Cooperative Federalism Act" is deeply flawed, primarily because it seems to forget a critical point—watersheds, coastlines, and waterways don't always end at state boundaries.

Our amendment is also simple. It preserves the EPA's current role in protecting certain bodies of water. Specifically, water bodies that provide flood protection for communities, valuable fish and wildlife habitats, and coastal recreation.

Our rivers, coastlines, and wetlands are the places that we take our children to experience the wonder of our country. This is where their interests in the natural sciences and the outdoors are kindled. And this is where we should expect them to be safe from chemicals, industrial waste, and other pollutants.

Our amendment will help to preserve the natural resources that transcend state boundaries—and benefit the health and vitality of communities across the nation.

I hope that my colleagues will join us in supporting this amendment.

Ms. SLAUGHTER. Mr. Chair, I rise today to protect the Clean Water Act and in support of the amendment offered by Representatives MARKEY (MA), DEFAZIO (OR), CAPPS (CA), BLUMENAUER (OR), CAPUANO (MA), NAPOLITANO (CA) and HIRONO (HI). Since the passage of the Clean Water Act our waterways have gotten cleaner and our public health has improved. Thanks to the Clean Water Act, the United States has achieved significant gains in public health, a cleaner environment, and a stronger more sustainable economy.

The Clean Water Act, CWA, is one of our nation's greatest environmental laws, safe-

guarding our rivers, lakes, and streams and protecting the health and safety of our drinking water. The CWA was enacted as a bipartisan effort almost a half century ago, coming on the heels of several rivers catching on fire, including the Cuyahoga River in 1969, and the decimation of Lake Erie's fisheries due to pollution. Under the current Administration, the Environmental Protection Agency, EPA, has taken significant actions to improve the safety of our drinking water, and continues to protect of our nation's waterways.

There is no right more basic than the right to safe drinking water, and that right depends on unpolluted source waters. The Clean Water Act protects our water from heavy metals such as arsenic and lead, dangerous pathogens like E. coli, and other toxins. Clean drinking water is basic to our very survival.

The amendment before us would ensure that if this bill, H.R. 2018, ever made it into law, it would not endanger the safety protections provided under the Clean Water Act for waters that provide flood protection for communities, are a valuable fish and wildlife habitat that provide benefits to the economy, or are coastal recreational waters. We cannot sacrifice our waterways for the interests of big polluters.

The nation's fish and wildlife habitats and recreational waters are fruitful economic drivers for local communities, especially in the area I proudly represent on Lake Ontario. According to a recent study, 900,000 recreational boaters using Great Lakes harbors spend approximately \$2.35 billion annually on boating trips and another \$1.4 billion to purchase and maintain their watercraft. This supports 60,000 jobs in the region and generates \$1.7 billion in annual personal income. The CWA has served an integral part in cleaning up and maintaining the health of our waters, and therefore boosting the health of our local economies.

A strong Clean Water Act has moved us beyond the days of rivers on fire. However, there is still more to be done. State and EPA data reveal that 44 percent of assessed river and stream miles and 64 percent of assessed lake acres do not meet relevant water quality standards. Now is the time to support the efforts of the EPA as the agency works to ensure we all have access to clean water.

I urge my colleagues to support the Markey amendment so that our environment and local economies remain protected under the Clean Water Act. We must reject any effort to repeal our valuable protections, and recommit our pledge to the American people to work toward a cleaner, healthier, more prosperous future.

Mr. MARKEY. Mr. Chair, I rise in support of Amendment 9 to H.R. 2018, the Clean Water Cooperative Federalism Act of 2011 and to oppose the underlying bill, which would overturn almost forty years of Federal legislation by preventing EPA from protecting public health and water quality. H.R. 2018 will turn the Clean Water Act into the Dirty Water Act.

Let me paint a picture of what my hometown rivers, the Malden, the Mystic and the Charles, looked like forty years ago. Raw sewage flowed into the river from outmoded wastewater treatment plants. Toxic discharges from industrial facilities colored the river pink and orange. Fish kills, submerged cars and appliances, leaching riverbank landfills, and noxious odors were common occurrences.

Because of the Clean Water Act, polluted rivers are being relegated to the history books like the water-powered textile mills on these rivers that started the Industrial Revolution in the United States. Using sound science, cutting-edge technologies and by making polluters pay, EPA and its partners have made remarkable progress in restoring these rivers. The award-winning River's Edge Park on the shores of the Malden River is a testament to the economic development that follows the implementation of environmental laws.

My amendment to H.R. 2018 would ensure that any waters that EPA determines provides flood protection for communities, or are valuable fish and wildlife habitat that provide benefits to the economy, or are coastal recreational waters would continue to be protected. Our clean rivers must not return to their polluted past.

My amendment would also protect the progress made to restore fishing and swimming on sections of the Connecticut River, New England's longest river, by ensuring federal protection for rivers that run through more than one state.

The Army Corps of Engineers estimates that protecting wetlands along the Charles River in Boston saves as much as \$17 million annually in averted flood damage, and economists estimate that each acre of wetland provides more than \$10,000 per person in public benefits each year.

The song "Dirty Water" is played after every Red Sox home win. The song memorializes the polluted Charles and Boston Harbor. And while those of us in Boston love the song, we like our new, clean, healthy Charles River more. Support my amendment and keep this song as an oldie, instead of turning it into a modern hit on the demise of the Clean Water Act.

Mr. GIBBS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BLUMENAUER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. CARNAHAN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112-144.

Mr. CARNAHAN. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:  
**SEC. 6. PROTECTION OF WATERS AFFECTED BY FLOODING DISASTERS.**

None of the provisions of this Act, including the amendments made by this Act, shall apply to—

(1) waters that are located in an area for which the President has declared, at any

time during the preceding 5-year period, a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) due to flooding; or  
(2) other waters that contributed to such a declaration.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Missouri (Mr. CARNAHAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. CARNAHAN. Mr. Chair, 2011 is already the costliest year for natural disasters in history. Over \$250 billion in economic damages have already been incurred around the world. In the U.S. alone, storms, flooding, wildfires, and earthquakes have already done roughly \$27 billion in damage, more than double the annual average over the last decade.

Living near the confluence of our country's two greatest rivers, the Mississippi and the Missouri, my constituents in the St. Louis region have rebuilt from floods many times, and we understand the challenges facing communities across the Nation during this unprecedented season of floods.

Even after the cleanup has begun, flood-affected communities face the prospect of public health epidemics spread by dirty water, in effect, creating a double crisis for communities already struggling to pick up the pieces. We have all seen the shocking images from cities large and small along the Mississippi this spring, and the last thing these communities need are weakened clean water standards that would put them at risk of waterborne diseases or even toxic chemicals.

My amendment to H.R. 2018 would ensure that communities recovering from devastating floods would not be burdened by the public health threats posed by dirty water. It simply states that none of the provisions of H.R. 2018 would apply where the President has declared a disaster due to flooding within the past 5 years or to waters that have contributed to such a flood.

This is a commonsense amendment. It will help reassure flood-affected communities that their water is safe and healthy. I urge my colleagues to stand up for flood-affected communities across the country by voting in favor of the Carnahan amendment.

I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, I wish to claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. GIBBS. Under the gentleman from Missouri's amendment, if a State has made a disaster declaration any time in the last 5 years, H.R. 2018 would not be applicable to waters in the area. This amendment would continue to allow the EPA to overturn State-established and U.S. EPA-approved water quality standards and

unilaterally impose federally dictated permitting and other regulatory requirements on States and other disaster responders. This, in turn, would impact on the ability of States and other disaster responders to respond to and conduct cleanups after major flood disasters and would discourage States from seeking disaster assistance.

I urge all Members to oppose the Carnahan amendment.

I yield back the balance of my time.

Mr. CARNAHAN. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. CARNAHAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CARNAHAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Missouri will be postponed.

Mr. GIBBS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GIBBS) having assumed the chair, Mr. MCCLINTOCK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes, had come to no resolution thereon.

#### RECESS

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

Accordingly (at 4 o'clock and 27 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1720

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HECK) at 5 o'clock and 20 minutes p.m.

#### CLEAN WATER COOPERATIVE FEDERALISM ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 347 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2018.

□ 1722

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the further consideration of the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes, with Mr. MCCLINTOCK (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 10 printed in House Report 112-144 by the gentleman from Missouri (Mr. CARNAHAN) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-144 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Ms. JACKSON LEE of Texas.

Amendment No. 3 by Mrs. CAPITO of West Virginia.

Amendment No. 5 by Mr. POLIS of Colorado.

Amendment No. 6 by Mr. CONNOLLY of Virginia.

Amendment No. 9 by Mr. BLUMENAUER of Oregon.

Amendment No. 10 by Mr. CARNAHAN of Missouri.

Amendment No. 1 by Ms. JACKSON LEE of Texas.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 170, noes 252, not voting 9, as follows:

[Roll No. 565]

AYES—170

Ackerman	Carney	Cummings
Andrews	Carson (IN)	Davis (CA)
Baca	Castor (FL)	Davis (IL)
Baldwin	Chandler	DeFazio
Bass (CA)	Chu	DeGette
Becerra	Cicilline	DeLauro
Berkley	Clarke (MI)	Deutch
Berman	Clarke (NY)	Dicks
Bishop (NY)	Clay	Dingell
Blumenauer	Cleaver	Doggett
Brady (PA)	Clyburn	Donnelly (IN)
Braley (IA)	Cohen	Doyle
Brown (FL)	Connolly (VA)	Edwards
Butterfield	Conyers	Engel
Capps	Cooper	Eshoo
Capuano	Courtney	Farr
Carnahan	Crowley	Fattah

Filner	Lowey	Sánchez, Linda	McKinley	Reed	Simpson
Frank (MA)	Luján	T.	McMorris	Rehberg	Smith (NE)
Fudge	Lynch	Sanchez, Loretta	Rodgers	Reichert	Smith (NJ)
Garamendi	Maloney	Sarbanes	Meehan	Renacci	Smith (TX)
Gonzalez	Markey	Schakowsky	Mica	Ribble	Southerland
Green, Al	Matsui	Schiff	Miller (FL)	Rigell	Stearns
Green, Gene	McCarthy (NY)	Schrader	Miller (MI)	Rivera	Stivers
Grijalva	McCollum	Schwartz	Miller, Gary	Roby	Stutzman
Gutierrez	McDermott	Scott (VA)	Mulvaney	Roe (TN)	Sullivan
Hanabusa	McGovern	Scott, David	Murphy (PA)	Rogers (AL)	Terry
Hastings (FL)	McNerney	Serrano	Myrick	Rogers (KY)	Thompson (PA)
Heinrich	Meeks	Sewell	Neugebauer	Rogers (MI)	Thornberry
Higgins	Michaud	Sherman	Noem	Rohrabacher	Tiberi
Himes	Miller (NC)	Shuler	Nugent	Rokita	Tipton
Hinojosa	Miller, George	Sires	Nunes	Rooney	Turner
Hirono	Moore	Slaughter	Nunnelee	Ros-Lehtinen	Upton
Hochul	Moran	Smith (WA)	Olson	Roskam	Walberg
Holt	Murphy (CT)	Speier	Owens	Ross (AR)	Walden
Honda	Nadler	Stark	Palazzo	Ross (FL)	Walsh (IL)
Inslie	Napolitano	Sutton	Paul	Royce	Webster
Israel	Neal	Thompson (CA)	Paulsen	Runyan	West
Jackson (IL)	Olver	Thompson (MS)	Pearce	Ryan (WI)	Westmoreland
Jackson Lee	Pallone	Tierney	Pence	Scalise	Whitfield
(TX)	Pascrell	Tonko	Peterson	Schilling	Wilson (SC)
Johnson (GA)	Pastor (AZ)	Towns	Petri	Schmidt	Wittman
Johnson, E. B.	Payne	Tsongas	Pitts	Schock	Wolf
Kaptur	Perlmutter	Van Hollen	Platts	Schweikert	Womack
Keating	Peters	Velázquez	Poe (TX)	Scott (SC)	Woodall
Kildee	Pingree (ME)	Visclosky	Pompeo	Scott, Austin	Yoder
Kind	Polis	Walz (MN)	Posey	Sensenbrenner	Young (AK)
Kissell	Price (NC)	Wasserman	Price (GA)	Sessions	Young (FL)
Kucinich	Quigley	Schultz	Quayle	Shimkus	Young (IN)
Langevin	Rangel	Waters	Rahall	Shuster	
Larsen (WA)	Reyes	Watt			
Larson (CT)	Richardson	Waxman			
Lee (CA)	Richmond	Welch	Bishop (GA)	Giffords	Hoyer
Levin	Rothman (NJ)	Wilson (FL)	Cantor	Hastings (WA)	McCotter
Lewis (GA)	Roybal-Allard	Woolsey	Ellison	Hinchee	Pelosi
Lipinski	Ruppersberger	Wu			
Loeb sack	Rush	Yarmuth			
Lofgren, Zoe	Ryan (OH)				

NOES—252

Adams	Crawford	Hartzler
Aderholt	Crenshaw	Hayworth
Akin	Critz	Heck
Alexander	Cuellar	Hensarling
Altmire	Culberson	Herger
Amash	Davis (KY)	Herrera Beutler
Austria	Denham	Holden
Bachmann	Dent	Huelskamp
Bachus	DesJarlais	Huizenga (MI)
Barletta	Diaz-Balart	Hultgren
Barrow	Dold	Hunter
Bartlett	Dreier	Hurt
Barton (TX)	Duffy	Issa
Bass (NH)	Duncan (SC)	Jenkins
Benishek	Duncan (TN)	Johnson (IL)
Berg	Ellmers	Johnson (OH)
Biggett	Emerson	Johnson, Sam
Bilbray	Farenthold	Jones
Bilirakis	Fincher	Jordan
Bishop (UT)	Fitzpatrick	Kelly
Black	Flake	King (IA)
Blackburn	Fleischmann	King (NY)
Bonner	Fleming	Kingston
Bono Mack	Flores	Kinzinger (IL)
Boren	Forbes	Kline
Boswell	Fortenberry	Labrador
Boustany	Fox	Lamborn
Brady (TX)	Franks (AZ)	Lance
Brooks	Frelinghuysen	Landry
Broun (GA)	Gallely	Lankford
Buchanan	Gardner	Latham
Bucshon	Garrett	LaTourette
Buerkle	Gerlach	Latta
Burgess	Gibbs	Lewis (CA)
Burton (IN)	Gibson	LoBiondo
Calvert	Gingrey (GA)	Long
Camp	Gohmert	Lucas
Campbell	Goodlatte	Luetkemeyer
Canseco	Gosar	Lummis
Capito	Gowdy	Lungren, Daniel
Cardoza	Granger	E.
Carter	Graves (GA)	Mack
Cassidy	Graves (MO)	Manzullo
Chabot	Griffin (AR)	Marchant
Chaffetz	Griffith (VA)	Marino
Coble	Grimm	Matheson
Coffman (CO)	Guinta	McCarthy (CA)
Cole	Guthrie	McCaul
Conaway	Hall	McClintock
Costa	Hanna	McHenry
Costello	Harper	McIntyre
Cravaack	Harris	McKeon

NOT VOTING—9

Bishop (GA)	Giffords	Hoyer
Cantor	Hastings (WA)	McCotter
Ellison	Hinchee	Pelosi

□ 1753

Messrs. RIBBLE, CRAWFORD, and FITZPATRICK changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mrs. EMERSON was allowed to speak out of order.)

WOMEN'S SOFTBALL RAISES \$50,000 FOR YOUNG SURVIVAL COALITION

Mrs. EMERSON. On behalf of Congresswoman DEBBIE WASSERMAN SCHULTZ and myself, we are very proud to announce that the Women's Bipartisan Congressional Softball Team beat the Washington Female Press Corps in our recent softball game by a score of 5-4. In the spirit of our U.S. Women's Soccer team which won today and are on their way to the final in the World Cup—we probably aren't quite in that category. But for us this was the World Cup, and we are very proud and we want to thank everybody for the great support that you gave to us.

I would be remiss if I didn't explain how we won. In the bottom of the seventh inning, because we only play seven innings, with the score tied 4-4, LAURA RICHARDSON and LINDA SÁNCHEZ were both walked because the other team was afraid of them hitting, and then DEBBIE gets up and she hits a single. And were it not for the fact that LINDA SÁNCHEZ ran around the bases, collided with the catcher, and slid in on her stomach at home, we would not have won. But we did. Thank you, LINDA SÁNCHEZ.

I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, we are so proud of not just



our victory, which was incredibly sweet, and we're really so sorry that our opposition is not in the press gallery to witness this acceptance of the trophy. But the two things that we are the most proud of, one is that we continue to be the best example of bipartisanship in the Capitol, in the United States Capitol, and we hope that our camaraderie will extend to the rest of the legislative process. Hopefully we can continue to be that example and it will carry over. We know that it carries over for all of our friendships and our relationships. Number two, the beneficiary of the Congressional Women's Softball Game each year is the Young Survival Coalition, which is an organization that is dedicated to raising awareness and providing assistance to young women diagnosed with breast cancer under 40 years old.

Most of you know that I was 41 when I was diagnosed 3½ years ago with breast cancer, and I am still here to talk about it, thank God. Thank you. There are only two women breast cancer survivors in the House of Representatives—myself and SUE MYRICK. So as you can see, that's bipartisan as well. I know she and I both very much appreciate the time and dedication, companionship, camaraderie—I can never get through this without being emotional.

The women on this team came out 20 different times at 7 in the morning to practice to get ready for this game. We raised more than \$50,000 for the Young Survival Coalition. Thank you. So many of you came out, and so many of our staff came out. We had 875 people come watch the game this year. It was just a phenomenal success. We can't thank you enough. We will be back next year. We understand that the press wants a rematch, they told us so the night of the game, and we look forward to beating them again next year.

Mrs. EMERSON. I yield back the balance of my time.

AMENDMENT NO. 3 OFFERED BY MRS. CAPITO

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from West Virginia (Mrs. CAPITO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 268, noes 152, not voting 11, as follows:

[Roll No. 566]

AYES—268

Adams	Gibson	Nugent
Aderholt	Gingrey (GA)	Nunes
Akin	Gohmert	Nunnelee
Alexander	Gonzalez	Olson
Altmire	Goodlatte	Owens
Amash	Gosar	Palazzo
Austria	Gowdy	Paul
Baca	Granger	Paulsen
Bachmann	Graves (GA)	Pearce
Bachus	Graves (MO)	Pence
Barletta	Green, Gene	Peterson
Barrow	Griffin (AR)	Petri
Bartlett	Griffith (VA)	Pitts
Barton (TX)	Grimm	Platts
Bass (NH)	Guinta	Poe (TX)
Benishek	Guthrie	Pompeo
Berg	Hall	Posey
Biggert	Hanna	Price (GA)
Bilbray	Harper	Quayle
Bilirakis	Harris	Rahall
Bishop (UT)	Hartzler	Reed
Black	Hayworth	Rehberg
Blackburn	Heck	Reichert
Bonner	Hensarling	Renacci
Bono Mack	Herger	Reyes
Boren	Herrera Beutler	Ribble
Boswell	Hinojosa	Richardson
Boustany	Holden	Rigell
Brady (TX)	Huelskamp	Rivera
Brooks	Huizenga (MI)	Roby
Broun (GA)	Hultgren	Roe (TN)
Buchanan	Hunter	Rogers (AL)
Bucshon	Hurt	Rogers (KY)
Buerkle	Issa	Rogers (MI)
Burgess	Jenkins	Rohrabacher
Burton (IN)	Johnson (IL)	Rokita
Calvert	Johnson (OH)	Rooney
Camp	Johnson, Sam	Ros-Lehtinen
Campbell	Jones	Roskam
Canseco	Jordan	Ross (AR)
Capito	Kaptur	Ross (FL)
Cardoza	King (IA)	Royce
Carney	King (NY)	Runyan
Carter	Kingston	Ryan (WI)
Cassidy	Kinzinger (IL)	Sanchez, Loretta
Chabot	Kissell	Scalise
Chaffetz	Kline	Schilling
Chandler	Labrador	Schmidt
Clarke (MI)	Lamborn	Schock
Coble	Lance	Schrader
Coffman (CO)	Lankford	Schweikert
Conaway	Latham	Scott (SC)
Costa	LaTourette	Scott, Austin
Costello	Latta	Sensenbrenner
Cravaack	Lewis (CA)	Sessions
Crawford	Lipinski	Shimkus
Crenshaw	LoBiondo	Shuler
Critz	Loeb sack	Shuster
Cuellar	Long	Simpson
Culberson	Lucas	Smith (NE)
Davis (KY)	Luetkemeyer	Smith (NJ)
Denham	Lummis	Smith (TX)
Dent	Lungren, Daniel	Southerland
DesJarlais	E.	Stearns
Diaz-Balart	Mack	Stivers
Dold	Manzullo	Stutzman
Donnelly (IN)	Marchant	Sullivan
Dreier	Marino	Terry
Duffy	Matheson	Thompson (PA)
Duncan (SC)	McCarthy (CA)	Thornberry
Duncan (TN)	McCaul	Tiberi
Ellmers	McClintock	Tipton
Emerson	McHenry	Turner
Farenthold	McIntyre	Upton
Fincher	McKeon	Walberg
Fitzpatrick	McKinley	Walden
Flake	McMorris	Walsh (IL)
Fleischmann	Rodgers	Webster
Fleming	McNerney	West
Flores	Meehan	Westmoreland
Forbes	Mica	Whitfield
Fortenberry	Michaud	Wilson (SC)
Fox	Miller (FL)	Wittman
Franks (AZ)	Miller (MI)	Wolf
Frelinghuysen	Miller, Gary	Womack
Gallegly	Mulvaney	Woodall
Gardner	Murphy (PA)	Yoder
Garrett	Myrick	Young (AK)
Gerlach	Neugebauer	Young (FL)
Gibbs	Noem	Young (IN)

NOES—152

Ackerman	Gutierrez	Payne
Andrews	Hanabusa	Perlmutter
Baldwin	Hastings (FL)	Peters
Bass (CA)	Heinrich	Pingree (ME)
Becerra	Higgins	Polis
Berkley	Himes	Price (NC)
Berman	Hirono	Quigley
Bishop (NY)	Hochul	Rangel
Blumenauer	Holt	Richmond
Brady (PA)	Honda	Rothman (NJ)
Braley (IA)	Inslee	Royal-Allard
Brown (FL)	Israel	Ruppersberger
Butterfield	Jackson (IL)	Rush
Capps	Jackson Lee	Ryan (OH)
Capuano	(TX)	Sánchez, Linda
Carnahan	Johnson (GA)	T.
Carson (IN)	Johnson, E. B.	Sarbanes
Castor (FL)	Keating	Schakowsky
Chu	Kelly	Schiff
Ciulline	Kildee	Schwartz
Clarke (NY)	Kind	Scott (VA)
Clay	Kucinich	Scott, David
Cleaver	Langevin	Serrano
Clyburn	Larsen (WA)	Sewell
Cohen	Larson (CT)	Sherman
Connolly (VA)	Lee (CA)	Sires
Conyers	Levin	Slaughter
Cooper	Lewis (GA)	Smith (WA)
Courtney	Lofgren, Zoe	Speier
Crowley	Lowe	Stark
Cummings	Lujan	Sutton
Davis (CA)	Lynch	Thompson (CA)
Davis (IL)	Maloney	Thompson (MS)
DeFazio	Markey	Tierney
DeGette	Matsui	Tonko
DeLauro	McCarthy (NY)	Towns
Deutch	McCollum	Tsongas
Dicks	McDermott	Van Hollen
Dingell	McGovern	Velázquez
Doggett	Meeks	Visclosky
Doyle	Miller (NC)	Walz (MN)
Edwards	Miller, George	Wasserman
Engel	Moore	Schultz
Eshoo	Moran	Waters
Farr	Murphy (CT)	Watt
Fattah	Nadler	Waxman
Filner	Napolitano	Welch
Frank (MA)	Neal	Wilson (FL)
Fudge	Olver	Woolsey
Garamendi	Pallone	Wu
Green, Al	Pascrell	Yarmuth
Grijalva	Pastor (AZ)	

NOT VOTING—11

□ 1802

Messrs. WALDEN, McCLINTOCK, and LIPINSKI changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. KELLY. Mr. Chair, during consideration of H.R. 2018, the Clean Water Cooperative Federalism Act of 2011, I voted “no” on the Capito Amendment, rollcall No. 566, when it was my intent to vote “yea.”

AMENDMENT NO. 5 OFFERED BY MR. POLIS

The Acting CHAIR (Mr. CHAFFETZ). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.



A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 231, not voting 9, as follows:

[Roll No. 567]

AYES—191

Ackerman	Gerlach	Olver
Andrews	Gibson	Owens
Baca	Gonzalez	Pallone
Baldwin	Green, Al	Pascrell
Barrow	Green, Gene	Pastor (AZ)
Bass (CA)	Grijalva	Payne
Bass (NH)	Gutierrez	Perlmutter
Becerra	Hanabusa	Peters
Berkley	Hanna	Petri
Berman	Hastings (FL)	Pingree (ME)
Biggert	Hayworth	Platts
Bishop (NY)	Heinrich	Polis
Blumenauer	Higgins	Price (NC)
Boswell	Himes	Quigley
Brady (PA)	Hinojosa	Rangel
Brady (IA)	Hirono	Reichert
Brown (FL)	Hochul	Reyes
Butterfield	Holt	Richardson
Capps	Honda	Richmond
Capuano	Inlee	Rothman (NJ)
Carnahan	Israel	Roybal-Allard
Carney	Jackson (IL)	Ruppersberger
Carson (IN)	Jackson Lee	Rush
Castor (FL)	(TX)	Ryan (OH)
Chandler	Johnson (GA)	Sánchez, Linda
Chu	Johnson (IL)	T.
Cicilline	Johnson, E. B.	Sanchez, Loretta
Clarke (MI)	Kaptur	Sarbanes
Clarke (NY)	Keating	Schakowsky
Clay	Kildee	Schiff
Cleaver	Kind	Schwartz
Clyburn	Kissell	Scott (VA)
Cohen	Kucinich	Scott, David
Connolly (VA)	Langevin	Serrano
Conyers	Larsen (WA)	Sewell
Cooper	Larson (CT)	Sherman
Costello	Lee (CA)	Shuler
Courtney	Levin	Sires
Crowley	Lewis (GA)	Slaughter
Cuellar	Lipinski	Smith (NJ)
Cummings	LoBiondo	Smith (WA)
Davis (CA)	Loeb sack	Speier
Davis (IL)	Lofgren, Zoe	Stark
DeFazio	Lowey	Sutton
DeGette	Luján	Thompson (CA)
DeLauro	Lynch	Thompson (MS)
Dent	Maloney	Tierney
Deutch	Markey	Tonko
Dicks	Matsui	Towns
Dingell	McCollum	Tsongas
Doggett	McDermott	Van Hollen
Dold	McGovern	Velázquez
Donnelly (IN)	McIntyre	Visclosky
Doyle	McNerney	Walz (MN)
Edwards	Meehan	Wasserman
Engel	Meeks	Schultz
Eshoo	Michaud	Waters
Farr	Miller (NC)	Watt
Fattah	Miller, George	Waxman
Filner	Moore	Welch
Fitzpatrick	Moran	Wilson (FL)
Fortenberry	Murphy (CT)	Woolsey
Frank (MA)	Nadler	Wu
Fudge	Napolitano	Yarmuth
Garamendi	Neal	

NOES—231

Adams	Black	Canseco
Aderholt	Blackburn	Capito
Akin	Bonner	Cardoza
Alexander	Bono Mack	Carter
Altmire	Boren	Cassidy
Amash	Boustany	Chabot
Austria	Boustany	Chaffetz
Bachmann	Brady (TX)	Coble
Bachus	Brooks	Coffman (CO)
Barletta	Broun (GA)	Cole
Bartlett	Buchanan	Conaway
Barton (TX)	Bucshon	Costa
Benishek	Buerkle	Cravaack
Berg	Burgess	Crawford
Billray	Burton (IN)	Crenshaw
Bilirakis	Calvert	Critz
Bishop (UT)	Camp	Culberson

Davis (KY)	Kinzinger (IL)	Rigell
Denham	Kline	Rivera
DesJarlais	Labrador	Roby
Diaz-Balart	Lamborn	Roe (TN)
Dreier	Lance	Rogers (AL)
Duffy	Landry	Rogers (KY)
Duncan (SC)	Lankford	Rogers (MI)
Duncan (TN)	Latham	Rohrabacher
Ellmers	LaTourette	Rokita
Emerson	Latta	Rooney
Farenthold	Lewis (CA)	Ros-Lehtinen
Fincher	Long	Roskam
Flake	Lucas	Ross (AR)
Fleischmann	Luetkemeyer	Ross (FL)
Fleming	Lummis	Royce
Flores	Lungren, Daniel	Runyan
Forbes	E.	Ryan (WI)
Fox	Mack	Scalise
Franks (AZ)	Manzullo	Schilling
Frelinghuysen	Marchant	Schmidt
Gallegly	Marino	Schock
Gardner	Matheson	Schrader
Garrett	McCarthy (CA)	Schweikert
Gibbs	McCarthy (NY)	Scott (SC)
Gingrey (GA)	McCaul	Scott, Austin
Gohmert	McClintock	Sensenbrenner
Goodlatte	McHenry	Sessions
Gosar	McKeon	Shimkus
Reyes	McKinley	Shuster
Granger	McMorris	Simpson
Graves (GA)	Rodgers	Smith (NE)
Graves (MO)	Mica	Smith (TX)
Griffin (AR)	Miller (FL)	Southerland
Griffith (VA)	Miller (MI)	Stearns
Grimm	Miller, Gary	Stivers
Guinta	Mulvaney	Stutzman
Guthrie	Murphy (PA)	Sullivan
Hall	Myrick	Terry
Harper	Neugebauer	Thompson (PA)
Harris	Noem	Thornberry
Hartzler	Nugent	Tiberi
Heck	Nunes	Tipton
Hensarling	Nunnelee	Turner
Herger	Olson	Upton
Herrera Beutler	Palazzo	Walberg
Holden	Paul	Walden
Huelskamp	Paulsen	Walsh (IL)
Huizenga (MI)	Pearce	Webster
Hultgren	Pence	West
Hunter	Peterson	Westmoreland
Hunter	Pitts	Whitfield
Issa	Poe (TX)	Wilson (SC)
Jenkins	Pompeo	Wittman
Johnson (OH)	Posey	Wolf
Johnson, Sam	Price (GA)	Womack
Jones	Quayle	Woodall
Jordan	Rahall	Yoder
Kelly	Reed	Young (AK)
King (IA)	Rehberg	Young (FL)
King (NY)	Renacci	Young (IN)
Kingston	Ribble	

NOT VOTING—9

Bishop (GA)	Giffords	Hoyer
Cantor	Hastings (WA)	McCotter
Ellison	Hinchey	Pelosi

□ 1806

So the amendment was rejected.  
The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 240, not voting 10, as follows:

[Roll No. 568]

AYES—181

Ackerman	Gutierrez	Perlmutter
Andrews	Hanabusa	Peters
Baca	Hastings (FL)	Pingree (ME)
Baldwin	Hayworth	Polis
Bass (CA)	Heinrich	Price (NC)
Becerra	Higgins	Quigley
Berkley	Himes	Rangel
Berman	Hinojosa	Reichert
Bishop (NY)	Hirono	Reyes
Blumenauer	Hochul	Richardson
Brady (PA)	Holt	Richmond
Braley (IA)	Inslee	Rigell
Brown (FL)	Israel	Rothman (NJ)
Butterfield	Jackson (IL)	Roybal-Allard
Capps	Jackson Lee	Ruppersberger
Capuano	(TX)	Rush
Carnahan	Johnson (GA)	Ryan (OH)
Carney	Johnson (IL)	Sánchez, Linda
Carson (IN)	Johnson, E. B.	T.
Castor (FL)	Kaptur	Sanchez, Loretta
Chandler	Keating	Sarbanes
Chu	Kildee	Schakowsky
Cicilline	Kind	Schiff
Clarke (MI)	Kissell	Schrader
Clarke (NY)	Clarke (MI)	Schwartz
Clay	Clarke (NY)	Scott (VA)
Cleaver	Clay	Scott, David
Clyburn	Cleaver	Serrano
Cohen	Clyburn	Levin
Connolly (VA)	Cohen	Lewis (GA)
Conyers	Connolly (VA)	Lipinski
Cooper	Coopers	LoBiondo
Courtney	Cooper	Loeb sack
Crowley	Courtney	Lofgren, Zoe
Cummings	Crowley	Lowey
Davis (CA)	Cummings	Luján
Davis (IL)	Davis (CA)	Lynch
DeFazio	Davis (IL)	Maloney
DeGette	DeFazio	Markey
DeLauro	DeGette	Matsui
Dent	DeLauro	McCarthy (NY)
Deutch	Deutch	McCollum
Dicks	Dicks	McDermott
Dingell	Dingell	McGovern
Doggett	Doggett	McIntyre
Dold	Dold	McNerney
Donnelly (IN)	Donnelly (IN)	Meeks
Doyle	Doyle	Michaud
Edwards	Edwards	Miller (NC)
Engel	Engel	Miller, George
Eshoo	Eshoo	Moore
Farr	Farr	Moran
Fattah	Fattah	Murphy (CT)
Filner	Filner	Nadler
Fitzpatrick	Fitzpatrick	Napolitano
Fortenberry	Frank (MA)	Neal
Frank (MA)	Fudge	
Fudge	Garamendi	Boren
Garamendi		Boswell
		Boustany
		Brady (TX)
		Brooks
		Broun (GA)
		Buchanan
		Bucshon
		Buerkle
		Burgess
		Burton (IN)
		Calvert
		Camp
		Campbell
		Canseco
		Berg
		Biggert
		Billray
		Bilirakis
		Bishop (UT)
		Black
		Blackburn
		Bonner
		Bono Mack

NOES—240

Adams	Boren	Costa
Aderholt	Boswell	Costello
Akin	Boustany	Cravaack
Alexander	Brady (TX)	Crawford
Altmire	Brooks	Crenshaw
Amash	Broun (GA)	Critz
Austria	Buchanan	Cuellar
Bachmann	Bucshon	Culberson
Bachus	Buerkle	Davis (KY)
Barletta	Burgess	Denham
Barrow	Burton (IN)	Dent
Bartlett	Calvert	DesJarlais
Barton (TX)	Camp	Diaz-Balart
Bass (NH)	Campbell	Dreier
Benishek	Canseco	Duffy
Berg	Capito	Duncan (SC)
Biggert	Cardoza	Duncan (TN)
Billray	Carter	Ellmers
Bilirakis	Chabot	Emerson
Bishop (UT)	Chaffetz	Farenthold
Black	Coble	Fincher
Blackburn	Coffman (CO)	Flake
Bonner	Cole	Fleischmann
Bono Mack	Conaway	Fleming

Flores  
 Forbes  
 Fortenberry  
 Foxx  
 Franks (AZ)  
 Frelinghuysen  
 Gallegly  
 Gardner  
 Garrett  
 Gerlach  
 Gibbs  
 Gibson  
 Gingrey (GA)  
 Gohmert  
 Goodlatte  
 Gosar  
 Gowdy  
 Granger  
 Graves (GA)  
 Graves (MO)  
 Griffin (AR)  
 Griffith (VA)  
 Grimm  
 Guinta  
 Guthrie  
 Hall  
 Hanna  
 Harper  
 Harris  
 Hartzler  
 Heck  
 Hensarling  
 Herger  
 Herrera Beutler  
 Holden  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt  
 Issa  
 Jenkins  
 Johnson (OH)  
 Johnson, Sam  
 Jones  
 Jordan  
 Kelly  
 King (IA)  
 King (NY)  
 Kingston  
 Kinzinger (IL)  
 Kline  
 Labrador  
 Lamborn  
 Lance  
 Landry  
 Lankford

Latham  
 LaTourette  
 Latta  
 Lewis (CA)  
 Long  
 Lucas  
 Luetkemeyer  
 Lummis  
 Lungren, Daniel  
 E.  
 Mack  
 Manullo  
 Marchant  
 Marino  
 Matheson  
 McCarthy (CA)  
 McCaul  
 McClintock  
 McHenry  
 McKeon  
 McKinley  
 McMorris  
 Rodgers  
 Meehan  
 Mica  
 Miller (FL)  
 Miller (MI)  
 Miller, Gary  
 Mulvaney  
 Murphy (PA)  
 Myrick  
 Neugebauer  
 Noem  
 Nugent  
 Nunes  
 Nunnelee  
 Olson  
 Owens  
 Palazzo  
 Paul  
 Paulsen  
 Pearce  
 Pence  
 Peterson  
 Petri  
 Pitts  
 Platts  
 Poe (TX)  
 Pompeo  
 Whitfield  
 Price (GA)  
 Quayle  
 Rahall  
 Reed  
 Rehberg  
 Renacci  
 Ribble

Rivera  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross (AR)  
 Ross (FL)  
 Royce  
 Runyan  
 Ryan (WI)  
 Scalise  
 Schilling  
 Schmidt  
 Schock  
 Schweikert  
 Scott (SC)  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (TX)  
 Southerland  
 Stearns  
 Stivers  
 Stutzman  
 Sullivan  
 Terry  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Turner  
 Upton  
 Walberg  
 Cummings  
 Davis (CA)  
 Davis (IL)  
 DeFazio  
 DeGette  
 DeLauro  
 Deutch  
 Dicks  
 Dingell  
 Doggett  
 Dold  
 Donnelly (IN)  
 Doyle  
 Edwards  
 Engel  
 Eshoo  
 Farr  
 Fattah  
 Finer  
 Fitzpatrick  
 Frank (MA)  
 Fudge  
 Garamendi  
 Gibson  
 Gonzalez  
 Green, Al

The vote was taken by electronic device, and there were—ayes 183, noes 237, not voting 11, as follows:

[Roll No. 569]

AYES—183

Ackerman  
 Andrews  
 Baca  
 Baldwin  
 Bass (CA)  
 Bass (NH)  
 Becerra  
 Berkeley  
 Berman  
 Bishop (NY)  
 Blumenauer  
 Brady (PA)  
 Braley (IA)  
 Brown (FL)  
 Butterfield  
 Capps  
 Capuano  
 Carnahan  
 Carney  
 Carson (IN)  
 Castor (FL)  
 Chandler  
 Chu  
 Cicilline  
 Clarke (MI)  
 Clarke (NY)  
 Clay  
 Cleaver  
 Clyburn  
 Cohen  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Lee (CA)  
 Levin  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Davis (CA)  
 Davis (IL)  
 DeFazio  
 DeGette  
 DeLauro  
 Deutch  
 Dicks  
 Dingell  
 Doggett  
 Dold  
 Donnelly (IN)  
 Doyle  
 Edwards  
 Engel  
 Eshoo  
 Farr  
 Fattah  
 Finer  
 Fitzpatrick  
 Frank (MA)  
 Fudge  
 Garamendi  
 Gibson  
 Gonzalez  
 Green, Al  
 Green, Gene  
 Grijalva  
 Gutierrez  
 Hanabusa  
 Hastings (FL)  
 Hayworth  
 Heinrich  
 Higgins  
 Himes  
 Hinojosa  
 Hirono  
 Hochul  
 Holt  
 Honda  
 Insee  
 Israel  
 Jackson (IL)  
 Jackson Lee  
 (TX)  
 Johnson (GA)  
 Johnson (IL)  
 Johnson, E. B.  
 Kaptur  
 Keating  
 Kildee  
 Kind  
 Kissell  
 Kucinich  
 Lance  
 Cohen  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Lee (CA)  
 Levin  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Davis (CA)  
 Davis (IL)  
 DeFazio  
 DeGette  
 DeLauro  
 Deutch  
 Dicks  
 Dingell  
 Doggett  
 Dold  
 Donnelly (IN)  
 Doyle  
 Edwards  
 Engel  
 Eshoo  
 Farr  
 Fattah  
 Finer  
 Fitzpatrick  
 Frank (MA)  
 Fudge  
 Garamendi  
 Gibson  
 Gonzalez  
 Green, Al  
 Green, Gene  
 Grijalva  
 Gutierrez  
 Hanabusa  
 Hastings (FL)  
 Hayworth  
 Heinrich  
 Higgins  
 Himes  
 Hinojosa  
 Hirono  
 Hochul  
 Holt  
 Honda  
 Insee  
 Israel  
 Jackson (IL)  
 Jackson Lee  
 (TX)  
 Johnson (GA)  
 Johnson (IL)  
 Johnson, E. B.  
 Kaptur  
 Keating  
 Kildee  
 Kind  
 Kissell  
 Kucinich  
 Lance  
 Cohen  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Lee (CA)  
 Levin  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Davis (CA)  
 Davis (IL)  
 DeFazio  
 DeGette  
 DeLauro  
 Deutch  
 Dicks  
 Dingell  
 Doggett  
 Dold  
 Donnelly (IN)  
 Doyle  
 Edwards  
 Engel  
 Eshoo  
 Farr  
 Fattah  
 Finer  
 Fitzpatrick  
 Frank (MA)  
 Fudge  
 Garamendi  
 Gibson  
 Gonzalez  
 Green, Al  
 Owens  
 Pallone  
 Pascrell  
 Pastor (AZ)  
 Payne  
 Perlmutter  
 Peters  
 Petri  
 Pingree (ME)  
 Polis  
 Price (NC)  
 Quigley  
 Rangel  
 Reyes  
 Richardson  
 Richmond  
 Rothman (NJ)  
 Roybal-Allard  
 Ruppertsberger  
 Rush  
 Ryan (OH)  
 Sanchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schrader  
 Schwartz  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell  
 Sherman  
 Shuler  
 Sires  
 Slaughter  
 Smith (NJ)  
 Smith (WA)  
 Speier  
 Stark  
 Sutton  
 Thompson (CA)  
 Thompson (MS)  
 Tierney  
 Tonko  
 Towns  
 Tsongas  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walz (MN)  
 Wasserman  
 Schultz  
 Waters  
 Watt  
 Waxman  
 Welch  
 Wilson (FL)  
 Woolsey  
 Wu  
 Yarmuth

Fortenberry  
 Foxx  
 Franks (AZ)  
 Frelinghuysen  
 Gallegly  
 Gardner  
 Garrett  
 Gerlach  
 Gibbs  
 Gingrey (GA)  
 Gohmert  
 Goodlatte  
 Gosar  
 Gowdy  
 Granger  
 Graves (GA)  
 Graves (MO)  
 Griffin (AR)  
 Griffith (VA)  
 Grimm  
 Guinta  
 Guthrie  
 Hall  
 Hanna  
 Harper  
 Harris  
 Hartzler  
 Heck  
 Hensarling  
 Herger  
 Herrera Beutler  
 Holden  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt  
 Issa  
 Jenkins  
 Johnson (OH)  
 Johnson, Sam  
 Jones  
 Jordan  
 Kelly  
 King (IA)  
 King (NY)  
 Kingston  
 Kinzinger (IL)  
 Kline  
 Labrador  
 Lamborn  
 Landry  
 Lankford  
 Latham  
 LaTourette  
 Latta  
 Lewis (CA)  
 Long  
 Lucas  
 Luetkemeyer  
 Lummis  
 Lungren, Daniel  
 E.  
 Mack  
 Manullo  
 Marchant  
 Marino  
 Matheson  
 McCarthy (CA)  
 McCaul  
 McClintock  
 McHenry  
 McKeon  
 McKinley  
 McMorris  
 Rodgers  
 Meehan  
 Mica  
 Miller (FL)  
 Miller (MI)  
 Miller, Gary  
 Mulvaney  
 Murphy (PA)  
 Myrick  
 Neugebauer  
 Noem  
 Nugent  
 Nunes  
 Nunnelee  
 Olson  
 Palazzo  
 Paul  
 Paulsen  
 Pearce  
 Pence  
 Peterson  
 Petri  
 Pitts  
 Platts  
 Poe (TX)  
 Pompeo  
 Whitfield  
 Price (GA)  
 Quayle  
 Rahall  
 Reed  
 Rehberg  
 Reichert  
 Renacci  
 Ribble  
 Rigell  
 Rivera  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross (AR)  
 Ross (FL)  
 Royce  
 Runyan  
 Ryan (WI)  
 Scalise  
 Schilling  
 Schmidt  
 Schock  
 Schweikert  
 Scott (SC)  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (TX)  
 Southerland  
 Stearns  
 Stivers  
 Stutzman  
 Sullivan  
 Terry  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Turner  
 Upton  
 Walberg  
 Walden  
 Walsh (IL)  
 Webster  
 West  
 Westmoreland  
 Whitfield  
 Wilson (SC)  
 Reed  
 Rehberg  
 Reichert  
 Renacci  
 Ribble  
 Rigell  
 Rivera  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross (AR)  
 Ross (FL)  
 Royce  
 Runyan  
 Ryan (WI)  
 Scalise  
 Schilling  
 Schmidt  
 Schock  
 Schweikert  
 Scott (SC)  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (TX)  
 Southerland  
 Stearns  
 Stivers  
 Stutzman  
 Sullivan  
 Terry  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Turner  
 Upton  
 Walberg  
 Walden  
 Walsh (IL)  
 Webster  
 West  
 Westmoreland  
 Whitfield  
 Wilson (SC)  
 Reed  
 Rehberg  
 Reichert  
 Renacci  
 Ribble  
 Rigell  
 Rivera  
 Roby  
 Roe (TN)

NOT VOTING—11

Bishop (GA)  
 Cantor  
 Cuellar  
 Ellison  
 Giffords  
 Hastings (WA)  
 Hinchey  
 Hoyer  
 McCotter  
 Paul  
 Pelosi

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There are 30 seconds remaining.

□ 1814

So the amendment was rejected.  
 The result of the vote was announced  
 as above recorded.

AMENDMENT NO. 9 OFFERED BY MR.  
 BLUMENAUER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

Adams  
 Aderholt  
 Akin  
 Alexander  
 Altmire  
 Amash  
 Austria  
 Bachmann  
 Bachus  
 Barletta  
 Barrow  
 Bartlett  
 Barton (TX)  
 Benishek  
 Berg  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (UT)  
 Black  
 Blackburn  
 Bonner  
 Bono Mack  
 Boren  
 Boswell  
 Boustany  
 Brady (TX)  
 Brooks  
 Broun (GA)  
 Buchanan  
 Bucshon  
 Buerkle  
 Burgess  
 Burton (IN)  
 Calvert  
 Camp  
 Campbell  
 Canseco  
 Capito  
 Cardoza  
 Carter  
 Cassidy  
 Chabot  
 Chaffetz  
 Coble  
 Coffman (CO)  
 Cole  
 Conaway  
 Costa  
 Cravaack  
 Crawford  
 Crenshaw  
 Critz  
 Culberson  
 Davis (KY)  
 Denham  
 Dent  
 DesJarlais  
 Diaz-Balart  
 Dreier  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Ellmers  
 Emerson  
 Farenthold  
 Fincher  
 Flake  
 Fleischmann  
 Fleming  
 Flores  
 Forbes

NOES—237

The vote was taken by electronic device, and there were—ayes 173, noes 247, not voting 11, as follows:

[Roll No. 570]

AYES—173

Ackerman Green, Gene Pascrell
Andrews Grijalva Pastor (AZ)
Baca Gutierrez Payne
Baldwin Hanabusa Perlmutter
Bass (CA) Hastings (FL) Peters
Bass (NH) Heinrich Pingree (ME)
Becerra Higgins Polis
Berkley Himes Price (NC)
Berman Hinojosa Quigley
Bishop (NY) Hirono Rangel
Blumenauer Hochul Rangel
Brady (PA) Holt
Braley (IA) Honda Richmond
Brown (FL) Inslee Richardson
Burgess Israel Rothman (NJ)
Butterfield Jackson (IL) Ruppelberger
Capps Jackson Lee Rush
Capuano (TX) Johnson, E. B. Sanchez, Linda T.
Carnahan Kaptur T.
Carney Keating Sanchez, Loretta
Carson (IN) Kildee Sarbanes
Castor (FL) Kind Schakowsky
Chandler Kissell Schiff
Chu Kucinich Schrader
Ciilline Langevin Schwartz
Clarke (MI) Larsen (WA) Scott (VA)
Clarke (NY) Larson (CT) Scott, David
Clay Lee (CA) Serrano
Clever Levin Sewell
Clyburn Lewis (GA) Sherman
Cohen Lipinski Shuler
Connolly (VA) Loeb sack Sires
Conyers Lofgren, Zoe Slaughter
Cooper Lowey Smith (WA)
Courtney Lujan Speier
Crowley Lynch Stark
Cummings Maloney Sutton
Davis (CA) Markey Thompson (CA)
Davis (IL) Matsui Thompson (MS)
DeFazio McCarthy (NY) Tierney
DeGette McCollum Tonko
DeLauro McDermott Towns
Deutch McGovern Tsongas
Dicks McIntyre Van Hollen
Dingell McNerney Velázquez
Doggett Meeks Visclosky
Donnelly (IN) Doyle Walz (MN)
Doyle Edwards Miller (NC) Wasserman
Engel Miller, George Schultz
Eshoo Moore Waters
Farr Moran Watt
Fattah Murphy (CT) Waxman
Filner Nadler Welch
Frank (MA) Napolitano Wilson (FL)
Fudge Neal Woolsey
Garamendi Olver Wu
Gonzalez Owens Yarmuth
Green, Al Pallone

NOES—247

Adams Brooks Culberson
Aderholt Broun (GA) Davis (KY)
Akin Buchanan Denham
Alexander Bucshon Dent
Altmire Buerkle DesJarlais
Amash Burton (IN) Diaz-Balart
Austria Calvert Dold
Bachmann Camp Dreier
Bachus Campbell Duffy
Barletta Canseco Duncan (SC)
Barrow Capito Duncan (TN)
Bartlett Cardoza Ellmers
Barton (TX) Carter Emerson
Benishek Cassidy Farenthold
Berg Chabot Fincher
Biggert Chaffetz Fitzpatrick
Bilbray Coble Flake
Billirakis Coffman (CO) Fleischmann
Bishop (UT) Cole Fleming
Black Conaway Flores
Blackburn Costa Forbes
Bonner Costello Fortenberry
Bono Mack Cravaack Foxx
Boren Crawford Franks (AZ)
Boswell Crenshaw Frelinghuysen
Boustany Critz Gallegly
Brady (TX) Cuellar Gardner

Garrett Long
Gerlach Lucas
Gibbs Luetkemeyer
Gibson Lummis
Gingrey (GA) Lungren, Daniel
Gohmert E.
Goodlatte Mack
Gosar Manzullo
Gowdy Marchant
Granger Marino
Graves (GA) Matheson
Graves (MO) McCarthy (CA)
Griffin (AR) McCaul
Griffith (VA) McClintock
Grimm McHenry
Guinta McKeon
Guthrie McKinley
Hall McMorris
Hanna Rodgers
Harper Meehan
Harris Mica
Hartzler Miller (FL)
Hayworth Miller (MI)
Heck Ruppelberger
Hensarling Mulvaney
Herger Murphy (PA)
Herrera Beutler Myrick
Holden Neugebauer
Huelskamp Noem
Huizenga (MI) Nugent
Hultgren Nunes
Hunter Nunnelee
Hurt Olson
Issa Palazzo
Jenkins Paulsen
Johnson (IL) Pearce
Johnson (OH) Pence
Johnson, Sam Peterson
Jones Petri
Jordan Pitts
Kelly Platts
King (IA) Poe (TX)
King (NY) Pompeo
Kingston Posey
Kinzinger (IL) Price (GA)
Kline Quayle
Labrador Rahall
Lamborn Reed
Lance Rehberg
Landry Reichert
Lankford Renacci
Latham Ribble
LaTourette Rigell
Latta Rivera
Lewis (CA) Roby
LoBiondo Roe (TN)

NOT VOTING—11

Bishop (GA) Hastings (WA) McCotter
Cantor Hinchey Paul
Ellison Hoyer Pelosi
Giffords Johnson (GA)

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There are 30 seconds remaining.

□ 1818

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 1 OFFERED BY MS. JACKSON
LEE OF TEXAS

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from Texas (Ms. JACKSON
LEE) on which further proceedings were
postponed and on which the ayes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.
The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 167, noes 254,
not voting 10, as follows:

[Roll No. 571]

AYES—167

Ackerman Gutierrez Pascrell
Andrews Hanabusa Pastor (AZ)
Baldwin Hastings (FL) Payne
Bass (CA) Heinrich Perlmutter
Becerra Higgins Peters
Berkley Himes Pingree (ME)
Berman Hinojosa Polis
Bishop (NY) Hirono Price (NC)
Blumenauer Hochul Quigley
Brady (PA) Holt Rangel
Braley (IA) Honda Richmond
Brown (FL) Inslee Rothman (NJ)
Butterfield Israel Royal-Ballard
Capps Jackson (IL) Ruppelberger
Capuano Jackson Lee Rush
Carnahan (TX) Johnson (GA) Sanchez, Linda
Carney Johnson, E. B. T.
Carson (IN) Kaptur Sanchez, Loretta
Castor (FL) Keating Sarbanes
Chandler Kildee Schakowsky
Chu Kind Schiff
Ciilline Kissell Schrader
Clarke (MI) Kucinich Schwartz
Clarke (NY) Langevin Scott (VA)
Clay Lofgren, Zoe Scott, David
Clever Larson (CT) Serrano
Clyburn Lee (CA) Serrano
Cohen Levin Sewell
Connolly (VA) Lewis (GA) Sherman
Conyers Conyers Shuler
Cooper Lipinski Sires
Courtney Loeb sack Slaughter
Crowley Lofgren, Zoe Smith (WA)
Cummings Lowey Speier
Davis (CA) Lujan Stark
Davis (IL) Lynch Sutton
DeFazio Maloney Thompson (CA)
DeGette Markey Thompson (MS)
DeLauro Matsui Tierney
Deutch McCarthy (NY) Tonko
Dicks McCollum Towns
Dingell McDermott Tsongas
Doggett McGovern Van Hollen
Donnelly (IN) McNerney Velázquez
Doyle Meeks Visclosky
Edwards Miller (NC) Walz (MN)
Engel Miller, George Wasserman
Eshoo Moore Schultz
Farr Moran Waters
Fattah Murphy (CT) Watt
Filner Nadler Waxman
Frank (MA) Napolitano Welch
Garamendi Neal Wilson (FL)
Gonzalez Olver Woolsey
Green, Al Owens Wu
Grijalva Pallone Yarmuth

NOES—254

Adams Brooks Davis (KY)
Aderholt Broun (GA) Denham
Akin Buchanan Dent
Alexander Bucshon DesJarlais
Altmire Buerkle Diaz-Balart
Amash Burgess Dold
Austria Burton (IN) Dreier
Baca Calvert Duffy
Bachmann Camp Duncan (SC)
Bachus Campbell Duncan (TN)
Barletta Canseco Ellmers
Barrow Capito Emerson
Bartlett Cardoza Farenthold
Barton (TX) Carter Fincher
Bass (NH) Cassidy Fitzpatrick
Benishek Chabot Flake
Berg Chaffetz Fleischmann
Biggert Coble Fleming
Bilbray Coffman (CO) Flores
Billirakis Cole Forbes
Bishop (UT) Conaway Fortenberry
Black Costa Foxx
Blackburn Costello Franks (AZ)
Bonner Cravaack Frelinghuysen
Bono Mack Crawford Gallegly
Boren Crenshaw Gardner
Boswell Critz Garrett
Boustany Cuellar Gerlach
Brady (TX) Culberson Gibbs

Gibson	Lummis	Rogers (KY)
Gingrey (GA)	Lungren, Daniel	Rogers (MI)
Gohmert	E.	Rohrabacher
Goodlatte	Mack	Rokita
Gosar	Manzullo	Rooney
Govdy	Marchant	Ros-Lehtinen
Granger	Marino	Roskam
Graves (GA)	Matheson	Ross (AR)
Graves (MO)	McCarthy (CA)	Ross (FL)
Green, Gene	McCaul	Royce
Griffin (AR)	McClintock	Runyan
Griffith (VA)	McHenry	Ryan (WI)
Grimm	McIntyre	Scalise
Guinta	McKeon	Schilling
Guthrie	McKinley	Schmidt
Hall	McMorris	Schock
Hanna	Rodgers	Schweikert
Harper	Meehan	Scott (SC)
Harris	Mica	Scott, Austin
Hartzler	Miller (FL)	Sensenbrenner
Hayworth	Miller (MI)	Sessions
Heck	Miller, Gary	Shimkus
Hensarling	Mulvaney	Shuster
Herger	Murphy (PA)	Simpson
Herrera Beutler	Myrick	Smith (NE)
Holden	Neugebauer	Smith (NJ)
Huelskamp	Noem	Smith (TX)
Huizenga (MI)	Nugent	Southerland
Hultgren	Nunes	Stearns
Hunter	Nunnelee	Stivers
Hurt	Olson	Stutzman
Issa	Palazzo	Sullivan
Jenkins	Paulsen	Terry
Johnson (IL)	Pearce	Thompson (PA)
Johnson (OH)	Pence	Thornberry
Johnson, Sam	Peterson	Tiberi
Jones	Petri	Tipton
Jordan	Pitts	Turner
Kelly	Platts	Upton
King (IA)	Poe (TX)	Walberg
King (NY)	Pompeo	Walden
Kingston	Posey	Walsh (IL)
Kinzinger (IL)	Price (GA)	Webster
Kline	Quayle	West
Labrador	Rahall	Westmoreland
Lamborn	Reed	Whitfield
Lance	Rehberg	Wilson (SC)
Landry	Reichert	Wittman
Lankford	Renacci	Wolf
Latham	Reyes	Womack
LaTourette	Ribble	Woodall
Latta	Richardson	Yoder
Lewis (CA)	Rigell	Young (AK)
LoBiondo	Rivera	Young (FL)
Long	Roby	Young (IN)
Lucas	Roe (TN)	
Luetkemeyer	Rogers (AL)	

## NOT VOTING—10

Bishop (GA)	Hastings (WA)	Paul
Cantor	Hinchee	Pelosi
Ellison	Hoyer	
Giffords	McCotter	

□ 1822

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. WESTMORELAND). The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CHAFFETZ) having assumed the chair, Mr. WESTMORELAND, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes, and, pursuant to House Resolution 347, reported the

bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Mr. MCNERNEY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MCNERNEY. I am opposed.

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

The Clerk read as follows:

Mr. McNerney moves to recommit the bill H.R. 2018 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following:

**SEC. 6. LIMITATION ON APPLICABILITY.**

None of the provisions of this Act, including the amendments made by this Act, shall affect the authority of the Administrator of the Environmental Protection Agency, as in effect on the day before the date of enactment of this Act, with respect to any discharge or standard under the Federal Water Pollution Control Act that could result in an increased loading of a pollutant, including arsenic or perchlorate, into waters that are a source for a public drinking water supply.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. MCNERNEY. Mr. Speaker, today I rise to offer a straightforward and commonsense motion to recommit that will protect our country's drinking water. My amendment is an important proposal that, if adopted, will allow a vote on final passage to proceed immediately.

My motion simply clarifies that the provisions of H.R. 2018 do not affect our country's ability to limit pollution of drinking water supplies, including arsenic and perchlorate pollution. Communities across America have suffered from arsenic and perchlorate contamination, a problem with well-documented and serious consequences. In fact, based on information publicly available on government Web sites, there are at least 71 congressional districts that would be directly impacted by my amendment. These 71 districts have local waters that are contaminated with significant amounts of arsenic and/or perchlorate.

I would like to insert into the RECORD the congressional districts that have these toxins in their waters and urge all of my colleagues, especially those representing these locations, to vote for my amendment.

Arsenic and perchlorate have been linked to many harmful health effects. These effects include bladder, liver, lung and prostate cancers, reproductive and development impediments, and thyroid complications. These health problems have no party line. They affect Democrats and Republicans alike. According to the Centers for Disease Control and other experts, the effects of the contamination can either be short lived or linger for years within the body. These consequences can be especially tragic for children and the most vulnerable among us.

Many of us have experienced one of these conditions or witnessed a loved one going through a serious illness. It's a heartbreaking experience. No matter what our differences on policy matters or the legislation we are debating today, I know that all of us believe we should do everything we can to prevent these diseases.

Our country has made tremendous progress in improving water quality in the decades since the Clean Water Act was passed. We have doubled the amount of waters that are safe for fishing and swimming since the Clean Water Act was passed decades ago. That's a proud legacy and one that we should strive to continue. One of the most basic things we can do is to prevent contamination from serious toxins like arsenic. As written, H.R. 2018 ties our country's hands and makes it more difficult to combat pollution of our drinking water supplies.

Today, more than 200 million Americans rely on public drinking water systems that utilize surface waters. Preserving the quality of water is critically important to the millions of Americans who rely on it for drinking, to farmers who rely on it for clean water to grow their crops, and to the businesses around the country that depend on healthy waterways. My amendment is needed to protect the health and well-being of tens of millions of Americans.

Now, we can have legitimate differences and vigorous debate about the proper roles of State and Federal Government, but we should all be united to preserve clean, healthy drinking water for ourselves, our children, and future generations.

I will say again that if my amendment is adopted, a vote on final passage of H.R. 2018 will proceed immediately. The motion to recommit is an important policy proposal, and I urge my colleagues to support it.

Please do the right thing for families and businesses across America and stand up for the health and safety of our drinking water.

I urge my colleagues to support this commonsense motion to recommit.

PERCHLORATE CONTAMINATION IN WATER BY CONGRESSIONAL DISTRICT

Congressional District	Representative	Site Name	Location City/County	Perchlorate GW Concentration (ppb)	Perchlorate SW concentration (ppb)
AL-3	Rep. Rogers, Michael [R-AL3]	Ft. McClellan	Anniston	3	3
AL-5	Rep. Brooks, Mo [R-AL5]	U.S. Army/NASA RedStone Arsenal	Huntsville	2,200,000	12,200
AR-7	Rep. Grijalva, Raul [D-AZ7]	Shumaker NAD (FUDS)	Camden	850	—
CA-3	Rep. Lungren, Daniel [R-CA3]	Aerojet	East Camden	640,000	12,500
CA-7	Rep. Miller, George [D-CA7]	Mather AFB	Rancho Cordova	1,800	—
CA-10	Rep. Keating, William [D-MA10]	Concord Naval Weapons Station	Concord	—	—
CA-22	Rep. McCarthy, Kevin [R-CA22]	South Weymouth Naval Air Station	Weymouth	1,935	—
CA-24	Rep. Gallegly, Elton [R-CA24]	Massachusetts Military Reservation	Bourne	500	—
CA-25	Rep. McKeon, Howard [R-CA25]	Edwards AFB/Air Force Research Laboratory	Edwards	4,550	—
CA-26	Rep. Dreier, David [R-CA26]	Edwards AFB/Dryden Flight Research Center	Edwards	300	—
CA-34	Rep. Roybal-Allard, Lucille [D-CA34]	Edwards AFB/Jet Propulsion Laboratory	Edwards	160,000	—
CA-43	Rep. Baca, Joe [D-CA43]	Vandenberg AFB	Lompoc	517	—
CA-48	Rep. Campbell, John [R-CA48]	Edwards AFB/Jet Propulsion Laboratory	Edwards	160,000	—
CO-3	Rep. Tipton, Scott [R-CO3]	San Gabriel Valley	San Gabriel Valley	2,180	—
MD-2	Rep. Ruppersberger, Dutch [D-MD2]	Aerojet General Corp.—Ranchero Cordova	Rancho Cordova	6,400,000	—
MD-4	Rep. Edwards, Donna [D-MD4]	Stringfellow	Glen Avon	682,000	—
MO-7	Rep. Long, Billy [R-MO7]	El Toro MCAS	El Toro	395	—
NM-2	Rep. Pearce, Steven [R-NM2]	Pueblo Chemical Depot	Pueblo	180	—
NV-3	Rep. Heck, Joe [R-NV3]	Aberdeen Proving Ground	Aberdeen	3,500	—
TX-1	Rep. Gohmert, Louis [R-TX1]	Naval Surface Warfare Center	Indian Head	276,000	4
WV-1	Rep. McKinley, David [R-WV1]	Expert Management Inc.	Joplin	107,000	—
		White Sands Missile Range (US Army)	White Sands	21,000	—
		Kerr-McGee Chemical	Henderson	3,400,000	120,000
		PEPSON (Former)	Henderson	6,000,000	—
		Longhorn Army Ammunition Plant	Karnack	203,000	11,000
		Alliant Tech: Allegheny Ballistics Laboratory	Keyser	34,900	400

Data Compiled by EPA from Various Sources: EPA (U.S. Environmental Protection Agency). 2004d. Known Perchlorate Releases in the U.S.—September 23, 2004. Perchlorate Occurrences. (Federal Facilities Restoration and Reuse Office, Office of Solid Waste and Emergency Response, U.S. Environmental Protection Agency).

ARSENIC CONTAMINATION IN WATER BY CONGRESSIONAL DISTRICT

[Maximum Concentration Limit for Arsenic is 10ppb]

Congressional District	Representative	Location City/County	Arsenic Concentration (ppb)
AR-1	Rep. Crawford, Rick [R-AR1]	Augusta SE to Marianna	10-50 (>10)
AR-2	Rep. Griffin, Tim [R-AR2]	Augusta SE to Marianna	10-50 (>10)
AZ-1	Rep. Gosar, Paul [R-AZ1]	Safford	10-50 (>10)
CA-1	Rep. Thompson, Michael [D-CA1]	Big Park (area S-SW of Flagstaff)	10-50 (>10)
CA-2	Rep. Heger, Walter [R-CA2]	Sacramento Region	10-50 (>10)
CA-3	Rep. Lungren, Daniel [R-CA3]	Lakeport	10-50 (>10)
CA-4	Rep. McClintock, Tom [R-CA4]	Sacramento Region	10-50 (>10)
CA-5	Rep. Matsui, Doris [D-CA5]	Sacramento Region	10-50 (>10)
CA-11	Rep. McNerney, Jerry [D-CA11]	Colusa	10-50 (>10)
CA-18	Rep. Cardoza, Dennis [D-CA18]	Sacramento Region	10-50 (>10)
CA-19	Rep. Denham, Jeff [R-CA19]	Stockton	10-50 (>10)
CA-20	Rep. Costa, Jim [D-CA20]	Stockton	10-50 (>10)
CA-22	Rep. McCarthy, Kevin [R-CA22]	Bakersfield	10-50 (>10)
CA-25	Rep. Heck, Joe [R-CA25]	Bakersfield	10-50 (>10)
CA-26	Rep. Dreier, David [R-CA26]	Benton (near Mount Montgomery, NV)	>50
CA-31	Rep. Becerra, Xavier [D-CA31]	Between/Around Mojave and Death Valley	>50
CA-32	Rep. Chu, Judy [D-CA32]	Los Angeles + trending NE	10-50 (>10)
CA-33	Rep. Bass, Karen [D-CA33]	Los Angeles + trending NE	10-50 (>10)
CA-34	Rep. Roybal-Allard, Lucille [D-CA34]	Los Angeles + trending NE	10-50 (>10)
CA-35	Rep. Waters, Maxine [D-CA35]	Los Angeles + trending NE	10-50 (>10)
CA-36	Rep. Hahn (elect)	Los Angeles + trending NE	10-50 (>10)
CA-37	Rep. Richardson, Laura [D-CA37]	Los Angeles + trending NE	10-50 (>10)
CA-38	Rep. Napolitano, Grace [D-CA38]	Los Angeles + trending NE	10-50 (>10)
CA-39	Rep. Sanchez, Linda [D-CA39]	Los Angeles + trending NE	10-50 (>10)
CA-40	Rep. Royce, Edward [R-CA40]	Los Angeles + trending NE	10-50 (>10)
CA-42	Rep. Miller, Gary [R-CA42]	Los Angeles + trending NE	10-50 (>10)
CA-47	Rep. Sanchez, Loretta [D-CA47]	Los Angeles + trending NE	10-50 (>10)
CA-41	Rep. Miller, Gary [R-CA41]	Between/Around Mojave and Death Valley	>50
CA-51	Rep. Filner, Bob [D-CA51]	El Centro	>50
ID-1	Rep. Labrador, Raul [R-ID1]	Boise	10-50 (>10)
ID-2	Rep. Simpson, Michael [R-ID2]	Burgdorf East to North Fork	10-50 (>10)
MA-4	Rep. Frank, Barney [D-MA4]	Boise	10-50 (>10)
MA-6	Rep. Tierney, John [D-MA6]	Burgdorf East to North Fork	10-50 (>10)
MA-7	Rep. Markey, Edward [D-MA7]	Boston	10-50 (>10)
MA-8	Rep. Capuano, Michael [D-MA8]	Boston	10-50 (>10)
MA-9	Rep. Lynch, Stephen [D-MA9]	Boston	10-50 (>10)
MA-10	Rep. Keating, William [D-MA10]	Boston	10-50 (>10)
ME-1	Rep. Pingree, Chellie [D-ME1]	Augusta N to coast and E to coast	10-50 (>10)
ME-2	Rep. Michaud, Michael [D-ME2]	Augusta N to coast and E to coast	10-50 (>10)
MT At Large	Rep. Rehberg, Dennis [R-MT]	Anaconda	>50
ND At Large	Rep. Berg, Rick [R-ND]	Bozeman	>50
NM-2	Rep. Pearce, Steven [R-NM2]	Ellendale	>50
NV-2	(Was Rep. Dean Heller)	Las Cruces	10-50 (>10)
OK-3	Rep. Lucas, Frank [R-OK3]	E from Reno and Carson	>50
OK-4	Rep. Cole, Tom [R-OK4]	Mount Montgomery (near Benton, CA)	>50
OK-5	Rep. Lankford, James [R-OK5]	Oklahoma City	10-50 (>10)
OR-1	Rep. Wu, David [D-OR1]	Oklahoma City	10-50 (>10)
OR-2	Rep. Walden, Greg [R-OR2]	Oklahoma City	10-50 (>10)
OR-4	Rep. DeFazio, Peter [D-OR4]	Salem NW to Tallamook	10-50 (>10)
OR-5	Rep. Schrader, Kurt [D-OR5]	Burns, Oregon	>50
SD At Large	Rep. Noem, Kristi [R-SD]	Elkton	10-50 (>10)
TX-13	Rep. Thornberry, William [R-TX13]	Salem NW to Tallamook	10-50 (>10)
TX-15	Rep. Hinojosa, Ruben [D-TX15]	Briton	>50
TX-16	Rep. Reyes, Silvestre [D-TX16]	Amarillo	10-50 (>10)
TX-19	Rep. Neugebauer, Randy [R-TX19]	Hebbronville	>50
		El Paso	10-50 (>10)
		Lubbock	10-50 (>10)

ARSENIC CONTAMINATION IN WATER BY CONGRESSIONAL DISTRICT—Continued

[Maximum Concentration Limit for Arsenic is 10ppb]

Congressional District	Representative	Location City/County	Arsenic Concentration (ppb)
TX-28	Rep. Cuellar, Henry [D-TX28]	Hebbronville	>50

Data from Map Prepared by USGS NAQWA available on NationalAtlas.gov.

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

□ 1830

Mr. GIBBS. I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 5 minutes.

Mr. GIBBS. Mr. Speaker, as we have seen time and time again, this motion is nothing more than a partisan political move.

There has been ample time for my colleagues on the other side of the aisle to suggest amendments to this bill in regular order. As we've been doing all year, our Republican majority is openly considering bills through the committee process and full consideration by the House. This bill is no exception. And yet here we have a last-minute motion that is designed to ensure that EPA can continue to unilaterally force its own one-size-fits-all Federal policies onto the States' water quality programs.

The underlying bill, H.R. 2018, reestablishes the States' balanced role in carrying out the provisions of the Clean Water Act. But this motion, in effect, says that the underlying bill will not apply virtually anywhere the Clean Water Act applies. Implicitly, this motion also says that the States cannot be trusted in protecting the quality of their waters and the health of their citizens, and the Federal Government knows best.

The fact is that our bill is the result of bipartisan work that will protect against unwarranted intrusions by the U.S. EPA. It ensures the continuation of longstanding cooperation between the Federal Government and the States to appropriately issue regulations. Passage of the underlying bill will stop the EPA from repeatedly creating regulatory uncertainty and forcing unnecessary and endless delays, and the time to act is now.

With that, I urge a "no" vote on the motion.

I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

Mr. McNERNEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 188, noes 238, not voting 5, as follows:

[Roll No. 572]

AYES—188

Ackerman  
Altmire  
Andrews  
Baca  
Baldwin  
Barrow  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (NY)  
Blumenauer  
Boren  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costello  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez

Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee (TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loebsack  
Loftgren, Zoe  
Lowe  
Luján  
Lynch  
Maloney  
Markey  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Owens

Pallone  
Pascarell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reyes  
Richardson  
Richmond  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Shuler  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velazquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggert  
Billray  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman (CO)  
Cole  
Conaway  
Costa  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger

Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel E.  
Mack  
Manzullo  
Marchant  
Marino  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McKeon  
McKinley  
McMorris  
Rogers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson

Palazzo  
Paul  
Paulsen  
Pearce  
Pence  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

NOES—238

Adams  
Aderholt  
Akin

Alexander  
Amash  
Austria

Bachmann  
Bachus  
Barletta

Bishop (GA)  
Ellison

NOT VOTING—5

Giffords  
Hinchey

McCotter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1849

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 184, not voting 8, as follows:

[Roll No. 573]

YEAS—239

Adams	Dreier	Labrador
Aderholt	Duffy	Lamborn
Akin	Duncan (SC)	Landry
Alexander	Duncan (TN)	Lankford
Altmire	Ellmers	Latham
Amash	Emerson	LaTourette
Austria	Farenthold	Latta
Baca	Fincher	Lewis (CA)
Bachmann	Fleischmann	Long
Bachus	Fleming	Lucas
Barletta	Flores	Luetkemeyer
Barrow	Forbes	Lummis
Bartlett	Fortenberry	Lungren, Daniel
Barton (TX)	Fox	E.
Bass (NH)	Franks (AZ)	Mack
Benishkek	Frelinghuysen	Manzullo
Berg	Gallely	Marchant
Biggart	Gardner	Marino
Bilbray	Garrett	Matheson
Billirakis	Gerlach	McCarthy (CA)
Bishop (UT)	Gibbs	McCaul
Black	Gibson	McClintock
Blackburn	Gingrey (GA)	McHenry
Bonner	Gohmert	McIntyre
Bono Mack	Goodlatte	McKeon
Boren	Gosar	McKinley
Boswell	Gowdy	Meehan
Boustany	Granger	Mica
Brady (TX)	Graves (GA)	Miller (FL)
Brooks	Graves (MO)	Miller (MI)
Broun (GA)	Griffin (AR)	Miller, Gary
Buchanan	Griffith (VA)	Mulvaney
Bucshon	Grimm	Murphy (PA)
Buerkle	Guinta	Myrick
Burgess	Guthrie	Neugebauer
Burton (IN)	Hall	Noem
Calvert	Hanna	Nugent
Camp	Harper	Nunes
Campbell	Harris	Nunnelee
Canseco	Hartzler	Olson
Cantor	Hastings (WA)	Palazzo
Capito	Heck	Paul
Cardoza	Hensarling	Paulsen
Carter	Herger	Pearce
Cassidy	Herrera Beutler	Pence
Chabot	Holden	Peterson
Chaffetz	Huelskamp	Petri
Coble	Huizenga (MI)	Pitts
Coffman (CO)	Hultgren	Platts
Cole	Hunter	Poe (TX)
Conaway	Hurt	Pompeo
Costa	Issa	Posey
Costello	Jenkins	Price (GA)
Cravaack	Johnson (OH)	Quayle
Crawford	Johnson, Sam	Rahall
Crenshaw	Jones	Reed
Critz	Jordan	Rehberg
Cuellar	Kelly	Renacci
Culberson	King (IA)	Ribble
Davis (KY)	King (NY)	Rivera
Denham	Kingston	Roby
Dent	Kinzinger (IL)	Roe (TN)
DesJarlais	Kline	Rogers (AL)

Rogers (KY)	Scott (SC)	Tiberi
Rogers (MI)	Scott, Austin	Tipton
Rohrabacher	Sensenbrenner	Turner
Rokita	Sessions	Upton
Rooney	Shimkus	Walberg
Ros-Lehtinen	Shuster	Walden
Roskam	Simpson	Walsh (LL)
Ross (AR)	Smith (NE)	Webster
Ross (FL)	Smith (TX)	West
Royce	Southerland	Westmoreland
Runyan	Stearns	Whitfield
Ryan (WI)	Stivers	Wilson (SC)
Scalise	Stutzman	Womack
Schilling	Sullivan	Woodall
Schmidt	Terry	Yoder
Schock	Thompson (PA)	Young (AK)
Schweikert	Thornberry	Young (IN)

NAYS—184

Ackerman	Hastings (FL)	Perlmutter
Andrews	Hayworth	Peters
Baldwin	Heinrich	Pingree (ME)
Bass (CA)	Higgins	Polis
Becerra	Hinojosa	Price (NC)
Berkley	Hirono	Quigley
Berman	Hochul	Rangel
Bishop (NY)	Holt	Reichert
Blumenauer	Honda	Reyes
Brady (PA)	Hoyer	Richardson
Bralley (IA)	Inslee	Richmond
Brown (FL)	Israel	Rigell
Butterfield	Jackson (IL)	Rothman (NJ)
Capps	Jackson Lee	Roybal-Allard
Capuano	(TX)	Ruppersberger
Carnahan	Johnson (GA)	Rush
Carney	Johnson (IL)	Ryan (OH)
Carson (IN)	Johnson, E. B.	Sanchez, Linda
Castor (FL)	Kaptur	T.
Chandler	Keating	Sanchez, Loretta
Chu	Kildee	Sarbanes
Cicilline	Kind	Schakowsky
Clarke (MI)	Kissell	Schiff
Clarke (NY)	Kucinich	Schrader
Clay	Lance	Schwartz
Cleaver	Langevin	Scott (VA)
Clyburn	Larsen (WA)	Scott, David
Cohen	Larson (CT)	Serrano
Connolly (VA)	Lee (CA)	Sewell
Conyers	Levin	Sherman
Cooper	Lewis (GA)	Shuler
Courtney	Lipinski	Sires
Crowley	LoBiondo	Slaughter
Cummings	Loebback	Smith (NJ)
Davis (CA)	Lofgren, Zoe	Smith (WA)
Davis (IL)	Lowe	Speier
DeFazio	Lujan	Stark
DeGette	Lynch	Sutton
DeLauro	Maloney	Thompson (CA)
Deutch	Markey	Thompson (MS)
Dicks	Matsui	Tierney
Dingell	McCarthy (NY)	Tonko
Doggett	McCollum	Towns
Dold	McDermott	Tsongas
Donnelly (IN)	McGovern	Van Hollen
Doyle	McNerney	Velazquez
Edwards	Meeks	Visclosky
Engel	Michaud	Walz (MN)
Eshoo	Miller (NC)	Wasserman
Farr	Miller, George	Schultz
Fattah	Moore	Waters
Finler	Moran	Watt
Fitzpatrick	Murphy (CT)	Waxman
Flake	Nadler	Welch
Frank (MA)	Napolitano	Wilson (FL)
Fudge	Neal	Wittman
Garamendi	Olver	Wolf
Gonzalez	Owens	Woolsey
Green, Al	Pallone	Wu
Green, Gene	Pascrell	Yarmuth
Grijalva	Pastor (AZ)	Young (FL)
Gutierrez	Payne	
Hanabusa	Pelosi	

NOT VOTING—8

Bishop (GA)	Giffords	McCotter
Diaz-Balart	Himes	McMorris
Ellison	Hinchey	Morris

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute left in the vote.

□ 1856

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DIAZ-BALART of Florida. Mr. Speaker, on rollcall No. 573 I was unavoidably detained. Had I been present, I would have voted "yea."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 306

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Resolution 306.

The SPEAKER pro tempore (Mr. LANKFORD). Is there objection to the request of the gentlewoman from Florida?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. CASSIDY. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1380.

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

There was no objection.

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 2354, and that I may include tabular material on the same.

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

There was no objection.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 337 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2354.

□ 1856

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. CHAFFETZ (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday,



July 12, 2011, the bill had been read through page 24, line 23.

AMENDMENT NO. 57 OFFERED BY MR. REHBERG

Mr. REHBERG. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, line 18, after the dollar amount insert “(reduced by \$2,200,000) (increased by \$2,200,000)”.

The Acting CHAIR. The gentleman from Montana is recognized for 5 minutes.

Mr. REHBERG. Mr. Chairman, this amendment directs \$2.2 million of the Department of Energy’s Fossil Energy Research Development budget to the Risk Based Data Management System.

The Risk Based Data Management System is a State governmental agency-based information system initiative to help States collect and aggregate essential oil, gas, and environmental compliance information, local geology data, base of freshwater data, well construction specifics, area production historical data, and information provided by companies applying for permits.

This type of information system has resulted in better environmental protection; public disclosure of all chemicals; easier, cheaper, and faster environmental compliance for industry-enhanced State environmental enforcement. That’s why my amendment is broadly supported by State environmental agencies, State regulators, the energy industry, and many in the environmental community.

Providing this funding will allow for enhanced environmental protection and enhanced oil and gas production. It improves public disclosure of chemicals by providing funding for data systems where operators can disclose chemicals used on all procedures in any State.

The amendment also strengthens State environmental regulation of oil and gas by providing funding for reviews of State environmental programs, including initiatives like the highly successful STRONGER, which is an organization that has done comprehensive reviews of State oil and gas agencies’ administrative and regulatory operations using a multi-stakeholder team of three regulators, three environmental NGOs, and three industry representatives.

I yield back the balance of my time.

□ 1900

Mr. FRELINGHUYSEN. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of the gentleman’s amendment. The gentleman from Montana is a valued member of the Energy and Water subcommittee.

His amendment will provide a reasonable amount of funding to continue work on the fossil energy Risk Based Data Management System. By more efficiently tracking and disseminating information, the system will help ensure that the environment is protected while reducing costs for industry, benefits for which I hope all sides can agree.

I support the gentleman’s amendment and urge Members to do the same.

I yield back the balance of my time.

Mr. VISCLOSKY. I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to my good friend’s amendment.

Since we have been debating this bill, we have heard time and again that we must make tough decisions on what we choose to fund. My colleagues across the aisle, in particular, have made a point repeatedly that we should not be funding activities where industry can and should.

This program deals with research and development to maximize the production capabilities of marginal wells and reservoirs. Certainly we can’t argue about the merit of that; but it seems that as we talk about subsidies, particularly to a very profitable industry—oil and gas—we should be consistent. Compiling and maintaining a database on oil and gas wells at this level of detail I do not believe is the proper role of the Federal Government and is likely to be duplicative of what is currently being done in the industry.

Further, it is my understanding that States and private industry have had a great deal of success fostering the recovery of oil and natural gas from marginal wells with similar initiatives. These State and industry initiatives have been successfully driven by an economic need to have pertinent information on hand when evaluating the economic viability or filing permit applications.

Given that that process is working on a local and State level, I do not believe that we should rush for Federal Government involvement. It seems to me that we should be looking for smaller government wherever possible; and this gives us a chance today, in opposition to this amendment, to do it right.

The gentleman makes the assertion that this system has resulted in public disclosure of all chemicals in hydraulic fracturing fluids. Texas has arguably one of the strongest—if not the strongest—disclosure laws and is still far from a requirement to disclose “all” chemicals; and the database in question is also significantly weaker than Wyoming’s regulation on public disclosure.

Mr. Chairman, I do reluctantly, because of my friendship with the gen-

tleman, strongly oppose his amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Montana (Mr. REHBERG).

The amendment was agreed to.

Mrs. BIGGERT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. I rise to engage in a brief colloquy with my colleague from New Jersey (Mr. FRELINGHUYSEN) about the issue of energy efficiency in buildings as it relates to funding for the Energy Information Administration.

First let me say that I very much appreciate the committee’s efforts with respect to the EIA and the overall bill. The EIA is an essential resource for the commercial building sector as they seek to improve energy efficiency and reduce energy costs.

I want to clarify the intent of the committee direction for the EIA funding of the Commercial Building Energy Consumption Survey, also known as CBECS. I recognize that the committee recommended an appropriation of \$105 million for EIA in fiscal year 2012, roughly \$9 million above fiscal year 2011 levels.

Unfortunately, the committee also included limiting language that I’m concerned about. Does the gentleman from New Jersey consider CBECS a priority for EIA?

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

Mrs. BIGGERT. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentlewoman from Illinois and agree that the Consumer Building Energy Consumption Survey is an important resource for the building sector. The bill provides an increase of \$10 million for the Energy Information Administration; and if funding is available, I expect that an update of the consumer building survey would be funded.

Mrs. BIGGERT. Reclaiming my time, I thank the chairman. As you know, I serve as cochair of the High Performance Building Caucus with Representative RUSS CARNAHAN of Missouri. Many members of the High Performance Building Coalition have come to us to express their concern about an updated CBECS since the latest data is nearly a decade old.

Substantial investments in the commercial building sector have been made since the last CBECS was published in 2003. The updated data is not only valuable to building owners looking to make improvements, but also necessary to inform the Annual Energy Outlook that we, in Congress, rely on.

Finally, I would like to point out that the building renovation sector relies overwhelmingly on American-made goods for its work. In fact, over 90 percent of the manufacturing of furnaces,

insulation and ductwork is here in the United States. So by making this data available to commercial buildings through CBECS, we are directly supporting American jobs.

I yield back the balance of my time.

Mr. CARNAHAN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. CARNAHAN. I thank my colleague, Mrs. BIGGERT, for her remarks and also want to address the important issue of CBECS funding and to engage in a colloquy with my colleague, Mr. VISCLOSKY.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. CARNAHAN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I also appreciate my colleague raising this important issue. I agree that the committee understands the importance of this program. The CBECS data is essential not just for Federal programs to reduce energy use like EPA's Energy Star for buildings and DOE's building technologies program, but for private sector efforts like the U.S. Green Building Council's lead rating system as well.

Mr. CARNAHAN. Thank you.

As you know, the committee report language states that the Energy Department is directed to fund all data collection, releases and reports on oil, natural gas, electricity, renewables and coal, all previously funded international energy statistics and all ongoing energy analysis efforts before allocating funding to the energy consumption surveys. Unfortunately, this language effectively excludes funding for the Commercial Building Energy Consumption Survey, also known as CBECS.

This is one of the few tools we have that provides a comprehensive assessment of how commercial buildings as diverse as offices, supermarkets and senior centers use energy.

I want to thank the ranking member, I want to thank the chairman, and I want to thank my cochair of the High Performance Building Caucus, Mrs. BIGGERT, for their engagement on this issue. In fact, there was broad private sector support for continuing CBECS.

At this point I would like to submit for the RECORD two letters that were submitted by private sector stakeholders to the Appropriations Committee in support of CBECS. I just want to read one sentence from a letter that I will be submitting for the RECORD: "If funding is not provided, work on the 2011 CBECS data will likely not continue, and the government and industry will be forced to rely on data that is nearly a decade old, resulting in potential missed opportunities to increase building efficiency."

ASHRAE,

Atlanta, GA, May 5, 2011.

Rep. RODNEY P. FRELINGHUYSEN,  
Subcommittee Chairman, House Appropriations  
Subcommittee on Energy and Water Development.

Rep. PETER J. "PETE" VISCLOSKY,  
Subcommittee Ranking Democrat, House Appropriations  
Subcommittee on Energy and Water Development.

Re Fiscal Year 2012 Funding for the U.S. Energy Information Administration's Commercial Building Energy Consumption Survey.

DEAR CHAIRMAN FRELINGHUYSEN AND RANKING DEMOCRAT VISCLOSKY: the American Society of Heating, Refrigerating and Air-Conditioning Engineers Inc. (ASHRAE), founded in 1894, is an international organization of over 52,000 members. ASHRAE fulfills its mission of advancing heating, ventilation, air conditioning and refrigeration to serve humanity and promote a sustainable world through research, standards writing, publishing and continuing education.

Recently ASHRAE learned that, due to needed funding reductions for fiscal year 2011, work on the 2011 edition of the U.S. Energy Information Administration's Commercial Buildings Energy Consumption Survey (CBECS) has been halted.

ASHRAE strongly urges you to include funding for CBECS in the FY 2012 appropriations bills to allow work on the 2011 edition of the Survey to continue. This is especially important, because the most recent (2007) CBECS data are flawed and unusable. Currently, the latest version of CBECS data is from 2003. If funding is not provided, work on the 2011 CBECS data will likely not continue, and the government and industry will be forced to rely on data that is nearly a decade old, resulting in potential missed opportunities to increase building efficiency.

The Commercial Buildings Energy Consumption Survey is a national sample survey that collects information on the stock of U.S. commercial buildings, their energy-related building characteristics, and their energy consumption and expenditures. Commercial buildings include all buildings in which at least half of the floorspace is used for a purpose that is not residential, industrial, or agricultural, so they include building types that might not traditionally be considered "commercial," such as schools, correctional institutions, and buildings used for religious worship.

Buildings consume 40 percent of energy in the United States. Increasing the efficiency of buildings can decrease the need for additional energy production, while expanding current capacity; positively impacting U.S. economic and national security.

Information from CBECS plays a critical role in building energy efficiency through the many federal and private sector programs that use the Survey's data in their efforts to establish benchmark levels and promote energy efficient practices. These programs include: The ENERGY STAR Buildings program; Leadership in Energy and Environmental Design (LEED) for Existing Buildings; Green Globes®; ASHRAE's Building Energy Quotient (BEQ) building energy labeling program; and many others.

For all of the reasons above, we respectfully request that you continue funding for CBECS in fiscal year 2012 and future years. Suspension of work on the 2011 Survey was done to help alleviate our nation's deficit and debt issues, but has serious adverse consequences for national building energy efficiency efforts. We look forward to working

with you to remedy this matter for the benefit of all. Please feel free to contact Mark Ames, ASHRAE Manager of Government Affairs.

Personal regards,

LYNN G. BELLENGER,  
ASHRAE President 2010–2011.

We are writing as representatives of the commercial real estate industry and other energy efficiency stakeholders to urge that the 2011 edition of the U.S. Energy Information Administration's Commercial Buildings Energy Consumption Survey (CBECS) be funded at \$4 million for fiscal year 2012 (FY12) so that the on-going collection of energy data for the commercial buildings sector can be resumed.

CBECS provides critically important information to support programs that promote energy efficiency in our nation's commercial building stock. It is a national sample survey that collects data on energy-related building characteristics such as electricity consumption and expenditures. Information from CBECS is the basis for many federal and private sector energy efficiency and sustainability programs, including the ENERGY STAR Buildings program, Leadership in Energy and Environmental Design (LEED) for Existing Buildings, and other building energy labeling platforms.

For the real estate sector, these programs are the primary benchmarking and information mechanism for energy efficiency and sustainability. Business owners use them to compare their buildings and make capital expenditure decisions, while office tenants use ENERGY STAR and other programs to assess the energy efficiency of buildings where they lease space. In addition, there is growing pressure on the CBECS data set as major U.S. cities have started to require ENERGY STAR ratings (which are based on CBECS data) for government-owned and large private sector buildings. Lack of robust CBECS data will make the real estate sector's compliance with state and local laws increasingly difficult.

The market is currently using CBECS data from 2003, which is the most recent dataset the Energy Information Administration (EIA) has published. We understand that problems from the 2007 CBECS data collection effort, which caused it to be discarded, are being corrected by the EIA as it prepares to undertake survey work this year. If funding is not provided, work on the 2011 CBECS process will be suspended. This will force companies, consumers, and government stakeholders to rely on data that is nearly a decade old and does not reflect the significant strides that have been made in building technologies, operations, and efficiencies that have occurred in this rapidly evolving arena since the release of the 2003 data set. Opportunities to increase building efficiency and upgrade our building stock will be missed in the absence of more current and reliable CBECS data. Further delay in collecting and publishing new data will diminish the efficacy and reliability of energy benchmarking systems that depend on CBECS.

Increasing the efficiency of buildings can decrease the need for additional energy production, while expanding current capacity, positively impacting the U.S. economy and national security. We respectfully request that you continue funding for CBECS at \$4 million in FY12 and future years. This is a small investment on a critically important

piece of data infrastructure that will leverage significant impacts.

Sincerely,

Ankrom Moisan Architects; Beck Architecture LLC; Biositu, LLC; Building Owners and Managers Association International (BOMA); Brandywine; Campbell Coyle Holdings, LLC; Cannon Design; The City of New York; Cook+Fox Architects; e4, inc.; Earth Day New York; Energy Future Coalition; GGLO; Green Realty Trust, Inc; Grubb & Ellis; HOK; Insight Real Estate, LLC; Institute for Market Transformation; International Council of Shopping Centers; Jones Lang LaSalle; Johnson Controls, Inc.; Joseph Freed and Associates; Kirksey Architecture.

KMD Architects; Lake Flato Architects; Lord, Aeck & Sargent Architecture; Mahlum; MEI Hotels Incorporated; National Association of Home Builders (NAHB); Natural Resources Defense Council (NRDC); National Roofing Contractors Association (NRCA); Polyisocyanurate Insulation Manufacturers Association; Real Estate Board of New York (REBNY); Related; SERA Architects; Servidyne; Simon Property Group; SmithGroup; Terrapin Bright Green; The Durst Organization; The Real Estate Roundtable (RER); Tishman Speyer; Transwestern; U.S. Green Building Council (USGBC); Vornado Realty Trust; Wight & Company.

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

AMENDMENT NO. 25 OFFERED BY MR. MCKINLEY

Mr. MCKINLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, line 18, after the dollar amount, insert “(increased by \$39,000,000)”.

Page 28, line 13, after the dollar amount, insert “(reduced by \$39,000,000)”.

The Acting CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MCKINLEY. Mr. Chairman, I would like to commend Chairman FRELINGHUYSEN and the committee for their efforts in developing legislation that is intended to streamline processes and increase efficiency within the Department of Energy. Throughout this legislation, we can see intelligent savings that will result in less spending and more efficient use of tax dollars.

However, I'm concerned that this legislation as written and reported will have the unintended consequence of destroying the National Energy Technology Laboratory's ability to manage approximately \$19 billion in contracts and conduct the necessary research and development to advance safe natural gas drilling, clean coal technologies and energy independence.

□ 1910

I shared my concerns with Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY in a bipartisan letter signed by my colleagues MIKE DOYLE, TIM MURPHY, and MARK CRITZ.

America depends on fossil resources for 85 percent of our energy requirements, and will continue to do so for the foreseeable future. Coal is mined in 26 States in our country and used to generate electricity in 48 of the 50 States. However, without NETL's research into clean coal technology, hundreds of thousands of jobs across America are in jeopardy.

The fossil fuel R&D program that is being cut in this bill is unique among the DOE programs because the program direction account includes funding for the operations, maintenance, and administration of the National Energy Technology Lab, along with salaries and benefits for all of the Federal researchers who work there. NETL is the only government owned, government operated national laboratory. OMB requires that all Federal costs be included in the program direction account.

This amendment would restore the funding cut within Fossil Energy Research and Development to program direction in an effort to recognize the outstanding work being done by NETL and the unique manner in which the laboratory is funded and maintained.

Mr. Chairman, these projects are in every State and almost every congressional district in the country. Virtually every one of my colleagues has a vested interest in this laboratory being funded sufficiently and effectively so we can complete these projects.

I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Your amendment would shift an additional \$39 million within Fossil Energy Research and Development to program direction. I recognize the important role that the Fossil Energy Research and Development program plays in securing our energy future, especially when 70 percent of our energy comes from fossil sources. And I certainly recognize your strong advocacy as a gentleman from West Virginia, and the important role in fossil fuel that your State plays, providing such for the Nation.

I also recognize the critical role scientists and their research at our national laboratories—including the one in your State, NETL—play in keeping our Nation in the lead in fossil energy technologies.

Our bill demonstrates this support by funding Fossil Energy Research and Development at \$32 billion above the fiscal year 2011 level. The bill also, however, increases the transparency of these programs by moving research and development out of program direction and into research programs. With that change included in the bill, the Department of Energy still has the authority to fund laboratory personnel doing valuable work at the national labs. However, recognizing my colleague's con-

cerns, we would be happy to work with the gentleman as we move toward conference to ensure that salaries and expenses for ongoing activities are fully funded while increasing the transparency of ongoing research.

Mr. MCKINLEY. Mr. Chairman, I appreciate the chairman's remarks, and I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum and oil shale reserve activities, \$14,909,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), \$192,704,000, to remain available until expended.

SPR PETROLEUM ACCOUNT

Notwithstanding sections 161 and 167 of the Energy Policy and Conservation Act (42 U.S.C. 6241, 6247), the Secretary of Energy shall sell \$500,000,000 in petroleum products from the Reserve not later than March 1, 2012, and shall deposit any proceeds from such sales in the General Fund of the Treasury: *Provided*, That during fiscal year 2012 and hereafter, the quantity of petroleum products sold from the Reserve under the authority of this Act may only be replaced using the authority provided in paragraph (a)(1) or (3) of section 160 of the Energy Policy and Conservation Act (42 U.S.C. 6240(a)(1) or (3)): *Provided further*, That unobligated balances in this account shall be available to cover the costs of any sale under this Act.

NORTHEAST HOME HEATING OIL RESERVE

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act, \$10,119,000, to remain available until expended: *Provided*, That amounts net of the purchase of 1 million barrels of petroleum distillates in fiscal year 2011; costs related to transportation, delivery, and storage; and sales of petroleum distillate from the Reserve under section 182 of the Energy Policy and Conservation Act (42 U.S.C. 6250a) are hereby permanently rescinded: *Provided further*, That notwithstanding section 181 of the Energy Policy and Conservation Act (42 U.S.C. 6250), for fiscal year 2012 and hereafter, the Reserve shall contain no more than 1 million barrels of petroleum distillate.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, \$105,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and

other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$213,121,000, to remain available until expended.

AMENDMENT OFFERED BY MR. MATHESON

Mr. MATHESON. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, line 10, after the dollar amount, insert "(increased by \$10,000,000)".

Page 33, line 20, after the dollar amount, insert "(reduced by \$10,000,000)".

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. MATHESON. Mr. Chairman, in the report language from the committee report for this bill, the Appropriations Committee included some language talking about concern about the lack of remediation activity taking place around the country at various Department-sponsored facilities and small sites under the responsibility of the Department, and this is in terms of environmental cleanup for non-defense sites.

I share that concern, and the committee report language talks about having the Department not later than November 15, 2011, give a detailed plan on remediating these small sites.

Here is the issue. When you have some smaller sites that need to be cleaned up, you have your management infrastructure in place. We are spending money each year to maintain the management structure, but if you don't spend the money to actually do the cleanup, you just extend the life cycle of this project out year after year after year. I think if we focus on these projects and get them done by investing the funds to clean them up quickly, it is actually from a life-cycle basis better off for taxpayers.

Now, this is a tough bill to find a pay-for because overall—and I applaud the fact that we looked at reducing spending in this bill—but my suggestion is a modest increase in the non-defense environmental cleanup account of \$10 million, which will bring the funding level to what it was in the last fiscal year. That is paid for by reducing by \$10 million the National Nuclear Security Administration's weapons activity account, which had been plussed up \$185 million in this bill.

There are a few of these sites around the country. They are smaller. There are some sites that are larger. I am not directing where this money goes. I am just trying to put money into the non-defense environmental cleanup account, hoping that since the committee indicated in its report language that it wants the smaller sites to move on a faster basis, that this funding could help assist in that effort. In my opin-

ion, this is in the taxpayers' interest to do this.

Now, there are sites around the country. There happens to be one in my congressional district. It is in Moab, Utah. It is a facility where the Department of Energy has been cleaning up a radioactive tailings pile that is on the banks of the Colorado River. It is a pile where the environmental impact statement indicated that in the long term, it is a near certainty that this tailings pile would be flooded and flushed down the river. There are about 25 million users of this water downstream. There has been ongoing bipartisan agreement in the House of Representatives for years about the cleanup of this site.

And this is just one, and I think there are others that also are mandatory as well. Again, my amendment cannot direct it to one particular site, but I am suggesting that increasing funding by \$10 million to bring the non-defense environmental cleanup account up to last year's level is a good thing to do. That's the purpose of the amendment.

I yield back the balance of my time.

□ 1920

Mr. FRELINGHUYSEN. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman from Utah's amendment, but I salute his advocacy and passion for his purpose for being here this evening.

This amendment seeks to funnel off defense funding that is needed for the modernization of our nuclear infrastructure. With a nearly \$500 million reduction to the request for weapons activities, this bill already takes opportunities to find savings with the account. Right now this bill provides for our defense requirements and is well balanced. Further reductions would unacceptably impact the ability to meet the goals of modernization and to support the nuclear security strategy set forth in the 2010 Nuclear Posture Review.

This bill takes a consistent approach to funding for environmental cleanup, providing a slightly lower but sustainable and stable funding stream to continue work at all the cleanup sites.

It is not responsible to increase this account above what was requested for these activities, particularly at the expense of an important national defense program.

I urge my colleagues to make defense a priority and to vote "no" on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. MATHESON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FRELINGHUYSEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Utah will be postponed.

Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I want to ask my friend from New Jersey to engage in a colloquy. The purpose of it is to talk about the nuclear prototype.

As you know, and as the ranking member knows and the full committee ranking member, Mr. DICKS, knows, the Ohio class nuclear submarine is a critical component of our country's national security and is one-third of our nuclear deterrence, along with bombers and nuclear missiles.

These critical systems are aging and are close to the end of their lifecycle. As part of the Ohio replacement, or SSBN(X) program, we are looking at expanding the nuclear core so that the future nuclear ballistic submarines can have a core life expectancy of 40 years, over 20 years.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentleman from Georgia for engaging this opportunity to call attention to the strong support this bill provides for the Office of Naval Reactors, which I am proud to say reflects bipartisan priorities.

Mr. KINGSTON. I thank the gentleman.

And I want to point out that the Ohio replacement nuclear reactor development program was identified specifically by line item within the Naval Reactor Section and allocated a full \$121.3 million specifically for the SSBN(X) reactor program. This was done to ensure that the program be fully funded to the requirement amount without delay for FY 2012.

I want to just get assurance of the support of the committee for this program, and I yield to the gentleman regarding the committee's position on it.

Mr. FRELINGHUYSEN. I would like to join with my friends in support of this program. In doing so, we will be providing 100 percent clarification to this body and all agencies. The SSBN(X) development programs within Naval Reactors and the Department of Energy, along with associated programs directly related to the Ohio replacement program, are indeed fully funded to their requirement within this legislation.

These funds have been allocated for a specified purpose: the development of a nuclear reactor prototype and all associated programs.

Mr. KINGSTON. Reclaiming my time, I thank the chairman for that.

Just to be abundantly sure, in order to ensure that there's no confusion within the Department of Energy and Naval Reactors, is it true that the prototype development for this new and complicated reactor system is fully funded to the required request?

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. KINGSTON. I yield to the chairman.

Mr. FRELINGHUYSEN. Yes. The level for Naval Reactors includes \$121.3 million to develop a new reactor design for the Ohio replacement and \$99.5 million to refuel a prototype reactor in upstate New York that is associated with the development of the Ohio replacement.

Mr. KINGSTON. I thank the gentleman.

Then I am hearing that the subcommittee has fulfilled the body's intent to ensure all funding lines related to the SSBN(X) Ohio replacement nuclear program are allocated to the required amount.

I thank the gentleman for his support and for Mr. CULBERSON's support and Mr. DICKS' support.

Mr. FRELINGHUYSEN. And Mr. VISCLOSKY's as well.

Mr. KINGSTON. And Mr. VISCLOSKY's support as well.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. REED

Mr. REED. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, line 10, after the dollar amount, insert "(increased by \$41,000,000)".

Page 32, line 4, after the dollar amount, insert "(reduced by \$21,000,000)".

Page 35, line 15, after the second dollar amount, insert "(reduced by \$20,000,000)".

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. REED. Mr. Chairman, I rise today in support of an amendment that I asked my colleagues on both sides of the aisle to support, and Mr. HIGGINS from the other side of the aisle has joined me on this amendment.

With all due respect to the subcommittee chairman of the Appropriations Committee, I believe this amendment is wise, that it is an appropriate amendment. And that is because what we are talking about here with my proposed amendment is taking \$41 million in funding to Non-Defense Environmental Cleanup—to take that money from multiple administrative accounts and utilize the money for in-the-field cleanup activity for sites such as that which exist in my district known as the West Valley Nuclear Demonstration Project in western New York.

My hope is that by doing this amendment, we will stop money from being

funneled more into the DC bureaucracy but rather be funneled and put out into the field and into the nuclear waste sites so that the sites can be remediated once and for all.

The Department of Energy estimates that by making the investment now in nuclear site remediation, we will save our Nation hundreds of millions of dollars in the coming decades. If properly funded, the Department of Energy can complete phase one of the West Valley project in my congressional district by 2020. This alone is estimated to save taxpayers \$120 million.

For all of these reasons, I would ask both sides of the aisle to join us in our amendment and support this amendment allocating administrative dollars that are targeted to go to enhance bureaucracy in Washington, DC, and have those dollars deployed into our districts that qualify for nuclear waste cleanup remediation projects under this line, so that those nuclear waste sites are cleaned up once and for all, and we can actually get a bigger bang for the buck in these nuclear waste sites that need to be cleaned up.

I ask that both parties on both sides of the aisle support our amendment.

I yield back the balance of my time.

Mr. HIGGINS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. HIGGINS. I thank my colleague and friend Mr. REED.

Mr. Chairman, I rise in strong support of this amendment, which would provide an adequate level of funding for the Non-Defense Environmental Cleanup program.

The Non-Defense Environmental Cleanup program addresses the environmental legacy of former civilian and non-defense nuclear programs at sites across the country. The large quantity of hazardous and radioactive waste generated at these sites and the contamination that remains is one of our Nation's largest environmental liabilities.

The Department of Energy has an obligation to clean up this nuclear waste and protect local communities against risk to human health, safety, and the environment. And Congress has an obligation to fund the program at a sufficient level to clean up these sites thoroughly and expeditiously. However, quite simply, the amount of money appropriated in this bill is insufficient to do so.

Mr. Chairman, continuing to underfund the cleanup of these nuclear sites will delay and extend project schedules, cause commitments to State governments and local communities to be missed, and increase the overall costs in the long run.

In my community of western New York, the West Valley site was established in the 1960s in response to a Fed-

eral call for efforts to commercialize the reprocessing of spent nuclear fuel from power reactors. The site ceased operations in 1972, and 600,000 gallons of high-level radioactive waste was left behind, posing a significant and enduring hazard.

The land is highly erodible and contains streams that drain into Lake Erie. We have already seen a leak on the site level into a migrating plume of radioactive groundwater. The consequences would be environmentally and economically dire if this radioactive waste makes its way into the Great Lakes, the largest source of freshwater in the world with 20 percent of all the freshwater supply on Earth.

□ 1930

For the past four decades, the progress in cleaning up the waste at West Valley has been stymied by perennial funding shortfalls. The insufficient funding in this bill will extend the first phase of the cleanup from 10 to 14 years. With maintenance costs at \$30 million a year, an additional 4 years means \$120 million in Federal funding will be wasted, which could be avoided if we properly fund this cleanup.

Mr. Chairman, we cannot jeopardize the irreplaceable natural resources of the Great Lakes or of the communities and resources near the other nuclear sites across the country by continuing to underfund this important cleanup program. Congress needs to maintain its commitment to clean up these sites, and it needs to take proper steps to ensure that our communities and our environment remain safe for future generations.

I am proud to work with my friend and colleague Mr. REED on this important issue, and I urge support for this bipartisan amendment.

I yield back the balance of my time. Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in opposition to the amendment, but I would like to recognize the strong advocacy of the two gentlemen from New York who just spoke—the gentleman from Buffalo as well as the gentleman from Corning.

Our bill provides \$213 million for non-defense environmental cleanup, only \$6 million below the request, to provide for the environmental cleanup of a number of small sites, including the West Valley Demonstration Project in New York, Brookhaven and the gaseous diffusion plant sites.

The total funding requirements of this account have come down as cleanup milestones have been accelerated ahead of schedule because of a large infusion of funding from the Recovery Act. This amendment goes beyond the

base funding needs and attempts to sustain the higher rate of cleanup under the Recovery Act. Understandably, they'd like to continue that. We know that the levels of spending in the Recovery Act cannot be sustained. We must transition these sites to a lower, stable and more sustainable level as the Recovery Act work is completed and those dollars are less. Further, this amendment seeks to decrease funding for our national security activities.

This bill provides strong support for the nuclear security activities at the NNSA. It will take a skilled and talented workforce to successfully carry out these challenging and absolutely vital activities. Last year's lower level for the Office of Administration assumed that NNSA would use \$20 million in existing prior year balances to help pay its personnel costs for the year. These balances are now used up, and funding must return to the base level requirements of \$420 million. This cut would result in layoffs, which would make it jeopardize NNSA's ability to carry out its nuclear security responsibilities.

I urge my colleagues to join me and vote "no" on this amendment.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the chairman's yielding, and would join in his opposition to the amendment, reluctantly, as the chairman indicated.

I certainly do understand the concern of the two gentlemen who have offered the amendment, the concern regarding cleanup in the State of New York and elsewhere; and do share their concerns that we are not adequately investing and cleaning up contaminated communities where we do as the Federal Government have an obligation.

I also do point out that, given the constraints faced by the subcommittee, I believe that the chairman has made wise choices, the best that he could, relative to the spreading of resources; and join in his opposition to the amendment. Obviously, we would like to continue to work together to see that adequate funding at some point is provided for these and other programs.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. REED).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. REED. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

Mr. HASTINGS of Washington. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I would like to enter into a colloquy with the distinguished chairman of the subcommittee.

Mr. Chairman, the Office of River Protection was created to put a focus on the 53 million gallons of wastes in the 177 underground tanks at Hanford in my district in Washington. These wastes are being retrieved from the tanks and are being prepared for the waste treatment plant where they will be vitrified and ultimately sent to Yucca Mountain.

For years, DOE was clear that a steady, stable annual funding level of \$690 million would allow for the successful completion and hot start of WTP. The department has, however, changed its mind and would prefer to front load funding. I have been clear that, even without increasing the total project cost, spending in excess of \$690 million a year at the waste treatment plant now will have impacts on the funds available for other projects, including the work at the tank farms.

The waste treatment plant is dependent on two critical elements aside from its own budget: first, a robust program at the tank farms to get the waste ready to feed WTP on time and, second, Yucca Mountain.

I appreciate the provisions in this bill to help halt the administration's illegal shutdown of Yucca Mountain, and I ask that you work with me to ensure the correct balance of funding is provided when it comes to the waste treatment plant and the tank farms within the Office of River Protection.

Mr. FRELINGHUYSEN. First of all, it has been a pleasure to work with you and to have the opportunity firsthand to see some of the remarkable things that have been occurring in your congressional district in Washington State in terms of cleanup and the enormity of these problems that you're trying to address.

Overall, we've seen some considerably poor planning for the Department of Energy's cleanup activities, including the very politically motivated termination of the Yucca Mountain project.

My colleague understands his constituents well and how these issues impact the overall plan to clean up Hanford's tank waste, which is considerable. I support and salute his leadership. As we move into conference, I will work with you. I promise to do that to achieve the appropriate balance between the waste treatment plant and the tank farms so that these projects are properly coordinated.

Mr. HASTINGS of Washington. In reclaiming my time, I thank the chairman, and I appreciate his visiting Hanford.

I appreciate the distinguished ranking member of the subcommittee for

visiting Hanford; and of course, I appreciate the ranking member of the full committee, who had had a great deal of interest on this issue prior to my even coming to Congress.

I appreciate the work that the committee has done in the past, because this is a project that has legal requirements. In these difficult times, I am very pleased with the work that you have done.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, \$449,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, and not more than \$150,000,000, to be derived from the barter, transfer, or sale of uranium authorized under section 3112 of the USEC Privatization Act (42 U.S.C. 2297h-10) or section 314 of the Energy and Water Development Appropriations Act, 2006 (Public Law 109-103), to remain available until expended: *Provided*, That proceeds from such barter, transfer, or sale of uranium in excess of such amount shall not be available until appropriated.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 49 passenger motor vehicles for replacement only, including one ambulance and one bus, \$4,800,000,000, to remain available until expended.

AMENDMENT NO. 65 OFFERED BY MR. HOLT

Mr. HOLT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. LUETKEMEYER). The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 13, after the dollar amount, insert "(increased by \$42,665,000)".

Page 33, line 20, after the dollar amount, insert "(reduced by \$42,665,000)".

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. Mr. Chairman, this bill H.R. 2354 reduces the Department of Energy's Office of Science from about \$43 million below this year's level. My amendment would restore that funding so that the Office of Science can sustain its current operations.

I know the subcommittee chair, my friend from New Jersey, and the ranking Democrat, my friend from Indiana, understand very well the importance of this office of the Department of Energy, and I know they've worked hard



to fit their bill into the budget constraints; but I must ask them to join me in taking another look at this office.

Scientific research lies at the very heart of the national innovation system that keeps us competitive, that enhances our quality of life, that fuels our economy, and that improves our national security. The Office of Science is the Nation's primary sponsor of research in the physical sciences. Its funding helps maintain America's first-rate workforce of research scientists and engineers, who are working daily to address some of the greatest challenges and to push the boundaries of existing knowledge.

Thousands of graduate students and early career scientists at hundreds of U.S. institutions, the next generation of America's scientific talent, depend on the support of the Office of Science for their research and training. In addition, the office maintains excellent, unique user facilities that are relied on by more than 25,000 scientists from industry, academia and national laboratories to advance important research that creates jobs today and that could lead to entire industries tomorrow.

The success of the Office of Science clearly shows the quality and the importance of the work supported there: MRI machines, PET scanners, new composite materials for military hardware and civilian motor vehicles, the use of medical and industrial isotopes, biofuel technologies, DNA sequencing technologies, battery technology for electric vehicles, artificial retinas, safer nuclear reactor designs, three-dimensional models of pathogens for vaccine development, tools to manufacture nano materials, better sensors—and on and on.

□ 1940

The Office of Science has been the source of hundreds and hundreds of innovative technologies. Some have become the underpinnings of modern scientific disciplines and have revolutionized medicine and energy and military technology.

The America COMPETES Act—passed in a very bipartisan vote here in Congress in 2007 and signed into law by President George Bush—recognized that we have underfunded our basic research agencies for far too long, and it laid out a vision for doubling the funding at our research agencies, including the Office of Science. This law was reauthorized last year. The bill we are considering today woefully underfunds the office by this national goal.

Matching last year's funding level with an additional \$42.7 million, as my amendment would do, is the least we can do. Many dozens of organizations, universities, and companies have joined to advocate strongly for maintaining the current level of work for the Office of Science. My amendment is

fully offset by transferring funding from the nuclear weapons account, which receives an additional \$195 million in the underlying bill before us today.

So let's get our priorities straight. Investments in our Federal science agencies and our national innovation infrastructure are not Big Government spending programs that we cannot afford; they are the minimum downpayments for our Nation's national security, public health, and economic vitality. All this talk down the street now about how we're going to grow, this is it. We cannot afford to postpone this research.

I urge my colleagues to vote for this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I want to salute my colleague from New Jersey (Mr. HOLT) for not only his career in science but, obviously, his focus as a Member of Congress on science and science research and so many areas.

In order to increase funding for science research, his amendment decreases funding for weapons activities. Our Nation's defense relies on a reliable and effective nuclear deterrent, and these capabilities cannot be allowed to deteriorate.

There is now a strong bipartisan consensus for the modernization of our nuclear stockpile. It is a critical national security priority and must be funded. With a reduction of nearly \$500 million from the request, this bill has already made use of all available savings. Additional reductions would unacceptably impact our ability to support our Nation's nuclear security strategy.

Further, the amendment would use these reductions to increase funding for science research. I am a strong supporter of the science program, he knows that. It leads to the breakthroughs in innovations that will make our Nation's energy sector self-sufficient and keep America competitive as a world leader of cutting-edge science. This is why we worked so hard, the ranking and I, to sustain funding for this program. But within the realities of today's fiscal constraints, which we all know, we cannot simply afford to add more funding to science research, especially when it means risking crucial national defense activities.

I strongly urge my colleagues to vote "no" on this amendment.

I yield back the balance of my time.

Mr. SCHIFF. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. SCHIFF. I rise to speak in favor of the Holt-Bishop amendment to sup-

port funding for the Department of Energy Office of Science. This is a vital investment in the Nation's future.

We have tough decisions to make about where to make cuts. And certainly there is a lot of opportunity to cut things that aren't effective that we can't afford to continue with, but we don't want to cut things that are integral to our future. And an investment in science, in research and technology, that is the future of this country.

We're not going to compete with the rest of the world on wages. We're not going to compete with the Third World on wages. We have to compete in the area of productivity. And we can't be the most productive nation on Earth unless we invest in science and technology.

I have a letter here from the Energy Sciences Coalition in support of Mr. HOLT and Mr. BISHOP's efforts that talk about the need for scientific research, world-class user facilities, teams of skilled scientists and engineers that are funded by the Department of Energy Office of Science at universities and national labs around the country. Economic experts have asserted as much, crediting past investments in science and technology for up to half the growth in GDP in the 50 years following the end of World War II. At this time when we're being challenged by other nations for our leadership in science and technology, this is not the right time to disinvest from this vital research.

The amendment by Mr. HOLT and Mr. BISHOP is supported by countless associations of physics and chemistry, countless universities and institutions of higher learning—my own University of California campuses at Berkeley, Davis, Irvine, Merced, Riverside, San Diego, San Francisco, Santa Barbara, and Santa Cruz, but also around the country, from the University of Chicago to U.S.C. to the University of Tennessee and the University of Virginia, all over the Nation, not to mention Princeton University. And why? Because these institutions of higher learning have been leading the way in path-breaking developments that have just boosted our economy and our understanding of energy and the world around us.

So this is a vital investment in the future, and I urge support for my colleagues' amendment.

ENERGY SCIENCES COALITION,  
TASK FORCE ON AMERICAN INNOVATION,  
May 6, 2011.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

TO MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: As members of the Energy Sciences Coalition and the Task Force on American Innovation, we write today to urge you to make robust and sustained funding for the Department of Energy (DOE) Office of Science a priority in the Fiscal Year 2012 Energy and Water Development Appropriations Act.

We recognize the difficult challenges and choices you face as you work to reduce the



federal budget deficit, get the economy growing again, and create jobs for the American people. However, to achieve these goals, Congress must make strategic decisions and set priorities when it comes to federal funding.

We believe that the scientific research, unique world-class user facilities, and teams of skilled scientists and engineers funded by the Department of Energy Office of Science at universities and national laboratories are critical to long-term economic growth and job creation. Economic experts have asserted as much, crediting past investments in science and technology for up to half the growth in the Gross Domestic Product (GDP) in the 50 years following the end of World War II. Yet today, other nations such as China, India, and Europe are increasingly investing in their scientific infrastructure and are challenging U.S. leadership in areas such as supercomputing and energy research with the goal of capitalizing on the many technological advances and economic benefits that result from scientific research.

That is why we urge you to support the request of Representative Judy Biggert (R-IL) and Representative Rush Holt (D-NJ) to the House Energy and Water Development Appropriations Subcommittee to make strong and sustained funding for the DOE Office of Science a priority in fiscal year 2012. They articulate how important the DOE Office of Science is to American industry and universities, how it is unique from and complementary to the research efforts of other federal research agencies, how it serves to educate the next generation of scientists and engineers, and how research funded by the DOE Office of Science has made our nation more secure, healthy, competitive, and prosperous.

In light of current budget constraints, and with an eye toward creating jobs and strengthening the economy, we urge you to sign the Biggert-Holt letter and support making funding for the DOE Office of Science a priority in fiscal year 2012.

Sincerely,

Alliance for Science & Technology Research in America (ASTRA); American Association for the Advancement of Science; American Chemical Society; American Institute of Physics; American Mathematical Society; American Physical Society; American Society of Agronomy; American Society for Engineering Education; American Society of Plant Biologists; Americans for Energy Leadership; Arizona State University; ASME; Association of American Universities; Association of Public and Land-grant Universities; Battelle; Binghamton University, State University of New York; Biophysical Society; Business Roundtable; California Institute of Technology; Cornell University. Council of Energy Research and Education Leaders; Council of Graduate Schools; Cray Inc.; Crop Science Society of America; Federation of American Societies for Experimental Biology (FASEB); Florida State University; General Atomics Corporation; Geological Society of America; Harvard University; Iowa State University; Jefferson Science Associates, LLC; Krell Institute; Massachusetts Institute of Technology; Materials Research Society; Michigan State University; NC State University; Oak Ridge Associated Universities; Ohio State University; Princeton University; Semiconductor Equipment and Materials International.

Semiconductor Research Corporation; Society for Industrial and Applied Mathematics (SIAM); Semiconductor Industry Association; Soil Science Society of America; South Dakota School of Mines and Technology; Southeastern Universities Research Association; SPIE, the International Society for Optics and Photonics; Stanford University; Stony Brook University, State University of New York; Tech-X; University at Buffalo; University of California System; University of California Berkeley; University of California Davis; University of California Irvine; UCLA.

University of California Merced; University of California Riverside; University of California San Diego; University of California San Francisco; University of California Santa Barbara; University of California Santa Cruz; University of Central Florida; University of Chicago; University of Cincinnati; University of Pittsburgh; University of Southern California; University of Tennessee; University of Texas at Austin; University of Virginia; University of Wisconsin-Madison; Vanderbilt University; Washington University in St. Louis.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I rise in support of the gentlemen's amendment.

While I have stated many times in committee as well as on floor debate that I applaud the chairman's bringing funding into the science account almost to where we were in fiscal year 2011 and have described it as a not insignificant achievement, adding these \$43 million to bring it into parity with current year spending is not asking too much and, as the previous speakers have indicated, is very important to making an economic investment in knowledge and jobs that we so desperately need in the United States.

In the committee report we indicate that, relative to the Office of Science, understanding that harnessing a scientific and technological ingenuity has long been at the core of the Nation's prosperity. We talk about that national prosperity linkage to scientific research and curiosity. I also, relative to the concerns the chairman expressed about the weapons account, think that that important priority will not be adversely impacted by the shift of funding called for in the amendment.

I rise in strong support of the amendment.

I yield back the balance of my time.

Mr. BISHOP of New York. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of New York. The Holt-Bishop amendment would increase the Office of Science budget by \$42.7 million, reducing the National Nuclear Security Administration's weapons activities program by the same amount,

putting the Office of Science in line with the FY 2011-enacted levels, protecting jobs and supporting American innovation through scientific discovery.

The Office of Science is crucial to scientific innovation, which is a key component of American job creation and a cornerstone of our Nation's long-term strategy for economic growth.

How many times have we heard Members of Congress from both sides of the aisle come to this floor and espouse the benefits of innovation on job creation? How many times have we heard from both the current President and past Presidents talk about moving our Nation forward into the 21st century where technology and scientific advancement will fortify our Nation's economic growth?

The Office of Science within the Department of Energy, including our national laboratories, is one of the most powerful tools the Federal Government has at its disposal to promote scientific innovation, to support private industry advancements, to foster medical breakthroughs, and to gain a better understanding of the world around us.

□ 1950

I am proud to represent Brookhaven National Laboratory, a Department of Energy lab and one of the largest employers in my district. BNL is also ground zero for many of the scientific discoveries and innovations that have expanded our understanding of physics and nature, many of which have a direct link to developing new materials for industry, more effective drugs, and better fuels, the intellectual capital that private industry thrives upon.

Mr. Chairman, earlier this year, the Republican policies embodied within H.R. 1 would have slashed \$1.1 billion from the Office of Science, choking off Federal investment in basic research that is key to our Nation's long-term competitiveness. These draconian cuts would have impacted each DOE national lab with a 30 percent cut to every science facility and program from the FY 2011 request level. The number of jobs that would have been eliminated as a result of H.R. 1 is estimated to be close to 10,000 in the Office of Science. How can any reasonable person argue that laying off thousands of the most highly trained, highly skilled scientists the world has to offer moves this Nation forward?

The Holt-Bishop amendment would hold the Office of Science spending at FY 2011 levels. This is the minimum level of appropriation required for this Nation to remain at the cutting edge of scientific innovation, which is essential to our economic competitiveness which, in turn, is directly linked to what ought to be our number one priority in this Congress—job creation. I encourage my colleagues to support the Holt-Bishop amendment.

I will also be including in the RECORD a list of the 2010 Fortune 100 companies which delineate those companies relying upon Office of Science facilities to deliver their products.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HOLT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 68 OFFERED BY MR. ROYCE

Mr. ROYCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 13, after the dollar amount insert “(reduced by \$10,000,000)”.

Page 62, line 2, after the dollar amount insert “(increased by \$10,000,000)”.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. ROYCE. Mr. Chairman, this amendment would decrease the allocation of the Department of Science and the Department of Energy budget by \$10 million. And let me give you an example of what \$10 million is used for, by way of example, in this department. There’s \$10 million for appropriating money to methane hydrate research and development.

Now, Mr. Chairman, I was once a capital projects manager and I understand the impulse to invest in technologies that are going to have a payback, that are going to provide a return. But to do that, not only do you have to be able to figure out whether or not it’s possible to get that payback, but it has to be a viable alternative when compared against other competing alternatives. And that’s what I want to speak to here.

The government here in the U.S. has already spent \$155 million on research and development commercialization for this technology, for methane hydrate, over the last 5 years. Taxpayers do not need to subsidize the gas hydrate industry to find equivalent alternatives to replace oil. We are at \$100-a-barrel oil. There is already enough financial incentive in the commercial market to research methane hydrate if it, in fact, were a viable energy option. I just have to tell you, no one has tried to extract methane hydrates in a commercial way because it is not economical.

Think about this for a moment: It is only found in the Arctic. It is only found offshore. It’s essentially methane gas compressed under high-pressure

conditions at great depths. And basically the point here would be, you’d liquify it.

The reality is there are real hazards of developing gas hydrates. And because it’s such an incredibly hazardous substance, I can’t foresee gas drilling and production operations adopting this scenario, especially when you consider all of the other fossil fuels that would be utilized first before such a technology would ever be deployed. You’ve got oil shale. You’ve got oil sands, tar sands. You’ve got the existing conventional deposits of oil under capped wells.

Now, with every one of these challenges, a solution could be found much more economically in terms of extracting energy than you would ever find by producing energy from natural gas in this particular methodology. So the government has spent 10 years researching and developing ways to extract methane hydrates. We are still at a very primitive phase.

As I have shared with you, it is very hazardous if we were ever to deploy such a technology. There is a long list of alternatives which we certainly would go through first before we ever got to this. So it is time to eliminate the funding that can be appropriated toward methane hydrate research and development and use that more productively.

And let me make one other observation about this. We are in a situation now where we’re borrowing 40 cents of every dollar we spend. When we identify an area of the budget where we can make these types of savings, we should be cognizant of the fact that this type of borrowing, this sheer amount of borrowing has an impact not only on job creation, on economic growth, but also basically on the long-term solvency of the government.

If we’re running up debt at these levels and we find areas in the budget to slice off these sums, we can bring down that deficit. The impact on the market is such that the market sees us ratcheting down expenditures to come back into compliance with economic reality. And as a consequence of that, we avoid some of the adverse impacts that come with the overborrowing—as I indicated, 40 cents on every dollar—the overborrowing that is creating the kind of uncertainty in this economy today in which employers are reluctant to go out and hire, in which the impacts are not just felt in the jobless rates that we just saw climb up here in the United States but are also filled in the way in which we are perceived internationally in terms of our capacity to deal with our debt.

Now is the time to make some commonsense decisions here, and here is \$10 million that can be saved.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to oppose the amendment of the gentleman from California, but I do recognize and agree with his view in terms of the economy but not the purpose for which he rises.

My colleague’s amendment would eliminate methane hydrates research at the Department of Energy. This is a good example of a program that would not be otherwise funded by the private sector and has the potential to make a significant contribution to our Nation’s energy needs.

Vast quantities of methane gas are stuck in frozen deposits deep at the bottom of the ocean and in the Arctic permafrost. Some of these deposits may evaporate over time and escape into the atmosphere. If we can understand how to use these resources rather than letting the methane float away into the air, we could tap a vast new natural gas resource and prevent large quantities of methane from entering the atmosphere.

The research for this is too risky for industry to do. The science is too difficult for there to be an economic return. That is a proper role of government, research the private sector cannot do that can substantially reduce our dependence on foreign imports while inventing new science and technology that puts America in the lead.

I, therefore, respectfully rise to oppose the amendment and urge other Members to do so as well.

I will be happy to yield to the gentleman from Indiana.

□ 2000

Mr. VISCLOSKY. I appreciate the chairman yielding, and would join him in his opposition to the amendment.

I would make a general observation. The gentleman’s amendment would cut \$10 million from the Office of Science. When you look at a \$4 billion budget, your first impression might be it is of little consequence as far as the overall scientific research in this country. But I would point out that in fiscal year 2010 the account was for \$4.904 billion. In fiscal year 2011 it was reduced to \$4.842 billion. For, prospectively, 2012 it’s reduced another 43. The gentleman’s amendment would increase that reduction by almost 25 percent for the coming fiscal year. And I do think it is time to say “no,” and let us apply ourselves to serious scientific research.

I oppose the gentleman’s amendment, and appreciate the chairman yielding.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. BROUN of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, when I was just listening to my

colleague on the other side talking about this is a small amount of money, I just did a town hall meeting in Thomson, Georgia, just recently. A lady there got up and said to me, "Dr. BROUN, a million dollars is a lot of money." And we here in Congress talk as if a million dollars, or even a billion dollars, is not a lot of money, and it is to the citizens of this country.

We cannot continue down this road of, as Mr. ROYCE was saying, of borrowing 40 cents on every dollar that the Federal Government spends. It's creating tremendous uncertainty out there in the economic world. And this debt is going to be crushing to us.

I believe we are in an economic emergency. So cutting \$10 million for a project, though it might be interesting—I am a scientist, I am a physician, I have a science background—there are a lot of things that would be interesting to research and interesting things to do. But just like a business when it gets overextended, what's it do? It lowers its borrowing limit. Then it starts trying to work out that debt. Then it starts looking at every expense that it has, every corner of its expenses, and tries to cut expenses. Besides that, then they start looking at revenue.

Now, my Democratic colleagues and the President want to raise taxes to increase the revenue, but that actually is a tax that will drive away jobs. In fact, I have got a lot of businesses, small as well as large, in my district that tell me the tax burden today is so high that they are not hiring new people. And increasing taxes on small business is going to further drive away jobs from this country.

So cutting \$10 million may not sound like a lot to Members of Congress, but I am going to support this amendment. I urge its adoption.

I yield to the gentleman from California.

Mr. ROYCE. Thank you, Mr. BROUN. I will only take a minute here to close.

You know, I am also for pure research in science. I am for scientific research where we can drive progress in the United States. But as I shared with you earlier, I am a former capital projects manager, and one of the things you learn is to identify those projects which have some ability conceptually to have a return on investment. All right? When you run into a project which is not only on the face of it uneconomical, but one which is hazardous, and on top of that you see a listing of all the ways in which you would extract energy at much less cost than you would ever get to this, and it would be the very last resort on the list, you would not keep that on your list of capital projects to entertain. And I can tell you this. If you were constricted in your budget, especially if you were going out and borrowing 40 percent on the dollar for your budget,

you would certainly take this off the list of capital projects that you would commit to.

So I commit to you, it is only logical at this point that we pass this amendment and we incrementally at least make progress where we know we can on reducing the borrowing and send back a little vote of confidence to the market that all of us here, when we see an opportunity, are going to shave back Federal expenditures in areas where there cannot possibly be a return on that investment for the taxpayers of the United States.

Mr. BROUN of Georgia. Reclaiming my time, I again want to say that Members of Congress should do what I am doing, and I believe it's very critical for us to do so. I have supported over \$5 billion worth of cuts in the appropriations bills that we've seen thus far.

We are in an economic emergency as a Nation. Creating jobs in the private sector and putting our country back on good economic course and creating a stronger economy and creating more taxpayers by creating those jobs out in the private sector is what is absolutely critical for the future of this Nation. So even though this may sound like a meager amount of money to some Members of Congress, \$10 million is still a lot of money, and I support the amendment. I applaud Mr. ROYCE for bringing it.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROYCE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ROYCE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 43 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 13, after the dollar amount insert "(reduced by \$820,488,000)".

Page 62, line 2, after the dollar amount insert "(increased by \$820,488,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, my amendment cuts funding within the Department of Energy's Office of Science, transferring more than \$820 million to the spending reduction account. Contained within this \$820 million reduction are some of the most egregious examples of government waste imaginable, such as \$47 million for undetermined upgrades—undeter-

mined upgrades—\$20 million for the energy innovation hub for batteries, \$4 million for energy efficient-enabling materials, and almost \$9 million for the experimental program to stimulate competitive research.

In my extensions, I will list a whole lot of other egregious examples of government waste that this amendment will cut. These are just some of the many examples of duplicative, wasteful examples within the Department of Energy's Office of Science that are funded by taxpayer dollars that would be cut by this amendment.

While I believe the Federal Government does have a role in vital basic science research, I do not believe the Federal Government should be spending scarce taxpayers' dollars on every type of research imaginable or suggested here in Congress. Much of the research done in the agency should be done in the private sector.

Tough fiscal decisions have to be made, and they have to be made right now. We have put off bringing discipline to the budget and appropriations process far too long. Members of Congress need to look far and wide through every single nook, cranny, and corner of the Federal expenditures and cut wasteful, duplicative spending. And this is just an amendment that will cut over \$820 million of those kinds of projects that we just cannot afford.

I urge my colleagues to support my amendment.

My amendment cuts funding within the Department of Energy's Office of Science, transferring \$820,488,000 dollars to the spending reduction account.

Contained within this \$820,488,000 reduction are some of the most egregious examples of government waste: \$20 million for Energy Innovation Hub for Batteries; \$24.3 million for Fuels from Sunlight Energy Hub; \$547,075,000 for Biological and Environmental Research; \$8 million for Solar Electricity from Photovoltaics; \$16 million for Carbon capture and sequestration; \$8 million for Advanced solid-state lighting; \$4 million for Energy Efficient—Enabling Materials; \$10 million for Methane hydrates; \$47 million for Undetermined upgrades; \$15 million for Energy systems simulation—internal combustion engine; \$8.52 million for Experimental Program to Stimulate Competitive Research; \$4 million for Physical behaviors of materials—Photovoltaics; 52,741,000 for Chemical sciences, biosciences and geosciences—Solar Photochemistry; \$43,003,000.00 for Chemical sciences, biosciences and geosciences—Geosciences; and \$12,849,000 for Workforce development.

While I believe the federal government does have a role in vital basic science research, I do not believe the federal government should be spending scarce taxpayer dollars on all types of research. Much of the research done in the agency should be done in the private sector.

Tough fiscal decisions have to be made now! We have put off for too long bringing discipline to the budget and appropriations process.

I urge my colleagues to support my amendment.

I yield back the balance of my time. Mr. FRELINGHUYSEN. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to oppose the gentleman's amendment.

The Energy and Water bill makes available a very limited amount of funding for activities which are Federal responsibilities, activities such as basic science research and development. This is very early stage work which the private sector simply has no profit incentive to invest in. It funds cutting-edge research that will be the foundation of technology in future decades. This science research leads to the breakthroughs in innovation that will make our Nation's energy sector self-sufficient and keep America competitive as the world leader of science innovation.

□ 2010

This is why we work so hard to sustain funding for this program. Blindly cutting it will not only cut hundreds of more jobs around the country; it will put at risk our Nation's competitive edge in intellectual property and potentially set back our country's energy future.

I must oppose this amendment and ask other Members to do the same.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. The Department of Energy owns world-class facilities and researchers, and we should be taking full advantage of these facilities and not cut this account to where we are not able to use the capital fixed assets we have for this significant request in a reduction in funding.

I would point out to my colleagues, in 2006 President Bush made a commitment to double the budget for the Office of Science over a decade. The commitment to double funding for research and development by President Bush in science and technology was a response to stark warnings from a group of government experts and business leaders that warned in their report, known as "Rising Above the Gathering Storm," that the scientific and technological building blocks critical to our economic leadership are eroding at a time when many other nations are gathering strength.

I would certainly share the gentleman's concern about some of the myriad programs and ensuring that they do communicate with one another. He had mentioned the hubs. I had been critical of hubs in my past comments.

He has talked about management. I have been very critical of the Department of Energy as far as their project management.

But I would also point out that in relative terms, I believe that the Office of Science, and particularly given the leadership under President Bush by Dr. Orbach, who is now at the University of Texas, has done a very good job in getting a handle on the Department, improving its management skills and trying to do their very best as far as the expenditure of these funds.

For those reasons I do, again, strongly oppose the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982 (Public Law 97-425), \$25,000,000, to remain available until expended, and to be derived from the Nuclear Waste Fund.

AMENDMENT OFFERED BY MR. HECK

Mr. HECK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 28, amend lines 16 through 19 to read as follows:

For nuclear waste disposal activities to carry out the purpose of the Nuclear Waste Policy Act of 1982 (Public Law 97-425), including the acquisition of real property or facility construction or expansion, \$25,000,000 to remain available until expended and to be derived from the Nuclear Waste Fund: *Provided further*, That \$2,500,000 shall be provided to the State of Nevada to conduct appropriate activities pursuant to that Act: *Provided further*, That \$2,500,000 shall be provided to the affected units of local government, as defined in Nuclear Waste Policy Act of 1982, to conduct appropriate activities pursuant to the Act: *Provided further*, That the distribution of the funds shall follow the current formula used by the affected units of local government: *Provided further*, That \$20,000,000 shall be provided for the purpose of research and development in the areas of fuel recycling and accelerator transmutation technology.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Nevada is recognized for 5 minutes.

Mr. HECK. Mr. Chairman, Thomas Jefferson said: "Laws and institutions

must go hand-in-hand with the progress of the human mind."

As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times.

Almost 30 years have elapsed since this Congress passed the Nuclear Waste Policy Act; and over that time, technology and scientific knowledge have evolved and, indeed, new discoveries made, truths discovered, and opinions changed.

But for some reason, Congress still clings to technology from a bygone era to address today's nuclear waste issues.

The fact is, sticking our country's nuclear waste in a hole in the ground for long-term storage is a 20th-century solution. Instead, we should encourage the use of a 21st-century technology.

My amendment redirects money from the nuclear waste fund and designated from Yucca Mountain licensing and waste storage into the development of a 21st-century solution, a fuel recycling and accelerated transmutation program. This program would significantly reduce the toxicity of nuclear waste and retrieve additional energy from the material through radio chemistry and subcritical transmutation using accelerator technology.

Perhaps more important for Nevada, the site of Yucca Mountain and the State with the highest unemployment rate in the country, is the fact that this 21st-century solution has the potential to create in a single generation no less than 10,000 new direct research and development jobs utilizing existing regional technology capabilities.

My amendment also provides continued oversight funding for the State of Nevada and the affected units of local government as they have received resources to oversee the Yucca program since its inception. Even during the most recent continuing resolution passed by this body only a few short months ago, funding through the Department of Energy continued to provide these resources.

The U.S. continues falling behind developed and developing countries in fully funding and implementing these types of projects, 21st-century solutions that are critical to maintaining our Nation's economic and technological superiority.

I urge my colleagues to embrace the future of nuclear waste disposal and support this amendment so that this institution may go hand in hand with the progress of the human mind and with the change of circumstances this institution also advances to keep pace with the times.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I continue to reserve a point of order, and I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I oppose the amendment, but certainly I recognize Dr. HECK's leadership on this issue, and I know of what he speaks and how proud he is of his State and how determined he is relative to the Yucca Mountain project.

I just want you to know, having been to that site at one point in time and seeing the substantial investment there, of course, from many other people's perspective, including mine, that substantial investment at some point ought to be realized.

So, understandably, we appreciate and understand where you are coming from, and we respect your dedication to your own State's welfare.

Mr. Chairman, I do rise to oppose the amendment. This amendment attempts to secure additional funding for the State of Nevada. It also attempts to stipulate policies for research and development for the back end of the fuel cycle, which should properly be authorized before they are funded from this account.

This committee and Members, and many Members, have taken a strong position against the administration's Yucca Mountain policy that's well known.

The future of our nuclear waste policy, of course, deserves more consideration than this amendment and perhaps this evening would afford.

I yield back the balance of my time.

□ 2020

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I must insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. FRELINGHUYSEN. I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill. Therefore, it violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment gives affirmative direction in effect.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

The gentleman from Nevada is recognized.

Mr. HECK. Mr. Chairman, I would respectfully request that during your deliberation on the point of order that you consider the fact that in the second session of the 111th Congress, a similar provision was passed by this body in H.R. 5866.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment includes language imparting direction.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

ADVANCED RESEARCH PROJECTS AGENCY—  
ENERGY

For necessary expenses in carrying out the activities authorized by section 5012 of the America COMPETES Act (42 U.S.C. 16538), \$100,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. SCHIFF

Mr. SCHIFF. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 28, line 23, after the dollar amount insert "(increased by \$79,640,000)".

Page 32, line 4, after the dollar amount insert "(reduced by \$79,640,000)".

Mr. SCHIFF (during the reading). Mr. Chairman, I request unanimous consent that the reading of the amendment be waived.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCHIFF. Mr. Chairman, my amendment as offered by my colleagues, Representative BASS and Representative FUDGE, would simply restore ARPA-E funding to the fiscal year 2011 level of \$179.6 million.

ARPA-E was created in 2009 to bring the kind of innovative thinking that is well known at DARPA, the Defense Advanced Research Projects Agency, to the energy sector. That includes a focus on high-risk, high-reward R&D and a quick-moving culture made up of experts who stay for just a few years to ensure that new ideas are continually being brought forward. Unlike some government agencies, its philosophy, much like a tech start-up, is to hire the best technical staff and then hire the managers and leadership that can get the best out of them.

This reinvention of the way that government does business is something that we should be encouraging. A leaner approach adopted from the private sector, with a more agile leadership and the mandate to cut underperforming research avenues, is exactly what the Department of Energy needs. The American Energy Innovation Council, made up of CEOs and chairmen of some of America's biggest companies, including Bill Gates, Norm Augustine and Jeff Immelt, have proposed spending \$1 billion a year on ARPA-E, seeing it as a vital part of our energy future. This bill provides just \$100 million, so they endorsed a version of this amendment in the Appropriations Committee.

I recognize that we have a serious deficit problem as a member of the

Blue Dog Coalition, and we need to deal with it. But as we make the difficult choices to do that, I don't believe that as we emerge from a recession that we should cut the innovative research that makes America great and has fueled our economic growth for generations.

Energy is not just an economic issue, of course. It is also a national security issue. Some of our ARPA-E's research may help us cut down on fuel convoys in Afghanistan, and every bit of energy independence protects us from even higher energy prices driven by either instability in the Middle East or skyrocketing demand from China.

More than 50 universities, venture capital firms and professional societies—the Association of American Universities and the Association of Public and Land-grant Universities—have signed a letter in support of increasing ARPA-E funding. They and I hope that we will provide the funds that ARPA-E needs to continue to do the research that will change our world, not today, but tomorrow and for decades to come.

This amendment offsets the increase with a cut to the departmental administration account. As many people have noted, the Department of Energy has a serious management problem, and perhaps cutting this account will send a message that a new approach is needed.

But this invests in our future. Energy is a national security issue, it's an economic imperative, it's a health issue, and it's an environmental issue; and to invest in this kind of cutting-edge research in a reinvention-of-government kind of an agency is exactly the direction we should go. It's a proven approach that has been proven in the Defense Department with DARPA. It can work here in Energy. It's off to a very promising start, developing new battery technologies where we can lead the development of new batteries for electric vehicles for another generation.

I was very moved by a speech from a CEO of Google about a year ago, and he talked about how the revolution in energy that is just beginning will dwarf the revolution we have just come through in telecommunications because energy is a far bigger sector of our economy. We want to lead that energy revolution. If we do, the benefits to our economic development will be enormous, just as they were in terms of the telecommunications revolution. We don't want to see this leadership go to China, India or any other nation. But if we're serious about it, we need to invest in cutting-edge research. That's exactly what ARPA-E does.

I urge this Congress not to cut back on the Nation's future, but to support the innovative work being done by ARPA-E.

I yield back the balance of my time.  
Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to oppose the amendment.

My colleague's amendment would add funding to ARPA-E which receives \$100 million in our bill. Our bill, which reduces funding to nearly the 2006 levels—may I repeat, 2006 levels—fulfills our top responsibility of reducing government spending while focusing funding on a small set of top priorities.

In addition to national defense and water infrastructure, our top priorities include research to keep Americans competitive in science, innovation and the development of intellectual property.

ARPA-E is a relatively new program—today we're discussing only its second regular fiscal year appropriation—that offers industry, university and laboratory grants for high-risk energy innovations. ARPA-E is getting positive early reviews for its strong management and ability to execute on its mission to drive innovation and keep American companies competitive.

However, I share many of my colleagues' concerns about this program. ARPA-E must not intervene where capital private markets are already acting, and it must not be redundant with other programs at the Department.

In fact, ARPA-E is still a young program, and it is prudent to provide a lower level of funding while it is still maturing as a program and demonstrating its ability to address congressional concerns, especially when the bill has so many important priorities competing for scarce funding. This prudent approach is especially warranted when the bill has so many important priorities competing.

While I support the goal of this new program, I cannot support any additional funding at this time. Further, this amendment makes an unrealistic cut to the Department's salaries and expenses. We cannot cut departmental oversight by 35 percent and expect the efficient use of taxpayer dollars and more oversight and more management responsibilities. For these reasons and many more, I must oppose the gentleman's amendment.

I yield back the balance of my time.

Mr. BASS of New Hampshire. Mr. Chairman, I rise in support of the amendment and move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BASS of New Hampshire. A minute or two ago, I was in the Cloakroom and I drew up the Web site for ARPA-E, and it says at the top: "Disruptive and innovative approaches to technology." What a wonderful thought, that a government agency can be disruptive and innovative at the same time.

Billions of dollars have been spent on coal, on oil research, on wind and solar,

on biomass and conservation and the FreedomCAR. I got involved in the alternative energy business way back in the late seventies when I was a staffer when ERDA was created. We had a real energy crisis in this Nation as we do today. And yet we're really not anywhere nearly as far along this path as we need to be.

Now, someone in the Congress, in the Department of Energy, had the good idea of taking all these ideas for research and creating an entity that would be devoted to giving individuals and inventors, people with good ideas, that little spark that they need to turn those ideas into reality.

The first time they went out for solicitations, they got some 3,500 to 4,000 short, 7-page letters describing ideas. This is a program that leverages a relatively small amount of research dollars into an enormous potential benefit not only to America but to the world.

□ 2030

But within our boundaries here, we have the objective of lessening our dependence on foreign energy, of cleaning up our environment, of creating jobs and new economies for Americans. Given the fact that we have spent literally billions on the research and development in traditional energy resources, all we are asking to do in this amendment is to get the level up to last year, \$71 million over the suggested appropriation of \$100 million; \$71 million. All that to support an agency that, using their own words, provides a fresh look, a flexible, efficient way to find new ideas to solve very serious problems in America.

I hope that the Congress will support Mr. SCHIFF's amendment to add this \$71 million to keep this program strong, active, and moving forward because I think it has the potential to do more than any other research program in alternative energy can do today. I urge support of this amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I rise in opposition to the amendment. I have spoken on a number of occasions this evening about the need to invest in research. In this instance, there is a school of thought that I would not argue, that ARPA-E has shown some promise as a new organizational model at the Department of Energy. But as I have stated, debating this point in the past, I am troubled that the vigor at the Department that has led to ARPA and this new idea, singular, has largely been absent when it comes to addressing the systemic management and communication problems in other existing applied programs.

The Department had a great idea that I support in creating energy fron-

tier research centers. That began in 2009, and we now have 46 energy frontier research centers doing good work. We now have energy innovation hubs. We have a hub for energy-efficient building systems. We have a hub for fuels; a sunlight hub. We have a hub for modeling and simulation. There is a request approved in this bill for a hub for batteries and storage. A hub for critical materials.

The Department of Energy in 2007 had an idea that we should have a bioenergy research center system, and we now have three. We have the Joint Bioenergy Institute in Berkeley, California. We have the Great Lakes Bioenergy Research Center in Madison, Wisconsin. We have the Bioenergy Science Center in Oak Ridge, Tennessee.

In 1997, the Department of Energy had an idea. We should have a Joint Genome Institute. It was established, and now we have one in Walnut Creek, California.

We have what has been described to me as the gems of the intellectual power of the United States of America in the various laboratories that I have not even enumerated in my remarks.

Again, given the allocation we have had, there have been cuts to the underlying accounts in science and EERE that provide funding for many of these research centers. I think before we proceed along the lines established in this amendment, we need to make sure that the Department understands what their allocation of resources are for what they have and what they historically have had to make sure that there is good communication, and to make sure that the promise of ARPA is met as we proceed down this road before again we start making additional significant investments.

So I do understand and appreciate what the gentleman wants to do here. I do support this research to create this knowledge, but it is time to ensure that the Department is managing properly and having proper communication between all of these other centers first. For that reason, I object to the gentleman's amendment.

Ms. FUDGE. Mr. Chair, I'd like to thank my colleague from California for allowing me to join him in offering this very important bipartisan amendment.

As we are discussing fiscal issues and trying to make responsible spending cuts, I'm confused as to why ARPA-E is even on the table. It is one of the most effective and efficiently run programs in the Federal Government. It is an example of what we are doing right. An example of a place where we not only should be investing in scientific research, but where we need to be investing.

Let's look at the internet. We all know that the internet is a product of the Defense Advanced Research Projects Agency, or DARPA. DARPA was established in 1958 in response to the Soviet launch of Sputnik. Back then, Congress knew that it was government's role



to address what was not only a matter of national security, but also pride.

Now, let's look at the energy industry today. We have lost our technological lead, we are no longer number one in innovation, our competitors are rapidly outpacing us in advanced energy fields. Worst of all, we're addicted to foreign oil. Moreover, we are consuming more energy than we are producing, and it is not sustainable.

No matter what combination of sources you think is the answer, there's no arguing the energy crisis in this country is today's Sputnik. Yet instead of working together to make sure that future generations will have electricity, we're voting to ban efficiency standards for light bulbs. Where are our priorities?

Most of us know, and all of us should know, that we cannot rely the private sector to invest in basic research. Companies need to make profits, and they need to minimize risk. Basic research is risky. However, the return on investment is often smaller compared to the return to the economy as a whole. That's why it's the role of government to make these investments, especially now, as we are coming out of a recession.

Google recently released a comprehensive report which examined the potential impact of what breakthroughs in energy technology could mean for the United States. They found that certain key innovations could: grow the U.S. economy by over 155 billion dollars in GDP per year; create over 1.1 million new jobs; save consumers over 942 dollars per year; reduce U.S. oil consumption by over 1.1 billion barrels per year.

ARPA-E will allow us to make the breakthroughs needed for these outcomes. If anything, we should be increasing funding for this vital program.

Take, for example, one of the projects that Case Western Reserve University is working on in Northeast Ohio. It involves high-power titanate capacitors for power electronics. This project will develop novel capacitors for power electronics in the hybrid electric vehicle and consumer electronics markets. The capacitors are designed with metallic glass that allows spontaneous self-repair. This self-repair allows the devices to be driven to higher voltages and thereby achieve higher energy density. The market for capacitors in power applications is 1.6 billion dollars per year.

Research like this is what will make this country prosperous again. We cannot afford to cut this program, and I urge my colleagues to support this amendment.

Mr. VISCLOSKEY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SCHIFF).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCHIFF. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk read as follows:

TITLE 17 INNOVATIVE TECHNOLOGY LOAN  
GUARANTEE PROGRAM

Subject to section 502 of the Congressional Budget Act of 1974, for the cost of loan guarantees for renewable energy or efficient end-use energy technologies under section 1703 of the Energy Policy Act of 2005, \$160,000,000, to remain available until expended: *Provided*, That the amounts provided in this section are in addition to those provided in any other Act: *Provided further*, That, notwithstanding section 1703(a)(2) of the Energy Policy Act of 2005, funds appropriated for the cost of loan guarantees are also available for projects for which an application has been submitted to the Department of Energy prior to February 24, 2011, in whole or in part, for a loan guarantee under 1705 of the Energy Policy Act of 2005: *Provided further*, That an additional amount for necessary administrative expenses to carry out this Loan Guarantee program, \$38,000,000 is appropriated, to remain available until expended: *Provided further*, That \$38,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2012 appropriations from the general fund estimated at not more than \$0: *Provided further*, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated: *Provided further*, That for amounts collected pursuant to section 1702(b)(2) of the Energy Policy Act of 2005, the source of such payment received from borrowers is not a loan or other debt obligation that is guaranteed by the Federal Government: *Provided further*, That none of the loan guarantee authority made available in this paragraph shall be available for commitments to guarantee loans for any projects where funds, personnel, or property (tangible or intangible) of any Federal agency, instrumentality, personnel or affiliated entity are expected to be used (directly or indirectly) through acquisitions, contracts, demonstrations, exchanges, grants, incentives, leases, procurements, sales, other transaction authority, or other arrangements, to support the project or to obtain goods or services from the project: *Provided further*, That the previous proviso shall not be interpreted as precluding the use of the loan guarantee authority in this paragraph for commitments to guarantee loans for projects as a result of such projects benefiting from (1) otherwise allowable Federal income tax benefits; (2) being located on Federal land pursuant to a lease or right-of-way agreement for which all consideration for all uses is (A) paid exclusively in cash, (B) deposited in the Treasury as offsetting receipts, and (C) equal to the fair market value as determined by the head of the relevant Federal agency; (3) Federal insurance programs, including under section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210; commonly known as the "Price-Anderson Act"); or (4) for electric generation projects, use of transmission facilities owned or operated by a Federal Power Marketing Administration or the Tennessee Valley Authority that have been authorized, approved, and financed independent of the project receiving the guarantee: *Provided further*, That none of the loan guarantee authority made available in this paragraph shall be available for any project unless the Director of the Office of Management and Budget has certified in advance in writing that the loan guarantee and the project comply with the provisions under this paragraph.

ADVANCED TECHNOLOGY VEHICLES  
MANUFACTURING LOAN PROGRAM

For administrative expenses in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, \$6,000,000, to remain available until expended.

AMENDMENT NO. 48 OFFERED BY MR. BROUN OF  
GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk. The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, line 21, after the dollar amount insert "(reduced by \$6,000,000)".

Page 62, line 2, after the dollar amount insert "(increased by \$6,000,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, my amendment eliminates funding for the Advanced Technology Vehicles Manufacturing Loan Program, transferring \$6 million to the spending reduction account.

Mr. Chairman, I am 100 percent supportive of the automobile industry producing more fuel-efficient automobiles. However, there is simply no good reason that the Federal Government should be subsidizing billion-dollar companies at a time when our Nation is broke.

Over the past few years, we have seen the automobile industry receive an unprecedented amount of government assistance. We have seen an industry bailout, the market distorting Cash for Clunkers program, and many more subsidies, all done with little regard for taxpayers' money. It is time that we begin to reverse this disturbing trend and let the automobile industry succeed or fail on its own merits. We have to stop these kinds of subsidies, particularly in these hard times when our Nation is in economic emergency. I urge support of this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise to oppose this amendment. I'm strongly in favor of a thriving domestic automotive industry, but I'm sure the gentleman knows I have also been critical of the slow pace with which the Department has implemented this program.

In the Homeland Security bill, we trimmed out \$1.5 billion for this program, which has been sitting unused since 2009. We have put it toward flood assistance, where there was a true emergency purpose. But we left adequate funding to cover applications already in the pipeline. Cutting those off midstream would put at risk, I believe, thousands of jobs, and literally billions of dollars of private sector investment.

Understandably, I know where the gentleman is coming from, but I urge opposition to his amendment.



I yield back the balance of my time.  
Mr. VISCLOSKY. I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I rise in opposition to the gentleman's amendment. The Advanced Technology Vehicles Manufacturing Loan Program supports the development of innovation and advanced technologies that create energy jobs and reduce our Nation's dependence on oil.

I believe that this is an energy issue in its truest form as far as reducing our dependency on foreign oil. Another observation I would make: If the amendment is adopted, it would ensure that we would have no oversight, no oversight of the loans that the Department has already issued, ensuring that both Congress and the administration would, therefore, abdicate their responsibility to protect and ensure that taxpayer dollars are used in the manner they were intended and that the recipients follow through on the conditions of those loans.

For these reasons and reasons espoused by my chairman, I again am opposed to the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

□ 2040

The Clerk will read.

The Clerk read as follows:

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses not to exceed \$30,000, \$221,514,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total \$111,883,000 in fiscal year 2012 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during

2012, and any related appropriated receipt account balances remaining from prior years' miscellaneous revenues, so as to result in a final fiscal year 2012 appropriation from the general fund estimated at not more than \$109,631,000.

AMENDMENT NO. 64 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 32, line 4, after the dollar amount insert "(reduced by \$2,500,000)".

Page 62, line 2, after the dollar amount insert "(increased by \$2,500,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, my amendment would reduce the operating budget of the Office of the Energy Secretary by 50 percent, transferring \$2.5 million to the spending reduction account.

I've spent a considerable amount of time on the floor of the House during the FY 2012 appropriations process working to find spending cuts across every level of the Federal Government and across nearly every agency. I understand the challenges that the Secretary of Energy faces and the enormity of the Department that he is tasked with overseeing. But even the Department of Energy must do its part to reduce the deficit.

We've got to cut wherever we can. The future of our Nation depends upon it. Our children and grandchildren's future depends upon it. We're broke as a Nation. We have to look into every nook, cranny, and corner of the Federal expenditures and find wherever we can reduce expenditures, and this is my attempt to continue to do so.

I urge support of my amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, if Dr. BROUN is insistent, I must say that I want to thank him for his amendment and I am willing to accept it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FORTENBERRY

Mr. FORTENBERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 4, after the dollar amount, insert "(reduced by \$35,000,000)".

Page 34, line 20, after the dollar amount, insert "(increased by \$35,000,000)".

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. FORTENBERRY. Mr. Chairman, this amendment would reduce the Department of Energy administration account by \$35 million and increase the Global Threat Reduction Initiative by a \$35 million amount as well.

As cofounder of the House Nuclear Security Caucus, together with my colleague Mr. SCHIFF, I am deeply concerned about the potential nuclear security threats and vulnerabilities, and I am committed to strengthening momentum on efforts to secure fissile materials and prevent the proliferation and misuse of sensitive nuclear materials and technologies here and around the world.

I also want to thank Representative SANCHEZ for her longstanding commitment to this important issue as well.

Mr. Chairman, nuclear terrorism is a threat so serious in its consequences that we often shrink from even contemplating it. But ignoring the problem is not an option. There are some relatively straightforward steps that we can take to reduce our vulnerabilities, and one of these is to strengthen the Global Threat Reduction Initiative.

To date, this important program has converted or verified the shutdown of 76 out of 200 highly enriched uranium research reactors to be converted or verified as shut down by the year 2022. The program has removed 3,085 kilograms of highly enriched uranium and plutonium from 42 countries. The program has eliminated all highly enriched uranium from 19 countries and plans to eliminate all of it from an additional nine countries by December of 2013.

These countries—the 19 it was removed from—include Brazil, Colombia, Latvia, Portugal, South Korea, Bulgaria, Denmark, Spain, Thailand, Greece, the Philippines, Slovenia, Sweden, Romania, Libya, Turkey, Taiwan, Chile, and Serbia.

In addition, the program has also overseen the removal of 960 kilograms of highly enriched uranium. Mr. Chairman, that's enough for 38 nuclear weapons, and this is since 2009.

It is vital that we work together to transcend any differences in this body to prevent our world from sleepwalking to utter disaster. We are at a crossroads. The technical advances that have enabled transnational communication and cooperation for progress have also enabled and benefited individuals and groups bound by ideologies that threaten the very foundations of civil society and government. I consider it our collective mission to ensure that we succeed in controlling nuclear technology and materials to leave a stable global environment for generations.

Mr. Chairman, I urge my colleagues to join me and Representative SANCHEZ in supporting this important amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of the amendment and salute the gentleman for his knowledge. He serves on the authorizing committee, and we can't argue against the statistics that he has proposed.

I should say for the record that our bill strongly supports our nuclear security strategy. It fully funds the 4-year effort to lock down nuclear materials around the world and increases funding for our other international security efforts, such as enforcing export controls and promoting nuclear safeguards.

With that, I am happy to yield to the ranking member.

Mr. VISCLOSKEY. I appreciate the chairman for yielding and supporting the amendment.

I certainly appreciate the gentleman offering this amendment. I think it's very, very important. Certainly I think the most serious threat confronting this Nation is that of nuclear terrorism.

Again, I appreciate the gentleman's work on the issue day in and day out, offering the amendment, as well as those who support it. I rise in support of it.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Ms. LORETTA SANCHEZ of California. Mr. Chair, I would like to thank Representative FORTENBERRY for working with me along with Representative LARSEN and GARAMENDI in order to offer this important amendment.

This amendment is a small restoration of funds in response to a \$468 million cut to defense nonproliferation programs in this bill—equivalent to an 18% reduction in funding.

The \$35 million would come from the Departmental Administrative account.

This transfer of funding will contribute to reducing the risk of nuclear terrorism.

The danger that nuclear materials or weapons might spread to countries hostile to the United States or to terrorists is one of the gravest dangers to the United States—nonproliferation programs are critical to U.S. national security and must be a top priority.

The funding for Global Threat Reduction Initiative (GTRI) specifically supports securing vulnerable nuclear material around the world in 4 years, in order to prevent this deadly material from falling into the hands of terrorists intent on doing us harm.

Nonproliferation programs are the most cost-effective way to achieve these urgent goals and objectives.

Last year at the Nuclear Security summit which brought together nearly 50 heads of state in Washington, President Obama secured significant commitments from countries willing to give up their nuclear weapons-usable material.

The United States must follow through on its international commitments to help remove and secure these materials.

Failing to do so will jeopardize the effort to secure these materials in 4 years, result in unacceptable delays and complicate further negotiations with countries who have vulnerable nuclear bomb-grade materials.

Specifically, a \$35 million increase would prevent delays of at least 1 year to Highly Enriched Uranium reactor conversions in Poland, Kazakhstan, Uzbekistan, Ghana, and Nigeria.

Reactor conversions are directly linked to removal of bomb-grade material: removals of vulnerable material from these sites that cannot take place until the reactors are converted.

These countries are among the NNSA's highest priorities to secure material, convert research reactors and remove vulnerable HEU.

These funds would also expedite by 1 year the development of a new low enriched uranium fuel for the conversion of 6 U.S. High Performance Research reactors that currently use approximately 150 kilograms—6 nuclear weapons' worth—of highly enriched uranium annually.

The \$35 million will help not only the U.S. fuel development program but also our R&D efforts with Russia for conversion of their high performance reactors that need this same new type of high density fuel.

Over 70 research reactors that should be shut down or converted are in Russia, and there has been recent progress on converting at least 6 reactors.

We are right at the cusp of success in addressing these dangerous Russian reactors.

Cuts to funds now would send a bad message and squander an important opportunity to move forward and pursue cost sharing on some of the remaining reactors.

The 9–11 Commission and of the Nuclear Posture Commission noted the urgency of addressing this grave danger, with the Nuclear Posture Commission warning that "The urgency arises from the imminent danger of nuclear terrorism if we pass a tipping point in nuclear proliferation."

I urge support for this modest increase of \$35 million that will help address the risk of delays to the most urgent efforts for removing and securing vulnerable materials, stemming from FY11 appropriations cuts.

Mr. LARSEN of Washington. Mr. Chair, I rise today in support of the Fortenberry amendment to increase funding for the NNSA Defense Nuclear Nonproliferation program.

This amendment, which I cosponsored, provides a \$35 million increase to the nonproliferation account. Unfortunately, this increase represents only a small percentage of the \$463 million in cuts to nonproliferation in the bill.

Nonproliferation efforts are vital to our national security. These programs ensure that loose nuclear material is secured and prevent nuclear weapons from falling into the hands of hostile countries or terrorists. To implement drastic budget cuts does very real damage to the progress we are making toward these goals.

Just last year at the Nuclear Summit, President Obama gained the agreement from several countries to work with the U.S. in securing nuclear weapons-grade material. Through the NNSA Global Threat Reduction Initiative, we will work with nations like Poland, Ghana, Ni-

geria, Kazakhstan and others to remove highly enriched uranium and to convert their reactors.

There is no question: taking these steps is very much in the national security of the U.S. There are those who would do anything to gain and use this material to do significant harm to our troops and our country.

I am supportive of this amendment, but it represents only a step toward the resources that are necessary for this important program.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Nebraska (Mr. FORTENBERRY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SHIMKUS

Mr. SHIMKUS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 4, after the dollar amount insert "(reduced by \$10,000,000)".

Page 54, line 20, after the second dollar amount insert "(increased by \$10,000,000)".

Page 54, line 25, after the dollar amount insert "(increased by \$10,000,000)".

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Thank you, Mr. Chairman.

First of all, I want to thank my colleagues on the Appropriations Committee. I don't come down to the floor often. This is a special occasion and a special time to bring focus on Yucca Mountain.

As the investigation continues into the shutdown of Yucca Mountain, we have heard over and over again that the licensing application should move forward and let the science speak for itself.

The \$10 million provided in the bill is a start but too low for the Nuclear Regulatory Commission to do anything functional toward reviewing the licensing application. In fact, just a few years ago, they were receiving nearly \$60 million for these efforts.

In addition, the Shimkus-Inslee amendment—it didn't officially get recorded that way, but that was our intent, that JAY INSLEE, my friend from Washington State, would join me. The amendment adds \$10 million to continue the Yucca Mountain license application. There is \$10 million in the bill, and my amendment would take it to \$20 million.

Our amendment is budget neutral and fully offset by taking funds from the DOE's departmental administration account. We are asking DOE to do more with less by making modest cuts to an account for salaries and expenses. And, again, I want to thank the Appropriations Committee for helping us find a way to move in this direction. Again I want to thank my colleague Mr. INSLEE for supporting this amendment.

I have had a lot of my colleagues on both sides of the aisle talk to me about

when are we going to have a vote on the floor to show our support for what we have done? What we have done historically, in 1982 the Nuclear Waste Policy Act was passed, 30 years, countless different administrations on both sides of the aisle, different control of the Chamber here, both parties.

□ 2050

This has been our consistent policy for 30 years. Now, with Japan and Fukushima Daiichi and part of the problem being high-level nuclear waste stored in pools, we have to have a centralized location. This amendment says let us finish the science to get to the final permit, and let that science be the judge. It's providing the money.

But I will tell you that we have high-level nuclear waste all over this country, and we need it in one centralized location. It has been our policy that that would be Yucca Mountain—an isolated area in Nevada, in the desert, 90 miles from Las Vegas. It's underneath a mountain, in the desert, in one of the most arid places in this country. If we can't store it there, we really can't store it anywhere. As you've heard from my colleagues already this evening, it is stored in locations we should not have it.

Again, I really want to thank the Appropriations Committee for helping me through this process. We need a vote. I will call for a vote.

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

Mr. INSLEE. I move to strike the last word.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. INSLEE. I want to thank the gentleman from Illinois and the committee for helping us find a solution to this problem.

There are really a couple of reasons for this amendment:

One, there really is a national interest here. We've got 75,000 metric tons of nuclear waste at 80 sites in 45 States. This is a national interest, a national bill, and is an appropriation we need to get done.

Two, my State is particularly acute at the Hanford site, a place where we fought World War II and the Cold War, and now we are preparing nuclear waste to go to Yucca Mountain—nuclear waste that, essentially, will be all dressed up with no place to go if we don't finish this project.

This is a very small step forward, but I do think it's important, not just for the \$10 million that will help us move forward on the scientific assessment of this, but the fact that it will be another statement by this House of why we need to move forward. We made that statement in 1987. We made that statement in 2002. We made it again in 2007. This is the way to do it in the appropriations system. It is an important

statement to make. We've got to continue to push this ball uphill until this job gets done.

I yield back the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I rise in support of Mr. SHIMKUS' and Mr. INSLEE's amendment, and I congratulate them on bringing this very important amendment to the floor in this appropriations bill.

Just across the Savannah River from my district is the Savannah River site. I've been over there very many times, and I am very concerned about the storage of nuclear materials that are there on the site, and that's happening all over this country. We hear people talk about this as nuclear waste, but I don't view it that way. In fact, there is a tremendous amount of energy in the fuel rods and in the nuclear material that's being stored at facilities all over this country. We just don't know how to utilize it, and we're just beginning that process.

Some of these fast reactors, small modular reactors, would burn up a lot of this nuclear material and would provide energy that is drastically needed. Yet, Mr. Chairman, one man from Nevada—a staffer, who left from being on staff in the U.S. Senate and went to the administration—has, what I consider to be, illegally closed up Yucca Mountain. This administration has illegally closed up Yucca Mountain.

This facility has been studied at great lengths. I'm on the Science, Space, and Technology Committee, and am the Subcommittee chairman for Investigations and Oversight. We've looked at this. We've had hearings. In fact, I just recently had a group of people from our local area, the Augusta area—and North Augusta, in the South Carolina area of Aiken County, where SRS is—testify about what's going on and about Yucca Mountain.

It is critical that we as a Congress do what the law requires. We need a central repository. We need somewhere we can store this material, not as waste, but we need a repository so that this material can be set in a safe, scientifically studied area that won't harm anybody. Yucca fits all of those categories. It's the only place in this country that does. We can store this material until we can utilize it.

We need to be energy independent as a Nation. Nuclear energy is going to be one of the keys of an all-of-the-above energy policy. We, on our side, have been fighting for that, and I know some Democrats are very supportive of nuclear energy, as I am. I am an ardent supporter of nuclear energy, and I think it's absolutely critical in order for us to go forward. Yucca Mountain has to be a part of that formula, and we cannot close it up. We've spent billions

of taxpayer dollars on this facility. One man, because he doesn't want it in his backyard, has prompted this administration to close it up. We've got to open it up.

So I congratulate Mr. INSLEE and particularly my dear friend JOHN SHIMKUS from Illinois for bringing this amendment to the floor. We need to support it. We need to have a vote on it so that we can show how important this is to Members of Congress. I congratulate them, and I wholeheartedly support it, and hope other Members of Congress will support it, too.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I strongly support, Mr. Chairman, the Shimkus-Inslee amendment.

This administration's Yucca Mountain policy has been, at best, irresponsible with the taxpayers' time and treasure. Most Members in this room have voted many times in support of this project. For years, we supported it as the law of the land, and ensured that the scientific review process continued so we could understand how good the site was.

Despite more than the \$15 billion already spent on the site or the more than \$16 billion in potential fines that the taxpayer is facing because the administration has not fulfilled its responsibility to take spent fuel off the hands of so many utilities, this administration has persisted in a backroom political deal to shut down the project. Yet, despite the administration's best efforts to hide from the public the inconvenient facts, we now know that the science does support Yucca Mountain as a long-term geological repository. The NRC's review, which was virtually complete when the administration pulled the plug, apparently shows that the site can safely store the fuel for thousands and thousands of years if that is necessary.

Even in the face of this, the administration hasn't changed its position. We can only keep the pressure on and trust that good policy and good science will eventually overcome bad politics. We need to finish the Yucca Mountain license application so that we as a Nation can take into account all of the facts as we determine the future of nuclear energy in this country.

I want to thank the gentlemen, both Mr. INSLEE and Mr. SHIMKUS—members of the authorizing committee.

I had an opportunity, as an observer, to attend Mr. SHIMKUS' subcommittee. May I say I was impressed by how the gentleman from Illinois questioned the NRC commissioners, and particularly the chairman, on some of the very questions the gentleman from Illinois and other Members have raised.

I want to commend you for your vigor and for your astuteness and for coming to the floor with this very important amendment.

I would be happy to yield, unless he cares to have his own time, to the ranking member, the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the chairman's yielding. I would just add two brief comments in support of the amendment and of the chairman's remarks.

The administration's attempts to shut this activity down, I believe, are without scientific merit, and are contrary to existing law and congressional direction.

I believe that the Federal Government has a responsibility to demonstrate its capability to meet its contractual obligation under the Nuclear Waste Policy Act by addressing the spent fuel and other high-level nuclear waste at permanently shutdown reactors.

So, again, I will join in support of the amendment.

Mr. FRELINGHUYSEN. I thank the gentleman.

We're going to keep Yucca Mountain open, Mr. Chairman.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SHIMKUS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SHIMKUS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

□ 2100

The Clerk will read.

The Clerk read as follows:

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$41,774,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY

ADMINISTRATION

WEAPONS ACTIVITIES

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, the purchase of not to exceed one ambulance and one aircraft; \$7,131,993,000, to remain available until expended: *Provided*, That of such amount not more than \$139,281,000 may be made available for the B-61 Life Extension Program until

the Administrator for Nuclear Security submits to the Committees on Appropriations of the House of Representatives and the Senate the outcome of its Phase 6.2a design definition and cost study: *Provided further*, That of the unobligated balances available under this heading, \$40,332,000 are hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one passenger motor vehicle for replacement only, \$2,086,770,000, to remain available until expended: *Provided*, That of the unobligated balances available under this heading, \$30,000,000 are hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, \$1,030,600,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses not to exceed \$12,000, \$420,000,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one ambulance and one fire truck for replacement only, \$4,937,619,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real prop-

erty or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed 10 passenger motor vehicles for replacement only, \$814,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for the Kootenai River Native Fish Conservation Aquaculture Program, Lolo Creek Permanent Weir Facility, and Improving Anadromous Fish production on the Warm Springs Reservation, and, in addition, for official reception and representation expenses in an amount not to exceed \$3,000. During fiscal year 2012, no new direct loan obligations may be made from such Fund.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$8,428,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to \$8,428,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than \$0: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to \$100,162,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE,

SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, \$45,010,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to \$33,118,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration:

*Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than \$11,892,000: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to \$40,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed \$1,500; \$285,900,000, to remain available until expended, of which \$278,856,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to \$189,932,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than \$95,968,000, of which \$88,924,000 is derived from the Reclamation Fund: *Provided further*, That of the amount herein appropriated, not more than \$3,375,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to \$306,541,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$4,169,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat.

255) as amended: *Provided*, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to \$3,949,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2012 appropriation estimated at not more than \$220,000: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred.

FEDERAL ENERGY REGULATORY COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses not to exceed \$3,000, \$304,600,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed \$304,600,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2012 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2012 so as to result in a final fiscal year 2012 appropriation from the general fund estimated at not more than \$0.

GENERAL PROVISIONS, DEPARTMENT OF ENERGY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available in this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Except as provided in paragraph (2), the Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading "Department of Energy—Energy Programs", enter into a contract, award a grant, or enter into a cooperative agreement that obligates the Government in excess of the budget authority available under such heading for such purpose, or that is properly chargeable to budget authority of a future fiscal year before such budget authority is available, regardless of whether the contract, grant, or cooperative agreement includes a clause conditioning the Government's obligation on the availability of such budget authority.

(2) Paragraph (1) shall not apply with respect to major capital projects.

(c) Except as provided in this section, the amounts made available by this Act for the Department of Energy shall be expended as authorized by law for the projects and activities specified in the text and the "Bill" col-

umn in the "Comparative Statement of New Budget (Obligational) Authority for 2011 and Budget Requests and Amounts Recommended in the Bill for 2012" included under the heading "Title III—Department of Energy" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

(d) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act;

(4) reduces funds that are directed to be used for a specific program, project, or activity by this Act;

(5) increases funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less; or

(6) reduces funds for any program, project, or activity by more than \$2,000,000 or 10 percent, whichever is less.

(e) The Secretary of Energy and the Administrator for Nuclear Security may jointly waive the restrictions under subsection (a) and subsection (d) on a case-by-case basis by certifying to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 302. None of the funds made available in this title may be used—

(1) to augment the funds made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704) unless the Department of Energy submits a reprogramming request to the appropriate congressional committees; or

(2) to provide enhanced severance payments or other benefits for employees of the Department of Energy under section 4604; or

(3) develop or implement a workforce restructuring plan that covers employees of the Department of Energy.

SEC. 303. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 304. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 305. When the Department of Energy makes a user facility available to universities or other potential users, or seeks input from universities or other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a

user facility, the Department shall employ full and open competition in selecting such a partner. For purposes of this section, the term "user facility" includes, but is not limited to: (1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); (2) a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and (3) any other Departmental facility designated by the Department as a user facility.

SEC. 306. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2012 until the enactment of the Intelligence Authorization Act for Fiscal Year 2012.

SEC. 307. (a) In any fiscal year in which the Secretary of Energy determines that additional funds are needed to reimburse the costs of defined benefit pension plans for contractor employees, the Secretary may transfer not more than 1 percent of an appropriation made available in this or any subsequent Energy and Water Development Appropriations Act to any other appropriation made available to the Secretary by such Act for such reimbursement.

(b) Where the Secretary recovers the costs of defined benefit pension plans for contractor employees through charges for the indirect costs of research and activities at facilities of the Department of Energy, if the indirect costs attributable to defined benefit pension plan costs in a fiscal year are more than charges in fiscal year 2008, the Secretary shall carry out a transfer of funds under this section.

(c) In carrying out a transfer under this section, the Secretary shall use each appropriation made available to the Department in that fiscal year as a source for the transfer, and shall reduce each appropriation by an equal percentage, except that appropriations for which the Secretary determines there exists a need for additional funds for pension plan costs in that fiscal year, as well as appropriations made available for the Power Marketing Administrations, the loan guarantee program under title XVII of the Energy Policy Act of 2005, and the Federal Energy Regulatory Commission, shall not be subject to this requirement.

(d) Each January, the Secretary shall report to the Committees on Appropriations of the House of Representatives and the Senate on the state of defined benefit pension plan liabilities in the Department for the preceding year.

(e) This transfer authority does not apply to supplemental appropriations, and is in addition to any other transfer authority provided in this or any other Act. The authority provided under this section shall expire on September 30, 2015.

(f) The Secretary shall notify the Committees on Appropriations of the House of Representatives and the Senate in writing not less than 30 days in advance of each transfer authorized by this section.

SEC. 308. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Health, Safety, and Security to ensure the project is in compliance with nuclear safety requirements.

SEC. 309. Plant or construction projects for which amounts are made available under

this and subsequent appropriation Acts with an estimated cost of less than \$10,000,000 are considered for purposes of section 4703 of the Atomic Energy Defense Act (50 U.S.C. 2743) as a plant project for which the approved total estimated cost does not exceed the minor construction threshold and for purposes of section 4704(d) of such Act (50 U.S.C. 2744(d)) as a construction project with an estimated cost of less than a minor construction threshold.

SEC. 310. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds \$100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 311. None of the funds made available in this title may be used to make a grant allocation, discretionary grant award, discretionary contract award, or Other Transaction Agreement, or to issue a letter of intent, totaling in excess of \$1,000,000, or to announce publicly the intention to make such an allocation, award, or Agreement, or to issue such a letter, including a contract covered by the Federal Acquisition Regulation, unless the Secretary of Energy notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making such an allocation, award, or Agreement, or issuing such a letter: *Provided*, That if the Secretary of Energy determines that compliance with this section would pose a substantial risk to human life, health, or safety, an allocation, award, or Agreement may be made, or a letter may be issued, without advance notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after the date on which such an allocation, award, or Agreement is made or letter issued.

SEC. 312. None of the funds made available by this title may be used to make a final or conditional loan guarantee award unless the Secretary of Energy provides notification of the award, including the proposed subsidy cost, to the Committees on Appropriations of the Senate and the House of Representatives at least three full business days in advance of such award.

SEC. 313. None of the funds included in this title for the Department of Energy shall be made available to initiate, administer, promulgate, or enforce any "significant regulatory action" as defined by Executive Order 12866 unless the Committee on Appropriations has been notified not later than 30 days before the issuance of such action.

#### TITLE IV—INDEPENDENT AGENCIES

##### APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, for necessary expenses for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$68,400,000, to remain available until expended.

##### DEFENSE NUCLEAR FACILITIES SAFETY BOARD

###### SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-

456, section 1441, \$29,130,000, to remain available until expended.

##### DELTA REGIONAL AUTHORITY

###### SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, as amended, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, \$11,700,000, to remain available until expended.

##### DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, \$10,700,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998 (title III of division C of Public Law 105-277): *Provided*, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined in the subsection (c) added to section 307 of such Act by section 701 of Title VII of the provisions of H.R. 3424 (106th Congress) enacted into law in section 1000(a)(4) of Public Law 106-113 (113 STAT. 1501A-280), and an amount not to exceed 50 percent for non-distressed communities.

##### NORTHERN BORDER REGIONAL COMMISSION

For necessary expenses of the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$1,350,000, to remain available until expended: *Provided*, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

##### SOUTHEAST CRESCENT REGIONAL COMMISSION

For necessary expenses of the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$250,000, to remain available until expended.

##### AMENDMENT NO. 47 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, line 12, after the dollar amount insert "(reduced by \$250,000)".

Page 62, line 2, after the dollar amount insert "(increased by \$250,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, the Southeast Crescent Regional Commission is a Federal-State partnership intended to address the economic needs of the southeastern United States, and the Lord really knows that we have some economic needs in that area. In fact, in my district, we have counties that unemployment approaches or exceeds 25 percent. But contained within the FY12 Energy and Water appropriations bill is \$250,000 in funding for this commission. My amendment eliminates funding for the Southeast Crescent Regional Commission, transferring the \$250,000 to the spending reduction account.

Some of you may ask: Why go after such a small amount as \$250,000? Mr.



Chairman, here we see a Federal commission conducting work that would be better managed by a State agency. This entity is so small that it's hard to even find information on how the commission spends hard-earned taxpayer dollars. In fact, we can't even find a Web site for this commission. We need to look for spending cuts across every level of the Federal Government, even if that means finding cuts in the smallest of Federal bureaucracies.

For generations, Americans have been told by Members across the aisle that more government, more bureaucracy, and more Federal spending are the answers to all of their problems. We're losing our liberty because of that kind of philosophy. This line of thinking has removed many of our liberties that our Founders intended for us to have. Congress must make every effort to roll back the Big Government mentality in Washington and allow States to manage their own affairs. Zeroing out funding for this commission would be a good step in sending government powers back to the States and the people.

I urge support of my amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I rise in strong opposition to the gentleman's amendment.

The Southeast Crescent Regional Commission includes all of the counties from Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida that are not already served by the ARC or the DRA. Though relatively new, this regional commission is intended to address planning and coordination on regional investments and targeting resources to those communities with the greatest needs.

Many of these areas covered by this commission suffer from high unemployment—10 percent in South Carolina, one of the highest in the Nation. Marion County in South Carolina has 19 percent unemployment. The county has seen both textile and manufacturing jobs disappear, and this economic predicament is similar in much of the area covered by the commission.

As we have seen with ARC investments, investment in regional commissions can go toward area development and technical assistance goals such as increasing job opportunities, improving employability, and strengthening basic infrastructure.

The conventional wisdom among economists has long been that regional approaches can be valuable in addressing developmental situations that cannot be addressed simply through local policies. For example, to help people in one jurisdiction to find jobs, one may

have to create jobs for them in a neighboring growth center.

In recent years regional approaches have gained greater support, hence the relative newness of the Southeast Crescent Regional Commission, in part because of increased global competition that rural communities face.

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When people think of the First Congressional District that I represent, because we produce more steel in one congressional district than any State in the United States of America, they also miss the fact that one of the counties I have the privilege of representing has 9,000 people in it, another has 14,000 people, another has 23,000. There are very rural areas that are also economically stressed and do not have those centers of gravity and need that type of tension to try to generate some new economic opportunity and jobs, which is why, just from my practical experience with the rural counties I have, I do believe it is important to continue to work with the commission; and that is why I do rise in opposition to the gentleman's amendment.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. VISCLOSKY. I yield to the gentleman from Georgia.

Mr. BROUN of Georgia. I thank the gentleman for yielding.

Please tell me what this commission does. We've looked and looked, and we can't find a Web site for them. We can't find anything for them. This is my district, what we are talking about. I represent the northeast corner of the State of Georgia. In fact, we worked very strongly, my staff and I, with the Appalachian Regional Commission, the ARC, that the gentleman just mentioned. But we can't find even a Web site for this commission. And just having a commission for the sake of a commission, even though this would be considered a small amount of money, \$250,000, to me is a lot of money. And if we add little bits of money together, after a while, then we get into bigger and bigger funds.

So I think we need to start looking at getting rid of duplicative commissions, duplicative functions of the Federal Government. And this is just one—because my staff and I looked to try to find what this commission does, what this \$250,000 is expended on. We couldn't find it.

I'm for economic development. In fact, in those counties in northeast Georgia that I represent, we do have a tremendous unemployment rate. In some of those counties, we have 20, 25 percent, maybe even higher, underemployment and unemployment rates. So I am extremely, extremely cognizant of the need for developing jobs for these areas. But I'm also very cognizant that we are in an economic emergency as a Nation; and wherever

we can save money, I would like to do so.

I don't know what this commission does. I can't find anything about it. So if the gentleman would please tell me, I would be eager to know.

Mr. VISCLOSKY. Well, if I could reclaim my time, relative to the gentleman's congressional district, I can't speak specifically, except to note, again, the commission is relatively new; the dollar amounts, relative to the Federal budget, are modest; and we're talking about seven States. Perhaps the real value here is that they are spread a bit thin and obviously do not have at this point in time a program in the gentleman's district.

But I don't think that that was warranted, given the breadth of their responsibilities over seven States, to argue against their demise. So, again, I would respectfully oppose the gentleman's amendment.

Mr. MCINTYRE. Mr. Chair, I rise today in opposition of the Broun amendment to the fiscal year 2012 Energy and Water Appropriations bill that would transfer \$250,000 from the Southeast Crescent Regional Commission to the Budget Reduction Account. At a time of high unemployment and slow growth, the last thing Congress should be doing is killing engines for job creation.

Commissions similar to the Southeast Crescent Regional are a proven tool to help bring vital economic development to some of the poorest and most underserved parts of the country. Even before the financial crisis, many regions in the Southeast Crescent were suffering from job loss, generational problems of poverty and low economic development. Many of the counties in the Southeast Crescent, including those in states like Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida suffer from a high rate of poverty, below average income, and chronic unemployment. Since the economic recession, these rates have only gotten worse.

The Southeastern Crescent Regional Commission is based on the successful models of the Appalachian Regional Commission and the Delta Regional Authority. The Appalachian Regional Commission in its 50-year history has successfully reduced the number of counties suffering from chronic poverty from 295 to 120—a reduction in high-poverty counties by almost 60 percent.

The Southeastern Crescent Regional Commission will help to leverage Federal, state, local and private investments to create jobs and eradicate unemployment. Therefore, I vehemently oppose the Broun amendment.

Mr. VISCLOSKY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. VISCLOSKY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by



the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

NUCLEAR REGULATORY COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the Nuclear Regulatory Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, including official representation expenses (not to exceed \$25,000), \$1,027,240,000, to remain available until expended: *Provided*, That of the amount appropriated herein, not more than \$7,500,000 may be made available for salaries and other support costs for the Office of the Commission: *Provided*, That of the amount appropriated herein, \$10,000,000 shall be used to continue the Yucca Mountain license application, to be derived from the Nuclear Waste Fund: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$890,713,000 in fiscal year 2012 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2012 so as to result in a final fiscal year 2012 appropriation estimated at not more than \$136,527,000: *Provided further*, That of the amounts appropriated under this heading, \$10,000,000 shall be for university research and development in areas relevant to their respective organization's mission, and \$5,000,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$10,860,000, to remain available until expended: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$9,774,000 in fiscal year 2012 shall be retained and be available until expended, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2012 so as to result in a final fiscal year 2012 appropriation estimated at not more than \$1,086,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD  
SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by section 5051 of Public Law 100-203, \$3,400,000 to be derived from the Nuclear Waste Fund, and to remain available until expended.

OFFICE OF THE FEDERAL COORDINATOR FOR  
ALASKA NATURAL GAS TRANSPORTATION  
PROJECTS

For necessary expenses for the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects pursuant to the Alaska Natural Gas Pipeline Act of 2004, \$4,032,000: *Provided*, That any fees, charges, or commissions received pursuant to section 802 of Public Law 110-140 in fiscal year 2012 in excess of \$4,683,000 shall not be available for obligation until appropriated in a subsequent Act of Congress.

GENERAL PROVISION, INDEPENDENT  
AGENCIES

SEC. 401. (a) None of the funds provided in this title for "Nuclear Regulatory Commission—Salaries and Expenses" shall be available for obligation or expenditure through a reprogramming of funds that —

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(4) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(b) The Chairman of the Nuclear Regulatory Commission may not terminate any project, program, or activity without the approval of a majority vote of the Commissioners of the Nuclear Regulatory Commission approving such action.

(c) The Nuclear Regulatory Commission may waive the restriction on reprogramming under subsection (a) on a case-by-case basis by certifying to the Committees on Appropriations of the House of Representatives and the Senate that such action is required to address national security or imminent risks to public safety. Each such waiver certification shall include a letter from the Chairman of the Commission that a majority of Commissioners of the Nuclear Regulatory Commission have voted and approved the reprogramming waiver certification.

(d) Except as provided in this section, the amounts made available for "Nuclear Regulatory Commission—Salaries and Expenses" shall be expended as authorized by law for the projects and activities specified in the text and table under that heading in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

TITLE V—EMERGENCY SUPPLEMENTAL  
FUNDING FOR DISASTER RELIEF

(INCLUDING RESCISSION AND TRANSFERS OF  
FUNDS)

SEC. 501. (a) Effective on the date of enactment of this Act, the unobligated balance of funds in excess of \$1,028,684,400 made available for "Department of Transportation—Federal Railroad Administration—Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service" by title XII of Public Law 111-5 is hereby rescinded, and the remaining amount is hereby transferred to and merged with the following accounts of the Corps of Engineers—Civil in the following amounts for fiscal year 2011, to remain available until expended, for emergency expenses for repair of damage caused by the storm and flood events occurring in 2011:

(1) "Construction", \$376,000.

(2) "Mississippi River and Tributaries", \$589,505,000.

(3) "Operation and Maintenance", \$204,927,000.

(4) "Flood Control and Coastal Emergencies", \$233,876,400.

(b) With respect to each amount transferred in subsection (a), the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide, at a minimum, a weekly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of such amount, beginning not later than one week after the date of the enactment of this Act.

(c) Each amount transferred in subsection (a) is designated as an emergency pursuant

to section 3(c)(1) of H. Res. 5 (112th Congress).

TITLE VI—GENERAL PROVISIONS

SEC. 601. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 602. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided, in this Act or any other appropriation Act.

SEC. 603. None of the funds appropriated or otherwise made available by this Act may be obligated by any covered executive agency in contravention of the certification requirement of section 6(b) of the Iran Sanctions Act of 1996, as included in the revisions to the Federal Acquisition Regulation pursuant to such section.

SEC. 604. None of the funds made available in this Act may be used to conduct closure of adjudicatory functions, technical review, or support activities associated with the Yucca Mountain geologic repository license application until the Nuclear Regulatory Commission reverses ASLB decision LBP-10-11, or for actions that irrevocably remove the possibility that Yucca Mountain may be a repository option in the future.

SEC. 605. None of the funds made available under this Act may be expended for any new hire by any Federal agency funded in this Act that is not verified through the E-Verify Program established under section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 606. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months.

SEC. 607. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

SPENDING REDUCTION ACCOUNT

SEC. 608. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BROUN of Georgia) having assumed the chair, Mr. LUETKEMEYER, Acting Chair of the Committee of the Whole House

on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ELLISON (at the request of Ms. PELOSI) for today.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 14, 2011, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2418. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Perishable Agricultural Commodities Act: Impact of Post-Default Agreements on Trust Protection Eligibility [Document Number: AMS-FV-09-0047] received June 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2419. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-methyl-2,4-pentanediol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0330; FRL-8875-9] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2420. A letter from the Assistant Secretary, Navy, Department of Defense, transmitting the Secretary's certification that the full-up, system level Live Fire Test of the Mobile Landing Platform (MLP), an ACAT II program, would be unreasonably expensive and impracticable, pursuant to 10 U.S.C. 2366(c)(1); to the Committee on Armed Services.

2421. A letter from the Chairman and President, Export-Import Bank, transmitting the Bank's report on export credit competition and the Export-Import Bank of the United States for the period January 1, 2010 through December 31, 2010; to the Committee on Financial Services.

2422. A letter from the Chairman, Federal Reserve System, transmitting the System's annual report to the Congress on the Presidential \$1 Coin Program, pursuant to 31 U.S.C. 5112 Public Law 109-145, section 104(3)(B); to the Committee on Financial Services.

2423. A letter from the Acting Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Race to the Top Fund [Docket ID: ED-2010-OESE-0005] (RIN:

1810-AB10) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2424. A letter from the President, Independent Colleges and Universities of Florida, transmitting notice that the Independent Colleges and Universities of Florida are now in compliance with the Department of Education's Rule on Program Integrity Issues; to the Committee on Education and the Workforce.

2425. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting the Administration's report entitled, "Annual Energy Outlook 2011", pursuant to 15 U.S.C. 790f(a)(1); to the Committee on Energy and Commerce.

2426. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's "Major" final rule — Energy Priorities and Allocations System Regulations (RIN: 1901-AB28) received June 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2427. A letter from the Secretary, Department of Health and Human Services, transmitting a report to Congress on Imported Food, pursuant to Public Law 110-85, section 1009; to the Committee on Energy and Commerce.

2428. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans, State of Louisiana [EPA-R06-OAR-2007-0924; FRL-9323-7] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2429. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Adoption of the Revised Nitrogen Dioxide Standard [EPA-R03-OAR-2011-0411; FRL-9321-5] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2430. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Georgia: Atlanta; Determination of Attainment for the 1997 8-Hour Ozone Standards [EPA-R04-OAR-2010-1036-201138; FRL-9322-4] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2431. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; South Carolina: Prevention of Significant Deterioration and Nonattainment New Source Review; Fine Particulate Matter and Nitrogen Oxides as a Precursor to Ozone [EPA-R04-OAR-2005-0004-2 1119; EPA-R04-OAR-2010-0958-201119; FRL-9322-6] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2432. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Idaho; Regional Haze State Implementation Plan and Interstate Transport Plan [EPA-R10-OAR-

2010-1072; FRL-9321-4] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2433. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Manifest Printing Specifications Correction Rule [EPA-HQ-RCRA-2001-0032; FRL-9321-8] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2434. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mandatory Reporting of Greenhouse Gases: Additional Sources of Fluorinated GHGs: Extension of Best Available Monitoring Provisions for Electronics Manufacturing [EPA-HQ-OAR-2009-0927; FRL-9322-1] (RIN: A2060) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2435. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Minnesota: Final Authorization of State Hazardous Waste Management Program Revision [FRL-9323-4] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2436. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Draft Safety Evaluation for Westinghouse Electric Company Topical Report WCAP-16865-P/WCAP-16865-NP, Revision 1, "Westinghouse BWR Reactor ECCS Evaluation Model Updates: Supplement 4 to Code Description, Qualification and Application" (TAC No. ME2901) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2437. A letter from the Under Secretary, Department of Defense, transmitting report on proposed obligations of funds provided for the Cooperative Threat Reduction Program; to the Committee on Foreign Affairs.

2438. A letter from the Deputy Director, Department of Defense, transmitting Transmittal No. 11-25, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2439. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period February 1, 2011 through March 31, 2011; to the Committee on Foreign Affairs.

2440. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-003, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2441. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-041, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

2442. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Force Against Iraq Resolution (Pub. L. 102-1), and in order to keep the Congress fully informed,

a report prepared by the Department of State for the February 21, 2011 — April 20, 2011 reporting period including matters relating to post-liberation Iraq under Section 7 of the Iraq Liberation Act of 1998 (Pub. L. 105-338); to the Committee on Foreign Affairs.

2443. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's strategic plan for fiscal years 2011 through 2016 in compliance with the Government Performance and Results Act; to the Committee on Oversight and Government Reform.

2444. A letter from the Vice President and Controller, Federal Home Loan Bank Des Moines, transmitting the 2010 management report and statements on system of internal controls of the Federal Home Loan Bank of Des Moines, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2445. A letter from the Acting President and Chief Executive Officer, Federal Home Loan Bank Seattle, transmitting the 2010 management report and statements on the system of internal controls of the Federal Home Loan Bank of Seattle, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2446. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Indianapolis, transmitting the 2010 Statements on System of Internal Controls of the Federal Home Loan Bank of Indianapolis, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2447. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Abolishment of Cumberland, Maine, as a Nonappropriated Fund Federal Wage System Wage Area (RIN: 3206-AM38) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2448. A letter from the Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Bull Trout in the Clackamas River Subbasin, Oregon [FWS-R1-ES-2009-0050] [RIN: 1018-AW60] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2449. A letter from the Assistant Secretary — Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulphur Operations in the Outer Continental Shelf-Civil Penalties [Docket ID: BOEM-2010-0070] (RIN: 1010-AD74) received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2450. A letter from the Chief, Endangered Species Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Tumbling Creek Cavesnail [Docket No.: FWS-R3-ES-2010-042] (RIN: 1018-AW90) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2451. A letter from the Director, National Legislative Commission, American Legion, transmitting a copy of the Legion's financial statements as of December 31, 2010, pursuant to 36 U.S.C. 1101(4) and 1103; to the Committee on the Judiciary.

2452. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Vessel

Traffic Service Lower Mississippi River; Correction [Docket No.: USCG-1998-4399] (RIN: 1625-AA58) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2453. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Underwater Hazard, Gravesend Bay, Brooklyn, NY [Docket No.: USCG-2010-1091] (RIN: 1625-AA00) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2454. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ocean City Air Show, Atlantic Ocean, Ocean City, MD [Docket No.: USCG-2011-0391] (RIN: 1625-AA00) received June 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2455. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's quarterly report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects (dated June 15, 2011); jointly to the Committees on Energy and Commerce and Armed Services.

2456. A letter from the Secretary, Department of Energy, transmitting a report detailing the reasons for accepting the Defense Nuclear Facilities Safety Board Recommendation 2010-2; jointly to the Committees on Energy and Commerce and Armed Services.

2457. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting the June 2011 Report to Congress: Medicare and the Health Care Delivery System; jointly to the Committees on Energy and Commerce and Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

*[Omitted from the Record of June 24, 2011]*

Mr. GRAVES of Missouri: Committee on Small Business. First Semiannual Report on the Activity of the Committee on Small Business for the 112th Congress (Rept. 112-146). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CAMPBELL (for himself and Mr. ACKERMAN):

H.R. 2508. A bill to extend through fiscal year 2013 the increase in the maximum original principal obligation of a mortgage that may be purchased by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation, and for other purposes; to the Committee on Financial Services.

By Mr. GARY G. MILLER of California:

H.R. 2509. A bill to improve upon certain provisions of the Truth in Lending Act related to the compensation of mortgage origi-

nators, and for other purposes; to the Committee on Financial Services.

By Ms. SUTTON (for herself, Mr. FITZPATRICK, and Mr. GENE GREEN of Texas):

H.R. 2510. A bill to amend title XVIII of the Social Security Act to provide for timely access to post-mastectomy items under Medicare; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. NADLER, Mr. SENSENBRENNER, Mrs. MALONEY, Ms. LINDA T. SANCHEZ of California, Mr. COBLE, Mr. SCHIFF, Ms. JACKSON LEE of Texas, Ms. WATERS, Mr. ISSA, and Mr. RANGEL):

H.R. 2511. A bill to amend title 17, United States Code, to extend protection to fashion design, and for other purposes; to the Committee on the Judiciary.

By Mr. HECK (for himself and Ms. BERKLEY):

H.R. 2512. A bill to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes; to the Committee on Natural Resources.

By Ms. BALDWIN:

H.R. 2513. A bill to authorize grants to promote media literacy and youth empowerment programs, to authorize research on the role and impact of depictions of girls and women in the media, to provide for the establishment of a National Task Force on Girls and Women in the Media, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BISHOP of Utah (for himself, Mr. AKIN, Mr. BENISHEK, Mrs. BLACKBURN, Mr. CANSECO, Mr. CHAFFETZ, Mr. DUNCAN of South Carolina, Mr. HENSARLING, Mr. HERGER, Mr. HUIZENGA of Michigan, Mr. ISSA, Mr. JONES, Mr. KINGSTON, Mr. LAMBORN, Mr. LANKFORD, Mr. MANZULLO, Mr. MCHENRY, Mrs. MYRICK, Mr. PAUL, Mr. PITTS, Mr. RIGELL, Mr. ROGERS of Michigan, Mr. RYAN of Wisconsin, Mr. WILSON of South Carolina, Mr. LANDRY, Mr. CAMPBELL, and Mr. AUSTIN SCOTT of Georgia):

H.R. 2514. A bill to allow a State to combine certain funds and enter into a performance agreement with the Secretary of Education to improve the academic achievement of students; to the Committee on Education and the Workforce.

By Mr. BURGESS:

H.R. 2515. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation on employer-provided group term life insurance that can be excluded from the gross income of the employee; to the Committee on Ways and Means.

By Mr. BURGESS:

H.R. 2516. A bill to amend the Internal Revenue Code of 1986 to provide for a waiver of minimum required distribution rules applicable to pension plans for 2011 and 2012; to the Committee on Ways and Means.

By Mr. CAPUANO (for himself, Mr. ACKERMAN, Mr. BLUMENAUER, Mr. BUTTERFIELD, Mr. COHEN, Mr. CONYERS, Mr. DEFazio, Ms. DELAURO, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. FILNER, Mr. GRIJALVA, Mr. HEINRICH, Mr. HINCHAY, Ms. HIRONO, Mr. JACKSON of Illinois, Ms.

KAPTUR, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LYNCH, Mrs. MALONEY, Mr. McDERMOTT, Mr. MCGOVERN, Ms. MOORE, Mr. MORAN, Ms. NORTON, Mr. OLVER, Mr. PAL-LONE, Mr. PASCRELL, Ms. PINGREE of Maine, Mr. POLIS, Mr. RANGEL, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. SARBANES, Ms. SLAUGHTER, Mr. STARK, Mr. TONKO, Ms. WATERS, Mr. WELCH, Ms. WOOLSEY, and Mr. YARMUTH);

H.R. 2517. A bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes; to the Committee on Financial Services.

By Mr. DAVIS of Illinois (for himself and Mr. SHIMKUS):

H.R. 2518. A bill to extend for 5 years the authorization of appropriations for the sickle cell disease prevention and treatment demonstration program; to the Committee on Energy and Commerce.

By Mr. FORTENBERRY:

H.R. 2519. A bill to amend the Child Soldiers Prevention Act of 2008 to prohibit peacekeeping operations assistance to countries that recruit and use child soldiers; to the Committee on Foreign Affairs.

By Ms. MATSUI:

H.R. 2520. A bill to require the Federal Communications Commission to modify its regulations to allow certain unlicensed use in the 5350-5470 MHz band and the 5850-5925 MHz band; to the Committee on Energy and Commerce.

By Mr. MORAN (for himself, Mr. HINCHEY, Mr. CONNOLLY of Virginia, Ms. NORTON, Mr. GEORGE MILLER of California, Ms. RICHARDSON, Mr. GRIMALVA, Ms. SCHAKOWSKY, Mrs. LOWEY, Mr. RUSH, Mrs. CAPPS, Mr. MCGOVERN, and Mr. PRICE of North Carolina):

H.R. 2521. A bill to reduce human exposure to endocrine-disrupting chemicals, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ROYBAL-ALLARD:

H.R. 2522. A bill to amend titles XVIII and XIX of the Social Security Act to improve oversight of nursing facilities under the Medicare and Medicaid programs by preventing inappropriate influence over surveyors, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY:

H.R. 2523. A bill to assure that the services of a nonemergency department physician are available to hospital patients 24 hours a day, seven days a week in all non-Federal hospitals with at least 100 licensed beds; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself and Mr. RUSH):

H.R. 2524. A bill to amend the Foreign Assistance Act of 1961 to improve access to microenterprise by the very poor, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WU:

H.R. 2525. A bill to amend the Trade Act of 1974 with respect to the trade adjustment assistance program, and for other purposes; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 2526. A bill to exempt National Forest System lands in Alaska from the Roadless

Area Conservation Rule; to the Committee on Natural Resources.

By Mr. SCHRADER:

H.J. Res. 72. A joint resolution proposing an amendment to the Constitution of the United States giving Congress power to regulate campaign contributions for Federal elections; to the Committee on the Judiciary.

By Mr. CLEAVER (for himself, Ms. FUDGE, Mr. CLARKE of Michigan, Mr. CONYERS, Mr. LEWIS of Georgia, Ms. WILSON of Florida, Ms. WATERS, Ms. BASS of California, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLAY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Ms. EDWARDS, Mr. ELLISON, Mr. FATTAH, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Ms. BROWN of Florida, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mrs. CHRISTENSEN, Mr. PAYNE, Mr. RANGEL, Ms. RICHARDSON, Mr. RICHMOND, Mr. RUSH, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SEWELL, Mr. TOWNS, Mr. WATT, Mr. WEST, Mr. CLYBURN, and Mr. THOMPSON of Mississippi):

H. Res. 348. A resolution expressing the sense of the House of Representatives that critical jobs legislation should be considered and passed to address the growing jobs crisis throughout America, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. MYRICK (for herself and Mr. COOPER):

H. Res. 349. A resolution amending the Rules of the House of Representatives to prevent duplicative and overlapping government programs; to the Committee on Rules.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CAMPBELL:

H.R. 2508.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution of the United States.

By Mr. GARY G. MILLER of California:

H.R. 2509.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. SUTTON:

H.R. 2510.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. GOODLATTE:

H.R. 2511.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of section 8 of Article I of the Constitution.

By Mr. HECK:

H.R. 2512.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. BALDWIN:

H.R. 2513.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BISHOP of Utah:

H.R. 2514.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. BURGESS:

H.R. 2515.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section VIII: "The Congress shall have Power To lay and collect Taxes".

By Mr. BURGESS:

H.R. 2516.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section VIII: "The Congress shall have Power To lay and collect Taxes".

By Mr. CAPUANO:

H.R. 2517.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution: "The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. DAVIS of Illinois:

H.R. 2518.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, Clause 1. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. FORTENBERRY:

H.R. 2519.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. MATSUI:

H.R. 2520.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 3

By Mr. MORAN:

H.R. 2521.

Congress has the power to enact this legislation pursuant to the following:

This Bill is enacted pursuant to Article I, Section 8 of the United States Constitution, which provides that the Congress shall have Power:

"To regulate Commerce . . . among the several States, and with the Indian Tribes;" and

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. ROYBAL-ALLARD:

H.R. 2522.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States of America.

By Ms. SCHAKOWSKY:

H.R. 2523.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clause 1), which says the Congress shall provide for the general Welfare of the United States.

By Mr. SMITH of New Jersey:

H.R. 2524.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the Constitution.

By Mr. WU:

H.R. 2525.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. YOUNG of Alaska:

H.R. 2526.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 and Article 4, Section 3, Clause 2.

By Mr. SCHRADER:

H.J. Res. 72.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article V of the United States Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. SCHIFF.

H.R. 49: Mr. CANSECO and Mr. HURT.

H.R. 58: Mr. HUNTER and Mr. GENE GREEN of Texas.

H.R. 96: Mr. FRELINGHUYSEN.

H.R. 104: Mr. STEARNS.

H.R. 178: Mr. HURT and Ms. LORETTA SANCHEZ of California.

H.R. 180: Mr. COBLE.

H.R. 181: Mr. CARSON of Indiana, Ms. ZOE LOFGREN of California, and Ms. LORETTA SANCHEZ of California.

H.R. 186: Ms. LORETTA SANCHEZ of California.

H.R. 198: Mr. BERMAN and Mr. MARINO.

H.R. 250: Mr. ROTHMAN of New Jersey.

H.R. 280: Mr. JONES.

H.R. 282: Mr. JONES.

H.R. 371: Mr. BISHOP of Utah, Mr. NUNNELLEE, Mr. ADERHOLT, Mr. CARTER, Mr. HALL, Mr. SAM JOHNSON of Texas, Mr. KINGSTON, Mr. MCCAUL, Mr. WOMACK, Mrs. BACHMANN, Mr. BILIRAKIS, Mrs. ELLMERS, Mr. FINCHER, Mr. FORBES, Ms. HAYWORTH, Mr. HUNTER, Mr. LANKFORD, Mr. DANIEL E. LUNGREN of California, Mrs. NOEM, Mr. ROONEY, Mr. SCHOCK, Mr. THOMPSON of Pennsylvania, Mr. THORNBERRY, Mr. TIPTON, Mr. WEST, Mr. DUNCAN of South Carolina, Mr. BONNER, Mr. BRADY of Texas, Mr. CAMPBELL, Mr. COBLE, Mr. CULBERSON, Mr. GOWDY, Mr. GRAVES of Missouri, Mr. MCHENRY, Mr. JOHNSON of Ohio, Mr. LUCAS, Mr. MILLER of Florida, Mr. MANZULLO, Mr. PALAZZO, Mr. ROSKAM, Mr. RYAN of Wisconsin, Mr. SCOTT of South Carolina, and Mr. STIVERS.

H.R. 414: Ms. ESHOO.

H.R. 436: Mr. KELLY.

H.R. 520: Ms. PINGREE of Maine.

H.R. 607: Mr. BRALEY of Iowa.

H.R. 639: Ms. BALDWIN, Mr. BARLETTA, Mr. BILBRAY, Mr. BRADY of Pennsylvania, Mr. BUTTERFIELD, Mr. CHANDLER, Mr. COSTA, Ms. EDWARDS, Mrs. EMERSON, Mr. FATTAH, Mr. FORTENBERRY, Mr. AL GREEN of Texas, Mr. GUTIERREZ, Ms. HANABUSA, Mr. HEINRICH, Ms. HOCHUL, Mr. ISRAEL, Ms. JACKSON LEE of

Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MOORE, Mr. QUIGLEY Mr. RENACCI, Mr. RIGELL, Mr. ROSS of Florida, Ms. SPEIER, and Mr. VAN HOLLEN.

H.R. 642: Mr. FRELINGHUYSEN.

H.R. 645: Mr. HUNTER and Mr. GENE GREEN of Texas.

H.R. 687: Mr. COHEN and Mr. CARSON of Indiana.

H.R. 711: Mr. COHEN.

H.R. 721: Mr. CRAWFORD and Mr. CARNAHAN.

H.R. 735: Mr. COLE.

H.R. 766: Mr. MCINTYRE.

H.R. 822: Mr. GARDNER and Mr. CASSIDY.

H.R. 831: Mr. HARPER.

H.R. 862: Ms. SPEIER, Mr. MCDERMOTT, and Mr. SARBANES.

H.R. 886: Mr. COBLE, Mr. HURT, Mr. FRELINGHUYSEN, Mr. WEBSTER, Mr. GOODLATTE, Mr. LUCAS, Ms. WATERS, Mr. ROSS of Florida, Mr. CRAVAACK, and Mr. HULTGREN.

H.R. 952: Mr. PRICE of North Carolina.

H.R. 959: Ms. HOCHUL, Mr. KINZINGER of Illinois, and Mr. SCHOCK.

H.R. 1001: Mr. JOHNSON of Illinois.

H.R. 1058: Mr. RIVERA.

H.R. 1089: Mr. RUSH.

H.R. 1111: Mrs. LUMMIS.

H.R. 1116: Mr. NEAL.

H.R. 1195: Mr. GRIFFIN of Arkansas.

H.R. 1206: Mr. NEUGEBAUER.

H.R. 1283: Mr. COHEN.

H.R. 1299: Mr. BRADY of Texas and Mr. HUNTER.

H.R. 1311: Ms. WOOLSEY.

H.R. 1341: Mr. SOUTHERLAND.

H.R. 1366: Mr. HULTGREN.

H.R. 1370: Ms. JENKINS.

H.R. 1381: Mr. LEVIN.

H.R. 1386: Ms. ZOE LOFGREN of California.

H.R. 1465: Mr. BRADY of Pennsylvania, Mr. TOWNS, Ms. MOORE, and Mrs. CHRISTENSEN.

H.R. 1466: Mr. PALLONE.

H.R. 1479: Mr. BOUSTANY.

H.R. 1489: Mr. RANGEL.

H.R. 1505: Mr. MILLER of Florida.

H.R. 1523: Mr. BOSWELL.

H.R. 1558: Mr. PEARCE and Mr. GENE GREEN of Texas.

H.R. 1586: Mr. DUNCAN of South Carolina.

H.R. 1588: Mr. JOHNSON of Illinois.

H.R. 1635: Mr. STARK.

H.R. 1639: Mr. KING of Iowa.

H.R. 1653: Mr. PASCRELL.

H.R. 1656: Ms. PINGREE of Maine and Mr. STIRES.

H.R. 1686: Ms. SCHAKOWSKY.

H.R. 1699: Mr. HULTGREN.

H.R. 1704: Mr. CONNOLLY of Virginia and Ms. SUTTON.

H.R. 1718: Mr. STARK.

H.R. 1723: Mr. BENISHEK.

H.R. 1735: Ms. ZOE LOFGREN of California.

H.R. 1744: Mr. WESTMORELAND.

H.R. 1755: Mr. GALLEGLY and Mr. GRIFFIN of Arkansas.

H.R. 1756: Mr. STIVERS.

H.R. 1798: Mr. SCHOCK and Mr. MCHENRY.

H.R. 1802: Mr. GERLACH, Mr. NEAL, and Mr. RYAN of Ohio.

H.R. 1848: Mr. GOHMERT.

H.R. 1860: Ms. ZOE LOFGREN of California.

H.R. 1861: Mr. SCHOCK.

H.R. 1872: Mr. SOUTHERLAND.

H.R. 1876: Mr. BERMAN.

H.R. 1885: Mr. WALBERG.

H.R. 1897: Ms. VELÁZQUEZ and Mr. ACKERMAN.

H.R. 1912: Mr. COHEN.

H.R. 1951: Mr. PRICE of North Carolina and Mr. ROTHMAN of New Jersey.

H.R. 1978: Mr. NEAL.

H.R. 1983: Mr. GRIJALVA and Ms. ZOE LOFGREN of California.

H.R. 2000: Mr. HALL.

H.R. 2005: Ms. DELAURO.

H.R. 2010: Mr. GOODLATTE.

H.R. 2016: Ms. HIRONO and Mr. CRITZ.

H.R. 2032: Mr. LUETKEMEYER, Mr. SESSIONS, and Mr. NEUGEBAUER.

H.R. 2040: Mr. LONG.

H.R. 2107: Mr. LOEBSACK.

H.R. 2123: Mr. CONYERS.

H.R. 2139: Mr. ROE of Tennessee.

H.R. 2164: Mr. MCCLINTOCK, Mr. BURTON of Indiana, Mr. AKIN, Mr. MILLER of Florida, Mr. REHBERG, and Mr. COBLE.

H.R. 2172: Mr. SOUTHERLAND.

H.R. 2180: Mr. POLIS.

H.R. 2190: Ms. CASTOR of Florida.

H.R. 2245: Mr. CUMMINGS.

H.R. 2248: Mr. HINCHAY and Mr. MICHAUD.

H.R. 2250: Mr. WALDEN, Mr. MCKINLEY, Mr. LANDRY, and Mr. GIBSON.

H.R. 2273: Mr. MILLER of Florida, Mr. REHBERG, and Mr. COBLE.

H.R. 2281: Ms. MATSUI and Mr. DOYLE.

H.R. 2306: Mr. MCDERMOTT and Mr. ROHRABACHER.

H.R. 2313: Mr. CANSECO.

H.R. 2327: Mr. DENHAM.

H.R. 2360: Mr. SCALISE and Mr. LOBIONDO.

H.R. 2364: Mr. COURTNEY and Ms. RICHARDSON.

H.R. 2369: Ms. ESHOO, Mr. BURTON of Indiana, Mr. MEEHAN, Mr. PENCE, Mr. LOBIONDO, Mr. SARBANES, Mr. KEATING, Mr. COSTELLO, Mr. PETERSON, Mr. INSLEE, Ms. SUTTON, and Ms. LINDA T. SANCHEZ of California.

H.R. 2397: Mr. AUSTIN SCOTT of Georgia, Mr. KELLY, Mr. MARINO, Mr. BARLETTA, Mr. BENISHEK, Mr. YOUNG of Alaska, Mr. WALSH of Illinois, and Mr. KINZINGER of Illinois.

H.R. 2402: Mr. MCKINLEY, Mr. STEARNS, Mr. LONG, Mr. LOBIONDO, Mrs. NOEM, and Mr. TIPTON.

H.R. 2457: Mr. PENCE, Mr. FLEMING, and Mr. SCHWEIKERT.

H.R. 2458: Mr. LANKFORD and Mr. CHAFFETZ.

H.R. 2462: Mr. BACHUS, Mr. GARRETT, and Mr. CANSECO.

H.R. 2471: Ms. ZOE LOFGREN of California.

H.R. 2484: Mr. BARTLETT and Ms. CASTOR of Florida.

H.R. 2494: Mr. GRIMM.

H.R. 2497: Mr. KLINE.

H.R. 2499: Mr. GUTIERREZ, Mr. KING of New York, and Mr. GRIJALVA.

H.R. 2501: Mr. DEFAZIO and Ms. LEE of California.

H. Con. Res. 39: Mr. CHABOT, Mr. BILIRAKIS, and Mr. RIVERA.

H. Res. 60: Mr. MCKEON.

H. Res. 111: Mr. ROONEY and Mr. ROSS of Florida.

H. Res. 134: Mr. HULTGREN.

H. Res. 137: Mr. GRIMM.

H. Res. 317: Mrs. MCCARTHY of New York.

H. Res. 329: Mr. DENHAM and Mr. JOHNSON of Illinois.

H. Res. 342: Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEKS, Ms. MOORE, Mr. RICHMOND, Mr. RUSH, Mr. DAVID SCOTT of Georgia, and Mr. THOMPSON of Mississippi.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1380: Mr. CASSIDY.

H. Res. 306: Ms. ROS-LEHTINEN.

### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2354

OFFERED BY: MR. REED

AMENDMENT No. 69: Page 27, line 10, after the dollar amount, insert “(increased by \$41,000,000)”.

Page 32, line 4, after the dollar amount, insert “(reduced by \$21,000,000)”

Page 35, line 15, after the second dollar amount, insert “(reduced by \$20,000,000)”.

H.R. 2354

OFFERED BY: MR. BURGESS

AMENDMENT No. 70: At the end of the bill, before the short title, insert the following new section:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 71: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act for “Department of Energy—Energy Programs—Science” may be used for the following programs, projects, or activities:

- (1) Energy Innovation Hub for Batteries.
- (2) Fuels from Sunlight Energy Hub.
- (3) Biological and Environmental Research.
- (4) Solar Electricity from Photovoltaics.
- (5) Carbon Capture and Sequestration.
- (6) Advanced Solid-State Lighting.
- (7) Energy Efficient-Enabling Materials.
- (8) Methane Hydrates.
- (9) Undetermined Upgrades.
- (10) Energy Systems Simulation—Internal Combustion Engine.
- (11) Experimental Program to Stimulate Competitive Research.

(12) Physical Behaviors of Materials—Photovoltaics.

(13) Chemical Sciences, Biosciences and Geo Sciences—Solar Photochemistry.

(14) Chemical Sciences, Biosciences and Geo Sciences—Geosciences.

(15) Workforce Development.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 72: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The amount otherwise made available by this Act for “Department of Energy—Energy Programs—Advanced Technology Vehicles Manufacturing Loan Program” is hereby reduced to \$0.

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 73: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The amounts otherwise provided by this Act are revised by increasing the amount made available for the Spending Reduction Account, and by reducing the amount made available for “Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy”, by \$1,304,636,000.

H.R. 2354

OFFERED BY: MS. KAPTUR

AMENDMENT No. 74: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The amounts otherwise provided by this Act are revised by reducing the amount made available for “Department of Energy—Energy Programs—Departmental Administration”, by reducing the resulting final fiscal year 2012 appropriation specified under such heading, and by increasing the amount made available for “Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy” (except for Program Direction), by \$10,000,000.

H.R. 2354

OFFERED BY: MR. YOUNG OF INDIANA

AMENDMENT No. 75: Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to pay the salaries of Department of Energy employees to carry out section 407 of division A of the American Recovery and Reinvestment Act of 2009.

H.R. 2354

OFFERED BY: MR. LANDRY

AMENDMENT No. 76: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to pay the salary of individuals appointed to their current position through, or otherwise carry out, paragraphs (1), (2), and (3) of section 5503(a) of title 5, United States Code.

H.R. 2354

OFFERED BY: MR. LUETKEMEYER

AMENDMENT No. 77: At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007 or to implement activities proposed by such study.

H.R. 2354

OFFERED BY: MR. LUETKEMEYER

AMENDMENT No. 78: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used for the study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111–8).

H.R. 2354

OFFERED BY: MR. SHERMAN

AMENDMENT No. 79: Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to fund any portion of the International activities at the Office of Energy Efficiency and Renewable Energy of the Department of Energy in China.

H.R. 2354

OFFERED BY: MR. CRAVAACK

AMENDMENT No. 80: At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to develop or submit a proposal to expand the authorized uses of the Harbor Maintenance Trust Fund described in section 9505(c) of the Internal Revenue Code (26 U.S.C. 9505(c)).

H.R. 2354

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 81: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The amount otherwise made available by this Act for “Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy” is hereby reduced to \$0.

## EXTENSIONS OF REMARKS

H. RES. 268, REAFFIRMING THE UNITED STATES COMMITMENT TO A NEGOTIATED SETTLEMENT OF THE ISRAELI-PALESTINIAN CONFLICT THROUGH DIRECT ISRAELI-PALESTINIAN NEGOTIATIONS

### HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. WAXMAN. Mr. Speaker, the Palestinian plan to unilaterally declare statehood targets the core underpinning of the peace process—the principle of mutual recognition.

In their tactics and their tone, Palestinian leaders have proclaimed that seeking to delegitimize Israel is more important to them than a prosperous future for their own people. It is a travesty and a tragedy.

To reiterate what President Obama made clear in his May 19 speech: “Palestinians will never realize their independence by denying the right of Israel to exist.”

For all the terrorist attacks that have claimed thousands of Israeli lives, for all the domestic trauma and security risks Israel undertook in its withdrawals from Gaza and Lebanon, for all the settlement freezes and stalled talks, Israel has always returned to the negotiating table in faith that a peace agreement is possible. But unilateral Palestinian declaration of statehood is the one thing from which the peace process cannot recover.

What will be left to negotiate? And at this point who will be there to negotiate with? The PLO? Hamas? A “technocratic” unity government that has no political standing?

If the Palestinian leadership is serious about statehood and about entering the United Nations as a responsible, sovereign nation, it should drop its preconditions, reenter direct talks and recognize Israel as a Jewish State.

I strongly support H. Res. 268, which reaffirms Administration policy and previous congressional resolutions on this issue. With this vote, we must redouble efforts to work with our allies and the international community to pressure the Palestinian leadership to change course towards a just and lasting peace.

HONORING GAL SITTY FOR HIS OUTSTANDING HUMANITARIAN ADVOCACY ON BEHALF OF KIDNAPPED ISRAELI SOLDIER GILAD SHALIT

### HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. BERMAN. Mr. Speaker, I rise today in honor of an outstanding resident of the district

I proudly represent, Gal Sitty. Mr. Sitty has worked hard to raise awareness of kidnapped Israeli soldier Gilad Shalit's plight and the ongoing effort to secure his release.

Mr. Sitty launched a successful effort to raise \$10,000 for the placement of a billboard near the United Nations headquarters in New York City. The billboard featuring a picture of Gilad Shalit will ensure that the captured soldier is not forgotten. It also encourages UN leaders to assist in facilitating his release.

Mr. Sitty was motivated to undertake this effort because he understands that during the five years since Shalit's capture, Gilad and his family have been suffering and living a nightmare. Mr. Sitty's efforts have undoubtedly provided Gilad Shalit's family comfort because they know that the American people stand behind them ready to help.

I commend Mr. Sitty for his advocacy on Gilad Shalit's behalf and thank him for his outstanding efforts to keep the world focused on this tragedy. Mr. Sitty's hard work plays an important role in the effort to return Gilad home to his family.

In conclusion Mr. Speaker, I would like to draw the attention of the House to the following article published in the May 8th addition of the Jerusalem Post—“Angeleno Launches Drive for Shalit Billboard Near UN”, and I ask that it be published in the CONGRESSIONAL RECORD.

[From the Jerusalem Post, May 8, 2011]

ANGELENO LAUNCHES DRIVE FOR SHALIT BILLBOARD NEAR UN

(By Debra Kamin)

June 25 of this year will mark five years in captivity for Gilad Shalit, and one American is determined to make sure that this anniversary does not go unnoticed.

Gal Sitty, a 28-year-old Los Angeles native, has started a campaign on epicstep.com to fund and erect a billboard near the Manhattan headquarters of the United Nations imploring leaders to take steps to free the captive soldier.

“In [the past] five years I've gone to grad school, had numerous jobs, spent many holidays with my family, had good times with friends and so forth,” Sitty said to The Jerusalem Post when asked about his motivations. “Meanwhile, Gilad Shalit and his family have had none of that. They have been suffering, living a nightmare.”

Epicstep was founded earlier this year by Lev Reys and brothers Gene and Eugene Vekslar. The site works as a fundraising platform for creating billboards—users choose the issue they feel compelled to promote and supporters log on and donate until the final cost, which varies per billboard but for Sitty's campaign is \$10,000, is reached. Supporters' credit cards are not charged until the fundraising goal is reached, so if the campaign to create a billboard fails, no pledges are lost.

Sitty was born in Israel and raised in a Hebrew-speaking home. He is quick to admit that this is an issue that is close to his heart. “The recent Fatah-Hamas reconcili-

ation agreement makes no mention of Gilad Shalit. This means that Fatah and the Palestinian Authority are now complicit in this crime,” he said. “I think getting this billboard up keeps the pressure on . . . leaders of the world to not overlook this human tragedy.”

Sitty, who holds a master's degree in public policy, still lives in Los Angeles, where he works as a researcher for the Broad Foundation. He selected New York City as the site for his billboard, however, because he believes that no one needs to hear his message more than the delegates at the United Nations.

“Soon the world's diplomats will be assembling at the UN to discuss recognition of a Palestinian state and it is very important that we remind them of Shalit so that the whole world does not become complicit in such crimes,” he said. “If the UN endorses a Palestinian state with Hamas in the government, then the UN indirectly endorses crimes against humanity and puts many more at risk of being kidnapped by terrorist organizations. We cannot allow this to happen.”

What the actual impact of a placard bearing Shalit's face will be remains to be seen. But Sitty is pragmatic when he describes his motivations. “I know that I don't have the power to actually free him,” he said of Shalit, “but by getting this billboard up I think it keeps the pressure on the policy makers.” And while Gilad will not know about the campaign, Sitty is also eager to help two other important figures—Noam and Aviva Shalit.

“I hope that many people, Israelis and non-Israelis, Jews and non-Jews, from all over the world contribute to this campaign and show the Shalit family that we haven't forgotten them, haven't forgotten their son, and will never forget about their suffering,” Sitty said. “We will continue to stand beside them and do whatever we can to help them.”

IN REMEMBRANCE OF MRS. ANNA ALICE OMILANOWSKI

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Mrs. Anna Alice Omilanowski who passed away on July 9, 2011.

Mrs. Omilanowski was the daughter of Joseph and Bernice Lewanski, who emigrated from Poland and passed through Ellis Island. She was the oldest of nine children, and grew up on East 40th Street and Superior Avenue.

Anna was a hard worker and took great pride in her work, especially when she worked in a factory that assembled torpedoes during World War II. Later, she applied her strong work ethic to a variety of other positions, including washing dishes at Pete's Wayside Inn, cleaning Parma Schools and working for Broadview Savings and Loan.

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



She married, Chester, a concentration camp survivor, on June 14, 1958 at St. Casimir Church in Cleveland. Together they raised five children. Mrs. Omilanowski always felt that her most important achievement was having her children by her side.

Anna was involved in her children's activities and was an avid bowler and card player. I had the pleasure of meeting Mrs. Omilanowski during the 1970s on more than one occasion at card parties and was always moved by her kindness.

Mr. Speaker and colleagues, please join me in honoring Mrs. Anna Alice Omilanowski, a woman whose fun-loving personality, fighting spirit, incredible work ethic, and undying compassion for those around her will be sorely missed.

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HONORING THOMAS KLENDER

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Thomas Klender. Thomas is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Thomas has been very active with his troop, participating in many scout activities. Over the many years Thomas has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Thomas has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Thomas Klender for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

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37TH ANNIVERSARY OF THE  
TURKISH INVASION OF CYPRUS

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to mark the dark anniversary of July 20, 1974, when Turkish military troops illegally invaded the sovereign nation of Cyprus.

In the gray pre-dawn hours, heavily armed Turkish troops began the military operation named "Operation Atilla", implementing their strategy of "clearing" the territory in northern Cyprus, a community whose population was previously 80 percent Greek Cypriot.

As a result of these attacks, violent conflict erupted and over five thousand Greek Cypriots were estimated to have been killed; an additional sixteen hundred Greek Cypriots were reported missing; and over two hundred thousand Greek Cypriots were forcefully expelled from their homes.

Unfortunately, this tragedy which began that morning of July 20 continues today, as over

43,000 Turkish military troops occupy almost 40 percent of Cyprus' territory.

That amounts to one Turkish soldier for every two Turkish-Cypriots.

During the thirty-seven years the Turkish military has occupied northern Cyprus, illegal immigrants from Turkey flood into northern Cyprus, with some reports indicating at least 800 illegal migrants each year.

In total since 1974, this influx has resulted in more than 160,000 Turkish mainland illegal immigrants settling in the occupied territory, to the extent that these settlers now outnumber indigenous Turkish-Cypriots two to one.

Many claim that these immigrants are "encouraged" to settle in Cyprus by the Turkish government as part of a cynical strategy to alter the demographic statistics on the island and gain more property in any eventual settlement.

In addition, under the Turkish occupation, hundreds of religious and cultural sites have been desecrated.

Icons, manuscripts, frescoes and mosaics have been looted from Greek Orthodox, Catholic, Armenian Orthodox, Maronite and Jewish religious sites in northern Cyprus.

Over five hundred Orthodox churches or chapels have been demolished or vandalized.

Seventy-seven churches have even been converted into mosques, twenty-eight churches are being used by the Turkish military as hospitals or camps, and thirteen churches have been turned into barns.

For thirty seven years, the Cypriot people have endured conflict, division and foreign occupation.

It is long past time for their liberation.

The United Nations Security Council has passed seventy-five separate resolutions calling for Turkey to allow Greek Cypriots to return to their homes and to withdraw its troops from Cyprus.

In 1976, 1983 and again in 2009, the European Court of Human Rights ruled that Turkey was illegally occupying Cyprus and must return all seized properties to their Greek Cypriot owners.

Yet, to date Turkey continues to ignore such condemnations of its actions.

Meanwhile, two generations of Cypriot youth have now grown up knowing no other reality than the division of their homeland, the segregation of their people, the militarization of part of their country by foreign troops, and the ever present threat of another outbreak of violence.

Many have, or are beginning to, abandon hope of a peaceful settlement.

Unfortunately, the limited progress achieved in the reunification talks since 2008 heightens this general sense of despair.

In fact, a few weeks ago U.N. Special Advisor for Cyprus Alexander Downer even stated, "It could not go any slower without stopping altogether. The last three months have been the worst three months we've ever had since these negotiations began."

This lack of constructive movement can be directly attributed to the behind-the-scenes interference from Ankara and the new hard-line representative from the Turkish community, Dr. Dervish Eroglu.

It is apparent that there are some both in Turkey and in the leadership of the Turkish-

Cypriot community who believe that continued obstruction of the talks serves their best interests by garnering domestic political support.

I would argue that such a mercenary approach to these talks in fact prevents the Turkish-Cypriot people from attaining that which is in their long-term best interests.

Until there is the reunification of the country, the Turkish-Cypriot community cannot fully benefit from the economic and social benefits derived from Cyprus' membership in the European Union.

As a result, Turkish-Cypriots endure a far lower standard of living, reduced foreign direct investment, and other limitations on their overall development.

Therefore, I urge the representatives of the Turkish-Cypriot community to promote their own community's interests rather than their own by working for reunification of the island.

In that regard, I was encouraged by the recent pledge by both parties, President Dimitris Christofias and Dr. Dervish Eroglu, to commit once more to the talks with the aim of making substantial progress this year.

In order for these talks to succeed however, Turkey must grant the Turkish-Cypriot community full autonomy in the reunification negotiations and to publicly commit to abiding by any terms agreed upon in a Cypriot developed reunification agreement.

That includes the full, permanent withdrawal of its troops of occupation from Cyprus.

I will continue to do what I can in my role in Congress to support such reunification efforts, until that long-awaited day when the next generation of Cypriot youth realize the hopes of their predecessors for a sovereign Cyprus— independent, unified, and at peace.

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HONORING LOGAN CHEVALIER

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Logan Chevalier. Logan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Logan has been very active with his troop, participating in many scout activities. Over the many years Logan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Logan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Logan Chevalier for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE 60TH ANNIVERSARY OF PEQUANNOCK TOWNSHIP FIRST AID AND RESCUE SQUAD INC.

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the members of the Pequannock Township First Aid and Rescue Squad located in Morris County, New Jersey as they celebrate the organization's 60th anniversary.

Founded in 1951, the original members of the squad were concerned with providing ambulance services to the people of Pequannock. The squad was established as a not-for-profit corporation and was built upon the commitment of selfless volunteers who have dedicated countless hours to training and protecting their community. Their membership has grown over the years, and with an ever expanding community, the time came for the squad's headquarters to grow as well.

With only a basic four walled building to house their two ambulances, members had to remove the vehicles in order to hold meetings. In 1968, they expanded the building to include a meeting room, kitchen and bathrooms. A second expansion came in 2002, with the addition of a new garage and second story. With a final renovation of the original structure in 2008, the squad was now equipped to better train their members and prepare them for aiding the community.

In addition to handling the many emergency calls, the squad also provides standby coverage at various sporting events and fundraisers, and works with other township organizations in educating the public through CPR/First Aid training and an anti-drunk driving program.

It is important to honor the select few in our communities who give of their time to help others. The past and present members of the Pequannock Township First Aid and Rescue Squad have provided an irreplaceable service to their community; one that I am sure will continue to grow for many more years to come.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Pequannock Township First Aid and Rescue Squad on the celebration of their 60th anniversary.

HONORING MATTHEW APPLEBURY

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Matthew Applebury. Matthew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in many scout activities.

Over the many years Matthew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Matthew has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Matthew Applebury for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE MOORE FAMILY

**HON. DOUG LAMBORN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. LAMBORN. Mr. Speaker, I rise to recognize an exemplary Colorado family: Nelson and Cruz Moore and their children, Rachel and Jacob. I would like to express my gratitude to the Moore family for their service to the State of Colorado. They have taken upon themselves to care for and preserve a culturally and historically significant Jewish gravesite in Cotopaxi, Colorado.

Cotopaxi, Colorado is the site of the unsuccessful Jewish agricultural resettlement effort of 1882-1884. It was the first Jewish American agricultural colony sponsored as part of the American Jewish aid movement through the Hebrew Emigrant Aide Society. The Jewish settlers endured difficult circumstances as they sought to establish themselves as farmers in Cotopaxi. Despite assistance from the local Christian community, the Jewish agricultural community still failed due to the harsh Colorado winters, unsuitable terrain, and the lack of promised housing and provisions by their local sponsor. Today, all that is left of the colony is the small graveyard of three Jewish children that lost their lives during the first winter of the attempted settlement. A historic marker has been erected by the Jewish American Society for Historic Preservation telling the story of the colony, helping preserve its memory, and highlighting the friendship of the two groups, united as Americans.

At the Cotopaxi grave site, Moore cleared the overgrown grasses and stabilized the area. He placed decorative stones around the three Jewish graves taken from a local silver mine that some of the Jewish men worked in. He also created and arranged the stones in the shape of the Star of David in the middle of the three graves. The Moore family is continuing their Christian friendship for the Jewish people, even though it has been 130 years since the Jewish settlers first arrived in Cotopaxi. The memory of these immigrants is honored and carried on through the Moore family's efforts to preserve the history of Colorado and America.

I am honored to acknowledge and to thank them publicly for their exemplary dedication and Christian friendship with the Jewish people.

HONORING MATTHEW DREILING

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Matthew Dreiling. Matthew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in many scout activities. Over the many years Matthew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Matthew has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Matthew Dreiling for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

**HON. STEVE COHEN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. COHEN. Mr. Speaker, I inadvertently cast a "yea" vote on rollcall No. 537, as part of the consideration of the Energy and Water Appropriations bill. I would like to change my vote on the amendment to "nay."

When I cast my vote, I was under the impression that this amendment was a measure solely designed to reduce the federal deficit. However, after casting my vote I learned that this deceptive policy amendment specifically zeroes out money for climate change projects within the Corps' Operations and Maintenance Program. I oppose this amendment as I believe that the Corps and the entire federal government need to work quickly to reduce carbon emissions and to adapt infrastructure so it is capable of withstanding the impacts of climate change. I also oppose the amendment because I believe that sneaking deceptive policy riders into appropriations legislation is not the proper way to create policy and govern this great nation.

I have the privilege of representing Memphis, Tennessee, which was inundated this year with historic floods. There is no doubt in my mind that these floods were exacerbated by climate change which caused record snowfalls and rainfalls across the Midwest that resulted in the record flooding. As bad as these floods were, the impacts would have been magnitudes worse had it not been for the Army Corps of Engineers' tremendous work to control the flood. I strongly support the Army Corps and appreciate their efforts to safeguard the American people and economy.

## HONORING SETH BARTON

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Seth Barton. Seth is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Seth has been very active with his troop, participating in many scout activities. Over the many years Seth has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Seth has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Seth Barton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN TRIBUTE OF MS. KATHLEEN LEDWIDGE AND MR. WALTER JOHNSEN

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. COURTNEY. Mr. Speaker, I rise today to extend my sincerest congratulations to Ms. Kathleen Ledwidge and Mr. Walter Johnsen, who brought home the silver medals last Thursday from the Special Olympics World Games in Greece. Connecticut's Second District is honored to recognize the extraordinary sailors, Kathleen and Walter, who hail from Mystic and Stonington, respectively.

The very first time Walter and Kathleen sailed together was at the Special Olympic Games in Athens this year. Walter, who is only 15 years old, was partnered with Kathleen and they placed second, only points behind a team from Austria. While this may have been their first opportunity to sail together, these two have become lifelong friends who will sail the waters of the world for years to come.

Spike Lobdell, President of the Stonington Harbor Yacht Club Sailing Club, said that every Tuesday afternoon, Walter, Kathy, and many other athletes attend training where their lessons not only improve their sailing skills but also their lives. He said that their goal is to teach life skills and that beyond their silver medals in the top bracket, "Kathy and Walter are even more impressive off the water."

As we know, the Special Olympics began its remarkable tradition more than forty years ago when founder Eunice Kennedy Shriver recited the oath that is still said today: "Let me win, but if I cannot win let me be brave in the attempt." Since those sacred words were first spoken, 3.1 million athletes from 185 countries have participated in the Games, including the 12,000 who participated in Greece this year.

It is inspiring to witness such talent from individuals in Connecticut. It takes significant courage to represent your State and your country and I would like to commend them and their fellow athletes for their bravery. The Special Olympics will always serve as a reminder of the importance of giving everyone a chance to be themselves in a world where it is sometimes difficult to do so.

As President Barack Obama recently said, the "Special Olympics, as a champion for people with intellectual disabilities, teaches our nation—and our world—that no physical or mental barrier can restrain the power of the human spirit." We have seen that spirit in the accomplishments of these two sailors. I ask that my colleagues join me in offering our sincerest congratulations to our brave and talented athletes, Ms. Kathleen Ledwidge and Mr. Walter Johnsen.

## HONORING SPENCER HARTLEY

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Spencer Hartley. Spencer is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Spencer has been very active with his troop, participating in many scout activities. Over the many years Spencer has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Spencer has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Spencer Hartley for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## CONDEMNING RECENT VOTER SUPPRESSION LEGISLATION

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. HASTINGS of Florida. Mr. Speaker, on May 19, Florida Governor Rick Scott signed into law an egregious Republican bill attacking from all angles one of the most fundamental rights of our democracy: the right to vote.

The transgressions contained in this bill are not minor inconveniences but elements of a systematic attack against the voting rights of minorities both in Florida and across the country.

In fact, since the adoption of the Voting Rights Act in 1965, the Department of Justice has overturned a total of 428 separate laws across the country for unconstitutionally infringing on the voting rights of minorities. Governor Scott's law needs to be number 429.

The bill that Governor Scott and Florida Republicans have forced into law is nothing more than a backdoor poll tax. It limits access to the polls for minorities, seniors, and college students. It reduces the number of early voting days and imposes new restrictive regulations on voter registration groups.

With this bill, Governor Scott and the Republicans have sold out the most basic rights of Florida's voters in a brazen act of political gamesmanship reminiscent of Reconstruction.

Fortunately, DOJ is finally now reviewing the law after Republicans refused to submit their bill for preclearance. A number of groups, including the League of Women Voters and the American Civil Liberties Union (ACLU), sent a letter to Secretary of State Kurt Browning opposing the law.

The ACLU and Project Vote Smart have also filed a lawsuit under the Voting Rights Act to prevent implementation of these new rules. It is my hope that soon we can end the affront that is this discriminatory law.

We cannot sit idly by and let Governor Scott and his cronies in the Republican-led legislature turn back the clock on 40 years of progress just to create an advantage for themselves on Election Day.

It is the voters of Florida who stand to lose the most from this law, Mr. Speaker.

We have not come this far only to have Republicans maliciously undermine our fundamental rights as Americans. When the rights of Americans are trampled and discarded with nothing more than a shrug, it must not go overlooked.

We have noticed, we are furious, and we will not let this go!

## HONORING DR. TERRY W. HEIMAN

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Dr. Terry W. Heiman. Terry retired June 30 after 33 years serving the Missouri Department of Elementary and Secondary Education.

Terry has served as the Director of Agricultural Education since 1984, providing the leadership and vision that has provided Missouri with a strong and expanding agricultural education program. Individual enrollment in agricultural education has doubled during Terry's leadership, with programs currently in 326 high schools and 12 community colleges. Terry also served as the state advisor to the Missouri Future Farmers of America program, watching that program grow to include more than 25,000 members. National organizations have also benefitted from Terry's leadership, including his time as National President of the National Supervisors of Agricultural Education and as a board member of the National FFA. Terry's commitment to agriculture has been recognized by the University of Missouri-Columbia as the College of Agriculture Alumnus of the Year and by the Missouri Farm Bureau for Outstanding Service to Agriculture.

Mr. Speaker, I proudly ask you to join me in commending Dr. Terry W. Heiman for his accomplishments with the Missouri Department

of Elementary and Secondary Education and in wishing him the best of luck in the years to come.

HONORING PRIVATE FIRST CLASS  
HAROLD KENNER

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. CRENSHAW. Mr. Speaker, I rise today to honor a hero of World War II, Private First Class Harold Kenner, United States Army. After 67 years, PFC Kenner is finally home and will be buried July 29 at Arlington National Cemetery with full military honors. It has been a long journey for this West Scranton, PA, native, but his story illustrates the military's commitment to bring its troops home—no matter how long it takes.

You see, PFC Kenner, a member of the Army's 401st Glider Infantry Regiment, G Company, was listed as missing in action on September 30, 1944, during Operation Market Garden in the Netherlands. The Allies used 933 gliders to bring its troops and supplies to the battlefield. The fight would last 72 days as the Allies tried to keep the corridor open in the Zon-Veghel area of Holland. The fighting was extremely heavy and so were the casualties. PFC Kenner died on that battlefield, but his body was not recovered.

PFC Kenner was buried in the Kiekberg Woods near Groesbeek, Netherlands, unbeknownst to the Army. His family was notified of his death, but they did not know what happened to him or his body. In 1987, remains were found at that gravesite, and recently, thanks to DNA samples those remains were positively identified as PFC Harold Kenner. Now, this brave American soldier will return to his homeland and rest among other heroes at Arlington.

Harold Kenner was only 20 years old when he died, but he was a member of the Greatest Generation. Posthumously, he was awarded the Purple Heart, Army Good Conduct Medal, American Campaign Medal, European-African-Middle Eastern Campaign Medal with two Bronze Service Stars and Bronze Arrowhead Device, World War II Victory Medal, Glider Badge, Honorable Service Lapel Button for World War II, French Croix de Guerre, Belgium Gourragere and Netherlands Orange Lanyard.

PFC Kenner died in the largest airborne operation in the war up to that point as the Allies attempted to seize a succession of bridges over the main rivers of the Nazi-occupied Netherlands, allowing them to outflank the Siegfried Line and advance into Northern Germany. The movie, *A Bridge Too Far*, told the story of this failed mission.

According to military records, members of Kenner's 401st and the 325th Glider Infantry regiments were dropped into an area around Grave and the Waal River in Nijmegen on September 23, 1944. They were dropped behind enemies lines and over the next week, PFC Kenner and his fellow soldiers were repeatedly attacked by the Germans. The wet, dense woods made it difficult for the men to

navigate, and the weather resulted in rusted, jammed guns.

On the morning of September 30, the woods were lit up with a relentless barrage of artillery fire on both sides. Company commanders were ordered to move onward and continue the attack, despite the fact that their wounded were left in German positions. Heavily armed, the enemy held positions on both flanks. As the day wore on, G Company's communication lines broke down amid the chaos, leaving soldiers separated from their platoons and scattered throughout the dense woods. When the day finally ended, G Company had sustained heavy casualties, and five men were missing in action (MIA), including PFC Kenner.

A year later, on October 1, 1945, the War Department, despite never recovering a body, issued a finding of death for PFC Kenner. In the years that followed, the Kenners accepted that Harold was gone, but he was never out of their hearts.

The Army never gave up looking for the missing members of G Company in the Kiekberg Wood. Finally, in 1987, a second burial site was uncovered in the wooded area, two miles south of Groesbeek and seven miles southeast of Nijmegen. A Dutch search-and-recovery team turned the American soldier's remains over to the United States Army Memorial Affairs group in Europe. From there, PFC Kenner—not yet identified—went to Hawaii to the Central Identification Laboratory. It was believed that the skeleton was, indeed, one of the missing five G Company soldiers; specifically 1st Lt. Joseph F. Myers. CIA determined it was a male who was 17 to 23 years of age, between 64 and 70 inches tall and had a fracture on the left forearm at or near the time of death. They also determined it was not Lt. Myers.

The remains were returned to the Netherlands in 2001. Five years later, the CIA decided to try to examine the remains against DNA supplied by family members of the other four missing G Company members. Using the DNA and dental records, it was concluded that the remains were PFC Harold Kenner.

Harold's mother and father, Henry and Pearl Kenner, and his two siblings, Henry and Ruth, are deceased. But 50 members of his family will attend his funeral and finally bring this true American hero home. His journey is a vivid reminder of the heroism and sacrifices of our troops and our military families, whether they serve today or yesteryear. Welcome home, PFC Harold Kenner, and may you now rest in peace.

PERSONAL EXPLANATION

HON. JOHN CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. CAMPBELL. Mr. Speaker, on July 8, 2011, I missed rollcall votes 525–533. I was in my home state of California attending, in my role as Co-Chairman of the Congressional United Kingdom Caucus, a working reception in honor of Their Royal Highnesses, the Duke and Duchess of Cambridge. Had I been here, I would have voted:

“Yes” on rollcall vote 525: To reduce Defense Wide Operation and Maintenance by \$250 million in order to prohibit the Secretary of Defense from transferring \$250 million to the Department of Education to repair public schools on military bases operated by local education agencies.

“Yes” on rollcall vote 526: To reduce the Overseas Contingency Operations Transfer Fund by \$3.6 billion.

“Yes” on rollcall vote 527: To reduce funding for Research, Development, Test and Evaluation by 1 percent saving \$730 million.

“No” on rollcall vote 528: None of the funds made available by this Act may be used to implement the curriculum of the Chaplain Corps Don't Ask, Don't Tell repeal training regarding the performance of same sex marriage ceremonies.

“Yes” on rollcall vote 529: None of the funds made available by this Act may be used to maintain an end strength level of members of the Armed Forces of the United States assigned to permanent duty in Europe in excess of 30,000 members. Reduces funding for military personnel by \$813 million.

“Yes” on rollcall vote 530: None of the funds made available in this Act may be used for military operations in or against Libya except under a Congressional declaration of war.

“No” on rollcall vote 531: Motion to recommit H.R. 2219 with instructions to transfer \$200 million from the Afghanistan Security Forces Fund to the Yellow Ribbon Re-Integration program.

“No” on rollcall vote 532: On passage of H.R. 2219, Making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes.

“Yes” on rollcall vote 533: On passage of H. Res. 340, the rule providing for consideration of H.R. 1309, the Flood Insurance Reform Act of 2011.

A TRIBUTE IN HONOR OF DONALD  
KENNEDY, PH.D. ON THE OCCA-  
SION OF HIS 80TH BIRTHDAY

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Ms. ESHOO. Mr. Speaker, I rise to honor Donald Kennedy, Ph.D., a highly distinguished American and treasured friend on his 80th birthday.

Dr. Kennedy was born in New York on August 18, 1931. He earned his A.B. and Ph.D. degrees in biology from Harvard University, but left the East to spend his academic career at Stanford University, a jewel in the crown of the 14th Congressional District. He joined Stanford in 1960 and was named Chair of the Department of Biology in 1964. In 1972, he became the Director of the Program in Human Biology, where he served until 1977.

In 1977, Don Kennedy was appointed Commissioner of the Food and Drug Administration by Health Education and Welfare Secretary Joseph Califano. After giving our nation the benefit of his wisdom and considerable talents at the FDA, he returned to Stanford in 1979 and succeeded Richard Lyman as President

of the University in 1980. He served with dignity and distinction until his resignation in 1991. He was Editor-in-Chief of Science from 2000 to 2008, and is now the Bing Professor of Environmental Science and President Emeritus of Stanford.

I've been privileged to know Don Kennedy for many years. He has been a friend, a mentor, and an inspiration to me and to thousands more. Generations of students have been the beneficiaries of his wise counsel and his scientific knowledge. We've been blessed with his ability to see the 'big picture' and to make connections across disciplines. His early attention to the health consequences of environmental degradation was visionary and his commitment to changing policies to benefit the health of our planet is nothing short of extraordinary.

Mr. Speaker, I ask the entire House of Representatives to join me in wishing Don Kennedy, a patriot in the highest sense of the word, a joyful, family and friend-filled 80th birthday. May this milestone be just the beginning of more productive, creative and prolific decades. Don Kennedy is indeed a national treasure and it is a privilege to represent him and his wonderful wife Robin, and call them my friends.

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HONORING FLORIDA'S SECONDARY  
SCHOOL PRINCIPAL OF THE YEAR

**HON. ANDER CRENSHAW**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. CRENSHAW. Mr. Speaker, I rise to pay tribute to a truly gifted educator from Northeast Florida, Jackie Cornelius, who has been named Florida's Secondary School Principal of the Year.

With tireless dedication, Jackie guides young students and their teachers to achieve their best as principal of the Douglas Anderson School of the Arts in Jacksonville, Florida. You can accomplish anything if you truly believe in it—that is Jackie's philosophy, and she sticks to it.

With this award, her special brand of leadership will be shared across the country as she competes for national honors. It's really no surprise that Jackie has taken state-wide honors. Now, it's time for the rest of the Nation to have the opportunity to learn from this truly inspiring woman. Congratulations and best wishes.

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HONORING THE SERVICE OF DR.  
JOHN MCGUIRE

**HON. W. TODD AKIN**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. AKIN. Mr. Speaker, I rise today to honor the service of Dr. John McGuire.

Since November 1996, Dr. McGuire has served as President of St. Charles Community College, St. Peters, Missouri. Prior to his current presidency, he served as President of

Owensboro Community College in Owensboro, Kentucky.

Dr. McGuire has served over forty years in community colleges in five states, including chief academic and student services officer at Community College of Aurora, Colorado, and assistant chief academic officer at Parkersburg Community College in Parkersburg, West Virginia. He has exercised leadership in institutional research and effectiveness, student success, and statewide policies to strengthen transfer opportunities for community college students.

Dr. McGuire serves on numerous civic and educational boards, including Past President of the Executive Committee of the Economic Development Council in St. Charles County, former President of the Missouri Community College Association Presidents and Chancellors Council, member, board member of the St. Louis Regional Commerce and Growth Association (RCGA), and has served on the Barnes-Jewish St. Peters and Progress West Hospital Advisory Board. He has also previously served on the American Association of Community College Presidents Academy Executive Committee, the FOCUS St. Louis Board, and past president of the St. Peters Chamber of Commerce.

I rise today to express my sincere gratitude to Dr. John McGuire and the many years of service he has dedicated to Missouri and to the education of so many. I wish him the best in his retirement and ask my colleagues to join me in thanking him for his years of service.

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RECOGNIZING LAUREN CHANG OF  
BURKE, VA

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize Lauren Chang of Burke, VA, for her participation in the People to People World Leadership Summit in Washington, D.C.

People to People offers young leaders the opportunity to grow educationally while exposing them to new cultures. Founded in 1956 under the auspices of the Eisenhower Administration, People to People has continuously enjoyed Presidential support for its mission of instilling our nation's next generation of leaders with the international experience they will need to succeed in an increasingly global society and economy.

Lauren's acceptance to the program is no small accomplishment. Academically selective, the program is built for the brightest students in the nation. From June 30–July 6, Lauren participated in numerous educational activities in the Washington, D.C., area, all of which were focused on leadership development. Lauren and her fellow participants gained access to areas of American government rarely seen at such a young age, and that experience will serve her well in her studies.

Mr. Speaker, I ask my colleagues to join me in recognizing Lauren Chang and wishing her continued success in the future.

PERSONAL EXPLANATION

**HON. JOHN ABNEY CULBERSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. CULBERSON. Mr. Speaker, due to family obligations, I was unable to attend the vote on H. Res. 268 last Wednesday, July 7, 2011. However, I would like to make it known that as a co-sponsor of the resolution, I would have proudly voted for H. Res. 268 in support of Israel.

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OUR UNCONSCIONABLE NATIONAL  
DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is \$14,342,965,850,128.20.

On January 6th, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$3,704,540,103,834.40 since then.

This debt and its interest payments we are passing to our children and all future Americans.

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RECOGNIZING ALEXANDER  
HORNADAY OF SPRINGFIELD, VA

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to honor Alexander Hornaday, a 2011 People to People World Leadership Forum participant. Alexander has been identified by his educators for his academic excellence, leadership potential and exemplary citizenship to participate in the People to People World Leadership Forum in Washington, D.C.

This leadership forum allows students to participate in daily educational activities in Washington, D.C., as well as the surrounding areas. The program allows participants to make friends with young leaders from all over the world with a focus on leadership development. At the end of the program, participants receive a certificate of completion.

Alexander is a student at West Springfield High school in Springfield, Virginia. He has been active in his school and community on issues regarding agriculture and environment. It is inspiring to see young people who are interested in educational and developmental experiences such as these.

Mr. Speaker, I ask my colleagues to join me in recognizing this remarkable achievement by Alexander Hornaday and wishing him continued success in his further pursuits.

PTO LETTER

**HON. DANA ROHRBACHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. ROHRBACHER. Mr. Speaker, a fellow southern Californian recently was featured in the LA Times with respect to an issue involving one of his patents ("Defending patents takes financial toll on inventor," LA Times, June 14, 2011). In addition, this week, a letter to the editor from former Senator Birch Bayh appeared in the Congress Blog from Hill.com and referenced a letter that the former Senator recently received from the U.S. Patent and Trademark Office (PTO) about the very same issue.

While I am not weighing in on the merits of this particular case, the underlying issue involved should be of great concern. Therefore, I am submitting the aforementioned PTO letter.

UNITED STATES PATENT  
AND TRADEMARK OFFICE,  
Alexandria, VA, June 3, 2011.

Hon. BIRCH BAYH,  
Venable LLP,  
Washington, DC.

DEAR MR. BAYH: Thank you for your recent letter on behalf of Lawrence Lockwood. The letter indicates that Mr. Lockwood filed a petition for writ of certiorari in the United States Supreme Court seeking review of the Federal Circuit's decision affirming the trial court's holding that state tort claims by patent holders against persons who file sham reexamination requests are preempted by Federal patent law. The letter asks the United States Patent and Trademark Office (USPTO) to confirm that there are no procedures permitting a damages remedy for patent owners subjected to sham reexamination requests, and to state whether it sees a problem with patent owners pursuing state tort claims for such damages.

The USPTO can confirm that it does not have a procedure that offers a damages remedy for patent owners in Mr. Lockwood's position. As to your request for the USPTO's support of Mr. Lockwood's case, please understand that the USPTO cannot participate in the case without the Solicitor General, who rarely files uninvited amicus briefs at the cert stage. Moreover, any amicus brief would be due very shortly at this point, given that Mr. Lockwood has already filed his petition.

Please know that the USPTO is sympathetic to the concerns of patent owners. The agency is particularly concerned whenever a patent owner is subjected to a fraudulent reexamination or some other form of harassment. Thus, the USPTO will be monitoring Mr. Lockwood's certiorari petition closely. At the same time, we note that the USPTO has the power to police misconduct through its Office of Enrollment and Discipline (OED). Anyone with knowledge of unethical conduct can report it to OED for investigation.

Sincerely,

DAVID J. KAPPOS,  
Under Secretary and Director.

RECOGNIZING MARC SCARBROUGH  
OF WOODBRIDGE, VA

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize Marc Scarbrough of Woodbridge, VA, for his participation in the People to People World Leadership Summit in Washington, D.C.

People to People offers young leaders the opportunity to grow educationally while exposing them to new cultures. Founded in 1956 under the auspices of the Eisenhower Administration, People to People has continuously enjoyed Presidential support for its mission of instilling our nation's next generation of leaders with the international experience they will need to succeed in an increasingly global society and economy.

Marc's acceptance to the program is no small accomplishment. Academically selective, the program is built for the brightest students in the nation. From June 30–July 6, Marc participated in numerous educational activities in the Washington, D.C., area, all of which were focused on leadership development. Marc and his fellow participants gained access to areas of American government rarely seen at such a young age, and that experience will serve him well in his studies.

Mr. Speaker, I ask my colleagues to join me in recognizing Marc Scarbrough and wishing him continued success in the future.

CONGRATULATIONS CALLAHAN  
FAMILY

**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. WILSON of South Carolina. Mr. Speaker, I am happy to congratulate my good friend and senior legislative assistant Paul Callahan and his wife Jenni on the birth of their daughter Penelope Joy Callahan. Penelope was born on Wednesday, July 13, 2011, in Alexandria, Virginia. She is welcomed home by her sister, Charlotte, and brother, Judah.

Penelope Joy Callahan is nine pounds and three ounces and 22½ inches of pride and joy to her loving grandparents, Gerald T. and Madonna Callahan of Taylors, South Carolina, and Steve and Pam Crowe of Taylors, South Carolina.

I am so excited for this new blessing to the Callahan family and wish them all the best.

ENDOCRINE DISRUPTING CHEMICALS  
EXPOSURE ELIMINATION  
ACT OF 2011

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. MORAN. Mr. Speaker, for decades our sons and daughters have been exposed to a

chemical stew in water, food, fragrances, personal care products, children's toys, and household items. Unfortunately we do not know if this chemical stew is safe for pregnant mothers, their unborn babies, young children, or for that matter, anyone else. That is why I'm pleased today, along with Mr. MAURICE HINCHEY, Mr. GERRY CONNOLLY, Ms. ELEANOR HOLMES NORTON, Mr. GEORGE MILLER, Ms. LAURA RICHARDSON, Mr. RAÚL GRIJALVA, Ms. JAN SCHAKOWSKY, Ms. NITA LOWEY, Mr. BOBBY RUSH, Mrs. LOIS CAPPAS, Mr. JAMES MCGOVERN, and Mr. DAVID PRICE, to introduce the "Endocrine Disrupting Chemicals Exposure Elimination Act of 2011." This bill is of enormous importance because it will arm us all with the information that we need to keep our families safe from these potentially harmful chemicals.

There are numerous alarming studies showing increasing disease rates unheard of generations before. Asthma rates have nearly tripled in the past three decades. The United States Centers for Disease Control (CDC) reported this year that one of every six American children has a developmental disorder such as attention deficit hyperactivity disorder, dyslexia, and mental retardation. A recent study from Korea shows that 4 percent of children have autism spectrum disorder—that is one in every 25 children!

Just this week an extensive University of Michigan study confirmed the correlation of phthalates and bisphenol A (BPA) to thyroid disruption. Thyroid hormones play a vital role in many human physiological processes including fetal and child growth and brain development, as well as energy balance, metabolism, and other functions in the nervous, cardiovascular, pulmonary, and reproductive systems of children and adults. The study confirmed previous reports associating phthalates and BPA with altered thyroid hormones.

Phthalates and BPA are high-production chemicals commonly used in plastics and other applications, including fragrances in perfumes, children's toys, and body-care products. Exposure to these chemicals among Americans is widespread, according to the CDC. Recent studies show a decline in brain development related to phthalates and BPA exposure. Chemically-induced altered thyroid function may also be involved in increased waist circumference, insulin resistance, and diabetes among adults.

Cancer, after accidents, is the leading cause of death among children in the United States. Primary brain cancer increased by nearly 40 percent and leukemia increased by over 60 percent among children 14 years and younger in the last 30 years. Childhood obesity has quadrupled in the past 10 years. Type-2 diabetes has increased drastically. There is an increase in sexual abnormalities, particularly in newborn boys. An analysis of the umbilical cords of a test group of newborns found over 200 chemicals in the blood—chemicals to which the mother had unwittingly transmitted to her fetus.

But these problems do not end with children. These chemically-induced changes linger into adulthood. Forty-one percent of Americans will be diagnosed with cancer at some point in their lives, and about 21 percent will die from that cancer. When we look at these

trends, it becomes glaringly obvious that something in our environment is making us sick.

There is mounting evidence suggesting that these alarming public health trends are the result of chemicals in the environment that disrupt the endocrine system. Small amounts of these chemicals, or mixes of these chemicals, it has been shown, can have a huge impact on our health and ultimately American healthcare costs. As a result, health groups including the Endocrine Society, The Endocrine Exchange, and renowned scientific authorities like Dr. Fred S. vom Saal have all endorsed this bill.

The Endocrine Society, the world's oldest and largest professional organization devoted to endocrine research, found that "endocrine disruptors have effects on male and female reproduction, breast development and cancer, prostate cancer, neuroendocrinology, thyroid, metabolism and obesity, and cardiovascular endocrinology." Based upon these findings they recommended that we increase "basic and clinical research."

In addition to these troubling human diseases, we're also seeing chemically-induced changes in wildlife. In parts of the Potomac River, 100 percent of the studied male small mouth bass are intersex—meaning that they are carrying both male and female reproductive organs. We are eating these fish and we are drinking the water that they swim in. Because of this, Trout Unlimited, one of the largest fisheries conservation organizations in the country, also endorsed this bill. As I said years ago when intersex fish were first reported, this discovery should serve as our early warning telling us that something is gravely wrong.

Close to 14 years ago, Congress enacted legislation requiring the U.S. Environmental Protection Agency to establish an Endocrine Disruptor Screening Program. To date that endeavor has focused primarily on pesticides, to the exclusion of other chemicals. The agency has been hamstrung by its use of old science and interference by the chemical industry.

This bill will facilitate increased study and regulation of endocrine disrupting chemicals. It will require that the government focus on the chemicals of most concern, to which people are exposed through drinking water, food, household items, toys, and personal care products. It will empower federal agencies with jurisdiction to consider a range of peer-reviewed scientific sources of information on toxicity, and to act quickly in regulating substances found harmful to human health.

Finally, for those chemicals that scientists overwhelmingly agree are the most hazardous, the bill will restrict them only to uses that ensure they cannot get into human bodies. Twenty-four months after scientists find that a chemical is an endocrine disruptor, that chemical will be banned unless the industry using that chemical can ensure that it will not enter our food, our water, or our bodies.

It is time to take action. It is time we increase research on these chemical impacts. And it is time for the most dangerous chemicals to be controlled. The Endocrine Disrupting Chemicals Exposure Elimination Act of 2011 will do just that.

RECOGNIZING JOSHUA LAYOG OF  
MONTCLAIR, VA

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize Joshua Layog of Montclair, Virginia, for his participation in the People to People World Leadership Summit in Washington, D.C.

People to People offers young leaders the opportunity to grow educationally while exposing them to new cultures. Founded in 1956 under the auspices of the Eisenhower Administration, People to People has continuously enjoyed Presidential support for its mission of instilling our nation's next generation of leaders with the international experience they will need to succeed in an increasingly global society and economy.

Joshua's acceptance to the program is no small accomplishment. Academically selective, the program is built for the brightest students in the nation. From June 20–24, Joshua participated in numerous educational activities in the Washington, D.C., area, all of which were focused on leadership development. Joshua and his fellow participants gained access to areas of American government rarely seen at such a young age, and that experience will serve him well in his studies.

Mr. Speaker, I ask my colleagues to join me in recognizing Joshua Layog and wishing him continued success in the future.

HONORING JIMMY SMITH FOR HIS  
SERVICE AS CHAIRMAN OF THE  
NORTH COAST INTEGRATED RE-  
GIONAL WATER MANAGEMENT  
PLAN

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Jimmy Smith, chairman of the North Coast Integrated Regional Water Management Plan (NCIRWMP) Policy Review Panel for 7 years, honoring his dedication to, and his achievements toward, healthy North Coast communities and ecosystems.

Mr. Smith has become known for his inclusiveness, diplomacy, and transparent leadership style through his work on the Policy Review Panel. He played a critical role in shepherding the North Coast through its first project prioritization process, helping the panel make difficult policy decisions to reduce the NCIRWMP's priority funding list from \$50 to \$25 million.

Mr. Smith led the panel through the unanimous adoption by the region's seven county Boards of Supervisors of the first and second phases of NCIRWMP. His leadership was instrumental in securing more than 70 signatories to the NCIRWMP Memorandum of Mutual Understanding.

Mr. Smith hosted the NCIRWMP's first Integrated Regional Water Management Con-

ference, bringing more than 250 attendees to the North Coast region, representing over 50 entities comprised of local governments, tribes, legislators, agencies, watershed groups, providing a greater awareness of water management issues, watershed functions and future policy and funding opportunities.

Mr. Smith's oversight of the NCIRWMP top ranked proposals has brought more than \$41 million to the North Coast. He worked for months on behalf of the entire North Coast community during the 2008 California "bond freeze" to minimize economic impact on disadvantaged communities and to ensure that the North Coast's priority infrastructure and environmental projects were able to move forward.

Mr. Speaker, it is appropriate at this time that we recognize my friend Jimmy Smith for his dedication and contributions to the North Coast Integrated Regional Water Management Plan and dedication to our community.

HONORING THE 30TH ANNIVER-  
SARY OF THE LAND CONSER-  
VANCY OF NEW JERSEY

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Land Conservancy of New Jersey, located in Morris County, New Jersey, in celebration of thirty years of successful land preservation.

The Land Conservancy of New Jersey was founded on July 30, 1981 by Russell W. Meyers, with the goal to preserve land and water resources, conserve open space, inspire and empower individuals and communities and to protect natural land and environment. The Conservancy has worked with 58 municipalities in 11 counties, impacting over half of New Jersey's counties, and benefiting millions of residents throughout the state. The Conservancy has established an Aresty Mapping Center to produce professional, computer generated maps used throughout the state to target open space lands for preservation.

Concerned with preserving open space and protecting New Jersey's drinking water and other natural resources, the Conservancy helped to pass the Highlands Water Protection and Planning Act and the Highlands Stewardship Act in 2004.

The Conservancy has won several awards over the past 30 years, including the Take Pride in America National Award, given by the U.S. Department of the Interior in 2005. This award recognizes volunteer projects for youth organizations, corporations, and public/private partnerships among other categories.

In 2010 alone, the organization completed 27 projects and preserved over 1,364 acres of land. The Conservancy's devoted staff has worked closely with state and local government officials and agencies to make these projects possible.

This year their goal has been to preserve another 25 properties and 1,500 additional acres.



Mr. Speaker, I ask you and my colleagues to join me in congratulating the Land Conservancy of New Jersey for its 30 years of dedicated work on behalf of the great state of New Jersey.

TRIBUTE TO MR. WILLARD  
OVERTON

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. DAVIS of Illinois. Mr. Speaker:

Whereas, the Almighty God has called to his eternal rest, Mr. Willard Overton; and

Whereas, Willard Overton was born on April 9, 1935 to the parentage of Arthur Overton Sr. and Osca C. Presley in Chicago, Illinois and was the 7th of 9 children; and

Whereas, Mr. Overton received his formal education in the Chicago Public Schools and worked for 31 years at AT&T Western Electric Hawthorne Works and retired at the age of 47, as the youngest person ever to retire from this company; and

Whereas, he received many awards and commendations for his outstanding works; and

Whereas, Willard was a very talented, bright, accomplished, witty and intelligent person who was committed to protecting and improving the quality of life; and

Whereas, he was actively involved with Provident St. Mel High School and was a regular and skilled debater on WVON and other radio talk shows: now be it

*Resolved*, that we pause and pay tribute to Mr. Willard Overton on a very outstanding and productive life.

On a personal note, Bill's niece Levogne and my wife Vera were best friends and worked together in the Business Department at Collins High School; brother Ray made my first political sign and Al had a variety store in front of my office on Cicero Avenue and was a benefactor to many of our community activities; and niece Crystal is a community and political activist who is involved with many of the public things that I do. A great family, I am proud to know them.

FALL RIVER CHAMBER URGES  
RESPONSIBLE ACTION

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. FRANK of Massachusetts. Mr. Speaker, an organization with which I am proud to work closely on behalf of economic development in the Greater Fall River Area, and for sensible national policies, the Fall River Area Chamber of Commerce, recently published in the Fall River Herald News a very thoughtful article which "respectfully urges Congress to place the nation ahead of party politics by raising the federal debt limit without delay." The Chamber notes that "failure to increase the statutory debt limit in a timely fashion can have a significant and long lasting negative

impact on any potential recovery in the towns and cities of the South Coast."

Mr. Speaker, the Chamber understandably and correctly notes that they are "extremely concerned about the level of the federal debt and the unchecked annual budget deficits that have become the new normal in Washington, DC". I also agree with them that "the U.S. government must learn to spend more wisely." And I believe that they have the sequencing of these issues in the correct form when they close by urging those of us in Congress to "raise the federal debt ceiling and set in motion a dialogue to curb unchecked federal spending." I believe it is essential that we raise the debt ceiling and avoid negative economic consequences, and at the same time commit ourselves to adopting a set of policies that will substantially reduce the deficit over time. For example, Mr. Speaker, I personally renew my call to our colleagues to put an end to the wars in Afghanistan and Iraq which no longer can be justified in terms of national security, and which together costs us well over \$100 billion dollars a year, as part of a package of steps that will bring down our annual deficits.

[From the Herald News, July 13, 2011]

CHAMBER URGES CONGRESS TO RAISE DEBT  
LIMIT

(By Jason Rua and Robert A. Mellion)

The Fall River Area Chamber of Commerce and Industry represents a broad range of businesses in the South Coast region of Massachusetts.

Our membership employs tens of thousands of people comprising all sectors of the economy including education and high tech to healthcare, tourism and hospitality, manufacturing, service and small businesses. They are also the individuals who are making the local investments, taking risks, creating jobs and through their taxes and payrolls, providing the means for the community to afford the public amenities we all enjoy.

That is why the chamber, on behalf of its diverse and vested membership, respectfully urges Congress to place the nation ahead of party politics by raising the federal debt limit without delay. Failure to increase the statutory debt limit in a timely fashion can have a significant and long-lasting negative impact on any potential recovery in the towns and cities of the South Coast. For that reason we urge the Massachusetts congressional delegation to act prudently by representing the best interests of your constituency.

Raising the statutory debt limit is critical to ensuring global confidence in the creditworthiness of the United States. Not acting decisively on this issue will raise national interest rates and inevitably the ability of businesses to secure financing.

With economic growth in the commonwealth of Massachusetts slowly picking up for the first time in three years, we cannot afford to jeopardize a few steps forward with the threat of a massive spike in borrowing costs that would result if our country defaulted on its international obligations. To the contrary, it is practical economic theory that the United States stands fully behind its legal obligations.

In making such recommendations, business leaders in the South Coast also remain extremely concerned about the level of the federal debt and the unchecked annual budget deficits that have become the new normal in Washington D.C. Balance to our fiscal posi-

tion is critical for national economic sustainability and tough decisions on federal spending must be made as part of a long term debate about the future of this nation. Quite simply, the U.S. government must learn to spend more wisely.

The chamber trusts that under the continued leadership offered by the bipartisan Massachusetts congressional delegation, Congress will again take the necessary steps to preserve our nation's financial standing in the world. Such stewardship is required in this 11th hour. Please ensure that the national and Massachusetts economies continue on a path toward restored prosperity. Raise the federal debt ceiling and set in motion a dialogue to curb unchecked federal spending.

RECOGNIZING THE 37TH ANNIVERSARY  
OF THE TURKISH INVASION  
OF CYPRUS

HON. LOIS CAPP

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mrs. CAPP. Mr. Speaker, on July 20, we mark the 37th anniversary of the Turkish invasion and subsequent occupation of Cyprus.

Cyprus has a rich culture and religious history. However, its history has been difficult due to myriad conflicts with its neighbor Turkey, including the occupation, which continues to this day on over a third of the Island.

I want to express my concern about violations of human rights and fundamental freedoms of the Cypriot people. Moreover, reports of the segregation of Greek and Turkish Cypriot people are equally troubling. Any means of violence has simply exacerbated conflicts between the Cypriot and Turkish people, and cannot be an option moving forward.

Cyprus and the U.S. share a deep and abiding commitment to upholding the ideals of freedom, democracy, justice, human rights, and the international rule of law. Infringements upon these American—and Cypriot—principles should not go unnoticed. I remain steadfast in my dedication to correcting these problems and working with others to ensure that Cyprus can flourish for years to come.

Thirty-seven years later, I remain committed to the goal of a reunified and prosperous Cyprus where Greek Cypriots and Turkish Cypriots can live together in peace and security.

INTRODUCTION OF THE INNOVATIVE  
DESIGN PROTECTION AND  
PIRACY PREVENTION ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 13, 2011

Mr. GOODLATTE. Mr. Speaker, Article I, section 8, of the Constitution lays the framework for our nation's copyright laws. It grants Congress the power to award inventors and creators for limited amounts of time exclusive rights to their inventions and works. The Founding Fathers realized that such an incentive was crucial to ensure that America would

become the world's leader in innovation and creativity. This incentive is still necessary to maintain America's position as the world leader in innovation.

Most industrialized nations provide legal protection for fashion designs. However, in the United States, the world's leader in innovation and creativity, fashion designs are not protected by traditional intellectual property regimes. Copyrights are not granted to apparel because articles of clothing, which are both creative and functional, are considered useful articles, as opposed to works of art. Design patents are intended to protect ornamental designs, but clothing rarely meets the criteria of patentability. Trademarks only protect brand names and logos, not the clothing itself. And the Supreme Court has refused to extend trade dress protection to apparel designs. Thus, a thief violates Federal law when he steals a creator's design, reproduces and sells that article of clothing, and attaches a fake label to the garment for marketing purposes.

But it is perfectly legal for that same thief to steal the design, reproduce the article of clothing, and sell it, provided he does not attach a fake label to the finished product. This loophole allows pirates to cash in on the sweat equity of others and prevents designers in our country from reaping a fair return on their creative investments.

The production lifecycle for fashion designs is very short. Once a design achieves popularity through a fashion show or other event, a designer usually has a limited number of months to produce and market that original design. Further complicating this short-term cycle is the reality that once a design is made public, pirates can immediately offer identical knockoffs on the Internet for distribution.

Again, under current law, this theft is legal unless the thief reproduces a label or trademark. And because these knockoffs are usually of such poor quality, they damage the designer's reputation as well. Common sense dictates that we should inhibit this activity by protecting original fashion works.

Our undertaking is similar to action taken by Congress in 1998 when we wrote Chapter 13 of the Copyright Act, which offers protection for vessel hull designs. The "Innovative Design Protection and Piracy Prevention Act" amends this statutory template to include protections for fashion designs. Because the production lifecycle for fashion designs is very short, this legislation similarly provides a shorter period of protection of 3 years that suits the industry.

The bill enjoys support among those in the fashion and apparel industries. While concerns have been expressed about the scope of previous versions of this legislation, my office has engaged in discussions through the years with interested parties to ensure that the bill does not prohibit designs that are simply inspired by other designs; rather, the legislation only targets those designs that are "substantially identical" to a protected design. Other provisions, including a "home-sewing" exception and a requirement that a designer alleging infringement plead with particularity, ensure that the bill does not encourage harassing or litigious behavior.

I urge the Members of the House to support this legislation, which will grant to American

creators similar protections that those in most other industrialized countries enjoy.

H. RES. 268—U.S. SUPPORT FOR A  
NEGOTIATED SOLUTION TO THE  
ISRAELI-PALESTINIAN CONFLICT

**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Mr. ISRAEL. Mr. Speaker, I rise today as a cosponsor of H. Res. 268. This resolution reaffirms the United States' support for a negotiated solution to the Israeli-Palestinian conflict.

For those who say the path to peace in the Middle East is easy, let them consider the path I recently had to take just to fly to Israel. In May, I traveled with other members of this body on a bipartisan Congressional delegation to the Middle East. Our trip was scheduled to take us from the Al Udeid Air Base in Qatar, across Kuwait and Iraq and into Israel. However, before our plane was able to take off the Kuwaitis denied us overflight rights because our destination was Israel. After lengthy negotiations, our pilots were given permission to fly over Kuwaiti airspace, but as our plane neared the Iraqi border the government of Iraq denied our request to enter their airspace, again because our destination was Israel. We were forced to circle for 90 minutes while we once again negotiated with a government for whom the United States has spilled both blood and treasure. Finally, the Iraqis gave us permission to fly over their country only if we agreed to land in Jordan before flying on to Israel. Our plane landed in Amman, taxied to the end of the runway, and then took off for a seven minute flight to Israel. Apparently, American service members can die in Iraq, American taxpayer dollars can be spent on Iraq, but an American Congressional delegation on a U.S. military aircraft cannot fly over Iraq en route to Israel. So, when Israel's neighbors demand that Israel make difficult concessions as a precursor to peace negotiations, we should keep in mind the behavior of these neighbors and their refusal to accept Israel's right to exist as a Jewish state.

Now the Palestinians are threatening to seek a unilateral declaration of statehood through the United Nations. President Obama has already stated that the United States will veto any unilateral declaration at the UN, so the Palestinians' continued push for a UN vote in September is nothing but an attempt to delegitimize the state of Israel. Today, the House of Representatives can reinforce our nation's support for Israel and support for a negotiated peace.

Israel has shown it is ready to take risks for peace. If the Palestinians want a state that is formally recognized by the international community they should sit down with the Israelis and negotiate.

H. RES. 268

**HON. GWEN MOORE**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 13, 2011*

Ms. MOORE. Mr. Speaker, I emphatically agree that a negotiated settlement to the Israeli-Palestinian conflict is the only viable path forward for the parties and for those in the international community and region who seek peace and stability in this contentious area of our world.

I want to be clear: unilateral actions by the Palestinians or Israelis, including seeking recognition at the U.N., are not helpful to the peace process. It seems to me that there have not been many successful unilateral acts undertaken in this region that have resulted in more peace and less violence. Why would anyone want to go down that road again?

Limiting this resolution to the sentiment expressed in bullet number one of the resolution that reaffirms Congress' "strong support for a negotiated solution to the Israeli-Palestinian conflict resulting in two states, a democratic, Jewish state of Israel and a viable, democratic Palestinian state, living side-by-side in peace, security, and mutual recognition" would have won my enthusiastic and full-hearted support.

It was the presence of this language that kept me from voting no on this resolution. I again reiterate my condemnation of this House continuing to bring resolutions that only seem to relitigate every wrong committed by one party to this conflict. Whatever happened to the grandiose ideal that the United States of America would be an "honest broker" in this process?

The fact is that both Palestinian President Mahmoud Abbas and Israeli Prime Minister Benjamin Netanyahu have tough choices ahead of them that will affect the pursuit of peace in the Middle East. As I stated in a letter to President Obama last year in support of strong U.S. engagement in renewed Middle East Peace talks, allowing actions by either party that undermine the process to go unchallenged serves to fan animosity and mistrust, which feeds a cycle of conflict and violence. This neither serves the interests of the U.S., our ally Israel, nor the Palestinians.

We must avoid ending up in a situation like Canada reportedly faced last year when it cut funding for activities of the U.N. Relief and Works Agency for Palestine Refugees only to have the government of Israel, among others, push for a reversal of that decision. It's an example of an action that looks "pro-Israel" on the politics, but failed the more important test of whether it actually advanced or hindered the interests of our allies in the region.

The Palestinian people don't want symbolic statehood, they want an actual state with borders and the ability to enjoy a livelihood in peace and security. The same for the Israeli people. They want real security and real peace. Both peoples would gladly trade resolutions from the U.S. Congress for real progress on the ground.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4,

1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 14, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 15

10 a.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine internet freedom in the Organization for Security and Co-operation in Europe (OSCE) region, focusing on current trends in internet governance.

210, Cannon Building

JULY 19

9:30 a.m.

Armed Services

To hold hearings to examine the nominations of Madelyn R. Creedon, of Indiana, to be an Assistant Secretary for Global Strategic Affairs, and Alan F. Estevez, of the District of Columbia, to be Assistant Secretary for Logistics and Materiel Readiness, both of the Department of Defense.

SD-G50

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine enhanced consumer financial protection after the financial crisis.

SD-538

Environment and Public Works

To hold hearings to examine the nominations of Kenneth J. Kopocis, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency, and Rebecca R. Wodder, of Virginia, to be Assistant Secretary of the Interior for Fish and Wildlife.

SD-406

Foreign Relations

To hold hearings to examine the nominations of David S. Adams, of the District of Columbia, to be Assistant Secretary for Legislative Affairs, and Joyce A. Barr, of Washington, to be Assistant Secretary for Administration, both of the Department of State.

SD-419

10:30 a.m.

Judiciary

Crime and Terrorism Subcommittee

To hold hearings to examine Drug and Veterans Treatment Courts, focusing on seeking cost-effective solutions for

protecting public safety and reducing recidivism.

SD-226

Energy and Natural Resources

To hold hearings to examine the recent report of the Massachusetts Institute of Technology (MIT) energy initiative entitled "The Future of Natural Gas".

SD-366

2:30 p.m.

Homeland Security and Governmental Affairs

Disaster Recovery and Intergovernmental Affairs Subcommittee

To hold hearings to examine 2011 spring storms, focusing on picking up the pieces and building back stronger.

SD-342

Foreign Relations

Near Eastern and South and Central Asian Affairs Subcommittee

To hold hearings to examine United States policy in Yemen.

SD-419

JULY 20

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine building American transportation infrastructure through innovative funding.

SR-253

Banking, Housing, and Urban Affairs

Economic Policy Subcommittee

To hold hearings to examine access to capital, focusing on fostering job creation and innovation through high-growth startups.

SD-538

Foreign Relations

To hold hearings to examine the nominations of Earl Anthony Wayne, of Maryland, to be Ambassador to Mexico, and Arnold A. Chacon, of Virginia, to be Ambassador to the Republic of Guatemala, both of the Department of State.

SD-419

Health, Education, Labor, and Pensions

Business meeting to consider S. 958, to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, S. 1094, to reauthorize the Combating Autism Act of 2006 (Public Law 109-416), an original bill entitled, "Workforce Investment Act Reauthorization of 2011", and any pending nominations.

SD-430

Homeland Security and Governmental Affairs

To hold hearings to examine Federal regulation, focusing on a review of legislative proposals, part II.

SD-342

Judiciary

To hold hearings to examine S. 598, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, focusing on assessing the impact of the Defense of Marriage Act on American families.

SD-226

Environment and Public Works

Transportation and Infrastructure Subcommittee

To hold an oversight hearing to examine the Yellowstone River oil spill.

SD-406

2 p.m.

Armed Services

Personnel Subcommittee

To hold hearings to examine providing legal services by members of the Judge Advocate Generals' Corps.

SR-232A

2:30 p.m.

Commerce, Science, and Transportation

Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee

To hold hearings to examine looking to the future, focusing on, lessons in prevention, response, and restoration from the Gulf oil spill.

SR-253

JULY 21

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine floods and fires, focusing on emergency preparedness for natural disasters in the native communities.

SD-628

JULY 27

2 p.m.

Armed Services

Readiness and Management Support Subcommittee

To hold hearings to examine financial management and business transformation at the Department of Defense.

SR-232A

JULY 28

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine enforcing the "Indian Gaming Regulatory Act", focusing on the role of the National Indian Gaming Commission and tribes as regulators.

SD-628

2:30 p.m.

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine S. 264, to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, S. 265, to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park, S. 324, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission, S. 764, to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon, S. 864, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California, S. 883, to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution, S. 888, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System, S. 925, to designate Mt. Andrea Lawrence, S.

970, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, S. 1063, to allow for the harvest of gull eggs by

the Huna Tlingit people within Glacier Bay National Park in the State of Alaska, S. 1134, to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values, and S. 1235, to recog-

nize the memorial at the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national memorial of Navy SEALs and their predecessors.

SD-366

## SENATE—Thursday, July 14, 2011

The Senate met at 9:30 a.m. and was called to order by the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island.

### PRAYER

The PRESIDING OFFICER. It is my honor and privilege to announce today's opening prayer will be offered by the Right Reverend Geralyn Wolf from the Episcopal Diocese of Rhode Island.

The guest Chaplain offered the following prayer:

Let us pray.

Almighty God, shepherd of our souls, the global community listens with eager expectation to the deliberations and decisions of the Senate of these United States.

With Your holy wisdom, enter the hearts of those who serve this august Chamber; assure them of Your constant love and presence as they address challenges that occasion creative solutions.

Let Your holy spirit come and breathe upon their anxieties, diminishing their power, and releasing a freshness of vision that secures the common good and honors the generations to follow.

May their pursuit of peace, security, and happiness extend across nations and peoples, moving beyond political allegiances to a proclamation of hope for all humanity.

Bless us, dear Lord, and make us a blessing to others. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable SHELDON WHITEHOUSE led the Pledge of Allegiance as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 14, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. WHITEHOUSE thereupon assumed the chair as Acting President pro tempore.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Rhode Island.

### WELCOMING THE GUEST CHAPLAIN

Mr. WHITEHOUSE. Mr. President, I am delighted to be here with my senior colleague, Senator JACK REED, to welcome Geralyn Wolf, the Bishop of the Episcopal Archdiocese of Rhode Island, who shared with us the prayer this morning.

I wish to share with my colleagues what a wonderful addition she is to our Rhode Island community. She has served in Kentucky and in Pennsylvania, but she has been in Rhode Island for many years and has been devoted to our community, particularly to the needy in our community, to the point where at one point she spent 30 days living as a homeless person in order to see firsthand what the resources were to support people when they faced the burden and the sorrow of homelessness and to inform her actions as the bishop of our diocese.

She is keenly interested in the Sudan and works with priests who are helping to bring Christianity to those areas as the vehicle for peace amidst some of the worst and most horrific violence on the face of our planet.

It gives both Senator REED and myself great pride that she has come down to Washington today to open the Senate. It is my hope, and I am sure Senator REED's as well, that during the course of our deliberations today we will be informed by the hopes and the sentiments and the confidence and the blessings she expressed.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I join my colleague Senator WHITEHOUSE in welcoming Bishop Wolf to the Senate today. I commend Senator WHITEHOUSE for his invitation. Bishop Wolf is not only a pastoral leader in our community, she is also a great community leader. She not only preaches the gospel, she lives the gospel.

As Senator WHITEHOUSE indicated, she went on the mean streets of Providence, and there are such streets in every town in this country, to experience firsthand the travails and the troubles of people just trying to get by. That experience informed her ministry and informed her public positions, and we thank her for that. She has a global vision as well as a vision in Rhode Island. That global vision is a world inspired by American actions that is

peaceful and progressive and finds opportunity for all.

So on behalf of the people of Rhode Island, I wish to thank her for her service, and I thank her especially for the grace she has brought to us today and has brought the State of Rhode Island as a result of her service.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. REED of Rhode Island). The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be in a period of morning business for 1 hour. Republicans will control the first half and the majority will control the final half.

Following morning business, the Senate will resume consideration of the motion to proceed to H.R. 2055, the Military Construction and Veterans' Affairs appropriations bill, postcloture. We hope to yield back time and begin consideration of the bill sometime today.

### BUDGET NEGOTIATIONS

Mr. REID. Mr. President, there are some in the Republican Party who will not listen to the truth no matter who speaks it.

This is my opinion: If we allow this Nation for the first time in its history to default on our national obligations, it will not only be a black mark on our reputation but also a massive financial disaster that will sweep the world into global depression.

But it is not my opinion alone. I have come to that belief by listening to the most respected voices in the business community. Default, they say, is a "risk our country must not take."

They are not the only ones who believe that is true. The most respected bankers have also said it. JPMorgan Chase CEO Jamie Dimon said default would be "catastrophic."

Investors have said it. Bill Gross, one of the world's largest mutual fund managers, sent us a warning yesterday. He said:

There should be no question at all. The debt ceiling must be raised and not be held hostage by budget negotiations. Don't mess with the debt ceiling, Washington.

That is what Bill Gross said.

Economists have also said it. Ben Bernanke, appointed by President Bush as Chairman of the Federal Reserve,

has said default would be a “major crisis” that would send “shock waves” through the world financial markets. Yesterday, he said failure to avert default would mean “huge financial calamity.”

Even other Republicans have said it. This is what Speaker BOEHNER said in April:

Not raising the debt limit would have serious—very serious—implications for the worldwide economy and jobs here in America.

Perhaps most telling of all, all three rating agencies have already sent warning shots across our bow. Last night, Moody’s cautioned us that America’s AAA rating was already under review for downgrade. Never in the history of the country has that happened, that we are being reviewed to downgrade our debt rating. We have 3 weeks left until we miss our first payment. They cited the “rising possibility” that we will default. They said we could lose this crucial rating—which saves every American money every day—even before we miss a payment.

Standard & Poor’s has told Congress and business leaders that even if the United States keeps paying creditors but delays payments such as Social Security or veterans’ benefits, it may cut our rating.

Fitch Ratings has said a default would “threaten the still fragile financial stability of the United States and the world as a whole.”

So why are some Republicans in Congress still saying that a first ever default on our Nation’s financial obligations would be no big deal?

When every financial expert, investor, business leader, and banker in the country—and even every reasonable member of your own political party—is telling you the consequences of default would be catastrophic, it is time to start listening. Why? Because default won’t just roil the financial markets, pushing interest rates higher and tank the stock markets. It will affect every American’s wallet as well.

Here are a few of the things that will happen. Social Security checks and benefits to our troops would stop. Some of the most vulnerable Americans would be placed at risk. Our promise to the men and women who protected this Nation so bravely—and those who protect it today—would be broken. We would not be able to make payments to our military.

Payments on our national debt would stop. American investments and retirement accounts could be decimated. Millions of Americans could lose their jobs.

Interest rates would rise not only for the government but for ordinary Americans as well. Those Americans will pay more for their mortgages. They will pay more to use a credit card or buy a car or finance a university edu-

cation. They will even pay more for their electric bills, groceries, and gas. The spike in interest rates and damage to the U.S. dollar alone would cost the average American family more than \$1,500 immediately. It would be the most serious financial crisis this country has ever faced, and it would come at a time when our economy can least afford it. In the long run, it would wind up costing the government not millions, not billions, but trillions of dollars—a fact Republicans shouting about the debt fail to mention. For every 1-percent increase in interest rates, it will cost our Nation \$1.3 trillion—again, not million, not billion, but trillion. For every 1-percent increase in interest rates, it will cost this Nation \$1.3 trillion.

With so much at stake, even Speaker BOEHNER and Minority Leader MCCONNELL seem to understand the seriousness of the situation. They are willing to negotiate in good faith, which I appreciate, and the country appreciates.

Meanwhile, House Majority Leader ERIC CANTOR has shown that he shouldn’t even be at the table, and Republicans agree he shouldn’t be at the table.

One House Republican told Politico, a Hill publication, last night: “He lost a lot of credibility when he walked away from the table. . . . It was childish.” What is that all about?

We had negotiations going on here in Room S. 219, a short jaunt from here, and he walked out on the meetings with the Vice President of the United States. It was childish.

Another Republican said CANTOR is putting himself first. He said this: “He’s all about ERIC.”

The time for personal gain and political posturing is over. It is time to put our economy and our country first. The risks we face are simply too grave.

We don’t need to take my word for it. More than 300 respected business leaders wrote to Congress the night before last to make it clear how serious this crisis is.

A great nation—like a great company—has to be relied upon to pay its debts when they become due. This is a Main Street not Wall Street issue.

We are listening. It is time for the irresponsible voices in the Republican Party who continue to deny the truth of this crisis to start listening as well.

I note the absence of a quorum.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

## BUDGET NEGOTIATIONS

Mr. MCCONNELL. Mr. President, over the past few days, a lot of people have taken it upon themselves to offer Republicans in Congress and me in particular their advice on the debt limit. I have listened to all of it very carefully. I appreciate how frustrating it is for people to think that in spite of everything we know about the state of our economy, and despite all the warnings we have heard about the dangers presented by our deficits and debt, we can’t do something about it. I share that frustration. No one has spent more time cajoling and persuading this White House of the need to do something big.

I was truly hopeful the President could be persuaded to view the upcoming debt limit vote as an opportunity to cut Washington spending and the debt that has ballooned since he took office, and to preserve entitlements at the same time. But, in the end, he wasn’t interested in doing something of that magnitude that would pass.

He gave us three bad choices: higher taxes, smoke and mirrors or default, and we refuse to accept any of them. Republicans will not be reduced to being the tax collectors for the Obama economy. We will not be seduced into calling a bad deal a good deal, and we will not let the White House fool around with the full faith and credit of the United States.

If the President wants to threaten seniors or veterans or rattle the world economy by pretending he cannot pay our bills, he, of course, can do that. But he is not going to implicate Republicans in these efforts.

That is why I proposed, as a last resort, a plan that would force the White House to show its hand. If the President would rather default than cut back on the size and scope of government, let him explain that. If he would rather preserve his vision of Washington than protect entitlements, let him explain that. If he and the Democratic Senate would rather borrow and spend us into oblivion, they can certainly do that. But do not expect any more cover from Republicans on it than they got on health care—none.

The American people deserve to know what their elected representatives stand for in this debate. None of these proposals that have been presented up to now would do that.

If Democrats will not agree to reforms we need, then we should at least show the public where we stand. What they wanted was a deal that purported to lower the debt from \$26 trillion to \$24 trillion over 10 years, then have us give it thumbs up and call it a bipartisan victory for fiscal discipline. We

were not about to call this a good deal any more than we were willing to call the health care bill real reform.

We refuse to let this President use the threat of a debt-limit deadline to get us to cave on tax hikes or phony spending cuts. It is time to change this debate altogether. It is time to make it clear to the American people where the two parties stand in this debate.

Either you are with the President and his vision of a government that continues to live beyond its means or you are with those of us who believe Washington needs some strong medicine. Either you want to simply borrow and spend our Nation into oblivion or you want to get our fiscal house in order, and the single most effective way to do that is with a balanced budget amendment.

If the President and Democrats in Congress will not agree to cut back, let's force them. Let's pass a constitutional amendment that actually requires Congress to live within its means.

It is time for the American people to contact lawmakers on the Democratic side and simply demand it. Republicans are unanimous in their support for a balanced budget amendment. We need 20 Democrats to join us.

It is an uphill climb, but if the American people speak out, we can get it done. If the President will not agree to it, it is time we go around him and directly to the American people.

Let's keep the pressure on. Let's show the administration where the public is on this issue. Let's get our fiscal house in order.

I yield the floor.

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#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

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#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Tennessee is recognized.

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#### THE BUDGET

Mr. CORKER. Mr. President, I realize a scheme has been concocted on the debt ceiling that allows Democrats to go into this next election continuing to ensure that spending to many of their constituents is at levels that please them; therefore, allowing them to run

successfully in 2012, and that scheme also allows Republicans to run in 2012 with spending being the issue.

I think we all understand that, look, the debt ceiling is going to be increased, and it is going to be increased in such a way that both sides of the aisle have the ability to campaign against the other respective to their bases.

But the fact is, our great Nation is in decline because of the elected leaders in Washington. Our great Nation is in decline because of this body and the way it is acting, the House of Representatives and the way it is acting, and the White House and the way it is acting.

This body, as we meet and go on to a spending bill, is helping our great Nation go into decline. Let me explain why.

Maybe the debt ceiling was the wrong place to pick a fight as it relates to trying to get our country's house in order. Maybe that was the wrong place to do it. The reason it was chosen is because this body has not passed a budget in 806 or 807 days, and I credit both sides for that. But the fact is the Senate has not passed a budget in over 806 days.

I had a dinner this week, Monday night, with six Democrats and five Republicans. I will not mention their names to impugn them in any way. But all of them expressed tremendous frustration with the way this body is being run. Basically, most Senators in this body are nothing but two-bit pawns—two-bit pawns—as a political fight is under way basically to lay out the groundwork, if you will, for the 2012 election. That is what is happening right now in this body, and I think we all know that.

Yet yesterday we voted to move to a spending bill where we, in essence, are acting as accomplices. We are accomplices to this—the Presiding Officer and myself. I voted against it. But anybody who votes to go to a spending bill without forcing the Senate to come to terms with a budget is, in essence, an accomplice to allowing the shenanigans that are taking place right now to continue. We are allowing this great Nation to go into decline by not forcing us to make those tough decisions.

The reason the debt ceiling was chosen is because there has not been any other mechanism to cause us to sit down and make those tough choices as it relates to spending in our country. Because we were unwilling to do that, many people lined up, as a matter of fact, Democrats and Republicans—there is a Gang of 6 that had been working, with three Republicans and three Democrats. It is my sense that they too had planned to use the debt ceiling vote as a place to try to cause us to come together around something that might be sensible for our country. We have not seen the details of that. I hope we will see that soon.

But my point is, both sides of the aisle actually had focused on this debt ceiling vote—or many people on both sides of the aisle—to try to cause us to have the fiscal discipline we need. Obviously, with this new scheme, that is not going to happen.

I think we all know the debt ceiling is going to be raised. Blame will be assessed to either side. Both sides will use that in the 2012 election, and then we will move on to another cycle where probably we will continue to be irresponsible.

But the fact is, by moving to a spending bill without a budget—everyone who agrees to do that, every single person in this body who agrees to move to a spending bill, no matter what it is funding or no matter at what level it is funding the things it is funding, every one of us is an accomplice in causing this great Nation to decline, every single one of us.

I would urge people in this body who would like to see us actually do our work, cause us to function the way the Founding Fathers had created this body, cause us to function in a way that no longer allows our country to be in decline, I would urge everybody in this body to not agree to go to this spending bill and to say we will not spend any more of the U.S. resources—taxpayers' resources—without first agreeing to those tough decisions.

I love seeing some of the masters of the universe on some of these financial programs in the morning. I heard one of them this morning on a particular program I sometimes turn on to see what the markets are doing in reaction to the ridiculous, undisciplined nature of this body, I heard one of them say the debt ceiling is no place—most countries do not even vote on a debt ceiling. What they do is they vote on budgets. In this country, we do not even vote on budgets. Of course, we have figured out a way to not make any tough decision on the debt ceiling vote either, and I understand what is getting ready to happen.

But, again, I say to all those folks who are not head of this body, who are not in leadership, who in the bathrooms or in the halls or at dinner or at lunch complain about the fact that this place is dysfunctional, complain about the fact that they do not have the ability to be involved in causing us to function in the way we should, every single one of you, in my opinion, who votes to go to a spending bill today or end debate on a spending bill—in essence, allow us to pass a spending bill—is an accomplice, is an accomplice in allowing this great Nation to go into decline. That is pretty strong, but I believe it.

The fact is we make a big deal out of some items around here, but we do not make a big deal when it comes to something we can actually affect and cause us as a body to do the things we need to do.



I say to the Presiding Officer, look, I am very disappointed in the Senate. I am very disappointed in the White House. I am very disappointed in all of us. I am very disappointed in the childish behavior this body has continued to exude over the course of this entire year. I am very disappointed we would even consider going on with spending taxpayer resources and not sitting down and making tough decisions. I am very disappointed, candidly, that both sides of the aisle only want it their way.

I do not think this great country was created the way it was so one side of the aisle got it exactly the way they wanted it. I think this body was created to be "the greatest deliberative body in the country." Yet we do not do that. We do not act that way. We do not debate tough issues. We hide—all of us—we hide and we let our leadership concoct ways to keep us from doing the tough things we need to do.

The fact that we cannot even have a budget on this floor to come out of a committee, when, obviously, there is a majority—and I am not even pointing fingers at the other side; I think both sides are equally problematic in this because both sides, it is evident to me, are going to allow us to go to a spending bill today without a budget, but the fact that we cannot even bring a budget to the floor, when committees are stacked in such a manner that one side does have the majority, to me, is incredible.

If we move to a spending bill today without a budget, if we continue to do the things we do here, just without worrying about the fundamentals of what it takes for this country to be great, this body today will move one step further down the path of causing this great Nation to go into decline, to keep us from making tough decisions, to allow committee heads or subcommittee heads in Appropriations to be able to bring forth their fruit, if you will, the things they would like to spend money on.

By the way, I support much—I probably support everything that is in this bill. I am not sure. It supports veterans. It supports military construction. But the fact is, actually, the very people this benefits, the people who are veterans, the people who have given their limbs—some have given loved ones—probably are embarrassed by the Senate too. Even though they would like to receive the benefits at some point in time down the road—when these benefits come to fruition in this next fiscal year, they would like to receive those—they probably would prefer, first, that all of us in this body do our job, that we quit acting like the children we have been acting like this entire year; that we quit calculating what we are going to do around the 2012 elections; that we quit hiding behind our leadership and allowing them to go

down and negotiate grand bargains in private; that we quit, again, hiding from tough decisions.

I hope others will join with me and that we will not end debate on this bill. Let me put it this way: If we do not do that—in other words, if we proceed with spending in this bill—I sure hope all those who vote to do so will stop talking in private about how embarrassed they are about this Senate, will stop talking in private about how they feel like little pawns in a political game, will stop talking in private about how they would like to see this body start acting in the fashion it should act.

We have not done any real business this year. We all know it. We have not done any real business this year because we have not wanted to take on those tough issues. I am embarrassed by that, personally. I am embarrassed about the way this Senate has been conducting its business this year.

I am not going to vote for a spending bill until we pass a budget. If we had passed a budget and had the tough debates about revenues and expenditures, we would not be in this no-win situation right now as it relates to the debt ceiling, and we all know that. But we want to hide behind that.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, as we all know, in the next few weeks we are going to have to be faced with a decision about what to do with the debt limit, and of course there has been a lot of discussion around here as well as between the White House and the congressional leadership about how best to resolve this issue.

I believe what it really comes down to is a question about what is the best way to resolve a debt crisis. I think it creates a great debate, a philosophical debate about do we need to grow government or do we need to shrink government. I would argue that is kind of the defining line in this debate, whether you believe the best way out of a debt crisis is to expand and grow government or whether you think, as I do, that we ought to make government smaller, not larger, if we are trying to figure out how to get out of this particular circumstance we find ourselves in right now.

We have a \$14 trillion debt. We are going to have to increase the borrowing authority to get to the 2012 election by \$2.4 trillion. That is the rate at which our debt is growing. I have said on the floor before that if

you look at just the daily borrowing our Federal Government does, it exceeds the entire budget of my State of South Dakota for a whole year. So we will borrow more in the next 24 hours here in Washington, DC—about \$4 billion—than the State of South Dakota spends in an entire year. That is the dimension of the problem we are facing.

Many of us believe the best thing we could do in order to get ourselves on a better fiscal track is to pass a balanced budget amendment to the Constitution. Frankly, I hope we will have an opportunity to vote on just that sometime in this next week or the following week. Most States around the country, including my State of South Dakota, have a balanced budget amendment in their constitution. It requires them year-in and year-out to get their books balanced. They cannot continue to spend as if there is no tomorrow. They cannot spend money they do not have. They live within their means. That is what most Americans have to do, that is what American businesses and families have to do, and it certainly makes sense that we ought to be doing that at the Federal level.

I would urge my colleagues, as we look at the short-term issue, which is the debt limit vote, we have to figure out how we are going to get the best deal we can get in the near term, but what are we going to do in the long term to put our country on a more sustainable fiscal footing? I would argue that putting an imposed discipline on Congress, such as an amendment to the Constitution that would require us year-in and year-out to balance our budget, just makes sense. It is practical, it makes economic sense, and it certainly is discipline that has been lacking here in Washington, DC, for some time.

If you look at the States that have made hard decisions—mine is a good example of that—they had to cut spending this year significantly to balance their budgets, but at least they are doing that. They are making these hard choices and hard decisions, and that is something we have been putting off here for way too long.

I would point out to my colleagues here that as we talk about how to get the country back on the right fiscal track, we do have to start setting priorities.

Well, we are not doing that. We haven't had a budget here now for 806 days. It has been 806 days since the Democratic majority in the Senate has allowed us to have a vote on a budget.

Many of us believe that in order to determine how you are going to spend \$3.7 trillion of America's hard-earned money, you ought to have some priorities. You ought to at least put a pathway out there about how you are going to go about spending those dollars and setting priorities for the country.

Well, we are not doing that because we have not passed a budget in 806

days. That is the fundamental responsibility we have as leaders. The people of this country elected us to do that. We are not doing that. I think that is creating uncertainty. It is creating instability out there around the country.

I met with some business owners this morning who say that in their particular industry, there are people who want to invest, they want to create jobs, and they want to make capital investments. But these are long-term investments, and they don't know what is happening, they don't know what the policies coming out of Washington are going to be with regard to taxes, spending, regulations, all of those sorts of things. There is an enormous amount of uncertainty.

There was a survey done just recently by the U.S. Chamber of Commerce in which they asked small businesses about their future hiring plans, and 64 percent of the small businesses that responded to that survey said they were not going to add to their payroll this year, they were not going to hire this year. Another 12 percent said they were actually going to cut jobs. Why? Half of the people who responded to the survey said: Economic uncertainty. They just flat do not know what Washington is going to do next. And you can't have that kind of uncertainty. What the markets want, what businesses want, what investors want is they want to know what the rules are going to be, and they want some certainty about what is going to happen next.

The kind of uncertainty we are creating reaches beyond our shores because I think that if you look at what is happening in Europe today, they are facing a debt crisis in many of those countries. What are the economic impacts of that? Well, if you look at the interest rates in the Euro zone, the 3-year government interest rates are 19.4 percent for Portugal, 28.9 percent for Greece, and 12.9 percent for Ireland. That is our future if we don't get our fiscal house in order.

What does that mean? That means that not just does the Federal Government have to pay more to borrow money, pay more in higher interest costs, it also means that those interest costs—all interest rates in this country, whether it is for an auto loan or a home loan or a student's college loan, they all track with the Treasury borrowing rates. If those rates go up, that has profound implications for our economy. That means people across this country are going to pay much higher interest rates. Small businesses are going to pay higher interest rates to borrow money.

These are real-world impacts if we do not make the right kinds of decisions here to get this spending and this borrowing under control. So if you want to see our future, look at some of the European countries. Look at what impact

this is having on interest rates and on their economies. That is something our economy could not withstand.

We are already facing 9.2 percent unemployment. We have a need to get people back to work. And what we need now is not more expanded government and more uncertainty about what Washington, DC, is going to do; we need stability, we need certainty, and we need decisions here which have a favorable impact on the private marketplace and create an inducement to hire people as opposed to discouraging it, which is what we are seeing today.

I have argued down here on many occasions that this debt is really strangling our economy because it is crowding out private investment. Anytime the government is out there borrowing money, it means there is less capital out there for private businesses to have access to. I think the more fundamental issue in this whole debate, however—and I mentioned this yesterday in some remarks on the floor—is really the size and scope of government and whether we want to see an expanded, bigger, larger government or whether we ought to try to work our way out of this debt crisis by actually reducing the size of our government.

I pointed out that in the past couple of years alone, we have seen government expand dramatically. In fact, nondefense discretionary spending in the last 2 years has grown by 24 percent. The debt has grown by 35 percent in just the time this President has been in office. The amount we spend on our Federal Government as a percentage of our entire economy has grown dramatically as well. The 40-year historical average is 20.6 percent. That is what we historically, for the past 40 years, have spent on the Federal Government as a percentage of our entire economic output. If you go back to the year 1800—hard to believe—it was 2 percent. That is what we spent on the Federal Government as a percentage of our entire economy. Of course, it has grown since that time, but it has really taken off here in just the last few years.

I pointed out yesterday as well that of the five times the budget has actually been balanced in this country since 1969, in every circumstance it has been when government has spent less as a percentage of our entire economy than the average. So if the average is 20.6 for the past 40 years, the times when we have actually balanced the budget, we have averaged spending 18.7 percent of our GDP.

The point simply is this: If you want to solve this problem, it gets solved on the spending side of the equation. The problem we have in this country is not that we tax too little or have too little revenue, it is that we spend too much because this year we will spend, as a percentage of our entire economy, 24.3 percent. There is almost a quarter of the entire economy of this country now

being spent by the Federal Government, and that will only go up over time as we see these new entitlement programs, the new health care program that was created last year, continue to consume more and more of our resources in this country. That means there is less and less out there for the private economy where the real jobs are created.

If you look at just what we pay in interest costs alone and how we would be influenced by a slight uptick in interest rates—there was a great op-ed written in the Wall Street Journal a couple of weeks back by Larry Lindsey, who is a former economic adviser to President Bush and also a member of the Federal Reserve Board of Governors. He pointed out that if interest rates return to their 20-year average, it would add \$4.9 trillion in additional borrowing costs over the next decade. So everything we are talking about here in this debate about the debt limit in terms of reducing spending really pales in comparison to just a normalization of interest rates.

If we saw interest rates go back to what is a 20-year average, we would see an additional \$4.9 trillion that we would have to spend to finance our debt. That is a staggering statistic. Again, I think it speaks to the need for us to get our spending under control because the amount we borrow, as it continues to ratchet up, and we continue to get further in debt, the likelihood is that our interest rates are going to go up in a corresponding manner, and we will end up spending more and more on higher interest.

I think the real issue is whether we as a nation are going to make a conscious decision that the way we resolve this debt crisis is either on the spending side or on the revenue side. We heard our colleagues on the other side—and we heard the President—say we need more revenue. In fact, I have not been in on the discussions occurring at the White House, but it is my understanding that one of the latest proposals on the table was a \$1.6 trillion increase in taxes. In other words, they want to add \$1.6 trillion in additional tax revenues in order to get some amount of spending reduction.

We have seen this picture before. We can go back to the 1990 budget deal that President Bush made with the Congress at the time which was supposed to have 2-to-1 spending cuts to tax increases. The tax increases occurred; the spending cuts didn't. That is our history. That is why making a deal that involves massive increases in taxes on our economy, on our small businesses, when we have 9.2 percent unemployment is a bad idea when the problem we are trying to fix is fundamentally a spending problem. It would be one thing if we were spending at a historical rate. If we were spending at a rate that is 20 percent of our

total economy, the 40-year average, that would be different. We are spending more than 24 percent. This is fundamentally a spending problem that cannot be solved on the revenue side.

The only thing that increasing taxes would do is make it harder, more expensive, and more difficult for small businesses to create jobs. That is precisely what we want small businesses to think about doing. Instead, 64 percent of them are saying that this next year they are not going to add to the payroll, create jobs. Why? Because of economic uncertainty. We need to create some certainty out there. We need them to know that tax rates will stay at a low level—taxes on investments and income. We need them to know we are committed to cutting spending and getting the Federal debt under control. We need them to know we are not going to add massively to the cost of doing business in this country by dramatically increasing the number of Federal regulations with which they have to comply.

I hear that everywhere I go, whether it is a farmer, rancher, or small business owner—everywhere. In a meeting I had with some small business owners, they said the regulations are making it increasingly costly and more difficult for them to create jobs. So if we get into the final days of this debate and these decisions have to be made, I would say that the President needs to recognize that this is not a revenue issue; this is a spending issue, and he needs to step up and provide leadership and a pathway for how we get our fiscal house in order—not by increasing taxes on the job creators in our economy, our small businesses but, rather, by getting Federal spending under control.

I think we would have an incredibly warm and favorable reception from both the House and the Senate, who are prepared to do business when it comes to reducing spending and making government smaller, not bigger, dealing with this long-term structural problem that we have of a runaway debt that is growing literally by the year at the tune of about \$1 trillion annually.

If we don't do this, as I said before, we are looking at a future that will resemble many countries in Europe. We don't want to be a country that defaults on our debt. We obviously need to address this issue of the debt limit. We need to do it in a responsible way that holds us accountable to the American people who spoke loudly and clearly in the last election indicating that they believe government has gotten too big and is growing too fast. They want the government reined in.

The way we do that is to rein in Federal spending. That involves not just the discretionary spending I mentioned earlier, which has grown at 24 percent in the last 2 years, but the long-term structural challenges that we face in

entitlement programs—Medicare and Social Security.

Republicans in the Congress are willing to lead on those issues and are willing to step forward and put forward a plan. The only plan put forward so far has come from the House Republicans, and it has been criticized by a lot of Democrats in the House and Senate and also by the White House. We have yet to see a plan from the other side. It has been 806 days, and we haven't had a budget presented by the Democratic majority in the Senate, nor has the President come forward with a plan that actually does something to reduce spending and debt.

The President did submit a budget proposal earlier this year which dramatically would have increased spending and doubled the debt over the next decade and dramatically increased taxes. That is the wrong message to have received.

The message the people of this country are sending is that we want Washington to focus on the spending side. We want a smaller Federal Government, not a larger Federal Government. We want the Federal Government to do what we have to do—American families and small businesses—and that is to live within its means.

I hope this debt debate, as it comes to a conclusion, will come to a good outcome and result for the people of this country. We don't want to have this country in a situation where we are not making payments, where we are defaulting on our debt. But we cannot just continue this pattern of raising the borrowing authority of this country, adding to the Federal debt, without doing something to get that debt under control, without doing something to reduce the amount this Federal Government spends every single year. Spending at 24 to 25 percent of our entire economy is a trend that cannot be continued and cannot be sustained. We need to get back to more of a historical average, where the American people want us to be.

The reason the American people reacted the way they did in the last election is they saw this government growing at a rate that made them very uncomfortable and frightened. That continues to this day because there is uncertainty about the country's future and an instability that exists today.

I heard from some business owners this morning. They want stability, some certainty about what the rules are going to be. More importantly, it starts by having a Federal Government that lives within its means and doesn't spend money that it doesn't have and that focuses intently on getting spending and debt under control and creating favorable conditions for economic growth and job creation.

That doesn't happen by raising government revenues, raising taxes; that happens by the Federal Government

exercising fiscal responsibility, reducing spending, reducing debt, and keeping taxes low on our job creators so that we can get people in this country back to work. That is the correct prescription for this country. It is a prescription I hope the President will embrace.

I can say that the Republicans in the Senate—and I daresay the Republicans in the House of Representatives as well—are prepared to meet him in working together on that challenge of reducing spending and debt and creating conditions favorable to economic growth and job creation and getting American people back to work.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I stand here today having spent some time over the last few days thinking about this dispute regarding the debt limit, as we are hearing from our constituents across the country who are looking at Washington and asking: What is going on? What are you guys doing?

It is a difficult process for people to understand. They elect us and send us here to serve our country and to solve problems. Yet they read in the newspapers all these startling statements—the President saying a few days ago he can't guarantee Social Security payments, others saying our bond rating might be at risk. And, of course, the reality of daily life is that, more than ever, Americans are finding it difficult to find a job, and the ones who do are working twice as hard and making less.

So things have gotten tougher over the last couple of years, unfortunately, and people have a right to be upset with the direction we are heading. And that was one of the reasons I felt compelled to run for the Senate—to come up here and be part of trying to make a difference, be part of putting this country on a track that helps us to embrace all the things that make us exceptional and unique and continue to make us exceptional and unique.

When I look at this dispute, I see two things that are very clear. No. 1, we can't continue to do what we are doing now, and anyone who argues we can is not being realistic and is doing a great disservice to the future of our country. It is this simple: You can't have a government that spends \$1.5 trillion more than it takes in every single year. You

can't have a government that borrows 40 cents out of every dollar it spends.

Look what happened yesterday. Greece was downgraded. They are on the verge of being in default. Not Greece—I apologize. It was Ireland. Why is that happening in Europe? Why are these countries in trouble? It is not because they refuse to raise their debt limit; it is because people don't think they can pay back the money anymore. The people who lend the money, the people who sell the debt, they are saying: We don't know how you are going to pay us back. Your economy doesn't produce enough money. You have no plan to bring spending under control. We have lost confidence in you.

That is the message being sent to Europe today, and if we keep doing what we are doing now, that is the message that will be sent here to America very soon. The impact that will have not just on our country but on the world is, quite frankly, devastating. That is what we are facing.

The fundamental problem is twofold: We have a government that spends too much money—more money than it takes in—and we have a government that doesn't take in enough money to pay its debts because its economy is not growing. That is why I have argued from the days on the campaign trail to when I got elected that the way out of this problem is a two-pronged approach. You have to do them both.

You have to cut spending. We have to have spending cuts and spending discipline. It doesn't all have to happen overnight, but we have to stop spending \$1.5 trillion a year of money we do not have. We cannot continue to do that.

That is why I support the cut, cap, and balance plan, because it says we are going to begin to cut spending this year in a real way, we are going to cap the ability of government to continue to grow its spending in future years, and we are going to give the States the right to ratify a balanced budget amendment for our country that basically says: You cannot spend more money than you take in. States balance their budgets, businesses have to balance their budgets, families have to balance their budgets. If this Federal Government doesn't begin to balance its budget sometime in the near future, we may cross a line that is irreversible and puts us in a place similar to what we are seeing in Europe today.

So on the spending side, it has to happen. Again, to people who pretend we can do it overnight, I say: Of course not. It took a long time to get into this predicament, and it will take a while to get out, but we have to start trending in the right direction. It is critically important that some sort of spending discipline plan be put in place.

Look, I know this is a political place. The debate is always framed by poli-

tics. I, like everyone else here, fully participate in the political banter. But today, for a moment, I want to step back from that and just say this. Ultimately, I want to see a solution to the spending plan. I will welcome that solution whether it comes from the White House, from the minority leader, or from the majority leader. I just want someone to step up and offer a plan that begins to bring spending discipline under control. I know I have endorsed one. It is called the cut, cap, and balance plan. If there is a better way to do it, offer it now. What are you waiting for? Now is the time to offer it. If someone in this building has a better way to bring spending under control, now is the time to offer it. Don't negotiate in the shadows. All these negotiations going on we are hearing about in the press—where is the plan? Where is the document that tells us and shows us how we can bring spending under control? Now is the time to show it. Now is the time to do it. What are you waiting for?

That is on the spending side. Spending cuts are important. They are essential. We cannot do it without fiscal spending discipline, but that is not enough. We also have to grow. We have to grow. That is where the crux of this debate has really gotten to. You hear in the press that this fight is because certain people don't want to raise taxes on certain people. That is really not what this issue is about. I think everyone agrees that we need growth, that government needs growth in its revenue so it has a way to pay down this debt. The debate is about from where this revenue comes.

Some argue: Well, the way you get more money for government is to raise taxes on people—raise taxes on very rich people. I have two problems with that, and neither one is ideological.

The first problem is it doesn't work. You can't possibly raise taxes high enough to collect enough money to make a difference on the debt. I looked at some of the tax increases the President and others have proposed. It adds up to less than 10 days of deficit spending. Even if you raise the taxes on what they define as rich to 100 percent next year, it is still not enough money to pay for just 1 year's deficit. So tax increases don't work because they don't work. They do not generate enough money to do anything.

The second reason I can't support tax increases is because it will kill jobs. And while this debt is a huge issue—it is very important—the jobs issue is even more important. The No. 1 issue in Washington is the debt—rightfully so because it is a huge, enormous, generational issue—but unemployment is the No. 1 issue in America. We are talking about people who have worked hard their entire lives, who went to school and did everything that was asked of them, and now they go out

into the job market and they can't find a job. It is especially astonishing among young people—25, 30 years of age—who went to college and got their degrees and now they can't find a job, certainly not in the areas they studied.

We have to get that turned around. Every other problem we face in our country—the housing crisis and all these other problems—becomes easier to deal with if you have more people working, people making money, paying taxes, and spending money in our economy. So unemployment is what we have to get at, and we are not going to create jobs by tax increases. If someone in this building, if someone in Washington has a tax increase that creates jobs, I invite them to offer it. We are all ears. If someone in Washington has a tax increase that helps create jobs, right now is the time to offer it. I would submit we will not find one because there are no tax increases that will create jobs. If you don't create jobs and you don't grow this economy, there is no way out of this debt. You can't cut your way out of it, and you certainly can't tax your way out of it.

Does that mean we don't do anything about taxes, as I hear some commentators in the press saying? Of course not. Our Tax Code is broken. There are a bunch of things in the Tax Code that do not belong there, and I think there is bipartisan support—whether the media tries to ignore it or not—in the Senate, in the House, in Washington for tax reform.

Tax reform we can get done. Tax reform means we are going to look at the Tax Code, and if there are things in the Tax Code that are there because somebody hired a lobbyist and got it put in the Tax Code but it is not really good policy, it shouldn't be in there. And if we find enough of those unfair things in the Tax Code, then we can lower everybody's rates. We can make the rates flat, we can make the Tax Code simpler and easier to comply with, and that is what we should aim for because that is what job creators tell us.

I swear to you, I have never met a job creator who told me they are looking for a State with high taxes and burdensome regulations. I have never met one. There may be one, but I invite anyone here in Washington, DC, to produce for us a job creator—a company or an individual—who says that what they are looking for is to open a business someplace where the taxes are high and difficult to understand and the regulations are expensive to comply with. And that is what we have in America. You want to know why jobs aren't being created. Because that is what we have in America. So if someone knows of a job creator anywhere in the world who is looking for a high, complex tax environment or looking for a high regulatory environment, I would like to meet them because I have yet to meet a job creator who is looking for that, and that is what we have.

I will submit to you that there is bipartisan support for the idea of tax reform, of simplifying our Tax Code and making it easier to comply with, of—if we do it the right way—lowering everybody's tax rates so that people have more money in their pockets to spend into the economy and grow their business or to start a new business because that is how jobs are created.

I know all of us would like to think that Senators and Presidents create jobs but not outside this building they do not. Jobs are created when everyday people from all walks of life decide, you know what, today I am going to open a business and operate from the spare bedroom of my home or out of the garage or when somebody has an existing business and decides: I want to grow this business, so I am going to hire a couple more people because I have a belief this business can do better.

We need to get people excited about doing that again, and we are not going to get them excited about doing that again if our taxes and our regulations are out of control. So let's begin to focus with regard to this debt limit on some of the things that there has to be agreement on, and there are two things: We must control our spending, and we must put a plan in place that shows the world how America will bring its spending under control, and we have to do something to grow our economy.

Ask any job creator in the real world, What are you looking for to grow and create jobs? They will tell you, We are looking for confidence. And we get confidence from knowing that regulations are predictable and easy to comply with, and the Tax Code is predictable, affordable, and easy to comply with.

I submit that if we focused on that and not all the other noise that goes on in the back and forth of this place, we can actually start moving toward a solution.

The last point I would make is the word "compromise" is a very popular word around here, and there is nothing wrong with compromise, so long as the compromise also happens to be a solution. Because if your compromise doesn't solve the problem, you have created a new problem.

There is nothing wrong with compromise. Maybe your ideas of tax reform are different than my ideas of tax reform, but ultimately we have to solve the broken Tax Code. So compromise is not a dirty word, unless the compromise makes it worse, not better. Too often in politics compromise leads to things that make things worse, not better. If you raise taxes in this economy, with 9 percent unemployment, you are going to make things worse, not better.

I hope we will rally in a bipartisan fashion around the concept of tax reform, of creating a Tax Code in Amer-

ica that encourages people to create jobs here once again, because if we can solve the jobs issue, if we can begin to solve the unemployment issue, all these other issues we face as a nation become easier to face.

Mr. President, I thank you for your attention and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

Mr. CARDIN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BUDGET NEGOTIATIONS

Mr. CARDIN. Mr. President, we are getting dangerously close to the August 2 deadline. The August 2 deadline is the deadline for America to increase its debt limit or to face default on our obligations. We need to come together. We need to increase the debt limit, and this is an opportunity for us also to manage our debt.

We have been talking about this for a while, and I understand—and I think my colleagues understand—the responsible thing for us to do is to use this opportunity to increase the debt limit to also craft a game plan to manage our national debt and our spending. We need to have a credible plan. Our debt is not sustainable. We cannot continue along this path. We understand that. We have to have a credible plan to manage our deficit. Well, quite frankly, the Democrats have come up with these plans.

The proposal offered by Senator CONRAD, the chairman of the Budget Committee—and supported by all the Democrats on the Budget Committee, and I am proud to be a member of that committee—brings forward a credible proposal that has all the elements of our budget on the table. It reduces government spending. It deals with protecting the priorities that are important for America's growth. It invests in education. It invests in innovation and in infrastructure so we can create the jobs necessary for America's prosperity. That is what that budget does. It brings about more deficit reduction than the Republican budget, bringing our debt under control.

We understand we need a bipartisan budget. It is not going to be just what the Democrats want. That is what the political process is all about. Midterm elections: The House is controlled by Republicans. The Senate has a Democratic majority. We have to come together.

What many of us have said in this body is let's use the bipartisan Bowles-Simpson proposal as a starting point. That has all the elements on the table, including mandatory spending and including doing a better job on revenues. It is a bipartisan proposal. Democrats have said we are willing to work and come out with what we call the grand deal—the deal that will manage our debt and all elements of the Federal budget will be on the table as we talk about that.

But there is one option that should not be on the table, and that option is to allow August 2 to pass without increasing the debt limit; in other words, to permit America to default on its obligations. That is one option that cannot be on the table. Quite frankly, what concerns me is there seems to be a growing number of Republicans who say that is an option; that is OK; it will be all right for us to pass August 2 without increasing the debt limit.

Let me quote, if I might, from David Brooks, the conservative columnist, who said:

... the Republican Party may no longer be a normal party. Over the past few years, it has been infected by a faction that is more of a psychological protest than a practical, governing alternative. The members of this movement do not accept the logic of compromise, no matter how sweet the terms. If you ask them to raise taxes by an inch in order to cut government by a foot, they will say no. If you ask them to raise taxes by an inch to cut government by a yard, they will still say no.

The members of this movement do not accept the legitimacy of scholars or intellectual authorities. A thousand impartial experts may tell them that a default on the debt would have calamitous effects, far worse than raising revenues a bit. But the members of this movement refuse to believe it.

I know the majority leader in the House of Representatives, Mr. CANTOR, tells us there is no compromise that can pass at the present time in the House of Representatives. I don't accept that. I think Democrats and Republicans working together in the House can pass a grand deal under the parameters that have been talked about at the White House. But what Mr. CANTOR needs to do is work with the Democrats as well as the Republicans in the House of Representatives. We have to come together, Democrats and Republicans.

The one part of the option that should not be on the table is to allow us to pass August 2 without raising the debt limit. Let me talk about the consequences. I have said I believe they are catastrophic consequences, and I do believe that. We know it is likely—almost certain—that the rating houses will downgrade America's currency from the most secure currency in the world. We would be downgraded. We run a real risk as to whether the dollar will continue to be the global currency. Right now, many international transactions are related in dollars. We know

that as it relates to energy. All of a sudden, on August 3, we run the risk that the American dollar will no longer be the global currency, having a major impact on the U.S. economy.

J.P. Morgan tells us we could expect an immediate increase in interest costs of 75 to 100 basis points. What does that mean? Well, for the taxpayers of this country, it means it is going to cost more money for us to pay for our borrowing. That will raise the cost of interest payments which I would suggest is a not very productive use of taxpayer dollars, causing taxpayers to have to pay more for our borrowing. But it goes well beyond the Federal taxpayers. It affects every family in America. The estimates are that the effect of the increase in U.S. obligations on interest rates will have an effect on all borrowing. So if a person is buying a home, they can expect the interest costs will increase by about \$1,000 a year. If a person is a credit card holder, they can expect their interest rates to go up about \$250 a year. That is the effect it is going to have on every American family if we pass August 2 without increasing our debt limit.

If a person has money in the stock market, they can expect there will be a reduction in the value of their wealth. We saw that happen once before when retirement account values slipped dramatically. We are at risk of having that happen again if we pass August 2 without increasing the debt limit.

The impact it will have on our economy, on jobs—we expect it will clearly have a negative impact on our job market. We will lose jobs and we very well may go back into a recession. That is why this is catastrophic if we don't deal with the debt limit in a mature way.

Let me cite the numbers. In the month of August, we expect we are going to have about \$172 billion of revenue coming into our Treasury, but we are going to have \$360 billion of bills coming in—spending we have already incurred that we have to pay for. There are those who say we can pick which bills we want to pay and let the others go. They say we will have some winners and losers. Well, I think we will have all losers, because we can't pick winners and losers.

There are some who say, well, obviously, we will pay interest on the national debt. OK, we will pay that. How about Social Security, and how long can we pay Social Security? If we don't pay Social Security, what happens to those on fixed incomes or, if we reduce the Social Security payments, how does someone who has planned their monthly budget manage with getting, say, 40 percent less of their Social Security in August? How do they handle their obligations?

Then what do we do about Medicare? Do we continue to pay Medicare at 100 percent? Well, I assume we are going to run out of money.

What do we do about our military, our soldiers, who we all say we want to support? Do we continue their salaries or do we reduce their amounts by, say, 40 percent? If we pay all of those, there is no money left over to pay veterans' benefits. What happens to our veterans who are depending on their checks to be able to meet their obligations?

Then what do we tell our students who are preparing to go to school in the fall about their Pell grants, that their Pell grants aren't going to be available and maybe they can't go to school in the fall? They have to make plans right now.

What do we do about small business owners who are depending upon their contracts with the Federal Government in order to make their payroll? Is their money going to be coming in on August 3? We can't pay those bills unless we raise the debt limit. It has nothing to do with increased obligations of this country; we are talking about spending we have already incurred, that has already been obligated, and now the people who are entitled to the money are asking for their checks. What do we do on August 3?

I don't believe we have a choice. I think we must increase the debt limit. I don't think it is an option not to. No responsible legislator would consider that to be an option.

Yes, let's use that opportunity to manage our deficit. I still hold out hope we can get this grand deal. It has to be fair. It has to be balanced. It has to allow America to grow and it has to allow us to create more jobs. It has to invest in education and innovation and infrastructure so America can compete. We know we can get that done if we use a balanced approach: Reduce government spending at all levels, including the military, as we bring our troops home from Afghanistan. Yes, we need to look at the money we spend through our Tax Code. We have talked about this over and over. We need to have a balanced approach, a credible approach, to manage our debt. That should be our first option. But under no circumstances should we allow America to default on its obligations, causing harm to every American family.

I urge my colleagues to put the national interests first and to take off the table the default on our debt. Take that off the table. Let's put the national interests first and work together to bring about a credible plan to manage our national debt.

With that, Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. McCASKILL). Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—H.R. 2055

Mr. DURBIN. Madam President, I ask unanimous consent that at 1:20 p.m., the Senate proceed to the consideration of H.R. 2055, the Military Construction, Veterans Affairs and Related Agencies appropriations bill; further that following the opening remarks of the two managers of the bill, Senator SESSIONS be recognized to raise a 303(c) Budget Act point of order; that Senator JOHNSON be recognized to waive the applicable portion of the Budget Act; that there be 4 hours of debate, equally divided, between Senators JOHNSON and SESSIONS or their designees prior to a vote on cloture on the motion to waive; provided further, that if cloture is invoked, the Senate immediately proceed to a vote on the motion to waive, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### U.S. CREDIT RATING

Mr. DURBIN. Madam President, this morning's Wall Street Journal has a headline which I hope America will pay close attention to: "Raters put U.S. on notice." The United States of America has a credit rating, much as we do as individuals, businesses, and families. The credit rating of the United States is AAA, the very best.

What does it mean? It means two things. First, that those who do business with America think it is the best place to do business—the most reliable economy, the rule of law, transparency. It says good things about America. It translates into the lowest interest rates charged when America borrows money. That is a good thing because we borrow a lot of money.

This AAA rating, of course, is something that is not guaranteed. You have to work for it. Countries around the world now, particularly in Europe, are struggling and failing economically, some in worse shape than others. In the Irish Times yesterday they referred to what they called the "PIGS". I had never seen that term before. It refers to Portugal, Ireland, Greece, and Spain. They said this week Italy was joining the PIGS, the seventh largest economy in the world, roiling in euro debt, being called on to transform and change their economies and their government to deal with their national debt.

It is a tough time in the European Union, and the jury is still out about any one of those countries and how this will end. The United States is not in that situation, thank goodness. Our economy has its problems. We know

that: 9.2 percent of our workforce is unemployed, a situation where many small businesses are still struggling, where families struggle, many of them paycheck to paycheck, to get by. But still, the fact that we have to guard our borders to keep people from coming here is an indication of what America's promise means to the rest of the world.

This notice from the rating agencies that now we are on a watch, a credit watch, as to whether our AAA credit rating in America should be diminished is serious. Secretary of Treasury Tim Geithner meets with us when we go down to the White House to talk about the current negotiation over the debt ceiling. What he told us yesterday was that this rating is the product of two things: First, there is no clear path available to indicate that Congress is able to extend the debt ceiling of the United States on August 2; and, secondly, there is no clear indication that Congress and the President are working together to deal with our national deficit. Because of that, Secretary Geithner said this rating has come out, and that is the reality of what we face.

First, a word about the debt ceiling. What is it? Most people do not know, and it is understandable because it does not get much attention, although it has been around a long time. The debt ceiling was created in 1939. It was created because Congress decided they did not want to vote every time we issued a national bond or some other note. We would rather give our Department of Treasury the authority to issue debt obligations up to a certain dollar level. As the debt of the United States increased and the need to borrow increased, that level increased as well. Between 1993 and today, we have extended the debt ceiling in America 89 times, 55 times under Republican Presidents, 34 times under Democratic Presidents, and virtually without notice. Who is the No. 1 President in the history of the United States to extend the debt ceiling and to increase America's debt? Ronald Reagan, far and away. He did it 18 times, and during the course of his 8 years in office, raised the national debt ceiling by 199 percent.

Then you go to the next President, who raised it 90 percent in debt, President George W. Bush. So it is a bipartisan undertaking. What it means is that when needed, the Congress of the United States authorizes the President to borrow the money necessary to cover what we have spent in appropriations from Congress, in our entitlement and mandatory programs—Social Security, Medicare, and the like—we have to borrow money.

In fact, we borrow 40 cents for every \$1 we spend in Washington for everything—40 cents for every \$1. So we are looking to the people to loan us money on a regular basis. The No. 1 one cred-

itor of the United States, among countries, is China—ironic—our No. 1 creditor, our No. 1 competitor. An interesting relationship.

The debt ceiling comes due August 2. As it has been routinely extended time and time again, this time is different. The House Republican leadership has said: We refuse to vote to extend the debt ceiling of the United States unless we see deficit reduction. What would happen if we did not extend the debt ceiling?

What would happen if you did not make your mortgage payment? I think I would know what would happen to Loretta and me in Springfield, IL. We might hear from our bank, and our bank might say: Mr. DURBIN, you know, the month of July has come and gone and you did not pay your mortgage on your home in Springfield. What is up?

If you said: I am just not going to pay it this month, they would say: That is not what you signed up for. You signed up to meet your obligation. So if you do not pay it, you face foreclosure.

But in the meantime, what have you done, what my family would have done under those circumstances, is to jeopardize our credit rating. The next time my family would want to borrow money for a home, the bank would say: I am not sure you are such a good risk. You have missed your mortgage payment or, if they loaned us money, it would be at a higher interest rate.

That is the reality of what happens if you do not extend the debt ceiling. This situation when it comes to America is grave. It is not just about America paying a higher interest rate to borrow money, it is about the interest rate across our country being affected. Down at the Federal Reserve, Ben Bernanke and the Federal Reserve Board of Governors are doing everything in their power to keep interest rates low because we want businesses to expand, to be profitable, and to hire people.

When interest rate costs go up, businesses find it more expensive to borrow and borrow less. Individual families find it more difficult to buy the car, the home, the appliances they might need. So with interest rates going up as a result of our failure to extend the debt ceiling, we are doing exactly the opposite of what the American economy needs today. That is why it is so serious. In fact, it could be catastrophic. In a few minutes, we are going to hear from Treasury Secretary Tim Geithner, who is going to come before us and talk about the impact of failure to extend the debt ceiling.

What we are doing in the White House today is negotiating with leaders of Congress, Democrats and Republicans, and the President to extend the debt ceiling because many of us believe it would be disastrous. If we would de-

fault on our debt, we call into question the full faith and credit of the United States of America. At the end of the day, we would find ourselves with a self-inflicted wound to the American economy: raising interest rates and making it more difficult to come out of this recession.

We are trying to reach an agreement, and it has been hard going. We have had five face-to-face meetings in the White House so far. Yesterday's was reported in the news as contentious, and it was. The President has said he believes our first obligation is to get the American economy back on track and Americans back to work. We should not do anything in the course of our business that would make that more difficult. I could not agree with him more.

The highest priority in America is putting Americans back to work in good-paying jobs right here at home. The highest priority in America is allowing small businesses to expand, to do more business, and hire more people. That is what we ought to be about. If we fail to extend the debt ceiling, it makes it more difficult to reach those goals.

I listened as Presidential candidates of the other party in Iowa say: It does not matter. Default on the debt. Let's see what happens. That is the most—let me think of a good word here—naive comment on our economy I can imagine. The people who are making it have no business aspiring to the highest office in the land. We need to accept this responsibility and deal with this debt ceiling honestly. We need to extend it so there is no question about the credit rating—the full faith and credit of the United States of America.

Secondly, we need to get serious about this deficit. I know the occupant of the chair has strong personal feelings about this. She has introduced legislation dealing with this deficit and how we can cope with it in the Senate and in the House. I have been part of the President's deficit commission. I have been engaged with colleagues of both political parties on how to take it further. Our goal is, very simply stated, I believe and those who are engaged in these conversations believe we can reduce the debt of the United States by up to \$4 trillion over the next 10 years. We can do it in a sensible, thoughtful way, with shared sacrifice across America.

We need to put everything—and I underline the word "everything"—on the table. Spending programs are the start. We should go to them and root out what we consider to be wasteful, unnecessary, fraudulent, and abusive practices in our spending, whether it is in the Department of Defense or any other agency of government.



When the Department of Defense came before the Bowles-Simpson commission, we asked them how many private contractors work for the Department of Defense.

Their answer: We have no idea.

We said: Give us a range.

They said: The range is somewhere between 1 million and 9 million people working for the Department of Defense—maybe.

That is unacceptable. We can do better. Our brave men and women in uniform deserve better, and so do the American taxpayers.

We must put all spending on the table, reducing spending where we can, where we must, to move toward \$4 trillion in deficit reduction. Then we need to put entitlement programs on the table. This is where many Democrats get nervous because you are talking about things that mean a lot to us—Social Security, Medicare, and Medicaid, for example. I am as committed to those programs as any Member of the Senate. I believe we can protect the basic benefits under those programs and still find ways to make them stronger and longer.

Social Security, untouched, will make every promised payment, with cost-of-living adjustments, for the next 25 years. You can't say that about much in Washington. You can't say that about any program other than Social Security. We can do better by making minor, small changes in Social Security today and putting the savings back into Social Security, and then we can say it will last 75 years, which means everybody going into the workplace, starting their work career in America, will know they can count on Social Security to be there when they need it. That is an attainable goal, and if we face it honestly, we can do it.

When I was elected in 1982 and came to office in 1983, we were facing bankruptcy in Social Security. We came together with a bipartisan approach and passed it. We bought literally 52 years of solvency for Social Security, and not a single Member lost the next election because we did it in a bipartisan fashion, determined to make Social Security stronger. We can do it again.

Medicare—same story. Medicare, of course, provides health care for the elderly and disabled in America. It is extremely expensive because health care costs keep going up. Are there ways to reduce the costs of Medicare so that the people who are deserving of care—seniors and the disabled—will have it available to them?

On January 1 of this year, 9,000 Americans turned the age of 65; on January 2, another 9,000; and then every day since—every day for the next 19 years. The boomers have arrived. They have paid into Medicare and Social Security their entire lives, and they expect America to keep its promise. And we will. But we can look at Medicare

and find ways to make that program more cost-efficient. There are certainly ways that are obvious.

Under the Medicare prescription drug program, we currently don't have a Medicare option. All we have is private health insurance company options. Let Medicare bargain with pharmaceutical companies to buy in bulk and bring down the cost of drugs for seniors, thus reducing their out-of-pocket costs and our costs as taxpayers. The pharmaceutical industry hates that the way the Devil hates holy water. The fact is that when you put Medicare in there, like the Veterans' Administration is in there, it can make a difference.

We need to include spending, entitlements, and revenue. I hope we can do it on a bipartisan basis.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2055, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, namely:*

##### TITLE I

##### DEPARTMENT OF DEFENSE

##### MILITARY CONSTRUCTION, ARMY

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$3,066,891,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$255,241,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

*For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$2,187,622,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$84,362,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

##### MILITARY CONSTRUCTION, AIR FORCE

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,227,058,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$81,913,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

##### MILITARY CONSTRUCTION, DEFENSE-WIDE

##### (INCLUDING TRANSFER OF FUNDS)

*For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$3,380,917,000, to remain available until September 30, 2016: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed \$439,602,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount appropriated, notwithstanding any other provision of law, \$24,118,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.*

##### MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$773,592,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$20,671,000 shall be available for study, planning, design,*

and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR NATIONAL GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$116,246,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$9,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, ARMY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$280,549,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$28,924,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, NAVY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$26,299,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$2,591,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR FORCE RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$33,620,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$2,200,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**NORTH ATLANTIC TREATY ORGANIZATION  
SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and con-

struction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$272,611,000, to remain available until expended.

**FAMILY HOUSING CONSTRUCTION, ARMY**

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$186,897,000, to remain available until September 30, 2016.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
ARMY**

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$494,858,000.

**FAMILY HOUSING CONSTRUCTION, NAVY AND  
MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$100,972,000, to remain available until September 30, 2016.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$367,863,000.

**FAMILY HOUSING CONSTRUCTION, AIR FORCE**

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$84,804,000, to remain available until September 30, 2016.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
AIR FORCE**

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$404,761,000.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
DEFENSE-WIDE**

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$50,723,000.

**DEPARTMENT OF DEFENSE FAMILY HOUSING  
IMPROVEMENT FUND**

For the Department of Defense Family Housing Improvement Fund, \$2,184,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

**HOMEOWNERS ASSISTANCE FUND**

For the Homeowners Assistance Fund established by section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, (42 U.S.C. 3374), as amended by section 1001 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 194), \$1,284,000, to remain available until expended.

**CHEMICAL DEMILITARIZATION CONSTRUCTION,  
DEFENSE-WIDE**

For expenses of construction, not otherwise provided for, necessary for the destruction of

the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$75,312,000, to remain available until September 30, 2016, which shall be only for the Assembled Chemical Weapons Alternatives program.

**DEPARTMENT OF DEFENSE BASE CLOSURE  
ACCOUNT 1990**

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$323,543,000, to remain available until expended.

**DEPARTMENT OF DEFENSE BASE CLOSURE  
ACCOUNT 2005**

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$258,776,000, to remain available until expended: Provided, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or \$2,000,000, whichever is less: Provided further, That the previous proviso shall not apply to projects costing less than \$5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

**ADMINISTRATIVE PROVISIONS**

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except:

- (1) where there is a determination of value by a Federal court;
- (2) purchases negotiated by the Attorney General or the designee of the Attorney General;
- (3) where the estimated value is less than \$25,000; or
- (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to:

- (1) acquire land;
- (2) provide for site preparation; or
- (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such

project were made available, if the funds obligated for such project:

(1) are obligated from funds available for military construction projects; and

(2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883, of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to:

(1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or

(2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 120. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts

established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 122. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 123. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 124. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within

seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 125. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 126. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$58,067,319,000, to remain available until expended: Provided, That not to exceed \$32,187,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses, Veterans Benefits Administration", "Medical support and compliance", and "Information technology systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 51, 53, 55, and 61 of title 38, United States Code, \$11,011,086,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapters 19 and 21, \$100,252,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2012, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$154,698,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$19,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,019,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$343,000, which may be paid to the appropriation for "General operating expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,116,000.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, food services, and salaries and expenses of health care employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, and loan repayments authorized by section 604 of Public Law 111-163; \$41,354,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013: Provided, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veter-

erans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); \$5,746,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$5,441,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$581,000,000, plus reimbursements, shall remain available until September 30, 2013.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemetery expenses as authorized by law; purchase of one passenger motor vehicle for use in cemetery operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$250,934,000, of which not to exceed \$25,100,000 shall remain available until September 30, 2013.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$431,257,000, of which not to exceed \$21,562,000 shall remain available until September 30, 2013: Provided, That \$15,000,000 shall be to increase the Department's acquisition workforce capacity and capabilities and may be transferred by the Secretary to any other account in the Department to carry out

the purposes provided therein: Provided further, That funds provided under this heading may be transferred to "General operating expenses, Veterans Benefits Administration".

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,018,764,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That of the funds made available under this heading, not to exceed \$105,000,000 shall remain available until September 20, 2013: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase (on a one-for-one replacement basis only) up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$3,161,376,000, plus reimbursements: Provided, That \$915,000,000 shall be for pay and associated costs, of which not to exceed \$25,000,000 shall remain available until September 30, 2013: Provided further, That \$1,709,953,000 shall be for operations and maintenance as designated in the President's 2012 budget justification, of which not to exceed \$110,000,000 shall remain available until September 30, 2013: Provided further, That \$536,423,000 shall be for information technology systems development, modernization, and enhancement as designated in the President's 2012 budget justification, and shall remain available until September 30, 2013: Provided further, That none of the funds made available under this heading may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that:

(1) meets the capital planning and investment control review requirements established by the Office of Management and Budget;

(2) complies with the Department of Veterans Affairs enterprise architecture;

(3) conforms with an established enterprise life cycle methodology; and

(4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations

and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects and in the amounts, specified under this heading in the report accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$112,391,000, of which \$6,600,000 shall remain available until September 30, 2013.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$589,604,000, to remain available until expended, of which \$5,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds made available under this heading for fiscal year 2012, for each approved project shall be obligated:

(1) by the awarding of a construction documents contract by September 30, 2012; and

(2) by the awarding of a construction contract by September 30, 2013: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and

engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$550,091,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for:

(1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and

(2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$85,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal governments in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS  
(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2012 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2012, in this Act or any other Act, under the "Medical services", "Medical support and compliance", and "Medical facilities" accounts may be transferred among the accounts: Provided, That any transfers between the "Medical services" and "Medical support and compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers between the "Medical services" and "Medical support and compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical facilities" account may

take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2011.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2012, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General operating expenses, Veterans Benefits Administration" and "Information technology systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2012 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2012 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use

lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not exceed \$42,904,000 for the Office of Resolution Management and \$3,360,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General administration" and "Information technology systems" accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than \$1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 214. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal or-

ganizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the Municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical services", "Medical support and compliance", "Medical facilities", "General operating expenses, Veterans Benefits Administration", "General administration", and "National cemetery administration" accounts for fiscal year 2012, may be transferred to or from the "Information technology systems" account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Amounts made available for the "Information technology systems" account for development, modernization, and enhancement may be transferred between projects or to newly defined projects: Provided, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 222. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with—

(1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or

(2) section 8110(a)(5) of title 38, United States Code.

SEC. 223. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2012, in this Act or any other Act, under



the “Medical facilities” account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: Provided, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2011 for “Medical services”, “Medical support and compliance”, “Medical facilities”, “Construction, minor projects”, and “Information technology systems”, up to \$241,666,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available:

(1) for transfer to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and

(2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 226. Of the amounts available in this title for “Medical services”, “Medical support and compliance”, and “Medical facilities”, a minimum of \$15,000,000, shall be transferred to the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSION OF FUNDS)

SEC. 227. (a) Of the funds appropriated in title X of division B of Public Law 112–10, the following amounts which will become available on October 1, 2011, are hereby rescinded from the following accounts in the amounts specified:

(1) “Department of Veterans Affairs, Medical services”, \$1,400,000,000.

(2) “Department of Veterans Affairs, Medical support and compliance”, \$100,000,000.

(3) “Department of Veterans Affairs, Medical facilities”, \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified, to become available on Octo-

ber 1, 2011, and to remain available until September 30, 2013:

(1) “Department of Veterans Affairs, Medical services”, \$1,400,000,000.

(2) “Department of Veterans Affairs, Medical support and compliance”, \$100,000,000.

(3) “Department of Veterans Affairs, Medical facilities”, \$250,000,000.

SEC. 228. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the committees 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 229. The scope of work for a project included in “Construction, major projects” may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$61,100,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$30,770,000: Provided, That \$2,726,323 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed \$1,000 for official reception and representation expenses, \$45,800,000, to remain available until expended: Provided, That none of the funds available under this heading shall be for construction of a perimeter wall at Arlington National Cemetery. In addition, such sums as may be necessary for parking maintenance, repairs and re-

placement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

Funds appropriated under this Act may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery making additional land available for ground burials.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$67,700,000, of which \$2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Such sums as may be necessary for fiscal year 2012 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 408. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or



(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 409. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

This Act may be cited as the “Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2012”.

Mr. DURBIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. Madam President, I am pleased to present the fiscal year 2012 Military Construction and Veterans Affairs and related agencies appropriations bill to the Senate. The bill was unanimously reported out of the committee on June 30. It is a fiscally disciplined and bipartisan measure, and I hope all Senators will support it.

I thank my ranking member, Senator KIRK, for his contributions in crafting this bill. He has taken a very active role on the subcommittee, and it has been a pleasure to work with him. I also thank Chairman INOUE and Vice Chairman COCHRAN, as well as Leader REID and Minority Leader MCCONNELL for their support and assistance in moving this bill forward.

The MILCON-VA appropriations bill provides crucial investments in infrastructure for our military, including barracks and family housing, mission critical training and operational facilities, schools and hospitals, and childcare and family support centers. It also fulfills the Nation’s promise to our vets by providing the resources needed for their medical care and benefits.

Madam President, the bill before the Senate today totals \$142 billion, of which \$72.5 billion is discretionary funding. We are all mindful of the severe economic problems facing this Nation, and this bill reflects that reality. It is \$1.25 billion below the budget request and \$618 million below the fiscal year 2011 enacted level. I can assure my colleagues there are no congressional earmarks in the bill.

As always, protecting essential benefits and health care for veterans tops my list of priorities. With an aging population of veterans requiring increased services, and a surge of combat veterans from the Iraq and Afghanistan wars entering the system, the demand for VA health care services has increased dramatically in recent years. The number of Iraq and Afghanistan veterans in the VA health care system will exceed half a million in 2012, a 106-percent increase since 2008.

The sluggish economy is exacerbating the pressure on the VA as more and more out of work or underemployed veterans turn to the VA for their health care.

This bill provides \$58.6 billion for VA discretionary funding, \$2.3 billion over current funding. Nearly 90 percent of the funding—\$50.6 billion—is for veterans health care. The bill also includes \$52.5 billion in fiscal year 2013 advance appropriations for veterans medical care.

The bill includes \$2.9 billion, as requested, to meet the health care needs of veterans who have served in Iraq and Afghanistan, a \$594 million increase over the current funding. This funding includes research and treatment programs for mental health issues, including traumatic brain injury and post-traumatic stress disorder.

One of the very few areas in which the bill provides an increase in funding is VA medical research, which is funded at \$581 million, \$72 million over the budget request, to restore funding to the current level. This program funds a broad array of vital research efforts including mental health, spinal cord injury, burn treatment, polytrauma injuries, and sensory loss.

The bill includes \$4.9 billion for health care and support services for homeless veterans. Ending homelessness among veterans is a top priority of VA Secretary Eric Shinseki, and it is a goal fully supported by the committee. As a result of programs the Secretary has instituted, and the robust funding provided in recent MilCon/VA bills to implement them, the average number of homeless veterans on any given night has dropped from 195,000 6 years ago to 75,600 this year. The funding in this bill provides the resources to continue to make headway on this very important initiative.

As a Senator from a rural State, I am pleased to report that the bill also includes \$250 million for programs, such as mobile clinics and telemedicine services, to support rural and Native American veterans. This continues the rural health initiative that I initiated in the fiscal year 2009 MilCon/VA bill, and reflects the importance that both Congress and the VA place on meeting the needs of veterans who live in rural areas and must often travel hundreds of miles for treatment at a VA facility.

The bill also includes \$52 million for collaborative efforts with the Indian

Health Service to ensure that Native American veterans receive the care that they have earned. I am encouraged by this funding and by the fact that the VA created an Office of Tribal Government Relations earlier this year to expand outreach to American Indians, Alaska Natives, and Native Hawaiians. Access to health care among Native Americans is a major problem in South Dakota and other rural States, and I believe that collaboration between the VA and the Indian Health Service is essential to leverage the resources and services of both agencies.

Information technology, or IT, represents another important investment in this bill. The bill provides the full \$3.2 billion as requested in the budget to develop electronic health care records, paperless claims systems, and seamless integration of medical and service records with the Defense Department. Secretary Shinseki and former Defense Secretary Robert Gates worked very closely over the past year to develop a framework for implementing a joint VA-DOD electronic health care record system. Their leadership and determination to overcome bureaucratic hurdles to a find a joint electronic solution to the current maze of paperwork involved in transferring health records from DOD to VA was key to making progress on this long-stalled effort.

The Secretaries have announced that the Departments have agreed to pursue a number of integrated development approaches including the decision to share common data centers and to utilize open source software development. I hope that implementing a joint electronic health record system remains a top priority for Secretary Panetta as he assumes the leadership of the Defense Department.

There are several other notable VA programs funded in this bill, including \$270 million for women’s veterans programs, \$6.9 billion for long term care for veterans, and \$112 million for the VA Inspector General’s Office. Each of these programs meets an emerging requirement for the VA.

As more and more women join the ranks of America’s veterans entitled to VA health care, their unique needs require a reevaluation and reemphasis of services offered in VA clinics and hospitals.

Long-term care for veterans is also emerging as a mounting need for veterans, including both the growing population of aging veterans as well as severely wounded veterans from the wars in Iraq and Afghanistan.

With the growth and complexity of VA services, it is essential to maintain vigilant oversight of VA programs. The committee, therefore, has provided \$112 million for the Office of Inspector General, \$3 million over the budget request, to support robust oversight by the inspector general.

The bill also provides the full budget request for both major and minor construction as well as the full advance appropriation request for medical facilities. However, I have deep concerns about the VA's budget request in all three areas. With this year's budget submission, the Department also transmitted its 10-year Strategic Capital Investment Plan. The plan identifies a requirement of between \$53 billion and \$65 billion over the next decade to address critical infrastructure needs. Yet, the combined request for both major and minor construction is \$400.8 million below the fiscal year 2011 enacted level. Additionally, the advance request for medical facilities includes \$600.2 million for nonrecurring maintenance at existing clinics and hospitals, a \$510 million decrease from what is being spent this year.

While I understand that the budget crisis facing the country requires sacrifice and belt tightening from all sectors, funding decreases of this magnitude given the requirements and the age of VA facilities is alarming. I urge the Department to develop and submit a comprehensive plan with next year's budget submission identifying specific ways in which to adequately finance VA's infrastructure needs.

In addition to the above mentioned items, the budget submission included a request to establish a \$953 million contingency fund to be available for medical care if a larger than expected number of veterans turns to the VA for health care as a result of the lagging economy. The contingency fund was to be composed of carryover funds already available to the VA as a result of the Federal pay freeze plus \$240 million in fiscal year 12 funding.

Instead of creating a loosely defined contingency fund based on an untested projection of the VA's standard modeling formula, the committee has directed the Department to use \$664 million in carryover funds made available by the Federal pay freeze, as well as additional carryover funds projected to reach \$500 million by the end of fiscal year 12, to address this contingency, should it arise.

With little room to maneuver on the VA side of the ledger, the vast majority of the savings in the bill comes from incrementing or deferring funding for certain military construction projects. The bill provides \$13.7 billion for military construction, \$1 billion below the request. The MilCon reductions in the bill are restricted to the active duty components. The Guard and Reserve components, Family Housing, BRAC and other accounts are fully funded at the President's request.

The MilCon portion of this bill mirrors the Senate Defense authorization bill, which was unanimously reported out of the Senate Armed Services Committee on June 16. Every military construction project funded in this bill is

authorized in the authorization bill. In fact, if you do the math, 52 Senators in this Chamber have already voted in favor of the MilCon portion of this bill.

Because of the constrained budget environment, the bill does not provide any increase in funding for military construction projects. Several Senators urged the committee to provide additional funding for such things as Army Guard readiness centers or various unfunded requirements of the services. In normal times, the committee would wholeheartedly support these efforts, but given the austere budget circumstances, there was simply no money to fund these initiatives.

In addition to MilCon and VA, the bill includes \$221 million for several related agencies, including \$77 million for the American Battle Monuments Commission as requested; \$45.8 million for Arlington National Cemetery as requested, and \$67.7 million for the Armed Forces Retirement Home as requested. The bill also provides \$30.8 million for the U.S. Court of Appeals for Veterans Claims, which is \$25 million below the request. The reduction reflects the committee's decision to defer funding for a proposed courthouse for the Court until uncertainties surrounding the cost and location of the project can be resolved.

Madam President, I again thank my ranking member for his support in crafting this bill. I also thank the staff of the subcommittee—Christina Evans, Chad Schulken and Andy Vanlandingham of my staff; Dennis Balkham and D'Ann Letteri of the minority staff, and former minority staffer Ben Hammond—for their months of hard work and cooperative effort to produce this bill.

Again, this is a well-balanced and bipartisan bill. It provides resources vital to the well being of our troops and their families, and to the millions of veterans who have served and sacrificed for their Nation. I urge my colleagues to support this bill, and I yield the Floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Madam President, I first came to Capitol Hill in 1984 during Ronald Reagan's first term. I believe it was Chairman Hatfield running the committee on the Senate side and Jamie Whitten on the House side. I care very much about the appropriations process and the Appropriations Committee because I think we spend less with a higher degree of transparency when we consider appropriations bills in regular order, as this one now is.

This bill funds our veterans programs and our military construction needs mainly for the Active-Duty and Reserve Americans who wear the uniform—or wore the uniform—upon which all of our freedoms and the independence of our country depends.

Today, there are over 20 million veterans, and this bill cares for them in a bipartisan way. We owe these veterans just about everything—for our independence and freedom—and this bill cares for them.

Now, why, in this difficult and partisan time, is this bill coming up in this way? Why is it that we have every Republican on the subcommittee and the full committee in favor of this legislation? It is because the chairman made the decision, that I strongly supported, to mark to the House level. When we marked to the House level, we opened the door for full bipartisan support for this needed bill.

We present to the Senate this bill for full consideration, taking into account all of the requests of Members in their budget submission. But let me emphasize that not only are we slightly below the House spending level in discretionary budget authority, there are no earmarks in this bill, reflecting the new wave of reform that has come to the Appropriations Committee—both the House and the Senate.

We have made a tough set of spending decisions in this bill. We have come in \$1.2 billion below President Obama's spending request. We came in \$620 million below last year's level. I was a bit surprised we were able to do this—and that we did—but we are even \$2.6 billion below the House Republican-approved level in the bill put together by Chairman CULBERSON.

This bill spends in discretionary budget authority less than the House of Representatives, and I will just point out that when the House took up this legislation, over 400 Members of the House of Representatives—Republicans and Democrats—supported this legislation, and only five Members of the House voted against this legislation. That is why this legislation enjoys such tremendous bipartisan support on our side.

This bill would not be possible without the outstanding work of Chairman JOHNSON and his staff, his military experience and, most importantly, his son's military experience. On behalf of the veterans of his State, he has done a very good job, with my full support. We take care of our veterans and their benefits, their health care, and the construction of medical facilities in this legislation.

Madam President, many veterans live in urban areas, but also a great many live in rural and even highly rural areas. This bill pays attention to their needs thanks to the chairman, and also I want to highlight the work of the Senator from Alaska, LISA MURKOWSKI, in the decisions we made in this bill to make sure veterans who live in the State of Alaska will not, in many cases now, need to leave the State for their veterans care.

We have also worked diligently with our veterans service organizations, and

I would highlight this bill has now been endorsed by the Veterans of Foreign Wars, by AMVETS, by the Paralyzed Veterans of America, the Disabled American Veterans, and the Iraq and Afghanistan Veterans of America. I take the last endorsement very seriously, having, as a reservist, served in Afghanistan myself.

Chairman JOHNSON highlighted the funding levels in this bill, which I think are quite important, but I would also like to highlight several policy issues in this bill. No. 1, originally, the administration—our commander in South Korea—put forward an idea to bring almost 50,000 American dependents to South Korea to build homes and hospitals and schools. But the cost could be upwards of over \$20 billion to transfer that many Americans to the Korean peninsula.

Given this time of deficits and debt, and given this enormous bill, I think DOD is rethinking this proposal, as they wisely should. I think this bill lays out a set of concerns over where we go with such a spending decision.

With regard to Guantanamo—very important to me—originally there was a proposal to transfer the al-Qaida core of terrorists to my State, to Thompson, IL. This bill wisely concludes the overwhelming bipartisan provision prohibiting the construction or renovation of any facility in the United States or its territories for individuals detained at Guantanamo Bay.

With regard to Guam, while the Navy is attempting to move more than 17,000 marines and their families from Okinawa to Guam, the plan that Chairman JOHNSON and I have seen has serious problems. Therefore, there are no projects in this bill associated with this very complicated move.

We did fund the Air Force request for projects related to the Strike capability for the bed down of Strike and intelligence capabilities, but the rest we are looking for further information.

Also, with regard to our military infrastructure in Germany, we believe there is a better need for accounting of funds that we provide for facilities, and, as a result, we cut about \$37 million from the requested projects.

With regard to charter schools and improving education for our military families, we think the children of servicemembers have a unique situation and fewer choices when choosing schools. So we have asked the Department of Defense to conduct a study and tell this committee where charter schools could make a positive difference.

I will highlight here my work with my fellow Senator, Mr. DURBIN, on potential charter school operations serving the men and women and the families of the Great Lakes community in northern Illinois.

I raise the one particular issue important to me, which is that over time

we are planning on spending upwards of \$20 billion, as we should, on the new facilities for Guam. But I think if we are going to make that kind of investment in Guam, we need to make sure those facilities are there when the United States needs them most in a military capacity, which is during combat. That is why it is so essential to provide also for the missile defense of Guam, and, I would say, for the missile defense of Guam on platforms that cannot be sunk. That is why we are calling on the Department of Defense not to ignore plans to provide for the missile defense of Guam, and, I would say to emphasize, a land-based solution that is more survivable.

We also highlighted more scrutiny on the budget request, especially with regard to funding for general officers quarters. I will say that in my review, along with the chairman, we saw a disciplined budget request largely by the Air Force and the Navy to house our Air Force generals and admirals; but I have been disappointed with the Army, which originally came forward with a request for \$1.4 million to upgrade a general's garden in Germany. Luckily, the Army has pulled back that request, and we are looking for further scrutiny to make sure that general officer quarters budget requests are in line with the practice of the sister services of the Air Force and the Navy.

This bill also handles issues with regard to the VA, especially on information technology. This bill fully funds the account and encourages the Department to pursue open-source, off-the-shelf technology for electronic health records, and I think that is critical to maintaining cost containment as we go forward.

I will also say we have been urging the Department of Defense and Veterans Affairs to come up with one common electronic medical record. The vision here is that when an American joins the U.S. military, that record then follows that servicemember through, at minimum, for example, a 3-year enlistment, and then a 60-year to 90-year time as a veteran. It should be a common record. I hope the two Secretaries, Panetta and Shinseki, move to finally make sure that becomes a reality.

With regard to the contingency fund in this bill, the Department of Veterans Affairs requested a contingency fund in the event they needed additional funds. We do not support establishing this fund but did allow the Department to keep \$664 million it received last year in advance appropriations for the now-prohibited pay raises. This should be adequate to ensure our veterans are not only cared for but will give the VA some flexibility during the period of conflict in Iraq and Afghanistan.

This bill also emphasizes caregivers who give care to our wounded veterans,

veterans who live in rural areas, and veterans who are sent to facilities a long distance from their home, as I mentioned, in the State of Alaska. We also highlighted the issue of claims processing so our veterans could finally receive the compensation they deserve in a reasonable amount of time.

I want to echo the chairman's thanks to the staff, especially led by Tina Evans on the Democratic side and Dennis Balkham on the Republican side.

In short, this is a very good bill. It represents the Senate moving forward under regular order. It represents greater transparency to the appropriations process.

I would highlight, we have cut or reduced funding in 24 separate major areas, and these were hard choices to make. We did them in line with the decisions made by the authorizing committee under Chairmen LEVIN and MCCAIN's leadership. We also completely denied funding for a proposed brandnew building to house the Court of Veterans Appeals. In this time of deficit and debt, I think we should hold off.

In sum, this bill represents cooperation between Republicans and Democrats. This bill represents budget control and cooperation between House and Senate. This bill represents cooperation and coordination between the authorizing Armed Services Committee and the Appropriations Committee, and this bill, underlined with the endorsement of major veterans service organizations, represents a commitment to our veterans.

I think we should move forward. I know later we will consider a point of order with regard to not taking up a bill prior to the adoption of a formal budget. I would hope that common sense would prevail here; that because this is one of those rare measures where we are marking up to the House level that only five Members of the House voted against at that level, that all of the Republicans and all of the Democrats on the subcommittee voted for this legislation, and yesterday 89 Members voted in overwhelming bipartisan fashion for cloture to bring this bill up so we can get the Senate moving again, that we can get the appropriations process moving again, that we can stand by our men and women in uniform who need these facilities, and our veterans, and that, yes, we can control spending in full agreement with the House of Representatives but still move the Senate forward.

Madam President, with that, I yield back my time.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank my colleagues for their excellent presentation. They are excellent Senators. And, from all that appears, they produced a piece of legislation that will be positive for our country. But

the pending measure, H.R. 2055, An Act Making Appropriations for Military Construction, the Department of Veterans Affairs and related Agencies, offered by the Senators, would appropriate Federal funds for the year 2012. However, the Senate has not yet adopted a concurrent budget resolution for 2012, and there is no 302(a) allocation in place for that fiscal year.

Section 303(c) of the Congressional Budget Act prohibits consideration of any appropriation bill until a concurrent resolution on the budget has been agreed to and an allocation has been made to the Committee on Appropriations for fiscal year 2012, or any subsequent year.

Therefore, I raise a point of order against this measure pursuant to section 303 of the Congressional Budget Act.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the point of order under section 303 of that act for H.R. 2055, and any amendments thereto and motions thereon.

Mr. SESSIONS. Madam President, I object and would debate the issue.

I make this motion for a very important reason, not directly related to the quality of the work of Senator JOHNSON and Senator KIRK in producing this bill, but a very important question concerning the budget of the United States.

We have in the United States Code a budget act. The budget act says you shouldn't be bringing forth appropriating bills until you have a budget. That is pretty simple, that is pretty commonsensical, and it is the correct way to do business. We haven't had a budget for 806 days now. The reason we are spending this country into bankruptcy is we have had no budget. This year, the majority has not even sought to bring one to committee, and certainly not brought one on the floor.

The Democratic leadership said it would be foolish to pass a budget. Well, I don't think it is foolish to pass a budget. I think our lack of budget is the reason we have gotten out of control in what we are doing. So that is the reason why I made the objection.

Madam President, I ask unanimous consent that I be able to enter into a colloquy with my Republican colleagues.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I would say this is a very important matter, and I don't like to have to take this action, but I believe it is the right action.

I see on the floor Senator CORKER from Tennessee. He was mayor of the city of Chattanooga and as mayor he produced budgets and actually did one

of the greatest jobs of any mayor of the United States, the truth be known, in making that city the fabulous place it is today. He is a businessman also.

I ask Senator CORKER, what are his thoughts at this point in time about the state of the financial management of the taxpayers' money being handled by the Senate?

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Thank you, Madam President.

I thank the Senator from Alabama for his comments and leadership on the Budget Committee.

To the two gentlemen, the Senator from Illinois and the Senator from South Dakota, I thank them for their work in appropriations. This discussion on the floor has absolutely nothing to do with work they have done. I understand actually the top line they are using is within the budget that was passed through the House.

The reason I am here today, though, is for this reason: There aren't many Senators on either side of the aisle who believe the Senate is functioning in an appropriate manner. I can't go to the dining room or any other place, walk down the hall, get on the subway, without some Senator saying, Can you believe how this place is operating? Our allowing spending bills to come to the floor and to be voted upon without having budgets basically makes us an accomplice in allowing this place to continue to be dysfunctional.

We are having a showdown over the debt ceiling because there isn't any other place to have a showdown. I realize many people have decided that is not the appropriate place, and there has been a scheme concocted to sort of allow both sides to have it as they may and try to fight this out in the electoral process down the road instead of dealing with some of the tough issues we ought to deal with now.

But it seems to me that what we do by going on about our business in this way is we act as accomplices to the dysfunctionality of the Senate. It is my belief this Senate, by virtue of the way we are acting, is making this great Nation weaker. That is what we are doing. This Chamber we are standing in right now is causing this great Nation to decline because we are unwilling to come down here. I would say, candidly, leadership on both sides of the aisle doesn't want us to come down and make tough decisions. Either side wants it 100 percent their way. But we realize that to move things ahead, you have got to skirmish, you have got to fight, you have got to debate. Sometimes you have to do some things you don't want to do to move the country ahead. But we are avoiding that, and what we are doing today is moving possibly to an appropriations bill, a spending bill, without a budget.

I can't imagine in a country spending \$3.7 trillion, 40 percent of it that we

don't have, that we are going to move to spending bills without resolving these particular issues. So I am extremely disappointed.

I know I have been saying some pretty strong things on the floor, but it is because I am concerned about this country. I know everybody here is concerned about this country. It is not as if those of us who have been talking about this issue are the only ones. That is not the image or perception I am trying to project. I think sometimes we go to sleep at the switch. We go about our business almost as zombies down here, continuing to allow this dysfunctionality to occur.

I am all in support of the movement put in place here to basically not allow this to go forward because we don't have a budget. That is the appropriate place for us to be.

I hope the Senate, in spite of the fact this appropriations bill funds some things that candidly we all support—we want to see veterans get benefits. But those veterans, many of them, lost limbs doing tough things for our country, and they are watching potentially us not having the courage to do tough things on the floor that might flesh this out, that might cause us to actually take a tough position on the floor. But, oh, that might affect electoral politics down the road, so instead of doing that, we will go 806 days without a budget.

Look, I am disappointed. I am disappointed in all of us on both sides of the aisle. I do not think we should be going to a spending bill until we do the tough business that we were sent here to do as Senators.

With that, I yield to my friend from Alabama.

Mr. SESSIONS. Before recognizing other Senators, I briefly ask Senator CORKER, having been a businessman and a mayor and having observed the political scene in the country, is the Senator aware of any government entity—city, county or State—that systematically, almost structural, is borrowing 40 cents out of every \$1 they spend? Can he remember any time in Tennessee, in any city or State, that ever ran such a deficit?

Mr. CORKER. No, I cannot. The fact is, that is why recent polls show Americans have about a 20-percent approval rating of Congress. What I would say, based on what I know, based on what we are getting ready to do on the floor today, 20 percent is way too high. The fact is we do everything we can to avoid tough decisions in public, tough decisions in public where we have to take a stand.

That is what we were elected to do. That is what the veterans who receive benefits, if this bill passes, did. That is what we are not doing. My guess is they will be willing to wait until this bill passes—it doesn't fund things until next year—and allow us to make the

tough decisions we need to make as we flesh out a budget, as we work out among ourselves to finally come to a place we agree upon in funding this government.

I certainly appreciate the leadership of the Senator. I know others want to speak at this moment and I yield the floor.

Mr. SESSIONS. I thank Senator CORKER. I just would say the spasm that is occurring in the Senate, the frustration that is boiling up, is not for light or transient reasons. It is a big deal when the U.S. Government has been for months and will continue to be borrowing about 40 percent of every \$1 we spend, running up the largest deficits the Nation has ever seen. The law says, the United States Code says you should have a budget.

When you set a budget, you take all the bills that are out there and tell them how much money they have to spend so the total amount of money at the end does not exceed a dangerous level for the country. That is what a budget does.

We are going to seek and repeatedly call to the attention of this Senate that we have the cart before the horse. We are spending money without a budget and we are going to have to have a budget or else we are not in control of our spending. Once you have a budget, it takes 60 votes to violate the budget. You can stick to it if you make up your mind to do so. We do not have to violate it and burst the budget. That is what we are talking about today. It is a matter of great seriousness. I am pleased my colleague, Senator RAND PAUL from Kentucky, who was elected last fall to this body, is here. I know he talked about the State of the American economy and our debt during that campaign.

I ask the Senator, what are his thoughts as we approach this moment?

Mr. PAUL. I wish to join in the sort of the outrage that we would consider spending money without having a plan. Who spends money with no plan as to how much you are going to spend or a plan as to what the repercussions are for spending money you do not have? We are spending \$100,000 a second. By the time I finish this sentence, we will have spent  $\frac{1}{2}$  million.

Of that \$100,000 a second, we are borrowing \$40,000 a second. The President is asking us now—you all heard about it, the debate is on—the President is asking us to add \$2 trillion of spending and borrowing, of borrowing and spending—\$2 trillion. How long will it last? We do not know because there is not a budget, but there is going to be an estimated \$2 trillion that will be spent in the next year that we do not have.

What does that mean to a country? There are estimates that our deficit now, which approaches the size of our economy, is costing us 1 million jobs a year. What does that mean? That also

means less revenue, which means worse deficits. It is all compounding upon itself.

We have a rule and a law within the Senate—is it called the budget resolution from 1974?

Mr. SESSIONS. The Budget Act.

Mr. PAUL. In this, it had some rules. Right now we are discussing: Do we need new rules to do something about the deficit? This was a rule they thought about back in 1974. It was supposed to make things better. But it shows the rules only work if we obey them. We will be in defiance of this rule. That is the question I have for Senator SESSIONS: Will we be in defiance of our own rules if we go forward with an appropriation without a budget?

Mr. SESSIONS. It absolutely will. It sets forth precisely the language. It requires this. It is pretty clear. I don't think there is any doubt about it: Until the concurrent resolution on the budget for fiscal year has been agreed to and an allocation has been made to the Committee on Appropriations of the Senate under section 302(a) for that year, it shall not be in order for the Senate to consider any appropriations bill.

That is pretty clear. I am pleased to see the Senator is a doctor, not a lawyer, but I believe almost anybody could understand that point.

Mr. PAUL. What was the intention, though? What was the intention that rule would do? By having a budget was it supposed to limit, then, what each appropriations bill for each subject would be allowed to spend?

Mr. SESSIONS. That is correct. I am sure in 1974 they were concerned about the process in the Senate. They decided to try to bring order to it. They decided to require the budget be passed which sends a message over to the Appropriations Committee. This is a subcommittee of the Appropriations Committee producing their MILCON proposal.

They then give them numbers which they are supposed to stay within. If they do not, it requires a 60-vote total to proceed above the budget number. It is a way to bring integrity to the system.

Mr. PAUL. So by invoking this rule from the 1974 Budget Act, the Senator's intention has nothing to do with the bill presented before us, it has to do with whether we should be responsible as a government, have a budgetary plan, know how much money comes in, know how much money is being spent, and do the responsible things the American people expect of us.

I am concerned what happens if we keep on this path. If we keep spending money at the rate we are spending it, within about a decade entitlements and interest consume the whole budget, that is, if interest rates do not go up. As you noticed the other day when

Larry Lindsey wrote about it in the Wall Street Journal, he said if interest rates go up to where they have historically been, we will add another \$5 trillion. My fear is the economy will not withstand it, our country will not withstand it, and we need to have somebody to say enough is enough.

The country needs to have a plan. We need to budget how much money comes in and how much we can spend. I think this is a good first step.

Mr. SESSIONS. I thank the Senator. I cannot think of a more important time in history for us to return to the tried and true budgetary process than at a time in which we are spending to a degree that is irresponsible, above anything we have ever done before. It is threatening the American economy. It is not a light, little problem. It is a serious problem. We are going now 805, 806 days without a budget. That is part of the problem.

We are going to continue to work to insist that we proceed in the regular order under a budget. The House has passed a budget. The Republican House passed one by April 15, as the law requires. We have not even had a markup in the Budget Committee because the Democratic leadership has decided it is not fun to vote on a budget. You have to show your cards. You have to show where you are going to raise taxes, where you are going to cut spending, and how much the deficit is going to be after it is all over.

President Obama's budget received such a poor reception because it was so unbalanced and irresponsible that, I guess, maybe they decided it would be foolish, as the leader said, for the Senate to even produce one. That is not a good reason.

I know it might be appropriate that we yield at this point to our colleagues and let them share any remarks they have.

Mr. PAUL. I have a question before we finish. The question I have is: We have not had a budget in 2 years. When is the last time we had appropriations bills and are we working in the committees? See, the people expect us to come up here and do our jobs and I think our job is in committee. We deliberate over a budget in your Budget Committee. Over appropriations, are we deliberating over appropriations or have we had any committee hearings over the debt ceiling or how we could cut spending in order to spend so much money we do not have? Are we in the process of doing what we are supposed to be doing in committee?

Mr. SESSIONS. I don't believe we are, but I have to give this subcommittee credit. I am told that the appropriations bill now before the Senate is the first stand-alone appropriations bill brought to the floor of the Senate since 2008.

When I came here, we would try to pass all our appropriations bills, at

least a number of them, before the August recess and all by September 30. When we did not, we were embarrassed. In the last several years, everything has been cobbled into one big continuing resolution and moved in a block.

I guess I say to my colleagues as I yield the floor, thank you for proceeding at a pace to get a bill forward. It is not your fault that we have not had a budget at this point in time.

I yield the floor and reserve the remainder of the time.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I believe Senator KIRK would like to speak in favor of the motion to waive and I yield him as much time as he may consume.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I thank our ranking Republican member on the Budget Committee because in normal circumstances I would be strongly supporting him and agree with him. The irony is, this legislation conforms to a budget, it conforms to the PAUL RYAN House budget and fits under the 302(b) allocation; that is, the amount of money the House granted to the House Appropriations Subcommittee that wrote this bill. When this bill passed our very conservative House of Representatives, only five Members of the House voted against it. All the leading Members of the House voted for it.

We talk about needing to make tough decisions. I appreciate the Members and their praise for the underlying legislation because we made some tough decisions. We looked at the President's request and we made a number of cuts.

In Alaska, at Fort Wainwright, we cut \$57 million from their aviation complex; in Germany, at Gemersheim Central Distribution Facility we cut \$21 million; also, at that same facility, their infrastructure we cut by \$16 million; at Fort Bliss, for the maintenance facility, we terminated funding for that, also for their infrastructure proposal; at Fort Belvoir, road and infrastructure projects, we terminated that project. In Honduras, at Soto Cano, we made a \$5 million reduction; in California, the Coronado Fitness Center for North Island, we made a \$14 million reduction; in California, at Bridgeport, for a multipurpose building, an addition, we made a \$3 million reduction; in the Persian Gulf, in Bahrain, for the bachelors' enlisted quarters, we terminated funding for that for this fiscal year; also, in Bahrain, a waterfront development, also terminated that; in the Marianas, at the North Ramp utilities, we also terminated that. That was a \$78 million reduction. In Marianas, at the north ramp facility, we also terminated with a \$78 million reduction; also in the Finnegan Water Utilities, ended

funding for that project. In Guam, at the Guam Strike Fuel Systems Maintenance Handler, we cut funding in half, saving \$64 million. In Nebraska, at Offutt, we made a \$30 million reduction for their replacement facility No. 1. In Al Udeid in Qatar, we terminated funding for the Blatchford-Preston Complex. In Utah, at Hill Air Force Base, we terminated funding for the F-35 ADAL Hangar. In Colorado, at Buckley, we made a \$70 million reduction in their Mountainview Operations Facility. In Maryland, at their joint base Andrews, their ambulatory care center suffered a 150-percent reduction. In Maryland, at Fort Meade, the high-performance computing factory, we terminated funding for that facility. In Texas, joint base San Antonio, the ambulatory care center, we cut funding in half, saving \$80 million. In Texas, at Fort Bliss, at the hospital replacement facility, we reduced funding by \$27 million. In Utah, Camp Williams, the data center, we cut that funding in half, saving \$123 million.

In total, we made the reductions in 24 separate programs including canceling the building I talked about, a whole new court for the Court of Veterans Appeals. That is why this legislation came in \$2.6 billion even below the House, why it is \$1.2 billion in budget authority below the President and \$620 million below last year's budget authority, reminding Members there are no earmarks in this legislation.

Eighty-nine Members voted for cloture on this legislation yesterday, which is why we brought it up. My hope is those 89 Members vote for cloture again on this underlying motion. I think most of our Members on my side, the Republican side, are going to vote for this budget point of order once we get to that, and I completely understand. I will probably be supporting him on other bills. The only common-sense point I will make here is that because we are at the House budget level and because the House has adopted them, this conforms to the PAUL RYAN budget, I think we should move forward, especially as our ranking member wisely said, this is the first appropriations bill coming up separately since 2008, and I will say you make specific reductions to real spending when you actually bring up a bill, as Chairman JOHNSON has decided to do with my backing.

I yield to Chairman JOHNSON and thank him for the time.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I see Senator LEE from Utah. Senator LEE is a new Senator. He campaigned throughout his State and talked about the kind of

issues we are dealing with today. I would yield to him at this time.

Mr. LEE. We have now been operating for more than 800 days without a budget having been passed. We are operating at the direction of the party in control of this body on autopilot. It is easy to operate on autopilot. In many ways it is far easier than operating not on autopilot, especially when we are spending more than \$1.5 trillion a year more than we are bringing in, more than \$1.5 trillion every year more than we have, continuing to bury our children under a mountain of debt. When you are on autopilot, you don't have the same constraints, the same hard choices, the same prioritization demands that need to be made that Americans make every single day as they manage their homes, their lives, their families, their businesses—and State and local governments. This is unfortunate. It is unnecessary, and it is shameful. It should not continue to operate this way. An enterprise as large as the Federal Government, which brings in \$2.2 trillion every single year, having access to more money than perhaps any other institution on Earth, ought to be able to operate with a budget. It ought to be able to pass a budget. It ought not be operating on autopilot so as to insulate itself from critiques justifiable and unjustifiable alike, from those who would say: Why are you doing it this way? Why are you doing it that way? To have a debate, a discussion, that is necessary. It necessarily surrounds the budgeting process in any legislative body, in any republic around the world.

In the process of operating on autopilot, we are severely exacerbating our deficit problem with our national debt now totaling nearly \$15 trillion. What then is the solution? I believe the solution to our current problem, especially as we approach the debt limit, involves the cut, cap, and balance approach, including passage by both Houses of Congress of the Cut, Cap, and Balance Act, one that would require, in addition to our making immediate short-term cuts and adopting statutory spending caps designed to put us on a firm, smooth glidepath toward a balanced budget, that we also pass a balanced budget amendment to the Constitution. All of these would be passed as conditions precedent to our raising the debt limit, which many of us are willing to do, if necessary, to get those measures passed. We are not willing to raise it without those measures first being passed because we cannot continue to perpetuate this problem, one which we operate on autopilot while burning \$1.5 trillion a year that we do not have.

This is crowding out other priorities. It is crowding out other investment in our economy. It is killing jobs. It is jobs we need to be focused on because that is what the American people are focused on. They are worried about



their ability and the ability of their friends and family members, many of whom are unemployed, to be able to provide for their children, to pay their rent, to buy their groceries. These are things every American ought to be able to have access to and would have access to if only they had access to jobs. But at a time when we are spending at such a rate as we are, when we borrowed to such a degree that we have that our debt-to-GDP ratio is at about 95 percent, we are killing as many as 1 million jobs every year in America as long as we remain in that danger zone. This simply cannot continue.

Another thing we face right now that is something I find completely unacceptable is the fact that amidst all of this debate and discussion we have had in recent weeks about the debt limit, amidst the offer on the part of what are now most of the Republicans in the Senate to raise the debt limit under the circumstances I have outlined, the President of the United States responded to those offers by threatening—promising, perhaps—to cut Social Security to current retirees if the debt limit is not immediately raised and raised only consistent with the conditions that he is demanding right now. I fail to understand why the President of the United States would prefer to make so hasty, so cruel, and so reckless a threat as withholding Social Security checks for current retirees before looking at any other Federal program.

Look, we borrow at a rate of about \$125 billion a month. That is a lot of money. A lot of people don't make that much money in a whole year. As we are borrowing at that rate, we have to take into account the fact that Social Security benefits cost the U.S. Treasury about \$50 billion a month. It is \$50 billion out of \$125 billion each month that we borrow, assuming that is the portion we borrow. Meanwhile, we are bringing in \$200 billion a month in tax revenue. So there is more than enough tax revenue there to cover not only Social Security benefits but also interest on debt and a number of other things as well. That begs the question: Why are Social Security beneficiaries the first to be threatened? Why is it their checks that the President is threatening to withhold first? There is no explanation to this that he has offered, and I hereby demand one.

I think our current retirees deserve more than to be used as pawns in a high-stakes political game, one that uses fear and uncertainty and doubt rather than reason and discussion and debate and willingness to compromise. The need for this has never been greater. The consequences for disregarding the need for debate and discussion have never been higher. I urge my colleagues and I urge all Americans to work together to find a solution to this, a solution that need not involve and should

not involve threatening America's most vulnerable, including retirees, who rely each month on Social Security, withholding those benefits simply because the President of the United States is unwilling to compromise, is unwilling to meet the conditions many Republicans in this body have acknowledged are their conditions precedent for raising the debt limit.

There is a way forward. There is a road that will take us home, and the road home can be found in the Cut, Cap and Balance Act. This is not just the best proposal, this is the only proposal that currently has significant public support from a substantial number of Members of this body. Sometime today or tomorrow, companion legislation will be introduced in the House of Representatives, and we will be moving forward. I urge my colleagues to carefully consider this, and I urge my fellow Americans to carefully consider these and to urge their representatives and their Senators to embrace them and to adopt them.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank Senator LEE for his leadership on this cut, cap, and balance plan. I think it would change the debt trajectory of our country and put us on a path to prosperity rather than a path to decline and deficit and maybe financial crisis.

Indeed, Mr. Erskine Bowles and Mr. Alan Simpson, the co-chairmen of the debt deficit commission appointed by President Obama, told us earlier this year in the Budget Committee that this Nation has never faced a more predictable economic crisis. What he is saying was the spending course we are on is so out of sync with reality, it is inevitable we will pay a price economically for that. So part of the reason we are where we are because we have not had a budget in over 2 years. If you don't have a budget, it makes it harder for the American people to ascertain whether you are spending more than you ought to be spending, and the whole process is able to be pursued without public knowledge and full disclosure when you don't have a budget.

Every President is required by the same Budget Act to submit a budget. I think there is no President who has failed to comply with the Budget Act and does not require that you go to jail if you violate it. It would probably be better off if that had been the case. But the President submitted a budget earlier this year in February. It was, I believe, the most irresponsible budget ever presented to Congress at a time when systemic, structural deficits of trillions of dollars, the likes of which we have never, ever had before—at a time when we needed to confront that and discuss it as a people, as a nation, he submitted a budget that increased taxes significantly, increased spending

even more, and increased the deficit, not reduced it.

Eventually it came up for a vote. I brought it up for a vote since my colleagues wanted to vote down the House budget that was a responsible budget. It would actually change our debt course, reduce spending by \$6 trillion. They brought that up and it got 40 or so votes, but it did not pass. I then brought up President Obama's budget, in a Senate with a majority of Democratic Members, and it failed 0 to 97. Mr. President, 97 to 0, because it didn't deserve a single vote, but it had one characteristic about it that was important. It actually had numbers in it. I guess the budget staff—they always produced a budget—before the spin doctors at the White House realized it, they sent out a budget projecting the President's future plans for America. For example, at a time when we are borrowing 40 cents of every dollar, the President proposed next year to increase the Education Department. Ninety percent of our education funds are from the States, and they always take care of that, and we provide certain Federal funds that can be an asset to them sometimes. Sometimes it is a liability, frankly. But at any rate, he asked for a 10.5-percent increase in Education, a 9.5-percent increase to the Energy Department, which spends most of its time blocking the production of energy rather than producing more lower cost, cleaner energy for the country. It proposed a 10.5-percent increase in the State Department budget, and it proposed—hold your hats—a 60-percent increase in transportation. Much of that was for high-speed rail so everybody can walk—80 percent of Americans, apparently, can walk to a train station and travel on the high-speed rail. We don't have the money for that. States are rejecting the money. They run the numbers. They know it is not going to be feasible and that it is just an overreach.

I guess what I am saying is that somebody in this country does not get it. I thought the American people sent a message loud and clear last year when they sent a lot of new Members to Congress, such as Senator PAUL and Senator LEE, who were shocked at it and talked to their constituents and came to Congress to do something about it.

We haven't even brought up a budget. Why didn't Senator REID and the Democratic leadership decide to bring up a budget? Well, if they bring a budget, then they have to show what they believe. They have to propose a solution to the problem. Well, what was their plan? Because they called up the House budget and voted it down—every Democrat voted it down—and they never produced one of their own. When I brought up President Obama's budget, they voted it down. So we have not seen one real solution.



They have been talking about, oh, they will do this and that. Senator DURBIN said we can change Social Security some—we can do something about Medicare. Let's see your plan. Let's see it. The chairman of the Budget Committee says he has a budget. He has a budget, and he leaks out portions of it, but nobody sees the real budget. There are certain numbers and visions and ideas, and he claims they have a budget. But if a person is unwilling to produce the budget and have a hearing in the Budget Committee, then I think they don't have one. It is not a budget. I don't know what it is, but it is not a budget.

I see my colleague, Senator CORNYN, who has been a member of the Budget Committee. I know he is knowledgeable about these issues, and I am pleased to yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I have come to the floor to express my appreciation for the ranking member of the Budget Committee, Senator SESSIONS, and to express many of the same concerns I know he has articulated.

One of the most basic responsibilities of any business or family or, frankly, of Congress itself is to pass a budget. But, as the Senator from Alabama pointed out—and it has been pointed out time and time again—Congress has failed for more than 800 days—800 days—to perform one of its most basic and fundamental responsibilities, and that is to take up and pass a budget.

Even though we haven't passed a budget and taken up a budget, that doesn't mean the spending has stopped. Indeed, the spending goes on in a reckless sort of way. We have spent \$7.3 trillion since the last budget was passed, and we have increased the national debt by \$3.2 trillion.

Now the Senate is considering a spending bill, an appropriations bill, before we have even passed a budget. It strikes me that is exactly backward. We should be passing and debating a budget first before we then take up appropriations bills. This is not the way Congress should operate.

Now, taxpayers who might be watching this on C-SPAN or elsewhere or in the gallery may be asking themselves, well, how can Congress spend money without having a budget in place, because we know a budget is a very important form of self-discipline. It requires us to identify what our priorities are. What are the things we have to spend money on? What are things we would like but we can put off until tomorrow or next year? What are the things we would like to have but we really can't afford? The fact is, Congress has been operating in an undisciplined and extravagant sort of way not with our money but with the taxpayers' money and, even worse, with the money these young men and

women who are sitting in front of me are going to have to pay because our legacy to them will be a burden of debt which will limit their opportunity and their prosperity.

As Senator SESSIONS, our ranking member, has pointed out, this is not only a bad idea, this is not only bad policy, this is not only a breach with our precedent and policies, there is, in fact, a Budget Act rule that prohibits what is going on; that is, spending money without a budget in place. It violates the Senate rules.

Everybody knows spending money without a budget in place is not fiscally responsible. Of course, I would say to the distinguished Senator from South Dakota, we all support our military and our veterans, and there is no greater responsibility of the Federal Government than to defend our citizens and to make sure the needs of our troops and veterans are met. But Congress should not, in the interest of doing something that is important, circumvent its own rules.

Taxpayers deserve transparency. With transparency comes accountability. And without a budget, taxpayers get neither.

We know what has been going on in the absence of Congress doing its job. Indeed, the President's own proposed budget would have vastly expanded the debt and the deficits, and that is why it lost when we brought it to the floor and said we want to vote on it. It lost 97 to 0. No member of the opposing party, the President's own party, voted for the President's proposed budget because it was irresponsible. It did nothing to solve the problem of reckless spending, deficits, and unsustainable debt.

So what are we left with? Well, we are told that on August 2 the Secretary of the Treasury says we will run out of money. Rather than having a budget debated and voted on in front of the American people where every American citizen could watch it and see what is going on and call our offices and express their concerns either supporting that budget or saying, no, Members of Congress ought to change it by offering an amendment, what we are given now by the President is secret negotiations behind closed doors. I assume it will be rolled out at some point, and we will be told: Take it or leave it. August 2, we are out of money. And Mr. Senator, Madam Senator, Madam Congressperson, you can't do your most fundamental job; that is, have a debate in the light of day in front of the American people.

Now, does this ring a bell? It seems to me this is starting to be a habit—a bad habit. It started with the health care bill. It was rammed through Congress. It was a product of secret negotiations. All sorts of special deals were cut behind closed doors. Only now are we really beginning to see what the

consequences of those special deals were and the costs that were vastly underestimated in the health care bill.

I hate to say this, but President Obama has failed to lead on the debt ceiling. First, we know he called for a clean up-or-down vote without any cuts or any entitlement reform. That is the first thing he called for. Thank goodness he has moved away from that position, but there are problems yet. But when he was a Senator in 2006, he said, "Increasing America's debt weakens us domestically and internationally." At the time, he also said, "It is a sign that we now depend on ongoing financial assistance from foreign countries to finance our Government's reckless fiscal policies." That was back in 2006 when then-Senator Obama made those statements. So today we are presented with a much different officeholder—the President of the United States—who is now demagoging those who hold the same truths he espoused himself in 2006, back when our debt and our deficits were much smaller than they are today.

This isn't a matter of the President not understanding the problem we find ourselves in because he appointed a bipartisan commission, the Simpson-Bowles commission, that reported back in December in a report called "A Moment of Truth" which laid out in sobering detail the unsustainability of our national debt, the reckless spending that had gone on, and the borrowing from the Chinese and other governments. But rather than the President taking up the report of his own fiscal commission, he simply ignored it. He ignored it in the State of the Union Message. He certainly ignored it in his proposed budget, which was dead on arrival over here, without a single Democrat voting for it.

In essence, the President has outsourced his leadership responsibilities to others. We know the President's current proposal, if one can call it that—and, frankly, the devil is in the details, and while the House has passed a budget, while the Simpson-Bowles commission has made a recommendation, as well as the Domenici-Rivlin bipartisan recommendation, we have yet to see the President's plan. Yes, he has held press conferences, he has bashed those rhetorically who have held the very same position he held in 2006, but he has failed to lead and offer a plan to deal with this impending crisis.

In fact, the President's current rhetoric—I don't think we can dignify it by calling it a plan—is significantly to the left of his own bipartisan Simpson-Bowles recommendations. He is certainly to the left of Simpson-Bowles when it comes to spending—calling for much more spending, no cuts but continued spending. He is to the left of Simpson-Bowles when it comes to taxes, when "more" is the only word he

seems to know when it comes to taxes—more taxes. In fact, when the President says we are going to cut \$1 trillion, let's say, or \$2 trillion, but we are going to raise taxes \$2 trillion, what does that net? That means no net change in the size of the Federal Government, and that means no real down-payment on our national debt or deficit. It is a sleight of hand. It is phony. It is designed to give the appearance of doing something serious while doing nothing serious at all.

We know the President has failed to lead in other ways. He has delegated or outsourced his responsibility to the Vice President. It took only a few weeks ago for the President to finally step up and engage personally, and we find that more often than not he proposed phony solutions such as changing the depreciation schedule for corporate jet owners, dealing with the tax treatment of oil and gas companies, and changing an accounting rule called "last in, first out." But the facts are that those changes, even if adopted, would be a drop in the bucket. They would do nothing significant or serious to deal with our huge deficits and our unsustainable debt.

Unfortunately, the President's own personal engagement is frequently nothing more than personal attacks. His recent press conferences have been full of name-calling and straw man attacks that are, frankly, beneath the dignity of the office of President of the United States. Instead of being a Commander in Chief, it is more like he has decided: I am going to be campaigner in chief. I am not going to deal with the problem. I am going to just look at winning the next election. Then we read yesterday that even in private the President is throwing temper tantrums like he did yesterday and stomping out of the meeting at the White House—again, failing to show leadership.

But the most cynical thing the President has done, the most cynical abdication of leadership he has displayed so far is his new threat to hold seniors, our veterans, and our troops hostage unless Congress will agree to job-killing tax increases immediately. This is shameful behavior.

We all know that even if the August 2 deadline passes without a deal, according to the Bipartisan Policy Center, the U.S. Treasury will still have enough revenue—about \$172 billion—to pay for Social Security benefits, to pay for Medicaid and Medicare, to pay Active-Duty military, and other national priorities. Let me repeat: The only reason seniors and our troops will see their checks stop coming is if the Obama administration decides to make other spending a priority, if the Obama administration chooses to hold our troops and seniors hostage just so they can raise taxes.

This is another amazing display of cynicism, or I guess the most chari-

table way I can say it: short term memory. The President himself said last December the reason we should not raise taxes in a fragile economic recovery is because it would be bad for job creation. It would further discourage job creation at a time when we need jobs badly.

Well, let me say just a word about tax increases and why this side of the aisle believes so strongly that tax increases are not the answer to our debt crisis.

As one President famously said:

The last thing you want to do is to raise taxes in the middle of a recession because that would just suck up—take more demand out of the economy and put businesses in a further hole.

Well, the President who said that was President Barack Obama back in 2009. The President makes our case for us.

Another President said low taxes help "millions of entrepreneurs . . . hire new workers." Oh, yes, that was again President Barack Obama when he signed the extension of tax relief last December.

Then there was another President, somebody our Nation holds in high regard, who happens to have been a Member of the other political party, who said:

The final and best means of strengthening demand among consumers and business is to reduce the burden on private income and the deterrents to private initiative which are imposed by our present tax system. . . .

That was President John F. Kennedy in 1962. President Kennedy also said:

In short, it is a paradoxical truth that tax rates are too high today and tax revenues are too low and the soundest way to raise the revenues in the long run is to cut the rates now. . . .

He said—and he was exactly right:

Only full employment can balance the budget, and tax reduction can pave the way to that employment.

The purpose of cutting taxes now is not to incur a budget deficit, but to achieve the more prosperous, expanding economy which can bring a budget surplus.

He had it exactly right. We need to not only cut spending, but we need to grow revenue. The best way to grow revenue is to get more taxpayers, to get more people back to work. The reason Federal revenue is so low is not because tax rates are too low or people are not taxed enough, it is because too many people are out of work.

When people do not have a job, they do not pay taxes, they do not pay their home mortgages, and they lose their homes. We are for more people getting back to work. We have tried the failed stimulus, the goal of which was to keep unemployment below 8 percent. We know that failed. Yet we racked up another \$800 billion in debt.

So why don't we try the old-fashioned way: take our boot off the necks of the job creators in America to make it easier, not harder, to create jobs, to provide incentives for entrepreneurs to

start new businesses, to help existing small businesses expand their business. But they cannot do it, and they will not do it with uncertainty about their taxes, with the regulatory over-reaching and other policies coming out of Washington, DC.

Republicans are holding the line against the President's demand for higher taxes for a very simple reason. President Kennedy was right about taxes back in 1962, and President Barack Obama was right about taxes as recently as last December. Unfortunately, he has changed his mind, or he has forgotten the position he took just last December.

Republicans do not want tax increases, and we do not want to see the Federal Government default on its obligations. So we have an obligation to come up with an affirmative plan, a positive plan to solve the problem. I believe we have done so.

The first is a balanced budget amendment to the U.S. Constitution that is cosponsored by every Republican on this side of the aisle. The last time we voted on a balanced budget amendment in the Senate was 1997—before I got here—where 11 Democrats voted to support that constitutional amendment. I hope our Democratic colleagues will join us in doing not an extraordinary thing, not a heroic thing—it is a very ordinary but a very commonsense thing—and that is to make sure the Federal Government learns to live within its means and not spend money it does not have. We hope they will join us.

Part of that plan is also the cut, cap, and balance legislation I have cosponsored and that I hope the House of Representatives will take up and send over here soon. This legislation is a plan that avoids defaulting on our obligations. It prevents more taxes, particularly during a fragile economic recovery. It cuts reckless spending, and it gets our fiscal house in order.

What is painfully apparent is we are running out of time, and I am not just talking about the August 2 deadline. Yesterday, Moody's Investors Services said it was reviewing the Nation's top-notch, AAA credit rating for a potential downgrade.

If credit agencies downgrade our debt, it will cost more for us to borrow from the Chinese and our other creditors. As we know, because of Federal Reserve policies, the Federal Reserve has kept interest rates below historic norms. If those were to grow to historic norms because our debt has been downgraded by the credit agencies—or for any other reason—the interest on our national debt alone will crowd out other priorities for our Nation. It will make it less likely we can afford to do what we need to do to defend our national security or to provide the very safety net that our Democratic colleagues claim to care so much about.

We will not have the money to do it because we will not have acted responsibly in dealing with the deficit and the debt today.

I urge my colleagues to heed these warnings and to join us in cutting spending and to get our debt under control. In the end, everyone will come out a winner if we accomplish that goal. This is not a Republican plan. This is not a Democratic plan. This is what is right and good and necessary for the United States of America, and so that generations in the future can enjoy the same opportunity and prosperity we ourselves have enjoyed. Heaven help us—Heaven help us—if we fail to take advantage of this opportunity and to deal responsibly with this impending crisis.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator from Texas. This is very serious business we are engaged in. The strength of his comments, the method of delivery, and the content are indicative of the serious challenges we are facing.

For example, under the budget that was submitted to us, the only budget we have seen so far from the President, the interest on our debt, according to the Congressional Budget Office—that used their 10-Year budget and calculated we are paying about \$214 billion in interest today on our debt—in the 10th year of President Obama's budget, as Senator CORNYN said, the interest would crowd out other things. It would be \$940 billion—1 year's interest.

When we borrow money, we pay interest just like individuals do when they borrow money. We are borrowing so much money that we are doubling the debt again in our country in 10 years. The interest on it will crowd out other things. For example, it would be more than Social Security, more than our Medicare, more than our Defense Department spending in that year.

So I thank the Senator for sharing that.

I see Senator JOHNSON, and I would be pleased to yield at this time.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I thank the Senator for his courtesy and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I will just wrap up and close at 2 o'clock. I understand under our agreement that 2 o'clock will start the time allocated for the Democratic speakers as they may appear, and there would be time at 3 o'clock under my control for Republican speakers.

The PRESIDING OFFICER. That is the understanding, although the Chair is told the agreement has not been for-

malized as yet. But the Chair understands that is the agreement. The Senator from Alabama is correct.

Mr. JOHNSON of South Dakota. That is all right.

Mr. SESSIONS. Very good.

So I will wrap up and ask unanimous consent that there be 30 minutes under my control at 3 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SESSIONS. I thank the Chair.

Well, the fundamental problem is that our Democratic leadership has decided it would be foolish to have a budget, even though it is required by law. They have refused to produce a budget now for 806 days—over 2 years. Last year, Senator CONRAD produced a budget in committee, and it was voted on and brought to the floor, but the majority leader refused to even bring it up for debate and vote.

This year I suppose it was that the majority leader decided we would not even have one in committee. So we have not commenced any action to pass a budget. But now we are proceeding to spend money. We are proceeding to pass legislation that would expend taxpayers' money without a budget. That is not good policy by any standards, whether we have a law or not. But we actually have a law that requires us to have a budget first. That is why I found myself having to raise a budget point of order.

We were not elected to shut down the committees, to violate the congressional process of deciding how money should be spent, to cede our constitutional responsibility to some secret meeting somewhere so they can produce some sort of bill and drop it in the Senate on August 1, presumably, and then demand that we pay for it.

Because, look, you have to look behind the numbers. Just because the President says his budget does one thing, his plan does another thing, don't you think we ought to check it out?

One of the most stunning statements I have ever heard from a President and from the Budget Director was heard earlier this year after the President presented his budget. He and the Budget Director publicly—and the Budget Director in committee—said: Our budget will have us live within our means and pay down the debt.

They used those words. So anybody hearing that thinks: Gosh, I am glad the President prepared a budget that will have us live within our means and pay down our debt. We have been spending too much money.

What is the truth? The truth is, the lowest single annual deficit in 10 years, according to the Congressional Budget Office analysts, would be \$740 billion.

The highest President Bush ever had was \$450 billion. That was too high. This year it will be \$1,500 billion, and I

would point out that in the outyears \$740 billion was about year 6. The 7, 8, 9, 10 numbers are going up again, and CBO says in the 10th year, the deficit under the President's budget will be \$1.2 trillion. So this is not good. We need to get our house in order.

We are going to insist that we do it in the right way. That is why I have objected to proceeding to spending bills without a budget. It is time for the majority leader to bring us into session. Let's have a budget. Let's see where people stand. Let's make the tough decisions. Let's vote on it. Let's allow ourselves to be held accountable by the people who sent us here.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, the media has been focused on our differences. But I think there is one thing that every single member of this body agrees on, we have to address the long-term debt and deficits.

Like many Members of this Chamber, I have repeatedly called for a bipartisan package that includes reforms to everything deficit related. That means cuts to spending, domestic, defense, and mandatory, as well as increased revenues. I have supported attaching deficit reduction measures to the vote on the debt limit. And I believe reducing the deficit is critical to strengthening the long-term health of the economy.

But I also believe that everyone—everyone—has to come to the table to find a compromise solution that will get this done. Democrats know this, that is why time and again we have offered compromise plans, including more than a trillion dollars in spending cuts. It is disappointing that politics are keeping some from negotiating in good faith. That is a disservice to the American people.

I have spoken before about what some people are trying to do a protect, tax breaks for big oil, for hedge fund operators and for yacht owners. I would like to speak now about what some are willing to risk to protect those tax giveaways. What happens if we do not increase the debt limit and meet the United States' financial obligations.

First of all, raising the debt limit does not mean spending more. Our spending is set by Congress's annual budget process.

Raising the debt limit means paying our government's bills. Our government. It is not the Democrats' government, it is not President Obama's government. It belongs to all of us. We are talking about servicing savings bonds issued under President Reagan. Supporting an Army first sent to Afghanistan under President Bush.

Paying Social Security checks, food inspectors, and air traffic controllers. This is about the full faith and credit of our government.

Failure to raise the debt limit means default. It means the United States would not meet its obligations. What would happen?

Warren Buffett said it would be Congress's "most asinine act ever."

Fed Chairman Ben Bernanke said it would lead to "a huge financial calamity."

Economist and former Reagan adviser Larry Kudlow said default would be "catastrophe."

The biggest concern these experts name is the potential for a global financial crisis. Companies, pension funds, and governments across the world hold U.S. savings bonds. A default could trigger a crisis worse than the one in 2008, which itself triggered the worst recession since the Great Depression.

We are just now climbing out of the hole caused by the last financial crisis. We cannot risk another one.

Let me read from a letter sent to Congress earlier this week by hundreds of America's top businesses and business organizations, including the Chamber of Commerce, the Financial Services Roundtable, and great New Hampshire companies like Cirtronics and Control Air:

We believe it is vitally important for the U.S. government to make good on its financial obligations. . . .

It is critical that the U.S. government not default in any way on its fiscal obligations. A great nation—like a great company—has to be relied upon to pay its debts when they become due. This is a Main Street not Wall Street issue. Treasury securities influence the cost of financing not just for companies but more importantly for mortgages, auto loans, credit cards and student debt. A default would risk both disarray in those markets and a host of unintended consequences. The debt ceiling trigger does offer a needed catalyst for serious negotiations on budget discipline but avoiding even a technical default is essential. This is a risk our country must not take.

Again, this is not my opinion. This is the opinion of business leaders. We should listen to them.

In a recent op-ed in USA Today, the Chamber and the Financial Services Forum spelled out why they believe a default would result in "hundreds of thousands of lost jobs every year."

First, they point out that a default would halt critical government operations, far more abruptly than we have seen in past standoffs over the budget. They say:

The U.S. Treasury is expected to take in about \$170 billion in tax revenue in August, but needs to pay \$300 billion in expenses. The resulting \$130 billion deficit would require the government to pick which programs—Medicare, Medicaid stamps, unemployment insurance—to pay for and which not to fund. And there would be little money left to pay our troops or to run the courts, the prison system, the FBI, or other essential operations.

They go on to note that default would make our government debt and deficit problem worse.

Yesterday, Moody's, the credit rating agency, put the United States governments' credit rating under review. If Moody's were to downgrade our credit rating, investor confidence in U.S. bonds would be shaken, and it would be more expensive for our government to borrow money.

This is something that I understand viscerally because, as Governor of New Hampshire, we worked closely to try to avoid the rating agencies downgrading the State's borrowing so that we would not have to pay more money. JP Morgan estimates that the higher interest rates caused by default could increase our annual deficits by a staggering \$75 billion every year. Just from higher interest rates. If we are serious about reducing the deficit, this is the wrong way to go.

That is why we need to find a compromise solution. We have in the past. The debt limit has gone up under every President in modern times. President Nixon raised it nine times. President Clinton raised it four times. Since President Kennedy, the most frequent and largest increases came under President Reagan. He raised the debt limit 18 times, by a total of 199 percent. I don't think anyone here thinks President Reagan was a champion of big government.

I believe that many of my colleagues on both sides of the aisle understand the importance of getting this done. I believe many of them believe in the value of compromise. We all have to be at the table. We all have to be ready to compromise to reach a solution.

I ask my colleagues to do what is right and put politics aside, for the good of the economy and of the country.

Mr. HARKIN. Mr. President, I would like to follow up a little bit on what the Senator from New Hampshire just spoke about; that is, the absurdity, the absolute absurdity of what is going on in Washington today.

Our Nation used to have a two-party system in this country, but it is increasingly apparent that one of our two parties has morphed—has morphed—into some kind of a quasi-religion driven by one ideology: preserving and expanding tax breaks for the wealthy and for big corporations.

To that end, many Republicans in Congress are perfectly willing to push the United States of America into defaulting on its debt obligations with dire economic consequences. This is a very dangerous detour in our Nation's political and economic life. But just as dangerous, just as dangerous as the prospect of a default on our debt obligations is the Republican's determination to defund and dismantle as much of the Federal Government as possible. To that end, they are demanding deep, Draconian cuts to Federal funding and investment at a time when unemployment is already sky high and rising, and when our economy remains fragile.

To justify these deep cuts, Republicans with this new ideology have articulated an absurd economic theory—absolutely absurd. They claim slashing Federal funding and investments by trillions of dollars will somehow magically create jobs.

I don't know of any Main Street economist, or anybody with an ounce of common sense, who agrees with this bizarre theory. To the contrary, economists warn us that this is absolutely the wrong time to be slashing Federal investments. Why? For the obvious reason that deep, short-term cuts to Federal spending will dramatically reduce demand in the economy, thus reducing employment even further.

Already this year, cuts to government spending at the State and local levels have destroyed an estimated 500,000 public sector jobs, and that goes along with an undetermined number of private-sector jobs. Economists understand that terminating the jobs of teachers, police officers, and other essential public employees has a negative impact on the economy just as eliminating private-sector jobs do. Nonetheless, as if they live in kind of a parallel, upside down universe, Republicans insist that slashing Federal funding and investment will create jobs. Let's test that theory in one area of Federal investment. Let's take transportation funding. Everybody understands that our transportation infrastructure is woefully inadequate. It is in a state of increasing overload and disrepair. Most people understand that ramping up investments in modernizing our highways, bridges, and public transit systems would strengthen our economy and create millions of jobs. These are the veins and arteries of our commerce.

What have the Republicans in the House proposed? Last week, the Republican leader put forward a new transportation authorization bill that would slash current investments in transportation by more than one-third—a one-third cut in transportation. Will this create jobs, as the Republicans claim? Of course not. The Senate Environment and Public Works Committee estimates that the House bill would destroy more than 490,000 highway construction jobs and close to 100,000 transit-related jobs—mass transit.

This is pure folly. This is a classic example of what happens when ideological obsessions cause Members of Congress to be blind to practical, common-sense realities.

I have repeatedly come to the floor to advocate for a balanced approach to bringing deficits under control, one that includes some spending cuts and revenue increases. At the same time, economists warn us that we need a deficit reduction plan that defers the lion's share of spending cuts and tax increases for several years, allowing our economy to recover before the negative impacts are felt.

I must also ask: Why are we proposing to slash all this funding for highways, schools, and infrastructure here at home, while we continue to spend untold billions of dollars to build highways, schools, and infrastructure in Afghanistan? A lot of people ask me: Senator HARKIN, you say you are willing to cut spending. Where? Let's start here, with Afghanistan and Iraq. We are spending \$168 billion in Iraq and Afghanistan this year alone. This year—fiscal year 2011—we are spending more than \$13 billion to train the Iraqi and Afghan security forces—\$13 billion. OK. What did we spend in America to retrain our workers so they can get new jobs? Less than \$10 billion. We are spending more money to train Afghan and Iraqi security forces than we are to retrain our own workers all over America, at a time when 24 million Americans are unemployed or underemployed. Yet we are spending \$168 billion a year on Afghanistan and Iraq. I applaud the President for his actions, but quite frankly, they don't go far enough. The President should have a faster timeframe for our troops to get out of Afghanistan. I have said that publicly many times. If we want to save some money, save that \$1 million it costs to keep one soldier in Afghanistan, get them back here. We went to Afghanistan to get the Taliban out, get al-Qaida out, and get Osama bin Laden. We got Osama bin Laden, Al-Qaida is no longer in Afghanistan, and the Taliban is gone. Why are we still there? Why are we still spending about \$14 billion a month in Afghanistan?

Again, we need a balanced approach. Spending cuts alone won't do the job. I think the Republicans have just proved this. The Republicans have proved that spending cuts alone will not get the job done. Why do I say that? Look at the so-called Ryan budget. It dismantles Medicare, guts Medicaid, and makes severe cuts across the Federal budget. Yet it still adds trillions of dollars to the deficit for years to come—largely because it refuses to touch tax breaks for the well-to-do or to raise other revenues from corporations.

The Republicans have said they don't want to raise taxes on the so-called job creators. They don't want to raise taxes on job creators. To call trust fund millionaires and Wall Street money manipulators "job creators" is laughable. Meanwhile, to call many large corporations in the United States "job creators" is increasingly questionable.

Actually, in one respect, you can indeed argue that America's big brandname corporations—GE, Microsoft, and so on—are "job creators." The problem is that they are not creating many jobs here in the United States. They are creating jobs overseas and eliminating them here. The U.S. Commerce Department data shows that during the 2000s, U.S. companies—mul-

tinational companies—cut their workforce here at home by 2.9 million, and they increased their workforce overseas by 2.4 million. They are creating jobs, all right—just not here in America. To add insult to injury, there are provisions in the United States Tax Code that promote this kind of behavior—the kinds of tax breaks that Republicans insist on preserving.

They don't want to tax job creators. Yet we have shown that these big multinationals are creating jobs overseas. I wish to—and I am sure the occupant of the chair would also—close some of those loopholes so there is not a tax benefit to shipping jobs overseas. The Republicans say, no, they don't want to do that.

In the month of May, U.S. trade deficit soared to more than \$50 billion—the highest level in nearly 3 years—in 1 month. In May, our trade deficit—out of that \$50 billion—for one country, China, was a staggering \$25 billion. You might say, what does that mean? Those figures represent a transfer of millions of jobs and billions in wages from the United States to China or other countries abroad. We need to seriously examine our trade and tax policies, which continually send our jobs and wages overseas. We need to stop bowing before the sacrosanct altar of "free trade" as if it doesn't even warrant our examination. Instead, we need to ask how we can make our trade policy work for the middle class—for instance, by defending America's right to oppose currency manipulation and abusive trade practices.

We ought to talk about fair trade, fair trade, fair trade, not free trade, free trade, free trade. You see where free trade gets us if we don't stand up to other countries that manipulate their currencies, such as China, where we are shipping all our jobs and money.

As I have said, our fragile economy is at the point of maximum danger. This Congress is at a historic decision point with regard to raising the debt ceiling and bringing deficits under control. However, as we have seen played out in the press, in the media, standing in the way of a rational, reasonable compromise is congressional Republicans' ideological obsession with preserving tax cuts for millionaires and billionaires at any and all costs. They are threatening to force us to default on the national debt.

I will close with this. I heard our distinguished minority leader, the Senator from Kentucky, say this was now Obama's economy and the problems we have are because of Obama. He has been President for almost 3 years—about 2½ years now. Therefore, he says he owns that. You know, this is kind of an interesting world we are living in. We have a debt ceiling, and why has the debt gone up? Because we borrowed money—a lot of money. The Congressional Budget Office says the debt we

have today comes from. Remember, 10 years ago, we had a surplus, a budget surplus, one of the largest in our Nation's history left after President Clinton. Then President Bush comes into office, the Republicans take over the House and Senate, and they ram through a massive tax cut, which takes the surpluses and gives them mostly to the wealthy in our country. Then 9/11 happened and we entered into two wars—totally unpaid for—and we borrow it from China, or wherever, to pay for two wars.

Then we had a Medicare drug prescription benefit—most of which benefits go to the drug companies, by the way—and we didn't pay for that. We borrowed money for that also. So the debt we are grappling with today is because of policies enacted by a Republican President and a Republican Congress. They ran up the debt. Now they don't want to pay for it. This is not President Obama's debt at all. This is what happens when you have almost 8 or 9 years of uninterrupted borrowing and spending by President Bush and the Republican Congress. This is their debt.

Again, I call upon reasonable, responsible Republicans to come forward and give up on this ideological obsession, this new theology that says: no tax reform, no raising of revenues from anyone, even those who can afford it the most.

I remain an optimist. It is not too late for reason to prevail. We have heard loudly and clearly from the extremists and ideologues, who would bring down our economic house rather than agree to any compromise. Now it is time for decent, patriotic Americans to speak up and say enough. We can and must come together around a balanced plan to bring our deficits under control, and we must uphold the full faith and credit of the United States of America.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, I rise today, as have so many other Senators, because I am concerned about what I have been hearing about the threat of default that is now just over 3 weeks away—what I have heard both here in Washington and in Delaware.

This looming default crisis is one of the most grave and predictable threats to our economy and our country I have ever seen. It is no longer floating at a distance just over the horizon, or something we can debate academically, the impact of which we may yet avert. It is

here now. We are on the edge. Given the difficulties this body can have in moving something through in a matter of days, we are very close to the absolute last day when we can consider options and a path forward. Default is right before us and it must be dealt with.

I rise not to add to the political rhetoric—there has been plenty of that—nor do I rise to try and elicit panic or fear in the broader public.

I rise because the folks of Delaware—the people from whom I have been hearing—just don't know what to believe. They know our deficit spending and our national debt are out of control, and they are deeply concerned. That is good. I share that concern. I share that commitment to making certain we reduce our spending and we deal with our deficit because deficit and debt at the size we have today can harm our economy fundamentally. They are a basic challenge to our national security, to our success, and to our growth going forward. But I also rise because there is no faster way to ensure that our economy will never get back on track, that our country will never reach its full potential than to let our Nation default on its financial obligations.

We need to deal with this default crisis in a responsible and pragmatic way to create a real and lasting solution. We must restore certainty to our markets to help get our economy going again. And what do we hear from business, businessmen large and small all over the country? Certainty. We need predictability and certainty in the markets. Well, nothing is creating uncertainty more than this grinding lack of resolution to the vote to raise our Nation's debt ceiling.

I wish to take a few moments, if I could, to talk about the reality of this impending crisis, and I would like to look at a few of the myths I hear at home that need to be cleared up.

First, some Members of this body and the other House of Congress, some folks running for President, and some people in the press have suggested that a default will cause only minor economic disruption, if any at all. Economist after economist, think tank after think tank, study after study has shown in the last few weeks that nothing could be further from the truth.

There are predictable consequences of default that will affect every American—Americans in every State, at every income level. More than any, I worry about the working families or those currently out of work who are already struggling through the greatest recession we have known in my lifetime. One report suggests 640,000 people will lose their jobs in the months after default. Economists confirm that the cost of home mortgages, car loans, and interest rates will go up for everything. The cost of food, gas, and everyday

items for families all over this country will go up in real and concrete ways.

More importantly, if we default on America's mortgage, the impact in terms of the increased cost of borrowing for our whole country and for all of our families won't just be brief, it will be lasting because it will hang with us on our credit score as a nation for years. To the folks watching, if you think it is difficult to find a job or to help grow a business to help deal with the daily cost of living now, just wait until we default on America's mortgage and the cost of borrowing funds to do anything—to create new jobs or to help pay your bills as a family—goes up.

Default will have real and lasting economic consequences that will haunt this economy and haunt the working families of this Nation for years.

The second myth is that we can just stop spending money without real consequences. Some in this very Chamber have suggested that when we get to August, there will still be plenty of money coming in to service the debt, so there is no real threat of default, and that what we need to do is a relatively simple exercise of just deciding which things we will stop paying.

This second myth goes that the Treasury Department will just start picking winners and losers: They will pay Social Security but forgo Medicare; they will pay our troops but pink-slip our Federal civilians; they will fund the Pentagon but forget the Department of Education—never mind the ethical quandaries, the long-term disservice such action would have on our economy and our country. Frankly, the truth is that it is not even clear they have the legal authority to do so in the Treasury Department, to pick these winners and losers on a week-by-week basis.

Let's just choose one example of the studies done on this myth that we can simply pay the debt service and a few big things and the consequences of the rest would be fine. According to the Bipartisan Policy Center, beginning in August, if we continue to make payments, obviously on interest on the debt but also on Social Security, Medicare, Medicaid, all defense contractors, and unemployment insurance—so the really important things—and we just stop paying the rest, our troops on Active Duty; all of our veterans programs; all of law enforcement, including, for example, the FBI; the whole Federal court system; the FAA, which monitors air traffic; the FDA, which inspects food quality and safety; and a host of dozens of other Federal programs would come to a halt within days.

The consequences to the safety of our families, to the strength of our economy, to the confidence of our country, and to our role at home and abroad would, in my view, be tragic—almost

catastrophic. So even if we could avoid technically defaulting for a few days or weeks by continuing to service our debt, the costs and consequences of these other "easy choices" would be dramatic, difficult, and lasting.

According to Steve McMillin, who was the former Deputy Director of OMB under President Bush—he was recently quoted on this topic:

I would say the options Treasury has if the debt limit is not raised are all very ugly.

Let me give a third myth. As I was talking with some small business owners in Delaware over the past week, some suggested they really felt we needed to go ahead and take the tough medicine of defaulting and cut up the President's credit card, stop the President from spending.

While I share their concerns about the very real and very significant threat posed by our deep deficits and share the view that we must cut spending—as all of us who are Democrats on the Budget Committee have said now publicly, we are committed to a balanced approach that significantly cuts Federal spending—the metaphor of cutting up the credit cards is wrong. It is not just wrong, it is desperately wrong and misleading. Our Nation defaulting on its debt is not like cutting up a credit card and stopping the future spending; it is much more like defaulting on a mortgage; it hurts our credit rating and hinders our ability to borrow. As we have been told before, every 1 percent increase in interest rates will cause our national debt to go up \$1.3 trillion over 10 years. According to some economists, increased interest rates could last for a decade or more.

No, the obligations that come due August 2 are the obligations that have already been undertaken. As Senator HARKIN said before me, it is Republicans, both President and Congress, and Democrats, both President and Congress, over the last decade who have moved us into a bigger house as a country. It is the cost of two wars, the cost of an expanded Medicare Part D, the cost of expanding investment in our country—the cost of this bigger house that is now coming due. For us to stop paying that mortgage would have the same consequences for our country as it would for any family because when you default on your mortgage, it is not like cutting up a credit card, it affects your credit rating, and it affects your ability to borrow and your ability to do anything more for your family for years to come. So, too, would the consequences be for this country, and we cannot afford to let our country become a bad investment.

Lastly, some have suggested that August 2 is not a serious deadline, that somehow Secretary Geithner must have some other rabbit in the hat or some escape hatch.

Back in January, Secretary Geithner sent a letter to all in Congress suggesting that we would, in fact, run out



of money on May 16, and the government—the Treasury Department—would then have to start taking extraordinary measures to avoid default. In fact, he detailed in six pages all the extraordinary measures that would be required. And he was right almost literally to the day about when that transition occurred and when those extraordinary measures needed to be deployed.

The time runs out August 2, but if for some reason you don't believe the deadline presented to us by our very own Secretary of the Treasury and the Treasury Department, look at what the three bond rating agencies are already saying about the impending default. Moody's, S&P, and Fitch have all threatened to downgrade America's rating from AAA—the most secure, most stable in the world. S&P suggested last week a downgrade to D, to junk bond status. I suggest America is not a junk bond nation. It puts us at risk as a nation, as a people, and as an economy when we are mentioned in the same sentences as Ireland, as Greece, as Italy—countries currently wrestling with fundamental failures to meet their obligations as a country. We are better than that.

All of us in this Chamber—all of us—are challenged to come together to put our economy and our country back on solid footing, to restore certainty to the markets, and to give confidence to retirees, to families, to parents raising children, and to small businesses by getting serious about putting a plan on this floor next week and passing it because, frankly, if we allow this country to default on its sovereign debts, to fail to meet its moral commitments, both financial and to the people of the United States, the consequences will be desperate and lasting.

I suggested a few weeks ago that we should consider seriously the Bipartisan Policy Center's proposal—the so-called SAVEGO—which would pick up where the pay-as-you-go discipline of the 1990s started and modernize it for our current situation. If we cannot get a comprehensive \$4 trillion balanced deal together on this floor and passed, let's at least get a downpayment and enforce a budget mechanism that would ensure that a comprehensive deal is accomplished over the next decade. SAVEGO, which I recommend to everyone in this body, would lock in savings over the next decade, force both parties to stay at the table, and urge us to meet the targets we all know we need to meet: to reduce our deficits, to stabilize our debts, to strengthen our country, and to move past this tragic narrow debate over August 2 and our Nation's mortgage.

We need to focus not on the next election cycle, not on the partisan back-and-forth that might win an advantage for one party over another or one person over another in this Cham-

ber for 2012, but we need instead to focus on the next generation, on the future.

The only way forward, in my view, is to honor our moral commitments as a nation to the men and women who rely on Medicare and Medicaid and Social Security, on the safety of our troops, and on the investments we make in the future, and to continue to honor our obligations as a nation. To do anything less is to dishonor the sacrifice of those who have served us in the past and to ignore the very real needs of the working families all over this country who look to us for leadership and sacrifice to put us on a sustainable path forward.

Mr. President, with that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

Mr. SANDERS. Mr. President, we are at a pivotal moment in American history, and I think many Americans are confused and perplexed and angry and frustrated as to where we are today and how we got to where we are and what the consequences of decisions made in the past and that are being made right now will mean to their families. Let me just take a minute and try to give my view as to how we got to where we are and what our options are.

As you have just stated, Mr. President, and Senator HARKIN before you, anyone who talks blithely about defaults and saying it is not a big deal for this country clearly does not understand what he or she is talking about.

This is the greatest Nation in the history of the world. This is a nation whose faith and credit has been the gold standard of countries throughout the world. This is a nation, since George Washington, which has paid out every nickel it has borrowed, which is, in fact, why it is the great Nation it is and why we have the strongest economy in the world today, troubled though it may be.

The idea for some people to simply say: Oh, not a big deal; we are not going to pay our debt, nothing to worry about, those are people who are wishing our economy harm for political reasons, and those are people whose attitudes will have terrible consequences for virtually every working family in this country in terms of higher interest rates, in terms of significant job loss, in terms of making a very unstable global economy even more unstable.

This country, which has paid its debts from day one, must pay its debts. I can't say it any more clearly than that.

Our Republican friends, especially our rightwing friends who now control the House of Representatives, have given us an option and here is their option. What they have said is: We want to do deficit reduction, and this is how we are going to do it. We are going to end Medicare as we know it and force elderly people, many of whom don't have the money, to pay substantially more for their health care. So under their plan, when a person is 70 and they get sick and they don't have a whole lot of income, they don't know what happens to them. They forgot to tell us. But what they did tell us is Medicare is not going to be there for them. They told us that tomorrow, if their plan was passed, they are going to have to pay a heck of a lot more for the prescription drugs than they are paying today. Oh, you don't have the money? Hey, that is not our problem.

They told us we are going to make savage cuts in Medicaid, throw millions of kids off health insurance, when 50 million Americans have no health insurance today. They want millions more without any health insurance.

If your mom or dad is in a nursing home and that nursing home bill is paid significantly by Medicaid and Medicaid isn't paying anymore, they forgot to tell us what happens to your mom or dad in that nursing home. What happens? What happens today if one is unemployed and not able to get an unemployment extension? What happens to the middle-class family, desperately trying to send their kids to college and we make savage cuts in Pell grants and they can't go to college? What does it mean for the Nation if we are not bringing forth young people who have the education they need? They forgot to tell us that. If you are one of the growing numbers of senior citizens in this country who are going hungry, they want to cut nutrition programs.

On and on it goes. Every program that has any significance to working families, the sick, the elderly, children, the poor, they are going to cut, and they are going to cut in a savage way. They are going to do that in the midst of a recession, where real unemployment is already at 15 percent and the middle class is disappearing and poverty is increasing. That is their idea.

When we say to them: Well, hey, the very rich are doing phenomenally well; the top 1 percent now earns more income than the bottom 50 percent; the top 400 wealthiest families in this country have more wealth than the 150 million Americans—don't you think maybe it is appropriate that when the rich are getting richer and their tax rates have gone down, their effective tax rates are the lowest in modern history, when major corporations are making billions of profits and in some cases not paying a nickel in taxes, don't you think maybe it is fair that



they contribute to deficit reduction rather than just the elderly and the sick and working families, they say: No. We have a line in the sand, and if it means this country will default on its debt for the first time in history, that is OK. But we are absolutely going to defend the richest people in this country, millionaires and billionaires, and make sure they don't pay a nickel more in taxes. We are going to make sure there is no tax reform so we can continue to lose \$100 billion every single year because wealthy people and corporations stash their money in tax havens in the Cayman Islands or Bermuda, and that is just fine. We will protect those tax breaks while we save programs for working families.

Those are the choices our rightwinged Republican friends are giving us: defaults with horrendous economic consequences for working families in this country and, in fact, for the entire global economy or massive cuts to programs working families desperately need.

Neither of those options is acceptable to me, and neither are those options acceptable to the vast majority of the people in this country. Every single poll I have seen says that the American people want shared sacrifice. They don't want or believe that deficit reduction can simply come down on the backs of the weak and the vulnerable, the elderly, the children, and the poor; that the wealthy and large corporations also have to participate.

I must, also, in all honesty, tell you I have been disappointed by the President's role in these discussions and some of his ideas. He has brought forth an idea which I categorically reject, that we should make significant cuts in Social Security; that when someone reaches the age of 85, they would lose \$1,000 as opposed to what they would otherwise have gotten. This Senator is not going to balance our budget on the backs of an 85-year-old person who is earning \$14,000 a year—not with my vote.

This Senator does not agree with the President that we raise the eligibility age for Medicare from 65 to 67 because I don't know what happens to millions of people who work their whole lives, finally reach 65 anticipating Medicare, but it is not going to be there for them. So I very strongly disagree with the President on those initiatives.

Let me tell you that elections have consequences, and I think many people now are beginning to catch on to that. It is no secret our rightwinged Republican colleagues did very well in November 2010. They captured the House of Representatives, and now, 1 year-plus later, for the first time in the history of this country, we are on the verge of a default.

I would close by saying to people all over this country, if you believe we have to start investing in America and

creating the millions of jobs this country desperately needs, elections have consequences.

If you believe we have to address the deficit crisis in a way that is responsible, in a way that asks the wealthy and large corporations also to play a role, in a way, as Senator HARKIN mentioned a moment ago, that calls for cuts in defense spending and bringing our troops home as soon as possible from Afghanistan and Iraq, you have to be involved in the political process, in my view.

A group of people in the House whose views represent a small minority of the American people are holding this Congress hostage, and it is time for the American people to stand and say enough is enough. The function of the Congress is to represent all our people and not just the wealthiest and most powerful.

With that, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask that the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I come to the floor as someone who is back in my home State every weekend. As I talk to people and say: What is on your mind, they say what is on their mind are jobs, the economy, the Nation's debt, and the Nation's spending. I say: What do you think about things going on in Washington? They say the problem with Washington is it taxes too much, borrows too much, and the government grows bigger every day, and they say: What are we going to do about it? When we talk about the debt, the people of Wyoming have a clear understanding that the number is very large.

They say: What about the budget? As we get into the discussion, it comes down to: What budget? Where is the budget? It has been 800 days since a budget has gone through this body—over 800 days. You are talking more than 2 years. Why is that?

There was a vote on the budget earlier this year. There was the President's so-called budget, lost 97 to 0. Not even one Democrat voted for what the President had proposed. The news magazine *The Economist* called it a dishonest budget. In Wyoming, we balance our budget every year. We do not have a debt like the country has, the country with its \$14 trillion debt. In Wyoming, the debt is zero because year after year we balance our budget, live within our means, spend only what comes in, and actually have money left over that we can invest in the people of

our State. That is because from the beginning, when the constitution of our State was written, included right there in the constitution was a component saying: You shall balance the budget every year. Do not spend more than you have coming in.

To do that, one of the most useful things is that there actually be a budget, something to live within, something to look to as a guidepost, as a roadmap. I am still looking for one in this body. Where is it? Why have we not seen one? That is why I am coming to the floor today with a number of my colleagues to say: What is going on that it has been over 800 days with no budget, no opportunity to have the American people look to a roadmap to see where the country is headed?

We hear all the discussion about, are we headed to a default? What about the debt limit? What about the ceiling—is that going to be raised? The people say: What is the plan? What is the spending plan? What is the savings plan? I do not hear one coming for the majority party. I do not see one from the majority leader. I do not see one from the Budget Committee. I do not see one from the President. They are having discussions at the White House about how to try to get spending under control. Where is the President's plan?

What I hear from the President is that he wants to raise taxes. The people of Wyoming would say the best way for more revenue to come in is not to raise taxes on the people who are working, it is to put some of those 9.2 percent of Americans who are looking for work, put them to work, and then that money will come in as they pay taxes.

I come today to the floor with a number of my colleagues—Senator SESSIONS, the Senator from Alabama has arrived—and we are going to be engaged in a colloquy to discuss some of these issues.

We ought to be focusing on these 9.2 percent of Americans who cannot find work, millions of Americans who cannot find jobs. When I talk to the job creators, they are saying it is the President's position and his policies that have made matters worse—made matters worse with increasing health care costs as a result of the health care law, made matters worse as a result of the regulations that came out of Washington that add costs onto businesses, and making it worse in increased energy costs as the President continues to send energy jobs overseas, as he makes it harder and harder to explore for American energy.

I ask my colleague, Senator SESSIONS, to give us his thoughts, if I could, on the concerns we face as a nation without a budget, without a plan, without a roadmap, at a time of astronomical deficits, huge numbers, numbers that are too high for people even to understand and comprehend.

(Mrs. MCCASKILL assumed the chair.)

Mr. SESSIONS. Madam President, I appreciate Senator BARRASSO and his leadership on so many issues in this Senate.

It is a sad event that we are now filing an objection to the movement of an appropriations bill because it violates the Budget Act contained in the United States Code. The Budget Act says you shall not move forward with an appropriations bill if you have not first passed the budget.

I ask my friend from Wyoming, as an accomplished orthopedic surgeon and physician and from his personal experience in the legislature in his State, does it strike him that when you are in the most serious debt crisis that perhaps the Nation has ever had from a structural, systemic point of view, that we ought to follow the law, we ought to first decide how much money we can afford to spend next year and then allocate that money to the various spending appropriations committees so they can produce a plan that would live within that budget? Is that the commonsense way we should proceed?

Mr. BARRASSO. Madam President, I would say absolutely yes. If you are a family in Wyoming, I don't care if you are living in Casper or living in Kemmerer, either way you know you need to live within some construct of how much is coming in, how much you can spend—live within a budget. Families have budgets. They live within their budgets. The State of Wyoming has a budget. We have a balanced budget component of our constitution. It not only says we have to have a budget, it says we have to balance it. If you do not have a budget to begin with, I cannot understand how you can balance it.

Is it any surprise that we are \$14 trillion in debt and we are borrowing \$4 billion a day, \$2 million a minute in this country, and we are borrowing a lot of it from China? It would seem we ought to be following the law—have a budget and then live within the budget, and it needs to be a responsible budget consistent with what is coming in.

Mr. SESSIONS. We appreciate our colleagues who worked on this bill, but there are more appropriations that should be done this year. How can they be continued without a budget? You say we spent within the President's numbers or the House numbers, but those have not been approved in the Senate. We have no votes in the Senate. It is not a binding number.

The truth is, what we need to do is what the House did, I believe. I ask Senator BARRASSO, isn't it true that the Republican House, with a new leadership, came in, they faced up to the 10-year budget window we have, they laid out a plan for 10 years, and it cut spending by \$6 trillion? It actually simplified our Tax Code substantially and reduced certain taxes, focusing on tax reductions that create growth so we could have more income generated.

And, whether you agree with it or not, by April 15 they did all this, which is what this code says. Doesn't the Senator think they have done their duty? What would he say about the failure of the Senate to even attempt to present a budget?

Mr. BARRASSO. The House has approved a budget. They presented a budget, debated a budget, discussed a budget, and passed a budget. There has been nothing in the Senate for over 800 days.

On the weekends, people at home tell me: We have to stop spending money we do not have. We expect better. We expect better of those who are elected to go to Washington and represent us. We expect better.

They also believe that the money they are sending to Washington—it is their money, not Washington's money—the money they are sending to Washington, people do not believe they are getting value for their dollar. If you asked "Of every dollar you are sending in, how much value are you getting back," it is an alltime low—50 cents on the dollar. People don't think they are getting value.

People want an efficient government. That is not what they are finding today. They are finding amazing amounts of waste, fraud, and abuse. Fundamentally, they are not finding a budget, a roadmap, a plan, and then life within that. That is why I come to the Senate floor with my colleague from Alabama today to say the law is specific—not just in the State of Wyoming but also in the United States—that we need to have a budget.

Mr. SESSIONS. The law is specific, and the need is there whether we had a law or not. The law doesn't require families to have budgets, but families who are smartly managing their money have budgets. Businesses have budgets. No law requires them to have budgets, but it is because it is the only way to manage your money. It is an unacceptable situation in which we find ourselves.

Let me ask the Senator, I want to try to boil it down to the nub, why we have not done it, why the majority in the Senate has not proceeded with a budget.

Let me just say that a budget is considered so important that, unlike other legislation, it can be passed with a simple majority. It cannot be filibustered. It has priority process to be moved rapidly on the floor. It cannot be blocked. The goal is that you could pass a budget. Even a party, if they wanted to do it on a straight party-line basis, with over 50 votes could pass a budget.

I am trying to focus on whether there is something broken about the Senate. Is there something broken that causes us not to be effective? Is there something broken in the way we operate that would have kept the Budget Committee from bringing a budget forward

and voting on it in committee and passing it out of committee? They did that last year. Is there any reason the Senator can think of, of a substantive nature, that would have blocked that?

Mr. BARRASSO. I would say the only reason I know is someone intentionally does not want to bring a budget to the floor of the Senate. If a budget were on the floor of the Senate, then we could look through it, read it, people at home could look through it, have some input, call, write, talk to us at townhall meetings, and say we ought to try to amend this proposal to spend less money over here, more money over there, and try to decide the best way to work together as a nation to improve opportunities for people in this country.

That is what a family budget does. They don't have to by law, but smart families do that. They make plans, they think ahead, and not just 3 months or 6 months, families look ahead and put money aside for college opportunities. They think about whether they will need a new car, a roof sometime down the line—what will they need? That is what a budget is all about.

I see no reason fundamentally why there is no budget proposed by the majority party here on the floor for all of the country to take a look at, all of the country to say: Yes, change this, more here, less there, prioritize, and let the country work.

Mr. SESSIONS. If the Senator will yield, unless you are unwilling to tell the American people where you stand, unwilling to put real numbers on paper—you prefer to say: American people, don't worry about it; we are meeting in secret over here. Don't worry about it; we have the Vice President, and he called some Senators together, and he is going to fix it. You guys who serve on committees and the Finance Committee where taxes have to be voted on, should be voted on are no longer relevant. The system is broken.

They are saying: We are not going to go along with this, and it is not because it will not work, it is because the budget presented by the President, the only budget we have seen here increased taxes substantially, it increased spending even more than that, and it increased the debt more than if we had done nothing over the 10 years.

I see our colleague, Senator TOOMEY, a new Senator but not new to the budget process because he was a member of the Budget Committee in the House.

What I am frustrated about, and I believe people should be frustrated about, is this policy decision by the leadership in the Senate that it was foolish to produce a budget. That is not a sign that the Senate is broken; it is a sign that the leadership is broken. It is a sign the leadership does not have the courage to actually stand before the

American people and produce a plan, because it either would raise taxes too much, not cut spending enough, or raise the debt too much. I think that is irresponsible, but I have to say, Senator TOOMEY, a new member of our Senate, has produced a budget. He laid it out right at our committee, and he was prepared, as a member of our committee, to produce his budget and advocate for it. You know what happened? We did not meet. I cannot call the committee into session. I am the ranking Republican. Senator TOOMEY cannot call the committee into session and have a vote. They decided not to meet, not to do their duty. They are going to meet in secret somewhere and have their little discussions about what they want to do, and the people who are elected to be accountable to the American people for what we do with their money are standing around wondering what is happening. Forgive me if I am not happy. I do not think it is right. I think it is weakening the Senate. I believe our constitutional responsibility is not being fulfilled if we end up with some big deal bill on August 1, and we are told it has to be passed by August 2, and you can find out what is in it after we pass it. I am not there. Count me out.

We had more people wanting to get on the Budget Committee this year. They were so excited. It was the most wanted committee to be on in the entire Senate, and we have not done anything. The Senator was selected to be on the committee, which is a tribute to his experience, and I guess I would ask, how does the Senator feel about where we are?

Mr. TOOMEY. I thank the Senator for raising this issue because I do think this is a very important issue. Many of us wanted to be on the Budget Committee because we see what a critical moment our country is in. We see the very dire straits we have put ourselves in because of the fiscal irresponsibility of Washington, and some of us believe we do not have a lot of time to get this in order. So I was looking forward to the opportunity to serve on the committee that would design the blueprint for our entire fiscal policy for this year and hopefully beyond.

I think this is a fundamental responsibility, frankly, of any responsible organization, to have a budget. I ran a small business for years, my own little business. We always had a budget. The corner pizza shop has a budget. We are the biggest enterprise in the world, the U.S. Government. We spend \$3.6 trillion, and for the majority party to choose—I have to say cynically—not to even write a budget, to abdicate that fundamental responsibility to lay out for the American people how much money they want to spend, on what they want to spend it, where the money is going to come from, to abdicate that responsibility is shocking.

To make matters worse, they have a statutory obligation to do this, so it is actually also illegal, and here we are without a budget. We are about to run out of this year's funding. When we come back from the August break, we are going to be passing some huge omnibus. Who knows what is in that. We have a broken-down process. I believe it has contributed to where we are today with this debt limit.

By the way, a brief aside, if I could, about this debt limit issue. We had a discussion today in the Banking Committee—Federal Reserve Board Chairman Bernanke was there to testify—and it was a useful discussion. Unfortunately, after I left the committee, I learned later Senator SCHUMER began to discuss some of my remarks with Chairman Bernanke, and in the process he grossly mischaracterized what I said. I am quite sure Senator SCHUMER would never intentionally mischaracterize the remarks of one of his colleagues. So what I wish to do is clarify what was actually said so that in the future it won't be mischaracterized. I had observed that the Treasury will have more than enough cash coming in in the form of tax receipts to pay the interest on our debt in the event that we didn't raise the debt ceiling on August 2. I immediately went on to say, and I will now quote myself, if you will allow. I said:

Now, I don't know of anybody that suggests that we can or should go indefinitely without raising the debt ceiling, and I have argued that we would certainly be much better off reaching an agreement and raising the debt ceiling prior to August 2.

That was characterized by Senator SCHUMER as follows and I will quote him. He said:

For a smart guy—  
He was referring to me, believe it or not.

I mean, to say we can pay the obligations and not pay the rest and that that is just fine. Wow, I'm sort of surprised at it.

Well, obviously I never said it was fine. What I have said is we have a dire crisis on our hands and we need to do something about it, and I don't know we are going to get another opportunity than the opportunity over this question of whether and when and by how much we will raise the debt limit, but I am not going to sit by idly, and I am not going to go along with some deal that raises the debt limit without making the real cuts in spending we need and the real process reform.

As Senator SESSIONS knows, some of us have advocated that there be a simple deal, if you will, preferably one that we would discuss in public, one we would have a debate over, one we would have a vote on. The deal is simply this: We will agree to raise the debt limit by the full amount the President has requested, provided only that the President agree to put us on a path to a balanced budget. That is it. We call it cut,

cap, and balance. It has some immediate cuts. It has spending caps that put us on the path to a balanced budget, and it calls for the adoption of a balanced budget amendment to the Constitution.

We had a Democratic President named William Clinton who, together with the Republican Congress in the 1990s, acknowledged the importance of reaching a balanced budget. None of us think we can do it overnight. None of us are calling for that. But back then in the 1990s they decided they would strive for it and, in fact, they achieved it. We reached a balanced budget and ran a modest surplus.

All I am asking today as we confront this issue and as we contemplate saddling ourselves and our kids and grandkids with a debt more than we have now, what I am suggesting is at the same time we take the measures necessary to get us out of this mess, to prevent us from going further down this unsustainable path and to get to the point where we don't continue running deficits, a path to a balanced budget. Cut spending now, statutory spending caps, and a balanced budget amendment. We now have a big majority of Republican Senators who cosponsored this bill that would raise the debt ceiling by \$2.4 trillion, provided we get these changes. I am increasingly optimistic the House might very well pass a bill that would raise the debt limit contingent only on this path to a balanced budget.

While we are down here today, I think this is what we ought to be talking about. We should not go on to an appropriations bill that has no context because there has been no budget. We ought to be focused on getting this problem solved and then get back to the regular order of having a budget that defines the level of spending and where that money is going to come from and allows us to pursue the ordinary appropriation process so we can exercise our constitutional responsibility to control the purse strings of this Federal Government.

I thank Senator SESSIONS for raising this issue. This is a very important issue, and I agree with the Senator wholeheartedly that it is a travesty that we don't have a budget in this body. I certainly hope we don't go further down this path.

Mr. SESSIONS. I thank the Senator from Pennsylvania. He has been such a fabulous addition to the committee, talented and experienced and worked so hard that he has actually laid out a budget himself. The President has 500 people. The Congress here has a lot of staffers. Senator TOOMEY has produced a budget. The House has produced a budget, but we have not seen one here.

I am pleased my colleague, another member of the Budget Committee, Senator RON JOHNSON, is here. He is a business person who traveled his state and

talked with his constituents about his concerns about the debt this country faces.

I am pleased to hear Senator JOHNSON's thoughts at this time.

Mr. JOHNSON of Wisconsin. I thank the Senator. First of all, I thank the Senator for his leadership on this issue. I share your concern about the dysfunction of not only this body, our Budget Committee, but Washington in general. I mean, Washington is broken. We are currently conducting business as usual here in Washington, and it is bankrupting our Nation.

Certainly having spent 34 years as a manufacturer, I recognize you have to have a good process if you are going to have a good product. And because our process here is so broken, that is one of the reasons we are bankrupting this Nation—because we don't have a good process. It is, to me, unbelievable that in the Senate we haven't passed a budget now in—what is it—805 or 806 days? Over 2 years we have not passed a budget yet in this body. As an accountant—that is my background—I had to produce a budget on time for a wide variety of sizes of businesses, and it is simply unbelievable to me when I know how hard individuals and businesses work to produce a budget. And, by the way, they generally present those budgets on time. They don't miss the budget dates. But they actually produce a budget, and there is an awful lot of work that goes into those budgets.

I come here after 34 years in business, and I come here to the Senate understanding, again, not because I want to be a Senator but because I realize we are bankrupting this Nation, that America is in peril. I get here, and I hope to get on the Budget Committee so I can actually start solving this problem. I get on the Budget Committee, and I am ready to roll up my shirt sleeves and start working on the problem. What did we hold? I think we had six hearings on the President's budget, a budget that was so unserious that it lost in this body 0 to 97. Not one Member of the President's own party thought it was serious enough or maybe it didn't spend quite enough for them. Maybe it didn't tax enough for them. But, for whatever reason, not one member of the President's own party decided to vote for that budget. I think that is a stunning repudiation.

It is very disappointing, quite honestly, because right now, as our country faces bankruptcy, we are hungry for leadership and we are not getting any. The fact is if the President were serious about addressing this issue, if he were serious about attacking this problem, he would have been coming to us months ago to negotiate in good faith to prevent the bankrupting of America, but that hasn't happened.

So what is happening now? For the last few weeks we have been holding

some secret meetings, far from the view of the American public. I am not sure, is that how we are going to solve the financial future of America? I came here to work. I came here to be engaged in debate. I was hoping we would have a very open process under general order, but that is not what is happening. What I am afraid is we are going to end up with a deal that is going to be dropped in our laps with a couple of days to go, like with the health care law, like Dodd-Frank. All of a sudden we get these thousand-page bills dumped in our laps with no time to review, and then you start to see the unintended consequences. That is a real shame.

I just came from a press conference where every Member of the freshman class—we had a meeting this morning—and we were talking about, what can we do? I mean, we all came here in a very sincere desire to actually solve the problem. One of the things we talked about is how President Obama, rather than being serious about this, rather than tackling the problem, is willing to scare seniors and members of our military. We thought that was over the line. So we sent a letter to the President today asking: Please, step to the plate. Seriously address the problem. Stop scaring our seniors. Work with us. We want to help you solve the problem.

Mr. SESSIONS. I thank the Senator. I thank him for his great group of freshmen Senators who have added so much common sense to our problem. We were not elected to preside over the financial decline of America. We were not elected to skirt the law. We were not elected to shut down committees, to shut down debate, to cede our constitutional responsibility to secret meetings and closed-door proceedings. We were elected to do our duty, and there is no higher duty than to protect the American people from a clear and present danger. For that reason, I will oppose cloture on today's motion to waive section 303(c) of the Budget Act. I will vote to sustain the budgetary point of order, and I will encourage my colleagues to support my amendment raising that budget point of order to a threshold of 60 votes.

This is only the beginning of our fight. There will be more votes, more objections, more points of order working with my colleagues. I will give all that I have to help put this country on a sound, honest, financial path. Washington must recognize that America's strength does not lie in the size of our government, but in the scope of our freedoms and in the hearts of our people. The debt we have today is already pulling down our economic growth. Experts tell us we have lost 1 percent of economic growth because our debt exceeds 90 percent of our total economy—90 percent of GDP. It is 95 percent of GDP right now. We will reach 100 per-

cent of GDP by the end of this year. That alone reduces growth, according to the experts. Secretary of the Treasury Geithner said he thought that was an excellent study that found that fact.

What does 1 percent growth mean? Well, instead of the first quarter having 1.8 or 2 percent growth, we would have had 3 percent growth. If we had 3 percent growth instead of 2 percent growth, 1 million more jobs would be added per year, based on just the alteration of the difference between 2 percent growth and 3 percent growth.

We have to face these problems. I hope our colleagues are reaching a decision about how to proceed that can be successful. We have to make progress this year. We are going to have to sustain progress for a decade. If we do so, we will put this country on the right path. If we get that debt down—it is not too hard to do it—we will start seeing our growth come back, more jobs being created, more wealth being created, more taxes being paid, less help to people who are in need because they are now working when they weren't.

So I thank the Chair. I appreciate the opportunity to share these remarks.

Madam President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I ask unanimous consent that it be in order for me to offer and receive a vote on an amendment to this bill which relates to a 303(c) point of order that requires adoption of a budget resolution prior to the consideration of any appropriations bills.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of South Dakota. Madam President, the amendment is not germane to the bill. I am trying to keep this bill bipartisan and free of extraneous matters. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SESSIONS. Madam President, I yield the floor.

Mr. INOUE. Madam President, I rise today in support of the motion to waive section 303 of the Budget Act and to allow the Senate to move forward with its consideration of the MilconVA appropriations bill. I would like to say for the record that I agree with the Senator from Alabama that it would be preferable for the Senate to have passed a budget resolution prior to its consideration of individual appropriations bills.

In fact, on March 10 of this year, I stated my strong desire to move all of

the fiscal year 2012 bills through regular order, which of course begins with the passage of a budget resolution and adoption of our 302(a) allocation. Unfortunately, such is not the case this year. As we are all painfully aware, the current impasse over the budget is a direct result of the unwillingness of some in Congress to negotiate a comprehensive solution to our long-term deficit problem.

We are all well aware of these realities. It is my strong belief, however, that we must not allow the needs of our military or our veterans to be held hostage by the current budget stalemate. And while it is true that we do not have an overall allocation for discretionary appropriations, for the MilconVA bill we were able to agree with our House colleagues on an acceptable allocation. Therefore, there is no reason to delay consideration of this bill.

It is important that all of our colleagues understand that what we are recommending is not unprecedented. In fact, the Senate has acted on appropriations legislation absent a budget resolution four times in the past decade, including twice under Republican control. It is my strong desire, as I believe it is the desire of every member of the Appropriations Committee, that we move our bills under regular order. However, with less than 90 days left in the fiscal year and no budget resolution in sight, efforts need to be made to ensure the livelihood of our veterans and their families are not disrupted.

This is not a controversial bill. It passed out of the full committee unanimously, by a vote of 30-0. Yesterday, 89 Senators voted in favor of the motion to proceed to the bill. Finally, my colleagues should know that many of the provisions of this bill were voted on in the Armed Services Committee which was also passed unanimously, by a vote of 22-0. That is a great deal of support for moving forward with this measure. And, I am aware of no serious opposition to the substance of the bill.

For all these reasons, I urge my colleagues to join me in support of waiving the budget point of order and allowing the Senate to move forward with its consideration of the fiscal year 2012 Military Construction and Veterans Affairs appropriations bill.

#### CLOTURE MOTION

Mr. JOHNSON of South Dakota. Madam President, there is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to

waive the points of order under section 303 of the Congressional Budget Act of 1974 for H.R. 2055, any amendments thereto and motions thereon.

Harry Reid, Tim Johnson, Mark Kirk, Richard J. Durbin, Kay R. Hagan, Michael F. Bennet, Mark R. Warner, John F. Kerry, Richard Blumenthal, Barbara Boxer, Carl Levin, Debbie Stabenow, Jeff Bingaman, Mark Udall, Patty Murray, Patrick J. Leahy, Sheldon Whitehouse.

Mr. JOHNSON of South Dakota. Madam President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to waive the points of order under section 303 of the Congressional Budget Act of 1974 for H.R. 2055, any amendments thereto and motions thereon.

Harry Reid, Tim Johnson, Mark Kirk, Richard J. Durbin, Kay R. Hagan, Michael F. Bennet, Mark R. Warner, John F. Kerry, Richard Blumenthal, Barbara Boxer, Carl Levin, Debbie Stabenow, Jeff Bingaman, Mark Udall, Patty Murray, Patrick J. Leahy, Sheldon Whitehouse.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to waive the points of order under section 303 of the Congressional Budget Act of 1974 for H.R. 2055, and any amendments or motions thereto, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Utah (Mr. HATCH), and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "yea."

The yeas and nays resulted—yeas 71, nays 26, as follows:

[Rollcall Vote No. 110 Leg.]

#### YEAS—71

Akaka	Grassley	Mikulski
Alexander	Hagan	Murkowski
Baucus	Harkin	Murray
Begich	Heller	Nelson (NE)
Bennet	Hoeben	Nelson (FL)
Bingaman	Hutchison	Pryor
Blumenthal	Inouye	Reed
Blunt	Johanns	Reid
Boxer	Johnson (SD)	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Kirk	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Kohl	Snowe
Carper	Landrieu	Stabenow
Casey	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	Lugar	Warner
Cornyn	Manchin	Webb
Durbin	McCaskill	Whitehouse
Feinstein	McConnell	Wicker
Franken	Menendez	Wyden
Gillibrand	Merkley	

#### NAYS—26

Ayotte	Enzi	Paul
Barrasso	Graham	Portman
Boozman	Inhofe	Risch
Chambliss	Isakson	Rubio
Coats	Johnson (WI)	Sessions
Coburn	Kyl	Shelby
Corker	Lee	Toomey
Crapo	McCain	Vitter
DeMint	Moran	

#### NOT VOTING—3

Burr	Hatch	Roberts
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The PRESIDING OFFICER. On this vote, the yeas are 71, the nays are 26. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader is recognized.

Mr. REID. Madam President, I am giving fair warning to everyone. We have gotten nonchalant about coming to vote. We have an extra 5 minutes. We are not going to extend that in the future. It is not fair to everyone else who gets here on time. So everyone is on notice. We are going to cut the votes off in 20 minutes. People come straggling in 8, 10 minutes late. That is not going to work anymore. It is going to affect Democrats and Republicans.

Madam President, this will be the last vote of the week. We will more than likely be in session tomorrow. There will be no votes tomorrow. If there are people who want to offer amendments, the two managers of this bill, Senator JOHNSON and Senator KIRK are here. They are here tonight. This vote coming up will be the last vote of the week.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. VITTER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Utah (Mr. HATCH), the Senator from Kansas (Mr. MORAN), and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted “nay.”

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 40, as follows:

[Rollcall Vote No. 111 Leg.]

YEAS—56

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Inouye	Pryor
Bingaman	Johnson (SD)	Reed
Blumenthal	Kerry	Reid
Boxer	Kirk	Rockefeller
Brown (MA)	Klobuchar	Sanders
Brown (OH)	Kohl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Cochran	Lieberman	Udall (NM)
Conrad	Manchin	Warner
Coons	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	

NAYS—40

Alexander	Graham	Murkowski
Ayotte	Grassley	Paul
Barrasso	Heller	Portman
Blunt	Hoeven	Risch
Boozman	Hutchison	Rubio
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Snowe
Collins	Johnson (WI)	Thune
Corker	Kyl	Toomey
Cornyn	Lee	Vitter
Crapo	Lugar	Wicker
DeMint	McCain	
Enzi	McConnell	

NOT VOTING—4

Burr	Moran
Hatch	Roberts

The motion was agreed to.

Mr. JOHNSON of South Dakota. Madam President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUE. Madam President, I am pleased that we are beginning consideration of the fiscal year 2012 Military Construction and Veterans Affairs appropriations bill.

This bill passed out of the Committee on Appropriations by a unanimous vote of 30 to 0. It is the hope of the committee that such strong, bipartisan support will continue as the full Senate debates this measure and that we will be able to consider germane amendments in a reasonable period of time, pass the bill, and move on to a conference with the House.

As we continue to debate the larger fiscal challenges our Nation faces, I note that the level of funding in the Senate mark of this MILCON-VA bill is consistent with the level of funding in the House-passed measure.

I thank Chairman JOHNSON and Vice Chairman KIRK for their brilliant work in producing a bill that provides essen-

tial support to our veterans, our Active-Duty military, and their families. The resources provided in this bill will fund vital construction projects and will ensure that our wounded veterans and warriors receive the excellent care they deserve.

It is good we are moving the first of our fiscal year 2012 appropriations bills under regular order. As I have said on numerous occasions, the best way to ensure that every taxpayer dollar is spent wisely is to move our 12 bills through the committee, the full Senate, to a conference with the House, and through final passage in both Chambers.

Our ability to work together on this important bill serves as a reminder that bipartisan compromise can be achieved by the Congress, even in the most difficult of budget environments. It is my hope that the spirit of bipartisanship embodied in this bill will serve as a model for the remaining fiscal year 2012 appropriations process.

I congratulate Chairman JOHNSON and Vice Chairman KIRK for their efforts. I look forward to returning to the floor at the earliest possible date with the next appropriations measure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Madam President, I thank the distinguished Senator from Hawaii for his kind word about the management of this bill. I join him in his congratulations to the two managers. We appreciate their hard work.

The committee had extensive hearings and review of all the appropriations bills we are going to be taking up—a public hearing process, open for comments, with opportunities for people to express their views. They have done that in a diligent, careful, and responsible manner. I think it is a credit to the Senate that we have considered this bill today. We look forward to continuing to work our way through all the appropriations bills that come under the jurisdiction of the committee. I especially thank my friend from Hawaii for his leadership.

Mr. JOHNSON of South Dakota. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KIRK. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KIRK. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING BETTY LOU REED

Mr. KIRK. Madam President, while we are waiting for authors of their

amendments to come to the floor to speak on a point of personal business, I wanted to rise to eulogize one of my mentors in politics.

State Representative Betty Lou Reed died this week. She was somebody many of us in northern Illinois looked up to. Betty Lou Reed served from her home community of Deerfield, IL. She knew Senator Everett Dirksen well and helped in his campaigns for reelection. She was someone who practiced the art of politics from the fiscally conservative side but the ideological center. She was someone who was a role model for many of us at the township, the State, and especially at the Federal level.

I first met Betty Lou after she had retired from our State legislature in Springfield, IL, when she served as the district director for Congressman John Porter. I remember a long visit with her, as she was showing me the congressional district where I grew up, from a political point of view.

As we passed by the Zion nuclear reactor, she said: Whatever your feelings from college, buddy boy, here we are pro nuclear power. And she began to introduce me to the politics, especially of Lake County, IL.

Betty Lou Reed was someone who liked to drink her bourbon and branch water, as she called it, regularly in the evening, telling old war stories about how things were done in Springfield, IL. She was always kind and considerate, and I never heard a swear word from her, ever—despite the rough language that is used both in Springfield and in Chicago.

Her husband was a staunch supporter of hers and always available for the continuous set of parades and public meetings she went to. She guided us, especially in the consideration of the first Base Realignment and Closure Committee in which Ft. Sheridan—in Illinois, next to her home district—was the poster child for disposal, given its high value and golf course next to Lake Michigan. We went through a number of proposals, such as bringing in a prison or homeless shelters, et cetera, but finally came to a mutually agreed-upon solution of a set of public buildings, parks, and additions to Lake Forest, Highwood, and Highland Park.

Probably her greatest legacy was in supporting and teaching a young Congressman from our area, Congressman John Porter, the ropes and guiding him through difficult elections and tough partisan times. I served as Congressman Porter’s chief of staff while she, as she put it, garnered the real votes back home and took care of business.

Betty Lou lost her husband a while ago, and she passed away this week. Many of us in northern Illinois remember her not just as a trusted public official and congressional staff member but as someone who taught us the ropes—even those of us from

Chicagoland—and how to exercise the art of politics, maybe more gently and with better language than our predecessors.

I very much will miss Betty Lou Reed. I know Congressman Porter shares this sentiment, as do many of the staff and the political families of northern Illinois, and I wanted to take this moment today in the Senate to mark her passing and say how very much we will miss her.

Madam President, I yield the floor, and I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

#### BUDGET NEGOTIATIONS

Mr. MENENDEZ. Mr. President, I know we are on the MILCON appropriations bill, but I did not want to lose the opportunity to talk about a pressing issue before the country today; that is, how we will work to resolve the Nation's obligations to its creditors and what the failure of doing that means to the Nation and to each and every American. I rise to ask a simple question of my Republican colleagues: When is an entitlement not an entitlement? Apparently, given the rhetoric and actions of some of our friends on the other side of the aisle, the answer would be that an entitlement is not an entitlement when it benefits an entitled class of wealthy Americans. In the Republicans' ideological haze that is swirling around Washington these days, it is only an entitlement when it goes to the middle-class families, to students, to seniors, to the disabled, to the downtrodden, and the dispossessed.

Those entitlements, according to the Republicans, should be on the chopping block. But entitlements to the wealthy can never be on the table, despite the fact that our current Tax Code allows the wealthiest 400 taxpayers in America to pay a smaller percentage of their income in taxes than the average New Jersey family—less than the average New Jersey family.

What Republicans will ultimately do, their goal in this debt negotiation, is outlined in the House-passed budget that ends Medicare as we know it, the baseline of retirement security for our seniors, what was the retirement security of my mother in the twilight of her life as she struggled against Alzheimer's, after having worked a lifetime to help build a family and be part of contributing to a community. She would not have lived in the dignity she deserved in the twilight of her life but for Medicare as we know it—and it makes a middle-class life in America more expensive and less accessible.

It seems to me the policies of our Republican friends would make sure the rich get even more rich at the expense of the middle class. They think the rich are entitled to all the tax loopholes they get but seniors and the disabled, they do not need the health benefits they are getting. We call this leadership? Do they call it leadership, to stand on ideology and send this Nation into default?

Default basically means being a deadbeat. I think average Americans understand what being a deadbeat is all about. We teach our children to meet their responsibilities. We say do not incur a debt, but if you incur that debt, meet your responsibility—pay it. But now we have leaders in this Nation who say let's have this Nation be a deadbeat, and we would leave a senior citizen who lives—I know some of our friends here who may not have an appreciation of this—who lives month to month only on Social Security, standing hopelessly on the front porch waiting for a check that may not come. You call that leadership?

We call it leadership to risk increasing interest rates on mortgages when families are struggling to pay at the current rates on student loans, on car payments, on credit cards that middle-class families can ill-afford now? They call it leadership to risk leaving a wounded veteran without a benefit check or active military men and women, their families, without a paycheck?

They call it leadership to risk a spike in prices that increases the cost of groceries and gas and potentially costs a middle-class family in New Jersey an additional \$1,500? They call it leadership to risk an end to unemployment benefits to States, leaving those already struggling in this economy at risk of losing what little they have?

They call it leadership to risk Medicaid payments to States for disabled seniors in nursing homes who have no other options but amazingly allow a millionaire who owns a stable of racehorses a depreciation allowance on the Tax Code on those racehorses? That is an entitlement we should not touch? That is leadership? Bottom line, it is estimated that about \$125 billion worth of bills, on average, may have to be put off if we don't deal with meeting the Nation's obligations.

It is not leadership if the dollar plummets and America loses. It is not leadership if no one follows but the far rightwing of the Republican Party. If we are going to balance the budget by limiting entitlements and subsidies and earmarks, perhaps we should begin with those entitlements in the Tax Code that benefit those who are the wealthiest in the country. Perhaps we should look at ending entitlements for rich oil companies that receive \$2 billion a year. They receive in just two tax breaks that the code gives them \$21

billion over the next 10 years. Yet, oh, no, we can't touch that, but we can tell some senior that, in fact, they have to be on the chopping block; that Medicare has to end as we know it.

How about \$6 billion for ethanol producers or how about the racehorse depreciation allowance or the billions year after year that defense contractors think they are entitled to? How about investing in new bridges and tunnels and a new state-of-the-art transportation system in New Jersey instead of Kandahar?

Our friends on the other side who believe we should balance the budget by spending cuts alone are more than willing to bargain away student loans, bargain away prescription drug coverage, even bargain away nursing home care for the elderly parents to protect entitlements for big oil companies, billionaire corporate executives who travel the world in private jets, and millionaires who believe they are entitled to all of the tax loopholes they are getting now after the biggest tax cut in history—entitled to tax cuts but not obligated to create American jobs, contrary to the false rhetoric we hear from the other side about a correlation between entitlements for the wealthy and job creation.

The hard rightwing of the Republican Party has come to the table willing to give up nothing—unwilling to accept an offer by the President and Democrats of trillions of dollars in spending cuts, potential savings in entitlement programs, and tax reform options, all of which they have been demanding, unless we agree to protect the entitlements that exist for the wealthy. Not even a single penny on the revenue side of the option. Don't touch those entitlements for the big five oil companies. Don't touch the entitlements for the corporate jets. Don't touch the entitlements for the racehorses. Don't touch any of those entitlements giving the tax breaks and having a code where an incredible universe of corporations in America don't even pay at the end of the day by using all of the provisions of the code, anything toward the common good.

They come to the table with nothing. They look America in the eye and tell us we cannot cut subsidies to big oil companies. We cannot put entitlements to the wealthy on the table because in their ideological haze, they conveniently, through this political sleight of hand, label any attempt to end those tax breaks, those entitlements, as a tax increase on what they like to call the job creators. Their excuse for such an irresponsible bargaining position: trickle-down economics. I have heard this so many times over the time I have been in Congress. But the problem is nothing has ever trickled down. Yet those same entitlements for the entitled, the \$5 trillion entitlement the Bush tax cuts would cost going forward



over the next decade that we are told at the outset would create jobs, would turn out to be the greatest failed jobs program in American history.

I look at how those tax breaks are skewed to the wealthiest. I understand the opportunity to help middle-class families, and I promote that because they are the ones who spend in this economy and create demands. But the way those tax cuts are skewed to the wealthiest, \$5 trillion, I ask my friends: Where are all the jobs that were supposedly going to be created as a result of that? Where are all the jobs these Republican entitlements to the wealthy are supposed to produce? Where are they? When middle-class Americans are struggling to make ends meet, pay the bills, keep their jobs, their health care, their homes, entitlements to the entitled are the most reckless kind of spending.

This is the irresponsible Republican entitlement spending that should be on the table, the very entitlement spending that contributed to our current debt, and yet our friends on the other side continue to protect these entitlements.

They will not vote to raise the debt limit unless we cut entitlements for the working middle-class families of this country, but they protect entitlements for the wealthiest Americans. They are holding a gun to our heads at a critical time in our economic history, but we need only to look back at how often Republicans, themselves, have raised the debt limit.

As we can see from this chart, to pay for tax cuts for the wealthy, George W. Bush had seven increases of the debt ceiling, increasing it by 90 percent for the largest increase in history, a total of over \$5 trillion that includes the entitlements for the wealthy that they will not put on the table in the name of shared sacrifice even if it means America defaults on its debt and becomes a deadbeat and sends a ripple-effect throughout the world and its economies that come back crashing on our shores in the United States. So it is amazing me.

Ronald Reagan raised the debt ceiling 18 times. Mr. President, 18 times in 8 years, a total percentage increase of 199 percent, amounting to \$1.8 trillion, which in today's dollars would be \$4 trillion. Mr. President, 18 times, Ronald Reagan. George Bush, 7 times, for \$5.3 trillion.

That amount, by the way, under the Bush years, ends up being, what. What is it equal to? The Bush tax cuts, \$5 trillion.

They will not raise the debt limit to protect the good faith of the American financial system, to protect middle-class families who have already lost so much under Republican economic policies that led us to the brink of economic disaster. The whole confluence of what happened in September of 2008

where we had these Bush tax cuts totally unpaid for, denying the Federal Treasury those moneys, at a time in which we had two wars raging abroad in Iraq and Afghanistan, a new entitlement program unpaid for, and a marketplace that instead of being a free market—which I support—became a free-for-all market in which investor decisions ended up becoming a collective risk to the entire country, and that is what we have been facing.

Instead of meeting this responsibility, they favor cuts in entitlements to the seniors, to the disabled, to families struggling to make ends meet, to students seeking to get the college education that could help fuel America's prosperity. That is what we saw in the House Republican budget that passed but are willing to decimate our Nation's economy to protect entitlements for the rich. They have dug in their heels and walled off irresponsible, unnecessary tax breaks for big oil companies. They have walled off entitlements to multibillion-dollar corporations and millionaires who need no entitlements because they believe—blinded by their ideological haze—the rich are entitled to their outrageous giveaways even if it means ballooning the deficit and sending the Nation into default on its debt. Entitlements for these special interests, cuts for everyone else.

Republicans prefer to talk about cutting entitlements rather than what it really means—rather than cutting Social Security, rather than cutting Medicare, rather than cutting Medicaid—because cutting entitlements seems so esoteric. It is not very personal. But we all know our families, our mothers and fathers who may be getting their health care on Medicare or one of them who may be sitting in a nursing home on Medicaid or a poor child who is getting their health care being taken care of on Medicaid, we know our friends and neighbors with disabilities, and we understand what those challenges are.

Let's be clear. The only entitled people Republicans are talking about in this debate are those who already enjoy enormous benefits under the Tax Code, both individually and corporations that feel entitled to these pretty outrageous tax breaks.

Oil companies, as I heard from the executives who appeared before the Senate Finance Committee, clearly feel entitled to \$21 billion in subsidies. Millionaires and billionaires think they are entitled to the Bush tax cuts. Corporate titans think they are entitled to tax breaks for their private corporate jets, and Republicans think these are the only entitlements worth protecting.

It is time to stop trying to balance the budget on the backs of seniors and middle-class working families. It is time to stop protecting government handouts to the entitled class at the

expense of the middle class and telling America in good economic times that it stimulates the economy and in bad times that it is a job creation policy.

The truth is, it is neither. It is simply an entitlement program for an entitled small class of Americans who are not struggling to make ends meet or pay the mortgage or afford health care or find another minimum wage job to put food on the table. This stark contrast of wealth in the Nation is in the numbers.

The 400 wealthiest taxpayers—those who get the most out of Republican entitlements—had an average income in 2008 of \$270 million, almost \$300 million. That amounts to an hourly wage of about \$31,000 an hour. Their average tax rate was about 18 percent. In contrast, the median New Jersey household earned about \$64,777 the entire year as opposed to just 2 hours. That equated to 2 hours for the richest 400 people, and yet they paid an average of 21.2 percent. They paid a higher percentage of less of their wages than those 400 top earners in the country.

A first lieutenant at Fort Dix, NJ, earned about \$52,000. He paid an average tax rate of 18.9 percent. So I ask, looking at these numbers, what should be on the table and what should not? The fact is, we are offering solutions. We are simply asking for fairness and for our friends on the other side to bring something to the table other than a political ideology and an unrealistic ultimatum, all in order to protect an entitled class that needs no protections. I don't usually agree with the conservative columnist David Brooks, but as I have said on this floor before, I agree with him when he says, "The members of this movement talk blandly of default and are willing to stain their Nation's honor. . . ."

They are willing to stain their Nation's honor.

I agree when he wrote that "if the debt talks fail independent voters will see Democrats as willing to compromise but Republicans were not."

Although this is not even about that. At the end of the day, this is about the Nation. This is about our economy. This is about trying to get people back to work. This is about trying to ensure families can realize their hopes and dreams and aspirations. This is about the United States of America, a beacon of light to the rest of the world, the gold standard in terms of credit and meeting its obligations, continuing to be that gold standard and that beacon of light or becoming a deadbeat in the world.

I would go even further and say the American public will see right through these efforts to protect entitlements for a privileged class while those Americans who struggle every day to build the foundation of America, the cuts go on their backs. They come to the table with nothing other than an ideological

fixation that prevents them from negotiating in good faith, prevents them from putting the interests of the country ahead of their narrow political interests.

I have read some of the comments about this issue as it relates to: Well, you know, do we end up giving President Obama the ability to get re-elected? This is not about President Obama. This is about the United States of America. This is about our country. This is about being responsible at one of its most critical times. This is about getting the country back on track. It is about giving the private sector faith and confidence that we are not going to default on our debt, that we are going to meet our obligations. It is about telling investors in the world the United States is still a good place to invest. And when those investments are made, jobs are created, people go to work, once again they have the dignity of work taking place; they are able to spend in the economy, the economy grows, that creates other jobs, other opportunities, and we move toward fulfillment once again of the great American opportunity.

That is what this debate is all about. It is a debate about each and every one of us. The sooner our friends realize it is not about a political equation, it is not about who wins and loses in a political context, it is about the Nation, the better. If we can fix our attention to the needs of the Nation, then I have to believe we can meet this challenge in a balanced way. Clearly, if Ronald Reagan raised the debt ceiling 18 times and if George Bush raised it 7 times, then this time, the first time under President Obama it needs to be raised, which is merely to pay the obligations we already have, I have to believe responsible people will come forward and say yes and do it in a way that isn't on the backs of middle-class working families.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 553

Mr. COBURN. I call up amendment No. 553.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for Mr. McCAIN, proposes an amendment numbered 553.

Mr. COBURN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To eliminate the additional amount of \$10,000,000, not included in the President's budget request for fiscal year 2012, appropriated for the Department of Defense for planning and design for the Energy Conservation Investment Program)

On Page 64, line 24, strike "\$3,380,917,000" and insert "\$3,370,917,000".

Mr. COBURN. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of New Mexico.) Without objection, it is so ordered.

AMENDMENT NO. 556

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up my amendment No. 556, which is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from South Dakota [Mr. JOHNSON], for himself and Mr. KIRK, proposes an amendment numbered 556.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 114 between lines 18 and 19, insert the following:

SEC. 301. Not later than 90 days after enactment of this Act, the Executive Director of Arlington National Cemetery shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives detailing the strategic plan and timetable to modernize the Cemetery's Information Technology system, including electronic burial records.

Mr. KIRK. Mr. President, this is a joint amendment. I support it. It concerns a report on the operations of Arlington National Cemetery. It is very necessary. My understanding is that this then sets up the vote that the leaders have scheduled for Monday afternoon. And that is what we are doing right now to continue the consideration of this bill.

MORNING BUSINESS

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNET GAMBLING

Mr. REID. Mr. President, per the request of Senator KYL's office, I ask unanimous consent that a letter from myself and Senator KYL to the Attorney General be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, July 14, 2011.

Hon. ERIC HOLDER,  
Department of Justice,  
Washington, DC.

DEAR ATTORNEY GENERAL HOLDER: As you know, several weeks ago, the U.S. Attorney in the Southern District of New York indicted various individuals associated with online poker sites for violations of various laws. Additional indictments were unveiled in Baltimore at the end of May.

These indictments came after many years in which the entities operated Internet poker websites to Americans in an open and notorious way with apparently no repercussions from law enforcement. Leading up to the indictments, this lack of activity by law enforcement led to a significant and growing perception that operating Internet poker and other Internet gambling did not violate U.S. laws, or at least that the Department of Justice thought that the case was uncertain enough that it chose not to pursue enforcement actions. In turn, this perception allowed this activity to spread substantially, so that at least 1,700 foreign sites continue to offer Internet gambling to U.S. players. We think it is important that the Department of Justice pursue aggressively and consistently those offering illegal Internet gambling in the United States.

In addition, we have two further concerns: the spread of efforts to legalize intra-state Internet gambling and the spread of efforts to offer such intra-state Internet gambling through state-sponsored lotteries.

We believe that the Department of Justice's longstanding position has been that all forms of Internet gambling are illegal—including intra-state Internet gambling, because activity over the Internet inherently crosses state lines, implicating federal anti-gambling laws such as the Wire Act. Yet efforts are underway in about a dozen states to legalize some form of intra-state Internet gambling. In many cases, Internet gambling advocates in those states cite the silence of the Department of Justice in the face of these efforts as acquiescence. In fact, we have heard that at a major conference in May, several officials from various state lotteries boasted that they have obtained the Department of Justice's effective consent by writing letters of their plans that stated that if no objection was received they would proceed with their Internet gambling plans—and no objection has been received despite many months or years.

This is troubling. We respectfully request that you reiterate the Department's longstanding position that federal law prohibits gambling over the Internet, including intra-state gambling (e.g., lotteries). Conversely, if for some reason the Department is reconsidering its longstanding position, then we respectfully request that you consult with Congress before finalizing a new position that would open the floodgates to Internet gambling.

Finally, we would like to work with you to strengthen the penalties for those who violate the law and to see what modifications

would be helpful to the Department to enhance its ability to fight Internet gambling. Sincerely,

HARRY REID,  
U.S. Senator.  
JON KYL  
U.S. Senator.

#### TRIBUTE TO GERALD M. CHASE

Mr. LEVIN. Mr. President, it is with great pride that I pay tribute to a dedicated public servant from my home state of Michigan. Gerry Chase has devoted his professional life to helping others and improving the quality of public health in northern lower Michigan for nearly four decades, and I am pleased to recognize his life's work as he retires from public service this month. Through his many initiatives as the Public Health Officer for Northwest Michigan, Gerry has impacted many by working tirelessly to better the lives of the residents of Antrim, Charlevoix, Emmet, and Otsego Counties.

Gerry accepted the position of public health officer in 1974 at the urging of his mentor Roy R. Manty. Shortly after earning his bachelor of arts and a master's in public health from the University of Michigan, Gerry embarked on what he initially thought would be a short-term assignment, but would become his life's work. Thirty-seven years later, Gerry can look back with pride on a fulfilling and impressive record of accomplishment.

Charged with the responsibility of promoting wellness, preventing disease, and providing quality healthcare, Gerry has been at the forefront of some of the more complex and daunting public health issues, leading an agency that has grown from 17 in the mid-1970s to more than 200 employees today. Among Gerry's countless accomplishments as public health officer is an initiative to provide dental care to over 20,000 low-income residents, an effort to increase the number of poor women eligible for cost-free breast and cervical cancer screenings, and the establishment of a multicounty workplace smoking ban.

Through these accomplishments and many more like them, residents of these counties are living healthier and better. In 2007, Gerry was awarded the Roy R. Manty Distinguished Service Award, Michigan's top public health award. This honor, which bears the name of his mentor, is given to a person that embodies the "values, dedication and spirit Manty brought to public health," which is a fitting tribute for a man that has dedicated his life to the public good.

Gerry is also a loving and devoted husband to his wife of 45 years, Kay, and an outstanding role model for his children, Gerald, Harold, and John, and for his grandchild, Taylor. In fact, I am reminded every day of his efforts in this regard through the work of his

son, Harold, a member of my staff for the last 15 years. Gerry has been an active member of his community as well, helping to develop the Northwest Academy, a charter school in Charlevoix County, leading a troop of Boy Scouts, and serving as a Big Brother.

Gerry has set a high standard and has left a lasting footprint which will endure for many years to come. I know my colleagues will join me in congratulating Gerry on his many impressive accomplishments over the last thirty-seven years. I wish him the best as he begins a new chapter in life.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO FRANK SPRINGOB

• Mr. KOHL. Mr. President, today I wish to recognize Greenfield Chief of Police Frank Springob for 46 years of service to the community and State of Wisconsin. I am honored to have the opportunity to congratulate my friend and great member of law enforcement, Chief Springob, on his retirement.

From an early age, Frank Springob was destined to become a police officer. Growing up on Milwaukee's south side, Frank spent a lot of time visiting his local police station and officers who became Frank's first mentors. Frank began his career as a police clerk trainee and with an unparalleled commitment to community service, spent the next 29 years working his way up through the ranks of the Greenfield Police Department, until he was appointed Greenfield's chief of police in 1994.

Throughout his career, Frank remained endlessly committed to helping improve the lives of the residents he swore to protect and serve. During his time on the police force, Frank has seen the population of the city more than double. His encyclopedic knowledge of law enforcement and the history of the city helped ensure that the people of Greenfield received a special brand of policing—one focused, above all else, on helping people.

During his time as chief, Frank has overseen the development and construction of the Law Enforcement Center, while maintaining one of the best, most cost effective departments in the State of Wisconsin. Still, Frank's greatest legacy as chief of police will be the team of officers he has helped shape and the incredible work they will continue to do serving the residents of Greenfield.

Chief Frank Springob is an outstanding example of a true public servant and his dedication to protecting others has set a standard that we can all admire. The city of Greenfield and the State of Wisconsin have benefitted greatly from his service and I am proud to offer these words in recognition of his extraordinary career.●

#### RECOGNIZING THE SMOKY TOAST CAFE

• Ms. SNOWE. Mr. President, while the news these days all too often highlights the negatives in our economy, such as the plight of a high unemployment rate and weak growth, we should also be reminded that some people are making the best of a bad economy and taking a risk by starting new businesses. One couple in downeast Maine has made the incredible transition from operating a boatbuilding shop to starting a new restaurant all in the course of less than a decade. Instead of complaining about the calamitous economic times, they did something to continue their passion of entrepreneurship. That is why today I wish to honor the Smoky Toast Cafe located in Jonesboro, which opened last year to much acclaim.

Tracy Watts and William Faulkingham started their boat-finishing business, Jonesboro Custom Finish Shop, nearly a decade ago. During the booming economy of the early 2000s, business was good and their docks were never dry, with customers constantly bringing in boats for finishing and renovations. The company finished a variety of watercraft, ranging from lobster boats and commercial vessels to canoes and sport fishing boats. With orders coming in on a regular basis, William and Tracy never lacked for work. Regrettably, that all changed when the economic downturn struck late last decade, as thousands of small businesses in Maine and the rest of the country saw demand slack off and the need for their services diminish.

But instead of waiting around for the economic winds to shift, the energetic founders of this boatbuilding business changed course altogether and found a new calling—off the water—in the restaurant industry. Tracy and William built the Smoky Toast Cafe on the same land where Jonesboro Custom Boats had previously operated. Using the skills they had honed over time William's handiness and Tracy's cooking—they started over from scratch. Now more than a year into this new endeavor, the business is off to a strong start. After all, no matter how hard times may be, quality food always sells.

But William and Tracy also know that starting a new business in this climate will take even more hard work. They have built a loyal following among the downeast community of fishermen and harvesters, and open their doors at 5 a.m. to welcome these dedicated individuals with hearty breakfasts and fresh baked muffins and breads. The Smoky Toast Cafe is also open for lunch, offering standard favorites as well as Maine seafood dishes. The restaurant is also utilizing social media, such as Facebook and Twitter,

to promote itself and bring in new customers, by posting daily specials and company news items.

Small businesses like the Smoky Toast Cafe are the main generators of jobs and economic growth in this country and will be the drivers of our recovery. The commitment to entrepreneurship displayed by Tracy and William is a remarkable example to aspiring business owners who are considering whether or not to take the risk in starting their own company. I commend William and Tracy for their tremendous efforts and wish them many successful years of business. ●

#### MESSAGE FROM THE HOUSE

At 1:08 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2018. An act to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations to the State's water quality standards, and for other purposes.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2018. An act to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2475. A communication from the Secretary of the Commission, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Commodity Pool Operators: Relief From Compliance With Certain Disclosure, Reporting and Recordkeeping Requirements for Registered CPOs of Commodity Pools Listed for Trading on a National Securities Exchange; CPO Registration Exemption for Certain Independent Directors or Trustees of These Commodity Pools" ((17 CFR Part 4) (RIN3038-AC46)) received in the Office of the President of the Senate on July 13, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2476. A communication from the Acting Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Competitive and Noncompetitive Non-Formula Federal Assistance Programs—Administrative Provisions for the Sun Grant Program" (RIN0524-AA64) received in the Office of the President of the Senate on July 8, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2477. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (12) officers

authorized to wear the insignia of the grade of major general or brigadier general, as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2478. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to information on "certain Iraqis affiliated with the United States"; to the Committee on Armed Services.

EC-2479. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Prohibition on Interrogation of Detainees by Contractor Personnel" ((RIN0750-AG88) (DFARS Case 2010-D027)) received in the Office of the President of the Senate on July 8, 2011; to the Committee on Armed Services.

EC-2480. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Simplified Acquisition Threshold for Humanitarian or Peacekeeping Operations" ((RIN0750-AH29) (DFARS Case 2010-D032)) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Armed Services.

EC-2481. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-2482. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2011-0002)) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2483. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2011-0002)) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2484. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-8187)) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2485. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2011-0002)) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2486. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of the New State of the Republic of South Sudan to the Export Administration

Regulations" (RIN0694-AF27) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2487. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Technical Amendment to the Authorization Validated End-User Regulations of the Export Administration Regulations" (RIN0694-AF23) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2488. A communication from the Associate General Counsel for Legislation and Regulation Divisions, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "SAFE Mortgage Licensure Act: Minimum Licensure Standards and Oversight Responsibilities" (RIN2502-AI70) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2489. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation M (Consumer Leasing)" (Docket No. R-1423) received in the Office of the President of the Senate on July 8, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2490. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation Z (Truth in Lending)" (Docket No. R-1422) received in the Office of the President of the Senate on July 8, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2491. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation Z (Truth in Lending)" (Docket No. R-1424) received in the Office of the President of the Senate on July 8, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2492. A communication from the Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Rules and Regulations Implementing the Truth in Caller ID Act of 2009" ((RIN3060-AJ66) (FCC 11-100)) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2493. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Queen Conch Fishery of Puerto Rico and the U.S. Virgin Islands; Queen Conch Management Measures" (RIN0648-AY03) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2494. A communication from the Administrator of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, a report relative to "The National Initiative for Increasing Seat Belt Use: Buckle Up America Campaign"; to the Committee on Commerce, Science, and Transportation.

EC-2495. A communication from the Assistant Deputy Administrator for Operations,

National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Listing Endangered and Threatened Species: Threatened Status for the Oregon Coast Coho Salmon Evolutionary Significant Unit" (RIN0648-XA407) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Environment and Public Works.

EC-2496. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Criteria for Use of Computers in Safety Systems of Nuclear Power Plants" (Regulatory Guide 1.152, Revision 3) received in the Office of the President of the Senate on July 12, 2011; to the Committee on Environment and Public Works.

EC-2497. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Cedar River, Cedar Rapids, Iowa flood risk reduction project; to the Committee on Environment and Public Works.

EC-2498. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report on National HIV Testing Goals; to the Committee on Health, Education, Labor, and Pensions.

EC-2499. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2500. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's annual report on Federal agencies' use of the physicians' comparability allowance (PCA) program; to the Committee on Homeland Security and Governmental Affairs.

EC-2501. A communication from the Executive Director of the U.S. Election Assistance Commission, transmitting, pursuant to law, the 2009-2010 Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office (NVRA) report; to the Committee on Rules and Administration.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-57. A resolution adopted by the Legislature of Rockland County, New York, urging the Federal Communications Commission to adopt and implement proposed rules that would require mobile service providers to provide usage alerts and information that will assist consumers in avoiding unexpected charges on their bills; to the Committee on Commerce, Science, and Transportation.

POM-58. A resolution adopted by the Legislature of Rockland County, New York, requesting that the United States House of Representatives pass bill H.R. 1268—The Nuclear Power Licensing Reform Act of 2011; to the Committee on Environment and Public Works.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Stephen A. Higginson, of Louisiana, to be United States Circuit Judge for the Fifth Circuit.

Jane Margaret Triche-Milazzo, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

Alison J. Nathan, of New York, to be United States District Judge for the Southern District of New York.

Susan Owens Hickey, of Arkansas, to be United States District Judge for the Western District of Arkansas.

Katherine B. Forrest, of New York, to be United States District Judge for the Southern District of New York.

David V. Brewer, of Oregon, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2013.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PRYOR:

S. 1367. A bill to amend the Internal Revenue Code of 1986 to permit information sharing with respect to prison inmate information, and for other purposes; to the Committee on Finance.

By Mr. ROBERTS (for himself and Mr. NELSON of Nebraska):

S. 1368. A bill to amend the Patient Protection and Affordable Care Act to repeal distributions for medicine qualified only if for prescribed drug or insulin; to the Committee on Finance.

By Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, and Mr. BEGICH):

S. 1369. A bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements; to the Committee on Environment and Public Works.

By Mrs. BOXER (for herself, Ms. MURKOWSKI, and Mrs. MURRAY):

S. 1370. A bill to reauthorize 21st century community learning centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 1371. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Commerce, Science, and Transportation.

By Mr. REED (for himself, Mr. KIRK, Mr. BINGAMAN, Mr. CARDIN, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KERRY, Mr. LAUTENBERG, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, and Mr. WHITEHOUSE):

S. 1372. A bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER:

S. 1373. A bill to amend the Internal Revenue Code of 1986 to reduce international tax avoidance and restore a level playing field

for American businesses; to the Committee on Finance.

By Mr. MENENDEZ:

S. 1374. A bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services; to the Committee on Commerce, Science, and Transportation.

By Mr. LEVIN (for himself and Mr. BROWN of Ohio):

S. 1375. A bill to amend the Internal Revenue Code of 1986 to provide that corporate tax benefits based upon stock option compensation expenses be consistent with accounting expenses shown in corporate financial statements for such compensation; to the Committee on Finance.

#### ADDITIONAL COSPONSORS

S. 71

At the request of Mr. INOUE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 71, a bill to amend the Public Health Service Act to provide for health data regarding Native Hawaiians and other Pacific Islanders.

S. 319

At the request of Ms. SNOWE, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 319, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 382

At the request of Mr. UDALL of Colorado, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 382, a bill to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other permits.

S. 384

At the request of Mrs. FEINSTEIN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 424

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 424, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 431

At the request of Mr. PRYOR, the name of the Senator from Michigan

(Ms. STABENOW) was added as a cosponsor of S. 431, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

S. 483

At the request of Ms. SNOWE, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 483, a bill to amend title XVIII of the Social Security Act to provide for the treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 534

At the request of Mr. KERRY, the name of the Senator from Arkansas (Mr. PRYOR) was withdrawn as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 560

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 560, a bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program.

S. 672

At the request of Mr. ROCKEFELLER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 755

At the request of Mr. WYDEN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 755, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due.

S. 876

At the request of Mr. LAUTENBERG, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 876, a bill to amend title 23 and 49, United States Code, to modify provisions relating to the length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes.

S. 958

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 984

At the request of Mr. HARKIN, the name of the Senator from South Da-

kota (Mr. JOHNSON) was added as a cosponsor of S. 984, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 1052

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1052, a bill to amend the Public Health Service Act to create a National Childhood Brain Tumor Prevention Network to provide grants and coordinate research with respect to the causes of and risk factors associated with childhood brain tumors, and for other purposes.

S. 1096

At the request of Ms. SNOWE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1096, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under the Medicare part B program by extending the minimum payment amount for bone mass measurement under such program through 2013.

S. 1232

At the request of Ms. AYOTTE, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 1232, a bill to modify the definition of fiduciary under the Employee Retirement Income Security Act of 1974 to exclude appraisers of employee stock ownership plans.

S. 1265

At the request of Mr. BINGAMAN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1275

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1275, a bill to require the Secretary of Health and Human Services to remove social security account numbers from Medicare identification card and communications provided to Medicare beneficiaries in order to protect Medicare beneficiaries from identity theft.

S. 1280

At the request of Mr. ISAKSON, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates,

the establishment of a Sexual Assault Advisory Council, and for other purposes.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1310

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1310, a bill to improve the safety of dietary supplements by amending the Federal Food, Drug, and Cosmetic Act to require manufacturers of dietary supplements to register dietary supplement products with the Food and Drug Administration and to amend labeling requirements with respect to dietary supplements.

S. 1324

At the request of Mrs. BOXER, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1324, a bill to amend the Lacey Act Amendments of 1981 to prohibit the importation, exportation, transportation, and sale, receipt, acquisition, or purchase in interstate or foreign commerce, of any live animal of any prohibited wildlife species, and for other purposes.

S. 1328

At the request of Mr. REED, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1328, a bill to amend the Elementary and Secondary Education Act of 1965 regarding school libraries, and for other purposes.

S. 1335

At the request of Mr. INHOFE, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1335, a bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

S. 1340

At the request of Mr. LEE, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Indiana (Mr. COATS), the Senator from Wyoming (Mr. ENZI), the Senator from North Dakota (Mr. HOEVEN), the Senator from Texas (Mrs. HUTCHISON) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 1340, a bill to cut, cap, and balance the Federal budget.

S. 1349

At the request of Mr. JOHANNIS, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from South Dakota (Mr. THUNE), the Senator from Kansas (Mr. ROBERTS), the



Senator from Kansas (Mr. MORAN) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1349, a bill to amend the National Flood Insurance Act of 1968 to clarify the effective date of policies covering properties affected by floods in progress.

S. 1354

At the request of Mrs. HAGAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1354, a bill to authorize grants to promote media literacy and youth empowerment programs, to authorize research on the role and impact of depictions of girls and women in the media, to provide for the establishment of a National Task Force on Girls and Women in the Media, and for other purposes.

S. 1366

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1366, a bill to amend the Internal Revenue Code of 1986 to broaden the special rules for certain governmental plans under section 105(j) to include plans established by political subdivisions.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from Michigan (Ms. STABENOW), the Senator from Georgia (Mr. ISAKSON) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 216

At the request of Mrs. BOXER, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. Res. 216, a resolution encouraging women's political participation in Saudi Arabia.

S. RES. 230

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 230, a resolution expressing the sense of the Senate that any agreement to reduce the budget deficit should not include cuts to Social Security benefits or Medicare benefits.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROBERTS (for himself and Mr. NELSON of Nebraska):

S. 1368. A bill to amend the Patient Protection and Affordable Care Act to repeal distributions for medicine qualified only if for prescribed drug or insulin; to the Committee on Finance.

Mr. ROBERTS. Mr. President, I rise today to introduce a bipartisan bill, the Restoring Access to Medication

Act of 2011. This bill would repeal the portion of the Patient Protection and Affordable Care Act which requires individuals to have a prescription to spend the money they have saved in their Flexible Spending Accounts.

Flexible Spending Accounts, FSAs, Health Savings Accounts, HSAs, and other medical savings arrangements provide plan participants with an affordable, convenient and accessible means to manage their health care expenses.

More than 35 million Americans participate in FSAs and more than 10 million Americans participate in a HSA. These accounts allow plan participants to set aside their own dollars on a pre-tax basis to pay for health care expenses, giving individuals control over health care decisions and how to pay for that care.

A key benefit of these plans prior to enactment of the Patient Protection and Affordable Care Act, PPACA, was the ability for participants to use the dollars they set aside in these plans to pay for the cost of over-the-counter medications.

However, under PPACA, plan participants may no longer use funds from these accounts to purchase over-the-counter medications, unless they have a prescription for the medication.

This prohibition takes away choice from individuals about how to manage their health care expenses and adds yet another burden to physicians, as some plan participants will seek a prescription for over-the-counter medications. And, worst of all, it injects increased costs into our health care system.

Rather than promoting cost-effectiveness and accessibility, this provision instead directs participants to potentially more costly, less convenient, and more time-consuming alternatives. Further, it injects unnecessary confusion and complexity into a system that was previously straightforward and easy for consumers to utilize.

This bill repeals Sec. 9003 of the PPACA and restores the ability of plan participants to use the funds in their FSA, HRA, HSA or Archers MSA to purchase OTC medications, allowing them to better manage the cost of their health care expenses.

A family physician from Leawood, Kansas told me, "I am pleased that legislation is being introduced to reverse this policy. Many of my patients face undue burdens purchasing needed medications that are essential to their health maintenance and overall wellbeing. Reversal of this policy will allow my patients to continue to purchase the numerous beneficial over-the-counter products that are so important in our daily lives and will eliminate a substantial administrative burden on my practice."

In Kansas, and throughout the U.S., a broad coalition of groups support this legislation, including the U.S. Cham-

ber, NFIB, pharmacist groups, drug store organizations and consumer groups.

I would invite my colleagues to join me in this effort by cosponsoring this legislation.

By Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, and Mr. BEGICH):

S. 1369. A bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements; to the Committee on Environment and Public Works.

Mr. CRAPO. Mr. President, over the last several months, this body has been focused on issues pertaining to our economy, such as the ailing jobs market and our debt and deficits. That is as it should be. However, while these important issues have commanded most of our attention here in the United States Senate, that is not to say that other matters and conflicts have suddenly taken a back seat to them. Even as we vigorously debate our economic future, home-state and regional issues continue to command our attention. It is one of those regional issues that brings me to the floor today.

Two months ago, a three judge panel of the U.S. Court of Appeals for the 9th Circuit handed down a final decision that could have far reaching negative impacts on public and private forests, and the communities that rely on them, throughout the United States. In the case of Northwest Environmental Defense Center v. Brown, the Court ruled that logging road runoff when managed with a system of ditches and culverts and deposited into rivers and streams qualifies under the Clean Water Act as point source pollution. This means that storm water when mixed with dirt and rocks will now be subject to some of the most stringent environmental protection laws in the United States. America's Federal forests are already heavily litigated, but with one fell swoop, this decision threw out over 35 years of precedent, opening the door for even more litigation on Federal forest lands, and subjecting private and state forest lands to the same specter.

There was a time when forest jobs supported millions of Americans and their communities. But a lot has changed since then. Endless litigation, cheap imports, disease and a general shift in Federal forest management policy have drastically changed the landscape for forest jobs and the families and communities that rely on them. Working on the forests used to make up a considerable amount of the tax base in many rural communities, particularly in my State of Idaho. However, that has shrunk dramatically in recent decades.



Forest communities that were once prosperous now find themselves in a state of perpetual economic jeopardy, with young people searching for employment elsewhere and tax bases that can barely cover the cost of basic public services. This has become so dire that in 2000, Congress had to pass legislation to provide funding to rural communities with Federal public lands to make up for lost revenues from timber harvests on those lands.

Given all of this, I am disappointed that another impediment is being added to the economic survival of our forest communities.

This decision will impact both public and private forests. In the case of Federal forests, we have millions upon millions of acres that are in need of active management and restoration. Our Federal forests have suffered from under management, disease, wild fires and other factors, and to address these problems, the U.S. Forest Service needs to be able to get to work on much needed fuels reduction, thinning and other forest health projects. But litigation has made that very difficult, and this decision is only going to make it worse.

Then, there are private forests. The people who own, manage and work on these private forests need roads to have access to them. But, this judicially-mandated permit requirement will inevitably lead to increased costs for businesses that are already operating on the margins. Furthermore, this decision will impose the Federal Government into the management of private lands as these permits, even if issued by a State agency, will be subject to Environmental Protection Agency oversight under the Federal Clean Water Act, as well as citizen suits that are intended to further reduce timber harvests.

We need to do something about this unfortunate and unwise decision out of the Ninth Circuit Court of Appeals. As such, I am introducing legislation along with my friends Senator WYDEN, Senator RISCH and Senator BEGICH to overturn it. This legislation is entitled the Silviculture Regulatory Consistency Act of 2011. Our forests and the communities that they have long supported are already in considerable jeopardy, and we need to do everything in our power to help these rural communities. Passing this legislation is only one step in that process, but it is a very necessary one.

I hope that the Senate can pass this bipartisan legislation as soon as possible.

Mr. WYDEN. Mr. President, today I am joining with my colleagues from Idaho, Senator CRAPO and Senator RISCH, and my colleague from Alaska, Senator BEGICH, to correct a regulatory problem that left uncorrected will bury private, State and tribal forest lands in a wave of litigation. If we

have learned anything from the court battles that have contributed to the widespread gridlock and mismanagement of our Federal forests, it is that this is not the best path to ensure our forests' future and should be considered only as a last resort. Now those battles threaten to spill over onto private forest lands.

Since the advent of the Clean Water Act, Democratic and Republican administrations have held that most silviculture activities were nonpoint sources for purposes of the act and would be best regulated at the State level, under the States' individual forest practices laws. Under this rule, known as the "silviculture rule," silvicultural activities, such as nursery operations, site preparation, reforestation and subsequent treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance, from which there is natural runoff, were regulated through the Clean Water Act by States best management practices.

This rule for forest roads has now been explicitly invalidated by the Ninth Circuit Court of Appeals, which—in a series of two decisions—implicitly undermined the long-held "silvicultural rule," stemming from litigation over the use of forest roads in Oregon State-owned forests.

According to the Ninth Circuit, stormwater runoff collected and directed by a system of ditches and culverts creates a discrete point source and therefore, must be regulated as industrial stormwater runoff. This judicial interpretation of the Clean Water Act means that every source of runoff on forest roads will now require an industrial stormwater runoff permit. Not only will new roads need to be permitted, but the hundreds of thousands of miles of existing roads in Oregon and around the country, on both public and private lands, will now need to be reviewed and issued permits.

If this one court's decision to overturn 35 years of widely-accepted, Environmental Protection Agency, EPA, policy is allowed to stand, private, State, and tribal forest owners will also likely be subjected to litigation as part of the permitting process or through lawsuits under the citizen suit provisions of the Clean Water Act. The outcome could well deny States the use of their forests which they depend on to pay for schools and services, while significantly depressing the investment required to sustain private forestry.

If this decision is allowed to stand, every use of forest roads will require permitting and will therefore be subject to challenge by citizen lawsuits. This will not only overburden landowners and managers in the Ninth Circuit states by adding significant compliance and permitting costs, it will

create an opportunity for administrative appeal and litigation every time a permit is approved.

Initially, the court's ruling will apply solely to my region of the country, but we can expect lawyers to quickly beat a path to other Federal courts and the EPA itself, seeking to extend the ruling to all other forested regions of the country, and giving an immediate and perhaps permanent competitive advantage to our foreign competitors who have far lesser environmental standards and enforcement.

The fact of the matter is that forests and forest roads—even private ones—have multiple economic and environmental uses and users—from wildlife habitat to recreation to timber production—over decades long growing and harvesting cycles. The "silviculture rule" existed because forestry is different from other industries, even other agricultural production. This is why, in this instance, I believe the courts have gone too far in reinterpreting the law and why legislation is needed to make the long-accepted "silvicultural rule" the legal basis for Clean Water Act regulation of forestry practices.

The Clean Water Act is one of the cornerstones of environmental protection. In the past two Congresses, I co-sponsored the Clean Water Restoration Act because I believed that the U.S. Supreme Court went too far in reinterpreting decades of Clean Water Act law by excluding wetlands and intermittent streams that had long been protected under that law. Here too, I believe that the courts have gone too far in reinterpreting what has been a long-standing understanding of how silvicultural activities should be regulated. The Ninth Circuit concluded that only Congress can authorize EPA's original reading of the law. Senators CRAPO, RISCH, BEGICH and I are introducing legislation today in response to that conclusion.

That is not to say that the persons who orchestrated this litigation were not well-intentioned in their desire to address the water quality issues that can arise from silviculture, as they can in virtually every other agricultural activity. Rather, I believe they had the best of intentions. In fact, I share their intentions. I have labored for decades and will continue to work to address the poor condition of forest roads on Federal lands. I will also be the first to argue that the Federal Government has much to do in that regard. Efforts can also be made on State and private lands. In many instances, what is needed is simply more technical assistance and financial incentives to help landowners and managers that are seeking to do the right thing. I certainly care about keeping the pristine quality of our streams and the impacts that sediment can have on salmon and aquatic creatures. It is part of the reason why

I have championed wilderness and wild and scenic river legislation to protect Oregon's special places, including its beautiful waterways.

But I can't agree with their decision to first fight this out in court. Their litigation tries to impose an outcome on my region without ever attempting to address the concerns and needs of the thousands of people in my State who earn their living as responsible stewards of private forest land. Oregon is still struggling to come back from the economic crisis and many of our forested counties continue to suffer from double digit unemployment. Where will the 120,000 people in Oregon who make their living on private forest land go when private lands experience the same gridlock as their Federal land counterparts? How will small woodlot owners in Oregon—mostly mom and pop investments—survive when subjected to Federal regulation and lawsuits for the first time in our State's history? How many millions of acres of private, shareholder-owned forest land will be converted to nonagricultural purposes when companies are no longer able to carry out needed forest management? To my knowledge, the litigants did not make a meaningful effort to address any of those challenges before initiating the lawsuit that now threatens to throw my State into a dangerous economic trajectory.

I should point out that this issue transcends partisan concerns, as evidenced by the prominent Democrats who have found common ground with Republicans on this issue. Oregon's Governor, John Kitzhaber, one of the most prominent environmental champions in the Nation, has consistently fought against the Northwest Environmental Defense Center ruling and continues to do so. Senator BEGICH, who is known for his thoughtful and balanced approach to natural resource issues, joins me as an original cosponsor. On the House side, I am joined by Democratic Congressman KURT SCHRADER, who knows better than most the unintended consequences of well-intentioned, but poorly aimed efforts at regulation.

To my friends in the environmental community who raise legitimate concerns about a range of issues surrounding this policy I encourage you to sit down with us in a dialogue, at both the Federal and State levels. Bring your ideas for how we can monitor and protect water without sacrificing what remains of Oregon's forest industry. You will be heard and I stand ready to work with you. But it is not enough to simply dictate outcomes. We have to first look for solutions that avoid the epidemic of litigation and appeals that threaten the sustainability and survival of our timber industry. You are, of course, right to expect that we arrive at those solutions within a reasonable period of time.

By Mrs. BOXER (for herself, Ms. MURKOWSKI, and Mrs. MURRAY):

S. 1370. A bill to reauthorize 21st century community learning centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, I rise today to urge my colleagues to cosponsor the Afterschool for America's Children Act, which I am introducing today with Senators MURKOWSKI and MURRAY.

Across the country, afterschool programs help keep children safe and help them learn through hands-on academic enrichment activities that are disappearing from the regular school day.

Numerous studies have shown that quality afterschool programs give students the academic, social and professional skills they need to succeed. Students who regularly attend have better grades and behavior in school, and lower incidences of drug use, violence and unintended pregnancy.

Over the past 10 years, the 21st Century Community Learning Centers, CCLC, program has helped support afterschool programs for millions of children from low-income backgrounds, including over 1.6 million children last year.

Unfortunately, the demand for affordable, quality afterschool experiences far exceeds the number of programs available. The 2009 report, *America After 3PM*, found that while afterschool programs are serving more kids than ever, the number of unsupervised children in the United States has increased. More than 18 million children have parents who would like to enroll their child in an afterschool program but can't find one available.

For over 10 years, federally funded afterschool programs have played an important role in the lives of so many children and families. The Afterschool for America's Children Act, AACA, would strengthen the 21st CCLC program, leaving in place what works and using what we have learned about what makes afterschool successful to improve the program.

The AACA would modernize the 21st CCLC program to improve States' ability to effectively support quality afterschool programs, run more effective grant competitions and improve struggling programs. In addition, this legislation helps improve local programs by fostering better communication between local schools and programs, encouraging parental engagement in student learning, and improving the tracking of student progress.

Afterschool programs have such a diverse group of supporters, from law enforcement to the business community, because these vital programs help keep the children of working parents safe while enriching their learning experience and preparing them for the real world.

I urge my colleagues to join me and Senators MURKOWSKI and MURRAY in supporting the Afterschool for America's Children Act to ensure that 21st CCLC dollars are invested most efficiently in successful afterschool programs that keep children safe and help them learn.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 1371. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Commerce, Science, and Transportation.

Mr. REED. Mr. President, today, along with my colleague Senator WHITEHOUSE, I am introducing the Rhode Island Fishermen's Fairness Act of 2011.

For nearly a decade, I have worked to correct a serious flaw in our fisheries management system, which denies the fishermen of my state a voice in the management of many of the stocks that they catch and rely upon for their livelihoods.

The Magnuson-Stevens Fishery Conservation and Management Act established eight regional fishery management councils to give fishermen and other stakeholders the leading role in developing the fishery management plans for federally regulated species. As such, the councils have enormous significance on the lives and livelihoods of fishermen. To ensure equitable representation, the statute sets out the states from which appointees are to be drawn for each council.

Under the Magnuson-Stevens Act, the State of Rhode Island was granted voting membership on the New England Fishery Management Council, NEFMC, as NEFMC-managed stocks represent a significant percentage of landings and revenue for the State. However, while Rhode Island has an even larger stake in the Mid-Atlantic fishery it does not have voting representation on the Mid-Atlantic Fishery Management Council, MAFMC, which currently consists of representatives from New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina.

Rhode Island's stake in the Mid-Atlantic fishery is hardly incidental. According to National Oceanic and Atmospheric Administration, NOAA, data, Rhode Island accounts for approximately a quarter of the catch from this fishery, and its landings are greater than the combined total of landings for the States of New York, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina. In fact, only one State, New Jersey, lands more MAFMC regulated species than Rhode Island.

This legislation offers a simple solution. Following current practice, the

Rhode Island Fishermen's Fairness Act would create two seats on the MAFMC for Rhode Island: one seat appointed by the Secretary of Commerce based on recommendations from the Governor of Rhode Island, and a second seat filled by Rhode Island's principal state official with marine fishery management responsibility. To accommodate these new members, the MAFMC would increase in size from 21 voting members to 23.

Pursuant to a provision included in the Magnuson-Stevens Reauthorization Act of 2006 at my request, the MAFMC reported to Congress on this issue in 2007 and confirmed that there is a precedent for this proposal. As the report notes, North Carolina's representatives in Congress succeeded in adding that State to the MAFMC through an amendment to the Sustainable Fisheries Act in 1996. Like Rhode Island, a significant proportion of North Carolina's landed fish species were managed by the MAFMC, yet the State had no vote on the council.

With mounting economic, ecological, and regulatory challenges, it is more important than ever that Rhode Island's fishermen have a voice in the management of the fisheries they depend on. I look forward to working with Senator WHITEHOUSE and my other colleagues to restore a measure of equity to the fisheries management process by passing the Rhode Island Fishermen's Fairness Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1371

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Rhode Island Fishermen's Fairness Act".

#### SEC. 2. FINDINGS.

The findings are as follows:

(1) Rhode Island fishermen participate in fisheries managed by the New England Fishery Management Council (NEFMC) and the Mid-Atlantic Fishery Management Council (MAFMC).

(2) Rhode Island currently has voting membership on the NEFMC under the Magnuson-Stevens Fishery Conservation and Management Act but does not have voting membership on the MAFMC.

(3) Rhode Island lands more MAFMC-managed stocks than any other MAFMC member except the State of New Jersey.

(4) A higher percentage of Rhode Island's commercial landings (by weight or value) traditionally have come from species that are managed by the MAFMC as compared to species managed by NEFMC.

(5) MAFMC has found that Rhode Island's circumstance parallels that of Florida and North Carolina, which each have voting membership on two different fishery management councils.

#### SEC. 3. ADDITION OF RHODE ISLAND TO THE MID-ATLANTIC FISHERY MANAGEMENT COUNCIL.

Section 302(a)(1)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(1)(B)) is amended—

(1) by inserting "Rhode Island," after "States of";

(2) by inserting "Rhode Island," after "except North Carolina,";

(3) by striking "21" and inserting "23"; and

(4) by striking "13" and inserting "14".

By Mr. REED (for himself, Mr. KIRK, Mr. BINGAMAN, Mr. CARDIN, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KERRY, Mr. LAUTENBERG, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, and Mr. WHITEHOUSE):

S. 1372. A bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I am introducing bipartisan legislation to provide new support for environmental education in our Nation's classrooms. I thank Senators KIRK, BINGAMAN, CARDIN, DURBIN, GILLIBRAND, KERRY, LAUTENBERG, MIKULSKI, MURRAY, SANDERS, and WHITEHOUSE for agreeing to be original cosponsors of the No Child Left Inside Act of 2011. Given the major environmental challenges we face today, our bill seeks to prioritize teaching our young people about their natural world. For more than three decades, environmental education has been a growing part of effective instruction in America's schools. Responding to the need to improve student achievement and prepare students for the 21st century economy, many schools throughout the Nation now offer some form of environmental education.

Yet, environmental education is facing a significant challenge. Many schools are being forced to scale back or eliminate environmental programs. As a result, fewer and fewer students are able to take part in related classroom instruction and field investigations, however effective or popular. State and local administrators, teachers, and environmental educators point to two factors behind this recent and disturbing shift: the unintended consequences of the No Child Left Behind Act and dwindling sources of funding for these critical programs.

The legislation that we are introducing today would address these two concerns. First, it would provide a new professional development initiative to ensure that teachers possess the content knowledge and pedagogical skills to effectively teach environmental education in the classroom, including the use of innovative interdisciplinary and field-based learning strategies. Second, the bill would create incentives for states to develop a peer-reviewed comprehensive statewide environmental

literacy plan to make sure prekindergarten, elementary, and secondary school students have a solid understanding of our planet and its natural resources. Lastly, the No Child Left Inside Act provides support for school districts to initiate, expand, or improve their environmental education curriculum, and for replication and dissemination of effective practices. This legislation has broad support among national and state environmental groups and educational groups.

The American public recognizes that the environment is already one of the dominant issues of the 21st century. In 2003, a National Science Foundation panel noted that "in the coming decades, the public will more frequently be called upon to understand complex environmental issues, assess risk, evaluate proposed environmental plans and understand how individual decisions affect the environment at local and global scales. Creating a scientifically informed citizenry requires a concerted, systemic approach to environmental education . . .". In the private sector, business leaders also increasingly believe that an environmentally literate workforce is critical to their long-term success. They recognize that better, more efficient environmental practices improve the bottom line and help position their companies for the future.

Environmental education is an important part of the solution to many of the problems facing our country today. It helps prepare the next generation with the skills and knowledge necessary to be competitive in the global economy. Studies have shown that it enhances student achievement in science and other core subjects and increases student engagement and critical thinking skills. It promotes healthy lifestyles by encouraging kids to get outside.

In Rhode Island, organizations such as the Rhode Island Environmental Education Association, Roger Williams Park Zoo, Save the Bay, the Nature Conservancy, and the Audubon Society as well as countless schools and teachers, reach out to children to offer educational and outdoor experiences that these children may never otherwise have, helping to inspire them to learn. Partnering with the Rhode Island Department of Education, these organizations have developed a statewide environmental literacy plan.

Similar efforts are taking place across the Nation. According to the National Association for Environmental Education, 40 states have taken steps towards developing similar plans to integrate environmental literacy into their statewide educational initiatives. Despite these extraordinary efforts, environmental education remains out of reach for too many kids.

That is why I look forward to working with my colleagues to enact the No Child Left Inside Act of 2011.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1372

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “No Child Left Inside Act of 2011”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References.

Sec. 3. Authorization of appropriations.

**TITLE I—ENVIRONMENTAL LITERACY PLANS**

Sec. 101. Development, approval, and implementation of State environmental literacy plans.

**TITLE II—ESTABLISHMENT OF ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS**

Sec. 201. Environmental education professional development grant programs.

**TITLE III—ENVIRONMENTAL EDUCATION GRANT PROGRAM TO HELP BUILD NATIONAL CAPACITY**

Sec. 301. Environmental education grant program to help build national capacity.

**SEC. 2. REFERENCES.**

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

**SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

(a) **AUTHORIZATION.**—There are authorized to be appropriated to carry out section 5622(g) and part E of title II of the Elementary and Secondary Education Act of 1965, such sums as may be necessary for fiscal year 2012 and each of the 4 succeeding fiscal years.

(b) **DISTRIBUTION.**—With respect to any amount appropriated under subsection (a) for a fiscal year—

(1) not more than 70 percent of such amount shall be used to carry out section 5622(g) of the Elementary and Secondary Education Act of 1965 for such fiscal year; and

(2) not less than 30 percent of such amount shall be used to carry out part E of title II of such Act for such fiscal year.

**TITLE I—ENVIRONMENTAL LITERACY PLANS**

**SEC. 101. DEVELOPMENT, APPROVAL, AND IMPLEMENTATION OF STATE ENVIRONMENTAL LITERACY PLANS.**

Part D of title V (20 U.S.C. 7201 et seq.) is amended by adding at the end the following:

**“Subpart 22—Environmental Literacy Plans**

**“SEC. 5621. ENVIRONMENTAL LITERACY PLAN REQUIREMENTS.**

“In order for any State educational agency, or a local educational agency served by a State educational agency, to receive grant funds, either directly or through participation in a partnership with a recipient of grant funds, under this subpart or part E of title II, the State educational agency shall

meet the requirements regarding an environmental literacy plan under section 5622.

**“SEC. 5622. STATE ENVIRONMENTAL LITERACY PLANS.**

“(a) **SUBMISSION OF PLAN.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of the No Child Left Inside Act of 2011, a State educational agency subject to the requirements of section 5621 shall, in consultation with State environmental agencies and State natural resource agencies, and with input from the public—

“(A) submit an environmental literacy plan for prekindergarten through grade 12 to the Secretary for peer review and approval that will ensure that elementary and secondary school students in the State are environmentally literate; and

“(B) begin the implementation of such plan in the State.

“(2) **EXISTING PLANS.**—A State may satisfy the requirement of paragraph (1)(A) by submitting to the Secretary for peer review an existing State plan that has been developed in cooperation with a State environmental or natural resource management agency, if such plan complies with this section.

“(b) **PLAN OBJECTIVES.**—A State environmental literacy plan shall meet the following objectives:

“(1) Prepare students to understand, analyze, and address the major environmental challenges facing the students’ State and the United States.

“(2) Provide field experiences as part of the regular school curriculum and create programs that contribute to healthy lifestyles through outdoor recreation and sound nutrition.

“(3) Create opportunities for enhanced and on-going professional development for teachers that improves the teachers’—

“(A) environmental subject matter knowledge; and

“(B) pedagogical skills in teaching about environmental issues, including the use of—

“(i) interdisciplinary, field-based, and research-based learning; and

“(ii) innovative technology in the classroom.

“(c) **CONTENTS OF PLAN.**—A State environmental literacy plan shall include each of the following:

“(1) A description of how the State educational agency will measure the environmental literacy of students, including—

“(A) relevant State academic content standards and content areas regarding environmental education, and courses or subjects where environmental education instruction will be integrated throughout the prekindergarten to grade 12 curriculum; and

“(B) a description of the relationship of the plan to the secondary school graduation requirements of the State.

“(2) A description of programs for professional development for teachers to improve the teachers’—

“(A) environmental subject matter knowledge; and

“(B) pedagogical skills in teaching about environmental issues, including the use of—

“(i) interdisciplinary, field-based, and research-based learning; and

“(ii) innovative technology in the classroom.

“(3) A description of how the State educational agency will implement the plan, including securing funding and other necessary support.

“(d) **PLAN UPDATE.**—The State environmental literacy plan shall be revised or updated by the State educational agency and

submitted to the Secretary not less often than every 5 years or as appropriate to reflect plan modifications.

“(e) **PEER REVIEW AND SECRETARIAL APPROVAL.**—The Secretary shall—

“(1) establish a peer review process to assist in the review of State environmental literacy plans;

“(2) appoint individuals to the peer review process who—

“(A) are representative of parents, teachers, State educational agencies, State environmental agencies, State natural resource agencies, local educational agencies, and nongovernmental organizations; and

“(B) are familiar with national environmental issues and the health and educational needs of students;

“(3) include, in the peer review process, appropriate representatives from the Department of Commerce, Department of Interior, Department of Energy, the Environmental Protection Agency, and other appropriate Federal agencies, to provide environmental expertise and background for evaluation of the State environmental literacy plan;

“(4) approve a State environmental literacy plan not later than 120 days after the plan’s submission unless the Secretary determines that the State environmental literacy plan does not meet the requirements of this section;

“(5) immediately notify the State if the Secretary determines that the State environmental literacy plan does not meet the requirements of this section, and state the reasons for such determination;

“(6) not decline to approve a State environmental literacy plan before—

“(A) offering the State an opportunity to revise the State environmental literacy plan;

“(B) providing technical assistance in order to assist the State to meet the requirements of this section; and

“(C) providing notice and an opportunity for a hearing; and

“(7) have the authority to decline to approve a State environmental literacy plan for not meeting the requirements of this part, but shall not have the authority to require a State, as a condition of approval of the State environmental literacy plan, to—

“(A) include in, or delete from, such State environmental literacy plan 1 or more specific elements of the State academic content standards under section 1111(b)(1); or

“(B) use specific academic assessment instruments or items.

“(f) **STATE REVISIONS.**—The State educational agency shall have the opportunity to revise a State environmental literacy plan if such revision is necessary to satisfy the requirements of this section.

“(g) **GRANTS FOR IMPLEMENTATION.**—

“(1) **PROGRAM AUTHORIZED.**—From amounts appropriated for this subsection, the Secretary shall award grants, through allotments in accordance with the regulations described in paragraph (2), to States to enable the States to award subgrants, on a competitive basis, to local educational agencies and eligible partnerships (as such term is defined in section 2502) to support the implementation of the State environmental literacy plan.

“(2) **REGULATIONS.**—The Secretary shall promulgate regulations implementing the grant program under paragraph (1), which regulations shall include the development of an allotment formula that best achieves the purposes of this subpart.

“(3) **ADMINISTRATIVE EXPENSES.**—A State receiving a grant under this subsection may

use not more than 2.5 percent of the grant funds for administrative expenses.

“(h) REPORTING.—

“(1) IN GENERAL.—Not later than 2 years after approval of a State environmental literacy plan, and every 2 years thereafter, the State educational agency shall submit to the Secretary a report on the implementation of the State plan.

“(2) REPORT REQUIREMENTS.—The report required by this subsection shall be—

“(A) in the form specified by the Secretary;

“(B) based on the State’s ongoing evaluation activities; and

“(C) made readily available to the public.”.

## TITLE II—ESTABLISHMENT OF ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS

### SEC. 201. ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS.

Title II (20 U.S.C. 6601 et seq.) is amended by adding at the end the following:

#### “PART E—ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS

##### “SEC. 2501. PURPOSE.

“The purpose of this part is to ensure the academic achievement of students in environmental literacy through the professional development of teachers and educators.

##### “SEC. 2502. GRANTS FOR ENHANCING EDUCATION THROUGH ENVIRONMENTAL EDUCATION.

“(a) DEFINITION OF ELIGIBLE PARTNERSHIP.—In this section, the term ‘eligible partnership’ means a partnership that—

“(1) shall include a local educational agency; and

“(2) may include—

“(A) the teacher training department of an institution of higher education;

“(B) the environmental department of an institution of higher education;

“(C) another local educational agency, a public charter school, a public elementary school or secondary school, or a consortium of such schools;

“(D) a Federal, State, regional, or local environmental or natural resource management agency that has demonstrated effectiveness in improving the quality of environmental education teachers; or

“(E) a nonprofit organization that has demonstrated effectiveness in improving the quality of environmental education teachers.

“(b) GRANTS AUTHORIZED.—

“(1) PROGRAM AUTHORIZED.—From amounts appropriated for this subsection, the Secretary shall award grants, through allotments in accordance with the regulations described in paragraph (2), to States whose State environmental literacy plan has been approved under section 5622, to enable the States to award subgrants under subsection (c).

“(2) REGULATIONS.—The Secretary shall promulgate regulations implementing the grant program under paragraph (1), which regulations shall include the development of an allotment formula that best achieves the purposes of this subpart.

“(3) ADMINISTRATIVE EXPENSES.—A State receiving a grant under this subsection may use not more than 2.5 percent of the grant funds for administrative expenses.

“(c) SUBGRANTS AUTHORIZED.—

“(1) SUBGRANTS TO ELIGIBLE PARTNERSHIPS.—From amounts made available to a State educational agency under subsection (b)(1), the State educational agency shall award subgrants, on a competitive basis, to eligible partnerships serving the State, to

enable the eligible partnerships to carry out the authorized activities described in subsection (e) consistent with the approved State environmental literacy plan.

“(2) DURATION.—The State educational agency shall award each subgrant under this part for a period of not more than 3 years beginning on the date of approval of the State’s environmental literacy plan under section 5622.

“(3) SUPPLEMENT, NOT SUPPLANT.—Funds provided to an eligible partnership under this part shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this part.

“(d) APPLICATION REQUIREMENTS.—

“(1) IN GENERAL.—Each eligible partnership desiring a subgrant under this part shall submit an application to the State educational agency, at such time, in such manner, and accompanied by such information as the State educational agency may require.

“(2) CONTENTS.—Each application submitted under paragraph (1) shall include—

“(A) the results of a comprehensive assessment of the teacher quality and professional development needs, with respect to the teaching and learning of environmental content;

“(B) an explanation of how the activities to be carried out by the eligible partnership are expected to improve student academic achievement and strengthen the quality of environmental instruction;

“(C) a description of how the activities to be carried out by the eligible partnership—

“(i) will be aligned with challenging State academic content standards and student academic achievement standards in environmental education, to the extent such standards exist, and with the State’s environmental literacy plan under section 5622; and

“(ii) will advance the teaching of interdisciplinary courses that integrate the study of natural, social, and economic systems and that include strong field components in which students have the opportunity to directly experience nature;

“(D) a description of how the activities to be carried out by the eligible partnership will ensure that teachers are trained in the use of field-based or service learning to enable the teachers—

“(i) to use the local environment and community as a resource; and

“(ii) to enhance student understanding of the environment and academic achievement;

“(E) a description of—

“(i) how the eligible partnership will carry out the authorized activities described in subsection (e); and

“(ii) the eligible partnership’s evaluation and accountability plan described in subsection (f); and

“(F) a description of how the eligible partnership will continue the activities funded under this part after the grant period has expired.

“(e) AUTHORIZED ACTIVITIES.—An eligible partnership shall use the subgrant funds provided under this part for 1 or more of the following activities related to elementary schools or secondary schools:

“(1) Creating opportunities for enhanced and ongoing professional development of teachers that improves the environmental subject matter knowledge of such teachers.

“(2) Creating opportunities for enhanced and ongoing professional development of teachers that improves teachers’ pedagogical skills in teaching about the environment and environmental issues, including in the use of—

“(A) interdisciplinary, research-based, and field-based learning; and

“(B) innovative technology in the classroom.

“(3) Establishing and operating environmental education summer workshops or institutes, including follow-up training, for elementary and secondary school teachers to improve their pedagogical skills and subject matter knowledge for the teaching of environmental education.

“(4) Developing or redesigning more rigorous environmental education curricula that—

“(A) are aligned with challenging State academic content standards in environmental education, to the extent such standards exist, and with the State environmental literacy plan under section 5622; and

“(B) advance the teaching of interdisciplinary courses that integrate the study of natural, social, and economic systems and that include strong field components.

“(5) Designing programs to prepare teachers at a school to provide mentoring and professional development to other teachers at such school to improve teacher environmental education subject matter and pedagogical skills.

“(6) Establishing and operating programs to bring teachers into contact with working professionals in environmental fields to expand such teachers’ subject matter knowledge of, and research in, environmental issues.

“(7) Creating initiatives that seek to incorporate environmental education within teacher training programs or accreditation standards consistent with the State environmental literacy plan under section 5622.

“(8) Promoting outdoor environmental education activities as part of the regular school curriculum and schedule in order to further the knowledge and professional development of teachers and help students directly experience nature.

“(f) EVALUATION AND ACCOUNTABILITY PLAN.—

“(1) IN GENERAL.—Each eligible partnership receiving a subgrant under this part shall develop an evaluation and accountability plan for activities assisted under this part that includes rigorous objectives that measure the impact of the activities.

“(2) CONTENTS.—The plan developed under paragraph (1) shall include measurable objectives to increase the number of teachers who participate in environmental education content-based professional development activities.

“(g) REPORT.—Each eligible partnership receiving a subgrant under this part shall report annually, for each year of the subgrant, to the State educational agency regarding the eligible partnership’s progress in meeting the objectives described in the accountability plan of the eligible partnership under subsection (f).”.

## TITLE III—ENVIRONMENTAL EDUCATION GRANT PROGRAM TO HELP BUILD NATIONAL CAPACITY

### SEC. 301. ENVIRONMENTAL EDUCATION GRANT PROGRAM TO HELP BUILD NATIONAL CAPACITY.

Part D of title V (20 U.S.C. 7201 et seq.) (as amended by section 101) is further amended by adding at the end the following:

#### “Subpart 23—Environmental Education Grant Program

##### “SEC. 5631. PURPOSES.

“The purposes of this subpart are—

“(1) to prepare children to understand and address major environmental challenges facing the United States; and

“(2) to strengthen environmental education as an integral part of the elementary school and secondary school curriculum.

**“SEC. 5632. GRANT PROGRAM AUTHORIZED.**

“(a) DEFINITION OF ELIGIBLE PARTNERSHIP.—In this section, the term ‘eligible partnership’ means a partnership that—

“(1) shall include a local educational agency; and

“(2) may include—

“(A) the teacher training department of an institution of higher education;

“(B) the environmental department of an institution of higher education;

“(C) another local educational agency, a public charter school, a public elementary school or secondary school, or a consortium of such schools;

“(D) a Federal, State, regional, or local environmental or natural resource management agency, or park and recreation department, that has demonstrated effectiveness, expertise, and experience in the development of the institutional, financial, intellectual, or policy resources needed to help the field of environmental education become more effective and widely practiced; and

“(E) a nonprofit organization that has demonstrated effectiveness, expertise, and experience in the development of the institutional, financial, intellectual, or policy resources needed to help the field of environmental education become more effective and widely practiced.

“(b) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—The Secretary is authorized to award grants, on a competitive basis, to eligible partnerships to enable the eligible partnerships to pay the Federal share of the costs of activities under this subpart.

“(2) DURATION.—Each grant under this subpart shall be for a period of not less than 1 year and not more than 3 years.

**“SEC. 5633. APPLICATIONS.**

“Each eligible partnership desiring a grant under this subpart shall submit to the Secretary an application that contains—

“(1) a plan to initiate, expand, or improve environmental education programs in order to make progress toward meeting—

“(A) challenging State academic content standards and student academic achievement standards in environmental education, to the extent such standards exist; and

“(B) academic standards that are aligned with the State’s environmental literacy plan under section 5622; and

“(2) an evaluation and accountability plan for activities assisted under this subpart that includes rigorous objectives that measure the impact of activities funded under this subpart.

**“SEC. 5634. USE OF FUNDS.**

“Grant funds made available under this subpart shall be used for 1 or more of the following:

“(1) Developing and implementing State curriculum frameworks for environmental education that meet—

“(A) challenging State academic content standards and student academic achievement standards for environmental education, to the extent such standards exist; and

“(B) academic standards that are aligned with the State’s environmental literacy plan under section 5622.

“(2) Replicating or disseminating information about proven and tested model environmental education programs that—

“(A) use the environment as an integrating theme or content throughout the curriculum; or

“(B) provide integrated, interdisciplinary instruction about natural, social, and eco-

nom systems along with field experience that provides students with opportunities to directly experience nature in ways designed to improve students’ overall academic performance, personal health (including addressing child obesity issues), and understanding of nature.

“(3) Developing and implementing new approaches to advancing environmental education, and to advancing the adoption and use of environmental education content standards, at the State and local levels.

**“SEC. 5635. REPORTS.**

“(a) ELIGIBLE PARTNERSHIP REPORT.—In order to continue receiving grant funds under this subpart after the first year of a multiyear grant under this subpart, the eligible partnership shall submit to the Secretary an annual report that—

“(1) describes the activities assisted under this subpart that were conducted during the preceding year;

“(2) demonstrates that progress has been made in helping schools to meet the State academic standards for environmental education described in section 5634(1); and

“(3) describes the results of the eligible partnership’s evaluation and accountability plan.

“(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of the No Child Left Inside Act of 2011 and annually thereafter, the Secretary shall submit a report to Congress that—

“(1) describes the programs assisted under this subpart;

“(2) documents the success of such programs in improving national and State environmental education capacity; and

“(3) makes such recommendations as the Secretary determines appropriate for the continuation and improvement of the programs assisted under this subpart.

**“SEC. 5636. ADMINISTRATIVE PROVISIONS.**

“(a) FEDERAL SHARE.—The Federal share of a grant under this subpart shall not exceed—

“(1) 90 percent of the total costs of the activities assisted under the grant for the first year for which the program receives assistance under this subpart; and

“(2) 75 percent of such costs for each of the second and third years.

“(b) ADMINISTRATIVE EXPENSES.—Not more than 7.5 percent of the grant funds made available to an eligible partnership under this subpart for any fiscal year may be used for administrative expenses.

“(c) AVAILABILITY OF FUNDS.—Amounts made available to the Secretary to carry out this subpart shall remain available until expended.

**“SEC. 5637. SUPPLEMENT, NOT SUPPLANT.**

“Funds made available under this subpart shall be used to supplement, and not supplant, any other Federal, State, or local funds available for environmental education activities.”

By Mr. ROCKEFELLER:

S. 1373. A bill to amend the Internal Revenue Code of 1986 to reduce international tax avoidance and restore a level playing field for American businesses; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, today I am introducing the International Tax Competitiveness Act, legislation that will protect American businesses and workers by ensuring that they can compete on a level playing field with competitors who are using tax evasion to boost profits and ship jobs and dollars overseas.

This bill targets companies that cheat the Federal Government out of billions of dollars a year in revenue by taking advantage of tax loopholes. This legislation is designed to put an end to the practice where American companies avoid domestic taxes by moving their headquarters to a post office box overseas, while their executives and much of their workforce remain here in the United States. If you benefit from the protection of American laws and the talent of the American workforce, you should also pay taxes here in the United States.

In March, the television program 60 Minutes aired a story on tax avoidance that centered on Zug, a town in Switzerland. While Zug has only 26,000 residents, it is home to nearly 30,000 corporations, many of which operate out of mailboxes. This is because the tax rates in Zug are low and companies can create phony headquarters there that allow them to avoid higher taxes in their home country.

The International Tax Competitiveness Act also discourages tax abuse related to transfer pricing. Sometimes, a company will produce a product here in the United States, taking advantage of generous research and development subsidies, and then sell it to a foreign subsidiary for pennies on the dollar. The royalty payments and profits then flow to that foreign company in a low tax jurisdiction, cheating the American government out of this revenue. This legislation would recognize many of these transactions for what they are . . . blatant abuse of the tax code, and treat profits as American-earned for tax purposes.

At a time when members of Congress are working hard to balance the budget and reduce our debt, everyone must contribute to the effort and our laws must be obeyed. It is not fair to cut funding for valuable healthcare and education programs in an effort to cut spending, while allowing corporations to avoid paying billions of dollars in taxes.

I want to thank my counterpart from the House of Representatives, Representative LLOYD DOGGETT, for his leadership in that body on this legislation. I ask my colleagues to join me in supporting this important legislation and thank the chair for allowing me to speak on this issue.

By Mr. LEVIN (for himself and Mr. BROWN of Ohio):

S. 1375. A bill to amend the Internal Revenue Code of 1986 to provide that corporate tax benefits based upon stock option compensation expenses be consistent with accounting expenses shown in corporate financial statements for such compensation; to the Committee on Finance.

Mr. LEVIN. Mr. President, today I am introducing a bill with my colleague, Senator SHERROD BROWN, to



eliminate the federal tax break that gives special tax treatment to corporations that pay their executives with stock options. The bill is called the Ending Excessive Corporate Deductions for Stock Options Act, and it has been endorsed by the AFL-CIO, Citizens for Tax Justice, Consumer Federation of America, OMB Watch, and Tax Justice Network-USA. According to the Joint Committee on Taxation, eliminating this corporate tax break would bring in almost \$25 billion over 10 years.

The existing special treatment of corporate stock options forces ordinary taxpayers to subsidize the salaries of corporate executives. The subsidy is a consequence of the current mismatch between U.S. accounting rules and tax rules for stock options, which have developed along divergent paths and are now out of kilter. Today, U.S. accounting rules require corporations to report stock option expenses on their books when those stock options are granted, while federal tax rules provide that they use another method to claim a different—and typically much higher—deduction on their tax returns when the stock options are exercised. The result is that corporations can claim larger tax deductions for stock options on their tax returns than the actual expense they show on their books, creating a tax windfall for those corporations.

Stock options are the only type of compensation where the tax code lets a corporation deduct more than the expense shown on their books. For all other types of compensation—cash, stock, bonuses, and more—the tax return deduction equals the book expense. In fact, if corporations took tax deductions for compensation in excess of what their books showed, it could constitute tax fraud. The sole exception to that rule is stock options. It is an exception we can no longer afford.

When corporate compensation committees learn that stock options can generate tax deductions that are many times larger than their book expense, it creates a huge temptation for corporations to pay their executives with stock options instead of cash. Why? Because compensating executives with stock options instead of cash can produce a huge tax windfall for the corporation. By taking advantage of federal tax laws that have not been updated for four decades, corporations can claim tax deductions at rates that are often 2 to 10 times higher than the stock option expense shown on their books.

Stock options are paid to virtually every chief executive officer, CEO, in America and are a major contributor to sky-high executive pay. Stock options give the recipients the right to buy company stock at a set price for a specified period of time, typically 10 years.

Since the 1980s, CEO pay has increased at a torrid pace. In 2010, ac-

ording to Forbes magazine, executives at the 500 largest U.S. companies received pay totaling \$4.5 billion, averaging \$9 million per CEO. Thirty percent of that pay was comprised of exercised stock options which were cashed in for an average gain of about \$2.7 million, bringing total pay to its highest level since before the recession. The highest paid executive in 2010 was the CEO of United Health Group, who received \$102 million in total pay. Of that pay, almost all of it—\$98 million—came from exercising stock options.

During the recession from 2007 to 2009, while many stock prices dropped in value, 90 percent of corporations awarded stock options to their executives. Because of the depressed stock prices at the time, most of those stock options were recorded on the corporations' books as a relatively small expense. Fast forward to 2010, and even in this struggling economy, as stock prices have begun to increase, those same stock options are seeing major jumps in their value, far above their book expense.

For example, in a recent study conducted by the Wall Street Journal, the CEO of Oracle Corporation was granted stock options in July 2009, with an estimated value of \$62 million. Two years later, those options are estimated to be worth over \$97 million, a gain of \$35 million in just two years. Other corporate executives have experienced similar increases in their stock option holdings. For example, according to the Wall Street Journal analysis, the CEOs of Abercrombie and Fitch Inc., Nabors Industries, Ltd., and Starbucks Corporation all saw jumps in the value of stock options awarded during the financial crisis of more than \$60 million each. The former CEO of Occidental Petroleum, Ray R. Irani, received a compensation package valued at \$76.1 million, including stock option awards valued at \$40.3 million.

These huge increases in the dollar value of the stock option awards mean skyrocketing tax deductions for corporations doing so well that their stock prices have climbed. The deductions will reduce the taxes being paid by these successful companies, depriving the U.S. treasury of needed revenues.

The average worker, by the way, has not experienced any increase in pay. From 2009 to 2010 alone, CEOs at the 500 biggest U.S. corporations saw a 12 percent increase in compensation, but median income has been stagnant. According to the Bureau of Labor Statistics, only 8 percent of workers in private industry received stock options as part of their compensation package. For CEOs, however, more than 90 percent of those in the S&P 500 received stock options in the 12 months starting October 1, 2008.

The financial tycoon J.P. Morgan once said that executive pay should not

exceed 20 times average worker pay. But since 1990, CEO pay has increased to a level that is now nearly 300 times greater than the average worker's salary. The single biggest factor fueling that massive pay gap is stock options which are, in turn, generating huge tax deductions for the corporations that doled them out.

This bill would end the loophole that allows a corporation to deduct on its taxes more than the stock option expense shown on its books. Over a 5 year period, from 2005 to 2009, the latest year for which data is available, IRS tax return data shows that corporate stock option tax deductions have exceeded corporate book expenses by billions of dollars every year, with the size of the excess tax deductions varying from \$12 billion to \$61 billion per year. These excessive deductions mean billions of dollars in reduced taxes for corporations wealthy enough to provide substantial stock option compensation to their executives, all at the expense of ordinary taxpayers.

We cannot afford to continue this multi-billion dollar loss to the U.S. Treasury, and tax fairness means ordinary taxpayers should not continue to be asked to subsidize corporate executive salaries. That is why the bill I am introducing today would change the tax code so that corporations can deduct only the stock option expense actually shown on their books.

To get a better understanding of why this bill is needed, it helps to have a clear understanding of how stock option accounting and tax rules fell out of sync over time.

Calculating the cost of stock options may sound straightforward, but for years, companies and their accountants engaged the Financial Accounting Standards Board, or FASB, in an all-out, knock-down battle over how companies should record stock option compensation expenses on their books.

U.S. publicly traded corporations are required by law to follow Generally Accepted Accounting Principles, or GAAP, which are issued by FASB which is, in turn, overseen by the SEC. For many years, GAAP allowed U.S. companies to issue stock options to employees and, unlike any other type of compensation, report a zero compensation expense on their books, so long as on the grant date, the stock option's exercise price equaled the market price at which the stock could be sold.

Assigning a zero value to stock options that routinely produced huge amounts of executive pay provoked deep disagreements within the accounting community. In 1993, FASB proposed assigning a "fair value" to stock options on the date they were granted to an employee, using mathematical valuation tools. FASB proposed further that companies include that amount as a compensation expense on their financial statements. A



battle over stock option expensing followed, involving the accounting profession, corporate executives, FASB, the SEC, and Congress.

In the end, after years of fighting and negotiation, FASB issued a new accounting standard, Financial Accounting Standard, or FAS, 123R, which was endorsed by the SEC and became mandatory for all publicly traded corporations in 2005. In essence, FAS 123R requires all companies to record a compensation expense equal to the fair value on grant date of all stock options provided to an employee in exchange for the employee's services.

Opponents of the new accounting rule had predicted that, if implemented, it would severely damage U.S. capital markets. They warned that stock option expensing would eliminate corporate profits, discourage investment, end stock option compensation, depress stock prices, and stifle innovation. But none of that happened.

2006 was the first year in which all U.S. publicly traded companies were required to expense stock options. Instead of tumbling, both the New York Stock Exchange and NASDAQ turned in strong performances, as did initial public offerings by new companies. The dire predictions were wrong. Stock option expensing has been fully implemented without any detrimental impact to the markets.

During the years the battle raged over stock option accounting, relatively little attention was paid to the taxation of stock options. Section 83 of the tax code, first enacted in 1969 and still in place after four decades, is the key statutory provision. It essentially provides that, when an employee exercises compensatory stock options, the employee must report as income the difference between what the employee paid to exercise the options and the market value of the stock received. The corporation can then take a mirror deduction for whatever amount of income the employee realized.

For example, suppose a company gave options to an executive to buy 1 million shares of the company stock at \$10 per share. Suppose, 5 years later, the executive exercised the options when the stock was selling at \$30 per share. The executive's income would be \$20 per share for a total of \$20 million. The executive would declare \$20 million as ordinary income, and in the same year, the company could take a tax deduction for \$20 million.

The two main problems with this approach are, first, that the deduction amount is out of sync—and usually significantly greater than—the expense shown on the corporate books years earlier and, second, the \$20 million in ordinary income obtained by the executive did not come from the corporation itself. In fact, rather than pay the executive the \$20 million, the corporation actually received money from the exec-

utive who paid to exercise the option and purchase the related stock.

In most cases, the \$20 million was actually paid by unrelated parties on the stock market who bought the stock from the executive. Yet the tax code currently allows the corporation to declare the \$20 million paid by third parties as its own business expense and take it as a tax deduction. The reasoning behind this approach has been that the exercise date value was the only way to get certainty regarding the value of the stock options for tax deduction purposes. That reasoning lost its persuasive character, however, once consensus was reached on how to calculate the value of stock option compensation on the date the stock options are granted.

So U.S. stock option accounting and tax rules are now at odds with each other. Accounting rules require companies to expense stock options on their books on the grant date. Tax rules require companies to deduct stock option expenses on the exercise date. Companies report the grant date expense to investors on their financial statements, and the exercise date expense on their tax returns. The financial statements report on the stock options granted during the year, while the tax returns report on the stock options exercised during the year. In short, company financial statements and tax returns use different valuation methods and value, resulting in widely divergent stock option expenses for the same year.

To examine the nature and consequences of that stock option book-tax difference, the Permanent Subcommittee on Investigations, which I chair, initiated an investigation and held a hearing in June 2007. Here is what we found.

To test just how far the book and tax figures for stock options diverge, the Subcommittee contacted a number of companies to compare the stock option expenses they reported for accounting and tax purposes. The Subcommittee asked each company to identify stock options that had been exercised by one or more of its executives from 2002 to 2006. The Subcommittee then asked each company to identify the compensation expense they reported on their financial statements versus the compensation expense on their tax returns. The Subcommittee very much appreciated the cooperation and assistance provided by the nine companies we worked with. At the hearing, we disclosed the resulting stock option data for those companies, including three companies that testified.

The data provided by the companies showed that, under then existing rules, eight of the nine companies showed a zero expense on their books for the stock options that had been awarded to their executives, but claimed millions of dollars in tax deductions for the

same compensation. The ninth company, Occidental Petroleum, had begun voluntarily expensing its stock options in 2005, but also reported significantly greater tax deductions than the stock option expenses shown on its books. When the Subcommittee asked the companies what their book expense would have been if FAS 123R had been in effect, all nine calculated book expenses that remained dramatically lower than their tax deductions. Altogether, the nine companies calculated that they would have claimed about \$1 billion more in stock option tax deductions than they would have shown as book expenses, even using the tougher new accounting rule. Let me repeat that—just 9 companies produced a stock option book-tax difference and excess tax deductions of about \$1 billion.

KB Home, for example, is a company that builds residential homes. Its stock price had more than quadrupled over the 10 years leading up to 2006. Over the same time period, it had repeatedly granted stock options to its then CEO. Company records show that, over 5 years, KB Home gave him 5.5 million stock options of which, by 2006, he had exercised more than 3 million.

With respect to those 3 million stock options, KB Home recorded a zero expense on its books. Had the new accounting rule been in effect, KB Home calculated that it would have reported on its books a compensation expense of about \$11.5 million. KB Home also disclosed that the same 3 million stock options enabled it to claim compensation expenses on its tax returns totaling about \$143.7 million. In other words, KB Home claimed a \$143 million tax deduction for expenses that on its books, under current accounting rules, would have totaled \$11.5 million. That is a tax deduction 12 times bigger than the book expense.

Occidental Petroleum disclosed a similar book-tax discrepancy. That company's stock price had also skyrocketed, dramatically increasing the value of the 16 million stock options granted to its CEO since 1993. Of the 12 million stock options the CEO actually exercised over a 5-year period, Occidental Petroleum claimed a \$353 million tax deduction for a book expense that, under current accounting rules, would have totaled just \$29 million. That is a book-tax difference of more than 1200 percent.

Similar book-tax discrepancies applied to the other companies we examined. Cisco System's CEO exercised nearly 19 million stock options over 5 years, and provided the company with a \$169 million tax deduction for a book expense which, under current accounting rules, would have totaled about \$21 million. UnitedHealth's former CEO exercised over 9 million stock options in 5 years, providing the company with a \$318 million tax deduction for a book

expense which would have totaled about \$46 million. Safeway's CEO exercised over 2 million stock options, providing the company with a \$39 million tax deduction for a book expense which would have totaled about \$6.5 million.

Altogether, these nine companies took stock option tax deductions totaling about \$1.2 billion, a figure nearly five times larger than the \$217 million that their combined stock option book expenses would have been. The resulting \$1 billion in excess tax deductions represents a tax windfall for these companies simply because they issued lots of stock options to their CEOs.

Tax rules that produce huge tax deductions that are many times larger than the related stock option book expenses give companies an incentive to issue massive stock option grants, because they know it is highly likely the stock options will produce a relatively small hit to the profits shown on their books, and are likely to produce a much larger tax deduction that can dramatically lower their taxes.

The data we gathered for just nine companies found excess stock option tax deductions of \$1 billion. To gauge whether the same tax gap applied to stock options across the country as a whole, the Subcommittee asked the IRS to perform an analysis of what, back then, was newly available stock option data.

The data is taken from tax Schedule M-3, which corporations were required to file for the first time in 2004, with their tax returns. The M-3 Schedule asks companies to identify differences in how they report corporate income to investors versus what they report to Uncle Sam, so that the IRS can track and analyze significant book-tax differences.

The M-3 data showed that, for corporate tax returns filed from July 1, 2004 to June 30, 2005, the first full year in which it was available, companies' stock option tax deductions totaled about \$43 billion more than their stock options expenses on their books. Similar data over the next 5 years, with the latest available data from tax returns filed from July 1, 2008 to June 30, 2009, showed that corporate stock option tax deductions as a whole exceeded their book expenses every year by billions of dollars, with the size of the excess tax deductions varying from \$12 billion to \$61 billion per year. These excessive deductions meant billions of dollars in reduced taxes for the relevant corporations each year.

In addition, the IRS data showed that the bulk of the stock option deductions were taken by a relatively small number of corporations nationwide. For example, in 2005, 56 percent of the excess tax deductions were taken by only 100 corporations, while 76 percent were taken by 250 corporations. In fact, over the 5 years of data, just 250 corporations took two thirds to three quarters

of all of the stock option deductions claimed in those years. That is just 250 corporations out of the more than 5 million corporations that filed tax returns each year. In other words, the IRS data proves that the corporate stock option tax loophole actually benefits a very small number of corporations.

Claiming massive stock option tax deductions enabled those corporations, as a whole, to legally reduce payment of their taxes by billions of dollars each year. Moreover, under current tax rules, if a stock option deduction is not useful in the year it is first available, the corporation is allowed to add the deduction to its net operating losses and use the deduction to reduce its taxes for up to the next 20 years, an unbelievable windfall. It is a corporate loophole that just keeps going.

There were other surprises in the stock option data as well. One set of issues disclosed by the data involves what happens to unexercised stock options. Under the current mismatched set of accounting and tax rules, stock options which are granted, vested, but never exercised by the option holder turn out to produce a corporate book expense but no tax deduction.

Cisco Systems told the Subcommittee, for example, that in addition to the 19 million exercised stock options previously mentioned, their CEO held about 8 million options that, due to a stock price drop, would likely expire without being exercised. Cisco calculated that, had FAS 123R been in effect at the time those options were granted, the company would have had to show a \$139 million book expense, but would never have been able to claim a tax deduction for this expense since the options would never have been exercised. Apple made a similar point. It told the Subcommittee that, in 2003, it allowed its CEO to trade 17.5 million in underwater stock options for 5 million shares of restricted stock. That trade meant the stock options would never be exercised and, under current rules, would produce a book expense without ever producing a tax deduction.

In both of these cases, under current accounting rules, it is possible that the stock options given to a corporate executive would have produced a reported book expense greater than the company's tax deduction. While the M-3 data indicates that, overall, accounting expenses lag far behind claimed tax deductions, the possible financial impact on an individual company with a large number of unexercised stock options is additional evidence that existing stock option accounting and tax rules are out of kilter and should be brought into alignment. Under our bill, if a company incurred a stock option expense, it would always be able to claim a tax deduction for that expense.

Another set of issues brought to light by the stock option data focuses on the

fact that the current stock option tax deduction is typically claimed years later than the initial book expense. Normally, a corporation dispenses compensation to an employee and takes a tax deduction in the same year for the expense. The company controls the timing and amount of the compensation expense and the corresponding tax deduction. With respect to stock options, however, corporations may have to wait years to see if, when, and how much of a deduction can be taken. That's because the corporate tax deduction is wholly dependent upon when an individual corporate executive decides to exercise his or her stock options.

Our bill would require that, when the company gives away something of value, it reflects that expense on its books and claims that same expense in the same year on its tax return. The company, and the government, would not have to wait to see if and when the stock options given to executives were exercised. As with any other form of compensation, the company would use the FASB accounting rules to determine the value of what it is giving away, and take the equivalent tax deduction in the year the compensation was provided.

UnitedHealth, for example, told the Subcommittee that it gave its former CEO 8 million stock options in 1999, of which, by 2006, only about 730,000 had been exercised. It did not know if or when its former CEO would exercise the remaining 7 million options, and so could not calculate when or how much of a tax deduction it would be able to claim for this compensation expense.

If the rules for stock option tax deductions were changed as provided for in our bill, companies would typically take the deduction years earlier than they do now, without waiting to see if and when particular options are exercised. In addition, by requiring stock option expenses to be deducted in the same year they appear on the company books, stock options would become consistent with how other forms of compensation are treated in the tax code.

Right now, U.S. stock option accounting and tax rules are mismatched, misaligned, and out of kilter. They allow companies collectively to deduct billions of dollars in stock option expenses in excess of the expenses that actually appear on the company books. They disallow tax deductions for stock options that are given as compensation but never exercised. They often force companies to wait years to claim a tax deduction for a compensation expense that could and should be claimed in the same year it appears on the company books.

The bill being introduced today would cure those problems. It would bring stock option accounting and tax rules into alignment, so that the two

sets of rules would apply in a consistent manner. It would accomplish that goal simply by requiring the corporate stock option tax deduction to reflect the stock option expenses as shown on the corporate books each year.

Specifically, the bill would end use of the current stock option deduction under Section 83 of the tax code, which allows corporations to deduct stock option expenses when exercised in an amount equal to the income declared by the individual exercising the option, replacing it with a new Section 162(q), which would require companies to deduct the stock option expenses as shown on their books each year.

The bill would apply only to corporate stock option deductions; it would make no changes to the rules that apply to individuals who receive stock options as part of their compensation. Those individuals would still report their compensation in the year they exercise their stock options. They would still report as income the difference between what they paid to exercise the options and the fair market value of the stock they received upon exercise. The gain would continue to be treated as ordinary income rather than a capital gain, since the option holder did not invest any capital in the stock prior to exercising the stock option and the only reason the person obtained the stock was because of the services they performed for the corporation.

The amount of income declared by an individual after exercising a stock option will likely be greater than the stock option expense booked and deducted by the corporation which employed that individual. That's in part because the individual's gain often comes years after the original stock option grant, during which time the underlying stock will usually have gained in value. In addition, the individual will typically exercise the option and immediately sell the stock and therefore receive income, not just from the corporation that supplied the stock options years earlier, but also from the third parties purchasing the resulting shares.

Consider the same example discussed earlier of an executive who exercised options to buy 1 million shares of stock at \$10 per share, obtained the shares from the corporation, and then immediately sold them on the open market for \$30 per share, making a total profit of \$20 million. The individual's corporation didn't supply that \$20 million. Just the opposite. Rather than paying cash to its executive, the corporation received a \$10 million payment from the executive in exchange for the 1 million shares. The \$20 million profit from selling the shares was paid, not by the corporation, but by third parties in the marketplace who purchased the stock. That's why it makes no sense for the

company to declare as an expense the amount of profit that an employee—often a former employee—obtained from unrelated parties in the marketplace.

The executive who exercised the stock options must still treat any resulting profit as ordinary income for the reasons given earlier: the executive received the shares at a below market cost, solely because of work that the executive performed for the corporation in return for the stock option compensation.

The bill we are introducing today would put an end to the current approach of allowing a corporation to take a mirror deduction equal to the ordinary income declared by its executive. It would break that old artificial illogical symmetry and replace it with a new logical symmetry—one in which the corporation's stock option tax deduction would match its book expense.

I call the current approach a case of artificial symmetry, because it uses a construct in the tax code that, when first implemented 40 years ago, enabled corporations to calculate their stock option expense on the exercise date, when there was no consensus on how to calculate stock option expenses on the grant date. The artificiality of the approach is demonstrated by the fact that it allows corporations to claim a deductible expense for money that comes not from company coffers, but from third parties in the stock market. Now that an accounting consensus determines how to calculate stock option expenses on the grant date, however, there is no longer any need to rely on an artificial construct that calculates corporate stock option expenses on the exercise date using third party funds.

It is also important to note that the bill would not affect in any way current tax provisions that provide favored tax treatment to so-called Incentive Stock Options under Section 422 of the tax code. Under that section, in certain circumstances, corporations can surrender their stock option deductions in favor of allowing their employees with stock option gains to be taxed at a capital gains rate instead of ordinary income tax rates. Many start-up companies use these types of stock options, because they don't yet have taxable profits and don't need a stock option tax deduction. So they forfeit their stock option corporate deduction in favor of giving their employees more favorable treatment of their stock option income. Incentive Stock Options would not be affected by our legislation and would remain available to any corporation providing stock options to its employees.

The bill would make one other important change to the tax code as it relates to corporate stock option tax deductions. In 1993, Congress enacted a \$1 million cap on the compensation that a corporation can deduct from its taxes,

so that other taxpayers wouldn't be forced to subsidize corporate executive pay. That cap was not applied to stock options, however, instead allowing companies to deduct any amount of stock option compensation from their tax obligations, without limit.

By not applying the \$1 million cap to stock option compensation, the tax code created a significant tax incentive for corporations to pay their executives with stock options. Indeed, it is common for executives to have salaries of \$1 million, while simultaneously receiving millions of dollars more in stock options. History has subsequently shown that the \$1 million cap—established to stop ordinary taxpayers from being forced to subsidize enormous paychecks for corporate executives—is effectively meaningless without including stock options.

Further, while corporate directors may be comfortable diluting their shareholders' interests while doling out massive amounts of stock options, that still does not mean that ordinary taxpayers should be forced to subsidize the large amounts of stock option compensation involved. The bill would eliminate this unwarranted, favored treatment of executive stock options by making deductions for this type of compensation subject to the same \$1 million cap that applies to other forms of compensation covered by Section 162(m). It is also worth noting that, if the cap were applied to stock options, it would not prevent stock option pay from exceeding \$1 million—it would simply ensure that those stock option awards were not made at the expense of ordinary taxpayers.

The bill also contains several technical provisions. First, it would make a conforming change to the research tax credit so that stock option expenses claimed under that credit would match the stock option deductions taken under the new tax code section 162(q). Second, the bill would authorize the Secretary of the Treasury to adopt regulations governing how to calculate the deduction for stock options in unusual circumstances, such as when a parent corporation issues options on its shares to the employee of a subsidiary or another corporation in a consolidated group, or when one corporation issues options on its shares to employees of a joint venture.

Finally, the bill contains a transition rule for applying the new Section 162(q) stock option tax deduction to existing and future stock option grants. Essentially, this transition rule would ensure that stock options issued prior to the enactment date of the legislation would remain tax deductible and ensure all corporations can start deducting stock option expenses on a yearly schedule.

The transition rule has three parts. First, it would allow the old Section 83 deduction rules to apply to any option

which was vested prior to the effective date of the new stock option accounting rule, FAS 123R, and exercised after the date of enactment of the bill. The effective date of FAS 123R is June 15, 2005 for most corporations, and December 31, 2005 for most small businesses. Prior to the effective date of FAS 123R, most corporations would have shown a zero expense on their books for the stock options issued to their executives and, thus, would be unable to claim a tax deduction under the new Section 162(q). For that reason, the bill would allow these corporations to continue to use Section 83 to claim stock option deductions on their tax returns.

For stock options that vested after the effective date of FAS 123R and were exercised after the date of enactment, the bill takes another tack. Under FAS 123R, these corporations would have had to show the appropriate stock option expense on their books, but would have been unable to take a tax deduction until the executive actually exercised the option. For those options, the bill would allow corporations to take an immediate tax deduction—in the first year that the bill is in effect—for all of the expenses shown on their books with respect to these options. This “catch-up deduction” in the first year after enactment would enable corporations, in the following years, to begin with a clean slate so that their tax returns the next year would reflect their actual stock option book expenses for that same year.

After that catch-up year, all stock option expenses incurred by a company each year would be reflected in their annual tax deductions under the new Section 162(q).

This transition rule is a generous one, but even with it, the Joint Committee on Taxation has estimated that closing the corporate stock option tax deduction loophole would produce \$24.6 billion in corporate tax revenues over 10 years.

Over the last 5 years, the stock option book-tax gap has ranged from \$12 billion to \$61 billion per year, generating deductions far in excess of corporate expenses. Corporations have avoided paying their fair share to Uncle Sam by simply giving their executives the right to tap huge sums of money from the stock market. It is a tax policy that forces ordinary taxpayers to subsidize outsized executive compensation and that favors corporations doling out stock options over paying their executives in cash.

Right now, stock options are the only compensation expense where the tax code allows companies to deduct more than their book expense. In these times of financial distress, we cannot afford this multi-billion dollar loss to the Treasury, not only because of the need to reduce the deficit, but also because the stock option tax deduction contributes to the anger and social dis-

ruption caused by the ever deepening chasm between the pay of executives and the pay of average workers.

The Obama administration has pledged itself to closing unfair corporate tax loopholes and to returning sanity to executive pay. It should start with supporting an end to excessive stock option corporate deductions. I urge my colleagues to include this legislation in any deficit reduction package this year, or to pass it separately.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 553. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

SA 554. Mr. SESSIONS (for himself, Mr. CORNYN, Mr. VITTER, Mr. HATCH, and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 555. Mr. TESTER (for himself and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 556. Mr. JOHNSON of South Dakota (for himself and Mr. KIRK) proposed an amendment to the bill H.R. 2055, supra.

SA 557. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 558. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 553. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; as follows:

On page 64, line 24, strike “\$3,380,917,000” and insert “\$3,370,917,000”.

SA 554. Mr. SESSIONS (for himself, Mr. CORNYN, Mr. VITTER, Mr. HATCH, and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

#### SEC. \_\_\_\_ . NO BUDGET—NO APPROPRIATIONS.

(a) SUPERMAJORITY.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (c)(1), by inserting after “Sections” the following: “303(c),”; and

(2) in subsection (d)(2), by inserting after “sections” the following: “303(c),”.

(b) APPLICATION TO RECONCILIATION.—Section 303(c)(2) of the Congressional Budget

Act of 1974 (2 U.S.C. 634(c)(2)) is amended by inserting at the end the following: “Paragraph (1) shall not apply to any legislation reported pursuant to reconciliation directions contained in a concurrent resolution on the budget.”.

SA 555. Mr. TESTER (for himself and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 127. None of the amounts appropriated or otherwise made available by this title may be obligated or expended to carry out the Combat Air Forces Restructuring Plan of the Air Force until the Secretary of the Air Force certifies to Congress that the Air Force has completed all environmental reviews required in connection with the movement or relocation of any aircraft under the Restructuring Plan.

SA 556. Mr. JOHNSON of South Dakota (for himself and Mr. KIRK) proposed an amendment to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; as follows:

On Page 114 between lines 18 and 19, insert the following:

SEC. 301. Not later than 90 days after enactment of this Act, the Executive Director of Arlington National Cemetery shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives detailing the strategic plan and timetable to modernize the Cemetery’s Information Technology system, including electronic burial records.

SA 557. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended for road improvements at Naval Station Mayport, Florida.

SA 558. Mr. WEBB (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may

be obligated or expended for architectural and engineering services and construction design of any military construction project necessary to establish a homeport for a nuclear-powered aircraft carrier at Naval Station Mayport, Florida.

#### NOTICES OF HEARINGS

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, July 20, 2011, at 10 a.m. in SD-430 to mark up the following: S. 958, the Children's Hospital GME Support Reauthorization Act of 2011; S. 1094, the Combating Autism Reauthorization Act; S. \_\_\_\_\_, the Workforce Investment Act Reauthorization Act of 2011; and, any nominations cleared for action.

For further information regarding this meeting, please contact the committee on (202) 224-5375.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce that the Committee on Energy and Natural Resources will hold a business meeting on Thursday, July 21, 2011, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider S. 916, the Oil and Gas Facilitation Act of 2011, and S. 917, the Outer Continental Shelf Reform Act of 2011.

For further information, please contact Sam Fowler at (202) 224-7571 or Alison Seyferth at (202) 224-4905.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, July 21, 2011, at 2 p.m. to conduct an oversight roundtable hearing entitled "Improving For-Profit Higher Education: A Roundtable Discussion of Policy Solutions."

For further information regarding this meeting, please contact Beth Stein on (202) 224-6403.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on July 14, 2011, at 9:30 a.m. in room G50 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Com-

mittee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 14, 2011, at 10 a.m. to conduct a committee hearing entitled "The Semiannual Monetary Policy Report to Congress."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 14, 2011, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 14, 2011, at 10:30 a.m., to hold a hearing entitled, "Two New Sudans: A Roadmap Forward."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Lessons from the Field: Learning From What Works for Employment for Persons with Disabilities" on July 14, 2011, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON INDIAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on July 14, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 14, 2011, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON VETERANS' AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session on July 14, 2011, in room 418 of the Russell Senate Office Building beginning at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 14, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON SCIENCE AND SPACE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 14, 2011, at 10 a.m. in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, "The National Nanotechnology Investment: Manufacturing, Commercialization, and Job Creation."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that CPT Michael K. Lynch, a U.S. Army Aviation officer, who is currently serving as my defense legislative fellow this year, be granted floor privileges for the duration of H.R. 2055.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that Michael Barrie Rhemann, an intern with the Senate Appropriations Committee, be accorded floor privileges during consideration of H.R. 2055.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Jordana Signer, Adi Sehic, and Tyler Smith of my staff be granted floor privileges for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, on behalf of Senator LEAHY, I ask unanimous consent that a law clerk on his staff, Brendan Forbes, be granted floor privileges for the week of July 18, 2011.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MEASURE READ THE FIRST TIME—H.R. 2018

Mr. SCHUMER. Mr. President, I understand there is a bill at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes.

Mr. SCHUMER. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

The PRESIDING OFFICER. Without objection, it is so ordered.

p.m., the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

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ORDERS FOR MONDAY, JULY 18,  
2011

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UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that on Monday, July 18, 2011, at 5 p.m., the Senate proceed to executive session to consider Calendar No. 82; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on Calendar No. 82, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate, that any related statements be printed in the RECORD, that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, July 18, 2011; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 3:30 p.m. with Senators permitted to speak therein for up to 10 minutes each; and that following morning business, the Senate resume consideration of H.R. 2055, the Military Construction, Veterans Affairs and Related Agencies appropriations bill; further, that at 5

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PROGRAM

Mr. SCHUMER. Mr. President, there will be a rollcall vote at 5:30 p.m. on Monday. That vote will be on the confirmation of J. Paul Oetken to be United States District Judge for the Southern District of New York.

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ADJOURNMENT UNTIL MONDAY,  
JULY 18, 2011, AT 2 P.M.

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Monday, July 18, 2011, at 2 p.m.

## HOUSE OF REPRESENTATIVES—Thursday, July 14, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 14, 2011.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### BRING OUR TROOPS HOME FROM AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, I plan to come to the floor at least once, maybe twice a week until we get our troops home from Afghanistan. I do that because I have the privilege to represent the Third District of North Carolina, the home of Camp Lejeune Marine Base, Cherry Point Marine Air Station, and Seymour Johnson Air Force Base. I have been privileged, since I didn't serve, to have great relationships with active duty and retired marines in the district.

I want to share with this House, Mr. Speaker, that we continue to support a corrupt leader and a corrupt government. Just recently, the half brother of Mr. Karzai, Wali Karzai, was murdered in Afghanistan. This only reinforces the fact that Afghanistan is in a fragile situation at every level of their government. It is in chaos, quite frankly.

Just this week, I spoke with a Marine colonel who has been to Afghanistan three times. He was in my office on

Tuesday, and he shared the same sentiments as the retired Marine general who has been advising me for 20 months. Recently, I emailed the general and I said, Please give me your ideas of what Mr. Obama has proposed in bringing 10,000 of our troops out in July and then another 23,000 next year, 2012. This is what he emailed back to me, Mr. Speaker, and I read:

"I think the timeline is too long. I think he needs to increase the number of troops coming out of country, more and quicker."

Another point he made in his email is: "Get real with 'training' an army and police force. All we are doing is training eventual new members of the Taliban. Trainers are doing a wonderful job, but we don't have the time to 'make' an army."

And, Mr. Speaker, then it was kind of sad the way he closed: Every day somebody from our country dies—a marine, a soldier, an airman, Navy, whatever.

Mr. Speaker, I bring posters to the floor—I have probably 12 now that I want to bring to the floor every time that I speak—to remind the House that there is pain in war.

The wife to my left on the poster is in tears. The little girl, who is about 2 years of age, she doesn't understand why this Army officer is kneeling before her with a folded flag. Yet I would say to the little girl: When you grow older and you're old enough to know, your daddy was a real hero, Sergeant Jeffrey Sherer, who gave his life for this country.

Mr. Speaker, that leads me to share with the House an editorial that was written about 4 weeks ago by Eugene Robinson, and the title is, "Afghan Strategy: Let's Go." And I want to read from his editorial:

"Slender threads of hope are nice, but they do not constitute a plan. Nor do they justify continuing to pour American lives and resources into the bottomless pit of Afghanistan. The threat from Afghanistan is gone. Bring the troops home."

This, again, is an editorial from Eugene Robinson.

Mr. Speaker, with our Nation in such a financial crisis, the people of the Third District of North Carolina, which I represent, ask me many times when I'm home on the weekends: Why are we still in Afghanistan? Why are we still spending \$10 billion a month to prop up a corrupt leader and there's no future in Afghanistan?

We're not going to change history. History has always said to these great

nations like America: You go into Afghanistan, you're never going to change anything.

The Congress needs to join those of us on both sides of the aisle when we debate trying to bring our troops home from Afghanistan.

Mr. Speaker, before I close, again I want to make reference to the wife in tears and the little girl looking up at the Army officer wondering, Why are you giving me this flag? Young lady, your daddy was a hero.

I close, Mr. Speaker, by saying to God, please bless our men and women in uniform. God, please bless the families of our men and women in uniform. God, please, in Your loving arms, hold the families who have given a child dying for freedom in Afghanistan and Iraq.

God, please bless the House and Senate, that we will do what is right. God, please give wisdom, strength, and courage to President Obama, that he will do what is right.

And three times, God please, God please, God please continue to bless America.

### THE MASSIVE TRANSFER OF WEALTH FROM THE MANY TO THE HANDS OF A FEW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. KUCINICH) for 5 minutes.

Mr. KUCINICH. The rancorous debate over the debt belies a fundamental truth of our economy: that it is run for the few at the expense of the many, that our entire government has been turned into a machine which takes the wealth of the mass of Americans and accelerates it into the hands of a few. Let me give you some examples.

Take war. War takes the money from the American people and puts it into the hands of arms manufacturers, of war profiteers, of private armies. The war in Iraq, based on lies, \$3 trillion will be the cost of that war, at least. The war in Afghanistan, based on a misreading of history, half a trillion dollars in expenses already. The war against Libya will be \$1 billion by September. Fifty percent of our discretionary spending goes for the Pentagon. A massive transfer of wealth into the hands of a few while the American people lack sufficient jobs, health care, housing, retirement security.

Our energy policies take the wealth from the American people and put it into the hands of the oil companies. We could be looking at \$150 a barrel for oil in the near future.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



□ 1010

Our environmental policy takes the wealth of the people, clean air, clean water, and puts it in the hands of the polluters. It's a transfer of wealth not only from the present but from future generations, as our environment is ruined.

Insurance companies, what do they do? They take the wealth from the American people, in terms of what they charge people for health insurance, and they put it into the hands of the few.

We have to realize what this country's economy has become. Our monetary policy, through the Federal Reserve Act of 1913, privatized the money supply, gathers the wealth and puts it in the hands of the few while the Federal Reserve can keep creating money out of nothing, give it to banks to park at the Fed, and our small businesses are starved for capital.

Mark my words: Wall Street cashes in whether we have a default or not. And the same type of thinking that created billions in bailouts for Wall Street and more than \$1 trillion in giveaways by the Federal Reserve today leaves 26 million Americans either underemployed or unemployed. And 9 out of 10 Americans over the age of 65 are facing cuts in their Social Security in order to pay for a debt which grew from tax cuts for the rich and from endless wars.

There is a massive transfer of wealth from the American people to the hands of the few, and it's going on right now as America's eyes are misdirected to the political theater of these histrionic debt negotiations: threats to shut down the government, a willingness to make the most vulnerable Americans pay dearly for debts they did not create. These are symptoms of a government which has lost its way, and they are a challenge to the legitimacy of the two-party system.

CONGRATULATING DR. JOHN SHANK ON HIS RETIREMENT FROM TEMPLE UNIVERSITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize a dear friend and colleague, Dr. John Shank, and congratulate him on his retirement from Temple University. Dr. Shank is a tenured professor at Temple University, where he serves as the director of the Therapeutic Recreation Program within the Department of Rehabilitation Sciences.

In his 25 years of tremendous service to Temple, Professor Shank has put forth a level of commitment to the advancement of professional knowledge within the field of recreational therapy that is second to none. Without a doubt, John's scholarly successes have

overwhelmingly contributed to the reputation of Temple University being regarded as the most prolific academic center within the field of recreational therapy. Not only has Dr. Shank made tremendous contributions to his field, he has served as an outstanding teacher and role model to those students who were fortunate enough to have him as a classroom instructor or research adviser.

Dr. Shank, thank you, for a lifetime of academic and recent achievements and for your contributions to the field of recreational therapy at Temple University. I congratulate you on your retirement and wish you well in the future.

#### COLOMBIA FREE TRADE AGREEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GEORGE MILLER) for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker and Members of the House, very shortly the United States Congress is likely to consider three ill-conceived and ill-timed trade agreements that will do nothing to create jobs in this country. One of these agreements is with the nation of Colombia.

One of our most important responsibilities as elected officials is to promote and protect American jobs and American values. We do this by ensuring that those who receive trade preferences respect essential democratic rights. These are important rights: the right to speak out and protest, the right to organize unions and bargain collectively, and the right of citizens to support political efforts to improve their economic condition without reprisals.

Unfortunately, we see what happens when union members in Colombia try exercise their rights. Death squads are unleashed against union activists and human rights defenders; labor leaders are gunned down in broad daylight. This isn't yesterday's news. The intimidation and violence continue to this day. There have been 17 confirmed killings of unionists in Colombia this year, according to a human rights group. Last year, 90 unionists were murdered worldwide, 49 of them in Colombia. Colombia unionists face the highest rates of murder anywhere in the world.

To overcome longstanding objections to passage of the Colombia free trade agreement, President Santos of Colombia and President Obama signed a Labor Action Plan on April 7. The plan includes deadlines for new laws that could enable workers to form unions as a means to advance social progress in Colombia. This plan has deadlines to restrict the use of cooperatives that allow employers to evade bargaining

directly with their workers. It calls for new labor enforcement agencies and the hiring of additional inspectors.

On the one hand, the labor action plan has important elements that are necessary and valuable, and President Santos is to be commended for advancing this initiative; however, there are major gaps in the action plan. There are no benchmarks to show whether or not the new laws on paper have translated into laws on the ground. Will workers have greater ability to exercise their rights, to organize, to bargain collectively, and to negotiate contracts directly with their employers? Will levels of violence and murders against trade unionists be substantially reduced? Will employers and companies that violate the rights of workers be punished, as prescribed under the new laws?

We don't know if these are merely gains on paper or if they are real. And based upon the accelerated schedule, it appears we won't be given a chance to learn if there will be real change on the ground before we consider the trade agreement with Colombia.

Any trade agreement with Colombia must produce a verifiable reduction in the violence. It must protect human rights. It must end the impunity enjoyed by death squads and paramilitaries. Due to the lack of benchmarks for progress, Colombia could still have a record year of assassinations and the action plan would be declared a success.

Under the plan, the Colombian Government is supposed to be providing expanded physical protections for union activists. I met with regional and national union leaders last month who told me that little has changed on the ground. They told me they haven't received protection.

The action plan calls for hiring additional labor inspectors over the next 4 years to enforce these new laws. There's a program to relocate teachers who have received death threats. There is a program to address the backlog of thousands of union homicide cases that have yet to be prosecuted. And there is no assurance that the actions will be carried out.

Last week, the Ways and Means Republicans opposed efforts to require Colombia to meet its obligations under the action plan as of the date the free trade agreement goes into force. Without this provision, the U.S. has no leverage to assure implementation of the labor action plan. Maybe that is what the multinational corporations pushing this deal want. And since the agreement is being brought to the floor under fast track, Congress will not be able to consider amendments to make the action plan enforceable.

Given this predicament, the least the administration can do is to stand behind its own action plan. The implementing legislation should require Colombia to fully comply with the plan

before the agreement takes effect. The administration should confirm that compliance through on-the-ground consultations with labor and human rights organizations. Without real change on the ground, this trade agreement is not fair to Colombian workers. They deserve their basic right not to be subjected to threats and murder because they demand a better life.

This agreement does not fairly represent our Nation's values, and it's fundamentally unfair to America's workers. They can't compete with workers who face death squads for wanting better working conditions. They can't compete with a country that continues to allow thousands of assassins to operate with impunity. It's past time that we, as a Nation, stand up for American values and American workers.

#### REMEMBERING FORMER FIRST LADY BETTY FORD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. HUIZENGA) for 5 minutes.

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to pay tribute to a great American with a legacy of being a passionate advocate for the issues that she believed in.

Former First Lady Betty Ford passed away earlier this week at the age of 93. She was known as a beacon of warmth and kindness. She was also a tough lady. She's being buried today next to her husband, Jerry Ford, in Grand Rapids at the Presidential museum.

My entire family and I had opportunities to meet her over the years, and I have to say, it's truly an honor now to represent part of the district that Jerry Ford had so long served in this very House.

□ 1020

We are all deeply saddened by her passing. Mrs. Ford cared deeply about others, as evidenced in her work helping people through their addiction and recovery from chemical dependency through the Betty Ford Clinic, and her work to raise awareness of breast cancer and many other issues, all at a time when those things really were not discussed much in public.

Above all, she led the Ford team as she supported her husband's service to a Nation with admirable love and mutual respect, at times literally being his voice, like she did that evening that he made his concession speech in 1976.

Well, this spring, at the dedication ceremony of the statue of President Ford here in the Rotunda lying just beyond, we were reminded of his calm, steady leadership, and his ability to reach out to others. They were always a team. And it was as much a tribute to her as it was to President Ford.

Again, we continue to pray for the Ford children, Susan, Jack, Mike, and

Steve, and the entire Ford family as we pay tribute to their mother and the legacy that she leaves behind.

Rest well, Mrs. Ford, rest well.

#### COLOMBIA: DEMAND RESULTS ON LABOR AND HUMAN RIGHTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, 6 days ago, on Friday, July 1, armed men assassinated a candidate for the city council of Caldas, a town just outside of Medellin, Colombia. He was the ninth local candidate murdered over the last few months.

Last Thursday, June 30, Luis Eduardo Gomez, a Colombian journalist and witness for a high profile investigation into links between Colombian politicians and paramilitary groups, was shot down and killed in northwestern Antioquia, an area I visited first in 2001. Gomez was 70 years old. He was returning home at night with his wife when he was gunned down. He was murdered a few days after another witness in the case was killed. And investigators for the Attorney General have said several other witnesses have disappeared.

Antonio Mendoza Morales was a councilman in the Caribbean town of San Onofre, Sucre. The 34-year-old Mendoza was also a leader of the Association of Displaced Persons of San Onofre and the Montes de Maria. He was also shot and killed last Thursday night. He is at least the 11th land claims, victims' rights, or displaced persons leader to have been killed in Colombia so far this year.

Displaced persons and victims' rights advocates in the Sucre region received a series of death threats during the month of June. We don't know yet whether Mendoza's killing is related to these threats. But I traveled to Sucre in 2003, and can attest to the daily violence suffered by local leaders and displaced persons and campesino organizations.

On June 7, Anna Fabricia Cordoba, 51, a leader of the displaced and a land rights activist, was shot dead by an unidentified gunman while riding on a bus in Medellin. She had fled her home in northern Antioquia in 2001 after several of her family members were killed. She had been campaigning for the restitution of lands to Colombia's displaced, and was a member of Ruta Pacifica, the Peaceful Path, a women's organization calling for a negotiated end to the war. In 2008, Ruta Pacifica testified before the Tom Lantos Human Rights Commission about Colombia's internally displaced. Cordoba, an Afro-Colombian, had been receiving death threats for months. She had asked the Colombian Government for protection, but had not received any. Her children

have received death threats following their mother's death.

The Inter-American Commission for Human Rights condemned Cordoba's murder and expressed alarm over the increase in serious threats against Colombian human rights defenders. The situation is getting worse. Every day I receive news about threats, murders, and disappearances of Colombian labor and human rights activists and community leaders.

Mr. Speaker, I recite this sad litany of recent murders to impress upon my colleagues that these are real people, real leaders, being murdered every single day in Colombia. Will their murderers be brought to justice or will their deaths be just one more case that remains in impunity? Will the government's promises to their families to seek justice be fulfilled? Will other threatened leaders and their families receive real protection? I hope so, but we simply don't know yet. Promises are easy. Results take time, commitment, and political will to achieve.

This morning, some of my colleagues will describe the dangers facing Colombia's labor activists. Colombia still remains the most dangerous place in the world to be a unionist. But violence against Colombia's workers happens in the context of a very threatening landscape for anyone who has the courage to organize their communities, run for public office, or stand up for the rights of the poor, the displaced, and the victims of human rights abuse. The source of violence are all the illegal armed actors, the FARC, the ELN, the paramilitaries, and criminal networks known as BACRIM. And also, sadly, it includes members and units of the Colombian military and police.

Before any trade agreement is brought to the Congress for a vote, we owe it to the brave people of Colombia to give the Santos administration time to demonstrate that it can carry out the historic reforms that it has announced as its priorities. We need time to see if the initial steps required by the U.S.-Colombia Labor Action Plan actually result in changes on the ground inside Colombia. Will workers be able to exercise their rights, organize freely, and bargain directly with their employers without the fear of death? And we need time to determine whether violence against rights defenders and community leaders is actually reduced under the leadership of President Santos, and whether greater protections are provided and prove to be effective.

We need to see, and we should demand to see, results on the ground before Congress takes up the free trade agreement. Let's use whatever leverage the U.S. has in Colombia to help end a culture of impunity and violence that by any standard is intolerable. I cannot approve an FTA on the basis of good intentions. It must be based on results.

Mr. Speaker, in conclusion, let me just say trade agreements should be about lifting people up, not keeping them down.

11 COLOMBIAN LAND RIGHTS, VICTIMS' RIGHTS AND DISPLACED LEADERS MURDERED IN 2011 (6/30/11)

February 4

Ana M. Hernández. Assassinated with her 10 year old son. Community Board member of El Cupadero en Frontino (Antioquia). She was killed in front of her 3 children.

March 6

Zoraida Acevedo. Leader of Familias en Acción en Tibú (Norte de Santander). She was shot in front of her husband and her four children.

March 19

Hernán Pinto, victims' rights leader in Cundinamarca, he was murdered brutally, clubbed and stoned to death. Sources say the perpetrators were the FARC.

March 22

Bernardo Ríos Londoño, 27, member of the San José de Apartadó Peace Community, in the Urabá region of northwestern Antioquia.

March 23

David Góez and Éver Verbel. Goez was assassinated near a commercial center in Medellín. Verbel was killed in San Onofre (Sucre).

April 7

Andrés Álvarez Orozco. Campesino leader of Antioquia who had denounced irregular actions by the Public Forces (pólice) in this region.

April 15

Hugo Ulcué. Assassinated when leaving an event in Cauca. He was an indigenous leader who had called for reparations for the massacre of the Naya people.

April 27

Martha Gaibao. Leader on land rights and restitution for six communities in Southern Córdoba. She was assassinated as she arrived at her home.

June 7

Ana Fabricia Córdoba Cabral, 51, member of Ruta Pacífica de Mujeres and founder of the Association of Leaders Moving Forward for a Human Fabric of Peace/LATEPAZ. Murdered by gunman on motorcycle while she was riding on a bus in Medellín.

June 30

Antonio Medoza Morales, councilman in San Onofre (Sucre) and leader of the Association of Displaced Persons of San Onofre and the Montes de María. Shot and killed at a billiard hall near his home.

Sources: El Tiempo (Bogotá, Colombia) 6/8/11; 6/20/11; and 7/1/11.

[From the Inter-American Commission on Human Rights, Organization of American States, June 20, 2011]

IACHR CONDEMNS MURDER OF HUMAN RIGHTS ACTIVIST AND EXPRESSES CONCERN OVER NEW THREATS TO HUMAN RIGHTS DEFENDERS IN COLOMBIA

WASHINGTON, DC.—The Inter-American Commission on Human Rights (IACHR) condemns the murder in Colombia of Ana Fabricia Córdoba Cabrera, an Afro-descendant community leader who worked with displaced persons seeking the restitution of lands in the Urabá region. The Commission also expresses its deep concern over a new death threat targeting human rights defenders and organizations.

According to the information the IACHR has received, Ana Fabricia Córdoba was a member of the organization Ruta Pacífica de las Mujeres (Women's Peaceful Path) and a

founder of the Asociación Líderes Hacia delante por un Tejido Humano de Paz (Association of Leaders Moving Forward for a Human Fabric of Peace, LATEPAZ), whose mission is to support victims of forced displacement. Ana Fabricia Córdoba Cabrera had allegedly reported a number of cases in which rights of displaced persons had been violated by paramilitaries in the Medellín neighborhoods of La Cruz and La Honda. The information indicates that on June 7, a man shot the community leader with a firearm while she was traveling on a bus on her way to Santa Cruz. The IACHR is deeply concerned that Colombian government authorities have admitted publicly that the murder of Ana Fabricia Córdoba could have been averted, since the Ministry of the Interior's Protection Program had reportedly known about threats against the community leader since May 9 but had failed to implement protection measures in a timely manner.

According to the information available, days before the murder, dozens of organizations that work to defend the rights of the displaced population—including Ruta Pacífica de las Mujeres, to which the human rights defender belonged—received a death threat dated June 2. It was signed by the armed group "Rastrojos" and targeted those who had played an active role in the framework of Colombia's Victims and Land Restitution Law, passed on Friday, June 10. The organizations targeted by the threat include CREAR, Arco Iris, Fundación Social, Sisma Mujer, Red de Empoderamiento, Colectivo de Abogados José Alvear Restrepo, FUNDEPAZ, Casa Mujer, Ruta Pacífica de las Mujeres, FUNDHEFEM, CODHES, FUNDEMUD, MOVICE, UNIPA, and Fundación Nuevo Amanecer. The threat also mentioned several individuals by name, including Viviana Ortiz, Angélica Bello, Ruby Castaño, María Eugenia Cruz, Piedad Córdoba, Lorena Guerra, and Iván Cepeda. Members of several of the aforementioned organizations as well as several of those named individually in the threat are beneficiaries of precautionary measures granted by the IACHR. The Commission also observes with concern that the document signed by "the Rastrojos" threatens the United Nations Development Programme (UNDP) and the Office of the United Nations High Commissioner for Refugees (UNHCR).

The Commission reiterates that one of the first steps to effectively protect human rights defenders is to publicly recognize the legitimacy of their work and to take steps to protect them from the moment the public authorities learn that they have received threats due to their work. The Commission brings to mind that in many cases, such as with Ana Fabricia Córdoba, the death of human rights defenders is preceded by threats that were reported to the authorities.

The Commission urges the State to guarantee the right to life, integrity, and security of Ana Fabricia Córdoba's family members, investigate what occurred, and punish those responsible for her murder. The Commission also urges the State of Colombia to immediately and urgently adopt any necessary measures to guarantee the right to life, integrity, and security of human rights defenders, especially the organizations and individuals who have been threatened. The State should carry out a comprehensive and systematic investigation of the threat with respect to all the organizations and individuals named therein.

The Commission reiterates that the work of human rights defenders is critical to

building a solid, lasting democratic society and to fully attaining the rule of law. In this regard, acts of violence and other attacks against human rights defenders impinge on the essential role they play in society and contribute to the vulnerability of those whose rights they are working to defend.

A principal, autonomous body of the Organization of American States (OAS), the IACHR derives its mandate from the OAS Charter and the American Convention on Human Rights. The Inter-American Commission has a mandate to promote respect for human rights in the region and acts as a consultative body to the OAS in this matter. The Commission is composed of seven independent members who are elected in a personal capacity by the OAS General Assembly and who do not represent their countries of origin or residence.

[From the Committee to Protect Journalists, July 5, 2011]

PROVINCIAL JOURNALIST SHOT TO DEATH IN COLOMBIA

NEW YORK.—Luis Eduardo Gómez, a Colombian freelance journalist who was a witness for an investigation into links between politicians and paramilitary groups, was shot and killed on Thursday in the town of Arboletes, in the northwestern province of Antioquia, according to news reports. The Committee to Protect Journalists called on Colombian authorities today to thoroughly investigate his murder and bring those responsible to justice.

Gómez, 70, was returning home at night with his wife when he was gunned down by unidentified assailants who fled the scene on a motorcycle, according to local press reports. Gomez had reported on local corruption and links among politicians and illegal right-wing paramilitary groups in the Urabá region of Antioquia, the Colombian press freedom group Foundation for Press Freedom (FLIP) said. Most recently, he had written about tourism and the environment for the newspapers El Heraldo de Urabá and Urabá al día, among others, the Colombian press said.

According to the newspaper El Colombiano, the journalist had not received any threats prior to his death.

Gómez was participating as a witness in the attorney general's investigation of links between politicians and right-wing paramilitary groups, a scandal known as "parapolitics." Another witness in the case was killed a few days before the journalist's death, and investigators said other witnesses have disappeared, according to press reports. Gómez was also investigating the unsolved murder of his son, who was also his professional collaborator, and was killed two years ago, the daily El Espectador said.

"We urge Colombian authorities to fully investigate the murder of freelance reporter Luis Eduardo Gómez, establish whether he was killed for his work, and bring those responsible to justice," said Carlos Lauría, CPJ's senior program coordinator for the Americas. "Colombia has made progress recently in its fight against impunity in journalist murders. It must not allow this new killing to set its progress back."

The parapolitics scandal broke in late 2006, after the weekly newsmagazine Semana published a series of investigative pieces that forced Colombian authorities to examine the alleged associations. Dozens of former and current members of Congress have been detained or investigated since 2007, the press said.

The Urabá region of Antioquia province has been marked by violence for some time

and was controlled for many years (until 2006) by the paramilitary group the United Self-Defense Forces of Colombia (AUC), press reports said. Colombian provincial journalists, working in areas where paramilitaries and other illegal armed groups are prevalent, face challenges in trying to report on the organizations' activities, CPJ research shows.

With 43 journalists killed for their work since 1992, Colombia has historically been one of the most dangerous places in the world for journalists, CPJ research shows. However, CPJ's Impunity Index has showed that over the past four years the country is improving its record, as anti-press violence has slowed and authorities have had some success in prosecuting journalist murders.

#### DEBT CEILING/JOBS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mississippi (Mr. NUNNELEE) for 5 minutes.

Mr. NUNNELEE. Mr. Speaker, last week we learned that the economy added a meager 18,000 jobs and the unemployment rate went up to 9.2 percent, far from the 6.7 percent that President Obama claimed it would be today if the stimulus bill had been signed into law. Far too many Americans are looking for jobs. Yet the President insists that tax increases are the way to fix Washington's spending problem. Tax hikes that will destroy jobs and destroy the confidence that our job creators need to hire new employees. To keep American jobs here we don't need to raise taxes. We do need to get our fiscal house in order.

Twenty-two million Americans search daily for full-time work, the worst sustained unemployment streak since the Great Depression. To these Americans, there is no end in sight. For them, unemployment's not a rate, it's a reality. Our job crisis has everything to do with our spending crisis and our debt crisis.

If we hit the August 2 deadline, the United States Government will face what many Americans have felt: Too much month left at the end of our money. We simply won't have enough money to pay our bills. Americans have had to make that decision time and time again. At the end of the month, they have to decide what to pay first—the mortgage, the electric bill, the grocery bill, or the car payment.

Now, I will be very disappointed if, in making those decisions, the administration chooses to play politics. We need to make sure we pay Social Security, interest on the debt, Medicare, and our troops that are standing in harm's way. The American people want real solutions, and the House of Representatives has committed to a long-term plan. We voted for a budget that would make Washington start living within its means. Even the President's own chief of staff has said that in 5 years Medicare is going broke.

However, it's been 800 days since our friends in the Senate have passed a

budget. And they have nine House-passed jobs bills sitting in their hands, but they refuse to act on any of them.

A recent poll shows that only 17 percent of mothers believe that their children will have a better life in the future. At every townhall meeting I ask participants whether they think their grandchildren will live a better quality of life than they live. The response is slim.

If Congress is going to be asked to raise the debt ceiling, we must have a long-term plan to fix Washington's spending problem. House Republicans have made our demands clear. We will not raise the debt ceiling without spending cuts larger than an increase in the debt ceiling. We will not raise the debt ceiling without structural reforms that restrain further spending and guarantee that we don't get into this mess again. And I am not interested in a temporary band-aid. We have already voted "no" on raising our debt limit without significant cuts and reforms.

□ 1030

We will not support a plan that raises taxes on hardworking Americans. We didn't get into this problem because taxes are too low. We are in this situation because of runaway spending and the failed economic policies of this administration.

We need to move forward and solve this crisis in a responsible way.

#### HONORING FREDRICK DOUGLAS WILLIAMS III

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL. Mr. Speaker, I rise today to recognize and honor the accomplishments of Mr. Frederick Douglas Williams III of Selma, Alabama, a great American and a trailblazing Alabamian.

After more than 50 years in the floral business, Mr. Fred D. Williams III retired on June 30, 2011. A fixture in the Selma community for more than five decades, Fred Williams has provided his floral expertise to countless families for weddings, funerals, graduations and other special occasions in the Seventh Congressional District of Alabama and throughout the Southeast. Fred's Flower and Gift Shop opened on October 15, 1956, and served as a vital part of the Selma community.

Fred Williams comes from a family of public servants and entrepreneurs. His parents were pillars in the City of Selma and served as role models for the entire community. His mother, Ms. Mary Ellen Richardson Williams, was a beloved educator; and his father, Fred D. Williams, Jr., was a wise and generous business owner. His father owned J.H. Williams & Sons Funeral Home, established in 1905 and still in oper-

ation today in Selma, Alabama. The Williams family were pioneers in a time when African American businesses were few or nonexistent. The opening of Fred's Flower and Gift Shop was an extension of his family legacy.

Fred Williams spent most of his formative years in Selma. He moved with his family to Richmond, Virginia, in the 1950s where he graduated from Maggie L. Walker High School. He then went on to attend the historic Stillman College in Tuscaloosa, Alabama. After graduation, he returned to his hometown of Selma and opened his flower shop in 1956.

For 45 years, Fred Williams was married to Martha J. Williams, who passed away on July 15, 2003. Their marriage was blessed with two children: Kay Frances Williams, who is married to Earl Johnson of Alexandria, Virginia; and Kimberly Joyce Williams, who is married to John Dylan of Bloomington, Minnesota. He has two beautiful granddaughters: McKenzie, who is 13; and Madison, who is 7.

For over 50 years, as Selma's premier florist, Fred Williams shared his creative genius, creating exquisite floral arrangements, providing supreme service to his loyal customers, and serving as an inspiration to all small businesses. Fred Williams is loved, admired, and highly respected by the entire Selma community, and I am honored to call him "Uncle Fred." His retirement will be a great loss to the business community, but I know that his commitment to bettering Selma will remain unwavering.

On a personal note, I grew up in the Williams household, and his daughter Kim and I were childhood best friends. In fact, there is not a childhood memory that I have that does not include the Williams family or my many visits to Fred's Florist. Because of the closeness of my family that we shared with the Williams family over these many years, I have always affectionately known him as "Uncle Fred."

Through his business and philanthropy, Uncle Fred has made an indelible mark on the community in Selma, Alabama, and I am extremely grateful for the part that he played in raising me. I would like to sincerely thank him for his fortitude and over 50 years of service. The community of Selma and the State of Alabama appreciates your public service and commitment to business excellence.

Therefore, I, TERRI SEWELL, Representative to the United States Congress from the Seventh District of Alabama, do hereby recognize Mr. Fred D. Williams III for his numerous contributions to the City of Selma, Alabama. I ask those present today to join me in honoring Fred D. Williams III for his retirement and commending him for his many achievements on behalf of the State of Alabama.

## THE DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 5 minutes.

Mr. WOODALL. Mr. Speaker, I came to the House floor today to talk about the big deal. Every time I open up a newspaper, Mr. Speaker, this week it's been talking about the big deal, the big deal that's going on at the White House.

I want to set the record straight here today. The big deal happened right here on the floor of this House, when the only budget that's passed in all of Washington, D.C., all year long, cutting \$6 trillion in spending, was passed by this body, Mr. Speaker. That's the big deal—\$6 trillion agreed upon by this United States House of Representatives. Now, I know down at the White House they are talking about the big deal is 3 trillion in spending cuts, 6 trillion, Mr. Speaker. The big deal started right here now.

You know, Mr. Speaker, I am a big fan of the open process that we have had in this House where every single Member of the United States House of Representatives come here and have their voices heard, offer their ideas, offer their opinions, and that happened in our voting process, Mr. Speaker.

I have a vote tally here from that week of voting on the budget. The Congressional Black Caucus budget came to the floor of this House, was debated, considered. It received 103 affirmative votes, 103. The Republican Study Committee budget came, debated in this House, 119 affirmative budgets. The Progressive Caucus budget came, 77 affirmative votes. Congressman VAN HOLLEN brought a Democratic alternative, 166 affirmative votes.

The only budget to get 218 votes, Mr. Speaker, was the House Budget Committee budget with 235 "yes" votes, 235. Now, that's a budget that was laid out line item by line item by line item, so absolutely everyone in America could see what it was that we were doing to achieve these savings to change the direction of our borrowing and our spending.

Now, no one even introduced the President's budget in this body, Mr. Speaker. No one offered it. Now the Senate brought the President's budget to a vote, and it was defeated 0-97. The United States Senate, Mr. Speaker, defeated the President's budget 0-97.

Now, they brought the House-passed budget up over there. They couldn't pass that either. It received 40 affirmative votes, but they still couldn't pass the budget. As my colleague said earlier, it's been over 800 days since the Senate has passed a budget.

Now, I know the President has come back out and he has talked about some alternatives, some things he would do differently from the budget that he offered in February, differently from that budget that got zero votes in the

Senate. And in a Budget Committee hearing the other day, we asked the Congressional Budget Office Director what's the score on the President's new plan. And the office told us, Mr. Speaker, that they can't score a speech. I think that's true.

There is a lot of talk in this town, but there is a not a lot of line item by line item by line item putting your name, your money, and your vote by where your priorities are. But this House did it, Mr. Speaker. We are the only body in town to do it. It's the only budget in town to pass and it's the big deal, \$6 trillion over 10 years to help try to get this country back on track.

I want to say, Mr. Speaker, it did it by not cutting one penny from the benefits that seniors are receiving today, not one, so that seniors, even those over 55, Mr. Speaker, would continue to receive the same Medicare program that seniors are receiving today; so those over 55 would receive the same Social Security benefits as those folks who are receiving those benefits today. I cannot believe, when I open up the front page of the newspaper, I hear folks talking about Social Security benefits might not go out the door, veterans benefits might not go out the door.

Mr. Speaker, we have a plan that this body passed that gets those checks out the door. It is responsible in that it cut \$6 trillion in spending. It is responsible in that it bends the budget curve going forward over the next 10 years and it gets those checks out the door.

Mr. Speaker, I don't know what's going to happen over the next 3 weeks. I don't know where this town is going to go. This town is a tough town to predict. But I know that this House has put its mark in the sand. This House has brought every single Budget Committee alternative that was offered to this floor. We voted on each and every one, and the only one to pass this House was the big deal, \$6 trillion, and it gets our seniors and our troops paid on August 3.

Mr. Speaker, I encourage my colleagues to rally around that and let's give the American people what they deserve, and that's some certainty in the budget process.

□ 1040

## THE UNEMPLOYED

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL) for 5 minutes.

Mr. RANGEL. Mr. Speaker, my colleagues, as we have the opportunity to debate whether or not our brave young men and women are fighting in wars in foreign lands that have not been approved by the Congress, as we talk in terms of trillions of dollars as to the national debt that we have acquired and think of ways that we can reduce

it, and as we look at our revenue code and recognize that it is just so totally unfair and should be reformed and revamped, millions of people have awakened this morning unable to really consider these important issues because they are without work. Millions of people have lost their self-esteem, have lost their jobs, and some have lost their health insurance. Many have lost their homes, others have pulled their kids out of college, cars have been lost for inability to pay, and creditors have been just nightmares to them.

Included in this vast amount of people are African Americans, many who have served this country, hardworking people that find themselves not at the 9.2 so-called unemployment rate but at a 16 percent unemployment rate. And this doesn't take into account the millions of people, and especially African Americans, that know that there are no jobs for them. And to be going to the unemployment office just to be counted among the faceless unemployed doesn't make sense.

Included among them are veterans that have fought for this country. Some have come home with physical and mental problems, but they have not received the support or the transitional aid that's necessary for them to assimilate in a work market that has no jobs. So many of these people have worked in local establishments, in our butcher shops, our cleaners and our shoe repair, and they are without work. So many of them are women that have toiled and raised their families without the assistance of anyone else, and they too are without work and without hope.

As we think about these people and think about reduction of our spending, we find that Medicare, Medicaid, and Social Security seems to be constantly referred to as entitlements, and people talk about that it has to be protected. So many mayors and Governors are talking about how they too have to cut their budgets. And so many African Americans, for reasons that I do not have to go into, have sought public service as a way of life because of the security that's involved in it. And so when we talk about cutting the budget and cutting the services that are provided, we're talking about a larger number of minorities that will be losing their jobs as a result of budget cutting, whether we're talking about teachers or policemen or clerks that work in the city halls or the communities that have Governors that have slashed back their jobs, but certainly as we talk about Medicaid and Medicare, we're talking about hospitals. And all of you know, no matter where you come from, that you see a large number of African Americans working in these institutions trying to get an education to move forward because we know of the large number of health care providers that we need.

We are proud in the city of New York to say that we have been able to train and educate a larger percentage of physicians than all of the teaching hospitals that we have throughout our great country, and we're proud to do that. All of a sudden, we hear that some \$300 billion will be cut from the hospitals that provide this care. And it's not just by the beneficiaries that you and I know they need this care and they will be put in harm's way, but also we have to acknowledge that many of the people that work in these hospitals, a large number of them being minorities, they too will be released to join the unemployed.

So while I'm praying for our spiritual leaders to protect the vulnerable, please understand that every time we make a cut in the budget, we're cutting someone's job, and they will join the hopeless and the unemployed.

#### OPPOSING THE COLOMBIA FREE TRADE AGREEMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. SCHAKOWSKY) for 5 minutes.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to express my ongoing concerns about human rights abuses in Colombia and to oppose any consideration of the pending United States-Colombia Free Trade Agreement until tangible and sustained progress is seen on the ground. Colombia has a longstanding legacy of serious and pervasive human rights violations. Trade unionists, members of indigenous groups, and human rights defenders have been particular targets for violence. Despite some positive rhetoric by the Santos administration about improving protection of human rights, serious abuses continue.

In one recent incident reported by Human Rights Watch, seven people were massacred in southern Colombia on July 2, reportedly by FARC guerrillas. On June 25, another eight people were killed also in the southern part of the country. In both cases, children were among those killed. According to Human Rights Watch, there were 17 such massacres between January and May, 2011, resulting in a total of 76 deaths—a 21 percent increase over the same time period in 2010.

Several members of indigenous groups have been targeted and killed in recent weeks as well, ranging from children to prominent community leaders. Human Rights Watch reports that 14 members of indigenous communities have been killed in 2011 in Antioquia Department alone. Other indigenous leaders have been threatened, and dozens of families have been displaced. The Colombian Government has to act immediately to ensure a thorough investigation into these horrific crimes and to finally end the cycle of

impunity. Further, the government must take immediate steps to protect indigenous communities and other particularly vulnerable groups, as human rights groups have repeatedly demanded.

Labor leaders and trade unionists also continue to be victims of serious abuses. Though the recently agreed to Labor Action Plan commits the government, at least in writing, to take several important steps to prevent and punish these human rights violations, we have yet to see any sort of tangible progress on the ground. With recently published statistics showing that Colombia again led the world in trade unionist deaths in 2010, it is critical that we see a real reduction in violence before we even consider passing and implementing a trade deal.

The Labor Action Plan is not legally binding under the FTA before us. If violence and impunity continue, the United States will have no mechanism for delaying or halting implementation of the free trade agreement. The Labor Action Plan fails to require sustained, meaningful and measurable results. Once we enact the FTA, we lose any ability to force the Colombian Government to produce tangible change.

Mr. Speaker, I do not support the NAFTA-style trade model illustrated in the three pending Bush-negotiated free trade agreements because so-called free trade has proven destructive to the American economy and harmful to workers both in the United States and abroad. The Economic Policy Institute estimates that implementing the Colombia and South Korea free trade agreements would increase the U.S. trade deficit by \$16.8 billion and eliminate or displace 214,000 U.S. jobs. Particularly at a time when we should be focused on job creation, I strongly oppose all three FTAs, which jeopardize more jobs.

□ 1050

Finally, I find it particularly concerning that we are considering implementing an FTA with Colombia in the absence of demonstrated progress on human rights and workers rights.

Mr. Speaker, we cannot turn a blind eye to ongoing abuses, and we should not consider the trade agreement until these issues are fully resolved.

#### COLOMBIAN FREE TRADE AGREEMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) for 5 minutes.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise this morning to address the House and the American people regarding the Colombia free trade agreement and the negative impacts it will have on working families in the United States as well as Colombia.

Quite frankly, I am stumped as to why Congress is even considering this trade agreement. Colombia is the most dangerous place in the world to be a union worker. This year, 17 trade unionists were assassinated as of mid-June. Last year, 51 trade unionists were killed in Colombia.

As a Member of Congress, I have traveled to Colombia to see labor conditions there firsthand. We simply can't afford to approve an FTA with a nation as unsafe as Colombia which can't even enforce its own laws.

Like many of my colleagues, I was glad to see that the Obama administration negotiated a Labor Action Plan with the Colombian Government. Both morally and economically, it is imperative that Colombia address some of these concerns regarding human and labor rights for workers. The administration says the Labor Action Plan has been met. The problem is that the Labor Action Plan doesn't go far enough.

Many of my colleagues might question whether labor conditions in a foreign country could really impact job prospects of their constituents here in the United States. Well, when you consider that for years American workers have been competing for jobs with nations that have weaker labor and environmental standards, it is no wonder that we are losing jobs here in the United States.

Let me be blunt: if joining a union means putting your life on the line, there is no freedom. There is no fair competition. Without fair competition, we will see even more American jobs shipped overseas. I think we can all agree that the last thing that this country needs right now is to lose more jobs.

Let me be clear. I am committed to trade. Trade can benefit our Nation, our businesses, and our working families. In fact, I am a member of President Obama's Export Council, and the goal there is to double American exports in 5 years, not to export American jobs.

The fact of the matter is that the Colombia free trade agreement doesn't help American working families. It really benefits transnational corporations. These transnational corporations already repress Colombian workers. Nothing under this agreement makes the lives of Colombian workers better. Nothing under this agreement makes the lives of U.S. workers better. They don't get an equal share of the benefits of this free trade agreement.

Why are we rushing to approve an agreement when workers in Colombia don't even want it? Even worse, once the agreement is in effect, the U.S. loses our most important leverage to see that the human rights situation improves in Colombia. So I ask again: why the rush?

Congress should wait to see if Colombia institutes the Labor Action Plan,

as they have promised. After that, we can determine if conditions for working families in Colombia actually improve. The Labor Action Plan is a good first step, but it won't fix Colombia's problems overnight.

You would hope that an international trade agreement would bring jobs with it. To give my colleagues some idea why there are problems with the Colombia FTA, the U.S. International Trade Commission doesn't predict that the Colombia FTA would create jobs. Now, the U.S. International Trade Commission always predicts very high and lofty job creation numbers for trade agreements, but even they are skeptical. That alone should be evidence for my colleagues that now is not the time for the Colombia free trade agreement.

Congress should be focused on creating jobs, and this trade agreement doesn't pass the smell test, although the Colombia FTA does stink when you consider that it is hardworking middle class families who will pay the price with this unfair trade agreement.

The Colombia FTA will kill jobs, drive down American wages, and drive small American companies that face unfair competition out of business. We can do better. I urge my colleagues to stop settling for not so bad and pursue a trade policy that means prosperity for everyone.

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#### GREAT LAKES THREATENED

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. HIGGINS) for 5 minutes.

Mr. HIGGINS. Mr. Speaker, the Great Lakes are one of the most overlooked and unappreciated national assets. They are the largest source of freshwater in the world and contain 20 percent of the freshwater on Earth.

The Great Lakes face many challenges. Agricultural runoff, sewer overflows, and other pollution makes its way into the Great Lakes from across the northeast and the Midwest, leading to unsafe water quality and public health concerns. Also, invasive species hitch a ride in the ballast water of oceangoing vessels, like the zebra mussel, or swim up the Mississippi River, like the Asian carp, and threaten to alter the lakes' fragile, closed ecosystem.

In recognition of the importance of the Great Lakes and to combat the threats to their health, in 2010, 11 Federal agencies announced a plan to implement the Great Lakes Restoration Initiative, an ambitious action plan to remove toxins, clean up the lakes, and protect them from further pollution and invasive species.

I am concerned that funding for this important program has been uneven. It was funded at \$475 million in fiscal year 2010, fell to \$300 million this year, and is funded at just \$250 million in the

fiscal year 2012 Interior Appropriations bill the House will consider next week.

However, the mere existence of this special cleanup funding is evidence that Congress and the administration recognize the Great Lakes are a unique natural resource that deserves protection.

In 1969, the Cuyahoga River famously caught fire, symbolizing the abysmal water quality of the water in the Great Lakes basin. Legislation from the Clean Water Act and the Great Lakes Restoration Initiative has gone a long way toward returning the lakes to good health. However, the Great Lakes face a new threat beyond water quality: the diversion or removal of water from the Great Lakes basin.

In recognition that due to national and global trends, the value of freshwater will increase, as will the incentive to remove it from the Great Lakes, the eight States that border the Great Lakes entered into a compact with each other and two Canadian provinces on the use of Great Lakes water. Congress ratified the agreement, and it was signed into law by President Bush in 2008.

Among the most important provisions of the compact are restriction on the removal or diversion of water from the Great Lakes basin. The underlying goal was to prevent any one State from plundering the freshwater in the Great Lakes.

So it is with great concern that I learned yesterday that the Ohio State legislature had passed legislation to permit businesses to remove 5 million gallons of water a day from Lake Erie. In New York, we are about to adopt a far more reasonable limit by requiring a permit for the withdrawal of 100,000 gallons per day. The Ohio bill, if adopted, would violate the spirit of the historic Great Lakes compact and force a race to the bottom among the eight signatory States, which will result in an accelerated level of diversions and further reduce the water level in the Great Lakes beyond the impact of Ohio businesses. Such an outcome is unacceptable.

The consequence of such a large scale removal of water from the Great Lakes basin would have a devastating environmental and economic impact in my community. Water levels in the Great Lakes are already on the decline, and the additional large-scale removal of water will lead to algae blooms and reduced water quality, negatively impacting aquatic wildlife and the associated fishing industry, and reduce recreational boating and commercial shipping activities.

In my community of western New York, this action would threaten the progress we are making in Buffalo toward reclaiming the waterfront as an engine of recreational and economic opportunities.

I wrote to Ohio Governor John Kasich yesterday encouraging that he

conclude, as have his predecessors Bob Taft and George Voinovich, that this legislation poses a danger to the health of our greatest regional asset, and suggesting that he veto this ill-advised legislation. I hope that he will heed that advice so advocates for the Great Lakes can focus attention on the restoration initiative and on cleaning up the lakes instead of having to fight to protect them from massive withdrawals of freshwater for profit when the issue was supposed to have been settled years ago.

Now more than ever, it is critical that the Great Lakes remain vigilant and united against the threat of water diversion.

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#### RECESS

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

Accordingly (at 11 a.m.), the House stood in recess until noon.

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□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

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#### PRAYER

Reverend Dr. George Dillard, Peachtree City Christian Church, Peachtree City, Georgia, offered the following prayer:

Almighty God, give us the strength to prove ourselves a people mindful of Your favor, gladly doing Your will. Bless our Nation with individuals who give honorable service, who live with integrity and govern with honesty.

Save us from prejudice, confusion, pride, arrogance, and evil. Help us that we might see truth and seek it. Defend liberty and fashion a united people out of many people and languages.

Grant us wisdom for those entrusted with the authority of government, that there may be justice and peace, and through obedience to Your law we may show Your praise among the nations. Remind us, though the rule of law is the foundation of our society, laws without justice are empty words. In prosperity fill us with thankfulness; in trouble remind us to trust in You. Thank You for those brave individuals who stand in the gap protecting our lives and liberty.

Lead us to faith in You, to good character, knowledge, discipline, patience, and love for others. Draw us together as one Nation in Jesus Christ our Lord. Amen.



## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Kansas (Mr. POMPEO) come forward and lead the House in the Pledge of Allegiance.

Mr. POMPEO led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND DR.  
GEORGE DILLARD

The SPEAKER. Without objection, the gentleman from Georgia (Mr. WESTMORELAND) is recognized for 1 minute.

There was no objection.

Mr. WESTMORELAND. I want to thank Pastor Dillard for coming today and leading us in prayer. I want everyone to know that he loves his country and he prays for each and every one of us every day, as well as the other leaders of this country.

This is his fourth time to be here, only the first time as long as I have been in Congress; but his heart is to pray for each one of us and our leadership.

If you ask in Peachtree City where Pastor Dillard is located, they will tell you the big church with the red roof. But it's a big church with a big heart. He leads three services a day, and you can't say that he doesn't have some type of service for you, because he has a traditional service, he has a more jazzed up service, and then he has a coffee house service where he sits around and talks to the members of his congregation about things that they face every day in life.

So again I want to thank and recognize Pastor Dillard for coming and sharing with us today and for the heart that he has for his country and for each and every one of us.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

## JOBS, JOBS, JOBS

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

Mr. WALBERG. Madam Speaker, hardly a week goes by without this ad-

ministration promulgating some new regulation that burdens the American people and our economy.

This week it's an environmental regulation that will drive up energy costs. According to a report by the SBA, regulations cost \$1.7 trillion annually. OMB has reported that regulations cost \$62 billion annually.

Regardless of which agency's number we believe, it doesn't matter. Both numbers are too high and hurt economic growth at a time when unemployment is too high.

Let me make this real simple and settle this argument between these agencies. The cost of regulations is not simply a job, it's jobs, and every job has a human face.

If more spending and more regulations meant more jobs, then this President's policies would have produced the strongest economic recovery in our Nation's history. Unfortunately, it's made things worse.

TAKE CARE OF PEOPLE IN THIS  
COUNTRY

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

Ms. FUDGE. Madam Speaker, it is time that we get back to talking about what people in this country really need: the chance to live a healthy, prosperous life. Cuts to Medicare, Medicaid, and Social Security should not be on the table at all.

After reckless spending sprees, Republicans want to balance the budget on the backs of our most vulnerable citizens. This is unconscionable, and I will not be silent nor complicit. We need to take care of people in this country, not promote policies that perpetuate a cycle of poverty.

Communities like those in the 11th District of Ohio need jobs. The Democrats have introduced many job-creating measures. The other side has not, and we are still waiting for the jobs Republicans promised.

SCARE TACTICS WILL NOT LEAD  
TO DEBT SOLUTION

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

Mr. WILSON of South Carolina. Madam Speaker, rather than negotiate in good faith with the Republican leadership, the current administration has resorted to scare tactics. On Tuesday, the President threatened to withhold benefit checks for Social Security recipients and disabled veterans.

Threatening seniors, along with not paying our military, is a sad example of irresponsible political rhetoric. The American people have had enough of political games and threats. Liberals

want to increase revenues, which means more taxes, killing jobs. The challenge is not too little revenue; it's too much spending.

The American people voted to see meaningful spending reform that really reduces the deficit. House Republicans have passed numerous bills that cut spending, curb government growth, and encourage job growth. Cut the spending. Do not impose new taxes which kill jobs created by small businesses.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism. Our sympathy to the people of India who yesterday suffered another terrorist attack on the people of Mumbai.

## TRIBUTE TO BISHOP F.C. BARNES

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

Mr. BUTTERFIELD. Madam Speaker, I rise today to pay tribute to Bishop F.C. Barnes, a great friend and distinguished American who has passed away at the age of 82.

Fifty-two years ago, Bishop Barnes founded Red Budd Holy Church in Rocky Mount, North Carolina, and continued as senior pastor until his death. During his pastorate, the church congregation grew from a few members to more than 800.

Bishop Barnes was a world-renowned vocalist known for his extraordinary musical talent. He recorded many productions, including the award winning "Rough Side of the Mountain."

The loss of this great saint of God is irreplaceable. His enormous contribution to Red Budd Holy Church, Edgecombe County and, indeed, the Nation are deeply appreciated and recognized on this day.

Bishop Barnes leaves a strong and loving family, including his church family, who will miss him so much. Their loss is heaven's gain.

□ 1210

## EPA STIMULUS FAILURE

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

Mr. PITTS. Madam Speaker, briefly, here are some examples of why the \$1 trillion in government stimulus spending bill failed to hold down unemployment or reinvigorate our economy:

Over the past few years, the EPA has spent more than \$27 million on grants to foreign countries. This includes funds for Breathe Easy, Jakarta, an Indonesian campaign to improve air quality. Now, President Obama may have some affection for a city he lived in as a child, but is that any reason to send them Federal stimulus dollars?

There have been 65 grants handed out since the stimulus bill was signed; six

of these grants went to Russia and ten grants went to China. We already owe China interest on our debt. Why on Earth are we giving them grants to keep their own country clean? The Energy and Commerce Committee has launched an investigation into this spending. We need to know how much has been spent and if the EPA has further plans to send money overseas.

Our growing debt is hurting job growth. This is just another sad case of Federal spending wasted on projects that do nothing for the American economy.

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#### JOBS

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

Mr. BACA. Madam Speaker, it's been 27 weeks since the Republicans took control of the House, and they have yet to bring one single jobs bill to this floor.

In San Bernardino County, my constituents face a 13 percent unemployment rate. But instead of taking swift action to create new jobs, Republicans are threatening the loss of countless more jobs by taking the debt ceiling negotiation to another brink. And why are they doing this? To protect billionaires, millionaires, and corporations that ship jobs overseas.

We all know that the Bush tax cuts for the wealthy have failed—have failed—to create any new jobs here at home. And they are threatening Social Security and Medicare to protect these unneeded tax breaks, which is wrong. No taxes, no jobs. No taxes, no jobs.

Let's come together on a plan that creates jobs, protects our seniors and the middle class, and do it responsibly to deal with the deficit.

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#### EXPRESSING GRATITUDE TO LIEUTENANT GENERAL BOB DURBIN AND HIS WIFE, DIANA

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

Mr. POMPEO. Madam Speaker, this past week, a great American family retired from service to our Nation. Lieutenant General Bob Durbin and his wife, Diana, spent 36 years in service to our country in the United States Army working with soldiers and their families. On behalf of the United States, I want to thank them both for that service.

This is also something I can speak to personally. Twenty-five years ago, General Durbin was my instructor in leadership at the United States Military Academy at West Point. He taught me there that it's always right to do the harder thing and not take the easier path. He reminded me that when times get tough, as they are here in

America today, that real leaders can make real change. And Diana taught me that families with Christ in their hearts can make real changes in our world.

Bob had many assignments during his 36 years in the Army, including command of Kansas' own Big Red One at Fort Riley, Kansas. He was also the first general assigned the daunting task of training the Afghanistan army and police force so that Afghans may live in peace and security as we do in America.

Bob and Diana, thank you for your service to our Nation. There is no higher praise I can give you than to say, "Job well done."

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#### HONORING INDIANA STATE REPRESENTATIVE WILLIAM H. CRAWFORD

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

Mr. CARSON of Indiana. Madam Speaker, I rise in honor of Representative Bill Crawford, America's longest-serving African American State legislator. Crawford, who is retiring in 2012, has served Indianapolis' 98th District with distinction since 1972.

During his tenure, he served as chairman of the House Ways and Means Committee, where he left a lasting imprint by crafting budgets that afforded every child an equal opportunity to receive a quality education and every minority and woman-owned business an opportunity to compete.

Crawford has also fought to ensure workers on public contracts reflect the communities where the work is performed. A believer in the power of redemption, Crawford authored Indiana's "second chance" law, under which one who pays their debt to society and has been trouble-free for 8 years can have their criminal record sealed to ensure they can find employment.

Crawford has been called both "the dean" and "the conscience" of Indiana's black caucus, as his metric for gauging the wisdom of any action has been simple: Is it right? Not safe, not popular, but right.

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#### "JULY IS JOBS" INITIATIVE

(Mr. SCOTT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. SCOTT of South Carolina. Madam Speaker, for months now here in Washington we have debated spending, the debt ceiling, and job creation. But for generations, American businessmen and -women have shaped not only our national economy, but the world's economy and made our country a symbol of strength and ingenuity. To honor that spirit, I hope all of my colleagues will join me in listening to those small business owners and job creators who truly drive our economy.

That is why we have launched our "July is Jobs" initiative, where we ask the residents of South Carolina's First Congressional District to share with me, through social media and email, their ideas on job creation and moving our economy forward. They are the ones on the ground every day trying to grow their businesses, hire new employees, and navigate what is best for their families.

At the end of the month, I will share a selection of these ideas on the House floor, and I am 100 percent certain that we will learn a thing or two from those job creators. Because, at the end of the day, this isn't about the left or the right or Washington politics; it's about them.

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#### LOUISIANA COASTAL WETLANDS

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

Mr. RICHMOND. Madam Speaker, I rise today to thank President Obama and the administration for recognizing how important Louisiana wetlands are not only to Louisiana citizens but also to the country. President Obama put \$35.8 million into his budget for coastal restoration projects in Louisiana.

Madam Speaker, I also rise today to implore the Republican leadership to right the wrong in zeroing out the money that the President put in for our coastal restoration. The Federal Government has made over \$150 billion through offshore oil and gas revenues, primarily from oil and gas exploration off the coast of Louisiana. Louisiana has lost 25 square miles of coastal wetlands every year, or one football field every hour.

More than 80 percent of the Nation's offshore oil and gas is produced off Louisiana's coast, and 25 percent of the Nation's foreign and domestic oil comes ashore on Louisiana roads and waterways. The coastal zone also contains the Louisiana Offshore Oil Port, which handles 13 percent of the Nation's daily oil imports.

Madam Speaker, I would just implore the Republican leadership to do the right thing and restore the money for Louisiana's wetlands.

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#### PAYING TRIBUTE TO SERGEANT NATHAN R. BEYERS

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

Mrs. MCMORRIS RODGERS. Madam Speaker, I rise today, shortly after Independence Day, to pay tribute to a brave young man who lost his life defending our country. Twenty-four-year-old Sergeant Nathan Beyers was killed in Baghdad on July 7 when his convoy was attacked by an IED. He died supporting Operation New Dawn in Iraq.

He died protecting our country. He died fighting for a better, freer, and safer America.

While we mourn the loss of this American patriot, I rise today to remind everyone that his memory will never be forgotten. We shall remember his legacy of love, sacrifice, and patriotism today and every day.

Sergeant Beyers leaves his wife, Vanessa, an infant daughter in Spokane, Washington, as well as his parents, family, and friends who loved him deeply.

He also leaves behind something that is intangible: A legacy of honor for the bravery he displayed and the life he gave in the name of America.

May God bless the Beyers family and all of the brave men and women who have answered America's call to freedom.

#### RECOGNIZING THE CREW OF THE AMTRAK DOWNEASTER

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

Ms. PINGREE of Maine. Madam Speaker, I want to take a moment to recognize the crew of the Amtrak Downeaster who quickly guided 112 passengers to safety after the train was involved in an accident this week in Maine. With the engine engulfed in flames, two conductors and one engineer reacted calmly and professionally to evacuate the train. Although the tragedy sadly took the life of a truck driver whose vehicle was on the tracks, no one in the train was seriously injured.

This accident could have been much, much worse, and in part we have the crew of the Downeaster to thank that all of these passengers escaped without a serious injury.

Over the last 10 years, the Downeaster has made 30,000 trips between Portland and Boston and transported 3½ million passengers without a serious incident. And the next morning, the train left Portland on schedule and arrived in Boston 3 minutes early.

We should all take a minute today to think about the men and women who work in our transportation system, who day in and day out make sure we are safe, whether we are driving in our own cars or riding on a bus, plane, train, or, like my hometown, a ferry.

□ 1220

#### IT'S TIME FOR CONGRESS TO DELIVER

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

Mr. BUCHANAN. Madam Speaker, our economy has seen better days. Our national unemployment rate is over 9 percent, and America is borrowing \$188

million every hour. We need to get serious about cutting spending and growing this economy.

We can start by enacting free trade agreements. That will create over 250,000 American jobs. Reforming the Tax Code will encourage companies to create jobs and stay in America, cutting frivolous lawsuits and scaling back needless regulation to give small business owners a chance to grow and succeed.

Finally, we must reduce the debt and balance the budget. The American people don't want more rhetoric; they want results. It is time for Congress to deliver.

#### DEBT CEILING MUST BE RAISED

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

Mrs. MALONEY. Madam Speaker, I have never been more concerned about our Nation's economic security and future. Just this week, Moody's warned that the U.S. may lose our top-notch AAA credit rating if we fail to increase our Nation's debt ceiling. Economists say that if we fail to do so, it will put not only our national capital markets in turmoil, but the capital markets internationally in turmoil. It will hurt American wages and jobs. The stock market will tank.

A letter signed by hundreds of senior company executives and organizations agrees. It said, and I quote: "Treasury securities influence the cost of financing not just for companies, but more importantly for mortgages, auto loans, credit cards, and student debt."

And yet some Members of this body have said that under no circumstance whatsoever will they ever vote to raise the Nation's debt ceiling. However heartfelt this may be, it is nothing short of a threat to commit economic suicide.

#### WASHINGTON'S IRRESPONSIBLE AND RECKLESS SPENDING

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

Mr. HURT. Madam Speaker, today I rise to address the urgent need to rein in the out-of-control government spending that has led this Nation to a dire debt crisis that is hindering job creation and threatens the very future of our country.

The people of Virginia's Fifth Congressional District understand the importance of this issue. I continually hear from my constituents—Republicans, Democrats, and independents—who say if we are serious about turning this economy around and preserving this country for our children and grandchildren, we must put an immediate end to Washington's irresponsible and reckless spending.

Our Nation is now facing a \$14 trillion debt and \$1.5 trillion deficit. We are borrowing over \$4 billion a day, and over 40 cents on every dollar we spend.

As the President continues to request an increase in the debt limit, while remaining steadfast in his call for hundreds of billions of job-crushing tax hikes, we are reminded of the need to put in place both short- and long-term fixes that will help restore fiscal discipline in our Nation's Capital once and for all. We need to make significant and immediate cuts to reduce our debt and deficit now. We need to put in place spending caps that limit spending as a percentage of GDP, and we need to pass a balanced budget amendment to force the government to live within its means.

#### HARDER YET MAY BE THE FIGHT

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

Mr. AL GREEN of Texas. Madam Speaker, C.A. Tindley was right when he proclaimed, "Harder yet may be the fight."

When they tried to privatize Social Security, we fought and held them back. We fought the good fight. When they tried to minimize the CHIP program, Children's Health Insurance Program, we fought the good fight and we held them back. When they tried to destabilize Medicaid, we fought the good fight and we held them back.

They are now trying to minimize and voucherize Medicare. We will fight the good fight. We will hold them back because C.A. Tindley is right:

Harder yet may be the fight;  
right may often yield to might;  
wickedness a while may reign;  
Satan's cause may seem to gain.  
But there's a God that rules above,  
with hand of power and heart of love.

When we're right, He'll help us fight.  
Harder yet may be the fight, but we will hold them back.

#### COMMENDING BECK PRIDE PROGRAM

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

Mr. CRAWFORD. Madam Speaker, I come to the floor today to bring attention to an amazing program that exists to repay our returning war veterans by helping them to readjust to life as a civilian.

The Beck PRIDE Program is an outreach of Arkansas State University that helps young, combat-wounded veterans achieve their higher education and other post-military goals. Beck PRIDE provides free mental and physical rehabilitation services, as well as academic counseling and financial aid. Both veterans and their families are referred to organizations throughout

Jonesboro that give them the help they need during this critical time of adjustment.

The Beck PRIDE Program is nationally recognized for its success in improving the quality of life of returning military personnel and reintegrating them into the community.

In light of the great sacrifices that these veterans make for our country, it is only right to help them readjust to the way of life they served to protect. I am honored such a program exists in my district.

#### JOB CREATION

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

Mr. DEUTCH. Madam Speaker, Americans are losing faith in our ability to get things done on their behalf. Today, that means addressing two problems at once: our long-term deficit and our unemployment crisis. The truth is these are two challenges, and these two challenges are two sides of the very same coin. So when Republicans say raising government revenue is off the table, I suppose that is why for months they refused to embrace one of the very best revenue raisers there is: job creation.

Our deficit exploded when 8 million Americans lost their jobs in 2008. With 14 million jobless today, no debt deal of any size will work without a focus on jobs. Investing now in infrastructure, in energy, in education will not only create jobs; it will pay back dividends in the future. That's because putting Americans back to work, supporting their families, boosting productivity, and, yes, paying taxes is the government revenue raiser Republicans should join Democrats to get behind without delay.

#### REPUBLICANS HAVE A PLAN

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

Ms. JENKINS. Madam Speaker, the question on everyone's mind in this Nation today is: where are the jobs? And, more importantly, what is Washington going to do about it?

Well, Republicans have a plan. We want to open new markets to exports, make the Tax Code fairer and flatter, rein in regulations, and reform government spending.

But when we look across the negotiation table, what do we see? Nothing. We hear a lot of speeches and that a lot of things are on the table; but, of course, there is no plan from the Democrats. No plan to read, to score, or to negotiate.

To this point, the director of the non-partisan Congressional Budget Office recently said: "We don't estimate speeches."

So, Mr. President, where is your plan?

I implore my friends across the aisle and across the Rotunda to get off the stump. Give us a plan. Compile those nice words into legislation so we can get Americans back to work.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

#### DISTRICT OF COLUMBIA APPROPRIATION

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

Ms. NORTON. Madam Speaker, the Financial Services appropriation soon due on the floor will be contentious; but one section should be a piece of cake because it only requires Members to vote on the local budget of a city, the District of Columbia, already voted on and locally funded by the only elected officials accountable to voters and the only officials who have familiarity with that local budget.

I ask my colleagues to give the local budget of my city the same respect you demand for yours. Please do not tell local people how to spend local money. According to the Republican Study Group, its 10th Amendment task force intends, and I quote, "to disburse power from Washington back to regions and States, local governments and individuals."

Your principle, please honor it.

□ 1230

#### SUPPORT THE FREE SUGAR ACT OF 2011

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

Mr. DOLD. Madam Speaker, our government should not be in the business of picking winners and losers. Yet, when it comes to our Nation's sugar policy, Washington has decided to implement price controls, which cost our country jobs. According to a Commerce Department study, for every job Washington protects by its antiquated sugar policy, three American manufacturing jobs are lost.

At a time of record unemployment, the last thing that we should do is maintain an outdated policy that hurts job creation here at home. In my district, the 10th District of Illinois, we have confectioners, family bakeries, family restaurants, and food makers who are forced to pay higher prices for sugar because of government price controls. If Washington removed these

price controls, it would lower the cost of sugar and allow small businesses and confectioners to lower the price of goods and to hire more workers.

Today, I am asking that my colleagues on both sides of the aisle join me in supporting the Free Sugar Act of 2011. This bipartisan bill will end Federal price controls on sugar and help to create jobs here at home.

#### TO REALIZE THE AMERICAN DREAM ONCE AGAIN

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

Mr. PERLMUTTER. Madam Speaker, the best way to deal with this country's debt is to put people back to work. We've heard it from both sides of the aisle.

At the end of Bill Clinton's administration, this country had a surplus. Revenues exceeded expenses. There was job growth: 23 million people. But then, with George Bush, we lost 8 million jobs. We went into a huge deficit.

The best way to deal with that is to put people back to work. The President does have a plan, and we Democrats have a plan: innovate, educate and manufacture. Make it here in America. We will put people back to work.

Folks need to be able to realize the American Dream again, and that's what we are going to fight for every single day. We want to put people back to work. That will help take care of the debt.

#### REVIVING THE ECONOMY

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

Mr. YODER. Madam Speaker, we all know that the Federal Government is spending too much money, that our national debt is too large and that we must make serious reductions to get our budget under control.

As our Nation's leaders continue today to debate the national debt, some in the Washington establishment are calling for greater Federal revenue by asking more Americans to sacrifice by sending more of their hard-earned money to the Federal Government in the name of higher taxes. Yet we all know that greater taxes on small business owners and families will not help the economy grow and will not put Americans back to work.

Tax, borrow, and spend policies do not create jobs. We cannot tax our way out of this debt. At a time when we continue to see record unemployment, taking more money from our job creators to pay for Washington's spending disease cannot be an option.

What we need, Madam Speaker, is a growing economy to bring in new revenue. By pursuing policies that reduce

spending, keep taxes low and reduce regulatory burdens, we can help revive the economy and stabilize our Federal budgets.

#### SOCIAL SECURITY

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

Mr. PAYNE. Madam Speaker, I rise today to join my colleagues in our efforts to protect senior citizens and Social Security.

Over the past few weeks, I have received hundreds of phone calls and letters from my constituents, urging me to protect Social Security, Medicare and Medicaid.

I have a question: What will happen to the millions of senior citizens and people living in poverty who rely on these programs?

It seems like the Republicans are focusing on giving tax breaks to those who need them the least. Currently, approximately 52 million Americans benefit from the Social Security program. According to the most recent statistics published by the AARP, one in six residents in New Jersey receives Social Security. In addition, statistics show that women rely more on Social Security than any other segment of our population.

Therefore, I urge my Republican colleagues to put aside their contempt for entitlement programs and to submit to doing what is best for the interests of the American people.

#### CLEAN ENERGY

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

Mrs. DAVIS of California. Mr. Speaker, if we are going to remain competitive in the global economy, we must invest in clean energy innovation.

San Diego has 767 clean energy companies, and has become an innovation hub, especially in solar power, energy storage and advanced biofuels. According to the San Diego Association of Governments, the algae energy section alone—one energy section—provides the region with 410 direct jobs and \$108 million in economic activity each year.

Unfortunately, the appropriations bill we're voting on this week cuts solar energy research by more than one-third; decreases biomass research by \$33 million; and cuts \$80 million from funding for breakthrough domestic clean energy innovators.

We can't hold back the companies that have come up with the answers to our serious energy problems. I hope my colleagues will join me in fighting for cleantech and biotech innovation by opposing this damaging bill.

#### PUTTING PARTISANSHIP ASIDE TO CREATE JOBS FOR THIS NATION

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

Mr. CLEAVER. Mr. Speaker, we are now on day 191 of the new Congress. Sadly, I must report to the people of my congressional district and to this Nation that we have done absolutely nothing with regard to creating jobs. Rather than spending time trying to blame George Bush and Barack Obama, I think we ought to utilize every moment we have to create opportunities to work.

We are in a crisis: 9.2 unemployment overall, 16.2 African American unemployment. If you add what the Labor Department does, which is something called U-6, African American unemployment is at 30 percent.

This Congress owes it to this Nation to move the partisanship aside and to create jobs for this Nation.

#### GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the further consideration of H.R. 2354 and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. YODER). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

#### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 337 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2354.

□ 1239

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mrs. BIGBERT (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, July 13, 2011, the bill had been read through page 62, line 2.

Mr. OLVER. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Madam Chairman, title V of the Energy and Water bill that is before us today robs Peter to pay Paul.

Title V takes funds which were appropriated 2½ years ago for transportation purposes and moves part of those funds to the Corps of Engineers in today's Energy and Water appropriations bill. Title V specifically rescinds all awarded but unobligated high-speed rail dollars from the Recovery and Reinvestment Act and moves those dollars to respond to the unprecedented flooding this spring in many States for work to be done as it is designed and executed by the Corps of Engineers.

Effectively this is a backhanded increase in allocation to the Energy and Water Subcommittee for this bill at the expense of transportation purposes.

I don't contend or even suggest that the Energy and Water bill is well-funded. In fact, the allocations for the Energy and Water Subcommittee and for the Transportation and HUD Subcommittee, of which I am the ranking member, are both totally inadequate. But I do object to killing projects in transportation that will create construction jobs in the severely depressed construction industry and provide a valuable transportation alternative in heavily congested corridors among our largest metropolitan areas all over the country. And I do absolutely support making the repairs to flood control systems as quickly as they can be designed and built. That's an obligation.

In my 20 years, 10½ years under Democratic Presidents, 9½ years under Republican Presidents and under the control in the Congress of either party—because it switched back and forth in those 20 years—we have dealt with natural disasters on a bipartisan basis, on an emergency basis, every single year. Most famously, that includes, in September '05, the Katrina disaster which resulted in \$15 billion for recovery of New Orleans and the gulf coast on an emergency and on a totally bipartisan basis. But this section takes from projects planned, applied for and awarded but not yet obligated and kills those projects.

Roughly \$6 billion of the \$8 billion appropriated for intercity passenger rail and high-speed rail projects in the Recovery Act are already obligated, and half of those are already in construction. The Recovery Act itself allowed until the 30th of September of 2012, the end of the '12 fiscal year, to obligate those dollars. Of the roughly \$2 billion unobligated, 80 percent of those dollars arises from the single decision just 3 months ago of the Governor of Florida to refuse the \$1.6 billion previously applied for and awarded for a project to build true high-speed rail on a dedicated corridor between Orlando and Tampa.

Now, Orlando lies roughly equidistant from Jacksonville, Tampa and Miami. Those four, Jacksonville,

Tampa, Miami and Orlando, are four of America's 40 largest metropolitan areas. All have over 1½ million people, all are growing by between 15 and 30 percent, and they are among our fastest growing metropolitan areas. They represent a prime example of the opportunity that high-speed rail offers in carefully selected high-population corridors around the country to reduce congestion and expedite travel.

When that money was refused by Florida, the Federal Rail Administration re-awarded the \$1.6 billion to projects in other States, including, as examples, in the Northeast Corridor, which carries half of all intercity rail passengers in America every day, nearly \$800 million for work in that Northeast Corridor, and that work would bring the speed up to 160 miles per hour in parts of New Jersey, and the work would be done in New York and New Jersey. So that is \$800 million.

The Acting CHAIR. The time of the gentleman has expired.

Mr. OLVER. I ask unanimous consent to be given 1 additional minute.

The Acting CHAIR. Is there objection to the request of the gentleman from Massachusetts?

Mr. FRELINGHUYSEN. I object.

The Acting CHAIR. Objection is heard.

Ms. SLAUGHTER. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Ms. SLAUGHTER. I yield to the gentleman from Massachusetts.

Mr. OLVER. Secondly, in the high-speed corridors that are based on Chicago as their hub, to go to Detroit, to go to St. Louis, to go to Indianapolis, to go to Milwaukee, for equipment that will allow those high-speed corridors to function better.

Thirdly, in projects on the west coast as well. All of those projects are jeopardized by this provision in this bill.

Ms. SLAUGHTER. Madam Chair, I am opposed to the misguided cuts to high-speed rail funding in this bill that will eliminate thousands of jobs, halt a large number of rail projects across the country—and we are way behind every other nation almost, industrialized nations, anyway—and hurt local and State economies. This is the latest in the majority's agenda that can best be described as penny-wise and pound-foolish.

In their Pledge to America, the majority made a promise to the American people. "We will fight efforts to use a national crisis for political gain," they declared. Sadly, that's what they're doing today. Using the tragedy of natural disasters in America's heartland as a political tool to try to eliminate a job creation program, one of the very few we have, is just wrong. Thousands of jobs and millions of dollars in economic investment are at stake, and yet

this fight brought to us today is little more than an unnecessary ideological battle.

The high-speed and intercity passenger rail program is critical to our country's competitiveness. It puts Americans back to work, revitalizes our construction and manufacturing sectors, boosts the domestic economy, and helps end U.S. dependence on foreign oil. It is both unwise and ineffective to cut important funding from one project in order to pay for disaster relief. We are a Nation that should be able to both build for the future—in fact we must—and provide for our fellow citizens in need today.

High-speed rail creates jobs. Every \$1 billion of high-speed rail and intercity passenger rail construction funding supports 24,000 jobs. High-speed rail creates short-term jobs in construction, long-term jobs in ongoing maintenance and operation, and indirect jobs by providing regions with access to a larger labor pool and driving economic development.

In my home State of New York, the United States Conference of Mayors estimates at least 21,000 new jobs and \$1.1 billion in new wages with the construction of high-speed rail along the Empire Corridor from Buffalo to Albany.

High-speed rail also creates the economic corridors of the future. A high-speed rail line in western New York as currently planned would reduce travel time significantly and expand the western New York labor market to 955,562 workers. This would make us the 26th largest metro area in the Nation, and that means new businesses will be drawn to the area as we connect our cities to Montreal, Toronto, New York City and the rest of the eastern seaboard; and for the first time in many areas, we may even be able to go west.

In New York, high-speed rail will be our next Erie Canal. Nationally, it is rightfully being compared to our national highway system. Both spurred local development and brought millions of jobs to our State and the Nation. At this point in time, we must not let this opportunity slip away.

What's more, rescinding funds for high-speed rail now, after \$5.68 billion have already been obligated by the Federal Railroad Administration, will negate the unprecedented work already being done by the FRA and its partners.

FRA, the States, Amtrak, and infrastructure-owning railroads have made significant progress in reaching service outcome agreements to ensure that intended project benefits are realized, while protecting the public's investment and the railroads' operating interests.

The attempt to rescind this money is nothing but an opportunistic attempt to gain politically from a human tragedy. The flooding that has occurred in our Nation's heartland is being used as

an excuse to eliminate an investment in our transportation network of the future.

□ 1250

This is morally reprehensible and economically irresponsible.

If we are to be a competitive global economy in the years to come, we must dedicate ourselves to building the infrastructure that we will need to compete. To rescind these funds now after so much progress has been made and at a time when investments in our own infrastructure and our country are so sorely needed is quite simply an act of foolishness.

I yield back the balance of my time.

Mr. NADLER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Madam Chair, I rise in opposition to the rescinding of unobligated high-speed rail funds in the bill that we are considering today.

During the full committee markup of the 2012 Energy and Water appropriations bill, Chairman FRELINGHUYSEN offered an amendment providing \$1.028 billion in emergency funding to the Army Corps of Engineers to repair damage caused by recent storms and floods and to prepare for future disaster events. It makes sense to spend money on that; we have always given money for emergencies. But the funding is offset in the chairman's amendment by a rescission of all the remaining unobligated high-speed rail funding that was originally approved in the American Recovery Act.

The language of the amendment would rescind all unobligated high-speed rail funding as opposed to just \$1.028 billion to be spent for the emergency. This provision jeopardizes several important projects that are already underway, already in the planning stages, that support good jobs and will make long-overdue improvements to our rail system.

Last May, the Department of Transportation awarded some of these high-speed rail funds for major improvements on the Northeast Corridor, such as \$449 million for catenary improvements, which would allow trains to reach 160 miles per hour on certain segments, and \$294 million for the Harold Interlocking in Queens, which would reduce delays for Amtrak and on the Long Island Railroad.

I've heard a lot of people complain about the trip times and reliability on the Northeast Corridor and complain that even the Acela is not true high-speed rail, and they're right. But these are the kinds of projects that have to be done to prepare to make significant improvements in the corridor and to prepare the way for true high-speed rail later.

Make no mistake: These are projects that are happening now. This is not

money just sitting there waiting for a visionary high-speed rail system to come about. This is money going to real infrastructure investments now that support real jobs now and support real economic development when we need it most.

I share the chairman's desire to provide funding to the Army Corps to repair storm damage, but this is not the way to go about it. This is a perfect example of why we have—or used to have—different rules for emergency spending. If something unexpected happens, massive storms and floods, we should be able to respond without jeopardizing other funding. We always said that emergency funding didn't have to be paid for by offsetting other reductions in worthy programs.

I am very concerned about the underinvestment in transportation and infrastructure that seems to have taken hold on the other side of the aisle. We have always had bipartisan agreement that investing in roads, rails, bridges, highways, tunnels and transit is an essential government function. And historically, it's what made the economy grow. From Henry Clay's American system and the internal improvements and Abraham Lincoln's transcontinental railroad, from the Eerie Canal of DeWitt Clinton, in more recent times the interstate highway system of Dwight Eisenhower, the economy of the United States was built on these infrastructure developments.

As the Nation is embroiled in negotiations over the debt limit now and how to address the long-term deficit, this is yet another example of the misguided thinking that cutting government spending is somehow the answer to these long-term economic challenges. It is unfathomable that we would pass anything that would eliminate good jobs, and not just the direct transportation and construction jobs but all of the jobs dependent on the connectivity and efficiency of our transportation system.

We need to make the investments necessary to put America on a path toward long-term economic growth. We should be providing a lot more money for high-speed rail, which is one of the connection systems of the future. This bill that we will be considering today takes an extra step backward by revoking funds already allocated—not necessarily obligated, but allocated and announced—for ongoing projects that are moving ahead. I urge my colleagues to fix this provision.

Emergency funding is obviously warranted for the floods, but it should not be done by eliminating already allocated funds for high-speed rail in an area where we very much need those improvements on the current transportation system.

I yield back the balance of my time.  
Mr. TONKO. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Madam Chair, we must fund the Army Corps of Engineers to repair damage caused by recent storms and floods and to prepare for future disaster events, there is no question about it. But doing so by cutting long-term investments in high-speed rail makes absolutely no sense, and I rise in strong opposition to this offset. This reckless recision will eliminate thousands of jobs, halt a large number of rail projects across the country, and hurt local and State economies.

The program is critical to our country's competitiveness by putting Americans back to work, revitalizing our construction and manufacturing sectors, boosting the domestic economy, and ending the United States' dependence on foreign oil. And it flies in the face of President Obama's stated goal of connecting 80 percent of America by high-speed rail in the next 25 years.

Should this recision pass in this House, the Capital Region of New York State alone stands to lose three critical projects, thousands of jobs, and millions in investments. Specifically, the bill, as written, would eliminate over \$150 million intended for the Empire Corridor Capacity Improvements project, the Empire Corridor South: Albany to Schenectady Second Track project, and the Empire Corridor South: Grade Crossing Improvements project. This would lead to the loss of some 4,223 jobs.

Plain and simple, Madam Chair, we cannot afford these cuts at this time.

Just a few weeks ago, the local chambers of commerce from the capital region of upstate New York flew down to Washington, DC, to meet with Members of Congress to discuss their areas of interest and attention. It turns out that one of their top priorities was high-speed rail. Why is that? It's plain as day. High-speed rail investments create jobs. Jobs are the building block of our recovering economy, and a strong economy leads to a reduced Federal deficit.

Madam Chair, why is it that Europe, Japan, China and other countries can invest in 200-plus-mile-per-hour trains, but when the United States wants to simply lay additional track, upgrade some crossings, and guarantee timely, affordable, relatively average speed trains, we are left out in the cold?

Let's not let shortsighted politics trump our long-term economic viability. These are commonsense investments that have already been committed to, have already increased reliability in our rail system, and have already created jobs. Let's not pull the rug out from the feet of our job creators, not now. We simply cannot afford it. We cannot afford to deny the hope for jobs. We cannot afford to deny the American pioneer spirit.

I would like to thank my colleague, Representative SLAUGHTER from New York, for her tireless advocacy on this issue and for having the vision and determination to make high-speed rail in upstate New York and across this State and country a reality.

I yield back the balance of my time.  
Mr. PRICE of North Carolina. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, I rise today in opposition to the recision of funds from the high-speed rail program that was unwisely included in the fiscal year 2012 Energy and Water bill reported from the Appropriations Committee.

My home State of North Carolina has been working for many years to advance the Southeast High-Speed Rail Corridor from Charlotte to Raleigh and Richmond, and ultimately linking the southeastern States with Washington, D.C. and providing a connection to rail service in the Northeast.

Over the last 15 years, North Carolina has invested approximately \$300 million in State intercity rail service capacity, including the construction of new train stations and track improvements. These strategic investments have already helped reduce travel time between Raleigh and Charlotte by 1 hour. But over the last two decades, the Federal investment in the Southeast or other high-speed rail corridors has been very, very modest. The burden fell almost completely on the States. In light of the enormous capital investments needed, while our progress has been steady, it has also been very slow.

Madam Chair, this has been an area where President Obama has demonstrated strong leadership, making major Federal investment in high-speed rail one of his top priorities.

Competition for the billions of dollars allocated under the Recovery Act was intense, and ultimately funds were distributed to 31 States, with half a billion dollars awarded to North Carolina. These funds will help our State achieve a goal set long ago—2-hour train service from Raleigh to Charlotte—and I'm happy to report that work is already well underway. And we know what comes next: Raleigh to Richmond.

□ 1300

These planned rail investments will relieve congestion, reduce our dependence on foreign oil, make our neighborhoods more livable and environmentally sustainable, make our communities more attractive places to live and do business in the long term, and create well-paying construction and manufacturing jobs in the near term—20,000 jobs in North Carolina alone, as a matter of fact.

Rescission of these funds is pennywise and pound-foolish. It undermines an infrastructure project that would



create jobs and pay dividends for years and years in the future. If we want to stay competitive in the international economy, we cannot continue to lay behind countries like China in developing a 21st century infrastructure. Rather than cutting funds for high-speed rail, we should be investing further in a high-speed rail network that will enhance our Nation's overall transportation system, moving us forward the way the highway system drove us forward in the mid 20th century.

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

Mrs. MALONEY. I move to strike the last word.

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Mrs. MALONEY. Madam Chair, I rise in strong opposition to an offset included in this bill that would rescind all unobligated high-speed rail funding. I support the gentleman from New Jersey's efforts to address the flood, but it should not be taken from such an important investment in the economic strength of our country. It is also an investment in moving us to energy independence.

I would like to address my comments particularly to the Northeast Corridor, that is the corridor between New York and Washington and New York and Boston. This corridor is the most heavily traveled not only in the United States but probably in the world. And the MTA says that the corridor between New York and Boston, on day one, if we had high-speed rail, hundreds of thousands of people would travel it, and it would absolutely be a positive revenue source. It would literally make money because of the ridership that is in that area and also in the area between New York and Washington.

In the money that was allocated, the MTA is focusing on high-speed rail between New York and Boston. And they are supporting the \$294 million for the Harold Interlocking Amtrak Bypass Routes, which would create, according to analysis, well over 9,000 jobs immediately, as it is shovel-ready and ready to go. This is an investment towards high-speed rail, but it's needed right now to move three lines: the Long Island Railroad, Amtrak, and the New Jersey Transit. In this one area, the Interlocking has over 783 trains moving through this each day from the three different transit systems. So this obviously needs to be upgraded to take care of delays and to be able to move people and commerce faster. Because of the way the Harold Interlocking is currently constructed, conflicts among the three rail lines are frequent and result in delays, disruptions at Penn Station, and over the entire northeast corridor.

So this critical funding will be used to construct a bypass that would allow

these trains to move conflict-free and quickly. It is fully designed, has undergone extensive environmental review, including a final environmental impact statement. This project is shovel-ready and will be completed—if not interrupted by this action on the floor—by 2017, and will, very importantly, move us towards high-speed rail between two of the major commerce centers in our country, between Boston and New York. It would literally make money. To rescind this money would be penny-wise, pound-foolish, and would move us backwards. We should be investing in the economic corridors of our country, which is our rail, our high-speed rail.

I strongly, strongly support the high-speed rail and urge my colleagues for the economic strength of our future to vote against this amendment, this section that would rescind the money for the very needed high-speed rail that would move us into the 21st century to be able to compete and win in the 21st century, move our people, move our commerce, create jobs not only in the railroad but in the commerce that is between the two centers. We cannot afford to fall behind in our transportation system. It's one of the things that made this country great. It is an important investment. It is an investment that would literally make money in the Northeast Corridor, and it would be absolutely tremendously foolish to rescind this investment towards the economic future of our country.

I yield back the balance of my time.

Mrs. EMERSON. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. Madam Chairwoman, first let me say that I deeply respect the words that all of my colleagues have talked about with regard to high-speed rail. And I understand very much the concerns that the funding for emergency flood restoration and rebuilding would come at a cost to future years of high-speed rail development, keeping in mind that this money has not been specifically obligated.

But first, let me talk about the flooding that's started in North Dakota, going all the way down to Louisiana, down the entire Missouri River system and the entire Mississippi River system. We're talking about more than one-third of the entire watershed of the United States of America. We're talking about farmers. We're talking about the people who work for the farmers. We're talking about the hardware stores and the implement dealers and all of the communities that have been devastated by flooding. And these folks have no recourse.

We're talking about billions of dollars in lost economic activity, and we're talking about the safety and the protection of people, their families, their children, and the folks who wor-

ship with them at church. If we don't have the emergency ability to make it possible for these people to regain their lives and their livelihoods, then we're talking about billions of dollars of lost economic activity for this country. And for people who say, Well, you know, it's farmland, and it's not important. We're talking about farmland. Well, guess what, people, we have the most abundant, safest food supply in the world. We pay less money than any person in any country of the world for our food policy. We pay 9 cents on the dollar. And if we don't restore the livelihoods of these people, if we don't restore our levees and our bridges and our roads and the economic activity of these communities, then we're going to be paying a whole lot more for food, and people are going to be screaming about that. But at the end of the day, isn't the government's role to protect the lives of people?

I just want to say that it wasn't an easy decision for the subcommittee to make, to be able to protect people's lives. But when we're talking about money that is unobligated, that has been returned to the Treasury, and it's that pot of money that can help people be safe, safe from water, safe from flooding so that they could be rebuilding their homes and producing a lot of economic activity—and, yes, a lot of jobs, because there is not a lot of difference between farming and hiring of people and producing and the ripple effect on the economies, and a factory. It's the same thing. It's just a little different.

So I have great respect, as I said earlier, for the arguments that my colleagues are making. But at the end of the day, I think that it's critical that people's lives and people's livelihoods be protected. We must rebuild and we must restore these levees before the next big flood comes again so we can protect our wonderful food source in the United States.

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

□ 1310

Ms. RICHARDSON. Madam Chairwoman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. RICHARDSON. I rise in strong opposition to the fiscal year 2012 Energy and Water Appropriations bill, which includes an amendment that would rescind the remaining unobligated high-speed rail funding that was originally approved in the American Recovery and Reinvestment Act.

In listening to my colleague who just spoke, I don't think anyone here on this floor disagrees that we support the farmers, we support the people who have been impacted by flooding. But the question is whether these particular funds are the appropriate funds

that should be dedicated to address that particular issue.

I would venture to say that while I believe it's important that the Army Corps of Engineers has access to funding necessary to prepare for future disasters, I would say that because I am the ranking member of Emergency Preparedness, Response, and Communications. But when you consider our long overdue efforts to be able to develop a high-speed rail network that would create jobs and bring rail infrastructure into the 21st century for the United States, that also is a priority as well.

I am proud to be vice chair of the bicameral High-Speed Rail and Intercity Passenger Rail Caucus, and I am glad that we are working to increase the visibility on this issue. I have long fought for bringing transportation systems into the 21st century. After all, that's important to Americans' lives as well. Because if we're not able to traverse from one side of the country to the other, if we're not able to do it in an efficient manner, eventually we will also find ourselves without more jobs and without being able to have appropriate living conditions.

Consider that high-speed rail pays for itself, significantly reducing \$700 billion a year of oil purchased that could be dealt with regarding our trade deficit. High-speed rail pays for and saves lives. We are talking about lives. What about the 43,000 Americans who die each year in car accidents? What happens when we talk about that high-speed rail pays for its efficiency and mobility by being able to move people and goods without delay and waste? And also when you consider that high-speed rail pays by improving air quality, which also helps and saves lives.

Thirteen countries around the world are investing hundreds of billions of dollars into their systems. And for years the United States has failed to keep up. Finally, we have an administration that is actually focused on this issue and has made a commitment to this funding. However, when you consider that in the United States we only have one high-speed rail corridor, that's the Acela Express, operated between Boston and Washington, D.C., and even in our one corridor the trains only reach 150 miles per hour, far below what we would really call a true world class high-speed rail.

So when we consider being in the High-Speed Rail Caucus and what our efforts are today, thankfully we are looking at a situation where we do have funding that's been allocated. So when we say it's unallocated funds, let's talk about that. Actually, what's happened is the administration has done an excellent job in considering areas that have said they are not ready to do high-speed rail at this time. So rather than our wasting money as we did in the past, years in the past, of

building bridges to nowhere, what we've said is, if a particular area is not ready, let's put the money back where it can now be reallocated.

So it's not that the funds are totally unobligated. We are now in the process of putting them in the areas that are ready to build high-speed rail now. We must be forward thinking and proactive to position our country to compete in the global economy. That's about American lives as well. Nowhere is it more important than in the area of high-speed rail to take that broad step.

It will cost about \$40 billion to bring high-speed rail to areas like mine in California. But with it comes really a revolution in travel in a way that we have not touched before.

Madam Chairwoman, I cannot support this bill in its current form in light of the amendment that's been brought forward, and I urge my colleagues to vote against these draconian cuts. We had an opportunity to do more funding for Army Corps, and on this very floor many of my colleagues chose not to do so.

I yield back the balance of my time.

Mr. ALEXANDER. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. ALEXANDER. Madam Chairman, the question is, just how important is the Mississippi River? The Mississippi River system connects approximately 30 States in our Nation's heartland with the international markets. Sixty percent of all U.S. grain exports are shipped from the Mississippi River. Twenty-five percent of all large commercial bulk ships that arrive in the U.S. come to the mouth of the Mississippi River. U.S. Customs and Border Protection estimates that the river system facilitates between \$85 billion and \$104 billion annually in foreign trade through the Mississippi River system. And one-third of the Nation's oil comes up the river to refineries in Louisiana.

This year's historic flooding carried an estimated 60 million cubic yards of sediment down the Mississippi River. This sediment doesn't just float on out into the gulf; it settles. It settles all along the river, from Missouri to Lake Providence, Louisiana, on down to New Orleans, where currently 5 extra feet of sediment has built up over the normal levels. Five feet. And for every foot that's taken away from the draft of a ship, it costs that ship \$1 million. Madam Chairman, one doesn't have to be a mathematician to tell that that's pretty expensive to our economy.

The flood has not only highlighted a need for dredging, it has also damaged levees and floodways all along the Mississippi. The Corps of Engineers estimates that on the river alone it will have to spend an additional \$1 billion

to \$2 billion to repair levees and floodways damaged by the recent floodwaters. This is work that must be done to allow these levees to again protect Americans from future floods.

Madam Chairman, I know that there aren't many out there speaking against the Mississippi River and the need for maintenance. They are just arguing that the money does not need to be offset since we could call it emergency funding. And yes, we could go that route. But as we are in the middle of negotiations and debate about raising the debt ceiling, the last thing we should be thinking of is adding more to the pile of debt. We cannot continue to do this, Madam Chairman, especially when we have seen the national debt increase at an average of \$3.9 billion per day, especially when the Treasury Department now projects that the U.S. debt will exceed the GDP by the end of this year.

The Congressional Research Service study reports that if supplemental operations had been fully offset over the last three decades, the Federal debt could have been reduced by at least \$1.3 trillion. That translates to a reduction of public interest payments of \$57 billion per year. Ignoring the need to offset spending is a mistake, Madam Chairman, a mistake that our children cannot afford for us to make.

I yield back the balance of my time.

Ms. DELAURO. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. Madam Chairman, included amongst a multitude of misguided policies in this bill the Republican majority has on the floor today is the rescinding of high-speed rail funds that would otherwise create good middle class jobs, strengthen our economy, allow us to build a 21st century infrastructure that we need to compete with the other economic power centers around the world.

Over 6 months in the majority and my Republican colleagues have proved very capable of ending Medicare, rolling back health care reforms, namely for women, and choosing to reduce the deficit on the backs of working middle class families and the most vulnerable.

One thing they have chosen to do is to zero out job creation. And, in fact, by cutting funding for high-speed rail projects in this bill, the majority is threatening as many as 60,000 jobs. This is the majority's answer to last week's extremely disappointing jobs report that showed that we are mired in unacceptably high 9.2 percent unemployment after adding only 18,000 jobs in June, with a construction sector that has 16.3 percent of its workers unemployed.

□ 1320

This is the majority's answer to the 14 million unemployed in this country,

real people, real families looking to wait their way through this crisis.

In Connecticut, the majority's decision to rescind a \$30 million investment—and I might tell my colleagues on the other side of the aisle—this \$30 million has been obligated. It is an investment in the New Haven-Hartford-Springfield line and would seriously limit the ability to expand one of the best intercity passenger rail networks in the country. The line represents a critical component of a larger regional plan for passenger rail to integrate the New England rail system, connect it to New York, the middle-Atlantic States and to Canada.

The improvements that would be made with the investments my colleagues on the other side are seeking to eliminate are essential to meeting the needs of the entire region and achieving the benefits of the Federal and State investments that have already been made there.

High-speed rail is desperately needed in Connecticut. This is the most heavily trafficked commuter region in the country. New England's traffic has increased two to three times faster than its population since 1990, and 80 percent of the Connecticut commuters drive to work alone.

When it's completed, the line is expected to reduce the number of vehicles on the road by approximately 4,000 cars a day, saving a billion gallons of fossil fuel a year and reducing carbon emissions over that time by 10,000 tons.

Just as important, the line has been a high priority for Connecticut, for its Representatives on both sides of the aisle for many years. It means opportunities for economic development and expansion throughout our State.

But expanding the economy, creating jobs is simply not a priority for the majority. They appear perfectly content to allow us to fall behind our global competitors like China, with its plan to invest a trillion dollars in high-speed rail, highways and other infrastructure in 5 years.

And the short-sightedness is further exemplified by what has been put forward this week in a \$230 billion 6-year surface transportation bill that the U.S. Chamber of Commerce calls unacceptable as the cuts will destroy, rather than support, existing jobs, which would be devastating to construction and related industries, leading to a less competitive economy and a drag on the GDP due to underperforming infrastructure.

Now, I want to say to my colleagues on the other side of the aisle, I have a great appreciation for disaster assistance, a great appreciation for the commercial value of the Mississippi River. I am there. I have been there for disaster assistance.

Now, if you don't want to do an emergency declaration, then let me tell you where you can get some of the money

from in order to do this: \$40 billion to the oil industry every year in a tax subsidy. Nobody here believes that they are suffering as the farmers in our country are suffering. They don't need money for the levees. They don't need any money at all; but, no, the other side doesn't want to take any money from that \$41 billion to do something about those who are suffering in these States due to natural disaster.

Or what about the \$8 billion we provide to multinational corporations to take their jobs overseas? Let's take that money and use it for the people of this great Nation who are in difficult straits, difficult times and their jobs, yes, and their levees need to be dredged. Let's get that money to the Army Corps of Engineers.

Finally, we support Brazilian cotton farmers. We give them \$147 million every single year. I suggest we take that money from the Brazilian cotton farmers and spend it on the folks in our country who are in desperate need.

Don't take it from high-speed rail. Don't commit us to planned obsolescence.

Mr. LUETKEMEYER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. LUETKEMEYER. Madam Chair, I would like to congratulate the Appropriations Committee and the chairman for their fine work on making some difficult choices.

Obviously, our budget times are tight. We have to prioritize our spending, and we have some emergencies here in this country which are abnormal, extremely abnormal from the standpoint that our weather patterns have changed dramatically this past year and as a result we have a lot of our citizens that are really suffering right now.

In my district, I have the Mississippi River along the one side, I have the Missouri River running through the area as well, so both of those have been dramatically impacted by the massive rain storms that have run through the area as well as some of the tornados that have gone through the area as well.

So I want to put a face on some of this for just a moment. You know, we have today a number of farmers who no longer can drive to their homes. They have to take a boat to their homes. They have 5 feet of water. Some of them are looking at the roofs instead of their homes, and their crops are gone. And when they are gone, whenever a flood occurs, it doesn't just occur and wipe out that year's crops. Quite often times it takes 2 or 3 or 4 years. And sometimes the ground is damaged to the point where it can never be reclaimed.

The gentlewoman from the southeast portion of our State, some of her area

that was devastated by some of the levees that were blown up, those crop lands may never return to fertile ground because of what happened. Again, well, people say, well, it's just farm land. No, it's not. This is the business of farming. This is their business location.

And if you look at their farms, it's not just land that's laying out there. They have irrigation systems, they have thousands and thousands and thousands of dollars in irrigation systems and the berms and the ground that's been cultivated and excavated in a way that it can utilize all the waters that they irrigate with or whatever.

So they have a huge investment in this property. It's not just land. It's a huge investment in their business. We are interested in continuing to help those folks rebuild those levees, rebuild their lives, rebuild their businesses because this is what they are about.

One of the things that has happened in my area right now is with, basically, a tsunami coming down the Missouri River basin. In Montana they had an unusual amount of snow that fell this year, a late snow melt. And then on top of that they had a whole year's worth of rain in a 2-week period, and we have literally a tsunami coming down the Missouri River basin.

Fortunately, we had a flood control set of dams in there that have minimized it; but even at that, this is a 100- to 500-year flood that is devastating everything in its path. And so those folks, in fact, right now from Kansas City on north, there isn't a single private levee that isn't either breached or topped.

Let me repeat that: There isn't a single private levee north of Kansas City that is not breached or topped. That's how severe and how devastating this situation is this year.

When we start talking about the uses of the river, it's important to note that barge traffic on rivers—the gentleman from Louisiana a moment ago talked about the usage of how much corn and grain goes up and down the Mississippi. The normal barge can carry 900 trailer loads of grain, 900 trailer loads of grain.

Think of all the vehicles we are taking off the roads. Think of the environmental impact of none of those vehicles being on the road. It's very significant.

Yet, in our area, the Missouri River is being underutilized because of some of the new mandates that are being put on it by different bureaucrats here in D.C. with regards to trying to worry about a fish or a bird that lives along the shore and/or for recreational purposes.

So we have some interesting debates going on right now. Those we will decide at a later date, but the problem we are facing today is the devastation

that it has had to life and property and the safety of those. We believe that these funds are necessary for people to recover from this devastation that has occurred.

And just as a side light here, we also would like to thank the Appropriations Committee for not only finding a way to do this, prioritizing Federal funds without adding to our debt, but there is an interesting fact here as well. I want to note, it was from a report back in January of 2009 with regard to the Congressional Research Service that said had supplemental appropriations been fully offset—which this is since 1981—Federal debt held by the public could have been reduced by at least 23 percent, or \$1.3 trillion. This could have reduced interest payments to the public by \$57 billion a year.

I think while it's difficult, I know that our friends across the aisle and some of the folks here discussing the prioritization this morning are not happy with this. I think these are difficult times. We all have to realize that reprioritizing things sometimes is not easy.

But in this situation I believe that it's justified, and we certainly support what fine work the Appropriations Committee has done.

I yield back the balance of my time.

□ 1330

Mr. AL GREEN of Texas. Madam Chairwoman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. AL GREEN of Texas. Madam Chair, it is just a matter of time before we will rue the day that we did not build out the infrastructure across the length and breadth of our country. Our President has proposed that we have an infrastructure bank such that we can take care of the needs on this side as well as the needs on this side. We will rue the day that we did not build out our transportation infrastructure.

One example, in 2005, in Houston, Texas, Rita hit the gulf coast. We had thousands of people being evacuated from a major urban area, and as they were moving away, the highways became clogged. They were stopped on the highways. People spent nights on the highways. Trains are a part of the emergency evacuation system in this country, and we need more rail so that we can evacuate people in times of emergencies.

9/11/01, who can forget? The skies were clear. There was a full ground stop. More than 4,000 planes were grounded. No one could fly. Trains became a part of the emergency evacuation system so that people who could not fly could still make their destinations.

It is time for us to wise up and realize that the President is right. It is time for us to, in the parlance and

vernacular of those in the streets of life, to 'fess up and tell the truth. We should not put Peter ahead of Paul. We should not rob one to pay the other. It is time for us to take a holistic approach and show some vision.

Let's move to create jobs across the length and breadth of the country with this infrastructure program. Let's give architects who have offices and business and laborers and engineers jobs. Let's give them jobs to do.

And the good news is you cannot export these jobs overseas. You don't have to worry about them being outsourced, because they will all be done right here in the United States of America.

Let's rebuild this country.

I yield back the balance of my time.

Mr. SCALISE. Madam Chairwoman, I move to strike the last word.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. SCALISE. Madam Chair, I first want to congratulate and thank the chairman of the Energy and Water subcommittee for setting as a priority making sure that our waterways, especially the Mississippi River, are restored after the devastating floods that we experienced throughout our country. It wasn't just in a few States; it was throughout many parts of the Midwest, South, and other parts of our country that experienced tornado damage and experienced unprecedented flooding going back to 1927.

But now if you look at where we are and you look at what is being done here, this is not money that is adding to the deficit. We are at a point right now as we face this debt ceiling—and there is a divide in Congress; there is a divide in Washington. And the question is: Are we going to start living within our means and truly setting priorities in this country or just continue going down this spending binge acting as if nobody is going to pay the tab?

And, of course, I think what the chairman, the full chairman of Appropriations and so many other members of this new majority have said is that game is over. The game of spending money we don't have is over, and we've got to make the tough choices of setting priorities in this country.

So if you look at some of the money that was moved over from high-speed rail—and there were billions of dollars set aside in the stimulus bill that was such a failed disaster, over \$787 billion of money that we don't have with the promise that unemployment wouldn't go over 8 percent. It's very clear that that failed. But what we're saying is let's take some of that money and move it over into something that's much more important right now, and that is getting our economy back on track, getting people back on track and getting their families back together.

Look at what happened on the Mississippi River. Just a few weeks ago, I flew over the Morganza Spillway and looked at the Atchafalaya Basin where some of that flooding happened where you literally had people who were in harm's way and their areas were flooded to keep other people from flooding. And it was one of those terrible choices no one wants to have to make, but those families were put in that situation and their communities were flooded so other communities wouldn't.

The extra silt that came down the Mississippi River now threatens to impede the ability for us to move commerce through 30-plus States of this country so that we can get those exports, so that we can create more jobs and be able to be competitive with foreign countries. If you're a farmer in Iowa, if you're trying to move commerce in Missouri down the Mississippi River, if you don't have the ability now because we're not able to dredge the river, all of a sudden now Brazil is going to get that contract for that product because you can't be competitive anymore.

Not only are we talking about tens of thousands of jobs, but we're talking about priorities. If you look at the high-speed rail projects, many States have turned the money down. Why? Because they realize it's a money loser. They lose money on the deal because it just doesn't pay for itself. Of course, States have balanced budgets. Most of those States have to balance their budget every year, so they can't just take what looks like free money to go and engage in a process that's ultimately going to cost them money every year that they don't have. But because they have to balance their budget, many of them have turned that money away.

And so you look here in Washington, there is no balanced budget requirement, and it shows you, frankly, one of the reasons why we need a balanced budget amendment to the Constitution so that we are forced to live within our means, too, so we can't just keep spending money as if there is no consequence, because there is consequence. Our children and our grandchildren are counting on us to make those responsible decisions and to set the priorities. We cannot just tell everybody that comes in the door, You've got an idea, here's some money; you've got an idea, here's some money. Nobody has the money. We'll just go print it, raise the debt ceiling and just keep giving it as if it's not going to have an effect. At some point, it has a real effect; it has a real impact. And so we've got to make the tough choices and set the priorities.

So there was devastating flooding throughout our country. You had so many States that saw tornado damage and flooding damage, and they're trying to get back on their feet. And then

there is this high-speed rail money. And so much of the money in the stimulus bill went to waste and was squandered. We have nothing to show for it. The promise of no more than 8 percent unemployment didn't work. It was a failure, and everybody recognizes it. And so we're saying we're going to make those tough choices.

None of these choices are easy, but we didn't come up here to make easy choices. We came up here because we've got to set the priorities of this country, and that means balancing our budget and not just saying everything can get all the funding it wants. If something is a priority, then that means we've got to find the money somewhere else. And so that's what's being done here. And that's why I commend the chairman for making that tough decision. And, yes, we're going to have to have a fight over this. We're going to have to have a discussion over this, as we should. This is the people's House.

That's what this discussion is about. It's about setting our priorities and shifting from the old way of doing business of just spending more money we don't have on every idea that sounded good. We can't keep doing that. So that's why I support what the chairman is doing.

I yield back the balance of my time.

Ms. BROWN of Florida. Madam Chairwoman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. BROWN of Florida. First of all, I want to be clear that I support the funding to protect the citizens of the Midwest from flooding. And, in fact, Louisiana has gotten more money than probably anybody else.

I come from Florida. We have disasters, natural disasters, all of the time. But the reason there is no funding for flood protection is because the Republican leadership cut the funding and the Republican Members supported it.

Let me be clear. I support the funding for the disaster. As the ranking member of the Transportation Subcommittee on Rail, I find that these funding cuts which would block all of the remaining unobligated high-speed rail funding approved by the economic stimulus entirely unacceptable.

And I am sick and tired of Members coming to the floor saying that the stimulus money was a disaster. It is not a disaster that we put people to work in Florida and throughout this country. And, in fact, if it wasn't for the stimulus dollars, teachers would have lost their jobs. In one area, we kept firefighters and police officers employed. And that is a job while this economy is turned around.

And let's not forget how we got in this mess. Institutional memory is in order. When you have your head in the lion's mouth, you pull it out, you ease

it out. What happened? How did we get here? When Bill Clinton left, we were operating with a surplus. But we had 8 years of Bush and two wars. And do you think this mess started 18 months ago? No, it did not.

□ 1340

We have been practicing what I call reverse Robin Hood for 8 years. Nobody remembers that, when you kept giving tax breaks to the rich and billionaires. What happened here in December? Almost \$800 billion that you gave to the not just millionaires, billionaires. And yet you come up saying in June and April, we can't send the pension checks.

Yes, we're spending money up here, but it's the priorities you have. You don't have the priorities of taking care of the elderly people. You want to cut Medicaid and Medicare and Social Security while you give billionaires—billionaires—tax breaks, and millionaires. And now you want to cut money for high-speed rail. But we know for every billion dollars that we spend for high-speed rail, it generates 44,000 permanent jobs. But yes, we have some Governors that are shortsighted, like my Governor Rick Scott of Florida that sent back almost \$3 billion. We have 11 percent unemployment. What was he thinking about? I guess he was thinking he didn't want to see those people going to work and making Barack Obama look good, even though we have the most congestion in that area, and that our competition is there. If you look at Spain, if you look at France, you look at Germany, 200 miles, 1 hour and 15 minutes. That is the future of our country. But we have some shortsighted people here, people who only want to see, you know, well, we need to balance the budget. Well, where were you when they were giving tax breaks to millionaires and billionaires? And you do it over and over again. That's the sad thing.

If you put it on the board, put it on the board today, you would have the same vote. You would have the exact same vote. And every opportunity you have to vote, you vote to give millionaires and billionaires tax breaks. So, you know, we started the rail system, and we are now the caboose, and we don't even use cabooses any more.

I am hoping that the American people will wake up. It is shameful that over and over again in the people's House, in the people's House, we attack the people who do not have lobbyists on Capitol Hill. And so I yield back the balance of my time, but I do know that elections have consequences. The American people are watching you. I have voted five times to raise the debt ceiling. Why did I do it under Bush? Because I knew it was in the best interest of this country and not the politics of the time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

Mr. WOMACK. I move to strike the last word.

The Acting CHAIR. The gentleman from Arkansas is recognized for 5 minutes.

Mr. WOMACK. Madam Chairwoman, I think we are going to have to extend the space shuttle for an extra day to retrieve the thought process, it got so far out there in orbit. Let me just be very clear, to kind of bring this back to the subject matter at hand.

We're talking about taking funds that have been designated for a project in the future, near term or long term, but in the future, to satisfy an emerging issue that is in the present. Future versus present.

In my district of Arkansas, the cresting of the Illinois River has ripped apart roads, washed out bridges. Floods have taken the lives of constituents of mine, young people who will grow up without a mother or father. We have people living in tents. We have an urgent issue that is facing us today. The flooding has done damage across our entire State, leaving hundreds of Arkansans without homes, and crop losses estimated at over \$500 million. It has even been asserted by the other side that it is "just farmland." Just farmland.

Well, let me say to the people who make that argument, don't make that argument with your mouth full.

It has also caused about \$100 million in damage to dams, parks, roads, and waterways under the control of the Army Corps of Engineers, and if left unrepaired, will only result in additional devastation in the next season.

But it isn't just about what happened in Arkansas; the entire Mississippi River and its tributary system has been imperiled by these tragedies. They are the lifeblood of our Nation's commerce, and bordering farmlands are rich with fertile soil able to provide food for so many of the American people. Allowing these lands to be so vulnerable to future flooding will only imperil our Nation's food supply.

Offset or not to offset; it is an emerging issue. And on offsets, as you have already heard from my colleague from Louisiana, my colleague from Missouri, that supplemental appropriations, if fully offset over the last three decades, would have reduced by at least \$1.3 trillion the debt and reduced the public interest payments on this debt of \$57 billion a year. Now, my friends, \$57 billion in interest payments would build a lot of high-speed rail.

I congratulate the chairman for his work on this Energy and Water bill. I support it. It is prudent. It is wise. It is necessary. And I commend it to the leadership and to this entire House to pass it and restore the fiscal integrity

of our country and give relief to the people who need it so desperately.

I yield back the balance of my time.

Mr. HONDA. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. Madam Chair, I have a written prepared statement I will include for the RECORD. It talks about California and the need for investments, and I don't think anybody is going to argue with the need for this country to invest in its country or its infrastructure. We have had that argument.

I'm trying to figure out a way how to make my comments without making anybody wrong. The chairman is faced with a difficult task of trying to balance a budget. He faces that challenge with limited funds. It is a terrible job. But I think we ought to look at the process and be thoughtful and explain to the people out there who are watching us, the young people here who are watching us, that we can be smart. We can be compassionate, and we can do that without allowing ourselves to be fighting among ourselves and trying to make decisions between jobs, the economy, infrastructure, and taking care of those who need to get back on their feet. I have no arguments with that.

My mother used to say when unexpected guests came to our house during dinnertime, you don't turn them away, you just add more water to the soup, and then you enjoy each other's company.

Congress is a living organism responsible for its past, its present, and its future.

In the past, according to the GAO, we spent about \$150 billion just on Katrina. In Afghanistan, we spend \$325 million a day. And in Iraq, we spend about \$100 million a day. That's almost a \$1 billion a day. We are talking almost a billion dollars in light rail. We can be both right and smart and compassionate if we do the right thing.

In our budgeting process, we should have a fund for unforeseen circumstances. We should learn from Katrina. We are looking at about \$4 billion in terms of the Army Corps of Engineers. I think our leaderships need to get together and just say "we can do this" without fighting among each other, without making each other wrong, because that's wrong. In the eyes of the public, they want us to do the job that needs to get done and have our leadership do that.

So my plea is that we can be fiscally responsible and we can be compassionate, and we do that with good planning and good budgeting processes, including having contingency funds that should have been there. And so we have an opportunity right now to show the public that we can do all of these things and still come out winners for

those who need the help, and those who need jobs, and still take care of the Nation's infrastructure needs. That's what America is all about. It's a can-do spirit without having to fight within our own families.

Madam Chair, I rise in opposition of the underlying bill that rescinds over one billion dollars in high-speed rail investment to pay for emergency disaster relief due to storms and flooding in the Midwest—emergency disaster relief that should be funded through emergency appropriations.

The Majority appears proud to say they are offsetting the funds needed to help our citizens in the Midwest recover from the storms and floods that have devastated their communities.

But what the Majority is doing is really not something to be proud of.

The Majority is offsetting jobs and offsetting investments into our Nation's infrastructure.

Put bluntly, Madam Chair, with this bill the Majority is offsetting our Nation's future.

This bill would specifically rescind \$68 million intended for the Next Generation Passenger Rail Equipment Purchase in my State of California. During these difficult economic times, rescinding these funds would result in the loss of as many as 1,892 jobs.

Earlier this year, the President released his annual budget request for Fiscal Year 2012, which calls for a \$53 billion, 6-year investment in high-speed rail. I applaud the President's vision for a sustainable future.

Every other industrialized country in the world, except the U.S., has shifted its intermediate range travel, or 50 to 600 miles, to high speed trains. Are they all wrong and only the U.S. right?

Madam Chair, polls show over 70 percent of Californians support the 800-mile, double-track, grade-separated, fast, clean, quiet, and safe high speed trains that will link San Jose with Sacramento, Los Angeles, and San Diego. California must lead the Nation into the future.

Let's not forget, Californians voted for \$9.95 billion for this project in 2008, a major reason over \$3.7 billion in Federal funding has been granted for our State's starter project. Those funds, with the President's proposal and private investments in discussion, could kick-start the Silicon Valley extension, the first major job destination for California's system.

The investment proposed by the President directly impacts my constituents in Silicon Valley. Those funds could bring the California High-Speed Rail Authority's starter construction project, already-funded between Bakersfield and Fresno, through the Pacheco Pass to Silicon Valley.

Benefits to Silicon Valley are profound; mobility, employment, cleaner air, and international competitiveness.

Mobility: California's high speed rail project connects to many feeder modes at the Diridon Station, across from the HP Pavilion and the proposed A's baseball park in the heart of the Silicon Valley. When finished by 2020, the Diridon Station will be one of the Nation's largest multimodal hubs, with over 600 trains per day including high speed rail, BART, CalTrain, the Capital Trains, Altamont Express, Amtrak, light rail, bus lines, an automated shuttle to the Mineta International Airport, and more.

Employment: Return-on-investment is the first rule for Silicon Valley. Research proves investments in high speed rail return more than twice the cost, in tax revenue, over the life of the projects. And, with 30% construction unemployment, investment in high-speed rail means jobs, right now, in our State. Engineers estimate the project will create over 160,000 construction jobs, for as much as 30 years. An additional 450,000 jobs will be stimulated by the economic vitality created around the 26 down-town stations. Those jobs are in California, for Californians, and cannot be offshored.

Clean Air: Research indicates over 90% of the future riders currently use single passenger cars or short-hop airlines, both major polluters. The electric trains are committed to use non-polluting renewable energy. The U.S. comprises 4% of the world's population but creates almost 25% of the world's greenhouse gasses. High speed rail is a powerful tool the rest of the world is already using to fight climate change.

Competitiveness: The emerging economic engines in Europe and Asia are rapidly overtaking the U.S. and California. They move people to work and products to the market more efficiently. China invested over \$80 billion in high speed rail last year alone, over \$1 trillion in the last decade, completing over 7,500 kilometers of their planned 13,000 kilometer system in just 9 years. The EU's dozen lines are similarly successful, and Japan is also expanding its system dramatically. Many of those systems are now operated profitably by private companies.

How is it possible for every other industrialized country, and many emerging economies, to afford state-of-the-art high speed rail systems and claim that the world's richest country cannot?

Madam Chair, Americans support investments in our country's transportation infrastructure. A recent Rockefeller Foundation survey found 91% of the national sample agreeing that, "our generation has a responsibility to the future to invest in America's infrastructure—just as our parents and grandparents did."

The foresight of our forefathers, who ensured that our highways, waterways, and railroads promoted our economy, must not be lost now. We too must be good ancestors. High-speed rail is the future. The time to invest in that future is now.

Mr. CARNAHAN. Madam Chair, I move to strike the last word.

During this time of economic uncertainty it is important to invest in the future. High speed rail will play a vital role in modernizing our transportation infrastructure, and we must prioritize its further development. If we are to remain economically competitive with the rest of the world, we must invest robustly in our infrastructure and create a true, world class transportation system. High speed rail will revolutionize the transportation industry, and its development will add valuable jobs to our economy.

I am firmly against this bill, which would rescind unobligated funds from high speed rail projects. While I fully support our disaster recovery efforts, there is no reason to do this at the expense of our rail infrastructure. This is

merely a ploy by Republicans to cut off funding for a priority area for President Obama.

As a country we cannot afford to ignore this opportunity to create millions of jobs and develop a comprehensive high speed rail system. These cuts would drastically affect the State of Missouri, putting plans for a St. Louis-Kansas high speed rail corridor in jeopardy. We would also lose almost 8,000 jobs and nearly \$300 million in funding for high speed rail projects, including \$3 million in the 3rd District which I represent.

There is no question that we must curtail excessive government spending, a process that will require some belt tightening. But it makes no sense to cut funding for programs, such as high speed rail construction, that will foster sustained, long-term economic growth for America.

I urge all of my colleagues to consider the numerous benefits the high speed rail program will bring to all Americans and to vote against cutting the program's funding. We cannot allow our current fiscal challenges to prevent us from investing in the future while simultaneously helping to kick start our economy.

Mr. CICILLINE. Madam Chair, I submit these remarks in opposition to provisions in Title V of the Energy and Water Appropriations measure (H.R. 2354) that would rescind unobligated High Speed Rail funds.

Indeed the recent storms and flooding that have ravaged the Mississippi and Missouri River Basins warrant the immediate attention and relief provided by Emergency Supplemental Funding in Title V. And as a representative from Rhode Island, a state that itself suffered and continues to recover from record level flooding in 2010, I wholeheartedly recognize the importance of this funding, which will enable the Corps of Engineers to repair the damage done by these natural disasters.

However, as Ranking Members DICKS and VISCLOSKY noted in their views on the underlying bill, H.R. 2354, I too am disappointed by the decision to offset this important disaster relief funding by rescinding unobligated High Speed Rail funds. Time and again Congress has rightly responded to natural disasters with the emergency funding that facilitates recovery in our communities and reconstruction of critical infrastructure. As a Congress, we must respond to natural disasters with the resources it takes, and we must responsibly reduce the deficit. Yet, we must also make the necessary investments that will create jobs now and guarantee the future strength of our economy.

The fact that our Nation's investment in High Speed Rail remains a target for the budget chopping block is not just disappointing—it is a threat to our economy. We have to commit to paying down our debt. But, we must also commit to putting people back to work, supporting our infrastructure, and ensuring our Nation's ability to compete in the global economy. Some estimates say that each month we spend approximately \$8 billion in Afghanistan—just think about that. In just 2 months worth of spending in Afghanistan, we exceed our Nation's entire investment in High Speed Rail. Each year, taxpayers dole out \$4 billion in subsidies to big oil companies who continue to enjoy record profits, and yet here we are, stripping communities of critically important infrastructure dollars.

High Speed Rail is not some far-fetched fantasy, or a transportation solution that should be considered more of a luxury than a national priority. High Speed Rail is a reality. And while we hesitate to get on board, our competitor nations are charging further and further ahead of us. We've seen it in the headlines time and again. China now has the world's fastest conventional high-speed trains and longest network of tracks. Next year, just 4 years after beginning its High Speed Rail service, China will have more track than all of the world's high speed lines combined.

High Speed Rail creates construction jobs in the maintenance and operations jobs in the long term, and indirect jobs by growing access to greater labor pools and driving new economic development. High Speed Rail reduces congestion on our highways and skyways. These are key investments to ensure that America has a fast, safe, and efficient transportation network. And at a time when press reports as recently as this morning indicate states like Rhode Island are experiencing a rise in gas prices again, High Speed Rail provides a logical alternative to our oil addiction.

For the First Congressional District in Rhode Island, the provisions of Title V will strip away \$3 million in High Speed Rail funds. For the state as a whole, it is estimated this Title will rescind more than \$28 million in rail funding. This rescission occurs less than 2½ months after the initial announcement of the allocation to the Ocean State. Not only is Rhode Island battling high rates of unemployment—some of the highest in New England—and a sluggish economic recovery, we now have to battle against the uncertainty and unpredictability created by unwarranted rescissions such as the one before us now in Title V. All told, it is estimated that this rescission will result in the loss of hundreds of jobs in my state alone.

As a former Mayor, I know how detrimental this loss in High Speed Rail is for my district, the state of Rhode Island, the Northeast Corridor, and the Nation as a whole. For the city of Providence and the state of Rhode Island, High Speed Rail is a critically important component in efforts to attract the private investment that will help sustain and grow our economy; rebuild the infrastructure that will allow for efficient and timely transport of goods, people, and ideas; and place people in well-paying middle class jobs. Cities and states all across this country are relying on this investment to help improve their economies, relieve transportation congestion, reduce our dependence on foreign oil, and compete in the global economy. Unfortunately, the offset contemplated in Title V will derail these efforts.

I strongly urge my colleagues to vote against this offset because we must not fall further behind as our competitors speed ahead in the global economy.

Mr. COHEN. Madam Chair, I am pleased to join with my colleagues on the House floor to oppose the Majority's efforts to cut funding for high-speed rail. As the Congressman from Memphis, a city that was damaged by historic floods this spring and a city in much need of disaster relief, I applaud the Majority for proposing more than one billion dollars in relief. However, I am disappointed that the Majority has decided to use high-speed rail funding to offset the cost.

I am disturbed by the Majority's decision to reach across jurisdictions and raid funding from the transportation sector, a sector in desperate need of investment. If an offset must be used then it should be from funds within the Energy and Water account. I also find it alarming that the Majority is cutting funds for high-speed rail, a program that will reduce greenhouse gas emissions, to fund relief for disasters that were exacerbated by climate change. By cutting this funding, we are increasing our greenhouse gas emissions and only ensuring that we will need exponentially more disaster relief in the future.

The United States needs high-speed rail—it is vital to the mobility of our people and to our economic competitiveness. Creating a nationwide high-speed rail system would be a major economic catalyst that would create thousands of jobs, save billions in congestion reduction, curb our reliance on fossil fuels, reduce harmful pollution, and literally, save lives. Recognizing its enormous benefits, nations across the world are investing billions in high-speed rail and are creating systems that surpass existing U.S. rail service in speed, convenience, reliability, level of service, and comfort.

My Democratic colleagues and I understand the importance of high-speed rail and are fighting for vital funding. President Obama also understands the importance of investing in passenger rail and has set the ambitious goal of providing 80 percent of Americans with convenient access to a passenger rail system within 25 years. To reach this goal, the President has proposed \$53 billion over six years to fund the development of high-speed rail and other passenger rail programs as part of an integrated national strategy. I support the President's goal, an important goal that will never come to fruition if the Majority continues to cut high-speed rail funding.

Building a nationwide high-speed rail system is the 21st century equivalent of constructing the national interstate highway system, a project that has transformed the Nation. To create a nationwide rail system, the government is going to need to dramatically increase its rail sector spending. The discrepancy in historical Federal investment between highways, aviation, and intercity passenger rail is staggering. Between 1958 and 2008, we invested nearly \$1.3 trillion in our Nation's highways and over \$473 billion in aviation. Federal investment in passenger rail pales in comparison: we invested only \$53 billion in passenger rail from 1971 to 2008.

The American people recognize the absence of high-speed rail in the American transportation sector and are clamoring for it. Not a day goes by that I am not asked by a constituent about the prospects of bringing high-speed rail to Memphis. And Memphis is now closer than ever to joining the high-speed rail network, since a study I fought to authorize that is examining the feasibility of connecting Memphis to the South Central Corridor is nearing completion. But this important rail line will only be built if the Majority recognizes the obvious value of high-speed rail and transitions from eliminating all funding for high-speed rail development to fighting for additional funding.

Having suffered through historic floods in Memphis this spring, I understand as well as



any other member of this body how critical one billion dollars in disaster relief is. But I implore the Majority not to offset disaster relief with high-speed rail funding. We should not be forced to choose between leveraging our Nation's prosperity and paying for essential disaster relief.

Mr. PASCRELL. Madam Chair, I rise in opposition to Title V of the Energy and Water Appropriations bill.

Two months ago, Transportation Secretary Ray LaHood visited New York to announce that \$450 million rejected by the State of Florida would be used for Amtrak high-speed railway improvements in the State of New Jersey. To paraphrase a long time champion of Amtrak, who currently serves as our nation's Vice President, this was definitely a big deal.

This needed funding is going to increase the speed and efficiency of Amtrak's Northeast Corridor (NEC) in New Jersey. Specifically, funding has been designated to improve the railroad's infrastructure between New Brunswick and Trenton, allowing for train speeds to be increased from 130 miles per hour, to 160 miles per hour, through improvements to NEC power system, signals, track, and catenaries. As anyone who has ridden on an Acela train during a hot day, or sat on a stagnant train during all too frequent power issues, knows that infrastructure improvements are very necessary for this busy stretch of railroad.

Residents throughout the northeast, including thousands of New Jersey commuters riding New Jersey Transit, will be able to have a more efficient ride with most with a stronger, faster, and more consistent Northeast Corridor.

New Jersey contractors, along with construction and rail laborers, are looking forward to getting to work on this needed project. I know that the people of New Jersey thought that this announcement was a done deal.

That is why I joined their surprise when I learned the Appropriations Committee had decided to divert New Jersey's needed resources and redirect this funding for disaster relief for Mississippi and Missouri River flood events.

I strongly support providing emergency disaster relief. I have great respect for my neighbor to the west, the Chairman of the Energy and Water Subcommittee. His intentions to help Americans who have been flooded out of homes and businesses are certainly laudable. We are both extremely sympathetic to flood relief as our adjoining districts have significant flooding problems that require federal assistance to resolve.

But it is short sighted to take away funding for high-speed rail for this purpose. As China zooms past us at 250 miles per hour, our nation putters along with a transportation system that cannot keep up with growing population and demand. Coming off of another month with anemic job growth, we simply cannot afford to pull funding that would create good paying planning and construction jobs that New Jersey sorely needs.

I urge the Committee to find a new offset for this emergency funding. And at the same time, I urge the Department of Transportation to obligate their rail funds quickly, so that we can get past this charade and get this important high speed rail funding out to bid.

Mr. HONDA. I yield back the balance of my time.

□ 1350

Mr. NUNNELEE. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Mississippi is recognized for 5 minutes.

Mr. NUNNELEE. I want to thank the subcommittee chairman and the committee chairman for bringing this bill forward in the way that they've done it.

I particularly want to thank them for the fact that this bill provides \$1 billion in emergency funding for the Army Corps of Engineers to repair the damage caused by recent storms and floods and to prepare for future disaster events. This funding is offset by a rescission of the remaining emergency high-speed rail funding that was originally allocated in the stimulus bill.

Our friends on the other side have told us they're not opposed to the emergency funding because of the storms and floods—they just don't like the offset. In fact, I've heard it said, We've always done it this way. When an emergency comes up, when a disaster occurs, we've always just funded it without a spending offset.

Madam Chairman, on April 26, 2011, the people of Smithville, Mississippi, had hopes; they had dreams and they had plans. Some of those plans were budgetary and financial, but on April 27, at approximately 3 p.m., those plans changed. They changed drastically. When an historically devastating storm swept through the Southeast, Smithville, Mississippi, was struck by an EF5 tornado, and was literally wiped off the face of the Earth.

Let me make it quite clear. The people of Smithville are very grateful for the outpouring of food, of supplies, of materials that have come from around the Nation. They're grateful for the outpouring of help that has come from the various agencies of the Federal and State governments, but those same people have also redirected plans and priorities in their own lives. They didn't proceed forward with the plans that they had the day before.

Madam Chairman, if the men and women in Smithville, Mississippi—many of whom are living in trailers, many of whom have seen their lives disrupted and houses destroyed—are making the difficult choices in their own lives, they have every reason to expect their government to do the exact same thing.

That's the basis for budgeting: deciding how to allocate available resources for both planned and unplanned events. They continue to say, But we've never done it that way.

Madam Chairman, over the past three decades, if we'd had leadership in this body like that of the leader of this subcommittee and the chairman of the

committee and if we had done it in the way that they're doing it today, our national debt would be at least \$1.3 trillion lower, and we would not even be in this debate about considering to raise it.

I want to thank the chairmen for their leadership, and I urge the passage of this bill.

I yield back the balance of my time.

Mr. COSTA. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. COSTA. I rise in opposition to the underlying bill and to a provision of this bill that, I think, is highway robbery, plain and simple.

Once again, my friends on the other side of the aisle are ignoring an opportunity to invest in their infrastructure, to create more jobs and to build a modern, 21st century system of transportation that utilizes our highways, our air transportation system and, yes, our rail in the state of high-speed rail systems that are part of America's future.

I support providing, like I think the majority of my colleagues do, the funding for the Mississippi Delta—we should and we must—as we have with every area that has experienced a disaster over the history of our Nation, but there are other ways to provide that funding.

In May of this year, Secretary Ray LaHood—a colleague of ours, a Republican—announced that \$368 million of our tax dollars would go to California to invest in the San Joaquin Valley in order to construct the Nation's first true state-of-the-art high-speed rail system. It's a system in California that the people support. In 2008, Californians went to the polls, and voted overwhelmingly for a \$9 billion bond measure to construct high-speed rail that will create hundreds of thousands of jobs throughout the State and that will create economic opportunities not only in the San Joaquin Valley but throughout California.

But this provision steals that money and the promise of new jobs right from the hands of the people it is intended to benefit.

The Great Recession hit my region of the country probably harder than almost any other place in America, with double-digit unemployment levels that exceed 20 percent. Too many people can't find jobs to keep roofs over their heads or can afford decent, healthy diets; but at a time when everyone in Washington says we should be focused on job creation, this provision is the only one I can see that's about job destruction.

High-speed rail will create over 600,000 construction jobs over the life of the project over the next 10 to 20 years in California, but this provision says "no."

High-speed rail will create 450,000 permanent jobs over the next 25 years, but this provision just says "no."

High-speed rail will spur economic development by connecting our San Joaquin Valley with the Bay Area and southern California to create a system that will provide high-speed rail for 80 percent of California's population, but this provision just says "no."

High-speed rail will improve our air quality and will reduce traffic that clogs our freeways. Of course, this provision just says "no."

High-speed rail has proven to be a smart investment over the five decades that it has been developed in Europe and Asia, but this provision says "no" to America and "no" to California.

High-speed rail will ensure that California is competitive well into the 21st century, but this would attempt to block that area to move into the next phase of a 21st century system of transportation.

The people of California want high-speed rail—they voted for it and the jobs that it will create—but this provision, of course, just says "no."

Now, we've talked about our current financial situation. These are difficult times for America. There is no doubt about that. We must focus on our deficit, and we must come together in a bipartisan fashion. Yet I submit to any of you to tell me that we have a more difficult time today than we had in the 1860s, when our Nation was being torn apart by the Civil War—when inflation was running rampant, when deficit spending made our situation today look tame by comparison, when we had the first issue of paper money, and when a lot of people doubted the credibility of that paper currency.

Yet we had a great Republican President, the Emancipator, during that time in our Nation's history when our country was being torn apart—who had boldness and a vision and who had decided we were going to build a railroad across the country and invest in our Nation even though we were in that Civil War. That's what he did.

So this provision attempts to take on an effort, notwithstanding the difficult financial challenges that we have, to in essence say what President Lincoln said in the 1860s: We can do better. We can build a transcontinental railroad.

President Obama believes we can get ourselves out of this financial situation by working together and, at the same time, by investing in our Nation's infrastructure, just as President Eisenhower did in the 1950s when he decided to embark upon the effort to build interstate freeway transportation that we all benefit from today.

This provision was slipped into law. So, ladies and gentlemen, I ask that we defeat this provision and that we keep our faith to the voters of California.

I yield back the balance of my time.  
Mr. CRAWFORD. I move to strike the last word.

The Acting CHAIR. The gentleman from Arkansas is recognized for 5 minutes.

Mr. CRAWFORD. I would like to congratulate and recognize the tremendous work of the Appropriations Committee in responding to the flooding disasters during a time of tight budget restrictions. There were tough choices that had to be made, but I believe the committee effectively prioritized the needs of the American people.

Madam Chair, my district in Arkansas was severely impacted by the recent floods that wrought devastation in the Mid-South and the Lower Mississippi Valley. Preliminary estimates of crop damage surpassed a half a billion dollars, and communities were evacuated because the levees struggled to retain the floodwaters.

□ 1400

The St. Francis levee district suffered the most damage because the water levels were so high the water enclosed entire areas and almost completely flooded Cross and Woodroof Counties in my district. In St. Francis County alone, hundreds of homes were underwater and tens of thousands of acres of farmland were flooded as well.

In another part of my district, heavy flooding devastated all areas of Des Arc in Prairie County. The community of Spring Lake, which is home to 32 families, was completely flooded with several feet of water. So far, only three of those families have moved back into their homes. The community of Smith Road, which is home to 18 families, was completely flooded as well. So far, not one of those families has been able to move back to their homes. On top of the damage to these communities, more than 50,000 acres of farmland were flooded. The entire corn crop was wiped out and most of the rice crop as well.

Mr. Chair, the flood disasters across the Mid-South have taken a huge toll on our way of life and have touched nearly everyone in my district. We must ensure we retain the vital funding to the Corps of Engineers so that we can repair and reinforce our levees so that citizens in the lower Mississippi Valley and the Mid-South can live in safety and our economy can recover.

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

Mr. RYAN of Ohio. I move to strike the last word.

The Acting CHAIR (Mr. DOLD). The gentleman is recognized for 5 minutes.

Mr. RYAN of Ohio. Thank you.

This has been an interesting debate. I've been able to sit down here and listen to a lot of folks on both sides talk about really investments that we need to make in the United States. I'm glad that there are some investments that our friends on the other side actually think are important to the country, because it seems in many ways the national narrative is that there isn't anything the government can make investments in that is important for our country.

To hear some Members talk about natural disasters and to hear some Members talk about the barges going up and down and farmland, there's a huge subsidy program where billions of Federal dollars are spent to support farmers. There are obviously dams that need to be built, and that is Federal money. When it applies to certain Members' districts where they are actually affected and families affected, it's their responsibility to come to Washington, D.C., and advocate for those investments.

I think what you're seeing here on our side is that we have Members on this side of the aisle who believe that investments need to be made in our communities, too, and that over 30 years, if you take cities like Youngstown or Cleveland or Detroit, you will see cities that need investment. We may not have had a natural disaster, but over the last 30 years we have had an economic disaster where we have had a lack of private investment. I am rising here to say that high-speed rail can be a force multiplier in our economic improvement in our community and across the country.

The gentleman from California just cited the number of jobs, the billions of dollars that could be invested. In Youngstown, Ohio, we would be linked up to a Pittsburgh to Cleveland corridor that would then go over to Toledo and Detroit and that would make its way over to Chicago. This is essentially connecting the United States of America.

You would be taking an economic region like ours with two major powerhouses in education and in health care that would be connected by high-speed rail. In Ohio, we gave away the high-speed rail money, too. Our Governor gave it away. And there were hundreds of millions of dollars in private investment that was going to follow the public investment that needs to be made. But if we're going to connect, if we're going to try to resuscitate some of these older areas in our country, high-speed rail is a way to do it.

These are investments that can be made. We can connect the Cleveland Clinic with the University of Pittsburgh Medical Center. We can connect Case Western Reserve with Carnegie Mellon, and they can partner in research, get on the train, and help lead some economic development and commercialization of products. You could take a region of our country and connect it through high-speed rail.

The problem is—and I will end with this—all of these investments need to be made. This is the dirty little secret in Washington, D.C. We're only spending 2 percent of our GDP on our infrastructure, while China and India are spending 10 percent of their GDP reinvesting back into their country. We will lose the future if we do not make

these investments. These are critical to the competitiveness of the United States. The dams that need to be built and the high-speed rail and the roads and the combined sewer and the airports and the ports and the highways and the bridges, we need to invest in all of these things.

Our country is crumbling. We can't have Members say, We only need to make this one investment for this one dam because it's in my district and because I know families who have been hurt. We've got to elevate ourselves and look at what needs to be done in the entirety of the whole country and how we are going to compete against China, how we are going to compete against India, how we are going to be globally competitive.

All of these investments need to be made, including the economic development and the private investment that can be drawn in through high-speed rail.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I thank the chairman, and I really do want to thank our appropriators. This is a tough, tough business. I certainly want to thank the ranking member whom I've had the privilege of working with and thank the chairman as well, because this is a tough dilemma that we are facing.

I think I come with a unique perspective. I live in hurricane and flood country. Houston is the site and was the recipient of hundreds of thousands of Katrina survivors coming in from New Orleans. We have faced our own ups and downs, most recently with Hurricane Ike, and I walked the beach with both former President Clinton and former President Bush when we went down to Galveston and looked at the amazing devastation.

So many of us were concerned about the tragedy in Joplin, Missouri, and other places, and then the constant flooding. I have talked to Members of Congress where there is flooding going on in their district as we speak. But here is the dilemma that we have and the reason that I rise to raise the question of the recapturing of already designated funds and to realize that these are not funds that were just sitting in a pile unused. These funds are not only already designated—I would like to say appropriated—high-speed rail dollars but, as well, these funds will generate thousands of jobs.

As I read the amounts of moneys that were designated, \$450 million were going to be utilized for necessary repairs in New Jersey. That means that my friends on the floor of the House have made a sacrifice, and I appreciate that, but high-speed rail is a valuable and necessary investment in America's future.

I truly believe that there could have been a compromise, where resources could have been used for the flooding problems in the area that my colleagues have spoken about, the needy areas, and still leave an amount that would have been shared for high-speed rail. Let's create jobs together. That is the restoration of those flood areas, and I would almost ask the question without knowing as a member of the authorizing committee for Homeland Security, what other opportunities might have been in place to be able to utilize those dollars for the disaster that has occurred.

But I will tell you, it is no doubt as you go across Europe and see the value of high-speed rail, new technology, that America is far behind with its high-speed rail investment, the new technology, the new science, the new kinds of cars that are being produced that will create jobs, in essence putting the cars together, manufacturing the cars but then the assembling of the cars now being placed in cities around America. Those are real jobs, long-term jobs.

The decision that the administration made was a thoughtful decision. Let me thank Secretary LaHood for understanding the value of high-speed rail, and I would suggest that the proposal that we have for Texas does impact rural Texas. It is a proposal for high-speed rail from Houston to Dallas, going through our rural communities, creating the opportunities for jobs but creating the opportunities for investment in the purchase of land and the growth of business. All of that has an impact in creating jobs.

□ 1410

That's what we are all here for. We are here to be the rainy day umbrella for Americans who are in trouble, and as well we're here to create jobs, which Americans are so desperately in need of.

So I am disappointed that we didn't find the happy balance, and I believe that we could; that we couldn't measure the amount of resources that might have been able to be utilized for our friends that have just experienced a disaster and not completely gut monies that are already designated, appropriated. It's almost as if we came in and said there's a pile of cash, and I'm not going to bother to identify what it's supposed to be used for.

I would hope that there would be a method of reconsideration. These are fair gentlemen on the floor of the House. I've worked with all of my colleagues here. And I would just raise the question of why would we, in essence, zero out high-speed rail, not only for our urban centers but for our mid-western areas that are desperately in need of jobs, and for the southern areas that now are looking to the future for high-speed rail to create jobs and to

create the quality, excellent, superior mobility system that Americans deserve—not the country of America, but the people of America deserve.

I would argue vigorously for a reconsideration of the funding and the restructuring of the funding to ensure that we have high-speed rail, create jobs, and deal with our friends who are in need.

Mr. Chair, I rise today in support of funding for high speed rail, and the importance of ensuring that money designated for high speed rail by the American Recovery and Reinvestment Act is utilized to build high speed rail-ways.

I must express my concerns about the offset in the amendment offered by the gentleman from New Jersey. There is no doubt that recent flooding in the Midwest has devastated communities and greatly impacted the region's economy.

The Army Corps of Engineers must have the resources to address the damage wrought by the flooding of the Mississippi and Missouri Rivers, but I urge my colleagues to consider the source of this funding.

The funding allocated for high speed rail in the American Recovery and Reinvestment Act will do more than update our Nation's transportation system; high speed rail creates jobs, increases tourism and is environmentally sustainable.

The Department of Transportation recently awarded \$15 million for a high speed rail project in Texas. The funding was awarded for engineering and environmental work to develop a high-speed rail corridor linking Dallas and Houston, where I represent the 18th Congressional District.

The demand for high speed rail in the state of Texas is significant. The second most populous state in the Nation, Texas' population is forecasted to grow by an additional 9.4 million people by 2035, a 38.9 percent increase over projected 2010 levels.

Additionally, the population growth is not going to be spread evenly across the state. According to the Texas State Data Center, 92 percent of the 2010–2035 population growth will occur in the existing metropolitan counties. High speed rail is an investment in the future of the state.

Receiving this funding from the American Recovery and Reinvestment Act was a tremendous opportunity for Houston, and the entire state of Texas. The award will allow our state to make critical investments in infrastructure that will increase mobility and allow for better commercial and private growth of our cities.

A long time supporter of high speed rail, I supported the Safe Highways and Infrastructure Preservation Act, and secured \$150 million dollars for the metro solutions light rail project because high-speed rail projects and other transportation investments represent the potential to create hundreds of jobs, enhanced mobility, and future economic development for Texas, and the entire Nation.

I commend the Chairman for recognizing the need for emergency funding in flood stricken areas. However, there are plenty of places from which my colleagues can offset funding. I cannot support an amendment that offsets

funding from critical infrastructure projects that create jobs. I urge my colleagues in the Majority to explain why they would rather take funding from projects that create middle class jobs than raise taxes for billionaires.

We must repair the damage done by flooding, but we must also invest in the future of America. Other nations around the world have shown us that the future is high speed rail. It is our responsibility to make critical investments in infrastructure projects, like high speed rail.

I urge my colleagues to think about the consequences of continuing to provide tax cuts for the wealthiest Americans at the expense of middle class jobs and improvements to our Nation's infrastructure. Offsetting funding for high speed rail for emergency disaster relief is not a responsible course of action.

My Republican colleagues constantly talk about creating jobs, yet time and time again, they turn away from opportunities to do so. The time for rhetoric has passed; what the country needs, what our constituents need is action. Offsetting funding for high speed rail, slashing funds that will create jobs is the wrong action, and I urge my colleagues to reconsider.

I yield back the balance of my time.

Mr. CLARKE of Michigan. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CLARKE of Michigan. Mr. Chairman, I am urging this House to spend the high-speed rail money on what it's designated for, high-speed rail projects.

Much of this money, or a good portion of it, was turned down by Governors of other States. So I'm here as a representative of Michigan's 13th District, and I want to go on the record right now of claiming that money because Michigan and metro Detroit, the district that I represent, we need jobs, jobs that will be created by the high-speed rail project, jobs that will be created when that high-speed rail that links Detroit to Chicago is tied into a regional transit system around metro Detroit. That's going to attract businesses all around that system. Companies and employers are more likely to stay in Detroit, move to Detroit when they realize they can have close access to Chicago and other midwestern areas. But jobs not only as an indirect result of this transit system and high-speed rail system, but by manufacturing the rails and the passenger cars that are going to be used. By creating jobs, that is the most effective way to create a long-term, resilient, enduring economy. And that's the best way to pay down our debt.

I understand the point that we should allocate a funding source to provide funding for the flood victims. Well, I would like to propose one.

Over the last 10 years, this Congress has authorized the spending of over \$50 billion—that's with a "b"—in economic aid to Afghanistan. Each fiscal year, including this current one, we're spending at least \$4 billion on economic aid

in Afghanistan. I'm proposing let's just take a share of the money we're sending overseas to help serve and protect people in another country, let's redirect American tax dollars back to serve Americans.

And my fundamental point is this: We need to be more conservative with our tax dollars. Yes, there are needs all around the world, but our people need help right here. This budget choice that we're faced with right now under-scores that. This is a choice that we should not have to make. We shouldn't have to choose between serving flood victims and providing for long-term jobs that we need in Michigan and metro Detroit through high-speed rail.

You know, there is another fairness issue. Folks where I live, the auto capital of the world, they can't afford an automobile because of the high cost of automobile insurance. They need high-speed rail and the synergy it will create with mass transit.

So again, I urge you, let's use this money for its intended purpose—to ultimately create jobs. That's the best way that we can pay down the Federal debt, and also it's the principle of it. In these tough economic times, let's redirect American tax dollars to serve Americans. High-speed rail in America will create jobs and make a difference for our people, a positive difference.

I yield back the balance of my time.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. MATHESON of Utah.

An amendment by Mr. REED of New York.

Amendment No. 65 by Mr. HOLT of New Jersey.

Amendment No. 68 by Mr. ROYCE of California.

Amendment No. 43 by Mr. BROUN of Georgia.

An amendment by Mr. SCHIFF of California.

Amendment No. 48 by Mr. BROUN of Georgia.

An amendment by Mr. SHIMKUS of Illinois.

Amendment No. 47 by Mr. BROUN of Georgia.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT OFFERED BY MR. MATHESON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. MATHESON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amend-

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 168, noes 257, not voting 6, as follows:

[Roll No. 574]

#### AYES—168

Ackerman	Frank (MA)	Olver
Altmire	Fudge	Owens
Amash	Gibson	Pallone
Baca	Gonzalez	Pascarell
Baldwin	Green, Al	Paul
Barrow	Green, Gene	Payne
Bass (CA)	Grijalva	Perlmutter
Becerra	Gutierrez	Peters
Berman	Hanna	Peterson
Bishop (GA)	Hastings (FL)	Pingree (ME)
Bishop (NY)	Heinrich	Polis
Blumenauer	Higgins	Price (NC)
Boswell	Himes	Quigley
Brady (PA)	Hinojosa	Rahall
Braley (IA)	Hirono	Rangel
Brown (FL)	Hochul	Reed
Butterfield	Holt	Richardson
Capps	Honda	Richmond
Capuano	Hoyer	Ross (AR)
Cardoza	Insee	Roybal-Allard
Carnahan	Israel	Ruppersberger
Carney	Jackson (IL)	Ryan (OH)
Carson (IN)	Jackson Lee	Sánchez, Linda
Castor (FL)	(TX)	T.
Chaffetz	Johnson (GA)	Sarbanes
Chandler	Johnson, E. B.	Schakowsky
Chu	Keating	Schiff
Clarke (MI)	Kildee	Schrader
Clarke (NY)	Kind	Schwartz
Clay	Kissell	Scott (VA)
Cleaver	Kucinich	Scott, David
Clyburn	Larsen (WA)	Serrano
Cohen	Larson (CT)	Sewell
Connolly (VA)	Lee (CA)	Sherman
Conyers	Levin	Shuler
Cooper	Lewis (GA)	Sires
Costello	Lipinski	Slaughter
Courtney	Lowe	Speier
Critz	Lujan	Stark
Crowley	Maloney	Sutton
Cuellar	Markey	Thompson (CA)
Davis (CA)	Matheson	Tierney
Davis (IL)	Matsui	Tonko
DeFazio	McCarthy (NY)	Towns
DeGette	McCollum	Van Hollen
DeLauro	McDermott	Velázquez
Deutch	McGovern	Walz (MN)
Dicks	McIntyre	Wasserman
Dingell	Meeks	Schultz
Doggett	Michaud	Waters
Doyle	Miller (NC)	Watt
Edwards	Miller, George	Waxman
Engel	Moran	Welch
Eshoo	Murphy (CT)	Wilson (FL)
Farr	Nadler	Woolsey
Fattah	Napolitano	Wu
Filner	Neal	Yarmuth

#### NOES—257

Adams	Boustany	Crawford
Aderholt	Brady (TX)	Crenshaw
Akin	Brooks	Culberson
Alexander	Broun (GA)	Cummings
Andrews	Buchanan	Davis (KY)
Austria	Bucshon	Denham
Bachmann	Buerkle	Dent
Bachus	Burgess	DesJarlais
Barletta	Burton (IN)	Diaz-Balart
Bartlett	Calvert	Dold
Barton (TX)	Camp	Donnelly (IN)
Bass (NH)	Campbell	Dreier
Benishek	Canseco	Duffy
Berg	Cantor	Duncan (SC)
Berkley	Capito	Duncan (TN)
Biggart	Carter	Ellmers
Bilbray	Cassidy	Emerson
Bilirakis	Chabot	Farenthold
Bishop (UT)	Cicilline	Fincher
Black	Coble	Fitzpatrick
Blackburn	Coffman (CO)	Flake
Bonner	Cole	Fleischmann
Bono Mack	Conaway	Fleming
Boren	Cravaack	Flores

Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garamendi  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanabusa  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Holden  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kaptur  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Langevin  
Lankford  
Latham  
LaTourette

Latta  
Lewis (CA)  
LoBiondo  
Loeb  
Lofgren, Zoe  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Mack  
Manzullo  
Marchant  
Marino  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moore  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Pastor (AZ)  
Paulsen  
Pearce  
Pence  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rehberg  
Reichert  
Renacci  
Reyes  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)

Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (FL)  
Rothman (NJ)  
Royce  
Runyan  
Ryan (WI)  
Sanchez, Loretta  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southerland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Tsongas  
Turner  
Upton  
Visclosky  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

The Clerk redesignated the amendment.  
  
RECORDED VOTE  
The Acting CHAIR. A recorded vote has been demanded.  
A recorded vote was ordered.  
The Acting CHAIR. This will be a 2-minute vote.  
The vote was taken by electronic device, and there were—ayes 261, noes 162, not voting 8, as follows:  
[Roll No. 575]  
AYES—261  
Ackerman  
Adams  
Baca  
Baldwin  
Barrow  
Barton (TX)  
Bass (CA)  
Bass (NH)  
Becerra  
Benishak  
Berkeley  
Berman  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Black  
Blumenauer  
Bono Mack  
Boswell  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Brown (FL)  
Buchson  
Buerkle  
Butterfield  
Camp  
Canseco  
Capito  
Capps  
Capuano  
Cardoza  
Carmahan  
Carney  
Carson (IN)  
Chabot  
Chaffetz  
Chandler  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Coble  
Cohen  
Connolly (VA)  
Conyers  
Costa  
Courtney  
Critz  
Crowley  
Cummings  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Denham  
Dent  
DesJarlais  
Deutch  
Dicks  
Dingell  
Doggett  
Dold  
Doyle  
Duffy  
Duncan (SC)  
Engel  
Farenthold  
Farr  
Filner  
Fincher  
Fitzpatrick  
Fortenberry  
Frank (MA)  
Fudge  
Gardner

Gerlach  
Gibbs  
Gibson  
Gohmert  
Gonzalez  
Goodlatte  
Gosar  
Gowdy  
Green, Al  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grijalva  
Grimm  
Guinta  
Guthrie  
Gutierrez  
Hanna  
Hartzler  
Hastings (FL)  
Hayworth  
Heinrich  
Higgins  
Hinojosa  
Hiron  
Hochul  
Holt  
Honda  
Hoyer  
Hultgren  
Hurt  
Insee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson (IL)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Lance  
Landry  
Langevin  
Lankford  
Larsen (WA)  
Larson (CT)  
LaTourette  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
LoBiondo  
Lowe  
Lujan  
Lungren, Daniel  
E.  
Lynch  
Manzullo  
Marchant  
Markey  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McClintock  
McCollum  
McDermott  
McGovern  
McHenry

McIntyre  
McKinley  
McMorris  
Rodgers  
Meehan  
Meeks  
Mica  
Michaud  
Miller, George  
Moore  
Mulvaney  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Nugent  
Nunes  
Oliver  
Owens  
Pallone  
Pascrell  
Paul  
Paulsen  
Payne  
Pearce  
Perlmutter  
Peters  
Peterson  
Petri  
Pingree (ME)  
Pitts  
Platts  
Polis  
Pompeo  
Posey  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reed  
Reichert  
Reyes  
Ribble  
Richardson  
Richmond  
Roe (TN)  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (WI)  
Sanchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schmidt  
Schock  
Schrader  
Schwartz  
Scott (SC)  
Scott (VA)  
Scott, David  
Sensenbrenner  
Serrano  
Sewell  
Sherman  
Shuler  
Shuster  
Simpson  
Sires  
Slaughter  
Smith (NJ)

Stark  
Stearns  
Stivers  
Stutzman  
Sullivan  
Sutton  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Tiberi  
  
Aderholt  
Akin  
Alexander  
Altmire  
Amash  
Andrews  
Austria  
Bachmann  
Bachus  
Barletta  
Bartlett  
Berg  
Biggart  
Bilbray  
Bilirakis  
Blackburn  
Bonner  
Boren  
Boustany  
Brooks  
Broun (GA)  
Buchanan  
Burgess  
Burton (IN)  
Calvert  
Campbell  
Cantor  
Carter  
Cassidy  
Castor (FL)  
Chu  
Coffman (CO)  
Cole  
Conaway  
Cooper  
Costello  
Cravaack  
Crawford  
Crenshaw  
Cuellar  
Culberson  
Davis (CA)  
Davis (KY)  
Diaz-Balart  
Donnelly (IN)  
Dreier  
Duncan (TN)  
Edwards  
Ellmers  
Emerson  
Eshoo  
Fattah  
Flake  
Fleischmann

Tierney  
Tipton  
Tonko  
Towns  
Upton  
Van Hollen  
Velázquez  
Walden  
Wasserman  
Schultz  
Watt  
  
Flores  
Forbes  
Foxy  
Franks (AZ)  
Frelinghuysen  
Olson  
Gallegly  
Garamendi  
Garrett  
Gingrey (GA)  
Granger  
Graves (GA)  
Graves (MO)  
Hall  
Hanabusa  
Harper  
Harris  
Hastings (WA)  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Himes  
Holden  
Huelskamp  
Huizenga (MI)  
Hunter  
Issa  
Jenkins  
Kelly  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Latham  
Latta  
Lewis (CA)  
Loeb  
Loeb  
Lofgren, Zoe  
Long  
Lucas  
Luetkemeyer  
Lummis  
Mack  
Marino  
McCaul  
McCotter  
McKeon  
McNerney  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary

Waxman  
Webster  
Welch  
West  
Wilson (FL)  
Woodall  
Velázquez  
Woolsey  
Wu  
Yarmuth  
Young (AK)  
  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nunnelee  
Palazzo  
Pastor (AZ)  
Pence  
Poe (TX)  
Price (GA)  
Quayle  
Rehberg  
Renacci  
Rigell  
Rivera  
Roby  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rothman (NJ)  
Runyan  
Ryan (OH)  
Sanchez, Loretta  
Scalise  
Schilling  
Schweikert  
Scott, Austin  
Sessions  
Shimkus  
Smith (NE)  
Smith (TX)  
Smith (WA)  
Southerland  
Speier  
Thornberry  
Tsongas  
Turner  
Visclosky  
Walberg  
Walsh (IL)  
Walz (MN)  
Waters  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Yoder  
Young (FL)  
Young (IN)

NOT VOTING—8

Costa  
Ellison  
  
Giffords  
Hinchev  
  
Pelosi  
Rush  
  
□ 1442

Ms. MOORE, Messrs. AKIN, ROTHMAN, and STUTZMAN changed their vote from “aye” to “no.”

Messrs. CRITZ, GUTIERREZ, AMASH, BISHOP of Georgia, and DOYLE changed their vote from “no” to “aye.”

So the amendment was rejected.  
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. REED

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. REED) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

NOT VOTING—8

Ellison  
Fleming  
Giffords  
  
Hinchev  
King (IA)  
Maloney  
  
Moran  
Pelosi

□ 1447

Mr. WESTMORELAND changed his vote from “aye” to “no.”

Messrs. HONDA, WEBSTER, and CONYERS changed their vote from “no” to “aye.”

So the amendment was agreed to.  
The result of the vote was announced as above recorded.

Stated for:  
Mr. FLEMING. Mr. Chairman, on rollcall No. 575 I was unavoidably detained. Had I been present, I would have voted “aye.”

AMENDMENT NO. 65 OFFERED BY MR. HOLT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT)

on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 164, noes 261, not voting 6, as follows:

[Roll No. 576]

AYES—164

Ackerman	Green, Gene	Paul
Andrews	Grijalva	Payne
Baca	Gutierrez	Pelosi
Baldwin	Hastings (FL)	Perlmutter
Bass (CA)	Higgins	Peters
Becerra	Himes	Pingree (ME)
Berman	Hinojosa	Polis
Biggert	Hochul	Price (NC)
Bishop (GA)	Holt	Quigley
Bishop (NY)	Honda	Rahall
Blumenauer	Hoyer	Rangel
Boswell	Hultgren	Reyes
Brady (PA)	Inslee	Richardson
Braley (IA)	Israel	Richmond
Brown (FL)	Jackson (IL)	Rothman (NJ)
Butterfield	Jackson Lee	Roybal-Allard
Capps	(TX)	Ruppersberger
Capuano	Johnson, E. B.	Rush
Cardoza	Jones	Ryan (OH)
Carnahan	Kaptur	Sánchez, Linda
Carney	Keating	T.
Carson (IN)	Kildee	Sarbanes
Castor (FL)	Kind	Schakowsky
Chu	Kucinich	Schiff
Clarke (MI)	Larson (CT)	Schrader
Clarke (NY)	Lee (CA)	Schwartz
Clay	Levin	Gohmert
Cleaver	Lewis (GA)	Gonzalez
Clyburn	Lipinski	Scott, David
Cohen	Lowe	Serrano
Connolly (VA)	Luján	Sewell
Conyers	Lynch	Sherman
Cooper	Maloney	Shuler
Costello	Markey	Sires
Courtney	Matheson	Speier
Crowley	Matsui	Stark
Cummings	McCarthy (NY)	Sutton
Davis (CA)	McCollum	Thompson (CA)
Davis (IL)	McDermott	Thompson (MS)
DeFazio	McGovern	Tierney
DeGette	McIntyre	Tonko
DeLauro	McNerney	Towns
Deutch	Meehan	Tsongas
Dicks	Michaud	Van Hollen
Dingell	Miller (NC)	Velázquez
Doggett	Miller, George	Visclosky
Doyle	Moore	Wasserman
Duncan (TN)	Moran	Schultz
Edwards	Murphy (CT)	Waters
Engel	Nadler	Watt
Farr	Napolitano	Waxman
Fattah	Neal	Welch
Filner	Olver	Wilson (FL)
Frank (MA)	Owens	Woolsey
Fudge	Pallone	Wu
Green, Al	Pascrell	Yarmuth

NOES—261

Adams	Bass (NH)	Brady (TX)
Aderholt	Benishek	Brooks
Akin	Berg	Brown (GA)
Alexander	Berkley	Buchanan
Altmire	Bilbray	Bucshon
Amash	Bilirakis	Buerkle
Austria	Bishop (UT)	Burgess
Bachmann	Black	Burton (IN)
Bachus	Blackburn	Calvert
Barletta	Bonner	Camp
Barrow	Bono Mack	Campbell
Bartlett	Boren	Canseco
Barton (TX)	Boustany	Cantor

Capito	Herrera	Poe (TX)
Carter	Herrera Beutler	Pompeo
Cassidy	Holden	Posey
Chabot	Huelskamp	Price (GA)
Chaffetz	Huizenga (MI)	Quayle
Chandler	Hunter	Reed
Cicilline	Hurt	Rehberg
Coble	Issa	Reichert
Coffman (CO)	Jenkins	Renacci
Cole	Johnson (GA)	Ribble
Conaway	Johnson (IL)	Rigell
Costa	Johnson (OH)	Rivera
Cravaack	Johnson, Sam	Roby
Crawford	Jordan	Roe (TN)
Crenshaw	Kelly	Rogers (AL)
Critz	King (NY)	Rogers (KY)
Cuellar	Kingston	Rogers (MI)
Culberson	Kinzinger (IL)	Rohrabacher
Davis (KY)	Kissell	Rokita
Denham	Kline	Rooney
Dent	Labrador	Ros-Lehtinen
DesJarlais	Lamborn	Roskam
Diaz-Balart	Lance	Ross (AR)
Dold	Landry	Ross (FL)
Donnelly (IN)	Langevin	Royce
Dreier	Lankford	Runyan
Duffy	Larsen (WA)	Ryan (WI)
Duncan (SC)	Latham	Sanchez, Loretta
Ellmers	LaTourrette	Scalise
Emerson	Latta	Schilling
Eshoo	Lewis (CA)	Schmidt
Farenthold	LoBiondo	Schock
Fincher	Loeb sack	Schweikert
Fitzpatrick	Loftgren, Zoe	Scott (SC)
Flake	Long	Scott, Austin
Fleischmann	Lucas	Sensenbrenner
Fleming	Luetkemeyer	Sessions
Flores	Lummis	Shimkus
Forbes	Lungren, Daniel	Shuster
Fortenberry	E.	Simpson
Fox	Mack	Slaughter
Franks (AZ)	Manzullo	Smith (NE)
Frelinghuysen	Marchant	Smith (NJ)
Gallegly	Marino	Smith (TX)
Garamendi	McCarthy (CA)	Smith (WA)
Gardner	McCaul	Southerland
Garrett	McClintock	Stearns
Gerlach	McCotter	Stivers
Gibbs	McHenry	Stutzman
Gibson	McKeon	Sullivan
Gingrey (GA)	McKinley	Terry
Gohmert	McMorris	Thompson (PA)
Gonzalez	Rodgers	Thornberry
Goodlatte	Mica	Tiberi
Gosar	Miller (FL)	Tipton
Gowdy	Miller (MI)	Turner
Granger	Miller, Gary	Upton
Graves (GA)	Mulvaney	Walberg
Graves (MO)	Murphy (PA)	Walden
Griffin (AR)	Myrick	Walsh (IL)
Griffith (VA)	Neugebauer	Walsh (MN)
Grimm	Noem	Webster
Guinta	Nugent	West
Guthrie	Nunes	Westmoreland
Hall	Nunnelee	Wilfield
Hanabusa	Olson	Wilson (SC)
Hanna	Palazzo	Wittman
Harper	Pastor (AZ)	Wolf
Harris	Paulsen	Womack
Hartzler	Pearce	Woodall
Hastings (WA)	Pence	Yoder
Hayworth	Peterson	Young (AK)
Heck	Petri	Young (FL)
Heinrich	Pitts	Young (IN)
Hensarling	Platts	

NOT VOTING—6

Ellison	Hinchey	King (IA)
Giffords	Hirono	Meeks

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1451

So the amendment was rejected. The result of the vote was announced as above recorded.

Stated for: Ms. HIRONO. Mr. Chair, on rollcall No. 576, had I been present, I would have voted "aye."

AMENDMENT NO. 68 OFFERED BY MR. ROYCE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROYCE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 136, noes 291, not voting 4, as follows:

[Roll No. 577]

AYES—136

Adams	Graves (MO)	Myrick
Akin	Griffin (AR)	Neugebauer
Amash	Griffith (VA)	Nugent
Bachmann	Grimm	Nunes
Barton (TX)	Guthrie	Nunnelee
Benishek	Harris	Owens
Bilirakis	Hartzler	Paul
Bishop (UT)	Hensarling	Paulsen
Black	Herger	Pearce
Blackburn	Huelskamp	Pence
Bono Mack	Huizenga (MI)	Pitts
Boustany	Hunter	Poe (TX)
Brown (GA)	Hurt	Pompeo
Buchanan	Issa	Posey
Burgess	Jenkins	Price (GA)
Burton (IN)	Johnson (OH)	Quayle
Calvert	Johnson, Sam	Ribble
Campbell	Jones	Roe (TN)
Canseco	Jordan	Rohrabacher
Cantor	King (IA)	Rokita
Chabot	King (NY)	Rooney
Chaffetz	Kingston	Ross (FL)
Coble	Kline	Royce
Coffman (CO)	Labrador	Ryan (WI)
Conaway	Landry	Scalise
Costa	Lewis (CA)	Schmidt
Cravaack	Long	Schweikert
Denham	Luetkemeyer	Scott, Austin
Duncan (TN)	Lummis	Sensenbrenner
Farenthold	Lungren, Daniel	Sessions
Fincher	E.	Shimkus
Flake	Mack	Smith (NJ)
Fleming	Manzullo	Stearns
Flores	Marchant	Stutzman
Fox	Marino	Thornberry
Franks (AZ)	McCarthy (CA)	Tipton
Gallegly	McCaul	Walberg
Gardner	McClintock	Walsh (IL)
Garrett	McHenry	Webster
Gibson	McKeon	West
Gingrey (GA)	Mica	Westmoreland
Gohmert	Miller (FL)	Wilson (SC)
Goodlatte	Miller (MI)	Woodall
Gosar	Miller, Gary	Yoder
Gowdy	Mulvaney	Young (IN)
Graves (GA)	Murphy (PA)	

NOES—291

Ackerman	Berman	Capito
Aderholt	Biggert	Capps
Alexander	Bishop (GA)	Capuano
Altmire	Bishop (NY)	Cardoza
Andrews	Blumenauer	Carnahan
Austria	Bonner	Carney
Baca	Boren	Carson (IN)
Bachus	Boswell	Carter
Baldwin	Brady (PA)	Cassidy
Barletta	Brady (TX)	Castor (FL)
Barrow	Braley (IA)	Chandler
Bartlett	Brooks	Chu
Bass (CA)	Brown (FL)	Cicilline
Bass (NH)	Bucshon	Clarke (MI)
Becerra	Buerkle	Clarke (NY)
Berg	Butterfield	Clay
Berkley	Camp	Cleaver

Clyburn Jackson Lee  
Cohen (TX)  
Cole Johnson (GA)  
Connolly (VA) Johnson (IL)  
Conyers Johnson, E. B.  
Cooper Kaptur  
Costello Keating  
Courtney Kelly  
Crawford Kildee  
Crenshaw Kind  
Critz Kinzinger (IL)  
Crowley Kissell  
Cuellar Kucinich  
Culberson Lamborn  
Cummings Lance  
Davis (CA) Langevin  
Davis (IL) Lankford  
Davis (KY) Larsen (WA)  
DeFazio Larson (CT)  
DeGette Latham  
DeLauro LaTourette  
Dent Latta  
DesJarlais Lee (CA)  
Deutch Levin  
Diaz-Balart Lewis (GA)  
Dicks Lipinski  
Dingell LoBiondo  
Doggett Loeb sack  
Dold Lofgren, Zoe  
Donnelly (IN) Lowey  
Doyle Lucas  
Dreier Luján  
Duffy Lynch  
Duncan (SC) Maloney  
Edwards Markey  
Ellmers Matheson  
Emerson Matsui  
Engel McCarthy (NY)  
Eshoo McCollum  
Farr McCotter  
Fattah McDermott  
Filner McGovern  
Fitzpatrick McIntyre  
Fleischmann McKinley  
Forbes McMorris  
Fortenberry Rodgers  
Frank (MA) Mc Nerney  
Frelinghuysen Meehan  
Fudge Meeks  
Garamendi Michaud  
Gerlach Miller (NC)  
Gibbs Miller, George  
Gonzalez Moore  
Granger Moran  
Green, Al Murphy (CT)  
Green, Gene Nadler  
Grijalva Napolitano  
Guinta Neal  
Gutierrez Noem  
Hall Olson  
Hanabusa Oliver  
Hanna Palazoo  
Harper Pallone  
Hastings (FL) Pascrell  
Hastings (WA) Pastor (AZ)  
Hayworth Payne  
Heck Pelosi  
Heinrich Perlmutter  
Herrera Beutler Peters  
Higgins Peterson  
Himes Petri  
Hinojosa Pingree (ME)  
Hirono Platts  
Hochul Polis  
Holden Price (NC)  
Holt Quigley  
Honda Rahall  
Hoyer Rangel  
Hultgren Reed  
Inslée Rehberg  
Israel Reichert  
Jackson (IL) Renacci

NOT VOTING—4

Bilbray Giffords  
Ellison Hinchey

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this  
vote.

□ 1454

Ms. PINGREE of Maine changed her  
vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

AMENDMENT NO. 43 OFFERED BY MR. BROUN OF  
GEORGIA

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Georgia (Mr. BROUN)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 99, noes 328,  
not voting 4, as follows:

[Roll No. 578]

AYES—99

Akin Guthrie Neugebauer  
Amash Harris Nugent  
Bachmann Hartzler Paul  
Benishek Hensarling Pitts  
Bishop (UT) Henger Pompeo  
Black Huelskamp Price (GA)  
Blackburn Huizenga (MI)  
Bono Mack Hunter  
Brady (TX) Hurt  
Broun (GA) Issa  
Burgess Jenkins  
Burton (IN) Johnson (OH)  
Campbell Johnson, Sam  
Caneseco Jones  
Chabot Jordan  
Chaffetz King (IA)  
Coble Kline  
Coffman (CO) Labrador  
Conaway Lamborn  
Cravaack Landry  
Duncan (TN) Long  
Flake Mack  
Fleming Manzullo  
Fox Marchant  
Franks (AZ) Marino  
Garrett McClintock  
Gingrey (GA) McHenry  
Gohmert Mica  
Goodlatte Miller (FL)  
Gowdy Miller (MI)  
Graves (GA) Miller, Gary  
Green, Gene Mulvaney  
Griffith (VA) Murphy (PA)

NOES—328

Ackerman Biggert  
Adams Bilbray  
Aderholt Bilirakis  
Alexander Bishop (GA)  
Altmire Bishop (NY)  
Andrews Blumenauer  
Austria Bonner  
Baca Boren  
Bachus Boswell  
Baldwin Boustany  
Barletta Brady (PA)  
Barrow Braley (IA)  
Bartlett Brooks  
Barton (TX) Brown (FL)  
Bass (CA) Buchanan  
Bass (NH) Bucshon  
Becerra Buerkle  
Berg Butterfield  
Berkley Calvert  
Berman Camp

Cole Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Crawford  
Crenshaw  
Critz  
Crowley  
Cuellar  
Culberson  
Cummings  
Davis (CA)  
Davis (IL)  
Davis (KY)  
DeFazio  
DeGette  
DeLauro  
Denham  
Dent  
DesJarlais  
Deutch  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Doggett  
Dold  
Donnelly (IN)  
Doyle  
Dreier  
Duffy  
Duncan (SC)  
Edwards  
Ellmers  
Emerson  
Engel  
Eshoo  
Farenthold  
Fattah  
Filner  
Fincher  
Fitzpatrick  
Fleischmann  
Flores  
Forbes  
Fortenberry  
Frank (MA)  
Frelinghuysen  
Fudge  
Gallegly  
Garamendi  
Gardner  
Gerlach  
Gibbs  
Gibson  
Gonzalez  
Gosar  
Granger  
Graves (MO)  
Green, Al  
Griffin (AR)  
Grijalva  
Grimm  
Guinta  
Gutierrez  
Hall  
Hanabusa  
Hanna  
Harper  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heck  
Heinrich  
Herrera Beutler  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Hultgren  
Inslée  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly  
Kildee  
Kind  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kucinich  
Lance  
Langevin  
Lankford  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Luján  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Maloney  
Markey  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McCollum  
McCotter  
McDermott  
McGovern  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Mc Nerney  
Meehan  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Myrick  
Nadler  
Napolitano  
Neal  
Noem  
Nunes  
Nunnelee  
Olson  
Oliver  
Owens  
Palazoo  
Pallone  
Pascrell  
Pastor (AZ)  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Peters  
Peterson  
Petri  
Pingree (ME)  
Platts  
Poe (TX)  
Polis  
Posey  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reed  
Rehberg  
Reichert  
Renacci  
Richardson  
Richmond  
Rigell  
Rivera  
Roby  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schilling  
Schock  
Schradler  
Schwartz  
Scott (SC)  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Shuler  
Shuster  
Simpson  
Sires  
Slaughter  
Smith (NE)  
Smith (TX)  
Smith (WA)  
Southerland  
Speier  
Stark  
Stivers  
Sullivan  
Sutton  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Tiberi  
Tierney  
Tonko  
Towns  
Tsongas  
Turner  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walden  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Whitfield  
Wittman  
Wolf  
Womack  
Woolsey  
Wu  
Yarmuth  
Young (AK)  
Young (FL)

NOT VOTING—4

Ellison Hinchey  
Giffords LaTourette



□ 1458

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SCHIFF

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. SCHIFF) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 214, noes 213, not voting 4, as follows:

[Roll No. 579]

AYES—214

Ackerman	Dold	Lipinski
Altmire	Donnelly (IN)	LoBiondo
Andrews	Doyle	Loebsack
Baca	Duncan (TN)	Lofgren, Zoe
Baldwin	Edwards	Lowey
Barrow	Engel	Lujan
Bartlett	Eshoo	Lungren, Daniel
Bass (CA)	Farr	E.
Bass (NH)	Fattah	Lynch
Becerra	Filner	Maloney
Benishek	Fincher	Manzullo
Berkley	Fitzpatrick	Marino
Berman	Frank (MA)	Markey
Billray	Fudge	Matheson
Bishop (GA)	Garamendi	Matsui
Bishop (NY)	Gerlach	McCarthy (NY)
Blumenauer	Gibson	McCaul
Boren	Gonzalez	McCollum
Boswell	Goodlatte	McDermott
Brady (PA)	Green, Al	McGovern
Braley (IA)	Griffith (VA)	McIntyre
Brown (FL)	Grijalva	McNerney
Butterfield	Gutierrez	Meeks
Capps	Hanabusa	Mica
Capuano	Harris	Michaud
Cardoza	Hastings (FL)	Miller (NC)
Carnahan	Heck	Miller, George
Carney	Heinrich	Moore
Carson (IN)	Higgins	Moran
Castor (FL)	Himes	Murphy (CT)
Chandler	Hinojosa	Nadler
Chu	Hirono	Napolitano
Ciциlline	Hoehul	Neal
Clarke (MI)	Holden	Olver
Clarke (NY)	Holt	Owens
Clay	Honda	Pallone
Cleaver	Hoyer	Pascrell
Clyburn	Inslee	Payne
Coble	Israel	Pelosi
Cohen	Jackson (IL)	Perlmutter
Connolly (VA)	Johnson (GA)	Peters
Conyers	Johnson (IL)	Peterson
Cooper	Johnson, E. B.	Petri
Costa	Jones	Pingree (ME)
Costello	Kaptur	Platts
Courtney	Keating	Polis
Critz	Kildee	Price (NC)
Crowley	Kind	Quigley
Cuellar	Kinzinger (IL)	Rahall
Cummings	Kissell	Rangel
Davis (CA)	Kucinich	Reichert
Davis (IL)	Lance	Reyes
DeFazio	Langevin	Richardson
DeGette	Larsen (WA)	Richmond
DeLauro	Larson (CT)	Ross (AR)
DesJarlais	LaTourette	Rothman (NJ)
Deutch	Lee (CA)	Roybal-Allard
Dingell	Levin	Ruppersberger
Doggett	Lewis (GA)	Rush

Ryan (OH)  
 Sanchez, Linda T.  
 Sanchez, Loretta  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schrader  
 Schwartz  
 Scott (VA)  
 Scott, Austin  
 Scott, David  
 Sewell  
 Sherman

Shuler  
 Sires  
 Slaughter  
 Smith (TX)  
 Smith (WA)  
 Speier  
 Stark  
 Sutton  
 Thompson (CA)  
 Thompson (MS)  
 Tierney  
 Tonko  
 Tsongas  
 Van Hollen

Walz (MN)  
 Wasserman  
 Schultz  
 Waters  
 Watt  
 Welch  
 West  
 Wilson (FL)  
 Woodall  
 Woolsey  
 Wu  
 Yarmuth

NOES—213

Adams  
 Aderholt  
 Akin  
 Alexander  
 Amash  
 Austria  
 Bachmann  
 Bachus  
 Barletta  
 Barton (TX)  
 Berg  
 Biggert  
 Bilirakis  
 Bishop (UT)  
 Black  
 Blackburn  
 Bonner  
 Bono Mack  
 Boustany  
 Brady (TX)  
 Brooks  
 Broun (GA)  
 Buchanan  
 Bucshon  
 Buerkle  
 Burgess  
 Burton (IN)  
 Calvert  
 Camp  
 Campbell  
 Canseco  
 Cantor  
 Capito  
 Carter  
 Cassidy  
 Chabot  
 Chaffetz  
 Coffman (CO)  
 Cole  
 Conaway  
 Cravaack  
 Crawford  
 Crenshaw  
 Culberson  
 Davis (KY)  
 Denham  
 Dent  
 Diaz-Balart  
 Dicks  
 Dreier  
 Duffy  
 Duncan (SC)  
 Ellmers  
 Emerson  
 Farenthold  
 Flake  
 Fleischmann  
 Fleming  
 Flores  
 Forbes  
 Fortenberry  
 Foxx  
 Franks (AZ)  
 Frelinghuysen  
 Gallegly  
 Gardner  
 Garrett  
 Gibbs  
 Gowdy

Granger  
 Graves (GA)  
 Graves (MO)  
 Griffin (AR)  
 Grimm  
 Guinta  
 Guthrie  
 Hall  
 Hanna  
 Harper  
 Hartzler  
 Hastings (WA)  
 Hayworth  
 Hensarling  
 Herger  
 Herrera Beutler  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt  
 Issa  
 Jackson Lee (TX)  
 Jenkins  
 Johnson (OH)  
 Johnson, Sam  
 Jordan  
 Kelly  
 King (IA)  
 King (NY)  
 Kingston  
 Kline  
 Labrador  
 Lamborn  
 Landry  
 Lankford  
 Latham  
 Latta  
 Lewis (CA)  
 Long  
 Lucas  
 Luetkemeyer  
 Lummis  
 Mack  
 Marchant  
 McCarthy (CA)  
 McClintock  
 McCotter  
 McHenry  
 McKeon  
 McKinley  
 McMorris  
 Rodgers  
 Meehan  
 Miller (FL)  
 Miller (MI)  
 Miller, Gary  
 Mulvaney  
 Murphy (PA)  
 Myrick  
 Neugebauer  
 Noem  
 Nugent  
 Nunes  
 Nunnelee  
 Olson  
 Palazzo  
 Pastor (AZ)  
 Paul  
 Paulsen  
 Pearce

Pence  
 Pitts  
 Poe (TX)  
 Pompeo  
 Posey  
 Price (GA)  
 Quayle  
 Reed  
 Rehberg  
 Renacci  
 Ribble  
 Rigell  
 Rivera  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross (FL)  
 Royce  
 Runyan  
 Ryan (WI)  
 Scalise  
 Schilling  
 Schmidt  
 Schock  
 Schweikert  
 Scott (SC)  
 Sensenbrenner  
 Serrano  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (NJ)  
 Southerland  
 Stearns  
 Stivers  
 Stutzman  
 Sullivan  
 Terry  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Towns  
 Turner  
 Upton  
 Velázquez  
 Visclosky  
 Walberg  
 Walden  
 Walsh (IL)  
 Waxman  
 Webster  
 Westmoreland  
 Whitfield  
 Wilson (SC)  
 Wittman  
 Wolf  
 Womack  
 Yoder  
 Young (AK)  
 Young (FL)  
 Young (IN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1501

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. GENE GREEN of Texas. Mr. Chair, on rollcall No. 579, had I been present, I would have voted “aye.”

AMENDMENT NO. 48 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 114, noes 309, not voting 8, as follows:

[Roll No. 580]

AYES—114

Adams	Goodlatte	Paul
Akin	Graves (GA)	Paulsen
Amash	Griffith (VA)	Pearce
Bachmann	Hall	Petri
Barton (TX)	Harris	Pitts
Benishek	Hartzler	Poe (TX)
Bishop (UT)	Hayworth	Pompeo
Black	Hensarling	Price (GA)
Blackburn	Herger	Quayle
Bono Mack	Huelskamp	Rigell
Brady (TX)	Huizenga (MI)	Roe (TN)
Brooks	Hultgren	Rohrabacher
Broun (GA)	Hunter	Rokita
Buerkle	Hurt	Rooney
Campbell	Jenkins	Ross (FL)
Canseco	Johnson (IL)	Royce
Cantor	Johnson (OH)	Ryan (WI)
Capito	Johnson, Sam	Schmidt
Chabot	Jones	Schweikert
Chaffetz	Jordan	Scott (SC)
Coffman (CO)	Kingston	Scott, Austin
Conaway	Kline	Sensenbrenner
Cravaack	Labrador	Sessions
Culberson	Lamborn	Smith (NE)
Davis (IL)	Latta	Southerland
Davis (KY)	Long	Stearns
DesJarlais	Mack	Stutzman
Duffy	Marino	Thornberry
Duncan (TN)	Matheson	Tipton
Fincher	McClintock	Walberg
Flake	McHenry	Walsh (IL)
Fleming	Mica	Webster
Flores	Miller (FL)	West
Forbes	Miller, Gary	Westmoreland
Fox	Mulvaney	Whitfield
Franks (AZ)	Murphy (PA)	Wilson (SC)
Garrett	Neugebauer	Woodall
Gingrey (GA)	Nugent	Young (IN)
Gohmert		

NOES—309

Aderholt	Barletta	Berkley
Alexander	Barrow	Berman
Altmire	Bartlett	Biggert
Austria	Bass (CA)	Billray
Baca	Bass (NH)	Bilirakis
Bachus	Becerra	Bishop (GA)
Baldwin	Berg	Bishop (NY)

NOT VOTING—4

Ellison  
 Giffords  
 Green, Gene  
 Hinchey

Blumenauer Guthrie Palazzo Woolsey Yarmuth Young (AK) Johnson (OH) Murphy (CT) Schmidt  
 Bonner Gutierrez Pallone Wu Yoder Young (FL) Johnson, Sam Johnson (PA) Schock  
 Boren Hanabusa Pascrell Jordan Kingston Murph (PA) Myrick Schrader  
 Boswell Hanna Pastor (AZ) Keating Kelly Neugebauer Schwartz  
 Boustany Harper Payne Giffords Marchant Noem Schweikert  
 Brady (PA) Hastings (FL) Pelosi Andrews Hinchey Speier Kildee Nugent Scott (SC)  
 Braley (IA) Hastings (WA) Pence Ellison LaTourette Kind Nunes Scott (VA)  
 Brown (FL) Heck Perlmutter King (IA) King (NY) King (NY) Nunnelee Scott, Austin  
 Buchanan Heinrich Peters King (NY) Kingston Owens Olson Scott, David  
 Bucshon Herrera Beutler Peterson Kingston Owens Olson Scott, David  
 Burgess Higgins Pingree (ME) Kinzinger (IL) Paluzzo Paluzzo Sensenbrenner  
 Burton (IN) Himes Platts Kline Labrador Paulsen Sessions  
 Butterfield Hinojosa Polis Labradore Pence Perlmutter Shimkus  
 Calvert Hirono Posey Lamborn Lancel Lance Shuler Shuler  
 Camp Hochul Price (NC) Landry Landry Simpson Peterson  
 Capito Holden Quigley Lankford Lankford Pingree (ME) Petri Slaughter  
 Capps Holt Rahall Larsen (WA) Larsen (WA) Pitts Smith (NE) Smith (NJ)  
 Capuano Honda Rangel Reed Latham LaTourette Platts Smith (TX)  
 Cardoza Hoyer Reberg Rehberg Reichert Poe (TX) Southerland  
 Carnahan Inslee Renacci Lewis (CA) Pompeo Pompey Stivers  
 Carney Israel Renacci Lipinski LoBiondo Loeb sack Price (NC) Stutzman  
 Carson (IN) Issa Ribble Lucask Lucas Quigley Sullivan Sullivan  
 Carter Jackson (IL) Jackson Lee Quigley Reed Terry  
 Cassidy Johnson (GA) Johnson, E. B. Rivera Roby Thompson (PA)  
 Castor (FL) (TX) Richardson Richmond Roby Thornberry  
 Chandler Johnson (GA) Johnson, E. B. Rivera Roby Thornberry  
 Chu Kaptur Keating Kelly Rogers (AL) Rogers (KY) Rogers (MI) Tiberi  
 Cicilline Keating Kelly Rogers (AL) Rogers (KY) Rogers (MI) Tipton  
 Clarke (MI) Kelly Rogers (AL) Rogers (KY) Rogers (MI) Tonko  
 Clarke (NY) Kelly Rogers (AL) Rogers (KY) Rogers (MI) Turner  
 Clay Kildee Kind Roskam Ross (AR) Rothman (NJ) Upton  
 Cleaver Kind Roskam Ross (AR) Rothman (NJ) Van Hollen  
 Clyburn King (IA) King (NY) Kinzinger (IL) Kissell Roybal-Allard Runyan  
 Coble King (NY) Kinzinger (IL) Kissell Roybal-Allard Runyan  
 Cohen Kinzinger (IL) Kissell Roybal-Allard Runyan  
 Cole Kinzinger (IL) Kissell Roybal-Allard Runyan  
 Connolly (VA) Kucinich Runyan Ruppertsberger  
 Conyers Lance Rush Ryan (OH) Sanchez, Linda  
 Cooper Landry Ryan (OH) Sanchez, Linda  
 Costa Langevin Lankford Larson (CT) T.  
 Costello Lankford Larson (CT) T.  
 Courtney Larsen (WA) Larson (CT) T.  
 Crawford Larson (CT) T.  
 Crenshaw Latham Sanchez, Loretta  
 Critz Lee (CA) Sarbanes  
 Crowley Levin Scalise  
 Cuellar Lewis (CA) Schakowsky  
 Cummings Lewis (GA) Schiff  
 Davis (CA) Lipinski Schilling  
 DeFazio LoBiondo Schock  
 DeGette Leob sack Schrader  
 DeLauro Lofgren, Zoe Schwartz  
 Denham Lowey Scott (VA)  
 Dent Lucas Scott, David  
 Deutch Luetkemeyer Serrano  
 Diaz-Balart Lujan Sewell  
 Dicks Lummis Sherman  
 Dingell Lungren, Daniel Shimkus  
 Doggett E. Shuler  
 Dold Lynch Shuster  
 Donnelly (IN) Maloney Simpson  
 Doyle Manzullo Sires  
 Dreier Markey Slaughter  
 Duncan (SC) Matsui Smith (NJ)  
 Edwards McCarthy (CA) Smith (TX)  
 Ellmers McCarthy (NY) Smith (WA)  
 Emerson McCaul Stark  
 Engel McCollum Stivers  
 Eshoo McCotter Sullivan  
 Farenthold McDermott Sutton  
 Farr McGovern Terry  
 Fattah McIntyre Thompson (CA)  
 Filner McKeon Thompson (MS)  
 Fitzpatrick McKinley Thompson (PA)  
 Fleischmann McMorris Tiberi  
 Fortenberry Rodgers Tierney  
 Frank (MA) McNeerney Franko  
 Frelinghuysen Meehan Towns  
 Fudge Meeks Tsongas  
 Gallegly Michaud Turner  
 Garamendi Miller (MI) Upton  
 Gardner Miller (NC) Van Hollen  
 Gerlach Miller, George Velazquez  
 Gibbs Moore Visclosky  
 Gibson Moran Walden  
 Gonzalez Murphy (CT) Walz (MN)  
 Gosar Myrick Wasserman  
 Gowdy Nadler Schultz  
 Granger Napolitano Waters  
 Graves (MO) Neal Watt  
 Green, Al Noem Waxman  
 Green, Gene Nunes Welch  
 Griffin (AR) Nunnelee Wilson (FL)  
 Grijalva Olson Wittman  
 Grimm Olver Wolf  
 Guinta Owens Womack

Woolsey Yarmuth Young (AK) Johnson (OH) Murphy (CT) Schmidt  
 Wu Yoder Young (FL) Johnson, Sam Johnson (PA) Schock

NOT VOTING—8

Ackerman Giffords Marchant  
 Andrews Hinchey Speier  
 Ellison LaTourette

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1504

So the amendment was rejected.  
 The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SHIMKUS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. SHIMKUS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 297, noes 130, not voting 4, as follows:

[Roll No. 581]

AYES—297

Adams Chabot Frelinghuysen  
 Aderholt Chandler Gallegly  
 Akin Clay Gardner  
 Alexander Coble Garrett  
 Altire Coffman (CO) Gerlach  
 Amash Cohen Gibbs  
 Andrews Cole Gibson  
 Austria Conaway Gingrey (GA)  
 Bachmann Cooper Gohmert  
 Bachus Costa Goodlatte  
 Barletta Gosar  
 Barrow Courtney Gowdy  
 Bartlett Cravaack Granger  
 Barton (TX) Crawford Graves (GA)  
 Bass (NH) Crenshaw Graves (MO)  
 Benishek Critz Green, Al  
 Berg Cuellar Green, Gene  
 Biggert Culberson Griffin (AR)  
 Bilbray Davis (KY) Griffith (VA)  
 Bilirakis Denham Grimm  
 Black Dent Guinta  
 Blackburn DesJarlais Guthrie  
 Bonner Diaz-Balart Hall  
 Bono Mack Dicks Hanna  
 Boren Dingell Harper  
 Boswell Dold Harris  
 Boustany Donnelly (IN) Hartzler  
 Brady (TX) Doyle Hastings (WA)  
 Braley (IA) Dreier Hayworth  
 Brooks Duffy Heinrich  
 Broun (GA) Duncan (SC) Hensarling  
 Buchanan Duncan (TN) Herger  
 Bucshon Ellmers Herrera Beutler  
 Buerkle Emerson Higgins  
 Burgess Farenthold Himes  
 Burton (IN) Fattah Hochul  
 Calvert Fitzner Holden  
 Camp Fitzpatrick Huelskamp  
 Campbell Flake Huizenga (MI)  
 Canseco Fleischmann Hultgren  
 Cantor Fleming Hunter  
 Capito Flores Hurt  
 Cardoza Forbes Inslee  
 Carney Carney Issa  
 Carter Carter Foss Jenkins  
 Cassidy Franks (AZ) Johnson (IL)

Johnson (OH) Murphy (CT) Schmidt  
 Johnson, Sam Johnson (PA) Schock  
 Jordan Kingston Murph (PA) Myrick Schrader  
 Keating Kelly Neugebauer Schwartz  
 Kelly Noem Schweikert  
 Kildee Nugent Scott (SC)  
 Kind Nunes Scott (VA)  
 King (IA) King (NY) King (NY) Nunnelee Scott, Austin  
 King (NY) Kingston Owens Olson Scott, David  
 Kingston Owens Olson Scott, David  
 Kinzinger (IL) Paluzzo Paluzzo Sensenbrenner  
 Kline Labrador Paulsen Sessions  
 Labrador Pence Perlmutter Shimkus  
 Lamborn Lancel Lance Shuler Shuler  
 Lance Simpson Peterson  
 Landry Landry Simpson Peterson  
 Lankford Lankford Pingree (ME) Petri Slaughter  
 Larsen (WA) Larsen (WA) Pitts Smith (NE) Smith (NJ)  
 Latham LaTourette Platts Smith (TX)  
 LaTourette Pompeo Pompey Stivers  
 Latta Lewis (CA) Price (GA) Price (NC) Stutzman  
 Lipinski LoBiondo Loeb sack Quigley Sullivan Sullivan  
 LoBiondo Loeb sack Quigley Sullivan Sullivan  
 Lucas Quigley Sutton  
 Luetkemeyer Reed Terry  
 Lummis Reberg Rehberg  
 Lungren, Daniel Reichert  
 E. Renacci Ribble  
 Mack Ribble Richardson  
 Manzullo Rigell  
 Marchant Marino Rivera  
 McCarthy (CA) Roby Van Hollen  
 McCarthy (NY) Roe (TN) Visclosky  
 McCaul Rogers (AL) Walden  
 McClintock Rogers (KY) Walsh (IL)  
 McCollum Rogers (MI) Webster  
 McCotter Rohrabacher Welch  
 McHenry Rokita  
 McIntyre Rooney West  
 McKinley Ros-Lehtinen Westmoreland  
 McMorris Roskam Whitfield  
 Rodgers Ross (AR) Wilson (SC)  
 McNeerney Ross (FL) Wittman  
 Meehan Royce Wolf  
 Mica Runyan Womack  
 Michaud Ruppertsberger Woodall  
 Miller (FL) Ryan (OH) Yarmuth  
 Miller (MI) Ryan (WI) Yoder  
 Miller (NC) Sarbanes Young (AK)  
 Miller, Gary Miller, Gary Young (FL)  
 Mulvaney Schilling Young (IN)

NOES—130

Ackerman Farr Matsui  
 Baca Filner McDermott  
 Baldwin Frank (MA) McGovern  
 Bass (CA) Fudge McKeon  
 Becerra Garamendi Meeks  
 Berkley Gonzalez Miller, George  
 Berman Grijalva Moore  
 Bishop (GA) Gutierrez Moran  
 Bishop (NY) Hanabusa Nadler  
 Bishop (UT) Hastings (FL) Napolitano  
 Blumenauer Heck Neal  
 Brady (PA) Hinojosa Olver  
 Brown (FL) Hirono Pallone  
 Butterfield Holt Pascrell  
 Capps Honda Pastor (AZ)  
 Capuano Hoyer Paul  
 Carnahan Israel Payne  
 Carson (IN) Jackson (IL) Pearce  
 Castor (FL) Jackson Lee  
 Chaffetz (TX) Peters  
 Chu Johnson (GA) Polis  
 Cicilline Johnson, E. B. Rahall  
 Clarke (MI) Jones Rangel  
 Clarke (NY) Kaptur Reyes  
 Cleaver Kissell Richmond  
 Clyburn Kucinich Rothman (NJ)  
 Connolly (VA) Langevin Roybal-Allard  
 Conyers Larson (CT) Rush  
 Cummings Lee (CA) Sanchez, Linda  
 Davis (CA) Levin T.  
 Davis (IL) Lewis (GA) Schakowsky  
 DeFazio Lofgren, Zoe Schiff  
 DeGette Long  
 DeLauro Lowey Serrano  
 Deutch Lujan Sewell  
 Doggett Lynch Sherman  
 Edwards Maloney Sires  
 Engel Markey Smith (WA)  
 Eshoo Matheson Speier

Stark Velázquez Waxman  
Thompson (CA) Walz (MN) Wilson (FL)  
Thompson (MS) Wasserman Woolsey  
Tierney Schultz Wu  
Towns Waters  
Tsongas Watt

NOT VOTING—4

Crowley Giffords  
Ellison Hinchey

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this  
vote.

□ 1508

So the amendment was agreed to.  
The result of the vote was announced  
as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. BROUN OF  
GEORGIA

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Georgia (Mr. BROUN)  
on which further proceedings were  
postponed and on which the ayes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 187, noes 239,  
not voting 5, as follows:

[Roll No. 582]

AYES—187

Adams Diaz-Balart Jenkins  
Akin Duffy Johnson (IL)  
Amash Duncan (TN) Johnson, Sam  
Bachmann Ellmers Jones  
Bartlett Farenthold Jordan  
Barton (TX) Flake King (NY)  
Bass (NH) Fleming Kingston  
Benishek Flores Kinzinger (IL)  
Berg Forbes Kline  
Biggert Fortenberry Labrador  
Billray Foxx Lamborn  
Bilirakis Franks (AZ) Lance  
Bishop (UT) Gallegly Landry  
Black Gardner Lankford  
Bono Mack Garrett Latta  
Boustany Gibbs Lewis (CA)  
Brady (TX) Gingrey (GA) LoBiondo  
Brooks Gohmert Long  
Broun (GA) Goodlatte Lucas  
Buchanan Gosar Luetkemeyer  
Bucshon Granger Lungren, Daniel  
Buerkle Graves (GA) E.  
Burgess Graves (MO) Mack  
Burton (IN) Green, Gene Manzullo  
Calvert Griffith (VA) Matheson  
Camp Grimm McCaul (CA)  
Campbell Guinta McCaul  
Canseco Hall McClintock  
Cantor Hanna McCotter  
Carter Harris McHenry  
Cassidy Hayworth McKeon  
Chabot Heinrich McMorris  
Chaffetz Hensarling Rodgers  
Coffman (CO) Herger  
Cole Herrera Beutler Miller (FL)  
Conaway Huelskamp Miller (MI)  
Cravaack Huizenga (MI) Miller, Gary  
Culberson Hultgren Mulvaney  
Davis (KY) Hunter Murphy (PA)  
Dent Hurt Myrick  
DesJarlais Issa Neugebauer

Nugent  
Nunes  
Olson  
Paul  
Paulsen  
Pearce  
Pence  
Perlmutter  
Peters  
Petri  
Pitts  
Poe (TX)  
Polis  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reichert  
Renacci  
Rigell  
Rivera  
Roe (TN)

Ackerman  
Aderholt  
Alexander  
Altmire  
Andrews  
Austria  
Baca  
Bachus  
Baldwin  
Barletta  
Barrow  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (GA)  
Bishop (NY)  
Blackburn  
Blumenauer  
Bonner  
Boren  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Coble  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Crawford  
Crenshaw  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
DeLham  
Deutsch  
Dicks  
Dingell  
Doggett  
Dold  
Donnelly (IN)  
Doyle  
Dreier  
Duncan (SC)

NOES—239

Edwards  
Emerson  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Fincher  
Fitzpatrick  
Fleischmann  
Frank (MA)  
Frelinghuysen  
Fudge  
Garamendi  
Gerlach  
Gibson  
Gonzalez  
Gowdy  
Green, Al  
Griffin (AR)  
Grijalva  
Guthrie  
Hanabusa  
Harper  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Heck  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Inslie  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly  
Kildee  
Kind  
King (IA)  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lujan  
Lummis  
Lynch  
Maloney  
Marino  
Markey

Stearns  
Speier  
Stivers  
Stutzman  
Sullivan  
Terry  
Thornberry  
Tiberi  
Tipton  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Woodall  
Yoder  
Young (IN)

Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Tierney  
Tonko  
Towns

Tsongas  
Turner  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt

Waxman  
Welch  
Wilson (FL)  
Womack  
Woolsey  
Wu  
Yarmuth  
Young (AK)  
Young (FL)

NOT VOTING—5

Ellison Gutierrez Marchant  
Giffords Hinchey

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1512

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

Mr. FRELINGHUYSEN. Mr. Chair-  
man, I move that the Committee do  
now rise.

The motion was agreed to.

Accordingly, the Committee rose;  
and the Speaker pro tempore (Mr. WEB-  
STER) having assumed the chair, Mr.  
DOLD, Acting Chair of the Committee  
of the Whole House on the state of the  
Union, reported that that Committee,  
having had under consideration the bill  
(H.R. 2354) making appropriations for  
energy and water development and re-  
lated agencies for the fiscal year end-  
ing September 30, 2012, and for other  
purposes, had come to no resolution  
thereon.

RESIGNATION AS MEMBER OF  
COMMITTEE ON ETHICS

The SPEAKER pro tempore laid be-  
fore the House the following resigna-  
tion as a member of the Committee on  
Ethics:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 14, 2011.

Hon. JOHN BOEHNER,  
Speaker of the House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: I write to inform you  
that I have notified Chairman Bonner and  
Ranking Member Sanchez of my resignation  
from the Ethics Committee of the House of  
Representatives.

It is because of my high regard for the Eth-  
ics Committee and its vital, non-partisan  
role enforcing the standards of official con-  
duct in the House of Representatives that I  
make this decision. Having recently an-  
nounced my candidacy for the United States  
Senate, I want to ensure my status as a can-  
didate for higher office does not in any way  
cause the work of the Ethics Committee to  
become fodder for politics or partisanship.

It has been a privilege and an honor to  
serve on this committee.

Sincerely,

MAZIE K. HIRONO.

The SPEAKER pro tempore. Without  
objection, the resignation is accepted.

There was no objection.

**ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES**

Mr. LARSON of Connecticut. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 350

*Resolved*, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON ETHICS.—Mr. Courtney.

Mr. LARSON of Connecticut (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

**ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012**

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 2354 in the Committee of the Whole pursuant to House Resolution 337, no further amendment to the bill may be offered except: pro forma amendments offered at any point in the reading by the chair or ranking minority member of the Committee on Appropriations or their respective designees for the purpose of debate; amendments printed in the CONGRESSIONAL RECORD and numbered 21, 26, 27, 53, 63, 66, 67, 70, 75, 76, 80, and 81; an amendment by Mrs. ADAMS regarding limiting funds for a Department of Energy Web site that disseminates information regarding energy efficiency and educational programs to children or adolescents; two amendments by Mrs. BLACKBURN regarding across-the-board cuts; an amendment by Mr. BROUN of Georgia regarding limiting funds for certain programs, projects or activities in Energy Programs-Science; two amendments by Mrs. CAPPS regarding limiting funds for the Diablo Canyon Nuclear Power Plant; an amendment by Mr. COHEN regarding funding levels for the Solar Energy Program; an amendment by Mr. DENHAM regarding limiting funds to implement section 10011(b) of Public Law 111-11; an amendment by Mr. ENGEL regarding limiting funds for lease or purchase of new light-duty vehicles; an amendment by Ms. ESHOO regarding limiting funds for contracts with business entities that do not disclose political expenditures; an amendment by Mr. FLAKE regarding limiting funds for Advanced

Research Projects Agency-Energy; an amendment by Mr. FLAKE regarding limiting funds for Fossil Energy Research and Development; amendments by Mr. FRELINGHUYSEN regarding funding levels; an amendment by Mr. GOSAR regarding the Davis-Bacon Act; an amendment by Mr. GRAVES regarding limiting funds to be used in contravention of the 2006 Missouri River Master Manual; an amendment by Mr. HASTINGS of Florida regarding limiting funds to be used in contravention of Executive Order No. 12898; an amendment by Mr. HASTINGS of Washington regarding limiting funds for the McNary Shoreline Management Plan; an amendment by Mr. HASTINGS of Washington regarding limiting funds for the Office of Nuclear Security; an amendment by Mr. HASTINGS of Washington regarding limiting funds for Federal Energy Regulatory Commission project No. 2342; an amendment by Ms. JACKSON LEE of Texas regarding limiting funds to be used in contravention of the Department of Energy Organization Act; an amendment by Ms. KAPTUR regarding funding for Energy Efficiency and Renewable Energy; an amendment by Mr. LUETKEMEYER regarding the study pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007; an amendment by Mr. ROHRBACHER regarding limiting funds for loan guarantees for carbon capture and sequestration; an amendment by Mr. ROHRBACHER regarding 10 percent of loan guarantee funds for non-water advanced nuclear reactors; an amendment by Mr. ROHRBACHER regarding loan guarantees for carbon capture and sequestration projects not exceeding funds for non-water advanced nuclear reactor loan guarantees; an amendment by Mr. RICHMOND or Mr. SCALISE regarding funding for Corps of Engineers construction; and an amendment by Mr. SHERMAN regarding limiting funds for international activities at the Office of Energy Efficiency and Renewable Energy; and, further, that each such amendment may be offered only by the Member named in this request or a designee, or by the Member who caused it to be printed in the CONGRESSIONAL RECORD or a designee, shall not be subject to amendment, except that the chair and ranking minority member of the Committee on Appropriations (or a respective designee) each may offer one pro forma amendment for the purpose of debate, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole; and, further, that each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent; and, further, that an amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 337 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2354.

□ 1520

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. DOLD (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the bill had been read through page 62, line 2.

Pursuant to the order of the House of today, no further amendment may be offered except those specified in the previous order, which is at the desk.

AMENDMENT NO. 26 OFFERED BY MR. COLE

Mr. COLE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to implement any rule, regulation, or executive order regarding the disclosure of political contributions that takes effect on or after the date of enactment of this Act.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Oklahoma (Mr. COLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. COLE. Mr. Chairman, in April a draft Executive order was circulated that would force companies, as a condition of applying for a Federal contract, to disclose all Federal campaign contributions. In my opinion, if implemented, this Executive order would lead to a significant politicization of the Federal procurement process. Instead of judging companies on the basis of their past work performance, their demonstrated ability to do the job or their price, we would actually introduce potentially the element of their political participation and contributions and activities into the consideration process.

This Executive order would not, in fact, lead to more objectivity in the evaluation process. It would, instead, chill the constitutionally protected

right of people to donate politically to whatever candidate or cause or political party they choose to. Those very same people would fear repercussion to their bottom line as, frankly, I'm sure this Executive order intends to do.

The draft order claims that these burdensome and intrusive disclosure requirements are necessary to ensure that contracting decisions, quote, deliver the best value to the taxpayer and are free from the undue influence of extraneous factors such as political activity or political favoritism. If one accepts this rationale—and I certainly don't—then delivering the, quote, best value to the taxpayer would require such disclosure by anyone receiving Federal dollars.

This Executive order would not apply to Federal employee unions that negotiate with the government to provide billions of dollars in benefits for their members, nor would it apply to many nonprofits that receive Federal grants, many of whom have strong political agendas of their own.

My amendment would prevent any funds from this act going towards the implementation of any rule, regulation, or Executive order regarding political contributions that takes effect on or after the date of the enactment of the act. It is important to recognize, Mr. Chairman, my bill does not change Federal campaign law in any way. It does not change the current disclosure requirements.

My amendment has already been agreed to on three previous pieces of legislation: the Defense Authorization bill for FY 2012, the Homeland Security appropriations bill, and also the Defense appropriations bill.

Mr. Chairman, "pay-to-play" has no place in the Federal contracting process. Requiring the disclosure of campaign contributions for government contracts in my opinion does just that.

Congress considered the proposed Executive order, something like it, during the 111th Congress as part of the DISCLOSE Act and rejected it. This Executive order is a backdoor attempt to implement the DISCLOSE Act by executive fiat.

For those reasons, Mr. Chairman, I urge the adoption of the amendment.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. COLE. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to support the amendment.

The Department of Energy relies heavily on a dedicated contractor workforce to manage and operate our national laboratories. Therefore, such an Executive order would impact nearly every program at the Department of Energy.

I urge a "yes" vote on the gentleman from Oklahoma's amendment, a member of our committee.

Mr. COLE. I reserve the balance of my time.

Ms. ESHOO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. ESHOO. I thank the chairman.

I rise once again in strong opposition to Representative COLE's amendment to block transparency and disclosure for taxpayers. That's what this issue is about.

It is with continuing curiosity that when I listened to the gentleman, Mr. COLE, present his view, if in fact you believe in disclosure, bring a bill to the floor. The reason that the House has passed what you keep offering is the House is not presented with an opposing view because my amendment is continually blocked and not accepted to be debated on the floor.

What this is about is the following: there are businesses large and small that receive billions of taxpayer dollars for services and products in doing business with the Federal Government. In return for this public money, they should have the obligation, which is not burdensome, to simply disclose how they use it. That's all this is. When they spend it in our elections, they know it, the recipients know it, but the taxpayers don't know it. That's one hell of a deal. For those who want to keep it in a dark corner, it's a great deal for them.

The American people have spoken clearly. Last year, a CBS/New York Times poll found that 92 percent of the American people support requiring campaigns, independent groups, businesses to disclose how much money they've raised, where it came from, and how it was used.

I am going to offer my own amendment again, for the fourth time, to require the disclosure which Representative COLE's amendment forbids. I expect, once again, that the majority is going to block it. It's an unfortunate turnaround, I think, from just a few years ago when Republicans led the fight for disclosure. They were for it before they decided to be against it. Does that tag line ring some bells for you? You were thinking that it would be better than restricting contributions. That was the thinking at the time. But now that the Supreme Court allows unlimited corporate spending, they're against any restrictions whatsoever.

We should oppose any amendments that are designed to keep the public less informed rather than more informed about what happens with their tax dollars. That's what this is about. The majority has made a big deal and talked incessantly about spending. What about this spending? Does this not mean something in terms of the Federal Government and the taxpayers? I think with public dollars comes public responsibility.

This does not present any constitutional issues, no freedom of speech

issues. It is not burdensome. It is simply disclosure. If you want to stand with the uber-lobbyists who are representing lobbyists in support of the gentleman from Oklahoma's amendment, be my guest. I didn't come to Congress to do that.

I think that the President's Executive order is sensible, I think it should be put into place, and I think that any legislation brought to this floor to prevent that from happening is really on the wrong side of history.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. COLE. I yield myself such time as I may consume.

I would just remind my friend from California that when Republicans brought disclosure, they didn't link it to the contracting process, which this potential Executive order does. I think that's out of bounds.

I would also remind my friend the Democrats opposed that and when Democrats were in the majority, and overwhelmingly in the majority, they failed to enact legislation similar to what she suggests in the DISCLOSE Act.

I think this is something that this legislative body has looked at. If my friend from California wants to introduce a bill to do this, that's perfectly appropriate to it, but doing it in the context of the contracting process is simply wrong. People that are submitting bids will somehow think inevitably that they will be helped or hurt by their political activity. That has no basis in judging the quality of a bid for a Federal contract.

In addition, frankly, my friends have never wanted to apply that same standard to labor unions or to affiliated groups applying for Federal dollars. I would actually agree with them on that. I don't think it has any place in a disclosure in those areas either. There's a place to do this, and there's a place not to do it. Doing it on a contract is inevitably meant to try and use the Federal dollars to impact, one way or another, what groups do politically. That's wrong, we shouldn't allow it, and we should never, never risk politicizing the procurement process.

With that, I reserve the balance of my time.

□ 1530

Ms. ESHOO. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. ANDREWS).

The Acting CHAIR. The gentleman is recognized for 1 minute.

Mr. ANDREWS. I thank my friend for yielding.

I would say to my friend from Oklahoma, through the Chair, that he makes a very compelling case. I agree with him. I think that the secret groups that are funding massive—usually negative—ad campaigns against

people running for office should be held to exactly the same standard labor unions are held under present law. If a labor union uses dues money or PAC money or any money to advocate for or against a candidate or a cause, they must disclose it to the public and to their members. That is precisely the principle that Ms. ESHOO is standing for, and I am proud to stand with her.

If you really believe in something that you say, then you shouldn't be ashamed to let everyone know that you said it. If you really believe that what you're advocating is right for the country, then you will let everyone know that you said it. It's a simple principle of disclosure. It is something that I think is long overdue. Let's not have anybody hide in the shadows of the American political process.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. COLE. Mr. Chairman, I would just urge the body to support the amendment.

I would disagree with my friend. Sham groups are quite often formed in labor unions or underneath, but that's another debate for another day. Let's just keep outside money out of the procurement process.

I yield back the balance of my time and urge adoption of my amendment.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I rise in strong opposition to the gentleman's amendment and join with my colleagues from California and New Jersey in their opposition.

The amendment is a legislative attempt to circumvent a draft Executive order which would provide for increased disclosure of the political contributions of government contractors, especially contributions given to third-party entities.

The argument is made that companies should not disclose more information because people in power would misuse that information to retaliate against them. Using that logic, all campaign disclosures are bad. Government contractors already disclose contributions and expenditures by their PACs and those who contribute to them. By extension, we ought to take that law and ensure that the voters of this country are protected so that they also know what those corporations are doing with their money as far as involvement in the electoral process.

The provisions, as drafted, are, I think, very good. The information is required to be provided, and the Executive order that the amendment would circumvent enhances the quality of information that people and citizens ought to have before they go to the polls. Disclosure is good. And for that reason I rise, again, in strong opposition to the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COLE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. VISCLOSKY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oklahoma will be postponed.

AMENDMENT OFFERED BY MS. ESHOO

Ms. ESHOO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available in this Act may be used to enter into a contract with a corporation or other business entity that does not disclose its political expenditures.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from California (Ms. ESHOO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Ms. ESHOO. Mr. Chairman, I rise for the fourth time this year to call for transparency in our political system. I maintain the view shared by the overwhelming majority of the American people that transparency in the use of our tax dollars is absolutely critical.

There are thousands of companies that do business with the Federal Government, receiving billions of public dollars for their services and their products. Our constituents deserve to know whether they spend any of these dollars to influence our elections. My amendment will accomplish this, and I once again urge my colleagues to support it.

Now, some say, as we just heard a few moments ago, that this disclosure requirement will politicize the procurement process. It's difficult to maintain that view with a straight face. As I've said before, when a business contracts with the Federal Government and spends money in elections, the process is already politicized. Even in the Citizens United decision legalizing corporate expenditures, eight out of nine justices specifically endorsed prompt disclosure of expenditures. Justice Anthony Kennedy wrote, "Disclosure permits citizens and shareholders to react to the speech of corporate entities in a proper way." This is not an onerous burden. As Justice Louis Brandeis famously said, "Sunlight is the best disinfectant."

I want to share an example from my home State of California that illustrates the importance of disclosure. Last year, in 2010, Proposition 23 was on the ballot. It was an effort to kill the State's tough new global warming rules. The airwaves were flooded with ads, but because California requires disclosure, voters were informed. The oil companies financing the ads had to stand by them each and every time the ad aired, stating that they had paid for them. So voters were informed. They made up their minds. Prop 23 lost by 23 percent in November because voters knew who had paid for the ads and what and whom were behind them. It wasn't just someone skipping through a field, it was going to have an effect on them. It was disclosure.

As he has a half-dozen times this year, my colleague, TOM COLE, has offered an amendment to prevent the very disclosure I'm asking us to endorse. I urge my colleagues on both sides of the aisle to reject it. Preventing transparency puts us all on the wrong side of history every time.

Republicans supported disclosure before they were against it, and the record is very clear on that. So I urge those from both the other side of the aisle and my colleagues on this side—I don't believe this is a partisan issue—I believe that disclosure is good for America, it's good for our system. It is not burdensome, it is not anti-constitutional, and it's simple. The voters should know, taxpayers should know.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part, "An amendment to a general appropriation bill shall not be in order if changing existing law." The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

For the reasons stated by the Chair on February 17, June 2, and July 7, 2011, the amendment constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The amendment is not in order.

□ 1540

AMENDMENT NO. 66 OFFERED BY MR. GOSAR

Mr. GOSAR. I have an amendment at the desk, the Gosar-Altmiere-Gibbs amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to implement or enforce section 327.13(a) of title 36, Code of Federal Regulations.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chair, I rise in support of our amendment that would defund a Federal regulation, a regulation that has the force of law across the United States that is, in my view, unconstitutional and simply wrong.

Currently, as a result of law passed in the 111th Congress, a person licensed by a State to carry a personal sidearm for personal defense can carry that weapon in a national park or refuge. Prior to 2009, our own Federal Government trampled the Second Amendment and prohibited citizens from protecting themselves in some of the most dangerous remote lands we have. The ability to carry a firearm in case of emergency is imperative. Later we learned that when Congress changed the law, the bill language omitted the Army Corps of Engineers, creating confusion and uncertainty.

The Corps owns or manages over 11.7 million acres, including 400 lakes and river projects, 90,000 camp sites, and 4,000 miles of trail. Soon after the law's passage, the Army Corps proudly declared that it would continue to ban self-defense on its lands. There is a bill pending, H.R. 1865, that seeks a long-term fix, but this amendment is a short-term fix. It defunds a Federal regulation by which the Army Corps of Engineers enforces, creates, and authorizes its ban on self-defense firearms.

This bipartisan amendment to the Energy and Water appropriations bill will clarify this confusing policy. We are simply asking that the Secretary of the Army not use any fiscal year 2012 funding to enforce a regulation that prohibits firearm possession that complies with State law on Corps projects and lands. The amendment would not, however, allow firearms in Federal facilities, such as Army Corps headquarters, Corps research facilities, or lock and dam buildings. This is a commonsense amendment that upholds our Constitution and gives people who use our public lands the right to defend themselves, if needed.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I would take a different tack on the issue of common sense and security. I would like to talk about the security of our Nation and about our economic infrastructure and about these Corps regions.

I understand that the intent of the gentleman's amendment is to prohibit the Corps from preventing individuals from having handguns on projects administered by the Corps. I understand it's aimed at those who obviously support the Second Amendment. I do, myself. The fact is, I believe the gentleman's amendment is injurious to our national security. I do not think it is a good idea to allow individuals to walk around with guns over dams and water treatment plants that are administered by the Army Corps of Engineers.

Now, I assume that some of my colleagues disagree with me. However, this amendment also prohibits the Corps from implementing or enforcing rules on explosives and fireworks and other weapons. I don't believe there are other Members in this body who believe the Corps should not be able to stringently enforce rules on explosives at dams and water projects and treatment facilities that they have jurisdiction over. Further, what if there's danger of fire on the Corps land? Unless there is some other law that supersedes the regulations that your amendment is aimed at, Corps employees would not be able to prevent people from launching fireworks, despite the dangers of wildfires.

I strongly oppose the gentleman's amendment and would hope that he would consider withdrawing his overly broad and misguided amendments.

I reserve the balance of my time.

Mr. GOSAR. I yield 1½ minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Chairman, I rise in support of the Gosar-Gibbs-Altire amendment, to prohibit funding the Secretary of the Army to enforce a regulation that prohibits firearm possession in compliance with State law on Corps projects and lands.

Earlier this year, Representative ALTMIRE from Pennsylvania, Representative GOSAR from Arizona, and myself introduced H.R. 1865, a stand-alone bill that would prohibit the Secretary of the Army from enforcing any regulation that keeps an individual from possessing firearms on Army Corps of Engineer water or resource development projects.

Gun owners need to be able to exercise their Second Amendment rights when they are legally camping, hunting, and fishing on Army Corps property. Last Congress, this House passed national parks language that became law to allow for guns on national parks land; and the Army Corps of Engineers immediately issued the following release: "Public Law 111-024 does not apply to Corps projects or facilities. The passage of this new law does not

affect application of title 36 regulations." This policy preempts State regulatory framework from transporting and carrying firearms, thus invalidating concealed weapon permits and other State laws that allow law-abiding citizens to transport and carry firearms.

This amendment is a bipartisan effort that would put a temporary fix to end the patchwork of regulations that govern different lands managed by different Federal agencies.

I urge all Members to support the Gosar-Gibbs-Altire amendment.

Mr. VISCLOSKY. I yield 2 minutes to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I thank the gentleman from Indiana.

I rise in support of the Gosar-Gibbs-Altire amendment to protect the Second Amendment rights of our Nation's sportsmen.

The Army Corps of Engineers owns or manages more than 11 million acres of Federal lands, where Americans are not allowed to carry firearms for self-defense, including 90,000 camp sites and thousands of miles of trails where law enforcement is scattered.

Our amendment will simplify regulations for law-abiding citizens by defunding a Federal regulation that bans firearms for self-defense on Army Corps lands. This will not change rules against bringing firearms into Federal buildings, such as Army Corps headquarters, or locks and dams. It will simply guarantee that sportsmen are able to defend themselves while they legally hunt and fish on property that the Army Corps owns and operates.

To correct this problem in the long term, Mr. GIBBS and I have also introduced the Recreational Lands Self-Defense Act. But this amendment is a necessary first step and is supported by the National Rifle Association and Gun Owners of America.

I urge my colleagues to vote "yes."

Mr. GOSAR. Mr. Chairman, the Second Amendment is a key component of national security. And in that aspect, it allows citizens to carry. This is about possession of sidearms only. It does not apply to explosives in or around structures.

I will finish up by saying that I wish everybody would support this amendment, and I look forward to its passage.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, in closing, I will reiterate my strong opposition to the gentleman's amendment.

We are talking about allowing people with weapons in areas where we have dams and water treatment plants, and the Army Corps of Engineers ought to be able to exercise control over those for the protection of those major economic infrastructures. I would respectfully disagree with the gentleman, that



he would also reduce their ability as far as the regulation of people with explosives. And I think that, again, is very detrimental relative to our national security. For these reasons, I strongly oppose the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

□ 1550

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ For "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" for the Solar Energy Program, as authorized by sections 602(b), 604(e), 605(d), 606(d), and 607(i)(5) of the Energy Independence and Security Act of 2007, there is hereby appropriated, and the amount otherwise provided by this Act for "Department of Energy—Energy Programs—Fossil Energy Research and Development" is hereby reduced by, \$16,000,000 and \$32,000,000, respectively.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, our Nation is at an energy crossroads. Either we can further increase our addiction to fossil fuels and use advanced technologies to suck out every last drop of oil, coal, and natural gas that exists underneath the Earth's surface, no matter what the economic or environmental cost, or we can decide to break our addiction to fossil fuels by investing in clean, renewable energy sources that have the capacity to power our Nation forever.

The majority's decision to cut funding for renewable energy programs and increase spending on fossil fuels makes it clear that they haven't quite gotten off their addiction to dirty energy, but this amendment offers them an opportunity to do so. Their decision is shortsighted, will endanger American prosperity, and threaten our economic viability.

To help rectify this situation, this amendment's offered to cut \$32 million from the Fossil Energy Research and Development account and increase the Solar Energy program by \$16 million, to give my friends on the other side an opportunity to let the Sun shine in and join with God's wonderful source of energy. My amendment has a net impact of zero on the budget authority and does not increase 2012 outlays.

Despite overwhelming evidence that the U.S. needs to invest more in solar

and spend less on fossil fuels, the majority has decided to reduce funding for solar research and development by 37 percent. This severe cut is unacceptable and especially egregious since the majority has allocated an additional \$32 million to the Fossil Fuels account, a 7 percent increase.

This amendment that I have offered seeks to create some parity to 2011 funding by cutting the Fossil Fuels account back to its 2011 level and increasing the Solar account by 10 percent. Solar is the future and fossil fuels aren't.

If the majority wants to fulfill their commitment to create jobs and increase American energy security, then they need to start seriously investing in solar. Recent studies have demonstrated investments in solar can create three times as many jobs as funding for traditional fossil fuels. And if the government decided to invest \$1 million in solar development, that investment would create at least 17 jobs. But that same million dollars in fossil fuels would create but five jobs. And jobs is what the American public is interested in.

The 17 jobs created would be high-paying jobs in the manufacturing and construction sectors, the kind of jobs that once were the backbone of our Nation and the jobs that the American people are clamoring for, giving the middle class an opportunity to have jobs and participate in the American economy.

I have witnessed the power of solar in my own community to create jobs, spur economic development, and transform the lives of everyday Americans. As a result of previous Federal solar investments, Sharp Solar, which is located in my district, is a burgeoning solar industry and operates a manufacturing facility that employs nearly 500 Memphians. Additional Federal investments in solar will create thousands of new jobs in my district and millions of new jobs across the country, some of which will be in New Jersey.

Not only is solar a superior job creator, but it's also a far better long-term investment. Fossil fuel proponents may not publicly admit it, but renewable energy will power the future. So establishing dominance in this sector is critical to our national energy security and economic security. Supplies of fossil fuels are diminishing rapidly, and their nonrenewable nature makes them a short-term solution to a long-term problem.

Recognizing the critical role renewable energy technologies like solar will have, nations across the world are making massive investments in clean technology so they can establish themselves as leaders and exporters of the future's energy. I recently visited Germany, and solar is everywhere. The Germans are investing and supplying many of their buildings with solar, and

they are a leader, just as China is. But America's being left behind.

As is demonstrated by this appropriations bill, the U.S. is not making the requisite investments in solar to compete in the emerging global marketplace. Unless the majority decides to change course and support the efforts that we've made here to make unprecedented investments in renewables, the United States will transition from importing oil from the Middle East to importing clean energy technologies from China and Europe, not what we should be aiming for.

My \$16 million amendment alone will not determine the course of America's energy future, because we need to be investing billions in solar energy to keep up with the Chinese, the Germans, and other countries, but this zero cost amendment will create jobs and push America a little further down the road to a clean energy economy. The amendment offers a clear signal to the American people and the world the United States is serious about ending its addiction to fossil fuels and becoming a world leader in the renewable energy sector.

We shouldn't just orbit around the Sun; we should harness its energy and use it to supply energy for this planet. The Sun is there for a purpose other than just an anchor.

I urge support for this important amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. His amendment would increase funding for the Office of Energy Efficiency and Renewable Energy's Solar Energy program at the expense of fossil energy research. Our bill applied solar energy research to \$97 million below fiscal year 2011 because, especially within today's budgetary constraints, we cannot afford to spend taxpayers' dollars on activities like demonstrations of proven technologies that should be funded by the private sector. But our bill preserves funding for the cutting-edge research that will advance American industry and help us lead globally. By the numbers, I can't support an amendment that adds funding back into this program.

Fossil energy generates 70 percent of our Nation's electricity and, may I add, generates, I believe, close to 55 percent of your State's energy. And it will continue to provide the lion's share of your and our Nation's energy's needs well into the 21st century.

The Fossil Energy Research program receives \$477 million in our bill for research that's let us squeeze more energy out of our domestic fossil energy resources. This research aims to increase the efficiency of our fossil energy plants across the Nation. If we

were to increase the efficiency of our fossil energy plants by just 1 percent, we would increase the output of our power plants by 12 times the total output of solar power in the United States. That's without using 1 pound or 1 liter of extra fuel from the ground.

I appreciate, truly, the gentleman's desire to move towards solar technologies, coming from a State that is a leader in that regard, and that's why we have included \$166 million in our bill for that purpose. The Energy Efficiency and Renewable account has nearly \$9 billion in unspent stimulus money. We've heard that before in earlier debates. And the importance of using fossil energy sources well is too great; so I can't support cutting into further fossil energy research and development. Therefore, I oppose the amendment and urge my colleagues to do likewise.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COHEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

□ 1600

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_. None of the funds made available under this Act may be expended to administer or enforce the requirements of subchapter IV of chapter 31 or title 40, United States Code (commonly referred to as the Davis-Bacon Act), except with respect to a contract that exceeds \$20,000,000.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise in support of my amendment to H.R. 2354 that seeks to defund title 40, U.S.C. section 31, up to \$20 million instead of the current \$2,000 threshold.

Right now we are in serious and prolonged economic recession. The construction industry has been hit the hardest throughout the United States. My amendment defunds the Davis-Bacon Act up to a certain amount in order to allow small business and small contractors the ability to compete on the smaller government contracts.

This amendment will assist the small businesses that do not have the re-

sources to compete for the larger contracts that compel compliance with all the requirements of Davis-Bacon. That is why this amendment defunds contract applications for smaller contracts under the \$20 million threshold, but the larger projects are still subject to the Davis-Bacon Act. This is a temporary measure for the duration of the fiscal year in direct response to the recession.

Now, on average, research establishes that Federal public projects that are forced to operate under this law spend 22 percent more than projects not bound by this law. By eliminating the onerous cost for small projects, there will actually be more work, up to 22 percent more work, for the same dollar and the smaller contractors will be able to compete for jobs that otherwise are out of their reach.

Yet this agreement preserves the application of the act to the larger projects, so that those big projects across the U.S., where larger contracts typically get the contracts in any event, these companies can more readily comply with the provisions of the act and have deeper pockets to handle the administrative and other requirements mandated by the act.

We also know that one study concluded that the Davis-Bacon Act will waste \$10.9 billion in 2011. We also know that the Government Accountability Office states that this act is extremely difficult to administer, and the GAO has advocated for its repeal as far back as 1979. To a certain degree, this amendment seeks to reduce that waste, but the most important aspect of this amendment is encouraging small business participation in these government building contracts.

I have stated before that we, as Members of Congress, we are stewards of the public Treasury. We have an obligation to spend taxpayer money wisely. The government does not earn money. The government does not generate wealth. We have an obligation to spend this money wisely, and we have an obligation to help the businesses of the country, and those that build our infrastructure need our help. This amendment addresses that need.

The Heritage Foundation suggests that for every billion dollars, Federal construction spending supports 14,000 workers. Then the savings from the suspension of the Davis-Bacon law for 1 year would support 163,000 new construction jobs.

My amendment addresses this very issue and seeks to boost employment and work for small businesses and small contractors who can compete for smaller government contracts temporarily if the Davis-Bacon requirements are defunded for 1 year.

I ask that you support this amendment, support small businesses, more efficient spending of our taxpayer money, spreading our limited resources

and keeping more American construction workers in a job, a livelihood, and a mission to rebuild this America together.

I reserve the balance of my time.

Mr. VISCLOSKEY. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, Davis-Bacon is a fairly simple concept, and it is a very fair one.

What it does is to protect the government and the taxpayers, as well as the workers, in carrying out the policy of paying a decent wage on government contracts.

The Davis-Bacon Act requires that workers on federally funded construction projects be paid no less than the wages paid in the community for similar work. The fact is that opponents claim Davis-Bacon requires union wage jobs. However, more than 75 percent of Davis-Bacon wage determinations are not based solely on union wages.

The quality of work on energy and water projects, for example, is crucial to the communities depending on them, and we do need individuals who are trained, who are more efficient, and who are going to do the job right the first time. One of the things that tends not to be noted when we have a discussion and debate about Davis-Bacon is the money it saves to the taxpayers that are hidden costs by those who do not use union labor and do not pay union scale wages.

By including fringe benefits in wage calculations, the Davis-Bacon act delivers health care and pensions for workers on Federal projects, ensuring that they aren't part of the many uninsured Americans who rely on Medicaid and cost the American taxpayers. The Department of Labor survey methods also incorporate hourly investments in training and apprenticeship, where appropriate, to ensure the skilled, productive, future workforce.

I would also point out that in the past the House has taken two votes on this issue, the first vote taken included a limitation on Davis-Bacon and was considered in H.R. 1, and it failed by a vote of 189-233. The second vote was a limitation taken during consideration of the FAA bill, and it failed 183-238.

But, most importantly, and the gentleman indicated that he is spurred on to action here because of the recession, is because of the money involved relative to those who work in the United States of America. Since 1977, we have fortunately had great growth in this general economy.

But I would point out to all of the Members that according to the Department of Labor in 1977, the real hourly wage that a human being in the United States of America earned for 1 hour's worth of labor was \$19.57. In 2010 the Department of Labor reported that a

human being in the United States of America for their human labor for 1 hour now earns \$19.04.

People today, for an hour's worth of work, make less than they did in 1977, despite the growth of our economy. The last thing we need to do here today is to put more downward pressure on the ability of an American citizen to work at a good-paying job that guarantees them a decent living, and I strongly oppose the gentleman's amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in support of the gentleman's amendment.

The recommendation I brought to the full committee prohibited Davis-Bacon provisions on any sort of construction, roads, bridges, dams, and buildings, because the taxpayers, as a result, pay more.

Unfortunately, this provision was stricken, impacting right to work States and, quite honestly, short-changing them.

You do the math. There have been plenty of studies. Davis-Bacon provisions inflate costs for construction projects as much as, in some cases, 22 percent. These added expenses come at a time when we are really close to being broke as a nation. How many more jobs, union or nonunion jobs, could we provide to put America back to work by supporting this amendment? Plenty more, and thus I am pleased to support the amendment.

I urge my colleagues to do likewise.

I yield back the balance of my time.

□ 1610

Mr. GOSAR. Mr. Chairman, at a national unemployment rate of 9.3 percent, this is a jobs amendment. Davis-Bacon does not protect the Federal Government nor the taxpayer. It only increases the cost to the taxpayer and the Federal Government by 22 percent. There are no studies that show that there is any difference in outcomes. As a contractor and working in contracts, we're held to the same standards. This is a temporary measure meant to help all our small companies and business contractors. It's also an investment into increasing the number of build-outs of our vital infrastructure projects.

I urge my companions on the other side of the aisle to join in this and look at this fairly and increase the access to this funding, properly and fairly, to make sure that we get more people to work and get this vital infrastructure back and get America back to work.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I would close by indicating that there has been discussion about the burden that this act imposes upon small busi-

nesses. And I would, again, wish to contradict that.

I also believe that the administrative requirements of the act are critical to prevent a fraud against government agencies. First, to comply with the IRS and overtime regulations, all law-abiding contractors must retain records on hours worked, wages, and benefits. Second, electronic transmission of data has streamlined reporting. Third, the integrity of the whole program relies on this reporting to avoid kickbacks, misclassification of workers, and cheating under the Davis-Bacon Act. It is important to remember that Federal overtime law, including the Fair Labor Standards Act, requires all employers—not just those that must comply with Davis-Bacon—to keep records.

So, again, I would ask that my colleagues oppose the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. WESTMORELAND). The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. VISCLOSKY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act for "Department of Energy—Energy Programs—Science" may be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Ms. JACKSON LEE of Texas. I want to thank the chairman of the subcommittee and ranking member for the courtesies extended to me.

Mr. Chairman, my amendment will protect funds provided for science under title 3 of the Department of Energy's energy programs. This amendment addresses the need to increase programs that educate minorities in science, technology, engineering, and mathematics, known as STEM, as well as the need to train teachers and scientists in advanced scientific and technical practices.

Let me, first of all, say I consider this a jobs bill. I'm excited when we talk about jobs here on the floor of the House and recognize that America has changed. As a former member of the Committee on Science, Space, and Technology and a member of the Aviation subcommittee and Space subcommittee dealing with NASA's commitment and mission in human exploration, I believe that America's future is not only today but in front of her and focused on science and technology. The importance of developing a highly skilled technical workforce is crucial.

Over the last 50 years there have been major changes in the United States in terms of both the economy and the population. Now let me be very clear. I'm a member of the Manufacturing Caucus, and I believe that we should restore manufacturing in this country. We are so well placed to be multitasked, boosting our manufacturing and then, as well, moving forward to processing and analyzing information. In this information-driven economy, it is important that we recognize that our valuable assets are human resources. Therefore, in order to compete successfully in the global economy, the U.S. needs citizens who are literate in terms of science and mathematics, and a STEM workforce that is well educated and well trained.

I believe my amendment focuses on that very program and focus. By investing in the scientific advancement of our workforce and our youth, we are investing in our future, we're investing in job creation, and we're investing in greater job opportunities for Americans. It is important to note that under this legislation, workforce development for teachers in science has taken a hit. But I believe what we should do is make sure that we emphasize that those resources be kept in and at some point add to those resources. And the reason I say that is, workforce development programs for teachers and scientists provide funding to graduate fellowship programs that help train the Nation's top scientists, a crucial, crucial effort.

The United States faces a critical shortage of highly qualified mathematics and science teachers. We will need an additional 283,000 teachers in secondary schools setting up by 2015 to meet the needs of our Nation's students. This qualified teacher shortage is particularly pronounced in low-income districts. So in order to move forward, let us protect the scientific aspect of the work of this government.

According to the National Center for Education Statistics, about 30 percent of fourth-graders and 20 percent of eighth-graders cannot perform basic mathematical computation. So I have long recognized the need to improve the participation performance of America's students in science, technology, engineering, and math. I worked with

one of our corporate leaders to ensure that private funding was given to one of our inner city school districts to establish a program without comparison in its excellence focusing on science, technology, engineering, and math.

Mr. FRELINGHUYSEN. Will the gentlewoman yield?

Ms. JACKSON LEE of Texas. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We would be happy to accept your amendment as it restates current law, and we appreciate your advocacy in this regard.

Ms. JACKSON LEE of Texas. I thank the gentleman very much. And as I conclude with that generous offer, let me mention in 2006 only 4.5 percent of college graduates in the United States received a diploma in engineering compared to 25 percent in South Korea and 33 percent in China.

So let me close, Mr. Chairman, by saying that we have had programs that have been very effective, such as the Harmony Science Academy in Houston, that devotes an impressive amount of time and resources educating the city's youth, minority youth in math and science and even doing research in cancer.

Finally, I want to thank Dr. Reagan Flowers, who has implemented a dynamic program on STEM technology in the Houston area and a national program. I would like to congratulate Mae Jemison, one of our astronauts, the first African American woman to go into space, who likewise has an outstanding program, and the Ron McNair Program, one of our astronauts who lost his life sacrificing for the American people, challenging us and challenging our capacity. His program run by his family is another excellent program.

In conclusion, from Ben Franklin to NASA to Silicon Valley, the success of the competitiveness of America has always depended on the knowledge and skills in the STEM field. This amendment will help us focus on expanding that for all Americans.

I thank the gentleman for his generosity.

Mr. Chair, I rise today to offer an amendment to H.R. 2354, the Energy and Water Appropriations Development Bill. My amendment will protect funds provided for science under Title III of the Department of Energy's Energy Programs. This amendment addresses the need to increase programs that educate minorities in science, technology, engineering and mathematics, STEM, as well as the need to train teachers and scientists in advanced scientific and technical practices.

As a former Member of the Committee on Science, Space, and Technology, I recognize the importance of developing a highly skilled technical workforce. Over the last 50 years, there have been major changes in the United States in terms of both the economy and the population. The economic base has built upon the base of manufacturing of durable goods and added the processing and analyzing of in-

formation. In the 21st century we can manufacture goods and expand information technology—both create jobs. In this information-driven economy, the most valuable assets are human resources. Therefore, in order to compete successfully in the global economy, the U.S. needs citizens who are literate in terms of science and mathematics, and a STEM workforce that is well educated and well trained (Friedman 2005, National Academy of Sciences 2005, Pearson 2005). Consequently, we cannot—literally or figuratively—afford to squander its human resources; it is imperative that we develop and nurture the talent of all its citizens.

The jobs of tomorrow will require workers who possess strong advanced science, engineering and math backgrounds. Other countries are training and educating their citizens in these areas and we must do the same. By investing in the scientific advancement of our workforce and our youth, we are investing in our future . . . we are investing in greater job opportunities for Americans. This investment is the only way to address the increasing knowledge gap between our Nation's workforce and those of our international counterparts. We must invest in our citizens. My amendment will ensure the funds that have been made available will be utilized for that purpose.

PROGRAM 1: WORKFORCE AND DEVELOPMENT PROGRAMS FOR TEACHERS AND SCIENTISTS

The workforce and development program for teachers and scientists is vital to ensure that we have an adequate amount of properly educated and trained teachers and scientists. Under H.R. 2354, workforce development for teachers and scientists is funded at \$17,849,000, which is \$4,751,000 below the fiscal year 2011 level, which is a devastating \$17,751,000 below the President's requested amount. This is a draconian cut which will have drastic effects on an already struggling workforce. My amendment would ensure that the amount provided to this program would remain intact.

The workforce development program for teachers and scientists provides funding to graduate fellowship programs which train and develop our Nation's top scientists, engineers, and teachers. These individuals go on to become researchers and innovators—contributing to American business and, moreover, the U.S. economy. Fellowship programs like these are exactly what our country needs in order to develop a highly skilled technical workforce.

As we have heard time and time again in many different contexts, our country suffers from a shortage of scientists and engineers. Moreover, our country is dealing with a lack of qualified instructors, at all levels—elementary, secondary, and post-secondary—to teach STEM subjects—science, technology, engineering, and mathematics.

The United States faces a critical shortage of highly qualified mathematics and science teachers, we will need an additional 283,000 teachers in secondary school settings by 2015 to meet the needs of our Nation's students. This qualified teacher shortage is particularly pronounced in low-income, urban school districts. As BHEF reported in *A Commitment to America's Future: Responding to the Crisis in Mathematics and Science Education*, high

teacher turnover in conjunction with increasing student enrollment and lower student-to-teacher ratios will cause annual increases in the mathematics and science teacher shortage culminating in a 283,000-person shortage by 2015.

Fewer American students than ever are graduating from college with math and science degrees. In 2006 only 4.5 percent of college graduates in the United States received a diploma in engineering compared with 25.4 percent in South Korea, 33.3 percent in China, and 39.1 percent in Singapore.

The problem is systemic. According to the National Center for Education Statistics, about 30 percent of fourth-graders and 20 percent of eighth graders cannot perform basic mathematical computations. Today, American students rank 21st out of 30 in science literacy among students from developed countries and 25th out of 30 in math literacy. If this trend continues, there will be dire consequences for our children and our economy.

To be sure, in order to train and develop the amount of scientists, educators, and teachers of STEM subjects that our country needs, we would really need more of these graduate fellowship programs. As reflected in the budgetary request, which H.R. 2354 fails to meet, an increased number of graduate fellowships would be ideal to invest in our future.

At the very least, we would want to keep the same amount of graduate fellowships available. Unfortunately, the proposed amount appropriated to these programs under H.R. 2354 ignores the current shortage of scientists and teachers, and irresponsibly ignores our future by providing for lesser amount of graduate fellowships.

PROGRAM 2: SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM)

I have long recognized the need to improve the participation and performance of America's students in Science, Technology, and Engineering and Math, STEM, fields.

Traditionally, our Nation recruited its STEM workforce from a relatively homogenous talent pool consisting largely of non-Hispanic White males. However, this pool has decreased significantly due not only to comprising an increasingly smaller proportion of the total US Population but also to declining interest among this group in pursuing careers in STEM. It is important to note that the need to improve the participation of underrepresented groups—especially underrepresented racial/ethnic groups—in STEM is not solely driven by demographics and supply-side considerations; an even more important driver is that STEM workers from a variety of backgrounds improve and enhance the quality of science insofar as they are likely to bring a variety of new perspectives to bear on the STEM enterprise in terms of both research and application (Best 2004; Jackson 2003; Leggon and Malcom 1994).

The current state of STEM education is deplorable. In 2006 only 4.5 percent of college graduates in the United States received a diploma in engineering, compared with 25.4 percent in South Korea, 33.3 percent in China, and 39.1 percent in Singapore. Today, American students rank 21st out of 30 in science literacy among students from developed countries and 25th out of 30 in math literacy. If this

trend continues, there will be dire consequence for our children and our economy.

These numbers are discouraging, but the statistics on minority students in the STEM fields are even more alarming. In 2004, African American and Hispanic students were among the least likely groups to take advanced math and science courses in high school. Even as African Americans, Hispanics, and Native Americans comprise an increasingly large portion of the population, they continue to be underrepresented in the science and engineering disciplines. Together, these three groups account for over 25 percent of the population, but only earn 16.2 percent of bachelor's degrees, 10.7 percent of master's degrees, and 5.4 percent of doctorate degrees in the science, math and engineering fields. This fact directly contributes to the unacceptable underrepresentation of African American and Hispanics in the STEM workforce. If we choose to continue to ignore this problem, we are not only shortchanging our students' success, we will be giving up on our Nation's future.

Many school districts across the nation have begun to recognize this problem and work towards a strategic solution. In my home district for example, several public schools and charter schools have started to allocate funds towards programs aimed at increasing STEM performance.

For example the Harmony Science Academy in Houston devotes an impressive amount of time and resources towards educating the city's youth in the sciences. Small class sizes, high expectations for students, and well-qualified teachers helped this school make it to Newsweek magazine's list of best high schools in America. Harmony Science Academy is a success story we can all be proud of. Unfortunately, schools like this are the exception and not the rule.

In many school districts there simply are not enough resources available to make our children science and math literate. There is a shortage of qualified teachers, many classes are woefully overcrowded and some schools just cannot afford the materials and books that students need in order to master basic math and science concepts. I cannot stand idly by while we fail to give our children the educational tools they need to succeed in life and gain employment.

This amendment recognizes the importance of equipping young minds with the technological and scientific knowledge necessary to compete in a globalized economy. Further, within the context of globalization, I strongly believe that this country's ability to achieve and maintain a high standard of living is dependent on the extent to which it can harness science and technology. Thus, in order to enhance the international competitiveness of the country, it is critical for us to promote and support students pursuing careers in STEM fields.

Mr. Chairman, it is essential that we invest in a workforce ready for global competition by creating a new generation of innovators and make a sustained commitment to Federal research and development. We need to spur and expand affordable access to broadband, achieve energy independence, and provide small business with tools to encourage entrepreneurial innovation.

The establishment and maintenance of a capable scientific and technological workforce remains an important facet of U.S. efforts to maintain economic competitiveness. Pre-college instruction in mathematics and scientific fields is crucial to the development of U.S. scientific and technological personnel, as well as our overall scientific literacy as a nation. The value of education in scientific and mathematics is not limited to those students pursuing a degree in one of these fields, and even students pursuing nonscientific and non-mathematical fields are likely to require basic knowledge in these subjects.

Mr. Chairman, the United States has a great history of scientific innovation. From Ben Franklin to NASA to Silicon Valley, the success and competitiveness of America has always depended on the knowledge and skills in the STEM fields. Funding my amendment today will help ensure that the American legacies of intelligence, innovation, and invention continue. Today I urge my colleagues to support this amendment and invest in America's future.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to implement or enforce the recommendations or guidance proposed by the Army Corps of Engineers in the final draft of the McNary Shoreline Management Plan, Lake Wallula, Washington.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

For years, the Walla Walla District of the Army Corps of Engineers has managed several miles of the public shoreline along the Columbia and Snake Rivers in the Tri-Cities area of my congressional district.

Five years ago, in 2006, the Corps sought to update its McNary Shoreline Management Plan, which had last been revised in the early 1980s. The existing management plan includes a permit program for private property owners that seek to build or use docks along the river shoreline.

The 2006 revision was so controversial that the Corps was forced back to the drawing board. It proposed a variety of restrictive measures, including a moratorium on the building of docks

by private property owners along the shoreline and requiring existing dock owners to tear out their docks at great personal expense in order to keep their permits.

□ 1620

The Corps got an earful at a public meeting on the proposal and this year came back with a similarly controversial proposal, which included new questionable mandates from the National Marine Fisheries Service—including specific requirements for the length, width, color, and transparency of each dock, all of which NMF's claims would help save salmon.

Mr. Chairman, with all existing local docks as is right now, salmon runs are at near record levels along the Columbia River, and the Corps itself acknowledges that juvenile salmon in the McNary area average 20 to 30 million. Mr. Chairman, docks aren't killing salmon.

Regrettably, the Corps did little to justify their plan's sketchy science at another recent public meeting at which over 200 people attended to voice their opposition.

This amendment will ensure that the Army Corps will not charge ahead with a shoreline management plan until it answers questions about the questionable NMF's mandate and addresses concerns raised by a substantial number of citizens. Without this amendment, the Corps' unwise shoreline plan would be implemented and force questionable regulations on local residents and recreational activities.

Mr. Chairman, I am not suggesting that the Corps should not be allowed to implement a revised shoreline plan, but it should not do so based on shaky science and without ensuring that the local public's concerns are adequately addressed.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We have no objection to your amendment. We are pleased to support it. Certainly anyone who lives near the Columbia and Snake Rivers knows this is a beautiful part of the country. We are aware of this issue and commend you for addressing it forthrightly.

Mr. HASTINGS of Washington. I appreciate the chairman's concurrence on this. If that is the same on both sides, I will be more than happy to yield back.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

Sec. \_\_\_\_\_. The amounts otherwise provided by this Act are revised by reducing the amount made available for "Department of Energy—Energy Programs—Departmental Administration", and by increasing the amount made available for "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" (except for Program Direction), by \$10,000,000.

The Acting CHAIR. Pursuant to the order of the House of today, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I offer this amendment to help promote a dynamic energy market in America through continued development of our budding solar industry. My amendment conservatively would transfer \$10 million from administrative costs within the Department of Energy and shift those to solar energy research and development within the Energy Efficiency and Renewable Energy account.

Certainly I understand the difficulty in drafting this bill, given the large allocation cuts for the Energy and Water Subcommittee, and I appreciate the chairman's work and the ranking member's work in helping America meet the energy and water challenges of our Nation, which are huge. Yet this bill cuts research in solar energy by more than one-third from last year and over 60 percent from the President's request, providing \$166 million—\$97 million below fiscal year 2011 and \$291 million below the request.

The \$10 million transfer I propose from administration to implementation represents less than 5 percent of the funds in the administrative budget of the Department of Energy. I want to make clear that this amendment does not target other programs that are critical to our Nation's energy needs. Rather than cut fossil fuels and nuclear power, this amendment asks the Department of Energy to tighten its administrative belt a little bit more to prioritize the administration's core mission, the promotion of a viable energy future for America, and to do it in a sector that is growing jobs in our country despite what we face in terms of international global competition.

While this amendment proposes a modest 5 percent cut from the Department's administrative accounts, these dollars will go far in supporting additional energy options for American consumers and companies.

Solar energy production has nearly tripled in the last 5 years. In 2006, we generated 508,000 megawatt hours. Today, we produce 1.4 million megawatt hours annually. And I can't wait until it is 100 million.

Ernst & Young predicts the cost of solar will decrease by as much as half next year. And while the U.S. economy is anticipated to increase jobs by just 2 percent over the next year, in the solar industry that number is 26 percent, according to Cornell University. As costs go down and production capacity grows, solar energy becomes a viable alternative to imported energy sources. And this is exactly what our country needs right now: a vibrant energy market that gives Americans choices and encourages economic growth here at home.

Now, some would argue that with numbers like these, solar energy doesn't need anything, any additional funding, but I disagree. It is precisely because of our investment in this fledgling, cutting-edge industry that is high tech that such successes are possible. We cannot allow America to be complacent. Right now we are in competition to be the energy leader of the future in this sector. For years, we were the leader in developing new technology, but we have been falling behind. And guess who has been right at our heels the whole time: China. China knows that our technology will power the future, and they are setting themselves up to be the new global leaders in solar. I can verify that.

As we sat back and patted ourselves here, China exponentially increased their funding for solar and other clean energy technology. In addition, they are providing 15-year tax holidays for firms that locate production there. So as we develop this very fledgling industry here, they are more than willing to outsource it there. So we must redouble our efforts and continue our investment in research and bring this market to scale in America.

Right now, we are powering homes and some bases with solar. We should be powering neighborhoods and entire communities. That's what it means to have the real thriving, new energy market that Americans are demanding, and the jobs that go with them.

This amendment will create increased efficiency within the Department of Energy and promote American industry and energy independence. I ask my colleagues to think about it and help me by supporting this amendment which merely takes less than 5 percent of the administrative budget of the Department of Energy, \$10 million—we are not talking about billions here—and shifts it to the Solar Energy account. I ask my colleagues to join me in supporting the Kaptur amendment for solar.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The gentlewoman's amendment would reduce

funding in the departmental accounts. Because of quite a few amendments we have already passed on the floor, your reduction would not be a 5 percent reduction; it probably would be a 10 percent reduction.

I know generally there is not a lot of sympathy for administrative responsibilities in the Department of Energy, but this would leave Secretary Steve Chu with not perhaps enough people in his operation to oversee a lot of issues that he has before him, including solar energy.

May I say for the record, the Solar Energy account in the Department of Energy budget is \$166 million. It is less than perhaps what it should be, but if you take it from the Department administrative account, we will have, I think, cause for more managerial problems to deal with. We also, may I say, have in the Energy Efficiency and Renewable program, as I have mentioned on a number of occasions, \$9 billion of unspent stimulus funds. So there is plenty of money in here, and I don't think that the Department salaries and wages ought to suffer and be reduced at a time when they need the additional leadership over there. I somewhat reluctantly oppose your amendment and urge my colleagues to do so as well.

I yield back the balance of my time.

□ 1630

Ms. KAPTUR. May I inquire as to my remaining time?

The Acting CHAIR. The gentlewoman from Ohio has 30 seconds remaining.

Ms. KAPTUR. I want to thank the chairman of the subcommittee very much, Mr. FRELINGHUYSEN, as well as the ranking member, Mr. VISCLOSKEY, for allowing me this time.

I am going to ask for a vote on this amendment, but I am hoping that as this moves towards the Senate and final consideration that, as to some of those who just happened to get to the microphone earlier, we might find a way to move some of those dollars around to support an industry that truly is a cutting-edge industry for our country, which deserves the kind of support that this Congress should give to new technology to try to create good jobs in this country and help us wean ourselves off our chief strategic vulnerability—imported energy.

I ask my colleagues to support the Kaptur amendment on solar.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. KAPTUR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Ohio will be postponed.



AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:

SEC. 609. None of the funds made available by this Act may be used by the Department of Energy to move the Office of Environmental Management under the authority of the Under Secretary for Nuclear Security of the Department of Energy.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, last Friday, the Department of Energy made a surprise announcement that not only was the Assistant Secretary for Environmental Management—or EM—leaving but that they were restructuring the entire \$6 billion program under the Under Secretary of Nuclear Security, who also serves as the head of the NNSA.

EM is responsible for cleaning up the nuclear waste created during our Nation's defense program that helped end World War II and the Cold War. The Federal Government has signed legal agreements with the States to clean up this waste. The major restructuring was simply declared by DOE with absolutely zero consultation with Congress, the States, the communities or the stakeholders.

I haven't been given sufficient answer to the simple question: How does EM benefit from this change?

We have no idea how this decision was reached or why restructuring was considered. Given what little has been made public, I believe there are some real risks, including the potential for cleanup to become less of a priority under as structure that has always been focused—and rightfully so—on nuclear security.

In the late 1980s, DOE moved the cleanup program out of the weapons program in order to provide more definition, transparency and to focus on cleanup. Now DOE wants to put them back together.

I ask again: What is the benefit to EM?

In DOE's own words from this past Friday: "The Office of Environmental Management has made unparalleled progress in cleaning up our Nation's Cold War nuclear legacy at sites across the country." Yet, out of nowhere, they decide to throw the program into a state of flux.

Without sufficient answers, I can't stand idly by while the department makes a seemingly snap decision that will impact something as important and as complex as nuclear waste clean-

up. So my amendment would prohibit the use of funds to move the Office of Environmental Management under the Under Secretary of Nuclear Security.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the distinguished chairman, the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I would be happy to support your amendment. Of course, I will reserve judgment as to what Secretary Chu's plans are as they're somewhat on the drawing board; but we would agree with you that he needs to come to the Appropriations Committee and explain fully how he is going to have a better program for environmental management. It's too important to the Nation, not only to your State, but to other clean-up operations and sites around the Nation.

Mr. HASTINGS of Washington. I thank the gentleman for his support.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. HASTINGS of Washington. I would be happy to yield to the gentleman from Indiana.

Mr. VISCLOSKY. I would make the point that this past Friday, the Department of Energy said that the Office of Environmental Management has made unparalleled progress in cleaning up our Nation's Cold War nuclear legacy at sites across the country, and then they announced restructuring. This subcommittee held a hearing on the issue of cleanup in April of 2006. We find ourselves here in 2011 still talking about it, let alone the cost.

I appreciate the gentleman's concern. My point would be I have some ambivalence, as I'd mentioned to the gentleman earlier, simply because I had a conversation with the Secretary relative to the change. My observation to the Secretary is I appreciate he knows he has a problem, and I also appreciate he has done something about the problem.

I certainly appreciate the attentiveness of the gentleman, of your involvement and your good work on this, and I certainly do not object to what you're trying to accomplish here, because I do think, the stronger the message, the more diligent the department will be on this matter. I thank the gentleman for raising the issue.

Mr. HASTINGS of Washington. In reclaiming my time, Mr. Chairman, I will simply say that this may be a good idea; but for goodness sakes, what is the benefit to a \$6 billion program that only 6 days ago was announced is moving under another structure? There may be a good reason, but tell us what that reason is. So this amendment, hopefully, will elicit that answer, and we can move forward.

With support on both sides, Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Department of Energy or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from New York (Mr. ENGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, on May 24, President Obama issued a memorandum on Federal fleet performance, which requires all new light-duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas or biofuel, by December 31, 2015.

My amendment simply echos the Presidential memorandum by prohibiting funds in the Energy and Water appropriations bill from being used to lease or purchase new light-duty vehicles except in accord with the President's memorandum. I have introduced similar amendments to the Department of Defense, Homeland Security, and the Agriculture appropriations bills. All three were accepted by the majority and passed by voice vote.

Our transportation sector is by far the biggest reason we send \$600 billion per year to hostile nations to pay for oil at ever-increasing costs, but America doesn't need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that when implemented broadly will allow any alternative fuel to be used in America's automotive fleet.

The Federal Government operates the largest fleet of light-duty vehicles in America. According to GSA, there are over 660,000 vehicles in the Federal fleet, with just over 15,000 being used by the Department of Energy. By supporting a diverse array of vehicle technologies in our Federal fleet, we will encourage the development of domestic energy resources, including biomass, natural gas, coal, agricultural waste, hydrogen, and renewable electricity. Expanding the role these energy sources play in or transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies; it will increase our Nation's domestic security,



and protect consumers from price spikes and shortages in the world's oil markets.

I just want to say very briefly on a similar note, I have worked with my colleagues JOHN SHIMKUS, ROSCOE BARTLETT and STEVE ISRAEL to introduce the bipartisan Open Fuel Standard Act, which is H.R. 1687. Our bill would require 50 percent of all new automobiles in 2014, 80 percent in 2016, and 95 percent in 2017 to be warranted to operate on non-petroleum fuels in addition to, or instead of, petroleum-based fuels. Compliance possibilities include the full array of existing technologies, including flex fuel, natural gas, hydrogen, biodiesel, plug-in electric drive, and fuel cell, as well as a catchall of new technologies.

So I encourage my colleagues to support this amendment.

□ 1640

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We are prepared to accept your amendment and commend you for it.

Mr. ENGEL. I thank the gentleman.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Chairman, for the last time, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available to the Corps of Engineers by this Act may be used for the removal or associated mitigation of Federal Energy Regulatory Commission Project number 2342.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Chairman, in these tight budget times, it is more important than ever that the Federal Government focus its funding on the most essential and core functions. The Federal Government, however, should not subsidize private companies' business decisions, particularly when that business decision involves tearing out a 14 megawatt hydropower dam that has served two rural counties in my district.

The Condit Dam, a privately owned and operated hydropower-producing

dam located in my district, was constructed in 1913 on the White Salmon River, which is a tributary of the Columbia River. Since 1947, the Condit Dam has been owned and operated by PacifiCorp and has held a license with the Federal Energy Regulatory Commission.

Over the past 20 years, rather than agree to the rigorous and costly measures associated with the FERC relicensing process, PacifiCorp opted to pursue actions to surrender its license to operate the dam and now wants to remove that dam at its own cost. This amendment will ensure that no Federal tax dollars will be used by the Corps of Engineers to remove or mitigate for the removal of the Condit Dam.

Recently, PacifiCorp representatives communicated to my office that they acknowledge that PacifiCorp itself, and not the Corps, is responsible for all impacts that removing this dam might cause to the Federal Columbia River navigation channel. My amendment simply ensures that the Federal taxpayers do not get left holding the bag for a private company's actions that could cost this private company, by their own admission, up to \$32 million.

Having said that, I do want to say this, Mr. Chairman. While I give tacit approval to a dam being removed in the Northwest—it's a private decision by a private company—I want to reiterate and continue my opposition to any attempt to remove any of the Federal dams along the Columbia or Snake River. This is a private company making their decision, and they should pay for it; and that's what this amendment attempts to address.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the distinguished chairman.

Mr. FRELINGHUYSEN. I am pleased to support your amendment.

Mr. HASTINGS of Washington. I thank the gentleman very much.

With that concurrence on the other side, I yield back the balance of my time and urge adoption of the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. CAPPs

Mrs. CAPPs. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:  
SEC. 609. None of the funds provided in this Act may be expended by the Nuclear Regulatory Commission for the purposes of the license renewal process for the Diablo Canyon Nuclear Power Plant, Units 1 and 2, until advanced, peer-reviewed seismic studies are completed and lessons learned from the earthquake and resulting tsunami that severely damaged Japan's Fukushima Daiichi

nuclear power plant on March 11, 2011 are taken into account.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from California (Mrs. CAPPs) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mrs. CAPPs. I yield myself as much time as I may consume.

My amendment would ensure the Nuclear Regulatory Commission does not move forward with the license renewal process for the Diablo Canyon power plant, located in my congressional district, until advanced seismic studies are completed and independently reviewed.

Over the last several months, I've called for a short pause in the relicensing effort currently under way at this nuclear power plant until a myriad of seismic questions at the facility are answered. Further studies are needed to demonstrate if the plant's design and operations can withstand an earthquake and other potential threats, including a previously undetected fault line, the Shoreline Fault, which runs within a few hundred yards of the plant. Even PG&E, the plant's operator, has acknowledged the validity of these concerns.

Earlier this year, the utility acceded to my request and asked the NRC to delay the finance issuance of the plant's license renewal while it completes recommended advanced seismic studies of the area. The NRC agreed to review those findings before making a final decision. PG&E also asked the California Public Utilities Commission to suspend proceedings associated with license renewal for Diablo Canyon until the studies are submitted to the NRC.

But, Mr. Chairman, PG&E and the NRC are only talking about delaying the final decision. The relicensing process is still going forward, despite the fact that virtually all of the decisions that would be made about the relicensing of the plant would be affected by what the seismic studies tell us. The cart is clearly being put before the horse here, and we need to rectify this.

My constituents deserve answers to questions regarding the ability of the plant to withstand an earthquake and nuclear accident at the same time and how long the plant would be self-sustaining in the event of such damage. It is particularly pertinent given that in March the NRC confirmed that Diablo Canyon is one of two nuclear power plants in the highest risk seismic areas in the country.

I am, to put it lightly, concerned that the NRC has not taken this seismic risk seriously enough. For example, it has failed to support the recommendations from a 2008 California

Energy Commission report clearly delineating that more information is needed to determine the true seismic risk at Diablo Canyon. And just yesterday, an NRC task force review of the Japanese reactor meltdowns determined that our reactors are not sufficiently prepared to respond to catastrophic events or even simple power outages, like the one that triggered the Fukushima meltdown.

The NRC should quickly move to adopt the recommendations of this report as well as the full complement of lessons that can be learned from this disaster, and it should do it before moving forward on issuing new operating licenses to PG&E to run Diablo Canyon long into the future.

Finally, it is important to note, Mr. Chairman, that there is no hurry to relicense Diablo Canyon. The current operating licenses run to 2024 and 2025. Surely that's more than enough time to adequately investigate seismic concerns in a thoughtful and transparent manner.

To be clear, I'm not calling for Diablo Canyon to be shut down or for the plant to be denied new operating licenses. What I am doing with this amendment is asking that the relicensing process be paused, briefly, until comprehensive, independent analyses of the seismic issues are completed and that they be considered as part of the relicensing process.

Diablo Canyon provides over 3 million people in California with affordable electricity. It provides many jobs in my district. It's an important element of the tax base of San Luis Obispo County; but this is an issue about safety, and we all agree that safety must be everyone's number one concern here.

I urge my colleagues to support this amendment that would ensure that this is the case.

Mr. WAXMAN. Mr. Chair, earlier today, during consideration of H.R. 2354, Ms. CAPPS offered an amendment that would have required peer-reviewed seismic studies to be completed and lessons learned from the Japanese nuclear disaster before the Nuclear Regulatory Commission considers an application to renew the operating licenses for the Diablo Canyon nuclear power plant in California. I thought this was a reasonable approach. Unfortunately, that amendment was ruled out of order. Though this second Capps amendment is less precise than the original amendment, I support it because I believe it is crucial that the necessary seismic studies be completed and considered during the license renewal process. The Nuclear Regulatory Commission must have a comprehensive understanding of what went wrong at the Fukushima Daiichi reactors and access to the latest scientific information in order to ensure that Diablo Canyon can be safely operated after the current licenses expire in 2024 and 2025. I urge my colleagues to support this amendment.

Mrs. CAPPS. I yield back the balance of my time.

## POINT OF ORDER

Mr. FRELINGHUYSEN. I insist on my point of order.

Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law." The amendment imposes additional duties.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to speak on the point of order?

The Chair is prepared to rule.

The Chair finds that this amendment imposes new duties on the Nuclear Regulatory Commission. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

□ 1650

## AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used for the Advanced Research Projects Agency—Energy.

Mr. FLAKE (during the reading). I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I know there are a lot of people that are offering amendments, so I will try to move very quickly here.

This amendment would simply prohibit funds from going to the Advanced Research Projects Agency—Energy, or ARPA-E. There is ARPA-Defense, there is ARPA other stuff, there is ARPA-E. This is what we are trying to do is prohibit funding from going to ARPA-E, or energy.

ARPA-E is currently set to receive about \$100 million in this appropriation bill. The most compelling argument given to defund ARPA-E is found on its own Web site, which states that it was established "to focus on creative, out-of-the-box transformational energy research that industry by itself cannot or will not support due to its high risk, but where success would provide dramatic benefits." It is this kind of, I

guess, out-of-the-box thinking that has gotten us into this deficit that we're running, about \$1.6 trillion.

We are broke. We are borrowing 41 cents on every dollar that we spend, yet still we find within our budget reason to find \$100 million to fund energy research in private companies that others won't fund because it's too risky.

Now, we're not talking about products for defense for which there is no commercial application; we're talking about private sector research that could reap a windfall for some private company, and has in a number of other areas. But yet we believe that it's prudent to borrow—because we're borrowing everything here—borrow money from the taxpayer to pick and choose favored companies to receive this research money.

It's not right. We ought to defund it. I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. My colleague's amendment would eliminate funding for ARPA-E. The committee's top responsibility, of course, is to reduce government spending, and I appreciate my colleague's amendment and perhaps some of his other amendments for that reason. To that end, our bill reduces spending for energy and water development to near the 2006 level, \$100 billion below fiscal year 2011, and a full \$5.9 billion below the request.

I certainly share many of my colleague's concerns about this program. The committee has taken a very close look at it. Right now, ARPA-E must not intervene where private capital markets are already acting, and it must not be redundant with other programs of the Department of Energy.

I oppose the gentleman's amendment.

I yield to the ranking member, Mr. VISCLOSKY.

Mr. VISCLOSKY. I appreciate the chairman yielding and would join him in opposition to the gentleman's amendment.

We just had a vote earlier in the Chamber adding \$79 million to this program. But setting that particular vote aside, as I have mentioned several times, while I have great trepidation about people at the Department of Energy talking to each other and the Department not having the same vigor, if you would, that they have for ARPA-E, instilling that in other research centers, it does appear that this is a successful program in its infancy. We certainly ought to make sure that it has a chance to show that it can be successful over a limited number of years—they are talking about 3. My emphasis with them is to distill that same effort across the Department of Energy.

So I would join my chairman in opposing the gentleman's amendment.

Mr. DICKS. Will the gentleman yield?

Mr. FRELINGHUYSEN. I would be happy to yield to the gentleman from Washington.

Mr. DICKS. I rise in opposition to this amendment, too. The bill would provide \$100 million for ARPA-E, which is already \$80 million less than FY 2011 funding—and of course we have to take into account the amendment that was just passed—and \$450 million below the President's budget request.

ARPA-E is a promising new program that can drive innovation to support our scientific competitiveness. As I stated previously in my opening statement, ARPA-E has shown potential as a new organizational model. And I am disappointed that the same vigor that led to its creation has been largely absent when it comes to addressing the systemic and organizational problems in other existing applied programs, which was an element of the justification used for ARPA-E.

ARPA-E is modeled on DARPA. And as the ranking member of the Defense Appropriations Subcommittee, DARPA has been one of the great leaders of innovation in the national security area.

So again, I'm sorry to say it, but I think we have to defeat the Flake amendment.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, I'm just hoping that this amendment doesn't rise to the level of being the most ridiculous amendment that the gentleman from Washington has ever seen.

Mr. DICKS. Close.

Mr. FLAKE. They usually do.

But I would just say again here, we're not talking about things in national security or in defense for which there is no commercial application, for which companies that invest in this kind of research would not reap a windfall, the reason for which the profit motive incentivizes companies to invest in these things. Why in the world does government have to be the investor of last resort in what are, quote, transformational energy research for which the industry by itself cannot or will not support due to its high risk? I mean, if it's that high risk, believe me, we shouldn't be taking it.

If venture capital out there won't do it, we shouldn't be doing it either with money that we're borrowing from venture capitalists and others who have a little better idea than we do. When we go out and support corn ethanol for 30 years, for crying out loud, or some of these other things and we keep doing it and saying, Yeah, it's going to come around one of these days and this is just a promising new area of research, come on. We're \$14 trillion in debt. We have negotiations going on right now over at the White House or somewhere else trying to figure a way to raise the debt ceiling to spend more.

Isn't it time that we review programs like this, where we are trying to replace what is not happening in the private sector or trying to outguess the private sector?

And I just tell you, if we can't cut here, I don't know where we're going to cut, I really don't. The gentleman made the point that we are down to 2006 levels. Great. We ought to go further than that. I mean, 2006, we act as if that was a Great Depression year, "Grapes of Wrath" music playing or something. It wasn't exactly that. We have seen ramping up year after year after year in some of these programs. We are spending more than we ever have.

So I would urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MRS. CAPPES

Mrs. CAPPES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds provided in this Act may be expended by the Nuclear Regulatory Commission to issue a draft supplemental environmental impact statement (SEIS) for Diablo Canyon Nuclear Power Plant, Units 1 and 2.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from California (Mrs. CAPPES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPES. Mr. Chairman, I yield myself such time as I may consume.

It is my hope that we can simply all agree to this amendment. It would simply bar the NRC from issuing a draft Supplemental Environmental Impact Statement for the license renewal of the Diablo Canyon nuclear power plant.

The purpose of this amendment is to ensure that the NRC does not move forward with the relicensing effort currently underway at Diablo Canyon until advanced, peer-reviewed seismic studies of the area are completed and the findings are shared with the NRC. These advanced seismic studies are needed because the USGS—U.S. Geological Survey—announced in 2008 the discovery of a previously undetected

fault line, the Shoreline Fault, which runs within a few hundred yards of Diablo Canyon.

□ 1700

The NRC also recently confirmed that Diablo Canyon is one of two nuclear power plants in the highest risk seismic areas in the country. Without these studies, we cannot say for certain whether an earthquake along the Shoreline Fault or others nearby would result in a severe nuclear accident.

It's important to note, Mr. Chairman, that my amendment only affects the Diablo Canyon nuclear power plant. It will not shut down the power plant, nor will it stop the relicensing effort or even prevent PG&E, the plant's operator, from gaining new operating licenses to run Diablo Canyon in the future. Instead, it would simply ensure the NRC gets answers to the unstudied and unresolved seismic questions before it issues the draft environmental report.

My amendment is also consistent with PG&E's own request that the NRC delay the final issuance of the plant's license renewal until its seismic research in the area is completed. The NRC has also made it clear it will review those findings before making a decision on whether to grant renewed operating licenses for the plant to PG&E.

Moreover, last month, PG&E asked the California Public Utilities Commission to suspend proceedings associated with license renewal funding for Diablo Canyon until its advanced seismic studies are finished and the findings have been submitted to the NRC. Unfortunately, however, work on the relicensing effort continues, even though the seismic studies have not been completed and won't be for several years and even though the outcome of these studies could very well affect every operation at the plant.

Mr. Chairman, we need answers about the seismic risks at Diablo Canyon and what steps are needed to address them and prepare for any disaster, and we need them before the relicensing process moves forward. So I urge my colleagues to join me in voting "yes" on this straightforward amendment, to ensure an evaluation of the risks that the offshore faults pose to Diablo Canyon.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. We respect the gentlewoman's efforts to protect the interests of her State and district; however, her amendment intervenes in a specific local project by prohibiting funds for a required step in the licensing process. I do not believe this is an appropriate Federal role in a process

that should be driven by the State and local communities while being carefully evaluated by the Nuclear Regulatory Commission. I, therefore, must oppose the amendment and urge other Members to oppose it as well.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I would be happy to yield to the ranking member from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman yielding.

I reluctantly join him in his opposition. Again, I understand what the gentlewoman from California is attempting to do. I appreciate her endeavors here and certainly would commit to working with her to ensure that the Nuclear Regulatory Commission is moving forward in a considered and responsible manner on this license application.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. CAPPS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used for the Fossil Energy Research and Development program of the Department of Energy.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. This amendment would prohibit funds from going to the Fossil Energy Research and Development program.

The Fossil Energy Research and Development program is set to receive nearly \$500 million through this appropriation bill. The committee report recommends that no less than \$25 million be used to continue research in certain areas. But we shouldn't have any money going to subsidize Big Oil.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The gentleman's amendment would eliminate funding for the Fossil Energy Research and Development program, causing hundreds, if not thousands, of job losses and threatening our Nation's ability to compete in the rapidly growing portion of the energy sector.

I may also note for the record, Mr. Chairman, that Arizona itself is dependent, I believe, with close to 60 percent of its energy coming from fossil energy. So fossil energy is a part of the Nation's equation, and we had better be careful before we eliminate research and development.

Let me say, I appreciate and recognize the gentleman's passion for cutting spending and spending that is duplicative, but this type of research is important.

Mr. VISCLOSKY. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the ranking member.

Mr. VISCLOSKY. I want to join the chairman in his opposition.

Recognizing that 70 percent of our energy consumption comes from carbon fuels, it's very important for this government and for this Nation to learn how to, as efficiently and as effectively, use them. And again I think, for that reason alone, we should oppose the gentleman's amendment.

I appreciate the chairman yielding.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. FLAKE. You know, with an energy resource as old as fossil energy, we're talking fossil fuels, we're talking Big Oil. We always hear from the other side of the aisle, Quit subsidizing Big Oil. And here we are directly saying we're going to give them research.

You know, some of the companies that directly receive grants under the plan I think are companies like Chevron or others to develop energy in the gulf or whatever else. Why in the world are we subsidizing that? We are hearing that they have profits, billions and billions of dollars just in the quarter, not just the year, and yet here we are subsidizing them again to more efficiently use fossil energy?

Now, fossil energy has been around a long time. It's not exactly a notion that no research goes into it. And it's going to be around for a lot longer still. Why in the world is the Federal Government saying we need to subsidize these companies who are conducting research on use and efficiency for fossil energy?

If we can't cut here, again, where can we cut? If we're going to stand up for Big Oil when it comes to spending money here, then where can we cut? I'm just flabbergasted when I come down to the floor and look at what we're funding and subsidizing here. But yet I hear the rhetoric about how we need to make sure that they're paying taxes and whatever else. I think they

should. I think we ought to get rid of the corporate subsidies, all of these kinds of corporate subsidies. But why in the world are we developing programs to spend billions of dollars overall, millions in this case, to help these for-profit companies that we blast in one breath and then subsidize with the next? Where does it end, Mr. Chairman? If we can't cut here, where can we cut?

Again, this is fossil energy. It's been around a long time. It will be around a long time. We don't need to subsidize it.

And remember, every dollar we spend here is a dollar that we have borrowed from people across the country, from taxpayers, from investors, from venture capitalists, from others who would invest it far more wisely than we would here. The best allocation of capital resources is through the free market, not by government fiat or subsidy. We've learned that over time, but yet we persist in doing this time after time after time.

I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

□ 1710

AMENDMENT OFFERED BY MR. DENHAM

Mr. DENHAM. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. 6\_\_\_\_. None of the funds made available by this Act may be used to implement section 1001(b) of Public Law 111-11.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from California (Mr. DENHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. I yield myself as much time as I may consume.

Mr. Chair, the underlying bill has already removed the funding for a program that is failing to show any positive results and has done more harm than good. The San Joaquin River Restoration Program continues to push forward on an ill-advised path of wasting water out to the ocean under the guise of saving salmon. What this amendment does is to prohibit the premature reintroduction of an endangered species into an uninhabitable

river, a river biologists say is not ready for salmon, a program that is supposed to occur after the construction of fish screens and the completion of an environmental study, neither of which is complete.

All Central Valley salmon runs are struggling to regain healthy numbers. This amendment ensures that bureaucrats don't purposely reduce the numbers of available salmon in other streams to plant them into the San Joaquin system and further threaten or endanger current runs. The Bureau of Reclamation needs to be provided with more time to complete the environmental studies and build the infrastructure required by the San Joaquin River Restoration Program before this river can sustain a salmon run.

Finally, even the National Marine Fisheries Services has doubts about the success of reintroduction. Contained within the final draft of their Reintroduction Strategies, NMFS expressed concerns that the San Joaquin River Restoration Program will not complete necessary channel improvements for a successful reintroduction.

Mr. Chair, I reserve the balance of my time.

Mr. VISCLOSKY. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I rise in strong opposition to the amendment offered by my colleague from California. In 2009, Congress ratified the San Joaquin Settlement Act, which ended 18 years of litigation in the Central Valley of California over water. The agreement was supported by the previous administration and California's then-Republican Governor Schwarzenegger.

The Federal authorizing legislation was initially cosponsored by Congressman Pombo in the House and Senator FEINSTEIN in the Senate. The underlying bill zeroes the \$9 million request for the San Joaquin River Restoration Fund and rescinds \$66 million in mandatory funds for these activities.

As we stand on the House floor today, we are undermining this agreement, which, if it were to stand, that is the amendment, will land this case simply back into court. If the court is forced to take over river restoration, the Friant water users would be at risk of losing over 20 years of water supply certainty provided by the settlement. The amendment, I believe, is an attempt to end the broadly supported and bipartisan effort to restore the river, while also improving water supply management, flood protection, and water quality.

The amendment is piling on, if you would, given that the vast majority of funding for the settlement has been cut. There is no need to eliminate all funding just to ensure water attorneys can make a few more boat payments.

As I said at the outset, I strongly oppose the gentleman's amendment.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chair, it's apparent that the gentleman from Indiana has not seen the river in my area, or simply just doesn't understand its flow. But to take an endangered species from Northern California, truck it down to the Central Valley, put it into a river that does not have fish screens, that does not have fish ladders, that does not have the environmental study just to watch these fish die is not only irresponsible, but it's a waste of money.

So I would invite the gentleman from Indiana to come visit us anytime. But certainly don't make the mistake of killing an endangered species. I urge the adoption of the amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. In closing, I would again point out that in 2009, Congress ratified this settlement to end 18 years of litigation. I do not think we should adopt the amendment and potentially begin another 18 years of litigation and would ask my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM). The amendment was agreed to.

AMENDMENT OFFERED BY MR. SCALISE

Mr. SCALISE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ For "Corps of Engineers-Civil-Construction" there is hereby appropriated, and the amount otherwise provided by this Act for "Corps of Engineers-Civil-Expenses" is hereby reduced by, \$1,000,000.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. SCALISE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. SCALISE. Mr. Chairman, I offer this bipartisan amendment with my fellow Louisiana colleague, Democratic Congressman CEDRIC RICHMOND. And what our amendment does is it transfers \$1 million out of the Corps of Engineers' expense account and into the Corps' construction account for critical coastal restoration efforts.

If you look at what we're dealing with here, what we're trying to address, not only can we maintain fiscal responsibility, but we need to also maintain and restore America's wetlands.

And just what is happening to America's wetlands? What are we trying to address with this amendment? Louisiana alone has lost 25 square miles of coastal wetlands every year.

And I want to hold up this football to represent that every single hour, Mr.

Chairman, every single hour the State of Louisiana alone loses an entire football field of land, an entire football field of land that's eroded away. And what exactly does that wetland, America's wetland, protect that's eroding away?

I want to show a chart here of the oil and gas infrastructure, the pipelines that move America's energy throughout the country. In the gulf coast alone, just in Louisiana, we produce about one-third of America's energy. And we talk all the time about our interest in reducing our country's dependence on foreign oil, and I strongly, strongly support that effort. In fact, Louisiana is at the forefront of doing that.

But that energy that we produce, and we ought to be producing more of it, we have the opportunity to produce more, but the energy we do produce is distributed throughout the entire country through pipelines that are in jeopardy right now because of that erosion of our coast, this wetland in America.

And not only is it the oil and gas infrastructure that's at risk, but also seafood production. The gulf coast of Louisiana, we produce a third of the country's seafood. And just looking at this chart makes me hungry when you look at the oysters, and the crabs, and the fish, this great product that we produce off our coast. But all of that comes from America's wetland, from that wetland that's evaporating, eroding away. And we're trying, we're bringing a bipartisan amendment to stop that from happening.

Louisiana's put its own skin in the game to the tune of over a billion dollars, over a billion dollars of money that Louisiana's put in. But there was a project that was authorized by this Congress, because this is a national issue. And, in fact, Congress has recognized this is an issue that shouldn't just be left up to Louisiana, because we're talking about something that protects and serves the entire country. And that's why in 2007, the LCA project was authorized by Congress. And all we're trying to do is keep that project alive, moving a million dollars from the expense account over into the Corps' construction account.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in reluctant opposition. First of all, I want to commend the gentleman for his advocacy for coastal restoration, and should we say literally carrying the ball for coastal restoration and for his remarkable props. We know on this committee what a high priority it is for his district and his State. May I thank him also for coming to the floor

earlier to make a case, obviously, for controlling spending, but also doing some things that are very important to his constituents and others affected by the devastating floods. I want to commend him for his strong advocacy.

□ 1720

The bill before us includes more than \$16 million, or more than 15 percent of the entire investigations account, to continue work on coastal restoration through studies, engineering, and design on various components of the program.

The committee had to make some tough choices in the bill, though, and although the Corps of Engineers construction account has increased \$86 million above the President's request, let me say, above the President's request, it is still a reduction from fiscal year 2011.

The Corps had numerous projects under construction that were not included in the President's budget request and so were likely to be funded in construction year 2012.

While construction funding is trending downward, I believe it is most prudent to prioritize funding for these ongoing projects so they can be completed and the Federal Government can realize some benefits from previous spending, rather than starting new projects, as important as they are.

And even given that this project is currently authorized at approaching \$2 billion and may continue to grow, it would not be prudent to begin another major new project while we have so many new commitments.

For these reasons I must oppose the amendment, but I sympathize with the gentleman on the purposes for which he is here.

I yield to the ranking member, the gentleman from Indiana.

Mr. VISCLOSKY. I thank the chairman for yielding.

I also would use the word "reluctantly" because I understand the need that the gentleman has in his region in this country. I appreciate his efforts in this regard.

But, again, I do support the Chair's policies as far as no new starts, given the fact that over the last several years we have terminated hundreds of ongoing projects. This is going to be a significant cost.

Until we can have the intestinal fortitude with the administration to provide the necessary funds for ongoing funds alone, it is difficult to begin a new endeavor. The gentleman indicated his efforts to increase a request made by the President, despite his best efforts to add money to the bill. We are now \$677 million below what we are spending on water projects in this country in fiscal year 2010.

So, again, with all reluctance I am constrained to join with my chairman in opposition.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. SCALISE. Mr. Chairman, I appreciate the interest by both gentlemen in dealing with the backlog that the Corps currently has, and, in fact, that's one of the reasons why, when I worked closely with my colleague from New Orleans, CEDRIC RICHMOND, on this amendment, we first of all made sure not to take anything away from existing projects, so those existing projects in the pipeline are not affected at all by this amendment.

And, in fact, the Corps's overall budget is not increased by our amendment, and we worked very hard to get to that point that we weren't taking away from other vital projects but pointing out that this is not a Louisiana-specific issue, this is a national issue. And as we talked about that pipeline, that series of pipelines that goes throughout the entire country to supply the energy needs of our Nation, and we talk about the vital seafood production and the things that make our gulf seafood so appetizing to people all around the country and around the world, but I also want to go back to this football and talk about the football field of land that erodes every hour. Just the last hour we have been sitting here, an entire football field of America's wetlands has eroded away, and we can reverse that trend without taking away from any other projects.

I understand the importance of that and, like I said, that's why we worked so hard to put the amendment together in the way that we did. I would urge adoption from all of my colleagues.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCALISE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT NO. 81 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. The amount otherwise made available by this Act for "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" is hereby reduced to \$0.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, my amendment eliminates funding to the Department of Energy's Office of Efficiency and Renewable Energy.

We should be developing the vast quantities of proven energy resources readily available in this country, but instead the government continues to subsidize green technologies that are not yet ready to be used wide scale. They are neither efficient nor affordable, and Federal agencies should not be in the business of picking winners and losers. If these technologies were viable, the Federal Government would not need to give them handouts and, instead, they would be able to succeed on their own.

Further, this legislation provides millions of dollars of foreign assistance to countries like China and India to implement renewable energy programs. At a time when our Nation is broke, and we are broke, why are we sending taxpayer money to our foreign competition?

I urge support of this amendment.

I reserve the balance of my time.

Mr. VISCLOSKY. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I would point out to my colleagues that the amendment, as stated by the gentleman, would eliminate all funding for the Office of Efficiency and Renewable Energy.

The bill already includes a reduction of \$491 million from the current year level, which is a 25 percent cut.

The debate, relative to energy policy in this House—and not necessarily restricted to this amendment—talks about subsidies. But there are two parts to a Federal budget: There are spending-side issues and there are revenue- and tax-side issues.

I would hazard a guess as we stand here that there is not an energy source in the United States of America, be it coal, be it nuclear, be it gas, be it solar, be it wind, that does not somehow receive some benefit either by loss revenue or direct spending of the Federal Government in its endeavors.

What we do have to do is necessary research to make sure that we do expand the mix of energy utilization in this country, and certainly that is the purpose of the Renewable Energy Program Research at the national level. With 70 percent of our energy now generated through coal or natural gas, this cannot continue.

As I have said in earlier debates during the week, my senior Senator from Indiana, Senator LUGAR, has always described our energy problem as a national security issue given where petroleum products tend to be bought in the

United States of America. Without this type of very serious research, we are not going to solve that national security problem, and we are not going to assiduously create job opportunities and economic opportunities.

I would respectfully object and oppose the gentleman's amendment.

Mr. LEWIS of California. Will the gentleman yield?

Mr. VISCLOSKY. I yield to the gentleman from California.

Mr. LEWIS of California. I appreciate my colleague for yielding.

Very briefly, while I am very respectful of my colleague's attempt here to do what he can to cut clear back on spending, this is a very important area of our committee's responsibility.

The amendment would totally eliminate funding for Energy Efficiency and Renewable Energy. It is a bit, a step too far, and I associate myself with the remarks of my colleague and reluctantly oppose the amendment.

Mr. VISCLOSKY. I reserve the balance of my time.

Mr. BROUN of Georgia. I appreciate the gentleman from Indiana's comments, and I submit that the best way to make sure that we have that national security that my colleague from Indiana was talking about is for us to open up all of our God-given resources of energy here in this country, and we are not doing that.

Mr. Chairman, we need to start doing everything we can to develop every energy source that we have, and I believe in an all-of-the-above energy policy.

□ 1730

The best way to determine what energy policy is going to be viable and is best for America is by letting the marketplace work. I believe in the brilliance of the marketplace. The marketplace, unencumbered by taxes and regulation as well as free from government meddling in the marketplace by picking winners or losers, is the best way to develop those drastically needed energy resources. And I believe in renewable energy. But is it viable economically? And is this country going to be viable economically if we continue spending like we have been spending?

And, in fact, many Members of Congress seem to have the idea that this country is going to totally dry up and blow away if the Federal Government doesn't supply everything to every entity's needs. I hear over and over again from colleagues that they want to continue this spending and that spending. In fact, in the committees—I serve on three committees—I hear my colleagues, particularly other side, talk about we have a tremendous debt that we need to deal with.

But it reminds me—as I hear them also talking about not cutting programs—it reminds me of an old saying back from our founding era when our

Founding Fathers were talking about the discussion in taxes. Today's mantra is “don't cut me, don't cut thee, cut the fellow behind the tree.” Well there's nobody behind the tree.

I believe we are in an economic emergency as a Nation, and Congress needs to face the fact. We're headed towards an economic collapse as a Nation. We've got to stop picking winners and losers and let the marketplace do that. Let people vote with their dollars instead of our funding this and not funding that, subsidizing this and not subsidizing that. The best way to do these things, the best way to figure out who should be the winner or loser is let the marketplace do what it does best and let people vote with their dollars. Let people invest in things that make sense and not invest in those things that don't make sense.

And we've got a lot of renewables such as this corn-based ethanol that doesn't make sense. It doesn't make sense economically, and it doesn't make sense even from an energy perspective. In fact, I'm a good Southern boy. I love my grits and cornbread. It makes absolutely no sense for me to be burning up my grits and cornbread driving down the road putting it in the gas tank of my GMC Yukon.

So we need to let the marketplace do its thing. We need to reel in the spending that Republicans and Democrats alike over the last several decades have been using to grow the size and scope of government. So I encourage my colleagues on both sides to support this amendment. It makes sense economically.

I yield back the balance of my time.

Mr. VISCLOSKY. I urge a “no” vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I would just point out that there are no amendments left on our side that I know of, and I hope that your side can be more expeditious. Thank you. Some of us have important ball games to go to.

I yield back the balance of my time.

AMENDMENT NO. 63 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to carry out the activities specified in section 505 of the Energy Policy Act of 1992 (42 U.S.C. 13255).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, I will try to be expeditious and comply with my friend from Washington's request to not delay this.

This amendment simply prohibits the Department of Energy from spending money to implement the Vehicle Technologies Deployment Subprogram within the Energy Efficiency and Renewable Energy's “Clean Cities” program.

Earlier, I offered an amendment to cut funding from this program and transfer it into the spending reduction account. As I mentioned before when I presented my previous amendment, it is not appropriate for the Federal Government to be spending dollars on programs that the private sector should be doing or that local and State government can do. This program, this Vehicle Technologies Deployment Subprogram, is corporate welfare. I remind my friends, this is corporate welfare. And, in fact, I have heard over and over from my friends on the Democrat side that we need to stop doing corporate welfare. And I hope that they will support this amendment because that's what this simply is.

I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The amendment of the gentleman from Georgia would prohibit funds for the Vehicle Technologies activities at the Department of Energy that work with cities across the country to reduce our dependence on foreign oil. The gentleman should know that the committee closely evaluated the alternative fuels program and slashed it to \$202 million below the budget request, leaving only \$26 million that we found to be well justified.

So we are making some progress and we are making some tough decisions. And even though the gentleman's heart is in the right place, we do need the \$26 million to continue the program, and thus I oppose the gentleman's amendment, albeit reluctantly.



I yield back the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I appreciate the committee's cutting this program down to the \$26 million. But, again, this is corporate welfare to Fortune 100 companies, many that get these funds. We do need to reduce this country's dependence upon foreign oil, but this is not the way to do it. The way to do it is to open up exploration of our own energy resources here in America.

This is a commonsense amendment to strike out about \$26.5 million out of funding that we just simply don't have. It's money that we're borrowing from our foreign competitors as well as here in this country, and it's creating more and more debt. So I urge passage of my amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 27 OFFERED BY MR. FLORES

Mr. FLORES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following new section:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

The Acting CHAIR. Pursuant to order of the House of today, the gentleman from Texas (Mr. FLORES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FLORES. Mr. Chairman, I rise to offer my amendment, which would address another restrictive and misguided Federal regulation. Section 526 of the Energy Independence and Security Act prevents Federal agencies from entering into contracts for the procurement of an alternative fuel unless its "lifecycle greenhouse gas emissions" are less than or equal to emissions from conventional fuel produced from conventional petroleum resources. Simply put, my amendment would stop the government from enforcing this ban on Federal agencies funded by the Energy and Water appropriations bill.

□ 1740

The initial purpose of section 526 was to stifle the Defense Department's plan

to buy and develop coal-based or coal-to-liquids jet fuels, based on the opinion of environmentalists that coal-based jet fuel produces more greenhouse gas emissions than traditional petroleum. I recently offered similar amendments to the MilCon-VA, Ag, and DOD appropriations bills, and each time those amendments passed this House by voice votes. My friend Mr. CONAWAY also had language added to the Defense authorization bill to exempt the Defense Department from this burdensome regulation. But section 526's ban on fuel choice applies to all Federal agencies, not just the Defense Department. That is why I am offering it again today.

Federal agencies should not be burdened with wasting their time studying fuel emissions when there is a simple fix, and that is not restricting their fuel choices based on extreme environmental views, policies, and regulations like section 526. With increasing competition from other countries for energy and fuel resources, and the continued volatility and instability in the Middle East, it is more important than ever for our country to become more energy independent and to further develop and produce our domestic energy resources. Placing restrictions on Federal agencies' fuel choices is an unacceptable precedent to set with regard to America's energy independence and its energy policy.

Section 526 makes our Nation more dependent on Middle East oil. Stopping the impact of section 526 will help American energy, improve the American economy, and create American jobs. I urge my colleagues to support passage of this commonsense amendment.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, section 526, I believe, is a commonsense provision that stops Federal agencies from wasting taxpayer dollars on new, alternative fuels that are dirtier and more polluting than the fuels we use today. The section simply bars agencies from entering into contracts to purchase alternative and unconventional fuels that emit more carbon pollution than conventional fuels on a lifecycle basis. I think that is just a rational, commonsense requirement.

The effect of this provision that has been in place is to spur development of advanced biofuels. These fuels are being successfully tested and proven today on U.S. Navy planes at supersonic speeds. And I believe it is a testament to American ingenuity.

I think the path that the gentleman wants to pursue is the wrong one. It is unsustainable in the longer term, and

it will not lead us to energy security. Therefore, I am opposed to his amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I am prepared to accept the amendment offered by the gentleman from Texas. His amendment strengthens national security by allowing the Federal Government more alternatives to imported petroleum fuels.

More than half of the oil the Nation consumes each year is imported, as we know, and today the price of gasoline is hovering around the \$4-a-gallon mark. By declaring some new fuel options to be off limits, section 526 of the Energy Independence and Security Act of 2007 limits our Nation's ability to reduce its dependence on oil imports.

His amendment puts all alternatives back on the table, which I think is needed, so the Nation can begin to develop and use fuels that are made with resources from here in the United States. Energy self-sufficiency is a national security issue, and this amendment takes us in the right direction. I am pleased to support the gentleman's amendment.

I yield back the balance of my time.

Mr. FLORES. I want to respond to what my amendment really does, and let me read a letter from the Department of Defense general counsel to Senator INHOFE from July of 2008. I quote: "It creates uncertainty about what fuels DOD can procure, and will discourage the development of new sources, particularly reliable domestic sources of energy supplies for the Armed Forces."

Let me go on. Let me give you a practical, real world example as to what section 526 does.

Our closest neighbor with stable energy supplies is Canada. We import 650,000-plus barrels a day of oil that is produced from oil sands in Canada. That oil makes its way throughout the refinery system throughout the United States and gets blended into jet fuels, gasoline, and diesel fuel. A literal interpretation of section 526 would say that the U.S. military, the United States Government, more broadly, cannot utilize any of those fuels. There is no technical or commercial way that the military of the United States Government can make sure it is not using any fuel source that came from that crude oil.

Let me go on and wrap up like this. You are going to hear a lot of remarks from the other side of the aisle regarding the claims about section 526 or about my amendment. My amendment does nothing, nothing to remove the ability of the Federal Government to use alternative fuel sources. It can use

whatever fuel source it wants to under my amendment.

Section 526 increases our reliance on Middle East oil. It hurts our military readiness, and its national security and energy security. It prevents the increased use of safe, clean, and efficient North American oil and gas. It increases the cost of American food and energy, and it hurts American jobs and the American economy.

Mr. Chairman, I yield back the balance of my time.

Mr. VISCLOSKY. If I could ask the author of the amendment just one question.

On the letter, was that a letter from Senator INHOFE to the Department of Energy or from the Department of Energy to the Senator?

I yield to the gentleman from Texas.

Mr. FLORES. It is from the Department of Defense to Senator INHOFE.

Mr. VISCLOSKY. I appreciate the clarification.

I remain opposed to the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The amendment was agreed to.

AMENDMENT NO. 75 OFFERED BY MR. YOUNG OF INDIANA

Mr. YOUNG of Indiana. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to pay the salaries of Department of Energy employees to carry out section 407 of division A of the American Recovery and Reinvestment Act of 2009.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Indiana (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. YOUNG of Indiana. Mr. Chairman, I yield myself such time as I may consume.

Our Nation's unemployment rate currently sits at 9.2 percent, a full 1.6 percent higher than when President Obama took office. I am hearing from my southern Indiana constituents, and I've heard this for months now, that the President's failed experiment of spending our way to prosperity and creating great uncertainty about future tax rates and interest rates must end.

A step in the right direction would be supporting this modest amendment which my esteemed colleague, the gentleman from Indiana (Mr. BURTON), and I have worked on together. The amendment would merely restore eligibility criteria for the Weatherization Assistance Program to pre-stimulus levels.

By way of background, prior to 2008, the Weatherization Assistance Program enabled families at or below the 150 percent poverty level to reduce their energy bills by making their homes more energy efficient. Since the stimulus bill increased this eligibility threshold, the Weatherization fund has exploded and currently has accumulated an estimated \$1.5 billion in unspent funds.

Moreover, the program has been a model of government waste and inefficiency. Late last year, for example, New Jersey's State auditor audited just \$614,000 worth of Weatherization funds disbursed in his State. He found that \$33,000 of this \$614,000 that were spent actually went to no services at all. So over 5 percent of the funds spent in that State were spent on nothing.

This sort of waste and inefficiency, no doubt, is being seen all across the country. We have seen recent audits of Weatherization programs in Illinois, Delaware, Tennessee, and Texas yield similar results.

Personally, I agree with those who say that most Americans already have sufficient incentives and means to reduce their energy bills by weatherizing their own homes and that government lacks sufficient incentives to spend our tax dollars responsibly. That is why we should adopt this modest amendment that would merely limit this program to our neediest citizens by restoring eligibility criteria back to pre-stimulus levels.

So I would say let's improve our climate for private sector job creation however we can. Let's eliminate wasteful and nonessential spending wherever we can find it. That is what this amendment does.

□ 1750

Mr. VISCLOSKY. Will the gentleman yield?

Mr. YOUNG of Indiana. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. We accept the amendment.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. YOUNG of Indiana. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. We accept the amendment as well.

Mr. YOUNG of Indiana. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 76 OFFERED BY MR. LANDRY

Mr. LANDRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to pay the salary of

individuals appointed to their current position through, or otherwise carry out, paragraphs (1), (2), and (3) of section 5503(a) of title 5, United States Code.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. LANDRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. LANDRY. Mr. Chairman, my amendment is simple. It prevents the misuse of recess appointments while preserving the Founders' intent by allowing the President to quickly make emergency recess appointments if the need arises.

I know this may surprise many Members, but current law actually prohibits the salaries of recess appointees, which was a law passed in 1863 that stayed on the books until 1940. It prohibited those who received recess appointments from being paid. Then some exceptions were made, and those exceptions basically took the intent of the law out. So these exceptions, these loopholes, are so broad that they make the prohibition against recess appointments useless, but the administration can always find a way to make these recess appointments.

I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR (Mr. BASS of New Hampshire). The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. These are legal appointments made by the President of the United States—by this President, the last President, the President before that, the President back to George Washington. It is the administration's priority to make these appointments.

While each of us, or collectively, disagree with some of the individuals put into particular positions, until we change the law, the House should not pick and choose the staff for the executive branch any more than it should be picking ours.

If the gentleman wants a say in the President's hires and appointments, I suggest he work to change the Constitution. Article II, section 2 gives the Senate say over Presidential appointments and gives the President power to make recess appointments.

I urge my colleagues to vote "no" on the amendment.

I reserve the balance of my time.

Mr. LANDRY. I don't argue the legality of the President's recess appointments.

I am doing what many Congresses have done prior, all the way since 1860, when they realized that this was a problem when Presidents and administrations tried to bypass the will of the people. I am using the power of this House, which is the power of the purse, to make sure that, when the President

makes recess appointments—look, this isn't the 1800s anymore. Congress is not out for months and months at a time. If the President needs to make an appointment in an emergency, he certainly has the time, and he will be able to take that recess appointment and put it before the Senate. I am simply saying, until that recess appointee is confirmed by the Senate, he or she shall not receive any pay.

My friends across the aisle have spent most of the past month talking about closing loopholes, so I hope they will join me in protecting the taxpayers by closing the loophole in the law that currently exists. Let's bring the law back to the intent of it, which is to prohibit recess appointees from receiving salaries until the appointees are confirmed. I urge my colleagues to vote for this amendment.

I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, this is a constitutional issue, and we have no business in it. I would urge my colleagues to vote against the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. LANDRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LANDRY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, the Energy and Water Development appropriations bill before us today includes \$30.6 billion in funding. That falls \$1 billion below last year's level and \$5.9 billion beneath the President's budget request.

While I applaud our appropriators for the great work they've done in reducing this spending, I am one of those Members of the House who believes there is still room for improvement. We are in an extraordinary time when it comes to our budget and when it

comes to the budget of this Nation in the spending, and this extraordinary time does require some extraordinary measures.

That's why I am introducing a 5 percent across-the-board spending reduction amendment. This amendment has the backing of 10 national conservative groups. This amendment would reduce the funding appropriated by this bill by an additional \$1.5 billion and would take Federal spending back to just above the fiscal year 2007 level.

Across-the-board spending cuts effectively control the growth and the cost of the Federal Government. They give agencies the flexibility to determine which expenses are necessary and which are not. In fact, in my State of Tennessee, as I have mentioned many times as we have debated these across-the-board amendments—and Mr. Chairman, I know many of my colleagues are probably a little bit tired of hearing of these across-the-board spending cuts—we bring them forward because the States have used them, and they've used them successfully.

A Governor in my State, who is of my colleague's party across the aisle, made a 9 percent across-the-board spending reduction to bring that budget back into balance, to put our State on a firm fiscal footing. Our States that have balanced budget amendments take these actions, and they take them carefully, cautiously, and with an eye towards securing fiscal stability.

It is time for us in Congress to begin to enact these very same measures. Removing a nickel from every dollar is a way we can help our departments find new efficiencies and to reform wasteful business practices. It would save taxpayers millions of dollars in the process. Indeed, if we had been doing this for years, we probably wouldn't find ourselves in the situation that we are in right now. It's a step in the right direction, so I encourage the support of my colleagues on the amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in strong opposition to the gentleman from Tennessee's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. First of all, I do appreciate the fact that she recognizes the committee made some tough choices. In fact, our overall bill is really down close to the 2006 level. Obviously, in some quarters, that doesn't satisfy every Member of Congress, but I'm respectful of her desire to go further.

Cuts of this magnitude, quite honestly, go far too deep. The types of things we do in our bill—our responsibility for the reliability of the nuclear stockpile—that's utmost, as is our responsibility for cleaning up nuclear waste. In fact, there are consent de-

crees where things have to be cleaned up because of things left over from World War II. There is research and development, which is important, and water issues. We heard for 2½ hours earlier today of the types of things that can happen to our Nation when water infrastructure is not kept up and modernized. There is the loss of human life, the loss of livelihoods, the loss of tens of thousands of jobs.

□ 1800

I am respectful of the gentleman's perspective, but in reality this would be very damaging to our national security and to things that are important to life and property.

I am happy to yield to the ranking member.

Mr. VISCLOSKEY. I appreciate the chairman for yielding and join with him in opposition. I think he has stated the case very well.

I would also add the expenditures in this legislation on nonproliferation. I think one of the greatest threats our country faces is the issue of nuclear terrorism. Again, we have to be very thoughtful. The chairman has had to make some very serious and profound choices. I think he has done an excellent job doing so, and we ought to stop where we are.

I am opposed to the woman's amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back the balance of my time.

Mrs. BLACKBURN. In closing, I do appreciate the comments that have been made, and I appreciate the work of the Appropriations Committee. I do agree that the issues that are dealt with are important issues. So is the fiscal stability of this Nation, I think. That's a very crucial and very important issue that is laid before us at this time. So is sending a message to our constituents and to the taxpayers of this Nation, that, yes, indeed we are going to require the bureaucracy to tighten its belt.

One of the questions I am most often asked by my constituents is, in our homes, in our businesses, in our churches, we're all tightening the belt. Why is the bureaucracy not tightening its belt? Why does Washington seem to be recession-proof?

They want to see this bureaucracy engaged in this. They want to see the bureaucracy join us in the fight to put this Nation on a firm fiscal footing.

When it comes to our Nation's security, I would just remind my colleagues that on July 6, 2010, Admiral Mullen made the comment that the greatest threat to our national security is our Nation's debt.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 1 percent.

The Acting CHAIR. Pursuant to the order of the House of today, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Thank you, Mr. Chairman, and I thank the chairman of the Appropriations Committee for the time to speak on this and to bring this amendment forward.

Again, this is a cut amendment. Every year, I say let's look at 1 percent, 2 percent, 5 percent. Let's look at where to make these reductions. I do it because I know that we all realize and probably many of us in this Chamber agree with the sentiment that Ronald Reagan regularly expressed, and that is that the closest thing to eternal life on Earth is a Federal Government program. We are reminded of that fact today as we are here debating this funding bill.

This amendment calls for a clean 1 percent across-the-board reduction in each account of this act. One penny on a dollar. We are doing this, yes, for today; yes, to send a message to constituents that we are working to reduce the spending; yes, to send a message to those that are watching the growing debt in this country; yes, a message that we are getting the fiscal house in order. We are also doing it for our children and our grandchildren, to make certain that they have an America that is strong, that is safe, that has its fiscal house in order.

We are in a time where every child that is born in this Nation is now seeing \$46,000 worth of debt heaped on their head, Federal debt, that is theirs. It is so important that we make this cut. It's an extra \$306 million that would come out of this budget.

As I said in my previous remarks, the appropriators have worked hard. They have worked diligently to make certain that they were reducing and coming in below last year's level, and they are to be commended for that. But

these are extraordinary times and it requires that we put the focus on going a step further, that we engage those that are running the bureaucracies, and that we have them go save a penny out of a dollar and that they do it for future generations.

Mr. Chairman, I reserve the balance of my time.

Mr. FRELINGHUYSEN. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. First of all, I want to thank the gentlewoman from Tennessee again for her steadfastness in trying to reduce spending.

Our committee had the lowest—our spending level went back to 2006. One of the benefits of serving on the committee and one of the reasons I traditionally oppose across-the-board cuts, 1 percent, 5 percent, 3 percent, is when you serve on the committee and you've already made substantial reductions, you do it in a careful and thoughtful manner. And when you're dealing with issues that relate to the nuclear stockpile, the reliability of that stockpile, the responsibility for taking care of nuclear waste and meeting consent decrees and court orders and you're dealing with lives and property that relate to issues of flooding and things that affect lives and property literally, billions of dollars of commerce that we heard about earlier this afternoon from those who represent Missouri and the Mississippi, really the bedrock of, I think, 44 percent of our Nation's economy, making these types of cuts, while it may feel good, without having the benefit of what we have the benefit of, which is debate and input from some of the Nation's greatest experts as well as obviously people from the administration, there is no way that I would support this reduction.

I would be pleased to yield to the ranking member.

Mr. VISCLOSKEY. I appreciate the gentleman for yielding.

I think you have stated the case well and do want to join with you in my strong opposition to the gentlewoman's amendment.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mrs. BLACKBURN. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman has 2½ minutes remaining.

Mrs. BLACKBURN. I yield 1 minute to the gentleman from Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. I thank the gentlelady.

I want to thank you for your amendment, because you bring forth such an incredible issue that we can't just stop with what was passed out of the Appropriations Committee. There are Members all across this body that had the opportunity to scour the legislation—

and I'm on the committee—and to improve upon the legislation. That's exactly what she's doing here by offering additional cuts.

Mr. Chairman, I want to bring out the fact that in the House over the last five appropriations bills, there have been 250 amendments offered. Only 11 cutting amendments have been passed, and eight of these were by voice vote. So here on the floor of the House, and I guess I'm speaking to my colleagues in the Republican Party, we are not cutting any more than what comes out of the committee. So far, out of these five appropriations bills, there's been \$691 billion spent, and yet we've only cut \$304 million in addition to that.

Mr. Chairman, as I think about where we are, I brought the analogy and trying to put this in context of where we are as a Nation, that's 2 cents, just two pennies out of a gallon of gas. Just two pennies.

I leave you that—my 2 cents' worth on this appropriations bill.

Mrs. BLACKBURN. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. McCLINTOCK).

Mr. McCLINTOCK. I thank the gentlelady for yielding.

I rise in support of this amendment. This is the last opportunity we have, really, to rein in spending that's literally bankrupting our country in this bill.

It's interesting. All the talk of the billions of dollars of subsidies that we continue to dole out to dubious enterprises are all unfulfilled promises of energy independence. You would think after 30 years those promises are starting to ring hollow. After 30 years of such promises, we're more dependent on foreign energy than when we began and even deeper in debt.

I rise also to draw to the attention of the House a provision of this measure relating to the Strategic Petroleum Reserve.

□ 1810

Under current law as that reserve is drawn down either for maintenance or for market manipulation, the proceeds from the oil must go back into the Strategic Petroleum Reserve. That guarantees that it's maintained in a constant state of readiness to provide for our national security. Whenever a dollar comes out of that reserve, a dollar has to be put back into it—until this bill. There is a half-billion dollars going out of the Strategic Petroleum Reserve, not to replenish the reserve, but to fund additional spending in this budget. That is a scandal.

Mrs. BLACKBURN. Mr. Chairman, I would just remind my colleagues, all the issues we address are important issues, but as Admiral Mullen has said, "the greatest threat to our national security is our growing national debt."

We are calling for another \$306 million to be reduced from this bill. Ten

conservative groups support this. Let's tighten our belts. Let's engage the bureaucracy. Let's put our country back on the path to fiscal health.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT NO. 53 OFFERED BY MR. HARRIS

Mr. HARRIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to fund any portion of the International program activities at the Office of Energy Efficiency and Renewable Energy of the Department of Energy with the exception of the activities authorized in section 917 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Maryland (Mr. HARRIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. HARRIS. Mr. Chairman, I will try to be brief because this amendment follows up on an amendment that was adopted by a voice vote by the Committee of the Whole just 2 days ago.

This amendment is the second part of the amendment I offered on Monday of this week. That amendment reduced funding by \$6 million from the EERE, and that would be enough to cut the funding that this amendment limits that would reduce funding for the international programs of EERE. It was an amendment endorsed by Citizens Against Government Waste.

The international programs are a subset of the EERE budget and do not have their own line item in an appropriations bill, so because of that, this limitation amendment would be required to properly implement the spending reduction amendment, again, passed by the committee on Monday.

This amendment clearly states that no funds may be spent on the international program activities of the Office of Energy Efficiency and Renewable Energy, with the exception of the activities authorized in section 917 of the Energy Independence and Security Act of 2007. So we removed \$6 million

in funding on Monday, \$8 million was recommended by the committee, therefore leaving \$2 million in the program. The United States Government has \$1.5 trillion in debt, borrowing 40 cents out of every dollar, and now is not the time to take our hard-borrowed dollars and spend them overseas.

This program literally—and I will read the programs funded under the international program—assists manufacturing facilities in China and India to reduce their energy use. Mr. Chairman, we should be keeping that money to help our factories reduce their energy use, not our international competitors. Improving energy efficiency in the Chinese building sector. Mr. Chairman, we should be improving our energy efficiency, not the Chinese building sector. Partnering with the Kazakhstan Government to provide training on industrial efficiency. Mr. Chairman, when we're borrowing this amount of money, we should be using it to promote our industrial efficiency, not the Kazakhstan Government.

Furthermore, it does things like help build windmills in Mexico. Now Mr. Chairman, we don't have the money to build windmills here, we have to borrow the money to do that. We shouldn't be borrowing money to build windmills in Mexico.

Again, this amendment implements the spending reduction already adopted on Monday.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. The amendment eliminates, as we know, international cooperative programs at the Department of Energy that focus on developing innovative energy technologies.

I appreciate and share the gentleman's concerns that activities that simply fund energy projects—like installing windmills—in other nations are not an appropriate use of taxpayer dollars. There is nothing in this program that funds windmills, with all due respect. This is especially true when we must rein in spending and eliminate waste all around. But this is a good example of when a scalpel is needed to save the worthwhile programs instead of a blunt instrument that eliminates the entire program.

The gentleman is correct that this program includes several small activities that the United States should not bankroll. However, many of the large activities in this program not only engender good will in countries like China, India, and Brazil—and Kazakhstan, which has been a tremendous ally in the war on terror—but they also increase economic activities abroad.

The energy sectors in China and India are increasing by leaps and bounds. In just the last 10 years, China's energy consumption has more than doubled. China and India and other nations' energy sectors represent an enormous economic opportunity for whoever will develop and supply energy technologies used in these rapidly growing countries. Cooperative programs eliminated by this amendment help the U.S. industry and researchers gain access to these booming markets. These programs don't cost much, but they leverage much more in international contacts and economic opportunities. For this reason and many others, I oppose the amendment.

I yield to the ranking member, the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman yielding and would join him in his opposition to the gentleman's amendment.

Again, I think the chairman has stated the proposition very well, but I would point out that the program's technical assistance activities really do help prime markets for clean technologies in major emerging economies to support and encourage U.S. exports.

So again, I am opposed to the amendment and appreciate the gentleman yielding.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. HARRIS. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. HARRIS. Mr. Chairman, just so we dispel any misconceptions that the committee might hold about what these programs are, let me read from the EERE Web site, because we were saying these are developing countries. Well, China is not a developing country, Mr. Chairman. This is what it says: "The U.S. Department of Energy today announced \$1 million in available funding to train energy assessors who will assist manufacturing facilities in China and India to reduce their energy use." Mr. Chairman, those aren't my words; they're the words of the Department that is asking for funding, for us to borrow money from China so that we can go to China to "reduce their energy use."

It goes on to say, "The EERE engages in multiple technology and policy efforts to improve energy efficiency in the Chinese building sector." These aren't my words, Mr. Chairman; these are the words of the DOE that wants us to borrow money from China to spend money in China to improve energy efficiency in the Chinese building sector.

Let's go further on. It says, "EERE partnered with the Kazakh Government to provide training on Save Energy Now industrial efficiency." In Kazakhstan. I would offer that if we want to do foreign aid, that we do it in the Department of State budget.

With regards to these cooperative programs, they're not zeroed out. The chairman should know that these programs are partially funded through the Department of State, and we don't affect the Department of State budget in this appropriation. What we do say is the Department has egregiously spent American taxpayer dollars. They are wasting taxpayer dollars. And with regards to wind power and windmills, I don't know what they're building in Mexico, but let me read from their Web site—not my words, their Web site: "EERE is involved in several projects currently underway, including wind energy in Mexico." Now Mr. Chairman, unless there is something else beside windmills that uses wind energy, the Department says they are involved in projects involving windmills in Mexico.

This country can't afford to make Chinese factories energy efficient and to build windmills in Mexico when we are borrowing 40 cents out of every dollar.

Mr. Chairman, I urge adoption of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. HARRIS).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. HARRIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

□ 1820

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I yield to the gentleman from Ohio.

Mr. RENACCI. Mr. Chairman, I rise for the purpose of asking the gentleman from New Jersey, the subcommittee chairman, to engage in a colloquy on the importance of solid oxide fuel cell technology and the need to maintain sufficient funding levels for research and development of this critical asset.

Mr. Chairman, I first want to commend you on the fine bill. This bill, which I know was full of difficult choices and competing priorities, comes in more than 16 percent less than the administration's request, marking a clear commitment to fiscal discipline and restraint. I understand that within the Fossil Energy Research and Development account the committee has appropriated \$25 million for the research, development, and demonstration of solid oxide fuel cells.

Is my understanding correct, Mr. Chairman?

Mr. FRELINGHUYSEN. The gentleman from Ohio is correct. As the committee states in the report accompanying H.R. 2354, we believe solid oxide fuel cell systems have the potential to substantially increase the efficiency of clean coal power generation systems, to create new opportunities for the efficient use of natural gas, and to contribute significantly to the development of alternative fuel vehicles.

Mr. RENACCI. If the gentleman will continue to yield, I appreciate his kind words about this particular innovative technology.

I believe that properly funding solid oxide fuel cell systems is an important step towards an all-of-the-above energy policy. The technology will help increase American energy capacity, reduce emissions, reduce our dependence on imported oil, and encourage the sustainable use of domestic hydrocarbons, including coal, oil, and natural gas, particularly newly discovered shale gas in the Marcellus and Utica formations located within my home State of Ohio.

It is my understanding that the Department of Energy's Solid State Energy Conversion Alliance, or SECA, is a model example of a public-private partnership that creates jobs, promotes private investment, and enhances our energy security. It is also my understanding that preserving the current funding level is paramount in protecting over 700 existing SECA-related private sector jobs. Moreover, ensuring timely commercialization of this technology will provide the basis for broader domestic economic growth, potentially paving the way for creating thousands more high-tech, high-skilled American manufacturing jobs.

Does the chairman agree with this understanding?

Mr. FRELINGHUYSEN. I want to assure the gentleman from Ohio of my agreement with the economic, environmental, and energy security benefits of this technology and that I will work to maintain this already reduced funding level as the Energy and Water Development appropriations bill moves forward.

Mr. RENACCI. I appreciate the gentleman's commitment to this technology and to working to ensure that this funding level, approximately 50 percent less than in fiscal year 2011, is not needlessly reduced any further for the coming fiscal year.

I again thank the gentleman from New Jersey and the ranking member from Indiana for their hard work on this bill.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

AMENDMENT NO. 21 OFFERED BY MR. LUETKEMEYER

Mr. LUETKEMEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used for the study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111-8).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Missouri (Mr. LUETKEMEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LUETKEMEYER. Mr. Chairman, the Missouri River basin is currently facing some of the worst flooding in its history. This devastation, combined with the ongoing economic crisis and our aging inland waterways infrastructure, means that now, more than ever, we must be focused and responsible with taxpayer-funded river projects.

My amendment would prohibit funding for the Missouri River Authorized Purposes Study, also known as MRAPS. This \$25 million earmarked study comes on the heels of a comprehensive \$35 million, 17-year study completed in 2004 that showed that the current authorized purposes are important and should be maintained.

For river communities, few issues are as important as flood control, water supply, power, and navigation. People in these communities rely on the river for their livelihoods and will do so today, tomorrow, and long after the floodwaters have receded.

This Congress and this administration need to focus on protecting human life and property and maintaining the safety and soundness of our levees. We also must support the important commercial advantages provided to us by our inland waterways system.

The Missouri River moves goods to market and is an important tool in both domestic and international trade. That's why the National Corn Growers Association, the American Waterways Operators, the Coalition to Protect the Missouri River, and the Missouri Farm Bureau support this amendment.

This study puts in jeopardy the lower Missouri and the Mississippi rivers, which could result in devastating consequences for navigation and transportation, resulting in barriers for waterways operators, agriculture, and every product that depends on the Missouri and Mississippi rivers to get to market.

The current authorized uses of the Missouri River provide necessary resources and translate to continued economic stability not only for Missourians but also for many Americans living throughout the Missouri and Lower Mississippi River basins.

We've said we want to focus on creating and maintaining jobs. This Congress is on the brink of passing three major trade agreements, and the ability of our inland waterways to transport manufactured and agricultural

goods, goods purchased and grown by Americans, is as important as it ever has been.

This study is duplicative and wasteful of taxpayer dollars. On this exact issue we've already spent 17 years and \$35 million on hundreds of public meetings and extensive litigation. I offered identical language during our first debate on the fiscal year 2011 continuing resolution. That amendment passed by a vote of 245-176. I appreciate my colleagues who offered their support and hope to have their support again.

While there is no funding in the underlying bill for MRAPS, I will remind my colleagues that in committee an amendment was adopted to allow the Corps of Engineers to use and receive non-Federal funds to continue and complete ongoing Federal studies. The need for my amendment is as urgent as ever.

With that, I yield 1 minute to the gentlelady from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Chairman, I rise in support of amendment No. 21, sponsored by my friend and colleague from Missouri.

This amendment is a commonsense idea to save tax dollars and ensure that the Missouri River focuses on protecting human life and property. It ensures \$25 million of taxpayer dollars won't be wasted on a second study of the purposes of the Missouri River. A 17-year, \$35 million study was just completed in 2004 to look at the purposes of this river. We don't need a second study, and we don't need to squander the taxpayers' money in this way.

Think about how much money is proposed for this study: \$25 million. That's a lot of money. As a commonsense person from Missouri, I have to ask: How does government spend that much money on a study? \$500,000 is a lot of money where I come from. How about \$1 million or \$2 million? Think of what the average family could do with \$1 million or \$2 million. But this study thinks that's not enough. It wants \$25 million to study a river that's already been studied.

Now is the time for common sense. Now is the time for fiscal sanity. Now is the time to stop spending money we don't have on things we don't need.

Mr. LUETKEMEYER. Mr. Chairman, I now yield 1 minute to the gentleman from Missouri (Mr. AKIN).

Mr. AKIN. The lady before me said it so eloquently and so simply: Why do we want to spend a whole lot of money? We're already in a crisis now. Huge debates about how are we going to control Federal spending. And here we find this proposal to drop another \$25 million to do a study that we have already done before.

First of all, we could save a lot of money in this, and that's a good idea. Of course, why is it that somebody would make the proposal after we've

done a study that's supposed to work for 17 years and want to do it all over again? Well, it's because they didn't like the results of the first study, quite obviously.

What did the study prioritize? Well, it prioritized, first of all, protecting human lives. That's not exactly a bad prioritization. And that's in the context of flood control. But it also talked about their livelihoods, not just their lives but their livelihoods. And that was the transportation part. That should also be a part of what the Missouri River is about. And of course the water supply and the safety. Now the proposal is to make the priorities on something else.

Look, the Missouri River is a great resource. We need to use it that way and prioritize our people, their property, and their prosperity.

Mr. LUETKEMEYER. I yield back the balance of my time.

The Acting CHAIR. Who seeks time in opposition?

The question is on the amendment offered by the gentleman from Missouri (Mr. LUETKEMEYER).

The amendment was agreed to.

□ 1830

AMENDMENT OFFERED BY MR. LUETKEMEYER

Mr. LUETKEMEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_ . None of the funds made available in this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Missouri (Mr. LUETKEMEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. LUETKEMEYER. Mr. Chairman, in recent months the Midwestern United States has been pummeled by severe weather that has destroyed land, homes, and even lives, particularly along the Missouri and Mississippi Rivers. Citizens living in communities along the Missouri River have endured what is beginning to be referred to as the worst flooding in history.

Just in this year alone, millions of taxpayer dollars have gone towards environmental restoration and recovery programs, while operations and maintenance of our infrastructure has been terribly neglected. Because of this neglect, this year's record rainfall, snowfall, and subsequent snowmelt have created extremely dangerous conditions that are growing more serious with each passing day.

President Obama in his fiscal year 2012 budget requested more than \$72

million for the Missouri River Recovery Program, which would primarily go towards the funding of environmental restoration studies and projects. This funding dwarfs the insufficient \$6.1 million that was requested for an entire operations and maintenance fund that supports the area covering the entire region from Sioux City to the mouth of the Missouri in St. Louis. It is preposterous to think that environmental projects are more important than the protection of human life.

The Missouri River Ecosystem Restoration Plan, or MR-ERP, is slated to receive \$4 million of the more than \$72 million in Federal funding that will go towards the Missouri River Recovery Program. This program is only one of the many Missouri River ecosystem recovery programs funded by American taxpayers, and MR-ERP is one of no fewer than 70 environmental and ecological studies focused on the Missouri River. The people who have to foot the bill for these studies and projects, many of which take years to complete and are ultimately inconclusive, are the very people who are at risk of losing their farms, their businesses, their homes, and even their lives today.

I do not take for granted the importance of river ecosystems. I grew up near the Missouri River, as did many of the people I represent in Congress. But we have now reached a point in our Nation where we value the welfare of fish more than the welfare of human beings. Our priorities are backwards.

My amendment, supported by the Coalition to Protect the Missouri River and the Missouri Farm Bureau, proposes a prohibition of funding for the MR-ERP program. The end of the study will in no way jeopardize the Corps' ability to meet requirements under the Endangered Species Act. What this amendment will do is eliminate one of the many ecosystem studies along the river, a study that has become little more than a tool of the administration for the promotion of the return of the river to its most natural state, with little regard for navigation, trade, power generation, or the many people who depend on the Missouri River and adjacent lands for their livelihoods. This study has the potential to result in river management that is environmentally driven rather than focused on balancing the needs of the environment with those along the river and our wonderful communities.

We've seen this same scenario played out on a nationwide basis. The result is increased unemployment, reduced trade, economic depression, and sometimes questionable environmental results.

Mr. Chairman, should the funding for MR-ERP go forward, we must stop and think about what we are doing. I urge my colleagues to support this amendment, to support our Nation's river communities.



I yield 1 minute to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Thank you, Representative LUETKEMEYER.

I rise today in support of this amendment. Like he said, this amendment is about priorities. What is important? Or better yet, who is important? I would contend that people are important, people along the Missouri River, people who are seeing their homes flooded and their livelihoods destroyed due to flooding. Crops, businesses, and homes are underwater as levees have been breached and overtopped in parts of Missouri.

Now is the time to refocus our attention on what matters as we manage the Missouri River. We need to protect people and property. The President's 2012 budget, as Representative LUETKEMEYER said, requested \$72 million to "recover" the river for two birds and one fish, but only \$6.1 million for operations and maintenance on the levees from Sioux City to St. Louis. Now, that's an example of wrong priorities.

This amendment ensures that the Corps of Engineers continues to focus on people and keep flood control and navigation as the focus. It's time to get our priorities back and to save tax dollars while we're doing it. That's a good combination.

Mr. LUETKEMEYER. I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I do rise in opposition to the amendment offered by the gentleman from Missouri. The WRDA 2007 Act, which was passed with such bipartisan support that it overcame a Presidential veto, authorized the Corps to undertake the Missouri River Ecosystem Restoration Plan and develop the Missouri River Recovery Implementation Committee to consult on the study. This authority provided a venue for collaboration between the 70-member stakeholder group of tribes, States, affected groups, and Federal agencies to develop a shared vision and comprehensive plan for the restoration of the Missouri River ecosystem.

By prohibiting the Corps from expending any fiscal year 2012 funding on the study, this amendment will result in a scheduled delay of the study, potentially additional start-up expenses and schedule impacts, and potential erosion of trust of the delicate partnership in this basin. There also could be legal implications associated with the National Environmental Policy Act if funding were prohibited for this study in the longer term. A 1-year prohibition would not allow work described above to be done and could push the entire schedule of the report out.

I also do believe that it places the Army Corps in jeopardy of not being in compliance with the act, which could also adversely affect their operation of the dams on the waterways. In the long term, the study represents the required programmatic NEPA coverage for the Missouri River Fish and Wildlife Recovery Project; and 13 Federal agencies, eight States, and 15 tribes have formally agreed to cooperate with the agency under the act. The fact that this was authorized in 2007 in an overwhelming fashion, that you have had this collaboration, and there are risks involved in adopting the gentleman's amendment, I would urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. LUETKEMEYER. I yield myself the balance of my time.

The Acting CHAIR. The gentleman is recognized for 30 seconds.

Mr. LUETKEMEYER. Mr. Chairman, very quickly, I think I understood the gentleman to say that this would affect some of the Corps' operations. This will in no way affect the Corps' operations whatsoever. This is a study that does nothing more than dictate how some things should be done after the study is over with. And in Missouri, our experience with these kinds of studies is such that we always come out on the short end.

We have farmers, and businesses, and communities along the river right now who have been dramatically impacted by previous studies which have protected fish and birds over the welfare of our citizens, our communities, and our businesses.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I would suggest that my colleague's relief stands with the authorizing committees. We have a law in place since 2007. Perhaps he might want it amended through the authorization process. At this point in time, I think it is unwise policy to slow this study down and would ask my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. LUETKEMEYER).

The amendment was agreed to.

□ 1840

AMENDMENT NO. 70 OFFERED BY MR. BURGESS

Mr. BURGESS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, before the short title, insert the following new section:

SEC. \_\_\_\_ . None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in sec-

tion 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Earlier this week, 233 Members of this body, our colleagues, voted in repealing the 100-watt light bulb ban. This ban comes as a result of the 2007 energy legislation that included a provision that regulates what type of light bulb the American people may buy and may use in their homes. The Federal Government has no right to tell me or any other citizen what type of light bulb to use at home. It is our right to choose.

Clearly a majority of this body, 233 Members, agree with the American people. Stay out of the decisionmaking and give the choice back to the consumer. Consumers want the 100-watt light bulb, and some consumers need the 100-watt light bulb.

Now after our debate earlier on the floor this week I got this message from a constituent named Dave. Dave wrote: I need my 100-watt light bulb to do the type of work that I do. It is very detailed work. I need to see my work with a 100-watt light bulb, and sometimes I use a 200-watt light bulb. It is necessary. I cannot do my work with less wattage because I have to strain my eyes to do my work and that causes me headaches, and then I am unable to work. Those types of light bulbs, 100-watt light bulbs, are like having sunshine at your home and at your work bench. LEDs do not suffice. Neons don't work, nor any other type of new-tech bulbs that are so-called energy savers, and I don't want to purchase those lights that have mercury in them. Nobody should have the right to dictate what types of lights we buy and use in our homes. I cannot read the very fine, small print of some of the product labels using those weak light bulbs. Stop that ban on those light bulbs that will serve us well with proper light for working on very detailed projects and reading product labels that have very small print.

That is what Dave said. Dave should have the right to choose what sort of light bulb he uses when doing his work at home.

Now, look, I work in a Federal building. I understand the Federal Government gets to tell me what type of light under which I must work in that Federal building. But when I go home at night to read my Denton Record Chronicle, I should be able to choose what type of light I use for that illumination.

In 2010, the last major GE factory that manufactured the incandescent

light bulb closed its doors as a result of the reckless 2007 legislation, and as a direct result 200 people lost their jobs. This wasn't the only plant to close as a result of that 2007 legislation.

These policies kill jobs. It's the clearest example of how real consequences affect real people with this reckless legislation. These jobs are being sent overseas. General Electric has said that the new lights cost about 50 percent more to make in the U.S. than in China.

The overregulating government policies have to stop. It would not only be better for the environment and our pocketbooks, but it would bring those jobs back to America.

My amendment at the desk would give Dave his choice of light and would allow every other American to choose, yes, choose what light bulb they want to use when they are in the comfort of their own home.

I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I support the amendment of the gentleman from Texas. I am pleased to do so.

Mr. BURGESS. I reserve the balance of my time.

Mr. VISCLOSKY. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. As the gentleman pointed out, we had this debate earlier this week on the House floor. I would point out that the performance standards for light bulbs were established in an act in 2007. It's the law of the land.

At that time the bill enjoyed strong bipartisan support, with 95 House Republicans voting for final passage and the bill being signed into law by President George Bush.

As far as I am aware, the issues that inspired this standard have not changed and, if anything, have gotten worse. Families continue to struggle every day to meet rising energy bills and there are real savings to be had by moving to more efficient illumination.

It is estimated that efficient lighting will save the average American family around \$100 every year. Further, while claiming that the incandescent bulb is dead makes for a good sound bite, it doesn't affect reality. As a result of the 2007 law, manufacturers are already making a variety right of new energy-saving bulbs for homes, including more efficient incandescent bulbs.

These bulbs look, light and turn on like those we have used for decades, but are 28 to 33 percent more efficient. What we are talking about here is a standard, not the definition of a discrete bulb.

This progress has been made because of the standard and goals that were set in that bill. I do not think it is time to turn the clock back. I do think we

ought to enjoy these energy savings, and I am opposed to the gentleman's amendment.

I reserve the balance of my time.

Mr. BURGESS. The fact is, the United States Congress, the Federal Government, should not pick winners and losers. Yes, there is new technology. It didn't happen as fast as the proponents of this legislation articulated in December of 2007, and the technology that was promised for 5 years later, which is now, in fact, has been slow to develop, but it will develop and then let them meet in the marketplace.

Let the consumer decide. Let the consumer pick the winners and losers in this argument, not the United States Congress, not the Federal Government.

We had no business restricting the sale of the 100-watt light bulb. We had no business restricting what light people should use in their homes. This is one time we should back off and let the American people make the choices that are right for them.

I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I would simply say again we are talking about a standard that was adopted under law in 2007. We ought to try to achieve that standard to save energy in this country.

I remain opposed to the gentleman's amendment. I would ask my colleagues to vote "no."

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. BURGESS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 80 OFFERED BY MR. CRAVAACK

Mr. CRAVAACK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_ None of the funds made available in this Act may be used to develop or submit a proposal to expand the authorized uses of the Harbor Maintenance Trust Fund described in section 9505(c) of the Internal Revenue Code (26 U.S.C. 9505(c)).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from Minnesota (Mr. CRAVAACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. CRAVAACK. Mr. Chairman, in March of this year, Jo-Ellen Darcy, As-

sistant Secretary of the Army for Civil Works, testified before the House Subcommittee on Water Resources and the Environment that the administration is preparing to plan draft legislation to expand the scope of projects eligible to receive Harbor Trust Fund moneys.

In the hearing, Assistant Secretary Darcy alluded to the Administration's interest in using Harbor Trust Fund moneys for port security, among other things.

While I fully support funding port security through the general appropriations process, I oppose the efforts to divert Harbor Maintenance Trust Fund moneys until the Federal Government demonstrates it has fully used these trust funds to their intended purpose, and that is dredging.

As many of you know, the Harbor Maintenance Tax is an ad valorem tax assessed on the maritime shippers that use America's ports. By law, revenues of this user tax are to be dedicated to the United States Army Corps of Engineers' operations and maintenance budgets to ensure American navigation channels remain dredged to their authorized depths and widths.

Despite the significant revenues and the roughly \$6 billion supposed balance in the Harbor Maintenance Trust Fund, our Nation's maritime infrastructure has largely fallen into disrepair.

Only one-third of our Nation's navigation channels are at their authorized depths and widths. Portions of the important Atlantic Intracoastal Waterway have been closed to commercial navigation due to lack of maintenance dredging. Eight out of the ten of our Nation's largest harbors are not dredged at their authorized depths and widths.

Mr. Chairman, make no mistake, this has a direct impact on American job creation and prosperity. When American ships have to "light load" to clear the shallowest channel, American economic productivity is lost.

For example, for each inch silted in, the American Laker fleet collectively, per voyage, leaves 8,000 tons of Minnesota ore on the docks in Duluth. That's enough to produce over 6,000 cars. I know I don't have to tell the ranking member and fellow Steel Caucus member what this means.

Moreover light loading causes increased transportation costs for our exports, decreases our national economic competitiveness. Every billion dollars in exports, Mr. Chairman, translates to 15,000 American jobs.

Given the economic straits we are in it is imperative we don't hold back American business with increased transportation costs caused by unmaintained channels.

□ 1850

We must, Mr. Chairman, ensure that the moneys intended for dredging are not siphoned off for other programs.

My amendment will prohibit moneys from being used by the administration to develop a plan or draft legislation to expand the scope of the projects eligible to receive Harbor Maintenance Trust Fund moneys.

American shippers are taxed specifically to maintain the channels they, and our Nation, depend on. It is imperative that we ensure that harbor trust fund moneys be spent as they are intended, thereby ensuring American competitiveness and the proliferation of American jobs.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Let me thank the gentleman for his amendment and tell him that I'm pleased to accept it. I know that you included the fact that you wouldn't have to tell the ranking of the important purpose of your amendment. I also share those same sentiments. We don't want to degrade the purposes for the harbor maintenance fund from the express purposes now. There are too many priorities that are out there. We don't need to expand them.

I'm very pleased to lend my support.

I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I appreciate the gentleman yielding. I associate myself with your support of the amendment.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. CRAVAACK. I thank the gentlemen for their kind comments, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. CRAVAACK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. Of the funds made available by this Act for carrying out section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513), the amount of funds made available by the Secretary to carry out projects described in subsection (b)(5) of that section shall not exceed the amount of funds made available by the Secretary to carry out projects described in subsection (b)(4) that use coolants different from those commercial technologies that are in service at the time the guarantee is issued.

Mr. FRELINGHUYSEN. I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey reserves a point of order.

Pursuant to the order of the House of today, the gentleman from California

(Mr. ROHRABACHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I rise in support of my amendment which would require that the amount provided for in title 17 of the Energy and Water development appropriations bill for loan guarantees for advanced nuclear energy facilities be equal to or exceed that for loan guarantees targeted for carbon capture and sequestration projects.

In laymen's terms, my amendment would specify that we cannot use more funds in this act for loan guarantees for carbon capture and sequestration projects than we make available for projects using nuclear technologies such as small modular gas-cooled reactors.

The purpose for this is simple. These new technologies hold significant promise of meeting our ever-increasing energy needs with safe, clean, reliable, cost-effective, proliferation-resistant noncarbon-producing American-built nuclear reactors.

As a member of the Science Committee, I, along with my colleagues, have studied this technology over the past 7 years. And let me note, the bureaucracy has studied this technology almost to death. Well, the time has come for that study to be left behind. It's time for the study to be over, and it's time for us to act. There are commercial companies out there right now trying to bring these technologies to market, and this amendment will help make this a reality.

I would like to also note that the GAO and the committee have stated that there is a lack of transparency in this loan guarantee program. We cannot expect to perform proper oversight without knowing where and how these funds are being used, and it is critical that we become more specific in stating how we intend the funds to be used. And that's what this amendment would do.

It would also be important that we require the administration to report back to Congress with a full explanation of how these funds are being used. Thus I ask for support for this amendment.

The Acting CHAIR. Does the gentleman from New Jersey continue to insist on his point of order?

Mr. FRELINGHUYSEN. I do.

The Acting CHAIR. The gentleman reserves his point of order.

Who seeks time in opposition?

Mr. FRELINGHUYSEN. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in opposition to the gentleman's amendment. But may I say I have always

found him to be very thoughtful and considerate, and I know that he is extremely knowledgeable about this and is committed to the whole issue of taking a look at these types of loan guarantees.

When we put together our bill, we had several guiding principles, and chief among them was to get the Federal Government out of the private sector's way. You should understand that.

The loan guarantee program is at the heart of that debate, and our bill begins to ramp down this temporary program while including funding to help new technologies so that the private sector could take them over. The gentleman's amendment, however, appears to dictate which technology should receive funding through this program and which should not.

Mr. Chairman, responsible private sector entities have sunk literally hundreds of millions of dollars into their applications; and this amendment would, I think, potentially cut off those applicants, despite their investments in good faith efforts. And even more importantly, however, the amendment would determine which technologies win and which would lose. I don't think in our committee or in this Congress we should be determining the winners and losers. We should let the market decide.

So I would ask my colleagues to oppose the amendment.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. Mr. Chairman, I do insist on my point of order.

The Acting CHAIR. The gentleman will kindly state his point of order.

Mr. FRELINGHUYSEN. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if changing existing law."

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

The gentleman from California is recognized.

Mr. ROHRABACHER. I believe that it is Congress' job to make decisions. We are the ones who should be actually designating exactly where money is going. I'm a senior member of the Science and Technology Committee. We have studied this issue directly, and this is my recommendation. And I think that what we're supposed to do here is make sure that rather than having money, saying we can just spend all we want in sequestration and accepting that alternative, that we must designate what we think is the best use and most efficient use of the

taxpayer money. That sounds within the rules to me.

The Acting CHAIR. The Chair is prepared to rule on the point of order.

The Chair finds that this amendment includes language requiring a new determination of whether a certain type of coolant is used on a project. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. I have another amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:

SEC. 609. None of the funds made available by this Act may be used to carry out projects described in section 1703(b)(5) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)(5)).

The Acting CHAIR. Pursuant to the order of the House of today, the gentleman from California (Mr. ROHRABACHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. I rise in support of my amendment which would require that none of the funds provided for in title 17 of the Energy and Water development appropriations bill be used for the purposes of providing loan guarantees for "carbon capture and sequestration projects." If you think that carbon capture and sequestration is an important goal—and I'm sure there are some people who believe it is. Let me just note that I do not believe that, and I think that having heard the debates that have been going on about this particular issue over the years, that there are large numbers of my colleagues who do not believe that as well.

Well, if you do not believe in carbon sequestration and capture as an important goal, then I would suggest that the best sequestration—if you really believe that we must sequester carbon and that that is an important goal, then let me suggest this, and that's what my amendment is all about: it's better to leave the oil and coal in the ground if that's what you really want to do is capture this carbon and sequester the carbon and capture it.

□ 1900

And I would suggest that the best way to do that is by promoting new nuclear technologies such as the new, inherently safe, small, modular nuclear reactors, especially those that do not use water as a coolant. We can provide all the clean, safe electricity that we need. And I would hope that any funds that the Secretary might have, in terms of his opinion, determined to use in carbon capture and sequestration, instead that the Secretary will use that limited amount of money that he

has available to him on a positive program that will permit us an alternative to oil and gas. I personally, however, do not believe that oil and gas necessarily and the capture of carbon sequestration is an important goal; but if you do, you should be supporting—in- stead of basically using that as an expensive tool that will hurt the economy, we should be using the funds that are available instead to promote this positive alternative of nuclear energy, especially the high-temperature, gas-cooled reactor.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. As I said earlier, respectfully, I still think this amendment, as with the previous one, is an issue where we are determining winners and losers, and I believe the market should decide.

Let me say, the committee is strongly supportive of the whole issue of development of small, modular nuclear reactors, and it is amazing how much interest there is out there. There is incredible ingenuity that is going into it.

We do have support for nuclear loan guarantees. I think there is \$11 billion in unused funds and \$6 billion for fossil fuels. We have money available for the development of these types of technologies which hopefully you will find to be reassuring.

But for reasons I said earlier, without repeating myself again, I oppose your amendment at this time.

I yield back the balance of my time.

Mr. ROHRABACHER. How much time do I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. ROHRABACHER. Mr. Chairman, let me just suggest that, again, we should be taking responsibility, especially when we see something as important to the American people as the issue of energy, especially clean energy, and how we are going to make sure that it is supplied to the people of the United States.

Specifically designating that these funds won't be used for sequestration and carbon capture, I mean, that seems to me that is what we should do. We should determine whether or not we believe this is an appropriate use of government funds. I suggest that it is not, especially when we have alternatives that are available to us, like these new technologies in the nuclear field, that can give us what we need in terms of not producing carbon and making sure that you don't even need sequestration then. If you have those alternatives, then we shouldn't be spending the money on this other approach, on the carbon capture and sequestration approach. That makes sense to me.

We need, as Members of Congress, to set these type of parameters on the spending of our limited dollars in a way that will have the most positive impact, and the carbon capture and sequestration concept is not the best way to spend our money when we have these other alternatives.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:

SEC. 609. Not less than 10 percent of the funds made available by this Act for carrying out section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) shall be available for carrying out projects described in subsection (b)(4) of such section that use coolants different from those commercial technologies that are in service at the time the guarantee is issued.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from California (Mr. ROHRABACHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I rise in support of my amendment, which would support advanced nuclear reactors, particularly those reactors that do not use a light water coolant, which happens to be technology used for decades and seems to be what certain members of the business world are trying to foist off on the American people. No, it is time to upgrade, to update, and innovate.

Since I understand that a point of order has been raised against this amendment, I intend to withdraw it. But before I do so, I would like to make some remarks as to why it is important for these new reactors to come forward.

As I stated earlier, these new technologies, such as the high-temperature, gas-cooled reactors hold significant promise of meeting our ever-increasing energy needs with safe, clean, reliable, cost-effective, noncarbon-producing, proliferation-resistant, American-built nuclear power plants. A number of our

commercial companies out there right now are ready to bring forth this cutting-edge nuclear technology and put it on the market and create new, high-tech private sector jobs for the American people. Their success should be our goal.

There is some mention of these technologies in the committee report. I am very grateful for that, but I would like to draw attention to why these are so vitally important for our country.

First of all, the small modular nuclear reactors, especially those that do not rely on decades-old light water coolant systems, exemplify the next wave of nuclear power, and we should pursue it far more aggressively than we are today. Specifically, we should be more aggressively pursuing the next generation nuclear plant and make the best use of the technologies that have been developed which include inherently safe reactors that don't require extraneous engineered safety devices to protect the public. We have a new level of safety that is almost unimaginable in these new reactors. We should understand that we need the high fuel burn-up rates that will greatly reduce the proliferation concerns. So we have reactors now that will be available that will not leave the residue and the leftover material that can be turned into nuclear weapons.

We also have reactors that are modular, scalable, and can be delivered on the back of a truck. This would make them far more economical and far more feasible for various communities throughout the world. Read that, we can manufacture these somewhere in America and transport them around the country or around the planet.

The Department of Energy should encourage and partner with industry to build working reactor prototypes using these technologies to provide the data required for commercial licensing.

The Nuclear Regulatory Commission should encourage applications from private companies for the purpose of building working commercial reactors incorporating these new technologies. The NRC should also consider these applications immediately upon receiving them and expedite the processing.

□ 1910

Ideally, the NRC should be able to complete the process within 2 years of the receipt of the initial application. That should be more than a goal. That should be a commitment.

I hope I've made it clear how vital these technologies are to our energy future. We are either going to lead the world in the nuclear arena or we are going to be left behind as a country.

Now, I understand that there is a technical problem with this amendment, but I would like to make sure that my colleagues understand the significance of this new technology.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MRS. ADAMS

Mrs. ADAMS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 62, after line 2, insert the following:

SEC. 609. None of the funds made available by this Act may be used by the Department of Energy for maintaining, developing, or creating any Web site which disseminates information regarding energy efficiency and educational programs on energy efficiency specifically to children under 18 years of age, including the current Web site operated by the Office of Energy Efficiency and Renewable Energy titled Kids Saving Energy and the current Web site operated by the Energy Information Administration titled Energy Kids.

The Acting CHAIR. Pursuant to the order of the House of today, the gentlewoman from Florida (Mrs. ADAMS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Mrs. ADAMS. I rise today in support of my amendment to H.R. 2354, which would eliminate wasteful spending at the Department of Energy.

Why did the foolish gardener plant a light bulb? He wanted to grow a power plant.

How did Benjamin Franklin feel when he discovered electricity? He was shocked.

Mr. Chairman, what's shocking about this is how our hard-earned taxpayer dollars are being used. While some may find these jokes humorous, there are those of us who don't believe it's funny. There is nothing funny about the source of wasteful funding for these jokes. These riddles, along with numerous others just like it, are displayed on the U.S. Energy Information Administration's "Energy Kids" Web site, as seen here. This Web page also has Sudoku and crossword puzzles about greenhouse gases and coal power. These riddles and games are being paid for by you, the taxpayer, at a time when our country is facing enormous debt.

In November, the American people sent a resounding message to Congress, calling on them to stop wasteful spending and to prioritize Federal dollars towards job creation. With our Nation facing a \$14.3 trillion debt, this is the kind of wasteful spending we must stop. Rather than using taxpayer dollars to reduce energy prices for all Americans, the Department of Energy has instead decided to spend your hard-earned taxpayer dollars towards creating and maintaining this Web site.

This Web site is not the only Web site of its kind. There are others just like it. The Office of Energy Efficiency and Renewable Energy maintains a "Kids Saving Energy" Web site. This Web site has videos with Tinker Bell

telling children to use energy-saving light bulbs and quizzes asking children how many kilowatt hours an average U.S. home uses each month. While I have no problem with Tinker Bell—I am a huge supporter of Disney World, which is just outside my district—I do have a problem with wasteful government spending, and that's where the problem lies.

In this tight economy, Congress must prioritize funding, and these Web sites are a blatant misuse of taxpayer money. Now, Mr. Chairman, I recently asked Secretary Chu how much money the Department of Energy spends to maintain and operate these Web sites, but the Secretary refused to provide the amount. In today's economy, Congress and the Department of Energy should be squarely focused on reducing our national deficit, encouraging job creation in the private sector and making energy more affordable for American families.

My amendment would ensure that no Federal funds in the underlying legislation may be used to maintain, develop or create these and other similar Web sites, and I would encourage you to support this amendment.

I reserve the balance of my time.

Mr. VISCLOSKY. I rise in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, there is a Web page that has been described by the proponent of the amendment at the Energy Information Agency. Over the past 12 months, the Web site has had over 26 million visitors. There are 224 million pages of information. It is not an underutilized site. The fact is that young people access the kids' page more than any other one on this Web site, visiting 16 million pages. "Energy Kids" gets nearly 10 times as many hits, if you will, as the adult version.

The gentlelady talks about puzzles and other very elementary approaches as far as education. I think education, not being an educator myself, ought to be age appropriate. I would also point out that there have not been significant changes as far as the update for this site in that they're trying to hold down the cost. To the extent that work has taken place, \$10,000 has been spent in fiscal year 2011, not necessarily in the coming year. There is no anticipated incremental cost for the "Energy Kids" Web site in the fiscal year 2012 President's budget.

But the reason I really rise in opposition is not necessarily over the details but with respect to the idea that we should not look for ways to educate young people in this country. We are having a tax on science; we are having a tax on scientific knowledge; we are having a tax on education. What is wrong at this late date with educating

young people and having the Federal Government reach out and provide information on conserving energy, on using it wisely, recycling, so that we can reduce our dependency on energy?

We have programs—and have had them for years—on drugs. Maybe for those under 18 we shouldn't have any Federal expenditures to educate young people about drugs because, well, we've got to save money. We're at a spot where we just can't spend any more Federal funds on education. We have an obesity problem in this country. Youth obesity is at a crisis level, but maybe what we should do is say, If you're under 18, we don't want to spend any money educating you because we can talk to you when you're 19. We have a problem as far as people not getting enough exercise. Too many people use elevators. They park their cars close to the door. So maybe we shouldn't spend any Federal resources educating young people about, you know, you should walk once in a while. You shouldn't sit on that couch all day. You shouldn't watch that TV all day.

So let's stop educating. Let's stop using any Federal money because we've got a debt crisis here—and I acknowledge that. So let's just stop educating young people. Let's just stop, and we'll wait until they're all 18 and they have type 2 diabetes. Then we'll stop because they've got a drug problem, and maybe we can convince them to get off of drugs when they're 18. Maybe we'll convince them they ought to get on a treadmill when they're 18. In this case, when are we going to start?

As a parent myself and not an educator, my sense is the damage is done for young people. That's why we have a Head Start program by the time they start school. Children have that impression. They gain that knowledge. They have values that are transferred to them by their parents. I certainly think there is an absolute role by the Federal Government to help young people know what are the values and what are things to do that will improve our society for them and their generation. So I am strongly opposed to this amendment.

I reserve the balance of my time.

Mrs. ADAMS. I appreciate that. I too want to encourage our young people to get outside and exercise instead of staying on their computers and playing Sudoku games and other games through this Web site.

We need to look at the funding that's being spent. While you've quoted numbers, the Secretary couldn't give me any numbers in committee. We've asked for those numbers, and he still has yet to provide them.

I ask my colleagues to support this amendment.

I yield back the balance of my time.

Mr. VISCLOSKEY. The gentlewoman talked about getting people away from their computers, and I would agree

that we need a balance in life. That's why we should educate people—children—that there is a value of sitting in front of that computer, in gaining knowledge through that computer and in using it for their homework—but then getting out and exercising, making sure they know they shouldn't do drugs, making sure they should eat appropriately.

Not being a terribly compliant person as far as technology, I understand that you could take a walk and still access that site. So why don't we do both. I would ask the gentlewoman to consider withdrawing her amendment, but I will state my opposition to it.

I yield back the balance of my time.

□ 1920

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Mrs. ADAMS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. ADAMS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I yield to the gentleman from Oregon.

Mr. WU. Mr. Chairman, I would like to engage in a colloquy with the gentleman from New Jersey.

Throughout this debate on the Energy and Water appropriations bill, we have discussed the importance of research and development of new energy technologies. However, I would like to highlight the importance of demonstration projects that are carried out within the Department of Energy's Building Technologies Program.

The Department of Energy spends millions of dollars each year on research and development for new technologies. However, that R&D often reaches a point known as the Valley of Death. The Valley of Death is where promising new technologies fade into obscurity because they can't attract the capital investments to move from concept to commercialization.

In essence, on one side of the Valley of Death is research and development; good ideas. On the other side is the actual deployment and commercialization. A demonstration project takes the research and development just a little bit further and bridges this divide so that private entities will be interested in deployment, private entities will be interested in commercialization.

This good use of federally funded demonstration projects is critical to

reducing the risk to private sector investors and allows technologies to cross the Valley of Death and establish commercial viability for investors and, indeed, attract their interest.

I strongly believe that in the course of our discussion about funding for the coming fiscal year, it is important to highlight the importance of the Building Technologies Program's demonstration projects. I very much appreciate our previous discussions that I have shared with the chairman and ranking member, and I would be interested in the chairman's insight into this matter.

Mr. FRELINGHUYSEN. I agree with the gentleman about the importance of projects that develop new, extraordinarily beneficial technologies that would never be developed without Federal investment. It is critical that we maintain a national investment in activities at the Department of Energy that protect our country's security and competitiveness.

The Building Technologies Program at the Department of Energy has played a significant role in developing technologies that are too risky for the private sector to invest in alone and that will substantially reduce energy costs for American homes and businesses. The government's role in energy should not extend to commercializing new technologies. It is the role of the private sector to deploy them.

However, without many of the projects that develop these new technologies, it would be too risky for private companies to invest. I want to thank the gentleman for his deep commitment to advancing American technology and innovation, and I look forward to continuing to work with him on this important issue.

Mr. WU. I thank the chairman and the ranking member for their engagement in this issue, and I look forward to working with them.

The chairman knows that fully 40 percent of total energy use in America is in buildings and fully 70 percent of electricity use is in buildings. So when we make buildings more efficient, this is indeed the low-hanging fruit toward future energy efficiency, and in fact the ability to bring new, innovative American-made technologies to market is key to rejuvenating our economy. Successful projects in the Building Technologies Program will result in the manufacture and sale of new products here in the United States and result in rejuvenating our economy and building good American jobs here.

I thank you, Mr. Chairman. I thank the ranking member.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BASS

of New Hampshire) having assumed the chair, Mr. REED, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

#### HOUR OF MEETING ON TOMORROW

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

#### JOBS

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

Mr. REED. Mr. Speaker, I rise today to have an important discussion that we should focus on, I believe, here in the House, in the Senate, and in the White House. That is a discussion focusing on jobs. We need to get America back to work. We have been focusing now on this side of the aisle, in our committee work, day after day after day to present proposals. We've moved them. We've adopted them here in the House. The focus is on policies that are going to promote the private sector, that are going to promote the development of an environment where people will take the risk and become job creators and put people back to work here in America.

I talk often in my office back in the district, as I go out to town hall meetings and have conversations with people as I go down the street to our local supermarket and to our local stores. I focus on four areas that we need to adopt legislation on here in Washington, D.C., or repeal legislation on in Washington, D.C., that will create an environment where jobs will be created for generations to come.

The first and probably the most appropriate and important focus that we should be spending time on today is the question of getting our fiscal house in order. We have had a lot of debate over the last few months, weeks, about this debt ceiling that's coming to roost and the vote that we're going to have to take here in the House, I would imagine. One of the reasons why that issue is so critical to us at this point in time is we need to demonstrate to the world that America is going to get its fiscal house in order once and for all so that our markets recognize that we are seri-

ous about this issue, that we recognize that \$14 trillion of national debt is just not sustainable and that it really will destroy America as we know it, and, more importantly, what it will do when we send a message. If we can adopt a policy here out of Washington, D.C., that deals with the debt ceiling but fundamentally deals with the underlying debt, it will send a message that the American market is something that you can invest in again, around the world, that foreign investors, domestic investors, will have the confidence and the certainty that America is a place to invest your dollars, your foreign currency, to create the new environment, the new marketplaces, the new facilities, the new manufacturers, the new industrial base to put people back to work again.

□ 1930

I am extremely confident that we here in the House of Representatives, and particularly on our side of the aisle, can come to a reasonable solution to this debt ceiling issue and do it in such a way that takes care of the debt ceiling crisis but that also takes care of the underlying debt crisis that put us into this situation and will continue to put us in this situation unless we get serious and deal with it now. This is the time. This is the moment. And that will send that indication to the world that America is strong, and we can invest here and put people back to work.

The second thing that I tell people as I go around and I talk to them in my district and I talk to people on the street and see them as we go down the road is that what we need to do in Washington, D.C., is to set the agenda out of the House that will create an environment where regulations out of Washington, D.C., are cut, are repealed, are streamlined, so the bureaucratic red tape that our job creators, that the private sector in America faces day in and day out—as a private business owner myself before I came to this Chamber, starting and opening four businesses, I can tell you, as I went through employing people and taking the responsibility and taking the risk of putting my capital on the line, putting my family on the line for all the time and the resources that we committed into it, the bureaucracy that I dealt with in creating those businesses and putting those people back to work was mind-boggling.

I talk to business owners all across America and people that want to go out and start their own businesses, and what they tell me is all I want to do is manufacture my widget, all I want to do is go out and provide the service that I enjoy doing, that I have made my career or my passion in life. But yet what I find myself doing when I go down this path is complying with paperwork, complying with regulations,

spending hours upon hours—not innovating, not creating new technology, not figuring out a better way to deliver services at a better price and in a better fashion or creating a new widget or creating a new product in a more efficient manner. I spend hours filling out paperwork to comply with regulations coming out of Washington, D.C., and out of my State capitol.

And I will tell you, that resonates with me. That's why we need a policy here in Washington, D.C., that calls upon every regulatory body in Washington to look at the impacts of their regulations from an economic point of view, how it's going to impact that creation, that innovation of the private sector in a negative way, and balance that in relationship to what the goal of the regulation is.

And sometimes those goals are very good. A lot of our environmental laws are reasonable and regulations are reasonable, but they take a balanced approach to accomplishing what we all want—clean air, clean water, a clean environment to pass on to our kids and to the next generation.

But at the same time, we can't do it without recognizing that if we kill the American way of life, that there will be no America for our children to enjoy. So we have to have a commonsense, balanced, reasonable approach to this government and this regulatory expansion that's coming out of Washington that needs to be crippled and needs to be cut and needs to be repealed.

So I have focused a lot of my effort—and a lot of my colleagues have spent a lot of time—talking about and implementing legislation that will cut the agency's ability to promulgate those regulations that will destroy America unless they're reined in. So we need to focus on that second point.

The third point, I have talked to so many folks about our Tax Code until I'm blue in the face. As a member of the Ways and Means Committee, I can tell you that going through the 70,000 pages plus of the Tax Code and the tax regulations is mind-numbing. And the problem is that we're forcing all Americans to try to comply with that Code. We have talked about this.

Since we took the majority, since I came here in November as an elected new Member of Congress, I have spent a tremendous amount of time trying to advocate for comprehensive tax reform that will streamline the Code, make it much more competitive, bring down the corporate rates and the individual rates to a point, with the pass-through entities that have to be taken care of, so that we are competitive on the world stage in dealing with our Tax Code.

I was glad to see the President the other day talking about, in this debt ceiling debate, how he was targeting some loopholes and exemptions and the corporate jets. Like we're here on the



Republican side, we came to Congress, we left our families, we left our businesses because we want to protect corporate jets. Come on. That's not being honest with the American people. We have been talking about comprehensive tax reform from day one. We're ready to go. I'm glad the President now has conceded that that's where we have to go and that's part of the debt ceiling conversation, and it needs to be.

So the bottom line is is we make that Tax Code more competitive. We streamline it so honest, hardworking Americans can comply with it, and we revamp the Code, reform the Code in such a way that it's a competitive Tax Code that doesn't excessively burden those in the private sector and all taxpayers across America with that tax burden that's just going to kill America if we don't get this spending under control, which those revenues from the Tax Code go to take care of.

The fourth point that I stress to people as I go around and I talk to them is that we need a domestic-orientated energy policy that taps into our energy in such a way that it's comprehensive, it is an all-of-the-above approach. And what I mean by that is, when I was the Mayor of the City of Corning and we would have people coming in and talking to us about siting a new facility or a new manufacturing base or a new operation, there was always the part of the conversation that we got to that was, Okay, why should I invest in the City of Corning in the State of New York? What are your tax rates? What is the tax burden I'm looking at? What are the insurance costs that I'm going to have to pick up by coming to the State of New York, the City of Corning?

The other issue that was repeatedly discussed in the top three of those conversations was, what are your utility costs? What is the cost to me, for producing this new product or this new technology going to run me? And that's where, if we have a comprehensive energy policy focused on domestic supplies of energy, not only will we be taking care of a national security issue with having these supplies of energy being produced from domestic sources of things such as natural gas from the Marcellus shale, or Utica shale in my part of the State, or shell formations and tight sand formations all across America, but we have oil supplies that have been identified and are available to us. If we just unleash those resources, we have to say we go after these energy sources in a clean, responsible manner, environmentally safe.

And everybody I talk to supports that on our side of the aisle. No one here is going to destroy the environment for the sake of getting energy out of the ground, for the sake of hurting our children or our grandchildren. That's not what we stand for. But we stand for focusing on those energy sup-

plies that are here and promote those energy supplies so that we have a source of energy that's dependable, that will provide us with long-term, low-cost sources of energy supplies to our manufacturing and industrial bases and reignite America again so that we become a powerhouse in the area of employment and put our people back to work.

So those are four key principles that we bring to the table. And one additional piece that I'd like to talk about tonight that is ripe and ready for us to take is the expansion of opportunities of our exports.

We have three free trade agreements that are ready to go. We have South Korea; we have Colombia; we have Panama. They have been negotiated. There has been a long history, many years of going back and forth with these countries and asking these countries to engage in honest negotiations that deal with all the issues that you deal with when you enter into a free trade agreement. And both parties—we as the United States of America, the Governments of South Korea, Colombia, and Panama—have come to the table in good faith, and we have finally gotten to the point where we are ready to move on these agreements. All the issues have been negotiated. All the issues of the free trade agreements have been taken care of. Now, I know there is an issue in Washington, D.C., that we're still dealing with when it comes to trade adjustment assistance, but, fundamentally, the free trade agreements have been negotiated and worked out with these countries, and we're ready to go.

But what are we doing? We're waiting on the White House to send them up here. We're waiting on the President, who set, in his State of the Union message, a goal of doubling our exports. A great goal. I applaud the goal. But in order to double our exports out of America, we've got to create an environment in which the private sector flourishes, such as those four points, and focus on those four points that I just talked about. But we also have to expand the markets upon which those new products and our existing products can be sold to so that we can increase and meet that export goal. That's why I supported the free trade agreements when I came to Congress and as I went out on the campaign trail.

□ 1940

We have three great agreements that are ready to move, be moved, and ready to be voted on, and I think have strong support on both sides of the aisle. Under the President's own numbers, these three agreements are looking to create at least 250,000 jobs. This is coming out of his administration. The agencies under his control are projecting that these agreements will provide opportunities for at least 250,000

new jobs. To me, this is a no-brainer. We shouldn't be haggling back and forth and trying to figure out what's holding these agreements up, ready for a vote. These countries have negotiated with us in good faith. We've had those hard negotiations, and now we're ready to go. The President even mentioned the other day on TV when I was watching some news reports that he wants to move forward on these agreements, but yet he hasn't sent them up to the Congress, as he's required to do by our laws, in order to get them implemented.

I think it's troublesome when you hear the President talk about setting a goal of increasing exports by 50 percent and say to the public that he is committed to these free trade agreements and that all Congress has to do is pass them, but yet when you look at the details, all he has to do is send it up to Congress, and we'll take care of it. But he hasn't taken the step necessary to do that, and that is solely under his control to do.

So I call upon the President: Send these free trade agreements up. We're ready to go. We have support. Let's open up the South Korean markets. Let's open up the Colombian market. Let's open up the Panama markets. Let's give our people in America the benefits of these new export opportunities that each of these countries represents.

I come from a part of the State of New York where we have a lot of wine, grape growers, wine producers, apple growers. And I will tell you, in the agricultural area, this is going to be a great asset in particular. These markets will represent new sources of opportunity to farmers who have been plowing and working this land for generations. Yet we here in Washington, D.C., just cannot figure out how to get this done because the President won't send it up for us to get the process taken care of. So I call upon the President to move on these free trade agreements as soon as possible. He's indicated to the American public his support for them. He indicates that he's ready to pass them and sign them. And I'll just tell you, I'm here to call him out on it and say, We need to do it. Let's do it.

One other thing I wanted to talk about tonight is kind of my concern about the whole issue of this debt ceiling debate and where we're going with it. And I'll tell you, I am greatly concerned about the political rhetoric that we seem now to be committed to. I see us in Washington, D.C., going down a path where we're talking about situations where we're going to hold back Social Security checks, we're going to hold back payments for funding our troops, and I just don't see how that's productive.

What we have is a debt problem. We have clearly articulated a plan on this

side of the aisle. We have come up with budgets that we've passed out of this House. We have put down on paper proposals of where cuts could be made. We went through the whole process of H.R. 1 back and forth for 7 days, with an open debate on the floor of the House in front of the American people, identifying areas that could be cut and that could be streamlined, and we laid out our plan. It's in black and white. But today, I still don't know where the President of the United States is.

I hear a lot of news reports about some type of position that the President has taken on \$4 trillion, and it supposedly has \$3 trillion worth of cuts and \$1 trillion worth of tax increases. I've never seen that. Actually, I've heard discussions that have cited sources in the White House or sources off the Hill that show the package having \$3 trillion of tax increases with only \$1 trillion worth of cuts. Now, I don't know if that's the case, because I don't know what the President's really standing for because I have never seen it in black and white. But what I would ask is that the President put it on a piece of paper, because if he's asking me as a Member of Congress to support debt ceiling relief in exchange for \$3 trillion worth of new taxes, I'm not going to do that because that taxes everybody in America, every man and woman and business in America. It violates a campaign pledge made by the President in his campaign where he would not raise taxes on the middle class. So I want to see what he's proposing.

I am greatly concerned that we're also at the point where we need to have this conversation in front of the American people. We need to have the American people weigh in on what the detailed proposal is. You know, we've been very transparent; we've been very open—we here in the House, especially on this side of the aisle. The House Republicans have put the budget out, have gone through H.R. 1, have put documents out that have been scored by the CBO as to what impact they'll have financially. But we haven't seen anything from the President. And the American people deserve the opportunity to know where the President is at in these discussions.

What we cannot do, we cannot get to the 11th hour and say, Here it is, America. Take it or leave it. That's just not right. That's just not responsible governing. What we need to do is have a thoughtful, honest debate back and forth with our positions.

Mr. President, you said the other day, Don't call my bluff. I'm going to go to the American people.

I tell you, Go to the American people.

I want to go to the American people. I came to Congress to have this discussion in the open, in front of the world, because it's time. We need to. And

until we see a plan, we can't have that honest debate that our forefathers, our Founding Fathers, and so many have sacrificed to give us, the transparency of democracy, the transparency to come to this Chamber that is filled with so much history and have the debate.

Go to the Senate floor and go into the living rooms of the American public and say, This is what we're talking about. This is what we're fighting about.

Now I am ready to have that debate. I'm ready to have that conversation, and I know at the end of the day where I will come out. I will stand for a product that gets this Nation taken care of for generations because its fiscal house is, once and for all, taken care of. If that means we have to compromise, we'll compromise, but let's have it. We can only compromise upon which we know. That is why it is so important that the President come forth in written fashion with his proposal.

I sent a letter to the White House today with many of my colleagues in the freshman class, of which I am a proud member, calling upon him to do that, and hopefully he will do that. My intent is to go down there physically next week with, hopefully, numerous other members of the freshman class and stand in front of the White House and say, Hey, we're new Members of Congress. We're here to have the conversation. We're ready to act. Give us what you stand for. Put in black and white what you stand for and what your position is, and let's debate. We're ready to go.

So the bottom line is that as we go down this path through this debt ceiling crisis—and we do have two crises. We have the debt ceiling crisis that everyone knows about, August 2, but we have the underlying debt crisis that causes us to have this debt ceiling problem that we now face. We have to take care of both because—make no mistake about it—if we just do a simple raise the debt ceiling or something gimmicky that gets us through that August 2 or whatever the final date shall be and if we do it in such a way that there's really no meat on the bone and there is no substance to the proposal—make no mistake about it—the world markets are going to look right through that and see right through it, and they're going to say, You guys are not serious about this \$14 trillion worth of debt. You guys in America are not serious about getting \$1.6 trillion of annual budget deficits under control.

□ 1950

Do you know what? We have an obligation now to advise all of those members of the world who are going to invest in America that this is not that AAA rating that we have all enjoyed since 1917, I believe. That America will be downgraded on its debt regardless if

we default or not because we have not taken the moment; we have not seized the moment to be honest with the American people and with the world and said we're going to get it taken care of.

That's where I am at. I am ready to get it taken care of. That's what I came to Washington, D.C., to do. That's what I know many of my fellow colleagues in the freshman class came to Washington, D.C., to do. We don't care about reelection. We don't care about politics. We're talking about the substance that will make sure that America is here for generations to come.

A few of my other colleagues had intended to join us this evening, but I know we have a tradition here in the House that I am becoming aware of with the baseball game that's going on between the Democrats and the Republicans. And I think as they attend to that—and that's a great tradition, and I applaud my colleagues for taking the time to continue on in that tradition—I know I have got another Member potentially coming down here, I have been given word.

I don't stand on these issues alone. I don't stand with these comments in a vacuum. I don't stand here today as one man in 435 Members of Congress who believes in what I am articulating. There is an army of people in Washington who are standing with me and with whom I am standing who believe the same way: that it is time to get our fiscal house in order, that it is time to advance an agenda out of Washington, D.C., that once and for all shows a firm commitment to the private sector and reins in government so that government does not kill the private sector and the dreams of all the Americans that are yet to come.

So I am looking forward to continuing this debate and moving forward on the issues that we have talked about. And as we deal with these issues, I do it mindful of the situation that we face on a day-to-day basis of the politics of Washington, D.C. But I will tell you, even though I am aware of those politics, the issues that we are talking about today—the issues that we are facing—transcend politics.

I was pleased today that I was able to get an amendment offered on the floor in some of the debates in our appropriations process where I reached across the aisle, to a colleague of mine from Buffalo from the other side, and we legislated. We adopted policy. We adopted an amendment to that appropriations bill that I think is going to be good for America. And it showed I think in that instance to me, and I hope to many others, that we can work together, that we can work together in a bipartisan fashion to tackle the issues that are facing America such as that which we took care of today between Mr. HIGGINS and myself. And that philosophy is alive and well.

I know the press likes to gin up headlines based on the partisan debate that we often have here in the Chamber, and they try to paint us all as we are in one camp on the Republican side and they are in the other camp on the Democratic side. I can tell you, in living it day to day, that truly is not the case. There are many good people on both sides of the aisle that are more than willing to sit down and talk to each other and try to work out these issues.

But a lot of times that rhetoric, those headlines, cause us to act in ways that are extremely divisive and kill that bipartisan effort and support that we should be nurturing and promoting. That's why, today, I was pleased to see the results of that effort on our behalf and on Mr. HIGGINS' behalf to pass that legislation.

So I am going to continue along those avenues. I am going to call out and hold people accountable for their positions. There's nothing wrong with that. There's nothing wrong with having a good, old-fashioned, honest debate and passionately disagreeing with people with different philosophies so long as you do it in an honest and respectful manner.

I work day to day whenever I get into a disagreement with some of my colleagues and also Members from the other side of the aisle, and I always start with the premise, okay, where are you coming from? Why do you believe you are right? And I try to look at it truly from the eyes of the people that have the contrary opinion. Many times that has opened up my eyes and allowed me to learn from that exchange and strengthen my position, maybe cause my position to bend a little bit or, as I learn and grow, to maybe change those positions. But I can tell you that we should always start by having that conversation.

I have seen where a lot of times people don't want to do that. They don't want to really take the effort, or make the effort, or take the time to really try to look at it through the eyes of the other person, understand where they're coming from and what their philosophy is really all about. I think if we at least do that, if we at least promise to each other that we're willing to do that, this Chamber would work tremendously much better as a body, as a whole. My colleagues in the Senate would also be working in a much better fashion. And as we work with the White House and with the President of the United States, we could also develop that type of relationship.

So I encourage all my colleagues and all my friends to continue with that effort, as I pledge here today to do. As we go forward, I guess I will keep that in heart, and I will continue to do my part in that effort.

As I started this conversation tonight, ladies and gentlemen of America

and Mr. Speaker, this is about jobs. This is about adopting a philosophy, a new culture in America that recognizes that the private sector is that engine that's going to be the spark of this economic recovery, and we need to focus on that. We need to expand on our opportunities that are right before us with these free trade agreements when you talk about South Korea, Colombia, and Panama.

I would ask all my colleagues to always focus on getting Americans back to work because, if we do that, we will have a recovery, and we will address much of this budget deficit problem because of the increased revenue that will come from that expansion of getting people back to work and getting that economy going; and we will have a much better world upon which to legislate going forward.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ELLISON (at the request of Ms. PELOSI) for today.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, July 15, 2011, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2458. A letter from the Chief, Planning & Regulatory Branch, Department of Agriculture, transmitting the Department's "Major" final rule—National School Lunch Program: School Food Service Account Revenue Amendments Related to the Healthy, Hunger-Free Kids Act of 2010 (RIN: 0584-AE11) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2459. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule—Group Health Plans and Health Insurance Insurers: Rules Relating to Internal Claims and Appeals and External Review Processes (RIN: 1210-AB45) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2460. A letter from the Deputy Director, Directorate of Standards and Guidance, OSHA, Department of Labor, transmitting the Department's final rule—Standards Improvement Project-Phase III [Docket No.: OSHA-2006-0049] (RIN: 1218-AC19) received June 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2461. A letter from the Regulations Coordinator, Department of Health and Human

Services, transmitting the Department's final rule—National Vaccine Injury Compensation Program: Revisions to the Vaccine Injury Table (RIN: 0906-AA74) received June 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2462. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Exception From General Requirements for Informed Consent [Docket No.: FDA-2003-N-0212] (formerly Docket No.: 2003N-0355) received June 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2463. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Illinois; Indiana; Michigan; Minnesota; Ohio; Wisconsin; Infrastructure SIP Requirements for the 1997 8-Hour Ozone and PM2.5 National Ambient Air Quality Standards [EPA-R05-OAR-2007-1179; FRL-9436-7] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2464. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Section 110(a)(2) Infrastructure Requirements for 1997 8-Hour Ozone and Fine Particulate Matter National Ambient Air Quality Standards [EPA-R06-OAR-2008-0635; FRL-9437-8] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2465. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; South Carolina; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2010-0721-201126 FRL-9436-4] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2466. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Alabama; 110(a)(1) and (2) Infrastructure Requirement for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2010-0720-201123 FRL-9436-3] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2467. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Kentucky; 110(a)(1) and (2) Infrastructure Requirement for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2009-0426-201124 FRL-9436-5] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2468. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Mississippi; 110(a)(1) and (2) Infrastructure Requirement for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2010-0722-201125 FRL-9436-6] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2469. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's "Major" final rule—Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone in 27 States; Correction of SIP Approvals for 22 States [EPA-HQ-OAR-2009-0491; FRL-9436-8] (RIN: 2060-AP50) received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2470. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Brackettville, Texas) [MB Docket No.: 09-219 RM-11581] received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2471. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

2472. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Space Vehicle and Missile Launch Operations at Kodiak Launch Complex, Alaska [Docket No.: 100806326-1088-02] (RIN: 0648-AY99) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2473. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30786; Amdt. No. 3429] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2474. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30785; Amdt. No. 3428] received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2475. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30748; Amdt. No. 3427] received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2476. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Amendment of Class D and Class E Airspace; Livermore, CA [Docket No.: FAA-2010-1264; Airspace Docket No. 10-AWP-23] received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2477. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Poplar, MT [Docket No.: FAA-2011-0016; Airspace Docket No. 11-ANM-1] received June 27, 2011, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2478. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Kenbridge, VA [Docket No.: FAA-2011-0160; Airspace Docket No. 11-AEA-05] received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2479. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Brunswick Malcolm-McKinnon Airport, GA [Docket No.: FAA-2010-0949; Airspace Docket No. 10-ASO-34] received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2480. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule—Amendment of Class D and Class E Airspace; Palmdale, CA [Docket No.: FAA-2010-1241; Airspace Docket No. 10-AWP-22] received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2481. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report as required by Sections 402(a) and 409(a) ("the Jackson Vanik Amendment") of the 1974 Trade Act, as amended; to the Committee on Ways and Means.

2482. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Extension of Time for Filing Returns [TD 9531] (RIN: 1545-BH88) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2483. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—this notice provides interim guidance under section 1012 of the Internal Revenue Code on issues relating to the basis of stock [NOTICE 2011-56] received June 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2484. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Applicable Federal Rates—July 2011 (Rev. Rul. 2011-14) received June 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2485. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting transmitting unanimously approved Recommendation 2011-1, Safety Culture at the Waste Treatment and Immobilization Plant; jointly to the Committees on Energy and Commerce and Armed Services.

titles were introduced and severally referred, as follows:

By Mr. HANNA (for himself, Mr. BARTON of Texas, Mr. DOYLE, Mr. CRAWFORD, Mr. ROSS of Arkansas, Mr. BECERRA, Mr. CARDOZA, Mrs. DAVIS of California, Mr. HERGER, Mr. ISSA, Ms. LEE of California, Mrs. NAPOLITANO, Mr. ROHRBACHER, Mr. PERLMUTTER, Mr. POLIS, Mr. LARSON of Connecticut, Mr. CARNEY, Ms. CASTOR of Florida, Mr. DEUTCH, Mr. DIAZ-BALART, Mr. HASTINGS of Florida, Mr. MICA, Mr. ROONEY, Ms. WASSERMAN SCHULTZ, Mr. AUSTIN SCOTT of Georgia, Mr. BRALEY of Iowa, Mr. COSTELLO, Mr. DAVIS of Illinois, Mr. GUTIERREZ, Mr. KINZINGER of Illinois, Ms. SCHAKOWSKY, Mr. SCHOCK, Mr. BURTON of Indiana, Mr. CARSON of Indiana, Mr. DONNELLY of Indiana, Ms. JENKINS, Mr. YARMUTH, Mr. ALEXANDER, Mr. FLEMING, Mr. RICHMOND, Mr. CAPUANO, Mr. KEATING, Mr. MCGOVERN, Mr. NEAL, Mr. TIERNEY, Ms. TSONGAS, Mr. SARBANES, Mr. KILDEE, Mr. ROGERS of Alabama, Mr. WALBERG, Mr. ELLISON, Mr. KLINE, Ms. MCCOLLUM, Mrs. EMERSON, Mr. GRAVES of Missouri, Mr. LONG, Mr. HARPER, Mr. THOMPSON of Mississippi, Mr. KISSELL, Mr. PRICE of North Carolina, Mr. SHULER, Mr. TERRY, Mr. ANDREWS, Mr. FRELINGHUYSEN, Mr. HOLT, Mr. LOBIONDO, Mr. ROTHMAN of New Jersey, Mr. SIREN, Mr. HEINRICH, Mr. LUJAN, Ms. BERKLEY, Mr. ACKERMAN, Mr. BISHOP of New York, Mr. HINCHEY, Mr. ISRAEL, Mrs. LOWEY, Mr. MEEKS, Mr. REED, Ms. VELÁZQUEZ, Mr. KUCINICH, Mr. RENACCI, Mr. RYAN of Ohio, Ms. SUTTON, Mr. SCHRADER, Mr. WALDEN, Mr. WU, Mr. ALTMIRE, Mr. BRADY of Pennsylvania, Mr. FITZPATRICK, Mr. GERLACH, Mr. KELLY, Mr. MARINO, Mr. MEEHAN, Mr. PLATTS, Ms. SCHWARTZ, Mr. SHUSTER, Mr. LANGEVIN, Mr. WILSON of South Carolina, Mrs. NOEM, Mr. COHEN, Mr. COOPER, Mr. CUELLAR, Mr. DOGGETT, Mr. FARENTHOLD, Mr. GOHMERT, Mr. GONZALEZ, Mr. MARCHANT, Mr. THORNBERRY, Mr. MATHESON, Mr. HURT, Mr. MORAN, Mr. SCOTT of Virginia, Mr. WELCH, Mr. INSLER, Mr. MCDERMOTT, Mr. SMITH of Washington, Ms. MOORE, Mr. RAHALL, Mrs. LUMMIS, Mrs. BACHMANN, Ms. ZOE LOPGREN of California, Ms. LINDA T. SÁNCHEZ of California, Mr. MURPHY of Connecticut, Mr. LIPINSKI, Mr. CHANDLER, Mr. LYNCH, Mr. RUPPERSBERGER, Mrs. MILLER of Michigan, Mr. CARNAHAN, Mr. PASCRELL, Mr. CROWLEY, Mr. HIGGINS, Mr. RANGEL, Mr. CRITZ, Mr. HOLDEN, Mr. DUNCAN of South Carolina, Mrs. McMORRIS RODGERS, Ms. HOCHUL, Mr. YOUNG of Alaska, Mr. COBLE, Mr. AUSTRIA, Mr. GOWDY, Mr. SCOTT of South Carolina, Mr. POE of Texas, Mr. GRIFFITH of Virginia, Mr. ROGERS of Michigan, Mr. GOSAR, Ms. BASS of California, Mrs. BONO MACK, Ms. CHU, Ms. ESHOO, Mr. HUNTER, Mr. LEWIS of California, Mr. DANIEL E. LUNGREN of California, Mr. MCCARTHY of California, Mr. MCKEON, Mr. GEORGE MILLER of California, Ms. PELOSI, Ms. RICHARDSON, Mr. GARDNER, Mr. COURTNEY, Ms. DELAUBO, Ms. BROWN of Florida, Mr. RIVERA, Ms. ROS-LEHTINEN, Mr. ROSS of Florida, Mr. SOUTHERLAND, Mr. WEST, Ms.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RYAN of Wisconsin: Committee on the Budget. First Semiannual Activities and Summary Report of the Committee on the Budget for the 112th Congress (Rept. 112-147). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

WILSON of Florida, Mr. BARROW, Mr. BISHOP of Georgia, Mr. PRICE of Georgia, Mr. WESTMORELAND, Ms. HANABUSA, Mr. BOSWELL, Mr. LABRADOR, Mrs. BIGGERT, Mr. DOLD, Mr. HULTGREN, Mr. JACKSON of Illinois, Mr. ROSKAM, Mr. SHIMKUS, Mr. BUCSHON, Mr. ROKITA, Mr. POMPEO, Mr. LANDRY, Mr. FRANK of Massachusetts, Mr. MARKEY, Mr. BARTLETT, Ms. EDWARDS, Mr. HOYER, Mr. MICHAUD, Ms. PINGREE of Maine, Mr. CONYERS, Mr. HUIZENGA of Michigan, Mr. UPTON, Mr. CRAVAACK, Mr. PAULSEN, Mr. PETERSON, Mr. WALZ of Minnesota, Mr. CLAY, Mr. CLEAVER, Mrs. HARTZLER, Mr. LUETKEMEYER, Mr. NUNNELEE, Mr. PALAZZO, Mr. BUTTERFIELD, Mrs. ELLMERS, Mr. JONES, Mr. MCHENRY, Mr. WATT, Mr. BERG, Mr. BASS of New Hampshire, Mr. GARRETT, Mr. LANCE, Mr. RUNYAN, Ms. BUERKLE, Ms. CLARKE of New York, Mr. GIBSON, Mr. GRIMM, Ms. HAYWORTH, Mr. KING of New York, Mrs. MALONEY, Mrs. MCCARTHY of New York, Mr. NADLER, Mr. OWENS, Mr. SERRANO, Ms. SLAUGHTER, Mr. TONKO, Mr. TOWNS, Ms. FUDGE, Mr. JOHNSON of Ohio, Ms. KAPTUR, Mr. LATOURETTE, Mr. BOREN, Mr. COLE, Mr. LANKFORD, Mr. BLUMENAUER, Mr. DEFAZIO, Mr. BARLETTA, Mr. DENT, Mr. FATTAH, Mr. THOMPSON of Pennsylvania, Mr. CICILLINE, Mrs. BLACKBURN, Mr. DESJARLAIS, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mr. ROE of Tennessee, Mr. BRADY of Texas, Mr. CANSECO, Mr. CARTER, Mr. MCCAUL, Mr. SESSIONS, Mr. CONNOLLY of Virginia, Mr. GOODLATTE, Mr. DICKS, Ms. HERRERA BEUTLER, Mr. DUFFY, Mr. KIND, Mr. PETRI, Mr. RIBBLE, Mr. MCKINLEY, Mr. CAMPBELL, Mr. DENHAM, Mr. MILLER of Florida, Mr. SIMPSON, Mr. PENCE, Mr. YOUNG of Indiana, Mr. DAVIS of Kentucky, Mr. BOUSTANY, Mr. GIBBS, Mrs. SCHMIDT, Mr. STIVERS, Mr. TIBERI, Mr. PIERLUISI, Mr. FORBES, Mr. REICHERT, Mrs. CAPITO, Mr. DREIER, Mr. THOMPSON of California, Mr. HECK, Mr. SULLIVAN, Mr. CONAWAY, Mr. FLORES, Ms. GRANGER, Mr. HALL, Mr. SAM JOHNSON of Texas, Mr. OLSON, Mr. SMITH of Texas, Mr. HENSARLING, Mr. BACHUS, Mr. LATTI, and Mr. BACA):

H.R. 2527. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the National Baseball Hall of Fame; to the Committee on Financial Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself and Mr. REICHERT):

H.R. 2528. A bill to rescind the authority of the Secretary of the Treasury to develop a return-free tax system; to the Committee on Ways and Means.

By Ms. JENKINS (for herself, Ms. BERKLEY, Mr. BURTON of Indiana, Mr. BRALEY of Iowa, Mr. LATTI, Mr. TIBERI, Mr. AUSTRIA, Mrs. CAPITO, Mr. JONES, Mr. COBLE, Mr. SULLIVAN, Mr. MCKINLEY, Mr. FRANK of Massachusetts, Mr. PAUL, Mr. HULTGREN, Mr. BILBRAY, Mrs. BLACKBURN, Mr. POSEY, and Mrs. ELLMERS):

H.R. 2529. A bill to amend the Patient Protection and Affordable Care Act to repeal

distributions for medicine qualified only if for prescribed drug or insulin; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICHAUD (for himself and Mr. MILLER of Florida):

H.R. 2530. A bill to amend title 38, United States Code, to provide for increased flexibility in establishing rates for reimbursement of State homes by the Secretary of Veterans Affairs for nursing home care provided to veterans; to the Committee on Veterans' Affairs.

By Mr. CHAFFETZ:

H.R. 2531. A bill to amend title 44, United States Code, to repeal the National Historical Publications and Records Commission, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER (for himself and Mr. KING of New York):

H.R. 2532. A bill to permit certain members of the United States Secret Service and certain members of the United States Secret Service Uniformed Division who were appointed in 1984, 1985, or 1986 to elect to be covered under the District of Columbia Police and Firefighter Retirement and Disability System in the same manner as members appointed prior to 1984; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Budget, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. CONYERS, Mr. COBLE, and Mr. COHEN):

H.R. 2533. A bill to amend title 28 of the United States Code with respect to proper venue for cases filed by corporations under chapter 11 of title 11 of such Code; to the Committee on the Judiciary.

By Mr. GOWDY (for himself and Mr. SOUTHERLAND):

H.R. 2534. A bill to provide that the public debt limit shall not affect timely payment of certain Social Security, public debt, defense, veterans, and Medicare obligations; to the Committee on Ways and Means.

By Ms. JACKSON LEE of Texas (for herself, Mr. YOUNG of Florida, Mr. CONYERS, Ms. KAPTUR, Mr. ANDREWS, Mr. HASTINGS of Florida, Ms. HANABUSA, Mr. MICHAUD, Mrs. MALONEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. QUIGLEY, Mr. HIGGINS, Mr. CICILLINE, Mr. KILDEE, Mr. GUTIERREZ, Mr. MEEKS, Mr. RANGEL, Mr. HINOJOSA, Ms. BASS of California, Mr. SIREN, and Mr. TONKO):

H.R. 2535. A bill to require financial literacy and economic education counseling for student borrowers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PETRI (for himself and Mr. LOEBSACK):

H.R. 2536. A bill to provide, develop, and support 21st century readiness initiatives that assist students in acquiring the skills necessary to think critically and solve problems, be an effective communicator, collabo-

rate with others, and learn to create and innovate; to the Committee on Education and the Workforce.

By Mr. COHEN (for himself, Mr. CONYERS, Ms. MOORE, and Mr. FILNER):

H.R. 2537. A bill to provide grants to cities with high unemployment rates to provide job training, public works, and economic development programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Financial Services, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT (for himself, Mr. LEWIS of California, Mr. MCKEON, Mr. GALLEGLY, Mr. GARY G. MILLER of California, Mr. ROHRBACHER, Mr. CARDOZA, and Mr. DENHAM):

H.R. 2538. A bill to amend the National Environmental Policy Act of 1969 to authorize assignment to States of Federal agency environmental review responsibilities, and for other purposes; to the Committee on Natural Resources.

By Ms. FUDGE:

H.R. 2539. A bill to establish a competitive grant program for youth summer job placement; to the Committee on Education and the Workforce.

By Ms. FUDGE:

H.R. 2540. A bill to direct the Attorney General to establish and operate a toll-free nationwide telephone hotline through which individuals may obtain information on voting in elections for Federal office and report information on problems encountered in voting in such elections, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERRERA BEUTLER (for herself, Mr. SCHRADER, Mr. MICHAUD, Mrs. MCMORRIS RODGERS, Ms. PINGREE of Maine, and Mr. WALDEN):

H.R. 2541. A bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements; to the Committee on Transportation and Infrastructure.

By Mr. MACK (for himself, Mr. DIAZ-BALART, and Mr. SIREN):

H.R. 2542. A bill to withhold twenty percent of United States assessed and voluntary contributions to the Organization of American States (OAS) for every permanent council meeting that takes place where Article 20 of the Inter-American Charter is not invoked with regard to Venezuela's recent constitutional reforms, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. MALONEY (for herself, Ms. MOORE, Ms. NORTON, Mr. CONNOLLY of Virginia, Mr. CONYERS, Ms. HIRONO, Mr. GRIJALVA, Mr. JACKSON of Illinois, Mr. RANGEL, Mr. TOWNS, Mrs. LOWEY, Ms. LEE of California, and Ms. ZOE LOFGREN of California):

H.R. 2543. A bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services; to the Committee on Energy and Commerce.

By Ms. MCCOLLUM:

H.R. 2544. A bill to increase the statutory limit on the public debt, increase job creation, and reduce projected medium and

long-term Federal budget deficits and debt; to the Committee on Ways and Means.

By Mr. MICHAUD (for himself and Ms. FOXX):

H.R. 2545. A bill to clarify the application of the Small Business Regulatory Enforcement Fairness Act to the Internal Revenue Service, to require the Service to convene a regulatory review panel for certain rules, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H.R. 2546. A bill to amend the Solid Waste Disposal Act to require the Administrator of the Environmental Protection Agency to promulgate regulations on the management of medical waste; to the Committee on Energy and Commerce.

By Mr. SARBANES (for himself, Ms. BALDWIN, Mr. CONNOLLY of Virginia, Ms. BERKLEY, Mr. LEWIS of Georgia, Ms. MCCOLLUM, Mr. MORAN, Mr. MCGOVERN, Mr. GRIJALVA, Mr. JACKSON of Illinois, Mr. HOLT, Mr. ISRAEL, Mr. OLVER, Mr. ELLISON, Mrs. NAPOLITANO, Mr. COURTNEY, Mr. FILLNER, Mr. BLUMENAUER, Mr. SABLAN, Mr. KUCINICH, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. YARMUTH, Mr. MCNERNEY, Mr. KILDEE, Mr. FARR, Mr. MEEKS, Mr. WELCH, Mr. HINCHEY, Ms. HIRONO, Ms. SUTTON, Mr. HEINRICH, Mr. PRICE of North Carolina, Ms. PINGREE of Maine, Mrs. MCCARTHY of New York, Mr. POLIS, Mr. LANGEVIN, Ms. NORTON, Mr. SCHIFF, and Mr. CUMMINGS):

H.R. 2547. A bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SCHOCK (for himself, Mr. MANZULLO, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, Mr. RUSH, Mr. COSTELLO, Mr. SHIMKUS, Mrs. BIGGERT, Mr. ROSKAM, Mr. WALSH of Illinois, Mr. SCHILLING, Mr. DOLD, Mr. HULTGREN, Mr. KINZINGER of Illinois, Mr. LIPINSKI, Mr. QUIGLEY, Mr. GUTTEREZ, Ms. SCHAKOWSKY, and Mr. JOHNSON of Illinois):

H.R. 2548. A bill to designate the facility of the United States Postal Service located at 6310 North University Street in Peoria, Illinois, as the "Charles 'Chip' Lawrence Chan Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. YOUNG of Alaska (for himself, Mr. COURTNEY, and Mr. MANZULLO):

H.R. 2549. A bill to amend the Internal Revenue Code of 1986 to allow a business credit for donations for vocational educational purposes; to the Committee on Ways and Means.

By Mr. PAYNE (for himself, Mr. CAPUANO, and Mr. BERMAN):

H. Con. Res. 65. Concurrent resolution welcoming the independence of the Republic of South Sudan, congratulating the people of South Sudan for freely and peacefully expressing their will through an internationally accepted referendum, and calling on the Governments and people of Sudan and South Sudan to peacefully resolve outstanding issues including the final status of Abyei; to the Committee on Foreign Affairs.

By Mr. LARSON of Connecticut:

H. Res. 350. A resolution electing a Member to a certain standing committee of the

House of Representatives; considered and agreed to.

By Mr. MARKEY:

H. Res. 351. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease; to the Committee on Oversight and Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

93. The SPEAKER presented a memorial of the Legislature of the State of Florida, relative to Senate Resolution No. 1654 memorializing the Congress that colleges and universities named in this memorial are authorized to operate educational programs beyond the secondary level; to the Committee on Education and the Workforce.

94. Also, a memorial of the Legislature of the State of Florida, relative to Senate Resolution 218 urging Congress to dedicate penalties collected from parties responsible for the Deepwater Horizon oil disaster to repairing the environmental and economic damage caused by the disaster; to the Committee on Transportation and Infrastructure.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HANNA:

H.R. 2527.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5 states: "The Congress shall have Power . . . To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures."

By Mr. SAM JOHNSON of Texas:

H.R. 2528.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. JENKINS:

H.R. 2529.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MICHAUD:

H.R. 2530.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CHAFFETZ:

H.R. 2531.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. RUPPERSBERGER:

H.R. 2532.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause.

By Mr. SMITH of Texas:

H.R. 2533.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 (the Bankruptcy Clause); Article III, Section 1 (the power of Congress to establish inferior federal courts)

By Mr. GOWDY:

H.R. 2534.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the Constitution enumerates the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Ms. JACKSON LEE of Texas:

H.R. 2535.

Congress has the power to enact this legislation pursuant to the following:

To the Commerce Clause of the U.S. Constitution.

By Mr. PETRI:

H.R. 2536.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. COHEN:

H.R. 2537.

Congress has the power to enact this legislation pursuant to the following:

This Bill is enacted pursuant to Article I, Section 8, Clause 1 of the United States Constitution, known as the "General Welfare Clause." This provision grants Congress the broad power "to pay the Debts and provide for the common defense and general welfare of the United States."

By Mr. CALVERT:

H.R. 2538.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Ms. FUDGE:

H.R. 2539.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. FUDGE:

H.R. 2540.

Congress has the power to enact this legislation pursuant to the following:

Fifteenth Amendment, Sections 1 and 2

Section. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section. 2. The Congress shall have power to enforce this article by appropriate legislation.

By Ms. HERRERA BEUTLER:

H.R. 2541.

Congress has the power to enact this legislation pursuant to the following:



Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. MACK:

H.R. 2542.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mrs. MALONEY:

H.R. 2543.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. MCCOLLUM:

H.R. 2544.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers."

By Mr. MICHAUD:

H.R. 2545.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution, including, but not limited to, Clauses 1 and 18.

By Mr. PALLONE:

H.R. 2546.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2:

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. SARBANES:

H.R. 2547.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8 of the U.S. Constitution.

By Mr. SCHOCK:

H.R. 2548.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. YOUNG of Alaska:

H.R. 2549.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 58: Mr. HALL.

H.R. 136: Ms. DELAURO.

H.R. 210: Mr. AL GREEN of Texas, Mr. SIREN, Mr. TOWNS, Mr. HASTINGS of Florida, Mr. THOMPSON of California, Ms. WILSON of Florida, and Mr. DAVIS of Illinois.

H.R. 333: Mr. MARINO.

H.R. 361: Mrs. HARTZLER.

H.R. 389: Mr. WALSH of Illinois.

H.R. 412: Mr. RAHALL.

H.R. 420: Mr. HALL, Mr. GENE GREEN of Texas, Mr. HUNTER, Mr. BRADY of Pennsylvania, Mr. COURTNEY, Mr. KINGSTON, and Mr. SMITH of New Jersey.

H.R. 452: Mr. WALBERG, Mr. BROOKS, Mr. MCHENRY, and Mr. KINGSTON.

H.R. 494: Ms. SCHAKOWSKY.

H.R. 595: Mr. JOHNSON of Georgia.

H.R. 615: Mr. GENE GREEN of Texas and Mr. HUNTER.

H.R. 645: Mr. HALL and Mr. WOODALL.

H.R. 687: Ms. LORETTA SANCHEZ of California, Mr. LATHAM, and Mr. HEINRICH.

H.R. 721: Mr. OWENS, Mr. ROGERS of Kentucky, Mr. DUNCAN of Tennessee, and Mr. RUSH.

H.R. 733: Mr. CLARKE of Michigan.

H.R. 777: Mr. RAHALL.

H.R. 860: Mr. PETERS, Ms. LINDA T. SANCHEZ of California, Mr. COHEN, Ms. LORETTA SANCHEZ of California, Mr. CICILLINE, Mr. HASTINGS of Florida, Mr. LATHAM, and Mr. GARY G. MILLER of California.

H.R. 885: Mr. ELLISON, Mr. MCINTYRE, Mr. GRIJALVA, and Ms. NORTON.

H.R. 912: Mr. SCHRADER.

H.R. 942: Mr. BUTTERFIELD.

H.R. 1041: Mr. WEST.

H.R. 1072: Mr. NUNNELEE, Mr. HARPER, and Mr. PALAZZO.

H.R. 1089: Ms. HANABUSA.

H.R. 1112: Mr. HINOJOSA.

H.R. 1172: Mr. MICHAUD.

H.R. 1174: Mr. FILNER.

H.R. 1193: Mr. CARDOZA and Mr. CALVERT.

H.R. 1204: Ms. WOOLSEY.

H.R. 1259: Mr. LATOURETTE and Mrs. HARTZLER.

H.R. 1269: Mr. PETERS and Mr. PALLONE.

H.R. 1280: Mr. BURTON of Indiana, Mr. FLAKE, and Mr. CHABOT.

H.R. 1283: Ms. LORETTA SANCHEZ of California.

H.R. 1288: Mr. HARRIS and Mr. SMITH of Washington.

H.R. 1297: Mr. OWENS.

H.R. 1300: Mr. QUITLEY.

H.R. 1397: Mr. BISHOP of New York.

H.R. 1426: Mr. PASTOR of Arizona.

H.R. 1443: Mr. HUNTER.

H.R. 1459: Mrs. ELLMERS.

H.R. 1464: Mr. ACKERMAN.

H.R. 1465: Mr. COURTNEY.

H.R. 1466: Ms. HANABUSA.

H.R. 1489: Mr. ALEXANDER and Mr. GRIJALVA.

H.R. 1505: Mr. HALL.

H.R. 1506: Mr. CLAY.

H.R. 1513: Mr. GRIMM, Mr. GUTIERREZ, Mr. HASTINGS of Florida, and Ms. CHU.

H.R. 1565: Mr. MCINTYRE.

H.R. 1612: Mr. BARROW.

H.R. 1633: Mr. CARTER.

H.R. 1639: Mr. SOUTHERLAND.

H.R. 1653: Mr. TIBERI and Mr. GERLACH.

H.R. 1697: Mr. ROSS of Arkansas.

H.R. 1714: Mr. GRIMM.

H.R. 1736: Ms. WILSON of Florida, Mr. GUENTA, Ms. BROWN of Florida, Mr. COFFMAN of Colorado, Mr. BRADY of Pennsylvania, Mr. MCCAUL, Mr. DENT, Mr. YOUNG of Florida, Mr. COOPER, Mr. LAMBORN, and Mr. MCINTYRE.

H.R. 1744: Ms. BUERKLE, Mr. BENISHEK, and Mr. SCHILLING.

H.R. 1772: Mrs. CHRISTENSEN and Mrs. MALONEY.

H.R. 1803: Mr. BOREN.

H.R. 1821: Mr. FILNER and Ms. SUTTON.

H.R. 1856: Mr. HUELSKAMP and Mr. BARLETTA.

H.R. 1905: Mr. HUIZENGA of Michigan, Mr. CASSIDY, Mr. FINCHER, Mr. JOHNSON of Ohio, Ms. CLARKE of New York, Mr. THOMPSON of California, Mr. NUNES, Mr. KELLY, and Mr. JACKSON of Illinois.

H.R. 1941: Mr. REYES.

H.R. 1951: Mr. LIPINSKI.

H.R. 1958: Mr. BRALEY of Iowa and Mr. BOSWELL.

H.R. 1968: Ms. PINGREE of Maine.

H.R. 1984: Mr. GRIJALVA and Ms. ZOE LOFGREN of California.

H.R. 2042: Ms. LORETTA SANCHEZ of California.

H.R. 2059: Mr. LANKFORD.

H.R. 2064: Mr. HALL.

H.R. 2088: Mr. CROWLEY, Ms. ROS-LEHTINEN, and Mr. CARNAHAN.

H.R. 2107: Ms. PINGREE of Maine.

H.R. 2108: Mr. NEUGEBAUER and Mr. HALL.

H.R. 2117: Mr. LUETKEMEYER, Mr. MARINO, Mr. DUNCAN of South Carolina, Mr. STIVERS, Mr. NEUGEBAUER, Mrs. EMERSON, Ms. JENKINS, Mr. SESSIONS, Mr. FLEISCHMANN, and Mr. GARDNER.

H.R. 2123: Mr. CLARKE of Michigan.

H.R. 2128: Mr. PAUL and Mr. CHABOT.

H.R. 2140: Mr. LYNCH.

H.R. 2159: Mr. BARROW.

H.R. 2164: Mr. LATHAM.

H.R. 2194: Mr. WU.

H.R. 2218: Mr. CRENSHAW.

H.R. 2227: Mr. ROSS of Arkansas.

H.R. 2230: Mr. POLIS.

H.R. 2233: Mr. LATHAM.

H.R. 2238: Mr. KING of Iowa.

H.R. 2257: Mr. MARINO.

H.R. 2271: Mr. JOHNSON of Ohio.

H.R. 2313: Mr. DANIEL E. LUNGREN of California and Mr. DUNCAN of South Carolina.

H.R. 2333: Mr. NADLER and Ms. WILSON of Florida.

H.R. 2402: Mr. MICA, Mr. HULTGREN, Mr. AUSTRIA, Mr. MARINO, and Mr. DESJARLAIS.

H.R. 2409: Mr. WALSH of Illinois, Mr. MULVANEY, and Mr. DUNCAN of South Carolina.

H.R. 2431: Ms. RICHARDSON and Mr. MEEKS.

H.R. 2433: Mr. ROE of Tennessee, Mr. WEST, Mr. DENHAM, and Mr. BENISHEK.

H.R. 2444: Mr. LARSEN of Washington.

H.R. 2488: Mr. COURTNEY.

H.R. 2492: Mr. GRIMM and Mr. WHITFIELD.

H.R. 2496: Mr. FRANKS of Arizona, Mr. BARTLETT, Mr. HERGER, and Mr. LATHAM.

H.R. 2497: Mr. NUGENT.

H.R. 2514: Mr. BURTON of Indiana.

H.R. 2521: Mr. BLUMENAUER.

H.J. Res. 5: Mr. RIBBLE.

H.J. Res. 10: Mr. BARROW, Mr. DONNELLY of Indiana, Mr. MATHESON, Mr. THOMPSON of California, Mr. ROSS of Arkansas, Mr. BOREN, Mr. BOSWELL, Mr. CARDOZA, Mr. MCINTYRE, Mr. PETERSON, Mr. DAVID SCOTT of Georgia, Mr. COSTA, Mr. MICHAUD, and Mr. BISHOP of Georgia.

H. Con. Res. 56: Mr. FARENTHOLD.

H. Con. Res. 63: Mr. SCOTT of Virginia.

H. Con. Res. 64: Mr. TOWNS, Mr. BUTTERFIELD, Mr. CRITZ, Mr. AL GREEN of Texas, Mr. RICHMOND, Mr. NADLER, Ms. SUTTON, Mr. HASTINGS of Florida, Ms. CHU, Mrs. MALONEY, Ms. HANABUSA, Mr. GUTIERREZ, Mr. MCGOVERN, Mr. COHEN, and Ms. ZOE LOFGREN of California.

H. Res. 134: Mr. WAXMAN.

H. Res. 207: Ms. SCHWARTZ.

H. Res. 231: Mr. CAPUANO and Ms. WOOLSEY.

H. Res. 290: Mr. LIPINSKI.

H. Res. 295: Mr. DOGGETT and Mr. PRICE of North Carolina.

H. Res. 298: Mr. BROWN of Florida.

H. Res. 304: Ms. TSONGAS.

#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2354

OFFERED BY: MRS. BLACKBURN

AMENDMENT No. 82: At the end of the bill (before the short title), insert the following:



SEC. \_\_\_\_\_. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

H.R. 2354

OFFERED BY: MRS. BLACKBURN

AMENDMENT No. 83: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 1 percent.

H.R. 2354

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 84: Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act for "Department of Energy—Energy Programs—Science" may be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.).

H.R. 2354

OFFERED BY: MR. GOSAR

AMENDMENT No. 85: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available under this Act may be expended to administer or enforce the requirements of subchapter IV of chapter 31 or title 40, United States Code (commonly referred to as the Davis-Bacon Act), except with respect to a contract that exceeds \$20,000,000.

H.R. 2354

OFFERED BY: MR. LUETKEMEYER

AMENDMENT No. 86: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007.

H.R. 2354

OFFERED BY: MR. ENGEL

AMENDMENT No. 87: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Department of Energy or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet

inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

H.R. 2434

OFFERED BY: MR. WESTMORELAND

AMENDMENT No. 4: Page 3, line 20, strike "\$200,000,000" and insert "\$0".

Page 4, line 3, strike "\$200,000,000" and insert "\$0".

H.R. 2434

OFFERED BY: MS. RICHARDSON

AMENDMENT No. 5: Strike section 901.

H.R. 2434

OFFERED BY: MR. GOODLATTE

AMENDMENT No. 6: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used for construction of the Richard H. Poff Federal Building in Roanoke, Virginia.

## EXTENSIONS OF REMARKS

### HONORING MARGARET ALLIS

#### HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 14, 2011

Mr. MARINO. Mr. Speaker, I rise today in honor of my constituent, Mrs. Margaret Allis, on her 90th birthday. Margaret V. Allis was born on August 2, 1921 in White Sulphur Springs, West Virginia. Margaret graduated from White Sulphur Springs High School. After graduation Margaret traveled with her family to California before coming back east and settling in Sayre, Pennsylvania.

In Sayre, Margaret's father opened the Seven Sister's Sweet Shop on Keystone Avenue in West Sayre where Margaret worked for a number of years. Margaret then attended Elmira Business School in New York State where she learned secretarial skills. While attending school, Margaret met Frances Romeyn Allis at the Joycrest Roller Skating Rink. Margaret and Romeyn married June 7, 1946 and returned to Pennsylvania, making their home in Litchfield.

Through the years Romeyn and Margaret established a family with the birth of six children. Margaret was a dedicated housewife to Romeyn for 49 years until his passing in 1995. Margaret still lives in the house they shared, where she hosts her large family including 13 grandchildren and numerous great grandchildren.

Mr. Speaker, I rise today to honor Margaret V. Allis on her 90th birthday and ask my colleagues to join me in praising her commitment to her family, her community, and our nation.

### HONORING CHIEF JOHN TURNER

#### HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 14, 2011

Mr. AUSTRIA. Mr. Speaker, I rise today on behalf of the people of Ohio's Seventh Congressional District to honor the city of Beavercreek's retired Police Chief John Turner for his commitment and years of service to public law enforcement.

Police Chief Turner began his law enforcement career in 1976 as a dispatcher with the Beavercreek Police Department. The following year he was hired on as a full-time police officer and later assigned to the Investigation division working as a detective until 1990 when he was promoted in rank as Sergeant. Chief Turner also served as the Team Leader and Tactical Commander for the Regional Emergency Response Team and then as an Administrative Sergeant, Public Information Officer, Accreditation Manager, Budget Coordinator, Grants Administrator and Assessor for the

Commission for Accredited Law Enforcement Agencies, (CALEA). In 2003, he was promoted to the rank of Captain and then served as the Operations Commander for the Patrol Division until he was promoted to Chief of Police.

To strengthen Chief Turner's education and performance as a law enforcement official, he attended Sinclair Community College where he graduated with his Associates Degree in Criminal Justice and then later attended and graduated from the Ohio Police Executive Leadership College. He also received certifications from his attendance at Northwestern University Traffic Institute's School of Police Staff and Command as well as the Federal Bureau of Investigation (FBI) National Academy in Quantico, VA.

Chief Turner has received many commendations and awards recognizing his faithful and dedicated service to the community. In 1986, the Fraternal Order of the Eagles Aerie 321 recognized Chief Turner as "Policeman of the Year." He has received accolades from the Beavercreek Rotary, the Noon Optimist Club and the Veterans of Foreign Wars. In 1990, he was nominated by the Green County Victim Witness Division for the prestigious Silver Star Award and was later selected by the members of his police department to receive the Beavercreek Police Department's "Leadership/Integrity Award" in 2006.

Chief Turner is a Beavercreek, OH, native and lifelong resident. He and his wife, Linda have two sons, Tim and Tom.

Thus, with great appreciation, I congratulate Chief John Turner on his retirement and commend his exemplary service as public law enforcement official and extend best wishes for his future retirement.

### BICENTENNIAL CELEBRATION OF ST. JAMES' EPISCOPAL CHURCH IN HYDE PARK, NEW YORK

#### HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 14, 2011

Mr. GIBSON. Mr. Speaker, I rise today on behalf of the people of New York's 20th District to recognize the Bicentennial Celebration of the historic St. James' Episcopal Church in Hyde Park, NY. I would like to express my sincere appreciation for the community service and historical value that this 200 year old parish has provided our district, state, and nation.

St. James' Episcopal Church was founded in 1811 with the help of several prominent figures and families in this historical region, including Dr. John Bard—President George Washington's personal physician during the Revolutionary War—and the Livingston family. A statue of Robert Livingston is one of the New York statues in the U.S. Capitol Building.

While the parish continued to be home to many prominent local and state figures for the next 100 years, the next parishioner to become a national figure was President Franklin Delano Roosevelt. After his baptism as a child in the chapel at St. James', President Roosevelt began his 39 year service to the parish as a vestryman in 1906, which ended upon his death in 1945. In fact, his pew—the third from the front—continues to be honored. The funeral of his First Lady, Eleanor Roosevelt, was also held at the church in 1962, with King George VI, Queen Elizabeth, Presidents Harry S. Truman, Dwight Eisenhower, and John F. Kennedy all in attendance.

Unfortunately, St. James' was devastated by a fire in June 1984 that enveloped most of the church buildings, with the original black walnut pulpit being one of the few items to not be destroyed. The parishioners, appreciating the historic and cultural value of the parish and the buildings themselves, joined together and fully funded its reconstruction, making it as close to the original specifications as possible.

St. James' Episcopal Church continues to be a major spiritual and cultural bulwark to the community of Hyde Park and Dutchess County, contributing to the projects and groups such as the County Rural and Migrant Ministry, the Dutchess County Coalition for the Homeless, an After School Reading Program ministry, and the Boy and Girls Scouts of America.

I am proud to serve such a historical and dedicated parish as that of St. James' Episcopal Church. Their year-long Bicentennial Celebration is truly an example of the American spirit and embodies the concept of a Shining City upon a Hill.

### COMMEMORATING THE 37TH ANNIVERSARY OF THE TURKISH INVASION OF CYPRUS

#### HON. ALBIO SIRE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 14, 2011

Mr. SIRE. Mr. Speaker, thirty-seven years ago, on July 20, 1974, nearly 200,000 Greek Cypriots fell victim to a Turkish invasion of northern Cyprus. They were forcibly evicted from their homes and became refugees in their own country. Today, Turkey continues to occupy more than one-third of Cyprus with more than 43,000 Turkish troops, making the occupied area of Cyprus one of the most militarized areas in the world. In addition, mass violation of the human rights and fundamental freedoms of the Cypriot people continue, as well as forcible ethnic segregation and division of the Greek Cypriot and Turks Cypriot communities.

During the invasion, Greek Cypriots were expelled from their homes, resulting in the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

usurpation and illegal exploitation of the property belonging to the Greek Cypriot refugees. Massive colonization of the occupied areas of Cyprus has also occurred over the past several decades through the illegal placement of more than 160,000 Turkish mainland settlers, who now outnumber the indigenous Turkish Cypriots by almost two to one. Furthermore, cultural destruction and religious desecration continues in northern Cyprus, where many churches, chapels, monasteries, and numerous archaeological sites have been looted, vandalized, or destroyed.

I had the opportunity to visit Cyprus several years ago and observe first-hand the devastation that the occupation has had on the island for 37 years. Upon my return, it has been a goal of mine to work with my colleagues in Congress to promote a reunified and prosperous Cyprus where Greek Cypriots and Turkish Cypriots can live together in peace, security and stability and clear of foreign aggression. On July 20th we must remember our Cypriot friends and commit to work with them to reunify the island.

HONORING IRWIN NALITT FOR A  
LIFETIME OF SERVICE

**HON. RUSH D. HOLT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. HOLT. Mr. Speaker, I rise today to recognize the career of Irwin Nalitt, who at 93 has decided to retire from his position as Councilman of Monroe Township in New Jersey. Councilman Nalitt moved to Monroe in 1982, when it was still largely a farming community. Since he first was elected in 1988, Councilman Nalitt has been instrumental in leading the Township's growing and increasingly active population.

Most people are ready to settle down when they reach the age of 69, but Councilman Nalitt was just starting his busy career as a public servant. Councilman Nalitt has held positions as a member of the Monroe Township School Board and Planning Board and served as the President of the Concordia Civic Association for several years. Even today, Councilman Nalitt remains active on the Monroe Township Master Plan Committee and Library Board of Trustees, and he is the Council Advisor to the Commission on Aging.

One of Councilman Nalitt's most noteworthy accomplishments was the opening of the Monroe Township Library in 1989. He and his late wife Helen were very active in the library's construction and maintenance, and they volunteered many hours to make the library a useful and inviting part of their town.

I have had the pleasure of working with Councilman Nalitt on many matters and know him to be one of the finest public servants in the state. One project was to implement his vision of a free shuttle service that would take passengers around Monroe and to surrounding towns. I was pleased to secure federal funding for this project and to work with Councilman Nalitt to ensure that this service not only would be affordable and convenient for residents, but also would ease traffic and boost the local economy.

While the Township of Monroe has rapidly transformed, Councilman Nalitt has remained a constant source of wisdom, generosity and humor. His sense of duty and purpose is a comfort to the residents of Monroe Township, and his bright humor is always well-received at Council meetings. Though he will be stepping down as Councilman, he plans to stay on the Library Board and the Commission on Aging. Councilman Nalitt has been a cornerstone of the Council for more than 20 years, and I ask my colleagues to join me in recognizing his many contributions and commend his active citizenship as a model for all community residents.

HONORING DANIEL COCHRAN

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Daniel Cochran. Daniel is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Daniel has been very active with his troop, participating in many scout activities. Over the many years Daniel has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Daniel has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Daniel Cochran for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF THE NO CHILD  
LEFT INSIDE ACT

**HON. JOHN P. SARBANES**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. SARBANES. Mr. Speaker, I rise today to introduce the No Child Left Inside, NCLI, Act. This legislation, which successfully passed the House of Representatives in 2008, seeks to address some of the most pressing issues of our time: our children's health, education, and future jobs. By creating an environmental education grant program and providing teacher training for environmental education across the curriculum, we can prepare our children for science, technology, engineering, and mathematics jobs that will be the cornerstone of the United States' 21st century economy. Riding the wave of interest across the country that has brought together an NCLI Coalition with over 2,000 organizations representing over 50 million Americans, this legislation is a down payment to grow the next generation of scientists, promote environmental stewardship, and encourage Americans to live healthier lifestyles. In addition, re-

search shows that hands-on, outdoor environmental education has a measurably positive impact not only on student achievement in science, but also in reading, math, and social studies.

Despite these important benefits, environmental education is facing a national crisis. Many schools are being forced to scale back or eliminate environmental education programs. The No Child Left Inside Act seeks to give schools and teachers the resources and flexibility to spark the imagination of our nation's children and I urge my colleagues to join me in supporting this important bill.

HONORING MICHAEL J. STACK, JR.

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor my dear friend Michael J. Stack, Jr. Mike left us yesterday. But, his spirit will live on forever.

Mike was deeply rooted in Philadelphia's civic and political life. His father served in this body from January 3, 1935–January 3, 1939. But, in many ways, the son eclipsed the father. Mike, Jr., was a quiet giant. He was an accomplished attorney and a forceful advocate for regular people. He was a loving husband and father. And, you can find his face next to the definition of the word friend in the dictionary.

But, Mike kept a special place in his heart for the people and the committee people of the 58th Ward. Mike never asked me for anything for himself. But, he was always fighting for the needs of the people he represented. The word "no" wasn't in his vocabulary when it came to them. And they loved him for it.

Mike Stack, Jr.'s, career spanned the great events of Philadelphia's history. He was active in the election of every Democrat mayor of Philadelphia in the 20th and 21st Centuries. He played a major role in the rise of our party in the city and in our state. And he was an important advisor to all of our elected officials, especially to me.

Mike was also a prolific writer, having penned four novels. More importantly, he leaves a living legacy behind him. The love of his life, Fay, served with distinction on the bench. And Michael, III serves in Pennsylvania's Senate. But, we are all a little poorer today for having lost this giant of a man.

I ask all of my colleagues to join me in honoring his life and in expressing the condolences of this House to his family.

HONORING NICHOLAS STEPHENS

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Nicholas Stephens. Nicholas is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active

part in the Boy Scouts of America, Troop 337, and earning the most prestigious award of Eagle Scout.

Nicholas has been very active with his troop, participating in many scout activities. Over the many years Nicholas has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Nicholas has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Nicholas Stephens for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### PERSONAL EXPLANATION

### HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 14, 2011

Mrs. McMORRIS RODGERS. Mr. Speaker, on rollcall No. 573, my vote was not recorded. Had I been present, I would have voted "yea."

#### INTRODUCTION OF THE 21ST CENTURY READINESS ACT OF 2011

### HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 14, 2011

Mr. PETRI. Mr. Speaker, in order for our students to be competitive in the global economy, we must do our part to ensure that they are acquiring the knowledge and skills they need for success.

The skills needed for success go beyond the basics of reading, writing, and math, however. When surveyed, employers continually emphasize that, in our 21st century economy, students need to be adept at critical thinking and problem solving; communication; collaboration; and creativity and innovation, in addition to being proficient in core subjects.

Sixteen states, as well as local school districts from across the country, have formed a partnership with over thirty leading education organizations and corporate entities to find ways to strengthen 21st century skills in their K-12 classrooms. However, this momentum isn't sustainable unless federal policy gives states and districts the flexibility to innovate in this direction.

To remedy this, Representative DAVE LOEBACK and I are introducing the 21st Century Readiness Act. This bill does not create any new programs or authorize additional spending; instead, it would amend the Elementary and Secondary Education Act, ESEA, to emphasize the importance of 21st century skills and give states and districts added flexibility to develop and enhance these skills as part of their own initiatives.

A growing coalition of states and school districts has recognized the importance of giving our students the tools they need to succeed in our 21st century workforce. This bill will give them the flexibility to succeed in these efforts.

I hope that our colleagues will join us in this effort.

#### HONORING MATTHEW GIBSON

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 14, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Matthew Gibson. Matthew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 337, and earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in many scout activities. Over the many years Matthew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Matthew has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Matthew Gibson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### CELEBRATING COACH VIC ROWEN

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 14, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Vic Rowen, a man whose distinguished career as Head Football Coach for the San Francisco State University Gators for 28 years, earned him the highest accolades.

On June 4, 2011, the San Francisco State University unveiled a statue to commemorate Coach Rowen's service as well as that of his predecessor, Coach Joe Verducci. These men were honored for exemplifying "the highest ideals of academic performance and competitive athletics" as well as demonstrating "personal accomplishments as men of honor and character." The statue was paid for by grateful players, colleagues, alumni, staff and friends.

Born in Brooklyn, New York in 1919, Coach Rowen played football in college before earning a doctorate in physical education at Columbia University. He held several coaching positions and then joined San Francisco State in 1954 as Joe Verducci's assistant. He became head football coach in 1961. (Coach Verducci passed away in 1964.)

Coach Rowen's tenure covered over half the span of time that football was played at San Francisco State. In his early years, the school won eight Far Western Conference titles and attracted top talent, but after a student strike in 1968, the football program was severely diminished by budget cuts. Rowen continued to train players and especially coaches (including his son Keith) who excelled in the sport, although the school's winning record was curtailed. My son, Ed Critchett, an all-American inspired by Vic Rowen cherishes

the time he spent with the Gators in the 1980s. Rowen retired in 1989, and football was discontinued at the school in 1995.

Also a respected physical education teacher at the University, some of Rowen's other accomplishments include Northern California Coach of the Year, President and Board Member of the American Football Coaches Association, Football Writers Association of America Award, and the Ernie Nevers Award National Football Foundation's College Football Hall of Fame.

Mr. Speaker, please join me in congratulating Coach Vic Rowen on the tribute he and Coach Verducci received on 6/4/11. Vic Rowen was a man who influenced both the character and the skills of hundreds of young men and women at San Francisco State University and is loved and respected by all. I thank him for his commitment and service.

#### HONORING DAKOTA PARTON

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 14, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Dakota Parton. Dakota is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 337, and earning the most prestigious award of Eagle Scout.

Dakota has been very active with his troop, participating in many scout activities. Over the many years Dakota has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Dakota has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Dakota Parton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### PERSONAL EXPLANATION

### HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 14, 2011

Mr. DAVIS of Illinois. Mr. Speaker, I was unable to cast votes on the following legislative measure. If I were present for roll call votes, I would have voted in the following manner for the following vote:

Roll 534, July 11, 2011: On Agreeing to the Amendment to H.R. 2354: Tierney of Massachusetts Amendment. I would have voted "aye" on this amendment that would restore U.S. Army Corps of Engineers Construction and Operation and Maintenance accounts to Fiscal Year 2011 levels, offset with a \$140,000,000 reduction to Department of Energy's Nuclear Energy activities and a \$92,790,500 reduction to Department of Energy's Fossil Energy Research and Development activities.

Roll 535, July 11, 2011: On Agreeing to the Amendment to H.R. 2354: Graves of Missouri Amendment. I would have voted "no" on this amendment that would reduce the Army Corps of Engineers Construction account by \$1.75 million and increase the Army Corps of Engineers Operation and Maintenance account by \$1 million.

Roll 536, July 11, 2011: On Agreeing to the Amendment to H.R. 2354: Scalise of Louisiana Amendment. I would have voted "no" on that amendment that would increase the Army Corps of Engineers Operation and Maintenance account by \$6.36 million and reduce the expenses account for Supervision and Administration by the same amount.

Roll 537, July 11, 2011: On Agreeing to the Amendment to H.R. 2354: Woodall of Georgia Amendment. I would have voted "no" on this amendment that would reduce the Army Corps of Engineers Operation and Maintenance account by \$4,900,000 and increases the spending reduction account by the same amount.

Roll 538, July 11, 2011: On Agreeing to the Amendment to H.R. 2354: McClintock of California Amendment I would have voted "no" on this amendment that would zero out all funding for Energy Efficiency and Renewable Energy in addition to eliminating or severely reducing another 13 accounts in the bill, all of which would cut over 10 percent from the total funding in the bill.

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HONORING LINDSAY FARRELL

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mrs. LOWEY. Mr. Speaker, I rise to pay tribute to Lindsay Farrell for her leadership and 25 years of committed service to Open Door Family Medical Centers.

Ms. Farrell is a graduate of St. Lawrence University, where she received the Sol Feinstein Humanitarian Award. She earned her MBA from the Lubin School of Business at Pace University and is a Fellow in the American College of Medical Practice Executives. She has been involved with Open Door since she first volunteered for the organization as a member of Junior League in 1985 to support the organization's efforts to provide quality healthcare and human services to underserved communities in Westchester County, New York.

Since joining Open Door 25 years ago, Ms. Farrell served as Open Door's Director of Operations and Director of Development before becoming President and CEO. As Director of Development, she skillfully managed capital drives for major facility expansions, and as the Director of Operations she led the center's first successful accreditation by the Joint Commission on the Accreditation of Healthcare Organizations. Additionally, Ms. Farrell was a member of the expert panel initiating the patient visit redesign collaborative directed by the Federal Bureau of Primary Healthcare's Quality Center and is a member of the Board of Directors of the Community Health Care Association of New York State, the National Association of Community Health Centers, and the

Taconic Health Information Network and Community. Remarkably, she is also Chair of the Westchester Women's Agenda.

Since becoming President and CEO of Open Door in 1998, she has overseen Open Door's expansion from two sites to four centers in Westchester, five school-based health centers in Port Chester, and one mobile dental unit. Under her extraordinary direction, Open Door now serves over 40,000 low-income community residents, twice as many as in the mid-1990s.

Ms. Farrell's commitment to providing affordable health services to underserved communities in Westchester is greatly appreciated and extolled. I urge you to join me today in honoring her outstanding dedication to improving the lives of others.

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COMMEMORATING THE ANNIVERSARY OF THE TURKISH INVASION OF CYPRUS

**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. ISRAEL. Mr. Speaker, I rise today to commemorate the anniversary of the Turkish invasion of Cyprus. On July 20, 1974, Turkish armed forces invaded Cyprus and for 37 years they have remained on that island nation as an occupying force.

The people of Cyprus deserve to see an end to this occupation and a reunification of the island in a bicomunal and bizonal federation. Negotiations aimed at reaching a comprehensive settlement are underway. Any resolution to the issue of the current division of Cyprus must be decided by the Cypriots. However, no final status will be possible without the constructive participation of Turkey. The onus is on the Turkish government to play a positive role, which means it should actively and publicly support the process and the reunification of the island. Turkey must also remove its occupying forces.

Mr. Speaker, Cyprus is a long-time friend and ally of the United States. Our two nations are dedicated to democracy, justice, and the international rule of law, and it is my sincere wish that a final agreement for the reunification of Cyprus will be achieved this year.

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HONORING TYLER PARTON

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Tyler Parton. Tyler is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 337, and earning the most prestigious award of Eagle Scout.

Tyler has been very active with his troop, participating in many scout activities. Over the many years Tyler has been involved with scouting, he has not only earned numerous

merit badges, but also the respect of his family, peers, and community. Most notably, Tyler has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Tyler Parton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

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HONORING NORMAN AND DOROTHY KREISMAN

**HON. VERN BUCHANAN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. BUCHANAN. Mr. Speaker, I rise today to honor Norman and Dorothy Kreisman for their efforts to provide quality psychiatric services to Southwest Florida residents who suffer from mental illness.

In the 1980s, when the Kreisman's daughter Diane came to live in Sarasota with her parents, they were unable to find adequate local facilities to treat her severe depression and symptoms of schizophrenia.

They worked to raise awareness of the problem in Tallahassee and to secure funding from the State to provide quality care for persons who were suffering from serious mental health disorders.

The Kreisman's efforts helped bring Coastal Recovery Centers, which is now Coastal Behavioral Healthcare, its first mental health services contract from the Florida Department of Children and Families in 1989.

Two years later, they were successful in bringing to Sarasota the funding necessary to build the first public Baker Act receiving facility in the county, now known as the Kreisman Center Crisis Stabilization Unit (CSU).

Recently, in recognition of their contributions to raising awareness and making a difference, the Kreisman Family received the Sunshine from Darkness first annual Diamond Award.

Further testament to the efforts of the Kreisman family is a recent four-year, \$2 million award from the Substance Abuse and Mental Health Services Administration for the integration of primary and behavioral healthcare on the newly dedicated Kreisman Campus for Integrated Health Care.

The Kreisman's determination to deal with this issue head-on has made it possible for many others throughout Southwest Florida to get the care they need to grow and prosper, despite the challenges of mental illness.

On behalf of the people of Florida's 13th District, I recognize the Kreisman's successful efforts on behalf of area residents dealing with mental illness, and applaud Coastal Behavioral Healthcare's dedication of its 10th Street site as the Kreisman Campus for Integrated Health Care in their honor.

IN MEMORY OF LOUIS ARTHUR  
BEECHERL, JR.

**HON. PETE SESSIONS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. SESSIONS. Mr. Speaker, I rise today to recognize and remember my friend, Louis Arthur Beecherl, Jr. He was kind, generous, and a man of great character that deeply loved God and country. Louis passed away on Tuesday, July 5, 2011.

Born and raised in Dallas, Texas, Louis graduated from Highland Park High School and received Bachelor of Science degrees from Tulane University and the University of Texas. He proudly served as a servicemember in the United States Navy and had a successful career in the energy business spanning forty years.

Louis' life reflected his love for his community and his belief in service. From serving in numerous civic and charitable organizations to participating in the public policy process, he always sought to meet the needs of others and worked tirelessly for the betterment of our community. His passion for water conservation motivated him to become involved with the Texas Water Development Board and the Trinity Improvement Association. His belief in the importance of higher education led him to establish distinguished professorships and faculty chairs at the University of Texas at Dallas and to serve on the Board of Regents for the University of Texas System. The YMCA of Metropolitan Dallas, Salvation Army, and the Circle 10 Council for the Boy Scouts of America are among the many other organizations he supported. His unwavering commitment to help others inspired us all and his legacy speaks loudly of his impact on our community.

Mr. Beecherl is survived by his loving wife of sixty-one years, Julie; his sons, Louis III and wife Cynthia, John and wife Mary, Will and wife Kay, Ernest and wife Susan, Robert and wife, Medore; his daughters, Jan Davis and husband Alan, Mary Dillard and husband Bill, and Kay Herring and husband Edward; his thirty-five grandchildren, and four great-grandchildren.

I am honored to have known him and called him my friend. He will be greatly missed. May the peace of God be with those he loved and sustain them through this hour of sorrow.

HONORING THE REPUBLIC OF CROATIA'S  
AMBASSADOR KOLINDA GRABAR  
KITAROVIC

**HON. JAY INSLEE**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. INSLEE. Mr. Speaker, I rise today as a founding member of the Congressional Croatian Caucus to recognize the service of Croatia's Ambassador to the United States, Kolinda Grabar Kitarovic, and the work of other Croatian Americans. On March 30, 2011, Kolinda Grabar Kitarovic was named a top deputy to the North Atlantic Treaty Organi-

zation's (NATO's) Secretary General Anders Fogh Rasmussen. She will serve as NATO's Assistant Secretary General for Public Diplomacy and she departed Washington for Brussels at the end of June.

Many in the United States will miss Ambassador Grabar Kitarovic. On March 19, 2008, she was sworn in as Ambassador Extraordinary and Plenipotentiary of Croatia to the United States after serving three years as Foreign Minister of her new nation-state. In Washington, she effectively communicated her nation's desires to join the West and fully integrate her country into Euro-Atlantic multilateral alliances after the dissolution of the former Socialist Federal Republic of Yugoslavia in the early 1990s. Ambassador Grabar Kitarovic, the Congressional Croatian Caucus, and the National Federation of Croatian Americans (NFCA) successfully pushed the NATO Treaty to passage in the U.S. Senate, an important achievement for her country. As her record demonstrates, Ambassador Grabar has made a positive impact on both our country and her native Croatia.

The Croatian Caucus was also instrumental in supporting Croatia's bid for full membership in NATO—along with the entire Croatian American community as led by the NFCA—in an earlier legislative initiative. In December 2005, the House passed H. Res. 529 underlining the Republic of Croatia's readiness to join NATO, and I heard from many Croatian Americans in my district and state on the importance of the passage of this Resolution in the House and Senate.

In recognizing the work of Ambassador Grabar Kitarovic, I would also like to recognize two Croatian Americans who, through their work, made a positive impact on myself and on my constituents. As a young high school student growing up in Seattle, I had the good fortune to have played football for one of the greatest high school coaches in Washington state history, who was also a Croatian American: Coach Tony Gasparovic of Ingraham High School. He continues to be remembered fondly by hundreds of his former players.

Another important Croatian American is business leader Ed Loverich, who founded Town and Country Market on Bainbridge Island, Washington in 1957. This store is still a thriving town center today, and has expanded to more locations throughout the Seattle area. These are only a few of the positive contributions that the Croatian-American community has made on the Pacific Northwest, and our country as a whole.

I believe that I also speak for the Croatian Caucus Co-Chairs in wishing Ambassador Grabar Kitarovic and her husband, Jakov Kitarovic, and their two children the best of luck and success in Brussels. We hope her work with NATO brings her back through Washington in the coming years.

INTRODUCTION OF THE STOP DECEPTIVE  
ADVERTISING FOR WOMEN'S  
SERVICES ACT (SDAWS)

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mrs. MALONEY. Mr. Speaker, today I along with my colleagues Representatives MOORE, NORTON, CONNOLLY, CONYERS, HIRONO, GRIMALVA, JACKSON, RANGEL, TOWNS, LOWEY and LEE, am reintroducing important legislation that will protect the rights of women seeking information on family planning services. Too often, women who are facing the difficult consequences of an unintended pregnancy are being deceived and intimidated. No matter how one feels about the question of legal abortion, everyone can agree that deception has no place when a woman is seeking information about her pregnancy. Called Crisis Pregnancy Centers, CPCs, they advertise as a source of unbiased pregnancy counseling using neutral-sounding names. However, some CPCs deliberately use marketing practices which cloak their offerings in medical buzzwords to bring in clients, and then use deceptive propaganda to dissuade women from considering comprehensive birth-control options or legal abortion.

If a woman enters a pregnancy center with full knowledge of the limited services and the center's bias that is entirely her choice. However this becomes an issue when a center knowingly uses misinformation, intimidation or coercion to cause and capitalize on her confusion.

In response to the deceitful practices of these centers, I am introducing the Stop Deceptive Advertising for Women's Services Act. This legislation directs the Federal Trade Commission to promulgate rules under the Federal Trade Commission Act, declaring it an unfair or deceptive act to advertise as a provider of abortion services if the entity does not provide abortion services. This legislation also states that an organization providing abortion services must not advertise that it does not provide these services.

Yesterday, a judge enjoined a New York City ordinance requiring CPCs to post signs disclosing the limited nature of their services. My bill only applies to CPCs that engage in deceptive and misleading advertising. The signage requirement (as adopted by NYC) tackles this issue in a different way. While I support those efforts, my bill is different because it gives a Federal agency the ability to investigate reports on misleading claims in the same way it can for other products and services.

Together, with this legislation, we can help women facing an already difficult and personal decision gain access to the best and most comprehensive healthcare without facing intimidation and deception.

OUR UNCONSCIONABLE NATIONAL  
DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is \$14,342,954,633,916.80.

On January 6, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$3,694,528,887,622.61 since then.

This debt and its interest payments we are passing to our children and all future Americans.

REMEMBERING A TRUE ADVOCATE  
FOR SOCIAL JUSTICE, PABLO  
LOPEZ

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. KILDEE. Mr. Speaker, I rise today with a heavy heart and deep sympathy to commemorate the life of my friend, Pablo Lopez.

Pablo was born June 22, 1943, in Bach, Michigan. In 1961 he joined the United States Air Force serving active until 1965, and reserves until 1967. In 1966 he hired into the Buick factory and he became a prominent labor leader at UAW local 599, the same local as my father. It was at UAW 599 that I got to know Pablo and I am happy I did

For years after our first meeting, Pablo would call upon me and my staff to help with various issues but he never asked for himself, always looking out for someone else. As a proud Veteran he took up the fight of trying to memorialize their service by naming roads and post offices on their behalf across the 5th district and the state. He was successful at it and I can say if it were not for him the post offices in both Akron and Goodrich, Michigan, would not bear the name of Veteran's Memorial Post Office.

Pablo was an advocate for social justice not only in Flint, Michigan, but across the country. If there was an injustice taking place you would most likely find Pablo fighting it. He joined Cesar Chavez at the Midwest Hispanic Unity March and Rally on June 15, 1990, in Lansing, Michigan, and then traveled to Chicago to join in their march for unity on June 19. The last time he rallied with Cesar was in 1993 in Washington, D.C., always standing up for what he believed in.

Mr. Speaker, I would like to offer my deepest sympathies to the Lopez family and my gratitude for having met Pablo. I am a better person for knowing him and our community is better because of his tireless work.

TRIBUTE TO BOBBY GUTHANS

**HON. JO BONNER**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. BONNER. Mr. Speaker, it is with heartfelt sadness that I rise to note the recent passing of a much-beloved member of the south Alabama community, Mr. Robert A. "Bobby" Guthans, who passed away at the age of 82 on June 5, 2011, after an extended illness.

At the time of his death, Bobby was one of Mobile's most revered business and civic leaders. More importantly, he was the epitome of a family man and the dictionary definition of a true "Southern Gentleman."

A native of Mobile, Bobby graduated from the Virginia Military Institute in 1951 with a degree in Chemistry. He was commissioned as an Army officer and spent the next two years fighting for his country in the Korean conflict. Bobby later served on the board of VMI, as well as on the board of Spring Hill College in Mobile.

In 1971, he became president of B-R Dredging Company, a worldwide dredging operation. Two years later, he was named president of Midstream Fuel Service, Inc., Petroleum Energy Products Company and Tenn-Tom Towing Company—a position he held until his retirement in 1999.

Not only was Bobby Guthans an active supporter of Southeastern inland waterways but he was recognized around the country as one of its great leaders. Among his many roles, Bobby served as Chairman of the Board of American Waterways Operators; Chairman of the Southern Region of the AWO; Director of the Executive Committee of the Warrior-Tombigbee Development Association; Director of the World Dredging Association; and as a member of the National Waterways Conference.

Even with such an extensive business and volunteer portfolio, Bobby also made it a priority to find the time to serve as Chairman of the Board of the Mobile Area Chamber of Commerce; as a member of the Mobile Economic Development Council; the Mobile Industrial Development Board; Blue Cross/Blue Shield of Alabama; the Geological Survey of Alabama; and the Navy League of Mobile.

In 1999, the U.S. Coast Guard bestowed upon Bobby one of its highest honors, the Meritorious Public Service Commendation. In addition, he received the Alfred F. Delchamps, Jr. Award and the National Rivers Hall of Fame Achievement Award. In 1990, the Propeller Club named him Maritime Man of the Year.

While many would have been more than satisfied resting upon this exemplary record of accomplishment, Bobby Guthans—along with his loving wife, Barbara Ann—believed that real fulfillment in life came about by helping others.

As a result, Bobby and Barbara Ann's generosity of spirit and goodness to one and all made them one of Mobile's most beloved couples.

On a personal note, Mr. Speaker, I will always cherish the time I spent with Bobby—learning from him and watching as he used

his wealth of contacts and his heart of gold to open doors and help others chase their own personal dreams. Not only was he generous with his time and talents, but Bobby was also a genuine and gentle man, someone Mobile will sorely miss.

During this time of loss for his family and friends, I wish to extend my own condolences to his loving wife of more than 50 years, Barbara Ann, their two wonderful children, Robert A. Guthans, Jr. and Jean Guthans Wilkins; and their five grandchildren, C. Richard Wilkins, Jr., Christopher Wilkins, Michael Wilkins, Robert A. Guthans, III, and Taylor Lynn Guthans. You are all in our thoughts and prayers as you celebrate the life of a man we all loved and respected.

HONORING THE LIFE OF MR.  
ETHIME EMONINA

**HON. TERRI A. SEWELL**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Ms. SEWELL. Mr. Speaker, I rise today to honor the life of a great Alabamian and resident of the Seventh Congressional District, Mr. Ethime Emonina who passed away July 10, 2011 at the young age of 34. Mr. Emonina was a remarkable educator, mentor, musician and inspiration to all who encountered him.

As a band instructor in the Tuscaloosa City Schools system, he inspired students to excel in their musical craft and to pursue their dreams of becoming musicians. He encouraged countless students to attend college, many on band scholarships. His unique style and spirit warmed the hearts of many, and his trademark smile could not help but solicit a smile in return.

Born in Atlanta, Georgia, on March 18, 1977, to Mr. and Mrs. Godwin and Lucy Eldridge Emonina, he displayed an early love for music. His multitude of talent led him to play the trumpet and piano, among many other instruments.

Mr. Emonina graduated from Central High School in Tuscaloosa, Alabama in 1995, where he left his mark as one of the greatest drum majors in the school's history. He went on to earn a B.A. degree from Jackson State University in 2000. Upon receiving this degree, Mr. Emonina began instructing the band at Eastwood Middle school where he remained until he was offered and accepted a position as director of bands at Paul W. Bryant High School in August 2007. He served in this position until his untimely death.

Mr. Emonina, with his love of learning, had just completed and was awarded a Master's degree in Instructional Leadership at the University of West Alabama and was looking forward to applying his degree as an administrator in the Tuscaloosa City School System.

He received numerous awards from childhood to adulthood for excellence in everything from school performance to instructing the band. Mr. Emonina was married to the former Christian Garraway and was the father of two children: Christian, age 9 and Ethan, age 2. He was the loving brother of Ovuke and Ventedric Emonina, and was a member of Kappa Alpha Psi Fraternity, Inc.



Over the years, Mr. Emonina has impacted the lives of many students in countless ways. He built a well-deserved reputation as a strict disciplinarian, mentor, teacher, motivator, father figure and friend. He was a true gift to us all and will be missed. His band has a saying, "Love the band and the band loves you back." Mr. Emonina surely loved the band and the band, the community, his family and the people of the Seventh Congressional District, the State of Alabama and this Nation will greatly miss him.

Therefore I, TERRI A. SEWELL, Representative to the United States Congress from the 7th Congressional District of Alabama, do hereby honor the legacy of Mr. Ethime Emonina for his numerous contributions to the 7th Congressional District, the State of Alabama, and the Nation. I ask all to join me in honoring the life of a remarkable man and commending his many achievements on behalf of the State of Alabama.

IN HONOR OF MR. FRANK ZOLAR

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today to honor Frank Zolar on the occasion of his ninetyeth birthday.

Mr. Zolar was born on July 15, 1921 in Pickens, West Virginia. After spending his early life working in sawmills and coal mines, Frank enlisted in the U.S. Army only six days after the attack on Pearl Harbor. He fought with the 1st Infantry Division, also known as the "Big Red One," as a rifleman in the invasion of Africa.

Following the war, Frank moved to Cleveland, Ohio in 1946 and spent the next twenty-one years working at the Fairbanks-Morse Company. While living in Cleveland, Frank met and married Lois, who would be his wife of more than 50 years. The two moved to North Olmsted, Ohio in 1959 where they raised their three daughters, Theresa, Kathy and Karen.

Frank has been an active member of his community and serves as a Sergeant-at-Arms for the North Olmsted Democratic Club. Recently, Mr. Zolar visited Washington, D.C., for the first time in his life with Honor Flight Cleveland, a nonprofit organization which flies veterans to see the memorials on the National Mall.

Mr. Speaker and colleagues, please join me in honoring the ninetyeth birthday of Mr. Frank Zolar.

HONORING DR. DONALD LINKER

**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Ms. WOOLSEY. Mr. Speaker, I rise with sadness today to honor my friend, Dr. Donald Linker of Tiburon, CA, who passed away unexpectedly on June 16, 2011, after a fall. He was a spirited activist and colorful community

character who livened up the many causes he took on.

Born and raised in Kentucky, Don Linker moved to northern California after completing medical school. He served as a physician in the Marines before settling for a number of years in San Francisco where he had a urology practice. He later earned a Masters in Public Health from UC Berkeley. Throughout his career, he was known as a compassionate physician and advocate for research on important public health issues like prostate cancer.

Don was married during his time in San Francisco and had three children, Kevin, Jodi, and Dana. He later moved to Tiburon and became active in Marin County. He was a founder of the local schools foundation and served on the boards of the Buck Center for Research in Aging, the Jewish Community Federation, AIPAC, and the Marin Community Foundation. He also found time to become a painter and had a show of abstract art in the works when he died.

Perhaps best known for his extreme athletic feats, Don Linker had his share of close calls whether windsurfing (where he was swept out to sea), mountain biking (where he garnered several speeding tickets) or skiing (including spending a freezing night on a chairlift because of his attempt to get in one last run).

He is survived by his three children as well as his brother Stephen, his son-in-law Richard Steele, and his two grandchildren, Lauren and Sarah Steele.

Mr. Speaker, I will miss Dr. Don Linker's bright wit and colorful sweaters and bow ties. But mostly I will miss his warm friendship and compassionate spirit. Please join me, his community, his family, and his many friends in mourning his passing.

IN MEMORY OF MARY ALICE SHIPP

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to a faithful public servant, a dedicated civil rights activist, a devoted mother and wife, and a personal friend, Mrs. Mary Alice Shipp.

Mary Alice Shipp was born on November 30, 1927 in Alamo, Georgia, one of six children to the late Aaron O. Cook, Sr. and the late Abbie Hall Cook Steward.

Mary Alice Shipp had a thirst for knowledge and throughout her life continued her pursuit of education. She graduated from the Twin City High School in Telfair County and went on to Albany State College, where she received her Bachelor of Science Degree in Elementary Education. She later attended Fort Valley State College, where she became certified in Guidance and Counseling. In addition, she became certified in Career Education at the University of Georgia and became a Master Cosmetologist at the Madam C.J. Cargo Beauty School in Savannah. As the years progressed, she completed advanced training in Christian Education at the Interdenominational Theological Center in Atlanta.

Her love of education led her to teach elementary school in Telfair, Bleckley and Bibb Counties for 28 years before retiring. In addition to teaching, she was an accomplished business woman, owning and operating the Debutante Beauterette in McRae, Georgia for 20 years and was co-owning and managing the Shepard Funeral Home in Sylvester, Georgia.

Mary Alice Shipp served her community, as well. She was appointed to the Georgia Board of Corrections, Georgia Hunger Coalition, Member of the Sylvester City Council, President of the Worth County NAACP, and Director of the Worth County Save the Children. She and her husband, the late Curtis Shipp, were dedicated to the citizens of Worth County and the surrounding area.

For more than 40 years, she was a part of the struggle for civil rights. She was a faithful believer in the teachings of Jesus Christ and the advocacy of the late Rev. Dr. Martin Luther King, Jr. Because of her efforts, she was recognized by numerous organizations for her selfless efforts to help the poor, aged, and less fortunate. She donated many of her awards and memoirs to the Albany Civil Rights Museum. The Mary Alice Shipp Senior Center, named in her honor, also ensures Mrs. Shipp's lasting legacy.

Mrs. Shipp was a woman of great faith. She was converted at an early age and was a devout member of Corinth C.M.E. Church in McRae, Georgia, where she served in numerous capacities for many years. After moving to Sylvester, she became affiliated with Jones Chapel A.M.E. Church and later united with the Brown's Chapel C.M.E. Church, where she served faithfully until her death.

She was blessed with a loving family, including her late husband, Curtis Shipp, two beautiful daughters, Lynette Edwards and Paula Adams; son-in-law, Virgil Adams; grandson, Xavier Omar Edwards; sister, Annie Pearl Little; a sister-in-law, Delores Cook; devoted step-son, Ricky Shipp; nieces, Beverly Burks, Regina Daniels, Antoinette Smith, Judith Cook, Sara Shields and Nekia Daniels; nephews, Charles Little, Jr, Philip Burks, Kelsie Daniels, Jr., and Jason Smith.

Mr. Speaker, through Mrs. Shipp's endeavors to educate and improve her community, she touched many people. She leaves behind a lasting legacy of dedicated service, and I was fortunate to have her as a friend. My heartfelt sympathies are with her family, as it is always difficult to lose a loved one, but there is comfort knowing that today, heaven has a new angel and Mary Alice Shipp is with God.

OPPOSING VOTER SUPPRESSION

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 14, 2011*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, this August will mark the 46th anniversary of the Voting Rights Act. There are many who say there is no longer a need for the Voting Rights Act. Unfortunately, this is not the case.

It is true that we have made remarkable progress since 1965, including outlawing segregationist principles such as literacy tests, poll taxes and the grandfather clause. However, there is still much work to be done.

As we continue to observe during elections, minorities often face the uphill battle of misinformation distributed in black communities over how and when to vote, and purging of voter rolls and Election Day lines.

The Voting Rights Act was not and never will be about special rights. It is about equal rights and ensuring that all Americans have the right to vote for their candidates of choice. The reality is that some people out there still want to suppress minority voting.

Recently, Texas passed legislation requiring picture identification in order to participate in the voting process. This systematic use of required voter identification cards will disproportionately impact voters that are elderly, minority, or disabled. Requiring individuals to produce picture identification will turn back the clock on voter rights and do little to prevent voter fraud.

Texas remains under Section 5 of the Voting Rights Act due to a long history of discrimination of minority voters. I have strong concerns regarding the ability of minority, elderly and disabled voters to obtain a state identification card from the Texas Department of Public Safety. There is only one Department of Public Safety office in Dallas, and no offices in central Houston. For potential voters in Southwest Texas some would have to travel up to 200 miles to obtain a state identification card. While I am already working to ensure individuals have the transportation to obtain IDs, I believe many poor and minority voters simply will not have the means to obtain this required card. Putting undue burdens on a certain population of voters is not in line with requirements of the Voting Rights Act.

Our values, our freedom, and our democracy are based on the idea that every eligible American citizen has the right to vote. We cannot and must not give up until every American citizen has the access and opportunity to vote—regardless of their skin color, ethnicity, or language ability.

## VOTER SUPPRESSION

### HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 14, 2011

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in support of our vibrant, participatory democracy and to speak out against voter suppression. I thank my friend and colleague from Ohio, Congresswoman MARCIA FUDGE, for organizing this Special Order to raise the warning flag on efforts now under way in many States to erode hard fought voter protections.

In the past generation, public officials of both parties have sought to make it easier for Americans to participate in the political process. With the expansion of Early Voting, absentee balloting, and Election Day Registration, the fundamental right to vote has become more accessible for millions of Americans—all while the integrity and administration of our electoral system has been improved.

That progress and our American tradition of “expanding the franchise” are now under attack. In state houses across the country, legislatures have enacted unnecessary and politically-motivated restrictions on the right to vote.

In my home State of Florida, Governor Rick Scott signed a law that imposes such high burdens on voter registration drives that the non-partisan League of Women Voters has been forced to end its registration efforts. The same law arbitrarily makes it more difficult for voters who moved, to change their addresses at the polls, a process that has proven effective in Florida for decades.

As part of a disturbing national trend, the Florida law also cuts the required hours for Early Voting by nearly half, reducing the Early Vote period from 14 days down to just 8 days. I know firsthand the value of early voting for Florida’s large senior population, many of whom have difficulty in getting to the polls. Reducing the number of early voting days will have a major impact on their ability to participate in our democratic process.

Even though Early Voting allows busy working voters more opportunities to reach the polls, legislatures in Ohio, Wisconsin, and Georgia have also passed significant cuts to their Early Voting time periods.

An Early Vote reduction was also proposed in North Carolina, but—for now—has stalled

because it would actually cost taxpayers more dollars to restrict Early Voting than to maintain the current system.

Strict photo identification laws, in which voters would have to show a specific type of government-issued photo ID before casting a ballot at the polls, were proposed in 36 States. Wisconsin, Texas, Kansas and other States passed these unnecessary laws even though 11 percent of eligible American voters—approximately 23 million people nationwide—lack the photo ID these laws demand. Moreover, the Brennan Center for Justice has demonstrated that the elderly, racial minorities, and young voters all disproportionately lack access to government-issued photo ID and will therefore face the highest burdens under newly enacted photo ID laws.

In Maine, the governor signed a bill ending Election Day Registration even though 60,000 Mainers registered to vote in 2008 alone. In New Hampshire, the legislature actually pushed a bill that would redefine “domicile” in order to prevent students from voting.

Is this the kind of message to send to young people who want to participate in our democracy?

Restrictions on the right to vote burden all Americans, but they especially affect communities of color and other citizens who have historically experienced discrimination at the ballot box.

The nonpartisan group Project Vote has found that African-Americans and Latinos are more likely than white voters to register through a voter registration drive, meaning that fewer minority Americans will have the chance to register and vote in Florida because of these biased actions.

Despite these inequities, State legislatures around the country have never justified any rationale for these unnecessary changes except for the broadly debunked myth of voter fraud. These efforts to prevent eligible Americans from voting will do nothing to improve our electoral system, but they will reverse years of bipartisan progress in making the right to vote more accessible for every qualified citizen.

In the face of this assault on the right to vote, I am heartened by the commitment of my colleagues and our partners in the civil rights community to preserve the right to vote, knock down unnecessary barriers to the franchise, and continue to work for the inclusions of all eligible Americans in our political process.

## HOUSE OF REPRESENTATIVES—Friday, July 15, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. POE of Texas).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 15, 2011.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
Speaker of the House of Representatives.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

As the House gathers at the end of a difficult week, grant the Members peace and calm, that they might attend to the issues and policies that they continue to consider. May they honor the values and traditions that we share as a people. Help them be mindful of the gifts of peace, justice, fairness, and respect that are our common heritage.

As it is so often easy for all of us to focus on what separates one from another, may our understanding that You have created us as one people remind us of the values that bind us all together as Americans in the human family.

May all that is done this day in the people's House be for Your greater honor and glory. Amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

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

Mr. QUIGLEY led the Pledge of Allegiance as follows:

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

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side.

### NEED FOR BALANCED BUDGET AMENDMENT

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

Ms. FOXX. Mr. Speaker, if our Nation's debt crisis has taught us anything, it is that we need a permanent fiscal solution to keep America the permanent land of the free for our children and grandchildren. There is only one way to bind Congress to such a commitment, and that is a constitutional amendment requiring us to balance the budget.

Ordinary spending cuts and pledges to slash the deficit are no longer sufficient. Washington went on a record spending binge in the last 2 years and left Americans in an economic hangover. New taxes, as some propose, would only punish the victim and reward the spenders with more money to waste. We need to stop spending money we don't have and begin living within our means. The future of our Nation depends on it.

A Washington promise is always temporary. A constitutional amendment is permanent. For the sake of tomorrow's generations, let's get it done today.

### SOCIAL SECURITY AND THE DEBT CRISIS

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

Mr. KUCINICH. The huffing and puffing over the debt crisis is reminiscent of Washington's tumult over the Wall Street bailout: Panic the public with claims the sky is falling and then start to drop things from the sky. In this case threats that Social Security checks will not be sent out.

We must avoid default, but Social Security didn't cause the debt crisis. Social Security has nothing to do with the debt crisis. Withholding Social Security checks or cutting Social Security benefits would represent a default to the American people and an abandonment of the principles of the economic justice that created Social Security.

The White House wants a big deal, a \$4 trillion debt deal. But that deal must not come from cuts to Social Se-

curity—or Medicare, for that matter. Millions of senior citizens, who in their lifetime built this country, who fought for this country, who depend on their Social Security check as an economic lifeline want to see if their concerns are a big deal to us.

### IN DEFENSE OF SMALL BUSINESS OWNERS

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

Mr. YODER. Today I rise in defense of small business owners across the country who are attempting to survive under a mountain of taxes, rules, and regulations coming out of Washington, D.C.

Seven out of ten new jobs in this country are created by small business owners. To get our economy back on track, we know it's these innovators and entrepreneurs who have to start growing and creating jobs.

Entrepreneurship is at a 17-year low. In the last few years, there has been a 23 percent drop in new business creation, falling to the lowest level since 1994.

Instead of debating ways to raise taxes and further burden these job creators, we should spend our time trying to eliminate the job-killing policies coming out of this administration.

Mr. Speaker, it's time that we support the free enterprise system. It's time that we get our fiscal house in order. And it's time that we get America back to work again.

### HONORING MALCOLM "KIM" CHACE

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

Mr. CICILLINE. Mr. Speaker, I rise to honor a great Rhode Island citizen and a dear friend, the late Malcolm "Kim" Chace. My fellow Rhode Islanders and I have lost a great leader in Kim's passing. He will long be remembered for his warmth, humor, and devotion to the community.

Kim was a brilliant business leader. You couldn't be in the same room with him and not realize how intelligent he was.

Equally apparent was his tremendous generosity of spirit. He demonstrated that generosity over again and again in contributions to numerous community

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and educational organizations, including Women and Infants Hospital, Trinity Repertory Company, Brown University, Bryant University, the Gordon School, the Rhode Island School of Design, to name just a few.

Kim was always happy to donate his time and resources to the service of Rhode Island. He always offered a quiet kindness to me and to all those around him. Kim was a true gentleman.

Kim's most important treasure was his wonderful family. My thoughts and prayers are with Liz and the entire Chace family.

Kim's presence will be deeply missed.

#### SUPPORT THE CUT, CAP, AND BALANCE ACT

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

Mr. PENCE. Mr. Speaker, America is facing a fiscal crisis of unprecedented proportions—a \$14 trillion national debt, another \$1.6 trillion deficit, and now a debt ceiling crisis looms.

As negotiations go forward, Members of Congress have a choice to make. We can take a stand or we can take a pass. I say it's time to take a stand. And the Cut, Cap, and Balance Act of 2011 is that stand.

As the White House and liberals here on Capitol Hill continue to argue over the details of some kind of an obscure, complicated deal over raising the debt ceiling, in the coming days House Republicans will bring legislation to the floor that will give the American people a choice. And it will be a choice built on fiscal responsibility and reform.

The legislation that will come to the floor will cut spending now, it will cap spending in the law, and it will make any increase in the debt ceiling contingent on sending a balanced budget amendment to the States.

I urge my colleagues to support the Cut, Cap, and Balance Act of 2011, and I urge my fellow Americans to let your voice be heard in the coming days. We can cut spending now, we can cap spending in the law, and we can send a balanced budget amendment to the Constitution to the States for ratification. But the American people must engage.

A minority in Congress plus the American people equals a majority. Help us as we achieve this needed reform and restore fiscal sanity to our national government.

□ 1010

#### THE MURDOCH NEWS CORPORATION SCANDAL

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

Mr. BLUMENAUER. Amidst the spreading scandal of the Murdoch News Corporation, it is clear that it wasn't as they first claimed, just a rogue reporter or two. There's a pattern of abuse, some illegal, that was widely practiced and known, perhaps encouraged, certainly tolerated.

It is important for the FBI, the SEC, hopefully Congress itself, to investigate the News Corps-FOX-Wall Street Journal conglomerate and not just about the concerns of potential spying on 9/11 victims, which would be reprehensible if true, but possible violations of the Foreign Corrupt Practices Act, which makes it illegal for American citizens to bribe foreign officials.

Some claim we ought to go easy on the Murdoch News Corporation so we don't appear partisan. But just giving money to the Republican Party, hiring Republican Presidential candidates, slanting the news and commentary should not give them a pass for questionable, perhaps illegal, conduct. We must ensure that Americans are not abused by the News Corps management practices or employees.

#### DEBT LIMIT

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, the President wants Congress to raise the debt ceiling without a corresponding plan to cut spending and balance the budget and insists raising taxes is the only way forward. The reality is that doing so amounts to a Barack Obama bailout for his out-of-control spending that got us here in the first place: a bailout for his \$1 trillion ObamaCare, a bailout for the failed stimulus, a bailout for "Government Motors," a bailout for Fannie and Freddie.

According to a new poll in Politico, voters expressed significantly more support for spending cuts, and only 11 percent of voters see tax hikes as the main way of closing the deficit. America has got it right: it's time to cut spending, balance the budget, and pay down the debt for our children and our grandchildren without raising taxes.

Just say "no" to a Barack Obama bailout. Even his bailouts need a bailout.

#### UNDERMINING THE ATF

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

Mr. QUIGLEY. Mark Twain is credited with quipping: "Denial ain't just a river in Egypt." If he were around today, he might add: It also passes for gun policy in the U.S. Congress.

The ATF is under fast and furious fire right now, and rightly so. Allowing

hundreds of guns to "walk" in the hopes of catching big fish traffickers was terribly ill advised. But so too is Congress's excuse for gun policy. And sorry, folks, but the two are not entirely unrelated. If Congress wants to crack down on straw purchasing and stop the trafficking of firearms to Mexico, it is operating from the mother of all playbooks of how you would not accomplish it:

Chapter 1, ensure that the ATF remains devoid of leadership; Chapter 2, pass only perfunctory straw purchasing laws; Chapter 3, attempt to block a simple commonsense proposal that border State dealers report multiple sales of AK-47s; Chapter 4, author legislation to immunize corrupt gun dealers and call it the ATF Modernization Act.

It's true: "Denial River" in Congress runs vast, wide, and deep.

#### PLAYING POLITICS WITH OUR ECONOMY

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

Mr. TONKO. Mr. Speaker, I rise today in this, the 27th week of this session of Congress, and continue to ask the leadership in our House to move legislation that will create jobs. Over the course of the last few weeks and months, this body has been so obsessed with the debt ceiling that it seems to have forgotten the plain and simple truth that the American people acknowledged last November and repeat over and over again: the best way to grow our economy and drive down the deficit is to put people back to work.

There are plenty of people looking for work. With unemployment around 9 percent, this body must make jobs and the economy our top priority. In fact, a Quinnipiac poll released yesterday found that by a 30-point margin, Americans say it is more important to reduce unemployment than to reduce the budget deficit.

But the biggest threat to jobs today: failure to increase the debt ceiling and playing politics with our economy. Holding the economy hostage in order to protect Big Oil, tax cuts for the wealthy, and tax loopholes for companies that ship jobs overseas is not only un-American, it's immoral. Leadership requires difficult decisions and compromise. I hope we'll see more of these traits in the coming days, not less.

#### GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2354.

The SPEAKER pro tempore (Mr. YODER). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

**ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012**

The SPEAKER pro tempore. Pursuant to House Resolution 337 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2354.

□ 1016

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose on Thursday, July 14, 2011, the bill had been read through page 62, line 2.

AMENDMENT NO. 79 OFFERED BY MR. SHERMAN

Mr. SHERMAN. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 62, after line 2, insert the following new section:

SEC. 609. None of the funds made available by this Act may be used to fund any portion of the International activities at the Office of Energy Efficiency and Renewable Energy of the Department of Energy in China.

The CHAIR. Pursuant to the order of the House of Thursday, July 14, 2011, the gentleman from California (Mr. SHERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SHERMAN. Mr. Chair, let me begin with a completely irrelevant digression on a completely different matter. Today it was announced that the United States will recognize the Libyan rebels as the legitimate Government of Libya. If that is true, we should make an immediate demand on that government that it use the \$33 billion, or some portion thereof, of Qadhafi money that is frozen in the United States to reimburse the American taxpayer for all of the military actions and humanitarian actions we have taken for the benefit of the people of Libya—there is no reason that these actions should be done at the expense of the United States taxpayer—and that the real cost of our military actions in Libya should be calculated on the basis of full cost accounting, not the marginal cost accounting that has been used in press releases from the Pentagon.

Now for my amendment. This amendment deals with the international pro-

grams carried out by the Department of Energy. It is in some ways a rival to, or an alternative to, the amendment presented by Mr. HARRIS last night. Mr. HARRIS' amendment would eliminate all of these programs with the exception of one and thus reduce roughly \$6 million in costs.

My amendment eliminates those programs that go to China while leaving the remaining programs. So if you don't want to see American taxpayer money used to benefit Chinese manufacturers, you have two alternatives. Maybe you'll vote for them both. But some will just vote for my amendment that focuses on the \$2 million we spend in China.

The Harris amendment would have you also—perhaps in an effort to eliminate the money going for the benefit of Chinese manufacturers—cut our cooperative programs that are chiefly with Latin America and Canada.

I believe that it is in our interest to continue to provide energy-efficiency assistance to our partners here in this hemisphere. First, these are our allies. These are, in most cases, poor countries that we're trying to help. Their energy costs are very high, particularly in recent years. And one of the best ways to help them is to help them reduce their energy bill.

□ 1020

But it also helps the American consumer, because if you can reduce worldwide aggregate demand for energy, particularly oil, you reduce the worldwide price. So it is in our interest to carry on the very small programs that have been effective in helping Mexico and Costa Rica and Dominica and other Caribbean States to achieve higher levels of energy efficiency.

However, I do not think it is in our interest to spend the \$2 million that we provide to provide fancy American consultants to go over to China at no cost to them to give them ideas on how to reduce their energy usage.

If the Chinese wanted this advice, unlike poor countries in Latin America, they can well afford to pay for it. If you can afford a consultant, and you choose not to hire one, you probably don't want one, and you are probably not going to listen to the consultants.

So if China needs American technology to reduce their energy usage, they can and should pay for it. They could just send us back an infinitesimal portion of the U.S. bonds being held in Beijing.

This amendment that I offer today eliminates the possibility that this bill will be used to provide foreign aid and corporate aid to the Chinese Government and Chinese businesses. I may have sounded a little confused as to where it's private sector and public sector in China, of course, that's because in China those two things are confused.

So I hope that you will support my amendment, view it as an alternative to the Harris amendment. I hope that you will vote against the Harris amendment, because it does make sense for us to spend a very small amount of money in cooperative programs, chiefly here in this hemisphere, to help reduce energy usage by countries that we are providing foreign aid to for the most part because they are poor countries and our allies.

I reserve the balance of my time.

Mr. VISCLOSKEY. I move to strike the last word.

The CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, I rise in very reluctant reservation to the gentleman's amendment.

I do not, speaking for myself as an individual, trust the Chinese Government. Representing the largest fuel-producing district in the United States of America, I have simply seen them eat our economic lunch.

We have had innumerable hearings in this Congress under varied administrations of both political parties, telling us that dialogue with China is going to work and that somehow it is going to lead to miraculous job creation in the United States of America versus the country of China.

I join with the gentleman in urging all of my Members later this morning to vote against Mr. HARRIS' amendment and that we have no disagreement. And I join with the gentleman of California's concern about how the Department of Energy is going to implement this program with the Chinese because we are told by the Department that this program is going to help U.S. cities develop more cleanly, and it's going to provide market opportunities for U.S. clean-tech companies. We are told further that for wind and solar there will be, in the future, market opportunities.

For just one time I would appreciate the Department of Energy showing me the jobs, the companies, the cities towns, the industries where this type of cooperation with China has led to a job, a job in the United States of America.

So it is with the greatest reluctance I hesitate to support the gentleman's amendment, agreeing with everything he has said.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. VISCLOSKEY. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Let me say I associate my remarks with those of the ranking member. Thank you for your very thoughtful amendment, and I share your apprehensions about the American job prospects relative to this program.

Mr. VISCLOSKEY. The logical question to my colleagues is, well, PETE,

why are you even standing up and talking about this if you agree with everything the gentleman said? I basically do.

My concern right now is if we do terminate partnership in the International Partnership for Energy Efficiency Cooperation, which is based at the International Energy Agency, we have 14 other member nations. And I am just concerned about taking this particular unilateral action, but that is about the only concern I have with the remarks of the gentleman.

I yield back the balance of my time.

Mr. SHERMAN. I would just build on the remarks of the ranking member, which the chairman chose to associate himself with, and say if those are speeches against my amendment, I welcome them.

I hope those that are listening will not just note on which side the gentleman rose, but what they actually said. The content of what they said, I think, supports my amendment far more eloquently than I can.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SHERMAN).

The amendment was agreed to.

Mr. FRELINGHUYSEN. I move to strike the last word.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I yield to the gentleman from Louisiana.

Mr. SCALISE. Thank you. I would like to enter into a colloquy with the distinguished chairman of the Energy and Water Development Subcommittee.

Mr. FRELINGHUYSEN. I would be pleased to do so.

Mr. SCALISE. Mr. Chairman, section 501(a) provides to the Corps of Engineers more than \$1 billion in emergency supplemental funding for disaster relief. The section makes those funds available "for emergency expenses for repair of damages caused by the storm and flood events of 2011." Am I correct in my understanding that included in the "damages" to be addressed by section 501(a) is the loss of navigation channel dimensions caused or exacerbated by this year's floods?

Mr. FRELINGHUYSEN. The gentleman from Louisiana is correct.

The intent of section 501(a) is to fund the repair of damages to levees and navigation channels caused by the floods of 2011. The committee has provided more than \$1 billion dollars in title 5 of our bill to address navigation channel dimensions and make the levee repairs.

Mr. SCALISE. I thank the distinguished chairman. As many of our colleagues know, it is critical in Louisiana and elsewhere throughout the Nation to restore as quickly as possible the flood control and navigation integrity of our inland waterway system.

Again, I thank the chairman of the committee for yielding.

Mr. FRELINGHUYSEN. I want to thank the gentleman for his strong advocacy on behalf of his constituents and so many other Members of Congress that were affected by the incredible devastation of recent floods.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 ("Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations").

The CHAIR. Pursuant to the order of the House of Thursdays, July 14, 2011, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, I rise to offer this amendment that ensures that the most vulnerable members of our society no longer bear disproportionately more than their share of the environmental costs in their community.

□ 1030

Mr. Chairman, I first offered this measure, the exact same amendment, in the year 2005, and it was adopted into law. It has since been adopted into law in two other appropriations bills. This is the right thing to do. Environmental justice is an effort to achieve health and environmental equity across all community lines.

I ask that my amendment be supported.

Our government cannot ignore obvious disparities simply because the environmental burden is borne by citizens with limited political influence. We cannot destroy whole communities simply because it is politically convenient.

In 1994, President Clinton signed Executive Order 12898, directing agencies to address environmental justice concerns. Since then, minority and low-income communities have heard very little in the way of tangible progress except "wait." Well, these folks have been waiting for 20 years and they shouldn't have to wait anymore.

The Environmental Protection Agency's, EPA, plan to have environmental justice standards in place by 2014 is a noble and welcome attempt at addressing the problem, but there are real steps that we can take today.

My amendment ensures that none of the funds appropriated in this bill will be used in breach of the goals of Executive Order 12898.

Environmental justice is an effort to achieve health and environmental equity across all

community lines. Adoption of this amendment will call on the agencies in this bill to move forward with the identification of at-risk minority and low-income communities so appropriate steps can be taken to improve their health and well-being.

My amendment makes sure justice is served today.

When I first offered this same amendment in 2005, it was adopted into law. It has since been adopted into law in two other appropriations bills. This is the right thing to do for the health and fair treatment for those who need our help most in society.

Mr. Chair, I ask that my amendment be supported in an effort to help minority and low-income communities across this nation.

Environmental justice that is reserved only for only those who can afford it is no justice at all.

I yield back the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. Mr. Chairman, I rise in strong support of the gentleman's amendment. I appreciate his raising the issue and his offering the amendment, and I certainly strongly support his intention here.

I would be happy to yield to my chairman.

Mr. FRELINGHUYSEN. I concur with the ranking member's view and commend you for your efforts. I have no objection.

Mr. VISCLOSKEY. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT NO. 70 OFFERED BY MR. BURGESS

Mr. FRELINGHUYSEN. Mr. Chairman, I ask unanimous consent that the request for a recorded vote on amendment No. 70, offered by the gentleman from Texas (Mr. BURGESS), be vacated to the end that the Chair put the question de novo.

The CHAIR. Is there objection to the request of the gentleman from New Jersey?

If not, the request for a recorded vote on amendment No. 70 is vacated.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The amendment was agreed to.

Mr. VISCLOSKEY. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKEY. I realize we are at the end of the amendment process. I do not want to take Members' time unduly. I simply want to make a couple of observations in closing on the debate.

I, again, want to thank Chairman FRELINGHUYSEN, as well as the chairman of the full committee, Mr. ROGERS, and Mr. DICKS, the ranking member here, for their tireless work. As I said at the beginning, Mr. FRELINGHUYSEN has been a leader on the Subcommittee on Energy and Water, and he has also been a tremendous partner. This process has been transparent, it has been open, and it has been thoughtful. As people who have followed the last 5 days understand, we have not agreed on every issue, but we have worked very closely together. I truly personally appreciate that, and as a public official and Member of this body, I appreciate that.

Also, again, because we all know, as members of the committee, who does the work to make this such an exceptional bill, I again want to personally thank the staff: Rob Blair, Joe Levin, Loraine Heckenberg, Angie Giancarlo, Perry Yates, Taunja Berquam, Nancy Fox, Katie Hazlett, and Joe DeVooght. Everyone has their expertise. We may have separate offices, but we have, I think, collectively worked very well together and fashioned a wonderful bill.

Mr. DICKS. Will the ranking member yield?

Mr. VISCLOSKY. I am happy to yield to the gentleman from Washington.

Mr. DICKS. I just want to add my support for this effort. This is not a perfect bill, but I want to say how much I appreciate working with Congressman FRELINGHUYSEN, especially on modernization of our new reactor for the follow-on Trident submarine. This is an enormously important program, and the chairman has worked with us to make sure that the funding is appropriate and timely so that we can keep this program on track. And for that, I appreciate it. To all the staff and Chairman ROGERS, thank you for regular order and staying with this. Fortunately we were able to get a unanimous consent agreement.

Mr. VISCLOSKY. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I would also like to thank Ranking Member PETE VISCLOSKY for our friendship and our working relationship in putting together this Energy and Water bill, which on the water side affects every congressional district. It's important. I think we've done the right thing. And, of course, the reliability of our nuclear stockpile, the issues relating to non-proliferation, but I think we've put together a great bill, and I want to thank you for the leadership and our working relationship. I won't mention my name since you've done it so well, the excellent staff that allows us to move forward in a really nonpartisan, bipartisan way.

To the big chairman, thank you, Mr. ROGERS, for your support. It's been quite a long haul here on this bill. And

I appreciate your loyal support and our working relationship.

And to the ranking member, thank you so much, Mr. DICKS, for your support and help and friendship we've had on the Defense Appropriations Committee, along with the ranking member.

Mr. VISCLOSKY. I am happy to now yield to the full committee chair, the gentleman from Kentucky.

Mr. ROGERS of Kentucky. I thank the gentleman for yielding.

I thank Chairman FRELINGHUYSEN and Mr. VISCLOSKY for the hard, super effort. This has not been an easy bill, to say the least. And you've stayed with it, you have written a good bill, and you have, I think, defended a good bill. There have been amendments that have passed at least on voice vote that I think helped the bill.

I want to remind Members that this bill normally in past years has been one of the homes of earmarks. This bill was practically all earmarks in years past. And to the great credit of this subcommittee, you have not allowed any earmarks—not one—which is a remarkable achievement and merits the support, I think, of every single Member of this body.

Number two, we gave you a real tough 302(b) number to deal with. That I admit from the very beginning. We were trying to implement the budget that passed this House. And the allocation you received was very stingy. But you have, I think, done great credit to yourselves and to the rest of us by using that limited allocation and stretched it out as far as you could stretch it. And I think you've got a good bill.

In fact, the numbers in this bill are going back to 2006 levels.

The CHAIR. The time of the gentleman from Indiana has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. VISCLOSKY was allowed to proceed for 1 additional minute.)

Mr. ROGERS of Kentucky. Will the gentleman continue to yield?

Mr. VISCLOSKY. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. You've gone back to the 2006 levels, which is a huge cut in spending. So you've done your share of helping us get the Nation's fiscal house back in order. And I want to thank my colleague, Mr. DICKS, who at the very outset of this year agreed with me in toto that we would get this committee back into regular order, and he is living up to that every day since that time. So thank you, Mr. DICKS, for doing a great job.

And I want to thank these two, the chairman and ranking member of this subcommittee. They have been a model of civility and working together for a common cause. Thanks for a great job.

Mr. VISCLOSKY. Again, I thank the staff very much.

I yield back the balance of my time.

□ 1040

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 26 by Mr. COLE of Oklahoma.

An amendment by Mr. COHEN of Tennessee.

An amendment by Mr. GOSAR of Arizona.

An amendment by Ms. KAPTUR of Ohio.

First amendment by Mr. FLAKE of Arizona.

An amendment by Mrs. CAPPS of California.

Second amendment by Mr. FLAKE of Arizona.

An amendment by Mr. SCALISE of Louisiana.

Amendment No. 81 by Mr. BROUN of Georgia.

Amendment No. 63 by Mr. BROUN of Georgia.

Amendment No. 76 by Mr. LANDRY of Louisiana.

First amendment by Mrs. BLACKBURN of Tennessee.

Second amendment by Mrs. BLACKBURN of Tennessee.

Amendment No. 53 by Mr. HARRIS of Maryland.

An amendment by Mr. ROHRBACHER of California.

An amendment by Mrs. ADAMS of Florida.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 26 OFFERED BY MR. COLE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma (Mr. COLE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 249, noes 169, not voting 13, as follows:

[Roll No. 583]

AYES—249

Adams	Barton (TX)	Bono Mack
Aderholt	Bass (NH)	Boren
Akin	Benishek	Boustany
Alexander	Berg	Brady (TX)
Altmire	Biggert	Brooks
Amash	Bilbray	Broun (GA)
Austria	Bilirakis	Buchanan
Bachus	Bishop (UT)	Buschon
Barletta	Black	Buerkle
Barrow	Blackburn	Burgess
Bartlett	Bonner	Calvert







The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 210, not voting 9, as follows:

[Roll No. 586]

AYES—212

Ackerman	Garamendi	Napolitano
Altmire	Gerlach	Neal
Andrews	Gibson	Oliver
Baca	Gohmert	Owens
Baldwin	Gonzalez	Pallone
Barrow	Gosar	Pascrell
Bartlett	Green, Al	Pastor (AZ)
Bass (CA)	Green, Gene	Payne
Bass (NH)	Grijalva	Pelosi
Becerra	Gutierrez	Perlmutter
Berkley	Hanabusa	Peters
Berman	Hanna	Petri
Bilbray	Harris	Pingree (ME)
Bilirakis	Hastings (FL)	Platts
Bishop (GA)	Heck	Polis
Bishop (NY)	Heinrich	Price (NC)
Black	Herrera Beutler	Quigley
Blumenauer	Higgins	Rahall
Bono Mack	Himes	Rangel
Boswell	Hinojosa	Reichert
Brady (PA)	Hirono	Reyes
Braley (IA)	Hochul	Richardson
Brown (FL)	Holden	Richmond
Butterfield	Holt	Ross (AR)
Camp	Honda	Rothman (NJ)
Capps	Inslee	Roybal-Allard
Capuano	Israel	Ruppersberger
Cardoza	Jackson (IL)	Rush
Carnahan	Jackson Lee	Ryan (OH)
Carney	(TX)	Sánchez, Linda T.
Carson (IN)	Johnson (GA)	Sarbanes
Cassidy	Johnson (IL)	Schakowsky
Castor (FL)	Johnson, E. B.	Schiff
Chandler	Jones	Schmitt
Chu	Kaptur	Schwartz
Cicilline	Keating	Schweikert
Clarke (MI)	Kildee	Scott (VA)
Clarke (NY)	Kind	Scott, David
Clay	Kissell	Serrano
Cleaver	Kucinich	Sewell
Clyburn	Lance	Sherman
Cohen	Langevin	Shuler
Connolly (VA)	Larsen (WA)	Sires
Conyers	Larson (CT)	Slaughter
Cooper	Latta	Smith (NJ)
Costello	Lee (CA)	Smith (WA)
Courtney	Levin	Speier
Critz	Lewis (GA)	Stark
Crowley	Lipinski	Stivers
Cuellar	LoBiondo	Sutton
Cummings	Loeb sack	Towns
Davis (CA)	Lofgren, Zoe	Tsongas
Davis (IL)	Lowey	Upton
DeFazio	Luján	Van Hollen
DeGette	Lynch	Velázquez
DeLauro	Maloney	Walz (MN)
Dent	Markey	Wasserman Schultz
Deutch	Matsui	Waters
Dicks	McCarthy (NY)	Watt
Dingell	McCaul	Waxman
Doggett	McCollum	Welch
Donnelly (IN)	McDermott	Wilson (FL)
Doyle	McGovern	Woolsey
Edwards	McNerney	Wu
Eshoo	Meeks	Yarmuth
Farr	Michaud	
Fattah	Miller (NC)	
Filner	Miller, George	
Fitzpatrick	Moore	
Fortenberry	Moran	
Frank (MA)	Murphy (CT)	
Fudge	Nadler	

NOES—210

Adams	Amash	Barton (TX)
Aderholt	Austria	Benishkek
Akin	Bachus	Berg
Alexander	Barletta	Biggert

Bishop (UT)	Hartzler	Peterson
Blackburn	Hastings (WA)	Pitts
Bonner	Hayworth	Poe (TX)
Boren	Hensarling	Pompeo
Boustany	Herger	Posey
Brady (TX)	Hoyer	Price (GA)
Brooks	Huelskamp	Quayle
Broun (GA)	Huizenga (MI)	Reed
Buchanan	Hultgren	Rehberg
Bucshon	Hunter	Renacci
Buerkle	Hurt	Ribble
Burgess	Issa	Rigell
Calvert	Jenkins	Rivera
Campbell	Johnson (OH)	Roby
Canseco	Johnson, Sam	Roe (TN)
Cantor	Jordan	Rogers (AL)
Capito	Kelly	Rogers (KY)
Carter	King (IA)	Rogers (MI)
Chabot	King (NY)	Rohrabacher
Chaffetz	Kingston	Rokita
Coble	Kinzinger (IL)	Rooney
Coffman (CO)	Kline	Ros-Lehtinen
Cole	Labrador	Roskam
Conaway	Lamborn	Ross (FL)
Costa	Landry	Royce
Cravaack	Lankford	Runyan
Crawford	Latham	Ryan (WI)
Crenshaw	LaTourette	Scalise
Culberson	Lewis (CA)	Schilling
Davis (KY)	Long	Schock
Denham	Lucas	Scott (SC)
DesJarlais	Luetkemeyer	Scott, Austin
Diaz-Balart	Lummis	Sensenbrenner
Dold	Lungren, Daniel E.	Sessions
Dreier	Duffy	Shimkus
Duff	Mack	Shuster
Duncan (SC)	Manzullo	Simpson
Duncan (TN)	Marino	Smith (NE)
Ellmers	Matheson	Smith (TX)
Emerson	McCarthy (CA)	Southerland
Farenthold	McClintock	Stearns
Fincher	McCotter	Stutzman
Flake	McHenry	Sullivan
Fleischmann	McIntyre	Terry
Fleming	McKeon	Thompson (PA)
Flores	McKinley	Thornberry
Forbes	McMorris	Tiberi
Fox	Rodgers	Tipton
Franks (AZ)	Meehan	Turner
Frelinghuysen	Mica	Visclosky
Gallely	Miller (FL)	Walberg
Gardner	Miller (MI)	Walden
Garrett	Miller, Gary	Walsh (IL)
Gibbs	Mulvaney	Walsh (AZ)
Gingrey (GA)	Murphy (PA)	Webster
Goodlatte	Myrick	West
Gowdy	Neugebauer	Westmoreland
Granger	Noem	Whitfield
Graves (GA)	Nugent	Wilson (SC)
Graves (MO)	Nunes	Wittman
Griffin (AR)	Nunnelee	Wolf
Griffith (VA)	Olson	Womack
Grimm	Palazzo	Woodall
Guinta	Paul	Yoder
Guthrie	Paulsen	Young (AK)
Hall	Pearce	Young (FL)
Harper	Pence	Young (IN)

NOT VOTING—9

Bachmann	Engel	Marchant
Burton (IN)	Giffords	Sanchez, Loretta
Ellison	Hinchey	Schrader

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR. One minute remains in this vote.

□ 1123

Mrs. McMORRIS RODGERS changed her vote from “aye” to “no.”

Messrs. GOSAR and JOHNSON of Georgia changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MCINTYRE. Madam Chair, during roll-call vote No. 586 on the Kaptur Amendment on H.R. 2354, I mistakenly recorded my vote as “no” when I should have voted “aye.”

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the first amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 81, noes 341, not voting 9, as follows:

[Roll No. 587]

AYES—81

Akin	Graves (GA)	Petri
Amash	Hartzler	Pompeo
Barton (TX)	Hensarling	Price (GA)
Benishkek	Herger	Ribble
Blackburn	Herrera Beutler	Rohrabacher
Brady (TX)	Huelskamp	Ross (FL)
Broun (GA)	Jenkins	Royce
Campbell	Jordan	Ryan (WI)
Canseco	Labrador	Schmidt
Chabot	Lamborn	Schweikert
Chaffetz	Lankford	Scott (SC)
Coffman (CO)	Latta	Scott, Austin
Conaway	Long	Sensenbrenner
DesJarlais	Luetkemeyer	Sessions
Diaz-Balart	Lummis	Smith (NE)
Duffy	Mack	Southerland
Duncan (SC)	McCarthy (CA)	Stearns
Duncan (TN)	McClintock	Stutzman
Fincher	McHenry	Sullivan
Flake	McMorris	Walberg
Fleming	Rodgers	Walsh (IL)
Flores	Miller (FL)	Walsh (AZ)
Forbes	Mulvaney	Webster
Gardner	Murphy (PA)	Westmoreland
Garrett	Nunes	Wilson (SC)
Gingrey (GA)	Paul	Yoder
Gohmert	Pearce	Young (IN)
Gowdy	Pence	

NOES—341

Ackerman	Brown (FL)	Courtney
Adams	Buchanan	Cravaack
Aderholt	Bucshon	Crawford
Alexander	Buerkle	Crenshaw
Altmire	Burgess	Critz
Andrews	Butterfield	Crowley
Austria	Calvert	Cuellar
Baca	Camp	Culberson
Bachus	Cantor	Cummings
Baldwin	Capito	Davis (CA)
Barletta	Capps	Davis (IL)
Barrow	Capuano	Davis (KY)
Bartlett	Cardoza	DeFazio
Bass (CA)	Carnahan	DeGette
Bass (NH)	Carney	DeLauro
Becerra	Carson (IN)	Denham
Berg	Carter	Dent
Berkley	Cassidy	Deutch
Berman	Castor (FL)	Dicks
Biggert	Chandler	Dingell
Bilbray	Chu	Doggett
Bilirakis	Cicilline	Dold
Bishop (GA)	Clarke (MI)	Donnelly (IN)
Bishop (NY)	Clarke (NY)	Doyle
Bishop (UT)	Clay	Dreier
Black	Cleaver	Edwards
Blumenauer	Clyburn	Ellmers
Bonner	Coble	Emerson
Bono Mack	Cohen	Eshoo
Boren	Cole	Farenthold
Boswell	Connolly (VA)	Farr
Boustany	Conyers	Fattah
Brady (PA)	Cooper	Filner
Braley (IA)	Costa	Fitzpatrick
Brooks	Costello	Fleischmann

Flores  
Forbes  
Fortenberry  
Frank (MA)  
Frelinghuysen  
Fudge  
Gallegly  
Garamendi  
Gerlach  
Gibbs  
Gibson  
Gonzalez  
Goodlatte  
Gosar  
Granger  
Graves (MO)  
Green, Al  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grijalva  
Grimm  
Guinta  
Guthrie  
Gutierrez  
Hall  
Hanabusa  
Hanna  
Harper  
Harris  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heck  
Heinrich  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson (IL)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Kaptur  
Keating  
Kelly  
Kildee  
Kind  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Kucinich  
Lance  
Landry  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Lee (CA)

Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Loebsock  
Lofgren, Zoe  
Lowey  
Lucas  
Lujan  
Lungren, Daniel  
E.  
Lynch  
Maloney  
Manzullo  
Marino  
Markey  
Matheson  
Matsui  
McCarthy (NY)  
McCaull  
McCollum  
McCotter  
McDermott  
McGovern  
McIntyre  
McKeon  
McKinley  
McNerney  
Meehan  
Meeks  
Mica  
Michaud  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Myrick  
Nadler  
Napolitano  
Neal  
Neugebauer  
Noem  
Nugent  
Nunnelee  
Olson  
Oliver  
Owens  
Palazzo  
Pallone  
Pascrell  
Pastor (AZ)  
Paulsen  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Polis  
Posey  
Price (NC)  
Quayle  
Kissell  
Rahall  
Rangel  
Reed  
Rehberg  
Reichert  
Renacci  
Reyes  
Richardson  
Richmond  
Rigell

NOT VOTING—9

Bachmann  
Burton (IN)  
Ellison

Engel  
Giffords  
Hinchey  
Marchant  
Sanchez, Loretta  
Schradler

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

□ 1127

Mr. GINGREY of Georgia changed his vote from “no” to “aye.”

So the amendment was rejected.  
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. CAPPS  
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Mrs. CAPPS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 152, noes 269, not voting 10, as follows:

[Roll No. 588]

AYES—152

Ackerman  
Andrews  
Baca  
Baldwin  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (NY)  
Blumenauer  
Boren  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Capps  
Capuano  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costello  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dingell  
Doggett  
Edwards  
Eshoo  
Farr  
Fattah  
Finer  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez

NOES—269

Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Amash  
Austria  
Bachus  
Barletta  
Barrow  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishkek  
Blackburn  
Bonner  
Bono Mack  
Boswell  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Butterfield  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Capito  
Cardoza  
Carter  
Cassidy  
Chabot  
Chaffetz  
Clyburn  
Coble  
Coffman (CO)  
Cole  
Conaway  
Costa  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dicks  
Dold  
Donnelly (IN)  
Doyle  
Dreier  
Duffy  
Quigley  
Rahall  
Rangel  
Reyes  
Richardson  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Ryan (OH)  
Sanchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Scott (VA)  
Serrano  
Sewell  
Sherman  
Sires  
Slaughter  
Speier  
Stark  
Sutton  
Thompson (CA)  
Tierney  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velazquez  
Wasserman  
Schultz  
Waters  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Neal  
Oliver

Blackburn  
Bonner  
Bono Mack  
Boswell  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Butterfield  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Capito  
Cardoza  
Carter  
Cassidy  
Chabot  
Chaffetz  
Clyburn  
Coble  
Coffman (CO)  
Cole  
Conaway  
Costa  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dicks  
Dold  
Donnelly (IN)  
Doyle  
Dreier  
Duffy  
Quigley  
Rahall  
Rangel  
Reyes  
Richardson  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Ryan (OH)  
Sanchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Scott (VA)  
Serrano  
Sewell  
Sherman  
Sires  
Slaughter  
Speier  
Stark  
Sutton  
Thompson (CA)  
Tierney  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velazquez  
Wasserman  
Schultz  
Waters  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Neal  
Oliver

Bachmann  
Burton (IN)  
Ellison  
Engel  
Giffords  
Hinchey  
Marchant  
Sanchez, Loretta  
Schradler  
Visclosky

NOT VOTING—10

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
One minute remains in this vote.

□ 1132

Mr. FLAKE changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 68, noes 353, not voting 10, as follows:

[Roll No. 589]

AYES—68

Amash	Graves (GA)	Mulvaney
Benishek	Grijalva	Nadler
Brady (TX)	Gutierrez	Olver
Broun (GA)	Heinrich	Paul
Burgess	Hensarling	Peters
Campbell	Herrera Beutler	Petri
Capuano	Hirono	Polis
Chabot	Honda	Pompeo
Chaffetz	Huelskamp	Quigley
Clarke (NY)	Jenkins	Ribble
DeFazio	Jordan	Rohrabacher
Duffy	Lankford	Royce
Duncan (SC)	Long	Ryan (WI)
Duncan (TN)	Mack	Schilling
Edwards	Markey	Schweikert
Farr	McClintock	Scott (SC)
Filner	McDermott	Scott, Austin
Flake	McGovern	Sensenbrenner
Foxx	McHenry	Speier
Franks (AZ)	McMorris	Stearns
Garrett	Rodgers	Tierney
Gohmert	Miller, George	Walsh (IL)
Gowdy	Moore	Yoder

NOES—353

Ackerman	Boren	Coble
Adams	Boswell	Coffman (CO)
Aderholt	Boustany	Cohen
Akin	Brady (PA)	Cole
Alexander	Braley (IA)	Conaway
Altmore	Brooks	Connolly (VA)
Andrews	Brown (FL)	Conyers
Austria	Buchanan	Cooper
Baca	Bucshon	Costa
Bachus	Buerkle	Costello
Baldwin	Butterfield	Courtney
Barletta	Calvert	Cravaack
Barrow	Camp	Crawford
Bartlett	Cansaco	Crenshaw
Bass (CA)	Cantor	Critz
Bass (NH)	Capito	Crowley
Becerra	Capps	Cellular
Berg	Cardoza	Culberson
Berkley	Carnahan	Cummings
Berman	Carney	Davis (CA)
Biggart	Carson (IN)	Davis (IL)
Bilbray	Carter	Davis (KY)
Bilirakis	Cassidy	DeGette
Bishop (GA)	Castor (FL)	DeLauro
Bishop (NY)	Chandler	Denham
Bishop (UT)	Chu	Dent
Black	Ciulline	DesJarlais
Blackburn	Clarke (MI)	Deutch
Blumenauer	Clay	Diaz-Balart
Bonner	Cleaver	Dicks
Bono Mack	Clyburn	Dingell

Doggett	Landry	Rivera
Dold	Langevin	Roby
Donnelly (IN)	Larsen (WA)	Roe (TN)
Doyle	Larson (CT)	Rogers (AL)
Dreier	Latham	Rogers (KY)
Ellmers	LaTourette	Rogers (MI)
Emerson	Latta	Rokita
Eshoo	Lee (CA)	Rooney
Farenthold	Levin	Ros-Lehtinen
Fattah	Lewis (CA)	Roskam
Fincher	Lewis (GA)	Ross (AR)
Fitzpatrick	Lipinski	Ross (FL)
Fleischmann	LoBiondo	Rothman (NJ)
Fleming	Loeb sack	Roybal-Allard
Flores	Lofgren, Zoe	Ryunyan
Forbes	Lowe y	Ruppersberger
Fortenberry	Lucas	Rush
Frank (MA)	Luetkemeyer	Ryan (OH)
Frelinghuysen	Lujan	Sanchez, Linda
Fudge	Lummis	T.
Gallegly	Lungren, Daniel	Sarbanes
Garamendi	E.	Scalise
Gardner	Lynch	Schakowsky
Gerlach	Maloney	Schiff
Gibbs	Manzullo	Schmitt
Gibson	Marchant	Schock
Gingrey (GA)	Marino	Schwartz
Gonzalez	Matheson	Scott (VA)
Goodlatte	Matsui	Scott, David
Gosar	McCarthy (CA)	Serrano
Granger	McCarthy (NY)	Sessions
Graves (MO)	McCaul	Sewell
Green, Al	McColum	Sherman
Green, Gene	McCotter	Shimkus
Griffin (AR)	McIntyre	Shuler
Griffith (VA)	McKeon	Shuster
Grimm	McKinley	Simpson
Guinta	McNerney	Sires
Guthrie	Meehan	Slaughter
Hall	Meeks	Smith (NE)
Hanabusa	Mica	Smith (NJ)
Hanna	Michaud	Smith (TX)
Harper	Miller (FL)	Smith (WA)
Harris	Miller (MI)	Southerland
Hartzler	Miller (NC)	Stark
Hastings (FL)	Miller, Gary	Stivers
Hastings (WA)	Moran	Stutzman
Hayworth	Murphy (CT)	Sutton
Heck	Murphy (PA)	Terry
Herger	Myrick	Thompson (CA)
Higgins	Napolitano	Thompson (MS)
Himes	Neal	Thompson (PA)
Hinojosa	Neugebauer	Thornberry
Hochul	Noem	Tiberi
Holden	Nugent	Tipton
Holt	Nunes	Tonko
Hoyer	Nunnelee	Towns
Huizenga (MI)	Olson	Tsongas
Hultgren	Owens	Turner
Hunter	Palazzo	Upton
Hurt	Pallone	Van Hollen
Insee	Pascrell	Velazquez
Israel	Pastor (AZ)	Viscosky
Issa	Paulsen	Walberg
Jackson (IL)	Payne	Walden
Jackson Lee	Pearce	Walz (MN)
(TX)	Pelosi	Wasserman
Johnson (GA)	Pence	Schultz
Johnson (IL)	Perlmutter	Waters
Johnson (OH)	Peterson	Watt
Johnson, E. B.	Pingree (ME)	Waxman
Johnson, Sam	Pitts	Webster
Jones	Platts	Welch
Kaptur	Poe (TX)	West
Keating	Posey	Westmoreland
Kelly	Price (GA)	Whitfield
Kildee	Price (NC)	Wilson (FL)
Kind	Quayle	Wilson (SC)
King (IA)	Rahall	Wittman
King (NY)	Rangel	Wolf
Kingston	Reed	Womack
Kinzinger (IL)	Rehberg	Woodall
Kissell	Reichert	Woolsey
Kline	Renacci	Wu
Kucinich	Reyes	Yarmuth
Labrador	Richardson	Young (AK)
Lamborn	Richmond	Young (FL)
Lance	Rigell	Young (IN)

NOT VOTING—10

Bachmann	Engel	Schrader
Barton (TX)	Giffords	Sullivan
Burton (IN)	Hinche y	
Ellison	Sanchez, Loretta	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
One minute remains in this vote.

□ 1136

Mr. CLARKE of Michigan, Ms. PIN-GREE of Maine, and Mr. YOUNG of Indiana changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SCALISE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. SCALISE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 271, noes 148, not voting 12, as follows:

[Roll No. 590]

AYES—271

Ackerman	Clay	Hanabusa
Adams	Cleaver	Hanna
Aderholt	Clyburn	Harris
Akin	Coble	Hartzler
Alexander	Cohen	Hastings (FL)
Altmore	Connolly (VA)	Hayworth
Austria	Conyers	Heinrich
Baca	Courtney	Hensarling
Bachus	Cravaack	Herrera Beutler
Baldwin	Crawford	Higgins
Barrow	Cummings	Himes
Barton (TX)	Davis (IL)	Hinojosa
Bass (CA)	DeGette	Hirono
Bass (NH)	Denham	Hochul
Becerra	Dent	Holt
Bilbray	Deutch	Honda
Bilirakis	Dicks	Hoyer
Bishop (GA)	Dold	Huelskamp
Bishop (NY)	Donnelly (IN)	Hultgren
Bishop (UT)	Duffy	Hunter
Black	Duncan (SC)	Hurt
Blackburn	Duncan (TN)	Insee
Boren	Farenthold	Israel
Boswell	Farr	Jackson (IL)
Boustany	Fitzpatrick	Jackson Lee
Brady (TX)	Flake	(TX)
Brooks	Fleming	Jenkins
Broun (GA)	Flores	Johnson (IL)
Brown (FL)	Forbes	Johnson (OH)
Buchanan	Fortenberry	Johnson, E. B.
Bucshon	Franks (AZ)	Johnson, Sam
Buerkle	Fudge	Jones
Burgess	Gardner	Jordan
Butterfield	Garrett	Kaptur
Campbell	Gerlach	Keating
Cantor	Gibbs	Kind
Capito	Gibson	King (IA)
Capps	Gingrey (GA)	King (NY)
Carnahan	Goodlatte	Kingston
Carney	Gosar	Kinzinger (IL)
Carson (IN)	Gowdy	Kissell
Cassidy	Graves (MO)	Kline
Castor (FL)	Green, Al	Kucinich
Chabot	Green, Gene	Labrador
Chaffetz	Griffin (AR)	Lamborn
Chu	Griffith (VA)	Lance
Ciulline	Grijalva	Landry
Clarke (MI)	Guinta	Lankford
Clarke (NY)	Guthrie	Larson (CT)

LaTourette  
Latta  
Lee (CA)  
Lewis (GA)  
LoBiondo  
Loeb sack  
Luján  
Lummis  
Mack  
Maloney  
Manzullo  
Matheson  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McDermott  
McGovern  
McHenry  
McIntyre  
McKeon  
McKinley  
Meehan  
Meeks  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, George  
Moore  
Moran  
Mulvaney  
Murphy (CT)  
Murphy (PA)  
Myrick  
Nadler  
Napolitano  
Nugent  
Nunes  
Olson

Oliver  
Palazzo  
Pallone  
Paul  
Paulsen  
Pearce  
Pence  
Peters  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Price (GA)  
Quayle  
Reed  
Reichert  
Reyes  
Ribble  
Richardson  
Richmond  
Rivera  
Roe (TN)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Roskam  
Ross (FL)  
Roybal-Allard  
Royce  
Runyan  
Rush  
Ryan (OH)  
Scalise  
Schilling  
Schock  
Schweikert  
Scott (SC)  
Scott (VA)  
Scott, Austin

Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Ellison  
Engel  
Giffords

NOT VOTING—12

Bachmann  
Burton (IN)  
Ellison  
Engel  
Giffords

Gohmert  
Graves (GA)  
Hinchey  
McMorris  
Rodgers

Sanchez, Loretta  
Schrader  
Tierney

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
One minute remains in this vote.

□ 1139

Ms. LEE changed her vote from “no” to “aye.”  
So the amendment was agreed to.  
The result of the vote was announced as above recorded.

AMENDMENT NO. 81 OFFERED BY MR. BROUN OF GEORGIA  
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.  
The Clerk redesignated the amendment.

RECORDED VOTE  
The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.  
The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 69, noes 354, not voting 8, as follows:

[Roll No. 591]  
AYES—69

NOES—148

Amash  
Andrews  
Barletta  
Bartlett  
Benishek  
Berg  
Berkley  
Berman  
Biggert  
Blumenauer  
Bonner  
Bono Mack  
Brady (PA)  
Braley (IA)  
Calvert  
Camp  
Canseco  
Capuano  
Cardoza  
Carter  
Chandler  
Coffman (CO)  
Cole  
Conaway  
Cooper  
Costa  
Costello  
Crenshaw  
Critz  
Crowley  
Cuellar  
Culberson  
Davis (CA)  
Davis (KY)  
DeFazio  
DeLauro  
DesJarlais  
Diaz-Balart  
Dingell  
Doggett  
Doyle  
Dreier  
Edwards  
Ellmers  
Emerson  
Eshoo  
Fattah  
Finler  
Fincher  
Fleischmann

Foxx  
Frank (MA)  
Frelinghuysen  
Gallegly  
Garamendi  
Gonzalez  
Granger  
Grimm  
Hanger  
Gutierrez  
Hall  
Harper  
Hastings (WA)  
Heck  
Hergert  
Holden  
Huizenga (MI)  
Issa  
Johnson (GA)  
Kelly  
Kildee  
Langevin  
Larsen (WA)  
Latham  
Levin  
Lewis (CA)  
Lipinski  
Lofgren, Zoe  
Long  
Lowey  
Lucas  
Luetkemeyer  
Lungren, Daniel  
E.  
Lynch  
Marchant  
Marino  
Markey  
Matsui  
McCotter  
McNerney  
Miller, Gary  
Neal  
Neugebauer  
Noem  
Nunnelee  
Owens  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi

Perlmutter  
Pingree (ME)  
Polis  
Posey  
Price (NC)  
Quigley  
Rahall  
Rangel  
Rehberg  
Renacci  
Rigell  
Roby  
Rogers (AL)  
Rogers (KY)  
Ros-Lehtinen  
Ross (AR)  
Rothman (NJ)  
Ruppersberger  
Ryan (WI)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schmidt  
Schwartz  
Sherman  
Simpson  
Slaughter  
Smith (NE)  
Smith (TX)  
Smith (WA)  
Stark  
Sutton  
Terry  
Thompson (CA)  
Thompson (PA)  
Thornberry  
Tiberti  
Tiberi  
Tonko  
Towns  
Tsongas  
Turner  
Visclosky  
Walberg  
Waxman  
Wittman  
Womack  
Yarmuth  
Young (FL)

Amash  
Benishek  
Bishop (UT)  
Blackburn  
Brady (TX)  
Broun (GA)  
Burgess  
Campbell  
Canseco  
Chabot  
Chaffetz  
Conaway  
Duffy  
Duncan (SC)  
Duncan (TN)  
Flake  
Fleming  
Foxx  
Franks (AZ)  
Garrett  
Paul  
Gohmert  
Gowdy  
Graves (GA)  
Harris

Hensarling  
Herger  
Huelskamp  
Hunter  
Jenkins  
Johnson, Sam  
Jordan  
Labrador  
Landry  
Lankford  
Long  
Mack  
McClintock  
McHenry  
McMorris  
Rodgers  
Miller (FL)  
Mulvaney  
Neugebauer  
Paul  
Pearce  
Pence  
Petri  
Poe (TX)

Pompeo  
Ribble  
Rohrabacher  
Ross (FL)  
Royce  
Ryan (WI)  
Scalise  
Schmidt  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Southerland  
Stearns  
Stutzman  
Walberg  
Walsh (IL)  
West  
Wilson (SC)  
Woodall  
Yoder  
Young (IN)

NOES—354

Ackerman  
Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Andrews  
Austria  
Baca  
Bachus  
Baldwin  
Barletta  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Black  
Blumenauer  
Bonner  
Bono Mack  
Boren  
Boswell  
Boustany  
Brady (PA)  
Braley (IA)  
Brooks

Brown (FL)  
Buchanan  
Bucshon  
Buerkle  
Butterfield  
Calvert  
Camp  
Cantor  
Capito  
Capps  
Capuano  
Cardoza  
Carahan  
Carney  
Carson (IN)  
Carter  
Cassidy  
Castor (FL)

Chandler  
Chu  
Cicilline  
Clarke (MI)  
Honda  
Clay  
Cleaver  
Clyburn  
Coble  
Coffman (CO)  
Cohen  
Cole  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Crowley  
Cuellar  
Culberson  
Cummings  
Davis (CA)  
Davis (IL)  
Davis (KY)  
DeFazio  
DeGette  
DeLauro  
Denham  
Dent  
DesJarlais  
Deutch  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Dold  
Donnelly (IN)  
Doyle  
Dreier  
Edwards  
Ellmers  
Emerson  
Eshoo  
Farenthold  
Farr  
Fattah  
Finler  
Fincher  
Fitzpatrick  
Fleischmann  
Flores  
Forbes  
Fortenberry  
Frank (MA)  
Marino  
Fudge  
Gallegly  
Garamendi  
Gardner  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gonzalez  
Goodlatte  
Gosar  
Granger  
Graves (MO)  
Green, Al  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grijalva  
Grimm  
Guinta  
Guthrie  
Guthrie  
Hall  
Hanabusa  
Hanna  
Harper  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heck  
Heinrich  
Herrera Beutler  
Higgins  
Himes  
Hinojosa

Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Huizenga (MI)  
Hultgren  
Hurt  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson (IL)  
Johnson (OH)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly  
Kildee  
Kind  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Kucinich  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Luján  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Maloney  
Manzullo  
Marchant  
Marino  
Markey  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McCollum  
McCotter  
McDermott  
McGovern  
McIntyre  
McKeon  
McKinley  
McNerney  
Meehan  
Meeks  
Mica  
Michaud  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Murphy (PA)  
Myrick  
Nadler  
Napolitano  
Neal  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Oliver

Owens  
Palazzo  
Pallone  
Pascrell  
Pastor (AZ)  
Paulsen  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Pitts  
Platts  
Polis  
Posey  
Price (GA)  
Price (NC)  
Quayle  
Quigley  
Rahall  
Rangel  
Reed  
Rehberg  
Reichert  
Renacci  
Reyes  
Richardson  
Richmond  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schilling  
Schock  
Schwartz  
Schweikert  
Scott (VA)  
Scott, David  
Serrano  
Sessions  
Sherman  
Sherman  
Shimkus  
Shuler  
Simpson  
Sires  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stark  
Stivers  
Sullivan  
Sutton  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tiberi  
Tierney  
Tipton  
Tipton  
Tonko  
Towns  
Tsongas  
Turner  
Turner  
Upton  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walden  
Walz (MN)  
Wasserman  
Schultz

Waters Whitfield Wu  
Watt Wilson (FL) Yarmuth  
Waxman Wittman Young (AK)  
Webster Wolf Young (FL)  
Welch Womack  
Westmoreland Woolsey

## NOT VOTING—8

Bachmann Engel Sanchez, Loretta  
Burton (IN) Giffords Schrader  
Ellison Hinchey

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this  
vote.

□ 1142

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

AMENDMENT NO. 63 OFFERED BY MR. BROUN OF  
GEORGIA

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Georgia (Mr. BROUN)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 90, noes 332,  
not voting 9, as follows:

[Roll No. 592]

AYES—90

Akin Hayworth Petri  
Amash Hensarling Poe (TX)  
Benishek Huelskamp Pompeo  
Bishop (UT) Hunter Price (GA)  
Blackburn Jenkins Quayle  
Brady (TX) Johnson, Sam Roe (TN)  
Broun (GA) Jordan Rohrabacher  
Burgess Kingston Rokita  
Campbell Kline Ross (FL)  
Canseco Labrador Royce  
Cantor Lamborn Ryan (WI)  
Cassidy Landry Scalise  
Chabot Lankford Schweikert  
Chaffetz Latta  
Conaway Long Scott (SC)  
Duncan (SC) Luetkemeyer Scott, Austin  
Duncan (TN) Mack Sensenbrenner  
Flake Marino Sessions  
Fleming McClintock Smith (NE)  
Flores McHenry Southerland  
Foxy McMorris Stearns  
Franks (AZ) Rodgers Stutzman  
Gallegly Miller (FL) Terry  
Garrett Miller, Gary Tipton  
Gibbs Mulvaney Walsh (IL)  
Gingrey (GA) Neugebauer West  
Gohmert Nunes Whitfield  
Paul Gowdy Wilson (SC)  
Graves (GA) Paulsen Woodall  
Harris Pearce Young (IN)  
Hartzler Pence

NOES—332

Ackerman Baca Bass (CA)  
Adams Bachus Bass (NH)  
Aderholt Baldwin Becerra  
Alexander Bartletta Berg  
Altmore Barrow Berkeley  
Andrews Bartlett Berman  
Austria Barton (TX) Biggert

Bilbray Goodlatte  
Bilirakis Gosar  
Bishop (GA) Granger  
Bishop (NY) Graves (MO)  
Black Green, Al  
Blumenauer Green, Gene  
Bonner Griffin (AR)  
Bono Mack Griffith (VA)  
Boren Grijalva  
Boswell Grimm  
Boustany Guinta  
Brady (PA) Guthrie  
Braley (IA) Gutierrez  
Brooks Hall  
Brown (FL) Hanabusa  
Buchanan Hanna  
Bucshon Harper  
Buerkle Hastings (FL)  
Butterfield Hastings (WA)  
Calvert Heck  
Camp Heinrich  
Capito Herger  
Capps Herrera Beutler  
Capuano Higgins  
Cardoza Himes  
Carnahan Hinojosa  
Carney Hirono  
Carson (IN) Hochul  
Carter Holden  
Castor (FL) Holt  
Chandler Honda  
Chu Hoyer  
Cicilline Huizenga (MI)  
Clarke (MI) Hultgren  
Clarke (NY) Hurt  
Clay Inslee  
Cleaver Israel  
Clyburn Issa  
Coble Jackson (IL)  
Coffman (CO) Jackson Lee  
Cohen (TX)  
Cole Johnson (GA)  
Connolly (VA) Johnson (IL)  
Conyers Johnson (OH)  
Cooper Johnson, E. B.  
Costa Jones  
Costello Kaptur  
Courtney Keating  
Cravaack Kelly  
Crawford Kildee  
Crenshaw Kind  
Critz King (IA)  
Crowley King (NY)  
Cuellar Kinzinger (IL)  
Culberson Kissell  
Cummings Kucinich  
Davis (CA) Lance  
Davis (IL) Langevin  
Davis (KY) Larsen (WA)  
DeFazio Larson (CT)  
DeGette Latham  
DeLauro LaTourette  
Denham Lee (CA)  
Dent Levin  
DesJarlais Lewis (CA)  
Deutch Lewis (GA)  
Diaz-Balart Lipinski  
Dicks LoBiondo  
Dingell Loeb sack  
Doggett Lofgren, Zoe  
Dold Lowey  
Donnelly (IN) Lucas  
Doyle Lujan  
Dreier Lummis  
Duffy Lungren, Daniel  
E. Lynch  
Edwards Maloney  
Ellmers Emerson  
Emerson Manullo  
Eshoo Markey  
Farenthold Matheson  
Farr Matsui  
Fattah Filner  
Finer McCarthy (CA)  
Fincher McCarthy (NY)  
Fitzpatrick McCaul  
Fleischmann McCollum  
Forbes McCotter  
Fortenberry McDermott  
Frank (MA) McGovern  
Frelinghuysen McIntyre  
Fudge McKeon  
Garamendi McKinley  
Gardner McNerney  
Gerlach Meehan  
Gibson Meeke  
Gonzalez Mica

Michaud  
Miller (MI)  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Murphy (PA)  
Myrick  
Nadler  
Napolitano  
Neal  
Noem  
Nugent  
Nunnelee  
Olson  
Olver  
Owens  
Palazzo  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Pitts  
Platts  
Polis  
Posey  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reed  
Rehberg  
Reichert  
Renacci  
Reyes  
Ribble  
Richardson  
Richmond  
Rigell  
Rivera  
Roby  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Barletta  
Schilling  
Schmidt  
Schock  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stark  
Stivers  
Sullivan  
Sutton  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tierney  
Tonko  
Towns

Tsongas Wasserman Wittman  
Turner Schultz Wolf  
Upton Waters Womack  
Van Hollen Watt Woolsey  
Velázquez Waxman Wu  
Visclosky Webster Yarmuth  
Walberg Welch Yoder  
Walden Westmoreland Young (AK)  
Walz (MN) Wilson (FL) Young (FL)

## NOT VOTING—9

Bachmann Engel Marchant  
Burton (IN) Giffords Sanchez, Loretta  
Ellison Hinchey Schrader

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this  
vote.

□ 1146

So the amendment was rejected.  
The result of the vote was announced  
as above recorded.

AMENDMENT NO. 76 OFFERED BY MR. LANDRY  
The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Louisiana (Mr.  
LANDRY) on which further proceedings  
were postponed and on which the noes  
prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 227, noes 193,  
not voting 11, as follows:

[Roll No. 593]

AYES—227

Adams Cole Gosar  
Aderholt Conaway Gowdy  
Akin Cravaack Granger  
Alexander Crawford Graves (GA)  
Amash Crenshaw Graves (MO)  
Austria Culberson Griffin (AR)  
Bachus Bachus Davis (KY)  
Barletta Denham Griffith (VA)  
Bartlett Dent Guinta  
Barton (TX) DesJarlais Guthrie  
Bass (NH) Diaz-Balart Hall  
Benishek Dold Harper  
Berg Dreier Harris  
Biggert Duffy Hartzler  
Bilbray Duncan (SC) Hastings (WA)  
Bilirakis Duncan (TN) Hayworth  
Bishop (UT) Ellmers Heck  
Black Emerson Hensarling  
Blackburn Farenthold Herger  
Bono Mack Fincher Herrera Beutler  
Boustany Fitzpatrick Huelskamp  
Brooks Flake Huizenga (MI)  
Broun (GA) Fleischmann Hultgren  
Buchanan Fleming Hunter  
Bucshon Flores Hurt  
Buerkle Forbes Issa  
Burgess Fortenberry Jenkins  
Calvert Foxx Johnson (IL)  
Camp Franks (AZ) Johnson (OH)  
Campbell Frelinghuysen Johnson, Sam  
Canseco Gallegly Jones  
Cantor Gardner Jordan  
Capito Garrett Kelly  
Carter King (IA)  
Cassidy Gibbs King (NY)  
Chabot Gibson Kingston  
Chaffetz Gingrey (GA) Kline  
Coble Gohmert Labrador  
Coffman (CO) Goodlatte Lamborn





Sánchez, Linda T.  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schock  
 Schwartz  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell  
 Sherman  
 Shimkus  
 Shuler  
 Simpson  
 Sires  
 Slaughter  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)

NOT VOTING—10

Bachmann  
 Burton (IN)  
 Cantor  
 Ellison

Engel  
 Giffords  
 Hinchey  
 Sanchez, Loretta

□ 1152

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. STUTZMAN. Madam Chair, on rollcall No. 594, I was unavoidably detained. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 150, noes 272, not voting 9, as follows:

[Roll No. 595]

AYES—150

Akin  
 Amash  
 Bartlett  
 Barton (TX)  
 Bass (NH)  
 Benishek  
 Bilirakis  
 Bishop (UT)  
 Black  
 Blackburn  
 Bono Mack  
 Boswell  
 Brady (TX)  
 Brooks  
 Broun (GA)  
 Buchanan  
 Burgess  
 Camp  
 Campbell  
 Canseco  
 Carney  
 Cassidy  
 Chabot  
 Chaffetz  
 Coble  
 Coffman (CO)  
 Conaway

Cooper  
 Davis (KY)  
 Dent  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Farenthold  
 Fincher  
 Fitzpatrick  
 Flake  
 Fleming  
 Flores  
 Fortenberry  
 Fox  
 Franks (AZ)  
 Gallegly  
 Garrett  
 Gerlach  
 Gibbs  
 Gingrey (GA)  
 Gohmert  
 Goodlatte  
 Gowdy  
 Graves (GA)  
 Graves (MO)  
 Griffin (AR)  
 Griffith (VA)

Guinta  
 Guthrie  
 Harris  
 Hartzler  
 Hensarling  
 Herger  
 Herrera Beutler  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt  
 Issa  
 Jenkins  
 Johnson (IL)  
 Johnson (OH)  
 Johnson, Sam  
 Jones  
 Jordan  
 Kinzinger (IL)  
 Kline  
 Labrador  
 Lamborn  
 Lance  
 Landry  
 Lankford  
 Latta

Long  
 Lummis  
 Mack  
 Manzullo  
 Marchant  
 Marino  
 McCarthy (CA)  
 McCaul  
 McClintock  
 McCotter  
 McHenry  
 McKeon  
 McMorris  
 Rodgers  
 Mica  
 Miller (FL)  
 Miller (MI)  
 Miller, Gary  
 Mulvaney  
 Murphy (PA)  
 Myrick  
 Neugebauer  
 Nunes  
 Nunnelee

NOES—272

Ackerman  
 Adams  
 Aderholt  
 Alexander  
 Altmire  
 Andrews  
 Austria  
 Baca  
 Bachus  
 Baldwin  
 Barletta  
 Barrow  
 Ellmers  
 Bass (CA)  
 Becerra  
 Berg  
 Berkeley  
 Berman  
 Biggert  
 Bilbray  
 Bishop (GA)  
 Bishop (NY)  
 Blumenauer  
 Bonner  
 Boren  
 Boustany  
 Brady (PA)  
 Braley (IA)  
 Brown (FL)  
 Bucshon  
 Buerkle  
 Butterfield  
 Calvert  
 Capito  
 Capps  
 Capuano  
 Cardoza  
 Carnahan  
 Carson (IN)  
 Carter  
 Castor (FL)  
 Chandler  
 Chu  
 Cicilline  
 Clarke (MI)  
 Clarke (NY)  
 Clay  
 Cleaver  
 Clyburn  
 Cohen  
 Cole  
 Connolly (VA)  
 Conyers  
 Costa  
 Costello  
 Courtney  
 Cravaack  
 Crawford  
 Crenshaw  
 Critz  
 Crowley  
 Keating  
 Kelly  
 Kildee  
 Kind  
 King (IA)  
 King (NY)  
 Kingston  
 Kissell  
 Kucinich  
 Langevin

Schweikert  
 Scott (SC)  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Shuster  
 Smith (NJ)  
 Southerland  
 Stearns  
 Stutzman  
 Sullivan  
 Terry  
 Upton  
 Walberg  
 Walsh (IL)  
 Westmoreland  
 Wilson (SC)  
 Wittman  
 Woodall  
 Yoder  
 Young (FL)  
 Young (IN)

Rogers (AL)  
 Rogers (KY)  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross (AR)  
 Rothman (NJ)  
 Roybal-Allard  
 Runyan  
 Ruppertsberger  
 Rush  
 Ryan (OH)  
 Sánchez, Linda T.  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schilling  
 Schock  
 Schwartz  
 Scott (VA)  
 Scott, David  
 Serrano

NOT VOTING—9

Bachmann  
 Burton (IN)  
 Cantor

Ellison  
 Engel  
 Giffords

Hinchey  
 Sanchez, Loretta  
 Schrader

□ 1153

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 53 OFFERED BY MR. HARRIS  
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. HARRIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered. The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 236, noes 185, not voting 10, as follows:

[Roll No. 596]

AYES—236

Adams  
 Aderholt  
 Akin  
 Alexander  
 Altmire  
 Amash  
 Austria  
 Bachus  
 Barletta  
 Barrow  
 Bartlett  
 Barton (TX)  
 Bass (NH)  
 Benishek  
 Berg  
 Biggert  
 Bilirakis  
 Bishop (UT)  
 Black  
 Blackburn  
 Bonner  
 Bono Mack  
 Brady (TX)  
 Brooks  
 Broun (GA)  
 Buchanan  
 Burgess  
 Camp  
 Campbell  
 Canseco  
 Carney  
 Cassidy  
 Chabot  
 Chaffetz  
 Coble  
 Coffman (CO)  
 Cole  
 Conaway  
 Bass (NH)  
 Benishek  
 Berg  
 Biggert  
 Bilirakis  
 Bishop (UT)  
 Black  
 Blackburn  
 Bonner  
 Bono Mack  
 Brady (TX)  
 Brooks  
 Broun (GA)  
 Buchanan  
 Burgess  
 Camp  
 Campbell  
 Canseco  
 Carney  
 Cassidy  
 Chabot  
 Chaffetz  
 Coble  
 Coffman (CO)  
 Conaway

Camp  
 Campbell  
 Canseco  
 Capito  
 Carter  
 Cassidy  
 Chabot  
 Chaffetz  
 Coble  
 Coffman (CO)  
 Cole  
 Conaway  
 Cooper  
 Cravaack  
 Crawford  
 Culbertson  
 DeFazio  
 Denham  
 Dent  
 DesJarlais  
 Diaz-Balart  
 Dold  
 Dreier  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Ellmers  
 Emerson  
 Farenthold  
 Fincher

Fitzpatrick  
 Flake  
 Fleischmann  
 Fleming  
 Flores  
 Forbes  
 Fortenberry  
 Foxx  
 Franks (AZ)  
 Gallegly  
 Gardner  
 Garrett  
 Gerlach  
 Gibbs  
 Gibson  
 Gingrey (GA)  
 Gohmert  
 Goodlatte  
 Gosar  
 Gowdy  
 Granger  
 Graves (GA)  
 Graves (MO)  
 Green, Gene  
 Griffin (AR)  
 Griffith (VA)  
 Grimm  
 Guinta  
 Guthrie  
 Hall

Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Himes  
Hochul  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
McCarthy (CA)

McCaul  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
McMorris  
Rodgers  
Meehan  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paul  
Paulsen  
Pearce  
Pence  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen

Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Burton (IN)  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

Pelosi  
Perlmutter  
Peterson  
Pingree (ME)  
Polis  
Price (GA)  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reyes  
Richardson  
Richmond  
Rogers (AL)  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Smith (NE)  
Ryan (OH)

Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Shuler  
Simpson  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)

Thompson (MS)  
Tierney  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blumenauer  
Bonner  
Bono Mack  
Boren  
Boswell  
Boustany  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Brooks  
Brown (FL)  
Buchanan  
Bucshon  
Buerkle  
Butterfield  
Calvert  
Camp  
Canseco  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Cassidy  
Castor (FL)  
Chaffetz  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Coffman (CO)  
Cohen  
Cole  
Conaway  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Crowley  
Cuellar  
Culberson  
Cummings  
Davis (CA)  
Davis (IL)  
Davis (KY)  
DeFazio  
DeGette  
DeLauro  
Denham  
Dent  
DesJarlais  
Deutch  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Doyle  
Dreier  
Duffy  
Edwards  
Ellmers  
Emerson  
Eshoo  
Farenthold  
Farr  
Fattah  
Filner  
Fitzpatrick  
Fleischmann  
Flores  
Forbes  
Fortenberry  
Frank (MA)  
Frelinghuysen  
Fudge  
Gallegly  
Garamendi  
Gerlach

Gibbs  
Gingrey (GA)  
Gonzalez  
Goodlatte  
Gosar  
Granger  
Graves (MO)  
Green, Al  
Griffin (AR)  
Griffith (VA)  
Grijalva  
Grimm  
Guinta  
Guthrie  
Gutierrez  
Hall  
Hanabusa  
Hanna  
Harper  
Hastings (FL)  
Hastings (WA)  
Heck  
Heinrich  
Herger  
Herrera Beutler  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Huizenga (MI)  
Hurt  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson (OH)  
Johnson, E. B.  
Jones  
Jones  
Kaptur  
Keating  
Kelly  
Kildee  
Kind  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Kucinich  
Richardson  
Rigell  
Rivera  
Lance  
Langevin  
Larsen (WA)  
Larsen (CT)  
Latham  
LaTourette  
Lee (CA)  
Levin  
Lewin  
Lipinski  
Loeb  
Lofgren, Zoe  
Lowey  
Lujan  
Lynch  
Maloney  
Manzullo  
Marchant  
Marino  
Markey  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCollum  
McCotter

McDermott  
McGovern  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meehan  
Meeks  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Murphy (PA)  
Myrick  
Napolitano  
Neal  
Neugebauer  
Noem  
Nugent  
Olson  
Olver  
Palazzo  
Pallone  
Pascarell  
Pastor (AZ)  
Paulsen  
Payne  
Pelosi  
Pence  
Perlmutter  
Peterson  
Peterson  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Polis  
Price (GA)  
Price (NC)  
Quayle  
Quigley  
Rahall  
Rangel  
Reed  
Rehberg  
Reichert  
Renacci  
Reyes  
Richardson  
Richmond  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schilling  
Schmidt  
Schock  
Schwartz  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Serrano  
Sessions  
Sewell  
Sherman  
Shimkus  
Shuler

NOT VOTING—10

Bachmann  
Burton (IN)  
Cantor  
Clay  
Ellison  
Engel  
Giffords  
Hinchey  
Sanchez, Loretta  
Schrader

□ 1159

So the amendment was agreed to.  
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROHRABACHER  
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROHRABACHER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.  
The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 68, noes 351, not voting 12, as follows:

[Roll No. 597]

AYES—68

Akin  
Amash  
Andrews  
Benishek  
Billray  
Black  
Blackburn  
Broun (GA)  
Campbell  
Chabot  
Duncan (SC)  
Duncan (TN)  
Fincher  
Flake  
Fleming  
Foxy  
Franks (AZ)  
Gardner  
Garrett  
Gibson  
Gohmert  
Gowdy  
Graves (GA)

NOES—351

Ackerman  
Adams  
Aderholt  
Alexander  
Altmore  
Austria  
Baca  
Bachus  
Baldwin  
Barletta  
Barrow  
Bartlett  
Barton (TX)  
Bass (CA)

Green, Gene  
Harris  
Hartzler  
Hayworth  
Hensarling  
Huelskamp  
Hultgren  
Hunter  
Jordan  
King (IA)  
Labrador  
Landry  
Lankford  
Long  
Mack  
McClintock  
McHenry  
Mulvaney  
Nadler  
Nunes  
Owens  
Paul  
Pearce  
Pompeo  
Posey  
Ribble  
Rohrabacher  
Rokita  
Rooney  
Ross (FL)  
Royce  
Ryan (WI)  
Scott (SC)  
Sensenbrenner  
Southernland  
Stutzman  
Sutton  
Tipton  
Tonko  
Walberg  
Walsh (IL)  
West  
Westmoreland  
Womack  
Young (IN)

NOES—185  
Ackerman  
Andrews  
Baca  
Baldwin  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bilbray  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boren  
Boswell  
Boustany  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Costa  
Costello  
Courtney  
Crenshaw  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
Davis (KY)  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Frelinghuysen  
Fudge  
Garamendi  
Gonzalez  
Green, Al  
Grijalva  
Gutierrez  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Hinojosa  
Hirono  
Holden  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Jones

Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb  
Loesack  
Lofgren, Zoe  
Lowey  
Lujan  
Lynch  
Maloney  
Markley  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McKinley  
McNerney  
Meeks  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Owens  
Pallone  
Pascarell  
Pastor (AZ)  
Payne

Shuster	Thornberry	Waxman
Simpson	Tiberi	Webster
Sires	Tierney	Welch
Slaughter	Towns	Whitfield
Smith (NE)	Tsongas	Wilson (FL)
Smith (NJ)	Turner	Wilson (SC)
Smith (TX)	Upton	Wittman
Speier	Van Hollen	Wolf
Stark	Velázquez	Woodall
Stearns	Visclosky	Woolsey
Stivers	Walden	Wu
Sullivan	Walz (MN)	Yarmuth
Terry	Wasserman	Yoder
Thompson (CA)	Wasserman	Young (AK)
Thompson (MS)	Schultz	Young (FL)
Thompson (PA)	Waters	
	Watt	

## NOT VOTING—12

Bachmann	Coble	Hinchee
Burgess	Ellison	Sanchez, Loretta
Burton (IN)	Engel	Schrader
Cantor	Giffords	Smith (WA)

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining on this vote.

□ 1202

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. BARTON of Texas was allowed to speak out of order.)

## 50TH ANNUAL CONGRESSIONAL BASEBALL GAME

Mr. BARTON of Texas. Madam Chair, it is my sad duty to report to the House that last night in the 50th Annual Congressional Baseball Game, our friends on the minority side eked out an 8-2 victory. We gained 87 seats in the last election. They gained three, but one of theirs is a pitcher from New Orleans, CEDRIC RICHMOND. I do want to point out to Mr. RICHMOND that the congressional salary is \$175,000, the major league minimum salary is \$350,000; and I know the owner of the Astros and the Texas Rangers. We want to congratulate our friends.

I want to tell you how proud I am of the Republican team. We have a lot of new Members. They played really hard. They practiced very hard, but sometimes it just isn't to be. And I want to congratulate Mr. DOYLE and his entire team on a victory well earned.

I yield to my friend from Pennsylvania.

Mr. DOYLE. Thank you. I want to thank my good friend, JOE BARTON. It was a great game last night, not exactly an "eking" game. CEDRIC came within five outs of pitching a no hitter, something I have never seen in the 17 years I have been involved in the game. But in addition to that, he had a group of men and women behind him that made every play when we needed to make them, had 15 hits and played almost error-free baseball—one error. When you can get away with making just one error in this game, good things are going to happen.

As you know, this is a best-of-five series, and we are currently in series 13. We had gone into the series with a 2-0 lead, so we needed one more victory to retire the Roll Call Trophy. Rather

than string this thing out for too much longer, we decided to finish it last night.

Our guys played a great game, but the real winners last night were our charities, the Boys and Girls Club of Washington, D.C. and the Washington Literacy Council. We were able to raise a record amount of money for those organizations, over \$150,000 for those groups that are doing really good work with our young kids in Washington, D.C. We had 7,100 people at the game, and I would venture to say that is a bigger attendance than the Nats get on some occasions. So it was a well-attended game.

Series 13, the coveted Roll Call Trophy has been retired finally by the Democratic Party. Congratulations.

Mr. BARTON of Texas. Reclaiming my time, I do want to recognize the Republican MVP, who did get a legitimate hit, STEVE PEARCE of New Mexico.

And I will point out to my friends on the minority side that this victory last night, while it is the third in the row in the modern era, makes it 36 Republican, 19 Democrat, and one tie.

Mr. DOYLE. But what have you done lately?

## AMENDMENT OFFERED BY MRS. ADAMS

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Mrs. ADAMS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 233, not voting 17, as follows:

[Roll No. 598]

AYES—181

Adams	Buchanan	Duncan (TN)	Graves (MO)	Marino	Roskam
Aderholt	Buerkle	Ellmers	Griffin (AR)	McCarthy (CA)	Ross (FL)
Akin	Burgess	Emerson	Griffith (VA)	McCaul	Runyan
Alexander	Camp	Farenthold	Grimm	McClintock	Ryan (WI)
Amash	Campbell	Fincher	Guinta	McHenry	Scalise
Austria	Canseco	Flake	Hall	McMorris	Schilling
Bachus	Carter	Fleming	Harris	Rodgers	Schmidt
Barletta	Cassidy	Flores	Hartzler	Mica	Schock
Benishek	Chabot	Forbes	Hastings (WA)	Miller (FL)	Schweikert
Berg	Chaffetz	Fox	Hensarling	Miller (MI)	Scott (SC)
Bilirakis	Coffman (CO)	Franks (AZ)	Herger	Miller, Gary	Scott, Austin
Bishop (UT)	Cole	Frelinghuysen	Herrera Beutler	Myrick	Sensenbrenner
Black	Conaway	Garrett	Huelskamp	Neugebauer	Sessions
Blackburn	Cravaack	Gerlach	Huizenga (MI)	Noem	Shimkus
Bonner	Crawford	Gibbs	Hultgren	Nugent	Shuster
Bono Mack	Crenshaw	Gingrey (GA)	Hunter	Nunes	Smith (NE)
Boustany	Culberson	Gohmert	Hurt	Nunnelee	Smith (NJ)
Brady (TX)	Davis (KY)	Gowdy	Issa	Olson	Smith (TX)
Brooks	DesJarlais	Granger	Jenkins	Palazzo	Southerland
Broun (GA)	Duncan (SC)	Graves (GA)	Johnson (OH)	Paulsen	Stearns
			Johnson, Sam	Pearce	Stutzman
			Jordan	Pence	Sullivan
			Kelly	Petri	Terry
			King (IA)	Pitts	Thompson (PA)
			King (NY)	Platts	Thornberry
			Kinzinger (IL)	Poe (TX)	Upton
			Kline	Pompeo	Walberg
			Labrador	Posey	Walden
			Lamborn	Price (GA)	Walsh (IL)
			Landry	Quayle	Webster
			Lankford	Rehberg	West
			Latta	Ribble	Westmoreland
			Long	Rigell	Wilson (SC)
			Lucas	Roby	Wittman
			Luetkemeyer	Roe (TN)	Wolf
			Lummis	Rogers (AL)	Womack
			Lungren, Daniel	Rogers (KY)	Woodall
			E.	Rogers (MI)	Yoder
			Mack	Rohrabacher	Young (AK)
			Manzullo	Rokita	Young (FL)
			Marchant	Rooney	Young (IN)

## NOES—233

Ackerman	Davis (CA)	Honda
Altmire	Davis (IL)	Hoyer
Andrews	DeFazio	Inslee
Baca	DeGette	Israel
Baldwin	DeLauro	Jackson (IL)
Barrow	Dent	Jackson Lee
Bartlett	Deuth	(TX)
Barton (TX)	Diaz-Balart	Johnson (GA)
Bass (CA)	Dicks	Johnson (IL)
Bass (NH)	Dingell	Johnson, E. B.
Becerra	Doggett	Jones
Berkley	Dold	Kaptur
Berman	Donnelly (IN)	Keating
Biggart	Doyle	Kildee
Bilbray	Dreier	Kind
Bishop (GA)	Duffy	Kissell
Bishop (NY)	Edwards	Kucinich
Blumenauer	Eshoo	Lance
Boren	Farr	Larsen (WA)
Boswell	Fattah	Larson (CT)
Brady (PA)	Filner	Latham
Bralley (IA)	Fitzpatrick	LaTourette
Brown (FL)	Fleischmann	Lee (CA)
Bucshon	Fortenberry	Levin
Butterfield	Frank (MA)	Lewis (CA)
Calvert	Fudge	Lewis (GA)
Capito	Gallely	Lipinski
Capps	Garamendi	LoBiondo
Capuano	Gardner	Loehsack
Cardoza	Gibson	Lofgren, Zoe
Carnahan	Gonzalez	Lowe
Carney	Goodlatte	Lujan
Carson (IN)	Gosar	Lynch
Castor (FL)	Green, Al	Maloney
Chandler	Green, Gene	Markey
Chu	Grijalva	Matheson
Ciçilline	Guthrie	Matsui
Clarke (MI)	Gutierrez	McCarthy (NY)
Clay	Hanabusa	McCollum
Cleaver	Hanna	McDermott
Clyburn	Harper	McIntyre
Cohen	Hastings (FL)	McIntyre
Connolly (VA)	Hayworth	McKeon
Conyers	Heck	McKinley
Cooper	Heinrich	McNerney
Costa	Higgins	Meehan
Costello	Himes	Meeks
Courtney	Hinojosa	Michaud
Critz	Hirono	Miller (NC)
Crowley	Hochul	Miller, George
Cuellar	Holden	Moore
Cummings	Holt	Moran

Murphy (CT)	Rivera	Stivers
Murphy (PA)	Ros-Lehtinen	Sutton
Nadler	Ross (AR)	Thompson (CA)
Napolitano	Rothman (NJ)	Thompson (MS)
Neal	Roybal-Allard	Tiberi
Olver	Royce	Tierney
Owens	Ruppersberger	Tipton
Pallone	Rush	Tonko
Pascarell	Ryan (OH)	Towns
Pastor (AZ)	Sánchez, Linda	Tsongas
Payne	T.	Turner
Pelosi	Sarbanes	Van Hollen
Perlmutter	Schakowsky	Velázquez
Peters	Schiff	Visclosky
Peterson	Schwartz	Walz (MN)
Pingree (ME)	Scott (VA)	Wasserman
Polis	Scott, David	Schultz
Price (NC)	Serrano	Waters
Quigley	Sewell	Watt
Rahall	Sherman	Waxman
Rangel	Shuler	Welch
Reed	Simpson	Whitfield
Reichert	Sires	Wilson (FL)
Renacci	Slaughter	Woolsey
Reyes	Smith (WA)	Wu
Richardson	Speier	Yarmuth
Richmond	Stark	

NOT VOTING—17

Bachmann	Ellison	McCotter
Burton (IN)	Engel	Mulvaney
Cantor	Giffords	Paul
Clarke (NY)	Hinches	Sanchez, Loretta
Coble	Kingston	Schrader
Denham	Langevin	

□ 1210

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. FLEISCHMANN). The Clerk will read.

The Clerk read as follows:

This Act may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2012”.

Mr. FRELINGHUYSEN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. CAPITO) having assumed the chair, Mr. FLEISCHMANN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, reported the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 337, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. OWENS. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OWENS. In its current form.

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

The Clerk read as follows:

Mr. Owens moves to recommit the bill H.R. 2354 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 23, line 20, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 32, lines 4 and 23, after each dollar amount, insert “(reduced by \$7,000,000)”.

Page 36, line 17, after the dollar amount, insert “(increased by \$2,000,000)”.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

Mr. OWENS. This week, the Department of Defense acknowledged in its cybersecurity plan what many of us have known for some time: that cyberspace, like land, sea, and air that we have defended for over 200 years, requires our continued vigilance to protect the Nation. I offer this final amendment today to address this concern.

In my district of Fort Drum, I have a lengthy expanse of border between the United States and Canada; and like all of us, I have the electric grid, which is one of the areas that has the most potential to be struck by a cyberattack. I would also like to quote for you a statement by Secretary of Defense Leon Panetta, who noted in recent testimony:

“The next Pearl Harbor we confront could very well be a cyberattack that cripples our power systems, our grid, our security systems, our financial systems, our governmental systems.”

It is no secret that the Internet has become a critical component of our day-to-day lives. Every day across the globe, over 2 billion users get online to shop, do business, connect with friends and family, and a host of other activities. Cybersecurity affects, clearly, our national defense, all of our businesses, our schools, our seniors—in effect, all of us.

Indeed, while the Internet has become one of our strongest capabilities, it has also emerged as a stunning vulnerability. We need only to look at recent cyberattacks on Sony, Lockheed Martin, and other enterprises to witness the extraordinary damage that can be caused from anywhere in the world at relatively little cost to those who carry out these actions.

Hackers become more sophisticated by the hour. An attack could cripple Fort Drum; it could cripple our national security; it could cripple the

electric grid; it could cripple health care; it could cripple our ability to pay our bills and to raise money—in effect, destroy our economy. We all know that if the electric grid were crippled that we would be unable to get to work; we would be unable to keep people warm and to keep people cool—all things that we recognize as necessities.

I offer this final amendment to increase cybersecurity by \$7 million in defense of the electric grid. This modest increase keeps an eye towards our need to reduce the deficit while making needed investments to protect our most critical infrastructure. This final amendment is fully offset and will go a long way to protect the country from this emerging threat.

I thank my colleagues for their time, and ask that they join me by voting “yes” on this final amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Madam Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Madam Speaker, I stand in opposition to the motion to recommit.

Our underlying bill already adequately funds cybersecurity in such grid activities, although much more work needs to be done to protect against consistent attacks on our infrastructure and computing systems.

As for the underlying legislation, it is truly a House product. It provides funds critical to our national defense. It helps to maintain and rebuild our national infrastructure. It supports an economic climate to create jobs without government interference in the private sector. It helps those devastated by the floods in the Midwest and South while fully offsetting that help. It also cuts funding in the entire Energy and Water budget down to near 2006 levels.

Madam Speaker, ours is a strong bill. I urge our Members to vote against the motion to recommit and for the underlying bill.

I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

Mr. OWENS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 182, noes 232, not voting 17, as follows:

[Roll No. 599]

## AYES—182

Ackerman  
Altmire  
Andrews  
Baca  
Baldwin  
Barrow  
Bass (CA)  
Berkley  
Berman  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boren  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi

Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kildeer  
Kind  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loebsock  
Lofgren, Zoe  
Lowey  
Lujan  
Lynch  
Maloney  
Markey  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal

Oliver  
Owens  
Pallone  
Pascarell  
Pastor (AZ)  
Payne  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reyes  
Richardson  
Richmond  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant

## NOES—232

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Austria  
Bachus  
Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggart  
Bilbray  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boustany  
Brady (TX)  
Brooks  
Brown (GA)  
Buchanan  
Bucshon  
Buerkle

Burgess  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coffman (CO)  
Cole  
Conaway  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)

Ellmers  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm

Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant

Marino  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paul  
Paulsen  
Pearce  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher

Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Souterland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

## NOT VOTING—17

Bachmann  
Becerra  
Burton (IN)  
Coble  
Critz  
Ellison

Emerson  
Engel  
Fortenberry  
Giffords  
Graves (GA)  
Hinchee

Pelosi  
Sanchez, Loretta  
Schrader  
Shuler  
Whitfield

□ 1236

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BECERRA. Madam Chair, earlier today I was unavoidably detained and missed rollcall vote 599. If present, I would have voted "aye" on rollcall vote 599.

Stated against:

Mr. FORTENBERRY. Madam Chair, I missed rollcall No. 599. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 219, nays 196, not voting 16, as follows:

[Roll No. 600]

## YEAS—219

Adams  
Aderholt  
Alexander  
Austria  
Bachus

Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek

Berg  
Biggart  
Bilbray  
Bilirakis  
Bishop (UT)

Black  
Blackburn  
Bonner  
Bono Mack  
Boustany  
Brady (TX)  
Brooks  
Buchanan  
Bucshon  
Buerkle  
Calvert  
Camp  
Canseco  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coffman (CO)  
Cole  
Conaway  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Dold  
Dreier  
Duffy  
Duncan (SC)  
E.  
Emerson  
Farenthold  
Fattah  
Fincher  
Fleischmann  
Fleming  
Flores  
Forbes  
Foxy  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Gene  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Hartzler  
Hastings (WA)

Hayworth  
Hensarling  
Herrera Beutler  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kaptur  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matsui  
McCarthy (CA)  
McCaul  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paulsen  
Pearce  
Pence  
Petri

Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Richmond  
Rigell  
Rivera  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (FL)  
Runyan  
Ruppersberger  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Scott (SC)  
Scott, Austin  
Sessions  
Sewell  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Souterland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Upton  
Visclosky  
Walberg  
Walden  
Webster  
West  
Westmoreland  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

## NAYS—196

Ackerman  
Altmire  
Amash  
Andrews  
Baca  
Baldwin  
Barrow  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boren  
Boswell  
Brady (PA)  
Braley (IA)  
Broun (GA)  
Brown (FL)  
Burgess  
Butterfield  
Campbell  
Capps

Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Crowley  
Cuellar  
Cummings

Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Duncan (TN)  
Edwards  
Eshoo  
Farr  
Filner  
Fitzpatrick  
Flake  
Frank (MA)  
Franks (AZ)  
Fudge  
Garamendi  
Gohmert  
Gonzalez

Green, Al	Lynch	Ryan (OH)
Grijalva	Maloney	Sánchez, Linda
Gutierrez	Markey	T.
Hanabusa	Matheson	Sarbanes
Harris	McCarthy (NY)	Schakowsky
Hastings (FL)	McClintock	Schiff
Heck	McCollum	Schwartz
Heinrich	McDermott	Schweikert
Higgins	McGovern	Scott (VA)
Himes	McNerney	Scott, David
Hinojosa	Meeks	Sensenbrenner
Hirono	Michaud	Serrano
Hochul	Miller (NC)	Sherman
Holden	Miller, George	Shuler
Holt	Moore	Sires
Honda	Moran	Slaughter
Hoyer	Murphy (CT)	Smith (WA)
Huelskamp	Nadler	Speier
Inlee	Napolitano	Stark
Israel	Neal	Sutton
Jackson (IL)	Olver	Thompson (CA)
Jackson Lee	Pallone	Thompson (MS)
(TX)	Pascrell	Tierney
Johnson (GA)	Pastor (AZ)	Tonko
Johnson (IL)	Paul	Towns
Johnson, E. B.	Payne	Tsongas
Keating	Pelosi	Turner
Kildee	Perlmutter	Van Hollen
Kind	Peters	Velázquez
Kissell	Peterson	Walsh (IL)
Kucinich	Pingree (ME)	Walz (MN)
Labrador	Polis	Wasserman
Langevin	Price (NC)	Schultz
Larsen (WA)	Quigley	Waters
Larson (CT)	Rahall	Watt
Lee (CA)	Rangel	Waxman
Levin	Reyes	Welch
Lewis (GA)	Richardson	Wilson (FL)
Lipinski	Ross (AR)	Woolsey
Loeback	Rothman (NJ)	Wu
Lofgren, Zoe	Roybal-Allard	Yarmuth
Lowey	Royce	
Luján	Rush	

NOT VOTING—16

Akin	Ellison	Rogers (MI)
Bachmann	Engel	Sanchez, Loretta
Burton (IN)	Fortenberry	Schrader
Coble	Giffords	Whitfield
Critz	Herger	
Diaz-Balart	Hinchee	

□ 1242

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FORTENBERRY. Madam Speaker, I missed rollcall No. 600. Had I been present, I would have voted “yea.”

Mr. HERGER. Madam Speaker, on rollcall No. 600, I inadvertently missed the vote. Had I been present, I would have voted “yea.”

Mr. AKIN. Madam Speaker, on rollcall No. 600, I was unavoidably detained. Had I been present, I would have voted “yea.”

PERSONAL EXPLANATION

Mr. CRITZ. Madam Speaker, I was unable to vote on the Motion to Recommit and Final Passage of H.R. 2354, the Energy and Water Appropriations Act of 2012. I would have voted “aye” on the Motion to Recommit, and “no” on Final Passage.

REPORT ON H.R. 2551, LEGISLATIVE BRANCH APPROPRIATIONS BILL, 2012

Mr. CRENSHAW, from the Committee on Appropriations, submitted a privileged report (Rept. No. 112-148) on the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

PERSONAL EXPLANATION

Ms. JACKSON LEE of Texas. Madam Speaker, I intended to vote “aye” on the Schiff amendment on yesterday, July 14, 2011, to the Energy and Water bill that was under consideration. I incorrectly voted “no.”

LEGISLATIVE PROGRAM

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

Mr. HOYER. Madam Speaker, I yield to the majority leader, the gentleman from Virginia (Mr. CANTOR), for the purpose of asking about the schedule for the coming week.

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

Madam Speaker, on Monday the House will meet at noon for morning-hour and at 2 p.m. for legislative business with votes postponed until 6:30 p.m. This is a change from the legislative schedule that was announced at the end of last week. We will be sending out an announcement shortly so that all Members are aware of this change. Again, Madam Speaker, the House will now convene on Monday of next week, not Tuesday.

It is critical, Madam Speaker, that we solve our Nation’s fiscal problem and intend to schedule the House’s legislative business as intended to accomplish that goal.

On Tuesday, Wednesday, and Thursday, the House will meet at 10 a.m. for the morning-hour and noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m. on Friday.

Mr. Speaker, the House will consider a few bills under suspension of the rules on Monday, which will be announced by the close of business today. I do not expect any other legislative business besides suspensions on Monday.

On Tuesday, the House will consider the Cut, Cap, and Balance Act, which would provide the President with an increase in the debt ceiling so long as cuts are made in the short term, spending caps are put in place over the coming years, and a balanced budget amendment to the Constitution is adopted so that we never find ourselves in this position again. I would encourage as many Members as possible to participate in this important debate on Tuesday.

During the remainder of the week, the House will consider legislation relating to the expiring authorization of the FAA, a series of bills reported by the Financial Services Committee that deal with the impending transfer of authority to the Consumer Financial Protection Bureau, and, finally, the Legislative Branch appropriations bill.

Mr. Speaker, I thank the gentleman from Maryland.

I yield back the balance of my time.

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

I would say that it’s my understanding now that we are, as the gentleman has pointed out, going to be meeting on Monday, and we will be voting on Monday at 6:30 rather than commencing on Tuesday at 6:30. The gentleman has pointed out that that’s to accommodate the challenge that confronts us in the crisis that we have been put in with reference to assuring, A, that America does not default on its bills, and that we continue to pursue efforts to bring the deficit down and the debt under control.

I say to my friend that it is late. He is right. We should confront this situation. We on numerous occasions, of course both the gentleman and I, have voted in the past to extend the debt limit so that America paid the bills that it has incurred.

The gentleman also notes that a piece of legislation was brought to the floor to ensure that we pay our bills. It was brought to the floor with the express intention by the chairman of the Ways and Means Committee that it be defeated, and of course it was defeated, and all of your members voted against it, although over half of my members voted to make sure we pay our bills so that we did not get to this position.

The gentleman and I have been involved in efforts to reach agreement with the President, with the Senate, and with ourselves, with both sides of the aisle, so that we could not only provide for America paying its bills, which if it doesn’t will have very serious consequences to every household in America, every 401(k) pension program in America—and the gentleman and I agree, and everybody at the table with the President agreed, that allowing America to default on its bills was not something that any of us believed was a policy that was appropriate.

I say to my friend, the Cut, Cap, and Balance Act, we’ve been confronted with this challenge for a long period of time. It was my understanding that you were going to bring to the floor next week a balanced budget amendment, which was announced and which I thought was coming and which we had told our members was coming. You have now substituted for that, as I understand it, am I correct, the Cut, Cap, and Balance Act?

To my understanding, there is no text for that act available at this time.



Is that accurate? Am I correct that there is no text yet available for that bill?

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, I would say back to the gentleman that the bill is currently being drafted and will be posted online later this evening, consistent with our 3-day layover requirement.

□ 1250

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

Given the fact, as the gentleman pointed out, that this crisis has been known to us for over 5, 6 months now, that we were going to confront this, I understand that in the Cut, Cap, and Balance pledge that has been put forward—I don't know whether it's going to be put forward in the legislation—but the pledge says that your side or—excuse me—the people who sign the pledge, whatever side they're on, are going to “oppose any debt limit increase unless all three of the following conditions have been met:”

One, “Substantial cuts in spending that will reduce the deficit next year and thereafter.” It seems to me that we passed a budget through this House that does that. It doesn't reach balance, of course, until some 30 years from now. Secondly, it says, as a condition for voting for a debt extension, “Enforceable spending caps that will put Federal spending on a path to a balanced budget.” As you know, we've had discussions in the White House on caps and what they apply to, whether they are a percentage of GDP or they're actually caps in spending, which obviously escalate the denigration of the ability to deliver services over the years, depending upon the flexibility that's incorporated. I haven't seen the legislation, of course. And then thirdly, on balanced, “congressional passage.” Then in parentheses it says, “not mere support.” Now, I know there are some people on this floor who have signed this agreement, so I presume that they're not going to vote to make sure America pays its bills on August 3. “Congressional passage of a Balanced Budget Amendment to the U.S. Constitution—but only if it includes both a spending limitation and a super-majority for raising taxes, in addition to balancing revenues and expenses.”

Now, I presume that that requirement will have to come, according to this pledge, to get votes which are included in this Cut, Cap, and Balance pledge. Does the gentleman believe that the second two at least—one could argue that we've already done the first in terms of making substantial cuts and that we've discussed agreeing on making substantial cuts, but that the second two conditions cannot possibly be met between now and August 2?

Mr. CANTOR. Mr. Speaker, I would say to the gentleman that, as he has

heard me say before in those meetings and on this floor, I don't want to pass August 2 without increasing the debt.

Mr. HOYER. I understand that.

Mr. CANTOR. I, as well as the gentleman, understand that there is a lot of uncertainty if that were to happen, a lot of risks associated with that, risks that I am not willing to take.

To the gentleman's suggestion that it is imperative that we do that above all else, I would also add to that, it is imperative that we demonstrate that we can arrive at meaningful solutions to the current fiscal crisis the country is facing. That is what the Cut, Cap, and Balance Act tries to achieve. It offers a way for us to cut spending in a meaningful way this year and throughout the budget window. It also suggests ways to enforce discretionary levels so that Congress can actually begin to do what all of us would like to see us do, which is to stop spending the money that we don't have.

The Cut, Cap, and Balance Act also provides for caps on total spending levels recommended in our budget resolution. These levels are spending as a share of GDP, and it provides, lastly, for ensuring that even beyond the 10 years that we actually can get back to balance. That's what the people of the country want. I know that the gentleman shares with me a desire to manage this situation back down to balance. So I'm hopeful that the gentleman and his colleagues on the other side of the aisle take a look at this legislation. As I have said to the gentleman, it will be posted online to comply with our 3-day layover requirement to provide adequate notice to the public and Members.

Mr. HOYER. I'm not sure the gentleman answered my question with condition two and three of the Cut, Cap, and Balance pledge. Again, I haven't read the legislation. So I see the pledge. I'm not sure what's in the legislation.

I thank the gentleman for his observation that we need a meaningful and, I would say, robust addressing of the problem that confronts us. In fact, as you know, because we have discussed it at the White House for 4 days now, from Sunday night through last night—I guess 5 days—the President of the United States has been indicating that we need—he calls it a “big”—a grand design, if you will, along the lines that have been suggested by two of the commissions, which on a bipartisan basis recommended a grand design. That grand design would have reached at least \$4 trillion in deficit reduction and debt reduction, and, in fact, that is a figure somewhere close to the budget that was passed through this House. I might say to the gentleman parenthetically that it's my understanding that the Cut, Cap, and Balance might get closer to the RSC numbers than your budget number that

was passed here. The RSC number that I refer to, of course, was the amendment that was defeated on this floor by one vote.

But I would say to the gentleman that the President wants to do a grand design to reduce that deficit not by \$1 trillion or \$2 trillion or \$3 trillion but by \$4 trillion. There was a commission or a group—the “Biden group” we call it—in which the gentleman participated. There were other discussions between your Speaker and the President all looking at achieving a large deficit reduction. The gentleman at some point in time decided that was not something that he wanted to continue working on and suggested that it be, I suppose, pushed up the line, and it was. So I said, the President was for a grand design. The leader of the Senate, Mr. REID, was for that. Mr. DURBIN was for it. Ms. PELOSI was for it. I was for it, and the Vice President was for it. But unfortunately, we couldn't proceed on that discussion in a successful way, at least, because the gentleman observed and his colleagues observed that, as long as there were any revenues attached to that, it would not be acceptable to your side of the aisle, notwithstanding that every bipartisan commission that has dealt with this issue has indicated that it needed to be a balanced package, that it needed to include substantial cuts, that it needed to deal with discretionary spending, defense spending, entitlement spending, and that it needed to deal with tax expenditures.

The gentleman says correctly that we want to balance our revenues with our expenditures. The problem is, if you keep cutting revenues, you're just going to be chasing yourself down. Obviously, you want to bring revenue rates down. I hope we can do that. But if we bring them down to a place where we don't have the money to pay for what we buy—which is, of course, what happened in this past decade—then we will be confronted with a situation that the gentleman wants to avoid, and that is: raising the debt limit. What we have done over the last 10 years is buy more than we can afford; therefore, we have a debt. That's why the gentleman, as I say, voted for extending the debt limit. That's why I voted for it.

I will tell the gentleman that I have a Gallup Poll here that says, “Seventy-four percent of the Republicans agree that a responsible deficit reduction plan should include both tax increases and spending cuts, and 77 percent of independents believe the plan should include a mix of revenue and spending cuts.” I say that so that I can elicit from the gentleman—I know there is sentiment on your side of the aisle; I know there is sentiment on my side of the aisle. And I told you—and you know the President of the United States believes this as well—that we have an opportunity, a critical time in

our history, when we have the makings of a bipartisan agreement, the creation of a bipartisan consensus, that will move us in the direction that you and I know we have to move.

□ 1300

What is holding us up, as I understand it, is that your side believes that these 77 percent of independents and 74 percent of Republicans are not correct, that revenues ought not to be part of this package. Clearly, we agree and have agreed that spending cuts need to be a part of it.

So I ask the gentleman, is there any possibility that these 74 percent of Republicans are correct that, in fact, if we are going to have a successful package, it will be because it is balanced? Because my view is, I tell my friend, that, if we do this, it's going to really create jobs.

Now, we haven't done any jobs bills, we believe, in this Congress. We believe the only jobs bill you really did so far was the patent bill. I know you are going to talk about all these bills that you did, but we don't think that, because you put "jobs" in the titles, it makes them jobs bills.

But the fact of the matter is that, if we can create confidence in the market, if we can create confidence that we can deal with our fiscal situation in a responsible, bipartisan, collegial way, it will have an extraordinarily positive effect on every household in America, the confidence of America that we can work together in a bipartisan way, and we will stabilize the markets and provide for paying our bills and bringing our deficit and debt down.

So I ask my friend, again, does he believe there is any possibility at this point in time that we can reach a balanced agreement on what is called a "grand design" along the lines of the recommendations of the bipartisan commission's recommendations?

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, first of all, I would say regarding the gentleman's discussion about what happened at the White House this week and my insistence that the President's, at least, statements in that meeting—because we don't know what the details were of his proposal on this so-called "big deal." My insistence was consistent with our speakers that we not raise taxes, and that's why that construct doesn't work. We don't have the votes on this side of the aisle. I am not supportive of raising taxes on people who are trying to make it right now and can't.

So I would say to the gentleman when he refers to the other groups that have been out there, all of whom he states suggest that somehow we need to raise taxes, what the gentleman is talking about is how are we going to produce more revenues.

We believe, Mr. Speaker, that you produce more revenues by having

growth in our economy. We don't believe that you promote growth in the economy by cranking up the government spending machine by taking money from people who earn it, washing it through Washington's bureaucracy, and sending it back out. We don't believe that.

We believe that growth is created through investment, through hard work in the private sector by entrepreneurs, small businessmen and -women, people who want to succeed but want to earn their success and are not waiting for government to grant it to them. So I would say to the gentleman, if the aim is for us to create more revenues, one word in response: It's growth.

I would say to the gentleman as far as his reference to the Gallup Poll and when he says that overwhelmingly people in this country want to have taxes raised as part of the so-called "solution" to our problem—

Mr. HOYER. Will the gentleman yield on that, because I didn't say that.

Mr. CANTOR. I will yield to the gentleman when I am finished.

To the gentleman's suggestion that that is where the American public is, I just disagree.

I haven't talked to anybody right now—when we have got unemployment over 9 percent officially, when people are out of work and month after month can't find a job, when small business people are having trouble just keeping the lights on, I don't talk to anybody that says, "Please raise my taxes."

That's what we should be focused on are the hardworking people, the people of this country who want a job, who want to see this economy return to growth. They are the ones who understand that it's cutting taxes; it's cutting the overly burdensome regulatory system in this town that will bring back middle class jobs.

So to the gentleman's suggestion that somehow we have not been talking about jobs in this institution, I know it's not surprising to him that I disagree with that.

Mr. HOYER. It is not.

Mr. CANTOR. Right. Because I say to the gentleman, week after week we brought bills to the floor, yes, that deal with our fiscal situation—that cut spending—because we have got to address that, just like people address it in their homes, their families, their businesses.

But we brought numerous bills week after week to the floor that go to the root of the cause of uncertainty in the business community in this country, and that is Washington's overly aggressive and burdensome regulatory reach. We have got to get back to a growth posture, Mr. Speaker.

That means cut spending, lower taxes and implement a balanced and sensible pro-growth regulatory system as well as, finally, hopefully, returning to a

monetary policy that promotes a strong dollar.

Mr. HOYER. First of all, of course, I didn't say anybody wants their taxes raised, including me. I would like to have all the prices for things I buy cut in half, a 50-percent-off sale. We all like that.

I like going and using my credit card—it's so much easier—and that's why credit cards encourage the economy. But you and I both know what happens when you use your credit card: At some point in time you get a bill. The people who sold you the goods or loaned you the money expect you to pay them.

I will tell my friend that I understand what he is saying. We have just come through, arguably, the worst recession that we have experienced since the Great Depression, and it was consistent with economic policies which, by the way, started, as you know, in December of 2007 and in which we lost 8 million jobs.

But the gentleman continues every time to say he wants to have policies which in 1991 and 1993 were argued were policies that were going to grow our economy, expand jobs and have those folks that you talk about do well.

Now, the gentleman misrepresents our position. I want to make it very clear: We are not for asking people who are trying to make it in America. We are not for asking those who are struggling in America. We are not asking for those who rely on Social Security. We are not asking for those who rely on their Medicare benefits to pay the burden of the spending that we have been involved in over the last decade, which took us from \$5.6 trillion of debt to over \$10 trillion of debt.

We are not asking for those struggling Americans which the gentleman raises as the specter of those we think ought to pay their fair share. Oh, no. We are asking for those who have done extraordinarily well over the last decade, who have made millions per year in the last decade, some billions of dollars over the last decade—oil companies that are now making the biggest profits they have ever made and others—to pay a little more so that we can stabilize the finances of America.

So don't represent that it's Democrats who are asking those struggling small business people—we are not doing that—or those struggling working people in America who, by the way, have been stuck in the mud under the economic policies that were pursued consistent with the 2001 and 2003 economic programs, which have seen a growing disparity between working people and the wealthiest people in America.

Now, we can continue on that path and put on the backs of those struggling people you talk about, my friend, the responsibility to pay for things or we can have a fair and balanced program. That's what the 74 percent in the

Gallup Poll want. They don't want their taxes raised.

□ 1310

What they want is a fair and balanced obligation, a fair and balanced participation in contribution to paying the debts of this country that we've incurred, and we've incurred them together. You're not all responsible. We're not all responsible.

Now, on our side of the aisle, as you well know, this deficit was increased by almost 90 percent under the Bush economic policies, far less than that under the Clinton economic policies—as a matter of fact, about half. But that's not the issue. Under both, the debt went up. We're confronted with it; we've got to pay it, and you and I believe not paying it is not an option.

The Chamber of Commerce says clearly that, first, it is critical the U.S. Government not default in any way on its fiscal obligations, and the President of the United States and our side have said, you bet, we don't want to do that. So let's ask all of us to come to the table, and those who can't afford it ought not to be asked, but those who can—those who can—should be asked to do so, not to penalize them but to say we're all in this together. Those who are the best off in America, those corporations like the oil companies that are getting subsidies at this point in time which said they didn't need subsidies if oil was over \$55 per barrel—they testified in Congress some years ago to that fact. It has been twice that, and we're still giving them subsidies.

All we're saying is that doesn't make sense, and we ought to have a balanced program, and that's what those 74 percent and 77 percent of independents are saying. They're not saying they want their taxes raised. They're not saying we ought to raise taxes and incur more debt. They are saying we ought to pay our bills. They are saying that we ought to have a fair participation by all Americans in meeting this crisis that confronts us.

And I would hope that over the next 3 weeks that we could get to a place where we could come together in a bipartisan way and ask all of us to participate. Those who are able can help us confront this: bring this deficit down and balance our budget. For those who can't but who are working hard to make themselves and their families live a quality of life, we'll help them out. Then I think, as I said, we'll stabilize the economy; we'll grow jobs and we'll have a better country. I would hope we could do that, Mr. CANTOR, and I'm looking forward to it.

Again, I don't know that this cut, cap, and balance will get us there; but as I said, we're not going to get there, clearly, under those provisions between now and August 2. I think the gentleman knows that, and I hope he has some other thoughts in mind, some

other plan in mind. Obviously, there have been a number of plans talked about. The President gave a speech about his plan. That was rejected. The gentleman says it wasn't specifically line by line. That's right, because it was rejected before we got there.

Mr. BOEHNER, your Speaker, discussed trying to get a construct. So perhaps you have a plan that is above and beyond the Cut, Cap, and Balance Act that we might see that would be a balanced plan that would help us.

I yield back the balance of my time.

#### ADJOURNMENT TO MONDAY, JULY 18, 2011

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

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

There was no objection.

#### BELARUS, THE LAST DICTATORSHIP IN EUROPE

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

Mr. SHIMKUS. Mr. Speaker, as we're talking about debts and deficits financially, I'm here to talk about a freedom debt and a freedom deficit that's occurring in parts around the world. One that I've been focused on a lot is the country of Belarus, the last dictatorship in Europe.

The political, economic, and human rights situation in Belarus has significantly deteriorated. A total of 33 opposition leaders and activists are still being held in prison for peacefully protesting against a dictatorial regime and a falsified 2010 presidential election. Silent protests have sprung up on an online campaign, called "Revolution through Social Networks," which encourages people to come to their localities' central squares every Wednesday to express discontent with the Lukashenko regime.

Opposition activists, journalists and ordinary people have been and continue to be arrested. The authorities have also launched "distributed denial of service" attacks on opposition Web sites.

The United States and the European Union continue to condemn these activities. We must think strategically about Belarus post-Lukashenko when the people of Belarus are finally able to establish a democratic society based upon the principles of a free-market economy. In anticipation of that day, each and every one of us should prepare now so as to be in a position to rapidly assist in the establishment of inter-

nationally recognized elections and rules-based, transparent government in Belarus.

#### SUDANESE WAR CRIMES AGAINST NUBA CIVILIANS

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

Mr. JOHNSON of Georgia. Mr. Speaker, today, thanks to the courageous reporting of two journalists for Al Jazeera's English network, Callum Macrae and John D. McHugh, who risked their lives to find the truth, we have shocking evidence of war crimes committed by the Sudanese Armed Forces against Nuba civilians in Sudan's South Kordofan province.

Here in this photo is a 2-year-old victim of an air strike, and here is a bomb crater in the middle of this Nuba village—50-feet wide and 15-feet deep. Here, Mr. Speaker, is satellite imagery analyzed by Harvard University's Humanitarian Initiative that reveals evidence of mass graves outside South Kordofan's capital of Kadugli.

At this moment, Mr. Speaker, as the U.S. personnel hide behind their barracks walls, the SAF are hunting men, women and children on foot, in fighter jets, and with bombs rolled out of back doors of cargo aircraft onto Nuba villages. Where does the United Nations stand as the Nuba are wiped out? Where do we stand?

#### HONORING LINDA LOPEZ

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

Mr. CARDOZA. Mr. Speaker, I rise today to honor and remember a great American, Ms. Linda Lopez, a treasured member of my staff, who passed away over the Fourth of July weekend. It is somewhat appropriate that that was the weekend that she passed away since she was such an honorable and patriotic lady. Her services will be held today and in our hometown that we shared.

Linda was not only a dedicated constituent services representative; she was a tireless advocate and community leader in Merced, California. Born in New Mexico, Linda moved to California's Central Valley in 1955 where she attended public school in Madera and then later attended Stanford University. For the past 40 years, she was involved in civil rights and social justice work, and was considered one of the most influential Latina Americans in the Central Valley.

Linda's community leadership included serving on the City of Merced's Redevelopment Agency Gateway Projects Citizens' Advisory Committee,

the City of Merced's Planning Commission, and several City of Merced ad hoc committees. She also served on the San Joaquin Valley Partnership Telecommunications Committee and the California State Advisory Board for Transportation Planning and Environmental Justice.

Linda Lopez was also an alumnae of the Great Valley Center's IDEAL inaugural class, Hispanas Organized for Political Equality, and Leadership Merced. Not surprising, given her devotion to her community, Linda was named the 1998-99 Hispanic Woman of the Year by the Hispanic Chamber of Commerce.

□ 1320

Linda joined my Merced district staff in 2006 as a constituent services representative, acting as my eyes and ears in the community. She worked on thousands of cases and helped thousands of people. She never let go of a case she believed needed work, and was meritorious. Linda prided herself on giving 100 percent to everyone who walked in the office regardless of their political party, the color of their skin, what they believed or didn't believe. She believed everybody deserved to be treated well. It was not unusual for Linda to work late nights and weekends, to make home visits to elderly constituents needing assistance, or to follow up with a phone call long after she had done her best to resolve a case.

The hallmark of Linda's work was her unbelievable compassion; and she was appreciated not just by the people she helped, but by her community as a whole. Linda's passion for making a difference set her apart from many others. She offered a kind smile and a compassionate ear to everyone she came in contact with. Often Linda's relationship with other community members evolved into a mentorship program, and as her legacy, she asked that there be established a leadership scholarship in her name. Linda guided many other aspiring community activists in her passion and her efforts to serve others.

In addition to her role as a public servant, Linda was a wife and mother, and her beautiful family will miss her dearly. Linda Lopez made Merced, California, a better place to live, work, and raise a family.

Mr. Speaker, I am very proud today to call her a member of Team Cardoza, and even more proud to call her a friend.

Mr. Speaker, thank you for this opportunity to honor this great American, Linda Lopez, for her work, for her tireless efforts on behalf of our community, and for her work on behalf of our country.

I would now like to yield to my good friend, the gentleman from Florida, for the remainder of my hour.

#### GOP WHEEL OF MISFORTUNE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Florida (Mr. DEUTCH) is recognized for the remainder of the hour.

Mr. DEUTCH. Mr. Speaker, yesterday I was overcome with disbelief to hear my Republican colleagues, the same colleagues who are leading America head first into its first default of its obligations, call on President Obama to start picking and choosing who wins when we run out of money.

Now, pay our seniors first, Mr. President. When we force a default, pay our bondholders first, Mr. President. Pay our soldiers first, Mr. President.

The GOP is shockingly silent, however, remarkably quiet when it comes to naming who the Treasury should stop paying when they force us into a default.

Now, in case you weren't aware, let me clue you in on the definition of a "default." It means the inability, the failure, to meet our financial obligations. And we have many financial obligations we cannot afford thanks to the possibility of this default that our friends on the other side of the aisle are leading us toward. This is a crisis that they manufactured: two wars unpaid for; tax cuts for millionaires that were unpaid for; policies that ignited a fiscal crisis and sunk us into a sea of red ink.

Now their refusal to accept responsibility for this debt that they created means that someone who the Treasury owes money to will not get paid. Someone will not get paid, and the full faith and credit of the United States of America will be broken.

Now, they're playing a game with our economy to try to force through an extremist agenda. That's what we have been battling against. That's what you've been watching. That's what people around the country are so incredibly frustrated with. It is a game that I have right beside me. It is, in fact, the GOP Wheel of Misfortune, except in this game there are no winners; there are only losers. But, why don't we give it a spin.

As we approach the defaults and we spin the wheel, the first one that comes up, I see, is 2 million Federal workers. Come August 2, the GOP default forces the Treasury to send every Federal employee home without a paycheck. From the personal care attendant who works for the Department of Veterans Affairs to the park rangers who lead families through our national parks, a GOP default will send 2 million workers home without pay. During this time of high unemployment, our economy will suffer even more with the ripple effects of suspending pay for 2 million American workers and their families. So pay the Federal workers, we might be told.

Let's figure out who else we might choose not to pay. What other obliga-

tions of the Federal Government will be broken? What will we choose to avoid if there is a default?

Well, if we go back to the wheel, we spin the wheel again, and we see foreign creditors. Come August 2, the GOP will force the Treasury to stop paying interest to our foreign creditors who currently buy U.S. credit with total confidence. When you default on a credit card—everyone knows this. When you default on a credit card, you don't save money. Your interest rates go up. The bank lowers your credit rating. And if the U.S. stops paying its creditors, then the U.S. credit will be downgraded, interest rates will skyrocket, and our economy will freeze. The damage amounting to a tax increase on every American family will be thanks to the Republican majority that will force this default.

But perhaps we should pay the credit holders. Maybe that's who we should pay. Clearly, there is someone else that we will not then, so let's go back to the wheel.

When we spin the wheel this time, we get to bondholders. Well, come August 2, again, someone won't get paid. The GOP default will force the Treasury to deny U.S. bondholders the money that they entrusted to our Nation. The college student cashing in a bond their parents bought on their first birthday; the retirees who steer their 401(k)s to the most secure, safest investments in the world, at least until the Republican majority forced a default.

But perhaps we will pay the bondholders. We've been told we can pick and choose who we're going to pay when there's a default. Then we should find out perhaps who we might see next.

If you spin the wheel again, it might turn out that we come up on Medicare. Now, on August 2, again, the GOP default will force the Treasury to stop paying for the trusted Medicare benefits that 54 million seniors rely upon. Perhaps my friends on the other side of the aisle may finally have their opportunity to dismantle the system that keeps so many retirees from bankruptcy due to private insurance bills. The doctors who treat our Medicare patients, from the primary care physician who takes seniors' blood pressure during yearly checkups to the oncologist who treats our grandmothers and grandfathers when they struggle with cancer, won't get paid as a result of this default.

But again, we've been told that we can simply pick and choose, that perhaps it is important for us to make sure that Medicare benefits are paid. What to do?

We can go back to the wheel. We can spin the wheel again. It may turn up on veterans. Perhaps we have made a decision to make these others payments, but it comes up on veterans.

□ 1330

So, again, on August 2, if we do not come to an agreement, which is completely doable, and if we do not avoid this GOP-caused default, then the Treasury may stop caring for our veterans. In representing Florida's 19th District, I am privileged to serve thousands of veterans, many of them veterans of World War II—members of our Greatest Generation, the very people who built this Nation into what it is today.

Now, Americans believe that we have to honor the sacrifices of those who serve, but by forcing America into default, the GOP will deny care to the men and women who embody patriotism and deserve every benefit that they earned while serving this country. This game, this unfortunate game that they wish to play, could go on and on and on. Maybe we choose to pay our veterans, but we stop paying our troops. Maybe we will, as the President pointed out, have no choice but to stop paying Social Security in the event of default. Come August 2, the potential of a GOP default would force the Treasury to deny seniors the Social Security benefits that they earned over a lifetime. In my district and around the country, going without Social Security for any period of time will mean destitution and extreme financial hardship. The Republicans have long fed the American people the lie that the bonds held by Social Security are junk. Well, they've never been junk, at least so long as America has never defaulted on its obligations. This is the wheel of misfortune that we have to avoid getting to. It's not a game anyone wants to play.

This hardship thrust upon the American people in the event of a default is completely avoidable. The GOP could make history—make history—by working with President Obama to reduce the deficit in a meaningful, in a responsible and in a fair way. Instead, Republicans seem hell-bent on making history by tarnishing the full faith and credit of the United States of America for the very first time. The reason they won't come to the table, the reason we may be forced to spin the wheel of misfortune: preserving tax cuts for millionaires, preserving tax breaks for corporate jets, preserving tax loopholes and payments to oil companies.

They seem more intent on subjecting the American people to the wheel of misfortune than standing up to the special interests that Americans want us to stand up to in the name of fiscal responsibility and fairness. In this game of partisan politics, a game that people all around the country are tiring of, no one wins—and the American people, unfortunately, always lose out.

Mr. Speaker, I would be delighted to yield to the gentlelady from Texas.

#### WILL THE DEBT CEILING BE RAISED?

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for the remainder of the hour.

Ms. JACKSON LEE of Texas. Let me thank the gentleman from Florida. He has certainly awakened a number of issues and Members on his important discussion, and I wanted to join in his commentary.

Mr. Speaker, we will be leaving shortly, and I'm glad that we will be returning on Monday for very serious business. Many of us have been in meetings today, engaging in solutions rather than distractions as relates to the business of the American people. None of us have experienced, I believe, the attention to the issue of the budget as much as we've had that attention now from our constituents on, will the debt ceiling be raised? There has not been a time in these past couple of weeks that I've gone home when businesspersons, students, seniors, working families have not asked the question: Will we get it done? I am an optimist, and I've said to them, Yes, I expect that.

In fact, I've already gotten it done.

I voted on the clean debt ceiling raise, or lift, some many weeks ago, and that was the right thing to do. The reason is that, over the last couple of decades, we have had 60-plus increases in the debt ceiling, starting with Ronald Reagan, including Bush I and Bush II, President Clinton, and President Carter. It's interesting that, for some reason, the tension in this discussion has really gone beyond understanding.

Let me be very clear. We have had such an intense couple of months that we have not had the opportunity, really, to engage as Members of Congress. Our committees have been fairly tense and rapid. Our schedules have been such that we've been here one week and gone the next. I know that there are new Members of the 87 members of the Republican Conference with whom I would have some things to agree on, and I would appreciate having that opportunity, but this is a time now, without the opportunity to get to know all of the members of the Republican Conference who are new, when we have to get to know each other around solving America's problem.

As I indicated, when a clean debt ceiling was put on the floor of the House, many Democrats voted for it. Democrats and Republicans were on the bipartisan Simpson-Bowles committee. At one point in the discussion with President Obama, the leadership of the Republican House agreed to do the larger package of \$4 trillion as relates to the debt ceiling: revenues and cuts. It makes sense, doesn't it? That's what households do. They look at where they can bring down their budg-

ets, but they also say, Now what can we do to increase that revenue? People who are unemployed want to increase revenue by getting a job, and so I don't fully comprehend why it is such a complicated process to participate in.

What makes it difficult is we have leadership in the other body—that is Republican—that says their main job is to defeat President Barack Obama in 2012. I didn't hear that discussion from Democrats during my fellow Texan's tenure as President, George Bush. There were policies that we disagreed with, including the Iraq war, but there was no concentrated, continuous effort and statement, "My main job here is to bring down President Bush." That was not the language that we used.

So how did we get the leader of the minority in the Senate suggesting that his main job is to bring down the President of the United States?

That's what Mr. and Mrs. Jones—mom and pop—all over America don't understand. They don't understand it. We all take a pledge of oath, and we all have the same Constitution in our hands. We know that this body of lawmakers is looked upon as the most powerful lawmaking body in the world. We don't walk around with a lot of big shoulders, but that is how we are perceived.

I happen to have been at the European Union, discussing the conditions in Greece and Portugal. They are far different from that in the United States. First of all, economists will tell us this country is not broke, that it has the ability to fix itself. Let us not cast out despair and desperation and frustration to the American people. We are Americans—not arrogant, but we are patriots. We can get this done.

Why is there such a devastating attitude from my friends on the other side of the aisle that it is the end of the world—the death knell? Those people who are looking forward to job creation and jobs are listening to this rant, this discourse, and are saying to themselves, There is no hope.

□ 1340

There is no hope. I agree with that. There has to be hope for the children of this country. There has to be hope for the young men and women that are on the front lines of Iraq and Afghanistan and places around the world. There has to be hope. The reason why I know that there is hope is because my own industry, the energy industry, just created a program called Veterans to Jobs through the energy industry. I'm asking them to create one for those who are 18 to 35.

Businesses are still alive and well. The financial services or the banking entity must be involved in providing access to credit for our smaller businesses who are creating jobs, but we are alive and well.

And so I believe what we should do is to go forward with a package that is

reasonable, that lifts the debt ceiling, as we did for everyone else. I would vote for a clean debt ceiling, lift it up, and then begin to, with great common sense, plan our budget and our cuts. Mark Zandi has said that, an economist that has worked for a number of Republicans such as JOHN MCCAIN, former Presidential candidate.

Why are we trying to reinvent the wheel? All economists will say you don't make immediate cuts in this fiscal year; you project them out. Just like a budget in households, they move out. They do what they're going to do for the month of June and then for the month of July and then for the month of August. But, no.

I am particularly sensitive to the fact that only this President, only this one, only this one has received the kind of attacks and disagreements and inability to work, only this one. Read between the lines. What is different about this President that should put him in a position that he should not receive the same kind of respectful treatment when it is necessary to raise the debt limit in order to pay our bills—something required by both statute and the 14th Amendment? Why isn't it addressed in the manner?

It's all right to disagree or agree on the balanced budget amendment. It's all right to talk about how we're going to appropriate. In fact, in this House, the Republicans are getting their way, gutting and cutting everything that we can find. It's all right to have that disagreement. That is the give-and-take of democracy. When you win, you're the majority; and if we can't find a way to agree together, then the majority wins. I understand that, but I do not understand what I think is the maligning and the maliciousness of this President. Why is he different?

In my community, that is the question that we raise. In the minority community, that is the question that is being raised: Why is this President being treated so disrespectfully? Why has the debt limit been raised 60 times? Why does the leader of the Senate continually talk about his job is to bring the President down, to make sure he is unelected? It's 2011. It's not 2012. You need to play those politics in 2012, not now. And so we can move forward.

You may disagree with me. I believe it's important to preserve Medicare, Medicaid, and Social Security, lifelines for our community. And many of us believe that that will not dash the hopes and dreams of Americans to make sure that seniors and the disabled and those who are retired and those who need these resources, children who need Medicaid, it's not unseemly to protect them in the course of our discussion on budget cuts. It's not unseemly to protect military families. It's not unseemly to be able to provide an increase in salaries for the young, if you will, enlisted man or woman who, on

some occasions, have been on food stamps.

So I am prepared to do the hard things that we did in 1997 when we had a budget resolution crafted by a divided government, if you will, and we produced a Children's Health Insurance Program and a balanced budget without a balanced budget amendment. There are some fixes that we are still living with, such as the physician reimbursement that came about. As what happens when you do that, something has to be fixed. We're still suffering with the physician reimbursement which came about through the 1997 balanced budget. So balancing the budget on a balanced budget amendment is not all peaches and cream. It can truly be destructive.

But I am willing, in the long range, with common sense, coming from Texas, to look seriously at how we can work together for cuts, but revenue enhancers.

I just had a meeting with industry representatives this morning—one of the industries that happens to be in the eye of the storm—and there was a consensus saying we are prepared to look broadly at tax reform. We would like to give our ideas. I said, You deserve to give your ideas, as you deserve to let everyone know that we're in the business of creating jobs. But we cannot do this in the background of the hostility, of the inappropriate treatment and behavior around President Barack Obama.

So what are we prepared to support? I believe, again, that we can come together around a reasoned response, and that reasoned response, again, are revenues and cuts. And I believe that we can move this before August 2. We only have to be able to convince the new Members and the leadership—the point man for the Republicans—that it is better to stand as a whole Nation than to bring us down.

There are those who believe this is what will happen before August 2. And, frankly, it is a challenge. We have already lost \$150 billion right now. Our colleagues need to know that. By all of this fooling around, we're losing in the markets \$150 billion to \$200 billion.

You want to know where the unemployment came from? We've been creating jobs in the private sector, but it's our States that have been laying off hundreds and hundreds of thousands upon thousands of public workers—fire fighters, police, sanitation, teachers that we will never get back for our children. When they enter the fall classes, 35, 40, maybe 50 will be in a class. What kind of America is this? And what kind of an America would lay off the public sector employees—which, by the way, were the doors and opportunities that were opened to minority Americans. Large numbers of minorities are public sector employees. You are literally killing our commu-

nity with the high number of unemployed. We are at double digits in the African American community.

I frankly believe that, as an American, I should look out for all interests, and that's why I believe we should stop the tomfoolery and come together as Americans. And yes, I will have to make sacrifices. We have laid out our parameters—mine are Medicare, Medicaid, and Social Security—but what can we do together? And what can we do where the pain is distributed? And what can we do with the respect given to everyone—Speaker, Majority Leader, minority leader, whip, leadership in the other body? How can we come as those entities, respect the bodies that they represent, and we who are Members of Congress represent our constituents in that respectful manner, and most of all, respect the Office of the Presidency and, as well, to respect this President, President Barack Obama.

I hope someone will say that what it appears to be is not in fact accurate, but historically it seems to be nothing more. And I simply close in accounting for that attitude is the very visible debate, and in my memory, of the Affordable Care Act. And I have never seen the level of depicting of a President of the United States by Americans as I have seen during that debate; never seen it. I did not adhere to the burning in effigy of any President during the Iraq war—at that point it was President Bush. The shoe throwing, I spoke vigorously against that. You do not disrespect our President. You agree or you disagree, but not in the way that I have seen.

I simply close this afternoon by saying that it gives me a great sense of affection—I'd say pride, for lack of a better word—in what this country stands for.

□ 1350

I believe that America can solve any problem that she puts her mind to. The tumultuous sixties is part of my history, a segregated America is part of my history, and during that time one felt, could we ever come through this? The bloodshed, the hanging, the brutality. But isn't it wonderful that a man by the name of Martin King rose along with others, too many to name, and carried the mantle of peace, the drum major for peace, and he came through all of the contentiousness and all of the conflict and raised his voice and said, "America can do better."

And a President who I am most proud of by the name of Lyndon Baines Johnson used his political astuteness and crossed very difficult lines, the Dixiecrats and others in the United States Congress who couldn't imagine supporting any manner of civil rights legislation. Isn't that a miracle? What we thought we could not do. And that President, who I owe such a great debt

of gratitude, that master of the political process, Lyndon Baines Johnson, the creator of the Great Society of which many of us now benefit from, Pell Grants and Medicare and housing, that person we call the President at that time orchestrated groups that possibly would never speak to each other and voted to change and move America forward.

And so I ask the question: What makes President Obama different? I cannot imagine coming this far in my life and that of my children's life and that of others to come to a point where we would use the uniqueness and the difference of this President to treat him differently. If that is not getting in our way, then there is no reason that we cannot come together and solve this problem. As some would say, this is not rocket science. It is voting for the right approach, and that approach is revenue and cuts.

I will go home to my district and engage with anyone who desires to engage in these discussions—we see each other as we walk about and go about our duties—and give them the sense of optimism that I have. As I do that, I will be in a meeting discussing why the North Forest Independent School District, one of the last remaining districts with a 70 percent plus African American population, has been closed by Governor Perry and the Texas Education Agency. Why? Seven thousand students and parents now looking as to what is their next step. Why is it closed? Is it because you underfunded them and didn't provide them with the resources? Is it because we have no interest in getting our hands into the mix and trying to help bring up the scores with teachers and salaries that can meet the needs of students who are in a property poor area?

I'll go home and deal with that. In the course of dealing with that, I'll talk to those parents about hope, about the greatness of this Nation, and about the fact that we're going to do our job. And, as well, I'll talk to them about the sense of pride and respect we have for the President that this Nation elected has come out of the history that I am very well aware of. We would hope that the same respect that was given to the first Irish Catholic President, the same respect and interest that has been given from any President that brings to bear a unique and valuable perspective, would be given to President of the United States, the American President, our President. He is no different from any other President that has served. I beg this House and I beg this Congress to treat him with the dignity that the office deserves. Get on with our work, get on with solving the problems for the American people, a vastly diverse and richly multicultural Nation. I am grateful for that.

God bless this Congress. God bless this President. God bless the United States of America. We can do this job. I yield back the balance of my time.

#### THE NATIONAL DEBT

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

Mr. SCHWEIKERT. Thank you, Mr. Speaker.

One of the reasons I'm here today is, have you ever had one of those moments where you've been watching some television, you've been hearing some of your friends here on the floor, and the level of frustration starts to boil over, and you decide, look, I even need to get up behind that microphone and do a series of explanations of why I'm bouncing off the walls frustrated, and think about what we've heard just today.

We had one Member come down here, meaning well and trying to find some way to tell his story, but treating the U.S. sovereign debt issue as a game. I heard the President today in a press conference once again throw out items like: Well, those corporate jets. Well, we need to tax the rich more.

And here's the problem: The math just doesn't work. So I thought, okay, I have these boards in the office that I use for a lot of other speeches. It's time to bring them here to the floor and walk through. And, I'm sorry, I know I'm running two easels. I'm going to do this fairly quickly because I know I have some other friends of our conference that want to speak. But, first, let's do the big picture.

This is our world today. This is a dollar bill. Today, every dollar this Federal Government spends, 42 pennies of it are borrowed. Get that through your head. Every time we send out a check, every time we pay a vendor, that dollar that we pay that vendor, 42 pennies of it had to be borrowed. Once you understand that, a lot of the other rhetoric you hear around here is just bizarre, if not bordering on silly.

Let's actually bounce onto this next board. This one here is just to sort of help understand how fast our numbers are eroding and why we need to do it now. This is not the day we come to the floor next week and vote for something, so let's just raise the debt ceiling and we'll all have an honest discussion next month about the scale of the debt. We'll have an honest discussion some other day about what we're going to cut. You've got to understand, every—what is it?—7.2 seconds, someone now turns 65, and the money that this body, I think, had the moral responsibility to set aside for those baby boomers is gone. The most beautiful example I can give you of that is how

many of you, when you think about it, have always heard from the politicians, oh, don't worry, Social Security's just fine. But didn't we just hear the President say, well, if we don't raise the debt ceiling, there might be a problem?

Well, okay, which is it? Is Social Security just fine, or is it actually living on borrowed money? You can't have it both ways. Finally, I think the American people are waking up and understanding the scale of this debt and the crisis it brings us. So let's have a little interest here.

Here we are in 2010. Here's where we are in four budget years from now, 2016. This blue line is mandatory spending. It continues to grow and grow and grow. I'm told in about 13½ years, this blue line consumes every dime of Federal spending. We are consumed by the mandatory spending. The entitlements consume everything we are as a people. But here's one of the rubs. If I look at even last year and this year, we don't take in enough revenue today to cover just the mandatory spending. So when you think about what we call discretionary, military, EPA, all the other alphabet agencies, all those exist on borrowed money. This is our world today.

I've been struggling and struggling trying to find a way to say how do you help people understand the scale of these numbers? And then we came up with this idea, we'll make a clock. Everyone knows how to read their clock, I hope. Of course, the problem is, as one of my staffers pointed out, all the kids today are wearing digital watches, but we're going to try it this way. How many of you repeatedly, whether it be today or the press conference a couple of weeks ago have heard the President over and over and over and over say things like, those corporate jet owners need to step up and start participating more.

Okay, fine. Let's say we all agree with that.

□ 1400

How much does that actually buy us? Think about this. We borrow \$4.7 billion every single day. This whole discussion over here where people—and we heard it just an hour ago from a Member and the leadership on the minority—saying, Oh, corporate jets. You've got to be willing to give up those.

Okay. Let's say we do. What does it really buy us? Well, you'll be happy to know that we did the calculation to make it easy. It will buy you 15 seconds of borrowing a day. Work through this with me. There's what, 1,440 minutes a day, you know, out of those 24 hours. And we're having discussions about things that are 15 seconds. This is absurd. So let's actually go on to some of the other really brilliant suggestions that seem to be coming out here.

How many of you remember about 6 weeks ago the majority in the U.S.



Senate, how literally hearing after hearing about those subsidies to Big Oil, and acted like if we get rid of these, they'll actually do something. We even heard it again an hour ago over here from the left, saying if we get rid of those subsidies, that's our first step in the balancing of this budget.

So let's do the math. But let's actually do it my way. We wipe out the depletion allowance and all of these other subsidies for not just Big Oil but for all oil. It equals \$2.44 billion a year. And just for a reference standpoint over there, I thought it would be fair for everyone to understand, that \$2.44 billion that we call subsidies to Big Oil, there's \$8.72 billion that goes to green energy. So understand the scale here.

But right now we're only going to fixate on fossil fuels. What does that really buy us?

I did it both ways for those people who like charts and for those people who like a clock. It buys you 2.2 minutes.

So you see our little hand here? This whole discussion—and they act like it really does something.

So we had the corporate jets at 15 seconds, now this whole discussion about Big Oil and taking away those subsidies. It buys you 2.2 minutes of borrowing a day. Think of that.

This is what holds up around here as honest debate? These are the honest proposals that this government is throwing out and letting the American people think we're actually talking about, saying, Well, if we raise the debt ceiling we're going to go after these things, and we'll get rid of those corporate jet subsidies, and we'll get that Big Oil, and, yes, we'll have almost gotten 3 minutes of borrowing covered today. It's absurd.

So let's actually bounce on to one of the other bits of discussion that bounces around here.

We actually just heard it a little while ago, those tax cuts—do you remember those Bush tax cut extensions?—which actually now are the Obama-Bush tax cut extensions because the President signed them back in December under the lame duck session. We all remember that. And we hear the discussion we need to take those tax cuts away from those millionaires and billionaires. That will balance this budget.

Does anyone out there actually pull out their calculator and do math? So I thought, Why don't we make a clock out of it. We'll make a slide out of it so we understand reality.

If you remove the tax cut extensions for everyone—not just the millionaires and billionaires, let's just do everyone because math was easier to do that way—it buys you a whopping 28 minutes of borrowing a day. Think of that. I've watched people walk up to this well of this House, stare into this audience, this august body, and act like it would solve the problem.

How can this place be operating under math fantasy? Twenty-eight minutes. And that's playing the assumption that it doesn't slow down the economy, doesn't raise up unemployment, and every dime actually comes in. But if we're willing to engage in that fantasy—because why not, the argument is fantasy—it takes care of 28 minutes of borrowing.

So let's see. So far we've covered 15 seconds with the corporate jets and 2.2 minutes with going after all fossil fuels, and now we found another 28 minutes of borrowing can be covered if we wiped out what we call the Bush tax extensions that are really important to economic growth, but we'll just give it and just also pretend every dime comes in.

Are you starting to realize we're barely at a half an hour of borrowing a day, and these are the types of proposals we're getting from the left on what we should do? You start to realize, where is this basis in reality?

So let's actually go for a big one. Let's actually hop on—because, you know, I'm not a big fan of war. So I thought, hey, why don't we calculate the big kahuna. What would happen if we took in all that money from those corporate jet subsidies and all of that money from getting rid of anything that incentivizes fossil fuel exploration, and we also get rid of those Bush tax cut extensions and we're willing to slow down the economy and assume that every dime comes in, and we just didn't have any of the wars—we didn't have Libya, we didn't have Afghanistan, and we didn't have Iraq. They just all magically went away tomorrow. Because we've had repeatedly Members from the left stand up behind these microphones and tell us this would take care of the problem. We just wouldn't have that \$1.6 trillion we're going to run in debt this year if we just didn't have these sorts of things.

Once again, it's time to put some batteries in the calculator. If we pretend every dime of that all went straight to paying down the debt, it's 3 hours.

And we've actually put these slides up on our Web site so people can actually download them and look at them.

But I want to turn to my brothers and sisters on the left here and say, Okay, if I assume everything you're saying equals 3 hours, do you have any honest solutions for the other 21 hours a day instead of some of this silly rhetoric that I hear our President walking up to microphones and throwing things out and acting like, this is my solution to the American people?

The American people need to understand the scale of this debt. It is going to destroy us as a people. For once you are seeing your Congress, at least on our side, stand up, be tough enough and say, We're going to use this oppor-

tunity to save our kids and our grandkids and we're going to save this Republic. Please, learn the numbers. Understand how devastating this is. It's time for the fantasy to come to an end and to start dealing with real math.

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

#### FISCAL RESPONSIBILITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for the remainder of the hour.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to be recognized here on the floor of the House of Representatives and be able to address you about the matters of the day and about the important issues that are before us here in this Congress and in this Nation.

And I am continually impressed by the quality of the young people that are attracted to this city, both as visitors, vacationers, but also from people that will get their college degree or degrees and many of them with a 4.0 grade point average, active in all kinds of extra curriculars. The stellar cream of the American crop are magnetized to come to this city. I am impressed with them—their intelligence, their patriotism, their dedication on both sides of the aisle, Mr. Speaker.

But I want to add something that is a perspective that I think those of us that have been around this planet a little bit longer have to offer, and that is, first, that some of us have lived a lot of history that others had to learn by reading the history book. And we know how the history books have been truncated. And there's not time to learn all the things that happened in history.

Some of us learned a lot of history from the front page, from the radio, from the television, from the news, or from being in the middle of that history. And that all is part of the collective memory of this House of Representatives and the Senate on the other side. Some will say they probably remember more history in the Senate than we do here in the House.

□ 1410

Mr. Speaker, my point is this: You can have very smart people with very good principles, and the experiences of their life are supportive of them understanding the underpinnings of the greatness of this country, understanding the pillars of American exceptionalism, but sometimes the definitions and as it's presented is taken at face value because they might not have had years to see things go wrong when good ideas come before this Congress.

And I look back and think of the time in 1995—actually, in 1994, when

Republicans took over the majority in the House of Representatives here after 40 years of wandering in the wilderness of being in the minority and not being able to advance legislation. There were many here on the Republican side of the aisle that were complacent with that, Mr. Speaker, but accepted the idea that the majority would maybe never change in their lifetimes, and they operated in the zone that had been delivered to them and they didn't go and charge the ramparts or the windmill, so to speak, because the ramparts, to them, were windmills.

Yet there were others that were visionaries, that saw the vision, that realized that America was going in the wrong direction, and they built a coalition here in the House of Representatives that I watched on C-SPAN night after night after night, step down here on this floor at the very spot, Mr. Speaker, and make arguments to the American people, make arguments to me that moved me, moved me in my head and moved me in my heart and helped me understand that it wasn't me alone that was seeing that America was going in the wrong direction, that we were overspending and we had this massive welfare system and that we were expanding the dependency class in America. This spirited people that we are, this unique people that we are here in America were being diminished, were being diminished by the growth of the nanny state and the growth of the dependency class in America.

So in 1994, the inspiration came from many people that were hearing the inspiring words that were spoken into this very microphone, Mr. Speaker, but also across the country. On talk radio, across the backyard fence, over a cup of coffee, at work, at church, at school, at play, at recreation, in fishing boats and golf carts across America, we had a national conversation about where America needed to go. And the result of that consensus of the national conversation was a massive change in the seats here in the House of Representatives and a new majority in the House of Representatives that came sweeping in in November of 1994.

And there were big changes. The freshmen class that came in and was sworn in here on this floor in January of 1995 were revolutionaries, and they brought a difference and they forced a balanced budget here in the House that was not expected to ever be reached. They cut spending until they forced a balanced budget. And they reduced welfare and put more people in a position where they could earn their dignity and a paycheck at the same time.

Now, as this unfolded, they brought forth, as they said they would in the Contract with America, that they would vote on a constitutional amendment to produce a balanced budget. That was a 1994 promise that was fulfilled in 1995. A vote on a balanced

budget amendment here in the House of Representatives that passed the House of Representatives, was messaged right directly down the hallway to the United States Senate, Mr. Speaker, where the Senate took up the vote for the constitutional amendment to balance the budget, and it failed in the Senate in 1995 by a single vote.

How different, how different might it have been, Mr. Speaker, if one more Senate seat had gone the other way, if one more United States Senate race had resulted in a victory for someone who believed in a balanced budget amendment, believed in the Constitution, itself, fiscal responsibility—those American exceptionalism principles that I have briefly mentioned—but believed in requiring a balanced budget constitutionally. How different it might have been if the Senate had voted with a two-thirds majority, as the House did in 1995, and sent a constitutional amendment to require a balanced budget to the States, the 50 States for ratification.

Now, we know, Mr. Speaker, it takes three-quarters of the States to ratify an amendment to the Constitution before it becomes incorporated into our Constitution. We'll never know how many States would have ratified that amendment because they didn't get the chance to do so. Had that been messaged to the States in 1995, we can only ask the question: Would the States have ratified a balanced budget amendment? I think so. I believe three-quarters of the States, at a minimum, would have done so; and if they did not, I think it would have changed the politics within enough of the States so that they would have.

Imagine if this Congress here and now, today, this week, this month would pass a balanced budget amendment to the United States Constitution out of this House with a better than two-thirds majority—equal or better than—to the Senate where they need 67 votes in the Senate, if that constitutional amendment to require a balanced budget gets messaged to the States. Some will say look at the makeup of the State legislatures. Let's put it this way, Mr. Speaker: There aren't enough Republican majorities to pass and ratify a constitutional amendment to require a balanced budget. Maybe not, and not by an analytical judgment of this moment, Mr. Speaker.

But think of what happens in a State like my neighboring State of Illinois, for example, where Democrats control the politics and they insist on deficit spending and running themselves into the red. It seems as though the right of passage in Illinois is, if you are elected Governor, you go off to prison. But if we have a balanced budget amendment sitting on the docket of the Illinois State Legislature today, I don't think there's much of any chance that they would ratify an amendment to the U.S. Constitution to do such a thing.

But I do think, Mr. Speaker, that there will be hundreds of people all across Illinois that will decide that they want to step up and run for public office so that they can have the chance to vote to ratify a balanced budget to the United States Constitution in the State legislature. They would go out and campaign, and they would knock on doors, and they would talk to their friends and neighbors and say, I don't care if you're a Democrat. I don't care if you have some other interest. The best interest you can have is the long-term best interests of the United States of America. And it's becoming increasingly clear that the long-term best interests of the United States of America are to require that the budget be balanced by the Constitution because this Congress has not demonstrated—and the President clearly has not demonstrated—that they have enough discipline to crank this spending down to balance the budget.

Part of the reason is we have elections every 2 years in the House and every 6 years in the Senate. So the incentive is be in a position to keep your job in 2 years or 6 years. There is not an incentive out there that tells the Members of the House and Senate that we should prepare the groundwork for our grandchildren, let alone children yet to be born. That's part of the dynamics. The other part of the dynamics is that this Capitol is full of bright, energetic people. A lot of them come to my office on a regular basis. A lot of them are honorable people with good intentions. But a lot of them are there because they want the tax dollars of the American people to go to their interests. And because there's a constant drumbeat of asking for more and more and more spending and the push for—well, I know that you are fiscally responsible and you want to balance the budget, but can you just make this exception because it's so important. It's so important issue after issue. You could be accused of voting against children and women and seniors and minorities and handicapped and combat-wounded veterans all together if we do anything other than increase the budget to the level that's hoped for and predicted by the President of the United States.

So when I stand up for fiscal responsibility, Mr. Speaker, I often get this statement which is, Well, you're a Republican. You Republicans spent too much money. And you have to admit that you are half the problem. Well, no, I don't, Mr. Speaker. First, I voted against a lot of that spending. I've been an original cosponsor of the balanced budget amendment offered by Congressman BOB GOODLATTE of Virginia since I arrived in this town. And I'm sticking with him and the principles that are that constitutional amendment that we passed out of the Judiciary Committee that hangs on the calendar of the House today.

But aside from that, speaking from a party-by-party standpoint, the truth is this: Yes, Republicans spent too much money, and in the middle of the Iraq war, we came within \$160 billion of balancing the budget. Now, that's not particularly impressive if you dial it back a generation or two or three, but it's very impressive when you think of it in terms of the President's budget, which is a \$1.65 trillion deficit in a single year.

So actual, real numbers come down to we came within \$160 billion of balancing the budget at the height of the Iraq war, and had it not been for the Iraq war, we would have balanced the budget. If the equation is there, it's that simple.

□ 1420

But the President has proposed a deficit, an annual deficit spending budget, of \$1.65 trillion. Now, I have said the deficit of Republicans is \$160 billion and the President's deficit is \$1.65 trillion, and on his deficit, Mr. Speaker, I am not saying that this is a 10-year accumulated deficit. This is 1 year, \$1.65 trillion.

Now, yes, Republicans spent too much money, but for every dollar that they went into deficit, the President proposes \$10 of deficit spending into the same equation. I can't see that that's a shared responsibility. It looks to me like it's 10 times the overspending on the part of the President versus one-tenth of that on the part of the Republican Congress here in the middle of the Iraq war. Those are the facts as they are established by the Congressional Budget Office. We need to stand on facts here, not on emotions, and we need a level now of fiscal austerity.

Mr. Speaker, we need to get to this point where we can send another balanced budget across to the United States Senate and ask them to pass it with a two-thirds majority and message it to the States. Give the States the chance to ratify it this time. If they had the chance to ratify the balanced budget amendment in 1995, I might or might not be standing here. I might have realized that, listen, government did its job, and I can go ahead and raise my family and run my business and live the American Dream. But it didn't happen.

It didn't happen, and some of us, out of frustration, stood up and engaged in public service and public life, and we were elected to positions in perhaps our State legislatures and then came here to this Congress. I have seen this country going in the right direction. I have seen this country going in the wrong direction.

I have seen the spirit of America be diminished.

How many people today remember Jimmy Carter's malaise speech where he essentially said to us, You have to lower your aspirations. Yes, you are

Americans, but it means something different in the future than it has in the past—that America is no longer going to be a country with unlimited resources and prosperity and aspirations and realized dreams, but that we'll have to wear a sweater and turn the thermostat down and drive at 55 and be limited by government.

We have some of that going on now. We have the nanny state being reestablished under this administration. Now, I would suggest that there are a number of ways to illustrate that, Mr. Speaker, but I would point it out this way: that the food retailers sat down, along with a couple of other interests—and this is something driven by the First Lady, I believe. They have identified that about 3 percent of the kids in America are obese.

You may have seen in the news this week about some effort to go in and remove obese children from their parents because obese parents are a bad influence on the diets of their kids, and kids that are overweight are a health risk, and they are more likely to have diabetes. Statistically, that's true.

Mr. Speaker, I don't need a nanny state that is going to go in and weigh my kids and weigh me and my wife or my sons and daughters-in-law and grandchildren and decide whether I am going to be able to manage my own children's lives. I need the nanny state out of my life, not in my life, Mr. Speaker. I don't need them deciding what my diet is going to be.

But this initiative that flows from the First Lady is about cutting 1.5 trillion calories from the diets of young people, because I guess that you run them across the scales and do an average and do the calculus that 3,550 extra calories over what you are burning amounts to a pound. Then they can do the math and figure out, if they can reduce 1.5 trillion calories from all the right places, these kids are going to lose weight in all the right places. It doesn't work that way.

How are you going to do this? I asked them.

They said, Well, you know, we're going to reduce the number of calories in a bag of Doritos, for example.

How do you do that?

Take a couple of chips out.

Okay. What do we think a kid is going to do if he's hungry and there are a couple of less chips in a bag of Doritos? He eats two bags.

Then they said, Well, we've got the power bars that have 150 calories. We're going to reduce them down to 90. That way, these kids aren't going to gain weight. They're going to lose weight because they're eating fewer calories in a power bar.

So, if you pick up a power bar and you're hungry, you're eating that because you want the energy, and your appetite calls for it. If there are only 90 calories in there, I will suggest that

these kids are going to eat two power bars and consume 180 calories rather than settle for 90 when, before, they were getting 150 out of that previous power bar.

Kids are obese for two reasons. They have voracious appetites, and they don't exercise enough. It's that simple.

The former Secretary of Defense came out and said that 30 percent our youth that are overweight is a national security risk because they are too overweight. They don't qualify for the military service, and we, therefore, can't recruit enough volunteers from the universe of people that are left that have a waistline that fits the standards for our military.

Now, I would suggest that being obese does not destroy one's skeleton or muscular tissue or nervous tissue; it's just extra weight to carry around. And if it's a national security issue, then let's extend basic training, and they can just stay there and do exercises and eat the diet in the mess hall until they make weight.

This is not a national security issue, and I am constantly hearing these arguments about national security. One of them is, well, national security is fresh fruits and vegetables, and if we don't have fresh tomatoes it is a national security issue. So, therefore, we must have cheap labor to pick the tomatoes. Never mind that tomatoes have been bred now to be picked by machine.

I ask the question, Mr. Speaker: How long did the Eskimos get along without any fresh fruits or vegetables?

They have lived for centuries on the high protein of the animal meat that they can harvest up along the Arctic Circle, but they don't have carrots or broccoli or lettuce or tomatoes or pears or apples or peaches. None of that grows up there in the Arctic Circle. They are carnivores. They have gotten along really well eating a meat diet, because the nutrients are in there, and they are concentrated. It's not a national security issue not to have guacamole even though it's a profitable thing to raise the avocados.

We get way out of balance here in this Congress and overemphasize things with all kinds of hyperbole, which brings me back around to where we need to go as a Nation, Mr. Speaker. We need to go down this path of a constitutional amendment to balance the budget. The President doesn't want to balance the budget or he would have offered one.

And the President wants to scare seniors. He did that on purpose. That's the statement that he made a couple of days ago when he said, if we hit the end of the debt ceiling limit, he can't guarantee that military pensions or Social Security would be paid on time. That was a calculated statement. It was calculated to scare the group of people who is the easiest to scare. That's our seniors.

The reason they are is because they have worked their whole lifetimes to get into the position that they are in, and most of them are on a fixed income. That fixed income might be a pension plan, other savings, Social Security or a rent check or an investment of some kind. But when the Federal Government interferes with that and starts to send a message that they can't count on any component of it, yes, they get concerned, rightfully concerned.

This system that we have, entitlements, cannot hold together if we continue down the same path we are on. We have about 40 million people that qualify for Medicare today. In 10 more years, it will be about 70 million people as the baby boomers come on line.

It isn't just that non-defense discretionary spending in this Congress is growing too fast. We can't solve the problem if we shut down the non-defense discretionary spending or if we ratchet it backwards. We must address entitlement. We also must guarantee to the seniors: You have organized your lives around Medicare—in fact, Social Security. We need to protect them and their interests. They are deserving of that. They may be getting greater benefits than they ever paid in, but they still have to be able to count on this Congress keeping its word.

Meanwhile, as a government that's spending itself into oblivion, however big a Nation we are, there is no one to back us up. We don't get to go to the European Union and ask for a loan to bail us out. We don't even get to go to the Chinese or the Saudis to ask for a loan to bail us out. We are the last stopgap in Western civilization, the free enterprise world.

Remember, there are a lot of entities outside that would like to see this country go down, tumble, collapse to some degree. We don't have friends all around the world. So we are the ones who have to hold the line. We don't get to go back for a backup of any kind. The Greeks could at least look to the European Union, and what did the European Union say? We will loan you some money to bridge you through this problem, but you have got to cut your spending to our satisfaction before we will loan the money.

□ 1430

Now we have a President that says he can't guarantee that military pensions are going to be paid or that Social Security is going to be paid because he wants to use that as leverage to try to get a debt-ceiling increase by making the least amount of concessions. And he would like to make no concessions. That's the scenario that we're in.

So I've introduced today, along with MICHELE BACHMANN and LOUIE GOHMERT with a growing number of cosponsors, an act called the PROMISES Act. What it does is it requires that our

military be paid first and on time, every time, no exceptions, no hesitation. Whether it is a spending gap that is a result of the expiration of a continuing resolution or whether we hit the debt ceiling, the revenues in the United States Treasury—and there will be plenty there for this under all circumstances that we can envision—go first to pay the military.

They are our number one line of defense. Their lives are on the line. They should never have to wonder in a fox-hole or on a ship or in the air and their families near the barracks or at home should never have to wonder whether that paycheck is going to be electronically transferred into their bank account on time every time. That's our guarantee with the PROMISES Act.

The military should never be used as a pawn in a political discussion here on the floor of the House of Representatives.

The second thing is we need to take care of the full faith and credit of the United States Government. That means we have to pay the interest on the necessary principal on our debt. We can do that with incoming revenue. And those who say we can't are wrong, and I don't care what their title is. We have \$200 billion in anticipated revenue per month. It takes \$11 billion to pay our military, and it takes \$20 billion to service our debt. That's \$31 billion out of a \$200 billion average revenue stream. That turns out to be—and I know, Mr. Speaker, you have calculated this in your head—15.2 percent of the overall spending of the revenue stream per month—15.2 percent.

That means pay the military first, service our debt second, guarantee the full faith and credit of the United States of America, and there's still plenty of money in that funding stream left over to pay Social Security, pay Medicare, go on down the line and pay military pensions—keep faith with those who have stood on the line for America—and keep faith with our senior citizens. And it takes the leverage out of the hands of the President. That's what the PROMISES Act is about.

And some will say, well, no, you can't. The money is not there. Tell me where that money is, then, the \$200 billion a month—\$11 billion to pay our military, \$20 billion to service our debt, and it costs \$58 billion per month for Social Security, and for Medicare it is \$43 billion per month. We can even add defense on there, and we're getting up to the limit. I mean all defense, not just the military pay.

So, as you can see, Mr. Speaker, we have lots of options. I want to take the options off the table for the President. I don't want him to be scaring our seniors. I want that guarantee to be there, but I go just far enough in the PROMISES Act that we take care of the absolutely necessities, and I'm open to

the discussion on how we might add other priorities behind them. First priority: pay our troops first. Second priority: pay the interest and the principal to service the national debt.

And as we move forward with this, the brinksmanship gets more and more intense. And as the President of the United States is looking to try to get us to crack, we need to understand that decisions will be made on August 2. The President alone holds the most power to decide who gets paid and who does not. I saw a presentation this morning that proposed that unemployment benefits get paid, but our military not get paid. Now if that's something that's going to be proposed out of the White House and not just a hypothetical scenario, I think everybody in this country knows about the inequity of that. We would pay people not to work but not pay the people to put their lives on the line for us? But that's an option open to the President today. That threat is already out there drifting through the stratosphere—I should say cyberspace—in discussions, serious discussions about our priorities.

This Congress can pass priorities; and absent statutory language that requires the executive branch to pay our bills in a priority order, he has the discretion to pay them in any order, or maybe just let them go in no order and see what happens out of a grab bag. He could sit in the Oval Office and toss a coin or throw darts at a dart board and decide who gets paid and who doesn't right now.

I'm calling upon this Congress to pass the PROMISES Act or pass another priority "pay the bills" act so that we keep faith with our military, we keep faith with our international creditors, and we keep faith with our senior citizens.

Furthermore, when I hear the language that says "pay the military first and pay the national debt second," that means pay the Chinese first when you're servicing the national debt. If we borrowed the money from the Chinese, we have to pay the money back to the Chinese, unless they sell our debt to somebody else. That's the facts. And if we didn't intend to pay them back, we shouldn't have borrowed the money in the first place.

But if we're concerned about servicing 100 percent of our debt because the Chinese hold \$1 trillion of it, they hold less than 10 percent of our debt. So when we put \$10 out to service our debt, one of those \$10, less than one of those \$10 goes to the Chinese. Half of those dollars go to Americans that hold U.S. debt, and some of that goes to the Saudis and, of course, other countries around the world. But this isn't "pay the Chinese first." This is keep faith—keep the full faith and credit of the United States Government first and keep faith with our

military. We owe them more than we owe even our creditors.

I went through some of these things during the eighties, the farm crisis years of the eighties. That added clarity to it. Three thousand banks were closed during that decade in the United States. A good number of banks around my neighborhood, including my bank, was closed. And I remember when it happened. It was April 26, 1985, Friday afternoon, 3 o'clock, when the FDIC showed up at my bank, put a red tag, a red sheet notice on the door, taped it on there, and two highway patrolmen stood at attention on either side of that door to guard the bank. And at that instant, they froze every single account, including mine. I had payroll to meet, and my customers' accounts were frozen along with mine. We had to go to a barter system to keep the business running right in the middle of corn planting in Iowa. You could not have picked a worse date or time than they did on that Friday afternoon.

But, Mr. Speaker, I learned what was important. The first thing we did was go to a barter system. And I loaded and hauled hay to the auction to turn that into cash so I could pay my employees. They were first. I fed myself last. I paid the interest second and the necessary principal third. I kept full faith and credit with my creditors.

But the first thing that—the people that were on the line every day making the business run were like our troops are today. Without them, everything stops and you live in fear; you don't have anything going. Pay them first, those people on the front line first; pay the interest second, keep your credit; pay the necessary principal third. And then you can look around and maybe make some tough decisions and options. That's where this country is today.

I do believe we must balance this budget, and I believe we must pass a constitutional amendment for a balanced budget. And I believe the American people will support such an endeavor. And if we don't have the votes to pass a constitutional amendment to balance the budget among the States, then the people in America will rise up and elect their State representatives and their State senators to go to their statehouses and ratify the constitutional amendment to balance the budget.

The American people want this. This is a national movement. Some of this is coming out of the Tea Party; the constitutional conservatives with a cause are activated. They stood up against ObamaCare, and they'll stand up to balance this budget, and they will still stand up against ObamaCare.

And let me add to this, Mr. Speaker, that for this Congress to think about going down a path that would offer a balanced budget to the States in exchange for, let's say, some cuts in

spending, increasing the debt ceiling by \$2.4 trillion and cutting our spending as a percentage of GDP, ratcheting it down to 19.99 percent, which is short of the constitutional amendment's cap, for this Congress to do this but still allow what we will know as \$105.5 billion to go forward to implement and enforce ObamaCare is irresponsible.

There are \$23.6 billion sitting there right now automatically appropriated for these times, this year, for Kathleen Sebelius and others to implement ObamaCare while the President delays the case that should be expedited before the Supreme Court that I believe will find ObamaCare to be unconstitutional. It's already been rejected by the American people by margins of 60 percent or better. There are 87 freshmen in this House of Representatives, all of whom ran on repeal of ObamaCare and all of whom voted to repeal ObamaCare. Every Republican in the House of Representatives voted to repeal ObamaCare, and every Republican in the United States Senate voted to repeal ObamaCare.

And it's unconstitutional in my view in four different areas of the Constitution, and the Supreme Court will eventually rule when the President can no longer delay the actions of the Supreme Court. And he is believing that he can implement components of this and that we won't want to let it go if the Court finds it unconstitutional.

□ 1440

He is believing that since there is no severability clause in ObamaCare, that somehow the Supreme Court will look at it, maybe find a component of it unconstitutional, but decide at their option not to throw it all out and recognize a nonexistent severability clause. And that would be, a severability clause says if any part is found unconstitutional, then the other parts are still retained. If it is missing that clause, if any part is found unconstitutional, then all parts are then not retained and essentially repealed.

The language that I have introduced, the language that MICHELE BACHMANN introduced, and others, CONNIE MACK comes to mind, with all Republicans voting for it, is this. It is 40 words to repeal ObamaCare and it ends with these words: "as if it had never been enacted." That is the language we must put on a President's desk who will sign it.

In the meantime, to spend \$23.6 billion to implement an unconstitutional piece of legislation that is 2,600 pages long, that kind of money in a period that must be a period of austerity is an absolute waste. We know it is a waste. If we are at this point where we are going to cut down spending, we have to do it by cutting off the \$2.6 trillion of outlays that are ObamaCare; and \$23.6 billion of that is sitting now in the hands mostly of Kathleen Sebelius, and

they are seeking to send the roots of ObamaCare into our lives and expand the dependency in us so we decide we can't get along without ObamaCare.

How much time do I have left, Mr. Speaker?

The SPEAKER pro tempore (Mr. WEST). The gentleman has 13 minutes remaining.

Mr. KING of Iowa. Thank you, Mr. Speaker.

Mr. Speaker, this ObamaCare of \$23.6 billion that is sitting there being implemented, and with Kathleen Sebelius, with the discretion to spend that and send the roots down and expand the dependency class, here is an example. One of those example is this. They advertised that we needed to do ObamaCare because we had so many people who had preexisting conditions, and they would be refused for insurance. So when they were refused, they didn't have any way to get health insurance and that it was a human tragedy.

So these huge numbers of people who were uninsurable would be brought into the fold of the new ObamaCare under the preexisting conditions language that already is law. But a month or so ago, they discovered that in spite of how hard they tried to recruit people with preexisting conditions, and I remind you, we have 306 million people in America. And of those 306 million people, the numbers were supposed to be large, impressive, maybe not astronomical, of those who had preexisting conditions and could not buy insurance.

And what they found, they could find only 18,000 people, in spite of them advertising preexisting insurance. All across this land, 18,000 people only who had signed up for the preexisting conditions component, 18,000. Divide that out across the States. Put 50 into that 18,000 and see what kind of a problem that is. It's a small number when you divide it by the 50 States. And the States could manage those kinds of numbers after you distribute it by population. For example, the majority of the States, including Iowa, have a high-risk pool that we subsidize with tax dollars to buy the premiums down so people with preexisting conditions can buy a policy. I encourage that. I think that is a good, responsible thing to do.

But Obama's preexisting policy only had 18,000 people after a year of effort trying to get people to sign up. So Kathleen Sebelius took what she considers to be latitude within the law and decided to buy the premiums down another 40 percent, pay another 40 percent of the premiums out of this pot of money that she has that is automatically appropriated to her to a total tune of \$105.5 billion, and they still couldn't find enough people to make it look like there was a reason to have preexisting conditions policy in the Federal code, and so they removed the condition that you have a preexisting condition.

Now we have an insurance policy for people that want to signed up with the Federal Government that may or may not have an illness. They may not have been sick a day in their lives. They don't even need to make the case that they have been turned down for insurance by a single company in America. They just have to sign up, and they'll put them on the policy and they'll buy the premium down by at least 40 percent. This is what government is doing. And they are seeking to expand Medicaid and collapse Medicare into Medicaid.

We saw what they were trying to do under Bill Clinton's era where—and they started this SCHIP, which now is CHIP, Children's Health Insurance Program, and ObamaCare kind of does that in. But it was expanded within the States. It started out to be 200 percent of poverty. If you're at 200 percent of poverty or less, we'll help pay the health insurance premiums for your children. Those are low-cost premiums, by the way. Kids don't have a lot of problems. And on the upper end of this, Bill Clinton wanted to lower the Medicare eligibility age to 55, if you remember.

So if you can insure kids up to the age of 26, which ObamaCare does, and you can lower the Medicare eligibility age to 55, now you've only got that little window in there of 24 years, the most productive years of a person's life, presumably, and often is the case, that the government is stepping in requiring that you stay on or mandating that you be able to stay on your parents' health insurance until age 26. You can get elected to Congress when you're 25, come down here and swear in, still on your mommy and daddy's health insurance and come over on the government plan right away. That's what that means. I wanted my kids to grow up.

But if we are going to insure kids through SCHIP or CHIP or a Federal mandate up to age 26 and pay those premiums out of tax dollars, and then lower the Medicare eligibility age, as Clinton wanted to do, and it is impossible in this environment today, down to 55, it is only a 24-year window. Then they would add to those at the lower end and lower the upper end age until they got it to collapse altogether. In the meantime, collapse Medicare into Medicaid, you have the formula for socialized medicine. That would be the great bleed of most everybody on this side of the aisle, Mr. Speaker.

Mr. Speaker, they want socialized medicine. JOHN CONYERS back in 1981 introduced a socialized medicine policy that forbade anyone from doing health care services on a fee-for-service. They had to be on the salary of the national health care system.

The Federal Government would hire and presumably fire everybody that worked in health care, and no one

could charge a fee for it, and no one could be paid a fee-for-service. They would have to be working for the government within the health care system.

We know what happens when government takes things over. I ask the American people how is the service in the place when you go into government offices. It is about the same as it is where you go in where somebody has a monopoly. I'm not picking on government workers. Government, often by definition, has a monopoly. If you don't have competition, you don't have to be nice.

I learned that in the auto—what do I call it—the vehicle registration department in the county courthouse the first time I went in to register a vehicle at about age 16. I learned that. They had the market cornered. They didn't have to be nice. They could open the door when they wanted to and close the door when they wanted to. There was no motive for them to try to provide better service for me or anyone else. However long the line was, we stood in it. Anybody in Washington, D.C. who goes down to the vehicle parking department here in Washington, D.C., you will find the same thing.

When my wife goes down to get her annual \$10 ticket so we can park our car for a short period of time on the streets of Washington, D.C., invariably it is a 4-hour process. And I have had to send my chief of staff and a driver down there through a 4-hour process just to get a \$10 permit because they have got an attitude. Their attitude is we don't have to service anybody; we have the market cornered. That's the attitude. Go down there and go buy a parking permit if you think ObamaCare and a national health care act are good for you, Mr. Speaker, or anyone else.

I don't want to see monopolies; I want to see competition. And ObamaCare eliminates competition, and it prescribes a product that the American people have to buy for the first time in history, a product, a government-approved, or if they had their way, a government-created health insurance policy that a person has to buy unless you are of low enough means-tested income that they are going to pay the premium for you.

□ 1450

This has never happened in the history of America, how one lower court could come to a conclusion that the individual mandate is constitutional. It is appalling to me that a judge could sit on a bench and come to a conclusion like that—or a panel of judges, a majority of a panel of judges—and it was 2-1, I believe, on a three-judge panel.

Think of this, Mr. Speaker: think of when you get your paycheck. Let's just

say you've got—let's keep it reasonable—\$500 take-home pay for a week's paycheck. If your health insurance premium is \$100 a week and if the government says you must buy a health insurance policy that is of a value that costs you \$100 a week, what they have done is confiscated—confiscated—20 percent of your paycheck, of your take-home payroll, your after-tax dollars, and it is after-tax dollars.

Let's just say the government decides you need to buy a General Motors or a Chrysler because we have a vested interest in that and that you can't drive a clunker—we're going to outlaw those, so we have to buy a new car every 10 years or have one that's within 10 years of new. They could prescribe that with the same standards that they prescribe ObamaCare on us. Let's say that car payment takes another \$100 a week. Now you've got \$200 of the \$500 that is swallowed up by the government. That's 40 percent of your take-home pay commandeered by Uncle Sam.

Then they decide that the appliance companies aren't making enough money and that you need to buy certain appliances—and I can go through this a little faster. They might decide you have to buy this diet food I talked about a little bit earlier. They might put a tax on the non-diet pop. Then pretty soon your paycheck is swallowed up. Your whole \$500 is gone because the government has told you how to spend every single dollar.

If the government can commandeer a single dollar out of your paycheck that they direct you to spend on a product that's produced by government or approved by government, then they can commandeer the second dollar and the third dollar and 99 cents out of every dollar and 100 cents out of every dollar. That's what we're faced with.

That's the biggest reason why ObamaCare is unconstitutional, Mr. Speaker.

The American people are not adequately outraged. We have a character among us. We've got a history that the product of the will of the people emerges out of the House and the Senate and goes to the President's desk for his signature or a veto and an attempt to override a veto. That happens once in a while. That's supposed to be the voice of the American people, and we expect it because of the structure of this republican form of government.

I want to emphasize the Constitution guarantees us not a democracy. The Constitution guarantees us a republican form of government.

That means representative.

That means we don't go out there and take the temperature of the public and do a poll and decide it's the will of the people today, so let's race in that direction. We have an obligation to listen to the people and understand what they want and have a very sensitive

antenna to pick up on the will of the American people.

It doesn't end there, Mr. Speaker; it starts there.

Our job is to be full-time paying attention to all the facts and the figures and all of the components and to be making the best decisions possible because we are representatives here in a republican form of government. This Republic is not a democracy. It isn't two coyotes and a sheep taking a vote on what's for dinner.

We have liberty. We have American liberty.

We have rights that come from God that are guaranteed to us in the Constitution.

Now, I believe that God moved the Founding Fathers around like men on a chessboard to shape this Nation, and I believe that for a lot of reasons. One of them is I can't go back on this Monday morning of 2011 and redraw the course of history and even imagine that I could come up with a result that would be half of what has been produced by this great gift of liberty and freedom—freedom of speech, religion, and the press. All the people who came here to exercise their religious liberty, their free enterprise liberty, their property rights, to be protected from double jeopardy, and to have a jury of their peers and face their accusers, a lot of that comes from Roman law.

The reasonable Western Civilization culture that lets us analyze our problems is part of who we are. They landed on a continent with unlimited natural resources at the dawn of the industrial revolution and settled it from sea to shining sea in a blink of a historical eye.

That's America.

We are a vigorous people.

We've got the vigor of every donor civilization on the planet. And now they want to impose ObamaCare on us? They want to raise the debt ceiling by \$2.4 trillion or \$4 trillion and ask us to go further and deeper into debt and put that on our grandchildren and children not yet born?

My youngest granddaughter, Reagan Ann King, entered this world with \$44,000 that she owed Uncle Sam. That has got to stop, Mr. Speaker.

I yield back the balance of my time.

#### CONGRESS: DON'T TREAD ON DC

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 30 minutes.

Ms. NORTON. Thank you, Mr. Speaker.

On any given day, if the American people listen to the speakers on the floor of the House of Representatives, they will come to the conclusion that many Members sure do hate government. At the very least, they certainly

don't want the Federal Government involved in the lives of the American people in any way. Well, I've come to the floor not to give a lecture, but to offer an explanation because the American people are probably puzzled at something they recently saw.

They saw the residents of the Nation's Capital embarking on what I must tell you is a new phase of an old struggle: to preserve the right to local self-government—a battle residents won almost 40 years ago.

You would think that the speakers on the floor who hate government would be very quick to say what is also true about themselves. They like local government. They don't want the Federal Government involved with local government or certainly interfering with local government. Yet the very same speakers are the prime movers of interference with the local government of the District of Columbia.

So the residents of your Nation's Capital have embarked on a new phase of their struggle. I'm not talking about the storied fight for voting rights and statehood, because many Americans now know that this is the only jurisdiction in the United States whose residents pay Federal income taxes, go to war—have fought in every war since the Nation was created—but don't have full voting rights in the Congress.

No, I'm not talking about that because, unfortunately, today, the city is forced to fight simply to maintain local government—the local rights that are unquestioned everywhere in the United States except by some on the floor of this House.

After Republicans took control of the House in January, their obsession with the DC government became so fierce that the mayor and members of the city council—almost the entire legislative and executive branches—were arrested for sitting down in the streets in front of the Capitol in an act of civil disobedience. The world, at that time, was focused on people in the streets of the Middle East, who were demanding freedom, but was riveted by civil disobedience in the U.S. capital city, which included the highest officials of our own local government.

The sit-down occurred after the city was caught in a Federal Government dispute over cuts in the Federal budget, which had nothing to do with the city. The city government barely avoided being shut down, although the city's local funds were no part of the fight, but the Congress would not even allow the city to spend its own local funds to keep the city open.

That is the very essence of autocracy.

Congress still holds onto the antiquated practice of approving the city's locally raised budget, a budget that the Congress did not put one red cent in—\$4 billion raised by the residents of the District of Columbia.

□ 1500

And House Republicans repeatedly refused my amendments to let the District government stay open by spending its own local funds. House Republicans have long rationalized such irrational treatment of the residents of the Nation's capital, but holding the District hostage in a Federal shutdown fight was a new nadir.

Republicans finally succeeded in getting hefty budget cuts in the 2011 appropriations bill, but still refused to seal the deal until their demands to take some of the District's home rule were met. They insisted on two riders. One prohibited the District from using its own local funds for abortion services for low-income women—which is done in 17 red and blue States because it's a matter of local money and local law. And they imposed private school vouchers on the city because that was the pet project of another Republican, Speaker JOHN BOEHNER. Mind you that this city has almost half of its children going to public charter schools. It's about the last city in the world that you would impose an alternative school system on since it has already grown its own home-rule alternative.

The bold autocratic insistence of these anti-home-rule provisions, as well as the near shutdown of the city government, finally led to an equally bold response from the city. You have to imagine that only the most provocative actions could have led the mayor of a great city and other elected officials to be escorted away in handcuffs.

House Republicans have devoted their first months in power to slicing away at the city's local home rule. They took control of the House on the promise of jobs, but have yet to introduce a jobs bill. From the first day of the 112th Congress, the House Republican majority has been preoccupied—mesmerized—with the internal affairs of a city whose local government, like many other jurisdictions, differs with them on some matters. This is America, get used to it. With heartbreaking audacity, they began by withdrawing the District's vote on the House floor in the Committee of the Whole. And this vote was only granted by rule—which is why they could withdraw it—but it had been approved by the Federal courts. Thus, Republicans in this House have withdrawn a legitimate vote of American citizens who pay their full freight in Federal taxes and have fought in every war since the Republic was established, including the war that established the Republic itself.

After taking DC's limited vote, Republicans turned to taking away the city's home rule. A House-passed harsh anti-choice bill affecting the Nation's women contained an unprecedented prohibition affecting only the District of Columbia. Instead of the DC abortion rider—you have to add these riders



on an annual basis—Republicans want a permanent law barring DC from spending its local funds on abortion services for low-income women. Imagine the Federal Government telling a local jurisdiction that, forever, it can no longer spend its local money on local matters that dozens and dozens of local jurisdictions spend money on every year and on a matter that is fully constitutional.

Most Americans support the right to abortion, although many others oppose it. In the District of Columbia, we respect those differences. Federal funds already may not be used to pay for abortions. But no one questions the long-standing practice of the 17 States I mentioned that use their own funds for abortions for low-income women. Now I understand that the anti-home-rule rider that some Members add to the DC appropriations bill are controversial. That's why we have a Federal union. There are some things we can do at the local level that you do not do in the Nation as a whole. We ought to have that respect for the residents of the District of Columbia just as we give that respect to every other jurisdiction.

This struggle continues now that the 2012 appropriation season has begun. The Appropriations Committee-approved bill includes only one DC rider, but that of course is one rider too many. However, it does show that there is some response to an expanded coalition that's been formed, and yes, to the civil disobedience and protest of the residents of the District of Columbia. More riders could still come on the House floor, but then more protests will come.

So great, though, is the continuing danger of interference with the District's right to govern itself that a national coalition of 100 organizations which, together have millions of members, has come forward with a weapon DC residents do not have. The national organizations have activated their members who live in congressional districts to warn Members of Congress that if they meddle in the affairs of the District of Columbia, their members will make it known throughout their districts. Most Members cast these votes almost anonymously. We know about them here in the Nation's capital, but it was hard to get word of them out. Now organizations are fanning out across the country telling on those, as we say, who meddle with the affairs of a local jurisdiction instead of attending to the affairs of their own district.

Nor has the District focused only on the Republicans. When it comes to local government, whoever makes a move is, as far as the residents of this city are concerned, subject to the same kind of protest. So hundreds of residents, just a few weeks ago, went to the White House and held a huge rally,

the largest yet. Thousands of people from throughout the country and from all over the world were there and saw unprecedented civil disobedience right at the White House to protest the fact that the President of the United States, who is strongly supported in this city, nevertheless signed the anti-home-rule 2011 budget deal. I believe that this indicates that the residents are acting in a principled manner, not in a political manner. And they are saying as clearly as they can that they will not surrender any part of the home rule it took them 128 years too long to get. Can you imagine that the Nation's capital, until only 38 years ago, did not have a local mayor or a local city council, and was run by three commissioners appointed by the President of the United States? That had a lot to do with Southern Democrats who got a hold of the "District Committee"—since abolished. Although the District was a majority white city until the 1960s, they kept the District from getting home rule and voting rights because there were a sizeable number of African Americans in this city. That's just how deep this went. Republicans have taken over the role, not because of race, but entirely because of politics. Whichever way you cut it, they take away our rights. And when you don't have your rights, you see no difference. You don't ask the motive. All you know is everybody else has their rights, and you are an American citizen and you are entitled to the very same rights. You raised the funds. You and your local jurisdiction, you alone, get to say how those funds will be spent.

□ 1510

The Congress of the United States finally ceded its power over the District of Columbia in 1973. It took the civil rights movement to get it done. Essentially it shamed the southern Democrats into finally giving the District home rule. Actually, protesters overthrew the South Carolina Democrat who was in charge of the District Committee, and when the District Committee lost that Democrat, there were enough Members of Congress who believed in democracy so that the District got home rule. The city makes its own decisions on virtually everything, until somebody in the Congress pops up and says, "That isn't in my ideological playbook, so you can't do it." As un-American as it gets.

Interestingly, many of the newest Members of Congress are among the most robust, the loudest, in making clear that they do not support Federal interference. I quote from the Republican Study Committee, which has a 10th Amendment task force, and I quote it as saying that the intent of the Republican majority's was "to usher in a new era of federalism and to disperse power from Washington back

to regions, States, local governments and individuals." How can people who have that principle now put the big foot of the Federal Government on the local government right here in their face, in defiance of their own professed principles? You can't have that principle as stated and not apply it right here as you vote on matters affecting the District of Columbia.

Remember that we're only talking about controversial issues: issues like marriage equality or reproductive choice or gun safety. These are controversial issues, but we allow people in local jurisdictions to vote one way or the other on how they want to handle these issues. Take their votes against DC needle exchange programs, for example, which have kept HIV/AIDS in large cities and small rural areas from being transmitted. What happened? DC got the highest HIV/AIDS rate in the United States. The DC needle exchange rider is an example of a rider that has killed people, that led to terrible suffering, that led to people getting HIV/AIDS. What did the people in the House of Representatives, in the Senate of the United States, have to do with the desire of the people of the District of Columbia to use the same weapons that are now used throughout the United States to control this terrible virus?

So those who want to dismantle our own self-government, our home rule, piece by piece, they should be prepared to fight and they better be prepared to fight where they live for they are now being targeted where they live, and not because, frankly, of these underlying issues that are very controversial but because of the overarching principle of self-government, and local self-government at that.

The first trial of the 74 residents who were arrested is going on right now. A number of those arrested paid a fine and chose not go to trial. Some of them are insisting on going to trial so that the point will never be lost. The first is an advisory neighborhood commissioner, Keith Silver. He pleaded not guilty on charges of unlawful assembly and disorderly conduct. He faces up to \$250 in fines and 90 days in jail. He would not be the first American. When I was a very young woman, I was a member of the Student Nonviolent Coordinating Committee, and going to jail seemed to us to be just about the right thing to do when we were denied our rights. Now the only Americans denied such basic rights, ironically, are right here in the Nation's Capital.

May I inquire of the remaining time? The SPEAKER pro tempore. The gentlewoman has 10 minutes remaining.

Ms. NORTON. Mr. Speaker, what has been most encouraging to us is that we now know we are not in this fight alone. Imagine having to fight against the almighty Congress when you are one jurisdiction, obviously without the

means to let the entire country understand what is happening, and so most Americans had no idea until the arrests took place. Just as the District has been fighting for a vote in the people's House, the House of Representatives, and over and over again we found that most Americans thought we had the vote. There has been a nationwide survey done, and it is very interesting. It shows that more than 60 percent of the American people are for voting rights for the District of Columbia, and that survey has been cut open so as to see whether there are differences as to where people live, north and south, whether people have served in the military or not, whether people go to church or not, and the encouraging thing to those of us who live in the District of Columbia is that no matter how you cut it, Americans believe that if you pay Federal income taxes, you ought to have a vote in this body.

Yes, I have a vote in committee. Yes, I can speak as I am now. Yes, I have every privilege of the House—except that privilege that created the Nation, the privilege to vote, to cast the final vote. But, I have gone to funerals of young men who died in Iraq and Afghanistan, yet I could not vote yea or nay on whether they should have been there in the first place. Surely, if the American people realized that, there would be shame cast on the Congress.

Now the District is struggling, not for the voting rights and statehood it deserves but for the home rule and self-government it already has. It is far too late in history for any Americans to be struggling for the right to govern themselves at the local level as they see fit and to spend the funds they raise at the local level in any way they choose. That, my friends, if you are looking to the Founders, you will find that that was for them a first principle.

And so other Americans have now come to our assistance, and the difference between them and the residents whom I represent is that they have that vote on the floor of this House while we do not. As Members voted to take away some of the local rights of the district I represent every Member of this body could vote on that matter

except the Member who represented the Nation's Capital that was the object of that vote.

□ 1520

You will not find any American anywhere who will say that that represents what they believe or what our country stands for. That is why every Member of this House has been sent or will be sent a letter, and I am reading from just one part of it, because this letter comes from the coalition of a hundred different national organizations: "Should lawmakers continue to advance attacks on the District of Columbia's autonomy, we will make certain that our members—in every District—know how their representatives are spending their time in Washington: meddling in the affairs of a local jurisdiction, the District of Columbia, rather than focusing on their own residents and on the Nation's true, pressing business."

I have spent my entire service in the Congress trying to rid the District appropriation of anti-home rule attachments. We were successful in clearing the DC appropriation bill of all of the anti-democratic attachments for the first time last Congress. We did not engage in that fight only to have them put right back on. We did not enjoy seeing Congress play shutdown chicken with the American people either, and Congress must not even think about shutting down a local government ever again over a Federal fight again.

During the civil rights movement we called our approach passive resistance to tell the world we were nonviolent. But that was all that was passive about us. The operative word was "resistance." Once we resisted, civil rights workers found we were not alone. Today, District residents are joined by allies who stand with us and are working with us. On this we have no doubt. The American people are with District residents when we say local laws are for local residents alone, and most especially when we insist that when it's our money, we mean ours and only ours.

The Nation's Capital should be the 51st State by now. The city's taxpaying citizens should at least have a vote in

Congress, the very Congress that demands that the citizens who live here abide by the laws that the Congress enacts.

DC residents and their local leaders are fighting with all they have. What they need most now, and what I am gratified that they are receiving, is the support of other Americans who do have the basic rights that the citizens of the Nation's Capital are still seeking. "Don't tread on DC."

RECESS

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

Accordingly (at 3 o'clock and 25 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1552

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WEST) at 3 o'clock and 52 minutes p.m.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BURTON of Indiana (at the request of Mr. CANTOR) for today on account of personal reasons.

Mr. COBLE (at the request of Mr. CANTOR) for today after noon on account of constituent appointments in the district.

Mr. ELLISON (at the request of Ms. PELOSI) for today.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 3 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until Monday, July 18, 2011, at noon for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the second quarter of 2011 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JENNIFER STEWART, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 26 AND MAY 30, 2011

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Jennifer Stewart .....	5/27	5/28	Belgium .....	.....	244.00	.....	( <sup>3</sup> )	.....	.....	.....	244.00
	5/28	5/29	Afghanistan .....	.....	28.00	.....	( <sup>3</sup> )	.....	.....	.....	28.00
	5/29	5/30	Estonia .....	.....	242.00	.....	( <sup>3</sup> )	.....	.....	.....	242.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JENNIFER STEWART, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 26 AND MAY 30, 2011—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Committee total											514.00

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Military air transportation.

Ms. JENNIFER M. STEWART, June 29, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2011

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Matthew McCabe	4/19	4/24	Russia		1,122.16		2,796.05				3,918.21
RETURNED PER DIEM	4/24	4/28	Israel		1,577.00						1,577.00
Thomas McDaniels	4/19	4/24	Russia		1,122.16		2,796.05				3,918.21
RETURNED PER DIEM	4/24	4/28	Israel		1,577.00						1,577.00
Hon. Cedric L. Richmond	4/26	4/27	Czech Republic		422.50		( <sup>3</sup> )				422.50
	4/27	4/29	Azerbaijan		530.68		( <sup>3</sup> )				530.68
	4/29	4/30	Afghanistan		28.00		( <sup>3</sup> )				28.00
	4/30	5/2	Georgia		506.72		( <sup>3</sup> )				506.72
Hon. Henry Cuellar	5/20	5/21	Mexico		297.52		4,645.08				942.60
Hon. Sheila Jackson Lee	5/16	5/18	Colombia		781.33		( <sup>3</sup> )				781.33
	5/18	5/20	Panama		366.00		956.80				1,322.80
Hon. Candice S. Miller	5/15	5/17	Ireland		915.30		( <sup>3</sup> )				915.30
	5/17	5/19	Austria		903.16						903.16
	5/19	5/21	Czech Republic		830.60						830.60
Monica Sanders	6/7	6/11	Hungary		623.74		1,994.80				2,618.54
RETURNED PER DIEM					(25.00)						(25.00)
Steven Giaier	6/7	6/11	Hungary		623.74		1,994.80				2,618.54
RETURNED PER DIEM					(127.00)						(127.00)
Rosaline Cohen	6/7	6/11	Hungary		623.74		1,830.90				2,454.64
Lauren Wenger	6/24	6/29	Ireland		1,621.51		1,866.80				3,488.31
RETURNED PER DIEM					(220.92)						(220.92)
Charles Snyder	6/24	6/29	Ireland		1,621.51		1,432.80				3,054.31
RETURNED PER DIEM					(120.92)						(120.92)
Committee total					14,598.93		16,314.08				30,913.01

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Military air transportation.  
<sup>4</sup> Returned by military air transportation.

Hon. PETER T. KING, Chairman, July 7, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2011

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

Hon. JEFF MILLER, Chairman, July 6, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HOUSE OF REPRESENTATIVES, JOINT COMMITTEE ON TAXATION, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2011

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

Hon. DAVE CAMP, Chairman, July 11, 2011.

EXECUTIVE COMMUNICATIONS, ETC.

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

2486. A letter from the Assistant Secretary, Department of Defense, transmitting a report entitled, "Report to Congress: Plan for

Coordinating National Guard and Federal Military Force Disaster Response", pursuant to Public Law 110-181, section 1814; to the Committee on Armed Services.

2487. A letter from the Secretary, Department of Energy, transmitting a determination that it is necessary in the public interest to procure additional services on a non-competitive basis from CH2MWG Idaho, LLC

(CWI) under an existing contract, pursuant to 41 U.S.C. 3304(a)(7); to the Committee on Energy and Commerce.

2488. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Program Evaluation Activities of the Department of Health and Human Services — Performance Improvement 2008", pursuant

to Section 241(b) of the Public Health Service (PHS) Act, as amended by the Preventive Health Amendments of 1993, summarizing the findings of the evaluations of PHS programs authorized under Section 241(a); to the Committee on Energy and Commerce.

2489. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Export Controls for High Performance Computers: Wassenaar Arrangement Agreement Implementation for ECCN 4A003 and Revisions to License Exception APP [Docket No.: 110210131-1317-01] (RIN: 0694-AF15) received June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2490. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007; to the Committee on Foreign Affairs.

2491. A letter from the Director, Office of Personnel Management, transmitting a report on the agencies' use of the Physicians' Comparability Allowance Program for fiscal year 2010, pursuant to 5 U.S.C. 5948(j)(1); to the Committee on Oversight and Government Reform.

2492. A letter from the Chairman, Broadcasting Board of Governors, transmitting the Broadcasting Board of Governors' 2010 Annual Report, pursuant to Section 305(a)(9) of the U.S. International Broadcasting Act of 1994, Pub. L. 103-236, pursuant to 22 U.S.C. 6204; to the Committee on Oversight and Government Reform.

2493. A letter from the Assistant Attorney General, Department of Justice, transmitting the Semiannual Management Report to Congress for October 1, 2010 through March 31, 2011, and the Inspector General's Semiannual Report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

2494. A letter from the Public Printer, Government Printing Office, transmitting a copy of the book "Keeping America Informed"; to the Committee on House Administration.

2495. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Increase for the Common Pool Fishery [Docket No.: 0910051338-0151-02] (RIN: 0648-XA429) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2496. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Reopening of Commercial Penaeid Shrimp Trawling Off South Carolina [Docket No.: 930792-3265] (RIN: 0648-XA431) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2497. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Clo-

sure of the Nantucket Lightship Access Area [Docket No.: 110502274-1275-01] (RIN: 0648-BB05) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2498. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Gag Grouper Management Measures [Docket No.: 110321211-0178-02] (RIN: 0648-BA94) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2499. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 100317152-0176-01] (RIN: 0648-XA393) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2500. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals: U.S. Navy Training in the Virginia Capes Range Complex and Jacksonville Range Complex [Docket No.: 110516281-1283-01] (RIN: 0648-BB03) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2501. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Retention Standard; Emergency Rule Extension [Docket No.: 101203602-0602-1] (RIN: 0648-BA29) received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2502. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30783; Admt. No. 3426] received June 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2503. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP Series Airplanes [Docket No.: FAA-2008-1098; Directorate Identifier 2008-NM-108-AD; Amendment 39-16532; AD 2010-24-13] (RIN: 2120-AA64) received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2504. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; British Aerospace Regional Aircraft Model HP.137 Jetstream Mk.1, Jetstream Series 200, Jetstream Series 3101, Jetstream Model 3201 Airplanes [Docket No.: FAA-2011-0230; Directorate Identifier 2011-CE-004-AD; Amendment 39-16994; AD 2011-11-01] (RIN: 2120-AA64) received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2505. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS350B, B1, B2, B3, BA, and EC130 B4 Helicopters [Docket No.: FAA-2010-1228; Directorate Identifier 2009-SW-12-AD; Amendment 39-16693; AD 2011-10-12] (RIN: 2120-AA64) received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2506. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A Model P-180 Airplanes [Docket No.: FAA-2011-0468; Directorate Identifier 2011-CE-013-AD; Amendment 39-16697; AD 2011-10-16] (RIN: 2120-AA64) received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2507. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Model 382, 382B, 382E, 382F, and 382G Airplanes [Docket No.: FAA-2009-1228; Directorate Identifier 2009-NM-015-AD; Amendment 39-16666; AD 2011-09-04] (RIN: 2120-AA64) received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2508. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Model AB412 Helicopters [Docket No.: FAA-2011-0452; Directorate Identifier 2008-SW-27-AD; Amendment 39-16692; AD 2011-10-11] (RIN: 2120-AA64) received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2509. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 737-300, -400, and -500 Series Airplanes [Docket No.: FAA-2011-0348; Directorate Identifier 2011-NM-069-AD; Amendment 39-16701; AD 2011-08-51] (RIN: 2120-AA64) received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2510. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model DHC-8-400 Series Airplanes [Docket No.: FAA-2011-0043; Directorate Identifier 2010-NM-192-AD; Amendment 39-16700; AD 2011-11-02] (RIN: 2120-AA64) received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2511. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 747-400, 747-400D, and 747-400F Series Airplanes Equipped with General Electric CF6-80C2 or Pratt & Whitney PW4000 Series Engines [Docket No.: FAA-2010-0706; Directorate Identifier 2010-NM-064-AD; Amendment 39-16683; AD 2011-10-02] (RIN: 2120-AA64) received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2512. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Reimbursement Offsets for Medical Care or Services (RIN: 2900-AN55) received

June 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2513. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Group Health Plans and Health Insurance Issuers: Rules Relating to Internal Claims and Appeals and External Review Processes [TD 9532] (RIN: 1545-BK30) received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2514. A letter from the Commissioner, Social Security Administration, transmitting a report on Supplemental Security Income (SSI) non-medical redeterminations, pursuant to Public Law 111-8; to the Committee on Ways and Means.

2515. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting the Commission's 2010 Annual Report on operations under the War Claims Act of 1948, as amended, pursuant to 50 U.S.C. app. 2008 and 22 U.S.C. 1622a; jointly to the Committees on Foreign Affairs and the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CRENSHAW: Committee on Appropriations. H.R. 2551. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112-148). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BOREN (for himself and Mr. JONES):

H.R. 2550. A bill to amend title 38, United States Code, to provide for the transfer of entitlement to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs by deceased members of the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. GOODLATTE (for himself and Mr. SCHIFF):

H.R. 2552. A bill to amend title 18, United States Code, to change the state of mind requirement for certain identity theft offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. MICA (for himself, Mr. CAMP, and Mr. PETRI):

H.R. 2553. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mr. CUMMINGS, Mrs. MCCARTHY of New

York, Mr. CONYERS, Mr. TIERNEY, Mr. CONNOLLY of Virginia, Ms. CHU, Ms. NORTON, Mr. RANGEL, Mr. MORAN, Mr. LYNCH, Ms. SPEIER, Mr. FILNER, Mr. ACKERMAN, Mr. FARR, and Mr. QUIGLEY):

H.R. 2554. A bill to prohibit firearms trafficking; to the Committee on the Judiciary.

By Mr. TURNER (for himself, Mr. CARNAHAN, Mr. LANGEVIN, Ms. RICHARDSON, Mr. TONKO, Mr. BISHOP of Utah, Mrs. CHRISTENSEN, Mr. HOLT, Mr. BLUMENAUER, Mr. COHEN, Mr. LOEBSACK, Mr. MCGOVERN, Mr. CAPUANO, and Mr. CICCILLINE):

H.R. 2555. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the rehabilitation of older buildings, including owner-occupied residences; to the Committee on Ways and Means.

By Mr. RYAN of Ohio (for himself and Mr. JOHNSON of Ohio):

H.R. 2556. A bill to suspend the issuance of visas to nationals of Brazil until such time as Brazil amends its laws to remove the prohibition on extradition of nationals of Brazil to other countries; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. WOLF, Mr. HOLDEN, and Mr. GIBSON):

H.R. 2557. A bill to provide for the establishment of the Tick-Borne Diseases Advisory Committee; to the Committee on Energy and Commerce.

By Mr. CICCILLINE (for himself, Mr. LANGEVIN, and Mr. ENGEL):

H.R. 2558. A bill to modify the definition of children's hospital for purposes of making payments to children's hospitals that operate graduate medical education programs; to the Committee on Energy and Commerce.

By Mr. DEUTCH (for himself, Mr. ISRAEL, Mr. SMITH of Washington, Ms. RICHARDSON, Ms. BERKLEY, Mr. REYES, Mr. JACKSON of Illinois, Mr. MCGOVERN, Ms. WILSON of Florida, Mrs. DAVIS of California, Mr. ENGEL, Ms. SLAUGHTER, Ms. HIRONO, Mr. HASTINGS of Florida, and Mr. ROONEY):

H.R. 2559. A bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CHAFFETZ (for himself, Mr. MULVANEY, Mr. RIBBLE, Mr. JORDAN, Mr. PENCE, Mr. GRAVES of Georgia, Mr. RIGELL, Mrs. MCMORRIS RODGERS, Mr. HENSARLING, Mr. MCKINLEY, Mr. STIVERS, Mr. BROOKS, Mr. ROSS of Florida, Mr. CULBERSON, Mr. HUIZENGA of Michigan, Mr. HUNTER, Mr. LAMBORN, Mrs. MYRICK, Mr. PITTS, Mr. HULTGREN, Mr. BENISHEK, Mr. WEST, Mr. HARPER, Mrs. BLACKBURN, Ms. JENKINS, Mr. ROKITA, Mr. GOWDY, Mr. WOMACK, Mr. TIPTON, Mr. SCHWEIKERT, Mr. WALSH of Illinois, Mr. WALBERG, Mr. NUNNELEE, Mr. STUTZMAN, Mr. FLORES, Mr. BUCSHON, Mr. GIBBS, Mr. FLAKE, Mr. SOUTHERLAND, Mr. SCOTT of South Carolina, Mr. PRICE of Georgia, Mr. GOODLATTE, Mr. ROSKAM, Mr. CAMP, Mr. AMASH, Mr. HUELSKAMP, Mrs. HARTZLER, Mr. ROONEY, Mr. REED, Mr. DAVIS of Kentucky, Mr. RENACCI, Mr. MCCLINTOCK, Mr. BOUSTANY, Mr. WILSON of South Carolina, Mrs. ELLMERS, Mr. GOSAR, Mr. AKIN, Mr. QUAYLE, Mr. WOODALL, Mr. WEBSTER,

Mr. HARRIS, Mr. LANDRY, Mr. LONG, Mr. NEUGEBAUER, Mr. BISHOP of Utah, Mr. HERGER, Mr. LUETKEMEYER, Mr. MCCOTTER, Mr. SCHILLING, Ms. GRANGER, Mr. AUSTRIA, Mr. JOHNSON of Ohio, Mr. BURTON of Indiana, Mr. AUSTIN SCOTT of Georgia, Mr. BACHUS, Mr. GINGREY of Georgia, Mr. YODER, Mr. LATHAM, Mrs. ADAMS, Mr. FRANKS of Arizona, Mr. PALAZZO, Mr. ISSA, Mr. NUGENT, Mr. POMPEO, Mrs. BLACK, Mr. GRIFFIN of Arkansas, Mr. GARRETT, and Mr. KELLY):

H.R. 2560. A bill to cut, cap, and balance the Federal budget; to the Committee on the Budget, and in addition to the Committees on Rules, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR:

H.R. 2561. A bill to designate the facility of the United States Postal Service located at 1 Warrior Drive in Tuba City, Arizona, as the "Lori Piestewa Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. GOSAR (for himself, Mr. FLAKE, and Mr. PEARCE):

H.R. 2562. A bill to direct the Secretary of Agriculture to take immediate action to recover ecologically and economically from a catastrophic wildfire in the States of Arizona and New Mexico, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HALL (for himself, Mr. SAM JOHNSON of Texas, Mr. COBLE, Mr. CONYERS, and Mr. DINGELL):

H.R. 2563. A bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund that Wall of Remembrance; to the Committee on Natural Resources.

By Mr. KING of New York (for himself, Ms. BALDWIN, Ms. SCHAKOWSKY, Mr. HASTINGS of Florida, Mr. HINCHHEY, Mr. STARK, and Mrs. MILLER of Michigan):

H.R. 2564. A bill to better protect, serve, and advance the rights of victims of elder abuse and exploitation by establishing a program to encourage States and other qualified entities to create jobs designed to hold offenders accountable, enhance the capacity of the justice system to investigate, pursue, and prosecute elder abuse cases, identify existing resources to leverage to the extent possible, and assure data collection, research, and evaluation to promote the efficacy and efficiency of the activities described in this Act; to the Committee on the Judiciary.

By Mr. LOEBSACK (for himself and Mr. PAYNE):

H.R. 2565. A bill to amend the Elementary and Secondary Education Act of 1965 to foster community involvement, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MARKEY (for himself and Mr. HOLT):

H.R. 2566. A bill to amend the Outer Continental Shelf Lands Act to direct the Secretary of the Interior to establish and collect fees for inspections of Outer Continental Shelf facilities, and for other purposes; to the Committee on Natural Resources.

By Mr. PIERLUISI (for himself, Ms. JACKSON LEE of Texas, Mr. SCOTT of Virginia, Mr. NADLER, Mr. COHEN, Mr. JOHNSON of Georgia, Ms. LINDA T. SÁNCHEZ of California, Mr. TOWNS, Ms. NORTON, Mr. FARR, Mr. GENE GREEN of Texas, Ms. WOOLSEY, Mr. DAVIS of Illinois, Ms. DEGETTE, Ms. LEE of California, Mr. MCGOVERN, Mr. REYES, Mr. BACA, Mr. GRJALVA, Ms. MOORE, and Mr. POLIS):

H.R. 2567. A bill to amend title 18, United States Code, to provide for deferred sentencing and the possibility of dismissal for drug offenders, and for other purposes; to the Committee on the Judiciary.

By Mr. POSEY (for himself, Mr. MEEKS, and Mr. DIAZ-BALART):

H.R. 2568. A bill to prevent the Secretary of the Treasury from expanding United States bank reporting requirements with respect to interest on deposits paid to nonresident aliens; to the Committee on Ways and Means.

By Mr. ROSKAM (for himself and Mr. KIND):

H.R. 2569. A bill to make the Internal Revenue Service Free File Program permanent; to the Committee on Ways and Means.

By Mr. SCHILLING (for himself and Mr. LOEBACK):

H.R. 2570. A bill to amend title 10, United States Code, to provide for the permanent and expanded authority for Army industrial facilities to enter into certain cooperative arrangements with non-Army entities; to the Committee on Armed Services.

By Mr. SCHOCK (for himself and Mr. QUIGLEY):

H.R. 2571. A bill to provide the Director of the Congressional Research Service with the authority to obtain information directly from agencies of the Federal government; to the Committee on House Administration.

By Mr. SENSENBRENNER (for himself and Mr. QUIGLEY):

H.R. 2572. A bill to amend title 18, United States Code, to deter public corruption, and for other purposes; to the Committee on the Judiciary.

By Ms. ROS-LEHTINEN (for herself, Mr. MANZULLO, Mr. FALOMAVAEGA, Mr. ROYCE, Mr. GALLEGLY, Mr. KING of New York, Mr. BURTON of Indiana, Mr. CHABOT, Mr. RIVERA, Mrs. ELLMERS, Mr. MCCOTTER, Mr. POE of Texas, Mr. CRAVAACK, Mr. JOHNSON of Ohio, Mrs. SCHMIDT, Mr. COBLE, Mr. MILLER of Florida, Mr. FORBES, Ms. BORDALLO, Mr. SABLÁN, Mr. PIERLUISI, Mr. PAYNE, Mr. ENGEL, Ms. HIRONO, Ms. HANABUSA, Mr. BACA, and Mr. KELLY):

H. Res. 352. A resolution calling for a peaceful and collaborative resolution of maritime territorial disputes in the South China Sea and its environs and other maritime areas adjacent to the East Asian mainland; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia (for himself, Mr. PAYNE, Mr. RANGEL, Ms. SPEIER, Mr. SABLÁN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FALOMAVAEGA, Mr. CONYERS, Ms. LEE of California, Mr. SCHIFF, Mr. GRJALVA, Mr. ELLISON, Mr. BISHOP of Georgia, Ms. DEGETTE, Ms. WILSON of Florida, Ms. JACKSON LEE of Texas, Mr. FILNER, and Mr. CARSON of Indiana):

H. Res. 353. A resolution expressing the sense of the House of Representatives on Nelson Mandela International Day; to the Committee on Foreign Affairs.

By Mr. MATHESON (for himself and Ms. BERKLEY):

H. Res. 354. A resolution congratulating the staff, community, and patrons of the Utah Shakespeare Festival on the festival's 50th anniversary; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BOREN:

H.R. 2550. Congress has the power to enact this legislation pursuant to the following: Section 8 of Article I of the Constitution.

By Mr. CRENSHAW:

H.R. 2551. Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. GOODLATTE:

H.R. 2552. Congress has the power to enact this legislation pursuant to the following: The United States Constitution Article 1 Clause 8.

By Mr. MICA:

H.R. 2553. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8 of the United States Constitution, specifically Clause 1, Clause 3, and Clause 18.

By Mrs. MALONEY:

H.R. 2554. Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which reads: The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. TURNER:

H.R. 2555. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, U.S. Constitution

By Mr. RYAN of Ohio:

H.R. 2556. Congress has the power to enact this legislation pursuant to the following:

The above mentioned legislation is based upon the following Section 8 statement:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SMITH of New Jersey:

H.R. 2557.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under Article I, Section 8, Clause 1 of the Constitution.

By Mr. CICILLINE:

H.R. 2558.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DEUTCH:

H.R. 2559.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CHAFFETZ:

H.R. 2560.

Congress has the power to enact this legislation pursuant to the following:

clause 1 of section 8 of article I; and article V of the United States Constitution.

By Mr. GOSAR:

H.R. 2561.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 of the United States Constitution, known as the Postal Clause, empowers Congress:

To establish Post Offices and post Roads.

Article I, Section 8, Clause 7. In addition, Article IV, Section 3, Clause 2, provides:

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

The Postal Clause, an express Constitutional duty imposed upon Congress, carries with it the right to establish post offices, and with that right, is the concomitant right to operate, name, design, refurbish, and staff such post offices. This bill simply seeks to name a post office. The Property Clause further buttresses the plenary right of Congress to manage its properties, including implementing "needful" rules and regulations, which would include the ability to name a federal building.

Though not of constitutional import, it is important to note that this bill does not name a post office after a living person. The person to be honored by this bill died during combat operations in service to her country. Thus, the unseemly practice of naming federal properties after living persons is not implicated herein.

By Mr. GOSAR:

H.R. 2562.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Currently, the federal government possesses approximately 1.8 billion acres of

land. The land at issue in this bill is but a small part of those holdings. The U.S. Constitution specifically addresses the relationship of the federal government to lands. Article IV, §3, Clause 2—the Property Clause—gives Congress plenary power and full authority over federal property. The U.S. Supreme Court has described Congress's power to legislate under this Clause as "without limitation." Because of this express Constitutional authority, Congress has the right, if not the duty, to properly manage its public lands, including establishing forestation policies, and tree harvesting and tree salvaging. This bill falls squarely within the express Constitutional power set forth in the Property Clause.

By Mr. HALL:

H.R. 2563.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, as enumerated in Article IV, Section 3, Clause 2 of the United States Constitution.

By Mr. KING of New York:

H.R. 2564.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. LOEBSACK:

H.R. 2565.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mr. MARKEY:

H.R. 2566.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. PIERLUISI:

H.R. 2567.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution, and to make all laws which shall be necessary and proper for carrying into execution such power as enumerated in Article I, Section 8, Clause 18 of the Constitution.

By Mr. POSEY:

H.R. 2568.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

The 16th Amendment to the United States Constitution

By Mr. ROSKAM:

H.R. 2569.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, which states "The Congress shall have Power To lay and collect Taxes," and Article I, Section 7, which states "All Bills for raising Revenue shall originate in the House of Representatives."

By Mr. SCHILLING:

H.R. 2570.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years.

By Mr. SCHOCK:

H.R. 2571.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, and Amendment X of the United States Constitution.

By Mr. SENSENBRENNER:

H.R. 2572.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, of the Constitution

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. BOREN.

H.R. 139: Mr. WELCH, Mr. QUIGLEY, and Mr. LANGEVIN.

H.R. 178: Mr. HEINRICH.

H.R. 181: Mr. HEINRICH, Mr. ROSS of Arkansas, and Mr. MARINO.

H.R. 365: Mr. REED.

H.R. 436: Mr. BENISHEK, Mr. GRIMM, Mr. FORBES, and Mr. HUELSKAMP.

H.R. 440: Mrs. MILLER of Michigan and Mr. CONNOLLY of Virginia.

H.R. 451: Mr. HULTGREN, Mr. ROE of Tennessee, and Mr. CONNOLLY of Virginia.

H.R. 458: Mr. PRICE of North Carolina.

H.R. 605: Mr. FINCHER.

H.R. 607: Mrs. MALONEY.

H.R. 656: Mr. LEWIS of Georgia.

H.R. 674: Ms. BUERKLE, Mr. LAMBORN, Mr. YOUNG of Indiana, and Mrs. MILLER of Michigan.

H.R. 721: Mr. HINCHEY, Mr. HIGGINS, Mr. TOWNS, and Mrs. CAPITO.

H.R. 735: Mr. ROE of Tennessee.

H.R. 751: Mr. CARNAHAN and Ms. HANABUSA.

H.R. 831: Ms. MCCOLLUM and Mr. RYAN of Ohio.

H.R. 873: Ms. JACKSON LEE of Texas.

H.R. 886: Mr. DESJARLAIS, Mr. YOUNG of Alaska, Mrs. NAPOLITANO, Ms. RICHARDSON, Mr. ADERHOLT, Mr. DOLD, and Mr. LUETKEMEYER.

H.R. 942: Mr. FILNER and Mr. MANZULLO.

H.R. 951: Mr. HULTGREN and Mr. TURNER.

H.R. 973: Mr. SIMPSON.

H.R. 1044: Mr. CLARKE of Michigan.

H.R. 1093: Mr. HALL, Mr. GENE GREEN of Texas, and Mr. DANIEL E. LUNGREN of California.

H.R. 1171: Ms. WOOLSEY and Mr. MICHAUD.

H.R. 1173: Mr. RYAN of Wisconsin.

H.R. 1206: Mr. ALEXANDER, Mr. RYAN of Wisconsin, and Mrs. CAPITO.

H.R. 1234: Mr. KEATING.

H.R. 1244: Mr. COURTNEY and Mr. NEAL.

H.R. 1297: Mrs. MYRICK.

H.R. 1351: Mr. NEAL, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. DINGELL, and Mr. DOGGETT.

H.R. 1358: Mr. WESTMORELAND and Mr. FORBES.

H.R. 1366: Mr. SCHILLING.

H.R. 1370: Mr. LATHAM.

H.R. 1375: Mr. MILLER of North Carolina, Ms. JACKSON LEE of Texas, Mr. NADLER, Mr. CARNAHAN, Mr. CUMMINGS, Mr. SCOTT of Virginia, Mr. GUTIERREZ, and Ms. HANABUSA.

H.R. 1397: Mr. DAVIS of Illinois.

H.R. 1416: Mr. CARNAHAN.

H.R. 1456: Mrs. MALONEY.

H.R. 1499: Mr. WALBERG and Mr. LONG.

H.R. 1506: Mr. HONDA.

H.R. 1527: Mr. BERG.

H.R. 1533: Mrs. MILLER of Michigan.

H.R. 1537: Mr. GARAMENDI, Mr. KEATING, Ms. WILSON of Florida, and Mr. CLARKE of Michigan.

H.R. 1548: Mr. CLARKE of Michigan.

H.R. 1558: Mr. KING of Iowa and Mrs. BACHMANN.

H.R. 1585: Mr. COLE.

H.R. 1588: Mr. AUSTIN SCOTT of Georgia.

H.R. 1591: Mrs. MILLER of Michigan.

H.R. 1687: Mr. DOLD and Ms. SCHWARTZ.

H.R. 1697: Mr. MARCHANT.

H.R. 1724: Mr. GARAMENDI, Ms. ESHOO, and Ms. PINGREE of Maine.

H.R. 1744: Mr. HUIZENGA of Michigan, Mr. BOREN, Mr. BASS of New Hampshire, Mrs. MCMORRIS RODGERS, and Mr. WILSON of South Carolina.

H.R. 1755: Mr. REHBERG.

H.R. 1775: Mrs. SCHMIDT.

H.R. 1776: Ms. PINGREE of Maine.

H.R. 1789: Mr. HOLDEN and Mr. HEINRICH.

H.R. 1802: Mr. COBLE and Mr. PAUL.

H.R. 1974: Mr. WALDEN.

H.R. 1980: Mr. PLATTS.

H.R. 1981: Mr. SCHIFF and Mr. CALVERT.

H.R. 2010: Mr. PLATTS.

H.R. 2032: Mr. FORBES, Mr. ROGERS of Kentucky, Mr. LATHAM, and Mr. CONAWAY.

H.R. 2033: Mr. COURTNEY and Mr. HUNTER.

H.R. 2040: Mr. SAM JOHNSON of Texas.

H.R. 2054: Mr. HARPER.

H.R. 2076: Mr. CHAFFETZ.

H.R. 2077: Mrs. BLACK and Mr. BOREN.

H.R. 2085: Mr. CONNOLLY of Virginia.

H.R. 2088: Mr. BISHOP of New York.

H.R. 2159: Mr. CONNOLLY of Virginia.

H.R. 2182: Mrs. MYRICK.

H.R. 2193: Mr. SCOTT of Virginia.

H.R. 2195: Mr. SMITH of Washington and Mrs. EMERSON.

H.R. 2198: Mr. HULTGREN and Mr. PETRI.

H.R. 2230: Mr. KING of New York.

H.R. 2236: Mr. GARAMENDI and Mr. WITTMANN.

H.R. 2246: Mr. JOHNSON of Ohio.

H.R. 2247: Mr. INSLIE.

H.R. 2248: Ms. WOOLSEY, Mr. HONDA, Mr. HIGGINS, and Mr. CONYERS.

H.R. 2250: Mr. JOHNSON of Ohio, Mr. CARDOZA, Mr. DUNCAN of Tennessee, Mr. HUIZENGA of Michigan, Mr. DAVID SCOTT of Georgia, Mr. CASSIDY, Mr. GOWDY, and Mr. PETERSON.

H.R. 2288: Mr. MURPHY of Connecticut.

H.R. 2299: Mr. HALL.

H.R. 2313: Mr. FORBES.

H.R. 2362: Ms. FOX, Mr. WHITFIELD, Mr. STIVERS, and Mr. CONNOLLY of Virginia.

H.R. 2402: Mr. FLORES and Mr. LANKFORD.

H.R. 2407: Mr. HIGGINS.

H.R. 2418: Mr. STUTZMAN.

H.R. 2426: Mr. AKIN, Mrs. BACHMANN, Mr. BARLETTA, Mr. BARTON of Texas, Mr. BASS of New Hampshire, Mr. BERG, Mrs. BIGBERT, Mr. BILBRAY, Mr. BOUSTANY, Mr. BUCHANAN, Mr. BUCHSON, Mr. CALVERT, Mrs. CAPITO, Mr. CHABOT, Mr. COBLE, Mr. COLE, Mr. CRAVAACK, Mr. CRAWFORD, Mr. DUNCAN of South Carolina, Mrs. ELLMERS, Mrs. EMERSON, Mr. FARENTHOLD, Mr. FINCHER, Mr. FLEISCHMANN, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GRAVES of Missouri, Mr. GRIFFIN of Arkansas, Mr. GUINTA, Mr. GUTHRIE, Mr. HALL, Mr. HECK, Mr. HERGER, Mr. HUIZENGA of Michigan, Mr. HUNTER, Mr. SAM JOHNSON of Texas, Mr. KING of New York, Mr. LABRADOR, Mr. LANKFORD, Mr. LATOURETTE, Mr. LEWIS of California, Mr. LUETKEMEYER, Mr.



MACK, Mr. MARINO, Mr. MCCOTTER, Mr. MCKEON, Mrs. MCMORRIS RODGERS, Mr. MILLER of Florida, Mr. MULVANEY, Mr. PEARCE, Mr. PENCE, Mr. POE of Texas, Mr. REHBERG, Mr. ROGERS of Alabama, Mr. ROKITA, Mr. ROSKAM, Mr. RUNYAN, Mr. SCHILLING, Mrs. SCHMIDT, Mr. STUTZMAN, Mr. SULLIVAN, Mr. TERRY, Mr. TIPTON, Mr. WEST, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. YODER, and Mr. YOUNG of Alaska.

H.R. 2431: Mr. AL GREEN of Texas.

H.R. 2447: Mr. JONES.

H.R. 2483: Mr. FLORES.

H.R. 2492: Mr. MORAN and Mr. JONES.

H.R. 2493: Mr. PAYNE.

H.R. 2505: Mr. JONES and Ms. SPEIER.

H.R. 2534: Mr. DUNCAN of South Carolina,

Mr. MCKINLEY, Mr. FARENTHOLD, Mr. DESJARLAIS, Mr. LABRADOR, Mr. FITZPATRICK, Mr. ROSS of Florida, Mr. SCOTT of South Carolina, Mr. WILSON of South Carolina, Mr. HULTGREN, Mr. QUAYLE, Mr. LANKFORD, and Mr. LANDRY.

H.R. 2541: Mr. SIMPSON.

H.R. 2543: Ms. SCHAKOWSKY, Mr. ACKERMAN, and Mr. QUIGLEY.

H.R. 2544: Ms. WOOLSEY, Mr. McDERMOTT, Mr. YARMUTH, Mr. HOLT, Mr. STARK, Mr. COHEN, Ms. CLARKE of New York, Ms.

EDWARDS, Mr. MCGOVERN, Mr. FARR, and Ms. SCHAKOWSKY.

H.J. Res. 56: Mr. WEST.

H. Con. Res. 21: Mr. SHIMKUS, Mr. KINZINGER of Illinois, and Ms. SCHWARTZ.

H. Con. Res. 39: Mr. HECK and Mr. ROTHMAN of New Jersey.

H. Con. Res. 64: Mr. HOLT and Mr. MURPHY of Connecticut.

H. Res. 41: Ms. BASS of California, Mr. SCOTT of Virginia, and Mr. LEWIS of Georgia.

H. Res. 98: Mr. NUNES.

H. Res. 134: Mr. WEST.

H. Res. 177: Mr. ROTHMAN of New Jersey.

H. Res. 214: Mr. CALVERT.

H. Res. 253: Mr. BURTON of Indiana, Mr. MANZULLO, and Mr. POSEY.

H. Res. 295: Mr. THOMPSON of California.

H. Res. 304: Mr. BILIRAKIS and Mrs. MCCARTHY of New York.

H. Res. 319: Mr. KUCINICH.

#### DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 2, July 14, 2011, by Mr. LOUIE GOHMERT on H.R. 1297, was signed by the

following Members: Louie Gohmert, Michael C. Burgess, Steve King, Bill Posey, Sue Wilkins Myrick, André Carson, Trent Franks, Mike Pence, and Tim Scott.

#### DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 1 by Mr. CRITZ on House Resolution 310: Stephen F. Lynch, Raúl M. Grijalva, Jim Costa, Alcee L. Hastings, David Scott, John Lewis, Bob Filner, Ed Perlmutter, Nydia M. Velázquez, William R. Keating, Barbara Lee, John Garamendi, Chellie Pingree, Gwen Moore, Sam Farr, Peter Welch, Dennis A. Cardoza, Bennie G. Thompson, Jay Inslee, Brad Miller, Edward J. Markey, Joseph Crowley, José E. Serrano, Maxine Waters, Richard E. Neal, Cedric L. Richmond, Dennis J. Kucinich, Mike Thompson, Melvin L. Watt, David Wu, Fortney Pete Stark, Earl Blumenauer, and David E. Price.

## EXTENSIONS OF REMARKS

### SUPPORT REUNIFICATION OF CYPRUS

#### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 15, 2011

Mr. TOWNS. Mr. Speaker, I rise today to urge this Administration to join in the efforts to reach a reunification agreement on the island of Cyprus.

For many years, international organizations have been engaged in the efforts to bring about a negotiated compromise to the dispute in Cyprus and a reunification of the island. These negotiations have been focused around coming to a solution which benefits both Cypriot communities.

On July 7, 2011, the Greek Cypriot and Turkish Cypriot leaders met with UN Secretary General Ban Ki-moon in Geneva in a new effort to reach a deal on reunification. Secretary Ban Ki-moon is pushing both sides to come to an agreement before Cyprus takes up a steering role in the European Union. This was the third round of three-way talks that Secretary Ban Ki-moon has held with Cyprus Leader Demetris Christofias and Turkish Cypriot leader Dervis Eroglu.

I stand today to ask the Administration to take an active role to bring about a solution that would benefit both Cypriot communities. This ongoing disagreement is not helpful and reunification of Cyprus will only benefit the world community.

Assistant Secretary of State for European and Eurasian Affairs, Philip Gordon, testified that "resolution of the Cyprus problem will have a tremendous impact on the region by strengthening peace, justice, and prosperity on the island, advancing Turkey's European Union accession, improving NATO-EU cooperation and removing a source of friction between two NATO Allies, Greece and Turkey."

I wholeheartedly agree and urge the Administration to take action to ensure that an accord is achieved that would lead to an independent government with both Greek and Turkish Cypriot governmental engagement.

### RETIREMENT OF NERISSA BRETANIA-UNDERWOOD, PH.D., FROM THE GUAM DEPARTMENT OF EDUCATION

#### HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, July 15, 2011

Ms. BORDALLO. Mr. Speaker, I rise today to recognize Nerissa Bretania-Underwood, PhD., for her extensive years of educational leadership on Guam. Dr. Bretania-Underwood

is retiring from her career as the Superintendent for the Guam Department of Education (GDOE) after over 30 years of service to our island's education system.

Dr. Underwood was raised in the southern villages of Agat and Santa Rita, Guam. She received her Bachelor of Arts degree in Education, with a double major in Elementary and Special Education, from the University of Guam in 1981. After gaining teaching experience as a special education teacher at Harry S. Truman Elementary School, she became a consulting resource teacher for the GDOE's Division of Special Education. In 1985, she earned a Master of Science in Education, from the University of Oregon in Eugene, Oregon, specializing in the implications of special education placement in Guam. Shortly thereafter, in 1989, the University of Oregon conferred a Doctor of Philosophy in Education degree on Dr. Nerissa Underwood.

Dr. Underwood returned to Guam in 1990 to become an assistant professor at the University of Guam and the program evaluator for GDOE's Division of Special Education. In 1993, she was named Administrator for GDOE's Research, Planning and Evaluation Division, which provides data on the condition of Guam's education system to local educators and policy makers. In 2003, Dr. Bretania-Underwood served as Interim Superintendent for GDOE, and in 2007, she was named the Assistant Superintendent of Special Education. In 2008, Dr. Bretania-Underwood assumed the position of Superintendent of Guam's public education system. As the superintendent of Guam's public school system, Dr. Underwood worked to address structural management issues facing GDOE. She made significant progress to improve financial accountability within the school system, and I recognize her efforts to utilize Recovery Act Funds to improve the quality of education and school facilities on Guam.

Dr. Nerissa Underwood is married to Dr. Robert A. Underwood, the President of the University of Guam and former Guam Congressman. She is blessed with three children: Christopher, Gerecka, and Mike; and nine grandchildren. Throughout the years, Dr. Underwood has been active in many community and non-profit organizations, such as the Filipino Community of Guam, Iloilo Association of Guam, the American Red Cross, the Guam Humanities Council, the St. Paul Christian School Board, and the Guam Women's Club. She has contributed and devoted much of her knowledge and talents toward improving the quality of life for everyone who calls Guam home.

Today, I join the people of Guam in extending a sincere Un dangkulo Na Si Yu'os Ma'ase to Dr. Nerissa Bretania-Underwood for her over 30 years of dedicated service to our island's children and public school system.

### IN OPPOSITION TO THE PRESIDENT'S NOMINATION OF MATHEW OLSEN TO LEAD THE NATIONAL COUNTERTERRORISM CENTER

#### HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 15, 2011

Mr. WOLF. Mr. Speaker, I submit a letter I sent to Senate Select Committee on Intelligence Chairman DIANNE FEINSTEIN opposing the President's nomination of Mr. Matthew Olsen to lead the National Counterterrorism Center.

HOUSE OF REPRESENTATIVES,

July 14, 2011.

Hon. DIANNE FEINSTEIN,  
Chairman, Senate Select Committee on Intelligence, Hart Senate Office Building, Washington, DC.

DEAR SENATOR FEINSTEIN: I write in opposition to Mr. Matthew Olsen's nomination to serve as director of the National Counterterrorism Center (NCTC), which is located in my congressional district. I believe Mr. Olsen exercised questionable judgment and made misleading statements while serving as the special counselor to the attorney general and executive director of the Obama Administration's Guantanamo Review Task Force, where he led the interagency process to implement the president's executive order that led to the release of a number of dangerous terrorist detainees held at the Guantanamo Bay Naval Base. Dozens of high risk terrorist detainees recommended for release by the task force led by Mr. Olsen were released abroad to dangerously unstable countries, including Yemen, Somalia and Afghanistan.

As then-ranking member and now chairman of the House Commerce-Justice-Science Appropriations subcommittee—which funds the Justice Department, Federal Bureau of Investigations, Bureau of Prisons, U.S. Marshals Service and which helped fund the NCTC's predecessor, the Terrorist Threat Integration Center—I was disturbed by decisions and statements made by Mr. Olsen in 2009 while he led the task force. These concerns have deepened based on new information that has come to light in recent articles from Newsweek, The Washington Post, The National Journal and The Weekly Standard. These reports have raised troubling questions about Mr. Olsen's leadership of the task force and his actions in response to White House influence.

Additionally, my personal interactions with Mr. Olsen, as well as these subsequent news reports, lead me to conclude that he was not forthright with the Congress and may have changed detainee assessments under political pressure from administration officials. I believe these are troubling concerns which deserve a thorough investigation and should give the Senate serious pause as it considers who should lead the NCTC. I have visited the NCTC on several occasions and have met with a number of its former directors, as well as the former and current directors of National Intelligence. I have seen

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

firsthand the critical work that is done by the center and fully understand the need for an independent, capable and principled director to lead the operation.

There are three concerns that have led me to oppose Mr. Olsen's nomination. First, it is clear to me that in order to achieve the president's promise to close Guantanamo Bay during his first year in office, Mr. Olsen may have been susceptible to the immense political pressure placed on the interagency task force to re-classify detainee threat levels. Second, it has become clear that Mr. Olsen's task force may have altered some detainee assessments—overturning Department of Defense assessments—in order to clear and expedite the release of a large number of detainees. Third, I have recently learned that Mr. Olsen was not forthright with me and my staff about the effort to release a number of Uighur detainees to northern Virginia in 2009. Attached is a white paper that addresses these concerns in greater detail.

Leading the NCTC is a serious responsibility and requires a director that is exceptionally experienced, forthcoming, trustworthy and has good judgment. The analyses and recommendations provided by the NCTC have direct bearing on the safety of the American people. The director must be able to withstand political pressure from all sides, facilitate the complete and straightforward sharing of information and ensure unbiased analysis. I do not question Mr. Olsen's professional qualifications for this position, but from my observations of his recent leadership positions, I believe that he lacks the judgment to lead the NCTC.

I am willing to testify about my concerns during your committee's upcoming confirmation hearing for Mr. Olsen. Please do not hesitate to contact me at 202-225-5136 to discuss any of this information.

Best wishes.

Sincerely,

FRANK R. WOLF,  
Chairman, Commerce-  
Justice-Science Sub-  
committee, House  
Appropriations Com-  
mittee.

**SUMMARY OF CONCERNS REGARDING MR. OLSEN'S LEADERSHIP AND ACTIONS AS EXECUTIVE DIRECTOR OF THE OBAMA ADMINISTRATION'S GUANTANAMO REVIEW TASK FORCE**

**1. QUESTIONABLE ALTERING OF GUANTANAMO BAY DETAINEE ASSESSMENTS**

I am concerned about new information reported by The Weekly Standard about the assessments of detainees who were transferred abroad in 2009. Throughout that year, I repeatedly wrote the president and attorney general expressing concern over the release of certain detainees believed to be threats by the Department of Defense (DOD). I was also deeply concerned that detainees were being released to dangerously unstable countries, such as Yemen, Somalia and Afghanistan. Despite my warnings in the fall of 2009, detainees continued to be released to these countries until the administration was forced to halt releases to Yemen following the attempted attack by the Christmas Day bomber, who trained in Yemen with al Qaeda in the Arabian Peninsula.

According to a July 13, 2011, article in The Weekly Standard, "[Olsen's] task force approved most of the detainees remaining at Guantanamo for transfer, clearing the way for the Obama administration to empty most of the detention facility's cells. But a review of leaked detainee threat assessments reveals that many of the detainees approved

for transfer [by Olsen's task force] were deemed "high" risks by Joint Task Force Guantanamo (JTF-GTMO), which oversees the detention and interrogation of detainees. Moreover, JTF-GTMO recommended that most of these detainees be retained in U.S. custody—precisely the opposite of the task force's recommendations."

The article continues, "In its final report, dated January 22, 2010, Olsen's task force reported that 126 detainees, out of a total of 240, were 'approved for transfer.' Olsen's task force approved roughly 2 out of every 3 (65 percent) Guantanamo detainees for transfer, JTF-GTMO recommended that approximately 1 out of every 4 (25 percent) be transferred."

There is one case in particular that serves as a good example of the troubling discrepancy between Olsen's recommend release of a detainee that JTF-GTMO considered to be "high" risk. In early 2010, I wrote White House counterterrorism adviser John Brennan about one detainee, Ayman Batarfi, whom the DOD believed to be closely connected to al Qaeda's anthrax program. Brennan forcefully rejected my concerns about Batarfi. However, as a recent Weekly Standard article notes:

"A recently leaked threat assessment prepared at Guantanamo draws into question the Obama administration's analysis of a detainee [Batarfi] who was transferred to Yemen shortly before all future transfers to the unstable nation were suspended."

"Brennan decided to answer Wolf's challenge by sending a letter on White House stationery to then-House speaker Nancy Pelosi on February 1, 2010. ABC News obtained a copy of the letter and published it online. Brennan wrote:

"During the briefing on January 13, Representative Wolf made allegations that one detainee repatriated to Yemen had been involved in weapons of mass destruction. As it has done in every case, the task force thoroughly reviewed all information available to the government about this individual and concluded that there is no basis for the assertions Representative Wolf made during this session. I am attaching a classified addendum to this letter that addresses these concerns directly."

"But a recently leaked April 29, 2008, threat assessment prepared by Joint Task Force Guantanamo (JTF-GTMO) contains numerous references to Batarfi's ties to al Qaeda's anthrax program. These connections were made through a known al Qaeda front named al Wafa, which employed Batarfi and provided cover for al Qaeda's pre-9/11 pursuit of an anthrax capability . . .

"For all of these reasons, and more, Batarfi was deemed a 'high risk' who is 'likely to pose a threat to the U.S., its interests, and allies' by the JTF-GTMO team. Batarfi was also considered to be of 'high intelligence value.'"

This newly leaked 2008 assessment raises serious questions about why Olsen's task force didn't include the DOD's information about Batarfi's ties to the al Qaeda anthrax program as well as their judgment that Batarfi was, in fact, "likely to pose a threat to the U.S." This information raises questions about the integrity of the task force's review and whether undue political pressure to release more detainees led task force members to doctor detainee assessments.

The Weekly Standard's Thomas Jocelyn succinctly posits in the July 13, 2011, article, "It is clear that the Guantanamo Review Task Force, headed by Matthew Olsen, approved a large number of 'high' risk trans-

fers. The senators presiding over Olsen's confirmation hearing may want to ask: Why?"

**2. POLITICAL PRESSURE ON THE GUANTANAMO BAY DETAINEE TASK FORCE**

I am concerned about political pressure placed on Olsen and the task force by administration officials. Although the administration asserts that the task force was independent, it is clear that the task force reported directly to the White House and participated in meetings led by White House chief of staff Rahm Emanuel. According to the April 23, 2011, Washington Post article:

"In late April [2009], Obama heard some jarring news during a Situation Room meeting with the interagency task force reviewing the case of every detainee at Guantanamo.

"The president asked Matthew G. Olsen, the Justice Department lawyer heading the task force, approximately how many Guantanamo detainees could be prosecuted, according to administration officials.

"Probably fewer than 20, Olsen said.

"The president seemed peeved that the number was so small, in contrast with the optimistic predictions during his election campaign that nearly all of the remaining detainees could face trial or be transferred. The number would eventually rise to 36."

I am concerned that pressure from White House officials may have led Olsen and his task force to inflate the number of cases eligible for prosecution from "fewer than 20" to the 36 that were ultimately provided to the administration. The nearly 100 percent increase in the number of cases brought forward for prosecution following the president's comment merits a serious review of whether political pressure led the task force to alter its independent assessment of detainees.

The recent Weekly Standard analysis notes, "[Olsen's] task force approved only 35 percent of the detainees for indefinite detention or prosecution, whereas JTF-GTMO recommended that roughly 75 percent be retained in DoD custody." This dramatic shift in the number of cases recommended by Mr. Olsen raise serious questions about whether pressure from the president and other administration officials led him to inflate the number of detainees recommended for trial.

**3. MISLEADING CONGRESS ABOUT THE TRANSFER OF UIGHUR DETAINEES TO THE UNITED STATES**

It has become clear that the administration was directing Mr. Olsen to intentionally withhold information from members of Congress and he willingly complied with their inappropriate direction. According to Newsweek The Washington Post and The National Journal, the administration was planning a secret transfer and settlement of at least two Uighur detainees to northern Virginia in April 2009. Each of these reports indicates the degree to which the White House attempted to hide this effort from the Congress and the public.

According to a May 2009, article in Newsweek, White House officials are alleged to have been particularly concerned about Republican members of Congress being made aware of the secret transfer. Newsweek reported, "As part of their efforts to shut down the Guantanamo Bay detention center, Obama Administration officials were poised in late April to make a bold, stealthy move: they instructed the U.S. Marshals Service to prepare an aircraft and a Special Ops group to fly two Chinese Uighurs, and up to five more on subsequent flights, from Gitmo to northern Virginia for resettlement. In a conference call overseen by the National Security Council, Justice and Pentagon officials

had been warned that any public statements about Gitmo transfers would inflame congressional Republicans, according to a law-enforcement official who asked not to be named discussing internal deliberations." (This operation appears similar to the administration's secret transfer of Somali terrorist Ahmed Abdulkadir Warsame to New York City for civilian trial on July 5 after spending two months on a U.S. Navy ship).

It has recently come to my attention that I was misled about the status of the transfer of the Uighur detainees in April 2009. This information confirms the Newsweek report that career federal employees were explicitly directed to hide this information from members of Congress, especially Republican members.

During an April 22, 2009, meeting in my office with members of the Guantanamo Bay Detainee Review Task Force, including Mr. Olsen, I inquired about the status of the potential transfer of Uighur detainees to the United States. Mr. Olsen indicated that a decision had not yet been reached on the transfer of the detainees. None of the other career or political officials in the meeting countered Mr. Olsen's assertion.

That is why I was deeply concerned to learn in an April 2011, Washington Post article, that the final decision on the transfer of the Uighur detainees had been made during a White House meeting eight days before my meeting with Mr. Olsen. According to The Washington Post article, "The first concrete step toward closing the detention center was agreed upon during an April 14, 2009, session at the White House. 'It was to be a stealth move . . . They were going to show up here, and we were going to announce it,' said one senior official, describing the swift, secretive operation that was designed by the administration to preempt any political outcry that could prevent the transfer."

Following the publication of this article in April, I personally called Mr. Olsen to ask whether he was aware at the time of my meeting with him on April 22, 2009, that a decision had already been made on the transfer of the detainees. He told me that he had been aware of the decision prior to our meeting.

I believe that I was intentionally misled by Mr. Olsen and other administration officials during my April 22 meeting with the task force. I also am concerned that the attorney general did not acknowledge that a decision had been made when he appeared before the House Commerce-Justice-Science Appropriations subcommittee the following day. That is why I was surprised when my office was notified by a career federal employee that the administration was misleading the Congress and planned to secretly transfer the detainees around May 1, 2009.

As Newsweek reported, "Then on May 1, Virginia GOP Rep. Frank Wolf got tipped off. Furious, he fired off a public letter to President Obama, charging that the release of the Uighurs—Muslim separatists opposed to the Chinese government—could 'directly threaten the security of the American people.' White House officials were not happy . . . The flight never took off."

HONORING ROBERT THORSEN  
UPON THE OCCASION OF HIS RETIREMENT

**HON. DANIEL E. LUNGREN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I rise to highlight the career of Robert Thorsen, on the occasion of his retirement, on July 4th, 2011, and to thank him for his more than twenty-three years of distinguished service and dedication to the United States House of Representatives.

Mr. Thorsen helped guide the House community from mainframe computers to the House Cloud of today. He was responsible for re-establishing the House Information Resources (HIR) Technology Call Center, TCC, and he helped expand the TCC into a 24/7, 365-days-a-year operation. In the past several years, Bob has worked with the HIR Technology Support Escalations Team to provide high-quality support to all House offices. He has also been involved in continuity and contingency planning efforts for the House.

Beyond his work at the House, Mr. Thorsen served in the U.S. Army and U.S. Army Reserve. He was recalled to active duty in 1990, serving in Saudi Arabia and Kuwait during operations Desert Shield, Desert Storm and Desert Calm. He retired from the reserves in 2002 with the rank of Lt. Colonel.

Mr. Thorsen's knowledge, experience, dedication and consistently outstanding performance have set an example for superior customer service. These traits have also earned Mr. Thorsen the respect of his co-workers and colleagues.

On behalf of the entire House community, we extend congratulations to Robert (Bob) Thorsen for his many years of dedication, outstanding contributions and service to the House.

We wish him many wonderful years in fulfilling his retirement dreams.

RETIREMENT OF ARLENE REYES  
UNPINGCO FROM THE GUAM DEPARTMENT OF EDUCATION

**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Ms. BORDALLO. Mr. Speaker, I rise today to recognize Arlene Reyes Unpingco, for her years of support to the education system on Guam. Mrs. Unpingco is retiring as Deputy Superintendent of Educational Support and Community Learning for the Guam Department of Education (GDOE) after 25 years of service to the people of Guam.

Mrs. Unpingco began her career at GDOE immediately after receiving her Bachelor of Arts Degree in Education, majoring in Elementary and Special Education, from the University of Guam in 1986. In 2000, Mrs. Unpingco received her Master's Degree in Education, with specialization in Administration & Supervision, again from the University of Guam.

Mrs. Unpingco began her career as an elementary and middle school teacher on Guam. She later was promoted to serve as an Assistant Principal, and eventually, School Principal in several local schools. In 2008, Mrs. Unpingco's contributions to the classroom and through education administration were recognized as she was appointed to the role of Deputy Superintendent of Educational Support and Community Learning. In her years of service, her commitment to our students and leadership in administration has helped to strengthen our island's education system in many far reaching ways.

Mrs. Unpingco was born and raised in the central village of Tamuning, Guam, on September 15, 1956. She is married to the Honorable Steven Sablan Unpingco, retired Superior Court Judge and resides, with her family, on the shores of beautiful Pago Bay, Chalan Pago. She is blessed with five children: Jan, Jason, Jossalyn, Steven, and Michael; and four grandchildren: Brandon, Jaylene, Jenna, and Kailani.

It is on the occasion of Mrs. Unpingco's retirement from the Government of Guam's Department of Education that I join the people of Guam in acknowledging her service and dedication to our island's public schools and the education of Guam's children. I wish her the best in her retirement and in her future endeavors.

IN HONOR OF CONGRESSMAN  
FRANK MASCARA

**HON. JASON ALTMIRE**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. ALTMIRE. Mr. Speaker, I rise to pay tribute to former Congressman Frank R. Mascara, who passed away Sunday, July 10 at the age of 81. Born in Belle Vernon, Pennsylvania, Congressman Mascara proudly served southwestern Pennsylvania for over 30 years, first at the county level, then for four terms in the United States House of Representatives.

A first-generation Italian-American, Mascara embodied the humble, hardworking nature of his immigrant parents and his constituents throughout his political career. Known as the "Dean of Washington County politics," Mascara fought successfully for projects to spur economic development in his district, including the Mon-Fayette Expressway and the Southpointe development project, which is now home to 150 businesses.

Congressman Mascara served in the Army and worked as an insurance salesman and an accountant before he entered politics as Washington County Controller in 1973. From there, he served as county commissioner as well as a trustee of his alma mater, California University of Pennsylvania. In 2009, he received his university's Lifetime Achievement Award, becoming only the third alumnus to receive such an honor.

Although he was sent to Washington as a leader of his district, he never lost touch with the blue collar, middle-class values of his western Pennsylvania home of Charleroi. He famously spurned fancy Capitol Hill restaurants for cheaper eateries, always aware

that he was spending the taxpayers' money through his salary. While in Congress, he continued to live in the same house in Charleroi that he purchased for \$7,500.

Congressman Mascara had a calm, good-natured manner, but he fought vigorously in Congress for his district. For a time, the Southpointe development project that he championed was popularly known as "Frank's Folly." However, looking back on the project at the end of his career, despite difficulties getting it off the ground, he believed it to be his greatest political achievement. Through his blue-collar attitude and political wit, Mascara was a strong and effective advocate for his constituents.

Frank Mascara is survived by his wife Dolores, two sons, Frank and Jon, a daughter, Karen, and a brother, John. He will be remembered as a dedicated family man and a hard-working, down-to-earth public servant. He will be deeply missed by his family, his fellow Pennsylvanians, and his former colleagues here in Congress.

PERSONAL EXPLANATION

**HON. STEVE KING**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 15, 2011

Mr. KING of Iowa. Mr. Speaker on rollcall No. 44 I was detained off the House floor during this 2 minute vote series and was unable to cast my vote before the vote was closed. Had I been present, I would have voted "no."

HONORING LUCIO E. PEREZ, OF NAPA COUNTY, CALIFORNIA

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 15, 2011

Mr. THOMPSON of California. Mr. Speaker, I rise today in recognition of community member Lucio E. Perez for being named Agriculturalist of the Year by the Napa County Farm Bureau.

Mr. Perez comes from a long history of working with Napa's bountiful soil. His grandfather, Mr. Lucio D. Perez, emigrated from Mexico and settled in the Napa Valley in the early 1930s and worked as an agricultural laborer. In 1935, the L. Perez & Sons Family Estates began growing wine grapes. The business was passed to his son Ezequiel, and later to his grandson Lucio, or as he is known throughout the valley, "Cio."

He attended St. Helena High School and later studied at Stanford University before transferring to the University of California—Davis, where he graduated with a degree in Enology & Viticulture. His first job outside of the family farm was with Beringer Brothers; assisting with the development of new vineyards, fertilizer, and pest management problems. Mr. Perez continues to manage L. Perez & Sons Vineyards, and also farms acreage in Conn Valley, Carneros and St. Helena. He produces zinfandel, chardonnay and, caber-

net—reflecting the diverse terroirs of the Napa Valley appellations.

His passion for sustainable agriculture and protecting farmlands led him to work with the Napa County Farm Bureau in 1988, where he has served on the Board of Directors and as President. He has also participated on the California Farm Bureau Federation—Grape Advisory Committee, the Tax and Land Use Committee, and Finance Committee. Don Lucio Perez, his grandfather, founded a non-profit by the name of Comite Mexicano de Beneficiencia, where Mr. Perez has been an active member and past treasurer.

Being recognized as Agriculturalist of the Year by the Napa County Farm Bureau is an astounding achievement for someone who has dedicated their life to protecting and defending agriculture.

Mr. Speaker, it is appropriate at this time that we acknowledge Mr. Lucio E. Perez for his years of devoted service to the Napa Valley community.

HONORING VERONICA LEWIS

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 15, 2011

Ms. NORTON. Mr. Speaker, I rise today to salute an outstanding Federal employee and citizen of the District of Columbia, Veronica Lewis, who is retiring this month after forty-one years of service with the Federal Government. Ms. Lewis, a dedicated public servant, is known for her contributions to both the government and to her fellow employees.

Ms. Lewis has lived and worked in Washington, DC all of her life. She began her career as a public employee in 1970 as a personnel information assistant with the U.S. Department of Housing and Urban Development. In 1986, she became a secretary with the U.S. Securities and Exchange Commission (SEC), where she is still employed today, in the agency's Division of Corporation Finance. She has been a loyal and dedicated Federal employee for the past 4 decades.

Ms. Lewis attended public schools in the District of Columbia. Prior to her career with the Federal Government, she worked for the Metropolitan Police Department and also as a teacher's aide at Taft Junior High School.

In 2000, Ms. Lewis was one of the original founders of the Federal employee union that now represents all of the non-management employees at the SEC National Treasury Employees Union (NTEU), Chapter 293. She served as the union's chief steward for several years and, since 2006, has served as the vice president of Chapter 293.

Ms. Lewis has two children, Cecilia Vernette Camp and Edward Walker, and three grandchildren, Angela Lewis-Camp, Veronica Lewis-Camp, and Edward Walker, Jr. In retirement, Ms. Lewis plans to travel as well as to volunteer at St. Jude Children's Hospital. Her hobbies are dancing, traveling and bicycling.

Mr. Speaker, Veronica Lewis has been a dedicated civil servant all of her adult life, both as an SEC employee and as a leader of NTEU Chapter 293. It is appropriate that we

honor her today for her many contributions and congratulate her on her retirement from the Federal Government.

CONGRATULATING TIM SOLSO OF CUMMINS, INC. ON HIS RETIREMENT

**HON. MIKE PENCE**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 15, 2011

Mr. PENCE. Mr. Speaker, I rise today to honor and congratulate Tim Solso for his successful and influential career as the Chairman and Chief Executive Officer (CEO) of Cummins Inc., located in my hometown of Columbus, Indiana. After forty years of dedicated service, he is set to retire from Cummins on December 31st of this year.

During his career at Cummins, Tim Solso lived the American dream and proved that hard work pays off. He first joined Cummins in 1971 after receiving a Master of Business Administration degree from Harvard University and a bachelor's degree in psychology from DePauw University. His first position with Cummins was as an assistant to the Vice President of Personnel, and during his career Tim worked in several of Cummins' international locations—including Huddersfield, England, and Sao Paulo, Brazil. In 2000 he was named Chairman and CEO.

Under Tim's extraordinary leadership as CEO, Cummins experienced record profits of more than \$1 billion, and the company's shareholders enjoyed an astonishing return of 1,300 percent. International business at Cummins grew 20 percent from 2000 to 2010, and they have truly established themselves as a global leader in their industry.

Tim has also received many personal accolades for his achievements with Cummins including: named a top five finalist to Marketwatch's CEO of the Decade in 2010; named one of Barron's list of the thirty Most Respected CEOs for 2010 and 2011; selected as the national Six Sigma CEO of the year; received the Anti-Defamation League's Man of Achievement Award; named the International Executive of the Year by the Academy of International Business; and received the American Business Award for Best Chairman.

While I am confident that Cummins will continue to grow under new leadership, there is no doubt that Tim's legacy will continue to have a lasting impact on Cummins and on the Columbus community. I wish him the very best in his retirement and in the years to come.

RECOGNIZING MADELEINE JARAS, ELMHURST, IL "MAYOR FOR A DAY"

**HON. PETER J. ROSKAM**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 15, 2011

Mr. ROSKAM. Mr. Speaker, I rise today to congratulate an aspiring leader from my Congressional District, Madeleine Jaras.

Madeleine's essay was recently selected as the winner of the City of Elmhurst's "Mayor for a Day" competition. On behalf of this Congressional body, I welcome Madeleine and her family to our nation's capital.

The text of Madeleine's essay reads as follows: "If I were Mayor of Elmhurst, I would demonstrate my Trustworthiness to the citizens of Elmhurst by following through with my promises, being honest, being reliable, being loyal, being dependable, and having the courage to do the right thing, not always the easy thing. All these things are hard sometimes, but if I were Mayor, I would try my hardest to make the citizens safe, happy, and help the city of Elmhurst blossom into an even greater community than the past leaders have made it."

Even in her youth, Madeleine recognizes that in light of today's critical debates, tough decisions need to be made with great integrity. Madeleine's virtuous beliefs should serve as a reminder to all citizens and leaders that we should be courteous of others, and that honesty is of utmost importance. Her positive outlook is exemplary of her outstanding character.

Mr. Speaker and Distinguished Colleagues, Madeleine Jaras is a promising young leader, full of modesty and confidence. It is truly a privilege to serve as her Representative. Please join me in honoring Madeleine's spirit and wishing her all the best in her future endeavors.

TRIBUTE TO THORNE MAGINNIS  
AND OTHER YOUNG STAFF MEMBERS  
FOR THEIR CONTRIBUTIONS  
ON BEHALF OF THE PEOPLE  
OF THE 37TH CONGRESSIONAL  
DISTRICT

**HON. LAURA RICHARDSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Ms. RICHARDSON. Mr. Speaker, it is no exaggeration to say that the past few years have been among the challenging in our nation's history. The collapse of the housing market, the turmoil on Wall Street and the ensuing financial crisis, the severe economic downturn resulting in the loss of millions of middle-class jobs, and the ever present threat of terrorist attacks on our homeland are enough to make many question whether the American Dream is still attainable and to conclude that our best days are behind us.

I do not share this view. The future of our country is bright and I firmly believe that our best days lie ahead. One of the reasons I am so optimistic that 21st century will be known as the second "American Century" is the extraordinary quality, talent, commitment, and energy of the young people who will in time assume the responsibility of leadership.

Members of Congress know well, perhaps better than most, how blessed our nation is to have in reserve such exceptional young men and women who will go on to become leaders in their local communities, states, and the nation in the areas of business, education, government, philanthropy, the arts and culture, and the military.

We know this because we see them and benefit from their contributions every day. Many of them work for us in our offices as junior staff members, congressional fellows, or interns and they do amazing work for and on behalf of the constituents we are privileged to represent.

I rise today to pay tribute to the wonderful young men and women who have done this work in my office for my constituents.

Today, I bid farewell to an extraordinary young man, Thorne Maginnis, who joined my team in January of last year and who will be moving on to attend law school this fall at the University of Virginia. From his first day on my staff Thorne's talents as writer, analyst, and researcher were apparent for all to observe. These gifts, combined with his winning personality and cooperative spirit made him an invaluable staffer and a valued friend to his colleagues, who all will miss his good cheer but wish him well in his future endeavors, which I am confident will include continued service in furtherance of the public interest.

Mr. Speaker, I believe there is no higher calling than the call to serve a cause larger than ourselves. That is why I ran for public office. When I was six years old I dreamed of becoming a public servant when I grew up so I could help others. As the Rev. Dr. Martin Luther King once said:

Everybody can be great because anybody can serve. . . . You only need a heart full of grace. A soul generated by love.

By this measure, there are several other great young men and women who served as volunteers this year in my offices. They may toil in obscurity but their contributions to the constituents we serve are deeply appreciated and I wish to acknowledge them. They are: Devin Benavidez, Elliott Bluffer, Laura Sisemore, Chris Robinson, Carlos Jurado, Jerry Boies, Sunjay Bhatia, Jazmine Florence, and Renata Harris. In past years, my office has benefitted from the contributions of other volunteers, including Helen Lei, Navy San, Chris Prado, Jimmie Luthuli, Erika Wright, Peter Ward, Alyce Boatwright, Tom DeMaio, and Brittni Hamilton.

Mr. Speaker, the infusion of energy, intelligence, and idealism young people bring to their internships in my office and those of my colleagues helps keep our democracy vibrant. The insights, skills, and knowledge of the governmental process they gain from their experiences will last a lifetime and prove invaluable to them as they go about making their mark in this world.

This is why I am so optimistic about our country's prospects for the future. As Margaret Mead said:

Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.

I am grateful that such thoughtful committed young men and women can be found working in my office, those of my colleagues, and in every community in America. Their good works will keep America great and as they age, they will ensure she stays forever young.

THE MEK STILL WAITS

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. POE of Texas. Mr. Speaker, almost a year ago to the day, on July 16, 2010, the U.S. Court of Appeals ordered the U.S. State Department to go back and re-evaluate the "terrorist" designation of the MEK. Since then, the State Department has stalled. At hearings and in letter after letter, Congress has asked for updates but the State Department just plays the same tape over and over "we're working on it."

What exactly is taking so long? We haven't seen any new evidence. All the old evidence, classified and unclassified, does not describe a terrorist group, but a bunch of people that want to be free. They have given up their weapons, forsworn terrorism, and only ask that they can live in peace without being massacred by Iraqi troops or Iranian agents. Enough with the stalling. The State Department needs to get its act together and make a decision. If there is evidence of terrorism, show us. But if there is not, then take this group off the list today.

And that's just the way it is.

IN SUPPORT OF KOREAN WAR  
MEMORIAL WALL

**HON. RALPH M. HALL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. HALL. Mr. Speaker, I am honored to introduce—together with Representatives SAM JOHNSON, HOWARD COBLE, JOHN CONYERS, JR., and JOHN DINGELL—a bill to amend legislation authorizing the Korean War Veterans Memorial to permit the addition of a Wall of Remembrance. P.L. 99-527 stated as a priority ". . . to honor members of the United States Armed Forces who served in the Korean War, particularly those who were killed in action, are still missing in action, or were held as prisoners of war." This bill seeks to further honor those who gave their lives to preserve freedom, not only for the Republic of Korea but for the entire non-communist world. To the 33,686 Americans killed in action this was not an abstract geopolitical issue, nor was it a "cold war." The Korean War, fought some 60 years ago, was a desperate fight to stop the spread of totalitarian regimes and signaled to North Korea that the United States would support our friends and allies.

The Korean War is sometimes referred to as the "forgotten war," a footnote between the Second World War and the Vietnam War. The sacrifice our young men paid to preserve our freedom should not be forgotten. This legislation will ensure that their deeds will be memorialized for all Americans to see on our National Mall. For, as the "greatest generation" of Americans fought World War II to save the world for democracy, the Korean War generation of Americans fought to save the world from communism.

The Korean War Veterans Memorial was dedicated in 1995. It is an extraordinarily moving memorial. Our legislation will permit, through private sector contributions, a glass Wall of Remembrance to encircle the outer edge of the existing Memorial Pool. This wall will list the Americans killed in action by name, and will list the wounded, missing in action, and prisoners of war by number. It will also honor the Korean Augmentation to the United States Army (KATUSA) that served alongside their U.S. comrades in American units to maintain our frontline combat strengths. Over 8,000 members of the KATUSA gave their lives for their country and ours. Their names were lost to history, but their numbers deserve recognition for the sacrifices that would otherwise have been American casualties. This bill will also allow for the Wall of Remembrance to list the number of casualties of our Republic of Korea allies and the United Nations allies that served in support of maintaining the freedom of the Republic of Korea and its people.

Mr. Speaker, a few weeks ago, I was visited by a distinguished veteran of WWII and the Korean War, Colonel Bill Weber. Bill is a double-amputee of the Korean War and would have died of his wounds but for subzero temperatures that prevented him from bleeding to death. The sculptor of the Korean War Veterans Memorial used Bill's image to model one of the 19 soldiers. Bill spoke passionately and convincingly to me about the need to enhance the existing memorial with the Wall of Remembrance. As Bill said, "This is our final battle, and we must succeed for over 33,000 of our brothers who cannot speak for themselves and whose sacrifices remain largely unknown."

I urge my colleagues to join me in honoring our Korean veterans by supporting this legislation.

IN HONOR OF MRS. ANNETTE LANTOS

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in celebration of the 80th birthday of Mrs. Annette Lantos, a praiseworthy individual and dear friend of mine, who has devoted her life to fighting for human and animal rights.

Born in Hungary in 1931, Annette came to the U.S. at the age of 16 after surviving the Holocaust. She graduated from high school and went on to receive her bachelor's degree and teaching certificate from San Francisco State University.

Annette was married to the late Congressman Tom Lantos for nearly 58 years. Congressman Lantos was also a survivor of the Holocaust, and shared his wife's commitment to human rights. Annette worked full-time in her husband's office for the nearly three decades that the late Congressman held office. She served as Executive Director of the Congressional Human Rights Caucus, which was co-founded by Congressman Lantos, and helped her husband in co-founding the Congressional Friends of Animals Caucus.

Outside of Congress, Annette has worked tirelessly to help human rights victims and to further human rights causes. In 1977, she founded the International Free Wallenberg Committee to raise awareness of Raoul Wallenberg's humanitarian efforts in Hungary during World War II. Today, Annette is Chairman of the Lantos Foundation for Human Rights and Justice. She continues to uphold the Lantos legacy of furthering human rights throughout the world.

Mr. Speaker and colleagues, please join me in recognizing this remarkable woman as she celebrates her 80th birthday surrounded by friends and her wonderful family.

INTRODUCTION OF LEGISLATION TO ADDRESS IDENTITY THEFT

**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce bipartisan legislation to strengthen the federal criminal laws punishing identity theft.

Identity theft is a serious and growing threat. The Federal Trade Commission estimates that as many as 9 million Americans have their identities stolen each year.

Identity thieves use identifying information such as a consumer's Social Security number, credit card numbers, or other financial account information in order to conduct such fraud as opening up new credit cards and gaining access to bank accounts. The ramifications can be financially disastrous for citizens and can be extremely difficult to resolve. We must crack down hard on these criminals.

The fear of identity theft is also consistently cited as a reason many Americans are cautious about engaging in more transactions online. This is unfortunate because of the multitude of ways the Internet can help consumers shop, do business and communicate efficiently and at low cost.

The United States has many federal statutes targeting identity theft. However, some of these laws were weakened by a recent Supreme Court case.

18 U.S.C. 1028 and 1028A contain criminal punishments for certain identity theft violations when those violations are in connection with other federal crimes and state felonies. In 2009, the Supreme Court ruled that the language of those federal statutes require not only that the criminal use the identification documents of another person, but also that the criminal knew the documents were those of another actual person.

The context of that case was that an illegal alien had given an employer counterfeit social security and alien registration cards containing his name but the identification numbers of other individuals. He was charged with two immigration offenses as well as aggravated identity theft. The Supreme Court overturned the conviction on the aggravated identity theft count explaining that the language of the relevant statutes required prosecutors to prove not only that the defendant used identity documents that were not his own, but also that the

defendant knew the identity documents were those of another actual person.

Identity theft occurs when someone intentionally and unlawfully uses identity documents that are not his own. Our federal statutes should reflect this reality.

Today, I am introducing legislation to amend these federal statutes to make clear that when an identity thief intentionally and unlawfully uses identity documents that are not his own, prosecutors do not need to show that the criminal also knew that the identity documents were those of another actual person.

This clarification will help prosecutors put identity thieves behind bars and will help safeguard American citizens from identity-related crimes. I urge the Members of the House to support this bipartisan legislation.

IN HONOR OF MR. IGNACY JAN PADEREWSKI

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Ignacy Jan Paderewski—the second Prime Minister of the Republic of Poland, a highly acclaimed musician and humanitarian.

In 1919, after Poland had officially become an independent nation, Mr. Paderewski became its first Prime Minister. He was also the chief framer of the Polish Constitution. Mr. Paderewski also served as the Polish representative in the League Nations as well as Poland's Minister of Foreign Affairs.

As a philanthropist, Mr. Paderewski used his personal home in Switzerland as a safe place for refugees from various countries during WWII. A popular pianist and composer, Mr. Paderewski was also known to be a strong supporter of the arts. He made substantial contributions to improving the lives of unemployed musicians and playwrights and he worked toward the construction of many concert halls and monuments.

A bust of Ignacy Jan Paderewski will be honored on July 16, 2011 at the Cleveland Cultural Gardens with a dedication speech by Poland's current Ambassador to the U.S., Mr. Robert Kupiecki, as well as a concert.

Mr. Speaker and colleagues, please join me remembering the life and accomplishments of Ignacy Jan Paderewski. His dedication to his native country has been an integral part of Poland's history.

CONGRATULATIONS CUNNINGHAM FAMILY

**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. WILSON of South Carolina. Mr. Speaker, I am happy to congratulate my good friend and military fellow Marine Corps Major Samuel Cunningham and his wife Danielle on the birth of their son Dorin Samuel Cunningham. Dorin was born on Thursday, July 14, 2011, in Bethesda, Maryland. He is welcomed home by his sister, Aida.



Dorin Samuel Cunningham is eight pounds and eight ounces and twenty one inches of pride and joy to his loving grandparents, Carl and Josephine Cunningham of Indiana, Pennsylvania, and Bob and Betty Fox of Butler, Pennsylvania.

I am so excited for this new blessing to the Cunningham family and wish them all the best.

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PERSONAL EXPLANATION

**HON. FRANCISCO "QUICO" CANSECO**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. CANSECO. Mr. Speaker, I was briefly absent from the House floor during two separate vote series on July 12, 2011. I missed rollcall votes 541 and 560. Had I been present, I would have voted "nay" on rollcall vote 541 and "nay" on rollcall vote 560.

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HONORING THE LIFE OF RAMONA  
HAHN

**HON. LAURA RICHARDSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Ms. RICHARDSON. Mr. Speaker, it is my sad duty to rise today to inform the House of the death of Mrs. Ramona Hahn. The wife of legendary Los Angeles County supervisor Kenneth Hahn, Ramona was the proud matriarch of a family whose members have devoted their lives to public service. Ramona Hahn passed away on Monday morning at the age of 86—a mere day before her daughter Janice was elected to join us in this body, representing California's 36th Congressional District. My deepest condolences go out to our new colleague, Congresswoman Janice Hahn, and the entire Hahn family, as they mourn the loss of a devoted wife and loving mother. Ramona was a great lady; she was my friend.

Born to American missionaries in Tokyo, Japan, Ramona Hahn was a service-minded individual who committed her life to God and family. Ramona has been described by her children as the "driving force" behind their family of public servants. She worked hand in hand with her husband as he fought to improve the lives of his constituents. She provided strength and support as he took bold stands for civil rights, including the decision to greet Dr. Martin Luther King, Jr. at LAX when he visited Los Angeles in 1961. He was the only elected official from California to do so. This act of political courage has never been forgotten, but is in keeping with the character and commitment that has been the hallmark of the Hahn family for more than a half century.

Ramona's community involvement and selfless attitude was a powerful example for her two children. Her son James Hahn has served as Los Angeles City Controller, Los Angeles City Attorney, and Mayor of Los Angeles, and is currently a judge on the Los Angeles County Superior Court. Her daughter Janice Hahn has served in the Los Angeles City Council

and on the Los Angeles Charter Reform Commission, which modernized Los Angeles city government, making it more responsive to the city's diversity and challenges. In the coming days, she will be sworn in on the House floor.

I know that the entire Hahn family wishes that Ramona could have lived to see her daughter sworn in as a member of the U.S. House of Representatives. For Janice, the loss of her mother must make this monumental achievement bittersweet. However, I hope that Janice and her family can take comfort in the knowledge that their mother's loving spirit lives on through the lives that she touched and the good works that Janice will do in this body.

I ask all Members to join me in a moment of silence in honor of the memory of the late Ramona Hahn.

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THE STOP GUN TRAFFICKING AND  
STRENGTHEN LAW ENFORCE-  
MENT ACT

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mrs. MALONEY. Mr. Speaker, today, I am pleased to introduce important legislation, the Stop Gun Trafficking and Strengthen Law Enforcement Act, with Representatives CUMMINGS, MCCARTHY, CONYERS, TIERNEY, CONNOLLY, CHU, NORTON, RANGEL, MORAN, LYNCH, SPEIER, FILNER, and ACKERMAN, which will put in statute a gun trafficking prohibition, empowering law enforcement with the tools to stem the tide of illegal weapons into the hands of Mexican drug cartels and other criminals.

The Mexican drug cartel wars are raging and have claimed the lives of at least 40,000 people since 2007. They are fueled, in part, by illegal weapons procured in the United States and smuggled into Mexico. According to Mexican President Felipe Calderon, Mexico has seized approximately 100,000 guns in the last four years, and 84% of those guns came from the United States. According to ATF, 70% of firearms recovered in Mexico in 2009 and 2010 and traced to determine their source were either manufactured in the U.S. or first imported into the U.S. before being trafficked to Mexico.

In hearings and interviews before the House Oversight and Government Reform Committee, law enforcement agents have said they are hamstrung in their attempts to stop illegal gun trafficking by the lack of a federal gun trafficking bill. Law enforcement agents identified three areas of current law that, if improved, would allow them to more effectively counter firearms trafficking—a reporting requirement for multiple long-guns purchases, stiffer penalties for straw purchasers, and a specific firearms trafficking prohibition in the criminal code.

Just this week, the Obama Administration announced that they have approved the ATF's request to use their authority to request reports of multiple long-gun purchases, and earlier this year in April, the United States Sentencing Commission announced proposed amendments to the sentencing guidelines that

will essentially cause most straw purchasers to be ineligible for probation, and once in effect, Congress can reevaluate the impact of these changes and if additional changes are needed.

With administrative action on two of the three proposals, our legislation accomplishes the third—a firearms trafficking prohibition in statute, with stiff penalties for traffickers and so-called trafficking "kingpins." Under current law, prosecutors are forced to charge straw purchasers and traffickers with mere paperwork violations. This bill empowers law enforcement by criminalizing firearms trafficking, offering a sensible solution to ensure that weapons do not end up in the hands of criminals and drug cartels.

Given the ongoing violence and the glaring loopholes in U.S. gun trafficking laws, it's time Congress gets serious about enacting narrowly tailored, sensible laws to combat illegal trafficking.

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HONORING THE ENSHRINEMENT  
OF COACH BARRY ALVAREZ  
INTO THE COLLEGE FOOTBALL  
HALL OF FAME

**HON. TAMMY BALDWIN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Ms. BALDWIN. Mr. Speaker, I rise today to honor the enshrinement of Coach Barry Alvarez into the College Football Hall of Fame. Offering more than just winning strategy, our Coach has come to epitomize Badger athletics.

In the four seasons prior to the Coach's arrival in 1990, our football team was 9–36 and struggled to fill historic Camp Randall Stadium with fans. However, Coach Alvarez's innovative coaching techniques breathed new life into Wisconsin's football program and quickly reignited our community's passion for the team. As Head Football Coach for sixteen seasons from 1990 to 2005, Coach Alvarez distinguished himself as the winningest coach in school history. In 2004, Coach Alvarez also became the University's Director of Athletics, a position he continues to hold since retiring as Head Football Coach in 2005.

Enshrinement in the College Football Hall of Fame is no easy feat. Nominated coaches have won at least 60 percent of games over a minimum ten year and 100 game head coaching career, an accomplishment very few ever achieve. Coach Alvarez's résumé also boasts an overall record of 118–73–4, three Big Ten Conference Championships and three Rose Bowl victories. Furthermore, he has the highest bowl game winning percentage for a coach with at least 11 bowl appearances and is the only coach in Big Ten history with back-to-back Rose Bowl wins. In 2009, he was inducted into both the Wisconsin Athletic Hall of Fame and the Rose Bowl Hall of Fame and finally, on May 27, 2010, Coach Alvarez was unanimously selected by his peers to join the 2010 class of the College Football Hall of Fame.

While Coach Alvarez achieved exceptional success on the football field, we must also acknowledge his wider contributions to the University and the people of Wisconsin. His commitment to the education of student-athletes during his tenure is inspirational. During his first year as Director of Athletics in 1996, Badger student-athletes registered the highest cumulative grade-point average on record. In 2000, Coach Alvarez and his wife, Cindy, created a \$250,000 endowment scholarship at the University of Wisconsin helping to ensure that student-athletes are better prepared to become fully participating adults in our democracy.

Coach Alvarez remains committed to the advancement of Badger student-athletes, the Athletic Department and the entire University of Wisconsin. He selflessly dedicates his time, talents and resources to improving the lives of those around him. With Coach Alvarez's influence, athletics will continue to hold a prominent place at the University of Wisconsin. The contributions of such a legendary figure ensure that Badger fans in our community, across the state of Wisconsin and nationwide can stand proudly and cheer, "On Wisconsin!"

HONORING CHIEF PAUL  
HARTSTEIN FOR HIS DEDICATION  
TO THE CAMDEN COUNTY  
FIRE DEPARTMENT

**HON. ROBERT E. ANDREWS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. ANDREWS. Mr. Speaker, I rise today to honor Paul Hartstein, Fire Marshall for the Camden County Fire Department. Chief Hartstein will be retiring after decades of exemplary service to his community. His dedication is an extraordinary example for the entire South Jersey community.

Chief Hartstein, a native of Camden County, created a career serving his community. Prior to his appointment as Fire Marshall, he served as Fire Chief for the city of Audubon. Later, he worked as Vice President of the Audubon Fire Department and as a New Jersey Fire Commissioner. Try as he might, the chief can not fully retire; he will be acting as a part-time code official for the cities of Audubon and Haddonfield.

Chief Hartstein has been honored on several occasions, demonstrating his enduring commitment to South Jersey. He recently received the Lifetime Achievement Award from the Greater Philadelphia Burn Foundation. Previously, the International Association of Arson Investigators honored Chief Hartstein with both the President's Award and the Investigator of the Year award. These decorations exemplify his dedication and ability as a firefighter.

Married for 29 years, Chief Hartstein and his wife are the proud parents of a daughter, who is studying in Boston, and a son who is following in his father's footsteps as a firefighter with the Cherry Hill Fire Company.

Firefighters are essential members of every community. Chief Hartstein has demonstrated the dedication, bravery, leadership, and sac-

rific necessary to excel at this noble calling. I thank him for his decades of service to Camden County and wish him the best in his semi-retirement.

HONORING ROSEMARY WAHLBERG

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. KEATING. Mr. Speaker, I rise today to honor Rosemary Wahlberg, a loving mother, wife and long-time community advocate, who recently celebrated her 80th birthday on May 18, 2011.

Rosemary has dedicated her life to the service of the less-fortunate, inspired by her short time as a resident of public housing in the Quincy neighborhood of Germantown in the late 1950s and early 1960s. A mother herself, she was distraught by the plights of numerous widows and single mothers struggling to hold their families together. Never a woman to be deterred, Rosemary began her own personal "war on poverty" campaign, beginning as an employee of a recently-enacted federally-funded nutrition program. It did not take long for both her employers and those she served to understand the merit of her work ethic, passion and dedication.

For 25 years, Rosemary served as Executive Director of Quincy Community Action Programs, where she and her colleagues provided indispensable services from adult education and workforce development training, to food and nutrition services to housing assistance programs. With Rosemary at the helm, no fight on behalf of those families was lost, no goal left unattained.

Rosemary is known throughout Massachusetts as a fighter for the underprivileged, and a champion for the rights of all residents of the Commonwealth. She commands respect and admiration from law enforcement officials and local and federal government officials alike. To reflect on her work for our community is to reflect on a life of selflessness, devotion, drive and, above all, care for her fellow man.

The City of Quincy and surrounding communities are a better place thanks to Rosemary's patience, values and unrelenting strength. She is truly a modern-day hero of community activism, and one whose legacy will not soon be forgotten. Congratulations, Rosemary, on your 80th birthday and best wishes on many more years of fulfillment.

IN RECOGNITION OF BUNA  
VESTIRE ROMANIAN ORTHODOX  
CATHEDRAL

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Buna Vestire Romanian Orthodox Cathedral as it celebrates 75 years of service to the Cleveland orthodox community this September.

The original Buna Vestire Orthodox Cathedral was founded on September 2, 1936 on Detroit Avenue in Cleveland. Since then, the church has relocated several times and today it is located on Wooster Road in Rocky River. Throughout the past 75 years the congregation has been deeply involved in the community. Parishioners have organized festivals, picnics, and bake sales to help promote and celebrate Romanian culture and traditions including traditional food and Romanian folk dance. Since its inception, the Church has celebrated both its Orthodox traditions and Romanian heritage. Additionally, the Church and its priests have actively promoted a "good Faith relationship" amongst pastors and communities of other denominations.

On September 10 and 11, 2011, Buna Vestire Romanian Orthodox Cathedral will celebrate its 75th anniversary of service to the orthodox community of the greater Cleveland area. Recently, the church has experienced an increase in attendance and has plans to build a new church and Romanian Cultural Center in Olmsted Township. The Church intends to continue to promote and enhance their mission amongst the community.

Mr. Speaker and colleagues, please join me in honoring Buna Vestire Romanian Orthodox Church as it celebrates 75 years of service. I extend my sincere congratulations to all members of the Buna Vestire congregation.

RECOGNIZING THE IMPORTANCE  
OF DAVIS-BACON PREVAILING  
WAGE REQUIREMENTS

**HON. JAY INSLEE**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. INSLEE. Mr. Speaker, today I voted against an amendment, offered by Representative GOSAR, that sought to prohibit funding in the Energy and Water Appropriations bill from being used to enforce Davis-Bacon prevailing wage requirements for federal contracts. Throughout the appropriations process for the upcoming fiscal year, I have voted against other similar amendments that seek to give federal contractors the ability to undercut the local wage levels on contracts valued at more than \$2,000.

The Davis-Bacon Act has been law since 1930, and simply requires that federal contractors, performing work for the government valued at more than \$2,000, must be paid at least the local prevailing wage and fringe benefits in the area. This ensures that any workers that are working on a federal contract receive the same compensation as the work done by their neighbors. In a time of great economic difficulty and uncertainty for so many working families in our country, I will staunchly oppose efforts to undermine or weaken common-sense protections like those put in place by the Davis-Bacon Act.

RECOGNIZING THE NEW YORK  
STATE SISTER CITIES CON-  
FERENCE

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. HIGGINS. Mr. Speaker, I rise today in recognition of the New York State Sister Cities Conference being held today in Cheektowaga, New York.

For the first time in over a decade, New York State Sister Cities will be holding a conference to connect all interested parties to share their mutual visions and plans to continue to bring together community leaders and motivated citizens in an effort to improve their community and the world.

President Dwight D. Eisenhower created the organization in 1956 to develop international bonds between communities in the United States and abroad while working with ordinary citizens to build relationships that transcend politics and promote world peace. Sister Cities now represents more than 700 US communities and nearly 2,500 partnerships with sister communities in 134 nations.

Sister Cities International is a leader for local community development and volunteer action. It fosters the development of partnerships between municipalities in the United States and similar jurisdictions in other nations. These long-term friendships allow citizens to experience and explore other cultures, implement and strengthen economic and community development, and stimulate environments through which communities collaboratively solve problems through reciprocal cultural, educational, municipal, business, professional, and technical exchanges.

This conference will give citizens the opportunity to network, share proven practices, and discuss recent trends in diplomacy leaving everyone prepared to connect communities and strengthen partnerships worldwide.

The mission of this program is to promote peace through mutual respect, understanding and cooperation—one individual, one community at a time. And never has there been a time when organizations like Sister Cities have been more vital to promoting peace, cooperation, and the ideal of the United States than there has been now.

My district benefits tremendously through Sister Cities' partnerships with communities in nations such as Ghana, China, Germany, Israel, and Poland. I fully support the efforts of this beneficial program to continue to promote transparency between communities and cultures.

Mr. Speaker, it is with great pride I stand today to recognize the 2011 New York State Sister Cities Conference. I also call upon my colleagues to join me in applauding the great work that it is doing every day.

PERSONAL EXPLANATION

**HON. JEFF FLAKE**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. FLAKE. Mr. Speaker, on rollcall No. 573, I mistakenly voted nay instead of yea. It had been my intention to support final passage of H.R. 2018, the Clean Water Cooperative Federalism Act of 2011. While I am aware that a vote may not be changed after a rollcall vote has been closed, I would like the RECORD to reflect this error and to reiterate my support for H.R. 2018.

HONORING THE SERVICE AND SACRIFICE OF PAUL H. PROTZENKO

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. COURTNEY. Mr. Speaker, it is with great sadness that I rise today to honor Paul H. Protzenko of Enfield, Connecticut. Paul was killed on July 9, 2011, when his vehicle was attacked by small arms fire in Afghanistan, where he was training local officers on crime scene investigation techniques and police tactics.

Born in Agawam, Massachusetts, Paul had been a proud resident of Enfield of many years. Paul served as a Sergeant in the U.S. Army for 6 years and went on to serve for 22 years as a Connecticut State Trooper First Class. After retiring from the force in 2009, Paul selflessly decided to serve his country in Afghanistan by employing his talents and expertise in law enforcement to help local officers protect their communities and take charge of their future.

Paul's life can only be described as a life of service to others. His passionate love for his country and community afforded him two life-saving medals as a trooper and an additional medal while serving in the military.

In Enfield, Paul was a communicant of St. Adalbert Church. Outside of his professional life, he stayed active as an avid martial artist, marksman, and skier. Neighbors and friends remember Paul as a standout figure in the community who—whether in uniform or not—always sought to keep the people around him safe.

Above all, he was devoted to his family. Paul will be deeply missed by his wife, Lyse; his three children Jennifer, Anthony, and Matthew; his parents; and his grandchildren. We must always remember those who dedicate their lives to serving this great country. Paul made the ultimate sacrifice for us and we will always remember and honor him for it. My thoughts and prayers are with his family, his neighbors, and his brothers on the state police force. I ask my colleagues to join me in mourning the loss and honoring the life of this courageous man, Paul H. Protzenko.

PERSONAL EXPLANATION

**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Ms. WOOLSEY. Mr. Speaker, on July 14, 2011, for rollcalls 574–576 my vote was recorded as “aye.” I ask that my vote be recorded as: rollcall No. 574: “no”, rollcall No. 575: “no”, rollcall No. 576: “no.”

IN RECOGNITION OF THE INTERNATIONAL ASSOCIATION OF HEAT & FROST INSULATORS & ALLIED WORKERS, LOCAL 16, SAN FRANCISCO CHAPTER

**HON. JOHN GARAMENDI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 15, 2011*

Mr. GARAMENDI. Mr. Speaker, I rise with my colleagues Congresswoman NANCY PELOSI, Congressman GEORGE MILLER, Congresswoman BARBARA LEE, and Congressman JERRY MCNERNEY to congratulate the International Association of Heat & Frost Insulators & Allied Workers, Local 16, San Francisco Chapter, on its 100th anniversary celebration.

On August 1, 1911, Local 16 was chartered as a member of the International Association of Heat & Frost Insulators & Allied Workers International Union, AFL–CIO/CLC. For the past century, Local 16 has worked to ensure the health and safety of consumers and has reduced both carbon dioxide emissions and energy costs through advancements in insulation installation.

Local 16 has played a key role in raising public and industry awareness of the health dangers associated with handling asbestos materials. Certified professionals of the Insulators and Allied Workers Unions continue to safely remove asbestos and replace it with more environmentally friendly insulation material. In the last decade, Local 16 has trained an average of 125 Hazardous Waste Handlers and Firestoppers annually. This leadership and dedication to public safety helps to provide Americans with healthier homes and working environments.

With professional installations, Local 16 ensures that less energy is lost through insulation, saving Americans money and reducing the amount of carbon dioxide that is generated. This commitment to consumers and to the planet has helped the Local 16 membership base expand across two states, representing over 1,000 active members, retirees, and families throughout California and Nevada. For these members, Local 16 strives for workplace equality and improved job opportunities, all while working to stimulate our regional and national economies.

Mr. Speaker, we are truly honored to pay tribute to our friends in the International Association of Heat & Frost Insulators & Allied Workers, Local 16, in recognition of their 100th anniversary. We ask our colleagues to join with us in congratulating the San Francisco branch for its continued leadership and

commitment to service, and we wish them success in all future endeavors.

TRIBUTE TO MRS. WILLYE MAE PAYNE OF CHICAGO, ILLINOIS

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 15, 2011

Mr. RUSH. Mr. Speaker, it is often difficult to find words to express the depth of one's feelings with the passing of a constituent. Nevertheless, I rise today to pay tribute to the late Willye Mae Payne, who made her heavenly transition on Tuesday, July 12, 2011.

Mrs. Payne dedicated her life towards making a difference in the lives of other people. She was a shining example of how God can use even the ordinary to accomplish the extraordinary. Indeed, many who have had the privilege of knowing and associating with her have come to recognize that they are much better the person as a result.

A member of the Salem Baptist Church of Chicago, Mrs. Payne worked for over thirty-five years at the Children's Audy Home and the Cook County Hospital. She attended Mal-

colm X Community College and graduated from Olive Harvey Community College as a Licensed Practical Nurse. I have been privileged to know and work with her granddaughter, Cheryl Hyman, the Chancellor of the City Colleges of Chicago.

Mr. Speaker, I want to encourage her children Katherine McMurtry, Jacklyn Payne, James Payne, Walter Payne and Christine Jackson, her brother Mr. Johnny Robinson, her grandchildren, great grandchildren, the entire family and the many friends of Mrs. Willye Mae Payne to always remember to look to the hills from which comes all of their help, trusting that their help will surely come from the Lord. I am honored to pay tribute to this outstanding woman and privileged to enter these words into the CONGRESSIONAL RECORD of the United States House of Representatives.

CONGRATULATING MULTISORB TECHNOLOGIES

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 15, 2011

Mr. HIGGINS. Mr. Speaker, it is with great pleasure I rise today to congratulate Multisorb

Technologies on 50 years as a thriving company in Western New York and an innovator in the field of active packaging.

Founded in 1961 by John S. Cullen, Multisorb Technologies set out to address the needs of protecting products against moisture. They are now the world leader in active packaging.

Multisorb sends their product protection all over the world with main facilities in Buffalo and in Telford, England. They have built a report as a reliable and consistent company over their 50 years.

Multisorb employs hundreds of skilled technicians, researchers, engineers and sales people that all work hard everyday to produce the best product possible.

Mr. Speaker, it is with great honor I stand today to commemorate Multisorb Technologies 50th anniversary. I extend my thanks to their contribution to the Western New York community in which they call home; as well as my best wishes for continued success.

**SENATE—Monday, July 18, 2011**

The Senate met at 2 p.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Father in heaven, our sustainer and friend, as our Senators deliberate over challenging legislative issues, infuse them with insight, energy, and patience. As they face relentless pressure from constituents, lobbyists, and special interests, give them strength and courage to do the right thing as You give them the light to see it. Resolving differences without rancor and bitterness, let their lives model the unity of Your kingdom.

Lord, lead them in the way of compromise that does not sacrifice principle or self-respect, preserving timeless values which are ethical, just, and equitable. Teach them to respect each other and Your image which can be seen in humankind.

We pray in Your holy Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 18, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. REID. Mr. President, following any leader remarks, the Senate will be in a period of morning business until 3:30 this afternoon. Following morning business, the Senate will resume consideration of the Military Construction, Veterans Affairs, and related agencies appropriations bill. At 5 p.m. the Senate will go into executive session to consider the nomination of J. Paul Oetken. At 5:30 p.m. there will be a rollcall vote on confirmation of that nomination.

**MEASURE PLACED ON THE CALENDAR—H.R. 2018**

Mr. REID. Mr. President, H.R. 2018 is at the desk and due for a second reading, I am told.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar under the provisions of rule XIV.

**DEFAULT CRISIS**

Mr. REID. Mr. President, Senate Democrats sat down with Secretary Tim Geithner, and he painted a picture of what our world would look like if Republicans in Congress force this Nation, for the first time in its history, to default on its financial obligations.

The picture was grim. This is how he described the state of our government if Congress allows this unprecedented default: "Lights out."

He said default would result in a complete "loss of capacity to function as a government."

Even those who believe government should be small enough to drown in a bathtub have to admit that a total shutdown of even the most basic and essential functions of government is very, very scary. It would not be good for the American people, and it certainly would not be good for our economy.

The Senate has no more important task than making sure the United States continues to pay its bills for preexisting obligations such as Social Security.

I have spoken to the President's office today. Actually, I had a phone call scheduled with him, and he rescheduled it for later. But I have talked to his people, and he understands the importance of our meeting our responsibilities. Because of that, we are going to stay in session every day, including Saturdays and Sundays, until Congress passes legislation that prevents the United States from defaulting on our obligations.

I have spoken to the Republican leader. He understands the necessity of our being in session. We have a lot to do, not as many things as normal but extremely important things that are going to take time. So I know it is maybe inconvenient to have people rearrange their schedules, but this means Saturdays and Sundays and Mondays we have to be in session continuously.

Secretary Geithner described how the 80 million checks cut by the Treasury every day—would likely simply stop coming. The Federal Government would, in effect, go dark.

Paychecks for troops in Afghanistan and Iraq and bases around the world could stop. FAA towers could shut down. So could the FBI and the CIA. Border crossings could close. Safety inspections of the food Americans eat and the cargo that enters our ports could halt. Literally every function of government could cease—Social Security checks, payments to our veterans. We have heard that before. There would be no discussion of which operations and personnel are essential. All the payments would very likely stop.

Some have said we could prioritize which bills to pay. Even if that would not irreparably damage the Nation's credit and our reputation in the global economy and the global community—which it would—it is also a complete fiction. Our government will not even be able to cover the bills due on August 3. It will simply run out of money. Because we will be in default and our credit rating trashed, we will be able to borrow the money not again to keep running even if we wanted to.

That is the picture Secretary Geithner painted. Like I said, it is grim.

Many of my Republican colleagues understand this fact. They know what is at stake. It is not blanket for sure, but the irresponsible Republicans who say default would not be an unmitigated disaster for this country either do not know what they are talking about or are twisting the truth for political gain.

Americans have gotten the message. Seventy-one percent of the American

people disapprove of the way Republicans have used this crisis to force an ideological agenda. That is in the press today. Even a majority of Republicans disapprove of their unreasonable refusal to compromise, which puts our entire Nation at risk.

Those who say this crisis would be a blip on the radar are wrong. Default would be a plague that could haunt and would haunt our Nation for years to come. Our credit rating would take years to rebuild. The country would never, ever be the same.

Some will say this is an exaggeration, but it is not. This is what Treasury Secretary Geithner told us. That is what business leaders, economists, rating agencies, and bankers have all told us. If this country defaults on its obligations, they say—Secretary Geithner for certain says—it will be “much worse than the Great Depression.” It would make the massive financial crisis of 2008 look mild. “It will make what we just went through look like a quaint little crisis,” Secretary Geithner said. I repeat: “It will make what we just went through look like a quaint little crisis.”

That “quaint little crisis” led to the loss of almost 5 million American jobs. It caused our banking system to nearly collapse. More than \$34 trillion—Mr. President, that is not million, it is not billion, it is trillion—more than \$34 trillion in wealth was destroyed in less than 2 years. The ripples were felt throughout this Nation and around the world.

The average American family lost \$100,000 on its home and stock portfolio alone, and 400,000 families were plunged into poverty.

That crisis was minor, again, Geithner said, compared to the potential fallout from a U.S. default. No one should guess from what I have said that Secretary Geithner thinks what has taken place because of the Wall Street collapse is minor. But it is minor compared to what he believes would happen if we defaulted on our debt.

The leading business and economic voices of our time have said it again and again: The risks of default are unthinkable. It would be a catastrophe.

Secretary Geithner also said we are running out of time to avoid this iceberg. This huge iceberg is in the ocean, and our ship of state is headed toward it. The rating agencies have already placed our AAA credit rating under review and could downgrade us at any time.

This is what Secretary Geithner said. Again, I quote:

The eyes of the country are on us. The eyes of the world are on us, and we need to make sure we stand together and send a definitive signal that we’re going to take the steps necessary to avoid default.

So, Mr. President, I ask what it will take to get my Republican colleagues

to wake up to the fact that they are playing a game of political chicken with the entire global economy. They must wake up soon.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### BUDGET NEGOTIATIONS

Mr. McCONNELL. Mr. President, let me echo the initial remarks of the majority leader with regard to the decision, which in this particular instance I think we would agree is a mutual decision, that we need to stay in every day until we resolve this crisis confronting our country. So I concur with what the majority leader has said. We will stay in every day, Monday through Sunday, and get this problem fixed for our country.

Mr. REID. Mr. President, if I could interrupt my friend and through the Chair say this: I would hope the Republican leader noted the tone and content of my statement where I did not lump all Republicans in one big bundle.

Pardon the interruption.

Mr. McCONNELL. I thank my friend, the majority leader.

This is a pivotal week for America. Two years of reckless spending and debt have brought us to the point of crisis, and this week Americans will see how their elected representatives decide to resolve it.

On the one side are those who believe that failing to rein in spending now would be calamitous, and that a government which borrows 42 cents for every dollar it spends needs to sober up. Washington needs strong medicine to heal its spending addiction now, not a false promise to do it later.

On the other side are those who want to pretend the status quo is acceptable, that everything will be fine if we freeze current spending habits in place, raise job-killing taxes on small businesses, and do nothing about the long-term fiscal imbalance that imperils our economy.

Republicans have tried to persuade the President of the need for a course correction, but weeks of negotiations have shown that his commitment to big government is simply too great to lead to the kind of long-term reforms we need to put us on a path to balance and economic growth.

So we have decided to bring our case to the American people. That is why this week Republicans in the House and in the Senate will push for legislation that would cut government spending now, cap it in the future, and which only raises the debt limit if it is accompanied by a constitutional amendment to balance the Federal budget.

The cut, cap, and balance plan is the kind of strong medicine Washington

needs and the American people want, and Republicans in both Houses of Congress will be pushing it aggressively this week.

I heard one of my Democratic colleagues say yesterday that the votes simply do not exist to pass any bill in the Senate that balances the budget. My question is, Why in the world not? If you cannot vote for a bill that says you will live within your means, then you have given up and you agree that the unsustainable path is the only one we have, and that is really completely unacceptable.

Every single Republican in the Senate supports a balanced budget amendment. All we need is for 20 Democrats to join us. By my count, at least 23 of them have led their constituents to believe they would actually fight for it.

So my message to Senate Democrats this week is this: I would suggest you think long and hard about whether you will vote for the cut, cap, and balance legislation the House is taking up tomorrow. Not only is this legislation just the kind of thing Washington needs right now, it may be the only option we have if you want to see the debt limit raised at all.

The White House has called for a balanced approach in this debate. Well, a bill that actually balances our books is coming to the Senate floor this very week. I strongly urge my Democratic friends to join us in supporting it. Some have said they think this bill goes too far. With all due respect, I think most Americans believe Congress and the White House have gone too far in creating the fiscal mess we are in right now.

It is time for real action. It is time to show the American people where we stand. It is time to balance our books.

#### CONSUMER FINANCIAL PROTECTION BUREAU

Mr. McCONNELL. Mr. President, earlier today, the President announced his nominee to run the Consumer Financial Protection Bureau.

I remind him that Senate Republicans still are not interested in approving anyone to the position until the President agrees to make this massive new government bureaucracy more accountable and transparent to the American people.

Back on May 5 of this year, 44 Republican Senators signed a letter to the President stating:

We will not support the consideration of any nominee, regardless of party affiliation, to be the CFPB director until the structure of the Consumer Financial Protection Bureau is reformed.

We have been very clear about what these reforms would need to look like. Republicans have voiced our serious concerns over the creation of the CFPB because it represents a government-driven solution to a problem government helped create.

We have no doubt that without proper oversight the CFPB will only multiply the kinds of countless burdensome regulations that are holding our economy back right now and that it will have countless unintended consequences for individuals and small businesses that constrict credit, stymie growth, and destroy jobs. That is why everyone from florists to community bankers opposed its creation in the first place. That is why we will insist on serious reforms to bring accountability and transparency to the agency before we consider any nominee to run it.

It took the President a year to nominate someone to this position. I hope he will not wait that long to address our concerns and bring the CFPB the accountability and transparency it currently lacks.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 3:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. AKAKA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### BUDGET NEGOTIATIONS

Mr. AKAKA. Mr. President, I rise to speak about the budget and the debt ceiling, following the Senate's failure to invoke cloture on a measure expressing that shared sacrifices from all Americans—including the wealthiest—are necessary to reduce the budget deficit.

As the Senate Budget Committee chair has proposed, we must reach an agreement that strikes a balance between raising revenues and cutting spending, in which all Americans contribute to the solution.

Congress faces an important task. Americans are following this debate because they have a stake in its outcome.

If we do not raise the debt ceiling, it will force the government to choose which of its many obligations it will meet.

As President Obama pointed out last week, we cannot guarantee that veterans and Social Security recipients will receive the checks we owe them on August 3 if we fail to reach a compromise. If we fail, we will damage our credit rating and worldwide confidence in our financial system.

To avoid such a situation, I call on all of my colleagues to negotiate in good faith so that the creditworthiness of the United States is not compromised. I hope we can reach an agreement that will bring down the debt without placing most of the burden on the vulnerable among us—the sick, the poor, the long-term unemployed, and the elderly.

While we must reduce spending, we cannot forget to continue investing in our Nation's future. I came of age during the Great Depression and served in World War II, along with my colleagues Senator INOUE and Senator LAUTENBERG.

We were the beneficiaries of one of the Federal Government's greatest investments: the Servicemen's Readjustment Act of 1944, more commonly known as the G.I. Bill of Rights. This visionary Federal legislation enabled returning World War II veterans—many who, like myself, came from families of modest means and may never have otherwise attended college.

The G.I. Bill not only changed the lives of its beneficiaries, it changed the United States by laying the groundwork for the emergence of our middle class, which remains the backbone of our country.

Many other valuable investments made in the years that followed, such as the Interstate Highway System and Federal funding for research programs at the Nation's leading universities, propelled America into one of history's greatest periods of economic expansion, social advancement, and technological innovation.

None of these investments simply happened. They were made by past Congresses and Presidents from both parties. These legacies have proven repeatedly that dedicated social and economic investments are effective drivers of recovery, growth, and future success. As we move forward and make difficult but necessary choices to cut spending, we must strengthen those programs that are restoring our economic health.

Reaching an agreement on the debt ceiling and deficit reduction will undoubtedly require all of us to make difficult compromises on spending and revenues. As debate on these issues continues, I urge each of my colleagues to remember the obligation that we have to preserve the Nation's creditworthiness—and to defend our veterans and those depending on Social Security and other safety net programs from harm—as we continue to make needed investments for recovery.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### BUDGET NEGOTIATIONS

Mr. KYL. Mr. President, I wanted to speak for a moment here about the status of discussions that Members of Congress have been having with the President and others regarding the debt ceiling, the extending of the debt ceiling, and how we can solve the problem that confronts our country.

Obviously, in 10 minutes, I will be brief and hit some of the highlights. But the first question I was asked on a program I was involved in was: Well, why wouldn't Republicans be supportive of raising taxes? So I want to answer that. There are three answers to that question. The first is, if you go to the doctor and he is going to treat you for what is wrong with you, he needs to figure out what is wrong and then treat that condition rather than something totally different. So the reason we are not going to want to raise taxes here is because it has nothing to do with the problem we have.

I meant to have this chart blown up, but I wasn't able to do it in time, but this shows how much money we are spending. As you can see, when President Obama came into office, the spending spiked dramatically. We have historically spent about 20 percent of the gross domestic product of the country. With the Obama spending, we have gone straight up to about 25 percent of our gross domestic product. The problem, in other words, is not taxing; the problem is spending. So that is the first reason we should focus on spending, and reducing Federal spending, not focus on the Tax Code, which is not the problem.

The second problem with raising taxes as a part of this exercise is the taxes the President is talking about are not just on millionaires and billionaires. There are 319,000 households that report income of over \$1 million, so you can say 319,000 billionaires or millionaires. But there are 3.6 million households also in the same tax bracket that don't report incomes of even \$1 million. So as we have done before, with the alternative minimum tax, for example, we aim at the millionaires and billionaires but we end up hitting a lot of other Americans. This isn't just about taxing millionaires and billionaires.

Who are the other people who would be the target of the tax increases proposed by the President? Well, we know



that 50 percent of all small business income is reported in those top two brackets. So the first thing you have to think about here is doing harm to the economy. If you are hitting the small businesses with more taxes—which, by the way, historically create two-thirds of the jobs coming out of a recession—you are going to inhibit economic growth. That is a problem that is recognized even by the Obama administration and by the President. Last December, the President reached agreement with the Congress and we extended the existing tax rates—sometimes they are called the Bush tax cuts, but those tax rates have been in existence for a decade now—and they were extended another 2 years.

At the time the President said: In the time of economic downturn, that is the worst time to raise taxes so we shouldn't do it.

We are still in an economic downturn, one could say even worse than it was back then. We are now back up to 9.2 percent unemployment. The economy is not getting better; it is still sick, and the worst medicine for a sick economy, as even the President has said, is a tax increase.

One of the taxes the administration sought to increase was the subject of a report by the Obama administration's small business agency, the SBA, and it said this particular tax increase "could ultimately force many small businesses to close."

Why would you propose raising a tax which could ultimately force many small businesses to close? It doesn't make sense. That is the second reason we are focused on wasteful Washington spending, not on raising taxes.

The third reason to talk about the problem of raising taxes is related to the second; that is, the effect it would have on job creation and the economy. If you add the tax rate that will result from the automatic tax increases in January of 2013 and the tax increases that are part of ObamaCare, the top rate in this country will be 44.8 percent, and that is before your State income tax rates.

Corporations pay 35 percent, and they get a lot of deductions, so they don't always pay 35 percent. So here you have a small business person who is paying 10 percentage points above what a big corporation pays, and the 35 percent is too high. The President himself has said: We should get rid of corporate so-called tax expenditures or loopholes so we can, with that savings, reduce the corporate rate in America to something closer to 20 or 25 percent, which would make American businesses more competitive with our foreign competitors.

If we need to reduce the corporate rate down to 20 or 25 percent, it makes absolutely no sense for us to have the small business entrepreneurs in our country paying almost 45 percent. That

is why we don't want to raise taxes on small businesses.

Moreover, some of these taxes are not just on those who are in the top two income tax brackets but are in businesses that I mentioned, the retailers and manufacturers, that would be hit with one of the taxes the SBA says could ultimately force many small businesses to close.

So those are the three key reasons why it is not the time to raise taxes, why we ought to be focused on spending. Spending is the problem. It has gone up from 20 to 25 percent of the gross domestic product in this country. We have had a deficit now of \$1.5 trillion each of the years of the Obama administration.

The Obama administration, in just 5 years—if it gets the first year of the second term—in 5 years would double all the national debt of this country all the way from George Washington to George W. Bush.

So if you take all Presidents and the debt we have acquired and then you double it, that is what happens under 5 years of the Obama administration budget and then the second 5 years would triple it. That is the problem we have. It is not taxes; it is spending. Secondly, because you are not just hitting millionaires and billionaires, and, third, because it would be very bad for the economy.

The administration has said: Well, it is just not fair. We need some "shared sacrifice" is their term, some shared sacrifice. I have two answers to that.

First of all, how about before we ask people to sacrifice, let's get rid of the waste, fraud, and abuse, and initiate savings that the Office of Management and Budget, the General Accounting Office, the CBO, all these groups have found exists in our budget, if we would just get about it.

There is over \$100 billion a year we could save by not making overpayments or improper payments in Medicare, Medicaid, and unemployment insurance, just those three alone. In unemployment insurance, \$1 out of every \$9 is improperly paid. What is wrong with a government that has that kind of error rate? That is \$16.5 billion a year. In Medicare, the error rate is over 10.5 percent and Medicaid 8.4 percent. You could save \$87 billion a year just in those two programs. That is well over \$100 billion a year.

What does the administration say to that? No, we don't want to talk about that.

That is not shared sacrifice. That is not any sacrifice. You are not taking any benefit away from any beneficiary by just enforcing the law Congress has passed. The administration says, no, it doesn't want to talk about those things.

The other reason is, I am just asking here: What is fair? You have to admit, the top 1 percent of American tax-

payers are wealthy people and so they pay twice as much in taxes. They represent 1 percent of the taxpayers, of course. So do they pay 2 percent of the taxes? How about 5 percent? Does the top 1 percent pay 10 percent of all the taxes, 20 percent, 30 percent? How about 38 percent? One percent of the people pay 38 percent of the taxes in the country. I would call that shared sacrifice. The top 10 percent pay almost 70 percent. So how much do you want the top 10 percent to pay, 80 percent, 90 percent?

How fair is that, when the bottom 50 percent pay nothing and all of them receive benefits from the government and 30 percent of them receive an EITC benefit or payments back from the government in some other form, directly to them. So you have half the people who pay no Federal income taxes, the top 10 percent pay 70 percent of all the income tax.

We have said that is OK; we want to have a progressive tax rate. The OECD—these are the developed countries of the world—have done a study, and they make the point we have the most progressive income tax system in the world. Of all the developed countries in the world, we make the wealthy pay the most. We have said that is OK.

But how much more can this one group pay? They cannot carry the entire government on their back. So it is, frankly, political demagoguery for anybody to suggest that either we can solve the problem by taxing corporate jets or we can solve the problem by having millionaires and billionaires pay more than they already do. That only gets you a little bit.

The people who end up paying the taxes are the broad middle class. That is the way it always is.

So beware of the politician who says: I am just going to target the rich; you don't have to worry about it. The tax on millionaires was supposed to hit about 125 millionaires, the AMT, that now hits somewhere between 20 million and 30 million Americans.

That is why I say we have to solve the problem. The problem is spending. It is not revenues. So when people ask me: Well, why aren't you willing to meet the President halfway and agree to raise taxes, those are the three reasons. It would stop our economy from creating the jobs it needs in order to get out of the economic doldrums we are in and begin to produce the kind of economic recovery that produces wealth. When you are unemployed, you are not working, you are not making money, you are not paying taxes to the Federal Government.

We can pay the Federal Government a lot more in tax revenues every year if we go back to work and if we are making more money and we are more productive as a country. But as long as we are in the condition we are right now,

the Federal revenues are going to decline.

That is the answer. Get the economy moving again, and you don't do that by imposing another heavy burden of taxes on it. That is why we have to focus on spending. I hope my colleagues and I can work together in the days to come and reach agreement so we can actually get the country moving on a path toward economic recovery and sound fiscal future.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

#### EAST ASIA RELATIONS

Mr. WEBB. Mr. President, we spend probably the majority of the time when we discuss foreign policy on this floor talking about the crises in places such as Libya, Iraq, Afghanistan. If we talk about East Asia at all, we generally are discussing the economic situation as it portends to the future, especially with China.

But I would like to make a strong point here today; that is, if we don't get it right with our relations in East Asia, we are in very serious trouble as a nation. It is vitally important for the United States to continue to invigorate our relations with all the countries with East and Southeast Asia on economic, security, and cultural levels.

Today, I would like to talk about a few of these issues that are affecting our relations in that part of the world. This weekend, there will be a regional forum for the Asian countries in Bali. Our Secretary of State will be there.

This forum is coming at a pivotal moment with respect to our relations in Southeast Asia and the rest of East Asia. The recent military provocations by China against the Philippines and Vietnam in the South China Sea, which this body passed a resolution deploring, affect the mood of the entire region at this moment. There also have been political transitions in Thailand and in Burma and there are consistent ecological threats in the Mekong River, with hydropower dams up river beginning in China and now also being proposed in Laos.

All of these issues underscore the need for vigorous multilateral engagement in this part of the world and the development of new strategic relationships and the continuity of balance the United States has been bringing to this vital region since the end of World War II.

We are going to be reauthorizing a piece of legislation called the Trafficking Victims Protection Act in this session of Congress. I have an amendment to this act. I think it is an extremely important amendment in terms of our relationship with friends and allies, particularly in East Asia, and with representatives of highly developed governmental systems that have a lot of problems with the way we have implemented this act in the past.

I, similar to everyone in the Senate, fully support the intentions of this legislation and the intentions of the State Department to prevent human trafficking and to assist trafficking victims. But under our present policy, we have a great deal of confusion and, quite frankly, resentment from many of these more developed governmental systems. This present policy requires that a country be ranked against the progress it has made in the past year. In other words, a country is ranked against itself over a period of yearly behavior. This practice doesn't provide countries with a consistent standard by which they might truly measure their efforts against human trafficking versus other countries around the world, and it creates a lot of misunderstandings.

The criteria used to judge a country's efforts are difficult to estimate with any precision. They are often very subjective. For example by placing prosecutions for trafficking as a part of this evaluation over actual successes in areas such as the protection of victims and the prevention of acts in the first place, we get a total misreading of the success that many of these governmental systems actually have been able to bring about.

This is an excerpt from a press release that came out of Singapore's Ministry of Foreign Affairs on June 28 of this year, talking about their ranking under this Trafficking in Persons Report, the TIP Report.

They say: We note that the United States has again unabashedly awarded itself a tier 1 ranking. Yet the New York Times observed—this is from their press statement—that teenage girls coerced into prostitution in the United States are treated not as trafficking victims but as miscreants who are arrested and prosecuted. This is directly opposite to Singapore's approach. The United States also suffers from serious problems with illegal immigrants, many of whom are trafficked by well-organized criminal gangs which seem to operate with impunity.

Singapore, our friend, our ally, and an advanced governmental system by any determination, then says:

On any objective criteria, the United States has a more serious TIP problem compared with Singapore.

Why are they angry? Why do they feel they have not been fairly evaluated? Because they are evaluated against themselves by standards that may not apply. They are not alone, by the way. Singapore is not alone.

The last year's reporting showed Nigeria got a tier 1 rating. Japan, another highly advanced governmental system and culture, got a tier 2 rating. Singapore got a tier 2 watch list rating, which means that they could be in danger of losing a lot of the governmental interactions between our two countries if this continued. How would

they rate a tier 2 if we had a standard where we were evaluating all country systems against one another, rather than this approach we are now using?

Here is a good objective way to see if we cannot answer that question. These are the worldwide ratings from an organization called Transparency International. This is called the Corruption Perception Index, from the same year. From the country rankings for corruption perception, internationally, Singapore is tied for first as the most transparent governmental system. The United States is down here at No. 22—again, below Japan. I mention Japan because under this TIP system, Japan got a tier 2 rating. Nigeria is over here tied for 134th. This is not meant to be critical of the attempts of the Nigerian governmental system to fix their problems, but clearly, if we were evaluating these countries among each other rather than by this very confusing standard, you would not be seeing Singapore with a tier 2 watch list category and Nigeria as a tier 1.

I will have a simple but I think very important amendment to the legislation when it comes forward. It basically will require the State Department to categorize countries, first of all, as either in compliance or not with our legislation and then rank countries on a single scale rather than by year-to-year progress against themselves and to eliminate the special watch list category. It maintains all the other existing criteria we have used in terms of examining whether trafficking in persons is being addressed in these different countries; the extent to which a country is a country of origin, transit, or destination; the extent of non-compliance by the governments, including government officials; and what measures are reasonable to bring the government into compliance. This may seem a small matter on the floor of the Senate, but I can assure you this is not a small matter to countries that have been our friends and allies and have advanced governmental systems and believe they are being wrongly categorized for the rest of the world to see.

I would like to raise one other point today with respect to this part of the world—it goes back to what I said when I first began speaking—regarding issues of sovereignty and freedom of navigation in the South China Sea and recent activities which could quickly reach a level of volatility that we would not like to see and to emphasize again that our country is the No. 1 reason we have had the kind of stability that has existed for the most part in this very volatile region since the end of World War II.

The red lines on this map are the areas in which China claims sovereignty in the South China Sea. As you can see from these lines, it goes all

the way past the coast of the Philippines, down into Borneo and Malaysia, up the coast of Vietnam, back into China.

Over the last 10 years, we have seen incidents that people in the United States, including military officials, too often seem to recognize or deal with as tactical challenges rather than strategic data points in terms of the ongoing issues of who actually controls these areas.

These areas are claimed by many different countries. They are the most highly trafficked sealanes, in terms of trade, in the world. Just in the last 1½ years, we have seen an incident off the coast of Okinawa, with a dispute between the Japanese and the Chinese Governments. We have seen a military incident, a provocation by the Chinese off the coast of the Philippines, which was protested by the Philippines. We have seen two incidents off the coast of Vietnam, one in May and one in June. If you look at where these incidents have occurred, they mark the boundaries of the sovereignty claims that have been made by the Chinese.

This body unanimously passed a resolution condemning this use of military actions in disputes that should be resolved in a multilateral way. I am very hopeful that Secretary Clinton will reinforce our concerns in this area.

When I was on "Meet The Press" a couple of weeks ago, I said we could be approaching a Munich moment in this region. That comment has been widely circulated. Let me explain what I mean by that. That doesn't mean I see a Hitler out there; that doesn't mean I see a Neville Chamberlain here. What this means is when you have an expansionist power that is making claims that it owns land in disputed areas and is provoking these other countries through the use of military force, you are reaching the edge of a country unilaterally claiming sovereignty over areas that require multilateral solutions. That is not healthy. It is not healthy internationally.

This region historically has been a very volatile region, and the United States is the most important ingredient in making sure these issues are resolved multilaterally and without the use of force. Again, I strongly hope our Secretary of State will reinforce the comments she made last year to the effect that the United States does have a vital interest in resolving these issues in a multilateral way, just as we do, by the way, in resolving the issues with respect to the Mekong River. Rather than having a strong, powerful country insisting only on bilateral adjustments with countries that it totally overpowers. We are the essential ingredient. No one wants to see this issue go the wrong way.

We have the potential of resolving this with China and resolving our relationships with the Chinese Government

in a positive way, looking into the future, but it is going to require clear, consistent comments and a credible approach by the U.S. Government.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE NOMINATION REFERRAL

Mr. JOHNSON of South Dakota. Mr. President, I was very pleased that the Senate recently acted to confirm the nomination of David Cohen to be Under Secretary of the Treasury for Terrorism and Financial Crimes. I would like to pose a brief parliamentary inquiry as a followup to the Senate's action. For future nominees by the President to the position of Treasury Under Secretary for Terrorism and Financial Crimes, would all such nominees be referred, under current law and precedents of the Senate, to the Senate Committee on Banking, Housing, and Urban Affairs?

The PRESIDING OFFICER. Yes, it is my understanding the Senator is correct.

Mr. JOHNSON of South Dakota. Thank you, Mr. President.

#### WALL STREET REFORM

Mr. President, Thursday marks the first anniversary of President Obama signing the Dodd-Frank Wall Street Reform and Consumer Protection Act into law. As chairman of the Banking Committee, I have a responsibility to oversee implementation of this critical new law.

The Wall Street Reform Act was a direct response to the worst financial crisis since the Great Depression. While it appears that many on Wall Street, and even some here in Washington, have already forgotten the painful costs of inadequate financial regulations, I have not. And neither have the millions of Americans who lost their jobs, their homes, or their savings, and who are still waiting for the recovery.

The financial crisis didn't just happen by itself. It was the result of reckless and irresponsible behavior on Wall Street, lack of consumer protections, and failure by financial regulators to take action even as the warning signs grew ever larger.

In response to the devastation, Congress passed new financial reforms that created a sound regulatory foundation to protect consumers and help prevent future crises.

However, these reforms have been under constant attack since their in-

ception. Opponents of Wall Street reform continually repeat misleading claims that the new law was hastily conceived and will harm our economy.

The truth is the Wall Street reform law is a product of nearly 50 Senate hearings, and scores more in the House, that identified the abuses and loopholes that fueled the catastrophe and helped develop clear proposals to end them.

After a long series of hearings that began in 2007 and 2008 with examination of the turmoil in the mortgage and credit markets, and after months of hard work by bipartisan working groups of Senators, the Banking Committee reported out a Wall Street reform bill that incorporated many Republican ideas.

On the Senate floor, the bill had a thorough debate in an open process that lasted more than 3 weeks. Fifty-six amendments were considered and 32 amendments were approved, 15 of which were Republican-sponsored amendments and 22 were bipartisan amendments. Finally, the bill was reconciled with the House version at an open conference committee which worked through more than 100 additional amendments.

In short, through a rigorous, bipartisan, and transparent process, we produced a comprehensive reform bill that the times demanded and the American people deserved.

The Wall Street reform law enhances consumer protections to help ensure people can make financial decisions with honest information, and it roots out predatory lenders who fueled the subprime mortgage bubble. The reforms we passed 1 year ago will no longer allow the shadow banking system that nearly destroyed our economy to continue to escape the light of day.

The Wall Street reform law also enhances investor protections.

During the financial crisis, investors suffered enormous losses when their retirement accounts or other assets were decimated. Some had invested in companies with compensation systems that encouraged executives to take on unmanageable risks. Some relied on mutual funds or pension funds that had bought mortgage-backed securities based on predatory loans that borrowers could not repay. New reforms will enhance transparency, increase accountability and allow oversight of previously hidden parts of the financial system.

Unfortunately, some powerful Wall Street apologists are trying to rewrite history. They are claiming that new regulations are overly burdensome and will hurt their bottom line and the economy. Gaps in regulation hurt the economy. Bad, reckless decisions on Wall Street hurt the economy. But many top financial executives have apparently forgotten that the only reason

they are still in business is that the American taxpayer saved them.

Now, many of these financial institutions have nearly fully recovered, while Main Street Americans continue to pay the price for those bad decisions and inadequate regulations.

The Wall Street Reform Act established responsible rules to make our financial system work for the benefit of all Americans, so that we never return to the days of too big to fail bailouts, backroom derivatives deals, predatory subprime mortgages, and the threat of economic collapse. Passing the Wall Street Reform Act was a monumental achievement, but there is much work left to be done. Now the financial regulators, the experts who have made it their life's work to understand these issues, must work to write rules and implement these reforms. This will take time, and we must get it right.

If the attacks on the law and its implementation are successful in weakening or eliminating these new protections, however, our economy will once again be at risk. Since I became chairman earlier this year, the Banking Committee has held more than 25 hearings and bipartisan briefings on financial reform. We are exercising our oversight authority, following the regulators' progress closely, and are committed to seeing the process of reforming Wall Street through to completion.

We all remember the economic nightmare we lived through 3 years ago, and we should never forget it. That is why I take my responsibility as chairman of the Banking Committee and custodian of this new law so seriously. I am fully committed to helping ensure Congress does its part to hold our regulators accountable and to providing Americans with a financial system they can trust.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2055, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

Pending:

Coburn (for McCain) amendment No. 553, to eliminate the additional amount of \$10,000,000, not included in the President's budget request for fiscal year 2012, appropriated for the Department of Defense for planning and design for the Energy Conservation Investment Program.

Johnson (SD)/Kirk amendment No. 556, of a perfecting nature.

Mr. JOHNSON of South Dakota. I ask unanimous consent that the reading of the bill be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. Mr. President, as the Senate resumes consideration of the fiscal year 2012 Military Construction, Veterans Affairs, and Related Agencies appropriations bill, I wish to remind my colleagues of the important programs funded in this bill.

This bill funds the infrastructure that is the backbone of our military—the facilities in which our troops work, train, and live—and the facilities that support their families, including family housing, schools, hospitals, and childcare centers. It also funds the medical care and benefits promised to the Nation's veterans—a sacred trust we must not fail to honor.

This is a bipartisan bill that was reported unanimously out of the Appropriations Committee. As I have said before, the bill is balanced, disciplined, and responsible.

Two amendments to this bill are currently pending and several others have been filed. If my colleagues have additional amendments they wish to offer to the bill, I encourage them to file those amendments without delay or call them up if they wish a vote. My staff and Senator KIRK's staff are available to work with Members to clear amendments if possible.

There is a lot going on in Washington this week, but it need not distract from the disposition of this bill. I urge my colleagues to bring any amendments they have to the floor so we can act on them and move quickly to a vote on final passage.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. Mr. President, what is the pending amendment?

The PRESIDING OFFICER. The Johnson amendment.

AMENDMENT NO. 556, AS MODIFIED

Mr. JOHNSON of South Dakota. I ask unanimous consent that amendment No. 556 be modified with the modifications at the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

On page 114 between lines 18 and 19, insert the following:

SEC. 301. Not later than 90 days after enactment of this Act, the Executive Director of Arlington National Cemetery shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives; the Senate Armed Services Committee; the Senate Veterans' Affairs Committee; and the Senate Homeland Security and Governmental Affairs Committee detailing the strategic plan and timetable to modernize the Cemetery's Information Technology system, including electronic burial records.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that Senator MCCASKILL be added as a cosponsor to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF J. PAUL OETKEN

Mr. SCHUMER. Mr. President, it is my distinct honor to rise in support of Paul Oetken's confirmation to the bench of the Southern District of New York. We have a very deep pool of legal talent in New York, but Paul's nomination is one everybody is talking about. Paul is brilliant, well rounded, and unwavering in his dedication to public service and his commitment to rule of law. His confirmation will only improve the workings of one of the best and busiest courts in the country.

I look for three qualities in judicial candidates: excellence, moderation, and diversity. Paul's Excellence is provable on paper. He is a graduate of the University of Iowa and Yale Law School and has worked in the highest echelons of two of the three branches of government, including for the Office of Legal Counsel at the Department of Justice and for Supreme Court Justice Harry Blackmun. He has also climbed the ranks of private legal practice, serving most recently as the head of litigation for the large New York media company Cablevision, one of our fine companies in New York.

I consider a broad range of experience to be an important training ground for teaching judicial candidates the second quality I look for: moderation. I do not

like judges who tend to be too far to the right, but I do not like judges who come from a perspective that is too far left either. Paul Oetken fits the bill of a mainstream, moderate judge. His moderation and modesty were evident during his confirmation hearing and are clear to all who know him. When judges have in their resume practical experience dealing with real-world problems, they tend to understand that a judge cannot simply impose things from on high without understanding the effect of imposing those decrees on average people, average businesses, and average governments.

When a candidate has these two qualities—excellence and moderation—diversity is a bonus. But in this case, at this moment, Paul is not just an excellent candidate. As the first openly gay man to be confirmed as a Federal judge and to serve on the Federal bench, he will be a symbol of how much we have achieved as a country in the last few decades. And importantly, he will give hope to many talented young lawyers who, until now, thought their paths might be limited because of their sexual orientation. When Paul becomes Judge Oetken, he will be living proof to all those young lawyers that it does get better.

Paul Oetken's modest but brave act of going through the confirmation process makes this otherwise quiet moment historic. But long after today, what the history books will note about Paul is his achievement as a fair and brilliant judge.

In a short while, our country will take one step closer toward equality and away from bigotry and prejudice. I am very proud to have played a supporting role, and I look forward to Paul Oetken's service on the bench in the Southern District of New York. Often quoted but still one of my favorites is what Martin Luther King often said:

The arc of history is long, but it bends in the direction of justice.

Paul Oetken's nomination to the Federal bench proves that point once again.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask that the order for the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### NOMINATION OF J. PAUL OETKEN TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

The PRESIDING OFFICER. Under the previous order, the Senate will pro-

ceed to executive session to consider the following nomination, which the clerk will now report.

The assistant bill clerk read the nomination of J. Paul Oetken, of New York, to be United States District Judge for the Southern District of New York.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, the Senate will vote on the nomination of J. Paul Oetken to the U.S. district judge for the Southern District of New York.

Today's vote marks the 28th judicial confirmation this year, and I am pleased we are moving forward with filling another vacancy.

When I became ranking member of the Judiciary Committee earlier this year, the courts had 103 vacancies. I have worked with the chairman and other members of the committee to reduce vacancies by confirming consensus nominees. We have brought the vacancies down now to 89. Based upon media stories and other exaggerated statements that I hear from time to time, you would think the Republicans are blocking every judicial nominee. The record shows something quite different. In total, 60 percent of the President's judicial nominees have been confirmed; 33 percent of the nominees have been confirmed during this Congress.

We continue to achieve great progress in committee as well. Seventy-three percent of the judicial nominees submitted this Congress have been afforded hearings. Only 57 percent of President Bush's nominees had hearings for the comparable time period during his Presidency. We have reported 58 percent of the judicial nominees, compared to only 54 percent of President Bush's nominees. In total, the committee has taken positive action on 62 of the 86 nominees submitted this Congress or 72 percent of those nominees submitted.

I could go on with other statistics which demonstrate our cooperation and positive action, but I think I have made my point. We are moving forward on the consensus nominees. Complaints to the contrary are not supported by the facts.

I would like to say a few words about the nominee we are considering today, a nominee I will vote for.

Mr. Oetken grew up in my State of Iowa and attended the University of Iowa, where he received his bachelor of arts degree with distinction in 1988. Following graduation from Yale Law School in 1991, the nominee spent 3 years clerking. He first clerked for the Seventh Circuit, then the DC Circuit, and finally for Justice Harry A. Blackmun of the Supreme Court of the United States.

After his clerkships Mr. Oetken entered private practice. In 1997, he became an attorney-adviser with the De-

partment of Justice Office of Legal Counsel. In 1999, the nominee joined the White House Counsel's Office as associate counsel to then-President Clinton. In 2001, he moved to New York and returned to private practice. In 2004, the nominee joined the legal department of Cablevision Systems Corporation. Currently, he is the senior vice president and associate general counsel at Cablevision.

The ABA Standing Committee on the Federal Judiciary has given Mr. Oetken a unanimous "qualified" rating. I support this nomination and congratulate him on his professional accomplishments.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is considering the nomination of Paul Oetken of New York.

Mr. LEAHY. Mr. President, let me speak for a moment on that. With today's vote on the nomination of Paul Oetken to fill a judicial vacancy on the Southern District of New York, the Senate is going to also mark a new and important milestone. Mr. Oetken, of course, is a superbly qualified nominee. He is also the first openly gay man nominated to be a Federal district judge. I fully expect him to be confirmed to a lifetime appointment to the Federal bench. I am proud first of the President for taking this critical step to break down another barrier, increase diversity in the Federal judiciary, but also on the part of Paul Oetken, who stepped forward to serve. He was reported with the support of every member of the Judiciary Committee, Democratic and Republican, and I commend my fellow Republicans and Democrats for that vote. I think he is going to be confirmed by what I believe will be an overwhelming vote in the Senate. It is a sign as a nation we take a new and welcome step on the path of ensuring the Federal judiciary better reflects all Americans.

To reiterate, today, the Senate will finally vote on the nomination of Paul Oetken to fill a judicial vacancy on the Southern District of New York. Mr. Oetken's nomination was reported unanimously by the Judiciary Committee more than 3 months ago and could—and in my view should—have been confirmed within days. Yet, like so many of President Obama's qualified, consensus nominees, Mr. Oetken

has been stuck without cause or explanation for months on the Senate's Executive Calendar. At a time when judicial vacancies are above 90 and have remained at that crisis level for 2 years, this kind of needless delay undermines the serious work we have to do to ensure the ability of our Federal courts to provide justice to Americans around the country.

With today's vote the Senate will mark a new and important milestone. Mr. Oetken, a superbly qualified nominee, is the first openly gay man to be nominated to be a Federal district judge. Today I expect he will be the first openly gay man to be confirmed to a lifetime appointment on the Federal bench. All of us can be proud of President Obama for taking this critical step to break down another barrier and increase diversity in the Federal judiciary. All of us in the Senate can also be proud that Mr. Oetken was reported with the support of every Member of the Judiciary Committee, Democratic and Republican, and will be confirmed by what I believe will be an overwhelming vote in the Senate. It is a sign that, as a nation, we have taken a new and welcome step on the path of ensuring that our Federal judiciary better reflects all Americans.

Senator GRASSLEY, the ranking member of the Judiciary Committee was pleased at Mr. Oetken's hearing in March that Mr. Oetken was a Phi Beta Kappa graduate of the University of Iowa. As Senator SCHUMER said when introducing Mr. Oetken to the committee, not every New York nominee has such a strong connection to Iowa. Born in Louisville, KY, Mr. Oetken earned his law degree from Yale Law School and then served as a law clerk at every level of the Federal judiciary, for Judge Louis F. Oberdorfer of the District Court for the District of Columbia, for Judge Richard D. Cudahy of the Seventh Circuit Court of Appeals, and for Justice Harry Blackmun on the Supreme Court. Mr. Oetken has worked in the Justice Department's Office of Legal Counsel, as associate counsel to President Clinton, as a litigator in private practice, and is now one of the top in-house counsels for Cablevision System Corporation.

Regrettably, Mr. Oetken's nomination is the only one the Republican leadership would consent to consider today. There is no reason the Senate is not also voting on the nomination of Paul Engelmayer, who was reported unanimously on April 7 along with Mr. Oetken to fill another vacancy—a judicial emergency—on the Southern District of New York. In fact, Mr. Oetken's nomination is only the fifth nomination we have considered in the last 2 months, at a time when vacancies have remained near or above 90. I thank Senator GRASSLEY for his cooperation in working with me to make progress in committee considering ju-

dicial nominations in regular order. But that progress has not been matched in the Senate, where agreements to debate and vote on judicial nominations are too few and too far between.

In addition to Mr. Oetken, there are now 22 judicial nominations reported favorably by the committee and ready to be debated and voted on by the Senate, 17 of them having been pending on the Executive Calendar for a month or more. Before the Memorial Day recess I urged that the Senate take up and vote on the many consensus judicial nominations then on the calendar, as it traditionally has done before a recess. Republican Senators would not agree to consider a single one.

In June, I again urged the Senate to take steps to address the judicial needs of the American people by confirming the many qualified, consensus judicial nominations reported favorably by the Judiciary Committee. However, Republicans would consent to vote on only four judicial nominations during that month. Three of them were confirmed unanimously. In fact, one of the nominees we considered was, finally, the last of the judicial nominations that had been reported by the committee last year that, in my view, should have been considered then.

As a result, 17 judicial nominations reported favorably by the Judiciary Committee were left on the calendar throughout June and now halfway into July, 14 of which were reported unanimously and could easily have been confirmed. Last week, the Judiciary Committee favorably reported another five judicial nominations with significant bipartisan support, three of them unanimously. So in addition to Mr. Oetken's nomination there are now 17 judicial nominations pending on the Senate's Executive Calendar that, like his, were reported unanimously with the support of every Senator, Democratic or Republican, on the Judiciary Committee.

All these nominees have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. They are by any measure noncontroversial and will, I expect, be confirmed unanimously when Republicans consent to have votes on them. They should have an up-or-down vote after being considered by the Judiciary Committee, and without additional weeks and months of needless delay.

Federal judicial vacancies around the country still number too many, and they have persisted for too long. Whereas the Democratic majority in the Senate reduced vacancies from 110 to 60 in President Bush's first 2 years, judicial vacancies still number 91 2½ years into President Obama's term. By now, judicial vacancies should have been cut in half, but we have barely kept up with attrition. If we join together to consider all of the judicial

nominations now on the Senate's Executive Calendar, we would be able to reduce vacancies below 80 for the first time since July 2009.

Regrettably, the Senate has not reduced vacancies as dramatically as we did during the Bush administration. In fact, the Senate has reversed course during the Obama administration, with the slow pace of confirmations keeping judicial vacancies at crisis levels. Over the 8 years of the Bush administration, from 2001 to 2009, we reduced judicial vacancies from 110 to a low of 34. That has now been reversed, with vacancies staying near or above 90 since August 2009. The vacancy rate—which we reduced from 10 percent at the end of President Clinton's term to 6 percent by this date in President Bush's third year, and ultimately to less than 4 percent in 2008—is now back to more than 10 percent.

We have a long way to go to do as well as we did during President Bush's first term, when we confirmed 205 of his judicial nominations. We confirmed 100 of those judicial nominations during the 17 months I was chairman during President Bush's first 2 years in office. So far, well into President Obama's third year in office, the Senate has only been allowed to consider 89 of President Obama's Federal circuit and district court nominees.

This is an area in which we must come together as Democrats and Republicans for the American people. There is no reason Senators from both parties cannot join together to finally bring down the excessive number of vacancies that have persisted on Federal courts throughout the Nation for far too long, and which have led the Chief Justice, the President, the Attorney General and judges around the country to urge the Senate to act.

The nomination that we confirm today is an important one for the Senate and for the American people. The only questions that should matter for any judicial nominee are the questions I have asked about every judicial nominee, whether nominated by a Democratic or a Republican President—whether he or she will have judicial independence. Does the nominee understand the role of a judge? Mr. Oetken meets this standard, and I am proud to vote for his confirmation today.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I understand this vote is scheduled for 5:30; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. Mr. President, I ask consent not to delay in any way the vote—we will still have the vote at 5:30—but that I be allowed to continue during the time remaining to me as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENDING SERVICE OF FBI DIRECTOR ROBERT MUELLER

Mr. LEAHY. Mr. President, back on May 12, the President requested that Congress pass legislation to enable Robert Mueller to continue serving as Director of the Federal Bureau of Investigation for up to 2 additional years in light of the leadership transition at other key national security agencies—the Secretary of Defense was leaving, there was a change in the directorship of the CIA, and so forth—and, of course, the unique circumstances in which we find ourselves as the 10th anniversary of 9/11 approaches in less than 2 months.

In response to the request of the President, a bipartisan group of Senators drafted and introduced S. 1103, a bill that would create a one-time exception to the statute that limits the term of the FBI Director to 10 years. This bill would allow the term of the incumbent FBI Director to continue for 2 additional years.

Given the continuing threats to our Nation and the need to provide continuity and stability in the President's national security team, it is important that this critical legislation be enacted without delay.

Director Mueller's term expires on August 2, 2011. Of the 12 weeks between the President's request and the expiration of Director Mueller's term, 10 have passed. The time for responsible congressional action has all but elapsed. We are almost in the final hour.

Congressional leaders, including Republican leaders, reacted to the President's request saying that they supported it. On May 26, bipartisan legislation providing the one-time statutory exception, which was drafted by Senator GRASSLEY, was introduced. It was cosponsored by me, Senator GRASSLEY, and the chair and vice chair of the Senate Select Committee on Intelligence, Senator FEINSTEIN and Senator CHAMBLISS.

The Judiciary Committee moved quickly to consider this legislation and report it to the full Senate. We proceeded at Senator GRASSLEY's request to a prompt hearing on June 8. I listed the legislation on the committee's agenda for action on June 9. It was held over for another week. Finally on June 16, the committee met, debated the matter, and reported the bill with an amendment to clarify its constitutionality. On June 21, Senate Report 112-23 was filed regarding the bill. We have been trying to reach an agreement to consider the bill for more than a month, but Republican objections have stalled this effort.

On June 29, my statement to the Senate warned that we would have only a few short weeks left this month to complete action and for the House to act. We should be acting responsibly and expeditiously. I have worked diligently in a bipartisan way with Senator GRASSLEY in order to prevent a lapse in the term of the Director of the FBI. The bill enjoys the strong support of law enforcement groups, including the National Association of Police Organizations, the National Fraternal Order of Police, the International Association of Chiefs of Police, the Police Executive Research Forum, the Major County Sheriffs' Association, the National Native American Law Enforcement Association, and the FBI National Academy Associates. They have all supported it.

We must act on this bill without further, unnecessary delays. The Senate must take it up, consider it and pass it, and then the House will need to consider and pass the bill before the President has the opportunity to sign it. Each of these steps must be completed prior to the expiration of the Director's current 10-year term on August 2, 2011. There is no time to waste.

All Senate Democrats have been prepared to take up and pass this extension bill for weeks. There is no good reason for delay. At first it was reportedly Senator COBURN who was holding up consideration of the bill, then Senator DEMINT, and now apparently it is an objection by Senator PAUL of Kentucky that is preventing the Senate from proceeding. I find it hard to understand why we would hold up a piece of legislation like this. This sort of delay is inexplicable and inexcusable.

In order to accomplish our goal, I have even been willing to proceed along the lines of an alternative approach demanded by Senator COBURN. That approach is based on a constitutional problem that does not exist. The bill reported by the Senate Judiciary Committee is an extension of a term limit that Congress imposed on the service of the Director of the FBI. As set forth in the committee report on the extension bill, and as reaffirmed in a June 20, 2011, memorandum opinion by the Office of Legal Counsel, the bill reported by a bipartisan majority of the Senate Judiciary Committee to the Senate is constitutionally sound and a proper response by Congress to the President's request. Nonetheless, I was prepared to proceed using Senator COBURN's language instead of Senator GRASSLEY's and mine, so long as one further problem was removed. Specifically, the major problem with Senator COBURN's approach is that it would necessitate the renomination of Director Mueller, and then his reconsideration and reconfirmation by the Senate after enactment of Senator COBURN's alternative bill—and all before August 2.

On June 29, I warned that this was an additional, unnecessary and possibly

dangerous complication. I do not want Americans to approach the 10th anniversary of 9/11 without an FBI Director in office. At the markup of this bill in our Judiciary Committee, I was assured by the Senator from Oklahoma that he would get unanimous consent to do all the short time agreements to get the bill passed, get his amendment passed, get it through the House and back, and get Director Mueller confirmed with a 2-hour time agreement. If we did all of that, it would not be the best of solutions, but it would be better than what we have now.

Now we have the distractions from Director Mueller that have been created by these extended proceedings, which have been damaging enough. To require his renomination and then allow it to be held hostage or used as leverage, as so many of President Obama's nominations have been, seemed to me a risk that was better avoided. I did not want the extension of Director Mueller's service leading the FBI to fall victim to the same objections that have obstructed Senate action on other important Presidential nominations and appointments. Unfortunately, as I had warned, that is precisely what has happened in this case.

I have spoken often about the unnecessary and inexcusable delays on judicial nominations. Even consensus nominees have faced long delays before Senate Republicans would allow a vote. Since President Obama was elected, we have had to overcome two filibusters on two circuit court nominees who were reported unanimously by the committee. These judges—Judge Barbara Keenan of the Fourth Circuit and Judge Denny Chin of the Second Circuit—were then confirmed unanimously once the filibusters were brought to an end. There are currently 17 judicial nominees who were reported unanimously by all Republicans and Democrats on the Judiciary Committee and yet are stuck on the Senate Executive Calendar because Senate Republicans will not consent to vote on them. These are consensus nominations that should not have been delayed while the Federal courts are experiencing a judicial vacancies crisis.

This pattern of delay and obstruction has not been confined to judges. President Obama's executive nominations have been subjected to the same unfair treatment. The first five U.S. attorneys appointed by President Obama were delayed more than 2 months for no good reason in the summer of 2009. These are the top Federal law enforcement officers in those districts and yet it took from June 4 to August 7 before Senate Republicans would consent to their confirmations. They were then confirmed unanimously. The Chairman of the United States Sentencing Commission was similarly delayed unnecessarily for almost 6 months, from May 7



until October 21, 2009. He, too, was ultimately confirmed without opposition, but after needless delay.

Among a slew of other troublesome examples are these: One Republican Senator objected to a nominee to serve on the Federal Reserve Board of Governors because, according to that Senator, the nominee lacked the necessary qualifications. The nominee was a Nobel Prize winner and MIT economics professor. Another Republican Senator is blocking the confirmation of two SEC Commissioners until he extracts action from the SEC related to a case against the Stanford Financial Group. A group of Senate Republicans have sent a letter to President Obama vowing to oppose any nominee to be Director of the Consumer Financial Protection Bureau. Republican Senators are vowing to block President Obama's nominee to serve as the Secretary of Commerce.

In a particularly illustrative case, one Republican Senator lifted his hold on the nomination of the Director of the United States Fish and Wildlife Service only after the administration acceded to his demands and issued 15 offshore oil drilling permits. Shortly thereafter, another Republican Senator placed a hold on the very same nomination to force the Interior Department to release documents on the Department's "wild lands" policy. It did not end there. When that dispute was resolved, a third Republican Senator reportedly placed a hold on the nominee, demanding a review of the protected status of wolves. That nominee has still not been confirmed.

Regrettably, Senate Republicans have ratcheted up the partisanship, limiting the cooperation that used to allow nominations to move forward more quickly. That hostage-taking should not affect this critical term extension for the head of the FBI, but it has. Another important nomination is being subjected to holds and delays. Another well-qualified national security nominee is being used as leverage by the Republican Senate minority to extract other unrelated concessions. That is what Senator COBURN's alternative plan invited and that is what is happening with Senator PAUL's objection to proceeding.

Just recently, we finally broke through months of obstruction of the Deputy Attorney General and the Assistant Attorney General for National Security, key national security related nominations. In May, Senate Republicans filibustered for the first time in American history the nomination of the Deputy Attorney General of the United States. The nomination of the Assistant Attorney General for the National Security Division at the Department of Justice was subjected to similar, inexcusable delay. That nominee was approved unanimously by the Senate Judiciary Committee and unani-

mously by the Senate Select Committee on Intelligence, and ultimately approved unanimously by the Senate. But that nomination, approved unanimously all along the way, took 15 weeks. It took more than a month just to schedule the Senate vote after the nomination was reported unanimously by two Senate committees. I warned on June 29 that we have no guarantee that the President's nomination of an FBI Director would be treated any differently. Regrettably, that has become true. I wish I had been wrong, but unfortunately the same kinds of delays and obstructions for the sake of delays and obstructions have occurred.

Senate Republicans have known since we began consideration of the President's request to extend the FBI Director's term that his plan could not be considered a viable alternative unless there was an agreement from Senate Republicans to ensure that the Senate would complete its work and have the FBI Director in place at the end of the summer. That agreement would take the form of a unanimous consent agreement in the Senate, entered into by all Senators, and locked in, on the RECORD, so that it could not be changed without unanimous consent. That has not occurred. Senator COBURN was unable to convince his leadership and the Republican caucus to agree. That was the only way to ensure Senate action on a nomination before August 2.

To complete action in accordance with Senator COBURN's alternative plan would mean not only passing legislation through both the Senate and House, but the Senate also receiving, considering and confirming the re-nomination of Director Mueller. I was chairman of the Judiciary Committee back in 2001 when the Senate considered and confirmed Director Mueller's initial nomination within 2 weeks. I worked hard to make that happen. I predicted in June that given the current practices of Senate Republicans, and their unwillingness to agree on expedited treatment for President Obama's nominations, it was foolhardy to think that all Senate Republicans would cooperate. They have not. There has already been a shifting series of Republican holds over the last month.

The bill was reported over 1 month ago and action has been stymied by Republican objections every since. Senate Republicans have simply refused to agree to proceed and now there is no time for a complicated two phase procedure. We need to pass the necessary statutory authority to allow Director Mueller to continue without further delay.

As I have said, all Senate Democrats are prepared to take up and pass this extension bill, and send it to the House of Representatives for it to take final action before August 2. That is what we should be doing. We should do that

now. There is no good reason for delay. All that is lacking is Senate Republicans' consent.

Virtually everybody that I have heard from in the Senate says that Director Mueller is the right person to lead the FBI at this critical time. Now is not a time—2 months before the anniversary of 9/11—to have somebody new on the job. I hope we will take up the bill soon. I wish we had done it at the time I urged Senators to.

I do applaud the Democratic side of the aisle for saying there would be no objections on our side to moving forward to this legislation so that we can extend for 2 years the term of Robert Mueller. I also congratulate and thank Director Mueller and his wife for being willing to put on hold their plans for retirement for those 2 years for the good of the country.

Given the continuing threat to our Nation, especially with the 10th anniversary of the September 11, 2001, attacks approaching, and the need to provide continuity and stability on the President's national security team, it is important that we respond to the President's request and enact this necessary legislation swiftly. The incumbent FBI Director's term otherwise expires on August 2, 2011. I hope cooler heads will prevail, and I urge the Senate to take up this critical legislation and pass it without further delay.

(Mr. MANCHIN assumed the Chair.)

Mrs. GILLIBRAND. Mr. President, today I am pleased to offer my strong support to the nomination of James Paul Oetken to serve on the U.S. District Court for the Southern District of New York. In Mr. Oetken, President Obama has sent to the Senate a nominee who we all should be proud to support.

J. Paul Oetken is a brilliant lawyer with a remarkable level of accomplishment. A graduate of the University of Iowa, where he received his bachelor of arts degree with highest distinction, and Yale Law School, where he received his juris doctorate, Mr. Oetken has built a successful career spanning the public and private sectors.

During the Clinton Administration, he served as an attorney-adviser at the U.S. Justice Department's Office of Legal Counsel and at the White House as associate counsel to the President. Prior to that, he clerked for three distinguished Federal judges, including U.S. Supreme Court Justice Harry Blackmun.

He currently serves as senior vice president and associate general counsel at Cablevision Systems Corporation, a New York Company, following several years in private practice.

Throughout his career, J. Paul Oetken has demonstrated a strong commitment to public service and civil rights, especially for gay and lesbian Americans. He has worked pro bono on amicus briefs defending the rights of

LGBT Americans against laws that discriminate based on an individual's sexual orientation.

Mr. Oetken is the first openly gay man to be nominated to serve on the U.S. district court, and if confirmed, will be only the second openly gay individual serving in a U.S. district court or circuit court of appeals.

I firmly believe that the American people will be best served by a Federal judiciary that reflects our diversity as a nation, broadening the range of perspectives and experiences represented on the Federal bench. J. Paul Oetken will bring a strong intellect and commitment to justice, but also the diversity of experience that is currently lacking in our Federal courts. It is for that reason that I particularly want to applaud the President for submitting this nomination to the Senate.

J. Paul Oetken was unanimously favorably reported out of the Senate Judiciary Committee, and it is rare that we see a nominee come to the Senate floor with that kind of bipartisan support. To date, there are still 90 judicial vacancies in article III Courts, and 53 pending nominations that still need to be acted on by the full Senate. This is simply unacceptable. It is my hope that more of President Obama's highly qualified nominees will be reported out of committee and receive an up-or-down vote on the Senate floor.

J. Paul Oetken has the experience, education, and commitment to the rule of law and equal rights to be an outstanding Federal judge. He received a unanimous rating of "qualified" by the American Bar Association Standing Committee on the Federal Judiciary and I am confident that if confirmed, he will be an excellent fit for the U.S. District Court for the Southern District of New York. I urge my colleagues to join me in voting yes on this nomination.

Mr. COONS. Mr. President, it is with great pleasure that I speak today on behalf of J. Paul Oetken's nomination to be U.S. District Judge for the Southern District of New York. Mr. Oetken and I knew each other while we were law students at Yale, and I have followed his career with great interest since then. Mr. Oetken is, in my view, a strikingly intelligent man. His varied career—in private practice, with Jenner & Block and Debevoise & Plimpton; in the public sector with a number of admirable clerkships, culminating with a Supreme Court clerkship for Justice Blackmun; with the Office of Legal Counsel and the White House Counsel's Office; and, now, in the business world, where he is vice president and associate general counsel for Cablevision—demonstrates a searching intellect and great capability.

Mr. Oetken possesses a unique combination of perspectives and an exceptional series of qualifications. Given Mr. Oetken's obvious talent and broad

experience, I am confident he will make a great Federal judge. In my view, it is an added and important bonus that, as the first openly gay man confirmed to the Federal bench, his service will also move us closer to full equality in our Nation. His confirmation will inspire future judges, lawyers and litigants with the knowledge that, for gay, lesbian, bisexual, and transgendered Americans, it does get better in our Nation's long journey to inclusion and justice.

Mr. LEAHY. Have the yeas and nays been ordered on the nomination?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Shall the Senate advise and consent to the nomination of J. Paul Oetken, of New York, to be United States District Judge for the Southern District of New York?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 80, nays 13, as follows:

[Rollcall Vote No. 112 Ex.]

YEAS—80

Akaka	Feinstein	Menendez
Alexander	Franken	Merkley
Ayotte	Gillibrand	Mikulski
Barrasso	Graham	Murray
Baucus	Grassley	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Heller	Portman
Bingaman	Hoeven	Pryor
Blumenthal	Inouye	Reed
Boxer	Isakson	Reid
Brown (MA)	Johanns	Rockefeller
Brown (OH)	Johnson (SD)	Sanders
Burr	Johnson (WI)	Schumer
Cantwell	Kerry	Sessions
Cardin	Kirk	Shaheen
Carper	Klobuchar	Shelby
Casey	Kohl	Snowe
Chambliss	Kyl	Stabenow
Coats	Landrieu	Tester
Coburn	Lautenberg	Thune
Collins	Leahy	Udall (CO)
Conrad	Levin	Udall (NM)
Coons	Lieberman	Warner
Corker	Lugar	Webb
Cornyn	Manchin	Whitehouse
Durbin	McCain	Wyden
Enzi	McCaskill	

NAYS—13

Blunt	Hatch	Risch
Boozman	Hutchison	Roberts
Cochran	Lee	Wicker
Crapo	McConnell	
DeMint	Moran	

NOT VOTING—7

Hagan	Paul	Vitter
Inhofe	Rubio	
Murkowski	Toomey	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider shall be considered made and laid upon the table, and the President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING JOHN HERSCHEL GLENN

Mr. BROWN of Ohio. Mr. President, I am here today to celebrate a friend and a statesman, a former Member of the Senate, a marine aviator, a pioneering astronaut, a beloved family man, and an American hero.

Today is the 90th birthday of John Herschel Glenn.

I was 10 years old when John Glenn observed three sunsets, three sunrises, and the wonder of the universe in just under 5 hours while orbiting the Earth.

I was 16 years old when John Glenn presented to me and another couple dozen Eagle Scouts in Mansfield, OH, our Eagle Scout Award, teaching us yet again about community service and community pride.

When I was 54, in one of the most memorable moments of my professional life—with John's wife Annie and my wife Connie in the gallery—John Glenn escorted me into this Senate Chamber to be sworn in as a Senator from Ohio.

As a grandfather and a father, a husband and a Senator, I continue to be inspired by the example of a life well lived—a life in public service, a life fighting for the public good.

Born in Cambridge, OH, 150 miles east of Dayton, where the Wright brothers first figured out how to fly, he attended public school and became an Eagle Scout in New Concord.

It was there where he would meet his childhood sweetheart and future wife Annie. As children, they literally shared a playpen. John says: "She was part of my life from the time of my first memory."

On April 6, 1943, Annie and John married. Since then, they have earned the

adulation and admiration from people around the world for their accomplishments and for their devoted love. By 1941, he had studied mathematics at nearby Muskingum College and earned his pilot's license.

After the attack on Pearl Harbor, he dropped out of college to enlist in the Navy and after 2 years of advanced aviator training was reassigned to the U.S. Marine Corps. John Glenn flew 59 combat missions with the Marines in World War II and 90 combat missions with both the Marines and Air Force in Korea. On some of these flying missions, he had baseball great Ted Williams on his wing. John Glenn was awarded numerous commendations and citations for his heroic military service.

In 1959, he was selected by the National Aeronautics and Space Administration (NASA) as one of the original Mercury Seven astronauts. In 1962, President Kennedy made John Glenn the first American to orbit the Earth, and 35 years later, John Glenn was asked by another President, Bill Clinton, to fly into space for a second time as a mission specialist on the Space Shuttle Discovery. At the age of 77, he became the oldest human being to fly in space, conducting a series of scientific investigations into the physiology of the human aging process and exploring the effects of space flight and aging.

By the 1960s, Glenn's service to his country had expanded into a career in politics. He was with Senator Robert F. Kennedy that fateful day in June in California, and he served as a pallbearer a few days later at Arlington National Cemetery.

In 1974, John Glenn was elected to the Senate from my State of Ohio, serving four consecutive terms until his retirement 24 years later in 1999. He served as chairman of the Committee on Governmental Affairs. He was the chief author of the Nuclear Non-proliferation Act of 1978.

Throughout the years, he continually championed the advancement of science and technology, especially NASA, so much that 12 years ago, the NASA Lewis Research Center in Cleveland—the only NASA facility north of the Mason-Dixon Line—was officially renamed the NASA John H. Glenn Research Center.

After his retirement from the Senate, he and Annie founded the John Glenn School for Public Affairs at The Ohio State University saying: "If there is one thing I've learned in my years on this planet, it's that the happiest and most fulfilled people I've known are those who devoted themselves to something bigger and more profound than merely their own self-interest."

Whether he was flying in the air or floating in space, walking the campaign trails or in this Chamber, he remained grounded in his New Concord

roots and always by the steady hand and constant love of Annie. When my family and I decided I should run for the Senate in the fall of 2005, the first people we called were Annie and John Glenn.

Annie's advice to Connie then and now has been to "be yourself and not allow others to tell you who you should be." Connie, who was a noted writer in Ohio, writes for the Cleveland Plain Dealer—Connie had this to say about Annie:

"Annie Glenn refuses to draw attention to herself, which is one of the reasons so many of us cannot get enough of her. She is that rare person who is genuinely interested in whomever is standing right in front of her. You will never capture her looking over your shoulder searching for someone more interesting, more important. If you are looking into the eyes of Annie Glenn, you have just become the most fascinating person in the world. This is not to suggest Annie is a wallflower. She was won many honors, changed many lives, through her advocacy.

She is as engaging as she is generous, full of opinions earned by living life at full throttle, even when she was scared to death. And that is a crucial truth about Annie: Americans rightly ooh and aah over John Glenn's courage in space. But let us never forget the hero of a wife who gave her public blessing, and then privately prayed until his safe return."

John and I traveled across Ohio on the campaign trail, hearing each other so often that we could finish each other's speeches and roll our eyes at the same jokes we would tell.

John and Annie teach all of us about our own capacity for selflessness and to have the confidence to serve with humility and with honor. They are dedicated public servants and trailblazers whose sense of humor and smiles brighten any room and in whose presence we better understand the meaning of love and compassion. It is a love and marriage that everyone from lifelong New Concord friends to U.S. Presidents, to colleagues in this Chamber have described with affection.

Barack Obama said during a campaign stop in Columbus:

The thing I admire most about John Glenn is his relationship to his wife, Annie. They have been married for 65 years—

That was then. Now it is 68— and you should see the way he treats her. He's in love. Sixty-five years later he's still in love. And no wonder, because she is a remarkable woman.

Through John and Annie's remarkable American lives, we reveal and remember the greatness of our country, our capacity to love and to wonder and to see something greater than ourselves.

My wife Connie and I are fortunate to call Annie and John friends, and they remain trusted mentors and role models for us and so many. When his country was attacked, he enlisted. When his President asked, he served. When his country needed it, he instilled a confidence in the American spirit of sci-

entific discovery. When his State needed his leadership, he represented the people of our State with honor.

Happy 90th birthday, John Glenn. Your life tells our Nation's story in the 20th century, our triumphs and our turbulence, and it tells how our Nation's spirit of discovery could be found in the humility of a hometown hero from New Concord, OH.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that following my remarks, Senator DURBIN be recognized to give a brief presentation and, following that, Senator GRASSLEY will have one-half hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### JOHN GLENN

Mr. REID. Mr. President, I did not know it was John Glenn's birthday. I am so happy I was on the floor when my dear friend from Ohio talked about John Glenn. John Glenn—when I came to the Senate, one of the first Tuesday caucuses we had I watched John Glenn stand and say: I am going to go out on the aircraft carrier USS *Kennedy* on Saturday. Would anyone like to go?

I was a new Senator. I thought everyone would raise their hand and march off with him. I was the only one who raised my hand. So I did. I went out with him. It was a wonderful experience. The seas were a little bit rough and we landed and that cable snagged that airplane going in. We were there for many hours and the seas got rougher and rougher.

The pilots coming in, this was the first time they had landed on an aircraft carrier. We went out on the deck of the ship, and the planes would come in. Oh, man. The crews there, if they did not think the plane could land—it was going too far off the end: "Dirty. Dirty."

That meant get the plane up off the carrier, go up and come back and try it again. They did that for quite some time. Then, John Glenn said: I think I should go up in one of those airplanes. So John Glenn went up and flew an airplane. I do not know how old John Glenn was. It was 25 years ago, so he was a young man—he was 65—and here he comes in, landing on the aircraft carrier, John Glenn.

Totally changing the subject. A group from Nevada won the Double Dutch skip-roping championship. They came to my office over in the Hart Building to show me how good they were. Of course, it takes a little space to do it. So in one of the outside hallways there in the Hart Building they do this Double Dutch jumping.

They asked me to try it. I was so embarrassed. I could not get one step. I

did not realize, but from his office, John Glenn had been watching these kids jumping rope. He comes out, the famous John Glenn, and says: Would you mind if I tried?

I do not know. I assume he was 70 years old at the time. He was perfect, did not miss a step. I mean, that is hard to do. Jumping rope is hard, but when you have two people flipping two different ropes, it is hard. He did that. What a physical specimen he was at 70 years old. Think what he must have been when he was 20 years old, a man who in World War II was an ace, meaning he shot down so many airplanes. He did the same thing in Korea. Here is a man who was the first to orbit in space. You can go see his spacecraft down in the Air and Space Museum. He says: Go look at it. He said: What they said about that is I wore it. It was so small, but he went up there.

The stories he told, I just so loved John Glenn. He said: They did not know what it would be like to go up in space. No one had ever done this. He told me about all the precautions they did the first time he went up in space. They did not know if the air sickness would come and they could not handle the flight. He was trained. He had a big hypodermic syringe that would go through his space clothes, shoot him in the thigh so he would not get too sick up there.

He learned—I do not know how many—"I come in friendship"—in many different languages because they did not know for sure, if the spacecraft would go down, who would be there. But they had a general idea where it would go. So he learned to say: "I come in friendship" in many different languages. Then, of course, he went up in space once again.

He was such a wonderful human being. I had such admiration for him. To think I was able to serve in the Senate with John Glenn says it all, and SHERROD BROWN, Senator BROWN, was absolutely right. This relationship, this love affair, that John Glenn and Annie had and have, their 68 years of marriage is remarkable.

As the books have shown and the movies show, Annie had a very bad speech impediment. She stammered. She stuttered. She stuttered until she was, I do not know how old, but in her fifties, and she stammered very much. John Glenn, when they were courting each other, would have to do her phone calls for her because she could not talk on the phone very well.

What a wonderful human being, John Glenn. I know there are other people wanting to speak. But I have to say a couple of things. He led a congressional delegation when I was a relatively new Senator. We went behind the Iron Curtain. I can remember going from Austria into Czechoslovakia, and the Communists had stopped the train we were on. They had dogs and they had these

soldiers looking under the train and they went and looked at who we were.

But when things calmed down, one of the soldiers asked John Glenn for his autograph. He is a world-famous man and is a man of such humility. I want him to know, and everyone within the sound of my voice, he is one of the finest human beings I have ever met. He is a historical figure now and for all time in the United States.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I know Senator GRASSLEY is waiting and I am going to be brief. I thank him for his indulgence.

But when Senator SHERROD BROWN of Ohio came to the floor to speak of John Glenn, I could not help but stay, and I am glad I did. First, for those who were listening, the good news is we are celebrating his birthday. He is still alive and well, with Annie, and we are sure happy that is the case.

When I was just getting started in politics, 1982, I was running for Congress in Springfield, IL, and Senator John Glenn called and said: I am going to come and campaign for you. I cannot tell you how excited I was to meet him face to face in my hometown. He is truly an American hero. For all his service to the United States, a naval pilot, Marine pilot in World War II, in the Korean war, our first man into space, an astronaut who reprised his performance at the age of 77. He went back into space. It tells you what kind of person he is, his courage and his strength, his physical strength that he could do that.

I had the good fortune of being on the floor of the Senate for my orientation in 1996, and your predecessor, Mr. President, Senator Robert Byrd, would sit in that chair and tell all the new Members and their spouses the history of the Senate. I sat right over here, and Loretta sat next to me. At one point, Senator Byrd said: Open that desk drawer in front of you. You are going to see a great Senate tradition. Remember how the teachers told you, don't write on the desks. Well, the Senators never got the message.

Inside virtually every desk on this floor is the name of the Senator who sat in the desk, scratched in the wood by the Senator at the bottom of the drawer. He said, pull out the drawer on the desk and see whose name is in there. Sure enough, it was John Glenn's. It was his desk I was sitting at. Next to it was Paul Douglas, the man I worked for as a college intern, who inspired me to get started in public life. So I have that desk today. I am honored to have it and to have added my name to the desk drawer of these two great men.

I didn't realize at the time that not only would I be able to have this desk, but I would actually serve with John Glenn. I think there have been fewer

than 1,300 men and women who have had the honor to be in the Senate. Many have vanished into history and will never be remembered for anything significant. That is not true of John Glenn. What he has done in his public life is set an example to everybody who aspires to this job. He literally risked his life for this country over and over. He is a humble, quiet, friendly person, and he is dedicated to Annie. The two of them have a relationship, as President Obama said, that is extraordinary in American life.

The fact that I got to know him, got to serve with him, and he helped launch me on this political journey I am on today is something I will never, ever forget. I wish John Glenn, our former colleague, a happy birthday, and thank him again and again for all the service he has given to this great Nation. He has made America a better place. I am honored to have been one of his colleagues.

The PRESIDING OFFICER. The Senator from Iowa.

#### JUDICIAL ACTIVISM

Mr. GRASSLEY. Mr. President, the Supreme Court earlier this month issued a very important decision which bothered me—a decision that I think shows that dissenters in this decision are judicial activists. It is important not only on the merits of the case but because it shows how this country is only one vote away from unprecedented judicial activism.

The Obama administration is encouraging this judicial activism. The Obama administration is taking legal positions that threaten the role of Congress as a coequal branch of our government. Those positions challenge the separation of power that is designed to protect the freedom of Americans, and even the right of people to govern themselves, which is the basis of representative government and the purpose of the Congress.

The United States happens to be a party to the Vienna Convention on Consular Relations. This treaty gives rights to the citizens of countries who are parties to that treaty to have access to their country's consular officials if they are arrested abroad. There are some foreign nationals in this country who were sentenced to death without those rights being respected. All of these death sentences appear to be valid under the American Constitution.

The story is complicated, but in 2008 the Supreme Court ruled that failure to comply with the treaty was not an obstacle to the execution of a foreign national who had been sentenced to death. This was the case even if the President ordered a State to allow the criminal to challenge his sentence in light of the treaty, and even if the criminal obtained a judgment from the International Court of Justice that his conviction violated international law.

The Court said that Congress could pass legislation to make the treaty apply to people on death row who had not received consular access. We in the Congress have never passed such a law.

Now to the Supreme Court case that concerns me in light of this background on the consular relations treaty. In 1994, Humberto Leal Garcia, a Mexican national, kidnapped a 16-year-old girl, raped her, and bludgeoned her to death. He did not ask for access to the Mexican consul, and he did not receive access. He did not challenge his failure to receive consular access during his trial. Only after he brought State habeas corpus litigation did he raise this claim; and even then, he did not raise consular notification as an issue in his first habeas corpus petition.

Mr. Leal did obtain a ruling from the International Court of Justice that his conviction and sentence were obtained in violation of international law. The International Court of Justice ordered that he was entitled under national law to receive another review of his conviction and sentence, regardless of whether habeas law allowed him to raise such an issue. But that ruling is obviously not binding on American courts, as no country in the world, including the country of Mexico, enforces International Court of Justice rulings as part of its domestic law.

As his execution date approached, Mr. Leal sought a stay in the Supreme Court. Since Mr. Leal received a fair trial under American law, and there was no question concerning his guilt, his request should have been rejected, and rejected unanimously. But that is not what happened. He was executed, but the Supreme Court's ruling was shockingly close—5 to 4.

The Department of Justice, through the Solicitor General, Donald Verrilli, asked the Supreme Court to grant the stay. Its brief was truly astonishing. It did not argue that there was any doubt Mr. Leal was guilty. It did not say Mr. Leal had been harmed in any way by the Vienna Convention violation. It cited no case that provided an example where a stay had been issued in similar circumstances. It raised no arguments for the stay that were based on American law, because American law did not support a stay.

Instead, the Department of Justice relied on international law and made policy arguments. It argued that Mr. Leal's execution would create negative effects on America's international relations. It argued that his execution would violate our international legal obligations, and it argued that the mere introduction of legislation—understand this, just introducing a bill and at the same time having the support of the Obama administration—should allow the Court to issue a stay to preserve its jurisdiction if time were given to allow the bill to be enacted.

This is the position that worries me and threatens the role of Congress as a coequal branch of government.

Everyone knows bills are not laws. Bills are what we introduce. If we pass bills, they become law. The Founding Fathers made it very difficult to enact laws. There are two Houses of Congress, and each has to pass the same version of the bill and the President has to sign that bill or a supermajority of both Houses must override a veto.

This was done to protect the rights of the American people. Only if a bill passes through a specified process can a bill become a law. A court following the rule of law can only enforce what actually becomes a law. There may be times when an agency might pay attention to a bill that is introduced, but that is an agency. In the case of courts, a court should only apply what has actually become law—in other words, a bill passing both Houses of Congress, signed by the President—not pay attention to a bill that has just been introduced.

The Solicitor General's brief relied on a bill, not a law. The name of the bill is the Consular Notification Compliance Act. That bill would retroactively allow prisoners on death row whose Vienna Convention rights were violated yet another bite at the apple. If the bill passed, they would be able to delay their death sentences—lawful sentences under American law—with another round of judicial review for compliance with what? International law. Although the bill is strongly supported by the Obama administration, it has not passed, so it is not law, it is a bill. It is going to have a hearing soon, but it is not scheduled to be placed on the committee agenda for markup. It is clear there is no chance this Congress would pass a law that retroactively allowed foreign nationals who face lawful death penalties another round of judicial review based upon the Vienna Convention.

Congress simply will not pass a bill that gives Federal judges another opportunity to display their dislikes of the death penalty by delaying cases for no good reason. Only Congress can legislate. But the Obama administration argued in the Court that the Supreme Court should grant a stay, even though Congress has not legislated, simply because the executive branch strongly supported the bill, which theoretically—but only theoretically—could pass at some future time.

Do you know what disturbs me? Four Justices agreed with this outlandish position. There is absolutely no precedent for the position. These dissenters accepted an Obama position that was made out of whole cloth. When courts rule based on law, we have the rule of law. When they rule based upon policy preferences, we have judicial activism, not the rule of law.

The Obama administration asked for a stay based upon policy preferences,

based on international law, and based on that administration's view that a bill it supports takes overwhelming precedence over a considered decision of Congress not to pass that legislation. Four Justices—just one short of a majority—were willing to disregard American law in favor of international law, and also in favor of policy implications, and also based upon a bill being introduced in Congress. This is not only inconsistent with the rule of law, it is a threat to American democracy. How extreme.

The American people, through their elected representatives, have enacted the death penalty and established limits on habeas corpus petitions that impede executions. The people's representatives—those of us in the Congress—also declined to enact a bill to implement the Vienna Convention. Notwithstanding that decision of the people's representatives, this administration and four Justices would have used an unpassed bill to delay a death sentence. How extreme. They would have had the courts not allow the preferences of the American people as expressed through their elected representatives but, instead, their own policy preferences. How extreme. But under our system of government, the results of the democratic process are entitled to prevail, unless the Constitution—and only the Constitution—clearly provides otherwise.

The position of the Obama administration and the four dissenting Justices also is harmful to American democracy in yet another way. If the American people dislike what Congress is doing, it is very simple. In the next election, they can elect new Representatives and Senators. They can ask that Federal judicial nominees be stopped or that laws be passed that overturn judicial decisions made under Federal law. But what are the American people to do if judges make decisions based on the views of foreign governments and international tribunals that are contrary to our very own law? What if judicial rulings are designed to enforce decisions of the International Court of Justice, rulings that are not binding as Federal law? Americans cannot influence the views of foreign governments or the rulings of international tribunals.

Had the Obama administration and the four dissenting Justices prevailed, the American people would have lost a part of the right to govern themselves. That right would have been replaced with "obedience without recourse" to foreign powers over whom our people exercise no voice. That is not the system the Founding Fathers bequeathed us.

The question of whether courts should apply American law or foreign law is of great concern to me and to other members of the Judiciary Committee, and maybe to a lot of Senators

who aren't on that committee. Those of us on the committee have thought about this specific question long before this recent Leal case that has come, I guess within the last 3 weeks. And I have asked judicial and administration nominees about these very issues at their confirmation hearings.

For instance, just a few months ago, I posed a question to the nominee for Solicitor General, Mr. Verrilli, about an amicus brief he had filed on behalf of foreign nationals who had been sentenced to death. In that brief, Mr. Verrilli argued not that the prisoner's constitutional rights had been violated, but that "[i]t is in the interests of the United States and the world community that the legal standards of the United States should reflect and be informed by international human rights."

I asked Mr. Verrilli, were he confirmed, whether there were any circumstances in which he would argue before the Supreme Court in a death penalty case that the Court be "informed by international rights?" He responded:

I will adhere to the view that foreign law, including international human rights law, has no authoritative force in interpreting the Constitution and laws of the United States, except in those rare instances where federal statutes incorporate or make international and/or foreign court decisions binding legal authority.

Responding to my question on the difference between international human rights and our own constitutional rights, Mr. Verrilli stated:

International human rights are set forth in international treaties, conventions and customary international law. They are not binding and enforceable in the United States unless Congress has made them so.

The Leal case does not involve a Federal statute of the type Mr. Verrilli cited, nor does it concern any international standards binding and enforceable in the United States because Congress made them so. I believe Mr. Verrilli's brief as Solicitor General is very inconsistent with what he related during his confirmation hearing.

The brief relied on international human rights, and its only reference to American law was this bill that I have referred to—not a law, a bill—which, under our constitutional system, is as different from a law as night is from day.

I would also note that Mr. Verrilli stated during his confirmation hearing:

If the Attorney General [or the President] directed that I take a position . . . one that I believe to be an indefensible view of the law, I would not lend my name or that of the Office of Solicitor General to carrying out the order, and would certainly resign rather than carry out the order.

Mr. Verrilli obviously does not believe that reliance solely on international law and a bill is an indefensible view of the law. I disagree with him on that point.

Similarly, during her confirmation hearing, Justice Sotomayor was asked about the application of foreign or American law. She was one of these dissenters. She stated:

I do not believe foreign law should be used to determine the result under constitutional law or American law, except where American law directs.

In the Leal case, foreign law should not have been used to resolve the case because American law did not direct that foreign law apply.

When Justice Kagan appeared for her confirmation hearing, she stated that in deciding cases, "you're looking at law all the way down, not your political preferences, not your personal preferences."

However, the law in the Leal case is clear. Executive branch policy arguments and unenacted bills are not law.

I am not saying the Solicitor General or these Justices who dissented lied at their confirmation hearings or made a mockery of the confirmation process, but Judiciary Committee members foresaw cases such as Leal and asked the nominees to address the role of foreign law in constitutional cases. I believe, although they do not, what these individuals wrote in the Leal case is inconsistent with what they said at the time of their confirmation hearings.

Finally, one of these issues could arise again in a different legal context. Like the death penalty cases, there is ongoing litigation challenging the constitutionality of the Defense of Marriage Act. Like the death penalty cases, the Defense of Marriage Act is the subject of a bill. The particular bill—called the Respect for Marriage Act—notwithstanding its Orwellian name, would repeal the Defense of Marriage Act.

The Department of Justice has already decided not only to defend the Defense of Marriage Act but now argues the Defense of Marriage Act is unconstitutional. The Department, in light of its Leal brief, may be considering making the implausible argument the courts should strike down the Defense of Marriage Act simply because a bill has been introduced to repeal it—the same argument used in the Leal case before the Supreme Court.

You might well argue the introduction of a bill that is strongly supported by the administration is enough to lead courts to believe the Congress has already repealed the law anyway, so why not have the Court simply declare the law unconstitutional. The Department should not make such an argument, and I can tell the courts that, like the bill to make the Vienna Convention apply retroactively to convicted criminal defendants who face the death penalty, this Congress will not—and I repeat, will not—pass the Respect for Marriage Act and courts should not consider its introduction in resolving DOMA's constitutionality.

Mr. President, obviously, I am disappointed the Obama administration has advanced policy arguments rather than legal arguments in the Supreme Court. How ridiculous it is to try to convince the Supreme Court that just because a bill is introduced they ought to make a decision based upon that bill being introduced.

In the absence of arguments based on American law, it should not have asked the Court to rule based on policy. Rather, it should have either argued based on American law—even if American law did not conform to its view of desirable policy—or it should have declined to participate in the case.

I am also disappointed that four Supreme Court Justices voted to advance their views of policy rather than law, which is the essence of judicial activism. We were—or you could say we are—only one vote away from a Supreme Court majority that would have applied policy preferences in favor of international law rather than American constitutional law. We were only one vote away from a Supreme Court majority that would have usurped the separation of powers by considering a bill to be the same as a law that Congress passed. And we were only one vote away from a Supreme Court majority that would have applied the ruling of an international tribunal over which Americans have no say rather than a body—as in this Congress of the United States—that is representative of and answers only to the American people.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HONORING OUR ARMED FORCES

SPECIALIST NICHOLAS P. BERNIER

Mrs. SHAHEEN. Mr. President, I rise today with deep sadness to pay tribute to the service and sacrifice of Army SPC Nicholas P. Bernier, who died on June 25, 2011, from injuries sustained during combat in Kherwar, Afghanistan, while supporting Operation Enduring Freedom. Specialist Bernier was a combat medic with Headquarters,

Headquarters Company, 2nd Battalion, 30th Infantry Regiment, 4th Brigade Combat Team, 10th Mountain Division based out of Fort Polk, LA.

A native of East Kingston, NH, and 2007 graduate of Exeter High School, Nicholas or Nick, as he was called by those who knew him, enlisted in the U.S. Army shortly after graduation. Prior to his deployment to Afghanistan in October 2010, Nick provided medical care in Texas to wounded soldiers who had returned from overseas.

From a very young age, Nick stood out in his tight-knit community for his desire to help others. It was, therefore, no surprise to his friends and family when he answered the call to serve his country, to protect his fellow Americans, and to care for his brothers in arms as a medic on the frontlines in Afghanistan. This last assignment was, in fact, a natural fit for him.

Our Nation can never adequately thank Nick for his willingness to serve and to make the ultimate sacrifice defending the freedoms we hold dear. While words provide little comfort at such a time as this, I hope Nick's family will find some solace in the deep appreciation all Americans share for Nick, for the life he lived and for the ultimate sacrifice he made in the service of others. He was a true American hero.

Nick is survived by his parents, Paul Bernier of East Kingston, NH, and Tina Clements of Haverhill, MA; two brothers, Bradley and Christopher, and half-sister, Brittany. He also leaves behind a caring extended family and a community that loved him.

I ask my colleagues and all Americans to join me in honoring the life, service, and sacrifice of SPC Nicholas P. Bernier.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO ASSISTANT SECRETARY INÉS R. TRIAY

• Mrs. MURRAY. Mr. President, it is with great privilege that today I honor and express my thanks to Dr. Inés Triay, Assistant Secretary for Environmental Management at the Department of Energy for her service to our country.

The Environmental Management Program at DOE has consistently been a priority for me during my tenure in the Senate, as Washington State is home to the Hanford Nuclear Reservation. As a part of the Manhattan Project, Hanford produced plutonium from 1944 until 1987, and the efforts of Hanford workers and the Tri-Cities community helped end World War II.

Today, under the leadership of Dr. Triay, Hanford workers are involved in an environmental cleanup project of enormous scale necessitated by the processes required to transform raw

uranium into plutonium for bombs. These processes generated billions of gallons of liquid waste and millions of tons of solid waste which must now be cleaned up, removed, or remediated. Dr. Triay and her staff have worked closely with both the Richland Operations Office and the Office of River Protection to ensure cleanup efforts at Hanford continue to move forward in a meaningful and timely fashion.

Inés has devoted her career to the safe and timely cleanup of radioactive waste and facilities from our Nation's Cold War nuclear weapon production and research sites. Inés, a Cuban-born immigrant who earned her Ph.D. in chemistry, has worked at DOE for 24 years, rising from her position as a scientist at Los Alamos National Laboratory to Assistant Secretary for Environmental Management, a Presidentially nominated, Senate-confirmed position. During her tenure as Assistant Secretary, she has led the largest, most diverse, and technically complex environmental cleanup program in the world.

One of Inés' greatest successes came after Congress invested \$6 billion in the Environmental Management Program. Inés led the effort to accelerate important cleanup projects to reduce the Environmental Management footprint across the country. The success of this investment has been, by all measures, incredible—Inés and her team were able to reduce the footprint of the entire Environmental Management complex by 50 percent.

For the past several years, I have worked closely with Inés and I have seen firsthand her commitment to making sure the federal government meets its obligations to protect the health of our communities at Hanford and around the country. Her professionalism, passion and knowledge has contributed significantly to the successes of the Environmental Management Program in recent years, and I will miss working with her and her staff on a daily basis.

On behalf of all Washingtonians, and on behalf of our country, I thank Inés for her dedication to the mission of the Environmental Management Program, for her passion and expertise, and for her commitment to the safety and well-being of the people working at Hanford and at Environmental Management sites around the country. Inés will be difficult to replace. I congratulate Dr. Triay on all of her successes as Assistant Secretary for Environmental Management and wish her the best of luck moving forward.●

##### REMEMBERING DAVID GETCHES

• Mr. UDALL of Colorado. Mr. President, a few days ago, I came to the Senate floor to honor one of Colorado's great educators and community leaders, David Getches, who passed away on

Tuesday, July 5, 2011, at the too-young age of 68. Today, I would like to add further to my earlier remarks so that I may provide an even fuller picture of David's life.

This is more than a poignant moment for me. I originally had planned to come to the floor to discuss David's career and character because he was stepping down after 8 very productive years as the dean of the University of Colorado Law School.

We all have had this terrible experience in our lives when somebody whom we love and respect suddenly finds they have a cancer that is aggressive—beyond aggressive. Literally a month ago, David was diagnosed with pancreatic cancer. In the 4 weeks since that time, that cancer stole him from us. But he was always upbeat. He was always someone who we looked to for enthusiasm and inspiration. I will be inspired in my remarks by what he did. I will attempt not to dwell on his loss.

As I said, David served as dean of the Colorado Law School for the last 8 years. With him at the helm, CU Law became one of the most forward-looking institutions of legal training in the country. I want to share a few examples of his vision and leadership. I could not cover all of them if I had a full hour. I want to share some of them with the Senate and with his friends and admirers in Colorado.

He steered the law school through the construction of the new LEED Gold Certified Wolf Law Building, which put CU and its law school at the cutting edge of environmental sustainability and energy efficiency—two ideas that were connected to the values that David was committed to fostering throughout his career. David previously served as executive director of the Colorado Department of Natural Resources and as an adviser to the Interior Secretary in the Clinton administration. He had an extensive background in water, environmental, and public lands law. Through his work, David impressed upon all Coloradans the importance of good stewardship of our State's precious natural resources.

I am not a lawyer, but I do know David's efforts to teach and share the legal framework that protects our resources could not have been more critical to preserving our Western way of life.

David left a lasting impression on the demographic composition of CU Law School. He was committed to a student body composed of people from many different backgrounds and cultures, and that commitment made an indelible impact on the school and on Colorado's legal community. In 2008, the Hispanic Bar Association awarded him their Community Service Award for increasing Hispanic enrollment, and he also assembled one of the most diverse administrative teams of any law school in the country. He didn't stop there,



however. He then created a commission to produce a groundbreaking report on diversity in the legal profession and how to increase diversity in law firm recruitment. The highly skilled and diverse alumni of the CU Law School reflect his efforts and successes.

Moreover, David built a legacy of access to legal education for all. He worked to expand scholarships and financial aid awarded by the law school to worthy students regardless of their financial background, increasing scholarship awards from \$600,000 in 2004 to a hefty \$2.1 million in 3 short years by 2007. This came during a period of time where David expanded alumni giving and oversaw a 110-percent increase in the law school's endowment. And all the while, he continued to recruit and retain top-notch faculty to guide students in their legal education and produce world-class scholarship.

In 2008, David worked with the Colorado State Legislature to pass a law allowing public universities to offer loan repayment assistance grants to graduates practicing public interest law and more recently founded an endowment to award grants to CU Law School graduates in the public sector. These actions reflected David's strong belief in training and inspiring future leaders to give back to their communities.

What David did by reducing the cost of law school was make public service a viable alternative to private practice for bright, idealistic graduates of the law school. Without question, those students, CU Law School, the State of Colorado, and I would venture to say the country will reap the benefits in the future from David's foresight and thoughtful investments.

David's contributions went beyond his tenure as dean, and he had more than an academic interest in the critical issues of our time, especially environmental protection, civil rights, and social justice. He put his social and conservation ethics to work every day, using the law to foster a fair and livable world. As a very young attorney with California Indian Legal Services, David represented tribal members in the State of Washington who were being arrested for exercising their centuries-old treaty rights to fish. David, alongside his clients, devised a strategy to breathe life into the legal promises made to tribes, and the results he achieved changed the face of fisheries and water management in the Northwest. His legal work helped create modern Indian law and will have an everlasting imprint on natural resources management in the Northwest. He later became the founding executive director of the Native American Rights Fund, the leading nonprofit organization dedicated to tribal sovereignty, economic self-determination, and defense of treaty rights.

David was passionate about protection of the environment, especially the

spectacular landscapes, wild country, and treasured wildlife of the West. As a water law expert, David was visionary with respect to the changing needs of the West. He had a particular devotion to the Colorado River Basin and strove to find ways to meet human demands for the river's waters while conserving its fish and wildlife and other environmental values. He expressed his love for the West through service on the boards of directors of the Grand Canyon Trust, the Wilderness Society, and Defenders of Wildlife. He was the founding board chair of the Land and Water Fund of the Rockies, now called Western Resource Advocates, and helped grow that fledgling organization into an important regional voice for clean energy and wise stewardship of the region's lands and waters. He gave his time, energy, and thoughtful creativity to each organization and all have expressed gratitude for his wise counsel.

It is also worth noting that even the vast expanse of the Western United States could not contain David. He even taught himself Spanish and published papers and books in that language, influencing water and natural resources legal developments in Central and South America.

I cannot help but feel that David was the living expression of the best of our ideals, a man of character and kindness, a modest but tireless achiever who preferred to be measured by his work, not by the accolades awarded by others. We were honored by his friendship and blessed by his many gifts.

At the heart of why I wanted to come to the floor today is that I think we know we can all learn from David's passion for giving back to whatever community in which he found himself. He led a life of service, and he also compiled an impressive academic record as well as serving as the dean of CU Law School. David cared about justice for disenfranchised communities just as strongly as he cared about the long-term health and sustainability of our natural resources. To David, these matters were intertwined. He was, at his core, committed to the future of his children, our children, our grandchildren, and his grandchildren, and he had a deep love for the Rocky Mountain Western way of life. He was an avid outdoorsman, he was fit, and he faced any and all physical challenges just like he faced intellectual and emotional challenges. As I said in the beginning of my remarks, he was a mentor to all of us, and he always had his eye on the future. I know, as painful as it is for all of us who knew him to lose him so suddenly, he would want us to be focused on the future.

David did this and much more for Colorado and our country, and I just want to close with this. We have lost a unique man and a towering Colorado figure.●

#### TRIBUTE TO JOEL MURRAY

● Mr. VITTER. Mr. President, today I wish to honor a young man who is now one of our Nation's finest Olympians.

Joel Murray of West Monroe, LA, was recently invited to represent the United States of America at the 2011 Special Olympics World Summer Games in Athens, Greece. Joel is an eight time Louisiana State golf champion and a two time national gold medalist, and this year was the first time in his 13 years competing in the Special Olympics that he was invited to compete in the World Summer Games.

As a result of his dedication and commitment to the game he loves, Joel competed in Level V Stroke Play, the highest and most challenging level, and won a silver medal.

Joel is also a 2011 Louisiana Special Olympics gold medalist, was recognized as the Louisiana Special Olympics male athlete of the year and was inducted into the Louisiana Special Olympics Hall of Fame.

If his list of accolades wasn't long enough, in 2009, Joel set a 54-hole tournament record for the Special Olympics Golf National Invitational Tournament. And away from golf, Joel devotes his time to counseling young adults with disabilities at the Louisiana Youth Leadership Forum.

Mr. President, I am proud to honor Joel Murray and applaud him on his remarkable accomplishments.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 2:10 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2354. An act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2354. An act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; to the Committee on Appropriations.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2018. An act to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. MURRAY, from the Committee on Veterans' Affairs:

Report to accompany S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes (Rept. No. 112-36).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 300. A bill to prevent abuse of Government charge cards (Rept. No. 112-37).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 49, a bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads (Rept. No. 112-38).

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. AKAKA for the Committee on Indian Affairs.

\*Barbara Jeanne Ells, of Colorado, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring October 18, 2016.

\*Deborah Downing Goodman, of Oklahoma, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring October 18, 2014.

\*Cynthia Chavez Lamar, of New Mexico, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2016.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ENZI (for himself and Mr. GRASSLEY):

S. 1376. A bill to conform income calculations for purposes of eligibility for the refundable credit for coverage under a qualified health plan and for Medicaid to existing Federal low-income assistance programs; to the Committee on Finance.

By Mr. ROBERTS (for himself and Mr. JOHANNIS):

S. 1377. A bill to require the Corps of Engineers to take into account all available hydrologic data in conducting Missouri River basin operations; to the Committee on Environment and Public Works.

By Mr. NELSON of Nebraska:

S. 1378. A bill to ensure that Social Security and Tier 1 Railroad Retirement benefits are properly taken into account for purposes of determining eligibility for Medicaid and for the refundable credit for coverage under a qualified health plan; to the Committee on Finance.

By Mr. AKAKA:

S. 1379. A bill to amend title 11, District of Columbia Official Code, to revise certain administrative authorities of the District of Columbia courts, and to authorize the District of Columbia Public Defender Service to provide professional liability insurance for officers and employees of the Service for claims relating to services furnished within the scope of employment with the Service; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER (for himself and Mr. DEMINI):

S. 1380. A bill to suspend until January 21, 2013, certain provisions of Federal immigration law, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Mr. REED, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. LIEBERMAN, and Mr. FRANKEN):

S. 1381. A bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne disease, including the establishment of a Tick-Borne Diseases Advisory Committee; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER (for himself, Mr. SHELBY, and Mr. MANCHIN):

S. 1382. A bill to complete construction of the 13-State Appalachian development highway system, and for other purposes; to the Committee on Environment and Public Works.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COONS (for himself, Mr. ISAKSON, Mr. DURBIN, Mr. WICKER, and Mr. LEVIN):

S. Con. Res. 25. A concurrent resolution welcoming the independence of the Republic of South Sudan, congratulating the people of South Sudan for freely and peacefully expressing their will through an internationally accepted referendum, and calling on the Governments and people of Sudan and South Sudan to peacefully resolve outstanding issues including the final status of Abyei; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 20

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 20, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 211

At the request of Mr. ISAKSON, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 211, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and performance of the Federal Government.

S. 384

At the request of Mrs. FEINSTEIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 411

At the request of Ms. KLOBUCHAR, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 411, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into agreements with States and non-profit organizations to collaborate in the provision of case management services associated with certain supported housing programs for veterans, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 542

At the request of Mr. BEGICH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 542, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 609

At the request of Mr. INHOFE, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 609, a bill to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates.

S. 633

At the request of Ms. SNOWE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 633, a bill to prevent fraud

in small business contracting, and for other purposes.

S. 641

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 649

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 649, a bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes.

S. 735

At the request of Mr. KERRY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 735, a bill to reauthorize the Belarus Democracy Act of 2004.

S. 752

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 891

At the request of Mr. GRASSLEY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 891, a bill to amend title XVIII of the Social Security Act to provide for the recognition of attending physician assistants as attending physicians to serve hospice patients.

S. 965

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 965, a bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the costs of certain infertility treatments, and for other purposes.

S. 966

At the request of Mrs. GILLIBRAND, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 966, a bill to amend the Public Health Service Act to provide for osteoporosis and related bone disease education, research, and surveillance, and for other purposes.

S. 979

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 979, a bill to designate as wil-

derness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 1013

At the request of Mr. HATCH, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 1013, a bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1122

At the request of Mr. MENENDEZ, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1122, a bill to amend title 23, United States Code, to establish standards limiting the amounts of arsenic and lead contained in glass beads used in pavement markings.

S. 1173

At the request of Mr. WYDEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1173, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program.

S. 1176

At the request of Ms. LANDRIEU, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1206

At the request of Mr. ROCKEFELLER, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1206, a bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program.

S. 1245

At the request of Mr. BLUNT, the names of the Senator from Indiana (Mr. COATS) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 1245, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 1262

At the request of Mr. AKAKA, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1262, a bill to improve Indian education, and for other purposes.

S. 1265

At the request of Mr. BINGAMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1340

At the request of Mr. LEE, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Iowa (Mr. GRASSLEY), the Senator from Arizona (Mr. MCCAIN), the Senator from Idaho (Mr. RISCH) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 1340, a bill to cut, cap, and balance the Federal budget.

S. 1360

At the request of Mr. MENENDEZ, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Vermont (Mr. LEAHY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 1360, a bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes.

S. 1369

At the request of Mr. CRAPO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1369, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 1375

At the request of Mr. LEVIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1375, a bill to amend the Internal Revenue Code of 1986 to provide that corporate tax benefits based upon stock option compensation expenses be consistent with accounting expenses shown in corporate financial statements for such compensation.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from Massachusetts (Mr. BROWN), the Senator

from Nebraska (Mr. JOHANNIS), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Idaho (Mr. RISCH) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mrs. FEINSTEIN, the names of the Senator from Colorado (Mr. BENNET) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S.J. Res. 17, *supra*.

S. J. RES. 21

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 132

At the request of Mr. NELSON of Nebraska, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Mississippi (Mr. COCHRAN), the Senator from Mississippi (Mr. WICKER) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

S. RES. 180

At the request of Mr. LIEBERMAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 180, a resolution expressing support for peaceful demonstrations and universal freedoms in Syria and condemning the human rights violations by the Assad regime.

S. RES. 228

At the request of Mr. LAUTENBERG, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Florida (Mr. RUBIO), the Senator from North Carolina (Mrs. HAGAN), the Senator from Ohio (Mr. BROWN), the Senator from Michigan (Mr. LEVIN), the Senator from Illinois (Mr. DURBIN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Iowa (Mr. HARKIN), the Senator from Maine (Ms. SNOWE), the Senator from Maine (Ms. COLLINS), the Senator from Alaska (Mr. BEGICH), the Senator from Florida (Mr. NELSON), the Senator from Alabama (Mr. SHELBY), the Senator from Hawaii (Mr. AKAKA), the Senator from West Virginia (Mr. MANCHIN), the Senator from Oklahoma (Mr. INHOFE),

the Senator from Mississippi (Mr. WICKER), the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Mr. CARDIN), the Senator from North Dakota (Mr. CONRAD), the Senator from California (Mrs. BOXER), the Senator from Washington (Mrs. MURRAY), the Senator from Oregon (Mr. MERKLEY), the Senator from Michigan (Ms. STABENOW), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Minnesota (Mr. FRANKEN), the Senator from Indiana (Mr. COATS) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. Res. 228, a resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

S. RES. 232

At the request of Mr. MENENDEZ, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Res. 232, a resolution recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners.

AMENDMENT NO. 553

At the request of Mr. MCCAIN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 553 proposed to H.R. 2055, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 556

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of amendment No. 556 proposed to H.R. 2055, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER (for himself, Mr. SHELBY, and Mr. MANCHIN):

S. 1382. A bill to complete construction of the 13-State Appalachian development highway system, and for other purposes; to the Committee on Environment and Public Works.

Mr. ROCKEFELLER. Mr. President, 46 years ago, Congress made a promise to the thirteen Appalachian Regional Commission member States—New York, Pennsylvania, Ohio, West Virginia, Maryland, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, and Mississippi—to complete the ADHS. The initial Appalachian Regional Commission recognized that, while the Interstate Highway System was slated to provide historic economic benefits to most of our nation, the system was designed to bypass the Appalachian Region. The Commission found that the limited access to these regions stifled the economic opportunities for countless communities—a problem that can unfortunately still be seen all these years later.

Today, I rise to introduce the Appalachian Development Highway System Act of 2011. This legislation will move us toward the completion of the ADHS and keep that promise. This bill would also allow states that have additional ADHS funds they cannot spend to loan to other states throughout the Appalachian region which have ADHS projects that are the closest to commencing construction. Such a provision will mean that funds are spent in the most efficient and streamlined manner possible.

West Virginia represents a microcosm of the transportation successes and difficulties throughout the country. While our state faces challenges, they aren't unique to West Virginia. Communities throughout Appalachia are also tackling these same difficulties.

Since I was Governor, I have known how important ADHS funding is to the economy of West Virginia. The completion of corridor G in the southern part of the state has become a critical link between Pikeville, Kentucky and Charleston, WV much like Corridor D has in the northern part of the state between Bridgeport and Cincinnati, OH. Today, West Virginia has one more ADHS project left to complete, Corridor H. This four line highway between Weston and the Virginia State Line has approximately 58 miles left to construct until it will be finished.

An effective transportation infrastructure encourages competition, promotes our national security, and creates economic growth. It is also imperative for building our communities by helping bring in businesses, creating jobs, building the economies in our states and cities, and increasing tourism.

As Chairman of the Senate Committee on Commerce, Science, and Transportation, my Committee has jurisdiction over a wide variety of issues. My Committee oversees the safety of our nation's highways, skies, pipelines, waterways, and railroads and it sets the tone of the debate when transportation issues come up in the Senate. I

am working on a number of fronts to transform our transportation network.

There is still much of the same isolation and lack of infrastructure in parts of Appalachia today as when the ADHS was envisioned. The Federal Government has a responsibility to keep the promise it made decades ago to the people of Appalachia. Besides the essential need for roads, there is also a critical need for the types of jobs and economic stimulus that highway dollars will bring to these underserved areas.

#### SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 25—WELCOMING THE INDEPENDENCE OF THE REPUBLIC OF SOUTH SUDAN, CONGRATULATING THE PEOPLE OF SOUTH SUDAN FOR FREELY AND PEACEFULLY EXPRESSING THEIR WILL THROUGH AN INTERNATIONALLY ACCEPTED REFERENDUM, AND CALLING ON THE GOVERNMENTS AND PEOPLE OF SUDAN AND SOUTH SUDAN TO PEACEFULLY RESOLVE OUTSTANDING ISSUES INCLUDING THE FINAL STATUS OF ABYEI

Mr. COONS (for himself, Mr. ISAKSON, Mr. DURBIN, Mr. WICKER, and Mr. LEVIN) submitted the following concurrent resolution; which was considered and agreed to:

#### S. CON. RES. 25

Whereas the United States was a witness to the 2005 Comprehensive Peace Agreement (CPA), which marked the end of more than 2 decades of civil war between North and South Sudan that resulted in the deaths of more than 2,000,000 people;

Whereas the CPA provided the framework for the historic referendum held between January 9, 2011, and January 15, 2011, in which the people of South Sudan voted overwhelmingly in favor of independence;

Whereas the United Nations Mission in Sudan (UNMIS), as established by United Nations Security Council Resolution 1590 on March 24, 2005, was instrumental in supporting the implementation of the CPA;

Whereas the mandate for the United Nations Mission in Sudan (UNMIS) expired on July 9, 2011, with the completion of the CPA Interim Period;

Whereas the mandate for the United Nations Mission in South Sudan (UNMISS), as established by United Nations Security Council Resolution 1996 (2011), commenced on July 9, 2011;

Whereas, on February 7, 2011, the Southern Sudan Referendum Commission announced that the people of South Sudan voted in favor of succession by a margin of 98.8 percent, and President Bashir, on behalf of the Government of Sudan, accepted the results of the referendum;

Whereas the African Union, the Arab League, the United Nations Secretary-General's Panel on the Referenda in Sudan, Sudanese Network for Democratic Elections (SuNDE), Sudanese Group for Democracy and Elections (SuGDE), and the Carter Cen-

ter were among those to report that voting in the referendum was credible and transparent, allowing the people of South Sudan to freely express their desire for independence;

Whereas several outstanding issues and potential points of conflict remain unresolved between the Government of Sudan and the Government of South Sudan, including the final status of the contested area of Abyei, disputed border areas, popular consultations, citizenship rights and nationality, division of oil resources and profits, currency, international debt and assets, and other matters;

Whereas the CPA parties signed an agreement on June 20, 2011, on temporary administrative and security arrangements for Abyei, including the establishment of a United Nations Interim Security Force for Abyei and the redeployment of all military forces of the Government of Sudan from the area;

Whereas fighting in Southern Kordofan over the past month has resulted in deaths and injuries to civilians, the displacement of thousands of residents, and restricted access for humanitarian workers despite the framework agreement for Blue Nile and Southern Kordofan states signed by the Government of Sudan and Sudan People's Liberation Movement-North on June 28, 2011;

Whereas the needs for security, development, and democracy-building are great throughout Sudan and South Sudan, and the United States and the international community have invested significant resources in order to provide assistance to the people of both countries;

Whereas more than 2,000,000 refugees and internally displaced persons from Sudan and South Sudan continue to be displaced from their homes;

Whereas lasting peace and stability for all of Sudan cannot be realized until a comprehensive peace in Darfur is secured and an appropriate mechanism for accountability and justice is established for those responsible for atrocities and crimes against humanity;

Whereas the United States has a compelling national interest in the security, stability, and development of Sudan and South Sudan in order to prevent conflict, humanitarian crises, and the establishment of safe havens for terrorists;

Whereas Sudan was the first country to formally recognize the Republic of South Sudan on July 9, 2011; and

Whereas the United States Government formally recognized the Republic of South Sudan as a sovereign and independent state on July 9, 2011: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That the Senate—*

(1) welcomes the independence of the Republic of South Sudan and recognizes South Sudan as the newest member of the international community;

(2) congratulates the people of South Sudan for freely and peacefully expressing their desire for independence through an internationally accepted referendum, and notes the Government of Sudan's recognition of the results of the referendum and South Sudan's independence;

(3) commends the people and leaders of South Sudan on their efforts to reach this historic milestone as well as the members of the international community that assisted them, including the United States, the European Union and its member states, Norway, the United Nations, the African Union and the AU High-Level Implementation Panel, the Arab League, the Intergovernmental Authority on Development, neighboring countries, and others;

(4) calls on the Governments of Sudan and South Sudan to continue high level engagement to resolve outstanding matters relating to the final status of Abyei, disputed border areas, the completion of popular consultations, citizenship and nationality, division of oil resources and profits, currency, international debt and assets, and other matters in order to ensure a smooth transition to two states and to mitigate points of conflict;

(5) calls on all sides to fully implement their June 20, 2011, agreement on temporary arrangements for the contested Abyei area and swiftly establish a cessation of hostilities in Southern Kordofan to facilitate the delivery and resupply of humanitarian assistance;

(6) welcomes the deployment of up to 4,200 Ethiopian peacekeepers to Abyei and the new United Nations Mission in South Sudan (UNMISS) to provide security and stability in Sudan;

(7) calls on the Government of Sudan to allow for continued United Nations peacekeeping operations in Southern Kordofan and Blue Nile states to support new security arrangements and the delivery of humanitarian assistance;

(8) calls on the United States Government and international community, in coordination with the Governments of Sudan and South Sudan, to support peace, rule of law, security, and good governance in Sudan and South Sudan in order to—

(A) promote security and stability in both countries, especially in critical areas such as Darfur, Blue Nile, and Southern Kordofan and in Abyei;

(B) promote the human and civil rights of all—including southerners living in Sudan and northerners living in South Sudan—through laws and regulations fully respected by both governments;

(C) encourage the Government of South Sudan to engage opposition parties to foster open political space and vibrant democratic institutions;

(D) encourage the Government of Sudan to facilitate the development of multiple political parties with freedom of speech and association;

(E) provide technical assistance and expertise to the Government of South Sudan;

(F) promote access to humanitarian and development aid for the people of Sudan and South Sudan, with a focus on the critical areas of education, health care, and infrastructure, and paying particular attention to historically marginalized areas, including Darfur, Southern Kordofan and Blue Nile states, and Eastern Sudan;

(G) encourage the Governments of Sudan and South Sudan to prevent terrorist groups from using their territories and to continue to cooperate with the United States on counterterrorism priorities; and

(H) encourage the Governments of Sudan and South Sudan to continue to work together in a productive relationship that recognizes the mutual need for cooperation and an open flow of people and goods across borders and to refrain from the use of proxy forces to foment conflict;

(9) urges that the Darfur peace process remain a priority in United States relations with the Government of Sudan and receives appropriate attention and resources, including—

(A) continued high level engagement to secure a just and lasting peace in Darfur;

(B) a commitment to ensuring humanitarian access to vulnerable populations; and

(C) sustained support for the African Union-United Nations Mission in Darfur

(UNAMID) and its mandate to protect civilians and move freely without seeking permission from the armed forces of the Government of Sudan; and

(10) welcomes the anticipated nomination of a United States ambassador to the Republic of South Sudan.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 559. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 560. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 561. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 559. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended on a military construction project at Grafenwohr, Germany, or Baumholder, Germany, until the Secretary of the Army submits to Congress, in writing, a report that identifies the brigade combat team that is scheduled to be withdrawn from Germany in 2015.

SA 560. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, between lines 12 and 13, insert the following:

SEC. 410. The funds appropriated or otherwise made available by this Act shall be obligated or expended pursuant to the level of the Senate and House of Representative concurrent budget resolution for fiscal year 2012.

SA 561. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, between lines 12 and 13, insert the following:

SEC. 410. None of the funds appropriated or otherwise made available by this Act may be obligated or expended at a rate higher than the level of the Senate and House of Representative concurrent budget resolution for fiscal year 2012.

#### PRIVILEGES OF THE FLOOR

Mr. KIRK. Mr. President, I ask unanimous consent that Joel Garrison of Senator WYDEN's staff be granted floor privileges during the consideration of H.R. 2055.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### WELCOMING THE INDEPENDENCE OF THE REPUBLIC OF SOUTH SUDAN

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 25.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 25) welcoming the independence of the Republic of South Sudan, congratulating the people of South Sudan for freely and peacefully expressing their will through an internationally accepted referendum, and calling on the Governments and people of Sudan and South Sudan to peacefully resolve outstanding issues including the final status of Abyei.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 25) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

#### S. CON. RES. 25

Whereas the United States was a witness to the 2005 Comprehensive Peace Agreement (CPA), which marked the end of more than 2 decades of civil war between North and South Sudan that resulted in the deaths of more than 2,000,000 people;

Whereas the CPA provided the framework for the historic referendum held between January 9, 2011, and January 15, 2011, in which the people of South Sudan voted overwhelmingly in favor of independence;

Whereas the United Nations Mission in Sudan (UNMIS), as established by United Nations Security Council Resolution 1590 on March 24, 2005, was instrumental in supporting the implementation of the CPA;

Whereas the mandate for the United Nations Mission in Sudan (UNMIS) expired on July 9, 2011, with the completion of the CPA Interim Period;

Whereas the mandate for the United Nations Mission in South Sudan (UNMISS), as

established by United Nations Security Council Resolution 1996 (2011), commenced on July 9, 2011;

Whereas, on February 7, 2011, the Southern Sudan Referendum Commission announced that the people of South Sudan voted in favor of succession by a margin of 98.8 percent, and President Bashir, on behalf of the Government of Sudan, accepted the results of the referendum;

Whereas the African Union, the Arab League, the United Nations Secretary-General's Panel on the Referenda in Sudan, Sudanese Network for Democratic Elections (SuNDE), Sudanese Group for Democracy and Elections (SuGDE), and the Carter Center were among those to report that voting in the referendum was credible and transparent, allowing the people of South Sudan to freely express their desire for independence;

Whereas several outstanding issues and potential points of conflict remain unresolved between the Government of Sudan and the Government of South Sudan, including the final status of the contested area of Abyei, disputed border areas, popular consultations, citizenship rights and nationality, division of oil resources and profits, currency, international debt and assets, and other matters;

Whereas the CPA parties signed an agreement on June 20, 2011, on temporary administrative and security arrangements for Abyei, including the establishment of a United Nations Interim Security Force for Abyei and the redeployment of all military forces of the Government of Sudan from the area;

Whereas fighting in Southern Kordofan over the past month has resulted in deaths and injuries to civilians, the displacement of thousands of residents, and restricted access for humanitarian workers despite the framework agreement for Blue Nile and Southern Kordofan states signed by the Government of Sudan and Sudan People's Liberation Movement-North on June 28, 2011;

Whereas the needs for security, development, and democracy-building are great throughout Sudan and South Sudan, and the United States and the international community have invested significant resources in order to provide assistance to the people of both countries;

Whereas more than 2,000,000 refugees and internally displaced persons from Sudan and South Sudan continue to be displaced from their homes;

Whereas lasting peace and stability for all of Sudan cannot be realized until a comprehensive peace in Darfur is secured and an appropriate mechanism for accountability and justice is established for those responsible for atrocities and crimes against humanity;

Whereas the United States has a compelling national interest in the security, stability, and development of Sudan and South Sudan in order to prevent conflict, humanitarian crises, and the establishment of safe havens for terrorists;

Whereas Sudan was the first country to formally recognize the Republic of South Sudan on July 9, 2011; and

Whereas the United States Government formally recognized the Republic of South Sudan as a sovereign and independent state on July 9, 2011: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That the Senate—*

(1) welcomes the independence of the Republic of South Sudan and recognizes South Sudan as the newest member of the international community;

(2) congratulates the people of South Sudan for freely and peacefully expressing

their desire for independence through an internationally accepted referendum, and notes the Government of Sudan's recognition of the results of the referendum and South Sudan's independence;

(3) commends the people and leaders of South Sudan on their efforts to reach this historic milestone as well as the members of the international community that assisted them, including the United States, the European Union and its member states, Norway, the United Nations, the African Union and the AU High-Level Implementation Panel, the Arab League, the Intergovernmental Authority on Development, neighboring countries, and others;

(4) calls on the Governments of Sudan and South Sudan to continue high level engagement to resolve outstanding matters relating to the final status of Abyei, disputed border areas, the completion of popular consultations, citizenship and nationality, division of oil resources and profits, currency, international debt and assets, and other matters in order to ensure a smooth transition to two states and to mitigate points of conflict;

(5) calls on all sides to fully implement their June 20, 2011, agreement on temporary arrangements for the contested Abyei area and swiftly establish a cessation of hostilities in Southern Kordofan to facilitate the delivery and resupply of humanitarian assistance;

(6) welcomes the deployment of up to 4,200 Ethiopian peacekeepers to Abyei and the new United Nations Mission in South Sudan (UNMISS) to provide security and stability in Sudan;

(7) calls on the Government of Sudan to allow for continued United Nations peacekeeping operations in Southern Kordofan and Blue Nile states to support new security arrangements and the delivery of humanitarian assistance;

(8) calls on the United States Government and international community, in coordination with the Governments of Sudan and South Sudan, to support peace, rule of law, security, and good governance in Sudan and South Sudan in order to—

(A) promote security and stability in both countries, especially in critical areas such as Darfur, Blue Nile, and Southern Kordofan and in Abyei;

(B) promote the human and civil rights of all—including southerners living in Sudan and northerners living in South Sudan—through laws and regulations fully respected by both governments;

(C) encourage the Government of South Sudan to engage opposition parties to foster open political space and vibrant democratic institutions;

(D) encourage the Government of Sudan to facilitate the development of multiple polit-

ical parties with freedom of speech and association;

(E) provide technical assistance and expertise to the Government of South Sudan;

(F) promote access to humanitarian and development aid for the people of Sudan and South Sudan, with a focus on the critical areas of education, health care, and infrastructure, and paying particular attention to historically marginalized areas, including Darfur, Southern Kordofan and Blue Nile states, and Eastern Sudan;

(G) encourage the Governments of Sudan and South Sudan to prevent terrorist groups from using their territories and to continue to cooperate with the United States on counterterrorism priorities; and

(H) encourage the Governments of Sudan and South Sudan to continue to work together in a productive relationship that recognizes the mutual need for cooperation and an open flow of people and goods across borders and to refrain from the use of proxy forces to foment conflict;

(9) urges that the Darfur peace process remain a priority in United States relations with the Government of Sudan and receives appropriate attention and resources, including—

(A) continued high level engagement to secure a just and lasting peace in Darfur;

(B) a commitment to ensuring humanitarian access to vulnerable populations; and

(C) sustained support for the African Union-United Nations Mission in Darfur (UNAMID) and its mandate to protect civilians and move freely without seeking permission from the armed forces of the Government of Sudan; and

(10) welcomes the anticipated nomination of a United States ambassador to the Republic of South Sudan.

#### ORDERS FOR TUESDAY, JULY 19, 2011

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow morning, Tuesday, July 19, at 10 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate will be in a period of morning business for up to 2 hours, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority and the Republicans controlling alternating 30-minute blocks, with the Republicans

controlling the first block; that following morning business, the Senate will resume consideration of H.R. 2055, the Military Construction, Veterans Affairs and related agencies appropriations bill; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. REID. Mr. President, we are continuing to work on Senator JOHNSON's military construction appropriations bill. The Senate will be notified when votes are scheduled on that matter.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate adjourn under the previous order.

There being no objection, the Senate, at 7:18 p.m., adjourned until Tuesday, July 19, 2011, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### FARM CREDIT ADMINISTRATION

BRUCE J. SHERRICK, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL AGRICULTURAL MORTGAGE CORPORATION, VICE GLEN KLIPPENSTEIN.

CHESTER JOHN CULVER, OF IOWA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL AGRICULTURAL MORTGAGE CORPORATION, VICE JULIA BARTLING.

##### BUREAU OF CONSUMER FINANCIAL PROTECTION

RICHARD CORDRAY, OF OHIO, TO BE DIRECTOR, BUREAU OF CONSUMER FINANCIAL PROTECTION FOR A TERM OF FIVE YEARS. (NEW POSITION)

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DAVID A. MONTROYA, OF TEXAS, TO BE INSPECTOR GENERAL, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, VICE KENNETH M. DONOHUE, SR., RESIGNED.

#### CONFIRMATION

Executive nomination confirmed by the Senate July 18, 2011:

##### THE JUDICIARY

J. PAUL OETKEN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.



## HOUSE OF REPRESENTATIVES—Monday, July 18, 2011

The House met at noon and was called to order by the Speaker pro tempore (Mr. SIMPSON).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 18, 2011.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

JOHN BOEHNER,  
Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess until 2 p.m.

□ 1400

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks, O God, for giving us another day. Please help us to use it well.

We ask Your blessing upon this assembly and upon all to whom the authority of government is given. Help them to meet their responsibilities during these days, to attend to the immediate needs and concerns of the moment, all the while enlightened by the majesty of Your creation and Your eternal Spirit.

We give You thanks that we all can know and share the fruits of Your Spirit, especially in this time the virtues of tolerance and reconciliation, of justice and righteousness, of goodwill and un-

derstanding, of patience and loving care for others.

Watch over this House, and cause Your blessing to be upon each Member, that they might serve all the people with sincerity and truth.

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

### THE JOURNAL

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

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

Mr. NUGENT. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

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

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. NUGENT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

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

### DELAYING ON THE DEBT SOLUTION

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

Mr. WILSON of South Carolina. Mr. Speaker, over the weekend, concerned constituents advised me they are tired of hearing politicians grandstand about fixing the Nation's debt ceiling. The current administration has proven it would rather threaten our senior citi-

zens than propose reasonable solutions that would benefit families.

Liberals refuse to listen to the American people. Americans voted for Washington to cut spending. Liberals want to impose "more revenues," which is Washingtonspeak for more job-killing taxes.

In August of 2009, then-Senator Barack Obama stated "raising taxes in a recession would be the last thing you want to do." That is particularly true today, as over 14 million Americans are without jobs. The President's policies of borrow and spend have failed and we must change course.

This debt crisis is a result of Washington spending money it does not have. That is why House Republicans have proposed the Cut, Cap, and Balance plan. Tomorrow, I hope Democrats will join us to vote for this positive proposal to promote more jobs created by small businesses.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

### IT IS NOT ABOUT PROTECTING BILLIONAIRES

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

Mr. DUNCAN of Tennessee. Mr. Speaker, in all the debate about the debt ceiling, the biggest falsehood is that Republicans want to protect the multimillionaires and billionaires. The millionaires and billionaires can take care of themselves; and, in fact, they come out ahead especially when government gets too big. And Republicans lose the superwealthy areas usually by two-to-one margins or more.

The reason we don't want tax increases is because the Federal Government is so wasteful. The least economical, least efficient way to spend money is to turn it over to the Federal Government. Look at how little good the \$862 billion stimulus did. Unemployment went up.

Every dollar that can be kept in the private sector will do much more to create jobs and keep prices down. The ones who will benefit the most from more money in the private sector will be the middle- and lower-income working people. If this wasn't true, the Soviet Union and Cuba would have been heaven on Earth.

It is not about protecting billionaires—not in the least.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

**STOP THE OUT-OF-CONTROL  
SPENDING**

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

Ms. FOXX. I would like to associate myself with the comments of my colleague from Tennessee. I agree with every word he said.

And I would like to ask a question, Mr. Speaker: Why is our national debt so high? It's because spending is too high.

It's pretty simple. Our debt crisis is the result of Washington spending money it doesn't have and leaving the tab for taxpayers and future generations to pick up. That's irresponsible.

The only way out is reducing spending, since at least 40 cents of every dollar we're spending is added directly to the national debt.

And, no, despite what our friends on the other side of the aisle would say, raising tax rates and confiscating more money isn't the solution. That ignores the reality that Washington has a chronic overspending problem, not an undertaxing problem.

If we're going to restore economic certainty, bolster job growth, and keep America competitive, we need to stop spending money we don't have. Mr. Speaker, we've got to start cutting spending, and we've got to start it now.

**IT'S TIME FOR THE PRESIDENT TO  
ACT**

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

Mr. BURGESS. Mr. Speaker, right now this United States Congress is writing post-dated checks on an overdrawn account. We're on a path to fiscal destruction, one that may threaten the very fabric of our Republic.

In many ways, Mr. Speaker, we may be lucky that we have a statutory debt limit because it forces both branches of the legislative branch of government and the executive branch to sit down and have the hard discussions that are necessary at this point in our Nation's history. Does anyone really believe we would be here having these discussions if we didn't have to?

There is going to be a bill on the floor this week called Cut, Cap, and Balance; and it allows the President his wish for expanding the debt limit at the same time it caps spending, cuts current spending, and allows for a vote on a balanced budget amendment.

The President issued a veto threat today, and I think that is unfortunate. The President has refused to offer any meaningful plan of his own, anything that is scorable. Anything that even has the barest of details the President has failed to provide. And, of course, we all wonder what's happening over in the other body.

This country doesn't need more debt; it needs more jobs. But we need to quit spending money we don't have and put people back to work. Dealing with these important issues is what we need to do, and then let Americans do what they do best: create, innovate, and lead.

**CUT, CAP, AND BALANCE OUR  
BUDGET**

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

Mr. CHAFFETZ. A short time ago, the President issued an administration policy statement saying that he would veto Cut, Cap, and Balance.

I appreciate the President's offering a moment of clarity. He said: "Instead of pursuing an empty political statement and unrealistic policy goals, it is necessary to move beyond politics as usual and find bipartisan common ground."

All we ask is that we balance our budget. For the President to suggest that balancing our budget is not common ground does provide clarity.

This President has no plan to balance our budget. The budget that he submitted never balances. In fact, it doubles and triples the debt.

We're asking that if the President wants to raise the debt ceiling, we must solve the underlying problem; and the underlying problem is we're borrowing, taxing, and spending too much money in this country.

The President says, "passing a balanced budget amendment that, in the years ahead, will likely leave the Nation unable to meet its core commitment of ensuring dignity in retirement."

Mr. President, if we don't balance this budget, if we don't take care of our debt, if we don't pay off our debts, this country will be bankrupt.

We're spending and borrowing too much money. We can no longer borrow 40 cents out of every dollar in this country. That's why we must pass Cut, Cap, and Balance.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore (Mr. SIMPSON). Members are reminded to address their remarks to the Chair.

□ 1410

**CUT, CAP, AND BALANCE**

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

Mr. NUGENT. Mr. Speaker, we're here today because this country has a spending addiction. My 36-plus years in law enforcement told me that when someone has an addiction, you have to first address and admit that you have a problem.

Mr. Speaker, there is a bill that is coming up this week called Cut, Cap, and Balance. The important part of that bill is the balance part. This Nation needs a balanced budget amendment, just like 49 States that make up this great Union have a balanced budget amendment.

Mr. Speaker, there's been a threat laid upon us that there will be a veto if we pass this. Mr. Speaker, unless we address our addiction to spending, we will never ever get to a point where the children that we have sitting in the audience, those that are sitting here that have children are never going to be able to pass on a greater opportunity to them, just like was passed on to me by my parents.

**RECESS**

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

Accordingly (at 2 o'clock and 11 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1700

**AFTER RECESS**

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 5 p.m.

**ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken after 6:30 p.m. today.

**CHURCH PLAN INVESTMENT  
CLARIFICATION ACT**

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 33) to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Church Plan Investment Clarification Act".*

**SEC. 2. SECURITIES ACT OF 1933 AMENDMENT.**

*Section 3(a)(2) of the Securities Act of 1933 (15 U.S.C. 77c(a)(2)) is amended—*

(1) by inserting “(other than a retirement income account described in section 403(b)(9) of the Internal Revenue Code of 1986, to the extent that the interest or participation in such single trust fund or collective trust fund is issued to a church, a convention or association of churches, or an organization described in section 414(e)(3)(A) of such Code establishing or maintaining the retirement income account or to a trust established by any such entity in connection with the retirement income account)” after “403(b) of such Code”; and

(2) by inserting “(other than a person participating in a church plan who is described in section 414(e)(3)(B) of the Internal Revenue Code of 1986)” after “section 401(c)(1) of such Code”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

#### GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to add extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 33, the Church Plan Investment Clarification Act. I would like to thank my colleagues on the Financial Services Committee for their support of this legislation. I would also like to thank Mr. CARSON of Indiana for managing the bill for the other side of the aisle.

H.R. 33, the Church Plan Investment Clarification Act, is a technical corrections bill to amend Public Law 108-359, the Church Pension Fairness Act. It clarifies an exemption in current law to allow church pension plans, like secular pension plans, to invest in collective trusts.

Due to a technical error included in the 2004 law, the necessary exemption from the Securities Act of 1933 was not provided to give church pension plans access to collective trusts. Collective trusts allow pension plans to pool their assets, diversify their investments, and share risk and transaction costs with other pension plans, thereby reaping the benefits of collective buying power. Again, H.R. 33 clarifies that church pension plans, like secular plans, may invest in collective trusts.

On June 22, 2011, the House Committee on Financial Services by voice vote unanimously approved H.R. 33. This bill is similar to the original Church Pension Fairness Act bill, H.R. 1533, which the House passed in 2003 by a vote of 397-0.

Finally, the bill is supported by a number of organizations, including the Church Alliance; the General Board of Pension and Health Benefits of the United Methodist Church; the YMCA

Retirement Fund; Everence Financial on behalf of the Mennonite Retirement Trust, the retirement plan for the Mennonite Church USA; the Seventh-Day Adventist Church in North America; Church Pension Group, on behalf of the Church Pension Fund, an independent agency of the Episcopal Church; the Ministers and Missionaries Benefit Board of the American Baptist Churches in the USA; the Board of Pensions of the Evangelical Lutheran Church in America; and the Pensions Board of the United Church of Christ.

With that, I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill would permit church pension plans to invest in collective trusts by correcting a technical error that resulted from the interaction of the securities laws and the Tax Code. In 2003, Mr. Speaker, Congress passed legislation that was intended to accomplish this goal, but the final law did not make the necessary corrections to the Securities Act of 1933. As such, IRS regulations currently prevent collective trusts from allowing investments by church plans.

This bill will make it more cost-efficient for a religious organization to manage its pension plans by allowing the plan to manage its assets through a collective trust mechanism alongside the assets of other pension plans. Church pension plans will no longer have to be managed separately, which creates greater costs to the plan and its participants. The bill, Mr. Speaker, effectively provides another option for church pension plans and allows them to be managed much more like other kinds of pension plans, and will minimize costs.

This bill is supported by the Church Alliance, a coalition of 37 denominational benefit programs that provide pensions and health benefits to more than 1 million clergy across this country, lay workers, and their family members.

Mr. Speaker, I urge adoption of this bill.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 33, “The Church Plan Investment Clarification Act.” This legislation will allow church pension plans to participate in collective trusts.

Collective trusts allow pension plans to combine assets to invest in various stock and non stock options. This provides pension plans an opportunity to diversify investment portfolios, while sharing risks and transaction costs with other pension plans.

Under current law, thousands of church pension plans are denied participation in collective trusts, rendering them unable to pool their assets and reap the benefits of collective buying power. Many churches, as a result, experience difficulties and incur expenses when diversifying pension plan investments.

I support the Church Plan Investment Clarifications Act to amend the Securities Act of 1933. Amending current securities legislation will broaden the existing exemption to collective trusts to include church pension plans. This bill will clarify that clergy and lay workers are able to invest in collective trusts, despite their unique tax status. The Act affords church pension plans the same securities law treatment that is extended to governmental plans.

Churches provide invaluable services to our communities. Across the Nation, church pension plans will benefit from this bipartisan bill, including churches in Houston, Texas, where I represent the 18th Congressional District. Churches such as the Bellfort Seventh Day Adventist Church, New Light Christian Church and the Community of Faith Church. This legislation will be of great significance to the Wheeler Avenue Baptist Church, the St. John Missionary Baptist Church on Dowling, the Brooks Hollow Baptist Church, and Houses of worship throughout our community and Nation.

These faith institutions in Houston, as well as throughout the country, will no longer have to individually bear the burden of high fees on investment transactions for their retirement plans. The clergy and lay workers that will benefit from this legislation have spent their entire careers serving others. The least we can offer in return is the opportunity for these pension plans to pool their resources in order to decrease costs associated with funding their retirement plans.

This bill is also supported by The Church Alliance, the Seventh Day Adventist Church, the YMCA Retirement Fund, the Church Pension Group, and others. I thank my friend from Illinois for sponsoring this important legislation, and urge my colleagues to work together to pass the Church Plan Investment Clarification Act.

Mr. CARSON of Indiana. I yield back the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 33, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 7 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

**AFTER RECESS**

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska) at 6 o'clock and 30 minutes p.m.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: the motion to suspend on H.R. 33; and approval of the Journal, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

**CHURCH PLAN INVESTMENT CLARIFICATION ACT**

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 33) to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 310, nays 1, not voting 120, as follows:

[Roll No. 601]

YEAS—310

Ackerman	Capito	Deutch
Adams	Carnahan	Diaz-Balart
Aderholt	Carney	Dold
Alexander	Carson (IN)	Donnelly (IN)
Altmire	Cassidy	Doyle
Austria	Chabot	Dreier
Baca	Chaffetz	Duffy
Bachus	Chandler	Duncan (SC)
Baldwin	Chu	Duncan (TN)
Barletta	Cicilline	Edwards
Bartlett	Clarke (MI)	Ellmers
Barton (TX)	Clarke (NY)	Engel
Bass (CA)	Cleaver	Farenthold
Bass (NH)	Clyburn	Fincher
Becerra	Coffman (CO)	Fitzpatrick
Benishek	Cohen	Fleischmann
Berg	Cole	Fleming
Berkley	Conaway	Flores
Biggert	Connolly (VA)	Foxx
Bilbray	Conyers	Frank (MA)
Bishop (UT)	Cooper	Franks (AZ)
Blackburn	Courtney	Frelinghuysen
Bonner	Crawford	Fudge
Boustany	Crenshaw	Galleghy
Brady (TX)	Critz	Garamendi
Braley (IA)	Cuellar	Gardner
Broun (GA)	Culberson	Garrett
Brown (FL)	Cummings	Gibbs
Buerkle	Davis (IL)	Gibson
Burgess	Davis (KY)	Gohmert
Butterfield	DeLauro	Gonzalez
Canseco	Denham	Goodlatte
Cantor	DesJarlais	Gosar

Gowdy	Luetkemeyer	Ross (AR)	Gutierrez	McDermott	Rokita
Graves (GA)	Lujan	Ross (FL)	Harris	McHenry	Rothman (NJ)
Green, Al	Lummis	Roybal-Allard	Hastings (WA)	McKeon	Rush
Green, Gene	Lungren, Daniel E.	Royce	Heinrich	McNerney	Sanchez, Loretta
Griffin (AR)	Maloney	Runyan	Hinchey	Meeks	Schakowsky
Griffith (VA)	Marino	Ruppersberger	Hultgren	Michaud	Schradler
Grimm	Markey	Ryan (OH)	Issa	Miller, Gary	Shimkus
Guinta	Matheson	Ryan (WI)	Johnson (IL)	Miller, George	Shuster
Guthrie	Matsui	Sanchez, Linda T.	Kaptur	Mulvaney	Simpson
Hall	McCarthy (CA)	Sarbanes	Kinzinger (IL)	Nunnelee	Slaughter
Hanabusa	McCarthy (NY)	Scalise	Labrador	Olver	Smith (WA)
Hanna	McClintock	Schiff	Lee (CA)	Owens	Speier
Harper	McGovern	Schilling	Lipinski	Palazzo	Stutzman
Hartzler	McIntyre	Schmidt	Loeb sack	Pascrell	Tiberi
Hastings (FL)	McKinley	Schock	Lofgren, Zoe	Paulsen	Tsongas
Hayworth	McMorris	Schwartz	Lynch	Pence	Walberg
Heck	Rodgers	Schweikert	Mack	Perlmutter	Waters
Hensarling	Meehan	Scott (SC)	Manzullo	Pingree (ME)	Watt
Herger	Mica	Scott (VA)	Marchant	Poe (TX)	Wilson (FL)
Herrera Beutler	Miller (FL)	Scott, Austin	McCaul	Pompeo	Wu
Higgins	Miller (MI)	Scott, David	McCollum	Quayle	Young (AK)
Himes	Miller (NC)	Sensenbrenner	McCotter	Rohrabacher	Young (FL)
Hinojosa	Moore	Serrano			
Hirono	Moran	Sessions			
Hochul	Murphy (CT)	Sewell			
Holden	Murphy (PA)	Sherman			
Holt	Myrick	Shuler			
Honda	Nadler	Sires			
Hoyer	Napolitano	Smith (NE)			
Huelskamp	Neal	Smith (NJ)			
Huizenga (MI)	Neugebauer	Smith (TX)			
Hunter	Noem	Southerland			
Hurt	Nugent	Stark			
Inslee	Nunes	Stearns			
Israel	Olson	Stivers			
Jackson (IL)	Pallone	Sullivan			
Jackson Lee	Pastor (AZ)	Sutton			
(TX)	Paul	Terry			
Jenkins	Payne	Thompson (CA)			
Johnson (GA)	Pearce	Thompson (MS)			
Johnson (OH)	Pelosi	Thompson (PA)			
Johnson, E. B.	Peters	Thornberry			
Johnson, Sam	Peterson	Tierney			
Jones	Petri	Tipton			
Jordan	Pitts	Tonko			
Keating	Platts	Towns			
Kelly	Polis	Turner			
Kildee	Posey	Upton			
Kind	Price (GA)	Van Hollen			
King (IA)	Price (NC)	Velazquez			
King (NY)	Quigley	Visclosky			
Kingston	Rahall	Walden			
Kissell	Rangel	Walsh (IL)			
Kline	Reed	Walz (MN)			
Kucinich	Rehberg	Wasserman			
Lamborn	Reichert	Schultz			
Lance	Renacci	Waxman			
Landry	Reyes	Webster			
Langevin	Ribble	Welch			
Lankford	Richardson	West			
Larsen (WA)	Richmond	Westmoreland			
Larson (CT)	Rigell	Whitfield			
Latham	Rivera	Wilson (SC)			
LaTourette	Roby	Wittman			
Latta	Roe (TN)	Wolf			
Levin	Rogers (AL)	Womack			
Lewis (CA)	Rogers (KY)	Woodall			
Lewis (GA)	Rogers (MI)	Woolsey			
LoBiondo	Rooney	Yarmuth			
Long	Ros-Lehtinen	Yoder			
Lowe y	Roskam	Young (IN)			
Lucas					

NAYS—1

Amash

NOT VOTING—120

Akin	Calvert	Dicks
Andrews	Camp	Dingell
Bachmann	Campbell	Doggett
Barrow	Capps	Ellison
Berman	Capuano	Emerson
Bilirakis	Cardoza	Eshoo
Bishop (GA)	Carter	Farr
Bishop (NY)	Castor (FL)	Fattah
Black	Clay	Filner
Blumenauer	Coble	Flake
Bono Mack	Costa	Forbes
Boren	Castello	Fortenberry
Bowell	Cravaack	Gerlach
Brady (PA)	Crowley	Giffords
Brooks	Davis (CA)	Gingrey (GA)
Buchanan	DeFazio	Granger
Bucshon	DeGette	Graves (MO)
Burton (IN)	Dent	Grijalva

Gutierrez	McDermott	Rokita
Harris	McHenry	Rothman (NJ)
Hastings (WA)	McKeon	Rush
Heinrich	McNerney	Sanchez, Loretta
Hinchey	Meeks	Schakowsky
Hultgren	Michaud	Schradler
Issa	Miller, Gary	Shimkus
Johnson (IL)	Miller, George	Shuster
Kaptur	Mulvaney	Simpson
Kinzinger (IL)	Nunnelee	Slaughter
Labrador	Olver	Smith (WA)
Lee (CA)	Owens	Speier
Lipinski	Palazzo	Stutzman
Loeb sack	Pascrell	Tiberi
Lofgren, Zoe	Paulsen	Tsongas
Lynch	Pence	Walberg
Mack	Perlmutter	Waters
Manzullo	Pingree (ME)	Watt
Marchant	Poe (TX)	Wilson (FL)
McCaul	Pompeo	Wu
McCollum	Quayle	Young (AK)
McCotter	Rohrabacher	Young (FL)

□ 1858

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 601, I was unable to vote due to previous commitments in my district. Had I been present, I would have voted "yes."

Mr. HARRIS. Mr. Speaker, on rollcall No. 601, I was unavoidably detained from arriving before the close of the vote. Had I been present, I would have voted "aye."

Mrs. BLACK. Mr. Speaker, on rollcall No. 601, for final passage of H.R. 33, I was previously detained for a family matter. Had I been present, I would have voted "aye."

Ms. WILSON of Florida. Mr. Speaker, I was unable to attend to votes in the House today. Had I been present, I would have voted "aye" on final passage of H.R. 33, the Church Plan Investment Clarification Act.

**THE JOURNAL**

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 244, nays 56, answered "present" 1, not voting 130, as follows:

[Roll No. 602]

YEAS—244

Ackerman	Barletta	Berg
Adams	Bartlett	Berkley
Aderholt	Barton (TX)	Biggert
Alexander	Bass (CA)	Bilbray
Austria	Bass (NH)	Blackburn
Baca	Becerra	Bonner
Bachus	Benishek	Broun (GA)

Brown (FL)	Hoyer	Rangel
Buerkle	Huelskamp	Rehberg
Butterfield	Huizenga (MI)	Reichert
Canseco	Hunter	Ribble
Cantor	Inslee	Richardson
Capito	Israel	Richmond
Carnahan	Jackson (IL)	Rigell
Carney	Jackson (IL)	Rivera
Cassidy	Jenkins	Roby
Chabot	Johnson (GA)	Roe (TN)
Chaffetz	Johnson, E. B.	Rogers (AL)
Cicilline	Johnson, Sam	Rogers (KY)
Clarke (MI)	Jordan	Rooney
Clarke (NY)	Kelly	Ros-Lehtinen
Cleaver	Kildee	Roskam
Clyburn	King (IA)	Ross (AR)
Coffman (CO)	King (NY)	Ross (FL)
Cohen	Kingston	Roybal-Allard
Cole	Kissell	Royce
Conaway	Kline	Runyan
Connolly (VA)	Lamborn	Ruppersberger
Conyers	Lance	Ryan (OH)
Cooper	Landry	Ryan (WI)
Courtney	Langevin	Sánchez, Linda
Crawford	Lankford	T.
Crenshaw	Larson (CT)	Scalise
Critz	LaTourette	Issa
Culberson	Latta	Schiff
Cummings	Levin	Schilling
Davis (IL)	Lewis (CA)	Schmidt
DeLauro	Long	Schock
Denham	Lowe	Schwartz
DesJarlais	Lucas	Schweikert
Deutch	Luetkemeyer	Scott (SC)
Diaz-Balart	Luján	Scott (VA)
Doyle	Lummis	Scott, Austin
Dreier	Lungren, Daniel	Scott, David
Duncan (SC)	E.	Sensenbrenner
Duncan (TN)	Maloney	Serrano
Edwards	Marino	Sessions
Ellmers	McCarthy (CA)	Sewell
Engel	McCarthy (NY)	Sherman
Fincher	McClintock	Smith (NE)
Fleischmann	McGovern	Smith (NJ)
Fleming	McIntyre	Smith (TX)
Flores	McMorris	Southerland
Frank (MA)	Rodgers	Stark
Franks (AZ)	Mica	Stearns
Frelinghuysen	Miller (FL)	Sutton
Fudge	Miller (MI)	Thompson (PA)
Gallegly	Miller (NC)	Thornberry
Garamendi	Moran	Tonko
Garrett	Murphy (CT)	Towns
Gonzalez	Murphy (PA)	Turner
Goodlatte	Myrick	Upton
Gosar	Nadler	Van Hollen
Gowdy	Neal	Velázquez
Graves (GA)	Neugebauer	Visclosky
Green, Al	Noem	Walsh (IL)
Griffin (AR)	Nugent	Walz (MN)
Griffith (VA)	Nunes	Wasserman
Guinta	Olson	Schultz
Guthrie	Pastor (AZ)	Waxman
Hall	Paul	Webster
Hanabusa	Payne	West
Harper	Pearce	Westmoreland
Hartzler	Pelosi	Whitfield
Hastings (FL)	Petri	Wilson (SC)
Hayworth	Pitts	Wittman
Hensarling	Platts	Wolf
Herger	Polis	Womack
Higgins	Posey	Woodall
Hinojosa	Price (GA)	Woolsey
Hirono	Price (NC)	Yarmuth
Holden	Quigley	Yoder
Holt	Rahall	Young (IN)

## NAYS—56

Altmire	Gibson	Latham
Baldwin	Green, Gene	Lewis (GA)
Boustany	Grimm	LoBiondo
Burgess	Hanna	Matheson
Carson (IN)	Harris	Matsui
Chandler	Heck	McKinley
Chu	Herrera Beutler	Meehan
Cuellar	Himes	Napolitano
Davis (KY)	Hochul	Pallone
Dold	Honda	Peters
Donnelly (IN)	Jackson Lee	Peterson
Duffy	(TX)	Reed
Farenthold	Johnson (OH)	Renacci
Fitzpatrick	Jones	Reyes
Fox	Keating	Sarbanes
Gardner	Kind	Shuler
Gibbs	Kucinich	Stivers

Sullivan	Thompson (CA)	Tipton
Terry	Thompson (MS)	Walden

## ANSWERED "PRESENT"—1

Amash

## NOT VOTING—130

Akin	Eshoo	Miller, George
Andrews	Farr	Moore
Bachmann	Fattah	Mulvaney
Barrow	Finer	Nunnelee
Berman	Flake	Oliver
Bilirakis	Forbes	Owens
Bishop (GA)	Fortenberry	Palazzo
Bishop (NY)	Gerlach	Pascarell
Bishop (UT)	Giffords	Paulsen
Black	Gingrey (GA)	Pence
Blumenauer	Gohmert	Perlmutter
Bono Mack	Granger	Pingree (ME)
Boren	Graves (MO)	Poe (TX)
Boswell	Grijalva	Pompeo
Brady (PA)	Gutierrez	Quayle
Brady (TX)	Hastings (WA)	Rogers (MI)
Braley (IA)	Heinrich	Rohrabacher
Brooks	Hinche	Rokita
Buchanan	Hultgren	Rothman (NJ)
Bucshon	Issa	Rush
Burton (IN)	Johnson (IL)	Kaptur
Calvert	Johnson (IL)	Sánchez, Loretta
Camp	Kinzinger (IL)	Schakowsky
Campbell	Labrador	Schrader
Capps	Larsen (WA)	Shimkus
Capuano	Lee (CA)	Shuster
Cardoza	Lipinski	Simpson
Carter	Loebsack	Sires
Castor (FL)	Lofgren, Zoe	Slaughter
Clay	Lynch	Smith (WA)
Coble	Mack	Speier
Costa	Manzullo	Stutzman
Costello	Marchant	Tiberi
Cravaack	Markey	Tierney
Crowley	McCaul	Tsongas
Davis (CA)	McCollum	Walberg
DeFazio	McCotter	Waters
DeGette	McDermott	Watt
Dent	McHenry	Welch
Dicks	McKeon	Wilson (FL)
Dingell	McNerney	Wu
Doggett	Meeks	Young (AK)
Ellison	Michaud	Young (FL)
Emerson	Miller, Gary	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1905

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

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 602, I was unable to vote due to previous commitments in my district. Had I been present, I would have voted "no."

## PERSONAL EXPLANATION

Mr. AKIN. Mr. Speaker, on rollcall No. 601 and 602, I was delayed and unable to vote. Had I been present I would have voted "aye" on both.

## PERSONAL EXPLANATION

Mr. PASCARELL. Mr. Speaker, I unavoidably missed two rollcall votes. Had I been present I would have voted "yea" on rollcall vote No. 601 on passage of H.R. 33—To amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act. Additionally, had I been

present I would have voted "yea" on rollcall vote No. 602, on approving the Journal.

## PERSONAL EXPLANATION

Ms. LEE. Mr. Speaker, I was unable to cast my votes today. Had I been present to cast my votes, I would have voted "yes" on H.R. 33 and "yes" on approving the Journal.

## ANNIVERSARY OF ATTACK ON AMIA JEWISH COMMUNITY CENTER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise tonight to mark the anniversary of the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina.

On July 18, 1994, the Iranian regime, through the coordinated efforts of its embassy and extremist proxy Hezbollah, committed one of the deadliest attacks of anti-Semitism in the Western Hemisphere by killing 85 men, women and children and injuring over 300 innocent bystanders. Seventeen years later, Mr. Speaker, the regime has yet to answer for its role in the attack. Its statement this weekend was nothing more than a desperate PR attempt to manipulate the headlines in advance of today's sad anniversary.

And so as we mark the 17th anniversary of this horrible attack and honor the victims and the survivors of that day, we must recommit ourselves to holding the Iranian regime accountable for the AMIA attack and for the threat that it continues to pose to U.S. regional and global security.

## IN SUPPORT OF CHURCH PLAN INVESTMENT CLARIFICATION ACT

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Madam Speaker, flying in today, our plane was delayed. I didn't have the opportunity to advance my support for H.R. 33, the Church Plan Investment Clarification Act of 2011. I want to acknowledge the sponsorship of Congresswoman BIGGERT and indicate that under current law thousands of church pension plans are denied participation in collective trusts, rendering them unable to pull their assets or reap the benefits of collective buying power. Many churches, as a result, experience difficulties and incur expenses when diversifying pension plans.

Our churches, our houses of worship provide invaluable service, and many of those in my own community—the Bellport Seventh Day Adventist Church, the New Life Christian Church,

Wheeler Avenue Baptist Church, St. John Missionary Baptist Church on Dowling, Brookhollow, and many others, work throughout our community. We are blessed to have Lakewood Church in our community, as well, that works very hard, a church leadership that I've known for many, many years.

So this bill has been supported by the Church Alliance, the Seventh Day Adventist Church, the YMCA Retirement Fund, the Church Pension Group, and others. And I thank my friend from Illinois, as I said. Churches do missionary work. Their workers need to have the ability to have their pensions.

And I close by saying there are those suffering in Kenya, they are dying, the Somalians who left because of the devastation of the drought, and I know our faith community wants us to do something about it.

#### REMEMBERING STANLEY REED, A GREAT LEADER IN ARKANSAS

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

Mr. CRAWFORD. Madam Speaker, today I rise to remember a great leader from the State of Arkansas, Mr. Stanley Reed. Stanley Reed was prematurely taken away from us last Friday, but his legacy will live on.

Stanley was from Marianna in Lee County, but his influence is felt throughout the entire State of Arkansas. He served as president of the Arkansas Farm Bureau and worked tirelessly for the agriculture community, leading several initiatives to advance Arkansas agriculture.

For 10 years, he served on the Board of Trustees for the University of Arkansas. Stanley placed a great emphasis on the importance of education, and it can be seen through his work at the university.

Stanley was also an advocate for Arkansas businesses. He served on the Board of Arkansas World Trade Center where he shared his vision for Arkansas businesses to compete in the global economy.

Stanley leaves behind his wife, Charlene, his children—Nathan, Haley and Anna—and three grandchildren. Arkansas lost a great leader, advocate, and ambassador last week; but Stanley Reed's legacy will live on through the impact of his work.

□ 1910

#### SOCIAL SAFETY NET PROGRAMS UNDER ATTACK

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

Mr. GARAMENDI. Madam Speaker, later this week, this House will take up the second iteration—the second com-

ing, if you will—of the House Republican budget, a budget designed to destroy Medicare, basically to terminate it for anyone who's 55 years or younger, a plan designed to put Social Security on a track to privatization, a plan designed to take nearly \$700 billion out of the Medicaid program, basically destroying those things that have held the fabric of America together.

Have no illusions about what this is all about. It's not just a constitutional amendment; it's not just cut and cap. It is really about destroying Medicare, Medicaid, programs that are essential for seniors.

If you want to make a cut in something, why don't you take a third of a trillion dollars out of the war in Afghanistan, which is what we're going to spend over the next 4 years? Now there's a good cut that we ought to make.

#### PRIVATE FIRST CLASS JOE MEADE: AN AMERICAN HERO

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

Mr. ROE of Tennessee. Madam Speaker, I rise today to recognize a true American hero, Private First Class Joe Meade. Private First Class Meade was a member of Mike Company, 3rd Battalion, 26th Marines. He died in Vietnam when his battalion was fighting outside Da Nang. While carrying a wounded comrade to a waiting helicopter, Joe stepped on a land mine and, sadly, was killed. Private Meade was only 19 at the time. In recognition of his valor, he was awarded the Silver Star.

Duane Crawford, Private Meade's former commanding officer, who recently founded a scholarship in his honor, had these words to say about Joe's actions:

"With total disregard for his own life, he continually exposed himself to danger by administering first aid to his wounded comrades, offering them comforting words and helping them to medivac helicopters. His courageous actions saved many lives."

Even though he lived only 19 years, the legacy Joe left behind is truly remarkable. Private First Class Meade exemplified the best of America and the United States Marine Corps. For this reason, I ask you to join me in commemorating the life of this extraordinary marine.

Semper Fi, and this is an honor for the 58,479 of our comrades who died in Vietnam.

#### ONE SOLUTION AND THREE SIMPLE STEPS

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

Mr. FLEMING. Madam Speaker, I have three simple words for President

Obama and congressional Democrats: cut, cap, and balance. Last week when our Campaigner in Chief held his news conference, he asked for a plan.

Well, Mr. President, cut, cap and balance is our plan. It's a plan that cuts Federal spending immediately, puts in place enforceable spending caps, and demands a balanced budget amendment to the Constitution. This plan cuts total spending by \$111 billion in 2012 and around \$5.8 trillion over the next 10 years, while not increasing taxes one single penny. We have too much debt because we spend too much, not because we haven't taxed you enough.

Mr. President, you asked for a plan and here it is. It's your turn to get serious and work with us to solve this problem—not against us. Stop demagoging this issue with cheap scare tactics and politics because the American people are tired of it and deserve much better.

#### ON THE RECOVERY OF RINGGOLD, GEORGIA

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

Mr. GRAVES of Georgia. Madam Speaker, I rise today to let the American people know that the city of Ringgold, Georgia, is open for business. I know that we all remember the tornadoes that ravaged much of the country in April. Over 180 of these destructive storms were confirmed in just one day, and the Ninth Congressional District of Georgia was not spared. Some of the worst storm damage in north Georgia occurred in the small town of Ringgold. Over 100 businesses and 500 homes were damaged or destroyed on April 27. This was a devastating moment to the local community and the local economy, which relies heavily on travelers passing through on Interstate 75.

However, Ringgold is on the mend and ready to share some of that southern hospitality it is known so well for. Nearly half of the damaged businesses have reopened, homes are being rebuilt, and the jobs are returning. While there is still much to be done, if you find yourself passing through Ringgold on I-75, I encourage you to take exit 348 for gas, a bite to eat, or an overnight stay in Ringgold, enjoy the shops and sights in the historic downtown, and know that you are playing a part in helping this great and resilient community rebuild.

#### CUT, CAP, AND BALANCE

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

Mr. HUELSKAMP. A few hours ago, the President issued a veto threat to Cut, Cap, and Balance. While, of

course, this was expected, it is still disappointing. It is disappointing because this legislation answers his demand that we on this side of the aisle offer a plan. It is also disappointing because he doesn't have a plan himself.

My colleagues on the other side of the aisle in the last few years often called the Republicans the "party of no," but this President who ran on "hope" has become President Nope. The President doesn't know what he's for, but he certainly knows what he's against.

His opposition to Cut, Cap, and Balance includes opposition to a balanced budget amendment. He said it's not necessary, and that lawmakers should simply do their jobs. It's ironic that a President who is so insistent on tying the hands of the private sector with onerous regulations would oppose tying the hands of politicians when it comes to spending and borrowing.

Dodd-Frank, ObamaCare, the EPA—they all restrict what Americans can and cannot do. The President wants no such restrictions on either Congress or himself. No, the only restriction-free zone he wants is Washington, D.C.

Cut, Cap, and Balance recognizes that Washington's solutions have to be long-term and permanent. Quick fixes are what got us into the position we find ourselves in; they are not what will get us out of it.

#### AN UNREALISTIC APPROACH

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

Mr. TIPTON. Madam Speaker, we have a President who likes to talk about polling numbers, while the President seems to completely ignore one of the most important polling numbers that the American people have spoken to, and, that is, asking the Congress of the United States to do exactly what Americans around their kitchen tables are doing this evening: figuring out a way to be able to balance that budget, to be able to fill up that gas tank, to be able to put food on the table. The very thing that 49 of our States are doing on a regular basis, balancing their budget.

Today, we have the President of the United States come out and say a balanced budget amendment is unrealistic. No, Mr. President, your approach is unrealistic. We are on an unsustainable glide path, destroying the future for our children and our grandchildren, if we fail to get our fiscal house in order. Now is the time. This is our opportunity. Cut, caps, and balance. Not cut and run, Mr. President.

This is our opportunity to set America straight, to be able to get our people back to work, and to get America moving again.

□ 1920

#### CUT, CAP, AND BALANCE

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

Mr. FRANKS of Arizona. Madam Speaker, we are going to discuss tonight the cut, cap, and balance bill that will come before this body tomorrow morning. I just want to express some thoughts about how desperately important I believe this bill is for America. I have seen in the media oftentimes the bill diminished. Madam Speaker, I believe this is an opportunity that is very unusual for those of us in this body to have, where we can put this Nation on a track to fiscal sanity and where we can truly do that thing that we were sent here to do.

Madam Speaker, let me begin by saying that all financial budgets will eventually balance. No individual, no family, no business, and no government can indefinitely continue to spend more money than they take in without someone having to make up the difference. That includes the budget of the United States Federal Government. Neither Mr. Obama nor congressional Democrats can repeal the laws of mathematics.

The Federal budget of the United States Government will eventually balance, Madam Speaker. The question is whether the House of Representatives, the United States Senate, and the White House will work together to balance this budget ourselves by wise policy, or national bankruptcy and financial ruin will do it for us.

From the day Barack Obama walked into the White House, he has, with breathtaking arrogance, absolutely ignored economic and financial reality. It took America the first 216 years of its existence to accumulate the debt that Barack Obama has accumulated in the short 2½-year span of his Presidency. During his short time in office, Madam Speaker, he has increased our Federal debt by nearly \$4 trillion.

Just to put that nearly \$4 trillion in new debt in perspective, let me put it this way: if all of a sudden a wave of responsibility swept through this Chamber and we stopped all deficit spending and began to pay installments of \$1 million every day to pay down the nearly \$4 trillion debt that Barack Obama has created in just 2½ years, it would take us more than 10,000 years to pay it off. And that's if we didn't have to pay one dime in interest, Madam Speaker.

But, you see, we are not paying off Mr. Obama's debt by \$1 million per day. We are going deeper into debt, more than 4,000 times that \$1 million a day every day under Mr. Obama's own submitted budget and deficit projection.

Let me say that again: if we paid down the debt \$1 million a day, the debt that Mr. Obama has accumulated in his 2½ year Presidency, it would take us 10,000 years to do it. But we are not doing that. We are going deeper into debt, 4,000 times that much, every day, almost \$4 billion per day.

And then when speaking of the effort to reduce the deficit, the President has the hubris to tell conservative Republicans to take a balanced approach and to eat our peas. Madam Speaker, if there is anything more catastrophically out of balance than our Federal budget, it is the arrogance to competency ratio of this White House. We have already tried Mr. Obama's way. We have for far too long been testing Democrat economics 101; the theory, as Vice President BIDEN put it, we have to spend money to keep from going bankrupt.

Madam Speaker, when it comes to balancing our budget, Mr. Obama and the liberal media have suggested that Republicans are unwilling to address the revenue side of the equation, but that isn't true either. Just because Republicans are not willing to increase job-killing tax rates on this country doesn't mean that we don't understand the revenue side of the equation.

History and experience have demonstrated time and again that the best way to increase the amount of revenue coming into this government is to get out of the way and allow the private sector to increase the quality and number of jobs for the American people. This has historically resulted in the increased productivity and the broadening of the tax base in this amazing Nation.

And yet the President is willing to ignore that history and the reality of the amazing American economic engine and kill the goose that lays the golden eggs by raising taxes. Madam Speaker, that is like saying putting additional weight on the back of a race horse will help him win more races.

You will recall that the Democrats, when they had control of Congress, raised the debt limit six times. I so clearly remember the surreal spectacle at the time of then-majority leader of the House, STENY HOYER, leading the entire Democrat caucus in a rousing standing ovation after the debt limit was raised by \$2 trillion in 2010. We have watched as President Obama ran up a trillion-dollar deficit for the first time in history and then break that record the very next year, and then say that we would have \$1 trillion-plus deficits "for years to come."

We have watched as Mr. Obama and the administration promised that if we just allowed them to spend another \$800 billion on their stimulus package that the economy would rebound and unemployment would never go beyond 8 percent. Now, Madam Speaker, the American people have awakened, and



they are tired of Democrats telling them that 2 plus 2 equals 13.

So as we now find ourselves facing the prospect of raising the debt ceiling yet again, Republicans have said the only way we are going to consent to raising the debt ceiling is if we cut spending by the same amount we increase the debt ceiling and then if we give the people and the States of this Nation the historic opportunity to adopt a balanced budget amendment to our Constitution to put this country back on the track of fiscal sanity once again, Madam Speaker.

Now, I know that Mr. Obama and the Democrats have falsely said that the balanced budget amendment is just a Republican plan to destroy Social Security and Medicare. But the truth is that the bill we will be voting on tomorrow does not cut Social Security, it does not cut Medicare, and it does not cut the compensation to our men and women in uniform by one dime. But the balanced budget amendment does give us an honest chance of reforming and saving those programs and our country from bankruptcy in the future.

Mr. Obama and the Democrats have constantly said that we need to take a "balanced approach" and include increased taxes in the equation. But I have already said, Madam Speaker, increasing the rate of taxes will decrease the productivity of this Nation and will ultimately decrease the revenue that comes into this government. It is the economic equivalent of mixing dirt and ice cream. It is a poor recipe to embrace in the name of balance.

Madam Speaker, the truly balanced approach to this problem is a balanced budget amendment to the United States Constitution. By passing this cut, cap, and balance bill, along with the balanced budget amendment, we have a rare opportunity, and it is one that may never come again, Madam Speaker, of doing something truly historic that will save this Nation and its people from economic ruin.

Now, if the President and the Democrats will help us do this, together we can restore hope and confidence in capital markets inside the United States and really all over the world because those markets will see in the long run that America is going to make it.

It may take 6 or 7 years to fully ratify this constitutional amendment once it is sent to the States. But we owe it to the States and to the people to give them this chance to save their Nation. In the meantime, we can work hard here to expand this economy and to balance this budget that we work with here every year so that when the amendment is ratified, we will be ready to go forward together as a Nation to embrace the greatest days we have ever seen.

However, Madam Speaker, if the Democrats and the President are not willing to give America and the Amer-

ican people this chance by helping Republicans pass a balanced budget amendment in this Congress, the resulting consequences will be theirs alone, and I believe the people will hold them accountable for whatever financial disaster may follow.

Madam Speaker, long ago Thomas Jefferson said: I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government to the genuine principles of its Constitution. I mean an additional article taking from the Federal Government the power of borrowing.

Madam Speaker, it turns out Thomas Jefferson was right the vast majority of the time, and we have been those who have seen the best of some of the principles that he espoused so long ago. How I wish his contemporaries had listened to him about the balanced budget amendment. But in this moment in history, America may get a second chance, Madam Speaker. But we may not get it again.

I don't often quote Shakespeare, but long ago he wrote in a play this quote that I think applies to us today. He said:

"There is a tide in the affairs of men.

Which, taken at the flood, leads on to fortune;

Omitted, all the voyage of their life

Is bound in shallows and in miseries.

On such a full sea are we now afloat,

And we must take the current when it serves,

Or lose our ventures."

□ 1930

In this time of crisis, we are also standing in a place where the tide is high and the opportunity is real for us to do something that will truly turn things around for this Nation.

Madam Speaker, this is not the Democrat Congress of last year that gave a standing ovation to a \$2 trillion increase in our debt limit. This is the Congress that was sent here by the American people to turn things around. And that starts by drawing the line on spending and saying thus far and no further and passing a balanced budget amendment to the United States Constitution. By the grace of God, Madam Speaker, that's exactly what we're going to do.

With that, I would like to yield to the gentleman from Indiana for such time as he may consume.

Mr. YOUNG of Indiana. I thank my colleague from Arizona for his learned words and eloquent words, quoting, Madam Speaker, Shakespeare. I'll begin by quoting Yogi Berra, that great fount of wit, wisdom, and good old American common sense. More recently, Yogi Berra said, When you come to a fork in the road, take it. We find ourselves as Americans right now certainly in a fork in the road—a fork

in the road as a Nation. Either we must act boldly or some would say we face financial Armageddon. Unemployment is at 9.2 percent. Investment is down. Hiring is sluggish. The American people are anxious about where they're going to find jobs, where they're going to send their kids to school. People in southern Indiana ask me all the time what they're going to do as we fall further into the financial abyss. Our national debt is over \$14 trillion—and growing.

We know we're not in the mess because the American people are taxed too little. We're in this mess because Washington spends too darned much. And we want to address that. So, as the President stands at this fork in the road, having no plan and refusing to lead, we know that we here in Congress must lead. We must act. We must, as we say in the United States Marine Corps, we must have a bias for action. Well, that's why we put forth this Cut, Cap, and Balance Act of 2011. It's a responsible action.

I'll briefly outline its finer points. First, it cuts total spending by \$111 billion in fiscal year 2012. No changes to Social Security, no changes to Medicare, no changes to veterans' benefits. And considering the size and scope of the massive debt crisis we face in this country, it proposes a very modest cut of \$111 billion next year—certainly a manageable down payment as we work to address this leviathan debt we face. It caps total Federal spending in the future as a portion of our economy—that is the cap component of this cut, cap, and balance plan—and brings down by the end of the decade our Federal spending to less than 20 percent as a proportion of our economy. That's the post-World War II average. Very sensible, very responsible. And then, finally, it balances our budget. It does so through a balanced budget amendment that will come up for a vote later, subject to the normal super majority requirements in each House of Congress. This works in 49 of the 50 States across this great Nation. It will work here in Washington, too. If we have the courage to pass it.

The cut, cap, and balance plan will restore confidence. It will restore confidence in investors around this world, people who are right now eyeballing this body, wondering whether or not we're going to pass a bold plan to address our financial situation and therefore maintain our high AAA credit rating. It will restore confidence in those who create jobs—the entrepreneurs, the innovators, the investors across the fruited plains whom people rely on for their family incomes. It will show them that we understand Washington has a problem, and we are prepared to address it in a very specific way.

Finally, this will calm down, this will restore confidence among those we represent. Yeah, we have a deficit in

Washington. And it's not just a financial deficit. It's a leadership deficit. We need to show the American people we understand our Federal Government must balance its books, just like American families and businesses are making hard decisions and balancing their own books during this difficult time.

The President stands at this fork in the road. No plan, no action, no leadership. And he characteristically refuses to choose a path. We have laid out a path. The path is one of leadership. The path is one of choosing. I believe that to lead is to choose. We must choose. I encourage the members of this body, my esteemed colleagues, to choose the Cut, Cap, and Balance Act of 2011.

Mr. FRANKS of Arizona. I would now yield to the gentleman from Georgia for such time as he may consume.

Mr. GRAVES of Georgia. I thank the gentleman from Arizona and my friend from Indiana. This, to me, tomorrow, where we are today, is a monumental time in the history of this Nation. When we think about the decisions and the debate, the discussions, the rhetoric of tomorrow, it will be amazing to see who falls on which side. Because it's truly a choice. It is a decision. And we've heard that this is going to be a time of choosing. Tomorrow is the day.

We've had reckless debt and deficit for years now. It's not a necessarily Democrat problem because Republicans have also been a part of the problem. We've seen both parties guilty in this time of fiscal nonsense, the recklessness of Washington spending. But it's come to an end. And we have an opportunity before us that I think is going to be incredible.

So, tomorrow, as the debate begins, I hope the Nation is watching. I hope the Nation is listening. I hope the Nation is witnessing their Members of Congress, whom they voted for, sent to office to represent them, watching to see how they will cast their vote. Of course, the President has already shown his cards. We know how he's going to cast his vote. I'd love to see us as a House pass it to the Senate, and the Senate move it to the President, and him look the American people square in the eye and say he is not for balancing the budget. He is not for cutting spending. He is not for capping the Federal Government. How defiant would that be to the American people?

His quote today was, We don't need a constitutional amendment to do our jobs. Mr. President, the Constitution is there to protect the American people from their government. What better opportunity to protect them from the reckless spending of Washington than a balanced budget amendment sent to the States? We do need the Constitution to tell us how to balance the budget because apparently this place can't do it on its own. Year after year after year it's been out of balance, debt limits increased, spending out of control.

And yet we have a President who now, without a plan, but a framework, we hear—only through press conference, press releases, and spokespersons—a framework. Is that a plan? No, it's not a plan. We hear the Senate has a plan. It's plan B, though. Why? Because plan A comes before the House tomorrow. Plan A is to cut the Federal Government spending now. It is to cap the Federal Government's size in the future. And it is to balance the budget forevermore. That is what America is seeking right now.

So, the time truly is for choosing. And the question before us tomorrow as we all will watch the board light up, everyone will put in their voting card—they're really casting a couple of different decisions tomorrow. It's not just cut, cap, and balance, but it is: What is our vision for America. What will it be? What will America be in the future? That is the other question. I believe that those who cast that "aye" button tomorrow, the green button, they are casting their decision for a prosperous future for this country—a future in which we do live within our means, a future that ensures prosperity for the next generation. But then there are those, they'll cast a "no" vote. They'll cast the red vote. They will say, No, the status quo is acceptable. Out-of-control spending, yeah, we'll get it through it. The time will come, we will get by. Compromise is necessary. That will be the "no" vote tomorrow.

Tomorrow's vote is so big. It is big. And I thank the gentleman from Arizona for leading this hour tonight because it's a precursor to the debate tomorrow—a debate that will be grand. I believe out of all the votes I've cast in my short time just over a year here, tomorrow's might be one of the most important votes I cast. And I stand before this House tonight, Madam Speaker, before you to say you I'll be casting that green vote for that prosperous future of this great Nation we have, to restore it, reclaim that liberty that we all know is so great and grand. And I look forward to joining many of my colleagues such as the gentleman from Arizona.

Thank you.

□ 1940

Mr. FRANKS of Arizona. I thank the distinguished gentleman.

I now recognize the distinguished gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Thank you.

Madam Speaker, I am honored to speak to the words of my dear colleague from Arizona, and I appreciate that he not only quoted Shakespeare but that he also made a nautical reference to the facts of life when the tides change. As a child of the ocean, I appreciate that.

Let me just say we've all got to understand how we got where we are

today. The fact is, in '06, the American people were fed up with the Republicans spending too much, not because we had raised taxes or cut taxes, but they were fed up with our spending habits. Four years later, the same voters threw out the Democrats, not because they hadn't raised taxes but because they had expanded expenditures extraordinarily. So I think, if there were one indication that we ought to understand, it's that when you navigate on the ocean you've learned to know which way the waves are coming, which way the wind is coming, and you learn from your experience that there are some things that you don't want to fight.

One is the will of the American people.

As we look around the world, everybody celebrates the Arab Spring where the average person in Arab countries is standing up and saying, Not just "no," but "hell no." We're going to stand up and say, We've had enough. What's happening there is happening in America, too. The fact is that the average citizens in America, just like around the world, now can communicate through the Internet, and no big government, big operation, big cartel can keep them from communicating. So there is an energy let loose not just in Arab countries but here in the United States that says, America, we've got to live within our budget. You're not going to tax us anymore.

Madam Speaker, I think we've got to remember that the American people saw this coming. They saw starting in '08 a spending spree of extraordinary spending that went off for 2 years. Actually, even before the new administration went in there, the American people saw that there was going to be spending done by Republicans or Democrats that was going to be used as an excuse to raise taxes, and that's why they said, We're taxed enough already. So we need to get down to the fact that we're talking about where is the credibility of this government. It has to be reinstated by the fact that we can be trusted with the budget—not trusted with raising taxes, but trusted with spending control. That is going to be the real crisis.

Notable economist Art Laffer just said recently that he almost compares what's being proposed by some in Washington to a couple going out to Monaco and then to Italy and then to France and running up a big bill and then coming back to their boss and saying, Oh, by the way, Boss, we spent all this money. We need a pay raise—or how about this: why don't you split half of the expense of my vacation with me. You pay half of it and I'll pay half of it.

That kind of logic doesn't sell when you're facing off with your employer. It darned well doesn't wash when you're facing off with your employer

here in Washington, which is the American taxpayer, and I think we need to recognize that.

So, in all fairness, there are things we can do, Madam Speaker, to stimulate the economy without borrowing money from China. We can bring back almost \$2 trillion of American money to create American jobs here on American soil. Congress and the President just have to agree to do it. The money is out there. It's not being taxed, and it's not coming back if we don't eliminate the 35 percent penalty for it coming back.

Here is a place where we can invest in research and development, like the President wants, and in construction. We can go into manufacturing expansion—things for which the President and the Democrats in the past have borrowed money from China in order to create that kind of stimulus to the economy. We can create a stimulus to the economy, we can create jobs and help to balance the budget, but first we've got to understand that taxing people to death is not the answer to prosperity.

The answer for this family, called the American Nation, is just like that of every other family: living within your means, understanding your limits, spending within those limits, and not asking people to pay for your extravagances.

So as we face a lot of challenges, I've just got to say to everybody that you can look at what's going on in California today. Madam Speaker, it is a State that is controlled by the left, that has driven business out of the State, and the money now has run out. Not only did citizens lose jobs when those businesses left; but because those jobs are not there to pay the taxes, the citizens of California, who have depended and expected to have their health care paid by the State now are being told they have to expect less because there is no more money to pay for those social benefits that they were promised—promised in such inappropriate ways. As we destroy businesses, we destroy jobs. Even those who are on public assistance will be affected by this kind of destructive behavior.

The difference between raising the debt limit today and in the past is that, in the past, all you had to do was raise the debt limit to have groups like Moody's be able to talk about addressing this issue. Fine, that's enough. Now the people who are raiding our dollar are saying, You can't just raise the limit. You've got to show us that you are serious about controlling the spending. Now this Congress has to do something that no Congress has been forced to do in the past:

We have to address the issue of the debt limit but address the issue of the debt at the same time.

Mr. FRANKS of Arizona. I thank the gentleman from California for his wise and well-placed words.

My friends on the left would have us believe that if we have a balanced budget in this country that somehow it will crush all of the critical programs for the most vulnerable in our society. Madam Speaker, that just simply is not true.

There is very little that I know of that would cause this government to flourish economically than for the Nation, itself, to flourish economically. Oftentimes, we forget that the confidence in the system has a great deal to do with the success of the system. We find that a lot of us on the right talk about the competitive free market, and we do believe in that; but I will tell you there is something that we believe in even more, and that is an element called "trust."

Of those who are the producers of our society, of those who are the job makers of our society, of those who are the captains of industry and productivity, all the way down to the person who makes minimum wage, if they believe that they can trust the environment they're in and if they do what they believe is right—that their contracts will be honored, that their wages will be paid, that government will make sure that they're treated justly and fairly—then they will continue to be productive, and they will continue to do everything that they can collectively to make this country the ongoing greatest Nation in the history of the world.

Madam Speaker, when that trust is broken—when government sometimes just sets aside its own rules and prints money and deficit spends and completely ignores the important things that it's supposed to do to keep trust with the people that it represents—then oftentimes those who are the producers, those who are the entrepreneurs, those who are the ones who try to make a difference in this world become discouraged, and they step back because they can't trust their government.

I would suggest to you, Madam Speaker, that that is one of the big challenges that we face today.

People have watched over the last many decades this government continue to spend out of control. They've watched us take advantage of inflation. They've watched the government of this Nation and its leaders use deficit spending to a degree that diminishes their way of life, and they've watched us do all the bailouts and all those kinds of things. I will just tell you, Madam Speaker, that they're getting tired, but the good news is this:

The good news is that people have finally awakened.

I would say to you tonight, Madam Speaker, that nothing encourages me more than knowing that people are finally starting to watch this country. They know that a balanced budget amendment will do something that very few other economic policies have

ever done: that it will restore the confidence and trust in this government, that we will begin to have to live within our means, that if we want greater revenue to come through these doors that we will do everything that we can to see business flourish, and that we will put aside this notion, as Fred Bastiat said, of government being that great fiction through which everyone endeavors to live at the expense of everyone else.

We will understand that the secret to the success of this Nation economically is productivity. Then we will have the kind of tax base that will not only support this government but that will allow us to do the things that are important for the most helpless in our society.

□ 1950

I want to yield again to the gentleman from California.

Mr. BILBRAY. Madam Speaker, we are really at a threshold of making decisions of: Are we willing to do what it takes to prove to the American people that this Republican form of government actually can function and address the long-term needs of America?

We're at a point to where we have to be able to show not just the American people, but to people around the world, that our Republican experiment, the Republic that we call the United States of America, can function not just for 200 years but for hundreds of years on top of that because we can make the tough decisions not just to go to war, not just to respond to disasters, but to take care of our financial well-being and that the elected representatives cannot use tax money to buy votes and cannot be bullied by scare tactics away from doing what is essential for the future of this country. That is a real test.

And remember, when we talk about Washington taking money, and I think this is one thing Republicans and Democrats don't talk enough about. I used to be a mayor. I was a mayor in my twenties. We forget that this is not government—and I say this to my Republican colleagues. We say that too much. This is not government we're talking about, but this is Federal Government. This is totally different than your city council. This is totally different than your county commissioners or supervisors. This is not going to your school board. There, if they tax you, you can go to their meetings and you can stand up at a podium and you can tell that mayor what you think about his spending habits. You can tell the county chairman what you think. The school board member is required, by law, to hear your opinion about that.

But when your money is taken to Washington, you don't have the right to even stand up and speak to the Congress. You try to stand up without getting permission, they've got security

to drag you off. There is a big difference between sending your money to city hall and sending your money to Washington, D.C. One, you are vested with rights to participate in how that money is spent. Here in Washington, you are disenfranchised except for one person, your Congressman. And that person darn well is diluted and cannot speak for you personally but has to represent you as part of a group.

So when we talk about Washington taking money, remember you've got school boards, you've got counties, you've got cities. But Washington is not just taking it away from the business community; it's taking it away from the local government agencies that provide the baseline services that are essential to all of us.

We keep talking about Washington is the great safety net. Excuse me. Your city and your counties are the great safety net of civilized services that we get into. The Federal Government, anybody that's lived in Washington, D.C., understands that, that the local government is where the essential services have gone. And when we take money out of a community and bring it here to Washington, we're depriving those same mayors and school board members and county commissioners the essential services that make every day possible for our citizens. And when we do that, even more importantly, we deprive the individual the ability to participate in how their hard-earned money is spent.

So we should take as little as humanly possible to execute the responsibilities and the mandates of the United States Constitution. And maybe if we looked around a little more and focused on the responsibilities that the Constitution gives us, Washington, D.C., as opposed to mayors, council members and State legislators, maybe if we didn't try to be everything to everyone, maybe we wouldn't be so greedy at taking so much from the citizens of the United States. So I think that that is one of those items we've got to constantly try to remember.

And I say this to my Democratic colleagues and my Republican colleagues. When we're talking about the Federal budget, we're not talking about government. We're talking about Federal Government taking these funds. And I think those are the central issues.

Mr. FRANKS of Arizona. I thank the gentleman from California.

I yield to the gentleman from Colorado.

Mr. LAMBORN. I want to thank the gentleman from Arizona for sponsoring this time to talk about the importance of having Cut, Cap, and Balance. This is an historic vote that we're going to be taking in the House tomorrow. And I think that it's critical that we have a solution that will get our fiscal House in order.

Very few of the other people that are negotiating with the House leader-

ship—I am talking about the Senate Democratic leadership, the White House, they're very short on having specific plans. I haven't really seen anything in writing, in fact. I'd love to see something in writing so we could actually do a financial analysis, a fiscal analysis of one of the other plans. But this is a way forward that many of us are looking forward to voting for tomorrow here on the floor.

And as you have been describing it, Representative FRANKS and Mr. BILBRAY of California, the elements of this plan are really wonderful for the fiscal health and the financial future and the prosperity of our country. America is a great country, and I don't want to see her go into decline. And if we don't do something, that is the prospect that we unfortunately have before us.

So I look forward to voting to cut the next year's budget by a manageable amount. Sure, there will be some people who say, Don't cut this; I'd rather you cut something else. But we have to live within our means, so we're cutting from next year's budget.

We're also capping the next 10 years so that instead of the unsustainable 24 or 25 percent spending of our gross domestic product for the Federal Government, it's going to be brought down to about 20 percent or under 20 percent. That is important for living within our means.

Historically, post-World War II, the revenues of the Federal Government have been about 18 percent, nowhere near the 24 or 25 percent. Even 19.9 percent that this calls for after, like, year six or seven is still higher than our revenues, but it's on a glide path, it's on a trajectory that gets toward balance.

And the best thing of all is a balanced budget amendment. And this is something that the minute, should it pass the House and Senate and go to the States and should the three-quarters of the States, 38 of them, pass it in their own legislatures and it becomes part of the U.S. Constitution, at that moment we will live under a balanced budget, whether that's 4 years or 8 years or 12 or however long that would take. So this has a short-term, a medium-term, and a long-term solution for the fiscal health of our country.

Now, if others say, Well, I don't like that plan; I'm going to vote against it, I'd like to see their plan. The status quo is simply unacceptable. We are headed toward a Greece-type default and bankruptcy, and we just simply do not need to do that. So we have to reduce our spending.

Representative FRANKS, you know this as well as I do. I have watched and respect your voting record, and you're one for holding the line on extraneous spending. And that's what it takes. Every family has to do it. Every business has to do it. Every individual has to do it. When your income is not as

much as your outgo, you have to reprioritize. You have to stop spending as much as you want to and you have to live within your means. Every other government in the country has to do that—cities, States, counties. They all have to do it. The Federal Government is, for some reason, the only one that's exempt from these fiscal laws of nature.

So we have this historic vote tomorrow. I'm really looking forward to voting to cut, cap, and balance our Nation's finances. And Representative FRANKS, I'm so glad that you are sponsoring this time so that we can discuss this important issue.

Mr. FRANKS of Arizona. I thank the distinguished gentleman.

Madam Speaker, may I inquire as to the remainder of the time.

The SPEAKER pro tempore. The gentleman has 20 minutes remaining.

Mr. FRANKS of Arizona. With that, I would yield to the gentleman from Indiana.

Mr. YOUNG of Indiana. I thank the gentleman from Arizona.

Just an observation here. I know our President said earlier today that we had—frankly, we don't need a constitutional amendment to do our jobs. He was referring, of course, to this debt limit debate and our insistence here in the House that we get some serious spending cuts in conjunction with that debt limit and come up with a plan to get our debt under control in the longer term.

□ 2000

My response to this idea that we don't need a constitutional amendment to do our jobs, first I look to the Constitution itself. Article V of the Constitution, the first phrase there is pretty clear. "The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution."

I would say it's our duty, when we deem it necessary, to go ahead and propose constitutional amendments to solve various problems here that we think need to be addressed within our Federal Government. First, we are duty-bound to put forward such a solution. Second, history bears out many examples where institutionally or culturally or historically the time has arisen for certain improvements in our way of government.

So we've put forth some fine amendments like, say, the 19th Amendment, which gave women the guaranteed right to vote. I think that's a fine thing. I think it was important that Congress put forth amendments to guarantee women's right to vote so that we would do our job. It was necessary. It was necessary to put forth that amendment, just as it's necessary to put forth a constitutional balanced budget amendment.

I guess the final thing I would say is it's necessary that we pass a constitutional balanced budget amendment as

part of this Cut, Cap, and Balance Act of 2011 because it's the only viable plan we have on the table right now. What is the President's plan to get our budget back into balance? I ask that time and again. I have not seen any sort of acceptable answer.

So we need to bind the hands of our political class. I think this Cut, Cap, and Balance Act, which my colleagues have been speaking to over recent minutes, is a very responsible direction to go, and I ask for the consideration of my friends across the aisle as well.

Mr. FRANKS of Arizona. I thank the gentleman from Indiana.

Oftentimes, Madam Speaker, I have friends that come up to me on the street and they say, TRENT, why aren't you talking more about this? Why aren't you explaining these things in the media better? Why aren't you going to the floor and telling us about these critical issues? So, oftentimes we do and the media just ignores it or somehow the people don't have the advantage of hearing what we say.

And I hope that doesn't happen to this bill, Madam Speaker, because I truly believe if the American people could just read the Cut, Cap, and Balance legislation that they would understand how profoundly reasonable it really is. All it really says is that we are going to cut our budget at least as much as we raise the debt ceiling, and that we're going to put some steps in place to begin to rein in the spending of this government in a real way; and that as we go forward, we will begin to index the spending of this Nation with a certain percentage of the gross domestic product, or the amount of productivity of our Nation.

Madam Speaker, that's so imminently reasonable because that creates a great deal of incentive on the part of government, then, to see all people in our society successful, to see everyone have gain and to be able to accumulate wealth in every way that they can, from the janitor to the Senator.

And then, finally, this legislation says that we need a balanced budget amendment to our Constitution.

Madam Speaker, I have the privilege of being the chairman of the Subcommittee on the Constitution in this place. I will just suggest to you that the balanced budget amendment seems so intuitive to me because, as I said earlier, all budgets have to balance at some point.

You know, I have two little babies, Joshie and Gracie, and they have piggy banks. They know that if they take more out of it than they put in it, then it goes empty. They understand that. I don't know why something so fundamental and basic escapes the erudite minds that pervade government. But it seems that we think that somehow because we have Ph.D.s and that because we are able to perpetrate monotonic polysyllabic obfuscation, semantic

gymnastics, and verbal circumlocution that people won't know what we're talking about and that somehow we can get away with anything that we want to. And I just think that's so tragic because a reality is still in place that says that if we live outside our means, that pretty soon the entire system begins to collapse. That's where we are, Madam Speaker. We are seeing people losing confidence in their government. And I'm very concerned about that because I believe that it is vital that people have confidence.

Somebody said to me, they said, you know, if all of the gold in Fort Knox were stolen tonight and none of us knew about it, that the gold market wouldn't change much tomorrow morning in *The Wall Street Journal*. But if someone put out a press release, say, from Fort Knox that all of the gold had been stolen in Fort Knox but that that wasn't really true, that all of the gold was still there but somehow the public believed that it had been stolen, that gold markets across the planet the next day would crash because people's perception, their confidence in the system is vital to the system.

Right now, people are losing confidence in our system, and I think there are very few things that threaten us more. We talk about a default. Well, the default is not going to happen on August 2 unless the President chooses to arbitrarily force that to happen. But I am concerned that the markets may begin to say, Maybe the Congress of the United States just doesn't have the courage to do the right thing. Maybe somehow they're going to let politics intervene to the extent that they're actually going to step back and not do what's necessary to stabilize the economic foundation of this Nation. And that is so tragic because it doesn't have to be that way.

This Cut, Cap, and Balance bill can accomplish everything that's reasonable. It can say, okay, we recognize the challenges that we face in this country today. We recognize that we've overspent. We recognize that our country is at a low economically. We recognize that we're not working on full employment. We recognize that the markets don't know whether to jump or go blind. They don't know what this President is going to do next. And if we put this Cut, Cap, and Balance bill in place, all of a sudden, the markets of the world, the person on the street, they're going to realize, hey, maybe there is hope after all. Maybe America is going to go forward and do what she was destined to do from the born of time and continue to be that great city on a hill that Ronald Reagan spoke of. I believe that it can be that way.

But I am afraid that somehow the people won't understand what's in this bill. I will just suggest to you, in all due deference and respect to the President of the United States, his plan is

incumbent upon the people not understanding what it is, and the Republican plan is incumbent upon the people understanding what is really in the bill. And I so hope that the people are able to truly get the information that they need to understand what this bill is all about, rather than letting the left-wing media distort it to the extent that they don't know.

I also hope for something else, Madam Speaker. I am hoping that tomorrow when we vote that we will recognize something else as people in this place: that all too soon we will step from these Chambers one by one and that our time here will be passed, and only those things that we did that truly honored our God and our country and our fellow human beings and the great gift that we've been given in America will really matter at that point. I hope we will realize that we won't have too many votes like this in our career that can make a difference for future generations.

It's been said that the politician looks to the next election; whereas, the statesman looks to the next generation, and that great societies finally come when old men plant trees under whose shade they will never sit. I hope tomorrow that we will embrace this thing called statesmanship and look to the next generation and, quite frankly, Madam Speaker, to look to the next few days and weeks, because what we do is going to send a message to the markets the world over.

If you are an investor and you saw a company that continued to deficit spend and continued to get in debt beyond its means and continued to carelessly spend, would you invest in that company? I think that's what our country has to ask ourselves.

I truly believe that we're going to have a chance tomorrow that may be very unique in our careers, and it's possible that a lot of people are going to succumb to the need to be popular among certain special interest groups. But I will just suggest to them, Madam Speaker, that popularity is history's pocket change. It's courage that is the true currency of history, and we have a chance to be courageous tomorrow. We have a chance to do what's right, to stabilize this country today and tomorrow. We have a chance to make sure that our future generations walk in the light of freedom. I have a chance, as a father, to do what I believe is truly right for my children and their contemporaries so that they might grow up and walk in the light of freedom, as I have.

□ 2010

If we do this, I believe the people will applaud us in the long run. There may be certain exceptions in the short term. But in the long run they will look back and say that those people who stood up and did what was right

that day when they voted on cut, cap, and balance and voted for the balanced budget amendment, they'll look back and see that as a historic turning point in this country. And I want so much to see that happen.

Finally, Madam Speaker, I would just say to you again that all budgets do balance, and the equation before us today is, are we going to balance the budget, or is reality going to balance it in a horrifying way for us?

For the sake of my children, for the sake of future generations, and for the sake of all that we love and hold dear in this country, and for the sake of making sure that we are good stewards of the greatest Nation God has ever given to this planet, I hope we do the right thing tomorrow.

I yield the remainder of the time to the gentleman from Indiana.

Mr. YOUNG of Indiana. I thank my colleague from Arizona.

He said a couple of things that I would like to pivot off of. They certainly struck a chord with me. First, the notion that markets deal with perception, as opposed to always reality. I thought it was a brilliant example of Fort Knox, should the gold be taken, the press release versus the actuality of that gold being taken.

It reminded me of a conversation I had just today on the airplane as I headed backed to Washington from my southern Indiana district. I was sitting next to someone who dealt in the financial markets, and I asked him a fairly pointed question. I said, you know, the media, in recent days, in recent weeks, has really sort of ratcheted up attention, even anxiety with respect to the debt limit debate and whether or not the debt ceiling is, in fact, going to be raised, what is going to be attached to a debt ceiling vote.

And I certainly understand this. I take this vote very seriously and have factored into my calculus of voting for and against various measures, the interest rate response we might see.

But the funny thing is there hasn't really been much of an interest rate response. For all the hemming and hawing about what might happen should we not raise the debt ceiling by August 2, there hasn't been an interest rate response. And I find that amazing.

And so I asked my friend why he thought that was, and he put forth one idea. He said certainly, TODD, that these are complicated matters, and there are all different things that factor into them. But in his professional opinion, one reason was that we finally have a group of people in Washington that are taking very seriously this notion we ought not spend more money than we bring in. That's pretty powerful.

I'm proud, as a new Representative, to be part of this group of people supporting the cut, cap, and balance measure that would bring our spending

under control. So we ought to be proud. That's an early victory. The markets, at least, believe we are serious about getting this spending under control. I hope we can play this out and prove that we are serious.

The other thing that my colleague from Arizona said that struck a chord with me was this notion that statesmen look not just to the next election, they look to the next generation.

There was a group of people back 150 years ago that entered politics. It was around the 1850s, and they entered politics certainly looking to the next generation. It was their belief that every man, woman, and child should be entitled to the fruits of their labor. They weren't partisans. In fact, they were Know-Nothings. They were independents, some Democrats. They came together with this notion, though, that everyone should be entitled to the fruits of their labor.

Well, when we continue to spend money we don't have, oftentimes on things we don't need, and kick the debt forward another year, another 5 years, another 10 years, another generation or two down the road, ladies and gentlemen, we are committing the fruits of the next generation's labor to pay off our current debt.

Madam Speaker, I think this is wrong. I think this cut, cap, and balance plan is a viable plan, a specific plan to stop this practice so that everyone, my four children, everyone else's grandchildren and great grandchildren, will not be paying off our future debts.

So again, I urge consideration and support of this cut, cap, and balance plan. And for those who are unable to support it, I would ask them to put forth a specific plan of their own, one that will get our spending under control and put this Nation back on the right fiscal course.

Mr. FRANKS of Arizona. Madam Speaker, let me just close with these thoughts. There are a lot of people that have sacrificed profoundly for this Nation. There are people lying out in Arlington National Cemetery tonight, and I wonder what their perspective would be if they could come back among us for just a few moments?

While none of us knows that, Madam Speaker, I would suggest to you that they didn't die so that we could spend our country into bankruptcy, so that we could weaken our Nation on all fronts simply because we weren't fiscally responsible. And they didn't die so that we could put ourselves so deeply in debt that we spent tens of thousands for each little child born today so that they would have to carry that the rest of their lives.

They wanted, as the Founding Fathers talked about, to see every person, not only in America but, ultimately, in the world, to be able to be born and to lay hold on the miracle of life and to be

free and to pursue their dreams. That's what they wanted. Sometimes I am so afraid that we have gotten away from that vision to the extent that we've grown sort of callous and cynical.

I hope that we can revisit those ideals tomorrow, and that we can force ourselves to remember that all of history and all of the future is watching us, and that what we do here tomorrow could mean the difference for America for decades and generations to come.

I believe if we do the right thing, that the loneliest moments in an old age home will be livable because we'll look back and say, you know, that's what we did. We did the right thing. And I hope we do that for the sake of my children, for the sake of America's children, and for the sake, somehow, of the children throughout the world that can be still touched by the message of this, the greatest Republic in the history of humanity.

Madam Speaker, if we will protect our constitutional foundations, if we will protect our economic base, if we will protect those things that make us who we are, then I believe that this government will have all of the revenue that it needs. I believe we will continue and go forward to be more productive than we have ever been, and I believe that America still has great things in the world to do. I hope we make sure that that occurs.

With that, with great respect, Madam Speaker, I yield back the balance of my time.

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#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2560, CUT, CAP, AND BALANCE ACT OF 2011

Mr. WOODALL (during the Special Order of Mr. FRANKS of Arizona) from the Committee on Rules, submitted a privileged report (Rept. No. 112-150) on the resolution (H. Res. 355) providing for consideration of the bill (H.R. 2560) to cut, cap, and balance the Federal budget, which was referred to the House Calendar and ordered to be printed.

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#### CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CHRISTENSEN. Madam Speaker, I am pleased to be here this evening once again with my Congressional Black Caucus colleagues to talk about the need for jobs, jobs, and more jobs, and how we ought to be dealing with the debt limit and our debt crisis. Let me begin with jobs. That's not a new topic for the Congressional Black Caucus, because our communities unfortunately have a long-term and intractable history of unemployment.

Every year that I have been here, and I'm sure for the 40 years of our existence, job creation has been a priority, and that includes summer jobs for our young people, something we still have not been able to get the Congress to recognize and fund as critical to the well-being of our young people and our communities. In this Congress alone, CBC members have introduced more than 30 job-creating pieces of legislation, and we've cosponsored many, many more introduced by our Democratic colleague.

Need I remind you that the Republican leadership has still, today, done nothing to create one job. Meanwhile, unemployment remains a crisis in our country, and in the African American community it's a catastrophe.

And where is the patriotism of our corporations who are sitting on billions of dollars and still not hiring? I would say that if there is uncertainty in that sector, the corporate sector, welcome to the club.

As the gentleman from Arizona said, lack of confidence. But the cause of this lack of confidence in the corporate sector, in the banking sector and on Wall Street has got to do more with the gridlock, I think, that's caused by the Republican leadership who won't even consider the balanced approach that the President is asking us to take. And all this time the rest of the world is looking at us, watching this sorry mess that we're calling governing. I can't imagine that our allies in those countries around the world that look to us for leadership have much confidence in us either right now.

I am pleased to be joined this evening, Madam Speaker, by several of my colleagues, but I'd like to begin first to yield such time as he might consume to a reverend, to the former mayor of Kansas City, now our distinguished leader of the Congressional Black Caucus, Congressman EMANUEL CLEAVER.

□ 2020

Mr. CLEAVER. Madam Speaker, let me first of all express appreciation to Congresswoman DONNA CHRISTENSEN, Dr. DONNA CHRISTENSEN, for how she has put forth boundless energy making sure that we keep this issue of joblessness in front of us.

Let me first of all say that I did two interviews during the votes today, one with ABC News. And as I stood before the cameras they showed me two comments, one from a gentleman who said that he was so disgusted with Congress because nothing is being done and he believed that we needed to start trying to deal with the problems. He thought that we should not be raising the taxes on what he called "ordinary" people or low-income working people.

The other interview I did was on Fox and was an interview where I was interviewed about the joblessness

among African Americans. I think both of those intersect. And the reason for this is, I said to people that as a Democrat I was embarrassed that during the last session of Congress we failed to listen to the American public. The public said they were interested in jobs.

I would go home to my district in Kansas City, Missouri, and people would simply talk about the need for jobs. I would come back to Washington, and the only thing we talked about was health care. And health care was important, I supported it—it was not the bill that I wanted, but I supported it anyway. And many of us supported it because of the way in which you, Dr. CHRISTENSEN, as a physician, presented us with how valuable it would be. But the point is we never, ever dealt with jobs. We are now into our 194th day into this Congress, and I am sorry and I am embarrassed that we have not created one single job.

African American unemployment is at 16.2. If you use what the Labor Department uses to factor real unemployment—it's called U-6—the U-6 unemployment for African Americans is at 30 percent. This is higher than the Depression. The 1929 fall of Wall Street created unemployment that devastated not only this country, but the entire world.

I am saying here on the floor—in this sacred well—that African American unemployment is at a crisis level. Why would that be important to somebody who's not African American or who lives in a community where there are no African Americans? Well, in the first place, we ought to be concerned about all Americans, period. And the day that I am not concerned with all Americans, I want that to be my last day in this body. I would say at this point that the congressional district from which I come is only 18 percent African American, but the people of good will in my district understand that all Americans should have equal access to jobs.

There are a plethora of reasons for the African American unemployment being so high—I won't get into all of them—but I want to tell you that if we had unemployment among any group in America, whether they were news anchors, whether they were comedians, no matter what the group, I think that this country would be in a crisis mode. We would have commissions; we would have the top economists and labor experts becoming involved, trying to figure out how can we erase or reduce the level of unemployment among this particular group. Now unemployment is at 9.2 percent with all Americans. That is unacceptable in the most powerful, industrialized, technologically advanced Nation on this planet; 9.2 is unacceptable, 16.2 is sinful, it is sinful in this country. I believe that we have got to figure out ways in which we can get something done.

One of the gentlemen said during the pre-interview with me that he believed, to quote him exactly, that "Congress is broke." It pains me, I've got to tell you, that I think he is right. I think it is a broken body, but the public has participated. The public is culpable as well, and that is this, we have people who run thermonuclear campaigns. And instead of public people saying anybody who would run a nasty campaign is going to be nasty when they get in office, so I'm not going to vote for him or her, but that's not what the public says. They cheer, they rah-rah this negativity on.

And the people who run the nasty campaigns on both sides end up in this body, and they just simply escalate it with more publicity. And until the United States citizenry comes to the conclusion that they are sick and tired of what's going on and begin to punish people for being nasty, it's going to get worse and worse and worse.

I would love to be able to some day close my eyes, fall asleep among the elders, and believe before I go that the United States of America will present to my children—and their children and even their progeny—a state that has opened up opportunities to everyone and a state where the government works. We cannot get anything done because anybody who raises their head and presents something, if they belong to the wrong party, they're not going to get recognized and nothing is going to get done. Republicans do it; Democrats do it. It's wrong no matter who does it.

What we are facing right now is a situation that is grave, and I don't even think the Republican nor Democratic Parties in this body understand that we can't simply go as we are going. We're talking about the debt ceiling. It has to be raised. It is absolutely ridiculous to say that we shouldn't raise it. I sit in my apartment across the street from the Capitol at night looking at television and listening to people who know better say that it's all right, it's no problem, we can let the debt ceiling remain under the \$14.3 trillion and nothing cataclysmic will happen. And they know better. I would feel a lot better if people would say something and really meant it because they didn't know better. But they do know better, but many in the public don't, and so they think there's no big deal.

Look, if we don't raise the debt ceiling, we can pay 60 percent of our debts, but we've got to make some concrete choices on who gets that 60 percent. And no matter who gets it, it will create a cataclysm for the United States and perhaps the entire world. Italy, Spain, Greece and Ireland are already in trouble in Europe. And they don't have central banks like we have. We have the Federal Reserve, and so to some degree we can go out and have an auction of Treasury notes and bring in



revenue; they don't. But if we end up having a very, very serious economic problem in this country, it's going to trigger a world-wide recession. Nobody wins. Nobody comes out on top if this happens. And the unemployment numbers, 9.2, they are going to rise.

I don't want people looking at this tonight or any of my colleagues believing that those are my numbers or that I am the only one who believes there is going to be trouble. Ben Bernanke, reappointed by George Bush, says that if we make deep cuts in the U.S. budget, it is going to create a problem because right now the only money that is going into the U.S. economy, into the GDP, into the economic activity is coming from the United States Federal Government.

And if you begin to cut back drastically, it cannot help but raise the unemployment numbers. And if we fool around and fail to raise the debt ceiling or just walk to the cliff, walk to the edge, walk to the precipice, the bond rating agencies, who have already warned us—and these are not Democratic bond rating agencies, these are not Congressional Black Caucus bond rating agencies, these are not Republican bond rating agencies, they are the bond rating agencies of the United States of America—and they tell us when we're in trouble and they tell us when we're in good stead. And they have said to us, if you walk to the precipice, we are going to end up getting in trouble because they're going to downgrade our bond rating. What does that mean?

□ 2030

Well, it means that the interest rates are going to rise. China is our number one creditor, external. Most people think that we owe more money to foreign governments than we owe anywhere else, which is not true. The majority of the debt is held by citizens of the United States. China is number one outside the country, and then Japan. Well, China has no other place to make investments, so that's to our advantage. Japan has nowhere else to make investments. That's to our advantage. But they are going to say to us, Look, you guys are not paying your bills, and if you're not going to pay your bills, it is a greater risk to us.

And what happens when there's a greater risk? We're going to raise your interest rates. So if the interest rates are raised on the United States, they're going to be raised in all of the banks and anywhere else where we seek credit. That is going to create a problem.

I don't understand how and why we have allowed all of this false information to go out about how this will not matter and nothing is going to happen. It has nothing to do with the facts. It has to do with the partisanship. It has to do with partisanship. And in this town, in this place, we allow ideology

to trump everything. Everything falls second to ideology.

I don't understand how anybody could come to this place and say, I come here so that I won't have to compromise. You have to compromise. There's not a person in the world who has been married for any length of time who doesn't understand the word "compromise." If they don't understand word "compromise," then they understand the word "divorce."

And so what we've got to understand here is that we're going to divorce this Nation—one side red, one side blue, one side left, one side right—and we can't get anything accomplished as a consolidated Nation.

Let me just say a couple of other things, and I'm through, Madam Speaker, and, that is, if I can go back to the jobs issue just for a moment. We know that only 18,000 jobs were created in the United States last month. We need probably 233,000 jobs each month to be created in the United States. Why? Because that's about the number of new employees or people seeking work who come into the work market, so we've got to constantly create jobs.

People who were laid off work 3 or 4 years and haven't found work, if the economy broke tomorrow and we were allowed to begin to see hiring in the major corporations, the 10 employees who were laid off 3 or 4 years ago would now be three or four employees called back to work. Why? Because technology is constantly growing and advancing, and where we needed 10 line workers 3 or 4 years ago, we only need two or three workers today, which means that we've got to educate the workforce.

What does that mean to the country? Well, if we don't educate the workforce in the United States, it means that the imbalance of trade with other countries is going to rise, because other nations are going to be able to provide what we can't provide and they're going to do it at a lower cost. We've got to have a workforce that can compete with China and India and Japan and Indonesia and Vietnam, because if we don't, American corporations are going to continue to try to do business abroad.

We cannot ignore the fact that a lot of those jobs, positions, were held by African Americans, and they need to be retrained. We need to retool the U.S. workforce. Let me tell you why we have some numbers that are disproportionate with African Americans, because I don't want people doing what has been done in this country for the last 400 years. Some people assume, well, you know, the African American numbers are high because African Americans don't want to work. We've heard all of that unfortunately over the years. The only reason we know what the numbers are is because those are the individuals who are out seeking

work, who have gone to the unemployment agencies in their States, and that's how we know that the unemployment numbers are what they are.

But keep in mind, and nobody probably thinks about this. Every time you read about a State laying off workers, a municipality laying off firefighters or police officers, or if you find any government agency laying off, it means that the number of African Americans who are unemployed will rise, and the reason for that is that African Americans disproportionately seek work in the government. We've done it historically because it was always believed that if you could work for the government, the chances are less likely for you to be discriminated against, so we have a large number of African Americans who work for the government.

You see all of these State layoffs all over the country, and I want people to realize when you see those numbers, please understand that a disproportionate number of them are African American.

Now, while we are here fiddling instead of trying to deal with some real problems in this country, there are people with real problems. People who don't have a job, they have a problem. I'm willing to compromise. I've talked about others who won't. I will. I'm willing to compromise. I've already compromised.

My father turned 89 years old last Friday. Thank God. Glory. Hallelujah. I'm happy. He's in great condition, probably better physical condition than me—doctor, I'm going to do better—and my uncle, who is 87. I'm thrilled and fortunate and blessed that they have this kind of longevity in the Cleaver line. But I'm not ever, ever going to compromise on one aspect, and that is Social Security.

My father has worked since he was a kid. His brother has worked since he was a kid. For me to ever support reducing the benefits for somebody who paid into Social Security—this is not some kind of giveaway program. Everybody in this country who paid the payroll tax paid into Social Security, and in their sunset years, they deserve the opportunity to live as decently and in as healthy an environment as possible. And so I'm not going to compromise on Social Security, at least on the benefits.

I will compromise if we raise the age at which people can qualify, 10 years down the road. I will compromise on lifting the cap on \$106,000. Right now if you earn above \$106,000, you will pay Social Security taxes only on the amount under \$106,000. So you can make 6 gajillion dollars and never pay Social Security taxes on but about \$105,000, which I think is actually silly.

Those of us who have been blessed to earn more than \$106,000 should understand how fortunate we are, and so we should pay above the cap. It's wrong.

It's not right for people who earn a meager salary to have to struggle when there are people making \$106,000 and not even paying Social Security tax.

I am representing Missouri's Fifth Congressional District, and I want to focus some attention before I close, Madam Speaker, on a tragedy occurring in Missouri and the entire Midwest region, for that matter. Currently, farmland and homes are underwater along the Missouri River, from Montana to my home State of Missouri. Record snowmelt runoff this spring along with unexpected record rainfall in the upper river basin filled up the reservoirs in eastern Montana and the Dakotas and word is the Army Corps of Engineers plans to release large amounts of water from the reservoirs to keep them from overflowing. That excess water has flowed downstream, creating a path of destruction in its wake.

Levees have been breached in Iowa, Nebraska and in my home State in northwest Missouri, causing flooding of farmland, road closures including Interstate 29, and evacuations. More than 500,000 acres of land have been flooded in the seven States along the river. The high waters have moved eastward and further downstream in Missouri, causing high water and flooding in Ray, Saline and Carroll Counties.

□ 2040

I have gone to those areas. I have seen the flooding. I have looked at the fields that farmers would normally have corn growing in underwater. If we are here in Washington twiddling our thumbs, and the farmers in Missouri and other States, for that matter, are struggling just to make it—and with rivers still running above flood stage and soil saturated, forecasters have predicted this summer flooding season could rival the worst in U.S. history. That means what was called the "Great Flood of 1993" during my term as mayor, cost about \$25 billion in damage—this would exceed \$25 billion.

The excessive high temperatures sweeping across the Nation this week cannot erase concerns about river flooding. These high river levels are not going away any time soon, and neither is the risk of flooding. There will be sustained high water along the Missouri River through August as the reservoirs continue releasing high volumes of water. Due to this high water and saturated soil, just a small amount of rain could trigger more flooding in areas that have already seen record flooding in 2011.

Obviously, we cannot plan for every natural disaster. However, we have the responsibility to take preventive measures whenever possible. The original purpose of these upper Missouri basin dams was flood protection. Over the years other priorities may have slipped

in. However, I believe now is the time to reevaluate the Corps of Engineers management plans and once again place the safety and livelihood of people who live and work along the river first.

Reservoir levels need to be lowered between October and April so fewer releases are needed during the spring rain season. A goal of targeted releases should be that they not exceed any given flood stage downstream. And, if releases above flood stage levels are required, then a maximum flow of no more than 5 feet over given flood stages for no longer than 15 consecutive days could be set, followed by 5 consecutive days below given flood states. This cycle could be repeated as necessary and would reduce downstream damages. This or other contingency planning is needed to prevent flooding events such as this year's from happening again.

Madam Speaker, we are here dealing with political—I think "shenanigans" is a word that would fit. People out in the country, the real people, are struggling. Whether it is from flooding or unemployment, they are struggling, and the Congress of the United States needs to act.

You know, one of the reasons we can't get anything done with jobs, as I mentioned earlier, or the flooding problem, is this bickering based on political affiliation. Here is one thing I learned. I am always watching Animal Channel and the Discovery Channel. My family always makes fun of me. But I learned something a few years ago watching the Discovery Channel. Bees cannot sting and make honey at the same time. They either have to become stingers or honey makers. What has happened here is we have become stingers, and, therefore, we are not making any honey or laws to help the American public.

Mrs. CHRISTENSEN. Thank you, Chairman CLEAVER, and thank you for making it so very clear to those listening this evening what the real situation is in this country and how important it is for us to act to help the American people.

You have heard Reverend and Chairman CLEAVER talk about the job situation and the floods and other challenges the American people are facing. And now to add insult to injury, instead of passing a clean increase to the debt ceiling, as we have done in the past, our country and our good credit is being held hostage by Republicans, pushed by their tea party members, who demand drastic and deep spending cuts, cuts beginning in the last quarter of this calendar year, against the advice of some of our most expert economists in this country.

The cuts in this new Cut, Cap, and Balance Act that we heard the talking points on this weekend and tonight, as our Budget ranking member VAN HOL-

LEN has said, put more Americans out of work while this country is still recovering from the worst recession since the Great Depression.

In the earlier hour, we heard a lot about Republican leadership, but I think they are leading us down the wrong path, the wrong path for this country and for most Americans. That bill, which will be on the floor tomorrow, would cap spending at the levels in the Republican budget that are below 2008 spending levels. It would make it near impossible, if not impossible, to make the investments that we need in education and health care, in research and infrastructure to secure our future. And it would still, with all of that, extend even more tax cuts to special interests. All it would do is hamstring our Nation's growth at a time when we are falling behind. It is not going to help to restore confidence, as the gentleman from Arizona said. Only lifting the debt ceiling will do that.

I have heard my colleagues say that the bill on the floor tomorrow will protect Social Security, Medicare, and veterans payments, but I am not too sure about that because the cuts and the caps that they will impose are likely to lead us down a primrose path, with no way to fund those programs later on, causing us to have to renege on our promises to our seniors, our veterans, who have protected us, have been willing to make the sacrifices to protect the freedoms we enjoy.

Also targeted in that bill tomorrow, or subject to the caps, are SNAP, or food stamps, at a time when their policies are leaving more of America's families and especially their children hungry. It would include cuts to unemployment when we should really be adding 14 more weeks of unemployment, as the bill that BARBARA LEE has, as H.R. 589 would do. It would be cutting school lunches when sometimes that is the only meal that some children have that is really balanced.

It would cut college loans and Pell Grants, as though we are trying to go back to a time we don't want to go back to when only the wealthy could afford a college education. We cannot move our country forward by denying education to so many of our people. And all of this without letting those tax cuts expire and continuing to let some of the wealthiest in our country go without paying their fair share of taxes. The Cut, Cap, and Balance Act is not the way to go. Lifting the debt ceiling, doing it without having it being held hostage to cuts and bills like this balanced budget amendment, is what we should be doing.

At this time I would yield to the distinguished gentlewoman from Texas, who always comes with a lot of information and words of wisdom and inspiration.

Ms. JACKSON LEE of Texas. I would like to thank the manager and chairwoman of this particular hour, sponsored by the Congressional Black Caucus, and for those of us who care, along with many of our members in the Congressional Black Caucus and in this Congress, I think it is important to note for our colleagues that there are many Members who truly believe in their heart that we can find a common path, a bipartisan path, and are in angst, if you will, because they want to represent their constituents in the best way possible in what seems to be the tyranny, in some instances, of the majority.

□ 2050

Frankly, I do believe in the democratic process. I believe that if you are a victor in elections, you have the right to define your agenda and to present it to the American people. But there's some instances where the American people call upon us to have those agendas set aside so that we can work for America.

So I want to thank the gentle lady for her great work on the Affordable Care Act. We are beginning to see many who never had access to health care begin to be, if you will, the beneficiaries of preventative care, the parity with mental health issues, more health professionals that we work so hard on in the Congressional Black Caucus, and of course, access to health care for those with preexisting disease.

But I want to talk tonight to reiterate some points that were made about the double-digit unemployment among African Americans and the 36 percent unemployment among youth and just make the point to the American people, to my colleagues, that no jobs bill has been put forward by our Republican friends, absolutely no job bill. This is now July 18. A supermajority is on the other side. They could do so much alone, without any votes from Democrats. Democrats have been pushing for a jobs bill.

The Congressional Black Caucus will be leaving out in a couple of weeks to visit cities all over America to not only say we care but to talk about jobs. This summer we were going to close city pools and community centers in Houston, with temperatures of 100, 105 degrees. I felt if we couldn't find public moneys, let's work to find private moneys. We were able to open over 10 to 15 community centers and pools in my congressional district.

For me it was being able to find resources, meaning that some came forward to give the resources, but, more importantly, it created jobs for youth who could be, if you will, lifeguards. As I visited these pools and talked to young people who would not have had a job, obviously a small measure, but to at least acknowledge the desperation that we have for jobs. As we go out as

members of the Congressional Black Caucus, we'll be embracing corporate leadership and others to have job fairs so that individuals can have it. Just a summer or two ago, I had a job fair in the teeming heat and thousands showed up, so much so that people were lined around the block.

Americans want to work. And in a bipartisan partnership, wouldn't it have been just great for Republican colleagues, no matter whether they're a tea party or no party, to come together and say the first act that we will engage in will be creating jobs. And out of that job creation comes growth. We've done a great job under President Obama, and we in the Democratic Party have done a great job. We've actually been creating private sector jobs every single month, and as well we did create 3 million jobs under the American Recovery and Reinvestment. That should be very clear.

And the loss of numbers or the bump in unemployment is, as our colleague indicated, for all of America, was because public sector jobs were being willy-nilly dispensed with—front liners, first responders, sanitation workers, teachers, firefighters, ambulance drivers—all over America by Republican Governors. They laid the people off en masse. In many instances, they didn't need to. There could have been ways to work it out. But they laid them off en masse, and that gave the bump to the unemployment.

But where does that lead us today? And what I want to focus on is the fact that I want to make it very clear that members of the Congressional Black Caucus have supported many bipartisan efforts to turn our economy right side up. We have worked on infrastructure issues. We have supported transportation legislation to fix America's bridges, highways, dams, because we know how important it is. We have helped resolve our budgetary issues, our revenue issues. We have voted in unison in a bipartisan way for some legislation that may not have been in total agreement with many of our views but we did it for America. We voted for a balanced budget amendment that generated the Children's Health Insurance Program. And we need to continue to discuss this, where we are today, because we need to help the American people. And I've heard the concerns of my constituents.

Today, I was at an announcement of the use of neighborhood stabilization funds, where we work with Habitat for Humanity and open the door of houses for those who weren't ever able to have a house. Oh, you should have seen the excitement of those families. But the seniors there were asking me: Are we going to get our Social Security check?

You can't go anywhere in your district where people are not up in fury. They want to know how we can get this done.

I think it's important to note a little bit of history. Prior to the existence of the debt ceiling, Congress had to approve borrowing each time the Federal Government wished to borrow money in order to carry out its functions. With the onset of World War I and the growth of this Nation, more flexibility was needed to expand the government's capability to borrow money expeditiously in order to meet the rapidly changing requirements. That's where this came from. This is not a Democratic idea. This is not the idea of President Barack Obama.

To address this need, the debt ceiling was established in 1917, allowing the Federal Government to be the umbrella on a rainy day, to come to the aid of Americans during emergencies, to be able to address the question of war and peace. This wasn't something we developed just to agitate Members who believe they are the fiscal hawks of all time, even more so than President Reagan, who understood that the government had certain roles.

Since the debt limit was first put in place, Congress increased it over a hundred times. In fact, it was raised 10 times in the past decade, which includes the era of President George Bush and the wars of Iraq and Afghanistan. Congress last came together and raised the debt ceiling in February of 2010, and it did so with the idea that we were working together.

We understand that we are at \$14-plus trillion. There's no one who is happy with a growing debt. But many economists will tell you that a deficit is sometimes important to take care of a country's people. Who knows what is going on in Japan right now because they need to take care of their people. They need to ensure that those who are impacted by the tsunami and the earthquake and the nuclear implosion can be taken care of—the sick people, the displaced people. And when I say not knowing what's going on, we know that they are growing a deficit.

But our country is not like Portugal and Greece, and economists that we listened to 2 weeks ago said on the record that this Nation is not broke. Let me say it again, Americans. Don't be intimidated and frightened to believe that America is broke. We can solve this problem. The way in which we are able to address it, the assets that we have, will allow us to extend the cuts over a 12-year period. Every reasoned economist in America says you cannot cut our spending overnight; you cannot cut it. So Congress is entirely within its right to be thoughtful on this issue of the debt.

And it is also important to note that what makes us so strong is we have something called United States Treasury bonds, which have traditionally been one of the safest investments another country or an investor can make. And other countries, including American, buy Treasury bonds. Our children

are given Treasury bonds. For foreign nations and investors purchasing a U.S. Treasury bond meant that they held something virtually as safe as cash, backed by the full faith and credit of the United States. This is constitutionally worded.

And so my friends who are drawn to the tea party are suggesting that we go straight to the brink. But when you go to the brink, as my colleague has said, you begin to shake the markets. They begin to shudder. And the impact comes to the hardworking American who has been so fiscally responsible that they have put away savings for their children's college, savings for themselves if they retire. They have been dutiful. They have been respectful. But what we will do is force this market to get so shaky that those savings may be jeopardized.

□ 2100

How can we do this—the Democratic Party, the Republican Party, the Tea Party? If it's a registered party or a group of people, if there are members who have come here wearing the banner, they can do nothing more than adhere to that.

So we are here on the floor tonight to look for compromise and reason and to say, in turn, with the proceeds from the bonds that the Federal Government of the world's largest economy is able to finance its operations. That's us, the United States.

Let me remind everyone we have the largest economy in the world. America is not broke. We have to do better. We have to extend our cuts. We have to balance over a period of time, almost like a household, where they begin to try to analyze what they'll be able to pay and what they'll have to cut out. You've heard families say, "We've stopped going out as much as we've gone out. There are unemployed persons who have to make more devastating cuts and go into their savings. That's why I say: Where is the jobs bill that the Republicans are supposed to put on the floor of the House? Where are the jobs? Somebody used to say in an advertisement: "Where's the beef?"

So this week, my friends, we're going to be spending a whole week addressing the question of a bill called Cut, Cap, and Balance. Before I just address to you who will be hurt on Cut, Cap, and Balance—it's a balanced budget amendment that came out of the Judiciary Committee of which I'm a member—I just want you to know that every State can stand up here and say that, but I want to put it on the record that it has come to my attention that:

Social Security beneficiaries in Texas, 3,440,442, likely will be impacted. The total number of Social Security beneficiaries in Harris County—that's where Houston, Texas is, which is the fourth largest city in the Nation and is a very diverse city—is 429,760,

which might include SSI, which is for those who are in need of moneys because of their children or they're disabled. There are 780,000 seniors and individuals with disabilities in the metro area who are currently enrolled in Medicare—the lifeline of our seniors—and there are currently 145,000 individuals in the district, the 18th Congressional District, who are on Medicaid. It's interesting to note that the Medicaid issue has not even been discussed.

So here we have a week of Cut, Cap, and Balance. Frankly, the Treasury bond is in jeopardy. The marketplace of innocent, hardworking Americans who have saved and invested in those bonds, who owe nations around the world, who bought what they thought was a rock-solid investment are now teetering because we're willing to take this week to discuss a bill called Cut, Cap, and Balance, which the President of the United States has already indicated that he intends to veto, and there's a question of whether or not the Senate will even address this bill. So we will spend our time wasting and debating so that someone can get a political mark.

Let me express my understanding of Members who need a political mark: I voted for a bill that will never pass and could never be a useful tool in the United States. You can go home, as you bang your chest, and suggest, I showed them. I told them what it was. I voted for the Cut, Cap, and Balance.

By the way, there is no doubt that this will possibly pass, because Republicans have a supermajority, but do you know what this is? This is playing political chicken. Who will blink? We have never played political chicken with the raising of the debt ceiling. We have never put the American people in this jeopardy. We didn't do it to Ronald Reagan. We didn't do it to Jimmy Carter. We didn't do it to the first George Bush, a distinguished Texan. We didn't do it to President, as I said, Carter. We didn't do it to President Clinton. We didn't do it to President Bush, who was just in office, but here we are with President Barack Obama now at a time that we think we have to do this. This is based upon an ideological view that does not look to the American people.

So let me tell you who is hurt in all of this so that we can understand real people are involved. I'll just call this "working Americans" and this little one who will represent millions of children across America. This is who this will impact.

In the State of Texas, our Governor has already cut \$4 billion from education. He actually took the stimulus money that was supposed to be for education. Governor Rick Perry decided to just snatch the moneys away and put it in a rainy day fund. It looks good when you're going to run for higher office to show off that you saved money. You haven't saved any money. You took the

money out of the children's mouths. You're closing schools. You're closing school districts. You're taking away teachers. You're building up the class sizes. You're making our country second and third class in education while other countries are moving forward. So that's who we'll hurt.

Just take this little one who is not yet in school. This is a hardworking nurse, who represents working Americans. This is who will be hurt because, on the Cut, Cap, and Balance bill, though they say they are protecting Medicaid, Medicare and others, you're going to find out that we literally are not going to be able to run this country. My colleague came from Missouri. Everybody saw the tragedy of Joplin, Missouri. So the Cut, Cap, and Balance is going to hurt them. I'm going to call this the "Tap Dance bill" because they're going to be tap dancing around all the people who are going to be hurt.

Next who is going to be hurt are our military families. Now, they say that they're taking care of veterans' benefits, but this is active duty military. They need to be paid. They say they have classified or taken out the security. Well, have they taken out the grandmamas of these soldiers and their wives? Have they taken out the parents of these soldiers and their wives who need Medicare and Social Security? Have they taken out the sisters and brothers who need student loans? No.

So they're tap dancing around the fact that they say they're not hurting these people. It's not the Cap bill. It's the "Tap Dance bill." That's what it's going to be. Then, rather than the Cut and Cap bill, they're going to organize the "Losers' Club of America." We're going to open up a losers' club with what is going to go on on the floor tomorrow. The "Losers' Club" will be the American people—children, seniors, college students, the jobs that we want to make through the infrastructure. How many people have driven on freeways and bridges and hit potholes? It's because America's infrastructure needs to be rebuilt.

So very quickly let me just say that, as these poster boards take their own life, the "Losers' Club" tomorrow is going to pronounce that we will be giving gifts to millionaires. They'll get \$200,000 because the bill tomorrow is worse than the Republican budget. So the millionaires will get \$200,000. Remember what I said. They call it the Cut, Cap, and Balance. I'm calling it the "Tap Dance, Losers' Club and Bust bill." So we're going to give millionaires \$200,000 a year while seniors will be paying an extra \$6,000 a year for their Medicare because it will bust Medicare as we know it.

Now, how did we get to where we are today? Why are we in this false status where people are saying, "Don't raise the debt limit"?

We brought it on ourselves. The Republicans were in charge when the Bush tax cuts came in, and they never wanted to have it expire. That was a big fight when we came in and when the President came in. That was a big fight. Out of compromise, he said, Let's be fair. So you can see the Bush tax cuts are 37 percent of our debt—37 percent. So, to talk about why we're here, look at what the Republicans have done. Then you have the Iraq war—11 percent. So it's interesting that now they're going to be fiscally responsible, yet they're the cause of the debt.

Let me finish by just saying that I am glad to be here with the Congressional Black Caucus. I want to rename the bill as the "Tap Dance, Losers' Club and Bust the American People bill"—bust the safety net for America. I want to thank the gentlelady by simply saying that I love this country, and I believe we can come together.

I have great respect for my colleagues who have a different view, but what I beg of them to do is to take the Constitution and cherish it like we all do. As to that opening part that says, "we the people," we are now calling on Republicans and Democrats and members of the Tea Party who are in this Congress to be part of the "we the people." Let us not in a frivolous manner take up the floor time that it is going to take to work on a bill that will never be signed and take it away from the resolution of the debt ceiling, which then causes the markets to go in a tailspin. I want to save the American people, and I, frankly, believe that we have the right to do so.

I will simply close by saying to you: Martin King, whose monument will open in just a few weeks, gave us a wonderful challenge—the time that he asked this Nation to believe in his dream.

□ 2110

And he gave us the further challenge of the night before his death. He indicated that he had been to the mountaintop, and he looked out and saw the Promised Land, an opportunity for all of us, no matter who we were, to have an equal opportunity in this country and to respect views but always look for the greater good.

But he said that he as a person, he didn't think that he would get to the Promised Land, but he knew that we as a people, we as Americans, would get to the Promised Land some day. I still believe in that dream and in that charge. And I am asking for my colleagues to work with us to be able to do that—this time on behalf of the American people.

Mrs. CHRISTENSEN. I thank you so much for your charts. You're really pointing out who would be hurt by the Cut, Cap, and Balance, or as you call it, the tap dancing bill. Sometimes you have to call it what it is. So thank you,

Congresswoman SHEILA JACKSON LEE, for joining us this evening.

I listened to New York Times columnist Tom Friedman yesterday, and I think we ought to put his talk on with the one that he had with our Nation's governors on DVD and make it required listening for some of our stonewalling colleagues. He put an adjective on the debate or so-called negotiations that have been staged these last few weeks. He called the debate "idiotic." Now, some may agree, some may disagree with that.

But he further said, and this I do agree with, that it is not worthy of our country and a disservice to our children.

So just like the other 74 times since 1962, 74 times that a clean, non-controversial lift of our debt ceiling has been done, we should have done it a long time ago, and that's what we ought to do now. And then after that, whether we use Bowles-Simpson or Rivlin-Domenici or what's left of the Gang of Six—I guess it is now just Democrats—their plan is a starting point; we need to begin coming up with a solid deficit reduction plan that isn't done on the backs of our poor, our middle class, our children, our seniors, and our people with disabilities. And one that is as the President has called for, one of shared sacrifices. It's the only fair way. It's the only American way.

And while important to securing the future, deficit reduction by itself is not enough. We are still in a recession, a recovery, but it's very slow, and it's uneven. What we need now are jobs, jobs, and more jobs. We need to continue the work of the Recovery Act and add to the 3 million jobs that we either saved or created with that bill and that act. We need to rebuild our manufacturing base as the Make It in America Democratic agenda would do. And we have to revive the housing market to help families stay in their homes and restore the opportunity for every American and those who came to live in this country to achieve what we call the American dream.

We need to do what we have always done best—to create. We need to regain our place as the innovation capital of the world. And to do that and to secure a sustainable future for our children, we have to invest in the work of bringing our country back from 25th in science, 17th in math, 14th in reading, and 12th in college graduates.

The issue should not be cut, cut, cut. I agree with Tom Friedman on that as well. But it should be how do we do what is necessary to bring our beloved Nation back to the first-place standing which is where it always must be and what our families and our children deserve.

As the African proverb said—this is really what's happening now—the elephants are fighting and the grass is getting crushed.

This should not be a fight over political ideology. Democratic leaders have shown their willingness to compromise on many of the programs we hold sacred. What those compromises are and how large they are I think will determine where the CBC stands when the time comes to vote.

But there can be no compromise, as you've heard from my colleagues tonight, on Social Security, which has nothing to do with the deficit whatsoever, or on Medicare, which we have done so much to strengthen and lengthen in the Affordable Care Act, or on Medicaid, which would not only cause undue but grave harm to the poor and all of the States and territories that we represent.

So I say to my fellow Members of Congress on both sides of the aisle, on both sides of the Capitol, let's raise this debt ceiling. Let's forget this crazy debate about cutting programs that hurt our fellow Americans and do it in a clean vote so that we can get back to the important critical business of creating jobs, of rebuilding our country, of putting in place a strong foundation for our future, of restoring our image in the world and holding on to our position of leadership.

I yield the balance of my time to Congresswoman SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. I thank the gentlelady.

I want to thank her so very much for her leadership but I wanted to—when I said the bust, I want to equate it to the balanced budget amendment. That is what this Cap, Cut, and Balance is; it is a balanced budget amendment.

But let me be very clear, because you said something very important. The balanced budget amendment, if it was passed, would virtually guarantee that future budgets would cut and end Medicare as well as drastically cut Medicaid, just like the Republican budget. The balanced budget amendment takes two-thirds of the House and the Senate to pass. It is almost impossible for it to pass.

And we are not like States where States do balance but they only have to take care of their State.

Mrs. CHRISTENSEN. What you are saying, though, is we would never be able to raise any revenue because it takes two-thirds of both bodies to be able to do anything to increase revenue.

Ms. JACKSON LEE of Texas. So in Joplin, Missouri, the floods, the tornadoes—and let me finish on this.

We served on Homeland Security. We have seen the death of Mr. Karzai's brother, his very close aide. We have seen Pakistani police officers shot down in a massacre by the Taliban. This is a very serious climate of terrorism in this world.

And the tragedy, the backdrop of 9/11 where we had to bail out the airlines, where we had to rebuild New York and

other places, that is a responsibility of America. That's why there is a Federal Government. And if we are to play with this through the Cap, Cut, and Balance, the balanced budget amendment, we will be the tap dance, we will be the losers club, and we will bust the rights of Americans to call upon their Federal Government when they are in need.

This is not a time to play with the lives of Americans. I believe that we are ready to compromise but not to engage in frivolity when it is serious and when we have to do what the American people need us to do.

I am very glad to be with the gentle lady from the Virgin Islands tonight, but I couldn't leave the podium without emphasizing that homeland security cannot be undermined and diminished. It is extremely important and does well to serve and secure the American people. Let's do right by the American people.

Mrs. CHRISTENSEN. I thank the gentle lady from Texas.

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

#### CONSTITUTIONAL CONVENTION FOR A BALANCED BUDGET AMENDMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Alabama (Mr. BROOKS) is recognized for half the remaining time until 10 p.m., 22 minutes.

Mr. BROOKS. Thank you, Madam Speaker.

America is the greatest Nation in the history of the world. We enjoy a standard of living that is envied by most. We have a national defense unmatched in history. We are a beacon of freedom for all.

Have you ever thought about why America is the world's leader? Are we just lucky. No. I would submit to you that there are substantive reasons for our greatness.

We are blessed today because of the sacrifices of others before us, others who gave of themselves to ensure a better future for their children and succeeding generations. History shows us that great nations rise and great nations fall, but they rarely fall from without without first suffering weakness from within.

Today, the greatest threat to America is not a foreign power. No. America's greatest threat is Washington's irresponsible, dangerous, and insatiable spending habits. Admiral Mullen, Chairman of the Joint Chiefs of Staff, testified recently before the House Armed Services Committee that America's greatest national security threat is our own unsustainable and growing debt burden. It wasn't al Qaeda. It wasn't North Korea. It wasn't the Taliban. It wasn't any other foe across the globe. It was our unsustainable national debt. And he is right.

□ 2120

For years, Washington has been on a spending binge of epic proportions. Why do Washington's politicians risk America's future? Because they have put their own self-interests above America's interests. They spend money we don't have to get votes for the next election. They don't care about who must pay the bill. They don't care about America's future generations. They don't care whether their spending binges risk America's future.

Some say we don't need a balanced budget constitutional amendment to force Washington to spend within our means. They are 100 percent dead wrong. Most recently, the President stated: We don't need a constitutional amendment to do our jobs. The Constitution already tells us to do our jobs—and to make sure that the government is living within its means and making responsible choices.

And he went on: We don't need more studies. We don't need a balanced budget amendment. We simply need to make these tough choices and be willing to take on our bases.

But history has established that we need, in the United States Congress, a balanced budget constitutional amendment because it will provide the backbone that Congress has lacked for so long. History proves those naysayers are wrong. Three years of trillion-dollar-plus deficits proved them wrong. Projected trillion-dollar deficits into the future proved them wrong.

America must rise up and force Washington to live within our means before it is too late. America must give Washington the backbone it lacks. That backbone is a balanced budget constitutional amendment forcing Washington to do the right thing.

If this Congress will not pass an effective balanced budget constitutional amendment, then the States must do it for us. The Lone Star State of Texas recently passed a resolution calling for a constitutional convention for a balanced budget constitutional amendment if Congress fails to act. The great State of Alabama has joined Texas.

I will next read into the RECORD of the United States House of Representatives Alabama's Senate Joint Resolution 100 from Alabama's 2011 regular session just passed by the Alabama State Legislature. This is Act No. 2011-400. The principal sponsor is Senator Arthur Orr. Cosponsors from the State of Alabama are Senator Scofield, Senator Sanford, Senator Holtzclaw, Senator Williams, Senator McGill, and Senator Beason.

"Enrolled, SJR100, urging Congress to propose a Federal balanced budget amendment.

"Whereas, the reluctance of the Federal Government to incur debt and other obligations was established early in American history, with deficits occurring only in relation to extraor-

dinary circumstances such as war; yet for much of the 20th century and into the 21st, the United States has operated on a budget deficit, including the 2010 budget year, which surpassed an astounding \$1.3 trillion, an annual deficit that exceeded the entire gross State product of many of the States; and

"Whereas, an exception to this pattern was at the turn of the 21st century; in FY 2001, America enjoyed \$128 billion budget surplus; and

"Whereas, since FY 2001, America has been burdened with 10 consecutive years of deficits, to wit:

"FY 2002, \$158 billion deficit; FY 2003, \$377 billion deficit; FY 2004, \$413 billion deficit; FY 2005 \$318 billion deficit; FY 2006 \$248 billion deficit; FY 2007, \$161 billion deficit; FY 2008, \$459 billion deficit; FY 2009 \$1.4 trillion deficit; FY 2010, \$1.3 trillion deficit; FY 2011, \$1.5 trillion deficit (estimated); and

"Whereas, as of January 2011, America's accumulated national debt exceeded \$12 trillion now estimated at over \$13 trillion; and

"Whereas, the Congressional Budget Office projects that, if current trends continue under the White House's proposed budget, each of the next 10 years has a projected deficit exceeding \$600 billion; and

"Whereas, the budget deficits of the United States of America are unsustainable and constitute a substantial threat to the solvency of the Federal Government as evidenced by the comments of Standard and Poor's on April 18, 2011, regarding the longer term credit outlook for the United States; and

"Whereas, Congress has been unwilling or unable to address the persistent problem of overspending and has recently increased the statutory limit on the public debt and enacted a variety of legislation that will ultimately cause the Federal Government to incur additional debt; and

"Whereas, the National Commission on Fiscal Responsibility and Reform in its report 'The Moment of Truth' includes recommendations to reduce the Federal deficit that have not been considered by the United States Congress; and

"Whereas, the consequences of current spending policies are far-reaching; United States indebtedness to governments of foreign nations continues to rise; costly Federal programs that are essentially unfunded or underfunded; mandates to States threaten the ability of State and local governments to continue to balance their budgets; moreover, future generations of Americans inevitably face increased taxation and a weakened economy as a direct result of the bloated debt; and

"Whereas, many States have previously requested that Congress propose a constitutional amendment requiring a balanced budget, but Congress has proven to be unresponsive;



anticipating a situation in which Congress at times could fail to act, the drafters of the United States Constitution had the foresight to adopt the language in Article V that establishes that on application of the legislatures of two-thirds of the several States, Congress shall call a convention for proposing amendments; and

“Whereas, in prior years, the Alabama Legislature has called on Congress to pass a balanced budget constitutional amendment, many other States have done the same, all to no avail; and

“Whereas, a balanced budget amendment would require the government not to spend more than it receives in revenues and compel lawmakers to carefully consider choices about spending and taxes; by encouraging spending control and discouraging deficit spending, a balanced budget amendment will help put the Nation on the path to lasting prosperity; now therefore,

“Be it resolved by the Legislature of Alabama, both houses thereof concurring, That the legislature of the State of Alabama hereby respectfully urges the Congress of the United States to propose and submit to the States for ratification a Federal balanced budget amendment to the United States Constitution.

“Be it further resolved, That, in the event that Congress does not submit a balanced budget amendment to the States for ratification on or before December 31, 2011, the Alabama Legislature hereby makes application to the United States Congress to call a convention under Article V of the United States Constitution for the specific and exclusive purpose of proposing an amendment to that Constitution requiring that, in the absence of a national emergency (as determined by the positive vote of such Members of each house of Congress as the amendment shall require), the total of all Federal appropriations made by Congress for any fiscal year not exceed the total of all Federal revenue for that fiscal year.

“Be it further resolved, That, unless rescinded by succeeding legislature, this application by the Alabama Legislature constitutes a continuing application in accordance with Article V of the United States Constitution until at least two-thirds of the legislatures of the several States have made application for a convention to provide for a balanced budget.

“Be it further resolved, That, in the event that Congress does not submit a balanced budget amendment to the States for ratification on or before December 31, 2011, the Alabama Legislature hereby requests that the legislatures of each of the several States that compose the United States apply to Congress requesting Congress to call a convention to propose such an amendment to the United States Constitution.

“Be it further resolved, That this application is rescinded in the event that a convention to propose amendments to the United States Constitution includes purposes other than providing for a balanced Federal budget.

“Be it further resolved, That the copies of this resolution be provided to the following officials:

“1. The President of the United States.

“2. The Speaker of the United States House of Representatives.

“3. The President of the United States Senate.

“4. All members of the Alabama delegation to Congress with the request that this resolution be officially entered in the CONGRESSIONAL RECORD as an application to the Congress of the United States of America for a convention to propose an amendment to provide for a Federal balanced budget in the event that Congress does not submit such an amendment to the States for ratification on or before December 31, 2011.

“Be it further resolved, That copies of this resolution be provided to the Secretaries of State and to the presiding officers of the legislatures of the other States.”

Signed by Kay Ivey, President and Presiding Officer of the Alabama State Senate; signed by the Speaker of the House of Representatives of the State of Alabama, Mike Hubbard; signed by the Governor of the State of Alabama, the Honorable Robert Bentley on June 7, 2011.

Congress clearly has the duty to pass a balanced budget constitutional amendment to prevent unsustainable spending spreeds that threaten America's future.

□ 2130

Quite frankly, and in my judgment, a balanced budget constitutional amendment is the only way to prevent a Federal Government insolvency and bankruptcy and the ensuing economic and national security consequences of such a bankruptcy. I urge this Congress to do the right thing and pass an effective balanced budget constitutional amendment.

But if Congress shirks its duty to America, then I plead for the States to join Texas and Alabama by demanding a constitutional convention for the limited purpose of drafting a balanced budget constitutional amendment. I urge the States to act with haste. America rapidly approaches an economic abyss. The States are our last best hope for American greatness and surviving in generations to come.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BLUMENAUER (at the request of Ms. PELOSI) for today and the balance of the week on account of the wedding of his daughter.

Ms. MCCOLLUM (at the request of Ms. PELOSI) for today.

Mr. ELLISON (at the request of Ms. PELOSI) for today.

Mr. WU (at the request of Ms. PELOSI) for today.

Ms. WILSON of Florida (at the request of Ms. PELOSI) for today.

Mr. BISHOP of New York (at the request of Ms. PELOSI) for today.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 19, 2011, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2516. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Air Force Case Number F08-07, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

2517. A letter from the Under Secretary, Department of Defense, transmitting a letter regarding the provision of compensation under section 439 of title 37, U.S.C.; to the Committee on Armed Services.

2518. A letter from the Under Secretary, Department of Defense, transmitting the Department's final Equipment Delivery Report for fiscal years 2009 and 2010; to the Committee on Armed Services.

2519. A letter from the Acting Under Secretary, Department of Defense, transmitting the biennial report on strategic and critical materials requirements for the National Defense Stockpile, pursuant to 50 U.S.C. 98h-5; to the Committee on Armed Services.

2520. A letter from the Secretary, Department of Health and Human Services, transmitting the annual report on National HIV Testing Goals; to the Committee on Energy and Commerce.

2521. A letter from the Deputy Assistant Administrator, Bureau of Legislative and Public Affairs, Agency for International Development, transmitting a formal reponse to the GAO Report GAO-10-368; to the Committee on Foreign Affairs.

2522. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter regarding the annual report on the Treaty with Australia; to the Committee on Foreign Affairs.

2523. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.



2524. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, as amended, certification regarding the proposed transfer of major defense equipment (Transmittal No. RSAT-10-2257); to the Committee on Foreign Affairs.

2525. A letter from the Director of Congressional Affairs, Central Intelligence Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2526. A letter from the Secretary, Department of Commerce, transmitting a report on the Strategic Plan for FY 2011–FY 2016; to the Committee on Oversight and Government Reform.

2527. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting the 2010 management reports and statements on the system of internal controls of the Federal Home Loan Bank of Chicago, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2528. A letter from the Director, Office of Management and Budget, transmitting the Office's report entitled, "2011 Report to Congress on the Benefits and Costs of Federal Regulations and Unfunded Mandates on State, Local and Tribal Entities"; to the Committee on Oversight and Government Reform.

2529. A letter from the Deputy Associate Director for Management and Administration and Designated Reporting Official, Office of National Drug Control Policy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2530. A letter from the President, National Council on Radiation Protection and Measurements, transmitting the 2010 Annual Report of an independent auditor who has audited the records of the National Council on Radiation Protection and Measurements, pursuant to 36 U.S.C. 4514; to the Committee on the Judiciary.

2531. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting an extension of the Department's Memorandum of Understanding Between the Government of the Republic of Columbia Concerning the Imposition of Import Restrictions on Certain Categories of Archaeological Material from the Pre-Hispanic Cultures and Certain Ecclesiastical Material from the Republic of Colombia, pursuant to 19 U.S.C. 2602(g)(1); to the Committee on Ways and Means.

2532. A letter from the Assistant Secretary for Economic Development, Department of Commerce, transmitting the annual report on the activities of the Economic Development Administration for Fiscal Year 2010, pursuant to 42 U.S.C. 3213; jointly to the Committees on Transportation and Infrastructure and Financial Services.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 2061. A bill to authorize the presentation of a United States flag at the funeral of Federal civilian em-

ployees who are killed while performing official duties or because of their status as a Federal employee; with amendments (Rept. 112-149). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 355. Resolution providing for consideration of the bill (H.R. 2560) to cut, cap, and balance the Federal budget (Rept. 112-150). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HINOJOSA:

H.R. 2573. A bill to amend section 242 of the National Housing Act to extend the period of applicability of the exemption for critical access hospitals under the FHA program for mortgage insurance for hospitals; to the Committee on Financial Services.

By Ms. WILSON of Florida:

H.R. 2574. A bill to amend the Workforce Investment Act of 1998 to create a pilot program to award grants to units of general local government and community-based organizations to create jobs, and for other purposes; to the Committee on Education and the Workforce.

By Ms. WILSON of Florida:

H.R. 2575. A bill to amend title 23, United States Code, to require the Secretary of Transportation to withhold a portion of Federal-aid Highway funds apportioned to a State unless the State enacts and implements a law establishing penalties for using a cell phone to make telephone calls or text while driving with a minor in the vehicle; to the Committee on Transportation and Infrastructure.

By Mrs. BLACK:

H.R. 2576. A bill to amend the Internal Revenue Code of 1986 to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs; to the Committee on Ways and Means.

By Mrs. BONO MACK:

H.R. 2577. A bill to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a security breach; to the Committee on Energy and Commerce.

By Mr. DENHAM (for himself, Mr. NUNES, Mr. COSTA, and Mr. MCCARTHY of California):

H.R. 2578. A bill to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes; to the Committee on Natural Resources.

By Ms. JENKINS (for herself and Mr. TERRY):

H.R. 2579. A bill to require the Corps of Engineers to take into account all available hydrologic data in conducting Missouri River basin operations; to the Committee on Transportation and Infrastructure.

By Mr. KING of New York (for himself and Mr. GRIMM):

H.R. 2580. A bill to provide for the award of a gold medal on behalf of Congress posthumously to Father Mychal Judge, O.F.M., beloved Chaplain of the Fire Department of New York who passed away as the first recorded victim of the September 11, 2001, attacks in recognition of his example to the Nation of selfless dedication to duty and

compassion for one's fellow citizens; to the Committee on Financial Services.

By Mr. POSEY (for himself, Mr. WEBSTER, Mr. MILLER of Florida, Mr. AUSTIN SCOTT of Georgia, Mr. LATTI, Mr. GRIFFITH of Virginia, and Mr. FARENTHOLD):

H.R. 2581. A bill to provide that the public debt limit shall not affect timely payment in full of Social Security benefits; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself, Mr. BURTON of Indiana, Mr. MEEKS, Mr. ROYCE, Mr. MCCOTTER, Mr. GALLEGLY, Mr. CHABOT, Ms. JACKSON LEE of Texas, Mr. ROHRBACHER, Mr. CALVERT, Mr. SMITH of New Jersey, and Mr. RYAN of Ohio):

H. Res. 356. A resolution urging the European Union and its member states to maintain the arms embargo against the People's Republic of China; to the Committee on Foreign Affairs.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HINOJOSA:

H.R. 2573.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: The Congress shall have the power to promote the General Welfare

By Ms. WILSON of Florida:

H.R. 2574.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. WILSON of Florida:

H.R. 2575.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mrs. BLACK:

H.R. 2576.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution; whereby the Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Furthermore, this bill makes specific changes to existing law, in accordance with the Sixteenth Amendment of the United States Constitution; whereby the Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mrs. BONO MACK:

H.R. 2577.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 of Section 8 of Article I of the Constitution the United States Congress shall have power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes".

By Mr. DENHAM:

H.R. 2578.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Ms. JENKINS:

H.R. 2579.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces.

By Mr. KING of New York:

H.R. 2580.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5

The Congress shall have the Power to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

By Mr. POSEY:

H.R. 2581.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 2 of the United States Constitution

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 100: Mr. CHAFFETZ.  
 H.R. 157: Mr. MURPHY of Pennsylvania.  
 H.R. 219: Mr. FORBES and Mr. SCALISE.  
 H.R. 303: Mr. CHANDLER.  
 H.R. 440: Mrs. HARTZLER.  
 H.R. 466: Ms. BALDWIN and Ms. WASSERMAN SCHULTZ.  
 H.R. 530: Mr. RANGEL.  
 H.R. 589: Mr. CLARKE of Michigan.  
 H.R. 593: Mr. BURTON of Indiana, Mrs. ELLMERS, and Mrs. HARTZLER.  
 H.R. 642: Mr. LOBIONDO.  
 H.R. 645: Mr. LUETKEMEYER and Mr. DANIEL E. LUNGREN of California.  
 H.R. 687: Mr. OWENS and Mr. CHANDLER.  
 H.R. 721: Mrs. ROBY and Ms. SCHWARTZ.  
 H.R. 750: Mr. LANKFORD.  
 H.R. 791: Mr. CHANDLER, Mr. CARSON of Indiana, and Mr. LOEBSACK.  
 H.R. 886: Mr. GALLEGLY and Mr. SCOTT of South Carolina.

H.R. 891: Mr. SCHOCK.  
 H.R. 972: Mr. CASSIDY.  
 H.R. 1041: Mr. MCKEON and Mr. HURT.  
 H.R. 1042: Mrs. LUMMIS and Mr. ISSA.  
 H.R. 1063: Mr. MILLER of North Carolina.  
 H.R. 1161: Mr. FORTENBERRY, Mr. BROUN of Georgia, and Mr. SHULER.  
 H.R. 1242: Mrs. CAPPS.  
 H.R. 1269: Mr. ROSS of Arkansas.  
 H.R. 1322: Mr. RYAN of Ohio.  
 H.R. 1370: Mr. POE of Texas.  
 H.R. 1386: Mr. PASCRELL and Mr. MURPHY of Connecticut.  
 H.R. 1397: Mr. DONNELLY of Indiana.  
 H.R. 1462: Mr. OLVER.  
 H.R. 1465: Ms. SCHAKOWSKY, Mr. LEWIS of Georgia, and Mr. FRANK of Massachusetts.  
 H.R. 1489: Mr. LIPINSKI.  
 H.R. 1506: Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 1588: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. CONAWAY.  
 H.R. 1591: Mr. LAMBORN.  
 H.R. 1639: Mr. COOPER and Mr. PETRI.  
 H.R. 1685: Mr. HOLT.  
 H.R. 1686: Mrs. BIGGERT, Mr. DOLD, and Mr. WALSH of Illinois.  
 H.R. 1703: Ms. KAPTUR.  
 H.R. 1723: Mr. LATTA.  
 H.R. 1834: Ms. ZOE LOFGREN of California.  
 H.R. 1842: Mr. THOMPSON of California, Ms. WILSON of Florida, and Ms. HANABUSA.  
 H.R. 1852: Ms. BALDWIN, Ms. HANABUSA, Mr. MCDERMOTT, and Mr. CHAFFETZ.  
 H.R. 1895: Mr. STARK.  
 H.R. 1953: Mr. LUJÁN, Mrs. CHRISTENSEN, and Mr. MORAN.  
 H.R. 1970: Mr. COURTNEY.  
 H.R. 2016: Ms. SCHAKOWSKY, Mr. MEEHAN, and Mr. PASCRELL.  
 H.R. 2026: Mrs. CAPPS.  
 H.R. 2030: Mr. BLUMENAUER.  
 H.R. 2036: Mr. BUCSHON and Mrs. MCMORRIS RODGERS.  
 H.R. 2091: Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 2161: Mr. DEUTCH.  
 H.R. 2164: Mr. STIVERS, Mr. YOUNG of Alaska, and Mr. GRIFFIN of Arkansas.  
 H.R. 2185: Mr. POLIS, Mr. MORAN, and Mrs. MALONEY.  
 H.R. 2224: Mr. FRANK of Massachusetts.  
 H.R. 2236: Mr. GOSAR.  
 H.R. 2250: Mr. BISHOP of Utah, Mr. FINCHER, Mr. BONNER, Mr. DESJARLAIS, and Mrs. CAPITO.  
 H.R. 2280: Mr. JACKSON of Illinois.  
 H.R. 2357: Mr. HANNA.  
 H.R. 2402: Mr. WESTMORELAND and Mr. LAMBORN.  
 H.R. 2407: Mr. NADLER, Mr. JONES, Mr. MCKINLEY, Ms. KAPTUR, and Mr. COSTELLO.  
 H.R. 2492: Mr. FARR and Mr. BRADY of Pennsylvania.  
 H.R. 2529: Mr. BURGESS.  
 H.R. 2544: Ms. HIRONO, Mr. WELCH, and Mr. CONYERS.

H.R. 2554: Mr. MCGOVERN.

H.R. 2560: Mr. YOUNG of Indiana, Mr. CONAWAY, Mr. SESSIONS, Mr. GUINTA, Mr. MILLER of Florida, Mr. MCCAUL, Mr. BERG, Mr. THORNBERRY, Mr. KLINE, Mr. CALVERT, Mr. UPTON, Mr. ROYCE, Mr. LABRADOR, Mrs. MILLER of Michigan, Mr. MCHENRY, Mr. LATTA, Mr. COBLE, Mr. BONNER, Mr. FORBES, Mr. BARTON of Texas, Mr. DUFFY, Mr. SMITH of Nebraska, Mr. SMITH of Texas, Mr. COFFMAN of Colorado, Mr. FLEMING, Mr. PLATTS, Ms. BUERKLE, and Mr. MARCHANT.

H.J. Res. 8: Mr. FILNER.

H.J. Res. 13: Mr. PALAZZO.

H.J. Res. 47: Mr. GRJALVA.

H. Con. Res. 4: Mr. FILNER.

H. Con. Res. 39: Mr. MCCLINTOCK.

H. Con. Res. 65: Ms. LEE and Ms. BASS of California.

H. Res. 130: Mr. POLIS.

H.Res. 220: Mr. TOWNS.

H.Res. 333: Mr. CHANDLER.

H.Res. 342: Mr. ISRAEL.

H.Res. 353: Mr. FATTAH, Ms. FUDGE, Mr. TOWNS, Mr. JACKSON of Illinois, Mr. MEEKS, Mrs. CHRISTENSEN, Ms. BASS of California, Ms. ROYBAL-ALLARD, Mr. RICHMOND, Mr. BUTTERFIELD, Ms. NORTON, Mr. MCGOVERN, Ms. RICHARDSON, Mr. ISRAEL, Ms. WATERS, and Mr. CUMMINGS.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 2560, the Cut, Cap, and Balance Act of 2011, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. DREIER

The provisions that warranted a referral to the Committee on Rules in H.R. 2560, to cut, cap, and balance the Federal budget, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 2560, to cut, cap, and balance the Federal budget, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.

## EXTENSIONS OF REMARKS

## PERSONAL EXPLANATION

## HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 137 I was detained off the House floor during this 2 minute vote series and was unable to cast my vote before the vote was closed. Had I been present, I would have voted "yes."

## THE RECENT TRAGEDY IN CYPRUS

## HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Ms. BERKLEY. Mr. Speaker, I rise to express support and sympathy for the people of Cyprus about the tragedy that recently occurred in one of their naval bases, killing 13 people and injuring dozens more. Our thoughts and prayers are with the people of Cyprus at this extremely difficult time.

This tragic story begins with a courageous act of international leadership by the government of Cyprus. In January 2009, a Cypriot-flagged merchant ship was illegally transporting arms from Iran to Syria, when it was called to port by the Cypriot government. Acting on their suspicions, Cypriot forces arrested the sailors aboard the ship, seized the arms, and stored them at the Evangelos Florakis Naval Base in Zygi, Cyprus, where they had been kept until now.

On Monday, July 11, the gunpowder in these containers was ignited by a brush fire and exploded. Thirteen Cypriots were killed in this massive explosion and fire, including the commander of the Cypriot navy, Andreas Ioannides, and the commander of the base, Lambros Lambrou. The explosion also damaged the most important power plant in Cyprus, which normally supplies 60 percent of the electricity for the island, causing widespread blackouts, reducing water supply, and threatening the nation's economy.

This tragic event is made only more so by the fact that it began with such a great act of leadership on the part of the Cypriot government. I know my colleagues join me in extending our deepest appreciation to the Cypriot government for the actions they took to stop the illegal arms shipment and in expressing our deepest condolences for those who lost their lives and all those who were harmed by this tragic event.

We stand ready to assist the Cypriot people to recover from this accident and look forward to many more years of working together to advance the cause of world peace.

## HAPPY BIRTHDAY JOHN GLENN

## HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. RYAN of Ohio. Mr. Speaker, I rise to extend my very best birthday wishes to the Honorable John Glenn of Ohio on the occasion of his 90th birthday.

John Glenn is an American hero and a true legend. It is difficult to believe that today he is celebrating his 90th birthday. He is a hero in war, a hero in peace and remains a hero in the hearts of his countrymen.

Growing up in New Concord, Ohio, and attending Muskingum College, he was on his way to his girlfriend Annie's organ recital at Brown Chapel when he heard the news that Pearl Harbor had been attacked. That changed their lives and changed America forever.

His incomparable life of service began as a Marine Corps fighter pilot flying the F4U Corsair in the South Pacific in World II and the F9F Panther and F-86 Sabrejet in Korea. In 1957, as part of Project Bullet, he made the first supersonic transcontinental flight from California to New York in a F8U Crusader.

In 1959, he was chosen by the recently established National Aeronautics and Space Administration (NASA) as one of the original seven astronauts for Project Mercury. Next February will be the 50th Anniversary of John Glenn's orbital flight aboard Friendship Seven. Just last month John Glenn and Scott Carpenter, the only two surviving Mercury Astronauts reunited at the Smithsonian National Air and Space Museum in Washington, D.C., to recollect and discuss their historic flights and America's Space program.

Of course we all know that John Glenn did not end his public service at that point. In 1974 he became a U.S. Senator from Ohio and served for 24 years. In 1997, John Glenn announced his retirement from the Senate stating that there was no cure for the common birthday. Nonetheless, in 1998, he returned to space aboard the Space Shuttle Discovery at age 77 to study the effects of space flight on seniors.

You can be sure that John Glenn doesn't stand still. He worked to establish the John Glenn School of Public Affairs at The Ohio State University and he served as Chairman of the National Commission on Math and Science Teaching for the 21st Century.

I have been honored to join him on many occasions at public events in Ohio. He is clearly on the side of maintaining our commitment to the manned space program and disappointed with the decision to end the Space Shuttle Program.

At 90 he is recovering from a knee replacement but still pilots his own plane and admits that his greatest success was not war, space,

or politics but 68 years of marriage to his childhood sweetheart, Annie.

Happy Birthday John Glenn. We wish you and Annie all the best.

Mr. Speaker, I ask unanimous consent that a column by Connie Shultz of the Cleveland Plain Dealer be printed following my remarks.

[From the Cleveland Plain Dealer, July 18, 2011]

JOHN GLENN TURNS 90: AN APPRECIATION  
(By Connie Schultz)

Happy birthday, John Glenn  
Two summers ago, John and Annie Glenn loaded up their Cadillac, pulled out of their driveway in Columbus and headed west for 8,400 miles of unscheduled adventure.

"We'd seen the Northwest from the air, but we'd never experienced it on the ground," John said. "We wanted to explore from the road."

For a month, they stopped when they felt like it. They took detours whenever the spirit moved them. They made hotel reservations one day at a time, from the road.

"It was like one long date," Annie told me after their return. "We just enjoy each other's company so much."

John was 88 at the time. Annie was 89. They'd been married 66 years by then.

John Glenn—World War II veteran, the first American to orbit the Earth and Ohio's U.S. senator for 24 years—turns 90 today.

He seems unmoved by the milestone. "Well, you know what they say," he said from his hospital room, where he is recovering from knee surgery. "If I'd known I was going to live this long, I would have taken better care of myself."

If there is any person whom Americans—particularly Ohioans—expect to be hale and hearty at 90, it's John Glenn.

He was 77, after all, when he launched into space for the second time, on the space shuttle Discovery. Not the normal retirement trajectory for a septuagenarian.

To commemorate John's 90th birthday, LIFE.com has posted an online gallery of 25 previously unpublished photos of Glenn. It is worth a visit, for the photographic glimpses into a fascinating life, and time, in America, and for the narrative that unfolds through the captions, such as this one from a 1964 interview with John:

A lot of people ask . . . why a man is willing to risk [everything] on something like this. Well, we've got to do it. We're going into an age of exploration that will be bigger than anything the world has ever seen. I guess I'm putting my family up against some risks. I could do other jobs, which might increase my life expectancy. But this could help my kids, too. I want them to be better off than I was as a young man. With risks, you gain.

John Glenn is still a champion for space exploration. I talked to him on Saturday, four days after his surgery. He was still in the hospital, in some discomfort but refusing to complain.

Until I asked how he felt about the recent end of the U.S. space shuttle program, that is.

"I could talk to you for three hours about that," he said. "The space station is the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

most unique laboratory we've ever built. The reason we have it is to do research on materials, people, medical matters, pharmaceuticals—the possibilities are nearly endless.

John Glenn dots the "i" in Script Ohio.

John Glenn dots the i Former Ohio Senator John Glenn dots the i with the alumni band at halftime of the Ohio State-Navy game on Sept. 5.

"People keep talking about how we have to go to Mars. We may want to go to Mars sometime. But we should . . . maximize the research return for our efforts [on the Space Station] for people here on Earth."

I first met John in 1979, when I was an intern in Washington, D.C. He does not remember our first encounter, of course, which I can hardly hold against him. He was a busy U.S. senator. I was a 22-year-old college kid who couldn't wait to call her dad, who had admired John Glenn all his life.

Twenty-five years later, John and Annie became my friends after I married then-U.S. Rep. Sherrod Brown. In January 2007, John escorted Sherrod on the Senate floor for his swearing-in ceremony. Annie, whose gentle advice during the campaign sustained me, held my hand in the Senate gallery.

It would be wrong to commemorate the remarkable life of John Glenn without also celebrating this woman who has been his wife through all of it. They are virtually inseparable these days, and John is the first to acknowledge that Annie makes life worth living.

Annie is as engaging as she is generous, full of opinions earned by living life at full throttle, even when she was scared to death. And that is a crucial truth about Annie Glenn. Americans rightly "ooh" and "ahh" over John Glenn's courage in space, but let us never forget the hero of a wife who gave her public blessing, and then privately prayed until his safe return.

You don't set out to create a myth or some sort of hero worship around yourself or your colleagues, Glenn told LIFE.com of his years as a test pilot and, especially, as an astronaut. But as it happens, you do become aware of it. Of course you're aware of it. You'd be numb if you weren't aware of it. But honestly, we just tried to live up to it as well as we could.

The Glenns are planning to hit the road again soon. This time, they want to drive through the American Southwest.

"We want to take our time," John said. "We want to see where the road will take us."

I am reminded of what his fellow astronaut Scott Carpenter said to John as he lifted off toward the heavens in 1962:

Godspeed, John Glenn.

And Annie, too.

### 37TH ANNIVERSARY OF THE ILLEGAL INVASION OF CYPRUS BY THE TURKISH ARMED FORCES

#### HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 18, 2011

Ms. TSONGAS. Mr. Speaker, next week marks the 37th anniversary of the illegal invasion of Cyprus by Turkish armed forces. The lengthy duration of this occupation, which consumes nearly 37 percent of Cyprus' territory, is particularly disappointing given the number

of multilateral organizations—the U.N., NATO and the EU—who have a vested interest in this dispute and who should work in concert to bring about a peaceful resolution. While some progress has been made, there is still much work to be done. Greek Cypriots have been evicted from their property, and cultural and religious desecration has been widespread. The Turkish government cannot maintain this occupation and hope to ever achieve membership in the EU.

Respect for international law and calls for self-representation must be answered with regard to Cyprus. Turkey must live up to its international responsibilities and return all of Cyprus to the Cypriots. Throughout my tenure in Congress, I have supported a variety of initiatives in support of this outcome including sending letters to President Obama and Secretary Clinton applauding the administration's commitment to exercise U.S. leadership in the negotiation for a just solution on Cyprus. We agree that a solution to the Cyprus problem should result in a single, sovereign country within a bi-zonal, bi-communal federation. Thirty-seven years of discord is long enough; Cypriots deserve a government for them and by them.

Since his election in February 2008, President Demetris Christofias has followed through on his promise to make the solution of the Cyprus problem his top priority and principal concern. In September of 2008, he embarked on negotiations with the then-leader of the Turkish Cypriot community, Mr. Mehmet Ali Talat, under the auspices of the United Nations with U.S. support. The negotiations are now continuing with the new leader of the Turkish Cypriot community, Mr. Dervis Eroglu.

The solution must reunite the island and safeguard the human rights and fundamental freedoms of all Cypriots and the withdrawal of Turkish forces from Cyprus.

#### WILLIAM "BILL" ALEXANDER

#### HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 18, 2011

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Mr. William "Bill" Alexander who passed away in April 2011.

William "Bill" Alexander joined my staff shortly after I entered Congress in the early 1990's. Bill, as he was affectionately known, was a proud "Irishman" who had a strong commitment to social justice and equality.

Mr. Speaker, Bill worked to alert and elevate his fellow man to the highest heights. He especially enjoyed assisting young people as they charted their career steps. Because of Bill's commitment to ensure the forward advancement of others, he was the first to provide gainful employment to those who were seeking to start their public service careers in New York State.

As the Director of the Press Corp for New York State, Bill was instrumental in working closely with newly elected assemblymen, senators and the administration in ensuring that the democratic agenda was well prepared and delivered.

Mr. Speaker, Bill was a consummate reader and enjoyed having a drink during a lively discussion. It was during these times at the water hole that he provided you with his best advice. He was never afraid to take a stand for justice or take an opportunity to set the course for a challenging journey. He faced many obstacles both familiar and professional but always maintained a steady course and determined mind.

As we gather here to remember my friend, colleague, mentor and loved one, it comes to mind that the field of journalism in heaven has been enhanced by one additional writer who sought and fought for justice for all.

#### TRIBUTE TO THE LATE CONGRESSMAN CHARLES W. WHALEN, JR.

#### HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 18, 2011

Mr. VAN HOLLEN. Mr. Speaker, it is with sadness that I advise the House of the death of my constituent and former Member of the House, the Honorable Charles W. Whalen, Jr., on June 2, 2011 at Sibley Hospital in Washington, DC. Rep. Whalen, 90, represented Ohio's Third Congressional District from 1967–79 and had resided with his family in Bethesda, Maryland since 1966.

Prior to his election to the U.S. Congress, Congressman Whalen served for 12 years in the Ohio Legislature and was instrumental in the enactment of Ohio's Fair Housing Law. A liberal Republican, he was first elected to the U.S. House of Representatives in 1966 and was reelected by wide margins in every subsequent election. In fact, in 1974, he was the only Republican who was unopposed in both the primary and general elections.

Upon his election to the House, Congressman Whalen was initially assigned to the House Armed Services Committee and subsequently became a member of the International Affairs Committee. He served on the Subcommittee on Africa and became an expert on that continent, visiting every single country in that vast land mass.

Congressman Whalen, who served as an Army officer in the India-Burma Theater in World War II, developed very strong reservations about and then opposition to the Vietnam War shortly after coming to Washington. His former chief of staff has noted that Congressman Whalen was attending the funeral of a young Marine from Dayton when he found himself unable to justify to grieving relatives the loss of the young man. The memory of that event remained in the forefront of his mind and guided his efforts to do all he could to bring that conflict to an end. Although his early efforts to end the war were not popular, among his most notable achievements was the Nedzi-Whalen Amendment that he co-sponsored with his good friend and colleague, Congressman Lucien Nedzi (D-MI). The bill sought to end military funding in order to bring the war to a swift close. Although it did not pass, the bill mustered a sizable showing in the House, reflecting growing sentiment to end the war.

Congressman Whalen was a prolific writer, authoring or coauthoring five books. "How to End the Draft: The Case for the All-Volunteer Army," published in 1967 and co-authored with four other GOP moderates, proposed the end of the draft. Most of its recommendations were later adopted by the Nixon Administration, which fashioned them into the legislation that created the all-volunteer military that we have today. His landmark book, "Your Right to Know," endorsed the right of reporters to keep sources confidential. Published in 1973, this book is used today in many journalism, political science and law courses. Congressman Whalen coauthored two works of history with his wife, Barbara: "The Longest Debate: A Legislative History of the 1964 Civil Rights Act" (1985) and "The Fighting McCooks: America's Famous Fighting Family" (2006), which told the story of two Ohio brothers and their 13 sons who served in the Union Army during the Civil War.

Congressman Chuck Whalen, who has been laid to rest in Dayton, Ohio, was a great and courageous American who worked tirelessly for his constituents and his country. He was widely respected by members of both parties and showed that it was possible for reasonable people to differ and maintain civility at the same time. His was an example that we all should follow.

I would like to insert in the CONGRESSIONAL RECORD Congressman Whalen's obituaries from the Washington Post and the New York Times.

[From the New York Times, June 30, 2011]

C.W. WHALEN JR., 90, DIES; LED VIETNAM WAR DISSENT

(By William Grimes)

Charles W. Whalen Jr., a six-term congressman from Ohio who led Republican opposition to the Vietnam War and espoused a variety of liberal causes, died on Monday in Washington. He was 90.

His death was confirmed by a nephew, Jim Whalen.

Mr. Whalen, a former economics professor and state legislator from Dayton, won election from Ohio's Third District in 1966 and, on taking office, quickly moved to the forefront of liberal Republicans opposed to the war, a position he articulated forcefully as a member of the Armed Services Committee.

In 1967 he joined with four colleagues who belonged to the liberal Republican club known as the Wednesday Group to write a detailed proposal to end the draft and establish an all-volunteer military within five years.

The recommendations in "How to End the Draft: The Case for an All-Volunteer Army" included increased pay, improved retirement benefits, expanded educational programs and a greater advertising budget for recruitment. Most were adopted over the next several years.

In the early 1970s Mr. Whalen was the sponsor or a co-sponsor of several unsuccessful amendments aimed at cutting the military's budget, ending the draft or imposing a deadline to withdraw all American troops from Southeast Asia.

A free-market conservative, he opposed the Vietnam War largely for economic reasons. The money could be put to better use, he argued, addressing domestic problems normally thought of as the preoccupation of liberals, like education, social injustice and urban decline.

A survey by Congressional Quarterly in 1974 found that he had voted against a majority of his Republican colleagues 72 percent of the time the previous year.

Mr. Whalen also took a resolute stand in favor of press freedom, especially the right of journalists to protect confidential sources. He addressed the subject in "Your Right to Know" (1973), to which the CBS anchorman Walter Cronkite contributed a foreword.

Charles William Whalen Jr., known as Chuck, was born on July 31, 1920, in Dayton. He attended the University of Dayton, where he received a degree in business education in 1942. During World War II he served with the Army in the China, India and Burma theater.

After earning a master's degree in business administration from Harvard in 1946, he became vice president of the Dayton Dress Company, owned by his father.

In the early 1950s he began teaching at the University of Dayton, where he became chairman of the economics department in 1962. He served in the state's General Assembly for 12 years, writing the state's first fair-housing law, before winning election to the House of Representatives in 1967.

He was hugely popular in his home district, even though Democrats and Independents far outnumbered Republicans, and even though his antiwar stance threatened jobs at Wright-Patterson Air Force Base, near Dayton.

A tireless door-to-door campaigner, in 1970 and 1972 he carried his district with three-quarters of the vote. In 1974 he was the only congressman to run unopposed in both the primary and the general election.

He retired in 1979, tired of the increasing friction with local party officials and Republican leaders in Washington, who found him too liberal. He also expressed frustration with Congress as an agent for change.

"We've come to realize there is a limit to our powers," he told The New York Times in 1978, explaining why he and several other House members were not running for re-election. "We have a feeling that we're not as powerful as we thought we were."

After leaving office, he became a Democrat.

He spent much of his time in retirement doing the research for two works of history that he wrote with his wife, Barbara, a former journalist: "The Longest Debate: A Legislative History of the 1964 Civil Rights Act" (1985) and "The Fighting McCooks: America's Famous Fighting Family" (2006), about two Ohio brothers and their 13 sons who served in the Union Army during the Civil War.

Mr. Whalen, who lived in Bethesda, Md., is survived by his wife and their six children, Charles, of Delray Beach, Fla.; Daniel, of Washington; Edward, of Reston, Va.; Joseph, of Lambertville, N.J.; Anne McLindon of Bethesda; and Mary Scherer of Brambleton, Va.; and seven grandchildren.

[From the Washington Post, June 28, 2011]

CHARLES W. WHALEN, JR., SIX-TERM OHIO GOP CONGRESSMAN, DIES AT 90

(By Emma Brown)

Charles W. Whalen, Jr., an Ohio Republican who criticized military spending and U.S. involvement in the Vietnam War during his six terms in Congress, died June 27 of renal failure at Sibley Memorial Hospital in Washington. He was 90 and lived in Bethesda.

Mr. Whalen had served in both houses of the Ohio General Assembly before he won election to the U.S. House in 1966 as a representative from a district centered on Dayton, a largely middle-class factory town.

During his 12 years in office, he built a reputation as one of the most liberal Republicans in the House.

He served on the Committee on International Relations (now Foreign Affairs) but was perhaps best-known for his years as the most vocal Republican dove on the Armed Services Committee. He was one of the panel's "Fearless Five," known for raising the ire of Chairman Mendel Rivers (D-S.C.) for insisting on scrutiny of military spending requests.

Mr. Whalen also co-sponsored several Vietnam troop-withdrawal bills and the unsuccessful 1971 Nedzi-Whalen amendment, which would have cut off military spending for weapons.

He was an early and outspoken proponent of ending military conscription in the United States. In 1967, he and four other members of the Wednesday Group—an informal group of liberal and moderate House Republicans—wrote a report describing how the country could successfully build an all-volunteer Army within five years.

That report helped make draft reform an issue in the 1968 presidential election, according to a history of that period published by the Army in 1996, and both political parties came out in favor of ending compulsory service. The draft ended in 1973.

Mr. Whalen won his reelection campaigns handily but found himself increasingly distant from the GOP establishment, both in his home state and in Washington. He decided to retire rather than run again in 1978.

"I had more trouble every year with the Republicans," he told the Dayton Daily News in 2001. "I just decided I might as well give it up."

In 1979, after leaving office, he registered as a Democrat.

Charles William Whalen, Jr. was born in Dayton on July 31, 1920. He graduated from the University of Dayton in 1942 and received a master's degree in business administration from Harvard University in 1946.

During World War II, Mr. Whalen served with the Army in the China-Burma-India theater.

He was the vice president of his father's dress factory in Dayton and an economics professor at the University of Dayton before entering politics in 1955 as a representative in the General Assembly.

He won election in the U.S. House over a one-term Democratic incumbent after walking an estimated 880 miles through the neighborhoods of Dayton to ring strangers' doorbells and introduce himself. He also pulled a child's wagon at least 100 miles, according to a 1966 Washington Post account, from which he dispensed recipes for chicken supreme.

In retirement, he lobbied on foreign affairs issues and served as a fellow at the Woodrow Wilson International Center for Scholars.

He had written a book while in Congress—"Your Right to Know" (1973)—in support of reporters' privilege to protect confidential sources. He went on to write several books with his wife, journalist Barbara Gleason Whalen, including "The Fighting McCooks" (2006), about a family that sent 17 members to fight in the Civil War.

"The Longest Debate: A Legislative History of the 1964 Civil Rights Act" (1985), about the protracted and difficult negotiations over the landmark legislation, won praise in a Post review by historian Howard Zinn.

"The Whalens' account of the compromises, the deals, the deceptions, the behind-the-scenes maneuvering," Zinn wrote,

“is a fascinating lesson in how a bill really gets passed.”

In addition to Mr. Whalen's wife of 52 years, survivors include six children, Charles Whalen of Delray Beach, Fla., Daniel Whalen of the District, Edward Whalen of Reston, Joseph Whalen of Lambertville, N.J., Anne McLindon of Bethesda and Mary Scherer of Brambleton; and seven grandchildren.

COMMEMORATING THE 17TH ANNI-  
VERSARY OF THE ATTACK ON  
AMIA

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Ms. ROS-LEHTINEN. Mr. Speaker, today marks the anniversary of the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina.

Seventeen years ago, the Iranian regime, through the coordinated efforts of its embassy and extremist proxy Hezbollah, committed one of the deadliest attacks in Argentine history.

The events that transpired on July 18, 1994 served as a perilous forewarning of the emerging threat of radical Islamist militants in the Hemisphere and their state-sponsors.

The attack on the AMIA Jewish Community Center of Buenos Aires took the lives of 85 men, women, and children, and left over 300 others wounded.

This precise location was targeted because it serves as the symbol of Jewish cultural life in a country that is home to the largest Jewish community in Latin America.

The attack is consistent with the Iranian regime's attitude toward the Jewish people in general, and toward the State of Israel in particular.

Only two years earlier, Islamic Jihad—a violent extremist organization with ties to Hezbollah—claimed responsibility for a similarly deadly attack on the Israeli Embassy in Buenos Aires.

Israeli officials determined that Iran, including high-ranking regime officials, had been informed about the plans for the embassy attack and had, in fact, given the authorization for its execution.

Tehran has made no effort to hide its anti-Semitic spew or its intent to destroy the State of Israel.

And in the years since, the Iranian regime has only deepened its network of proxy extremist groups and its unapologetic support of deadly activities worldwide.

This is evidenced, not just by its continued alliance with extremist entities which target civilians to advance their destructive agenda, but also by the fact that those directly responsible for the attack, as determined by the Government of Argentina, continue to serve as high ranking officials in the Iranian regime.

One such example is the current Iranian Defense Minister, Ahmed Vahidi.

Vahidi is facing an international arrest warrant issued by INTERPOL, but he remains a prominent figure in the regime.

In fact, at the invitation of Evo Morales, Vahidi travelled to Bolivia just last month to attend the opening of an ALBA military academy.

Encouraged by Venezuela's Hugo Chavez, Iran has forged an unholy alliance with several countries in the region based on their shared rejection of freedom and democratic values.

Even in the wake of Iran's brutal crackdown on its citizens after the fraudulent so-called “elections” in 2009, the ties between the Iranian regime and the ALBA countries has only strengthened.

These alliances, and the resources and capacity they provide to Iran, are especially disturbing as the United States and other responsible nations are working to isolate the Iranian regime for its support of extremism and pursuit of nuclear weapons.

And so, as we remember the attack on the AMIA 17 years ago, we must do so within the broader, stark, and growing threat posed by the regime.

On that note, Mr. Speaker, I would draw attention to the strongly bipartisan Iran Threat Reduction Act, which I recently introduced together with Ranking Member BERMAN, and which has almost 200 cosponsors.

This legislation builds upon current law, closes loopholes, and provides for comprehensive action to address the totality of the threat posed by Tehran.

I look forward to its consideration by the whole House.

Mr. Speaker, I would also note that earlier this week, INTERPOL issued Red Notices for the arrest of four members of Hezbollah, which is sponsored by Iran, after they were indicted by the Special Tribunal for Lebanon for their roles in the assassination of former Lebanese Prime Minister Rafiq Hariri in 2005.

This should serve as a further reminder of the lengths to which Iran and its allies are ready, willing, and able to cause destruction and to wantonly violate international norms and obligations in multiple regions.

On July 18, 1994, the world was witness to an act of true evil perpetrated by the ruthless Iranian regime.

And as we mark the 17th anniversary of this attack and honor the victims and survivors of that day, we must recommit ourselves to holding the Iranian regime accountable for the AMIA attack and for the threat it poses to U.S., regional, and global security.

HONORING GERONIMO JI JAGA  
PRATT

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life of Geronimo ji Jaga Pratt. A powerful human rights activist, a decorated veteran, a loving partner, father, grandfather, brother, mentor and friend, Geronimo was also a survivor and a fearless harbinging of change. He was a man who inspired so many to advocate for social justice, civil rights and judicial reform, and his story of resilience will be a timeless call to action for all who stand for justice. Geronimo was taken from us too soon on June 2, 2011, in his adopted country of Tanzania. Today, let us find comfort in the joy he inspired and the extensive legacy of his life's work.

Born Elmer G. Pratt on September 13, 1947, in rural Morgan City, Louisiana, Geronimo was the youngest of seven children born to hard-working parents. After high school, where he was a football quarterback, Geronimo joined the Army, earning two Purple Hearts and emerging a sergeant after two tours in Vietnam. Geronimo moved west, where he attended the University of California, Los Angeles to study political science and play football. In 1969, his political inclinations and commitment to social justice led him to assume a leadership position with the city's Black Panther Party.

As the leader of the L.A. Chapter of the Black Panthers, Geronimo became a target of the subversive and immoral FBI COINTELPRO counterintelligence campaign against perceived enemies of the U.S. government. In a tragic series of events, Geronimo was falsely accused, convicted and imprisoned for a crime he did not commit, in fact, he was nearly 400 miles away from the scene of the crime. His subsequent 27-year imprisonment, including eight years in solitary confinement, galvanized Free Geronimo campaigns throughout national and international progressive communities. By the time of his overturned conviction and release in 1997, Geronimo had become the symbol of an era and the unceasing fight for human rights.

Rather than dwell on the atrocities that had been committed against him, Geronimo became a positive mentor for young men and women who he believed to be wrongfully convicted of crimes. He later divided his time between Louisiana and Tanzania, where he fostered humanitarian programs for the poor, including projects to provide water and solar power for hundreds of African families.

It is with a very heavy heart that I say goodbye to Geronimo today. As a young mother, bagging groceries, working on the survival rallies, selling newspapers, helping to organize the Panther school, and raising money for candidates of the Black Panther Party, my life was touched by Geronimo's leadership and strength. It was through that often tumultuous experience, and the inspiring people I met, that I entered the political arena. During the time of Geronimo's imprisonment, I remember leveraging my position as the chairwoman of the State Legislature's Black Caucus to bring his case to greater prominence. Despite the injustices he endured, Geronimo was an uplifting force and a great inspiration to me and the entire global community. I will miss him dearly.

Today, California's 9th Congressional District salutes and honors Geronimo ji Jaga Pratt. His life was about seeking justice for those who had no justice. And, his legacy will serve as a reminder that we must always be vigilant of those who aim to suppress freedom, opposition and basic human rights. Geronimo will be remembered for his strong sense of dignity, humility and his generous service to others. He truly epitomized the indomitability of the human spirit. We extend our deepest condolences to Geronimo's family and his extended group of loved ones. He will be deeply missed.

DEFENSE APPROPRIATIONS FOR  
FISCAL YEAR 2012, H.R. 2219

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 18, 2011

Ms. McCOLLUM. Mr. Speaker, since the start of the new Congress in January, the Tea Party Republican majority has been telling the American people our country is “broke.” During debate over the Federal budget, the majority has argued the unprecedented fiscal crisis facing Congress demands huge spending cuts to programs our constituents need and to investments that make our communities and country strong. Then, starting with H.R. 1, Republicans voted overwhelmingly for massive cuts to food safety, public safety, schools, life-saving health research, roads and bridges, clean energy alternatives, and nutrition for hungry children and nursing mothers.

Cut \$650 million from emergency nutrition assistance for hungry infants and mothers? Republicans said yes.

Cut \$35 million from food safety and food inspectors that keep families healthy and safe? Republicans said yes.

Cut \$1.3 billion from community health centers for the poor? Republicans said yes.

But now that the \$649 billion Pentagon funding bill for Fiscal Year 2012 (H.R. 2219) has reached the House floor, Republicans’ dire fiscal warnings and collective eagerness to cut government spending are going out the window, and the spending spigot is being turned on full blast.

The numbers tell the story. The Republican majority is proposing a \$17 billion increase to the defense budget while slashing funding in every other appropriations bill. At \$649 billion, the Pentagon’s budget amounts to more government spending than all other Federal agencies combined and accounts for over 50 percent of all discretionary spending in the Federal budget. The party that lectures endlessly about deficit reduction, cutting government spending and shrinking the size of government is increasing the Federal Government’s largest spending category.

Republicans claim these increases in defense spending are essential for national security. But Chairman of the Joint Chiefs of Staff Admiral Mike Mullen doesn’t agree. In fact, Admiral Mullen is making the opposite argument, saying the Pentagon has not been forced to cut unnecessary or ineffective spending. In an April 28, 2011 speech in Washington, he said: “with the increasing defense budget, which is almost double, it hasn’t forced us to make the hard trades. It hasn’t forced us to prioritize. It hasn’t forced us to do the analysis. And it hasn’t forced us to limit ourselves . . .”

Since 2001, the Pentagon’s budget has increased by seventy percent. The enormous size and rapid growth of the defense budget means that any Member of Congress who is not working to cut the defense budget is not serious about deficit reduction.

Mr. Speaker, I am serious about confronting the fiscal crisis facing America. And, as an appropriator, I take seriously my job of eliminating unnecessary spending and ineffective

programs in every appropriations bill and every Federal agency—including the Department of Defense.

That is why I reviewed the 2012 defense budget to identify spending cuts that would promote fiscal responsibility without compromising national security. During debate on H.R. 2219, I offered three amendments to accomplish this goal. The first of these amendments cuts \$124.8 million from the Pentagon’s \$324.8 million budget for military bands. The second cuts \$150 million for the military’s Task Force for Business and Stability Operations in Afghanistan which supports business development, not a core function of the Defense Department, including such initiatives as sourcing cashmere for New York fashion designer Kate Spade. Finally, my third amendment limits taxpayer dollars being spent by the military to sponsor NASCAR, the National Hot Rod Association, and other motorsports racing teams to \$20 million, down from an estimated \$63 million.

Military music. Mission creep. Corporate handouts. That is what my amendments target for cuts. The dollar savings from my amendments are modest by Pentagon standards. Still, in the midst of a fiscal crisis, I feel a responsibility to cut spending that is not central to the military’s core mission of protecting the American people. Based on all the anti-spending rhetoric from House Republicans, the American people may expect strong bipartisan support for these ideas. Instead, with America watching, Republicans fiercely opposed my common-sense spending reductions.

My Republican colleagues argued that limiting spending on military bands to \$200 million next year would be “highly detrimental to our armed forces.” Republican Members claimed my amendment to limit taxpayer subsidies for NASCAR to \$20 million “may result in thousands of young Americans missing out on the chance to serve our nation in uniform, earn G.I. Bill benefits and ultimately attain a college degree.” These wildly inflated claims have no relationship with reality or national security.

Most disappointing, some House Republicans dismissed my amendments as insignificant reductions in the context of the overall budget. But that is not the “every dollar counts” approach they took when slashing funding for domestic agencies. Republicans justified their \$35 million cut to food safety by arguing it was imperative for deficit reduction. My \$124.8 million savings in the military band budget is much larger—and it won’t put America’s children at increased risk of food-borne illness.

Representative BARNEY FRANK offered House Republicans the opportunity to vote for the significant budget savings they claimed to seek. The Frank amendment cut the proposed increase in the Pentagon budget by half. I strongly supported this amendment to save taxpayers approximately \$8 billion and force the Pentagon to do what Admiral Mullen has not yet been asked to do: analyze, prioritize and make tough choices in a time of fiscal crisis. But Republicans overwhelmingly voted to defeat the Frank amendment when it failed 181–244.

The debate on the Fiscal Year 2012 Defense Appropriations bill (H.R. 2219) should

be a wake up call for America about Republican hypocrisy. The Republicans’ fight to protect wasteful subsidies in defense while cutting programs that protect American families from deadly outbreaks reveals they are not opposed to government spending—only the spending they don’t like. The opposition to deficit reducing amendments that I and other Democrats offered shows House Republicans aren’t opposed to growing the size of government—as long as that growth occurs at the Pentagon, in the tax code, and other areas they support.

Seventy-three amendments were offered to H.R. 2219. Only one amendment to reduce spending in this \$649 billion bill was approved by the House—my amendment to cut \$124.8 million from the military band budget. Some of my colleagues called it a symbolic victory. I see it as a symbol of a much bigger problem.

Starting in 2001, wasteful tax cuts and two wars gave America the fiscal crisis we face today. Admiral Mullen has testified to Congress the nation’s dire financial outlook is “our biggest national security threat.” America finds itself confronting a strange reality of needing to cut the Pentagon to secure the country.

Without Republican support for cuts to defense spending, it will be almost impossible to put the country back on a sustainable fiscal course. But if my Republican colleagues will fight to protect \$324.8 million for military bands it is unlikely Congress will have the votes to make much harder choices on Pentagon reforms that produce significant deficit reduction, such as repositioning our forces in Europe, cutting failed weapons programs, or updating our nuclear weapons strategy. And if the Tea Party-controlled House rejects my attempt to limit taxpayer spending on racecar decals and drivers to \$20 million, Americans should question the Republican majority’s commitment to deficit reduction.

Mr. Speaker, I urge my colleagues to join me in opposing H.R. 2219.

PERSONAL EXPLANATION

**HON. CAROLYN MCCARTHY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 18, 2011

Mrs. MCCARTHY of New York. Mr. Speaker, I was unavoidably absent on July 11, 2011. Had I been present, I would have voted on the following: rollcall No. 534—on agreeing to the amendment (Tierney)—“aye;” rollcall No. 535—on agreeing to the amendment (Graves)—“nay;” rollcall No. 536—on agreeing to the amendment (Scalise)—“aye;” rollcall No. 537—on agreeing to the amendment (Woodall)—“nay;” rollcall No. 538—on agreeing to the amendment (McClintock)—“nay”.

GOOD LUCK TO THE 2011 SOLAR  
CAR CHALLENGE TEAMS

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 18, 2011

Mr. BURGESS. Mr. Speaker, I rise today to recognize and welcome the 2011 Solar Car



Challenge taking place in the 26th Congressional District at Texas Motor Speedway over four days: Monday, July 18th through Thursday, July 21. The 16th annual Solar Car Challenge is a solar-powered car race for high school students. This year's challenge is a four-day closed track race that provides high school students from across the country a hands-on experience in designing, engineering, building, and racing their own roadworthy solar cars.

Each event is the end product of a two year education cycle. On odd-numbered years, the race is a cross-country event. On even-numbered years, the event is a track race around the 1.5 mile oval at Texas Motor Speedway. The team driving the most laps accumulated over the four days of racing will be declared the winner.

I am proud that out of the sixteen teams participating in this year's challenge, two are from my congressional district. Racing in "Cat 2.0", the Bobcats Solar Racing Team of Byron Nelson High School in Trophy Club is captained by Matthew Klauser; their advisor is Darren Klauser. Liberty Christian School in Argyle will be racing in "Aurora"; their team captains are Cameron Balkey and Preston Collins; advisor is Ken Marko.

I would like to salute Dr. Lehman Marks, the Solar Car Challenge Event Coordinator, as well as all the Solar Car Teams' advisors, captains, and members who were instrumental in the support and building of these remarkable vehicles.

Mr. Speaker, I proudly rise today to commend the hard-working and visionary students comprising the Solar Car Challenge Teams and wish them a great competition. It is an honor to have this event take place within the 26th District at Texas Motor Speedway for the sixth time.

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PERSONAL EXPLANATION

**HON. STEVE KING**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 138, I was detained off the House floor during this 2 minute vote series and was unable to cast my vote before the vote was closed.

Had I been present, I would have voted "yes."

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PERSONAL EXPLANATION

**HON. JEFF DENHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. DENHAM. Mr. Speaker, unfortunately, I was unavoidably detained during rollcall vote 598 on July 15, 2011, leaving me unable to cast my official vote in opposition. If I were present at the time of the vote, I would have cast a "nay" vote because we cannot continue to waste taxpayer money and should not continue to try and substitute government for the

role of parents in children's lives. I am pleased that Congress was able to act on this amendment and I look to the Senate for its expedited review and hope that the President will subsequently sign into law H.R. 2354, in which the amendment is contained. Our families deserve the prudent fiscal allocation of taxpayer money.

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HONORING THE SPECIAL OLYMPICS MARYLAND SOCCER TEAM

**HON. STENY H. HOYER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. HOYER. Mr. Speaker, I rise today to congratulate a remarkable team from Maryland's Fifth Congressional District who, last month, proved that practice, perseverance, and teamwork can lead to victory. On July 2, Team USA, consisting entirely of athletes from St. Mary's County, Maryland, defeated Spain in the 2011 Special Olympics World Summer Games Men's Soccer Championship match in Athens, Greece. They are the first U.S. team to bring home the gold in this event.

In a come-from-behind win, Team USA emerged triumphant over the Spanish team with a 2-1 victory. Avery Long, who had never touched a soccer ball before this year, scored both the tying and winning goals. On the first, he was assisted by team member Larry Mills. With only two goals scored against him in the entire tournament, goalie Alan Hill can take great pride in being the most successful goalie in the 2011 games. TEAM USA was rounded out by Sam Huffman, Steven Summerfelt, Wesley Thompson, Sack Hall, Terrel Nowlin, Thomas Smith, and Shaun Ridley. All of these men can take great pride in the culmination of their hard work and dedication.

So, too, can the team's leadership and coaching staff—Director Mary Lu Bucci, Head Coach John Toner, Assistant Coach Ken Cohen, and Manager Minter Willis. Together they have a combined total of 74 years of experience with Special Olympics in Southern Maryland.

I also want to pay tribute to the 7 additional members of Special Olympics Maryland who traveled to Athens to be among the 7,500 athletes from 185 countries to participate in the 2011 World Summer Games. They are: Syd Lea (Cycling), Randi Penebugh (Powerlifting), James Purnell (Kayaking), Samantha DiSanti (Kayaking), Zachary Poston (Swimming), and James Dietrich and his Unified Partner, Robert Battista (Sailing).

In all, Team Maryland achieved tremendous success, winning a total of ten medals—8 of which were gold. I want to congratulate them on their impressive achievements and I ask that all Americans join with me in applauding these outstanding individuals who have brought great pride to our nation.

RECOGNITION OF ASIWPCA ON THE OCCASION OF ITS 50TH ANNIVERSARY

**HON. JOHN L. MICA**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 18, 2011*

Mr. MICA. Mr. Speaker, I rise to congratulate the Association of State and Interstate Water Pollution Control Administrators, ASIWPCA, on the occasion of its 50th anniversary.

ASIWPCA is an independent, nonpartisan, national organization of state and interstate water program directors, who everyday works on implementing water quality programs under the Clean Water Act, CWA. Founded in 1961, ASIWPCA was created by the states, to serve the states, and is the only nationally recognized organization completely led by state water directors. After five decades the ASIWPCA continues to protect and restore America's watersheds to achieve "clean water everywhere for everyone."

Long before the enactment of the Clean Water Act, state and interstate professionals—including those from my own State—were working together through ASIWPCA to protect and improve water quality across America. In addition to serving as a liaison among these officials, ASIWPCA facilitates state communication with the federal government and promotes public education. ASIWPCA has built credible collaborative relationships with Congress, the United States Environmental Protection Agency, the United States Geological Survey, and the United States Department of Agriculture. ASIWPCA is a key contributor in the legislative, regulatory, and policy arenas. When the federal government collaborates with states through ASIWPCA, better regulations are drafted, superior policy is created, and the public is better served.

As the chair of the House Transportation and Infrastructure Committee, I can attest to the fact that ASIWPCA has met and exceeded the goals its founders established 50 years ago. In the future, we look to ASIWPCA to continue their work to help states develop and implement sound water quality policies that advance clean water and a healthy environment. This benefits all Americans, including those in my home State of Florida.

Mr. Speaker, in light of ASIWPCA's state membership, national leadership on water quality issues, mission to serve the public, state government representation, and proven track record and collaboration efforts, it is my sincere pleasure to congratulate ASIWPCA on the occasion of its 50th anniversary. The Transportation and Infrastructure Committee has relied on ASIWPCA's assistance and expertise for decades and will undoubtedly continue to do so as we seek to protect and restore our Nation's waters in the future.

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SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all

meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 19, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 20

Time to be announced  
Health, Education, Labor, and Pensions  
Business meeting to consider any pending nominations.  
Room to be announced

10 a.m.  
Commerce, Science, and Transportation  
To hold hearings to examine building American transportation infrastructure through innovative funding.  
SR-253

Banking, Housing, and Urban Affairs  
Economic Policy Subcommittee  
To hold hearings to examine access to capital, focusing on fostering job creation and innovation through high-growth startups.  
SD-538

Foreign Relations  
To hold hearings to examine the nominations of Earl Anthony Wayne, of Maryland, to be Ambassador to Mexico, and Arnold A. Chacon, of Virginia, to be Ambassador to the Republic of Guatemala, both of the Department of State.  
SD-419

Homeland Security and Governmental Affairs  
To hold hearings to examine Federal regulation, focusing on a review of legislative proposals, part II.  
SD-342

Judiciary  
To hold hearings to examine S. 598, to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, focusing on assessing the impact of the Defense of Marriage Act on American families.  
SH-216

Environment and Public Works  
Transportation and Infrastructure Subcommittee  
To hold an oversight hearing to examine the Yellowstone River oil spill.  
SD-406

2 p.m.  
Armed Services  
Personnel Subcommittee  
To hold hearings to examine providing legal services by members of the Judge Advocate Generals' Corps.  
SR-232A

2:30 p.m.  
Commerce, Science, and Transportation  
Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee  
To hold hearings to examine looking to the future, focusing on, lessons in prevention, response, and restoration from the Gulf oil spill.  
SR-253

United States Senate Caucus on International Narcotics Control  
To hold hearings to examine counternarcotics efforts in Afghanistan, focusing on future counternarcotics efforts in the country as United States troop levels are reduced in the coming years.  
SD-562

JULY 21

9:30 a.m.  
Armed Services  
To hold hearings to examine the nominations of James A. Winnefeld, Jr., USN for reappointment to the grade of admiral and to be Vice Chairman of the Joint Chiefs of Staff, General Raymond T. Odierno, USA for reappointment to the grade of general and to be Chief of Staff, United States Army, and General William M. Fraser III, USAF for reappointment to the grade of general and to be Commander, United States Transportation Command, all of the Department of Defense.  
SH-216

10 a.m.  
Agriculture, Nutrition, and Forestry  
To hold hearings to examine the nomination of Mark P. Wetjen, of Nevada, to be a Commissioner of the Commodity Futures Trading Commission.  
SD-G50

Banking, Housing, and Urban Affairs  
To hold hearings to examine enhanced oversight after the financial crisis, focusing on the "Wall Street Reform Act" at one year.  
SD-538

Energy and Natural Resources  
Business meeting to consider S. 916, to facilitate appropriate oil and gas development on Federal land and waters, to limit dependence of the United States on foreign sources of oil and gas, and S. 917, to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf.  
SD-366

Environment and Public Works  
To hold hearings to examine legislative issues for transportation reauthorization.  
SD-406

Judiciary  
Business meeting to consider S. 1231, to reauthorize the Second Chance Act of 2007, S. 27, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, S. 1228, to prohibit trafficking in counterfeit military goods or services, S. 401, to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law, S. 657, to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, S. 409, to ban the sale of certain synthetic drugs, S. 605, to amend the Controlled Substances Act

to place synthetic drugs in Schedule I, S. 839, to ban the sale of certain synthetic drugs, and the nominations of Steve Six, of Kansas, to be United States Circuit Judge for the Tenth Circuit, Christopher Droney, of Connecticut, to be United States Circuit Judge for the Second Circuit, Robert David Mariani, to be United States District Judge for the Middle District of Pennsylvania, Cathy Bissoon, and Mark Raymond Hornak, both to be a United States District Judge for the Western District of Pennsylvania, Robert N. Scola, Jr., to be United States District Judge for the Southern District of Florida, and Clayton D. Johnson, to be United States Marshal for the Northern District of Oklahoma, Department of Justice.  
SD-226

10:30 a.m.  
Foreign Relations  
To hold hearings to examine the nomination of Sung Y. Kim, of California, to be Ambassador to the Republic of Korea, Department of State.  
SD-419

2 p.m.  
Health, Education, Labor, and Pensions  
To hold hearings to examine improving for-profit higher education, focusing on a roundtable discussion of policy solutions.  
Room to be announced

Aging  
To hold hearings to examine reducing drug costs to Medicare.  
SD-106

2:15 p.m.  
Indian Affairs  
To hold an oversight hearing to examine floods and fires, focusing on emergency preparedness for natural disasters in the native communities.  
SD-628

2:30 p.m.  
Commerce, Science, and Transportation  
Surface Transportation and Merchant Marine Infrastructure, Safety, and Security Subcommittee  
To hold hearings to examine making our roads safer, focusing on reauthorization of the Motor Carrier Safety Programs.  
SR-253

Intelligence  
To hold closed hearings to examine certain intelligence matters.  
SH-219

JULY 22

9:30 a.m.  
Commission on Security and Cooperation in Europe  
To hold hearings to examine minority at risk, focusing on Coptic Christian in Egypt and renewed concerns over reports of disappearance, forced conversions and forced marriages of Coptic Christian women and girls.  
210, Cannon Building

JULY 26

2 p.m.  
Homeland Security and Governmental Affairs  
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee  
To hold hearings to examine Federal workers' compensation.  
SD-342

JULY 27

2 p.m.

Armed Services  
Readiness and Management Support Subcommittee

To hold hearings to examine financial management and business transformation at the Department of Defense.

SR-232A

JULY 28

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine enforcing the "Indian Gaming Regulatory Act", focusing on the role of the National Indian Gaming Commission and tribes as regulators.

SD-628

2:30 p.m.

Energy and Natural Resources  
National Parks Subcommittee

To hold hearings to examine S. 264, to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, S. 265, to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National

Military Park, S. 324, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission, S. 764, to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon, S. 864, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California, S. 883, to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution, S. 888, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System, S. 925, to designate Mt. Andrea Lawrence, S. 970, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, S. 1063, to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of

Alaska, S. 1134, to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values, and S. 1235, to recognize the memorial at the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national memorial of Navy SEALs and their predecessors.

SD-366

AUGUST 3

10 a.m.

Health, Education, Labor, and Pensions

Business meeting to consider S. 958, to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and S. 1094, to reauthorize the Combating Autism Act of 2006 (Public Law 109-416), an original bill entitled, "Workforce Investment Act Reauthorization of 2011", and any pending nominations.

SD-430

Judiciary

To hold hearings to examine cybercrime, focusing on updating the "Computer Fraud and Abuse Act" to protect cyberspace and combat emerging threats.

SD-226

**SENATE—Tuesday, July 19, 2011**

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, our inability to solve our problems persistently reminds us of our need of Your mercy and power. Manifest Your power on Capitol Hill, doing for our lawmakers what they cannot do for themselves. Break down the barriers that seem impenetrable, enabling them to walk by Your Spirit toward the accomplishment of goals that will bless and protect America. Lord, divert them from the strategies that lead to dead ends, guiding them toward unity and consensus. Shine forth with Your power during this challenging season.

We pray in Your mighty Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

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

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 19, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. REID. Madam President, following any leader remarks, the Senate

will be in a period of morning business for up to 2 hours, with the two sides alternating 30-minute blocks, with the Republicans controlling the first block. Following morning business, the Senate will resume consideration of H.R. 2055, the military construction bill. The Senate will recess from 12:30 p.m. until 2:15 p.m. today for our caucus luncheons. We continue to work on amendments to the military construction appropriations bill. We hope to complete that bill within the next day.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

**RECOGNITION OF THE MINORITY LEADER**

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

**CUT, CAP, AND BALANCE**

Mr. McCONNELL. Madam President, today Members of the House of Representatives will have a chance to stand up and be counted. They will show with their votes whether they believe in freezing Washington's current spending habits in place and raising job-killing taxes or whether they believe, as I do, that the reckless spending and debt of the past 2 years has brought us to this point of crisis, and that something serious must be done to rein it in without damaging a fragile economy with job-killing taxes.

Frankly, it is that simple. Those who support cut, cap, and balance that the House takes up today will be voting for getting our fiscal house in order and against an unsustainable status quo. Those of us who have been calling for serious short- and long-term action to cut spending, rein in our debt, and preserve entitlements congratulate those who support it.

We look forward to voting on the same legislation here in the Senate soon. Before we do, it is important to remember how far we have come in this debate. A few months ago, the President's primary goal was to raise the debt limit without any spending cuts or long-term fiscal reforms at all—nothing but more debt. Now he is claiming not only to support cuts but a

proposal he likes to call “a big deal.” Anyone who has looked at the figures knows it is not. But the larger point here is that the American people have already won this debate. No one, not even the President, can claim to support the status quo anymore, even when, in fact, he does.

But, of course, winning the debate is not nearly as important as achieving the reforms that are needed to convince the world we are actually serious about getting our fiscal house in order. That is why Republicans continue to hold out for significant reforms, and that is why we will continue to fight for serious, long-term reforms this week.

Republicans have tried to persuade the President of the need for a serious course correction, but weeks of negotiations have shown that his commitment to big government is simply too great to lead to the kind of long-term reforms we need to put us on a path to both balance and economic growth. So we have decided to bring our case to the American people. The President recently cited a poll that suggests Americans want to see balance in this debate. I would point him to another poll showing nearly two out of three Americans want a balanced budget. That is what Republicans are fighting for.

Today, Republicans in the House will vote on legislation that cuts government spending now, caps it in the future to the average of the last 40 years, and which will only allow for a raising of the debt limit if it is accompanied by a constitutional amendment to balance the Federal budget. Cut, cap, and balance is the kind of tough legislation Washington needs and that Americans want, and Republicans will spend the week trying to convince Democrats to join us in supporting it.

Every single Republican in the Senate supports a balanced budget amendment. All we need is 20 Democrats to join us in supporting this commonsense legislation. At least 23 of our friends on the other side have said or suggested they support the idea and told their constituents that they will “lead” on the issue. We think they should have an opportunity to follow through on their statements with an actual vote.

I will repeat what I said yesterday to my Democratic friends. If I were you, I would take a long look at the cut, cap, and balance legislation the House is taking up today and ask yourself the following question: Are you so committed to the status quo that you will vote “no” on a bill to balance the Federal budget?

I strongly urge my Democratic friends to join us in supporting the cut,

cap, and balance plan. The American people sent us here to make tough choices. Agreeing to balance the budget should not be one of them. This should be an easy one. I urge my colleagues in the strongest possible terms to join us. It is time to balance the books.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### CUT, CAP, AND BALANCE ACT

Mr. REID. Madam President, today the House will consider legislation that would force the Nation to default on our financial obligations for the first time in history, unless Congress adopts a new—well, let's put it this way: What the House is working on today would force the Nation to default on our financial obligations for the first time in history. They are going to do it with a radical—radical—new constitutional amendment.

That amendment would impose arbitrary, reckless budget caps. It would, without a doubt, force massive cuts to Medicare, Social Security, and other crucial benefits. At the same time, it would constitutionally protect wasteful loopholes and tax breaks for millionaires and billionaires.

To meet an arbitrary spending cap frozen at 18 percent of gross domestic product, it would shrink benefits and services back to the levels not seen since 1966. In 1966, Medicare was 1 year old, and there were 100 million fewer people in this country. In 1966, the country had 200 million people. We now have 300 million people, and they would take us back to the levels then. It is obvious it simply would not work.

For those who think rewinding 45 years is a good thing, consider how much America has changed since 1966. For example, life expectancy is 9 years longer today than it was 45 years ago. One reason it is longer is because of Medicare. Medicare has made people healthier to live longer and lead more productive lives.

This legislation would roll back the progress that has been brought about by these programs but especially Medicare. It would enshrine in this thing they are trying to do in the House today a set of priorities so backward even advisers to President Ronald Reagan and George W. Bush have called it unwise.

In the first decade alone, it would mean more than \$3,000 a year in cuts to each senior's Social Security check. It

would slash our social safety net, decimating Medicaid and cutting Medicare benefits by \$2,500 for every senior. This is per year, every year.

In fact, the nonpartisan Congressional Budget Office says that within 25 years, it will slash government benefits and services in half. Everyone within the sound of my voice hear what I am saying: slash benefits in half—veterans, Medicare, Medicaid. Seventy percent of the people on Medicaid are in convalescent centers. It is obvious there would not be people in convalescent centers. They would be at home having their sons, daughters, wives, and others trying to take care of them in their so-called golden years, which would come to a screeching halt.

When I talk about slashing benefits in half, I am talking about Social Security, Medicare, Medicaid, veterans' benefits, and every other government service, no matter how essential. Yet it would make it almost impossible to end even the most wasteful tax breaks and loopholes already in place, such as the subsidies to oil companies, which are making market profits with subsidies from American taxpayers. It would allow benefits to go to corporations that are shipping jobs overseas and to rich people who buy yachts and private jets. If I were rich, I wouldn't buy a yacht. It would be nice to have an airplane though. But this will not stop people from buying airplanes. It will allow the tax program to treat the rich people similar to everybody else. It would require a two-thirds majority in the House—if the House issue prevails, it would require a two-thirds majority in both Houses of Congress to raise even a penny of new revenue.

Meanwhile, the so-called cut, cap, and balance does absolutely nothing to protect our economy from the kind of recession from which we are beginning to recover. In fact, if the economy wasn't already in a recession, this legislation would quickly produce one.

Bruce Bartlett, an economic adviser to President Reagan, a fine man, and a Treasury official under President Bush, said the kind of rapid spending cuts called for in this House legislation would "unquestionably throw the economy into a recession."

This legislation goes beyond the Draconian budget Republicans passed earlier this year. That budget would have ended Medicare as we know it, and it would have cut clean energy by 70 percent, axed education funding, and cost hundreds of thousands of private sector jobs. It passed the House, but it didn't pass here.

What they are trying to do is even more Draconian than the so-called Ryan budget, the House-passed budget. They are trying to do something worse. It would attack all the same programs, but its cuts would be deeper and deeper. It would slash Social Security as well, which the House budget didn't have in it.

This legislation they are debating in the House is so restrictive, the Republicans' own budget—the budget they passed earlier this year—would not meet the standards they are now asking to be passed. It is so restrictive, not 1 year of either the George W. Bush or Ronald Reagan administrations would meet its standards.

Of the last 30 years, the only 2 years that would make the cut were during the Clinton administration. As the Washington Post said:

Every single Senate Republican has endorsed a constitutional amendment that would've made Ronald Reagan's fiscal policy unconstitutional. That's how far to the right the modern GOP has swung.

Bruce Bartlett—we talked about him before—said this about the legislation:

This is quite possibly the stupidest constitutional amendment I think I have ever seen.

I repeat the direct quote:

This is quite possibly the stupidest constitutional amendment I think I have ever seen. It looks as if it was drafted by a couple of interns on the back of a napkin.

That, in my opinion, is being awfully hard on interns.

Bill Hoagland was on this floor working with us, and he is a fine man, a close adviser to Senator Domenici and other Republican Senators. I worked with him on the floor trying to get bills passed. He is a fine man—a Republican first, wanting to get things done for our country second. Bill Hoagland was a Republican budget adviser for a quarter century. He described it best when he labeled this legislation a "misleading political cheap shot."

A balanced budget is something we can all get behind. But this legislation isn't about balancing the budget; it is about scoring political points. Based on 30 years of evidence and the Republicans' own measuring stick, the stunt falls flat.

After all, who do you think helped President Clinton balance the budget during the only 2 years of the last 30 that actually lived up to the restrictive rules outlined in this legislation? It was Democrats in Congress.

Today, Democrats are trying to rein in spending again and are trying to avert a catastrophic default on our Nation's financial obligations. Republicans are the ones standing in the way of a deal to avert default, refusing to move an inch, despite our offers to cut trillions from the deficit.

It is not just me. Read today's Washington Post and see again what David Brooks says. David Brooks is a card-carrying Republican conservative. Read what he says. As the conservative columnist Ross Douthat wrote in the New York Times yesterday, we can already be on the way to a deal if "more Republicans had only recognized that sometimes a well-chosen concession can be the better part of valor."

We are arriving at a point, 2 weeks from today, when we will default on

the debt. I have not heard a Republican leader—and I have my friend on the floor today from our sister State of Arizona. He always has said there will not be a default on the debt. Senator MCCONNELL, Speaker BOEHNER, and Majority Leader CANTOR have all said that.

The proof is in the pudding. We have 2 weeks to prove they are right.

Would the Chair announce morning business.

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#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

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#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. The Senate will be in a period of morning business for 2 hours, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority and the Republicans controlling alternating 30-minute blocks, with the Republicans controlling the first block.

The Senator from Arizona is recognized.

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#### TAX INCREASES

Mr. KYL. Madam President, first, let me reassure my friend and colleague, the leader of the Senate, that it is our view that the debt ceiling will be extended, and Leader MCCONNELL wanted to make that crystal clear in his discussions with Leader REID, so the two of them could work together on a plan that the Senate could pass and send over to the House, to ensure that our debt ceiling would be increased and, thus, assure the markets they need not be concerned about that fact. As I have said many times, Republicans are not going to be the ones who would throw us into default.

Yesterday, I spoke on the floor about the reason Republicans are opposed to raising taxes. The President himself, last December, said raising taxes in a time of economic downturn would be a mistake, the wrong thing to do. We are still in that economic downturn. In fact, things are worse now than they were then. It is similar to a doctor treating a patient. When we diagnose what is wrong, we deal with what is wrong. We don't try to fix something else. Our problem is spending; it is not taxes. That is why we need to focus on spending rather than taxes. At the conclusion of my remarks, I will ask unanimous consent to put an op-ed from the Wall Street Journal into the RECORD. It is written by Michael Boskin, who makes the point very clearly that our problem is spending, not taxes, and

that we should be focused on reducing spending growth, especially in entitlements. He is a professor of economics at Stanford University and senior fellow at the Hoover Institution and he chaired the Council of Economic Advisers for the first President Bush. I will refer to that in a moment.

Yesterday, I said there were three reasons why Republicans were not willing to raise taxes at this time. The first was that the problem, as I said, is spending, not taxes. Spending has increased under President Obama from 20 percent of GDP—the historic average—to 25 percent in just 3 years. That has been the reason we have had a deficit of \$1.5 trillion each of those years, and we will see deficits in that order of magnitude for as far as the eye can see.

The second reason not to raise taxes is that when we talk about whom the taxes actually apply to, it turns out they don't just apply to millionaires and billionaires. I pointed out that there were 319,000 households that reported over \$1 million in income tax. Again, that is 319,000. But the tax the President is talking about would apply to 3.6 million taxpayers—more than 10 times that many. So the point is, frequently, Democrats like to aim at the rich—the so-called millionaires and billionaires—and they end up hitting a whole lot of other folks who aren't in that category of millionaire and billionaire. It has happened before with the alternative minimum tax, which was originally to apply to 125 people, I think, and now it hits between 20 million and 30 million households. That is the second reason.

I might add, by the way, my friend, the majority leader, said a moment ago there is nothing wrong with taxing yachts or airplanes and that he would, in fact, rather have an airplane than a yacht. I remember the experience we had with that. We were going to hit the millionaires. In 1990, we raised the tax on yachts and other luxury items. All the people who made boats in Maine, Massachusetts, and other States lost their jobs. I think it was something over 9,000 jobs that were lost in the boat building industry. Congress quickly repealed that. Within 3 years, we had to repeal that big luxury tax. We weren't hitting millionaires and billionaires; we were hitting the people who actually made the yachts.

Right after 9/11, Congress passed an accelerated depreciation provision for the general aviation industry. The idea there was to make sure 9/11 didn't hit that industry too hard and jobs would be saved. In the President's stimulus bill, that accelerated depreciation provision for business jets was reauthorized. That is the thing we are talking about here, when we talk about business jets.

The President has said business jets should not receive that kind of tax treatment. The people who he said

would be benefited by the stimulus package with jobs created or saved are the people who will lose their jobs if that particular tax treatment is taken away.

Maybe we should look at that. I am not against looking at that tax treatment. If we should look at it and decide it is not appropriate, maybe people will lose their jobs, but we may want to get rid of it; we should use whatever reduction there is in that to create lower rates for corporations across the board, as the President indicated, because then we can be more competitive with corporations abroad that have much lower corporate tax rates than the United States.

That gets me to the third reason we should not raise tax rates: because it will kill jobs, hurt the economy. If we want to put people back to work, we cannot impose more regulatory or tax burdens on the very businesses that create the jobs. Two-thirds of the jobs coming out of a recession are created by small businesses. Fifty percent of the income of the small businesses is reported in these top two income tax brackets that would be affected by the President's proposal to raise taxes. They would be hit by this and, as a result, they would not hire as many people.

There are a couple items from today's paper that I will use to illustrate the point. From the Phoenix Business Journal, it says: "U.S. small businesses out of gas on job creation." They point out:

Small-business owners continue to be pessimistic about the economy. . . . New jobs are not to be found on Main Street . . . Economic uncertainty was cited as the biggest obstacle to hiring. . . .

One of America's more colorful entrepreneurs, Steve Wynn, in Nevada, who is one of the majority leader's constituents, a self-described Democrat, says that "this administration is the greatest wet blanket to business and progress and job creation in my lifetime." He says in his report to his company shareholders on the company's quarterly conference call that "my customers and the companies that provide the vitality for the hospitality and restaurant industry in the United States of America, they are frightened of this administration, and it makes you slow down and not invest your money." He goes on.

I have talked to Mr. Wynn. He is very concerned about the regulatory and tax burdens being imposed upon not just his industry but across the board. That is what is inhibiting economic growth.

One of the taxes proposed by the administration was evaluated by this administration's Small Business Administration, the Office of Advocacy of the SBA. They said:

It could ultimately force many small businesses to close.

Why would the administration propose a tax increase on, in this case, retailers and manufacturers, primarily, that could ultimately force small businesses to close, according to the administration's own SBA? It doesn't make sense.

For all three reasons, we should not be raising taxes. The President was right last December, and the reason is because spending is the problem, not taxes; that we end up aiming at the millionaires and billionaires, but we hit a broader swathe of our economy; and, third, because it would kill job creation and inhibit economic growth to enable us to get out of this recession.

The final point I would make here relates to that. It is the Wall Street Journal op-ed of July 18 by Michael Boskin.

Madam President, I ask unanimous consent to have printed in the RECORD this op-ed piece at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KYL. The point he makes here—and I will quote a couple of points—regarding the President's demand that we raise taxes, and he says, "His timing couldn't be worse." Let me quote from this.

Two problems arise when marginal tax rates are raised. First, as college students learn in Econ 101, higher marginal rates cause real economic harm. The combined marginal rate from all taxes is a vital metric, since it heavily influences incentives in the economy—workers and employers, savers and investors base decisions on after-tax returns. Thus tax rates need to be kept as low as possible, on the broadest possible base, consistent with financing necessary government spending.

The second point he makes is that as tax rates rise, the tax base shrinks, and ultimately you have a much smaller group of people paying at those very highest levels. He goes on to point out some examples of somebody in the upper brackets in the State of California, which is a high-tax State. When you add in the California taxes, the payroll taxes to fund ObamaCare, ultimately the President's idea of uncapping Social Security payroll taxes, the combined marginal rates would rise to a stunning 58.4 percent. Then, if you added in the requirements to pay for the additional costs of the excess spending the administration has proposed, the taxes could drive the combined marginal rate to more than 70 percent by 2035 and 80 percent by 2050. I mean, there is a point at which people will stop working for that next marginal dollar because most of it goes to Uncle Sam.

He also takes the example of a teacher in California earning \$60,000, and when you add in all those other things, the marginal rate goes to an astounding 71 percent. He says:

At the margin, virtually everyone would be working primarily for the government, reduced to a minority partner in their own labor.

I will quote one of his conclusions and then conclude.

Higher tax rates are the major reason why European per-capita income, according to the Organization for Economic Cooperation and Development, is about 30 percent lower than in the United States.

The point is that imposing more taxes on the economy not only inhibits job creation, but it reduces productivity because Americans stop working that extra hour or that extra day since most of what they earn is going to be given to Uncle Sam. That is part of the problem and one of the reasons the European standard of living is 30 percent lower than here in the United States. Do we want to get to where Europe is? I think the answer is no.

So we have to deal with extending the debt ceiling. We should try to reduce spending so that we don't have this future cloud hanging over our head and, frankly, to prevent having to come back to increasing the debt limit every few months or years. But the way to do that is not by raising taxes, which will not raise the revenues—it will inhibit economic growth—but, rather, by focusing on the real problem, which is spending, which has increased from 20 to 25 percent of GDP in just 3 years, and getting spending under control.

I mentioned yesterday, for example, that the President had taken a lot of things off the table. My friend the majority leader said a moment ago that the President has decided he is willing to compromise about reducing spending. I don't think he is. I have been sitting in on those negotiations. I haven't seen that.

We proposed three things—just three things—that wouldn't touch beneficiaries: Medicare, Medicaid, and uninsured benefits going to people who aren't supposed to get them, or overpayments. You can save over \$100 billion a year by simply not paying people what the law says they shouldn't receive, just stopping the overpayments, or paying people who aren't eligible for one of those three services. You are not touching anybody who is currently eligible for Medicare, Medicaid, or uninsured benefits. You are not touching them. They receive their full benefits. But let's simply watch out for taxpayer dollars.

The problem is, it is like renting a car. Has anybody here ever washed a rental car? When you rent a car and you go home, is washing it the first thing you do? If it gets a little dirty, do you wash it before you turn it back in? No. This is someone else's money, and people aren't watching it. It is taxpayer money that is now administered by the Federal Government through Medicare, Medicaid, and unemployed

insurance, and the reality is that people aren't trying to stop the waste, fraud, and abuse.

All that is taken off the table. No, the administration says, we don't want to talk about that because we don't want people who receive those benefits to have to sacrifice. Well, the people who are receiving the benefits aren't sacrificing. The taxpayers are the ones who are sacrificing by contributing money to the government that is then wasting.

There is plenty of reform out there to stop wasteful Washington spending. If the administration would be willing to do those things, then I think we could find enough savings so that we wouldn't have to even be talking about tax increases, which for the three reasons I mentioned are so harmful to our society, to our families, to our businesses, and to our economy.

So I hope we will continue this debate on the so-called cut, cap, and balance legislation that does require cutting spending, constraining it over time, and ensuring that over the long term—over the next 5, 10, 15, 20 years—these savings don't all evaporate because we go back to our big spending ways. At least a balanced budget amendment would prevent us from doing that. So I fully support the legislation that will be brought forward. I presume it will pass the House of Representatives this evening, and I am looking forward to the debate here in the Senate so that we can try to adopt that same legislation.

#### EXHIBIT 1

[From the Wall Street Journal, July 18, 2011]  
GET READY FOR A 70% MARGINAL TAX RATE

(By Michael J. Boskin)

President Obama has been using the debt-ceiling debate and bipartisan calls for deficit reduction to demand higher taxes. With unemployment stuck at 9.2% and a vigorous economic "recovery" appearing more and more elusive, his timing couldn't be worse.

Two problems arise when marginal tax rates are raised. First, as college students learn in Econ 101, higher marginal rates cause real economic harm. The combined marginal rate from all taxes is a vital metric, since it heavily influences incentives in the economy—workers and employers, savers and investors base decisions on after-tax returns. Thus tax rates need to be kept as low as possible, on the broadest possible base, consistent with financing necessary government spending.

Second, as tax rates rise, the tax base shrinks and ultimately, as Art Laffer has long argued, tax rates can become so prohibitive that raising them further reduces revenue—not to mention damaging the economy. That is where U.S. tax rates are headed if we do not control spending soon.

The current top federal rate of 35% is scheduled to rise to 39.6% in 2013 (plus one-to-two points from the phaseout of itemized deductions for singles making above \$200,000 and couples earning above \$250,000). The payroll tax is 12.4% for Social Security (capped at \$106,000), and 2.9% for Medicare (no income cap). While the payroll tax is theoretically split between employers and employees, the employers' share is ultimately shifted to workers in the form of lower wages.



But there are also state income taxes that need to be kept in mind. They contribute to the burden. The top state personal rate in California, for example, is now about 10.5%. Thus the marginal tax rate paid on wages combining all these taxes is 44.1%. (This is a net figure because state income taxes paid are deducted from federal income.)

So, for a family in high-cost California taxed at the top federal rate, the expiration of the Bush tax cuts in 2013, the 0.9% increase in payroll taxes to fund ObamaCare, and the president's proposal to eventually uncap Social Security payroll taxes would lift its combined marginal tax rate to a stunning 58.4%.

But wait, things get worse. As Milton Friedman taught decades ago, the true burden on taxpayers today is government spending; government borrowing requires future interest payments out of future taxes. To cover the Congressional Budget Office projection of Mr. Obama's \$841 billion deficit in 2016 requires a 31.7% increase in all income tax rates (and that's assuming the Social Security income cap is removed). This raises the top rate to 52.2% and brings the total combined marginal tax rate to 68.8%. Government, in short, would take over two-thirds of any incremental earning.

Many Democrats demand no changes to Social Security and Medicare spending. But these programs are projected to run ever-growing deficits totaling tens of trillions of dollars in coming decades, primarily from rising real benefits per beneficiary. To cover these projected deficits would require continually higher income and payroll taxes for Social Security and Medicare on all taxpayers that would drive the combined marginal tax rate on labor income to more than 70% by 2035 and 80% by 2050. And that's before accounting for the Laffer effect, likely future interest costs, state deficits and the rising ratio of voters receiving government payments to those paying income taxes.

It would be a huge mistake to imagine that the cumulative, cascading burden of many tax rates on the same income will leave the middle class untouched. Take a teacher in California earning \$60,000. A current federal rate of 25%, a 9.5% California rate, and 15.3% payroll tax yield a combined income tax rate of 45%. The income tax increases to cover the CBO's projected federal deficit in 2016 raises that to 52%. Covering future Social Security and Medicare deficits brings the combined marginal tax rate on that middle-income taxpayer to an astounding 71%. That teacher working a summer job would keep just 29% of her wages. At the margin, virtually everyone would be working primarily for the government, reduced to a minority partner in their own labor.

Nobody—rich, middle-income or poor—can afford to have the economy so burdened. Higher tax rates are the major reason why European per-capita income, according to the Organization for Economic Cooperation and Development, is about 30% lower than in the United States—a permanent difference many times the temporary decline in the recent recession and anemic recovery.

Some argue the U.S. economy can easily bear higher pre-Reagan tax rates. They point to the 1930s–1950s, when top marginal rates were between 79% and 94% or the Carter-era 1970s, when the top rate was about 70%. But those rates applied to a much smaller fraction of taxpayers and kicked in at much higher income levels relative to today.

There were also greater opportunities for sheltering income from the income tax. The lower marginal tax rates in the 1980s led to

the best quarter-century of economic performance in American history. Large increases in tax rates are a recipe for economic stagnation, socioeconomic ossification, and the loss of American global competitiveness and leadership.

There is only one solution to this growth-destroying, confiscatory tax-rate future: Control spending growth, especially of entitlements. Meaningful tax reform—not with higher rates as Mr. Obama proposes, but with lower rates on a broader base of economic activity and people—can be an especially effective complement to spending control. But without increased spending discipline, even the best tax reforms are doomed to be undone.

Mr. KYL. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### MILCON APPROPRIATIONS

Mrs. MURRAY. Madam President, there is no question that we need to make smart decisions to tighten our belts and reduce our Nation's debt and deficit. American families have done it around their kitchen table, and we owe it to them to get our fiscal house in order.

But there is also one group of Americans we owe an even greater promise to, a group we can never allow to become pawns or fall through the cracks, or be forgotten altogether in these budgets debates, and that is our men and women in uniform and the veterans who have protected our Nation for decades. That is why I am here today on the floor, in the midst of the whirlwind of debt and deficit rhetoric, to remind us all of the critical nature of the bill that is on the floor this week; to remind us all that no matter what fiscal crisis we face, no matter how divided we may be over approaches to cutting our debt and deficit, no matter how heated the rhetoric gets here in Washington, DC, we have to keep our commitments to our veterans and servicemembers, and we have to move this bill forward and we have to provide for those who wore or who are wearing the uniform with the peace of mind that we are keeping our promise to them.

A couple of years ago we took a proactive step to make sure the non-stop wrangling over appropriations bills here in Congress didn't interfere with the health care our veterans have earned. Thanks to the work of Senator AKAKA and many others, the VA spending for health care is now appropriated a year in advance, protecting it from an imperfect budget process that is so often affected by politics.

But I remember when we passed advanced appropriations, we were very clear. Our foresight was not going to be an excuse to sit on our hands when VA funding was up for consideration. We were not going to allow a precautionary measure to get in the way of passing timely increases in veterans' health care, and so this bill is the test.

Can we put politics aside for the good of our Nation's veterans and servicemembers? Can we show them that, despite our differences, we will work as diligently toward getting them the benefits and care they have earned as they have worked for our Nation? Well, I hope we can.

I say that because the investments in this bill are a lot more than numbers on a page. They are life-changing programs for veterans with post-traumatic stress disorder and traumatic brain injury. It is support for suicide hotlines that are seeing more callers than ever before. It is providing roofs over the heads of our servicemembers and their families. It is timely investments in the very biggest priorities of our Nation's heroes.

Today I want to talk about a few of the investments that are included in the bill we are considering today and how they translate into the lives of our servicemembers, our veterans and, critically, their families.

There is an influx of young veterans coming into the VA system right now that we have not seen in a very long time. In fact, the VA estimates that the number of Iraq and Afghanistan veterans in its health care system will reach well over ½ million at some point next year. That is an over 100-percent increase since 2008. This is a big challenge and one we have no choice but to step up to meet if we are going to avoid some of the same mistakes we saw with the Vietnam generation.

That is why this bill includes nearly \$3 billion to meet the health care needs of veterans who served in Iraq and Afghanistan, which is a nearly \$600 million increase over last year.

But it is more than just the sheer number of new veterans that will be coming home to the VA in the near future. It is the extent of their wounds, both visible and invisible, that will require an untold resource from our Nation.

Through the wonders of modern medicine, servicemembers who would have been lost in previous conflicts are coming home to live productive and fulfilling lives. But they will need a lifetime of care from the VA. That is why part of this bill includes significant investments for research in a number of areas, including traumatic brain injury, spinal cord injury, polytrauma injuries, and sensory loss.

It includes funding that will go to maintaining world-class prosthetics such as the one that was worn by SGT

Leroy Petry, whom I saw at the White House last week shake the hand of a grateful President Obama as he was awarded the Medal of Honor.

It is also funding that comes at a critical time as amputations have sharply increased among soldiers in Afghanistan, many of whom are getting out of protective MRAP and Humvees to engage Afghan citizens and at the same time putting themselves at far greater risk of severe IED injuries. According to a recent Washington Post article, twice as many U.S. soldiers wounded in battle last year required limb amputations than in either of the two previous years.

This funding also comes as mental health concerns continue to rise, and suicides among active-duty troops and veterans from these wars have risen to a level now on par with combat deaths. In April, the VA's suicide hotline took 14,000 suicide calls, more than they had taken in any month in the previous 4 years. This bill makes sure we are putting someone on the other end of that call. This bill funds efforts to give veterans access to mental health professionals, and ensures we are not leaving our veterans to go it alone.

But this will do much more than help our newest generation of veterans. For generations we have faced the problems of homelessness among our Nation's veterans without making any real headway. Recently, through the success of programs such as HUD-VASH and the Grant and Per Diem Program, we are seeing real progress toward putting homeless veterans into safe and secure housing, and the bold goals laid out by the Obama administration to end veterans' homelessness once and for all. This bill includes nearly \$1 billion in direct assistance to homeless veterans, and this bill helps those who have taken on the monumental but deeply personal task of providing care to an injured veteran in their family, those people who have left behind their own careers and personal lives, and even their own health care and benefits to care for those who can't take care of themselves.

It includes major investments to meet the unique needs of one of the fastest growing groups of veterans, women veterans who, through health care and construction upgrades that improve privacy, will benefit from VA facilities that are more conducive to their needs.

This bill also includes major investments to fund military construction projects worldwide, including readiness centers, barracks, hospitals, clinics, and schools. It also supports family housing construction projects that ensure military families have a satisfactory roof over their heads. And that, by the way, will create thousands of good-paying jobs.

As we all know, the strength of our military is rooted in the strength of

the families who support them. Investments such as these are what allow our servicemembers to go abroad knowing that their loved ones are being looked after by the Nation they are protecting.

After nearly a decade at war, the consequences of sending our servicemembers into combat and the sacred obligation we have to care for those injured in service have become clear. But so have the shortcomings and the challenges we have to meet.

Last week, I chaired a hearing on the gaps to mental health care that still exist at the VA, and the stories we heard were deeply frustrating. I heard the stories of two separate veterans who attempted suicide but were still left to wait for weeks, and even months, for appointments at the VA. We have to fix the VA in a way that meets that obligation so they are more flexible and responsive to the needs of today's veterans, and we have to do it in a cost-effective way by making sure we are getting the most value out of every dollar that a bill such as this one provides. Next week in our committee I will be examining the long-term costs of the wars in Iraq and Afghanistan to our newest generation of veterans, because I believe we need to address this problem openly and honestly.

Like generations of servicemembers and veterans before them, today's heroes have done everything that has been asked of them. They have been separated from their families through repeat deployments; they have sacrificed life and limb in combat; and they have done all this selflessly and with honor to our country. We cannot allow our commitment to them to lapse or to get caught up in politics. That is why we need to pass this bill.

We must also come to a budget agreement that avoids default and the consequences that would have on our veterans.

We have to keep our promise, no matter what.

Madam President, I yield the floor.  
The ACTING PRESIDENT pro tempore. The Senator from New York.

#### ABBY WAMBACH AND THE U.S. WOMEN'S NATIONAL SOCCER TEAM

Mr. SCHUMER. Madam President, first I want to thank my colleague from the great State of Washington for her remarks and her never-ending strong and successful defense of our veterans who have done so much for us. I want to salute my colleague from Washington State.

I am going to speak on two topics for the 10 minutes I have allotted. First, on Abby Wambach, the pride of Rochester and the U.S. Women's National Soccer team, and then on the Cut, Cap, and Unbalance Plan that is now being debated in the House and will soon be debated in the Senate.

First, I rise to recognize the extraordinary efforts of the U.S. Women's National Soccer team in this year's World Cup, and in particular Pittsford, NY's own Abby Wambach.

Over the last month, the Women's National Team has taken this country on the ride of a lifetime that we won't soon forget.

From their nail-biting efforts to qualify for the World Cup to their heroic comeback against Brazil in the quarter finals, this team showed the best of America during this year's World Cup. At each stage of this team's success, there was a driving force, a player who learned the game from her older brothers on the soccer fields of New York's greater Rochester region, a player named Abby Wambach. Hundreds of Rochester's fans gathered at her brother's pub to cheer on Abby as she headed ball after ball into the back of the net.

In the past few years, and especially the past month or so, Abby has become a household name. Fans from Rochester, the State of New York, and across the country watched in awe of Abby as she led the U.S. squad throughout the World Cup.

But in Rochester and the surrounding area, Abby has been a star ever since she played on Our Lady of Mercy High School's varsity team as an eighth grader. Unusually young to be playing on a varsity squad, she helped her team achieve a section V title. And as is clear to all of us who have watched Abby over the years, her success has continued ever since.

From Our Lady of Mercy to the Olympic games in Athens, and the 2011 World Cup, Abby has been an incredible player and leader at every turn. Abby Wambach has always represented the best New York has to offer and given young women across the country someone to look up to, and the last month of the World Cup action has only cemented her legacy as one of the greatest U.S. Women's Soccer players of all time.

She scored over 120 international goals, none more dramatic or meaningful than her goal against Brazil in the quarter finals. No matter the odds or the score, Americans will never give up and always believe, and Abby and her teammates showed that same drive and desire during the game against Brazil. Abby and the U.S. soccer team created a moment that will live long in the sports lore of our Nation.

As the buzz continues about her goal, there are some people close to Abby who probably weren't surprised. For those who watched Abby during her sophomore year score two goals and make a clutch penalty kick that vaulted Our Lady of Mercy to the section V championship match, they know this is what Abby Wambach does.

For months, Abby has been a long way from home. But tomorrow, she

will get the warm Rochester welcome she comes to know when her Magic Jack Club faces the Western New York Flash.

Of course, we all know the efforts of the U.S. women's team came just short in the end, and we can't help but be happy for the Japanese team and the entire country as they finally have something to celebrate after the challenging months they have been through. So Japan may have won this round, and congratulations to them, but they should know the U.S. Women's Soccer Team will see them in London for the Olympics next summer, and again for the World Cup in Canada in 2015, with the pride of Rochester, Abby Wambach, leading the way.

#### CUT, CAP, AND BALANCE

Mr. SCHUMER. Now to perhaps a less happy subject, the so-called Cut, Cap, and Balance Plan.

Let me say we are going to be debating this in the House and in the Senate over the next week. Theater trumps serious solutions as the House Republicans plan a vote on their unrealistic Cut, Cap, and Balance proposal. It truly is theater trumping serious solutions when you put something on the floor that you know may not pass your own body in the House, certainly won't pass the Senate, and would be vetoed by the President, at a time when our Nation's credit is teetering on the edge. Let's stop playing games and solve this problem once and for all.

We on this side of the aisle call the plan Cut, Cap, and Kill Medicare for one good reason. Under this reckless plan, seniors could see their Medicare cuts go up by \$2,500 beyond Ryan cuts, Social Security benefits could be slashed by \$3,000 a year. It is the Ryan plan on steroids.

The Ryan plan has been seriously rejected in a bipartisan vote in this body. The American people dislike it intensely. And yet now we have done something that is even more extreme. If you thought it wasn't possible to be more extreme, look at the Cut, Cap, and Kill Medicare plan that some of our colleagues on the other side of the aisle are offering.

There are three things wrong with their plan. First, we have a serious debt problem. If the credit of the United States goes into default, we will pay the price for a decade. It will make our deficit worse, it will raise costs to the Federal Government because interest rates on Federal bonds will go up and stay up for a very long time. It will raise the cost to average homeowners because both mortgages and credit card rates will go up. It could very well send our economy back into a recession. Let's roll up our sleeves, let's compromise, and let's meet in the middle and do something that will end our deficit problem, reduce our debt, and

make sure we are able to pay the debts we have already incurred.

But, no, theater is the day. Ideologues do not see the world as it is. I read some of the statements by some of the freshman colleagues from the Republican side in the House. They just do not get it. Their view is that they are so right that all they have to do is put this on the floor and all of America and every other Senator and Congressman will go along. Ideologues do not see the world as it is, and that is why I have never been too fond of them, whether they have been on the far right or on the far left. Yet that is who is governing here.

If you read those statements in the papers this morning, that all they have to do is put this out there and everyone will see the righteousness of their cause, I have a word for them: Slashing Medicare and slashing Social Security is not the right thing to do, and I will never see things that way. Saying that millionaires should continue to get tax breaks while we are slashing Social Security and killing Medicare is something I will never go along with, nor will a single colleague on my side of the aisle.

It is not going to pass. It is theater and politics at its worst. It is ideologues governing—or trying to govern. They are not able to govern because they do not see the grays in the world; it is only black or white.

The plan has three strikes against it. No. 1, it will not solve the problem, and it is political theater. No. 2, it will kill Medicare as we know it. That is why we call it cut, cap, and kill Medicare. And, No. 3, it will not do a thing to help the middle class, while giving huge tax breaks to millionaires and corporate America. That is not the plan America wants. That is not the plan America needs. That is not the plan that will pass.

I understand many of us have to bow to an extreme base in the party. That happens around here a lot—but not when we are 2 weeks away from defaulting on our debt, not when we are 2 weeks away from potentially walking off a cliff and incurring injuries from which we will never recuperate.

I call on my colleagues on the other side of the aisle to stop the theater, to stop throwing red meat to the far right base, and join us in solving the problems of America.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNIS. Madam President, I ask unanimous consent that I be permitted to enter into a colloquy with my Republican colleagues for up to 30 minutes. Senator ALEXANDER of Tennessee, Senator HOEVEN of North Dakota, and Senator RISCH of Idaho will participate with me in this colloquy.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### BALANCED BUDGET AMENDMENT

Mr. JOHANNIS. Madam President, I rise today to speak to an issue that I believe has all the potential in the world to define the future of this great country. It is an issue with which all of us who are participating in this colloquy are very familiar, and that is a balanced budget. All of us are former Governors of the States from which we come.

In my State, the State of Nebraska, our Nebraska Constitution requires a balanced budget. It is not unusual. I believe 49 out of 50 States have this requirement in their constitution. It is not theater; it is the way we do things at the State level.

In addition to that provision, however, our State constitution also says the total amount of money the State of Nebraska can borrow is \$100,000. What does that mean? We must balance the budget on an annual basis, and we cannot go out to the debt market and burden our children and grandchildren by fulfilling promises that, quite honestly, we have no idea how we pay for. We cannot do that.

Does that sound familiar? That is what the Federal Government does every single year, and the Federal Government has been doing it for decades. In Nebraska we are forced to prioritize and live within our means. We have a very simple, straightforward philosophy. We do not promise something we cannot pay for, and we do not buy something we cannot pay for.

Is that unusual? Is that radical? Every working family in America understands that, and they live by that simple concept: the simple concept that they should not buy what they cannot pay for. If they do, it gets them in trouble. Sadly, the Federal Government does not think that applies. It thinks it is kind of a radical notion to apply that to what happens in Washington.

Let's look at the results of this kind of policy in my State of Nebraska. The unemployment rate in Nebraska today is 4.1 percent. During one of the most difficult times since the Great Depression, the unemployment rate in Nebraska never exceeded 5 percent. As I have said before on this floor—let me state that a different way. That means about 96 percent of Nebraskans have work.

Our State believes in the philosophy of less government. I have said many times: Government does not create the jobs, the private sector creates the jobs. It is small businesses and businesses willing to take the risks that will get us out of the tough times we are in now.

When I was Governor, Nebraska went through some very difficult times. I was Governor on 9/11. I was Governor when the dot-com bubble burst. I did not have the option of walking into my State of the State Address and standing there and saying: Folks, these are

tough times. We are kind of divided out here. We will not be passing a budget. Had I said that, I would have been looking for another State to live in. I would have been laughed out of the Governor's office.

There were no easy decisions, but there were necessary and important decisions to be made. Nebraskan pragmatism would go a long way in Washington, but my State is not unique. My State is not unique in terms of this balanced budget requirement. In fact, I have other Governors with me today.

I would like to start out by recognizing Senator LAMAR ALEXANDER of the State of Tennessee. When Senator ALEXANDER became Governor, I know he had a lot of priorities, but he created an environment in which job creators could thrive. He created that environment with the spending requirements of his constitution. I would like him to tell us how he did it, how he took his State forward even though he had to balance his budget.

Mr. ALEXANDER. I thank Governor JOHANNIS. It is terrific to be on the Senate floor with other former Governors. When we were doing the health care bill last year, I said everyone who voted for it ought to be sentenced to serve as Governor for 8 years and actually try to implement it. But let me try to answer the question briefly so we can hear from the other Governors.

I became Governor 30 years ago, in the early 1980s. Inflation was 20 percent. It is hard to imagine, in the early days of the Reagan administration, they had driven up interest rates to 12 percent to try to bring inflation down. We had terrible times. Of course, we still had to balance our budget. We had to live within our means. We had to have the amount of money coming in equal to the amount coming out.

Let me tell one story of the difference that has made in our State and how it could make a difference in the Federal Government. The other day, in the Environmental and Public Works Committee, the Tennessee chief highway engineer was testifying. He was there when I was Governor. He is still there. One of the Senators, the chairman, suggested perhaps some flexible Federal financing would be a good thing for Tennessee; in other words, loaning some money to the State of Tennessee to build roads.

The State engineer said: Madam Chairman, with all respect, we don't want to borrow any Federal money. The State of Tennessee has zero road debt.

That about brought the hearing to a halt because several Senators had not ever heard of such a thing.

He said: Yes, that is correct. We have zero road debt. We use all of our gas tax money to build roads, none of it to pay interest.

That means, I say to the Senator from Nebraska, when we have a tough

time like we did when I became Governor, as when he was Governor, as we do in the country today, if our interest rates are low or we pay no interest, we can use that money to get through tough times. A lot of the businesses and the families today who have less debt are making their way through these tough times more easily.

On the other hand, the Federal Government, according to the President's budget, by the year 2020, would be spending more money on interest on the Federal debt than it would on our national defense. Interest on the Federal debt would be \$931 billion by 2021.

What if that money could be put back in our pockets through tax cuts or used to help send kids to college or build roads in the State or energy research to lower the cost of gasoline? One way, I would say to the Senator from Nebraska, that balancing the budget helps create jobs is if we keep our interest payments down, we keep our taxes down, we can spend our money wisely on things that count.

Mr. JOHANNIS. Senator ALEXANDER raises such a valid point. In the State of Nebraska we don't have any road debt either. If we wanted to pave a mile of highway we had to have the money in the bank or it did not get done. The other advantage of that is when the economy started to lift, we did not have to pay back all that money we had borrowed. We were ready to take off. So I would have to imagine in Tennessee, like Nebraska, our economic recovery was just much easier to achieve.

I had the pleasure of serving as Governor of Nebraska when Senator HOEVEN was Governor of North Dakota. The State of North Dakota is often recognized as one of the best managed States in the country. It has its fiscal house in order. It runs a surplus with some of the lowest unemployment rates of any State in the country. Yet they suffered through some of the same problems we had after the dot-com collapse.

Could the Senator talk to us a little bit about how the balanced budget provisions in his constitution required him and the legislators to manage the State?

Mr. HOEVEN. I thank Senator JOHANNIS. It is an honor to be here with him, and also with the good Senator from Tennessee, LAMAR ALEXANDER. It is great to be here with them as well as Senator RISCH from Idaho. We have a common shared experience as Governors. It is wonderful to draw on that.

I also have to mention that the Presiding Officer in the Senate today, Senator SHAHEEN, is a former Governor as well. So we have that common, shared experience, actually, here today on both sides of the aisle. It is an honor and it is a pleasure to be here with you and talk about this matter that is so very important, particularly as we face the need to do something on the debt

ceiling. This issue of dealing with a balanced budget is paramount for our entire country and your lead-in is exactly right. We served together as Governors. As a matter of fact, the truth is, I would call the Senator—because he was elected Governor before I was—for advice and ask him about some of the things he was working on in Nebraska. Our States share many things in common; one the Senator mentioned, a low unemployment rate. The unemployment rate in our State is 3.3 percent. Again, I attribute that to the ability of building a probusiness, progrowth, projobs environment that stimulates private investments, stimulates jobs. The Senator mentioned so very accurately that jobs are created by the private sector, not by government. We have to create an environment that stimulates and encourages and helps create a forum for that private investment. That is how we create jobs and get this economy going.

On one side, we have to have a growing economy, which we don't have at the national level right now, and on the other side we have to live within our means. We have to control our spending, and the Federal Government has a responsibility to control its spending just as the States do, just as businesses do, just as families do. We have to not only balance this budget, we have to live within our means on an ongoing basis. We have 49 of the 50 States with either a constitutional or a statutory requirement that they balance their budget every year. Every single Governor with us today had to balance their budget every single year. It was recently reported that 46 States are already on track to make sure their budget is balanced by the end of their fiscal year. The Federal Government needs to do the same thing.

Look at our situation right now. The Federal Government takes in \$2.2 trillion in revenues. We take in \$2.2 trillion in revenues, but we spend \$3.7 trillion. That is a \$1.5-plus trillion deficit every year, and that is rolling up to a debt that is now closing in on \$14.5 trillion. We have to address this. This is not something we can hand off to future generations. So our message to the administration is, you are making it worse. We have to start living within our means. We cannot keep spending and then borrowing and then raising taxes and expect to have an economy that grows and a government that lives within its means, and that is exactly why we are here today talking about the need for this balanced budget amendment.

If one thinks about it, the balanced budget amendment gets everyone involved both now and for the future because it has to be passed by both Houses of Congress with a two-thirds majority. That has to be done on a bipartisan basis and then it goes out to the States and three-fourths of the

States have to ratify it for it to become part of the Constitution. That gets everybody involved in doing exactly what we need to do; that is, getting on top of this deficit and this debt, both now and for future generations.

Again, I wish to thank the good Senator from Nebraska for holding this colloquy and for inviting me to be part of it with my fellow Governors. I appreciate it very much.

Mr. JOHANNIS. Let me thank Senator HOEVEN. I noticed today we are also joined by another former Governor. In fact, we were both elected to the Senate at the same time so we are both part of the same class.

Senator RISCH, at one point in his career, served as Governor of the State of Idaho. He had financial restrictions just as we did in terms of a balanced budget. I ask the Senator, how was he able to deal with important priorities while balancing the budget and bringing the legislative process along in accomplishing that? Could the Senator talk to us a little bit about that today?

Mr. RISCH. I thank Senator JOHANNIS very much. I am honored to be here with the other former Governors. There are a handful of us on each side who have had the honor and privilege of serving their States as the chief executive, so it is a real honor to be here, and I bring that experience with me. I think every one of us brings that experience with us. I not only bring that experience, but I did almost three decades in the Idaho State Senate, balancing the budget and, indeed, I was in the leadership, having to do what the leadership does here, as far as bringing the two ends together, because we have a balanced budget requirement in the State of Idaho, as virtually every other State does. Does that create some angst when one is the chief executive or when one is in the legislative process trying to balance the budget? Of course it does. I am sure the Presiding Officer wound up with the same thing in her great State as she tried to balance the budget because no matter how much money one has, it is never enough. As Senator JOHANNIS pointed out, it is a matter of priority. This is not rocket science.

What the States do and, indeed, what businesses do and, indeed, what families do around the kitchen table, either formally or informally, is anticipate how much money is going to come in over the year, sometimes over the month, sometimes over the week. They anticipate how much money is going to come in and then they say: We have priorities. What is our first priority? Of course, in a home, we have to be able to eat, we have to have the utilities paid and a roof over our head, so those become very important. To a government, obviously, if it is a State government, education is the largest expenditure for virtually everyone. For the Federal Government, obviously, the

highest priority is national defense. But we make a list. Then what we do is we allocate the money we have to a list. When we are done, nobody ever stands and says: That went very well. We have enough money. We have everything funded. We are able to do everything we want to do.

No, absolutely not. Indeed, around here, in this city, this government is spending \$3.8 trillion. I can tell you, there isn't a day that goes by where we don't get hit up with somebody saying: It is not enough. Our agency doesn't have enough money. Why we can't even—blank. Fill in whatever you want, whatever agency it is. Everybody tells you they don't have enough money.

Yes, that is right. Because a balanced budget requirement acknowledges a plain, simple fact of life; that is, there are not enough resources to do everything we want to do. Indeed, a lot of times there isn't even enough money to do what we need to do, but what we have to do is we have to do the best we can with what we have. Without a balanced budget amendment, it becomes the opposite of that—we keep spending.

People say to me: Well, JIM, you have been in public service all your adult life. Has anything in Washington, DC, surprised you? I said: Yes, but only one thing. The stuff that goes on here doesn't surprise me at all, except the cavalier attitude this city has and, indeed, this institution has for the value of money. It astounds me that in this institution they don't stop spending money when they hit the end of the budget or they don't stop spending money when they hit the end of the resources. They stop spending money when they run out of time. That seems to be the only sideboard on how much money is spent. If we look around—and people will criticize us on this—and say: You foolish Republicans, what are you talking about? A balanced budget amendment, that is dumb. You know what I say to them? Look at the States. Look around at the States. There are two, maybe three States that are having very difficult financial situations, and it is because they either don't have a balanced budget amendment or they have done some skulduggery to get around the balanced budget requirement they have. But every other State has its financial house in order. Has it been painful? Of course, it has been painful. It is painful to everyone when they don't have enough money, including American families, but that is simply the way it is.

One of the problems we are having is the basic foundation of the difference between Republicans and Democrats. People who say there is no difference between Republicans and Democrats ought to come and spend the day here. They would find that philosophically we are hardwired very differently. Similar to two brands of computers

trying to talk to each other, we are hardwired differently.

Republicans believe this Nation was founded with the idea we would have a limited central government. It was founded by people who, indeed, feared a central government. By the way, their fear, as we now see every day, is very well founded. We believe in a limited government. We believe in individual responsibility. We believe in the responsibility of the States. It is hard to find people in this town who actually believe the States are sovereign, that it was the States that created the Federal Government and kept a leash on it and said you can only have the powers we are specifically putting into this Constitution. Now the courts over the years have expanded that dramatically, but nonetheless, the vision the Founding Fathers had, the American people had when they put together the country that created the most successful, the wealthiest, the culture that enjoyed the best quality of life anyone on the face of this planet has ever enjoyed before, the Founding Fathers said: Look, we are going to create a government for the individual, to give the individual the ability to prosper, to give the individual opportunity.

That is what they said. They didn't sit around the table and say: You know what we need is a nanny State. We need to create a government that is going to take care of every American from the time they are born until the time they die just as in Europe.

In Europe, the government pays for your birth. In Europe, the government pays for your funeral and, indeed, it pays for a whole lot of everything in between including every dime you spend after you retire. That is not what America was founded to do. They did not sit around and say: How can we take care of the whole society? They said: How can we defend this country? How can we make sure no enemies come into this country? How can we make sure people have the opportunity to succeed? Yes, some will fail. Yes, some will succeed. Yes, we are going to have poor people, and, yes, we are going to have rich people because that is what a free society is all about, but everybody is going to have the same opportunity. Everybody who is born into this country or becomes a naturalized citizen in this country is going to have the opportunity to succeed in a greater fashion than anyone on the face of this planet has ever succeeded before, and they are going to do it without government interference.

My goodness. How far we have come from those days and not in a good way. They couldn't conceive they needed a balanced budget amendment because the numbers we are talking about they never heard of. If a guy sitting around the table said: By the way, do you know the country is going to be over \$1 trillion in debt someday, they would

have said: What is \$1 trillion? How many zeros is that? They couldn't even conceive of that, so they didn't put that in the Constitution. But this isn't difficult to do. It is how much comes in and how much comes out and they need to equalize each other.

I will be the first to admit our two parties don't understand each other. As I said, we are hardwired differently, and I have a lot of good friends on the other side of the aisle. We have good conversations. They don't understand how I can possibly think we could have a balanced budget, and I guess I don't understand how they think we can spend ourselves into prosperity. We are, indeed, hardwired differently than each other.

I watched one of the leaders the other day come out onto the floor. He was carrying on about how bad the balanced budget amendment was. He said it would be an admission of the failure of this institution to be able to do its job. It would be abdicating our ability to do our job. Look around. We are \$14.3 trillion in debt. Do you think the American people think we are doing our job, when we are at \$14.3 trillion in debt and now debating adding another \$2.4 trillion to that? If a person comes and spends a little bit of time here, they will understand this institution cannot budget and do so responsibly. Given the opportunity, it will spend and spend and spend and the only way this can be changed is if we have a balanced budget provision in the Constitution just as virtually every State in America has. We are going upside down at a rate of \$4 billion to \$5 billion a day. We are borrowing new money, \$4 billion to \$5 billion a day. That is about 12 hours of the entire annual budget for the State of Idaho. This can't go on. The way to fix it is with a balanced budget requirement that puts a new rule in place, and we need rules, we need sideboards when it comes to spending money.

I wish to thank the Senator for providing us with this opportunity. Those of us who have actually lived in the real world where we could not print money, we could not borrow the kind of money we are talking about here, where we had to make responsible decisions—it is time this government did that, and the only way it is going to do that, regardless of flowery speeches given during campaigns—oh, send me to Washington; I will take care of this; I will see we balance the budget; I won't overspend—they come here and do it. The only way this can be done is to balance the budget. Without a balanced budget amendment to the Constitution, we can't do this.

The American people have to do this. We can vote to ask the American people: Do you think we should have a balanced budget amendment to the U.S. Constitution? Let's find out. Let's find out. There can't be anything wrong

with giving the American people the ability to do this. It takes three-fourths of the States to ratify this. Let's give them the opportunity. Let's have the debate. Let's pass this and give it to the States and see if they want to do it.

Thank you very much. I appreciate the opportunity.

Mr. JOHANNIS. Let me wrap up this colloquy this morning by thanking each one of my colleagues for their comments.

Governors are practical people. We have to be. We have no choice. If jobs are going to be created in our States, we must lead that effort—not by jawboning and indicting the business community but by creating the atmosphere that creates those jobs. If we are going to have a balanced budget, we must lead that effort at the State level. Every Governor who has had an opportunity to speak this morning in this colloquy has made that point. At the end of the day, when our legislative sessions were over, we had to be able to tell the people of our great States that we passed the budget; that the budget was, in fact, balanced; and, for some of us, that we did not borrow any money whatsoever to get that job done. We could learn something in Washington from that.

This is not a radical idea. All the rhetoric we have heard about what a radical, crazy idea this is—well, how can it be so radical if 49 out of 50 States have decided this is the right course and the right direction for their State governments? I can't imagine the American people want anything less for their Federal Government. And, as Senator RISCH has just pointed out, why would we not give the American people the opportunity to cast their vote on how best to manage their government—their government?

With that, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DEBT CRISIS

Mr. REED. Mr. President, I rise today to talk about the regrettable and avoidable looming debt crisis if we don't take appropriate and timely steps beginning today and continuing over the next few days.

As we continue to work to get our economy out from under a protracted and painful recession and on a more robust path of growth and job creation, not having an agreement to pay our country's bills has severe consequences. Defaulting could mean not

only a potential stoppage of Social Security and veterans' benefits checks, but even more worrying than what could happen to bondholders and the middle class is the question of whether this could push us back into not only a severe recession but a worldwide economic catastrophe.

We can look across at European governments struggling with sovereign debt crises. Also, one of the lessons we should have learned from the events of 2008, and particularly that fall, is that a lack of confidence and a vulnerability in one part of the world's financial systems can be magnified dramatically because of connections and interrelationships and could potentially produce a worldwide crisis.

So this is an issue we have to address. A failure to act would cripple our government almost immediately. In August, if there is not a solution, it is estimated that spending in the economy could contract immediately from 40 to 50 percent. That means the U.S. economy would be hit with a loss of about \$134 billion or about 10 percent of GDP for the month of August if we fail to find a solution. A 10-percent loss to August's GDP could bring our credit markets to a standstill and could lead to the loss of millions of additional jobs.

One of the ironies of this debate is that the proposal by some on the other side to simply not pass debt limit legislation would be tolerable. In fact, it would be catastrophic. It would be catastrophic in terms of the very objective they are urging—controlling the deficit. As people drop out of the labor force, they require more benefits. They are not able legally or in a position to pay the taxes they were paying while working. In addition to that, it has been estimated that for every 1 percent increase in interest rates—and if we default, interest rates will go up on U.S. Treasuries—we will over 10 years accumulate \$1.3 trillion in additional deficit. So in one fell swoop, the deficit hawks who are screaming so loudly today could put us on an even worse deficit trajectory.

We all know the job of bringing this budget into alignment is not going to be easy. It involves many tradeoffs, some of which are likely to be very unpopular. It started in 1990, when Republicans joined us in a balanced approach. Along with my colleagues who served here in the 1990s under President Clinton, we then took some tough votes with not one Republican vote in support of us in 1993 when the process of balancing the budget continued. It takes time. It takes difficult votes. It was done in the 1990s.

As we all know, when President George W. Bush assumed office, we were looking not at massive deficits, we were looking at a potential surplus



of trillions of dollars over a 10-year period. But with the programs that President Bush, together with his Republican colleagues, embraced, of significant tax cuts, an expansion of entitlements, such as Part D Medicare which was not paid for, which was put on the credit card, and two unfunded wars, we are sitting today with this huge deficit.

Frankly, this proposal to raise the debt limit is very simply paying for what President Bush and Republican Congresses did several years ago. Yet we find my colleagues on the other side saying: Oh, we cannot do that. We cannot do that without significant reductions in programs that are vital to Americans.

We have already demonstrated—we did that in a continuing resolution that is covering this year's funding—we can and will make difficult cuts. We can reduce spending. But we have to do it in a measured way. The other thing we have to do is recognize that any solution, just as it was in the 1990s, will require revenues as well as expenditures. That is the only way the arithmetic will work.

I find it sometimes ironic when I go around and talk and they say: Oh, if we don't solve this problem, you are putting all this burden on our grandchildren. Where was that spirit when the President cut taxes and began to eliminate a surplus that would have benefited our grandchildren? Where was that spirit when the President decided to engage in two major wars but not pay for them? Where was that spirit when the President decided he was going to expand entitlements and not pay for them? There were very few of my colleagues on the other side worrying about grandchildren then.

Well, we do have to worry about our grandchildren. That means we have to start taking the tough steps today. We have to start making the sacrifices that will get our budget in order. Those sacrifices are not simply in cutting programs that are so vital not only to so many Americans but are so vital to our continuing economic growth.

I am sure everyone here will say they have important highway projects in their States, they have important infrastructure projects in their States. Do we sacrifice those projects? If we do, then we sacrifice our economic efficiency, we sacrifice our productivity, and we give the results to our grandchildren: a decrepit infrastructure, with the inability to be competitive in a very competitive global economy.

We have to move forward. We have to move forward to avoid a catastrophe to the economy if the debt ceiling is not raised. Also, we have to move forward to begin to balance our budget in the way it has been done in the past and, frankly, in the way it only can be done; that is, we have to start, beginning today, to make the sacrifices and make the tough choices that will provide a better future for our grandchildren.

We have done it in the past. In 1990 and 1993 we took tough steps, as I mentioned before, to begin to balance the budget. And in 1997, with a Republican Congress and a Democratic President, we took additional steps. We can do it, and we must do it.

The idea that we are going to default is difficult to imagine, but, still, there are those out there on the other side who are saying they will not vote for raising the credit limit in any way, shape, or form. I think that is irresponsible. I think we have to be responsible. We have stood up before. We have taken tough votes. We have to do it again.

Failing to do that puts a huge burden on the middle class. The wealthiest amongst us may be able to negotiate through the vagaries of what might happen after a credit default by the United States, but for Social Security recipients, for military retirees, for those people who are looking for the basic services of government—transit to get to work, the ability to get on a plane—who is going to be manning the TSA posts if the government cannot essentially pay its debts? All these issues have to be considered.

We have to, as I said, talk about revenues too. It is astounding that people would literally be suggesting we cut back Social Security benefits, that we cut back retirement benefits, that we do all these things at the same time we are providing about \$4 billion in annual tax incentives to the oil industry, when the price of oil is at record levels, their profits are at record levels. These are a host of tax provisions that do not make us anymore productive. In fact, one might argue they do not even encourage employment here in the United States. One could make the suggestion, at least the way we set up the system, that it might encourage employment overseas, and then we repatriate the profits here. Well, that might be fine for the big companies and the executives, but what about Americans who are looking for jobs? What about Americans who are looking just to get by?

We also have to recognize that some of the proposals we have made—in fact, all of them the President has talked about with respect to revenues—would not be effective immediately because we are still in a period of very fragile economic growth. They would be effective in 2013. But they would go to that long-term goal of deficit reduction, which we can achieve, but it will take time, just as it took time in the 1990s.

But even these proposals to close loopholes, which are, in my view, very difficult to defend—and to do so not immediately but several years from now—even these proposals are being resisted by Republicans. That does not make sense to me. I also do not think it makes sense to a growing number of Americans across this country. They want us to be responsible. They want

us to be able to pay our debts. Then they want us to get our debts under control. They recognize that requires not just good will and good wishes, it requires real, difficult choices and sacrifices.

We are seeing now an economy that is racking up huge profits for industry. The nonfinancial members of the S&P 500 index are sitting on about \$1.1 trillion in cash. The Federal Reserve indicated similarly that nonfinancial businesses have about \$1.9 trillion in cash defined as liquid assets.

Record profits are being accumulated by corporations. All of this is good, but it is much better if those cash resources and profits are put back into the American economy in terms of creating jobs. That should be part of our effort too, not simply reducing the deficit, but reducing it in a way where we grow jobs here in the United States. That is also at the heart of what the President is talking about in terms of his efforts.

We are on the verge of tough votes and tough choices, and I hope we make those tough choices and tough votes. We do have to pay our debts, but then we have to get our debt under control. We have done it. We did it in the 1990s. I would argue without some of the policies that were enthusiastically embraced by many who are here today, who are talking about sacrifice for the middle class but no sacrifice for the very wealthy, we would not be in the same position we are in today.

I believe we are at a very critical moment. We have to resolve this issue by August 2. I hope we can do that. I hope it will turn on the same kind of sensible, balanced approach that we adopted previously in the 1990s. We have to go ahead and think in terms of restoring our financial house and then getting our American people back to work. If we do that, I think we will fulfill not only the best hopes and wishes of the American people but their strong desires.

With that, I suggest the absence of a quorum.

**THE PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

**Mr. DURBIN.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. DURBIN.** Mr. President, are we in morning business at this time?

**THE PRESIDING OFFICER.** We are.

**Mr. DURBIN.** I thank the Chair.

**Mr. President,** we know as Members of the Senate we are facing a deadline of August 2 for the extension of our debt ceiling. What is it?

The debt ceiling is the authority Congress gives to the President to borrow money. You say to yourself: Well, please stop borrowing. We are already



deep in debt. But what the President is borrowing money to pay for what we have already spent money on, commitments we have already made.

Let me give you an example. Voting to continue the war in Afghanistan costs \$10 billion a month. We do not have that money—not enough. We have to borrow 40 cents for every \$1 we spend. So when Members of Congress say: Continue the war in Afghanistan at \$10 billion a month, they are saying we are prepared to borrow \$4 billion every single month to keep that promise.

The President comes to us about once a year and says: I need more authority to continue to borrow money to pay for the things you have asked us to do. That is what it comes down to.

Nobody likes to vote for the debt ceiling because it is so widely misunderstood. Most people basically say: I don't want to be associated with it. I have been guilty of that in my political career. But the fact is, most of us look over our shoulders at the final vote and say: We better pass this darn thing because if we don't, we will default on our debt.

The full faith and credit of the United States of America is like our credit score. Guess what. We have the best in the world. Of all governments in the world, we have the best: triple A. It does not get any better, and it has always been there, and that has helped us. It has helped us not only to borrow money at lower interest costs, but the fact that our economy is looked on as so reliable attracts more businesses to our country.

So if on August 2 we default on our debt for the first time in our history, our credit score is going to suffer. The people who loan us money are going to say: We never dreamed the United States of America would fail to make a debt payment. If they are going to fail to make a debt payment, then we are going to have to raise the interest rates because they are riskier than we thought they were.

What happens when you raise the interest rates on the United States of America borrowing money? Every percentage point—every 1 percentage point—adds \$130 billion a year to our national debt; and over 10 years, 10 times that amount: \$1.3 trillion every 10 years for every single percentage point.

So is it important to extend the debt ceiling? You bet it is; otherwise, our debt goes up, our credit rating goes down.

There is another unfortunate consequence. As the debt of America requires a higher interest payment because we have defaulted, interest rates go up all across America—in Montana, in Illinois, in every State. People who are borrowing money to run a farm, such as our Presiding Officer, to buy a car or buy a house will pay more in interest.

Is that is a good thing? Of course not, particularly in a weak and recovering economy, with 9 million people out of work, maybe 14 million if you add those who are only partially employed. With 14 million people out of work and interest rates going up, businesses do not expand as they should, people do not buy. They put it off because interest rate costs are that much higher. That is what this is about. That is what the August 2 deadline is about.

But it is about something more. It is about the debt of this Nation, which is a serious issue. We are now in a position where, as I mentioned earlier, we borrow 40 cents for every \$1 we spend. We borrow it from Americans who buy our Treasuries and securities, and we borrow it from countries around the world who buy our debt.

The leading creditor of the United States of America is China. The leading competitor of the United States of America is China. Put those two things together and realize our vulnerability as our debt grows larger and our indebtedness to countries such as China grows larger. That is not good.

Plus, my son, daughter, my grandchildren, and yours will end up paying this debt. They will pay in their lives for what we are spending today. Some of those will benefit them, but some won't. What we will consume, they will pay for. That is not fair.

If we are going to deal with this debt, there is only one rational way to do it. About a year and a half ago, HARRY REID appointed me to the Bowles-Simpson debt commission. We met for 10 months and came up with a conclusion—18 members—and 11 voted for it. We said that if we are going to reduce this debt in a meaningful way over the next 10 years, we need to put everything on the table—everything. That is painful. It means putting on the table what I have fought for as a Member of the House and Senate, and believe in, and I still do, but we have to look at them.

Is there a way to save money, to economize, to spread the burden of responsibility and sacrifice so that it is fair in America? Some say: No, we are not going to put everything on the table.

Our talks have broken down recently with the Republican leadership over whether, under any circumstances—and I underline the word “any”—the wealthiest in America should pay more in taxes. They say: No, not a penny.

I don't think that is right. I think if we are going to deal with our debt and deficit in a meaningful way, those who are well off and comfortable in this great Nation should help us. They need to sacrifice if we are asking the same of working families and everyone else across the board. So this notion of no revenue, no tax increase is, in my mind, shortsighted and won't lead us to where we need to be.

We also have to put entitlements on the table. That is when we start getting nervous on the Democratic side. We know what the House budget does to Medicare. Frankly, I voted against that, and I would vote against it anytime it is brought before us.

What it does is dramatically change Medicare as we know it. For about 40 million Americans, that is their only health insurance. They are folks who are over 65, many with medical conditions, and they are uninsurable or certainly they cannot be insured at a premium rate they can afford. Medicare is there for them, and it has been for over 50 years. So the notion in the House Republican budget that we would double the out-of-pocket expenses for Medicare recipients and beneficiaries up to \$6,000 a year is just something most people can't do. You know, if you are wealthy in your retirement, that is one thing. Most people are just living paycheck to paycheck on Social Security, with meager savings. The notion of spending \$6,000 a year out of pocket for Medicare is beyond them. I reject that House Republican budget.

Are there ways to save money in Medicare? Yes. We created a Medicare prescription drug program and said that finally we are going to help pay for the prescription drugs of seniors because if they get their medicine and they take it, they are well, they don't go to the hospital, and then their lives are better and our costs are lower. So it is better to give them the medicine they need and help them pay for it. We created the plan with private health insurance companies right in the coverage for this prescription drug benefit under Medicare.

What many of us thought we should do is allow the Medicare system itself to offer a prescription drug benefit. We should model it after the Veterans' Administration, where the VA buys prescription drugs in bulk at a discount so that their veterans can get the benefit of those bulk purchases. We can do the same on Medicare and leave it up to individuals across America to pick the plan they want. If you want to go with the private health insurance when it comes to prescription drug benefits, that is your choice. If you want to go with the Medicare benefit, that is your choice. That choice could save us \$100 billion a year. That is a lot of money. We can end up with savings there, helping to reduce the deficit, and not compromise the basic promise of Medicare prescription drugs.

The same is true with Social Security. This is where it gets very tricky, and a lot of people start heading for the exits. Here is the reality. Social Security as currently written, with no changes whatsoever, will make every promised payment to every beneficiary for 25 years, with an annual cost-of-living increase. You can't say that about anything else in government. But what

happens at the end of 25 years? Unless something intervenes, at that point the Social Security benefits drop 22 percent. That is a big hit for folks living on Social Security.

So what can we do today, 25 years in advance—a small thing—to Social Security that will build up the solvency and life of Social Security for even more years?

I think that is an honest challenge. We should view it as an honest challenge not to eliminate Social Security but to say to the generation of younger workers in America that it is going to be there, and you will be lucky that it is there because a lot of seniors today can tell you the story of their lives. They paid into Social Security, and they now receive the benefits, but what happened to their other plans for retirement? Well, that little 401(k) or IRA or SEP plan took a hit a few years ago, and they lost about 30 percent of their value. Many Americans with the pension plans—some of their companies went out of business, and they walked away from those plans.

Social Security is still there, and we want it to be there in the future. We can strengthen Social Security and give it a longer life. We can find ways to strengthen Medicare and give it a longer life and still be committed to the basic mission of these entitlement programs. That has to be part of this conversation.

I have spent the last few months following up on the Bowles-Simpson deficit commission, meeting with a number of my Senate colleagues, three on the Democratic side and three Republicans. We have tried to take the Bowles-Simpson proposal and put it into language that works, make it work. So we have been at it for a long time. We have had our ups and downs. One of our members left, then came back. It is a tough assignment. It is not easy. Sometimes emotions run high because there are things of great value and importance that are being discussed.

Something happened this morning that was perhaps historic. We took our plan, which still is short of completion, and we invited every Member of the Senate—Democrats and Republicans—to come listen to a description of the plan. If I am not mistaken—and Senator WARNER is here—it was 49 Senators who came. There were no fist-fights and no swearing. Instead, Democratic and Republican Senators sat in that room—49 of them—and listened to the outline of this proposal from this group of 6 and came out with a positive feeling—not all of them. I am not suggesting they all signed up. I would not expect that to happen. But it is significant at this moment in our history that so many felt positive toward what we were doing. I hope we can take it to another level.

In the meantime, we have an important responsibility. We need to extend

the debt ceiling. We cannot compromise the whole faith and credit score of the United States. We cannot let interest rates go up and raise our debt. We cannot let interest rates go up and kill the recovery that is taking place in this economy by killing jobs. We need to do our part here and solve this problem on a bipartisan basis. I hope we can fold into that, as a critical element, a plan to move forward in dealing with our debt.

Senator REID, the Democratic majority leader, and Senator MCCONNELL, the Republican minority leader, are working together. America should take heart that they are trying to find a way through a difficult political challenge. The clock is running, and we have to get it done.

Today, we have a largely empty Chamber, as we prepare for a debate on a Republican alternative, which I will oppose and speak against, and I will tell you why. It is not going to pass. We know that. But we have said to Republicans: We will give you your chance to make your case. That is all any of us can ask in the Senate. My plea to the Republican side of the aisle is, let's do this in a time-efficient manner. Let's not waste time. Let's try to get to a good, healthy debate and a vote and move to extend the debt ceiling on a bipartisan basis. If we don't and if the rating agencies which downgraded us last week come back and hit us again, it will hurt this economy and the families and businesses that count on us to make the right and important decisions on a timely basis.

I urge my colleagues on the Republican side, wage a spirited debate on what you believe in, and we will too, but let's not draw this out for days and weeks. We have to get down to business.

I yield the floor.

The PRESIDING OFFICER (Mr. WEBB). The junior Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I commend my colleague, the Senator from Illinois, for his comments. I affirm his sentiments.

We have two problems in front of us right now—one intermediate problem: raising the debt ceiling. If we have a downgrade in our debt, there will be a tax increase on every American family, every American business, in the cost of higher interest rates. We have to get that raised, which is something I have been advocating for over a year.

We have to take a second step—to put into place the long-term deficit reduction plan. The Senator from Illinois and I and others have been working on this. The Senator from Georgia and I started this over a year ago. We had I believe virtually half of the Senate who came and said it is not perfect, but this makes sense as a way to move forward. We have to do our jobs.

I particularly thank the Senator from Illinois, who has worked so hard

on preserving the safety net in these discussions.

Some of my colleagues on the Republican side have recognized that we have to sort through a way to reform our Tax Code in a meaningful way. These are acts of political courage, and I commend them both.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BUDGET NEGOTIATIONS

Mr. SANDERS. Mr. President, the issue that is under discussion in Washington on deficit reduction is of enormous consequence. It will impact not only our generation but the decisions reached will impact our children and our grandchildren and the future of our country. It is terribly important the American people become engaged in this debate. I fear if they do not, if we leave the discussions totally to folks inside the beltway, the results will be a disaster for tens of millions of working families, for the elderly, for the sick, for the children, for the environment, and for the future of our Nation.

So my plea today is for the American people to get heavily involved, to get on the phone and call their Senators and their Members of Congress to demand not that the budget deal that is reached is a big deal or a small deal or a medium-sized deal but that the budget agreement that is reached is a fair deal—one that reflects the values of our country, one that understands what is going on in the economy today, and one that addresses the issue of how we got into this horrendous deficit situation in the first place.

When we talk about a fair deal, one has to understand what the American economy is today, and that is that we have a middle class that is collapsing; we have poverty increasing; and we have a growing gap between the very wealthiest people in our country and everybody else. To my mind, at a time when the rich are doing phenomenally well, when corporate profits are extremely high, when the effective tax rate for the wealthy is the lowest in modern history, and when we have many corporations making billions of dollars in profits and paying nothing in taxes, it would be immoral and bad economic policy to move toward a deficit-reduction approach which balances the budget on the backs of working families, the elderly, the sick, and the poor, and that does not ask the wealthiest people or the largest corporations to contribute one nickel to

deficit reduction. That would be absolutely wrong.

Mr. President, one of the areas that concerns me very much is that in the midst of all of this deficit-reduction talk, seemingly out of nowhere comes the idea we must make major cuts in Social Security benefits. That is absolutely wrong for a number of reasons.

No. 1, Social Security has not contributed one nickel toward our deficit. The Social Security trust fund has a \$2.6 trillion surplus. Social Security can pay out every benefit owed to every eligible American for the next 25 years. So it is wrong, wrong, wrong to make significant cuts in Social Security a part of deficit reduction. It is wrong because Social Security hasn't contributed to the deficit; it is wrong because President Obama specifically campaigned against any cuts toward Social Security; and it is wrong because cutting Social Security would hurt in a very significant way millions of the most vulnerable people in our country.

There is a discussion going on about moving toward a so-called Chained CPI, which would be used to determine Social Security's annual COLA—a new formulation on the COLA. Let me be very clear. When I was in the House, I introduced bipartisan legislation to strengthen the Social Security COLA because I believed then, and I believe now, the current COLA is inadequate and unfair to seniors because it does not take into account the high cost of health care and prescription drugs.

In my view, the current COLA formulation understates what seniors and disabled vets should be getting. What some are proposing in terms of moving toward a Chained CPI would be to move us in exactly the wrong direction. It would not adequately reflect the purchasing needs of seniors but, in fact, would underestimate those needs.

The Social Security Administration's Chief Actuary estimates the effects of the so-called Chained CPI would be that beneficiaries who retire at age 65 and receive average benefits would get \$560 less a year at age 75 than they would under current law. Around here \$560 may not seem like a lot of money. But if you are 75 years of age and are bringing in \$14,000 or \$16,000 a year, and you are trying to pay for prescription drugs or health care, \$560 is, in fact, a lot of money. Worse, if we moved toward that Chained CPI, Social Security benefits, by the time a senior reached 85, he or she would receive \$1,000 less a year, which would be a 6.5-percent cut in their benefits.

So we are in an unusual moment in that the people who helped cause this recession—the greedy people on Wall Street whose recklessness, whose greed, whose illegal behavior drove us into this recession—are not being asked to contribute one nickel toward deficit reduction. They were bailed out

by the American people, and in many respects they are now doing better than they did before the Wall Street crash.

Many here are saying, my Republicans friends especially: No, Wall Street CEOs making tens of millions a year, who helped cause this recession, do not have to contribute one penny toward deficit reduction. But if you are an 85-year-old senior citizen who is struggling to take care of basic necessities, well, my goodness, we are going to have to do deficit reduction on your back.

That is not what America is supposed to be about, and that is not what the American people want. Poll after poll suggests the American people believe we should move toward deficit reduction based on the concept of shared sacrifice; that we are all in this together.

Even if you are a millionaire and you make a whole lot of campaign contributions, and, yes, if you are a billionaire and you have lobbyists running all over Capitol Hill, you know what. You are going to have to help us with deficit reduction. And, yes, given the fact that we have major corporation after major corporation—oil companies and Wall Street—making billions of dollars in profits and in some cases paying nothing in taxes, guess what. We are going to do away with those loopholes so they start contributing toward deficit reduction. Given the fact we have tripled military funding since 1997, yes, we are going to have to make some cuts in military spending.

Let me conclude by simply saying: Yes, we have to reduce our deficit and deal with our national debt. But the issue is not a big deal or a small deal, the issue must be a fair deal—one which protects Social Security, Medicare, Medicaid, the needs of working families, and a deficit-reduction approach which asks the wealthiest people and the largest corporations to also participate in deficit reduction.

With that, Mr. President, I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:15 p.m.

Thereupon, at 12:30 p.m., the Senate recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. WEBB).

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I would suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2055, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

Pending:

Coburn (for McCain) amendment No. 553, to eliminate the additional amount of \$10,000,000, not included in the President's budget request for fiscal year 2012, appropriated for the Department of Defense for planning and design for the Energy Conservation Investment Program.

Johnson (SD) modified amendment No. 556, of a perfecting nature.

Mr. JOHNSON of South Dakota. Mr. President, as we begin our third day of debate on the Military Construction-VA appropriations bill, I would like to encourage my colleagues to file any amendments they may have as soon as possible, as we would like to begin disposing of amendments in short order. While we are waiting, I would like to take a few moments to talk about the VA portion of this bill.

The bill totals \$58.6 billion in discretionary spending for the VA in fiscal year 2012. Additionally, the bill contains \$52.5 billion in advance appropriations for health care for our vets. One of the very few funding increases above the budget request contained in this bill is for VA medical research. As every Senator knows, the unique combat situations in Afghanistan and Iraq have left many vets suffering significant injuries, including PTSD and TBI. We have a moral responsibility to take care of those who have put their lives on the line to defend our Nation and it would be shortsighted to cut funding for critical research designed to improve medical outcomes from injuries suffered on the battlefield.

Over the last several years, tremendous progress has been made by the Department in reducing the number of homeless vets. According to the VA, in 2005 an estimated 195,000 vets experienced homelessness on any given night. Today that figure is down to 75,600. Progress is being made and this bill continues those efforts.

The bill also includes funding for the VA to transform from a Department

heavily dependent on paper to a modern agency that leverages technology to shorten the time vets have to wait for services. The funds contained in this bill are necessary for the VA to deploy its automated claims processing system on time.

These are only a few highlights of the VA title of the Military Construction-VA appropriations bill. As I have mentioned from the outset, this bill is a result of a bipartisan effort. Again, I urge my colleagues to file any amendments they may have so that we can continue to make progress in moving this bill toward final passage.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. I ask unanimous consent that Senator COLLINS be added as a cosponsor to amendment No. 556.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WEBB. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

Mr. WEBB. Mr. President, I wish to begin by expressing my appreciation for the remarks of the Senator from South Dakota about the need to help our veterans, particularly those who have been serving in these recent endeavors. I wish to express my personal appreciation once again for the service his own son has given our country during this period, and to the service of the Senator from Illinois, the ranking Republican on this bill, as well as to my own son for having served as an enlisted marine and infantryman in Ramadi, Iraq, through some of the worst fighting of that war.

I rise today to discuss two amendments Senator WARNER and I have filed to this particular bill. Each relates to the Navy's proposal to homeport a nuclear-powered aircraft carrier at Naval Station Mayport in Florida by 2019.

One amendment would eliminate funding of nearly \$15 million for a Navy military construction project—a four-lane divided highway on the naval station. The Navy describes it as the first in a series of what will be increasingly expensive projects required to enable the Navy to create a second homeport for aircraft carriers on the east coast.

The second amendment would eliminate approximately \$15 million for architectural planning and design services for a number of follow-on military construction projects at Mayport tied, again, to carrier homeporting.

This is a slippery slope. The Navy says it will cost more than \$½ billion in one-time costs to homeport a nuclear-powered aircraft carrier in Mayport. Other recurring costs will push the expense much higher. In fact, there are estimates these costs could achieve more than \$1 billion by the end of this decade.

The reason for filing these amendments is straightforward. We owe it to the American taxpayers, as well as to the integrity of our DOD budget process. The Department of Defense has been directed to achieve reductions in defense spending totaling hundreds of billions of dollars. No part of that budget should be off-limits, especially a duplicative, redundant project such as the Navy's carrier homeporting plan for Mayport.

I wish to make it clear at the outset that this is not a Virginia v. Florida issue, although there are strong political implications in both Virginia and in Florida for this move. I have been involved in one way or another with naval service since I was 17 years old, and I will continue to be involved in one way or another long after I am involved as a Senator in the Senate.

I support the Navy's requirement to sustain the naval station at Mayport in some fashion, but speaking as a former Secretary of the Navy, I wish to point out there are other ways to get there. I question the fiscal responsibility and the strategic necessity to homeport an aircraft carrier in Mayport when less expensive homeporting alternatives do exist.

These amendments are directed toward necessary congressional oversight. The GAO has initiated an independent analysis of alternatives. Its assessment will be completed next spring. Before we commit to a plan to build expensive, redundant, nuclear-supported infrastructure on the east coast with long-term spending implications, our views on the Navy's proposal should be informed by this GAO study.

Let me explain my hesitations about this project. First, the Navy is proposing to expand a facility at the same time the size of its fleet has radically declined. This chart shows the size of the U.S. Navy active ship force vessels levels from 1970 until today. In 1970, the U.S. Navy had 743 active ships. Today they have 284 deployable battle force ships. It is rather ironic as I stand here today because when I was Secretary of the Navy in the late 1980s, the Navy had exactly twice as many combatants as it does today—568 combatants. It is only logical that the Navy's shore footprint should reflect this reality. The Navy's plan to build a large duplicative facility for aircraft carriers in Mayport contradicts this logic.

In 1970, with 19 aircraft carriers, which is this line showing the historical trend on aircraft carriers, the

Navy homeported carriers at 6 locations. As the number of aircraft carriers has declined from 19 to 11 today, the number of their homeports has held fairly constant. There are now 5. So when we had 19 aircraft carriers in the Navy, they homeported them at 6 locations.

Today, with 11 aircraft carriers and 1, quite frankly, at risk, which I will speak to in a minute, we have 5. The Navy has upgraded its facilities and home ports on the west coast and in Japan, as well as our east coast home port in Norfolk to accommodate today's all-nuclear carrier fleet. With a fleet less than half the size of what it was in 1970—almost one-third of the size of what it was in 1970—it is only logical that we do not require the same number of shore facilities to support it.

Quite frankly, if I had \$1 billion to spend, I think I would buy a couple of ships with it and try to get the Navy up to its stated goal, which I support, of 313 combatants. These are issues of fiscal responsibility—where the Navy puts its money.

Over the past 5 years, the Navy has had validated unfunded requirements—validated unfunded requirements—of more than \$50 billion across its operations, military construction, modernization and acquisition programs. I believe it is more fiscally responsible for the Navy to reduce these unfunded requirements than it would be for them to build a redundant facility.

From fiscal year 2008 through 2012, the Navy reported unfunded priorities totaling \$11.8 billion. These are priorities totaling \$11.8 billion. They cover shipbuilding, aircraft procurement, aviation and ship maintenance, military construction, and other programs—all for future readiness needs.

The Navy's backlog in critical modernization repair projects at the four naval shipyards increased to \$3.5 billion in fiscal year 2010 as a result of inadequate investment. The Navy acknowledges that the growing risk for shipyard operations is a major concern. Overall, the Navy's shorewide modernization backlog grew to \$39.2 billion last year—up nearly \$3 billion from the previous year. Simply stated, the Navy needs to do a better job of managing its existing facilities.

So I ask my colleagues: How can we be sympathetic to the Navy's request for additional funding to cover such shortfalls when it wants to invest up to \$1 billion in an ill-advised, duplicative carrier homeporting project in Mayport?

There has been much discussion about the strategic justification and ramifications of only having one nuclear aircraft homeport on the east coast. Let me talk about that. First, the Navy says the new homeport is needed to mitigate the risk of a terrorist attack, accident, or natural disaster at the homeporting facility in

Norfolk. However, every Navy risk assessment states there is a low risk of such events occurring in the Hampton Roads region. Alternate maintenance facilities for a carrier exist at Norfolk Naval Shipyard and the private shipyard in Newport News. Last year, I supported projects at Mayport to cover this possibility as well—to dredge its channel and modernize a pier so that a carrier could make a routine port visit there in the unlikely event that operations in Norfolk were interrupted so that a carrier could use Mayport in an emergency.

There has been some talk about the need for strategic dispersal. I recognize that concept. There have been photographs of Pearl Harbor with battleship row, with the ships bunched together, showing how the Japanese aircraft were able to knock them out in 1941. There was justification for the Navy's concept of dispersal during the Cold War. But even then many critics from GAO were faulting the Navy at a time when I was at the Pentagon for its lack of a focused threat assessment to justify what some people were calling "strategic home-porking"—putting ships in too many different locations.

Today's threats are entirely different, and I would make the rather ironic note that dispersal in many ways has occurred through reduction. I will say this again: The U.S. Navy today is one-half the size it was when I was Secretary of the Navy, when we had 568 combatants. A certain amount of dispersal has occurred by the dwindling size of the Navy.

The second point is a conventional Pearl Harbor-type attack is very unlikely. Secretary of Defense Panetta mentioned this during his Senate confirmation hearing in June:

The next Pearl Harbor that we confront could very well be a cyber attack that cripples our power systems, our grid, our security systems, our financial systems, and our governmental systems.

I do not minimize the need to protect our fleet from any sort of attack. We have done an extraordinarily good job of that in the Norfolk area with high-tech defensive systems. This is not the same type of situation that people have talked about in terms of what happened at Pearl Harbor in 1941.

Another point is that less expensive homeporting options do exist. Our Navy's own studies identify other less-expensive options to sustain the facility at Mayport, and I do believe Mayport as a Navy town is very important to the interests of our country and to that region. It is an important naval base. But we have a clear responsibility to find more cost-effective, more strategically responsible ways to do that.

Again, if I had \$1 billion I would put it into ships. If I were looking for the right kind of ship to go to Florida, I would look for amphibious and smaller ships so we don't have to build these

highly expensive, nuclear-capable facilities that, again, are redundant.

I must also note that pressures to reduce the Navy budget are getting worse. Last week, Marine Corps GEN James Cartwright, the Vice Chairman of the Joint Chiefs of Staff, highlighted this challenge, saying that the Defense Department is "looking at all options" to reduce its budget by \$400 billion over the next 10 years. General Cartwright then confirmed that the Navy was considering such options as delaying the construction of a nuclear-powered aircraft carrier or possibly cancelling a future aircraft carrier acquisition.

The effects of these budget pressures are manifested in the fleet today. The Navy's readiness for aviation squadrons and its surface ships has continued to decline since 2007, owing to inadequate funding for maintenance, deferred availabilities, and the fleet's high operational tempo. In their testimony on Navy readiness to the Readiness Subcommittee on the House side just last week, the Navy witnesses said, "This is unsustainable over the long term."

So do we want to spend \$1 billion on a redundant homeport at the expense of building ships and maintaining our fleet? I would encourage my colleagues to consider a commonsense approach and to take a year's time out before embarking on a duplicative enterprise that the Navy simply cannot afford. The service has far too many higher priorities, unfunded requirements, and readiness problems on its plate.

The GAO study will be comprehensive, it will be rigorous, and it will give us the information we need to make informed judgments next year regarding the Navy's homeporting plan for Mayport. There is no cause to rush to judgment now. There is \$30 million that could be saved presently.

As I said, this is a slippery slope that could take us down the road to \$1 billion. We don't need it. We need the money in other areas in the Navy budget.

Mr. NELSON of Florida, Mr. President, I rise today to discuss the strategic dispersal of our naval fleet, and how this is vital to our national security. Why is strategic dispersal important? Well, we only have to look back a few decades to December 7, 1941, to see why all of our eggs should not be in one basket.

In the Pacific fleet, our Navy has had the forethought to station our most priceless assets at four different homeports—San Diego, Bremerton, Everett, and Japan. The Navy has been slow, however, to accomplish the same thing with our Atlantic fleet. When the last conventionally powered aircraft carrier, the John F. Kennedy, was decommissioned in 2007, we had a problem. All five nuclear carriers were now in one homeport Norfolk, VA. So since 2007 this has heightened the national security threat.

The threat could be an asymmetric one like the USS *Cole* bombing or the sinking of a freighter in the 15-mile-long channel at Norfolk, which would bottle up the carriers in port.

If we have learned anything, it should be this—we are not invulnerable to attacks or to the whims of Mother Nature, nor are we very good at anticipating when and where the next catastrophe will occur. Mayport, unlike Norfolk's carrier berths, is at the mouth of the river, adjacent to the ocean, with a protected harbor from the commercial ship channel.

The President's budget request supports the infrastructure improvements needed in order to homeport a carrier in Mayport, FL, in 2019. Why? The Chief of Naval Operations, ADM Gary Roughead, said that "Moving a carrier to Mayport is needed regardless of cost." The Secretary of the Navy, Ray Mabus, said "We have to disperse our carrier fleet, from a naval standpoint; it's something we have to do."

The cost to homeport a CVN at Mayport is much less, almost half, of what the Navy anticipated. The Government Accountability Office estimates that the total cost of remaining projects will be from \$258 million to \$356 million, instead of \$537 million. Indeed, this is cheap insurance when you consider the costs of replacing a carrier at \$11.5 billion.

The military decision to disperse the fleet has been studied and restudied. Admiral after admiral, Secretary after Secretary have all testified keeping a second Atlantic homeport is essential to national security. The U.S. Congress has supported this decision for years.

The Senate Armed Services Committee and the Senate Appropriations Committee both have recommended the full funding of the President's budget request for Mayport improvements in 2012. The carrier move enjoys broad, bipartisan support in this Chamber.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 568

Mr. VITTER. Mr. President, I rise to make pending the Vitter amendment which is at the desk, and I will be happy to explain what it is about. If it is necessary, I ask unanimous consent to set aside the pending amendment and make the Vitter amendment pending.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

Mr. VITTER. Mr. President, I ask unanimous consent to waive reading of the amendment.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 568.

The amendment is as follows:

(Purpose: To provide that none of the funds appropriated or otherwise made available by this Act may be obligated or expended at a rate higher than the level of the Senate and House of Representative concurrent budget resolution for fiscal year 2012)

On page 117, between lines 12 and 13, insert the following:

SEC. 410. None of the funds appropriated or otherwise made available by this Act shall exceed the level of the concurrent budget resolution for fiscal year 2012.

Mr. VITTER. Mr. President, I will read it. It is very short, and I will explain it. This amendment simply says:

None of the funds appropriated or otherwise made available by this Act shall exceed the level of the concurrent budget resolution for fiscal year 2012.

That is the entire amendment.

The point this amendment makes is a pretty simple but a basic and important one. We do not have a concurrent budget resolution for fiscal year 2012. We are in the process of passing an appropriations bill, spending money without a budget, without a game plan, without a framework. That is clearly putting the cart before the horse and clearly having things backward in a dysfunctional process.

Every Louisiana family, every Louisiana small business, as families and businesses do in Minnesota, sits down and makes a budget, and then they spend money under that budget. That is the rational, straightforward way to do things. Unfortunately, that is not what we are doing in Congress and in the Senate.

This simple, straightforward process is not only rational, it is not only commonsensical, it is also required by law. Under Federal law, the Congress is mandated to pass a budget, to pass a concurrent budget resolution by April 15 of every year. We are months beyond April 15—several months and counting—and not only do we not have this required budget, this game plan, this framework which we are supposed to be living by, but on the Senate side we have not even made a meaningful effort to get there.

The distinguished chairman of the Budget Committee has not made an effort in committee to come up with a Senate budget resolution. There has been no effort in committee, and so no Senate budget has been sent to the floor. In fact, the same thing happened in the previous fiscal year. So we are now not just several months past this year's April 15 deadline, but we are over 800 days since the last time we

had a budget resolution as required by Federal law—800 days, over 800 days and counting.

I am afraid this is exactly the sort of thing the American people shake their heads at. This is exactly the sort of thing they scratch their heads about, shake their heads at, and say: What is wrong in Washington?

Every Louisiana family has a budget they have to live within. Every Louisiana small business has a budget and that is their framework and they operate within that. Yet Congress, apparently, does not get it, particularly the Senate does not get it under this majority leadership and is not even making an attempt to do what is not only a good, sound idea but is required by Federal law.

Again, I just suggest we put first things first: We have a budget and then we only spend money, only pass appropriations bills pursuant to and consistent with that budget. That is why, again, my amendment is very simple:

None of the funds appropriated or otherwise made available by this Act shall exceed the level of the concurrent budget resolution for fiscal year 2012.

I urge us all to do the right thing. We will have different ideas about a budget. We will have different priorities. We will have an important and healthy debate, but we need to follow the law. We need to follow common sense. We need to have a budget and then only pass spending and appropriations bills under that budget and consistent with it.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. KIRK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KIRK. Mr. President, I share very much the sentiments of my colleague from Louisiana, Mr. VITTER, but I would urge us to not support the amendment because the Senate has already ruled on this question.

When we debated whether to take up this bill, we voted on a cloture motion in order to bring up an appropriations bill. Normally, we would want to pass a budget resolution before bringing up an appropriations bill, and it has been, I think, over 800 days since the leadership of this institution has even written and presented a budget. But I would put forward that this bill is rather unique because it conforms to the House Paul Ryan budget that passed the House on April 15. The legislation before us has come before the Senate because Chairman JOHNSON and I have agreed to put forward a VA-MILCON bill that is \$1.255 billion in discretionary budget authority below the President's request. We are coming

in \$620 million below the 2011 enacted level.

We all remember that the House of Representatives has already adopted the MILCON-VA appropriations bill under Chairman CULBERSON, and the Senate bill actually spends in budget authority on the discretionary side \$2.5 million less than the House bill. Because we did that, 71 to 26 was the vote on cloture to bring up this bill, including the support of the Republican leader, Mr. MCCONNELL, and our vice chairman on the Republican side of the Appropriations Committee, Mr. COCHRAN.

I do think for a bill that has been endorsed by the Veterans of Foreign Wars and other veterans service organizations, a bill that gets the Senate moving again for its regular duties as part of the appropriations process, and for a bill that actually cuts funding—Chairman JOHNSON and I have reduced funding in 24 separate programs in this budget, including denying a brandnew courthouse for the Court of Appeals for Veterans Claims and pressuring the Army, for example, when we found a proposal to spend \$1.4 million on a general's garden in Germany. When all those 24 reductions were made—when we denied the new building, when we made the other reductions—we came in with a bill that is below the bill passed by the House of Representatives.

That is why this legislation has come up. That is why the Senate voted 71 to 26 for cloture to bring up the bill. I would just put forward that the fact is, this bill does actually comply with a budget. It complies with the budget of the House of Representatives, which is why it has such strong bipartisan support.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. COATS. Mr. President, I congratulate Senator KIRK for bringing this legislation to the floor and getting it through committee in a way that is indicative of where we need to go. We were sent here not to increase spending. We were sent here to try to find a sensible way of moving forward by reducing expenditures and still providing essential services that only the Federal Government can provide. His subcommittee and committee have done that with this bill before us.

I commend him for bringing this in under budget. Savings actually have occurred. We are changing the culture of the Senate from one of increasing spending to one of oversight and looking carefully at how Washington spends taxpayer dollars. Every dollar is important. We have a lot of those dollars stacked up, in terms of debt, that have to be addressed. Looking at each appropriations bill and getting them through regular order is how the Senate needs to function. We know we cannot get there until we settle this debt

limit situation with a sensible, rational plan that is credible with financial markets.

I have looked at details of this legislation as a member of the Appropriations Committee, and I think the Senator from Illinois and his colleague, the chairman, Senator JOHNSON, have come forward with a very good product that addresses our military construction needs and our welfare benefits and does it in a way that shows we can achieve savings.

What I wish to speak about is the balanced budget amendment we will be dealing with later this week. When I first came to Congress, I committed to the people of Indiana to support a balanced budget amendment. I have watched the process, and since I have left office and now come back, I have continued to watch the process, and we simply don't have that discipline that enables us to keep our fiscal house in balance.

There are so many temptations as a Member of Congress to say yes to everybody. Everybody pleads their cause. They come in and make their case. Over the years, our country has accumulated gradually a substantial amount of debt that we no longer can afford.

Washington needs something that locks us into a commitment to be careful with taxpayers' money and not spend more than we take in. Every family understands this. There is a point at which we simply have to say stop spending at this rate because we cannot afford it. Every business understands that. Most of our local governments and State governments are now realizing that.

As we see across the country, very drastic steps need to be taken to get the fiscal house back in order. That hasn't happened yet at the Federal level. Thankfully, we have before us this week attempt to debate and address the issue of a constitutionally mandated balanced budget. I look forward to that debate.

Let's just look back at a little history. When the balanced budget amendment came before the Senate in 1997, our Nation's debt stood at \$5.36 trillion. Today, the debt has accelerated to \$14.3 trillion and, as we know, it is accelerating even faster and climbing toward much higher numbers. We are borrowing more than 40 cents of every \$1 we spend. That is unsustainable. Ultimately, it is having a negative impact on our economy, but it will continue to have an ever-increasing negative impact in the future if we do not get our fiscal house in order.

We clearly need a commitment. When we put our hand on the Bible and raise our right hand and swear to uphold the Constitution of the United States, that includes a commitment to be careful with the taxpayers' dollars and particularly understand the impact

that deficit spending has on our economy and on unemployment—a commitment to be open and fair and upfront with the taxpayers who are funding all this.

Our State of Indiana has to go before the taxpayers each year and say this is a nice proposal, but this is how much it is going to cost. If we, the taxpayers, want to pay for such a proposal with increased taxes or we want to pay for it by reducing spending somewhere else, one of those processes will keep us in balance. Congress cannot end this session without achieving that balance. Our State has to go through that every year. That is true of the majority of the States in this country.

That doesn't happen here in Washington. We just borrow more and worry about it later. The end of that road is here. We have hit the wall. Later is no longer a viable option. More debt is no longer a viable option. Without a constructive plan in place to address this now, we are going to continue to, in my opinion, remain at a stalemate. There is a lot going on in the Senate. There have been hours upon hours of discussions. Both sides, together, are trying to figure out a plan that will put us on a path to fiscal responsibility, which can both pass the House and the Senate.

The opportunity now is here to include in that plan a balanced budget amendment. We know it is going to take time to pass this. It requires a two-thirds vote of each House. If passed and agreed on, it has to be sent to the States, and three-quarters of the States have to ratify it. If the American people understood that behind whatever plan we put in place to deal with our fiscal problems we had a balanced budget amendment to the Constitution in place, they would have assurance that we are on the right track. I think that signal to the financial markets and the world. It would show that the United States is aware of its problem, has taken action, and is getting its fiscal house in order. The dollar will stay the world's currency, and America will remain the safest haven in the world to invest.

We are seeing debt crises all over the world, and we see our own dollar being challenged. The rating agencies are coming forward and announcing the possibility of a drop in our credit rating. The statistics show that a 1-percentage point increase in interest rates—which investors will demand if we don't show them a credible plan—produces, over a 10-year period, \$1.3 trillion of extra money that we will have to spend to cover our debt. We simply cannot continue this process and ignore the problem. The time to do it is now.

Is it difficult? Yes. We have been trying to debate this and work on it ever since January. We are not there yet, and the clock is ticking toward August

2. A balanced budget amendment will help enforce a debt-reduction plan and gain the confidence of the American people that this will not just be something overturned by the next Congress, and it will not just be a piece of paper that doesn't have a long-term effect. Backing up a plan with a balanced budget amendment will provide the assurance that going forward America will tend to its fiscal needs and stay strong as a nation financially, as well as every other aspect.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask for 10 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I rise to address an issue of fairness for our National Guard soldiers. They serve with honor and bravery at home and abroad. They have earned the respect and admiration of an entire Nation with their incredible sacrifices over the last decade.

We must not forget they have also, in addition to our respect and admiration, earned their compensation and their benefits. To take back a veteran's compensation after she or he has fulfilled the requirements for it is unthinkable. Yet that is exactly what is happening around the country in regard to National Guard bonuses.

Let me share the story of PFC Chelsea Wells. This story is emblematic of the struggle many men and women in the National Guard are facing today.

I thank Congressman WALDEN for bringing this situation to the public's attention and to my attention. I add my voice to his to call for fairness for PFC Chelsea Wells and for all other members of the National Guard.

Private First Class Wells is from my home State of Oregon, where she has served in the Oregon National Guard for the last 3 years.

In 2007, she enlisted as an intelligence analyst in response to the needs of the Army. At the time when she signed her enlistment document, she signed an additional document that stipulated she would receive a \$20,000 bonus for enlisting in a critical Military Occupancy Specialty or MOS.

That agreement, which was also signed by the enlisting official at her processing station, also stated she would receive the first half of her bonus upon completion of her initial training and the second half after 36 months of service.

As planned, Private First Class Wells received that first \$10,000 upon completion of her initial training. However, when her 36 months of service was completed, the second half of the bonus was nowhere to be seen. In fact, it was denied.



Following an inquiry from Congressman WALDEN, the National Guard stated the payments had been denied because her specialty was not on the critical skills list at the date of enlistment. However, the very document Private First Class Wells signed—also signed by the enlisting official—very specifically listed her Military Occupancy Specialty, 35F, as indeed being a critical skill specialty.

I have that document here: “Annex E to Defense Department Form 4, Non-prior Service Enlistment Bonus Addendum.”

It says the purpose of this form is “to explain and confirm obligation and to ensure that agreement to these conditions is a matter of record.”

The entire point of this document is to ensure that there is a clear understanding in regard to eligibility for bonuses. This document says on its list of eligibility—and this section is signed by the soldier:

I am enlisting into a critical skill MOS under the 6x2 or 8XO enlistment option and will receive a NPS Critical Skill Bonus (50/50 payment.)

That means 50 after initial training and 50 at the end of 3 years.

At the end of this document, it has section IX, “Certification by Service Representative,” and this is in regard to the enlisting official, the recruiting officer. It says:

I certify that I have witnessed the reading and signing of the above agreement and the signature appearing is that of the applicant. I have verified the soldier meets the eligibility requirement of NGR 600-7, paragraph 2-3, and the applicant's MOS/unit is currently eligible for an enlistment cash bonus.

I think that is pretty clear. The story gets even worse. Not only is our own military saying they are not going to award the second half of the bonus, but they want her to return the first half because, apparently, they made some kind of mistake in between the recruiting officer and the higher-ups. I must say any individual should have the right to a reward that he or she was contractually owed. And there are no individuals who deserve their reward more than our brave men and women in uniform who have already made so many sacrifices, large and small, to ensure the security and safety of our Nation.

Private First Class Wells upheld her end of the bargain. She signed this enlistment document in good faith. She answered the call to serve when she was needed, and she served with honor for the full term. Now we must uphold our promise to her and to other National Guard veterans who find themselves being punished due to a dispute that was no fault of their own. They signed these documents in good faith, with the certification of the listing officer that they were indeed eligible. What is absolutely clear is that whatever dispute there may be between the

listing officers and authorities higher up the chain, that is not Chelsea Wells' fault. She served in good faith under a very clear document, and we owe her and all the National Guard soldiers who are being pursued in the same fashion the bonuses that were promised to them.

We ask a tremendous amount of those who serve. Now is when we should be giving back, not asking for more. Asking a soldier to give back money they have received under a document they signed in good faith and fulfilled in good faith is 100 percent unacceptable. I and my colleagues from the State of Oregon call on the National Guard today to resolve this matter and to make sure this wrong is made right.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 570, AS MODIFIED

Mr. WYDEN. Madam President, I ask unanimous consent to set aside the pending business to call up my amendment, amendment No. 570, as modified.

The ACTING PRESIDENT pro tempore. Is there objection?

The clerk will report.

The legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for himself and Mr. MERKLEY, proposes an amendment numbered 570.

The amendment is as follows:

(Purpose: To provide for the closure of Umatilla Army Chemical Depot, Oregon)

On page 84, between lines 5 and 6, insert the following:

SEC. 127. (a) CLOSURE OF UMATILLA ARMY CHEMICAL DEPOT, OREGON.—The closure of the Umatilla Army Chemical Depot, Oregon, and subsequent management and property disposal, may be carried out in accordance with procedures and authorities contained in the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

(b) RETENTION OF PROPERTY AND FACILITIES.—The Secretary of the Army may retain minimum essential ranges, facilities, and training areas at Umatilla Army Chemical Depot, totaling approximately 7,500 acres, as a training enclave for the reserve components of the Armed Forces to permit the conduct of individual and annual training.

(c) OFFICE OF ECONOMIC ADJUSTMENT ACTIVITIES.—Notwithstanding any other provision of law, the Office of Economic Adjustment Activities of the Department of Defense may make grants and supplement other Federal funds, using funds made available by title, in connection with the closure and management and disposal provided for in this section, and the projects so supported shall be considered to be authorized by law.

Mr. WYDEN. Madam President, I ask for the immediate consideration of amendment No. 570, as modified.

The ACTING PRESIDENT pro tempore. The amendment has been reported. It is now pending.

Mr. WYDEN. Madam President, when we have a conflict or a problem in my home State, we resolve it the Oregon way: by finding consensus and building common ground.

That is why, when it became apparent 20 years ago that the U.S. Army's Chemical Depot in Umatilla, OR, would be closing once all the chemical weapons were destroyed, the community leaders gathered all the stakeholders and began the process of planning what to do with the land once the facility closed. The Umatilla Depot straddles two counties, several cities, and historic tribal lands, so there are a lot of folks in my home State who are interested in what happens to the land.

As progress was made in destroying the weapons at Umatilla, the community built common ground and found a genuine consensus. The Federal Government would support it. It gave more than \$1 million in assistance. When the facility was listed in the 2005 BRAC recommendations for closure, the Pentagon eventually recognized the group of stakeholders as an official Local Reuse Authority.

Everything appeared on track until last month. That was when, at the eleventh hour, the Pentagon changed the rules. After decades of planning and \$1 million in preparation, a lawyer at the Pentagon decided to reinterpret the law and declared that the 2005 BRAC report—which became law when Congress didn't pass a resolution of disapproval—didn't matter. That lawyer decided that the Umatilla Depot would be closed outside of the BRAC authority because the last of the chemical weapons wouldn't be destroyed until after the 6-year limit for completion of BRAC actions. What this lawyer either didn't know or somehow missed is that this was precisely the intention of the BRAC Commission when they put the Umatilla Depot on the closure list.

The BRAC report discusses the fact that the mission of destroying the chemical weapons wouldn't be completed until after the deadline. On page 239 of the report, the Commission found that Secretary Rumsfeld's assertion that the chemical demilitarization mission at Umatilla would be complete by the second quarter of this year was optimistic. The Commission wrote:

An examination of status information for the depot's mission completion and subsequent closure revealed that dates may slip beyond the 6-year statutory period for completion of the BRAC actions.

Therefore, the Commission took the Secretary of Defense's recommendation “Close Umatilla Chemical Depot, OR” and changed it to “On completion of the chemical demilitarization mission in accordance with treaty obligations, close Umatilla Chemical Depot, OR.”

These facts make it clear the Commission did not—as the Pentagon has claimed recently—make a conditional recommendation that the facility only be closed if the chemical demilitarization mission is completed by September of 2011. Rather, the Commission acknowledged that the closure will have to happen when the demilitarization mission is completed even if that is after September of 2011. That decision by the Commission became law.

It is also important to note that the Commission is aware that the demilitarization mission had a deadline of its own. Under the terms of the Chemical Weapons Convention Treaty, Umatilla must complete the mission by April 29, 2012.

UMCD will meet this deadline, if not beat it. The Commission was not giving authority for the mission at UMCD to be one of a never-ending nature. They were simply giving UMCD the additional 8 months provided under the Chemical Weapons Convention.

The depot should be closed under BRAC so the will of the community, in the form of the local reuse authority, and the will of Congress in the BRAC law will be taken into account.

I strongly believe the local community should decide what to do with the land and not somebody who is off in the basement of the Pentagon.

I have spoken with Secretary Pannetta about this matter, and he is fully supportive of our efforts.

I wish to also thank Senator JOHNSON and my good friend from Arizona, Senator MCCAIN, who have also been very helpful—and their staff—in working with us. The Pentagon has to implement the law as it is, not, in my view, as it wants. But since the lawyers at the Pentagon have in recent weeks thought there was some ambiguity, I wished to clarify it for them with the amendment that has been modified with the good counsel of the staff of Senator MCCAIN.

Let me also say, the staff of Senator MCCAIN has been very helpful in saying this would be permissive authority in terms of the Pentagon and that the Senator could join me in a letter making it clear it is important this be moved expeditiously. I hope we can complete this matter at this time.

My amendment, which I offer on behalf of myself and my colleague, Senator MERKLEY, would allow the Pentagon to follow the BRAC commission's report and close the Umatilla Depot under BRAC.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Arizona.

Mr. MCCAIN. Mr. President, first of all, I wish to thank the Senator from Oregon. This is an issue that needs to be resolved, and it has been a pleasure working with him on not only the behalf of the people of Oregon but also on behalf of the Department of Defense.

## AMENDMENT NO. 564

Mr. President, I join the Senator from Oklahoma in supporting the amendment which Senator COBURN had intended to propose. The amendment would have amended Public Law 102-4, the Agent Orange Act of 1991, which I cosponsored, to provide clarity on the factual basis required for the Secretary of Veterans Affairs to make future determinations on the presumption of connection of military service in Vietnam with diseases associated with exposure to the herbicide commonly known as Agent Orange.

Agent Orange was unanticipated and certainly not something that at the time, given the scientific knowledge and information we had, was thought would be detrimental to the health of the men and women who were serving in the Vietnam war. But the fact is, Agent Orange did have a very serious health effect on the men and women who were serving and those who came in contact with it. For years, we delayed compensating our veterans, those who were exposed to Agent Orange.

In 1991, the act was a long overdue answer to questions on the health effects of exposure to Agent Orange, and it directed much deserved compensation to our veterans for certain diseases, including non-Hodgkin's lymphoma and certain cancers.

What has happened, and the reason why I appreciate the Senator from Oklahoma raising this issue, is it has obviously now reached a point where the Secretary of Veterans Affairs has now expanded the eligibility to the point where it is beyond any scientific evidence that compensation would be required.

In 2006, it was found that the evidence linking ischemic heart disease to exposure to herbicides was inadequate or insufficient. Heart disease, as we all know, is the leading cause of death in America today and has been so for decades.

In 2008, they updated their findings based on two epidemiological studies which provided "statistical" evidence of a relationship. Still, they categorized the link between ischemic heart disease and exposure to Agent Orange as "limited or suggestive evidence of an association." That already low standard was further qualified with the following statement:

Epidemiologic evidence suggests an association—

Suggests an association—  
between exposure to herbicides and the outcome, but a firm conclusion is limited because chance, bias and confounding could not be ruled out with confidence.

Despite this doubt, the Secretary of Veterans Affairs decided to grant a new presumption for ischemic heart disease, which according to the Department of Veterans Affairs will cost nearly \$31.9 billion over the next 10 years. Similarly, with Parkinson's dis-

ease, which was also found to be in the category of "limited or suggestive evidence," a decision was made to grant compensation and benefits based on exposure to Agent Orange, which according to the VA will cost \$3.5 billion over the next 10 years.

This process is a risky, hit or miss, and costly way to administer the veterans disability program and resources, which are in scarce supply and which our veterans need and deserve in return for their sacrifice to our Nation.

In its report to the congressionally mandated Veterans' Disability Benefits Commission in 2007, the Institute of Medicine itself found that the "association" standard contained in the Agent Orange Act was inadequate and potentially misleading. That report recommended the goal of the presumptive disability decisionmaking process be to ensure compensation for veterans whose diseases are caused by military service and a new primary standard that sufficient evidence to support a determination of presumption would exist when evidence is sufficient to conclude that a causal relationship exists.

The Veterans' Disability Benefits Commission endorsed the need for establishing a new framework for presumptions with more transparent processes, but it failed to take the full step of embracing causality in decision-making.

The amendment my colleague from Oklahoma so bravely intended to offer would have achieved the goal identified by the Institute of Medicine to ensure that scientifically based causality is at the heart of the disability determination process.

My vote in favor of the Agent Orange Act of 1991 was a vote to discern facts from rhetoric and even politics and to put the welfare of our veterans above all other considerations, including costs. My support of the Coburn amendment would be no different. It is appropriate to adopt a clearer, stronger standard for the presumption of service-connected disabilities to ensure greater consistency in this process and, in doing so, to help ensure that our Nation's resources are available to provide appropriate compensation and benefits for veterans of wars to come.

Former Secretary of Veterans Affairs, the Honorable Tony Principi, before the Senate Veterans Affairs Committee, on September 23, 2010, on this very subject—the subject of presumptive disability decisionmaking—said:

Make no mistake: these decisions do not merely affect those who may or may not receive presumptive service connections and their families. The American people watch these decisions closely, both to ensure that those who have defended our Nation while in uniform are treated fairly, and to ensure that those who have been given the responsibility to administer the program are good stewards of the resources with which they have been entrusted. If the American people

lose faith in the integrity of our disability benefits system, veterans and their families will be the ones who suffer. The surest way for that to happen is for the public to be convinced that presumptive service connection decisions are based on anything other than sound scientific advice.

There is no sound scientific advice that indicates that many of these decisions are valid and directly connected to exposure to Agent Orange. I urge the chairman of the committee to look into this issue. We are talking about \$31.9 billion and another \$3.5 billion which may not be necessary to be spent.

I believe and understand the emotion associated with the issue of Agent Orange because for so many years our Nation neglected—that was not benign neglect, it was neglect—the plight of veterans who were exposed to Agent Orange and the terrible physical problems that ensued as a result of that exposure. But now it is pretty clear that the Secretary of Veterans Affairs has gone way over in the opposite direction in giving presumptive service connection when there is no valid scientific evidence to convince me that kind of illegibility is there.

So I thank my colleague from Oklahoma.

I urge the Senator, the distinguished chairman of the Veterans' Affairs Committee, to look at this issue, look at whether this \$31.9 billion, plus \$3.5 billion—over \$35 billion—over the next 10 years is wisely spent. That does not mean we do not provide disability payments to those who actually have been exposed and need it. But there is a lack of scientific evidence that many of the benefits that are being extended are absolutely warranted.

So I know the Senator from Oklahoma will not be proposing this amendment, and I understand that. But I wish to assure the committee chairman that when we are talking about this kind of money, we need to investigate it very seriously and reach decisions which are in the best interests of our veterans. There are veterans out there who need compensation, and every day, unfortunately, we are having young men and women return from the battlefield who have disabilities as a result of serving our Nation in combat. So I hope the chairman of the committee will look at this issue very seriously.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, let me update my colleague. I do plan to call up this amendment, and I do plan to ask for a vote on it because it is important. I will call up the amendment in a moment.

What has happened—the Senator from Arizona has had the disease melanoma, cancer melanoma at his age. We kind of know somebody at his age, if they have large amounts of Sun expo-

sure over prolonged periods of time on nevi or birthmarks, can develop melanoma. There is causation related to that. I have also had melanoma, but I had it as a very young man. What science also knows is that one can develop melanoma without any Sun exposure to a birthmark or a nevus or a mole.

What has happened within the VA, we have taken and gone away from causation and gone to any association that could ever be made.

I am a survivor of colon cancer. What we know is, our risk for colon cancer goes way up if we eat a highly refined diet, with very few vegetables, and have that kind of a diet associated also with high levels of sugar. I did not have any of those things, but yet I had colon cancer. Because there is an association, we cannot infer causation.

So what is happening now?

The Secretary of Veterans Affairs has put us on the hook for people who have no causation but do have association. This amendment, which I will call up, does not change our ability to do that in the future when we, in fact, would see causation. But the presumption that association with the Sun caused my melanoma is wrong. The assumption that my diet caused my colon cancer is wrong. It does cause colon cancers, but we cannot show causation.

Nobody can speak for veterans better than JOHN MCCAIN, having served the amount of time he did in Vietnam as a prisoner of war. He has the body image that shows his sacrifice. Let me tell you what has happened.

We are transferring  $\frac{1}{2}$  million to veterans under this decision by Secretary Shinseki for people who weigh 350 pounds, smoke three packs of cigarettes a day, and have hypercholesterolemia because they will not take their medicine. We are saying the reason they have heart disease is because, at some point in time they were in Vietnam, because they moved from causation to association.

I can think of nothing unfairer to those who are truly needing to benefit from this than to give the benefit to somebody whose lifestyle absolutely caused their heart disease, and there is no association with dioxin or Agent Orange, the active ingredient that causes disease, which we know several of them actually did have. But now we have moved to a whole new level where we are saying if someone was exposed, both above or in Vietnam, and they have any of these other diseases which he has listed, that there can be an association.

Let me remind you that an association doesn't prove anything about cause. It just says there is a statistic out here, and it may be right or may not in fact be right. All of the evidence is the other way. The Secretary has chosen to spend \$42 billion—counting

last year and this year—on this program for diseases that are not caused by Agent Orange. How is that fair? How is it fair to the people who are administering this? I found out about it because VA workers called me and said: This cannot be right. What are you all doing? Why are you giving money to people who have no association with the disease caused by that? Yet you are paying them out of money that should be reserved for those who have a disease really caused by Agent Orange. Consequently, we are going to spend \$42 billion that we don't have to pay people.

Another interesting fact is, I have a brother who has idiopathic pancreatitis. The VA told him that under this new guideline he can be eligible for Agent Orange compensation. He served in Korea, but because he has a chronic disease now, they are lining him up to get a payment from the VA because he has idiopathic pancreatitis. He is going to get approved. There is absolutely no association or causation with that. Yet that is what is happening.

Mr. President, I ask unanimous consent that amendment No. 564 be called up, and the pending amendment be set aside.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 564.

Mr. COBURN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require evidence of causal relationships for presumptions by the Secretary of Veterans Affairs of service connection for diseases associated with exposure to certain herbicide agents)

On page 112, between lines 2 and 3, insert the following:

SEC. 230. (a) Section 1116(b) of title 38, United States Code, is amended—

(1) in paragraph (1), by striking "positive association" and inserting "causal relationship"; and

(2) by striking paragraph (3).

(b) The amendments made by subsection (a) shall apply with respect to determinations made by the Secretary of Veterans Affairs under section 1116 of such title after the date of the enactment of this Act.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. COBURN. Yes, I will.

Mr. MCCAIN. Mr. President, I want to make it clear that in this amendment there is no desire to deprive someone who was actually exposed to this herbicide called Agent Orange and suffered physical consequences as a result; that this amendment basically draws a difference among three words: One is "causation," which is generally

the criteria used in any of these cases, the causation, and that would replace the current "positive association."

As the Senator just described, positive association could be most any encounter that anybody would have had who served. I always thought it was in Vietnam, but now he tells me it is even adding someone who served in Korea.

Isn't it true that we are not trying to deprive anyone who was legitimately exposed to Agent Orange and shows the causation, and that they are entitled to benefits from the taxpayers of America? What we are talking about, isn't it true, is that "positive association" is such an amorphous definition that it leads to an enormous waste of taxpayer dollars, while there are veterans out there who are in need of these taxpayer dollars for their legitimate reasons?

Mr. COBURN. Mr. President, the answer is that the Senator is absolutely correct. We have a lot of science that shows causation with this herbicide and disease. We have made the assumption that any other association should fall into that same category, such as hairy cell leukemia, and we know lots of things about this group to which there is only an association, statistical association, and no correlation, no causation, such as if someone has Parkinson's, they are compensated from Agent Orange. Yet there is not one scientific study that will show there is any causal relationship between those two diseases.

I will answer that I want every veteran to get the compensation due them when they have a disease related to this chemical. If we find in the future more science that would say so, then we will go on the science.

Now, we have had a Secretary who doesn't understand the difference between association and causation, and we are going to spend \$42 billion that we don't have, giving it to people whose diseases were not caused by Agent Orange. That is my problem.

As a physician, I could never defend myself in a court of law using this logic on anything I would do in practicing medicine. As I stated while the Senator was talking with the chairman, we have both had melanoma. The Senator's came from something that we know is associated with it and also a cause—it is called the Sun, ultraviolet radiation. Mine didn't come from that because I didn't have that kind of exposure, and I experienced it at a very young age. Under the guidance of the Secretary, we both would be compensated as if ultraviolet light was the cause of both of our melanomas—the Senator from Arizona, appropriately; me, inappropriately.

So the fact is, no one ever wants to move back, but this is a mistake the Secretary made. My intent is not to harm any veteran who has a disease that is truly caused by Agent Orange.

My intent is to make sure we can have the ability to take care of our veterans in the future by spending money wisely to compensate those who are truly injured, truly inhibited and limited by their exposure to that as a result of their service to this country.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I first want to say what a good job—actually, a wonderful job—the Military Construction Subcommittee appropriators have done. They have adopted a very strict budget line, the same as the House of Representatives, and the chairman, Senator JOHNSON, and the ranking member, Senator KIRK, have put together a very good, solid proposal for military construction, and I appreciate working with them. I was the chairman and ranking member of that subcommittee, and I loved working on it because I wanted to take care of our troops and to make sure they had the construction they needed for housing and for training headquarters. So I commend the great staff of that subcommittee and am very pleased it is continuing in good hands since I have left that committee to go to the Commerce, Justice, Science, and Related Agencies Subcommittee.

I also want to say that there is so much going on in the Capitol right now. I think America is focused on the debt ceiling issue, the overwhelming debt we have in this country. We know it is too much, and so many have been working in different quarters trying to solve this issue.

Senator MCCONNELL, the Republican leader, came out with a proposal early this week to try to assure the markets and all of the people watching so carefully that we were going to address this issue, even if, in the end, we couldn't come to an agreement. So I commend Senator MCCONNELL. He has taken a lot of criticism for the proposal he made, but I think he said from the beginning that it was the last effort so we wouldn't have a default by our country. It wasn't his first choice or his second choice or even his third choice, but leaders have to make tough decisions to ensure bad things don't happen, if they can avoid leading Members into bad situations. So he was trying to ensure that we wouldn't. I think Senator MCCONNELL's proposal has actually spurred people to get going and try to come to agreement.

I believe the group who is being called the Gang of 6 has come up with some very concrete proposals. It is the

first plan I have seen that I believe really begins to cut spending, and it cuts spending immediately. It also has mechanisms that will ensure that the spending cuts happen. Caps are put in place.

There is a freeze in spending for 4 years. There is a freeze in all the elected representatives' pay. Every Member of Congress and the President would have a freeze in pay. There is a freeze in budgets.

I think it also begins entitlement reform, which is very bold, and it is very important that it be done in a bipartisan way. It would go to the chained CPI, which is a better base for determining what kinds of increases there should be for payments that have to be adjusted. So I believe they have taken a first major step. Now, I put out a Social Security reform proposal that also lowered the rate of increase of the COLAs. This one does it in a different way. All I wanted to do was to make sure we address that issue as part of Social Security reform, but it also affects many other areas, and I think it is something all of us, in a bipartisan way, can accept as a reasonable adjustment that will preserve the basic benefits that go across many areas.

Also in the proposal that was put out today is a safety net for people at 125 percent of poverty. They will be getting a benefit that increases more—and I think everyone would agree that is a good thing—and then the CPI adjustment will be in place for others.

I think it also has a very good proposal in the area of taxes because they want to lower the overall rates for everyone and make fewer rate groups, so the top rate would be 29 percent. They even cut the lower rate down to 9 percent.

So these are good proposals, and I think tax reform is something that will bring in more revenue, and it will bring in more revenue in the right way. It will bring in revenue by building the economy, by ensuring a more fair tax system so there will be less fraud and fewer numbers of people who don't pay taxes.

So I think this group has done a good thing—three Democrats and three Republicans working together. Not one of us would have written a proposal exactly the same way, but there are 100 in this body, so we know we cannot dictate exactly what we want. I do believe this is a responsible approach that should give us a good start and something that, over a 10-year period, will put us in the position of bringing down our enormous debt, lowering our deficits, lowering our interest costs, and also beginning to reform entitlements.

There is going to be so much written and talked about—a lot of education. This plan will begin to go into legislative language, and there may be refinements of it. I am sure there will be amendments. But it is a great start,

and it has provided great leadership. So many people have been involved in this process—our leaders, the group who has been meeting for months, others who have come together in a bipartisan way to do what is right for our country and for our children and grandchildren.

So I am very pleased we can start this debate and get these things out in a way that the American people will have the confidence we are going to address the debt, do the right thing, bring down the deficits, bring down the interest our country is paying, and, most of all, put people back to work by enlivening our economy.

That is the key. You can't have 9.1 percent unemployment in this country and believe that is a recovery. You can't do it. You have to put people back to work. That is the way you increase revenue, by putting people back to work and having the economy revived. That should be all of our goal, and I think that maybe, just maybe, we are on the right track and can do in a bipartisan way the entitlement reforms, the tax reforms, and the spending cuts that will put together a package that will put our country on a fiscally responsible path for the future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

#### MORNING BUSINESS

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado.

#### BUDGET NEGOTIATIONS

Mr. BENNET. Mr. President, I wanted to talk a little bit about our debt ceiling and our deficit and debt issues as well.

I wish to thank the Senator from Texas for her words of encouragement for the product that the so-called Gang of 6 read out this morning. It was a remarkable hour. To see roughly 50 Senators, both Republicans and Democrats, set aside the talking points and try to come across a partisan divide to hear their colleagues who have been working for such a long time on a plan, a bipartisan plan, three Democrats and three Republicans, to really try to address in a material way our debt and our deficit was, to say the least, refreshing. I wish it weren't as unique an experience as it has been, but in the 2½ years I have been here, I can't remember as thoughtful a conversation as the one we had this morning.

I have said for months, month after month, week after week on the floor of the Senate, that I think I am pretty

clear about what Colorado wants, whether it is red parts of the State or whether it is blue parts of the State.

They want a plan that materially addresses the problem we face. They know we can't solve it overnight because the hole is so deep, but they want us to move past the rhetoric and the talking points and actually start materially addressing the problem.

They want to know that we are all in it together. It took all of us to get to this point of a \$1.5 trillion deficit and almost \$15 trillion of debt, and it is going to take all of us to get us out of it, and the people in Colorado know that.

They want the plan to be bipartisan because they don't have any confidence in either party's go-it-alone approach on this particular set of issues and I think on many other issues as well.

The only corollary that I have added to all of that is we need to do something that satisfies our capital markets that their paper is worth what we have paid for it and that the full faith and credit of the United States is good.

We face something momentous at this moment in our country. I wanted to quote just three brief quotes from the rating agencies recently.

This is S&P, July 14:

Today's CreditWatch placement signals our view that, owing to the dynamics of the political debate on the debt ceiling, there is at least a one-in-two likelihood, 50 percent chance, that we could lower the long-term rating on the United States within the next 90 days. We have also placed our short-term rating on the U.S. on CreditWatch negative, reflecting our view that the current situation presents such significant uncertainty to the U.S.'s creditworthiness.

It is important to realize this isn't just about the debt ceiling, although that is a very important piece of this.

Here is S&P continuing:

The CreditWatch action reflects our view of two separate but related issues. The first issue is the continuing failure to raise the U.S. government debt ceiling so as to ensure that the government will be able to continue to make scheduled payments. The second pertains to our current view of the likelihood that Congress and the administration will agree on a credible, medium-term fiscal consolidation plan.

Now, I have taken the view all along that we shouldn't make raising the debt ceiling contingent because it has been a ministerial act for most of our history; it is about debts that are already incurred, not about debts that are coming forward. But I understand the politics in the moment and time, and the only point they are trying to make is that we have to do something material or we are going to be downgraded.

Moody's also says: The government bond rating would very likely be changed to negative at the conclusion of the review unless substantial and credible agreement is achieved on a budget that includes long-term deficit reduction. To retain a stable outlook,

such an agreement should include a deficit trajectory that leads to stabilization and then decline in the ratios of Federal Government debt-to-GDP and debt-to-revenue beginning with the next few years.

They said we are at a unique inflection point.

I asked Chairman Bernanke the other day at the Banking Committee—I knew the answer, but I asked him anyway—when was the last time our credit ratings were threatened for downgrade. His answer was, not in the 20th century. And I said to him, well, we are now in the 21st century. The answer was, never. Never in our country's history, that I am aware of, has our credit rating—which is the envy of the world and one of the most important assets that we have as a country and as an economy—been threatened with a downgrade. And now we find ourselves in the position of potentially being downgraded because on the one hand we might not raise the debt ceiling—which I find unimaginable, but it is possible—and on the other hand because our politics look so dysfunctional to everybody who is watching this debate that there is real concern that we can never get to a long-term debt and deficit plan where the math actually pencils. What we know about a plan where the math actually pencils is it is going to require a comprehensive approach that involves discretionary spending cuts, both for military and nonmilitary, that requires entitlement reform and tax reform.

A number of weeks ago, Senator JOHANNIS and I sent out a letter that said just that. We passed it around the Senate offices. There are 32 Democrats who signed it and 32 Republicans who signed it. That is a pretty big number around here, and that is a pretty bipartisan effort around here.

Then I began to despair because it didn't feel as if we were making progress toward the goal many of us wanted to get to, and then today we had this conversation with the Gang of 6, who I think have presented a plan, as the Senator from Texas said, that is not perfect, and everybody is going to have a disagreement about this piece or that piece, but does meet the three-part test by and large that I have come out to the floor and I have said time and time again that we ought to meet for the people of Colorado, which is whom I represent.

What I also know is this: At this remarkable time in the country's history, if we act in a way that leads to a downgrade of this country's credit rating; if we, the 100 people who are in the Senate at this moment, don't step up to make sure that doesn't happen, no one is ever going to care what pledge was made about this or that or where we drew the line in the sand. The only thing they are going to know about us is we allowed the full faith and credit

of the United States to be compromised for all time. No generation of Americans, no matter how dysfunctional their politics was, managed to sacrifice that much of our future.

I believe the only path through this is a bipartisan one, and I believe the only path through this is a comprehensive one. I think that is what the people of Colorado want and what the American people want.

So I think today marked an important turning point in the conversation we are having around here, and I for my own part believe that if we are confident in the people who sent us here, confident enough to do the job they have asked us to do, we can make sure we don't erode the full faith and credit of the United States because undoing that is going to be the work of generations if we don't protect the work of generations that have come before us. And I feel confident that we can and that we will.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KIRK. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

#### COMMENDING THE GANG OF 6

Mr. KIRK. Mr. President, I rise briefly to commend the work of the Gang of 6 and what they have done for our country in what is a complicated proposal with details forthcoming but largely reflecting the actions of the bipartisan deficit commission and what could be between a \$3.5 trillion and \$4.5 trillion reduction in the borrowing needs of the United States.

Specifically, so often we do not thank our colleagues here, but I want to thank especially Senator COBURN, Senator CRAPO, and Senator CHAMBLISS on the Republican side, Senator WARNER, Senator CONRAD, and Senator DURBIN on the Democratic side, because I think they are creating a vital center on what is the most important issue facing the country. I believe the outlines of the plan, as I understand it tonight, will dramatically reassure the American people, our markets, and especially our allies overseas that a free people and their elected representatives can kick their spending habit over time.

At the meeting this morning we had 43 Senators attending, 23 Republicans and 20 Democrats. In this age of very complicated and tight schedules, that is a mass meeting of the Senate.

I conclude by saying this may be the rise of the policy wonks as opposed to partisans of either side, to actually ad-

dress the solid details of what is the most difficult financial problem facing the country. I commend the work of these three Republicans and these three Democrats in creating a space now where at least 43 Senators attended the meeting on the most creative and most detailed plan I have yet seen come forward to take on this problem.

We all know under our Constitution that the Senate may be the most difficult place to pass legislation. To see even this initiative coming out of the Senate gives me tremendous optimism that one of the most difficult problems in our country can be handled by some of the most capable policy wonk Members of the Senate.

With that, as we begin a discussion on the Gang of 6 proposal, I want to take a moment to personally thank these six Senators and what they have done in putting together what appears to be an initial outline of, not just a very good proposal but in several key areas as a fiscal conservative, an even better proposal than the bipartisan commission put forward.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—H.R. 2055

Mr. REID. Mr. President, I ask unanimous consent that at noon tomorrow, July 20, Senator JOHNSON of South Dakota be recognized to move to table Vitter amendment No. 568; that there be no amendments or points of order in order to the Vitter amendment prior to the vote on the motion to table; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUDAN

Mr. DURBIN. Mr. President, last night the Senate adopted S. Con. Res. 25, a concurrent resolution welcoming the independence of the Republic of South Sudan, congratulating the people of South Sudan for freely and peacefully expressing their will through an internationally accepted referendum, and calling on the governments and people of Sudan and South Sudan to peacefully resolve outstanding issues including the final status of Abyei. I was happy to see us recognize this important development.

Years ago when violence was raging in Darfur I regularly came to the floor

to try to keep the world's attention on the calamities happening in that far corner of the world.

Fortunately, after a number of years and constant international pressure, a sizeable international peacekeeping force was deployed in Darfur, and over time the worst of the violence largely subsided.

Meanwhile a fragile peace treaty—the Comprehensive Peace Agreement or CPA—also started to bring an end to a devastating civil war between North and South Sudan that killed and displaced millions. I give President George W. Bush credit for seeing that important agreement to fruition.

A key CPA provision called for an independence referendum for the southern half of Sudan. This referendum occurred in January and was largely peaceful and without incident.

The South voted overwhelmingly for independence, which the North agreed to respect. And on Saturday, amid widespread celebration and a host of visiting international dignitaries, South Sudan became the world's newest country.

Last year Senator SHERROD BROWN and I visited Sudan. I wanted to see the country—and the new one about to emerge—with my own eyes.

The South faces a daunting task—building a nation that can be responsive to the needs of its 8 million residents, writing a constitution, and creating a functional government.

The people of South Sudan, who have seen so much suffering after years of civil war, deserve this chance at a peaceful and democratic nation—and the international community should help it get started and remain viable and stable.

The people of the North face challenges too, including a fragile economy and a dwindling of the Nile River due to climate change.

And despite the peaceful independence process for the South, many complicated issues related to borders, oil revenues, and immigration still remain to be worked out between both sides.

The Obama administration, including its special envoy Ambassador Princeton Lyman, has been working diligently to help resolve these very thorny issues.

Unfortunately, we have seen a rash of new violence in a number of border areas between North and South Sudan.

With much of the world's attention turned elsewhere, we must not let new violence undermine the hard fought gains that have been achieved in Sudan.

First, in May the Sudanese armed forces invaded the disputed oil-rich Abyei region, displacing as many as 100,000.

Fortunately, both sides met recently in Ethiopia and agreed to withdraw their forces from the region. The U.N. Security Council also voted to send a



4,200-person Ethiopian peacekeeping force there for 6 months to protect civilians and humanitarian workers.

These are steps in the right direction, and I urge both sides to respect the agreement and work to negotiate a long-term solution to Abyei that will allow its people to live in peace.

More recently there has been a new outbreak of violence—one with disturbing similarities to the violence in Darfur—in an area called Southern Kordofan.

Most people have probably never heard of Southern Kordofan—an area that borders South Sudan and is one of the few major oil-producing regions in the north.

During the North-South civil war, segments of the population supported the south and tensions remain today as a result. Southern Kordofan has a certain degree of autonomy and recently held separate state elections, yet there were allegations of election rigging in favor of North Sudan.

In early June, the North Sudanese government sent troops into the Nuba region in Southern Kordofan to disarm individuals sympathetic to the South—resulting in the displacement of more than 70,000. Humanitarian aid was blocked and U.N. staff harassed and detained.

And there have been allegations of targeted aerial bombing and house to house violence on the Nuba mountain people that are of grave concern.

North Sudan stands to lose sizable revenue from Southern independence and Southern Kordofan is one of the North's major sources of oil revenue. Many have speculated about the timing of the attacks—so close to Southern independence—but I am not going to dwell on motives because what matters most is that the aggression stops.

Two weeks ago both sides signed an African Union-mediated agreement to find a “peaceful resolution of their differences . . . cease hostilities, permit humanitarian access, and allow the return of displaced persons to their homes.”

I hope this agreement is respected. The last thing the people of North or South Sudan need is more human suffering and displacement.

There must be an immediate cessation of hostilities and end to harassment of U.N. staff in Southern Kordofan.

Both sides must follow through with commitments to demilitarize Abyei.

Humanitarian agencies must have safe and unrestricted access to the areas.

And it is long overdue that the various parties in the Darfur conflict reach a long-term political settlement that will allow people to be safe and to return to their homes.

Continued progress on all these fronts is also the best path forward for improving Sudan's relations with the

United States and the rest of the global community.

President Obama has called on Sudanese leaders to choose peace, and I strongly echo his sentiments.

#### EXTENDING THE TERM OF FBI DIRECTOR ROBERT MUELLER

Mrs. FEINSTEIN. Mr. President, I rise to speak in strong support of S. 1103, the legislation before the Senate to extend the term of Robert Mueller, the Director of the Federal Bureau of Investigation.

This is an important piece of legislation because without it, Director Mueller's term will end very soon, as he completes his 10 years in office.

That would leave the FBI, the Nation's leading law enforcement agency and the lead intelligence agency for domestic counterterrorism, without a Director as we approach the 10th anniversary of the September 11 terrorist attacks.

This would be unacceptable in my view. Unfortunately, unanimous consent to pass this legislation, S. 1103, is being held up. I urge my colleagues to approve this bill quickly.

Earlier this year, the President conducted a search for a replacement for Director Mueller. He determined that the best choice for the nation, at this critical time, was not to replace him, but rather to seek a legislative extension to Director Mueller's term.

The Judiciary Committee held a hearing with Director Mueller on June 8, 2011, and has considered the text of this legislation, S. 1103. Under a proposed unanimous consent agreement circulated earlier this month, passage of this legislation would be followed by the President's formal nomination of Mr. Mueller for an additional 2 years, and the nomination will be placed directly on the Senate's Executive Calendar.

I do not know of any Senator who does not respect and support Director Mueller. Over the past 10 years that he has been in office, Robert Mueller has provided steady leadership and stability at the FBI. He has worked to transform the Bureau into an agency that can better detect and prevent terrorist attacks against the United States.

Under Mueller's direction, the FBI has played an essential role in more than 20 significant counterterrorism operations, while infiltrating and arresting groups of individuals charged with planning attacks against our country.

The FBI has also built its cyber investigation capability, focused on counterintelligence, investigated public corruption cases, and tracked and disrupted gang activity.

Despite the major setback of the September 11 attacks, the FBI is among our most respected government insti-

tutions, and it has changed dramatically to respond to the challenges of our time.

Let me talk about Director Mueller for a moment, who is, personally, a symbol of integrity and dedicated public service. I am very pleased to call him my friend, and thank him for his willingness to continue to serve for another 2 years.

I recognize that there were good reasons that Congress placed a term limit on the Director of the FBI. History has shown that the position, and the FBI, wield enormous powers and that the Bureau should not have a director for life.

The legislation before us recognizes that concern, and creates a one-time extension that would only apply to Director Mueller. Future FBI Directors would still be limited to a 10-year term.

Extending Director Mueller's term at the FBI for an additional 2 years will ensure the evolution of the FBI continues. It will provide important stability to the President's national security team during this sensitive and challenging time and while it is otherwise going through important leadership changes.

This summer Leon Panetta has succeeded Robert Gates as Secretary of Defense, and GEN David Petraeus has been confirmed to be the next Director of the CIA, but because he is transitioning out of Afghanistan, General Petraeus won't arrive at Headquarters in Langley until after Labor Day.

We are seeing changes in major military commands, and changes in the Joint Chiefs of Staff are coming soon. Also, the Senate Intelligence Committee, which I have the honor of chairing, is now considering the nomination of Matt Olsen to be the Director of the National Counterterrorism Center, NCTC, because Mike Leiter stepped down as the head of NCTC on July 8.

So in the midst of this change, Director Mueller will be an experienced, steady hand among the President's national security advisers. The American people will be well-served having him in place.

I support the legislation and urge its adoption. Now is not the time to keep it from passing.

#### OBJECTION TO CONSIDERATION OF H.R. 872

Mr. CARDIN. Mr. President, I have filed a formal objection to the consideration of H.R. 872, a bill to exempt pesticide applications from coverage under the Clean Water Act. I rise today to explain the reasoning for my opposition to this bill.

H.R. 872 is based on the notion that the law governing the licensing of pesticides provides all the environmental



safeguards that are necessary. In proponents' view, obtaining a Clean Water Act permit would be duplicative. That is incorrect.

As chairman of the Water and Wildlife Subcommittee of the Senate Environment and Public Works Committee, I have serious concerns about how pesticide pollution is impacting human health, natural resources and the economies that depend on them.

Today, more than 1,800 waterways in the United States are known to be impaired because of pesticide pollution. Limited water quality sampling suggests the number is actually much higher. In a nationwide study conducted by the U.S. Geological Survey, more than half of the streams sampled had concentrations of at least one pesticide that exceeded a guideline for the protection of aquatic life. In California alone, more than one in four of the State's waters are officially listed as impaired because of pesticide pollution.

Chesapeake Bay is the most biologically diverse estuary in the country and serves as a vital economic resource to the region. One recent study found that portions of the bay with higher concentrations of pesticide pollution exhibited decreased species diversity and reported a "surprising number" of such sites in the lower bay. Pesticide pollution in the Chesapeake has been linked to fish kills and abnormalities. Moreover, extensive samples taken from Chesapeake tributaries displayed a range of pesticides and herbicides. Atrazine, one of Maryland's most used herbicides, was detected in every water sample taken. The active ingredient in atrazine is resistant to natural degradation in water and inhibits photosynthesis in plants. The USGS found that concentrations of atrazine commonly found in agricultural streams and rivers produced reproduction and development abnormalities.

Pesticides, by their very nature, consist of various toxins. They are regulated under the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, to determine if they are generally safe to use. The law is not designed to deal with the many real-world instances in which those "general" conditions are not applicable.

Pesticide pollution can cause severe reproductive and developmental harm and even death. Even at levels that allow for the product to be registered, pesticides may cause health problems in fish, amphibians and other aquatic species. Additionally, pesticide pollution can affect human health through contaminated drinking water and bioaccumulation in those that eat contaminated fish.

These pollution levels are the result of massive releases of pesticides that are having adverse environmental impacts that go far beyond what is regulated under the general application

rule in FIFRA. We need FIFRA, but we also need the Clean Water Act.

Approval of a pesticide under FIFRA only requires that the active chemical "will not generally cause unreasonable adverse effects on the environment."

Clean Water Act permits, on the other hand, are approved based on a pesticide's impact on a specific waterway. It takes into account the water body specific context including specific uses, such as swimming and fishing, and whether significant fish species rely on the waters. Additionally, Clean Water Act permits place enforceable limits on the amount and type of pollutants that can be discharged.

FIFRA registration is not an acceptable substitute for water discharge permits. The localized impact assessment and enforceable discharge limits of Clean Water Act permits are far better equipped to address water quality issues than FIFRA's nationwide cost-benefit-based assessment. To exempt pesticides from comprehensive regulation would unreasonably compromise the quality of our waterways.

Clearly, the Nation has a problem with pesticide pollution in our waters that needs to be addressed. The courts have said so, and scientific data reinforce that conclusion. That doesn't mean that every backyard application of a weed-killer needs a Clean Water Act permit. Providing targeted exemptions of de minimis users of pesticides makes good sense. Generally speaking, backyard applicators and local lawn care companies should be exempt from coverage. Regulating these users would do little to improve water quality and would be an unnecessary burden on them. Emergency applications to control mosquito outbreaks associated with West Nile virus or a new outbreak of gypsy moth, for example, should be allowed. Permits could be obtained after-the-fact in these emergency situations without penalty. Agricultural applications to land should continue to be exempt. Permits should be easy to obtain and impose minimal monitoring, recordkeeping, and reporting requirements.

H.R. 872 simply goes too far, providing blanket exemptions and ignoring the real water quality problems that pesticides are causing in America's waters today. I support a more balanced approach.

The Clean Water Act has resulted in tremendous successes in preserving and restoring U.S. waterways, but many of our waterways are still impaired and require further attention. To categorically exempt pesticides from Clean Water Act permitting would be a step backwards in our nationwide efforts to ensure our waterways are healthy and safe. We can do better.

#### REMEMBERING BETTY FORD

Mrs. BOXER. Mr. President, today I ask my colleagues to honor the mem-

ory of one of our Nations' great leaders, former First Lady Betty Ford. Mrs. Ford passed away on July 8, 2011, at the age of 93. She leaves behind a legacy of candor, service, equal rights for all and a strong record of bipartisanship.

Elizabeth Ann Bloomer was born in Chicago, IL, on April 8, 1918, to William Stephenson Bloomer and Hortense Neahr. She had two older brothers, William and Robert Bloomer. When she was young, the family moved to Grand Rapids, MI, where she spent her childhood.

Dance was a passion of hers from a young age. While performing in Grand Rapids, she met Martha Graham, who became a lifelong friend, and was invited to perform with her dance company in New York City. To offset the cost of her own lessons, Mrs. Ford began teaching dance to children. She took on students with disabilities, even learning sign language so she could better help those who were hearing impaired.

In 1947 a friend introduced her to Gerald Ford, a lawyer who had been a Navy lieutenant during World War II. They became engaged in February 1948 but waited to announce their plans to marry until June, when Ford had won the Republican primary for the local U.S. congressional seat. The couple was married in October 1948 in Grand Rapids, just 2 weeks before he was elected to his first of 13 congressional terms. They spent their honeymoon attending a campaign rally and a University of Michigan football game.

Betty Ford served as the First Lady of the United States from 1974-1977, during her husband's Presidency. Mrs. Ford broke new ground as an activist First Lady who was an outspoken champion for the causes that she cared about passionately. She advocated programs that supported the arts and provided services for the disabled. She was a champion for women's rights and an ardent proponent of the equal rights amendment.

She became a prominent leader in the women's rights movement and led marches and rallies for the ERA. The National Organization for Women appointed her as the cochair of the ERA Countdown Campaign. Even after she left the White House, she continued to lobby for women's equality and remained an active voice for the feminist movement.

Mrs. Ford never shied away from an opportunity to speak her mind, even when her opinions were opposite her husband's. She is known as one of the most candid First Ladies in history, who took a strong, public stance on those issues she found to be most important: reproductive rights, fair pay, and gun control. Mrs. Ford was known for speaking plainly about these issues, as well as those that affected her personal life.

In 1982, after her recovery from an addiction to alcohol and prescription drugs, she founded the Betty Ford Center for chemical dependency. Her willingness to openly discuss her personal struggles raised awareness of alcoholism and drug addiction. Similarly, she became a pioneer in the fight against breast cancer when she announced she had been diagnosed with a malignant breast tumor and underwent a mastectomy. Seeing her recovery helped to remove the stigma about cancer and inspired many more women to seek treatment. She helped to get the Susan G. Komen Foundation off the ground when the organization was first started in 1982. In 1987 the first Betty Ford Breast Care Services Center was opened in Grand Rapids, MI, to provide state-of-the-art diagnostics, education, and testing for breast health. Since then, six more centers have opened in the Grand Rapids area.

In 1991 she was awarded the Presidential Medal of Freedom. In 1999 Mrs. Ford, along with President Ford, received the Congressional Gold Medal.

In addition to her public service, Mrs. Ford was a devoted wife and mother, and was actively involved in her family's life. She volunteered to help with her children's Cub Scout activities, football, baseball, and of course, her daughter's dance recitals. She also served as a Sunday school teacher at the family's church, and on the PTA.

Betty Ford was a highly respected and beloved leader. She will be missed by all who knew her. She inspired future generations of leaders and helped us make huge leaps toward gaining equal opportunities for women. She is survived by her three sons: Michael Gerald Ford, John Gardner Ford, and Steven Ford; her daughter Susan Ford; and her grandchildren Sarah, Rebekah, Hannah, Christian, Johnathan, Tyne, and Heather.

#### REMEMBERING CONGRESSMAN ROBERT F. ELLSWORTH

Mr. ROBERTS. Mr. President, today I commemorate the life of Robert F. Ellsworth—a dear friend and mentor to myself, loving husband to his wife Eleanor, and leader to many. In his service throughout his life as a lawyer, officer, Congressman, Presidential aide, and Ambassador, Bob met challenges as opportunities and transformed ideas into reality. His memorial service was held at St. Francis Episcopal Church in Potomac on Saturday, June 11. Along with my own statement, I ask that the following statements from that day be printed in the RECORD.

#### STATEMENT FROM SENATOR PAT ROBERTS

It is both an honor and a privilege to offer just a few brief thoughts as we friends celebrate the unique and special life of our friend Bob Ellsworth.

Many people would define happiness in many different ways. However, a good defini-

tion of happiness would be Eleanor in that she brought so much happiness into Bob's life and, for that matter, to everyone privileged to meet and know her. Eleanor, our prayers and thoughts are with you. I really don't think anyone can capture or fully describe Bob Ellsworth, but here is my take:

First, he was a friend of the Roberts family dating back to my Dad and such a loyal friend. Second, throughout his wonderful and most notable career, Bob was just plain nice; a true gentleman. The late congressman Bill Emerson of Missouri, who worked as a staffer for Congressman Bob Ellsworth, said he was the best and most unique boss he ever had. Bill often said, "Bob Ellsworth would come around and ask us if we were happy with our jobs. I first thought I was going to be fired but soon realized he really cared about his staff and wanted them to feel useful and if they thought they were making a difference." As a Senator, I try to follow his example with my staff today. But, seriously, who does that today?

Third, he was not only my friend but mentor as well. He made wonderful things happen for me and gave me so many opportunities: serving on the German-American International Exchange just as the wall came down and putting up with a freshman Senator and later on the Commission on America's National Interests with the Who's Who of America's foreign and national security policy makers. This time, with Bob's help, I think I actually made a difference. And, he was a mentor and advisor to so many and like so many of his stature and knowledge, he seldom offered advice and counsel without first being asked. Bob Dole and I asked a lot and I know Bob regrets deeply he cannot be in attendance.

I affectionately called Bob Ellsworth the Phantom with the light bulbs. He would always call, drop in suddenly, like the Phantom and then give me a rapid fire summary of what others of like mind were thinking and what he thought. During his dissertation and wonderful visit, light bulbs would go off in my head always with the thought, "Why didn't I think of that?"

I really think Bob Ellsworth was a genius who somehow let you believe you really came up with his latest insight. Being an over the top Kansas State University enthusiast, genius may be the proper description but we mere Kansas State graduates simply said he was "pretty damn smart."

I will miss my friend and mentor as will so many. We shall not see the likes of Bob Ellsworth again. I thank the Dear Lord for allowing me to know, learn from and truly enjoy Bob Ellsworth during this space and time.

#### STATEMENT FROM SECRETARY OF STATE HENRY A. KISSINGER

As we grow older, life becomes more and more lonely as the pillars on which we counted disappear one by one. Bob was one of those patriots who sustained our country and gave meaning to our personal life. Over the decades of our acquaintance, he always stood for principles I respect and was committed to concepts of service that have made our country great.

He will be missed but long remembered.

#### STATEMENT FROM FORMER SECRETARY OF DEFENSE DONALD RUMSFELD

Bob Ellsworth led a life dedicated to service. From his time as a Naval officer in World War II and in the Korean War, to his service in the Congress and as U.S. ambassador to NATO, to his tour in the Pentagon

as an Assistant Secretary and later Deputy Secretary, Bob did not drift from his love of country and sense of duty. Never one to give in to pessimism or mistrust, he radiated warmth and solid, common sense. Our paths first crossed in the early 1960s, a time when warmth and common sense were not always in ample supply. We came to know each other in the U.S. Congress, when differences over civil rights, riots over political assassinations, and rancor over the Vietnam War peaked across the country. His was always a steadying hand. A serious legislator, he believed that his job in representing his constituents consisted of the often unglamorous work of working on legislation in committee rooms and at late nights behind his office desk. Bob wasn't a man short on courage. He helped a small group of upstart Republicans turn out the incumbent House leadership in 1964 and elect Gerald Ford as Minority Leader.

It's been said by Soviet dissident Aleksandr Solzhenitsyn that "hastiness and superficiality" are distinguishing features of the 20th century, and that nowhere are they on more display than in the press and in politics. But Bob Ellsworth was the antidote to hastiness and superficiality. What he lacked in flash, he made up in substance. As the senior official in charge of Defense Department intelligence operations, Bob manned the ramparts against white-hot Congressional committee investigations that often seemed to be excoriating the intelligence community rather than helping to fix it. He responded to partisanship with collegiality and to bluster with thought. Joyce and I regret that we cannot be with Bob's family and his many friends to mourn, to remember, and to most of all, to celebrate a life lived to its fullest. Our thoughts and prayers are with Eleanor, Ann and William. May God bless Bob Ellsworth, his loving family, and the country he served so ably.

#### STATEMENT BY FORMER SENATORS BOB AND ELIZABETH DOLE

Dear Friends of Bob Ellsworth,

Longstanding commitments in Kansas prevent us from being physically present as you celebrate Bob Ellsworth's life and legacy. But we are very much with you in spirit and in our prayers. We share not only the grief felt by Bob's family and friends—but also their gratitude for all he accomplished in 84 remarkable years. Along the way Bob earned many titles of distinction. Yet no resume, however impressive, can do justice to the character of this man. Exactly fifty years have passed since the two Bobs—Ellsworth and Dole—first arrived in Washington. We came from opposite ends of Kansas, and not just geographically. But from the start we were kindred spirits. Bob loved his country second only to his family. He made politics a noble calling. His example of personal civility and respect for his colleagues has much to teach today's public servants as they strive to be patriots ahead of partisans. Nor will either of us ever forget the day in December, 1975, when Bob served as best man at our wedding. The title might well have been coined for him, and not in a ceremonial capacity alone. For the odds were great that, whatever setting Bob graced by his presence, he was the best man there.

It is customary to address public officials, and particularly members of Congress, as "Honorable." No man we know did more to deserve that label than Bob Ellsworth. Much as we will miss him, we will be forever thankful that our lives were so entwined with, and enriched by, the life we celebrate today.

STATEMENT FROM THE CENTER FOR THE  
NATIONAL INTEREST

The Center for the National Interest and The National Interest lost a leader and a dear friend with the death of Bob Ellsworth on Monday, May 9.

Center Honorary Chairman and former Secretary of State Henry Kissinger, a close colleague for many years, described Ellsworth as “a great public servant and a valued friend.” Bob was a key member of the Center’s board from its inception and had been Vice Chairman since 2008. He was also President of The National Interest, Inc. and a long-time member of the magazine Advisory Council.

Bob was among the small group who advised Richard Nixon on the creation of the Center in the early 1990s. Nixon relied heavily on Bob’s advice over the years, both in and out of government—he knew, as he put it, that Bob was one of the rare individuals in Washington who would tell him what he needed to hear, not what he wanted to hear.

As a true gentleman, Bob Ellsworth always delivered his candid views with grace and tact, to Nixon and to others. Though very independent-minded—demonstrated in his opposition to the wars in Vietnam and Iraq, and his endorsement of Barack Obama after a lifelong career as a leading Republican—Bob’s personal charm and openness ensured that he was widely respected and admired, even by those with different perspectives. Bob was rare for one of his stature and accomplishment in being able to take bold positions on important issues while always remaining civil and ensuring that differences were substantive rather than personal.

During his long and varied career, Bob was a soldier, a politician, a diplomat, an official, a scholar, and, most recently, an investor. This included service in World War II and the Korean War, in the United States Congress, as Ambassador to NATO and later Assistant Secretary and Deputy Secretary of Defense. In addition to his leadership at our Center and its magazine, Bob served for many years as Chairman of the Council of the International Institute for Strategic Studies (London). He was also a member of the Council on Foreign Relations, the Atlantic Council, the American Council on Germany, and many other internationally focused organizations.

Bob was also a great patriot. He worked and fought throughout his life to advance American leadership, American security, and American principles. He believed strongly in America’s exceptionalism—but was convinced that our country should also be exceptional in its tolerance and humility in dealing with others. Bob was also a profoundly religious man, married to an Episcopal priest. Yet as in the case of his patriotism, his piety was personal rather than public.

Robert Ellsworth was a genuine role model—a man of uncommon strength, determination, wisdom, and warmth whom all should emulate. He will be greatly missed. We offer our deepest condolences to his wife, Rev. Eleanor Ellsworth, and his family.

TRIBUTE TO JUDGE WILLIAM F.  
DOWNES

Mr. BARRASSO. Mr. President. On July 24, 2011, Chief U.S. District Judge William F. Downes will retire after 17 years on the Federal bench in Wyoming.

Judge Downes has long recognized that for our democracy to survive, a

strong judicial branch is necessary. As he acknowledged during his Senate Judiciary nomination hearing in 1994, the strength of the judiciary is not determined by activist judges and changing the law to achieve a desired outcome. Rather, a strong judiciary consists of judges who uphold the Constitution, are thorough in their decisions, have not formulated an opinion prior to a case being heard, and treat people with respect and decency. This was the standard that Judge Downes set for himself in 1994. By all accounts he achieved that standard in his courtroom.

Judge Downes, the grandson of Irish immigrants, has enjoyed the opportunity to welcome new citizens to our nation by performing Naturalization ceremonies. Cited as one of the highlights of his career, he has always said a Naturalization ceremony is one of the few times people come to the courthouse happy and leave even happier.

He began his public service early in life when he served in the U.S. Marine Corps from 1968 to 1971. Though he did not make military service his career, his career in the law has been profoundly affected by his military service.

In an article that appeared in the 2007 June edition of the Wyoming Lawyer, Judge Downes discusses the important role played by the citizen jury system in our government. He quotes from a letter sent by Thomas Jefferson to Thomas Paine:

I consider trial by jury as the only anchor yet devised by man by which the government can be held to the principles of the Constitution.

In the same article, he describes two photos he keeps under the glass top of his desk. One photo is of his family on Easter Sunday in 1985. The other photo, from the spring of 2003, is of a 6-year-old boy named Tony, clutching a teddy bear, walking out of a church, wiping tears from his eyes. He had just attended the funeral of his father, MAJ Kevin G. Nave, USMC, who died on March 26, 2003, in the early stages of the Iraq war.

Judge Downes writes:

Kevin Nave died so that we might have the opportunity to live under a Constitution which guarantees us the opportunity of life, liberty and the pursuit of happiness.

He ends his article with the following:

Thomas Jefferson and the other founding fathers of this Nation expected that we citizens would participate in the governance of our nation and, by our efforts, make it a more perfect union. If we judges and lawyers do our utmost to uphold the constitutional right to trial by jury, we will achieve the highest aspiration of our profession. For Tony’s sake, and for all our children, we can do no less.

Judge Downes achieved the highest aspiration of his profession. He has contributed to the governance of our Nation with distinction.

Mr. President, I ask my colleagues to join me in thanking Judge Downes, a true American Patriot, for his service to Wyoming and to our Nation.

## ADDITIONAL STATEMENTS

## TRIBUTE TO DR. GENSHITSU SEN

• Mr. AKAKA. Mr. President, I wish to honor the work of Dr. Genshitsu Sen, renowned Japanese tea master and humanitarian, who has promoted peace and appreciation of the Japanese culture through chado, the Japanese Way of Tea. Dr. Sen is the 15th grand tea master of the Urasenke School of Tea, which for nearly 500 years has served to perpetuate the ancient rite. On March 3, 1951, just 6 years after the end of World War II, during which he served in the Japanese Imperial Navy, Dr. Sen performed a tea ceremony in Honolulu, HI, the first such performance outside of Japan. This auspicious occasion launched Dr. Sen’s dream of promoting “peacefulness through a bowl of tea.” In the years that followed, Urasenke chado centers were established in cities worldwide, including Washington, DC, New York, London, Paris, Rome, São Paulo, Dusseldorf, Mexico City, Beijing, and Honolulu.

Today, in my home State of Hawaii, we celebrate the 60th anniversary of Dr. Sen’s vision and work to promote peace and understanding, with a special tea ceremony performed on a sacred American site, the Arizona Memorial. The Memorial is positioned above the sunken battleship USS *Arizona*, the final resting place of hundreds of servicemembers killed in the attack on Pearl Harbor. The ceremony is a strong statement supporting the potential for peace despite a tragic history.

Japan is one of America’s strongest and most trusted allies and I thank Dr. Sen for his work to promote good relations between our two countries. I also recognize Soshitsu Sen, the 16th and current grand tea master of the Urasenke School. Finally, my thanks to Mrs. Jean Ariyoshi, former First Lady of Hawaii, who was instrumental in arranging today’s historic event at the *Arizona* Memorial.●

## MESSAGE FROM THE HOUSE

At 11:39 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 33. An act to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act.

## MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 33. An act to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act; to the Committee on Banking, Housing, and Urban Affairs.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2502. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (44 CFR Part 65) (Docket No. FEMA-2011-0002) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2503. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Australia; to the Committee on Banking, Housing, and Urban Affairs.

EC-2504. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments" (RIN0648-BB21) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2505. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder; Scup, and Black Sea Bass Fisheries; 2011 Scup Specifications; Fishing Year 2011" (RIN0648-BA92) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2506. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Western Pacific; Mechanism for Specifying Annual Catch Limits and Accountability Measures" (RIN0648-AY93) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2507. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Western Pacific Pelagic Fisheries; Prohibiting Longline Fishing Within 30 Nautical Miles of the Northern Mariana Islands" (RIN0648-AW67) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2508. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Interim Enforcement Policy for Certain Fire Protection Issues" (RIN3150-AG48) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2509. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revisions" (FRL No. 9440-7) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2510. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Regional Haze State Implementation Plan" (FRL No. 9440-1) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2511. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Alabama; Disapproval of Interstate Transport Submission for the 2006 24-hour PM2.5 Standards" (FRL No. 9438-1) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2512. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Georgia; Disapproval of Interstate Transport Submission for the 2006 24-hour PM2.5 Standards" (FRL No. 9438-2) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2513. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plan; Kentucky; Disapproval of Interstate Transport Submission for the 2006 24-hour PM2.5 Standards" (FRL No. 9437-9) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2514. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Section 110(a)(2) Infrastructure Requirements for 1997 8-hour Ozone and Fine Particulate Matter National Ambient Air Quality Standards; New Mexico Ambient Quality Standards; Approval of New Mexico's PSD Program; CFR Codification Technical Corrections" (FRL No. 9438-7) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2515. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plan; North Carolina; Disapproval of Interstate Transport Submission for the 2006 24-hour PM2.5 Standards" (FRL No. 9438-3) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2516. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Control of Nitrogen Oxides Emissions from Portland Cement Kilns" (FRL No. 9439-8) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2517. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Vermont; Reasonably Available Control Technology (RACT) for the 1997 8-hour Ozone Standard" (FRL No. 9439-5) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2518. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Missouri" (FRL No. 9440-9) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2519. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Consistency Update for Virginia" (FRL No. 9434-5) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2520. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District" (FRL No. 9438-6) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2521. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Notice of Data Availability Concerning Transport Rule Allowance Allocations to Existing Units" (FRL No. 9435-6) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2522. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants

From Petroleum Refineries" (FRL No. 9439-2) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2523. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Hipps Road Landfill Superfund Site" (FRL No. 9438-4) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2524. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New York; Revised Format of 40 CFR Part 52 for Materials Being Incorporated by Reference" (FRL No. 9430-3) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2525. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval, Disapproval, and Promulgation of Air Quality Implementation Plans; Utah; Revisions to New Source Review Rules" (FRL No. 9428-9) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2526. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List" (FRL No. 9440-4) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2527. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District" (FRL No. 9431-9) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC-2528. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "RCRA Hazardous Waste Identification of Methamphetamine Production Process By-products"; to the Committee on Environment and Public Works.

EC-2529. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Determining the Amount of Taxes Paid for Purposes of the Foreign Tax Credit" (RIN 1545-BK25) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Finance.

EC-2530. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update for Weighted Average Interest Rates, Yield Curves, and

Segment Rates" (Notice 2011-59) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Finance.

EC-2531. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice and Request for Comments Regarding the Community Health Needs Assessment Requirements for Tax-exempt Hospitals" (Notice 2011-52) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Finance.

EC-2532. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Neurological Devices; Clarification of Classification for Human Dura Mater; Technical Amendment" (Docket No. FDA-1997-N-0040) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2533. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Exception From General Requirements for Informed Consent" (Docket No. FDA-2003-N-0212) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2534. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Delays in Approvals of Applications Related to Citizen Petitions and Petitions for Stay of Agency Action for Fiscal Year 2010"; to the Committee on Health, Education, Labor, and Pensions.

EC-2535. A communication from the Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employees Health Benefits Program: New Premium Rating Method for Most Community Rated Plans" (RIN3206-AM39) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Homeland Security and Governmental Affairs.

#### PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-59. A resolution adopted by the Commission of Wayne County of the State of Michigan relative to recognition of the importance of the continuing funding and support for the F-35 Joint Strike Fighter Program; to the Committee on Armed Services.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. MURRAY, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:

S. 745. A bill to amend title 38, United States Code, to protect certain veterans who would otherwise be subject to a reduction in educational assistance benefits, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ (for himself and Mr. GRASSLEY):

S. 1383. A bill to amend part D of title IV of the Social Security Act to improve the enforcement, collection, and administration of child support payments, and for other purposes; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 1384. A bill to amend the Immigration and Nationality Act to provide for the temporary employment of foreign agricultural workers, and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER (for himself and Mr. DEMINT):

S. 1385. A bill to terminate the \$1 presidential coin program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEVIN:

S. 1386. A bill for the relief of Hussein Bazzi; to the Committee on the Judiciary.

By Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, and Mr. BAUCUS):

S. 1387. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. MCCAIN, and Mr. LIEBERMAN):

S. 1388. A bill to support private sector development, employment growth, rule of law, democratic reform, and accountable government in qualified transition countries in the Middle East and North Africa through the authorization of the participation by the United States in the general capital increase of the European Bank for Reconstruction and Development, and for other purposes; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 52

At the request of Mr. INOUE, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 52, a bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 344

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 387

At the request of Mrs. BOXER, the name of the Senator from Connecticut

(Mr. BLUMENTHAL) was added as a cosponsor of S. 387, a bill to amend title 37, United States Code, to provide flexible spending arrangements for members of uniformed services, and for other purposes.

S. 672

At the request of Mr. ROCKEFELLER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 697

At the request of Mr. CASEY, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 697, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Services for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 798

At the request of Mr. TESTER, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 798, a bill to provide an amnesty period during which veterans and their family members can register certain firearms in the National Firearms Registration and Transfer Record, and for other purposes.

S. 835

At the request of Mr. CRAPO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 835, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearms laws and regulations, protect the community from criminals, and for other purposes.

S. 866

At the request of Mr. TESTER, the names of the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Montana (Mr. BAUCUS) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 866, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

S. 905

At the request of Mr. HARKIN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 905, a bill to amend the Internal Revenue Code of 1986 to allow a credit

against income tax for the purchase of hearing aids.

S. 946

At the request of Mr. BAUCUS, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 946, a bill to establish an Office of Rural Education Policy in the Department of Education.

S. 958

At the request of Mr. CASEY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1052

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1052, a bill to amend the Public Health Service Act to create a National Childhood Brain Tumor Prevention Network to provide grants and coordinate research with respect to the causes of and risk factors associated with childhood brain tumors, and for other purposes.

S. 1175

At the request of Mrs. HAGAN, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1175, a bill to provide, develop, and support 21st century readiness initiatives that assist students in acquiring the skills necessary to think critically and solve problems, be an effective communicator, collaborate with others, and learn to create and innovate.

S. 1176

At the request of Ms. LANDRIEU, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1297

At the request of Mr. BURR, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1297, a bill to preserve State and institutional authority relating to State authorization and the definition of credit hour.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1314

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1314, a bill to amend title 38, United States Code, to require the Secretary of Labor to establish minimum funding levels for States for the support of disabled veterans' outreach program specialists and local veterans' employment representatives, and for other purposes.

S. 1333

At the request of Mr. REED, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1333, a bill to provide for the treatment and temporary financing of short-time compensation programs.

S. 1349

At the request of Mr. JOHANNIS, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 1349, a bill to amend the National Flood Insurance Act of 1968 to clarify the effective date of policies covering properties affected by floods in progress.

S. 1354

At the request of Mrs. HAGAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1354, a bill to authorize grants to promote media literacy and youth empowerment programs, to authorize research on the role and impact of depictions of girls and women in the media, to provide for the establishment of a National Task Force on Girls and Women in the Media, and for other purposes.

S. 1369

At the request of Mr. CRAPO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1369, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 1372

At the request of Mr. REED, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1372, a bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes.

S. 1378

At the request of Mr. NELSON of Nebraska, the name of the Senator from New Mexico (Mr. BINGAMAN) was added



as a cosponsor of S. 1378, a bill to ensure that Social Security and Tier 1 Railroad Retirement benefits are properly taken into account for purposes of determining eligibility for Medicaid and for the refundable credit for coverage under a qualified health plan.

S.J. RES. 6

At the request of Mrs. HUTCHISON, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S.J. Res. 6, a joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from North Carolina (Mr. BURR), the Senator from Washington (Ms. CANTWELL), and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S.J. Res. 17, supra.

S.J. RES. 21

At the request of Mr. MENENDEZ, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. RES. 132

At the request of Mr. NELSON of Nebraska, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

S. RES. 216

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 216, a resolution encouraging women's political participation in Saudi Arabia.

S. RES. 228

At the request of Mr. LAUTENBERG, the names of the Senator from Rhode Island (Mr. REED), the Senator from Vermont (Mr. LEAHY), the Senator from Vermont (Mr. SANDERS), the Senator from Maryland (Ms. MIKULSKI), the Senator from Washington (Ms. CANTWELL), the Senator from Montana (Mr. BAUCUS), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Alabama (Mr. SESSIONS), the Senator from Oregon (Mr. WYDEN), the Senator from North Carolina (Mr.

BURR), the Senator from Delaware (Mr. COONS), the Senator from Delaware (Mr. CARPER), the Senator from Colorado (Mr. UDALL), the Senator from Texas (Mr. CORNYN), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New Mexico (Mr. UDALL), the Senator from Wyoming (Mr. ENZI), the Senator from Georgia (Mr. ISAKSON), the Senator from Hawaii (Mr. INOUE), the Senator from South Dakota (Mr. JOHNSON), the Senator from Nevada (Mr. REID), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Texas (Mrs. HUTCHISON), the Senator from Nebraska (Mr. JOHANNIS), the Senator from Iowa (Mr. GRASSLEY), the Senator from Wisconsin (Mr. KOHL), and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. Res. 228, a resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

S. RES. 232

At the request of Mr. MENENDEZ, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 232, a resolution recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners.

AMENDMENT NO. 556

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 556 proposed to H.R. 2055, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 562. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 563. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 564. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra.

SA 565. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 566. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 567. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 568. Mr. VITTER proposed an amendment to the bill H.R. 2055, supra.

SA 569. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 570. Mr. WYDEN (for himself and Mr. MERKLEY) proposed an amendment to the bill H.R. 2055, supra.

#### TEXT OF AMENDMENTS

SA 562. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended for a permanent United States Africa Command headquarters outside of the United States until the Secretary of Defense provides the congressional defense committees an analysis of all military construction costs associated with establishing a permanent location overseas versus in the United States.

SA 563. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended on a military construction project at Grafenwohr, Germany, or Baumholder, Germany, until the Secretary of the Army submits to Congress, in writing, a report on installations and properties in Germany that the Army intends to return to the host nation, including—

(1) intended timelines for closures along with the list of military construction projects required at other installations to facilitate the downsizing and consolidation of Army forces in Germany;

(2) an identification of the brigade combat team that will be withdrawn from Germany; and

(3) an estimate of costs (including operation and maintenance costs and military construction costs) to be incurred during fiscal years 2012 through 2015 in connection with keeping the brigade identified in Germany through September 30, 2015 versus stationing a similar brigade in the United States.



**SA 564.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; as follows:

On page 112, between lines 2 and 3, insert the following:

SEC. 230. (a) Section 1116(b) of title 38, United States Code, is amended—

(1) in paragraph (1), by striking “positive association” and inserting “causal relationship”; and

(2) by striking paragraph (3).

(b) The amendments made by subsection (a) shall apply with respect to determinations made by the Secretary of Veterans Affairs under section 1116 of such title after the date of the enactment of this Act.

**SA 565.** Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, between lines 12 and 13, insert the following:

SEC. 410. Section 4103(b)(2) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended by striking “\$30,000,000,000” and inserting “\$18,000,000,000”.

**SA 566.** Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** **INCLUSION OF INTERNAL REVENUE SERVICE LEVIES AS ENFORCEABLE AGAINST THRIFT SAVINGS PLAN ACCOUNTS.**

Section 8437(e)(3) of title 5, United States Code, is amended by inserting “, the enforcement of a Federal tax levy as provided in section 6331 of the Internal Revenue Code of 1986,” after “enforcement of an order of restitution under section 3663A of title 18,”.

**SA 567.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, between lines 12 and 13, insert the following:

SEC. 410. None of the funds appropriated or otherwise made available by this Act shall be obligated or expended at a rate higher than the level of the concurrent budget resolution for fiscal year 2012.

**SA 568.** Mr. VITTER proposed an amendment to the bill H.R. 2055, mak-

ing appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; as follows:

On page 117, between lines 12 and 13, insert the following:

SEC. 410. None of the funds appropriated or otherwise made available by this Act shall exceed the level of the concurrent budget resolution for fiscal year 2012.

**SA 569.** Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. (a) **CLOSURE OF UMATILLA ARMY CHEMICAL DEPOT, OREGON.**—Notwithstanding any other provision of law, the Secretary of the Army shall close Umatilla Army Chemical Depot, Oregon, by not later than one year after the completion of chemical demilitarization mission in accordance with the Chemical Weapons Convention Treaty.

(b) **IMPLEMENTATION.**—The closure provided for in subsection (a), and subsequent management and property disposal, shall be carried out in accordance with procedures and authorities contained in the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

(c) **RETENTION OF PROPERTY AND FACILITIES.**—The Secretary of the Army may retain minimum essential ranges, facilities, and training areas at Umatilla Army Chemical Depot, totaling approximately 7,500 acres, as a training enclave for the reserve components of the Armed Forces to permit the conduct of individual and annual training.

(d) **OFFICE OF ECONOMIC ADJUSTMENT ACTIVITIES.**—Notwithstanding any other provision of law, the Office of Economic Adjustment Activities of the Department of Defense may make grants and supplement other Federal funds, using funds made available by title, in connection with the closure and management and disposal provided for in this section, and the projects so supported shall be considered to be authorized by law.

**SA 570.** Mr. WYDEN (for himself and Mr. MERKLEY) proposed an amendment to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. (a) **CLOSURE OF UMATILLA ARMY CHEMICAL DEPOT, OREGON.**—The closure of the Umatilla Army Chemical Depot, Oregon, and subsequent management and property disposal, may be carried out in accordance with procedures and authorities contained in the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

(c) **RETENTION OF PROPERTY AND FACILITIES.**—The Secretary of the Army may retain minimum essential ranges, facilities, and

training areas at Umatilla Army Chemical Depot, totaling approximately 7,500 acres, as a training enclave for the reserve components of the Armed Forces to permit the conduct of individual and annual training.

(d) **OFFICE OF ECONOMIC ADJUSTMENT ACTIVITIES.**—Notwithstanding any other provision of law, the Office of Economic Adjustment Activities of the Department of Defense may make grants and supplement other Federal funds, using funds made available by title, in connection with the closure and management and disposal provided for in this section, and the projects so supported shall be considered to be authorized by law.

## NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, July 26, 2011, at 10 a.m. in SD-430 to conduct a hearing entitled “Building the Ladder of Opportunity: What’s Working to Make the American Dream a Reality for Middle Class Families.”

For further information regarding this meeting, please contact Zach Schechter-Steinberg of the committee staff on (202) 224-5441.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 19, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 19, 2011, at 10 a.m., to conduct a committee hearing entitled “Enhanced Consumer Financial Protection After the Financial Crisis.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 19, 2011, at 10:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of

the Senate on July 19, 2011, at 2:30 p.m., in Dirksen 406 to conduct a hearing entitled, "Nomination of Ken Kopocis to be Assistant Administrator for the Office of Water for the Environmental Protection Agency and Rebecca Wodder to be Assistant Secretary for Fish, Wildlife and Parks for the Department of the Interior.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 19, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

AD HOC SUBCOMMITTEE ON DISASTER RECOVERY AND INTERGOVERNMENTAL AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Disaster Recovery and Intergovernmental Affairs of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Tuesday, July 19, 2011, at 2:30 p.m. to conduct a hearing entitled, "2011 Spring Storms: Picking up the Pieces and Building Back Stronger."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CRIME AND TERRORISM

Mr. REED. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Crime and Terrorism, be authorized to meet during the session of the Senate, on July 19, 2011, at 10:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Drug and Veterans Treatment Courts: Seeking Cost-Effective Solutions for Protecting Public Safety and Reducing Recidivism."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH AND CENTRAL ASIAN AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 19, 2011, at 2:30 p.m., to hold a Near Eastern and South and Central Asian Affairs subcommittee hearing entitled, "U.S. Policy in Yemen."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Aaron Hernandez of my staff be granted privileges of the floor for the remainder of this week.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, JULY 20, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 9:30 a.m. tomorrow, Wednesday, July 20; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; and that following morning business, the Senate resume consideration of the Military Construction appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEBT CEILING

Mr. REID. Mr. President, for the benefit of Senators and everyone within the sound of my voice, we are doing our very best, recognizing we have 13 days left until the debt ceiling comes to be, to do something about it, that we would not default on our debt. It would be cataclysmic to our country and the world. We have not done a lot on the floor, but there are a lot of people working in a lot of different ways to arrive at a way to stop the country from defaulting on the debt.

Many Democrats, many Republicans are working toward that end. But we need a path forward, and we think we have one, but it is certainly not completed yet. This is a bicameral legislature, and we have another meeting at the White House tomorrow. We are doing our very utmost to do this as well as we can. There is no easy solution.

PROGRAM

Mr. REID. Mr. President, there will be a rollcall vote at approximately noon tomorrow in relation to the Vitter amendment. We have every belief we can complete action on the Military Construction bill tomorrow.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it recess under the previous order.

There being no objection, the Senate, at 6:54 p.m., recessed until Wednesday, July 20, 2011, at 9:30 a.m.

## HOUSE OF REPRESENTATIVES—Tuesday, July 19, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. POE of Texas).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 19, 2011.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### VOTER SUPPRESSION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. FUDGE) for 5 minutes.

Ms. FUDGE. Mr. Speaker, I rise today to address bills pending or already signed into law in 47 States that will disenfranchise voters. These bills will prohibit address changes at the polls, end volunteer-run voter registration drives, eliminate same-day voter registration, and limit the ability of absentee voters to cast their ballot. Many of the bills include highly restrictive voter photo identification requirements.

Just this month, Mr. Speaker, the Ohio State Legislature passed and Governor Kasich signed into law one of the most draconian voter measures in the Nation. Ohio's House bill 194 invalidates a vote where a voter properly marks the ballot in support of a particular candidate but also writes in the name of that same candidate. These bills dramatically reduce the time allotted for early voting and eliminate the requirement that poll workers direct voters to the correct precinct. These new policies are a clear attempt to prevent certain predetermined segments of the population from exercising their right to vote.

To be frank, Mr. Speaker, these efforts have an all too familiar stench of the Jim Crow era. The bill pending in my State and all the others are the works of covert opportunists seeking to disenfranchise and suppress the rights of American citizens. I'm here today to tell you that we will not relinquish our constitutional rights, and we plan to fight to uphold the franchise others fought and died to protect. We will not lie down.

Mr. Speaker, I yield to my friend from North Carolina, Mr. G.K. BUTTERFIELD.

Mr. BUTTERFIELD. I thank the gentlelady for yielding.

Mr. Speaker, across the country, Republican-led legislatures are pushing and passing laws that will suppress minority and elderly voters in the coming election. Under the guise of "eliminating voter fraud," Republicans have a solution to a problem that simply does not exist. In my home State of North Carolina, where the Republican legislature is attempting to require voter ID at the polls, there were only 44 cases of voter fraud in the 2008 and 2010 elections combined. Forty-four cases out of over 7 million ballots cast. Is this a serious voter problem? No.

Unfortunately, it is a cynical and malicious Republican attempt to suppress minority and elderly voters who turned out in historical numbers for the 2008 elections. Almost one-fourth of African American voting age citizens and one-fifth of seniors do not have government-issued ID; yet new laws require them to pay for IDs in order to vote. This is a poll tax. We must inform our constituents that their fundamental right in a democracy is being infringed and fight back against this voter suppression epidemic.

Ms. FUDGE. Mr. Speaker, I now yield to my good friend, the Congresswoman from Florida, CORRINE BROWN.

Ms. BROWN of Florida. All across the country we are witnessing efforts to suppress minority voting rights. How is this being done? By deterring minority voters from registering to vote and from going to the polls in an organized effort to turn the clock back to the period prior to the 1965 Voting Rights Act. I am from Florida, and in my State, our current Governor, Rick Scott, is doing everything he can to follow in the steps of what has occurred across the country, striving to stamp out the gains we worked so hard for so many, many years to achieve.

In Florida, earlier this year, Governor Scott signed the Omnibus Elec-

tions bill, which takes away many of Florida voters' basic rights. Its provisions include numerous hideous items much like those in bills passed in other State legislatures around the Nation to keep African Americans and Hispanics from going to the polls or refraining from participating in early voting in the upcoming 2012 elections.

The new law passed in Florida would make voting more difficult for people who have recently changed residence as well as shorten early voting time, from 14 days to 6 days. It would provide a 100-foot buffer between voters standing in line to get information. And it goes on and on and on. In addition, it imposes a \$50 fine on election supervisors who are late in filing routine reports to the State.

After what happened in Florida in the 2000 coup d'etat, it is amazing to me that Florida would pass such hideous laws. I think it's very important that the Justice Department weigh in and that the people in Florida are not disenfranchised.

### THE NATIONAL DEBT AND FISCAL RESPONSIBILITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. LANCE) for 5 minutes.

Mr. LANCE. Mr. Speaker, as our Nation's debt now approaches its current \$14.29 trillion limit, many Americans rightfully ask: How did this happen?

In the past decade alone, Congress has authorized an increase in the debt 10 times. When Republicans had controlled the White House and Congress, it was Republicans who voted for it. When Democrats have controlled the White House and Congress, it has been Democrats who have voted for it.

The Federal Government has only managed to balance its budget five times in the last 50 years, most recently with President Clinton, a Democrat, and Republican control in the House of Representatives. Washington now borrows approximately 40 percent of every dollar it spends. Foreign investors hold half of our Nation's \$14 trillion debt—not only from China, but from Great Britain, Saudi Arabia, and other places as well. Admiral Mullen, the Chairman of the Joint Chiefs of Staff, has called the national debt "the single biggest threat to our national security."

For the first time in modern history, last year's Congress passed no budget, no fundamental blueprint for spending, and no final decision on spending levels

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

through the appropriations process for the entire fiscal year. We've been operating under a series of continuing resolutions, which has led to uncertainty as to Federal levels of spending and as to tax rates, which in turn has led to a lack of hiring in the private sector, with an unemployment rate of 9.2 percent, which in turn has led to less revenues in Federal coffers—a vicious cycle that cannot continue.

Any agreement to President Obama's request to increase our borrowing limit should include a real plan to bring our fiscal house in order and reduce the Nation's unsustainably high levels of Federal spending, debt and deficits. This should include substantial reductions in current spending—at least \$100 billion in fiscal year 2012—limiting Federal expenditures to a certain percentage of gross domestic product.

The historic norm has been 20 percent over the last generation. Tragically, we're now at 24 percent—and safeguards that will restrict future spending, such as a balanced budget amendment, which is contained in 49 of our 50 States.

Also, we must put partisanship aside and include reforms to save Social Security, Medicare, and Medicaid. If we do nothing, for example, regarding Medicare—and the President's budget in the winter did nothing—the program will begin to go bankrupt in 2024, 13 years from now. That is simply unsustainable and unacceptable.

When I was a boy and a young man, the fundamental issue confronting the Nation was the threat of the Soviet Union and international communism, the focus of evil in the modern world, as President Reagan said.

□ 1010

The fundamental issue confronting the Nation in the 21st century is fiscal responsibility. Will our children live in a diminished America? Will the promise of America that each generation will do better than the generation before it continue to exist? Will we continue to lead the world or will leadership pass to China or India or to some other place?

This is the great issue confronting the people of the United States, and it is the great issue confronting us here in Congress as well. Let's get our fiscal house in order.

#### THE REAGAN MYTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, an American President once wrote a letter to the Senate majority leader, urging him to raise the debt ceiling.

The President wrote: "The full consequences of a default or even the serious prospect of default by the United States are impossible to predict and awesome to contemplate.

"Denigration of the full faith and credit of the United States would have substantial effects on the domestic financial markets and on the value of the dollar in exchange markets."

That President's name was Ronald Reagan, and the year was 1983.

He closes his letter to Senate Majority Leader Howard Baker, saying: "The risks, the costs, the disruptions, and the incalculable damage lead me to but one conclusion: The Senate must pass this legislation before the Congress adjourns."

Watching the House floor 28 years later, you could be forgiven for being surprised Reagan would ever say such a thing. That's because the Reagan who gets referenced on the floor here is a myth while the Reagan who wrote to Howard Baker urging pragmatism was a man.

The real Ronald Reagan once said: "All of us have grown up accepting, with little question, certain images as accurate portraits of public figures—some living, some dead. Seldom, if ever, do we ask if the images are true to the original."

In the year of his 100th birthday, the Great Communicator might be amazed at how far his own image has shifted from the original.

He'd see his most dedicated followers using his name as justification for saying "no" to honoring our debts. He'd see his legacy used to play chicken with the world's greatest economic engine; but as Reagan often quoted John Adams, "facts are stubborn things."

The facts are these: President Reagan raised the debt ceiling 18 times. He recognized the danger of economic brinkmanship. President Reagan took responsibility when the deep tax cuts of 1981 didn't produce the promised revenue. He worked with both sides of the aisle to find a more sustainable balance. He worked with Tip O'Neill to shore up Social Security. He worked with my predecessor Dan Rostenkowski to reform the Tax Code and eliminate tax loopholes.

All of these actions would be condemned as tax increases by the purists who follow the image instead of the man. Image worship is a bipartisan disease, but we all do ourselves and our Nation a disservice by distorting past images to justify present policies.

As another American President, John F. Kennedy, once put it: "The greatest enemy of the truth is very often not the lie—deliberate, contrived and dishonest—but the myth—persistent, persuasive and unrealistic."

To say I disagreed with President Reagan on a number of issues is an understatement, but the more I get to know the myth, the more I like the man. President Reagan was not a picture on the wall. He was President of the United States for two terms in office, and he did his best to fulfill his sworn obligations.

We in Congress would do well to follow his lead and focus on what we can do during our short time in office. Let's truly follow President Reagan's example and govern for the future, not a past that never existed. Instead of talking to portraits, let's talk to each other.

#### AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, I am once again on the floor of the House with a picture of children who have lost a loved one in Afghanistan. Eden and Stephanie Balduf, shown here at Arlington Cemetery, lost their father, Sergeant Kevin Balduf, on May 12 of this year.

Sergeant Balduf, who was stationed at Camp Lejeune Marine Base, and Lieutenant Colonel Benjamin Palmer, stationed at Cherry Point Marine Base, were sent with the mission to train Afghan citizens to become police. The men had just sat down to dinner when a rogue trainee opened fire, killing both men.

In an e-mail to his wife the day before he died, Sergeant Balduf said: "I don't trust them. I don't trust them for anything, not for anything at all."

This brings me to a quote from AC Snow's recent column in the Raleigh News and Observer, titled, "Time to Bring Them Home. Let Them Live." Mr. Snow is a well-known and respected correspondent in North Carolina.

"It seems we never run out of wars. It is as if one small country after another sends out engraved invitations reading: 'We're having a war. Please come.'

"And Uncle Sam goes, lugging borrowed billions and thousands of young men and women to sacrifice on the altar of so-called 'freedom' or 'nation-building.'"

Mr. Speaker, I go back to the two little girls in this picture. How many more children will be at the graveside of a loved one? How many more will have to know the pain of war?

I further quote from AC Snow's article, which is quoted from the play *Les Misérables*: "He is young. He is only a boy. You can take. You can give. Let him be. Let him live. Bring him home. Bring him home. It's way past time to stop playing politics with the lives of America's youth. Bring them home. Let them live, not just 30,000 of them—all of them."

I agree with Mr. Snow and many others across this Nation who are calling for our troops to come home. Bin Laden is dead, and there are fewer than 30 al Qaeda remaining in Afghanistan, according to intelligence reports. We have done our job. We have won. It is time to bring them home.

The reason I continue to come down here on the floor is because of a statement former Secretary of Defense Bob Gates made before the Armed Services Committee in February, and I sit on that committee:

“That is why we believe that, beginning in fiscal year 2015, the United States can, with minimal risk, begin reducing Army active duty end strength by 27,000 and the Marine Corps by somewhere between 15,000 and 20,000. These projections assume that the number of troops in Afghanistan would be significantly reduced by the end of 2014, in accordance with the President’s strategy.”

I share this because I believe we are still in a black hole even with the President withdrawing 10,000 troops this year. Let’s not wait until 2014 or 2015. Let’s not bring any more pain to our military families. Our job is done. Let’s bring them home.

Mr. Speaker, before closing, one more time, on the faces of these little girls is the face of pain, of a daddy they will never grow up to know. It is time to bring them home, Mr. Speaker. It is time to bring them home.

On behalf of Eden and Stephanie and all the children across this country who have lost loved ones, may God bless you and your families. May God bless our men and women in uniform, and may God continue to bless America.

#### JOBS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL) for 5 minutes.

Mr. RANGEL. Mr. Speaker and my colleagues, as we go home to our districts, I am certain that no constituents have said they wake up in the morning wondering about what we’re going to do with the debt ceiling. In my district, most wonder how they’re going to get a job, how they’re going to take care of their families.

So many Americans have lost their jobs through no fault of their own. They didn’t commit any wrongdoing. They lost their savings. Many are homeless. They’ve lost their self-esteem. They’ve lost their health benefits, and they’re looking toward this Congress to kind of put America on the right track—to restore the middle class that made us such a great and successful Nation.

Instead of talking about jobs, we find ourselves holding the President hostage by saying, unlike other Presidents, we’re not going to increase the debt ceiling. This is a technical way of saying that we owe \$14.3 trillion to people whom we borrowed from for unnecessary wars, for tax cuts that shouldn’t have been there, and for a variety of things that unemployed people throughout the United States are just not responsible for. Instead of talking

about jobs, they will tell you we have to cut spending.

□ 1020

So the people who have lost their jobs may lose their Medicaid, those who are poor enough to be eligible for it; the older people that soon will be or are entitled to Medicare and the hospitals and the doctors and the nurses; and, of course, Social Security that so many millions of Americans have come to depend on. Cutting these benefits are not just cutting benefits for the vulnerable, but we’re cutting jobs. You can’t cut benefits without cutting hospital workers, without cutting off nurses and doctors and those that provide the services for the vulnerable.

Is this the only way we can go? Of course not.

Pastors and rabbis and imams all over the country ask: Why are you picking just on the vulnerable? Why are you picking on the sick and the poor and the aged?

Is there another way that we can resolve this problem? You bet your life there is. Because, just as in biblical days, we have among us those who really God has blessed with riches that our parents and grandparents never thought could be accumulated. Are we asking them to pay just a little bit to ease the pain for those that are vulnerable?

I don’t know about you, but our pastors and rabbis have spoken out. And for those of you who don’t have pastors and don’t have rabbis or don’t have time to listen to our obligation morally, to the people that can’t speak for themselves, the people who have no lobbyists, I will place into the RECORD what 4,000 pastors have said is not just our legal and political obligation but, more importantly, our moral obligation. I will place this into the RECORD for when we come back and try to decide what is our responsibility.

Some people have come to this Congress with a commitment not to raise taxes no matter what, whether we’re attacked, whether the revenue’s coming from obscene tax offenses, whether the Tax Code could be improved.

For those of you who remember kamikaze pilots, these were people who were prepared to lose their own lives in fighting our forces during World War II even if it meant that they were destroying somebody.

There are people here that are prepared to destroy the fiscal reputation of the United States of America so that they can go back home and say they fulfilled their commitment about not raising revenues and about slashing and cutting those people that made this great country the great country that it is.

So I see on television no one talking about the poor. But thank God we do have ministers, priests, rabbis, imams, and of all of the religions and people

that have come together, most of whom from foreign lands, that say this land is my land and in this country a poor person can make it, and we never, never, never will forget where we’ve come from.

Some people have managed to get out of poverty. Others have enjoyed the middle class. Let’s hope that our kids and grandkids will be able to enjoy the benefits of doing the right thing.

[From Faith in Public Life and Sojourners, July 19, 2011]

#### AN OPEN LETTER TO CONGRESS AND THE PRESIDENT—LISTEN TO YOUR PASTORS

More than 4,000 of them believe the federal budget is not just a fiscal document, but a moral one.

We are local pastors. We work, pray, and do whatever we can to remain faithful to the responsibility of every Christian to help the poor. Still, we can’t meet the crushing needs by ourselves.

Programs like SNAP, WIC, Medicaid, and Head Start aren’t just abstract concepts to us; they serve the same people we serve. There are changes that can be made or efficiencies that can be found, but every day we see what government can do.

We have seen government support allow young people to be the first members of their families to get college degrees, ensure mothers can feed their children a healthy diet, enable those with disabilities to live fulfilling lives, give much needed medical care to those who can’t afford it, support seniors, provide housing for families, and help people in finding a job.

As Christians, we believe the moral measure of the debate is how the most poor and vulnerable people fare. We look at every budget proposal from the bottom up—how it treats those Jesus called the “least of these” (Matthew 25:45). They do not have powerful lobbies, but they have the most compelling claim on our consciences and common resources.

As Christian leaders, we are committed to fiscal responsibility and shared sacrifice. We want to support you in reducing the deficit. There is more need today than churches can meet by themselves. This is why we join in the “Circle of Protection” around programs that meet the essential needs of hungry and poor people at home and abroad.

#### THE DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri (Mr. LONG) for 5 minutes.

Mr. LONG. Mr. Speaker, our debt ceiling is currently \$14.3 trillion—or more than \$45,000 for every American man, woman, and child. By the end of the year, our debt will be larger than the size of our entire economy, a significant amount of that owed to foreign countries. Oddly enough, even though we’re driving faster and faster towards a cliff, instead of slowing down, President Obama is hitting the gas.

After President Bush’s second term, the national debt was \$10 trillion. This was accrued over 43 Presidents. In just 2½ years, President Obama has managed to increase our Federal deficit by over \$4.3 trillion, 40 percent since he

was sworn into office January 20 of 2009.

Let me say that again. In 2 years our government has borrowed nearly 40 percent of the debt that it took 200 years to accumulate. There is no word in the English language for this kind of recklessness.

At the turn of the 20th century, the Federal Government consumed about 6 to 8 percent of the gross domestic product. Back then America became the greatest industrial power and the wealthiest economy in the history of the world when the Federal Government spent just between 6 and 8 percent of GDP. Today, the Federal Government spends no less than 25 percent of GDP. And on top of that, the rest of the government, State and local, spends even more. Total, around 40 percent of GDP is consumed by government at all levels.

What have we gotten for this unprecedented level of Federal spending? Our infrastructure is crumbling, our economy is weak, and jobs are not being created. If government spending stimulated anything, then business should be booming. It turns out the only stimulus going on is the debt.

And despite all of that, despite common sense, the President is asking for even more credit. The President wants us to trust that government will live within its means this time. Giving a blank check to the government makes as much sense as investing with Bernie Madoff.

Democratic leaders think they can continue to spend as much money as they want whenever they want to. They are upset that Republicans are making a big deal about the debt ceiling increase because they want to be able to spend taxpayer dollars without ever having a check or balance to ask if that spending is necessary.

Enough is enough. It's time to end this irresponsible spending. Families in southwest Missouri cannot spend 42 percent more than they take in, and neither should the Federal Government.

I came to Washington to stop the spending and abuse of government. That's why I will fight this debt ceiling increase without a serious plan to reduce our debt. And the people of southwest Missouri agree with me.

I have had hundreds of phone calls and emails and messages in my office about the debt ceiling. It is something that the people of the Seventh District feel very strongly about, and I want to share a few of their thoughts with you:

Fifty-one percent of the calls and letters to my office say don't raise the debt ceiling under any circumstances; 26 percent say raise it with substantial cuts; 10 percent are okay to raise it whatever; and 10 percent say you can raise it but do not increase taxes. The people have spoken.

There's an old saying that if you owe the bank a thousand dollars, that's

your problem; but if you owe the bank a million dollars, that's the bank's problem. We're at a point where the financial community, our bank, is starting to fear that our problem is becoming their problem. Two major rating agencies, Moody's and Standard & Poor's, have publicly announced that they are going to reassess America's AAA credit rating.

The people have spoken. The business community has spoken. When will the President and the Democrats listen?

Every dollar we spend on political preferences is one more dollar American families cannot spend on their children, one more dollar that small business cannot spend hiring an employee, one more dollar that a worker can't save for his retirement. This time it's serious.

Cut, Cap, and Balance is the first step but by no means the last. We have to make immediate cuts to show the financial community that we're serious about being good on our promise to repay our debts. And the President needs to get serious. He refused to put his plan in writing but vows to veto our Cut, Cap, and Balance. A speech or a framework is not a plan.

Well, the first thing to do when you dig yourself into a hole is to stop digging. We need commonsense reforms that will make sure this will not happen again. We need spending caps, a balanced budget amendment, spending cuts which will balance our budget. But most of all, we need something that's not very common: common sense.

I would like to close with one of the hundreds of letters from one of my constituents:

"Dear Congressman LONG, do not budge. We put you in office to stop these big spenders. Go ahead and call his bluff. I am in tornado-ravaged Joplin and rebuilding my house. I'm glad you are covering my wallet in Washington."

#### VOTER ID SUPPRESSION LAWS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. BROWN) for 5 minutes.

Ms. BROWN of Florida. Mr. Speaker, I yield to the gentleman from Virginia, BOBBY SCOTT.

Mr. SCOTT of Virginia. I rise today in opposition to an unfortunate trend that seems to be creeping up all over the country: laws requiring voters to show some form of photo ID before voting. Currently, 29 States have laws on the books requiring all voters to show some form of identification before voting, and many of these require a photo ID.

Now, my home State of Virginia requires voter identification or a signature on an affirmation of identity form, which is a much better process.

□ 1030

This year, many other State legislatures are considering measures that would require voters to have an actual identification. While voter ID may seem like a good way to keep voter fraud at a minimum, this type of requirement has serious unintended consequences.

Mr. Speaker, requiring a photo ID will make it a little bit more difficult for some voters to exercise their right to vote. We should particularly be concerned that provisions like these have a disparate impact on minorities. One nationwide study of voting-age citizens found that African Americans are more than three times as likely as others to lack a government-issued photo ID. And these laws have unintended consequences, such as the situation where nuns were denied the right to vote because they couldn't produce a photo ID, even though they were personally known to the election officials.

It's obvious that voter ID laws will not prevent people from voting, but it creates another little barrier that will mean that a few potential voters will not get their paperwork in on time and will miss the voter registration deadlines. These few voters could make the difference in an election.

Mr. Speaker, these voter ID laws are a solution in search of a problem. There's no credible evidence that in-person voter fraud is a persistent problem. And the voters who will be denied the opportunity to vote under these processes will certainly outnumber any fraudulent votes that are prevented. Voting is not an arbitrary, inconsequential act.

Mr. Speaker, it is important that we ensure that every eligible voter is given the opportunity to vote free from any unnecessary barriers.

Ms. BROWN of Florida. I now yield to the gentleman from Georgia, Congressman JOHN LEWIS, "Mr. Civil Rights."

Mr. LEWIS of Georgia. Mr. Speaker, the Voting Rights Act made it possible for all of our citizens to become participants in the democratic process.

Mr. Speaker, voting rights are under attack in America. There's a deliberate and systematic attempt to prevent millions of elderly voters, young voters, students, minority, and low-income voters from exercising their constitutional right to engage in the democratic process. Voter ID laws are becoming all too common.

But make no mistake: Voter ID laws are a poll tax. People who struggle to pay for basic necessities cannot afford a voter ID.

The right to vote is precious and almost sacred and one of the most important blessings of our democracy. Today we must be strong in protecting that blessing. We should be making it easy, simple, and convenient for people to vote.

Before the Voting Rights Act of 1965, people stood in unmovable lines. Sometimes people were asked to count the number of bubbles in a bar of soap, the number of jelly beans in a jar. People were asked to pass a so-called literacy test. Lawyers, doctors, teachers, and college professors flunked the so-called literacy test. Before the passage of the Voting Rights Act of 1965 46 years ago, many people were jailed, beaten, and some were even killed for trying to register and vote.

We must not step backward toward another dark period in our history. The vote is the most powerful nonviolent tool we have in a democratic society. We must fight back. We must speak up and speak out. We must never, ever go back.

We will not stand idly by while millions of Americans are denied their right to participate in the democratic process.

#### CUT, CAP, AND BALANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. HERGER) for 5 minutes.

Mr. HERGER. Mr. Speaker, I rise in strong support of the Cut, Cap, and Balance Act.

The national debt has shattered confidence in our economy, has cost jobs, and is preventing our economic recovery. Working families across our Nation are living within their means during tough times. If the rest of America gets it, why doesn't Washington?

I recently did a Main Street-style walk-and-talk in my district where I met with a number of small business owners and their employees. They shared their concern about our out-of-control debt and frustration with Washington for enacting policies that hold down job creation and economic growth rather than fostering an environment that will enable them to thrive. But the comment I heard most often was, "What is Washington thinking?" I told them I really don't understand it either.

President Obama has spent his administration enacting policies that have added more debt to our Nation than the previous 43 Presidents combined. The tragic reality is that the President's big spending policies only made things worse. Unemployment is at 9.2 percent, and that doesn't count the millions who have given up. The President merely fomented a cycle of debt and joblessness that defines the last 2½ years, which has placed us where we're at today.

Now, with the national debt at crisis levels, he is standing in the way of commonsense solutions; offering only lectures, not leadership. He has asked Congress to consent to continue business as usual without making serious spending reforms.

As a matter of conscience, this Congress cannot support allowing Presi-

dent Obama to continue to steer America's debt past the point of no return. Mr. Speaker, we will be judged harshly, and rightfully so, by future generations if we fail to act. The Cut, Cap, and Balance Act ends the era of rampant government spending. It immediately reduces spending by \$100 billion, cuts \$6 trillion over the next 10 years, and demands a strong balanced budget amendment.

Mr. Speaker, I believe the Cut, Cap, and Balance Act is what the American people want and what Washington desperately needs.

#### CONGRATULATING THE ELECTRIC BOAT WORKFORCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, in March of 2009, the USS *Hartford*, a 17-year-old Los Angeles-class submarine, was steaming into port in the Strait of Hormuz. Visibility was low, and they were riding at ocean surface level when, out of the blue, they were struck by the USS *San Antonio*, an LPD amphibious ship. When it violently collided with the *Hartford*, the *Hartford* rolled 85 degrees, throwing sailors, anything that wasn't tied down, flying into the air.

The good news is that the collision did not result in a breach of the submarine. There was no leak through the pressure hull. But the bad news is that the sail of the submarine was badly torn 20 to 25 degrees.

The ship limped home to its home port in Groton, Connecticut, which was a tough voyage going across the Atlantic, again riding at the surface, which, as many people who know submariners know, is the worst place to ride a submarine. But it made it back to port.

And then the challenge was before the shipyard about how to repair a ship that was 17 years old, that was built with totally different technology, hand-drawn prints, a workforce that had largely retired, and parts that really weren't in existence anymore. But the folks at Electric Boat, 450 strong, came together as a team and, calling back some of their retirees, were able, over a period of 18 months, to perform the most ultimate body shop repair job of a Los Angeles-class submarine.

And I'm happy to report to this House that the USS *Hartford* is now back underway, performing its missions, and will extend the life of, again, a submarine that this country invested close to \$1 billion 20 years ago when it was first constructed. Again, the replacement costs, if this work had not been done, would be close to \$2 billion. What the folks at EB were able to do, again, at a cost of about 5 percent of that, was to get the USS *Hartford* operating and at great savings to the U.S. taxpayer.

And I want to share this story because it demonstrates that when you invest in people, nuclear welders today, as Admiral Kevin McCoy testified before the House Armed Services Committee last week, have a value to the U.S. workforce almost as great as a surgeon in terms of the skills that they have.

□ 1040

When you invest in people, when you have those skills and when you have the kind of teamwork that we see at EB, this country can succeed in ways that no other country in the world can even touch us. The complexity of a nuclear submarine matches anything that a space shuttle entails in terms of the challenges to support human life in an environment where human life cannot exist. And the capabilities of one of these vessels, again, defy almost human imagination.

So congratulations to the workforce at Electric Boat for showing again that the United States of America is capable of almost taking on any challenge when it has the right combination of investment, skill and talent, something which, as we look at our challenges that we face as a Nation today, is something that we can both take inspiration from, but also learn valuable lessons about where the right priorities of this government should be. And investing in education, workforce skills again is the best investment to grow this economy and solve America's problem.

Mr. Speaker, I will include in the RECORD an article from The New London Day written by Jennifer McDermott, which again documents this amazing story of technological success.

[From TheDay.com, July 17, 2011]

ELECTRIC BOAT GETS USS HARTFORD BACK TO SEA

(By Jennifer McDermott)

REPAIRS TO DAMAGED SUB TOTAL \$120 MILLION

GROTON, CT.—Repairing a severely damaged 17-year-old submarine with the technology Electric Boat uses to build modern subs was like reconstructing a Ford Model T in a Lexus shop.

The Navy contracted with EB for about \$120 million worth of repairs to the USS *Hartford* after the Los Angeles-class submarine collided with a Navy amphibious ship in the Strait of Hormuz in 2009.

The Navy wanted the submarine back at sea as soon as possible—ideally, in one year.

The repair team at EB knew the *Hartford* (SSN 768) had rolled about 85 degrees and damaged its sail, hull and port bow plane. But the destruction turned out to be far worse than expected.

The sail leaned 15 to 20 degrees to the starboard side. Seventy-five percent of it was torn off. It would have to be removed to patch the hull.

There would be no saving the sub if the *Hartford* did not keep its shape when welders cut into the hull to remove the damaged section, or after they patched it.

And the team discovered after the submarine was taken out of the water that the



bow plane had caved in to the ballast tank. The masts and antennas weren't working because hydraulic fluid had shot through the system after the collision and damaged many valves.

"In my 38 years here, we have never worked on something of this magnitude, repairwise," said Stanley J. Gwudz, the director of ship's management who likened the repairs to reconstructing a Model T.

This type of repair is "about as complex as they come," said Rear Adm. David M. Duryea, deputy commander for undersea warfare.

#### RETIREES SHARE KNOWLEDGE

Because EB and its relatively young work force are set up for building today's Virginia-class submarines—not for major repairs to the aging Los Angeles class—some former employees came out of retirement to share their knowledge.

The trick was figuring out how to combine today's technology with yesterday's hand-drawn designs, some of which didn't match up. Daniel Vieira, the ship's manager for the repair project, laughed when asked how such a feat was accomplished.

"I lived it, and I'm not sure," Vieira said. "It was through a lot of pain. You know, you depend on a lot of people with a lot of experience and training to come back to you and say, 'This is right. This isn't. We need to fix this.'"

The biggest problem was that the sail had crushed into the pressure hull. It had been 20 years since anyone in the shipyard had performed a major cut into a submarine's hull, the pressure-tight shell of a submarine, while maintaining the circularity of the ship.

"The pressure hull is sacred ground," Vieira said. "It keeps water out. Anytime you have anything that penetrates the pressure hull, it's a big deal."

The half-moon shaped patch to fix the hull measured more than 150 square feet.

"It's very easy to get warping or misalignment or change the geometry with all the welding, which would have significant effects," Vieira said. "The ship is shaped that way for a reason."

Welders and shipfitters at EB's Quonset Point facility built a new sail using the modular construction techniques developed for the Virginia class. Years ago they would have had to fix the hull, then build the sail piece by piece on the submarine.

The repairs could have taken years if each step were done in sequence, instead of at the same time, Gwudz said.

#### USEFUL LESSONS LEARNED

Few vendors still make parts for Los Angeles-class submarines.

In the crash, the bow plane was forced back into its locking mechanism, caving the structure into the ballast tank. A 16-inch diameter shaft bent 4 inches, but a new shaft wasn't available. So EB engineers incorporated the 4-inch bend into the design. A new, fully functional bow plane was built around the bent shaft to dive the sub.

The damaged valves were replaced.

Testing at sea in January showed the repairs to be successful.

Gwudz could only recall one other repair job at EB where the level of damage on a submarine came close to the severity of the Hartford's. In the early 1980s, he said, a Los Angeles-class submarine needed its masts fixed and a patch underneath. The graving dock was secured for this confidential job and Gwudz said he was never told how the submarine sustained its damage.

EB can now use what it learned working on the Hartford to repair other Los Angeles-class submarines more effectively, Gwudz said. The USS Alexandria (SSN 757) is at EB for routine maintenance.

Instead of taking a ventilation valve apart to see which of the older parts are corroded, for example, Gwudz said they will know to get new flappers or linkages because these parts were corroded on the Hartford. That gives vendors more time to make the parts so they are ready when EB needs them.

Robert Hamilton, an EB spokesman, said the Hartford repair job "used 50 Connecticut suppliers with a total spend of \$3.5 million."

The project took more than one million man-hours and the efforts of 450 people at its peak.

The \$120 million price tag is less than 5 percent of what it would have cost to replace the Hartford with a new Virginia-class submarine.

"Everybody in the Navy had a lot of confidence in EB and the NAVSEA team to execute the repairs," Duryea said, referring to the Navy command responsible for overseeing the construction and maintenance of the Navy's ships. "Certainly we knew it would be a challenge, but EB does a very good job at executing complex work. This was just another example of the fine work they were able to do.

"We needed this capability out in the fleet," Duryea said. "Hartford has a lot of good life left in her, and we wanted to get her back to sea."

#### HARTFORD AT FAULT

EB originally built the Hartford at a cost of about \$900 million.

The submarine returned to the Naval Submarine Base in February, nearly two years after the March 2009 crash and 18 months after arriving at EB.

The submerged submarine and the USS New Orleans (LPD 18), a San Diego-based amphibious ship, had both been heading into port when the collision occurred.

The fuel tank ruptured on the New Orleans, creating a 16-by-18-foot hole and spilling about 25,000 gallons of diesel fuel. Two ballast tanks were damaged.

Navy investigators concluded the crew of the Hartford was at fault. The sub's leadership was called "ineffective and negligent" and sailors were accused of falling asleep on the job, spending too much time away from their stations and chatting informally while working.

Vieira could see a silver lining in the task of repairing the Hartford. He said the repairs were an opportunity for senior employees to impart their knowledge to the younger ones so these newer employees will be able to help with work on the Los Angeles class in the future.

Duryea agreed that there were technical lessons learned but, he said, "my only hope is we don't have to do these types of repairs again."

#### RAISING THE DEBT LIMIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. PAUL) for 5 minutes.

Mr. PAUL. Mr. Speaker, the Congress is concerned about the debt. The people are concerned about the debt. The markets are concerned about the debt. The world is concerned about the debt and what we're doing here today because we live with a world fiat dollar stand-

ard, and so the whole world is engulfed in this very serious problem.

I do not understand, though, that if the debt is the problem, and I agree, the debt is the problem, that for us to come here and raise the debt by \$2.4 trillion is the solution. That just baffles me. I think it's a distraction, because when a country gets indebted to the degree that we're indebted, the country always defaults. This is historic, especially if the country is a significant country. On occasion a small country will quit sending the checks and they'll go bankrupt. We're not going to do that, but we will default because the debt is unsustainable.

This year it is said that we have a debt increase of \$1.6 trillion, but that's not true. If you count what we borrow from the pension funds, the Social Security and highway funds, it's \$2 trillion. But if you include the increase in the entitlement obligation, it's \$5 trillion. So this is a huge, huge problem.

But the argument here is how do you default. And it is said that if we don't raise the debt limit, we're going to default and not send out the checks. I don't believe that for a minute. Somehow or another the checks are going to go out.

But if you really wanted to live within the technicalities of law, there's a very simple thing you could do. We owe the Federal Reserve \$1.6 trillion. Well, that's not a real debt. They bought those Treasury bills with money out of thin air. We could just write that off or quit paying the interest, tide ourselves over and get down to serious business and cut back and live within our means, and that would be a solution.

But to increase the national debt will only encourage another type of default, and that's what we're going through. We're engaged in the most difficult and a very bad way of defaulting, and that is through the destruction of the currency.

Today we have an inflation rate of 9 percent, and that is defaulting. So if a government can default and print money, and if they can get a 50 percent inflation rate over a period of time, they've cut that debt in half. That is the goal; that is what's happening. And that is very, very serious.

Just in these last 3 years in dealing with this crisis, the dollar has been devalued 50 percent against gold. And gold, of course, is the best measurement of the value of a currency. It's been that way for thousands of years, and it cannot be denied because it's economic law. So we are defaulting.

And when the American people go out and start buying goods and services, like they are now, they are recognizing they cost a lot of money. So right now we are in the early stages of rampant inflation, which means we're going to be hit with higher prices and higher interest rates. That is going to be a tax.

So I see the only solution is to cut spending. Now, the reason we don't cut spending is one side loves entitlements and the other side loves war. And even this token attempt, \$100 billion of cuts when we have this huge, huge deficit will accomplish very little.

But there's no mention of cutting military spending. I don't want to cut defense spending. This military spending doesn't defend us; it makes things worse.

Our problem in this country doesn't come only from the Congress; it comes from the people. The people still have a strong appetite for Big Government programs. They're not willing to cut. They think government can take care of us from cradle to grave and that we can be the policeman of the world.

So some day we, as a country, we, as a people, and we, as a Congress, will have to ask, what should the role of government be? The Founders had a pretty strong suggestion. They wrote a Constitution and said the government should be very limited and the government should be protecting our liberties and providing national defense and a sound currency. We don't do any of that. We've embarked on a course that was destined to end badly, and this is where we are today.

So if we don't understand this, this default will not be because we don't send out the checks. We will send out the checks. It will be defaulted on because people will get their money back, or they will get their Social Security checks, and it won't buy anything. That is much, much worse than facing the fact that we not raise the debt limit and work our way out of this.

That is devastating economically, and it's devastating politically, because we just saw a taste of what happens, how the anger is built when you see other countries in Europe now defaulting and can't pay their bills. So this is more significant than ever because we provide the reserve currency of the world.

#### THE FUNDAMENTAL RIGHT TO VOTE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE. Mr. Speaker, the right to vote is a fundamental right which is at the heart of this Nation. This right is under attack.

I came to this floor, after the stolen Presidential elections in Florida and Ohio, to protest the results of these two elections that were filled with voter suppression. Now, years later, 34 States, once again, in our map of shame, require voters to present IDs to vote in Federal, State, and local elections. And in 15 of those States, voters must present a photo ID. Some States require that the ID be government-issued, mind you, in order to cast a ballot.

However, for any number of reasons, 21 million Americans do not have a government-issued ID required by these voter ID laws; and, thus, the fundamental right of American citizens is taken away. Most State legislatures have enacted or have proposed legislation echoing similar detrimental voting changes. Many of these bills have only one true purpose, and that is the disenfranchisement of specific populations of eligible voters.

In California, unfortunately, there is a voter ID bill pending to suppress voter participation. It would cost, mind you, \$26, \$26 just to get the required documents to qualify for a government ID. This certainly looks like a poll tax to me, which all of us from the South know and remember as a way to keep African Americans from voting.

These voter ID laws have a partisan agenda seeking to deny specific populations of people the opportunity to not to vote, which is really very shameful before they have an opportunity to elect their representatives in government. And we cannot allow this.

So I have to thank Congresswoman MARCIA FUDGE, the Congressional Black Caucus, and all of our colleagues for their voices to protect the right for all citizens across this Nation. And I urge the Department of Justice to be vigilant and aggressive in protecting the civil rights and voting rights of Americans.

We go around the world preaching democracy and the importance of voting; yet we are going in the opposite direction in our own country.

Now I would like to yield to the gentleman from Tennessee, Representative COHEN.

Mr. COHEN. Thank you, Ms. LEE. I appreciate your yielding, and I appreciate Congresswoman FUDGE for bringing this issue to the floor.

We previously heard from other Congresspeople and particularly the distinguished Congressman JOHN LEWIS, who was a civil rights hero in the 60s and risked his life, as others did, and gave their lives for the right to vote.

We are experiencing today, after International Nelson Mandela Day, yesterday was Nelson Mandela's 91st birthday. Next month we'll dedicate a memorial to Dr. Martin Luther King on the Mall. When you think about Martin Luther King and Nelson Mandela and JOHN LEWIS, you've got to think about voting rights and how far the Nation and the world have come in the last 45 years and how long it took to get there.

And to think that there are impediments being placed in the way of people to vote, whether intentional or not, I believe those impediments are being placed there intentionally to dissuade African Americans and Democratic-leaning groups from voting in the 2012 election, Rovian tactics to stop Presi-

dent Obama from being re-elected and from the public to pick Democratic Representatives to switch the priorities of this House to those that would be more reflective of the middle class and people who are yearning for opportunity.

□ 1050

But whether they're intentional or not, if they have an effect that is harmful to voting rights, just like other laws, if they have an effect in practice, they are just as harmful and just as wrong as if they were intended. And there is no question that these types of impediments to require people to get voter IDs, when 25 percent of African Americans in this country don't have that type of ID and 8 percent of Caucasians are in the same limitation of not having that type of ID, it's obvious that African Americans and students and others are the ones that are designed to be targeted by these laws.

In my State of Tennessee that passed such a law, to get a photo ID is not easy. I went myself to get a driver's license with a photo ID. It took 1 hour and 20 minutes, constantly standing in line, no place to sit. It was not easy and people will not be able to do it. It will be an impediment to them and limit their opportunity to vote. It's wrong.

I would like to thank Ms. LEE and Congresswoman FUDGE for bringing this to the American public's attention.

Ms. LEE. Thank you.

#### IT'S TIME TO BALANCE OUR BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. HARTZLER) for 5 minutes.

Mrs. HARTZLER. Mr. Speaker, only in Washington can you hear people say that it's irresponsible to balance the budget. I actually heard Democratic leaders on TV this weekend complaining that it would require a supermajority vote to raise taxes on the American people but only a majority to cut spending.

Well, maybe some people have been in Washington too long to realize it, but the American people want to tie Washington's hands and make it easier to cut spending than raise taxes. They want to cap the growth of government. They want to require a balanced budget.

For decades we've heard excuses for why Washington's special and shouldn't be forced to balance its budget. It's time to tell those people that their scare tactics are over. This is a new day. In America the people are sovereign, and today the people demand accountability. They demand a responsible, constrained government. They demand a balanced budget. Clearly Washington is never going to choose

to balance its budget; so the people demand that we force it to.

Forty-nine out of fifty States have some form of a balanced budget amendment. If 98 percent of the States know this is a wise plan, why do Washington politicians fight tooth and nail against it? The answer is plain and simple: power. They will try to scare the American people any way they can to avoid losing power over this massive, bloated bureaucracy. They will say today that they must have this power or else they can't keep taking care of people. They will try to scare seniors to continue their unrestrained power to borrow. They say they will manage their borrowing power wisely; they will restrain themselves.

Well, talk is cheap, and I've heard this same line for decades. What matters are results. How have Washington politicians been managing their borrowing power? One number will tell you: \$14.3 trillion—the amount of our debt today.

A balanced budget amendment is essential because the government has shown time and time again that until we restrain its spending with fiscal handcuffs, the problem will continue. President Obama has only made our spending problem worse by adding \$3.7 trillion to the national debt in just 2 years. The President has spent more money in less time than any other leader in American history.

Last week President Obama told Republicans, "Don't call my bluff." Well, I for one think this game has gone on long enough. The power needs to be restrained. As Lord Acton famously said, "All power tends to corrupt; absolute power corrupts absolutely." Today we fight back against this corruption of absolute power. Today we stand with the American people. Today we vote to return the power to the people.

We invite President Obama to get on board, oppose this runaway spending, and pass a balanced budget. Five years ago he agreed. On March 16, 2006, then-Senator Barack Obama stood in the well of the Senate and said, "The fact that we are here today to debate raising America's debt limit is a sign of leadership failure." He spoke of the "commonsense budgeting principle of balancing expenses and revenues." But then 5 years down the road, unfortunately, President Obama is singing a different tune. He has demanded more borrowing authority with no strings attached. When his own party voted against that proposal a few weeks ago, he started telling us that we must raise the debt ceiling and called our commonsense budgeting reforms "gimmicks" and "radical."

Well, here's what I'm hearing from people in Missouri, my district. That's where common sense is:

Here's Reggie from Adrian, Missouri: "Raising the debt ceiling is like handing five more credit cards to someone

who has already maxed out 50 other credit cards and then sitting back and saying you fixed the problem. How dumb would that be?"

Here's from Michael in Sedalia: "Don't give in. As a veteran receiving a pension, I continue to stand behind you and the House leadership in expecting meaningful spending cuts before raising the debt ceiling without raising taxes. Taxpayers don't like what's going on, and we aren't going to sit by and watch anymore."

Here's from Margaret from Lake Ozark: "A minimum of \$4 billion over 10 years is a drop in the bucket. We also need a constitutional amendment since our leaders can't seem to stop spending and do the right thing. Do the right thing now."

Here's from Judy from Warsaw, Missouri: "The very idea of increasing the debt limit to get us out of trouble is absurd. You cannot borrow your way out of trouble. Deal with it. Cut the pork."

Mark from Camdenton, Missouri: "We have always had to live within our means, and it is time for the government to do the same. We can't have everything we want. The government needs to be reduced. I do not think my children and grandchildren should pay for our lack of responsibility."

Larry from Conway, Missouri: "This is a turning point in history."

I agree. Let's do the right thing. Today let's pass Cut, Cap, and Balance.

#### VOTER SUPPRESSION AND VOTER ID

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise to oppose the epidemic across America of voter suppression and requiring voter ID.

Do you realize that in almost every election in my own State of Texas there has been discrimination, intimidation to voters? Where we used to be able to use a birth certificate, a utility bill, government check, paycheck, and other documents, now we cannot because someone suggests that someone will steal someone's birth certificate to impersonate a voter. I don't think that's right.

What we need now is to eliminate the poll tax of the 21st century. Barbara Jordan recognized that voting is a right, not a privilege, and she stood in the gap to ensure that Texas was covered by the Voting Rights Act. Barbara Jordan would not be here today if we had the voter intimidation that we're seeing growing across America.

Eliminate voter intimidation by elimination of the oppressive voter ID requirement by returning to the standard and acceptable requirements such as birth certificates, current utility bill, government check which provide

the protection to protect the vote so that seniors and others will not be stopped from voting.

#### INTRODUCTION

Good morning Members of Congress, Congressional Black Caucus Members. Today, we address an issue that disturbs the very foundation of our Nation; the right of each and every citizen to participate in electing their representatives in government. Enshrined in our Constitution by our Nation's founders, this fundamental right is the linchpin of our democracy.

Unfortunately, the right to vote was not recognized for all people in this country at its inception. Indeed, for the several decades after the signing of the Constitution, the right to vote belonged to white men who owned property alone.

Through a long-fought effort by dedicated activists, courageous legislators and judges, and with the gradual evolution of public sentiment, the voting franchise was extended by law to all white men, non-white men, women, native Americans, and then finally, to all citizens over the age of 18.

However, even though the right to vote was legally recognized for all citizens of age, there have always been sinister efforts to suppress the vote of certain citizens who were guaranteed the right to vote by the Constitution.

Through poll taxes, grandfather clauses, literacy tests, intimidation and outright violence, voter suppression remained an agenda by those who do not believe in the principle of one person, one vote, and who seek to keep certain groups from participating in our democracy.

#### VOTER ID

Voter photo identification legislation a recent phenomenon and the latest tactic of the voter suppression agenda. Only a decade ago, in any of our 50 states, a voter could set out on election Tuesday and be permitted to vote in his or her respective state without being required to present a photo ID to election officials.

Alarming, since that time, 15 states have adopted photo ID requirements for voting. In fact, at least 34 states have introduced legislation requiring voters to produce photo IDs at the voting booth in this year alone. Seven states, including my home state of Texas, have adopted the strictest form of voter photo ID legislation with the fewest exceptions.

This raises the question: what caused these states to, after more than two centuries of holding elections without photo ID requirements, impose such a burden on voters? Proponents of these laws argue that voter identification fraud is an epidemic in America, while there has been little documented evidence. Voter impersonation fraud occurs when one person votes using the identity of another.

In order to obtain a state-issued photo ID valid under these statutes, states often charge fees. Moreover the documents used for proof of identity in order to obtain photo IDs, such as birth certificates and social security cards, also cost money. When added together, along with transportation costs, the amount of money required to obtain an acceptable form of identification can be substantial for a citizen who lacks the financial means to do so.

Harper v. Virginia Board of Elections, a Supreme Court case decided in 1966, outlawed

the Jim Crow requirement that a citizen pay a poll tax in order to be allowed to vote in an election. (Majority Opinion by Justice Douglas)

In its decision, the Court said—quote—“We conclude that a State violates the Equal Protection Clause of the Fourteenth Amendment whenever it makes the affluence of the voter or payment of any fee an electoral standard.”

However, with voter photo ID requirements, those who would suppress the rights of citizens to vote would have vote a way to implement a backdoor poll tax. Voters without valid, non-expired state or federal government issued identification documents will be burdened with the expenses of obtaining one of those prescribed forms of ID.

Because of the state’s so-called “rational basis” for requiring photo identification in order to vote, Indiana’s state photo ID law was upheld by the Supreme Court in Crawford in 2008.

The effects of such a ruling are unduly discriminatory and target specific groups of voters: low income voters, racial and ethnic minorities, senior citizens, disabled voters, and college students. I will leave you to guess which party has been behind the concerted and overzealous efforts by state legislatures and governors to push these discriminatory bills.

Eleven percent of the population, or roughly 21 million people, do not have a government-issued photo identification document.

Nationwide, depending on the state, African-Americans are 2 or 3 times as likely as their white counterparts to lack government-issued photo identification. Nearly a fifth of our seniors do not have government-issued photo IDs.

We must remember that voting is a right under our Constitution, not a privilege. We must prevent this effort to turn back the hands of time in order to prevent eligible voters from exercising their Constitutional rights.

TEXAS

Now, I am sad to report that my home state of Texas has been the latest victim of the systematic effort to suppress votes all around America. In late May, Governor Rick Perry signed into law the Texas iteration of voter photo identification legislation, which was based upon the extremely restrictive Indiana photo ID law.

The history and current state of discriminatory voter suppression in Texas is so pervasive that any substantive change to its election law must be submitted by preclearance to the Department of Justice under Section 5 of the Voting Rights Act. This makes Texas one of the 9 states in our country that must submit election law alterations, such as photo ID requirements, to the Department of Justice before the changes are permitted to take effect. The law is set to take effect in January next year.

Currently, Texas election law allows voters to use their birth certificate, a current utility bill, a government check, a paycheck, official mail addressed to them, and other documents in lieu of a driver’s license issued by the state or a U.S. passport. These documents have long been sufficient in the state of Texas to prove one’s identity for the purposes of voting.

However, once the new law takes effect, those alternative forms of identification will be

unavailable to citizens of Texas. In fact, Texan voters will be unable to use their birth certificate, which is issued by the State of Texas, in order to vote.

Now, this fact is particularly revealing, especially in light of the purported reason for passing voter photo identification legislation, which is to combat a “supposed” widespread problem of voter impersonation fraud.

If we are to accept their argument that the voter photo ID laws are for the purpose of preventing voter impersonation fraud, then why not continue to allow people to use birth certificates? By banning citizens from using their state-issued birth certificates, we are required to believe the ridiculous and unfounded notion of people stealing other people’s birth certificates in order to show up at an election to vote! Where is the sense in that? I don’t know about you, but I have never heard a single case in which a person stole someone else’s birth certificate and then showed up at the polls and voted as that person.

No, the fact that birth certificates were removed from Texas election law as a permissible form of identification reveals that voter impersonation fraud is merely a pretextual argument; a guise under which the real purpose of suppressing the votes of certain people can be achieved. That is something for which we cannot stand.

However, while a birth certificate is no longer good enough to prove your identity for the purpose of voting in the State of Texas, “coincidentally”, the new law does allow voters to use concealed handgun licenses in order to be permitted to cast their ballots.

There is no doubt that the Texas Voter ID law was specifically crafted with the intent to impose new obligations on the rights of certain Texans to vote, while attempting to preserve the rights of other citizens they believe to be predisposed to voting a certain way.

This is wrong in the State of Texas, and it is wrong in America.

CONCLUSION

In the Harper Supreme Court case, Justice Douglas closed his majority opinion with these words: “Wealth or fee paying has, in our view, no relation to voting qualifications; the right to vote is too precious, too fundamental to be so burdened or conditioned.”

Mr. Speaker, may I ask how much time I have remaining, please.

The SPEAKER pro tempore. The gentlewoman has 4 minutes remaining.

Ms. JACKSON LEE of Texas. I would like to yield 1½ minutes to the gentleman from Ohio (Mr. RYAN).

□ 1100

Mr. RYAN of Ohio. I thank the gentlewoman, and I would also like to thank Representative FUDGE for her leadership.

The SPEAKER pro tempore. The gentlelady may not yield blocks of time.

Ms. JACKSON LEE of Texas. I yield to the gentleman from Ohio.

Mr. RYAN of Ohio. I thank the gentlelady. I would also like to thank Representative FUDGE and the Congressional Black Caucus.

This issue of voter identification and voter suppression goes to the heart of

our Constitution in this country. Eleven percent of adults would not have a qualified identification to be able to vote; 25 percent of African Americans would not have a qualified ID to be able to vote.

And I have one question: Where’s the Tea Party on this issue? Where’s the Tea Party with all the placards about freedom and liberty and we’re losing our country? We have an issue that is fundamental to what it means to be an American, the right to vote. The question I have is: Where’s the Tea Party on the voter suppression issue?

Ms. JACKSON LEE of Texas. I thank the gentleman. And I yield now to the gentleman from Indiana (Mr. CARSON).

Mr. CARSON of Indiana. I thank Congresswoman JACKSON LEE.

Mr. Speaker, voting is a fundamental right of every American. Yet here we are, decades after the civil rights movement, watching as States across this great Nation pass laws that threaten the ability of citizens to participate in our government. This trend is troubling and one that we must closely monitor. My State, the great Hoosier State of Indiana, was the first to impose a strict law requiring voters to present government-issued identification despite having no evidence of actual voter fraud.

As other States follow suit, we risk broadening the threat to the rights of the poor, the elderly, the young, and minority voters. I do not believe the right to vote should hinge on one’s ability to obtain specific identification. As a Nation, we should not allow laws that block the rights of vulnerable groups or discriminate. To do so would be to forfeit the fundamental quality of this right and the purpose behind it.

Ms. JACKSON LEE of Texas. Mr. Speaker, I yield to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, nothing is more fundamental to our democracy than the right to vote. By stoking the fires of fear and anger, aided and abetted by the U.S. Supreme Court with its Citizens United decision opening the door for unlimited corporate spending on elections, the Republicans seized a death grip on this Congress. Now they want to keep control of Congress so they have embarked on an old strategy, voter suppression.

One of their tactics in making it more difficult for citizens to vote is imposing an unnecessary requirement that voters show a State-issued ID to vote. This is a blatant attempt to keep certain populations from voting, thus ensuring that Republicans maintain control of Congress.

Voter suppression is not right. It is not fair, and it is simply un-American.

And that’s real, ya’ll.

Ms. JACKSON LEE of Texas. Mr. Speaker, let me thank Congresswoman FUDGE and let me make a commitment

to the American people that you can be assured that these Members of Congress, the Congressional Black Caucus, the Tri-Caucus, will stand in the gap to prevent elections from being stolen and your fundamental birthright of voting from being stolen. That is justice, and we will be fighting for justice.

#### CONEY ISLAND CELEBRATES 125TH YEAR

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Mrs. SCHMIDT) for 5 minutes.

Mrs. SCHMIDT. Mr. Speaker, today I rise to honor something really wonderful in my district, the 125th birthday of America's sixth-oldest amusement park in Cincinnati, Ohio.

What began as a 20-acre apple orchard on the banks of the Ohio River in 1867 was quickly transformed into a private picnic retreat, complete with a bowling alley, a dance hall, and a mule-powered merry-go-round.

In 1886, Parker Grove became known as Ohio Grove, the Coney Island of the West, after being sold to the Ohio Grove Corporation. Modeling itself after Coney Island in New York City, they quickly dropped the name of Ohio Grove and just called it Coney Island and began to add more rides and more attractions. In 1911, the first roller coaster was added, the Dip the Dips, and in 1913 the Dip and Dots was added. But it wasn't until 1924 that the signature attraction of Coney Island was realized when George Schott, one of Cincinnati's greatest philanthropists, purchased with a group of investors Coney Island.

In 1925, they added Sunlite Pool, the world's largest recirculating swimming pool. Mr. Speaker, let me give you the dimensions of this pool because it is bigger than a football field. A football field is 300 feet by 160 feet; this is 200 feet by 401 feet. In addition to being the world's largest recirculating pool, it continues to be the largest flat surface pool in North America, and was the precursor to zero-depth pools in the United States. It went through a lot of trials and tribulations over the next part of the century, but they kept adding new attractions and new rides, including ones that I enjoyed as a child, like the Wildcat and the Shooting Star.

In 1971, a decision was made to take the amusement portion of it and move it to another portion in my district in Kings Island, which made people wonder what would happen to Sunlite Pool. But again, the visionaries realized they had an attraction, they had a water park, and they continued to add dimensions to Sunlite Pool to make it an attraction. In 1986, River Bend was realized by putting in two separate theaters, outdoor theaters, to allow concerts to occur. Today, Coney Island continues to thrive with a small amusement park for children, the

Sunlite Pool, and a thriving River Bend.

I would like to say, on a personal note, I remember my mother telling me stories when her mother took her; my mother took me; I took my daughter; and over the Fourth of July break, I was able to take my two grandsons to Coney Island to swim in the pool.

I am so excited that this beautiful attraction has continued to exist for 125 years. I want to celebrate the tenacity of the folks along the way who have continued to invest in this great asset in my district, and I want to wish them a great happy birthday, and I hope Coney Island continues for at least another 125 happy years. Happy birthday, Coney Island.

#### GETTING AMERICANS OUT OF DEBT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. CLARKE) for 5 minutes.

Mr. CLARKE of Michigan. Mr. Speaker, to the American people, I want to address the debt that is killing jobs in this country and robbing Americans of their financial security. And I also will propose how we get out of that debt, to really create jobs and restore financial security to all Americans.

Now, the Federal debt is important. We have to do everything we can this week and next week to avoid a government default, because if the government defaults on its obligations, at the very least that is going to cause interest rates to rise on the borrowing that the American people hold as debt and that could drive people further into financial distress and into foreclosure and bankruptcy.

But the debt that is crushing the American people is the mortgages, the student loans, the credit cards, that people have to bear. Now I am from Detroit, and jobs are important. In fact, I represent one of the regions of the country that has the highest unemployment rate. But as important as jobs are to the economy, we have got to get Americans out of debt. I know folks who are working right now, they have jobs, they are earning income, but they have no money because their income is going to pay off bills. It's going to creditors. They can't provide for themselves. They can't provide for their families. They can't provide security for the future because they are in debt. And this American personal debt is also costing this U.S. economy jobs because when people don't have money to save, money to invest, they can't really spend it on businesses that could hire more people and create more jobs.

My point is this, and I am speaking to a few of the Members of Congress who are here right now, but more importantly, I am speaking to you, the American people, because maybe you

can help me drive this Congress to address the real debt that is threatening this democracy and our economy.

□ 1110

This country's economy will not rebound strongly, and we will not easily get out of this recession as long as Americans are underwater on their mortgages, defaulting on student loans, and maxing out on their credit cards. If we want to create jobs, jobs that will truly be sustainable and help provide families with real financial security, this Congress must realize that when the American people are in debt, so is this country.

So here's what I'm urging today. I am going to have a resolution I'm going to put forth, that as we work to prevent a government default on its obligations, that we also have to work to make sure that Americans don't further default on their debt. So I am asking, in as strong as possible a way as I can, for this Congress, on certain loan obligations, to immediately work to cut mortgages down to the value of your home, to forgive student loans, because the most powerful way that we can restore our economic strength, to create jobs that are sustainable, is to help Americans get out of debt.

Now Congress has an obligation to do so because we changed the rules over the past decade or so to put Americans in all this debt. But just as Congress has an obligation to act, I've got to talk to you, the American people. You've got to act, too. You've got to take responsibility. You want this government to get out of debt, then you get out of debt personally. Stop the spending. Stop the borrowing. Stop overconsumption, buying things that you don't need with money that you don't have. That's robbing you and your family of a future. It's robbing this country out of jobs.

So I am going to ask every American right now, get out your credit cards, cut them up, free yourselves. Free yourselves. Don't count on this Congress to help you. This Congress already voted to end Medicare. They're flirting with disaster on this debt right now.

I'm asking Americans, take control of your financial future, get out of debt, and let's demand that this Congress help you get out of debt.

#### CUT, CAP, AND BALANCE ACT IS A PLAN THAT CAN WORK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, today the House is going to debate a bill that holds the potential to move us away from a debt crisis and toward prosperity. I want to associate myself with the comments that were made by our

colleague the gentlelady from Missouri (Mrs. HARTZLER) a couple of speakers ago when she talked about how our colleagues on the other side of the aisle say that it is irresponsible to amend the Constitution in order to require the Congress to balance the budget.

Yesterday in the Rules Committee, we heard from the gentleman from Maryland who talked about how we're twisting the Constitution to put in a limit on how we could cut taxes, raise taxes, into the Constitution, that how, by putting a two-thirds vote and restrictions into the Constitution, we're damaging the Constitution.

Mr. Speaker, nothing could be further from the truth. Congresses in the past have proven that they don't have the restraint that's necessary to keep our spending under control. We need a constitutional amendment in order to do that.

They did admit yesterday that we are paying the credit card from the past, and I want to point out that under President Obama, the average annual deficits that were in existence under President Bush became monthly deficits under President Obama. Since 2½ years ago, the national debt has increased by \$3.7 trillion.

That's why we need to cut spending, Mr. Speaker. We need to cut our spending. We need to cap our spending at no more than 20 percent of the GDP. That's what it was traditionally. It has now eased up to 23 percent. We have to take it back down.

Mr. Speaker, I also want to point out, as my colleague from Missouri said, that when President Obama was Senator Obama, he spoke on the Senate floor and voted against raising the debt limit, saying that it was a failure of leadership. He doesn't admit that now, that it's a failure of leadership. He doesn't even admit that he's part of the problem. And part of the problem is that he has no plan. When we asked yesterday in Rules, "Where's the President's plan?" we were told it was in his speech at George Washington University. Well, even his own staff people, even his own appointees, say they can't score a speech.

Republicans have a plan, and our plan is to cut, cap, and balance. We need a constitutional amendment, Mr. Speaker, in order to force the Congress to do its job. Past Congresses, as it has been shown, couldn't do it. We're willing to do that. There is no leadership on the part of the Democrats. The budget that the President presented in February was voted down, 97-0, in the Senate. Even his own party will not support him.

And what about all these corporate loopholes that the President and our colleagues keep talking about? The President talks about these corporate jets, but he doesn't admit the fact that the loopholes he's talking about, which he calls subsidies, that loophole was in

the stimulus that he forced through this Congress, that no Republican voted for. So the corporate loophole for the jets is one the President put into place, and now he's condemning it.

Mr. Speaker, we need our President and our colleagues on the other side of the aisle to fess up to the fact that they've created this problem, they have no plan to solve it, and all they want to do is throw barbs at the Republicans who are showing the courage to do something about this serious debt crisis that we face in this country.

#### VOTER SUPPRESSION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WATERS) for 5 minutes.

Ms. WATERS. Thank you very much, Mr. Speaker.

In 2011, we see that voter suppression is real and rearing its ugly head in too many Republican-led legislatures across this country. With only 15 months left before the next Presidential election, Republicans are re-writing voting laws to require photo identification at the polls, reduce the number of days of early voting, and to enhance voting restrictions against ex-felons and out-of-state students.

Since January, voter ID laws have passed in Florida, Wisconsin, South Carolina, Alabama, Texas, Kansas, and Tennessee. Governor Scott Walker of Wisconsin and Governor Rick Perry of Texas both signed laws this year that would require each voter to show an official, valid photo ID to cast a ballot, despite the fact that studies show up to 11 percent of eligible voters nationwide don't have government-issued IDs.

In Florida, Governor Rick Scott signed a bill to tighten restrictions on third-party voter organizations and shorten the number of early voting days. Governor Scott also helped to pass a ban on felon voting rights, forcing nonviolent offenders to wait 5 years after completing their sentences to apply to have their rights restored.

The Florida legislature also passed new laws that makes it tougher for get-out-the-vote groups to register new voters and reduces the number of early voting days from 14 to 8.

Make no mistake: We've been down this road before with Jim Crow laws. These smoke-and-mirror policies are poll taxes and literacy tests by another name. Communities must be alert and aware of these new laws. We will not allow the work, sacrifice and death of our forefathers and civil rights leaders to have been in vain. We are prepared for this fight, and fight we will.

The new voter ID laws and other restrictions have the potential to disenfranchise millions of eligible voters. Minorities, poor people, seniors, and students are among those that will be impacted the most.

□ 1120

The Justice Department must get involved. They must make sure that these laws that we have fought so hard for on voting rights are not undermined.

I yield to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Speaker, when I became a Member of Congress, I swore an oath to support and defend the Constitution of the United States of America. And I rise today to affirm that commitment by speaking out against State efforts to undermine the basic right to vote—a right that has been affirmed by no less than three amendments to the Constitution: the Voting Rights Act; over 150 years of litigation, blood, sweat, tears, and lies. No right under the Constitution has been more defended by the American people. Yet Wisconsin just passed a very restrictive voter ID, photo ID card in order to vote.

I can remember when then-Representative Walker and I, the Governor of Wisconsin, debated this issue. And he, like so many other people, said, Well, what's the big deal? What's wrong with having a photo ID? You need a photo ID to go to Blockbuster's and get a video. You need a photo ID to drive. You need a photo ID to get medicine. Well, getting a video from Blockbuster's is not a right. The right to vote is a very, very important badge of democracy in this country. We need a very high bar before we make it more difficult to exercise our rights as U.S. citizens.

And what's the bar that Wisconsin uses to justify its law? The Wisconsin Attorney General's office found in the 2-year Election Fraud Task Force investigation that there were 20 instances of possible voter fraud out of 3 million votes cast. That's seven-thousandths of 1 percent. And a photo ID would not have prevented any of these discrepancies.

People of color are singled out for disenfranchisement when you consider in Wisconsin that 55 percent of African American women, 49 percent of African American men, 59 percent of Latinas, 46 percent of Latinos don't have this kind of ID. And when you consider the 18- to 24-year-old group, 78 percent of African American males don't have this ID and 66 percent of African American women don't have the ID. I wonder who they're trying to disenfranchise.

We implore the Department of Justice to intervene and prevent these extremely transparent efforts to burden likely Democratic voters at the polls.

#### IN SUPPORT OF THE CUT, CAP, AND BALANCE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.



Mr. FITZPATRICK. I rise today in support of the Cut, Cap, and Balance Act, and I urge my colleagues on both sides of the aisle here to support the bill when it comes to the floor later today. This legislation not only provides a workable framework to avert an economically dangerous default on our obligations but it also sets the stage for real structural changes to the way the Federal Government spends our tax dollars, something that the President has yet to propose.

Lately, there have been stories and speculation about the major credit rating agencies such as Moody's and Standard and Poor's threatening to downgrade America's creditworthiness should we fail to raise the statutory debt ceiling. These ratings are more than letters on paper. They affect Americans in all walks of life and in very real ways. A downgrade of our Nation's credit rating would make mortgages more expensive, make it more difficult to get a loan for a car, and could make student loans unaffordable.

While default would likely ensure downgrade, a debt ceiling increase is no longer alone sufficient to ensure our AAA credit rating. Moody's has warned that the outlook to our bond rating would remain negative should any plan going forward not include long-term deficit reduction. It is not enough to simply raise the limit on the credit card and continue making the minimum monthly payments. We must begin to pay down our debt.

One need look no further than Greece and Portugal as examples of governments which have failed to address their debt crises in time to avoid brutal austerity measures which have caused widespread civil disorder in those countries. The politicians in Greece and Portugal thought they could avoid making the tough decisions that were clearly laid out before them. They thought they could make it through just one more quarter or just past one more legislative session, or maybe they could just buy themselves enough time to let the next guys handle it. We cannot continue to operate under the same delusions.

The Cut, Cap, and Balance Act avoids a crippling default and sets us on a path to fiscal solvency by making real spending cuts now, placing statutory limits on spending, and sending a balanced budget amendment to the States, a measure that so many of us have so consistently supported. These decisions, Mr. Speaker, will not be easy. No change ever is. As these debates have gone on for the past several months, I have been reminded of Thomas Paine when he wrote: "If there must be trouble, let it be in my day, that my children may have peace." We need to decide what our legacy to our children and their children will be—a mountain of debt or a sound government that lives within its means.

#### GETTING A HANDLE ON DEBT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. CARTER) for 5 minutes.

Mr. CARTER. Six months ago, a small businessman was called into a financial lending institution and asked to come in and talk to the officer in charge. He went into that office and the officer in charge told him, You have been a customer of this organization for quite a few years and we have constantly been giving you a line of credit every summer to continue your operation for the next year.

This year our examiners have noted for us and also through our board of directors we've examined your operation and your borrowing patterns. Here's what we've discovered: We've discovered that where you had a going facility and you were doing well and you were employing people and things were going well, we've started to see a trend in your business to where you are increasing your debt more and more and more. Not only were you spending our line of credit that this bank lent to you to continue your operations throughout the year, but outside of that line of credit, you were accumulating many, many, many credit cards. And now at this point in time, it is our understanding and the way we look at it is not only are you using our line of credit that we gave you but you also have maxed out every credit card you have got, and, quite honestly, we are amazed at the number of credit cards you actually have. We didn't really know anybody could have that many credit cards.

So we're just going to warn you, if you don't change the direction of the way you're operating your business, we very clearly believe that your business is going to go bankrupt. But even more importantly to this institution, this lending institution, we're concerned about the fact that our institution is going to be placed in a very tenuous position on any loans that we make to you; therefore, our position right now is that when you come to us next August, we're not going to lend you the money for your line of credit.

Yesterday, this same businessman walked into that same lending institution and said, My accountant and I have done the same analysis that you've done on the situation of our operation. We've looked at it, and we actually agree that we have gone in the wrong direction now for many, many years and we have spent more than we've made for many, many years. And we, quite frankly, got away from doing the needs of our company to doing the wants of our company.

Therefore, we are seriously in debt. I want to start off by saying I recognize that. And when you gave us our wake-up call, we sat down and analyzed what we could do to show you that we are changing the direction of our business. And here's what we propose to you:

□ 1130

First, we propose to you that, this year, here are the reductions we're going to make on our credit cards, and here are the places where we're going to cut back on the way we spend. That's for this year.

Now, we've also analyzed every section in the departments of our business, and we have determined that we're way over what we really need to function as a prosperous business, so we're going to offer to you that our business plan over the next 10 years is to put a ceiling on every department and every part of our business operation so that we will never rise above that ceiling; therefore, we will be continually reducing the level of our spending over the next 10 years.

Then, finally, we are making a pledge to you of everything not encumbered in our business that we will balance our budget, that we will prepare a budget and balance that budget every year and that, if at any time it doesn't, then immediately you will call every note we have.

This is a parable, but it's also the reality in the United States of America today for everybody but the Federal Government. That's why, today, the Republicans will offer that same plan of Cut, Cap, and Balance.

#### CUT SPENDING, CAP SPENDING, AND BALANCE THE BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SCHILLING) for 5 minutes.

Mr. SCHILLING. Mr. Speaker, today we have an opportunity to take action and promote certainty in both our economy and the markets by passing H.R. 2560, the Cut, Cap, and Balance Act of 2012.

Moody's and Standard & Poor's have warned the United States that our AAA credit rating is at risk if President Obama does not raise the debt ceiling by August 2. By passing Cut, Cap, and Balance, we can respond with confidence, create economic certainty, get our spending under control, and put America back to work.

Mr. Speaker, 6½ months ago, I left life as a small business man, and have had the honor of representing the constituents of the 17th Congressional District of Illinois. I come to the floor this morning with some observations about where we've made progress and where we've met frustration. During this time, we have seen tangible results.

This Congress repealed the onerous 1099 tax provision, which prevents our job creators from being bogged down in a nightmare of paperwork. This Congress cleaned up the mess left by last year's Congress by cutting billions in spending. This House has cut its own office budgets by 5 percent, saving taxpayers \$35 million, and later this week, we'll cut our office budgets by another



6.4 percent. Most importantly, this House of Representatives fulfilled its responsibility by passing a budget. This budget cuts trillions of dollars in spending, but more importantly, it puts forth a plan to save Medicare instead of letting it go insolvent.

As a new Member of this House, there has also been frustration with the process. Our national debt is \$14.3 trillion. Each child born today, including my new granddaughter, Reagan, already owes \$46,000 as their share of the national debt. Yet there are some Members of this body—97 to be exact—who wanted to give President Obama the authority to raise the debt limit by \$2.4 trillion with no questions asked.

Congress has raised the debt ceiling 51 times since 1978, and look where we are today. How can we see these next 2 weeks as anything but an opportunity to put our great country on a better fiscal path?

I did not come here to get my name on a wall plaque. I came here so that when my newly born granddaughter, Reagan, asks me, “Grandpa, what did you do to help fix this country?” I’ll be able to tell her that I was part of a class that changed the focus of this town from bloated spending to spending cuts. I’ll be able to tell her that, today, we took a vote on legislation that does three very important things:

It cuts spending. It promotes spending caps to 19.9 percent of GDP by 2021. It makes the raising of the debt ceiling contingent upon a balanced budget amendment.

We are only 2 weeks away from the deadline set by Mr. Geithner, but we’ve seen no plan from this administration or the Democrats in the House. Let me repeat that we have seen no plan from the administration or the Democrats in this House. We all know it’s easier to criticize than to offer a plan of your own. Now, before this plan to cut our spending and balance our budget is demagogued, let me tell you exactly how this thing works:

This plan makes no changes to Social Security and Medicare. This plan makes no changes to the veterans’ spending. This plan will cut spending by \$111 billion in fiscal year 2012.

We must use this debate as an opportunity to bring real change to Washington and to start paying down our debt. If you believe that cutting spending and providing a way forward for a balanced budget are commonsense ideas, vote for this legislation.

#### CUT, CAP, AND BALANCE WASHINGTON’S CHECKBOOK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nevada (Mr. HECK) for 5 minutes.

Mr. HECK. Mr. Speaker, I am here to share a short letter I received from one of my constituents who used to own a small business. His name is Steve, and

his letter eloquently addresses the issue we are discussing today.

Steve wrote: “I know it is a very contentious time in Washington. The 2008 election led me to sell my business because I saw an assault on the small business owner. My peers continue to ask me how I anticipated our current situation.

“First, it was the mandated health insurance, then more government regulation and regulators, and now it is the assault on my earnings that I worked hard for over the last 40 years.

“The President and his Progressive friends will not be satisfied until they kill what reward for risk incentive is left.

“Equal wealth for everyone is not guaranteed in our Constitution.

“The reward for risk is what made this country what it is today.

“I ask that you hold the line even if it means losing the next election.”

I came to Congress to get Nevada’s economy back on track, and the only way to do that is by listening to our job creators—by listening to their concerns and then addressing those very concerns. When I talk with Nevada’s small business owners, they feel the same way Steve does. They say the reason they’re not creating jobs is due to too many harmful regulations, too many taxes and too much government spending.

We are in a fiscal crisis, and it is killing our job creators’ very ability to create jobs. In all of my conversations with Nevada business owners, the one thing—the one thing—I’ve never heard them say is, “Do you know what would help me create more jobs? A tax increase.”

I urge Nevadans and my colleagues not to listen to the President’s false choice—the idea that we can fix government’s fiscal problems by merely closing loopholes and reining in subsidies. Now, let me be clear. I support closing loopholes and subsidies because we need to level the playing field, but that won’t by itself solve the problem, because even if we close the loopholes and rein in the subsidies, the government will still have a spending problem, and it will only be a matter of time before another tax increase is proposed.

Past all of the talking points and hyperbole, the President’s real choice is about the tax burden families and businesses face in Nevada and across the country. Will that burden be lower or higher? I am fighting to make sure it’s lower. Our job creators, like Steve, realize this. Why doesn’t Congress? Forty-nine of 50 States balance their budgets. Why doesn’t Congress? Nevada families live within their means. Why doesn’t Congress?

Just because there are checks in the checkbook doesn’t mean there is money in the checking account. The Cut, Cap, and Balance proposal is a

thoughtful solution to solving the government’s spending problem that protects the promise of Social Security and Medicare for seniors and veterans’ benefits to our brave men and women who have fought to protect our freedoms. It will cut \$5.8 trillion over the next decade and give our job creators confidence that we are serious about getting this economy back on track.

I urge my colleagues to support the Cut, Cap, and Balance bill and show that we are serious about balancing Washington’s checkbook.

□ 1140

#### THE DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. TIPTON) for 5 minutes.

Mr. TIPTON. Mr. Speaker, as Americans, we face a challenge. The question yet to be answered is: Will we rise to be able to meet that challenge?

We can often hear in the debate on this floor something that happens at every Super Bowl at half time. It’s called “kick, pass, and punt.” We can kick each other around, we can pass on this problem in addressing it today, and we can punt to the next generation. But I think far more is expected of us.

The people who elected us, the people who sent us to this office, are seeking solutions and leadership to be able to deal with the true challenges that we all face at home.

Last night around dinner tables across our country, moms and dads were going over the family budget looking at how much it cost to fill up that gas tank, how they’re going to meet that family budget to be able to put food on the table, to be able to keep a roof over their heads. They’re spending within their means.

Forty-nine of our 50 States have one form or another of a balanced budget requirement meaning that, as States, they have to be able to live within their means. Surprisingly, only here in Washington, D.C., in our Nation’s capital, do we think there is this inexhaustible resource called the American taxpayers’ hip pocket to be able to draw from so that government can grow. The constant argument, my friends, is government needs it more than the people at home. I don’t think so. Come and walk my district. Look in the eyes of the people right now that are struggling to be able to keep that roof over the top of their heads.

We have that economic challenge. We face a debt in this country of \$14.4 trillion. Now, I don’t know about you. I’m a small businessman. It’s hard really to get your arms around just what is a million dollars, let alone a trillion dollars.

Well, if you’re a basketball fan, you may have paid a little attention to this

last season. LeBron James, arguably one of the best basketball players in the entire country, being paid \$40 million a year to be able to play basketball, well, if he wants to earn just \$1 trillion, we have to wish him very good health. He'll have to play basketball for 25,000 years to earn just \$1 trillion.

We've stacked up over \$14.4 trillion. The President has asked for a blank check to increase the debt of this country an additional 2 trillion-plus dollars.

Is the time now for fiscal responsibility in Washington? It is. We have to rise to be able to meet that challenge. Cut, cap, and balance, is that unreasonable? We can demonize it. We can say that Washington is above the rules of every American and the rules they have to be able to live with, or we can look to the people who we sent to Washington to stand up for us to live under the same constraints that we do in our individual lives.

If we've spent more than we've taken in, we have to be able to find ways to be able to cut back. We then also have to have that alternative to be able to restrain that spending and then to be able to balance the budget.

Unfortunately, yesterday the President said that it was going to be dead on arrival. I hope that our American citizenry will rise to this challenge. I have great hope that this Chamber will pass Cut, Cap, and Balance. But we need to let the Senate of the United States and the President of the United States know that we're going to be holding them accountable. Our future truly depends on it.

This is our time. This is our challenge. This is truly our opportunity. Let's put aside what is often referred to as just politics as usual. This is not a Democratic issue. This is not a Republican issue. This is an American issue.

I hope that our Members will join with me in seeking real solutions to real problems to deal with it so that the American people can look to a brighter future.

#### RECESS

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

Accordingly (at 11 o'clock and 45 minutes a.m.), the House stood in recess until noon.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Dear God, we give You thanks for giving us another day.

We ask Your special blessing upon the Members of this people's House. They face difficult decisions in difficult times, with many forces and interests demanding their attention.

Give them generosity to enter into their work. May they serve You in the work they do, as You deserve; give of themselves and not count the cost; fight for what is best for our Nation and not count the wounds; toil until their work is done and not seek to rest; and labor without seeking any reward, other than knowing they are doing Your will and serving the people of this great Nation.

Bless them, O God, and be with them and with us all this day and every day to come. May all that is done be for Your greater honor and glory.

Amen.

#### THE JOURNAL

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

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

Mr. POE of Texas. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

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

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. POE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Missouri (Mr. CLEAVER) come forward and lead the House in the Pledge of Allegiance.

Mr. CLEAVER led the Pledge of Allegiance as follows:

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

#### COMMUNICATION FROM THE CLERK OF THE HOUSE (H. DOC. NO. 112-44)

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives; which was read and, together with the accompanying document, referred to the Committee on House Administration and ordered to be printed:

HOUSE OF REPRESENTATIVES,  
Washington, DC, July 19, 2011.

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

DEAR MR. SPEAKER: I have received the following correspondence regarding the election of Janice Hahn to fill the vacancy of the 36th congressional district for the state of California. The correspondent was not a candidate for office and affirms that he is not eligible to contest the election under the law. As such, I forward the correspondence to the House for its disposal.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,  
Clerk.

Enclosure.

JULY 18, 2011.

Hon. KAREN L. HAAS,  
Clerk of the House of Representatives,  
Washington, DC.

DEAR MS. HAAS, I am protesting the election of Janice Hahn in the July 12, 2011 Special Election to fill the vacancy for the Thirty-Sixth Congressional District of California.

As I was not a candidate for this election, I am not eligible to challenge the election under the preferred method specified by the Federal Contested Elections Act. I am, however, eligible to protest the election according to Chapter 9 of Volume 2 of Deschler's Precedents of the United States House of Representatives which provides for a protest filed by "any other person" to be referred to the Committee on House Administration for investigation.

The House of Representatives has the constitutional authority to determine if a Member-elect is "duly elected." See *Powell v. McCormack* (1969). Further, the U.S. Supreme Court made it clear that the House of Representatives is the final authority to make "an unconditional and final judgment" in determining questions regarding the elections of Members of that body, and that the courts have no role in reviewing any such determination. See *Roudebush v. Hartke* (1972).

The election referenced above was not a valid election because it violated Article 1, Section 4, clause 1 of the Constitution:

"The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators."

The Manner of holding this special election was not prescribed by the California State Legislature, but rather through a ballot process which amended the State Constitution. Senate Bill 6 approved a ballot measure to be placed for consideration before the people of the State of California. This action did not prescribe the manner of elections. The people of the California, and not the legislature thereof, then prescribed the manner of holding elections by voting in favor of Proposition 14, which institutes a "top two primary system" within the California State Constitution. The merits and shortcomings of this particular system are irrelevant to the constitutional question being raised. The process by which this system was prescribed is a direct violation of both the letter and the spirit of the U.S. Constitution.

Further, since Proposition 14 instituted the election process within the state constitution, the state legislature is not able to specify a different process, should it so

choose. This is also a direct violation of both the letter and the spirit of the U.S. Constitution. Finally, choosing the manner of holding elections is not a duty that can be delegated directly to the legislature. Such delegation would violate both the previously mentioned clause as well as Article 4, Section 4 of the Constitution:

“The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence.”

As such, any election held under this process, which was not prescribe by the legislature of California, is not valid and the office should remain unfilled until such time as a constitutional election can take place.

Respectfully,

TONY DETORA.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

#### AMERICA'S JOBLESSNESS

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

Mr. ROGERS of Alabama. Mr. Speaker, this country has a real problem with jobs, or the lack of jobs, and our economy. It's what we in the Congress need to be debating solutions to resolve. Instead, we're having to argue with the President about our debt ceiling.

The President is refusing to cut spending that every American knows we have to do unless he gets tax increases. And he's threatening to withhold Social Security checks from seniors to get his way. I think that's shameful, and he's going to have to answer for that one day. But right now, we've got a solution in the House, the Republicans do, called Cut, Cap, and Balance, that will limit spending to a level that we can afford in a responsible way without new taxes.

We're urging the President to do something big. He says he wants to do something big about our debt problem. This is the solution. We urge him to work with us and not demand new taxes. And once he will do that, we can turn to some meaningful things that will help improve the job situation, which, by the way, is at 9.2 percent unemployment and going in the wrong direction. We can do some things, like getting the regulators off our community banks so that small businesses can have access to capital, and shrinking the size of EPA and OSHA and NLRB, which are bloated in their infrastructure and are just stifling jobs in America. We have a lot of things we can do. But first, we've got to get our spending under control.

I urge my colleagues to vote for Cut, Cap, and Balance.

#### CUT, CAP, AND BALANCE

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in opposition to the drastic cuts to Social Security, Medicare, and other crucial Federal programs that passage of the Cut, Cap, and Balance Act would force upon the American people. The Cut, Cap, and Balance Act takes our Nation closer to default by holding the debt ceiling hostage until Congress passes a constitutional amendment to limit total Federal spending to 18 percent of our gross domestic product.

The last time Federal spending was below 18 percent of the gross domestic product was 1966, when the median age was nearly 8 years younger and the average cost of health care was one-fifth of what it is today. Even under President Ronald Reagan, Federal spending averaged over 22 percent of gross national product. Though this legislation may claim to exempt many Federal programs from its spending limitations, there is almost no possible way to revert Federal spending back to 1960s levels without sharp cuts to every program, including Social Security and Medicare. Even the FY 2012 budget that the House Republican majority passed in April, which would dismantle Medicare as we know it, allowed for Federal spending to be above 20 percent of the gross domestic product.

I urge my colleagues on both sides to vote to support America's retirees, veterans, and children and oppose this dangerous legislation.

#### CONTROL THE ATF, NOT GUNS

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

Mr. POE of Texas. Mr. Speaker, under the ATF's Operation Fast and Furious, straw purchasers bought and sold guns to Mexican drug cartels while the ATF watched. It is hard to understand why the ATF is complicit in the drug smuggling business. Maybe the government hoped it would lead to more gun control, but unfortunately, it led to murder.

Border Patrol agent Brian Terry and ICE agent Jaime Zapata were killed by guns that were trafficked into Mexico under this operation. Rather than investigate this ill-conceived and dangerous operation, the Federal Government is doing what it does best, creating gun control regulations to solve a problem it created. The President's new discriminatory Executive order requires border States to report purchases of two or more rifles to the ATF, the very agency that purposely and incompetently let over 2,000 guns go to Mexico, 1,400 of which are still missing. This administration ignores

the obvious. It's not the gun; it's the shooter. And in this case, it's the Federal Government's recklessness and stupidity that led to at least two murders. It's time to control the ATF, not guns.

And that's just the way it is.

#### COMMEMORATING COLOMBIAN INDEPENDENCE DAY

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

Mr. CICILLINE. Mr. Speaker, I rise today to honor and recognize the rich history of Colombia as we mark Colombian Independence Day on July 20. We honor the people of Colombia and those individuals of proud Colombian descent who are celebrating more than 200 years of independence.

Colombians have been immigrating to Rhode Island for the past 50 years, and I would like to thank them for their great contributions to our State. Simon Bolivar led the people of Colombia in the first raising of their flag, signifying their sovereignty and the birth of one of the most culturally rich nations in all of Latin America. Today we celebrate a great country, its people, their traditions, and the mark they have made on cities like Central Falls, Providence, and Pawtucket, Rhode Island, and others, adding to the vibrancy of these communities. For that alone, I am proud to honor your heritage and the difference you have made.

And as I pay tribute to the people of the great Nation of Colombia, I also want to, again, extend my thoughts and sympathies to Colombians everywhere for the suffering that continues to occur because of the floods in your country. May we continue to be inspired to support the people of Colombia through this difficult time as we celebrate Colombian Independence Day and honor the enormous contributions of Colombian Americans.

□ 1210

#### CUT, CAP, AND BALANCE

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

Mr. WILSON of South Carolina. Mr. Speaker, today we will have the opportunity to vote for a solution on the impending debt ceiling issue in Washington. The Cut, Cap, and Balance Act of 2011 will cut \$111 billion of spending next year; it will cap the total Federal spending for the next 10 years; and, finally, it will require the passage of a balanced budget amendment before raising the national debt limit.

This year the Federal Government will spend twice the amount it spent just 10 years ago. The government has a spending problem. It is not a lack of

revenue, and it must be addressed to protect senior citizens.

Where are the liberals' plans? It's been over 800 days since the liberals passed a budget in the Senate.

The President's failed plan does not cut spending. Instead, it just raises taxes in a recession, killing jobs.

I hope both parties can come together to enact the Cut, Cap, and Balance Act, which I am grateful to have cosponsored to benefit the young people of our country.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### WHERE ARE THE JOBS?

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

Mr. BACA. Mr. Speaker, last year my Republican colleagues ran their campaign on the slogan: "Where are the jobs?" It's been 28 weeks since the Republicans took control of the House, and the question still remains: Where are the jobs?

We all know that the Bush tax for the wealthy failed to create new jobs. They fooled the public once. It ain't going to happen again.

Now, instead of working to create jobs, Republicans are holding our country hostage, taking the debt limit talks to the brink.

Under the Republican budget proposal, seniors will lose guaranteed medical benefits, have their out-of-pocket medical expenses double. The Republican plan will reopen the Medicare doughnut hole area, costing 4 million seniors an additional \$2.2 billion. It's wrong to make our seniors suffer to give a tax break to the ultrarich and corporations that ship jobs overseas.

No new taxes, no new jobs. No taxes, no jobs. No taxes, no jobs.

Let's put together a plan that lowers our deficit without doing it on the backs of our seniors and the middle class.

#### CO-OP DEFAULTS

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

Mr. PITTS. Mr. Speaker, would you invest in a company if there were a 40 percent chance that you would lose all of your money? That doesn't sound like much of an investment. Most people would call that gambling. But that is exactly what the Federal Government is about to do in setting up the new ObamaCare health care co-ops.

The Department of HHS will loan more than \$4 billion in the coming years as an attempt to set up at least one co-op in each State. They project that 40 percent of the loans given out to plan the co-ops will go into default.

35 percent of the loans to keep the co-ops solvent are also projected to go into default. This could add up to billions of dollars lost.

We raised taxes by more than \$1 trillion so that we could burn it away on projects with an extremely high rate of failure. When we take money away from the private sector and then burn it away on government projects, the result is going to be lost jobs and a struggling economy.

We need jobs, not more failed government programs.

#### MEAN-SPIRITED STINGERS

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

Mr. CLEAVER. Mr. Speaker, this is a very sad time for me and, I hope, for others. Unemployment is at 9.2 percent. For African Americans, it's at 16.2. If you use the Labor Department's U6 standards, it's almost 30 percent. And all we want to do here is argue—argue.

These are real human beings who are out here struggling. I saw a lady the other day working at a hotel, cleaning up, with a college degree from Howard University. She can't get a job.

And so what are we going to do in Congress? While Congress likes to bash, the jobless need cash.

What do we need to do to get things going? Well, we need to stop being so mean. Mean, that's what we are down here.

A bumblebee cannot sting and make honey at the same time. And what we have decided to be in Congress is a big group of 435 stingers.

#### SEPARATING WANTS FROM NEEDS

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

Mr. LANDRY. Mr. Speaker, I'm new to Washington; so sometimes I don't understand why this town makes everything so hard.

For decades now, this town has squandered the wealth of the people of the United States. And, yes, it is the people's money, not Washington's.

Our spending is 24 percent of our economy. Our revenue is 15 percent. And 24 is larger than 15. What we spend is more than we take in. We have a spending problem here.

Mr. President, stop the class warfare and end the threats to our seniors. You know they are the most vulnerable, and it is they who have carried the burden of this government's reckless spending for decades.

Since you refuse to lead with a plan, we have. I'm sorry you don't like our plan, but you don't have a plan or have not put a plan forward.

We must get America's fiscal house in order. To do so will require fiscal discipline and sacrifices. We must separate our wants from our needs. This bill forces us to do that.

It is the responsible thing to do, and it is the only way to guarantee the future solvency of the United States and the protection of our citizens from an out-of-control government.

#### RECOGNITION OF THE U.S. WOMEN'S SOCCER TEAM

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

Ms. HOCHUL. Mr. Speaker, while we are preoccupied with the weighty issues of the day, we also need to take a moment to acknowledge what is also good.

Today I'd like to recognize an exceptionally strong and inspiring group of women, the United States women's soccer team. Despite fierce competition, these women overcame insurmountable odds and made it through five rounds of play, doing us all proud.

What is most exciting to me is that two of our strongest players hail from western New York: Abby Wambach, born and raised in Rochester; and Alex Morgan, who currently plays for the Western New York Flash. These two women gave the United States our goals, proving to be tremendous athletes that deserve our recognition. So thanks to Abby and Alex and the entire team for making all western New Yorkers and America proud. And I would like to note that they work together as a team on behalf of America.

I think there are some lessons that we should take from these inspiring women, and I'd be very proud to welcome them to our Capitol and give them a tour of this distinguished body.

#### SUPPORT THE CUT, CAP, AND BALANCE ACT

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

Mr. WALBERG. Mr. Speaker, we received word yesterday that the President has threatened to veto the bill we will consider later today, H.R. 2560, the Cut, Cap, and Balance Act. As a cosponsor of this bill, I can't disagree more.

We have a spending problem, not a revenue problem. For the President to threaten to veto a serious proposal that will put our country back on the path to fiscal responsibility demonstrates his stubborn insistence on continuing reckless spending and debt. If the President wants to continue to disregard the voice of the people, then he will veto this bill, despite never presenting a plan of his own.

The President will do what he chooses to do, but I will do what the people

and our Nation's future demand. Unless we want to face even longer-term economic difficulties, the President should reconsider his position and support this plan that cuts spending and encourages job growth.

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#### BACK TO 1966

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

Mr. YARMUTH. Mr. Speaker, we've heard at rallies all across the country over the last couple of years: We want to take our country back. Well, today, when we're voting on the so-called Cut, Cap, and Balance Act, we now know where they want to take our country back to—1966. Those are the spending levels that would be required if we pass Cut, Cap, and Balance.

Now, there were a lot of cool things about 1966. Gas was 25 cents a gallon. The average car cost about \$3,400, a new car. A home was \$20,000, and eggs were 55 cents a dozen. It would be nice if we could pay those prices again. It would be nice if our seniors who are cared for by doctors and hospitals could rely on that kind of 1966 pricing. Unfortunately, they can't.

So what cut, cap, and balance would really mean is slash, shred, and punish. Slash the budget, shred the safety net, and punish the American citizens who can least afford it, all while protecting the wealthiest, most successful and the most specially treated people in this country—our millionaires, billionaires, oil companies, and giant corporations.

I urge all of our colleagues to reject the reckless Republican agenda known as "cut, cap, and balance."

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□ 1220

#### FREE TRADE AGREEMENTS

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

Mr. CANSECO. Mr. Speaker, as I talk to residents of the 23rd Congressional District of Texas that I have the privilege to represent, the top concern about which I hear is the need to create jobs.

For 2 years, President Obama and Washington liberals attempted to spend and borrow our way to a better economy. It simply didn't work. Trillions of dollars later, all we have is a national debt that every American household has over \$120,000 of its share, and 29 straight months of unemployment at 8 percent or higher, the longest streak since the Great Depression.

There's another way to create jobs: Pass the pending free trade agreements with Colombia, Panama, and South Korea. According to the Business Roundtable, these three agreements alone will create more than 250,000 jobs. At a time when over 14 million

Americans are unemployed, it's time to put the politics aside and pass these three job-creating agreements. The time has come to pass the Colombia, Panama, and South Korea Free Trade Agreements.

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#### RYAN BUDGET WITH LIPSTICK IS COMING TO THE HOUSE TODAY

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

Mr. JOHNSON of Georgia. Cut, Cap, and Balance is not a jobs bill; it's a job-killing bill. It's a new way of trying to ramrod the Ryan budget proposal down our throats. It's the Ryan budget with lipstick, and it's really just slash-and-burn politics with a new face.

Today, the Republicans will vote unanimously for this draconian slash-and-burn Ryan budget plan that they now call "Cut, Cap, and Balance." For the third time, the Republicans will vote unanimously to cut Medicare and change Social Security to a voucher program that puts our seniors at the mercy of the for-profit insurance companies. And that's real.

We need jobs and economic growth, not cut, cap and balance, which is, again, just slash-and-burn politics, the Ryan budget proposal with lipstick. And that's the real deal. That's realer than "Real Deal Holyfield."

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#### MR. PRESIDENT, IT'S TIME FOR A PLAN

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

Mr. AUSTRIA. Mr. Speaker, our Nation is facing a debt crisis that threatens our economy, our national security, and our children's future.

This administration continues to borrow and spend money we don't have. They just don't get it. Our debt crisis is not because of taxing too little, but a result of Washington spending too much and pushing the bill to the American people, both now and for future generations. Our children will owe approximately \$45,000 to our creditors, and that's unacceptable.

I know folks back home in Ohio and across this Nation are tightening their own belts and must live within their means. It's time the Federal Government does the same with Americans' hard-earned tax dollars.

The solution begins with the Cut, Cap, and Balance bill—cut spending now, live within our means by capping future spending, and move towards a balanced budget amendment.

Mr. President, we have a debt crisis and it's time for a plan now.

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#### SUCCESS OF STIMULUS

(Ms. BROWN of Florida asked and was given permission to address the

House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Speaker, last week, during the debate on disaster relief funding, a Republican from Louisiana called the stimulus bill a "disaster." I wonder if the victims of disasters such as the BP spill or Hurricane Katrina would agree. Let's compare.

Katrina destroyed about 400,000 jobs and caused \$100 billion in damages. The stimulus bill gave \$237 billion in tax breaks to 95 percent of American workers. According to the CBO, the stimulus bill saved or created 3.3 million jobs this year alone. Does that sound like a disaster, Mr. Speaker?

We are still counting the losses from the BP oil spill, but we know that companies like BP get \$4 billion in tax subsidies every year. That's what I call a disaster. On the other hand, the stimulus bill saved over 400,000 jobs. Over 6,000 of those educational jobs are in Louisiana and 48,000 in Florida. Does that sound like a disaster to you?

Today I will place in the CONGRESSIONAL RECORD the latest breakdown of the educational jobs saved by the stimulus.

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#### THE CUT, CAP, AND BALANCE ACT

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

Mr. MCKINLEY. Mr. Speaker, the size of our debt is the greatest threat to our Nation's economy, and it inhibits the creation of jobs, jobs needed in West Virginia and all across America. But there is a plan to correct this. The Cut, Cap, and Balance Act, which I'm cosponsoring, lays out a clear and responsible vision for solving our debt limit crisis.

President Obama must realize that his request to raise the debt ceiling without fundamental spending reforms is a non-starter. I won't deny that the President inherited a bad economic situation, but he made it worse. His failed stimulus program, the job-killing costs of ObamaCare, and the billions of dollars added to our country's spending through expanded programs have all contributed to the trillion dollars of new debt we are faced with today.

It's time to get serious and solve the problem. We have a plan. Let's pass Cut, Cap, and Balance today.

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#### ECONOMIC CONSEQUENCES OF DEFAULT

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

Ms. MOORE. Mr. Speaker, you've heard the so-called "experts" predict the economic consequences of default on the debt, but your question is, what does this have to do with me? And

GWEN, can you please tell me what this means in plain English? For example, the Federal Reserve analysis that default would cause point increases in Treasury yields. Translation: Every point increase means the loss of hundreds of thousands of jobs—your job.

The economist William Seyfried said a 1 percent change in GDP growth correlates with .4 percent total employment change. Translation: Every percentage loss of GDP means 640,000 lost jobs—your jobs.

Default permanently raises the interest rates, says J.P. Morgan, and they estimate that interest rates could rise 75 to 100 basis points. Translation: Mortgages rise \$1,000; credit card interest rises by \$250. And the decline of the value of the dollar. Translation: \$182 extra on your utilities, \$318 a year on food, \$100 a year more on gas. Do you get it?

#### WASHINGTON HAS A SPENDING PROBLEM

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

Mr. TIPTON. Mr. Speaker, I just got off the phone with a constituent of mine, Tom Abbot, a small businessman who cares about his family, cares about his business, the people that he works with. He asked a very simple question: I have to live within my budget; why doesn't Washington?

The plan that we have put forward would take over a 10-year period, capping the spending at 18 percent. As Americans, I think we need to ask the question: Have we had an 18 percent increase in our family budgets year over year? I think the answer is no.

I'd like to quote for you some of the President's plan to deal with the economic challenges that we face. There is not one. The silence is deafening.

My friends, the American people expect more. The American people deserve better. Washington does not have an income problem; it has a spending problem. And the time for us to speak on behalf of the American people is now.

□ 1230

#### MEDICARE'S SUCCESSFUL ANTI-POVERTY PROGRAM

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

Ms. HANABUSA. Mr. Speaker, July is a month to celebrate birthdays, the independence of this Nation, and the 46th birthday of Medicare. Medicare is the best health care program ever and the most successful anti-poverty program.

So the question we should all be asking ourselves is, why then do the Re-

publicans want to do away with Medicare as we know it? And the answer probably is because we have forgotten what Medicare was meant to do.

Prior to 1965, 44 percent of our seniors had no health care. Now 40 million are enrolled. Before 1965, 40 percent of those 65 and older were at or below the poverty level. Now only 10 percent fall in that category. Life expectancy was 70.2 years. Now it is 78.2 years of age. So we should ask ourselves: Why do we want to touch Medicare as we know it? Medicare has done what we needed it to do.

Happy birthday, Medicare.

#### CUT, CAP, AND BALANCE PLAN

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

Mr. HENSARLING. Mr. Speaker, every day in my district in Texas, I hear from small business people who tell me, I'm afraid to hire new workers because I think this national debt will end up bankrupting my business, not to mention my country.

The American people are saying to Washington, quit spending money we don't have.

So today, House Republicans will bring to the floor the Cut, Cap, and Balance plan. Cut Federal spending at least back to its 2008 levels. Who is going around saying government wasn't big enough before Barack Obama came here?

Cap it. Let's make sure government doesn't grow beyond our ability to pay for it.

And then balance. Small businesses, families, States, everyone has to balance their budget except for the Federal Government. Is there any mystery why we have \$14 trillion of debt? There is no other credible plan on the table that avoids default and solves the problem.

The Senate, 800 days, no budget. The President, he gives us a speech, not a plan. And the only thing he has put on the table is more job-killing tax increases on small businesses.

Mr. Speaker, that doesn't work. It is time for cut, cap, and balance.

#### MAKE AMERICANS DEBT FREE

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

Mr. CLARKE of Michigan. Mr. Speaker, I'm asking this Congress to cut the true tax that is really crushing Americans, that is preventing real job growth and robbing our people of financial security. I am asking this Congress on certain loans to cut mortgages down to home values. For certain student loan borrowers, let's forgive those student loans.

This Congress is responsible for the American people in large part being in the debt that they are in. We deregulated many financial institutions that recklessly put the American people in debt. The one powerful way to restore our economy and create jobs is to make sure Americans personally are debt free.

#### HONORING MARINE CORPORAL KYLE SCHNEIDER

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

Ms. BUERKLE. Mr. Speaker, it is with great sadness that I wish to inform the House of Representatives that on June 30, 2011, Marine Corporal Kyle Schneider of Phoenix, New York, in Onondaga County was killed by an improvised explosive device while serving in Helmand province, Afghanistan.

Corporal Schneider was born in Syracuse and lived in Baldwinsville, New York, for most of his life. He was a graduate of Baker High School and attended Onondaga Community College for a year before enlisting in the Marine Corps in 2008. Corporal Schneider is survived by his parents, Richard and Lorie Schneider; a brother, Kevin; and his fiancée, Theresa Lynn Dodge of West Columbia, Texas.

Corporal Schneider was a proud and valiant marine. But he was also a son, a brother, a grandson, a fiancée, friend, and comrade. He will be greatly missed, and no words will diminish the grief of those who knew and loved him. In his death, he has earned the thanks of a grateful Nation.

#### REJECT CUT, CAP, AND BALANCE

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

Mr. BRALEY of Iowa. Wake up, America. We are going to be voting today on a bill that has never seen a committee hearing. It has never been the subject of a markup in any committee, and there are going to be no amendments to this bill. The Republicans are calling this their Cut, Cap, and Balance bill. But in reality, it is gut, gap, and handcuff.

Gut: There is no way to get to their numbers of deficit reduction without seriously gutting Medicare, Social Security, and Medicaid. No way.

Gap: Their policies are going to further widen the income gap between middle class Americans and the richest Americans by perpetuating a policy that has allowed that to exist for the last 10 years.

And handcuff: You would be speaking German, Japanese, or Russian if this balanced budget amendment was in effect during World War II and during the Cold War, because during World War II we had debt in this country that

was 120 percent of our GDP, and in the dawn of the Cold War, it was 100 percent of our GDP.

That is why this bill doesn't make sense for America. I urge my colleagues to reject it.

#### ENACT CUT, CAP, AND BALANCE

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

Mr. BILIRAKIS. Mr. Speaker, today the House will vote to enact a Cut, Cap, and Balance plan to put an end to the spending-driven debt that has crippled our economy.

There has been a lot of talk about getting our fiscal house in order. While some in Washington would like to simply fix up the front yard, today's proposal will give our fiscal house a new foundation and fundamentally reform the way that our government spends money. This plan incorporates real spending cuts today, places limits on Federal spending for coming years, and advances a balanced budget amendment to address our debt crisis and kick-start our economy.

The bottom line is that we have to reduce our spending and start living within our means. This crisis is not just a problem for the future; it is hurting job creation today. We must focus on establishing an environment that will help create jobs. The Cut, Cap, and Balance plan does just that.

#### REJECT THE CUT, CAP, AND BALANCE ACT

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

Mr. PAYNE. Mr. Speaker, I am pleased to join my colleagues today to address H.R. 2560, the Cut, Cap, and Balance Act.

House Republicans are bringing to the floor H.R. 2560, which is another attempt to enact the policies embedded in their budget resolution. However, this act is even more extreme because it mandates that the House and Senate approve a constitutional amendment imposing their political philosophy.

While House Democrats have pushed for a balanced approach to minimize the deficit, Republican Members have pushed forward with a plan to end Medicare in order to preserve tax breaks for special interests, Big Oil, and corporations that transport jobs abroad. Throughout the process of negotiations, House Democrats have focused on protecting Medicare, strengthening the middle class, and creating jobs. America's middle class and seniors will suffer the most as the GOP continues to stand in the way of a reasonable, balanced deficit reduction agreement.

The national unemployment rate is down to 9.1 percent; however, 8.8 mil-

lion jobs were lost. So I ask that we reject this bill coming up.

□ 1240

#### TIME FOR A BALANCED BUDGET AMENDMENT

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

Mr. NUGENT. Mr. Speaker, 49 States do it. Counties do it. Cities do it. Now it's time for the Federal Government to do it—to pass a balanced budget amendment. It is about passing a balanced budget amendment and getting this Nation back on track to meet our obligations, our spending obligations, but also to match it with what we bring in and collect in taxes and revenues.

Mr. Speaker, it's time for a balanced budget amendment.

#### A PERVERSION OF THE CONSTITUTION

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

Mr. POLIS. Mr. Speaker, what is being talked about today in terms of inserting language into our United States Constitution that constrains fiscal policy is nothing more and nothing less than a perversion of our democratic Republic. To take a major power away from the people of this country and replace it with an arbitrary percentage, 18, 19.7 percent, whatever that percentage is that is proposed to put into the Constitution as a percentage of GNP to spend on government, takes a basic power away from the people to elect Representatives to have those discussions.

That's what we're here for. Should it be 18 percent? 22 percent? 19 percent? 15 percent? Let's debate that and let the House and let the people of this country work their will. To put that into the United States Constitution in an arbitrary figure without a single hearing, without a single discussion, besides 1 hour of debate here on the floor of the House, is a perversion of the very Constitution that we began this session by reading into the RECORD of the House.

#### CUT, CAP, AND BALANCE

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

Mr. SCALISE. Mr. Speaker, over the last few months, we've heard a lot of speeches about fiscal responsibility. Today, here on the floor of the House of Representatives, we're going to give Members of Congress the opportunity to put their money where their mouth is.

The cut, cap, and balance plan actually imposes real cuts to spending today. It puts caps on future growth, and it says that we're going to put an amendment in the Constitution that requires the Federal Government to do what States and families do, and that's actually balance the budget.

Yet yesterday, the President comes out and says he would veto this plan. Well, of course, this is a President who said he wants commissions to balance the budget, who blames other people for the problems in Washington, who makes you think that the corporate jet owners are going to mysteriously balance the budget.

This is a real proposal that actually gets us back to a balanced budget. The President, I think, has shown that he's not serious about addressing the problem of out-of-control spending. It's not that we're taxed too little in this country; it's that Washington spends too much.

Cut, cap, and balance actually addresses the problem and puts fiscal sanity back in Washington where it's desperately needed.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 25. Concurrent resolution welcoming the independence of the Republic of South Sudan, congratulating the people of South Sudan for freely and peacefully expressing their will through an internationally accepted referendum, and calling on the Governments and people of Sudan and South Sudan to peacefully resolve outstanding issues including the final status of Abyei.

#### PROVIDING FOR CONSIDERATION OF H.R. 2560, CUT, CAP, AND BALANCE ACT OF 2011

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 355 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 355

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2560) to cut, cap, and balance the Federal budget. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) four hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget; and (2) one motion to recommit.

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from Georgia is recognized for 1 hour.



Mr. WOODALL. I thank you, Mr. Speaker.

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

GENERAL LEAVE

Mr. WOODALL. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. WOODALL. Mr. Speaker, House Resolution 355 provides a closed rule for consideration of H.R. 2560, the Cut, Cap, and Balance Act of 2011. The rule provides for 4 hours of general debate on the underlying bill and grants the minority party a motion to recommit, with or without instructions.

Mr. Speaker, we are at a seminal moment in our Nation's history. When I turn on the television, when I read the newspapers, I get a lot of advice. Folks say act: act to raise the debt ceiling, act to cut spending, act to balance the budget.

Mr. Speaker, today we are here to do all of those things—cut, cap, balance, and with it increase the debt ceiling in order to allow this country to continue its good line of credit.

But, Mr. Speaker, that line of credit is not something we can take for granted. Too often, I hear folks come to the floor and say, Just raise the debt ceiling. As you know, Mr. Speaker, we've had that vote. We brought a clean debt limit vote to the floor. I would say for the sake of all the young people we're blessed to have here in the gallery with us today, Mr. Speaker, we voted "no." We defeated that clean debt ceiling to say, no, we cannot simply extend America's line of credit. We must take action to bend that curve of debt. Now that was this House acting, Mr. Speaker.

Last week, America's credit rating agencies joined in that debate. I read to you from Moody's last week:

"While the debt ceiling has been raised numerous times in the past and the issue has sometimes been contentious, bond interest and principal payments have always been paid on time. If the debt limit is raised again and default is avoided, a AAA rating would likely be confirmed."

That's what we hear all too often, Mr. Speaker. What we don't hear is this second sentence:

"However, the outlook assigned at that time would very likely be changed to negative unless a substantial and credible agreement is achieved on a budget that includes long-term deficit reduction. To retain a stable outlook,

such an agreement should include a deficit trajectory that leads to stabilization and then decline in the ratio of the Federal Government debt to GDP."

Mr. Speaker, that may be a lot of bond analyst speak, but what that means in simple terms is, if we do nothing as a Nation, our credit rating will be downgraded, and if we simply raise the debt limit and do nothing to get a handle on our debt, our credit rating will also be downgraded. That's Moody's, Mr. Speaker.

S&P writes the same thing last week: "We view an inability to timely agree and credibly implement medium-term fiscal consolidation policy as inconsistent with a AAA solvent rating, given the expected government debt trajectory noted above."

Mr. Speaker, that's what we're talking about today. Just cutting doesn't get it done. We've got some debt limit issues that we've got to deal with. Just capping doesn't get it done. We've still got some debt limit issues that we've got to deal with. Just balancing doesn't get it done. We've still got debt limit issues that we have to deal with. But, Mr. Speaker, just raising the debt limit doesn't get it done either.

It requires cutting, it requires capping, it requires balancing, and it requires raising the debt limit.

We have brought that resolution to the floor today. Mr. Speaker, while so many other folks in this town are content to talk, to pontificate, to share their wisdom with absolutely any television camera who will listen, this House moves forward legislation that describes line by line by line, in painful detail, what we will do to restore America's fiscal house.

I'm proud to be a cosponsor of this legislation. I'm proud to be a member of the Rules Committee that has reported this rule to the floor today. I rise in strong support of this rule, Mr. Speaker.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Georgia, my friend, Mr. WOODALL, for yielding me the customary 30 minutes, and I yield myself 5 minutes.

Mr. Speaker, I rise in strong opposition to this closed rule and in even stronger opposition to the underlying bill. This is a closed rule.

My friend from Georgia (Mr. WOODALL) was on the floor last week telling us how excited he was as we debated a modified open rule for a flood insurance bill. My friend talked about how proud he was of the open process that allowed Members to offer germane amendments to the bill. But here we are today considering legislation that would fundamentally transform the United States economy, gut many of the programs like Social Security and Medicare that millions of Americans rely upon, and make radical changes to

the Constitution, and the Republican majority of the Rules Committee has brought it to the floor under a closed rule. No hearings. No witnesses. No markups. No nothing.

□ 1250

This bill was cobbled together last Friday night and rushed to the floor just a few days later. I wonder if my friend from Georgia is just as excited about this process, because I'm sure not.

Last night in the Rules Committee, I offered my friends on the other side of the aisle the opportunity to put their votes where their rhetoric is and support an open rule. They chose to vote "no." Every single Republican member on the Rules Committee voted "no."

As for the underlying legislation, Mr. Speaker, I can't quite figure out if this is a meaningless exercise in political theater or an actual expression of Republican values. Frankly, I can't figure out which is worse. If it's theater, it would get lousy reviews. Both the White House and the Senate have made it very clear that they have no interest in supporting this bill. It's not going anywhere. Maybe it's just a rotten piece of red meat that the leadership is throwing to their right-wing base in anticipation of an actual agreement to raise the debt ceiling and cut the deficit. If so, it's a complete waste of this body's time. But if the Republican leadership means what they say, that they would like this bill to become the law of the land, it's a frightening prospect.

This legislation would result in staggering cuts to programs like Social Security, Medicare, Medicaid, Pell Grants, medical research, and infrastructure, all while protecting tax cuts for the very wealthiest Americans and corporations. The bill would require us to cut Federal spending as a percentage of GDP to a level not seen since 1965.

And we had a very interesting discussion in the Rules Committee last night about the significance of that date. One of my Republican colleagues noted that 1965 was a time when we enacted some of our "so-called anti-poverty programs." And she's exactly right, Mr. Speaker.

Apparently, the Republican leadership would like to take America back to a time before Medicare, before Medicaid, before food stamps and school lunches, before Meals on Wheels and Head Start and Pell Grants. If that's their vision for America, Mr. Speaker, they should have the guts to stand on the floor and say so. But it's not my vision. It's not the vision of the people I represent in Massachusetts. It's not the vision of the American people who believe that in the richest society in the history of the world we have an obligation to make sure that the most vulnerable among us don't fall through the cracks.

At the same time, this bill would go out of its way to enshrine in the Constitution of the United States to protect tax cuts and loopholes for the richest 1 percent of Americans. Under this bill, Congress would need a mere majority to slash Medicare, but would need a supermajority to close a loophole that gives preferential treatment to owners of corporate jets. Talk about picking winners and losers, Mr. Speaker.

In the ongoing budget negotiations, the Republican leadership of this House have said that they will absolutely not consider raising any revenue to address the deficit and the debt, but listen to this: According to news reports, they're willing to force seniors receiving Medicare home health care to fork over new copays. So if an elderly woman in Worcester with diabetes has to pay more for a visiting nurse, the Republicans say so be it. But heaven forbid that oil companies making billions and billions of dollars in profits have to pay their fair share. Maybe they'll call those new copays "user fees" so that Grover Norquist and the Club for Growth will give them a pass. But tell the woman in Worcester who will be forced to go into a nursing home that her taxes didn't go up.

Mr. Speaker, this is an awful, awful bill brought to the floor under an awful, awful process. I urge my colleagues on both sides of the aisle to reject this cynical effort and get back to work and meaningfully address the budget issues facing this Nation. Time is running out. We need to get to work to seriously resolve this crisis. Reject this bill.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I'm confused about whether time is running out or about whether we're moving too quickly here today, but to clarify that, I am pleased to yield 2 minutes to my friend from the Rules Committee, the gentleman from Florida (Mr. NUGENT).

Mr. NUGENT. I thank my fellow Rules Committee member, the gentleman from Georgia.

I rise in support of both the rule, H. Res. 355, and the underlying legislation, H.R. 2560.

Mr. Speaker, there's no way to get around it: Washington has a spending addiction. The unchecked, out-of-control spending has gone on for decades. Regardless of what party controlled the White House or Congress, Washington spent, spent, and spent some more. And although throughout his campaign President Obama promised a "net spending cut," that hasn't happened. In fact, he's kept on spending and adding trillions of dollars to our debt, and that's why we're in the situation we are today, debating raising our debt ceiling once again.

Mr. Speaker, I don't want to raise the debt ceiling. Instead, I want our

Nation to get real with the spending and make some changes. H.R. 2560 isn't the easy choice, but it's the right choice, and that's why I'm cosponsor of this critical piece of legislation.

H.R. 2560 raises the debt ceiling, something I'm willing to say most of my Republican colleagues and I decidedly do not want to do. In return, though, H.R. 2560 implements spending cuts for this year and caps for the next 10 years.

But we all know statutory budget cuts from past Congresses don't mean an awful lot, which is why H.R. 2560 also calls for Congress to pass and send to the States a balanced budget amendment. Such an amendment would really hold Washington's feet to the fire. It would mean the U.S. Constitution prohibits the Federal Government from spending more than it collects.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOODALL. I yield the gentleman an additional 30 seconds.

Mr. NUGENT. Now that, Mr. Speaker, is a balanced budget amendment to the United States Constitution. That's real action. It's the real change and accountability in government that America needs and deserves. Mr. Speaker, we need a balanced budget amendment.

The President has yet to send to this body anything in writing. All we've received is a speech and rhetoric. We need to move this country forward. We need a balanced budget amendment. We need to pass H.R. 2560.

Mr. McGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado, a member of the Rules Committee, Mr. POLIS.

Mr. POLIS. I thank the gentleman from Massachusetts for the time.

Mr. Speaker, I rise in opposition to the rule and the underlying bill before us.

Mr. Speaker, I support a balanced budget amendment, but what the majority has brought before the House is not even close to a balanced budget amendment. This is a political exercise designed to soothe the feelings of the most radical conservative elements in the House and debase our Constitution and our democracy in the process.

Cut, cap, and balance is simply an attempt to slash, burn, and deny responsibility for the deficit and debt limit crisis and distort the nature of our democratic Republic, reducing the ability of Congress to represent the will of the voters of this country and rendering elections and the public will meaningless.

If we're going to enact a balanced budget amendment, it should be pragmatic. It should be modeled after the type of approach that most States have. States have to balance their budget. Families have to balance their budget. Why shouldn't the United States Congress? Like many people on my side of the aisle, I could support

language that would require and enshrine that total outlays do not exceed total receipts. That's what it means to balance a budget, as families and businesses across America know.

Instead, the proposal before the House is a recipe for tying the Nation's budget policy in knots and handing power over the budget process to a minority of the House Members or unelected Federal judges. It would make the entire Congress cease to function as a representative body by locking them into arbitrary percentages that were set without a single hearing or any process in our United States Constitution as a public expenditure share of GNP.

If you require a supermajority for even the smallest possible increase in revenue, you've essentially ensured that all the major pieces of legislation that Congress has passed would never have passed. If this amendment were in place in 1965, Congress never would have passed Medicare. In 1993, we wouldn't have passed President Clinton's deficit reduction plan and balanced the budget, or the 1997 balanced budget agreement under President Bush.

Furthermore, the spending caps that this bill sets for spending are completely arbitrary. They're pulled out of thin air. They bear no relation to our national needs now or in the future.

A balanced budget amendment must treat outlays and revenues equally, not bias one or the other in the Constitution itself, our fundamental governing document.

The majority is not only ignoring the realities of basic math, they're turning their backs on the pledges of an open process. This bill was brought to the floor rapidly through the Rules Committee yesterday, without a markup, without hearings, without witness testimony, and without allowing amendments from Republicans or Democrats.

□ 1300

A bill of this magnitude with such far-reaching consequences for our democracy itself should be treated more seriously than this. The concept of enshrining a particular percentage of public expenditures as a percentage of GDP is contrary to the concept of a democratic republic in which Congress is elected by the people of this country to govern this country.

For these reasons and others, I strongly urge a "no" vote on the rule and the bill.

Mr. WOODALL. Mr. Speaker, I am pleased to yield 3 minutes to a gentleman who held a very persuasive Special Order on this topic last night, the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. I certainly thank the gentleman for yielding.

Mr. Speaker, all financial budgets will eventually balance. No individual, no family, no business, and no government can indefinitely continue to

spend more money than they take in without someone having to make up the difference. Mr. Speaker, that includes the Federal budget of the United States.

Neither Mr. Obama nor congressional Democrats can repeal the laws of mathematics. The Federal budget of the United States Government will eventually balance. The question is whether the White House and those of us in this body will balance this budget ourselves by wise policy or whether national bankruptcy and financial ruin will do it for us.

From the day Barack Obama walked into the White House, his breathtakingly arrogant policies have absolutely ignored economic and financial reality. It took America the first 216 years of its existence to accumulate the debt that Barack Obama has accumulated in the short 2½-year span of his Presidency. He rammed a nearly \$1 trillion government takeover of health care down the throats of the American people, and he spent another nearly \$1 trillion on a failed government-based boondoggle for economic stimulus. During his short time in office, he has increased our Federal debt by nearly \$4 trillion in new debt, and now he says we will have \$1 trillion-plus deficits "for years to come."

Then, when speaking of the effort to reduce the deficit, the President has the hubris to tell conservative Republicans to take a balanced approach and to eat our peas. To that, I would just say to the President: Please pull up a chair, sir. We are ready to eat our peas, and we need help.

This Cut, Cap, and Balance bill is actually a solution to America's problem. It does not cut Social Security. It does not cut Medicare. It does not cut compensation to our men and women in uniform by one dime; but the balanced budget amendment it proposes does give us an honest chance of reforming and saving those programs and our country from bankruptcy in the future.

Mr. Speaker, this is not the Democrat Congress of last year that gave a standing ovation to a \$2 trillion increase in our debt limit. This is the Congress that was sent here by the American people to turn things around—and the American people are awake, Mr. Speaker. They are watching us, and they are tired of Democrats telling them that 2+2=13. If Democrats and the President are not willing to give the American people this chance by helping Republicans pass a balanced budget amendment in this Congress, the resulting consequences will be theirs alone, and I believe the people will hold them accountable.

By passing this Cut, Cap, and Balance bill along with the balanced budget amendment, we can restore confidence in the American economy in markets here and across the world. We can see more revenue come into these

coffers than has ever happened in the history of the Nation, and we can set this country on a new road to the brightest days it has ever seen. It is something that is truly an opportunity beyond our dreams. This is the time to do it, and by the grace of God, that's exactly what we intend to do.

Mr. MCGOVERN. Mr. Speaker, let's be clear. Under the Republican plan, they will cut Social Security and Medicare by \$6,000 per senior citizen. Talk about a tax increase.

At this point, I would like to yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the gentleman very much for yielding.

I am just overwhelmed with the words "breathtakingly arrogant policies." I am literally shocked, and let me tell you why.

When you want to understand, my Republican friends, why we're in the position we're in, what about the 37.5 percent of the debt being the Bush-era tax cuts of which this bill and any of your negotiations don't in any way suggest revenue?—which the American people understand.

Arrogant policies by the President? The Recovery and Reinvestment was only 5.2 percent, creating 3 million jobs. Let me say that again: 3 million jobs. The economic downturn came about with the Iraq war and others.

So, today, my friends come on the floor of the House with the Cut, Cap, and Balance. As a member of the Judiciary Committee, let me suggest to you that the amendments that were put in the bill have destroyed any sense of balance to the balanced budget amendment.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE of Texas. I have a new name for the bill, the bill which tap dances around the question of revenue and lifting the debt ceiling, which was done 60-plus times over America's lifetime with Reagan, Carter, President Bush and President Bush, and Clinton. So it's the "Tap Dance, Losers' Club and Bust the benefits bill." The losers are seniors and young people and those who need Social Security and those who are disabled. Then, finally, instead of the balanced budget amendment, it is the bust the benefits of those who are in need and of the young people who are looking forward to a prosperous future and expanded opportunities in this Nation.

What do we need?—not the Cut, Cap, and Balance. It in no way invests in America. It in no way ends the tax loopholes that are part of our increasing debt. It will block the United States Congress from closing the loopholes of those who make billions of dollars every 3 months. We need innovation, infrastructure and education. That equals jobs.

Parents, I don't want to see the end of your children's opportunities by closing elementary and high schools and by disallowing them from going to college. That is what this bill is—not to cut, not to cap, not to balance. It's the "Tap Dance, Losers' Club, and Bust the Benefits of the American People bill." Let me suggest to you that these are the losers of this bill. Don't support a bill that will cause the American people to lose the American Dream.

I rise today in opposition to H.R. 2560, the "Cut, Cap, and Balance Act of 2011," which attempts to resolve our budget ceiling crisis by authorizing an increase in the debt limit while implementing spending cuts, caps on future spending, and requiring an amendment to the Constitution. While I support bipartisan efforts to increase the debt limit, I cannot support a bill that is a clear attempt to enact the policies embedded in the Republican budget resolution and to then enshrine the Republican budget in our Nation's Constitution.

This bill should be called the "Tap Dance, Loser Club, and Bust Bill." It tap dances around raising our debt ceiling and acting in a responsible manner to pay our Nation's debt obligations. Our Nation will be joining the losers club by threatening to eliminate important social programs such as Medicaid, Medicare, Social Security, and Pell grants. There has been a theme this Congress of focusing on cutting programs for the most at need and ignoring the need to focus on job creation. This bill busts the hopes and dreams of our children, seniors, and military families. It busts the hopes to grow our Nation in the future. H.R. 2560 has earned the name the "Tap Dance, Loser Club, and Bust Bill." I will call it that from this point forward, because that is what it is . . . when something walks like a duck, quacks like a duck and looks like a duck . . . Call it a duck!!!! This bill is wasting a tremendous amount of time when we should be focused on paying our Nation's bills and resolving our differences!

I stand here today to state firmly that increasing the debt ceiling is the responsible thing to do. Congress has already debated and approved the debt that an increased ceiling makes room for. However, my Republican colleagues have chosen to use this as an opportunity to hold the American people hostage to their extreme agenda. They know that the "Tap Dance Loser Club, and Bust Bill" is not a realistic proposal.

The fact that Congress, a body that typically has its fair share of political battles, has never played political chicken when it came to raising the debt ceiling should give us all pause, and is a testament to the seriousness with which we must approach this issue. However, this time around, my Republican colleagues have created an impasse based upon an ideological commitment to spending cuts. While I understand and share the concern of my Republican colleagues with respect to deficit spending, and will continue to work with them in order to find reductions, now is not the time to put ideology over pragmatism. The reality is that, on August 3rd, the United States will begin to default on its debt obligations if the debt ceiling is not raised.

This detour into a spending debate is as unnecessary as it is perilous, as increasing the

debt ceiling does not obligate the undertaking of any new spending by the Federal Government. Rather, raising the debt limit simply allows the government to pay existing legal obligations promised to debt holders that were already agreed to by Presidents and Congresses, both past and present.

Moreover, the impending crisis would have already occurred were it not for the extraordinary measures taken by Treasury Secretary Timothy Geithner, including the suspension of the investment in securities to finance the Civil Service Retirement and Disability Fund, as well as the redemption of a portion of those securities already held by that fund.

If the United States defaults on its obligations on August 3rd, the stock market will react violently to the news that for the first time in history, America is unable to keep its promises to pay. Not once in American history has the country's full faith and credit been called into question.

Once America defaults, investors who purchase U.S. bonds and finance our government will be less likely to lend to America in the future. Just as a person who defaults on a loan will find it harder to convince banks to lend them money in the future, a country that defaults on its debt obligations will find it harder to convince investors to lend money to a government that did not pay. Showing the world that the United States does not pay its debts makes the purchasing of that debt less desirable because it requires the assumption of more risk on the part of the investors.

Furthermore, any investors that do continue to purchase U.S. Treasury bonds will demand much higher interest rates in order to cover the increased risk. Once a default occurs, investors figure that the chance of the United States defaulting again is much greater, and will require the government to pay higher rates of interest in order to make the loan worth the risk for investors to take on.

Imagine the impact on our stock market if we do not pay our debts. As we have seen throughout the recent financial crisis, a bad stock market hurts not only big businesses and large investors on Wall Street, but small businesses and small investors as well. Families with investments tied to the stock market, such as 401(k)s, pension plans, and savings, will once again see the value of their investments drop. The American people are tired of the uncertainty of the value of their retirement accounts. We must not allow another wild fluctuation to occur due to default and add to the uncertainty still lingering in the minds of citizens.

As if another stock market crisis were not enough, the housing market would take another hit if America defaulted. Higher mortgage rates in a housing market already weakened by default and foreclosures would cause a further depression of home values, destroying whatever equity families might have left in their homes after the housing crisis. Moreover, the long-term effects would reduce spending and investment in the housing market.

Republicans are attempting to place into our constitution the requirement that we balance the budget every year. In reality, achieving a balanced budget is not something that should automatically be required every year. For example, during economic downturns, the gov-

ernment can stimulate growth by cutting taxes and increasing spending. A constitutional amendment requiring us to cut spending to match revenue every year would limit our ability to respond to changing fiscal conditions and would dramatically impede federal responses to high unemployment as well as federal guarantees for food and medical assistance.

As it stands, H.J. Res. 1 requires spending cuts even deeper than those in this bill; in fact, it requires that spending be cut to the levels in the Republican Study Committee budget, levels that were so extreme that fewer than half of House Republicans voted for that budget. Finally, requiring a two-thirds vote to approve revenue increases creates a barrier to fixing inequities in our tax code by protecting more than \$1 trillion in spending through the tax code—spending that often benefits special interests, like owners of corporate jets—and well-to-do Americans.

H.R. 2560 cuts \$111 billion in FY 2012, places firm caps on future spending, and is contingent upon House and Senate passage of a Balanced Budget Amendment.

H.R. 2560, is yet another attempt to enact the policies that Republicans approved with their budget resolution this spring—to end the Medicare guarantee while continuing tax breaks for special interests and the wealthy. It requires immediate and steep spending cuts starting this October that will put more Americans out of work while the country is still recovering from the worst recession since the Great Depression. It caps total spending—including mandatory spending programs, such as unemployment benefits, that are designed to grow when the economy is bad—for fiscal years 2013–2021 at lower percentages of the economy (Gross Domestic Product, or GDP).

While it is clear that the country cannot continue on an unsustainable fiscal path, the bill limits spending to a percentage of GDP that the country has rarely achieved in the past. For example, the bill limits total outlays to 19.7 percent of GDP in 2018; outlays were at or below that level in only 12 of the last 43 years (from 1997 through 2004, and from 1969 through 1972).

Enforces the Republican budget resolution by limiting total federal outlays—including Social Security and Medicare—at the Republican budget's percentage of GDP in fiscal years 2013 through 2021. Automatic sequestration again would occur if the levels are breached. More immediately.

H.R. 2560 requires passage of a specific type of a so-called "balanced budget" constitutional amendment by both the House and the Senate before the debt limit can be increased. This new hurdle makes it even harder for Congress to increase the debt limit by August 2, which it must do to avoid fiscal calamity and higher interest costs for consumers and the government alike.

#### STEEP SPENDING CUTS FOR 2012

H.R. 2560 limits fiscal year 2012 discretionary and entitlement spending to the levels in the Republican budget. If spending exceeds these limits there would be an automatic sequestration that makes an across-the-board cut to most programs to bring down spending. Spending in 2012 is to be cut by a net total of \$111 billion below current services.

Discretionary Cap—The bill's authors say they intend to cut non-security discretionary spending for next year by \$76 billion (a roughly one quarter reduction in budget authority), to below the 2008 level, and increase security spending, matching the President's request. However, the bill does not provide separate discretionary caps except for war funding, so Congress could cut where it chooses.

Entitlement Cap—The bill exempts veterans' benefits, Medicare, Social Security, and net interest from its entitlement (or direct spending) cap. These programs comprise roughly two-thirds of all entitlement spending. The bill cuts the remaining direct spending by \$51 billion (7 percent) in 2012, down to the levels in the Republican budget. The cuts will fall on programs like school lunches, student loans, food stamps (SNAP), Medicaid, and unemployment insurance—some of the very programs designed to automatically increase when the economy is down in order to lessen the impact of job losses and associated economic hardship.

As with the discretionary cap, there would be an automatic sequestration if direct spending is not sufficiently cut. Past sequestration provisions exempted specific programs, including low-income programs, but this bill repeals the broad list that has been the basis for sequestration in the past. Instead the bill exempts a smaller range of programs (but comprising about half of the budget): military personnel accounts, TRICARE for Life, military retirement, veterans benefits, Medicare, Social Security, and net interest.

#### HOLDS DEBT LIMIT INCREASE HOSTAGE TO PASSAGE OF SPECIFIC TYPE OF BALANCED BUDGET CONSTITUTIONAL AMENDMENT

This bill will add a new obstacle to increasing the debt limit before the August 2 deadline by mandating that the House and the Senate first pass a Constitutional amendment requiring a balanced budget. The bill specifies that the Constitutional amendment has to be H.J. Res. 1 or a "similar amendment" that (1) limits total outlays to no more than total receipts; (2) limits spending as a percentage of GDP; and (3) requires that tax increases be approved by a two-thirds vote in both Houses of Congress.

Moreover, the Constitutional amendment itself is merely a ploy to make tax cuts for the wealthy and tax loopholes for big corporations a permanent fixture of American governance. It would make any revenue-raising measure unconstitutional unless a two-thirds supermajority approves it. This is simply unprecedented and unacceptable.

An alternative plan, put forth by Senate Democratic and Republican Majority and Minority Leaders HARRY REID and MITCH MCCONNELL, respectively, deals with the debt ceiling crisis in a way that is less controversial for Democrats. Although still in the negotiation stages, the plan has a few emerging ideas and general bipartisan support in the Senate. However, House Republicans have expressed their dissatisfaction with the proposal.

Tentatively, the Reid-McConnell Debt Ceiling Proposal would allow the President to raise the debt ceiling 3 times in the next year in an amount totaling \$2.5 trillion. Furthermore, it permits Congress to vote on a resolution of disapproval of each increase of the debt ceiling, essentially assigning blame to

President Obama for each increase. It includes a plan to reduce the deficit in the amount of \$1.5 trillion over 10 years through cuts to domestic programs, while avoiding cuts to entitlement programs or raising new taxes.

Moreover, the Reid-McConnell debt ceiling proposal would create a new Congressional Panel tasked with coming up with, by the end of the year, a way of reducing the deficit by another \$2.5 trillion or more through cuts in entitlements and other yet-to-be identified steps. The proposed committee would be comprised of 12 lawmakers who would issue a report to Congress on how to achieve this. While I am still not convinced that the cuts for this proposal will not unfairly harm our seniors and other beneficiaries of domestic programs, I anticipate the product of these negotiations, as they appear to be far more realistic than the bill before us today.

I urge my Colleagues to oppose H.R. 2560 which I have called the "Tap Dance, Loser Club, and Bust Bill," for it will send our Nation in the wrong direction. This detour into a spending debate is as unnecessary as it is perilous, as increasing the debt ceiling does not obligate the undertaking of any new spending by the federal government. Rather, raising the debt limit simply allows the government to pay existing legal obligations promised to debt holders that were already agreed to by Presidents and Congresses, both past and present. We must protect Medicare, Social Security, Pell Grants and a plethora of other programs that are aimed at helping our citizens. I will not stand by any bill which threatens to eliminate Medicare.

Mr. WOODALL. Mr. Speaker, I yield myself 15 seconds to say to the gentlelady that there is only one bill in this Congress that abolishes every single corporate loophole in the entire United States Tax Code. That's H.R. 25, the Fair Tax. I would welcome the gentlelady on that bill because I too share a desire to see those loopholes eliminated.

I now yield 2 minutes to a cosponsor of the Fair Tax, the gentleman who has cosponsored bipartisan tort reform legislation here in the House, the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. I thank the gentleman for yielding.

Mr. Speaker, I rise, of course, in strong support of this bill and rule, that of cut, cap, and balance.

The gentlelady from Texas just stood up and said she would call it the "Tap Dance" bill. Quite frankly, what the President has in mind I would refer to as the "Whistling Past the Graveyard" plan. This cut, cap, and balance approach to this problem is just that within the first provision of cutting spending. Mr. Speaker, of \$111 billion and with \$35 billion of that, by the way, for mandatory spending, yet not one dime—not one dime—from Social Security or Medicare. We protect our seniors.

But as to this spending problem, I mean, it's just like the problem in this country with drunk driving. Are we going to solve that problem by raising

the blood alcohol level? Absolutely not. Are we going to solve this problem of runaway spending by just simply raising the debt ceiling without these caveats of cut, cap, and balance? Absolutely not. That's why we have to do this—to rein in this spending and to bring it down to historical levels of 20 percent of GDP.

Then the final part of cut, cap, and balance, Mr. Speaker, is the balance part. The President is asking for a balanced approach. That's exactly what this is. This is the balanced approach that makes sense because every other pledge in the past with regard to reining in spending, whether we're talking about Pay-As-You-Go—the Democrats like to tout that plan—never has worked because we don't abide by these pledges; we continue to spend.

The only way to make sure that future Congresses rein in this spending on a permanent level is to have a balanced budget amendment that calls for a supermajority to raise taxes. There are 49 out of 50 States that have a balanced budget amendment. Why in the world wouldn't Democrats join with Republicans in calling for a balanced budget amendment? Then to think that the President would issue a statement of administrative policy in opposition to this is absolutely ridiculous.

Support this commonsense bill. Stand strong for our country. This is the land of the free, but it has to be the land of the strong before it can become the land of the free.

□ 1310

Mr. McGOVERN. Mr. Speaker, I yield myself 10 seconds.

I just want to say to the gentleman from Georgia the reason why the President issued a veto threat is because he doesn't want you to destroy Social Security and Medicare, two of the most important social programs in this country that benefit millions and millions of seniors.

I yield 2 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I rise in strong opposition to this rule and the extreme ideological bill before us today.

The Cut, Cap, and Balance Act, or as it should be more appropriately called the "cut, cap, and end Medicare act," is one of the most radical bills to come before this body.

But perhaps I should not be surprised. I've already seen the majority of my colleagues on the other side of the aisle vote to end Medicare, slash Medicaid, and now they want to cut Social Security benefits, too.

Instead of listening to the American people, the House Republican leadership continues to advocate for the elimination of Medicare, all while continuing to protect tax loopholes and subsidies for Big Oil and Wall Street executives. This bill is actually more

extreme than the Republican budget passed in April calling for deeper cuts and more hardships for the middle class and older Americans.

In fact, this bill does nothing to create jobs nor invest in the roads, bridges, clean energy technology, and job training that would really get our economy moving.

In short, H.R. 2560 will stifle growth, hurt middle class families, and undercut America's seniors. In my district there are over 93,000 Social Security beneficiaries and over 85,000 Medicare enrollees.

On behalf of my constituents and for future generations, I stand in strong opposition to this bill and the rule. I know that there are those on the other side of the aisle who want to support a reasonable plan to reduce the deficit. This is not the plan.

I urge my colleagues on both sides of the aisle to reject this dangerous proposal.

Mr. WOODALL. Mr. Speaker, at this time I am pleased to yield 2 minutes to my friend from Indiana (Mr. PENCE).

Mr. PENCE. I thank the gentleman for yielding.

Mr. Speaker, I rise as a cosponsor and urge strong support of my colleagues for the Cut, Cap, and Balance Act, H.R. 2560.

I really believe if you owe debts, pay debts. We must find a way to honor the full faith and credit of the United States of America. But even more important than that, we must find a way to restore the faith and confidence of the American people and the world community in the fiscal integrity of the United States of America. That is our dual challenge.

After years of runaway Federal spending by both political parties, after failed economic policies by this administration, we find ourselves at a place of unprecedented fiscal crisis—more than a \$14 trillion national debt, \$1.65 trillion deficits. We now borrow more than 40 cents of every dollar that we spend here in Washington, D.C.

The Cut, Cap, and Balance Act applies commonsense principles and fiscal discipline to the challenges of spending restraint today, but it also introduces a new element—and that is a balanced budget amendment to the Constitution. Yes, we cut spending by \$111 billion next year, about \$5.8 trillion over 10. Yes, we cap Federal spending to back under 20 percent of GDP. But I think the time has come to make any increase in the debt ceiling contingent on sending a balanced budget amendment to the States. And here's why.

Washington, D.C., is not only broke, it's broken. Let me say again. After more than a decade here seeing my party in power in Congress and in the White House, seeing another party in power in Congress and the White House, I am convinced that Washington, D.C., is not only broke, it's broken.

And the American people know in their heart of hearts there is something missing in the equation. It's in the guardrails in the Constitution of the United States of America. It is the guardrails that say it must be the objective of the Congress and of this and of future administrations to live within our means.

Thirty-one States have a balanced budget requirement in their constitution. Indiana has a prohibition on incurring debt. Forty-nine States require a balanced budget.

The time has come to cut, the time has come to cap spending, but the time has come to make any increase in the debt ceiling contingent on sending a balanced budget amendment to the Constitution to the States for ratification. And this we must do.

Mr. MCGOVERN. I yield 30 seconds to the gentleman from Illinois (Mr. JACKSON).

Mr. JACKSON of Illinois. Mr. Speaker, I would be happy to use the 30 seconds, but I wanted to ask the distinguished gentleman from Indiana a question with my 30 seconds if he would be willing.

Will the gentleman engage in a brief question and answer?

As I understand it, under your balanced budget amendment, in the event that Congress is unable to achieve a balanced budget, a lawsuit could be filed forcing the Federal judiciary into the budget process. In effect, your balanced budget amendment would reverse the constitutional relationship by legalizing the legislature and politicizing the Judiciary. Is that your expectation, that a Federal judge could ultimately have the final say over budget matters in the House?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 10 seconds.

Mr. PENCE. Will the gentleman yield?

Mr. JACKSON of Illinois. I yield to the gentleman from Indiana.

Mr. PENCE. It would be my expectation that we would not yield the jurisdiction of constitutionality exclusively to the judiciary. Throughout American history, it has mostly settled there, but we contain it as well. But ultimately it would put the American people in charge—

Mr. JACKSON of Illinois. Reclaiming my time—

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. WOODALL. At this time I am pleased to yield 2 minutes to another cosponsor of the Fair Tax, the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Speaker, today the House is honoring a pledge that we made to America in the largest landslide election in 70 years last November when the people of America

spoke clearly and elected a new majority to govern the House to take America down the path to a balanced budget to restore prosperity, to restore jobs that had been lost under this President.

The American people spoke decisively last November and asked this new constitutional conservative majority in the House to cut spending, to cap spending, to enact a balanced budget amendment to the Constitution, to shrink the size of the government, to get the government out of our lives and out of our pockets and put us back on a path of prosperity, which this legislation does.

I am very proud to be a coauthor of the Cut, Cap, and Balance Act of the balanced budget amendment to the Constitution, which has worked so well in Texas. Texas is a beacon for other States. We have demonstrated in Texas when you live within your means, when you cut taxes, when you limit litigation, when you limit regulation, when you get the government out of our pockets and off our backs that American ingenuity, American entrepreneurship will thrive and the economy will grow.

People have been voting with their feet to move to Texas, and we in this new constitutional conservative majority in the House are doing today what we promised America we would do last November. We are cutting. We're reaffirming the Ryan budget which, by the way, does not affect—anyone over the age of 55 is unaffected by the Ryan budget, is unaffected by this Cut, Cap, and Balance Act, but if we do nothing, if you are under the age of 55, you will be affected because Medicare is on a path to bankruptcy, as is Social Security.

So we're taking decisive action today, Mr. Speaker, to put America back on a path to prosperity, to grow jobs, to get the Federal Government back within the bounds of the Constitution with a balanced budget amendment. I am very proud today, Mr. Speaker, to be here in support of this legislation, which will honor the promise we made to America.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from California, a member of the Budget Committee, Mr. HONDA.

Mr. HONDA. I rise today to oppose this ridiculous cut, cap, and balance proposal.

By walking away from every negotiation—from the Deficit Commission to the Biden Commission to direct talks with the President—Republicans have made it clear that they place petty politics above responsibly solving the country's budget challenges. This is the first budget bill or deficit reduction plan in the past quarter century that fails to specifically protect programs for the most vulnerable Americans from across-the-board cuts.

□ 1320

The "duck, dodge, and dismantle act" will butcher Social Security, Medicare, Medicaid, unemployment insurance, child nutrition, the Supplemental Nutrition Assistance Program, nutrition for Women, Infants, and Children, Planned Parenthood, supplemental income for the elderly, public schools, teachers, and pay for firefighters and cops—all so that the Republicans can protect tax breaks and tax subsidies for the wealthy and powerful by erecting a constitutional barrier to any measure that would raise any revenue.

This bill is as extreme as it is unprecedented. It is not a serious response to months of good faith negotiations by the Democrats. I call on the House Republicans to stop the games and the posturing and do the responsible thing for the American people, and I urge my colleagues to reject this bill.

Mr. WOODALL. Mr. Speaker, at this time, it gives me great pleasure to yield 2 minutes to the gentleman from Louisiana, Dr. BOUSTANY.

Mr. BOUSTANY. I thank the gentleman for yielding time to me.

Our country is at a pivotal point in its history. Economists would call this an inflection point. But for those of us who are not economists, it's a critical time; it's a pivotal time. We have to decide, are we going to compete in the 21st century and see this country prosper and lead in the 21st century? Or will we sink in a sea of red ink? That's what it's come down to.

I think we need to move forward with a bold plan. We haven't seen anything from the President. He hasn't put anything on the table. We're coming forward with a plan that's credible. It lays out a path, a credible path to get us back to fiscal sanity. \$46,000 for every man, woman, and child is what the debt stands at today, and that does not include the unfunded liabilities going to the future, which takes us well north of that figure. We have a lot of work to do. It's time for this Congress to get serious about its responsibility, its responsibility to bring fiscal sanity and fiscal balance back.

We have a spending problem. There is clearly a spending problem. But if you look at the two fundamental problems facing the country, it's our unsustainable debt, but it's also the lack of economic growth to create private sector jobs. Now if we take the path that our friends want to take, they're going to raise taxes. They're going to raise taxes across the board. And what you're going to see is a worsening economic situation. We're not going to see the kind of job growth—in fact, we very well could go back into a recession with that type of plan.

Our plan puts us on a sustainable path. Coupled with tax reform, coupled with an energy strategy which we have, and moving forward with an aggressive export-oriented trade policy,



you will see a competitive America; you will see job growth in this country. But we have got to get spending under control.

And today is the day we can cast that vote. Today is the day we can decide we're going to restore American competitiveness, we're going to restore American credibility, and we're going to restore American confidence.

Mr. MCGOVERN. Mr. Speaker, let me just say to the gentleman from Louisiana that we can't compete without investments in innovation and infrastructure and education, and the bill that my Republican friends have brought before us today on the floor would devastate this economy. It would absolutely devastate the American economy.

I yield 2 minutes to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. I thank the gentleman.

I rise today to speak against this rule and this bill. This will not solve our Nation's problems but, instead, will devastate our economy and the most vulnerable in our society.

Our Nation has run into fiscal problems for three reasons, none of which are addressed by this bill: the Bush tax cuts, foreign wars, and the recession.

When the fiscal situation of the government was better, I warned that their spending on tax cuts and foreign wars would cause fiscal problems which Republicans would then balance on the backs of social programs. But when the times were good, Republicans ignored these valid concerns, saying that "tax cuts pay for themselves" and, famously, "deficits don't matter." They were wrong, and working families are suffering.

Now we get the explanation that by cutting government jobs and spending, you will create jobs and revive the economy. However, it is clear that what we really need are good, stable jobs and stimulus in order for the economy to grow again. My constituents never got the benefits of the Bush bubble. They worked the jobs that were available and paid their taxes. Now the jobs have evaporated, and the social safety net that they paid into is under severe threat.

I will vote against this bill on behalf of my constituents and the people like them across this Nation. I will be casting a vote for fairness and economic growth, against the Bush policies that the Republicans are seeking to extend, and for a better future for our children.

Our Nation became great by making investments in our people and infrastructure and by creating a stable middle class and a robust social safety net. It became great through Americans supporting one another and paying their fair share of the taxes. Today, we watch as the Republicans continue to turn their backs on that history and continue their push towards a "me

first" economic system. I want no part of that bleak future, nor should our Nation.

Mr. WOODALL. Mr. Speaker, I yield myself 15 seconds to say that that competing vision of trillions more in stimulus and more in government jobs and more in government spending is one idea of how to revive this economy. It's just not one that I share.

I yield at this time 2 minutes to the gentleman from Alabama (Mr. BROOKS), who also I do not believe shares that opinion.

Mr. BROOKS. Mr. Speaker, back home in my district, one of the things I am understanding and communicating with people is the difficulty in their understanding the difference between millions in debt, billions in debt, and trillions in debt. So I heard an analogy the other day that I thought was appropriate, that hopefully will help the American people better understand the financial situation in the United States of America.

Imagine that you are a family and you haven't been keeping track of your finances for a good while. Finally, you decide to sit down at your kitchen table, the two spouses get together, and they accumulate their income, they accumulate their expenses, and they accumulate their debt. And as they go through their income, they discover that they have about \$50,000 that they can spend—that's their income—for the upcoming year. And then they look at their expenses, and they put all the bills together and how they spent over the past year. And they discover that last year, they spent \$80,000, meaning that they have spent \$30,000 more than their income. And then finally, they pick up their Visa card bill, and that Visa card bill is \$320,000.

Well, those are the exact same ratios that we're talking about with the United States Government and the debt that we face. We have got a budget that's around \$3.5 trillion. We have got an income that's a little over \$2 trillion, and we have a deficit that is \$14.3 trillion. All of that is unsustainable. It is a financial house of cards. And we have to take a tough but reasonable course, and that's what cut, cap, and balance is all about. Cut, cap, and balance, that is the way we score financial security for the United States of America, and that is the way to create jobs.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in strong opposition to this rule and the legislation before us today.

If we do not act in 2 weeks, the United States will, for the first time in history, default on its debt. With the economy in a vulnerable position right now, we should be working to create jobs. Instead of acting responsibly and in a bipartisan way to raise the debt

ceiling, the Republican majority has decided to make this a form of hostage-taking to press their agenda.

Congress has always paid for its past financial commitments with Republican majorities agreeing to raise the debt ceiling seven times during the Bush administration. Everyone understands the long-term challenge posed by budget deficits, and President Obama and Democrats support a balanced approach to addressing that challenge.

Yet the ideological and extreme bill before us today does not address the number one concern of the American public, jobs, but rather seeks to implement an agenda that will, in fact, destroy jobs and the social safety net, ends Medicare, and reduces the Social Security benefits that our seniors have earned and deserve. Rather than making investments to create jobs and economic growth, the Republican majority is proposing cuts which will lead to a loss of hundreds of thousands of jobs, even as we are mired in unacceptably high unemployment.

With this bill, the Republicans choose to put in place a spending cap that will cement in law the Republican budget that chooses to end Medicare, places the burden of deficit reduction on the backs of the middle class and the most vulnerable. And, finally, the Republican majority is choosing to hold hostage an increase in the debt ceiling to the approval of an amendment that will make it impossible to raise revenue.

What do I mean? It will make it impossible to end the subsidies to Big Oil, make it impossible to close the loopholes that allow corporations to ship their jobs overseas, or abuse tax havens that allow them to pay almost nothing in Federal taxes. To achieve deficit reduction, they will end Medicare, implement deep cuts to Social Security and other programs that are critical to the middle class.

□ 1330

Instead, what they need to do is to go after the 12 largest corporations in this Nation. The Citizens for Tax Justice has said that those corporations pay a negative 1½ percent tax on \$171 billion in profits and about \$64 billion in tax subsidies.

You want to do something to balance the budget and make a deal with deficit reduction? Go after those corporations that are paying zero in taxes instead of going after middle class Americans or seniors who rely on Medicare and who rely on Social Security.

Mr. Speaker, this Republican agenda undermines America as a country where middle class American families have an opportunity for a decent retirement.

Oppose this outrageous piece of legislation.

Mr. WOODALL. Mr. Speaker, I yield 2 minutes to a colleague who is a great



leader on this issue, the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, this is quite an interesting debate that we're having, and I think it is an historic day. It is a time when we have the opportunity to do something about the out-of-control, reckless Washington spending. It's long overdue.

I had an email from a constituent a few minutes ago. They're watching the debate and, I would offer to my colleagues, I think lots of Americans are watching this debate. They're waiting to see if we have the courage, if we have the political will to actually do something about spending money we don't have for programs our constituents don't want.

Amazingly, my constituent could not believe that there are people who would actually come to this floor and say that they opposed cutting what the Federal Government spends because we're borrowing 40 cents of every dollar that is spent. They were amazed that people would oppose placing a cap over what that government can spend. And they were quite amazed that they would actually stand and oppose a balanced budget amendment, something that is long overdue for our country.

This problem has been years, decades in the making. I think we all agree with that. But I also think there's one thing that we will all agree with: The past 3 years has seen such a rapid rate of accelerated spending that it has added \$3.4 trillion, this administration has added \$3.4 trillion to our debt. Unprecedented.

And, indeed, included in that was the passage of the President's health care bill, PPACA, or Obamacare, which spent another \$1.2 trillion. And, by the way, to my colleagues, you all made the choice and the decision in that bill to cut \$575 billion out of Medicare. I just remind you of that.

The time has come for fiscal responsibility. It is time to pass Cut, Cap, and Balance. I encourage my colleagues to support the rule and to support the bill.

Mr. MCGOVERN. Mr. Speaker, before I yield to the gentleman from Massachusetts, I just would like to respond to the gentlelady from Tennessee.

When she talks about the need for political will, what we need is the political will to stand up to Big Oil and to end subsidies that amount to corporate welfare.

The bill that my Republican colleagues are bringing to the floor today let's them off the hook and, instead, goes after the poor and the most vulnerable and our senior citizens. That's why this bill is so outrageous, because they are so unfair.

Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Americans today are getting an up-close view of Repub-

licans' misguided plans, misplaced priorities, and massive assault on the middle class. It's not, as they call it, "Cap, Cut, and Balance." It's really a "Cash Cow for Billionaires."

The Republicans are pushing Grandma and middle class families overboard while protecting the superrich and the powerful.

Will Republicans protect Grandma's Medicare and Social Security checks? No. Grandma is being pushed overboard.

What about programs that help low-income children visit their doctor? No. They are getting pushed overboard.

What about programs that ensure that veterans benefits are paid on time? No, veterans are being pushed overboard.

But the massive Bush tax cuts for the wealthy, the tax subsidies for Big Oil? They're too precious, the Republicans say. They have to be kept on board. So billionaires will not see their undeserved tax breaks taken away. The oil industry will not see their unjustified tax subsidies, as consumers are tipped upside down at gas stations, taken away from them. No, those subsidies, they have to be kept on board. And, ladies and gentlemen, that's not fair. That's not balanced.

Grandma, kids, veterans, they should not have to contribute to balancing the budget, but billionaires and Big Oil are exempted by the Republicans. This is the face of their party—Big Oil and billionaires. That's who they are protecting.

They have deficit attention disorder. If there were such a thing as a Nobel Prize in economics in reverse, they would be the first winners of it.

Mr. WOODALL. Mr. Speaker, I yield 2 minutes to a mentor of mine, the gentleman from the great State of Georgia (Mr. KINGSTON).

Mr. KINGSTON. After a 3-year spending spree in which the President drove up the national debt by 56 percent, the President has the nerve to tell the American people that they have to eat their peas. This from a President who has had the Federal Government on a supersize me diet since the day he was sworn in. Marie Antoinette would be proud of such arrogance.

One must ask, where has the President been? He owns this economy. It's his policies that have left 15 million Americans without work. It's his policies that have stifled business growth and investment. It's his policies that have given us more deficit spending than any other administration in history.

The President talks about entitlement reform but offers no plan, no legislation. The President talks about his budget fairness, and yet this very budget was rejected by the HARRY REID Senate Democrats by a vote of 97-0.

The President denounces the Bush tax cuts yet personally extended them

a few months ago. In 2006, the President voted against increasing the debt ceiling citing a lack of leadership, now he offers none.

But today, the House Republicans will lead with a plan. That plan is cut, cap, and balance. And on the back, we have the President's plan. This is it: speeches. That's what we get after 3 years and the largest deficit in history from the President of the United States, speeches and admonishments.

Mr. JACKSON of Illinois. Will the gentleman yield?

Mr. KINGSTON. I yield to my friend from Illinois.

Mr. JACKSON of Illinois. I thank the gentleman for yielding.

Is it the gentleman's opinion that under the Republican cut, cap, and balance program—

Mr. KINGSTON. Reclaiming my time, you've got to go fast because I'm willing to answer your question but I can't—

Mr. JACKSON of Illinois. Is the gentleman prepared to turn the balancing aspect of this program over to the Federal judiciary?

Mr. KINGSTON. The President has backed us up against the wall. If we don't do something serious and, yes—

Mr. JACKSON of Illinois. Is the gentleman prepared to turn the balancing aspect over to the Federal judiciary?

Mr. KINGSTON. I agree with you. By law we need to have a balanced budget amendment so that Congress' hands will be tied from increasing the deficit.

Mr. JACKSON of Illinois. Will it be the responsibility of the Federal judiciary?

The SPEAKER pro tempore. The time of the gentleman has expired.

□ 1340

Mr. MCGOVERN. I yield 2 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Speaker, I rise in opposition to the rule and the underlying bill.

For months our colleagues on the other side have known of the need to avoid a default crisis and meet our Nation's obligations. But instead, today they move with lightning speed to the floor a sham bill that is nothing more than a way to score political points at a time that we need, the markets need, and the world needs seriousness.

It's time to meet our obligations for seniors, retirees, and veterans, for Social Security and Medicare, and to create jobs and grow this economy. Those on the other side of the aisle know that the bill that's on the floor today would do nothing like that. The underlying bill would in fact reap catastrophic consequences for our Nation's economy and our most vulnerable communities, and that's the truth.

What kind of majority wants to throw our economy into another tailspin by having us default on our obligations? Well, I'm going to tell you it's

the irresponsible kind. They have been unrelenting in their quest to eliminate Medicare and cut Social Security, and this bill is no different.

The American public needs to understand what is at stake here: It's the default on our Nation's obligations that will throw out of whack Social Security, Medicare benefits, veterans' benefits, everything that we know in this economy because of the foolishness that's going on here in this Chamber.

I ask my colleagues to please be responsible. Protect our future; protect our children's future; invest in our roads and our bridges and our infrastructure; create jobs; but please stop this foolishness.

I ask for a "no" vote on the bill and a "no" vote on the underlying rule.

Mr. WOODALL. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. JACKSON).

Mr. JACKSON of Illinois. I thank the gentleman for yielding. I'm going to try to speak as quickly as I possibly can.

Under the balanced budget amendment, the sole responsibility for interpreting the Constitution of the United States is the Federal court system, a Federal judge. And I wanted to ask the gentleman if he would join me in just an answer to the question—since it's on my time—what would qualify a Federal judge to cut a Federal program? What would qualify them? Would we take them through a process in the Senate, asking them what programs they support? Are we politicizing the judiciary?

Mr. WOODALL. Will the gentleman yield?

Mr. JACKSON of Illinois. I yield to the gentleman from Georgia.

Mr. WOODALL. I thank the gentleman for yielding.

The answer is there's absolutely nothing different from this amendment than any other amendment to the Constitution that relies on the judiciary to interpret it.

Mr. JACKSON of Illinois. Reclaiming my time, so instead of the Congress of the United States making a judgment about programs and then answering to the people in an elective political process, we are shifting the responsibility to a Federal judge to make a cut in the program; is that correct?

Mr. WOODALL. That is not correct. The responsibility lies here, as my colleague knows. But as is true with every word in the Constitution, it relies on the judiciary to interpret it.

Mr. JACKSON of Illinois. Reclaiming my time, the responsibility for interpreting the Constitution is a Federal judge. Under a balanced budget amendment, a Federal judge would be responsible for cutting these programs; is that correct?

Mr. WOODALL. Will the gentleman yield?

Mr. JACKSON of Illinois. I would be happy to yield to the gentleman from Georgia.

Mr. WOODALL. I have the sponsor of the legislation right here to answer that very question.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOODALL. I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I have no further requests for time. Does the gentleman have additional speakers?

Mr. WOODALL. I don't, though I do have the bill's sponsor here to answer any questions you all might have.

Mr. MCGOVERN. He didn't answer any of them last night; so I'm not sure whether we will get many answers here today.

I yield 1 minute to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. I thank the gentleman for yielding.

I will not take a minute. I will just ask the sponsor of the bill, as I did last night in the Rules Committee, do you genuinely believe that this particular measure is going to become the law?

Mr. CHAFFETZ. Will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from Utah.

Mr. CHAFFETZ. I genuinely hope it does become the law. I think the American people deserve this Federal Government to live within the confines of a balanced budget amendment.

Mr. HASTINGS of Florida. Reclaiming my time, I heard the word that you "hope." Let me tell you what I told you last night; I'll bet you cash money that it ain't going to become the law.

Mr. CHAFFETZ. If the gentleman will yield, I don't take cash bets. But you know what? You also talked about bouncing; and the only thing that's going to bounce is the government's check.

The SPEAKER pro tempore. The gentleman from Florida has yielded back his time.

Mr. CHAFFETZ. I'm sorry. I thought he yielded to me. I apologize.

Mr. WOODALL. I continue to reserve the balance of my time.

Mr. MCGOVERN. I yield myself the balance of my time.

Mr. Speaker, once again I stand in strong opposition to this closed rule and to the underlying bill.

It's time for a grown-up moment, Mr. Speaker. It's time for the Members of the House, Republican and Democrat, to come together to address the looming crisis over the debt limit. We are exactly 2 weeks away from the possibility of the United States defaulting on its obligations of not paying its bills. This is not an acceptable outcome.

I know that there are some on the other side of the aisle—in fact I talked to one just this morning—who will not vote for anything that raises the debt

ceiling. That's unfortunate. Default would result in collapsing markets and skyrocketing interest rates. It would deal a devastating blow to the full faith and credit of the United States. It would throw even more Americans out of work. The bill before us does nothing to prevent that outcome.

Slashing Medicare and Social Security while protecting tax cuts for the wealthy is not a responsible solution. I think the American people have made it clear in poll after poll after poll. They have said to my Republican colleagues, keep your hands off of Medicare and off of Social Security.

What my Republican colleagues are trying to do with this legislation is lower the standard of living for our senior citizens. They deserve a hell of a lot better. The fact of the matter is our senior citizens have built this country, they have worked hard to make this country what is today. They deserve better from this Congress. They should not have to pay to balance this budget because they did not cause this economic crisis.

It is just simply unfair to protect all this corporate welfare, all these tax loopholes to protect corporations with jets and to protect corporations so they don't have to pay taxes, and they can incorporate overseas in Bermuda or the Cayman Islands. It is just wrong. It is wrong to continue these subsidies to Big Oil that have made billions and billions of dollars. Why aren't they paying their fair share?

And Mr. Speaker, it is just wrong to radically alter the Constitution of the United States of America. We need to focus on jobs, and innovation plus infrastructure plus education equals jobs. We have to invest as well as cut. This bill would slash the investments we need to put people back to work and to grow our economy. It cuts Pell Grants. It would cut education at every level. It would cut monies for roads and bridges. It would cut money that would help this economy grow that can help put more people back to work so we can start reducing the debt in a responsible way.

Mr. Speaker, at the end of this debate, I will ask the House to defeat the previous question. If the previous question is defeated, I will offer an amendment that will ensure that this bill does nothing to impede job increases and economic growth. So a vote in favor of the previous question is a vote to increase unemployment and to threaten our economic recovery.

Given the fact that you gave us a closed rule, I don't think it's too much to ask that we have at least some language in here that protects jobs and that would protect the American worker.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. I urge my colleagues to vote "no" on the previous question, reject this closed rule that is unfair, and reject the underlying legislation.

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

Mr. WOODALL. I yield myself such time as I may consume.

Mr. Speaker, it was 224 years ago that the Constitutional Convention was wrapping up that summer in 1787. Ben Franklin walked out of the front door and a woman asked him, "What did you create?" And he famously responded, "A republic, if you can keep it." That's what the debate is about here today, Mr. Speaker—our Republic, and can we keep it?

Mr. Speaker, the last time we debated a balanced budget amendment was back in 1995, 16 years ago. At that time, now-Minority Leader STENY HOYER said this: "This country confronts a critical threat caused by the continuation of large annual deficits. I am absolutely convinced that the long-term consequences of refusing to come to grips with the necessity to balance our budget will be catastrophic. And those who will pay the highest price for our fiscal responsibility, should we fail, will be those least able to protect themselves and the children of today and the generations of tomorrow."

Mr. Speaker, this debate is about those who are least able to protect themselves, and this is about the vision that we have chosen for ourselves as Americans.

□ 1350

Mr. Speaker, 223 years ago, in a letter written in November, Thomas Jefferson said this: I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government to the genuine principles of its Constitution. I mean an additional article taking from government the power of borrowing.

Our Founding Fathers, 223 years ago—folks talk about a bill being rushed to the floor. This is a debate that has been going on since the founding of our Nation, since the founding of our Nation. We had this discussion in 1995. We had this discussion in 1994. Every Congress for the 10 years between 1985 and 1995, we discussed a balanced budget amendment. Apparently, there was no need to discuss it any longer, and look where we are.

I was down in Chinatown the other day, Mr. Speaker, where, conveniently enough, our United States debt auctions were held, right downtown in Chinatown. We sold \$36 billion of debt in Chinatown the day I was down there

at 0.0005 percent interest. But hear this—I will close as I opened, Mr. Speaker—from our friends at S&P: "We view an inability to timely agree and credibly implement medium-term fiscal consolidation policy as inconsistent with a AAA sovereign rating."

Mr. Speaker, this isn't about raising the debt limit; this is about preserving the Republic. Go ahead and raise the debt limit; Moody's says that's not enough. Go ahead and raise the debt limit; S&P says that's not going to get you anywhere. Inconsistent with a AAA rating is the borrowing and spending that this Congress has brought to the House.

Now, we talked about rushing a bill to the House floor, Mr. Speaker. I'll say this, and some of my Democratic colleagues have said it, and I associate myself with their comments: This reflects the priorities of this House. What we're working on today is exactly what we were working on when we worked on H.R. 1 in February, one of the most open and brilliant moments in this House's history in terms of debate. Well, the priorities we are setting today are the same priorities we were setting when we had that very open budget debate earlier this year in April where we brought every budget to the House and said: What can we agree on as a House? And you know what we agreed, Mr. Speaker? We agreed on the priorities that are set forth in Cut, Cap, and Balance.

Now, there has been a lot of talk about who is willing to compromise. Mr. Speaker, I can't find a single colleague on this side of the aisle who is enthusiastic about raising the debt limit, not one. But folks are willing to do it if we can preserve the Republic for our children and grandchildren, which we can do with cut, cap, and balance.

Mr. Speaker, there's all of this talk in Washington about default on the national debt. That is a serious conversation, a serious conversation.

I want to talk about defaulting on the promises of our Founders. I want to talk about defaulting on our Republic. One wish Thomas Jefferson had, one wish: If it were possible to obtain a single amendment to our Constitution, it would be an additional article taking from government the power of borrowing.

I understand, Mr. Speaker, that there's a lot of reluctance to do that. There are lots of great things that folks have, priorities that they would like to spend on. This isn't about those spending priorities. We'll still have that conversation. H.R. 1 was about those priorities. Our budget discussion was about our priorities. Today, it is about the future of our Republic. You need read no further, Mr. Speaker, than the credit rating agencies telling us that August 2 is not the date we have to fear. Today is the day that we

have to fear because, if we fail to pass this bill, our Republic stands in peril.

Mr. Speaker, I rise in strong support for this rule. I am grateful to the Budget Committee for bringing forward this resolution, and I ask for a unanimous vote of support as this resolution comes to the floor.

The text of the material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 355 OFFERED BY  
MR. MCGOVERN OF MASSACHUSETTS

(1) Strike "the previous question" and all that follows and insert the following:

The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) four hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget; (2) the amendment printed in section 2, if offered by the Minority Leader or her designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(2) At the end of the resolution, add the following:

SEC. 2. The amendment referred to in the first section of this resolution is as follows:

At the end of the bill, insert the following:

#### TITLE IV—PROTECTIONS FOR JOBS AND ECONOMIC GROWTH

##### SEC. 401. PROVISIONS OF ACT INEFFECTIVE IF RESULTING IN JOB LOSSES OR SLOWER GDP GROWTH.

No provision in this Act or amendment made by this Act shall apply if it would result in a reduction in private payroll employment or a slower growth of GDP.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

#### THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused,

the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 235, nays 175, not voting 21, as follows:

[Roll No. 603]

YEAS—235

Adams	Barletta	Bilbray
Aderholt	Bartlett	Bilirakis
Akin	Barton (TX)	Bishop (UT)
Alexander	Bass (NH)	Black
Amash	Benishek	Blackburn
Austria	Berg	Bonner
Bachus	Biggart	Bono Mack

Boren	Harris	Pence	Gutierrez	Matheson	Sánchez, Linda
Boustany	Hartzler	Petri	Hanabusa	Matsui	T.
Brady (TX)	Hastings (WA)	Pitts	Hastings (FL)	McCarthy (NY)	Sanchez, Loretta
Brooks	Hayworth	Platts	Heinrich	McCollum	Sarbanes
Broun (GA)	Heck	Poe (TX)	Higgins	McGovern	Schakowsky
Buchanan	Hensarling	Pompeo	Himes	McIntyre	Schiff
Bucshon	Herger	Posey	Hinojosa	McNerney	Schwartz
Buerkle	Herrera Beutler	Price (GA)	Hirono	Meeks	Scott (VA)
Burgess	Huelskamp	Quayle	Hochul	Michaud	Scott, David
Burton (IN)	Huizenga (MI)	Reed	Holden	Miller (NC)	Serrano
Calvert	Hultgren	Rehberg	Holt	Miller, George	Sewell
Camp	Hunter	Reichert	Honda	Moran	Sherman
Campbell	Hurt	Renacci	Hoyer	Murphy (CT)	Sires
Canseco	Issa	Ribble	Inslee	Nadler	Slaughter
Cantor	Jenkins	Rigell	Israel	Napolitano	Smith (WA)
Capito	Johnson (IL)	Rivera	Jackson (IL)	Neal	Speier
Carter	Johnson (OH)	Roby	Jackson Lee	Olver	Stark
Cassidy	Johnson, Sam	Roe (TN)	(TX)	Owens	Sutton
Chabot	Jones	Rogers (AL)	Johnson (GA)	Pallone	Thompson (CA)
Chaffetz	Jordan	Rogers (KY)	Johnson, E. B.	Pastor (AZ)	Thompson (MS)
Coble	Kelly	Rogers (MI)	Kaptur	Payne	Tierney
Coffman (CO)	King (NY)	Rohrabacher	Keating	Pelosi	Tonko
Cole	Kingston	Rokita	Kildee	Perlmutter	Towns
Conaway	Kinzingler (IL)	Rooney	Kind	Peters	Tsongas
Crawford	Kline	Ros-Lehtinen	Kissell	Peterson	Van Hollen
Crenshaw	Labrador	Roskam	Kucinich	Pingree (ME)	Van Hollen
Crenshaw	Lamborn	Ross (FL)	Langevin	Polis	Velázquez
Culberson	Lance	Royce	Larsen (WA)	Price (NC)	Vislousky
Davis (KY)	Landry	Ryunan	Larson (CT)	Quigley	Walz (MN)
Denham	Lankford	Ryan (WI)	Lee (CA)	Rahall	Wasserman
Dent	Latham	Scalise	Levin	Rangel	Schultz
DesJarlais	LaTourrette	Schilling	Lewis (GA)	Reyes	Richardson
Diaz-Balart	Latta	Schmidt	Lipinski	Richmond	Watt
Dold	Lewis (CA)	Schock	Lofgren, Zoe	Ross (AR)	Welch
Dreier	LoBiondo	Schweikert	Lowe	Rothman (NJ)	Woolsey
Duncan (SC)	Long	Scott (SC)	Luján	Roybal-Allard	Wu
Duncan (TN)	Lucas	Scott, Austin	Lynch	Ruppersberger	Yarmuth
Ellmers	Luetkemeyer	Sensenbrenner	Maloney	Ryan (OH)	
Emerson	Lummis	Sessions	Markey		
Farenthold	Lungren, Daniel	Shimkus			
Fincher	E.	Shuler			
Fitzpatrick	Mack	Shuster	Bachmann	Filner	Moore
Flake	Manzullo	Simpson	Blumenauer	Giffords	Pascrell
Fleischmann	Marchant	Smith (NE)	Capuano	Graives (MO)	Rush
Fleming	Marino	Smith (NJ)	Castor (FL)	Hinchey	Schrader
Flores	McCarthy (CA)	Smith (TX)	Cravaack	King (IA)	Wilson (FL)
Forbes	McCaul	Southerland	Doggett	Loeb sack	Young (AK)
Fortenberry	McClintock	Stearns	Ellison	McDermott	Young (FL)
Fox	McCotter	Stivers			
Franks (AZ)	McHenry	Stutzman			
Frelinghuysen	McKeon	Sullivan			
Galleghy	McKinley	Terry			
Gardner	McMorris	Thompson (PA)			
Garrett	Rodgers	Thornberry			
Gerlach	Meehan	Tiberi			
Gibbs	Mica	Tipton			
Gibson	Miller (FL)	Turner			
Gingrey (GA)	Miller (MI)	Upton			
Gohmert	Miller, Gary	Walberg			
Goodlatte	Mulvaney	Walden			
Gosar	Murphy (PA)	Walsh (IL)			
Gowdy	Myrick	Webster			
Granger	Neugebauer	West			
Graves (GA)	Noem	Westmoreland			
Griffin (AR)	Nugent	Whitfield			
Griffith (VA)	Nunes	Wilson (SC)			
Grimm	Nunnelee	Wittman			
Guinta	Olson	Wolf			
Guthrie	Palazzo	Womack			
Hall	Paul	Woodall			
Hanna	Paulsen	Yoder			
Harper	Pearce	Young (IN)			

NAYS—175

Ackerman	Carlson (IN)	Davis (IL)
Altmire	Chandler	DeFazio
Andrews	Chu	DeGette
Baca	Cicilline	DeLauro
Baldwin	Clarke (MI)	Deutch
Barrow	Clarke (NY)	Dicks
Bass (CA)	Clay	Dingell
Becerra	Cleaver	Donnelly (IN)
Berkley	Clyburn	Doyle
Berman	Cohen	Edwards
Bishop (GA)	Connolly (VA)	Engel
Bishop (NY)	Conyers	Eshoo
Boswell	Cooper	Farr
Brady (PA)	Costa	Fattah
Bralley (IA)	Costello	Frank (MA)
Brown (FL)	Courtney	Fudge
Butterfield	Critz	Garamendi
Capps	Crowley	Gonzalez
Cardoza	Cuellar	Green, Al
Carnahan	Cummings	Green, Gene
Carney	Davis (CA)	Grijalva

Matheson	Sánchez, Linda
McCarthy (NY)	T.
McCollum	Sanchez, Loretta
McGovern	Sarbanes
McIntyre	Schakowsky
McNerney	Schiff
Meeks	Schwartz
Michaud	Scott (VA)
Miller (NC)	Scott, David
Miller, George	Serrano
Moran	Sewell
Murphy (CT)	Sherman
Nadler	Sires
Napolitano	Slaughter
Neal	Smith (WA)
Olver	Speier
Owens	Stark
Pallone	Sutton
Pastor (AZ)	Thompson (CA)
Payne	Thompson (MS)
Pelosi	Tierney
Perlmutter	Tonko
Peters	Towns
Peterson	Tsongas
Pingree (ME)	Van Hollen
Polis	Velázquez
Price (NC)	Vislousky
Quigley	Walz (MN)
Rahall	Wasserman
Rangel	Schultz
Reyes	Richardson
Richardson	Richmond
Richmond	Ross (AR)
Ross (AR)	Rothman (NJ)
Rothman (NJ)	Roybal-Allard
Roybal-Allard	Ruppersberger
Ruppersberger	Ryan (OH)
Ryan (OH)	

NOT VOTING—21

Blumenauer	Filner	Moore
Capuano	Giffords	Pascrell
Castor (FL)	Graves (MO)	Rush
Cravaack	Hinchey	Schrader
Doggett	King (IA)	Wilson (FL)
Ellison	Loeb sack	Young (AK)
	McDermott	Young (FL)

□ 1419

Messrs. ISRAEL, GUTIERREZ, and KILDEE changed their vote from "yea" to "nay."

Messrs. GUINTA, BARTLETT, and FRANKS of Arizona changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 603, I was unable to vote due to previous commitments in my district. Had I been present, I would have voted "no."

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

HOUSE OF REPRESENTATIVES,  
Washington, DC, July 13, 2011.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Mr. Jacob Corbin of the Elections Division of the California Secretary of State's office, indicating that, according to the unofficial returns of the Special Election held July 12, 2011, the Honorable Janice Hahn was elected Representative to Congress for the Thirty-Sixth Congressional District, State of California.

With best wishes, I am,  
Sincerely,

KAREN L. HAAS,  
*Clerk.*

Enclosure.

SECRETARY OF STATE,  
STATE OF CALIFORNIA,  
Sacramento, CA, July 12, 2011.

Hon. KAREN L. HAAS,  
*Clerk, House of Representatives,*  
Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special General Election held on Tuesday, July 12, 2011, for Representative in Congress from the Thirty-Sixth Congressional District of California, show that Janice Hahn received 41,585 or 54.6 percent of the total number of votes cast for that office.

It would appear from these unofficial results that Janice Hahn was elected as Representative in Congress from the Thirty-Sixth Congressional District of California.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by Los Angeles County, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

JACOB CORBIN,  
*Elections Division,*  
*California Secretary of State.*

SPECIAL ELECTION NIGHT VOTE TALLY SEMI-OFFICIAL  
CANVASS, U.S. REPRESENTATIVE 36TH CONGRESSIONAL  
DISTRICT\*

[Special General Election, July 12, 2011]

Districtwide Los Angeles County:**		
Registered Voters .....	342,492	
Votes Cast .....	76,221	
County Turnout % .....	22.3	
Total Reportable Precincts .....	261	
Precincts Reporting .....	261	
Percentage of Precincts Reporting .....	100.0	

	Janice Hahn, Dem.	Craig Huey, Rep.
Votes Cast .....	41,585	34,636
Percentage of Total Votes Cast .....	54.6	45.4

\*Vacancy resulting from the resignation of Jane Harman.

\*\*Congressional District 36 is wholly contained in Los Angeles County.

SWEARING IN OF THE HONORABLE  
JANICE HAHN, OF CALIFORNIA,  
AS A MEMBER OF THE HOUSE

Mr. STARK. Mr. Speaker, I ask unanimous consent that the gentlewoman from California, the Honorable JANICE HAHN, be permitted to take the oath of office today.

Her certificate of election has not arrived, but there is no contest and no question has been raised with regard to her election.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. Will Representative-elect HAHN and the members of the State delegation present themselves in the well.

All Members will rise and the Representative-elect will please raise her right hand.

Ms. HAHN appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 112th Congress.

WELCOMING THE HONORABLE  
JANICE HAHN TO THE HOUSE OF  
REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from California is recognized for 1 minute.

There was no objection.

Mr. STARK. Mr. Speaker, the residents of California's 36th Congressional District chose JANICE HAHN last week in a special election to succeed our esteemed colleague Jane Harman. Jane will be missed, but we welcome JANICE to Congress where she will undoubtedly serve as a powerful champion for her constituents.

She begins her career in Congress with a strong record of fighting for jobs, the environment and working families. As a city of Los Angeles councilwoman, she led successful initiatives to improve her community. She created jobs by standing with unions and advocating for development to promote tourism. She worked to clean the air in L.A. by addressing the pollution from the ports and by enacting strong diesel truck emission standards. She stood with working families through her support of living wages and health care.

JANICE carries on the legacy of her father, Kenny Hahn, a former Los Angeles County supervisor and a passionate civil rights advocate. As a United States Congresswoman, JANICE will surely add more victories to her already long list of accomplishments.

She is joined today by her son Danny; daughter, Katy; son-in-law, John; and three grandchildren—Brooklyn, McKenna and Josiah.

Mr. DREIER. Will the gentleman yield?

Mr. STARK. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

Let me join on behalf of my Republican colleagues from California and across the country in extending a hearty congratulations to our new colleague, filling the great shoes—they're not huge shoes of course—but succeeding our good friend Jane Harman.

I have to say, Mr. Speaker, that JANICE HAHN comes from a family that has had a great, great, long tenure of public service. Her father, Kenneth Hahn,

served as a supervisor in the County of Los Angeles—a huge job. They represent about three times as many people as we, Mr. Speaker; and her brother, of course, a judge, has served as the mayor of the city of Los Angeles.

Our new colleague has come here at certainly an extraordinarily crucial time in our Nation's history, and will face many challenges ahead; but I also want to say that our thoughts and prayers go to our new colleague. Not everyone knows that, literally on the eve of the election, her mother, Ramona, passed away suddenly. I know that she, as are all the members of the Hahn Family, would be extraordinarily proud of this moment.

We extend a hearty congratulations.

Mr. STARK. Please join me and all of the California delegation in welcoming JANICE.

The SPEAKER. The gentlewoman from California is recognized.

Ms. HAHN. Good afternoon, Mr. Speaker, Leader PELOSI, and honored Members.

It is wonderful to be here today representing the 36th Congressional District in California. I am honored and thankful for this incredible opportunity to serve here in the United States House of Representatives. I am humbled to be the first Los Angeles City councilmember elected to Congress since Ed Roybal almost 50 years ago.

I was born into public service. My dad, Kenny, represented the people of Los Angeles for 46 years. My brother, Jim, served as mayor, and is now a superior court judge. Our dad taught us that serving others is more than a job—it's a calling. It requires honesty, hard work and, most of all, the courage to do the right thing.

In 1961, a young and controversial civil rights leader named Martin Luther King, Jr. came to Los Angeles for his very first visit, and not a single elected official wanted to greet or welcome him except for one—my father. That's where I got my political courage. We know that Americans are counting on us now more than ever to solve their problems, and working together with courage and in good faith, I believe we can and we will.

This past week, I experienced a wonderful victory but also a profound loss. My dear, sweet mother passed away unexpectedly the day before the election. She was the driving force behind our family, and this is the first accomplishment I've ever had and not been able to share with her. She was looking forward to seeing this day, and I know both she and my father are looking down today, smiling.

And for that, I want to thank everyone who made this possible. Thank you to my children—Katy, Danny and Mark; my son-in-law, John; my five beautiful grandchildren, three of whom are here today—McKenna, Brooklyn

and Josiah; and thank you to Leader PELOSI, Democratic Whip HOYER and the California delegation.

I want to thank my good friend Jane Harman for her years of service to this Congress and to this Nation and to the people of the 36th District; and when she stepped down, I told her to leave the initials on the door.

Thanks to my campaign staff and volunteers and the voters. I will work every day, with every bit of strength that I have, to serve you.

I look forward to working with each and every one of you and in getting to know each and every one of you.

Thank you. God bless you, and God bless our beautiful country.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentlewoman from California (Ms. HAHN), the whole number of the House is 433.

#### PROVIDING FOR CONSIDERATION OF H.R. 2560, CUT, CAP, AND BALANCE ACT OF 2011

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 236, noes 177, not voting 19, as follows:

[Roll No. 604]

AYES—236

Adams	Buerkle	Duncan (SC)
Aderholt	Burgess	Duncan (TN)
Akin	Burton (IN)	Ellmers
Alexander	Calvert	Emerson
Amash	Camp	Farenthold
Austria	Campbell	Fincher
Bachus	Canseco	Fitzpatrick
Barletta	Cantor	Flake
Bartlett	Capito	Fleischmann
Barton (TX)	Carter	Fleming
Bass (NH)	Cassidy	Flores
Benishek	Chabot	Forbes
Berg	Chaffetz	Fortenberry
Biggart	Coble	Fox
Bilbray	Coffman (CO)	Franks (AZ)
Bilirakis	Cole	Frelinghuysen
Bishop (UT)	Conaway	Gallegly
Black	Crawford	Gardner
Blackburn	Crenshaw	Garrett
Bonner	Culberson	Gerlach
Bono Mack	Davis (KY)	Gibbs
Boren	Denham	Gibson
Boustany	Dent	Gingrey (GA)
Brady (TX)	DesJarlais	Gohmert
Brooks	Diaz-Balart	Goodlatte
Broun (GA)	Dold	Gosar
Buchanan	Dreier	Gowdy
Bucshon	Duffy	Granger

Graves (GA)	Manzullo
Griffin (AR)	Marchant
Griffith (VA)	Marino
Grimm	McCarthy (CA)
Guinta	McCauley
Guthrie	McClintock
Hall	McCotter
Hanna	McHenry
Harper	McKeon
Harris	McKinley
Hartzler	McMorris
Hastings (WA)	Rodgers
Hayworth	Meehan
Heck	Mica
Hensarling	Miller (FL)
Hergert	Miller (MI)
Herrera Beutler	Miller, Gary
Huelskamp	Mulvaney
Huizenga (MI)	Murphy (PA)
Hultgren	Myrick
Hunter	Neugebauer
Hurt	Noem
Issa	Nugent
Jenkins	Nunes
Johnson (IL)	Nunnelee
Johnson (OH)	Olson
Johnson, Sam	Palazzo
Jones	Paul
Jordan	Paulsen
Kelly	Pearce
King (IA)	Pence
King (NY)	Petri
Kingston	Pitts
Kinzinger (IL)	Platts
Kline	Poe (TX)
Labrador	Pompeo
Lamborn	Posey
Lance	Price (GA)
Landry	Quayle
Lankford	Reed
Latham	Rehberg
LaTourette	Reichert
Latta	Renacci
Lewis (CA)	Ribble
LoBiondo	Rigell
Long	Rivera
Lucas	Roby
Luetkemeyer	Roe (TN)
Lummis	Rogers (AL)
Lungren, Daniel	Rogers (KY)
E.	Rogers (MD)
Mack	Rohrabacher

#### NOES—177

Ackerman	Davis (CA)	Johnson (GA)
Altmire	Davis (IL)	Johnson, E. B.
Andrews	DeFazio	Kaptur
Baca	DeGette	Keating
Baldwin	DeLauro	Kildee
Barrow	Deutch	Kind
Bass (CA)	Dicks	Kissell
Becerra	Dingell	Kucinich
Berkley	Donnelly (IN)	Langevin
Berman	Doyle	Larsen (WA)
Bishop (GA)	Edwards	Larson (CT)
Bishop (NY)	Engel	Lee (CA)
Boswell	Eshoo	Levin
Brady (PA)	Farr	Lewis (GA)
Braley (IA)	Fattah	Lipinski
Brown (FL)	Frank (MA)	Lofgren, Zoe
Butterfield	Fudge	Lowey
Capps	Garamendi	Luján
Cardoza	Gonzalez	Lynch
Carnahan	Green, Al	Maloney
Carney	Green, Gene	Markey
Carson (IN)	Grijalva	Matheson
Chandler	Gutierrez	Matsui
Chu	Hahn	McCarthy (NY)
Ciilline	Hanabusa	McCollum
Clarke (MI)	Hastings (FL)	McGovern
Clarke (NY)	Heinrich	McIntyre
Clay	Higgins	McNerney
Cleaver	Himes	Meeks
Clyburn	Hinojosa	Michaud
Cohen	Hirono	Miller (NC)
Connolly (VA)	Hochul	Miller, George
Conyers	Holden	Moore
Cooper	Holt	Moran
Costa	Honda	Murphy (CT)
Costello	Hoyer	Nadler
Courtney	Inslee	Napolitano
Critz	Israel	Neal
Crowley	Jackson (IL)	Oliver
Cuellar	Jackson Lee	Owens
Cummings	(TX)	Pallone

Pastor (AZ)	Ryan (OH)	Thompson (CA)
Payne	Sánchez, Linda	Thompson (MS)
Pelosi	T.	Tierney
Perlmutter	Sanchez, Loretta	Tonko
Peters	Sarbanes	Towns
Peterson	Schakowsky	Tsongas
Pingree (ME)	Schiff	Van Hollen
Polis	Schwartz	Velázquez
Price (NC)	Scott (VA)	Visclosky
Quigley	Scott, David	Walz (MN)
Rahall	Serrano	Wasserman
Rangel	Sewell	Schultz
Reyes	Sherman	Waters
Richardson	Sires	Watt
Richmond	Slaughter	Waxman
Ross (AR)	Smith (WA)	Welch
Rothman (NJ)	Speier	Woolsey
Roybal-Allard	Stark	Yu
Ruppersberger	Sutton	Yarmuth

#### NOT VOTING—19

Bachmann	Filmer	Rush
Blumenauer	Giffords	Schrader
Capuano	Graves (MO)	Wilson (FL)
Castor (FL)	Hinchee	Young (AK)
Cravaack	Loebsock	Young (FL)
Doggett	McDermott	
Ellison	Pascarell	

□ 1439

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 604, I was unable to vote due to previous commitments in my district. Had I been present, I would have voted "no."

#### PERSONAL EXPLANATION

Mr. GRAVES of Missouri. Madam Speaker, on Monday, July 18, and Tuesday, July 19, I missed a couple of rollcall votes. Had I been present, I would have voted "yea" on Nos. 601, 603, 604 and "nay" on No. 602.

#### PERSONAL EXPLANATION

Mr. PASCARELL. Madam Speaker, today, July 19th, I unavoidably missed two rollcall votes. Had I been present, I would have voted "nay" on rollcall vote No. 603. On Ordering the Previous Question on H. Res. 355. Additionally, had I been present I would have voted "nay" on rollcall No. 604. On Agreeing to H. Res. 355.

#### REPORT ON H.R. 2584, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2012

Mr. SIMPSON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 112-151) on the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

## GENERAL LEAVE

Mr. RYAN of Wisconsin. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2560.

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

There was no objection.

## CUT, CAP, AND BALANCE ACT OF 2011

Mr. RYAN of Wisconsin. Madam Speaker, pursuant to House Resolution 355, I call up the bill (H.R. 2560) to cut, cap, and balance the Federal budget, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 355, the bill is considered read.

The text of the bill is as follows:

H.R. 2560

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Cut, Cap, and Balance Act of 2011”.

## TITLE I—CUT

## SEC. 101. MODIFICATION OF THE CONGRESSIONAL BUDGET ACT.

Title III of the Congressional Budget Act of 1974 is amended by inserting at the end the following:

## “SEC. 316. DISCRETIONARY SPENDING LIMITS.

“(a) IN GENERAL.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, or conference report that would cause the discretionary spending limits as set forth in this section to be exceeded.

“(b) LIMITS.—In this section, the term ‘discretionary spending limits’ means for fiscal year 2012: for the discretionary category, \$1,019,402,000,000 in new budget authority and \$1,224,568,000,000 in outlays.

“(c) ADJUSTMENTS.—After the reporting of a bill or joint resolution relating to the global war on terrorism described in subsection (d), or the offering of an amendment thereto or the submission of a conference report thereon—

“(1) the chair of the House or Senate Committee on the Budget may adjust the discretionary spending limits provided in this section for purposes of congressional enforcement, the budgetary aggregates in the concurrent resolution on the budget most recently adopted by the Senate and the House of Representatives, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

“(2) following any adjustment under paragraph (1), the House or Senate Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

“(d) GLOBAL WAR ON TERRORISM.—If a bill or joint resolution is reported making appropriations for fiscal year 2012 that provides funding for the global war on terrorism, the

allowable adjustments provided for in subsection (c) for fiscal year 2012 shall not exceed \$126,544,000,000 in budget authority and the outlays flowing therefrom.

## “SEC. 317. CERTAIN DIRECT SPENDING LIMITS.

“(a) IN GENERAL.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, or conference report that includes any provision that would cause total direct spending, except as excluded in subsection (b), to exceed the limits specified in subsection (c).

“(b) EXEMPT FROM DIRECT SPENDING LIMITS.—Direct spending for the following functions is exempt from the limits specified in subsection (c):

“(1) Social Security, function 650.

“(2) Medicare, function 570.

“(3) Veterans Benefits and Services, function 700.

“(4) Net Interest, function 900.

“(c) LIMITS ON OTHER DIRECT SPENDING.—The total combined outlays for all direct spending not exempted in subsection (b) for fiscal year 2012 shall not exceed \$680,730,000,000.”.

## SEC. 102. STATUTORY ENFORCEMENT OF SPENDING CAPS THROUGH SEQUESTRATION.

Title III of the Congressional Budget Act of 1974 is amended by inserting after section 317 the following new section:

## “SEC. 318. ENFORCEMENT OF DISCRETIONARY AND DIRECT SPENDING CAPS.

“(a) IMPLEMENTATION.—The sequesters shall be implemented as follows:

“(1) DISCRETIONARY SPENDING IMPLEMENTATION.—For the discretionary limits in section 316 of the Congressional Budget Act of 1974, pursuant to section 251(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 with each category sequestered separately.

“(2) DIRECT SPENDING IMPLEMENTATION.—(A) The sequestration to enforce this section for direct spending shall be implemented pursuant to section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985.

“(B) Section 255 of the Balanced Budget and Control Act of 1985 shall not apply to this section, except that payments for military personnel accounts (within subfunctional category 051), TRICARE for Life, Medicare (functional category 570), military retirement, Social Security (functional category 650), veterans (functional category 700), net interest (functional category 900), and discretionary appropriations shall be exempt.

“(b) MODIFICATION OF PRESIDENTIAL ORDER.—

“(1) IN GENERAL.—At any time after the Director of OMB issues a sequestration report under subsection (a) and section 319(c) the provisions of section 258A of the Balanced Budget and Emergency Deficit Control Act of 1985 shall apply to the consideration in the House of Representatives and the Senate of a bill or joint resolution to override the order if the bill or joint resolution, as enacted, would achieve the same level of reductions in new budget authority and outlays for the applicable fiscal year as set forth in the order.

“(2) POINT OF ORDER.—In the House of Representatives or Senate, it shall not be in order to consider a bill or joint resolution which waives, modifies, or in any way alters a sequestration order unless the chair of the House or Senate Committee on the Budget certifies that the measure achieves the same levels of reductions in new budget authority

and outlays for the applicable year as set forth in the order.”.

## TITLE II—CAP

## SEC. 201. LIMIT ON TOTAL SPENDING.

(a) DEFINITIONS.—Section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking paragraph (4), redesignating the succeeding paragraphs accordingly, and adding the following new paragraph:

“(19) The term ‘GDP’, for any fiscal year, means the gross domestic product during such fiscal year consistent with Department of Commerce definitions.”.

(b) CAPS.—The Congressional Budget Act of 1974 is amended by inserting after section 318 the following new section:

## “SEC. 319. ENFORCING GDP OUTLAY LIMITS.

“(a) ENFORCING GDP OUTLAY LIMITS.—In this section, the term ‘GDP outlay limit’ means an amount, as estimated by OMB, equal to—

“(1) projected GDP for that fiscal year as estimated by OMB, multiplied by

“(2) 21.7 percent for fiscal year 2013; 20.8 percent for fiscal year 2014; 20.2 percent for fiscal year 2015; 20.1 percent for fiscal year 2016; 19.9 percent for fiscal year 2017; 19.7 percent for fiscal year 2018; 19.9 percent for fiscal year 2019; 19.9 percent for fiscal year 2020; and 19.9 percent for fiscal year 2021.

“(b) GDP OUTLAY LIMIT AND OUTLAYS.—

“(1) DETERMINING THE GDP OUTLAY LIMIT.—The Office of Management and Budget shall establish in the President’s budget the GDP outlay limit for the budget year.

“(2) TOTAL FEDERAL OUTLAYS.—In this section, total Federal outlays shall include all on-budget and off-budget outlays.

“(c) SEQUESTRATION.—The sequestration to enforce this section shall be implemented pursuant to section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985.

“(d) EXEMPT PROGRAMS.—Section 255 of the Balanced Budget and Control Act of 1985 shall not apply to this section, except that payments for military personnel accounts (within subfunctional category 051), TRICARE for Life, Medicare (functional category 570), military retirement, Social Security (functional category 650), veterans (functional category 700), and net interest (functional category 900) shall be exempt.”.

## SEC. 202. ENFORCEMENT PROCEDURES UNDER THE CONGRESSIONAL BUDGET ACT OF 1974.

(a) ENFORCEMENT.—Title III of the Congressional Budget Act of 1974 is amended by adding after section 319 the following new section:

## “SEC. 320. ENFORCEMENT PROCEDURES.

“It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, or conference report that would cause the most recently reported current GDP outlay limits set forth in section 319 of the Congressional Budget Act of 1974 to be exceeded.”.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 315 the following new items:

“Sec. 316. Discretionary spending limits.

“Sec. 317. Certain direct spending limits.

“Sec. 318. Enforcement of discretionary and direct spending caps.

“Sec. 319. Enforcing GDP outlay limits.

“Sec. 320. Enforcement procedures.”.



## TITLE III—BALANCE

## SEC. 301. REQUIREMENT THAT A BALANCED BUDGET AMENDMENT BE SUBMITTED TO STATES.

(a) IN GENERAL.—The Secretary of the Treasury shall not exercise the additional borrowing authority provided under subsection (b) until the Archivist of the United States transmits to the States H.J. Res. 1 in the form reported on June 23, 2011, S.J. Res. 10 in the form introduced on March 31, 2011, or H.J. Res. 56 in the form introduced on April 7, 2011, a balanced budget amendment to the Constitution, or a similar amendment if it requires that total outlays not exceed total receipts, that contains a spending limitation as a percentage of GDP, and requires that tax increases be approved by a two-thirds vote in both Houses of Congress for their ratification.

(b) AMENDMENT TO TITLE 31.—Effective on the date the Archivist of the United States transmits to the States H.J. Res. 1 in the form reported, S.J. Res. 10 in the form introduced, or H.J. Res. 56 in the form introduced, a balanced budget amendment to the Constitution, or a similar amendment if it requires that total outlays not exceed total receipts, contains a spending limitation as a percentage of GDP, and requires tax increases be approved by a two-thirds vote in both Houses of Congress for their ratification, section 3101(b) of title 31, United States Code, is amended by striking the dollar limitation contained in such subsection and inserting \$16,700,000,000,000.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 2 hours.

Mr. RYAN of Wisconsin. Madam Speaker, I ask unanimous consent that the gentleman from Utah (Mr. CHAFFETZ), a member of the Budget Committee, control 30 minutes; the gentleman from New Jersey (Mr. GARRETT), the vice chair of the Budget Committee, control 30 minutes; and the gentleman from Ohio (Mr. JORDAN) control 30 minutes of debate.

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

There was no objection.

Mr. RYAN of Wisconsin. With respect to the remaining time, I will reserve the balance of my time and turn it over to the gentleman from Utah.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Utah.

Mr. CHAFFETZ. I yield myself such time as I may consume.

Madam Speaker, today is an historic day. We have an opportunity in this body to send a strong signal to the country that we're going to live within our means. At the heart of this discussion is a discussion about whether or not our country is going to live within its means.

What we ask for at the heart of this proposal is that we balance our budget. It's something that families do. It's something that businesses do. A balanced budget amendment is something that 49 States across the country have.

Unfortunately, in Congresses past, Presidents past, we have not lived

within our means. I have heard the argument that says, Oh, we don't need a constitutional amendment; we just need to do our job.

Madam Speaker, we find this Nation more than \$14 trillion in debt. We're paying more than \$600 million a day in interest on that debt. Now imagine, imagine the United States of America without that debt. We don't get anything for that \$600 million. But it's an obligation. We need to live up to those obligations.

What this bill says is very simple:

We're going to cut. We're going to make an immediate cut to some spending, a paltry \$111 billion in the first year. Number two, we're going to cap as a percentage of our gross domestic product the amount of money that we're going to spend going forward so that there are targets in place for future Congresses to consider and weigh and make the good decisions that need to be made. How are we going to prioritize things? And, number three, we are going to seek to have a balanced budget amendment come to the floor of the House, come to the Senate, and pass both bodies.

If we can make that historic move and pass to the States a balanced budget amendment, then we will solve the underlying challenge that faces this country: We are spending too much money. I think everybody understands that. But the question is: Are we really going to do something about it?

The question for the President, the question for this body moving forward, is: Do we have the fortitude to actually put before the States an amendment? That's all we ask. Can the States have a say in this?

To my Senate colleagues, Madam Speaker, I would encourage them, they are to represent the States. What are they afraid of if they won't send a balanced budget amendment forward for their ratification?

We have to change the way we do business in Washington, D.C. America gets it. America understands it. But this body, in its history, has not lived up to that call. The future of our Nation depends upon it.

There is going to be all kinds of rhetoric about how we're cutting Medicare. It's not true. It simply says we're going to have to put ourselves on a glide path to get some fiscal sanity back here.

Now, there is a timetable that is before us. We're going to run out of money. We're spending money we don't have. But there is a timetable before us. And so in just 2 weeks, we're going to come upon this deadline. This is a real plan that can solve the problem and something that should be widely embraced on both sides of the aisle.

I reserve the balance of my time.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Madam Speaker, this is no time for this body to be playing dangerous

games with the American economy and with American jobs, and yet that's exactly what's going on on the floor of this House today. Our Republican colleagues are taking the position that unless and until we accept their radical budget plan, they will prevent the United States from paying its bills.

And what does their budget plan do? Yes, it is the same old plan to end the Medicare guarantee, to slash Medicaid, to cut education while protecting special interest tax breaks, like subsidies for Big Oil companies.

And here's what they're saying: Unless we do that, unless we take that, they're going to prevent the United States from paying its bills.

Remember, these are bills that are coming due on actions that this Congress has already taken. These are the bills to pay for two wars. These are bills to pay for the prescription drug plan that was never paid for. And one of the primary reasons we don't have enough revenue coming in to pay those bills is because of the tax cuts in 2001 and 2003 that disproportionately benefited the very wealthy.

It's interesting to hear some of our Republican colleagues who have been here for that entire period of time and voted on all those things saying that it's a sacrifice for them to accept responsibility and pay the bills for the things they voted for. Imagine if the American people took that position.

And what are the consequences of the United States failing to pay its bills? The same thing that would happen to an American family that decided not to pay its bills, whether it's its mortgage, its car payment, whatever it might be. It would undermine the creditworthiness of that American family.

And taking that action will undermine the creditworthiness of the United States. That will lead to a rise in interest rates and a sinking economy. It would hurt every American family. And it would increase—not decrease—the deficit of the United States. That is the result our Republican colleagues are threatening in this bill if their demands are not met.

So let's dig a little deeper into those demands. As I say, what they want to do is impose the same budget plan that they voted on earlier in this House and we debated. It does end the Medicare guarantee, it does slash Medicaid and education, and it does protect corporate tax loopholes. Only this time it's worse, because they want to take that budget plan and implant it in the Constitution of the United States.

Now, nobody in this body should be fooled for one moment. This is not an ordinary balanced budget amendment to the Constitution. We can have that debate, and there are legitimate arguments. This does something very different and very sinister. It manipulates the Constitution of the United States in a way to graft the Republican budget plan into the Constitution. How does

it do it? There are two devices, and the gentleman knows them well.

□ 1450

The first is, it says you can cut Medicare, you can cut Social Security, you can cut education, with a majority vote. But if you want to cut a subsidy for a Big Oil company for the purposes of reducing the deficit, if you want to cut corporate jet loopholes for the purpose of reducing the deficit, that's not a majority vote. That's a supermajority, two-thirds vote. So it biases the Constitution itself in a manner that prefers cuts to Medicare beneficiaries who have a median income of under \$22,000 before asking the very wealthiest in our country to return to the same tax rates that were in place during the Clinton administration.

Secondly, it says, we have to pass a constitutional amendment in the next 2 days that also includes an overall cap on spending. And if you look at the bill that came out of the Judiciary Committee, what that would impose is an 18 percent cap. Maybe 18 percent, maybe 19 percent in the end, we don't know, but you have to have a cap. And the one that's come out so far has an 18 percent cap.

Now, let's put that number into context. Not since 1966, just after we enacted Medicare to protect our senior citizens from health crisis, not since that time has the United States met that level of expenditures. We've been over that level of expenditures. So by putting that cap on, combined with the provision to make it easier to cut Medicare than it is to cut corporate tax subsidies, they are writing into the Constitution itself this bias. They're stacking the constitutional deck in favor of engrafting their budget plan into our founding document.

Now, I heard the gentleman say, and we hear it many times, and I hope we won't hear it again on this floor today, 49 of the 50 States have balanced budget amendments. That's true. But they don't have this kind of balanced budget amendment. They don't have balanced budget amendments with these pernicious features, with some exceptions.

Fourteen States have a supermajority requirement written into their constitution. For a good number of those, it's less than two-thirds, which is what this would require. Sixteen States write into their Constitution spending caps, and only seven States in the country combine the two.

So let's not talk about how every State can balance the budget, an argument which also ignores the reality that the Federal Government is not just any old State. It is the Federal Government of the United States of America. It needs to be able to respond to emergencies and wars and the like.

So let me close with this, Madam Speaker. We do need to, number one, make sure we pay our bills; and, num-

ber two, we need to get our deficits under control in a way that helps our economy, not hurts it. And that's why the President of the United States put forward a proposal that is modeled on the framework that was put forward by the Simpson-Bowles commission. It doesn't have every detail in it, but it adopts that framework that says let's cut the deficit by approximately \$4 trillion over the next 10 years. Let's do it in a balanced way. In fact, it's tilted toward spending cuts—\$3 of spending cuts for every dollar in revenue. He makes it very clear he wants to get the revenue, closing some of these corporate tax loopholes, asking the top 2 percent of income earners in the United States to just go back to the rates they were paying during the Clinton administration, a time we all remember when the economy was booming and we created 20 million jobs.

So let's take a balanced approach to this. Let's not take the position that if our demands are not met, if we can not manipulate the Constitution of the United States to engraft our budget plan into that founding document, then we're going to let the United States fail to pay its bills and suffer the terrible economic consequences. It's not so much Members in this body that will be suffering those; it's the American people. Let's not do that to the American people.

I reserve the balance of my time.

Mr. CHAFFETZ. I would ask the gentleman if he could give us a copy of that plan right now here during this debate, we would certainly appreciate it.

The second thing is what we're talking about is a balanced budget. That's really what we're talking about.

I now yield 1 minute to our leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Madam Speaker, it is time to be honest with the American people. At a time when our government borrows 40 cents of every dollar it spends, we have got no choice but to cut spending and begin living within our means.

Contrary to what the gentleman on the other side of the aisle continues to say, no one, no one wants to bring default onto our country. And with millions of Americans out of work, we've got to focus on getting the economy growing again.

We, as Republicans, as the new majority in this House, as the gentleman from Maryland knows, have put a plan on the table that ensures Washington does not continue to spend money it doesn't have. House Republicans have a plan to cut, cap, and balance our way to prosperity. This commonsense legislation provides a straightforward plan to curb our massive debt and to finally begin to limit spending.

The legislation before us would require, one, a balanced budget compo-

nent; two, a supermajority requirement to raise taxes on the American people; and, three, a limit on spending as a percentage of GDP.

Madam Speaker, today the House has the opportunity to show the people that sent us here that we are serious about turning the page on the failed fiscal policies that this town has been about over the last several decades and begin to get the fiscal house in order.

House Republicans were voted into office to change the culture in Washington, and we will not support the other side's request or the President's request to increase the debt limit without meaningful reforms to the system.

Forty-nine States, including my home State of Virginia, already have a balanced budget requirement, and it's time that the Federal Government reflect the same policy to get our fiscal house in order. Cut, Cap, and Balance makes sure that we begin to treat taxpayer dollars more responsibly, just like families and businesses do with their own budgets.

We need to act today. We cannot continue to kick the can down the road.

Madam Speaker, the President continues to say, as the gentleman on the other side tries to imply as well, that they want to do big things. We do as well, as evidenced by our budget that we put on the table. But we implore the other side to get serious. Let's do big things. Let's get our fiscal house in order. But let's do so without imposing higher taxes on the small business people that we so desperately need to start hiring again.

And the gentleman from Maryland loves to talk about those corporate loopholes. He loves to talk about corporate jet owners and the kind of preferences that exist in the Code. The gentleman from Maryland knows all too well, he and I were in discussions for almost 7 weeks when I said, again and again, that we would be happy to engage in a discussion of tax reform to get rid of those loopholes. The gentleman also knows that those loopholes and the costs associated with those loopholes pale in comparison to the problem.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. CANTOR. I will not yield.

So I know it makes for good politics to go throw the shiny ball out there, Madam Speaker, that somehow Republicans are wed to that kind of policy to sustain these preferences, when all along, in our budget and in our plan, we have said we are for tax reform. We have said we are for bringing down rates on everybody.

And that's it, Madam Speaker. Let's get serious and stop playing politics. It's not about that. There is no disagreement that any of us want to support those loopholes.

But what's really going on, Madam Speaker, in all of the debt discussion,

in all of the negotiation, is the fact that the minority and its party and the President continue to insist that we raise taxes on the small business people that we need so desperately to begin creating jobs and hiring people again.

Mr. VAN HOLLEN. Madam Speaker, I wish the gentleman had yielded because I think it would have become very clear that the Republican position is they won't close a tax loophole that generates one penny for deficit reduction, not one penny.

□ 1500

So you can't close a corporate jet loophole if it's going to deficit reduction. You can't say to the oil and gas companies we're going to end your subsidy if it's going to go for deficit reduction. We all know there are a lot of Washington lobbyists that manipulate the Tax Code around here. Getting a tax break, a taxpayer giveaway to the Tax Code, is just like getting something through spending, and yet our Republican colleagues refuse to allow any cut in a loophole to go to deficit reduction, not one penny.

Again, we heard it from the majority leader, we're going to hear it I guess all day, 49 out of 50 States have balanced budget amendments. This is not the kind of balanced budget amendment States have. This writes into the Constitution of the United States again a preference for cutting Medicare and Social Security—that requires a majority vote—but in order to close one of those corporate tax loopholes for the purpose of reducing the deficit you need a two-thirds vote. You're going to imbed into the Constitution of the United States those policy preferences. That is exactly what this does.

So let's not hear about the 49 States. They don't all have these spending caps, and they don't all have that preference protecting special interest tax breaks from use for deficit reduction.

Madam Speaker, I yield 3 minutes to our distinguished leader of the Democratic Caucus, the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Madam Speaker, I rise to associate myself with the remarks of the distinguished gentleman from Maryland (Mr. VAN HOLLEN).

Let me say that in his opening comments I think he has laid it out pretty well. Cut, cap and balance—one has to resist on our side the notion that this is cut, cap, and get rid of Medicare.

The public has had it with this theater of the absurd that's going on. They want Congress to come together, as our President has suggested, and do the most important thing that we can—create jobs for the American people.

At Augie & Ray's in my hometown, people ask me, what's going on? Seems like a light beer commercial where

there is this endless quibbling back and forth, with people on both sides of the aisle who care deeply about their country but seem to do little about putting the Nation back to work.

We face a crisis with a debt ceiling, a debt ceiling that 17 times under Ronald Reagan was lifted without any bill being held hostage, and clearly not programs like Medicare and Social Security. This is a time for us to come together and reason in a rational process. There are no immediate tax impositions placed by the President—all of you who have been in negotiations understand and know that. In fact, this Congress, when we were in the majority, passed the largest tax cut for the middle class.

I continue to believe that the people in my home town have it right, that the issue is about jobs. We cannot take this Nation up to the precipice, up to the cliff again and risk endangerment of default. As Ronald Reagan said, this would be a catastrophe for this country to allow this to take place. We need to stay at the table and continue to negotiate around the idea of jobs, taking a look at those things strategically that can be cut that create jobs, and those revenues that can be enhanced to create jobs to put the American people back to work. That's what the American people want to see, the Congress that can come together.

I stand by our President and by this great chairman in making sure that we don't go through this theater of the absurd. You know that this is not a true balanced budget amendment. You know that in your heart. You have talented and good people on your side, as do we. Let's be about putting America back to work and create jobs. Let's not talk about defaulting on the Nation. We're defaulting on the American people. Let's talk about putting them back to work. That's what we need to do in this Nation.

Mr. CHAFFETZ. For 2 years under Barack Obama, the Democrats had the House and Senate and the Presidency, you didn't do a thing to touch those so-called "loopholes." To try to feign how exasperated you are at this point is somewhat disingenuous to somebody who sat here for 2 years with you having the House, the Senate, and the Presidency and doing nothing about it.

What we're fighting for is more taxpayers, not more taxes. When the President said he was going to veto this bill, it provided a whole lot of clarity to a guy like me. Because if we can't find common ground on balancing the budget—how dare we offer that we want to balance the budget? That's all we ask for in this country, is put us on a trajectory to balance the budget.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members that all remarks should be addressed to the Chair.

Mr. CHAFFETZ. Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. PRICE), the chairman of the House Policy Committee.

Mr. PRICE of Georgia. I thank the gentleman for yielding.

Madam Speaker, I'll tell you, my friend talks about the theater of the absurd. I'll tell you what's absurd: It's saying that they have a plan when they have no plan at all. That is what's absurd.

That we are here today dealing with this challenge ought not be a surprise to anybody. Decade after decade, Congress after Congress, President after President, they have borrowed too much, spent too much, and taxed too much, which is why our new majority—now just over 6 months in office—has put forward positive, substantive proposals to change the way that Washington does business. It's exactly what America is demanding.

Our challenges are huge, but solutions based upon principle is exactly what is needed, and hence this current bill, with short-term, midterm and long-term solutions. In the short term, responsible, appropriate spending reductions. In the midterm, limit and control Federal spending as a percent of gross domestic product. And in the long term, stop the madness. Force Washington to do what every single family in this country does and every single business in this country does, and that is to balance our budget.

President Obama has issued a veto threat, saying essentially that balancing the budget is an unrealistic policy goal. This is an administration that says it wants to do big things. Mr. President, is getting our debt and deficit under control too much to ask? Is that too big, Mr. President? What is unrealistic is to assume that we can spend at the levels that President Obama and congressional Democrats have done over the past few years, amass trillion-dollar annual deficits, and still have a vibrant economy. Now that's unrealistic. Putting America's fiscal house in order is not only realistic and achievable, it's imperative; it's imperative in order to get our economy moving again and create jobs.

This bill is a positive solution, a commonsense solution, an honest solution, and a bold solution. I encourage my colleagues to support this bill and begin to travel on a path to prosperity.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

I just want to make a couple of points in response to statements that have been raised.

Not only would this write in the Constitution a two-thirds requirement for getting rid of special interest tax breaks for the purposes of deficit reduction, it would make it easier to create new special interest tax loopholes

than to eliminate them. If a Washington lobbyist is pushing for a big special break, you can do that with a majority vote under this constitutional amendment. But if you want to eliminate one of those special interest tax loopholes, whoops, you need a two-thirds vote.

Now let's be very clear on what the President has said. Yes, we want to close those corporate loopholes. He has also been very clear that beginning in 2013 we should go back to asking the very top income earners to pay the same rates they were paying during the Clinton administration, which, as I said, was a time when the economy was booming. Now every time we mention that fact we hear our Republican colleagues talk about small business and how they're going to protect small business. When you hear that language, you really know that they're using that as cover to protect some of these big special interests.

□ 1510

Why do I say that? We agree that small businesses are the engine of this economy; but if you look at the Joint Tax Committee report, July 12, non-partisan, they say that 3 percent of all businesses would even be impacted—only 3 percent. Less than 3 percent of all businesses would be impacted by the President's proposal, those that file as S corporations. And then it goes on to provide a warning here, specifically saying beware because these entities might not be "small," in quotes.

In fact, they say in 2005, over 12,000 S corporations and 6,000 partnerships had receipts of more than \$50 million. Among those are KKR and Pricewaterhouse. Now these are all good businesses, but I would ask my colleagues whether they are small businesses. And let's not use the rhetoric of small businesses to protect preferences for the big guys.

We all need to share responsibility for getting this deficit under control. We need a balanced approach to doing that.

With that, I yield 3 minutes to the gentlewoman from Pennsylvania (Ms. SCHWARTZ), my colleague on the Budget Committee.

Ms. SCHWARTZ. Madam Speaker, I appreciate the comments of the ranking member and this discussion.

Let me be very clear. Let me start by just saying that Republicans continue to play politics rather than do what is best for this country, particularly to do what is responsible at a critical time for our Nation. They are once again holding American families and American businesses hostage by threatening to allow the United States to default on our debt, to not meet our responsibilities until their extreme ideological demands are met.

Their plan is not a balanced approach to what is right for our country. It

ends the Medicare guarantee for our seniors. Let me repeat that: It ends the Medicare guarantee for our seniors. And it slashes educational opportunities for the next generation of Americans. It inhibits our ability to foster an environment for private sector economic growth by cutting any chance of investment in scientific research and technology, in roads, bridges and highways, and in access to higher education, to the very, very kinds of actions we need to take to establish an atmosphere for private sector growth in this Nation, whether large or small business.

The Republican plan is disastrous at a very fragile time in our economic recovery. It will devastate America's future economic competitiveness. The Republican majority has yet to produce legislation that puts the American economy back on track and Americans back to work.

This legislation guarantees that we won't meet our obligations of the Nation to our seniors or to our children, and it would dramatically reduce our ability to compete in a global economy. Make no mistake, the Republican plan is, and always has been, to cut Social Security and Medicare, to cap economic opportunity, and to balance the budget on the backs of middle class families.

Cut, Cap, and Balance is bad for American families, bad for American businesses, and bad for our Nation's economy now and into the future. We should not let it pass.

Mr. CHAFFETZ. Madam Speaker, the only thing Cut, Cap, and Balance is bad for is for Members of Congress because we are going to actually rein in spending. They're actually going to have to live within a balanced budget.

I would also highlight rule XXI, section 5(b). I have heard a lot of rhetoric in the news and other places about how there is going to be such a higher standard. It should be noted that the passage of a tax rate increase, a bill or joint resolution, amendment, or conference report carrying a Federal income tax rate increase may not be considered as passed or agreed to unless so determined by a vote of not less than three-fifths of the Members voting.

It was that same standard and threshold when NANCY PELOSI was the Speaker of the House as it is today, so we have had that higher standard for raising taxes. That is nothing new.

At this time, I would like to yield 2 minutes to the gentleman from Wisconsin (Mr. RIBBLE), a freshman Member.

Mr. RIBBLE. Madam Speaker, I rise today in support of H.R. 2560, the Cut, Cap, and Balance Act of 2011.

To put our Nation back on the path to prosperity, government needs to truly live within its means, and that means Congress must be required to pass budgets that spend the same amount of money that comes in.

Just last weekend, S&P announced they were reviewing America's AAA bond rating. They warned if Congress and the President could not reach an agreement to structurally reform our spending and debt problems, not just raising the debt ceiling, our country will face a risk of having its bond rating downgraded. This will not only result in higher borrowing rates for individuals and businesses, but also stifle new job creation and capital investment. We simply cannot allow this to happen.

A few days ago, President Obama said we have to eat our peas. Well, I couldn't agree more. Our bloated and obese Federal budget needs a healthy and balanced diet, one that trims the fat of overspending and grows the muscle of our Nation's economy. And that's exactly what H.R. 2560 does. It provides a balanced approach to our Nation's fiscal problems, and there is nothing more balanced than a balanced budget. There is nothing more American than permitting the States and, more importantly, the American people to have a voice in the direction this Nation will take. There is nothing more prudent than stepping forward and leading today so our children and grandchildren will have a better future tomorrow.

The future of our country is on the line; and if this body wants to ensure a brighter, more prosperous future for our children and grandchildren, we must fundamentally change Washington's spending habits.

It is time to cut up the Federal credit card and stop placing this government's out-of-control spending habits onto the backs of future generations. This bill does exactly that. I am proud to support it.

Mr. VAN HOLLEN. Madam Speaker, the sponsor of the bill mentioned some House rules. I think he is well aware that you can always waive House rules by majority vote. Thank goodness you cannot just waive the Constitution of the United States. Our Founders made it difficult to get bad ideas into the Constitution. Again, I want to make it clear, this is not your garden-variety balanced budget amendment. This is manipulating the Constitution of the United States itself in a way that makes it easier to cut Medicare, easier to cut Social Security, and easier to cut education than it is to cut corporate tax loopholes for the purpose of reducing the deficit.

With that, I yield 3 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), a member of the Budget Committee.

Ms. MCCOLLUM. Madam Speaker, the bill on the floor right now is a political gimmick. It is a stunt. It is not a serious effort. But this bill does reflect Republican values. This Republican bill protects the wealthiest Americans. This Republican bill pummels seniors and the middle class. And,

no surprise, this bill panders, even grovels to the Tea Party extremists.

This bill will end the Medicare guarantees. This bill will kill jobs. And, thank goodness, this bill will never pass the United States Senate. This bill will never become law.

The Republican majority is wasting precious time as the clock ticks and ticks closer to default and economic disaster. The Republican majority is choosing to bring America to the brink of default for reasons that have everything to do with politics and nothing to do with reasonable governing. The American people reject the Tea Party's dangerous brand of Armageddon economics. It is time to take responsibility for paying America's bills and raise the debt ceiling without Tea Party gimmicks and games.

This Congress needs to take a serious stand and get busy creating jobs and putting people back to work and getting this economy growing. Let's end the debate on this radical legislation right now. Let's get to the real work of cutting deficits, creating jobs, and growing the economy.

Mr. CHAFFETZ. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. FLORES), a member of the House Budget Committee.

Mr. FLORES. Madam Speaker, on July 15, 2011, just 4 days ago, President Obama said, "We don't need a constitutional amendment to do our jobs." But the President clearly does. Let's go through the facts which the other side has conveniently forgotten.

In the 30 months that he has been President, a short 30 months, he has added almost \$4 trillion to our national debt. That is \$133 billion a month, \$3.1 million per minute, \$51,000 per second.

We have seen the destruction of Medicare through the enactment of ObamaCare, making Medicare insolvent by more than \$60 trillion. You want to talk about Medicare destruction, you can look right over here and see Medicare destruction.

We have almost 40 million Americans on food stamps, the most ever. We have spent \$1 trillion on a stimulus plan, but we still have one out of every six working-age Americans either underemployed or unemployed.

□ 1520

This is what Mr. Obama calls "winning the future." That's what he threatened in his veto of Cut, Cap, and Balance.

He wants to win the future. Mr. Obama, you're not winning the future. You're not winning anything. The Obama plan for our country is tax, spend, and regulate; not winning the future.

More taxes mean fewer jobs. More spending and more debt: fewer jobs and less economic growth. More regulation: fewer jobs, less economic growth.

And with the Obama plan, there's more. You get to have gasoline prices

that are double what they were when he was inaugurated. But there is a real plan to correct this.

Cut, Cap, and Balance takes away the blank check that this Congress has exercised for decades and that this President clearly seems to enjoy. It's time we stopped the blank check spending now and take the necessary steps to force Washington to act responsibly and live within its means just like my constituents in Texas do already. It's time for Cut, Cap, and Balance.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to others in the second person.

The time of the gentleman has expired.

Mr. CHAFFETZ. I yield the gentleman an additional 30 seconds.

Mr. FLORES. When I was sworn in, my constituents gave me a stamp that said: Non-Sufficient Funds, Denied By Taxpayers. Mr. Obama, your plan is denied by taxpayers.

Mr. VAN HOLLEN. Madam Speaker, when we were all sworn in, we were also sworn to protect the Constitution of the United States, not manipulate the Constitution of the United States to protect special interest tax breaks for oil and gas companies or other special interests by implanting into that document a requirement that two-thirds of this body and the Senate have to vote to get rid of them for purposes of deficit reduction.

I also think that while we're all entitled to our own opinions, we're not entitled to our own facts. If you look at the Medicare trustees' report, it will indicate that the health care reform bill extended the life of the trust fund, and we also did it by getting rid of the overpayments to some of the Medicare Advantage plans that were being paid at 114 percent of what other plans were being paid for. Taxpayers were oversubsidizing those plans, as were Medicare recipients.

With that, I yield 3 minutes to a terrific member of the Budget Committee, the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the ranking member of the committee for yielding.

Madam Speaker, there is not a single person in this Chamber who doesn't want to balance the budget, but the legislation before us today is not about that. It is about enshrining a particularly radical interpretation of the Republican agenda into the foundational document, a precious document, our Constitution, that guides our system of government.

If successful, it would put in place a cap on Federal spending at 18 percent of GDP, turning back the clock more than half a century to the glory days of 1966. Though it makes for a great press release, why didn't anyone else think of this solution? Even President

Reagan never once requested a Federal budget that spent nearly this low.

Well, to begin with, our population is much larger and much older on average than it was in 1966. Some see that as a problem. Seniors are expensive, they say. I suppose that's one way of looking at it. And if all you're worried about is how much Grandma's nursing home care costs, then this is the bill for you. But since 1966, Grandma is living, on average, nearly 10 years longer. There is no price you can place on that, and there is no question that it's because she's getting a guaranteed level of health care.

This bill, according to their own leaders, enshrines the Republican plan to end Medicare in the United States Constitution. Right there, after the freedom of religion, the freedom of thought, the freedom of assembly, we can have the freedom from health care after age 65.

This is nothing more than a political stunt, a gimmick that would change the fundamental rules of our democratic system so our Republican colleagues can make it easier to end Medicare and more difficult to cut tax giveaways to millionaires, to billionaires and their friends in Big Oil.

Let's stop this nonsense and get back to work. Let's stop the nonsense that is playing games with America's working families. They promote this as a way to fiscal sanity, but, rather, it's a lack of investment in sanity. It's an assault on our children, our families, our veterans, our seniors. Let's put America back to work. Let's invest in those opportunities and reduce the deficit as we move forward. Enough with the foolish gimmicks.

Mr. CHAFFETZ. I love that: foolish gimmicks, balancing our budget.

I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I rise in strong support of the Cut, Cap, and Balance legislation. I commend the gentleman from Utah and all the others who have brought this forward, and here's why, right here:

We had a vote here on the floor of this House a few weeks ago about the President of the United States' request: just give me a clean debt limit increase. Every single Republican and nearly a majority of the Democrats voted to do the opposite, to not give him a debt limit increase.

This shows us why we are here today with Cut, Cap, and Balance legislation. This is the track that the Democrats have us on right now. This is the track we would be on if the President had gotten his wish for a debt limit increase without any spending cuts, without any caps on future spending, and without what 80 percent of the American people want, which is a balanced budget amendment to the United States Constitution.

This green line is what we're voting on today. This is what the House budget, already adopted by this institution

and that we're operating under right now with our appropriations bills, this is what would put us on a target to not only balance the budget but also to pay off the \$14 trillion national debt that we are faced with right now, that our children and grandchildren are faced with, that the future of our economy is faced with right now.

This is the choice that we have here today. Take care of the debt limit. Don't default on our obligations. No one here wants to do that. But also cut spending, cap spending, and pass a balanced budget amendment to the United States Constitution.

In 1995, we came within one vote in the United States Senate, after the House of Representatives cast 300 bipartisan votes for a balanced budget amendment to the United States Constitution, and now we have the opportunity to lay the groundwork to do it again, but this time to succeed; and we have much, much greater reason to do that because of the fact that we are faced with this mountain of red ink that we can turn into a bright future for America.

I urge my colleagues to support this legislation.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Madam Speaker, we have been making a point that this is not your garden variety constitutional amendment. This is—

Mr. GOODLATTE. Will the gentleman yield?

Mr. VAN HOLLEN. I will yield on your time, Mr. GOODLATTE, and I'm happy when you have some time to do that.

In fact, I think you're going to want an opportunity, because the gentleman from Virginia was asked at the hearing on his proposal for a constitutional amendment, which was voted out of the committee, to identify one budget that would meet the requirements of their version, this version of the constitutional amendment, and it was pointed out that even the draconian—

Mr. GOODLATTE. Will the gentleman yield for a question?

Mr. VAN HOLLEN. I will not yield on my time.

The gentleman pointed out that not even the Republican budget that passed the House, that ends the Medicare guarantee and is draconian, not even that would meet those requirements, that the budget that would meet those requirements was that passed by the Republican Study Group, which is like the Republican plan on steroids. In fact, a lot of Members on the Republican side decided that was way overboard. That would require slashes in things like Medicare and Social Security even more than the Republican budget that passed the House.

So that is the one budget that was identified as meeting the requirements of that constitutional amendment.

This is not a simple constitutional amendment. They know that that's a popular idea.

□ 1530

So they're dressing up their particular version of it in that language, talking about 49 out of 50 States have this. Again, two devices: One, supermajority; a two-thirds vote required to cut corporate tax loopholes when only a simple majority is required to cut Medicare and Social Security. We don't think things like that belong in the Constitution of the United States.

I yield 3 minutes to a distinguished member of the Budget Committee, the gentlewoman from California (Ms. BASS).

Ms. BASS of California. I would like to thank the ranking member of the Budget Committee, of which I'm very proud to be a member.

I rise in strong opposition to H.R. 2560. I have to tell you, Madam Speaker, that to me it feels like Groundhog Day again here in the House of Representatives. "Duck, dodge, and dismantle" is brought to the floor today for a vote. I have to tell you that I've seen this movie before. The storyline rewards the ultrawealthy while punishing working families.

I served as Speaker of the California Assembly while my State staggered from budget crisis to budget crisis. We cut spending drastically—from \$110 billion to \$83 billion. But every year, California is subject to national ridicule. Why does California have this problem? Well, Madam Speaker, we have a balanced budget requirement in California. We require a two-thirds vote to raise revenue. We can pass tax loopholes and breaks on a simple majority vote.

So how is that working for us in California? Well, I'd like to invite my colleagues on the other side of the aisle to come to California. Every year the State is held hostage. Every year my Republican colleagues attempt to have a cap that is passed similar to the cap that is proposed in this legislation. And every year the State reaches the brink of a shutdown. So why on Earth would we want to import the dysfunction from California to the Nation?

We should be dealing with the debt ceiling free and clear. We should not force a default in order to bring about legislation that is not related to the debt ceiling. Our government should not pick winners and losers, which is exactly what will happen if we don't raise the debt ceiling—whether veterans should be paid, if IRS refunds can be honored, if Pell Grants will be available, and if food stamps can be distributed. And that's exactly what would happen if the debt limit is not raised.

I urge a "no" vote on this bill.

Mr. CHAFFETZ. Madam Speaker, I believe the gentleman said he would answer a question if we asked it on our

time. The question I have for the gentleman is: Would you support any balanced budget amendment? Is there any balanced budget amendment that you would support?

I yield to the gentleman from Maryland.

Mr. VAN HOLLEN. I would be happy to entertain a debate.

Mr. CHAFFETZ. It's just a "yes" or "no."

Mr. VAN HOLLEN. Here's the question—

Mr. CHAFFETZ. It's a simple "yes" or "no."

Mr. VAN HOLLEN. Let me just say this. I would not want to prevent the United States from being able to respond in cases of war, in national emergency.

Mr. CHAFFETZ. Reclaiming my time—

Mr. VAN HOLLEN. I'm happy to work with the gentleman on that enterprise, but that's very different than what you're talking about.

Mr. CHAFFETZ. Reclaiming my time, I will now yield 2 minutes to the gentlewoman from Tennessee, DIANE BLACK, who is here as a freshman in the House of Representatives.

Mrs. BLACK. Last week, President Obama got up on his bully pulpit and he told the House Republicans it was "time to eat our peas" as a part of the debt deal. The President said that to us, yet he has not come forward with a detailed written plan of his own. All we hear from the White House is about job-killing tax increases and a mystical dollar amount of cuts with no actual concrete figures on how to achieve it. The President has yet to put his plan on the table, even though the Congress has been asking for a scorable plan from him for months. In fact, he did not even respond to a request from myself and 76 of our freshman members who wrote to him and asked him over a month ago to come to the table and put pen to paper. And yet, even in the absence of a plan from the White House, the President is now threatening to veto a cut, cap, and balance before it was even brought to the floor for debate.

And this isn't the first time that the President has rejected a good plan put together by the House of Representatives. Not only did the House provide a plan in the Path to Prosperity, our House Republican budget, but here we are today, about to vote on Cap, Cut, and Balance, which represents a solution to the current debt ceiling debate. For someone who claims he wants to solve this issue, he has rejected every good proposal that has come his way.

Mr. President, it is time to eat your peas.

I urge my colleagues to vote for Cut, Cap and Balance.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will once again remind Members,



very gently, to address their remarks to the Chair and not to others in the second person.

Mr. VAN HOLLEN. I would just remind my colleagues that the President has put on the table a balanced approach to reducing the deficit. It would cut about \$4 trillion from the deficit over the next 10 to 12 years. It's a balanced approach, again, based on the overall framework of the bipartisan Simpson-Bowles Commission. It calls for \$3 in spending cuts for \$1 in revenue. It would be raised after 2013 by closing special interest tax loopholes and asking the folks at the very top to go back to the same rates that were in place during the Clinton administration. That's what the President said.

It's hard to have a conversation when the other party to the negotiations takes the position that they will not allow one cent from closing a corporate tax loophole to go for the purposes of deficit reduction. And now we see them trying to enshrine within the Constitution a limitation on our ability to get rid of those special interest tax loopholes. They would now require a two-thirds vote. That is a Washington lobbyist's dream in the Constitution.

I yield 2 minutes to the distinguished ranking member of the Small Business Committee, the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Thank you, Ranking Member, for yielding.

Madam Speaker, as we debate how to avert the default crisis, we should acknowledge what got us into the current mess. The real reason that the United States faces this dilemma dates back to a series of irresponsible tax cuts: \$2.5 trillion in tax giveaways that were unpaid for and went disproportionately to the wealthiest Americans put us on this sustainable path.

We were told tax cuts would provide an economic boost. So what did we get for this enormous addition to the deficit? Was our economy strengthened? Were new jobs created? The answer is a resounding no. In fact, the median income for working families fell by 2.4 percent during the first 10 years these tax cuts were in place—while food, housing, and other necessities became more expensive. Job creation plummeted to 33 new jobs a month, the lowest levels since President Hoover. The record is clear: Giving tax breaks to the wealthiest without paying for it ballooned our deficit but didn't create jobs.

Now, the proposal before us will not just continue this misguided policy of slash and burns, but make it worse. It won't create jobs for Americans but will slash services working families rely on. Make no mistake, America: This plan begins the dismantling of Medicare and Social Security. Meanwhile, subsidies for big oil companies and tax breaks for billionaires will be locked in. Most of all, at a time when

our economy is struggling, this bill will cost hundreds of thousands of American jobs. If you like 9 percent unemployment, you will love this bill.

Vote against this bill. Stop playing pure politics. The American people deserve nothing less.

Mr. CHAFFETZ. We have 9 percent unemployment, Madam Speaker. We've been north of that for a long time. And we're now also saddled with more than \$14 trillion in debt.

I would now like to yield 2 minutes to the gentleman from Oklahoma (Mr. LANKFORD), who is on the Budget Committee.

Mr. LANKFORD. We have two distinctly different views. And it's not just Republican or Democrat views. One group sees the impending crisis as whether we're going to vote to increase the debt ceiling and all the crisis is based around August 2. The other group sees the crisis as the debt itself.

How you see the crisis will affect your view of how you choose to solve it. If the problem is the uncertainty around just this vote, then we do whatever it takes to get past August 2 and the problem is solved.

□ 1540

If the problem is the debt, when we raise the ceiling, we will face a debt approaching \$14 trillion with no strategy to pay off that debt. Our disaster is not averted. It has been accelerated.

As we know, just raising the debt limit does not solve the problem, as we've done that many times in the past. The economy that we have now is as a result of the actions that we've taken in the past to continually raise the debt ceiling over and over again with no plan to get out of it.

What if we raise the debt ceiling and agree to the President's oral plan that he has given of \$14 trillion, whatever that plan may be?

From the best we understand, Timothy Geithner made the statement in June that the plan is \$2 trillion in cuts over the next 10 years, \$1 trillion in tax increases and \$1 trillion in interest savings, whatever that means. If we accomplish that plan and do that and just raise the debt ceiling, we will then have a debt in 10 years of \$24 trillion with still no plan to pay it off. That does not solve the debt crisis. That accelerates our debt crisis.

I have heard all day what a disaster it would be to balance our budget. Only in this room is it a disaster to balance the budget. I don't think Americans understand what we're talking about. I don't think they understand how out of touch we have really become that we would argue about balancing the budget. S&P and Moody's have both threatened to downgrade our debt, not because we're approaching August 2, but because we have no credible plan to ever pay this off.

Cut, Cap, and Balance gives us a credible framework from which, year

after year, we will work to be able to resolve this debt, pay it down, and get back to balance.

Mr. VAN HOLLEN. Madam Speaker, nobody is saying that we shouldn't balance our budget. We should balance our budget. In fact, the last time it was in balance was during the Clinton administration when they took a balanced approach to reducing the deficit, including having in place sufficient revenues from the folks at the very top to help cover our bills.

Then what happened in 2001–2003 is that we had back-to-back tax cuts that disproportionately benefited the very wealthy, which are a significant contributor to why there is now a mismatch between the bills we have to pay and the revenue coming in, which is why the President of the United States has said, Let's reduce the deficit. Let's do it in a balanced way. Let's do \$3 in cuts to \$1 in revenue.

I go back to the fact that the Republicans in the House want to insert in the Constitution of the United States a provision that would require a two-thirds vote to get rid of a special interest tax loophole for the purpose of deficit reduction. That kind of makes it difficult to have a balanced plan.

With that, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. I thank the gentleman for yielding.

Last night, I was in a town hall meeting in California, and it was very clear. It was a bipartisan whole group of people, and what they told us very truly is, Stop playing games. They know that the United States Congress, since 1940, has voted over 90 times—90 times—to raise the debt and never once with a game, never once with preconditions of, Oh, we've got to do this. We've got to do that.

You guys are ruining this country's fiscal future by lighting a fire to our fiscal sanity and to our reputation. You want to take down our Constitution by requiring a two-thirds vote. You should look before you leap. California did this by initiative in 1990. That State has had a two-thirds vote locked up. It's impossible to get it out of any fiscal crisis, and it has dropped from the sixth wealthiest economy in the world.

Do you want to follow that lead by amending the U.S. Constitution and locking in all these tax laws? You're just freezing in every single impropriety that's in the Tax Code.

These people in my town hall meeting said, Stop playing games. They said it because they don't think you should put conditionality on it. Vote for a clean debt limit. I did. Not one of you did it. Not one Republican voted for that. Shame on you. Shame on you for playing fire with the United States Constitution. Shame on you on the cut, cap, and ruin of the United States.

Vote "no."



ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will, once again, remind the Members that remarks in debate must be addressed to the Chair and not to other Members in the second person.

Mr. CHAFFETZ. Madam Speaker, I can hear the chant on the other side with regard to the some 90 times the debt ceiling has been raised. That's the problem. I can hear the chant on the other side: One more time. One more time. One more time.

That's why we're in this mess. It's that Congresses in the past have not heeded the call. They have not said, "Enough is enough." Now, as our debt ceiling starts to reach a panic, we're going to get close to 100 percent of our gross domestic product.

Enough is enough.

I would now like to yield 2 minutes to the gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. Madam Speaker, I was on record last night, speaking to the Cut, Cap, and Balance Act of 2011 and as to what the many merits are of this legislation. I think it is a fine bill, and I commend its consideration to those on the other side of the aisle; but I have to say the debate surrounding Cut, Cap, and Balance has a certain Alice in Wonderland character to it. It made me open up the old storybook just minutes ago and recall a favorite passage.

I recall Alice asks, "Would you tell me which way I ought to go from here?" to which the Cat responds, "That depends a good deal on where you want to get to."

Alice replies, "I don't much care where." Then of course the Cat says, "Then it doesn't matter which way you go."

I get the sense my good friends on the other side of the aisle don't really care where we go from here. They certainly don't care enough to put a specific plan forward themselves.

Unemployment remains at 9.2 percent. Investment in hiring remains sluggish all around this country, particularly in places like my southern Indiana district. Uncertainty reigns about future taxes, future interest rates, future inflation rates all because Washington continues to spend way too much money, often on things we don't need, but also on important public programs. We need to figure this out. We need to figure it out as a country. Our national debt is over \$14 trillion. It's time we come forward with specific plans. Yet the other side still has no plan, seemingly no new ideas to offer to this debate, no solutions—only poll-tested rhetoric.

The American people deserve more than this during this critical time. Our markets certainly are asking for more than this. Standard & Poor's on July 14 said, "We may lower the long-term rating on the U.S. . . . if we conclude that

Congress and the administration have not achieved a credible solution to the rising U.S. Government debt burden and are not likely to achieve one in the foreseeable future."

We need a plan. House Republicans have been putting forward plans. We put forward a plan already approved to close tax loopholes, something we've heard a lot about, in order to help create jobs by making the Tax Code flatter, fairer and simpler.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CHAFFETZ. I yield the gentleman an additional 15 seconds.

Mr. YOUNG of Indiana. We need a plan from the President. We need more certainty restored to these markets. Let's reject this Alice in Wonderland sort of leadership.

Don't bring me problems, I say to my colleagues. Bring me solutions. One solution is the Cut, Cap, and Balance Act, and I commend it for your consideration.

Mr. VAN HOLLEN. Madam Speaker, the one surefire way that we're going to send interest rates up in this country and add to the cost of living for every American is if the United States doesn't pay its bills—bills for obligations that we've already taken on, which is what this is about. Some people, again, think it's a sacrifice to pay bills for actions and decisions that they've already supported and voted for. I would also point out that the Republican budget that passed the House and that would be put into this bill would require us to raise the debt ceiling by \$8 trillion between now and 2022. So let's not play this game with respect to paying our Nation's bills.

We have to do two things: We have to pay our Nation's bills—every family knows they have to pay their bills—and we have to come up with a deficit reduction plan.

The reality is the President has put a plan on the table. The reality is our Republican colleagues don't happen to like it because, as I said, for every \$3 in spending cuts, it would ask us to have \$1 in revenue from closing these special interest tax loopholes. Again, they want to manipulate the Constitution of the United States to protect those loopholes, to make it hard to get rid of them.

With that, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

□ 1550

Mr. ANDREWS. Madam Speaker, the country has a job crisis. We have the same private sector jobs we did in 2001 and 14 percent more people looking for work. One of the ways to solve that job crisis, not the only way, is to try to keep interest rates stable and low so entrepreneurs can invest.

Today represents a terrible wasted opportunity. On the other side of this

Capitol this very morning, three Democratic Senators and three Republican Senators came together and said they were ready to embrace a plan that begins by cutting spending about \$3 out of every \$4. It cuts social programs. It would cut defense, get us out of Iraq and Afghanistan. It would take a serious look at Medicare and Social Security, which are in many cases contributing to this deficit. And it would say that those who benefit from ethanol subsidies and oil company tax breaks, the wealthiest people in this country would have to pay a little bit more to pay their fair share.

Something like that is what should be on the floor here this afternoon because it can pass, the President can sign it, and it can solve the fiscal problems of this country or take a step in the right direction. But we don't have something like that. Instead, we have a plan that says the following and puts it in the Constitution:

The guy who runs an ethanol company who gets massive public subsidies to make profits is completely left alone. He doesn't have to do anything. But the woman who cleans his office at night is going to have to pay more to go to college, more for health care for herself, her children, and her parents, and more for just about anything else she wants in her life.

There is something wrong with that picture.

Sacrifice that is equitably and broadly shared is needed in this country, but a blind adherence to a special class of Americans who are so powerful and so entitled they pay nothing is the wrong way to go. And the last thing in the world we ought to do is put that error on the Constitution.

Vote "no" on this travesty.

Mr. CHAFFETZ. Madam Speaker, at any time we would love to see the Democrats' plan.

If you could actually slide it across the table to us, we would certainly appreciate it.

I would like to yield 2 minutes to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. A day like today does not come often, Madam Speaker. In only a handful of instances in our Nation's history has our Constitution been amended. There can not be a better or more urgent time for this House and the Senate and the United States of America to pass a constitutional amendment to balance the budget.

In a matter of only 2 years, non-defense discretionary spending has increased 84 percent and annual deficits have exceeded a trillion dollars for 3 straight years. And our debt has grown by nearly \$4 trillion since President Obama took office.

Let us think about cut, cap, and balance in a larger context. Let's think about who is really impacted by the out-of-control spending this legislation seeks to end.

In my home County of Meade County, Kansas, population 4,575, there was one birth announcement this week. On his birthday, that child received an IOU for nearly \$46,000 to the Federal Government, and that's before this President adds more to the country's debt burden.

Any request to increase the country's debt must be accompanied by a clear plan that will reduce the amount of money that a child born in Meade County, Kansas, owes to the politicians in Washington, D.C.

Let's cut spending now, cap spending in the future, and pass a balanced budget amendment and make history for all America's children. It is the right thing to do.

Mr. VAN HOLLEN. Madam Speaker, as part of the plan the President has put on the table that would reduce the deficit by \$4 trillion over about 10 to 12 years, he has about a trillion dollars in cuts in discretionary spending. He does ask the Pentagon, which is the one agency that has never passed a GAO audit, to help contribute toward resolving that deficit problem. And he also does it without making deep cuts in critical investments for our country like education, like investment in infrastructure.

We're going to see in a couple of weeks a bill that may come out of the Transportation Committee that dramatically slashes infrastructure investments at a time when we have 20 percent unemployment in the construction industry.

So, yes, we have to make these cuts. The President's plan makes the cuts. But let's not take a hatchet to education investments. Let's not take a hatchet to investing in critical infrastructure, and let's not enshrine in the Constitution of the United States a preference for cutting Medicare and Social Security over cutting special interest tax loopholes. That's what this provision will do.

With that, I yield 3 minutes to the distinguished vice chairman of the Democratic Caucus, the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Once again, the public is way ahead of the politicians. By nearly three to one, Americans reject this Republican budget scheme. In fact, nearly 70 percent of Americans disapprove of how Republicans are handling this deficit and default crisis. Even 51 percent of Americans who are registered Republicans disapprove of how congressional Republicans are handling these negotiations.

And by wide margins, Americans have sent a very clear signal to us in Congress here: Do not cut Medicare to pay for deficits that were caused by things like the Bush tax cuts to the wealthy and two unpaid-for wars in Iraq and Afghanistan.

Today, millions of Americans are living through tight budgets. As they sit

at the kitchen table, they don't have the luxury of walking away from the tough choices as some in Congress have done. They know that they must balance today the needs that they have with the investments of tomorrow. That's why Americans would see straight through this cut-and-paste budget scheme.

Under this budget scheme, if an American family wanted to buy a house, guess what? You better have cash to pay for it, because you cannot borrow if you have to live under this budget scheme. No mortgages. If you want to send your child to college, you better have every single cent you need to send your child to college today to pay for the full cost of that tuition. No student loans because you could not borrow. So much for the American Dream for the American people.

Two hundred days into this Congress and not one bill yet from this House is enacted to put Americans back to work. And this proposal would eliminate hundreds of thousands of jobs almost immediately.

How are we going to get past the next 14 days if today, on this floor, we're debating a bill that we know will not pass in the Senate, that the President has said that he would veto? And in 14 short days, it's not an issue of paying our bills. It's a matter of watching the interest rates on people's mortgages skyrocket. It's a matter of watching the value of the dollar plummet. And it's a matter of watching People's retirement accounts or their 401(k) or IRA all of a sudden drop simply because people here in the House of Representatives decided to play politics. That's what this is about. And that's why, once again, the public is way ahead of the politicians.

Let's get to work. Let's stop leaving the negotiating table. Let's get this done. The President has said he is willing to go with a balanced approach. This gets us nowhere. We need to go somewhere, because America still has a long way to travel.

Mr. CHAFFETZ. It's always compelling, Mr. Speaker, when they have to use a poll to figure out how to do public policymaking. And to suggest that there would be no more mortgages is just fantasy. It's amazing what gets made up in this discussion instead of a serious discussion about balancing our books.

I would now like to yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. I can't tell you how much I long for a discussion of ideas, an honest and open discussion of real ideas in this Chamber as opposed to talking points. Clearly, we're not going to be getting that here this evening.

What we've heard so far is this bill is going to dismantle Medicare. I encourage my colleagues across the aisle to actually read the bill before they come

in and talk about it. And page 4 specifically says we don't cut Medicare in this bill.

We've heard the President say that Social Security checks might not go out on August 3. That's just false. The President has every legal authority and the money available to him to send those checks out. If he wants to, those checks will go out on August 3.

We've heard the country will default on our debt if we don't raise the debt ceiling. Not true. The authority is there. The money is there. We have plenty of money with which to pay the interest on our debt. There will be no default on our debt.

We heard the President say he's going to cut \$4 trillion from spending. But when pressed on it, he admitted that the spending cuts this year were actually \$2 billion. Let's put that in perspective. Four trillion is \$4,000 billion, and the President admits that only \$2 billion of that is this year.

□ 1600

We've heard today from my colleagues on the other side, Mr. Speaker, "duck, dodge, and dismantle," which I think is somewhat ironic in that it was The Washington Post who actually accused the President in those exact same words of "ducking" his obligations with his 2012 budget. Talk about "dodging" responsibilities, it's now been 811 days since our colleagues in the Senate, controlled by the Democrats, have introduced any budget whatsoever. And if we want to talk about "dismantling," we can talk about replacing Medicare as we know it, which is exactly what has happened. The Medicare, as we have known it for generations, is gone and has been displaced and dismantled and replaced with an independent payment advisory board.

Mr. Speaker, I look forward to real debates on real issues. I look forward to having conversations in this Chamber that are similar to the conversations that take place at every household, every business, every county, town, and State in this country about what our priorities are and how to spend money responsibly. We are not going to have that conversation in this Chamber until we pass Cut, Cap, and Balance.

Mr. VAN HOLLEN. Mr. Speaker, I think the American families gathering around their tables do not have the option of not paying their bills on obligations they've already incurred. They can't say, Oh, it's okay to not pay my car payment, but I will pay my mortgage. They don't have that choice; and, frankly, the United States Government should not be saying that we're going to make those choices. We should be paying all our bills. And I would remind my colleagues that the reason we have to raise the debt ceiling is for obligations that have already been incurred, votes that have already been

taken. For example, two wars, an unfunded prescription drug bill, and the reality of two tax cuts that disproportionately benefited the very wealthy.

Now, I would urge my colleagues to read the bill. The section the gentleman referred to dealt with the sequestration. There's nothing in the bill that says not to cut Medicare or Social Security as part of reaching those targets. In fact, they're going to implant in the Constitution of the United States a spending level that we have not achieved since just after we passed Medicare.

So what they would do through this is call for deep cuts in Medicare. The numbers in this particular statutory provision track the budget that the Republicans passed off this floor. The CBO analyzed that. It looked at the impact on Medicare beneficiaries, and it's in a letter dated April 5, 2011, to the chairman of the Budget Committee, pointing out that under the Republican budget plan, Medicare beneficiaries will end up paying about 60 percent of the costs compared to 25 to 30 percent under Medicare today.

It's interesting that Members of Congress have written into the statute provisions that say for Members of Congress, we will have about 72 to 75 percent of our premiums and costs covered when we're saying to seniors on Medicare, let's put in these spending caps that will require you to pay a whole lot more.

With that, I yield 3 minutes to the gentleman from Ohio (Mr. RYAN), a distinguished member of the Budget Committee.

Mr. RYAN of Ohio. I thank the gentleman.

I would also like to thank our ranking member for carrying the flag here on our side and combating some of the misinformation that's coming out from the other side. And I know the other side certainly feels the same way.

But it's not the President saying all these things are going to happen if we do not address this issue. It's every economist on the planet, except for a few that may get paid by somebody who wants them to come up with another solution or another answer. So to pin this all on the President, to say that he's somehow hyping this, I think is not exactly true.

I think what the American people are seeing and what we're seeing now is that as we come to the end, as we get close to a solution to this problem, the House Republican Caucus says, Wait, we've got a solution. Let's change the Constitution. That is not a sincere effort to try to address this problem. We have had people negotiating this day in and day out. And to come in within days of us destabilizing the markets and say, Our solution is to change the Constitution of the United States, I think is inadequate.

I have heard several Members get up and talk about this debt in the last

couple of years and everything else, completely ignoring the fact that our economy collapsed just 2 years ago. Just 2 years ago, the economy completely collapsed and collapsed, in part, because of the recklessness and the deregulation of Wall Street, taking the cops off the beat and letting all of these financial machinations continue to happen without any regulation at all. So to put up a placard that says, We need to reduce regulations on Wall Street, is a recipe to implement the same policies that got us into trouble in the first place.

And, lastly, I would just like to say I know this is called a balanced budget amendment, but the one thing that is not included is balance. When you look at the last 30 years, and you look at the accumulation of wealth that went from the middle class, wages being stagnant over 30 years, and the fact that in the late seventies, the top 1 percent of people in the country, the top 1 percent of the wealthiest, had 9 percent of real income in the late seventies. The top 1 percent now has 25 percent of real income in the country. The average CEO in the late sixties made \$48 for every \$1 the worker made. Today it's \$280.

To try to put into the Constitution of the United States an additional hurdle to try to ask those people who have benefited so greatly for being born in America and for generating wealth in America and having a court system and a military and transportation system available to them to make it harder to ask them to contribute to solve some of these problems, I think, is a real problem because at the same time you're making it easier, with your GDP number of 18 percent, to cut Medicare and to cut those programs that are investments here in the United States that keep this great system going.

Mr. CHAFFETZ. Mr. Speaker, all we ask for is a balanced budget amendment. All we ask for is for people to live within their means. If you listen to the Democrats and what they suggest, just go ahead and spend more. Go ahead and keep racking it up on the credit card. There are no consequences. There are consequences.

I now yield 2 minutes to the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. I thank the gentleman from Utah for yielding.

Washington is broke, Mr. Speaker, and the American people know it, and they know how to get out of the mess that we're in.

I would like to reference back to August of 2009. The President visited my district in northern Indiana. He was visiting the city of Elkhart, Indiana. And during that press conference, he unleashed some very interesting statements. And a brave constituent of mine, Scott Ferguson, expressed his disappointment with taxes and asked

the President to "explain how raising the taxes on anyone during a deep recession is going to help with the economy." President Obama responded, "Normally you don't raise taxes in a recession, which is why we haven't and why, instead, cut taxes." So I guess what I would say to Scott is, his economics are right. And, Mr. President, I would agree with that.

Today we're hearing from the Democrats that we're paying for the Bush tax cuts. Well, I was elected last November but was here for 2 months when we voted to extend those Bush tax cuts which now I would refer to them as the Obama-Bush tax cuts. So I think it's important that we remember who we should be really pointing the finger at, that we should be pointing it at Washington. There's plenty of blame to go around.

I believe we are in a situation right now where we have a broken business. It is time for new leadership to come in and evaluate the situation. And what Republicans are proposing today is that we're going to give ourselves some breathing room with a debt ceiling increase. But more importantly, we are going to show the banker that we are not going to continue to borrow and spend, but we are going to change our spending habits and the way that we operate.

If we want to kick the can down the road and say we're not concerned about changing the way that we've operated, that's what the Democrat proposal is, just raise the debt ceiling without any reforms to our current budget process.

So I believe that this new leadership that we are seeing right here in this House is saying we've got to stop kicking the can down the road. Reform spending. Reform Washington.

Mr. VAN HOLLEN. Mr. Speaker, again, the President has said two things: Number one, America pays its bills for the obligations that it's incurred. Number two, he put a plan on the table to reduce the deficit by \$4 trillion; again, \$3 in spending cuts for \$1 of revenue.

I would point out to the gentleman, the President was very explicit. He said that the revenue component would begin in January of 2013; and in the meantime, he's actually proposed extending the payroll tax for another year during the year 2012 so that consumers would have more money to generate more demand in the economy, which is very fragile right now.

□ 1610

But make no mistake: Our long-term challenge is getting the economy going again and reducing our deficit, and the economy needs that to happen, and it should happen in a balanced way.

I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL) a member of the Ways and Means Committee.

Mr. NEAL. I rise in opposition to the "cut, cap, and balance ruse act." This

is an ideologically extreme piece of legislation that will end Medicare as we know it, and it preserves tax cuts for the wealthiest Americans.

I guess some of our colleagues on the Republican side, when they're talking about balancing the budget, they've never heard of America paying its bills during world wars. We paid our bills through the Civil War. We paid our bills through the Marshall Plan, when America was extended as never before.

The American people want a functional government. They want a responsible path forward, and this is not the path that they're suggesting.

A balanced budget constitutional amendment would straitjacket the Federal Government of the United States. I wonder how our Tea Party friends feel about a Republican Party disturbing the Constitution to pay for George Bush's tax cuts. And recall the weapons of mass destruction, 31,000 wounded in Iraq? That bill is due and we need to pay it. Whether you were for Iraq or against it, they served us honorably, and that's what this debate is about.

The war in Afghanistan, we have to pay that bill whether we were for it or against it; \$2.3 trillion worth of tax cuts, while simultaneously invading two countries, a prescription D Medicare benefit that was never paid for.

Friends everywhere, and I hope every speaker that comes to the microphone, including the gentleman from Utah, answers the following question: Was the money borrowed along the way in a series of supplemental budgets to mask the size of the expenditures they were requesting?

The people that set the fire are now the ones calling the fire department. We're in debt because of the positions that they offered when Bill Clinton left. When Clinton walked out the door there was a \$5.7 trillion surplus, five balanced budgets since World War II, and Bill Clinton gave us four of them.

We're here today because of the policies they embraced.

Mr. CHAFFETZ. I yield 2 minutes to the gentleman from New Hampshire (Mr. GUINTA).

Mr. GUINTA. Mr. Speaker, I find myself in an unfortunate position today representing New Hampshire, listening to the conversation and the debate that we've had here in this House. This is a hallowed Chamber, a place that I am honored to serve, honored to bring a responsibility to my constituents from New Hampshire, to, in a dignified way, communicate those feelings that are reflected by people in New Hampshire. And I have sat here for the better part of 2 hours, being ridiculed because my party has the willingness and ability to bring an idea to the floor of this House.

Now, I don't expect everybody, every Member of this institution, to agree with the idea, but I would humbly ask

that Members of this institution recognize that there is an idea on the table. The Cut, Cap, and Balance Act is an act not only that I support, but I co-sponsored because I feel that America is in crisis; that my constituents from New Hampshire feel New Hampshire and America is in crisis because of the spending levels we find ourselves in. And it wasn't one party or the other. We got here holding hands over a long period of time.

But now we have a responsibility as Americans, not as members of a party, but as Americans, to do something about this crisis. I will not go home and look my children in the eye and say that their father couldn't work with Members of the other side of the aisle to solve America's problems.

So today we are here to vote on Cut, Cap, and Balance, a measure that cuts spending immediately, that caps spending back to the 20 percent norms and brings a balanced budget amendment approach so the future, the solvency of this Nation, can be restored.

Mr. VAN HOLLEN. Mr. Speaker, I agree with much of what the gentleman said, especially that we need to take responsibility for our own actions. And that's why nobody should be taking the position that we won't pay the bills of the United States of America unless we get a plan that's 100 percent our way.

American families can't say to the mortgage company, you know what? I don't like the way you're handling this. I'm not going to pay you, or whatever. And so we need to take that same approach.

Decisions have been made in the past. We're obligated to pay the bill for those decisions. Let's not try and duck those responsibilities for our own actions.

I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN), the distinguished ranking member of the Ways and Means Committee.

Mr. LEVIN. In this bill the Republicans are trying to repeal the second half of the 20th century. We've spent decades trying to knit a truly American fabric around a strengthened middle class. It's a fabric that holds, at its core, retirement security, health care through Medicare and Medicaid, and educational benefits for all through programs such as Pell Grants.

For Republicans, the purpose of this measure is to appeal to their base. But in so doing, they are debasing what we have built over the last half century. And it could not come at a worse time for this country. Republicans say they are dedicated to the markets, but they are essentially now saying, financial markets be damned.

As one analyst put it yesterday, "The closer we get to this August deadline, the more anxious investors become." One anonymous Republican told Politico yesterday, and I quote, "I'm embar-

assed to be a Republican. These guys don't understand capital markets. This isn't about who wins an election. This is about whether people are going to be able to finance a home."

It was 46 years ago this month that President Johnson signed Medicare into law. Yet, this measure doubles down on the Ryan budget proposal that, itself, would end Medicare. Retirees would see, at the very least, a 10 percent cut in their Social Security plans. Nursing home care, which makes up half of Medicaid expenditures, would be slashed. And that is not alone. The devastating cuts to endless programs, such as grants for higher education that have been vital in creating opportunity and building a strong American middle class.

More than 14 million Americans today remain jobless. But instead of using their new House majority to pursue a jobs agenda, it has come to this. Nearly 7 months after they assumed the majority, instead of promoting growth, encouraging job creation, and reinforcing the economic recovery, Republicans have been bringing about uncertainty.

We must, indeed, confront the deficit, but not as the Republicans now propose, tearing apart what has helped create the fabric of the American middle class.

Mr. CHAFFETZ. Mr. Speaker, the President submitted a budget, a budget that never balances. In fact, it doubles and triples the debt. It went to the United States Senate, and 97-0-97-0—not one Democrat voted in favor of that.

Has the President submitted any sort of adjustment or amendment to that? No, he has not. The reality is this President has no plan. We have a plan. We can solve the underlying problem and take care of paying our bills on August 2.

I yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK), a member of the Budget Committee.

□ 1620

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, this vote stands as a defining moment in this crisis. Every rating agency has warned that an increase in the debt limit without a credible plan to balance the budget will do great damage to our Nation's credit. And worse, fiscal experts warn that without such a plan we risk a sovereign debt crisis within the next 2 years.

This measure gives the President everything he has asked for—the \$2.4 trillion debt increase to pay for the bills that he and the Congress have recklessly racked up. But it also calls for a constitutionally enforceable workout plan to place our Nation back on the course to fiscal solvency, the centerpiece of which is a balanced budget amendment that has been proposed in

one form or another since the birth of our Constitution and that 49 States have adopted.

Now, the gentleman from Maryland reminds us that only a few of those 49 States have both a balanced budget requirement and a two-thirds vote for tax increases. My home State of California happens to be one of them. California's deficits, as bad as they are, have been proportionally roughly half the size of those that the Federal Government has run up in the same period.

These budget protections work—maybe not perfectly, but they do work. And I might add that when California also had a real spending limit, as this measure calls for, California enjoyed an era of balanced budgets, prudent reserves, no tax increases, and steady economic growth.

The SPEAKER pro tempore (Mr. LATOURETTE). The time of the gentleman from Utah has expired.

Mr. VAN HOLLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman from Maryland.

We face two immediate challenges. The first is, will we pay our bills? That's the whole issue of raising the debt limit. America pays its bills, it's as simple as that. If we owe veterans who served this country their benefits, they're going to get paid. If we went to a war and didn't pay for it and fund it when we went, we have to pay that bill when it becomes due. That is the question. And by the way, Republican iconic figure, Ronald Reagan, who was familiar with tax and budget fights, was the one who said he would never make the debt ceiling, America's full faith and credit, a hostage to a point of view, and did the right thing to pay those bills.

The second issue that we face—and I acknowledge my Republican colleagues for their focus on this—is a long-term fiscal plan. The bill that we have brought before the floor, a balanced budget amendment, raises the question: Is it an effective tool, or is the better approach a balanced approach to revenues and to spending?

The State of Vermont does not have a balanced budget amendment, yet in Vermont we pay our bills and we balance our budget. We do it, number one, by working together. And one of the points that the rating agencies have made is the apprehension here is not so much our ability to pay our bills, it's our ability to work together. Working together requires that we have a balance of cuts, look at that budget, where can we save money? But it also requires that we have a balance of revenues because part of the goal here—again, of a confident country—is to grow our economy. That requires investment in infrastructure, in education, in new industries. And if we are going to be successful, this cannot be

just cuts. It has to be balanced with investments that will grow this economy, grow jobs, bring that unemployment rate down. We can do it together.

I see the gentleman from South Carolina included in his approach cutting the Pentagon. That has to be on the table.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. GARRETT) for 30 minutes.

Mr. GARRETT. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. WEST).

Mr. WEST. I do need to correct my colleague from Vermont: I'm not from South Carolina; I'm from Florida, but that's okay. I'm the guy with hair.

I would like to start off by saying this very simply, I rise in support of H.R. 2560 because when I look back a few years, 2007 to 2011, \$8.67 trillion, \$10.4 trillion, and now we're at about \$14.5 trillion in debt. From 2009 to 2011, \$1.42 trillion, \$1.29 trillion, and an estimated \$1.65 trillion in deficits.

The President's budget for fiscal year 2012, 0-97; 800-plus days the Senate Democrats have not passed a budget; \$1 trillion of wasteful spending of the stimulus. We still have unemployment at 9.2 percent nationally, 16.2 percent in the black community; and 13 percent of my brothers and sisters who are coming back from combat zones are unemployed. Our debt to GDP ratio is about 70 percent. Our government spending to GDP ratio is 24.4 percent; 47 percent of our debt is owned by foreign nations, 27 percent with China.

We are going in the wrong direction. I stand in support of H.R. 2560 because this is insanity, and we cannot continue to do the same thing expecting different results.

Mr. VAN HOLLEN. Mr. Speaker, I would again remind my colleagues that the last time we were running a budget surplus was during the years of the Clinton administration. During that period of time our spending was at a level that was higher than the limitation in here, and we were paying our obligations. What this would do would create an anti-majoritarian, anti-democratic provision in the Constitution that says you can't balance your budget at 19 percent of GDP, even if that's the will of the American people, even if it's how we did it back during the Clinton administration.

Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Florida (Ms. WASSERMAN SCHULTZ), a member of the Budget Committee.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise in strong opposition to H.R. 2560, which attempts to manipulate the Constitution in order to impede a Ryan budget plan on steroids.

This is yet another thinly veiled attempt by our colleagues across the aisle to end Medicare as we know it while refusing to even consider ending ill-advised tax breaks for millionaires.

It is crucial that the American people understand that this plan would require even deeper cuts than under the Ryan Republican plan we saw in April. This means deeper cuts to investments in education, clean energy, and increased costs for our seniors.

President Obama has vowed to veto this bill, which ends the Medicare guarantee. And, incredulously, the gentleman from Florida, who represents thousands of Medicare beneficiaries, as do I, is supportive of this plan that would increase costs for Medicare beneficiaries, unbelievable from a Member from south Florida. It slashes Medicaid and critical investments essential to winning the future in favor of protecting tax breaks for Big Oil, millionaires and companies who ship American jobs overseas.

Achieving a solution to America's fiscal challenges is absolutely an economic necessity, but the only way to achieve a real solution is through shared sacrifice. We can't ask our seniors, working Americans, and students to bear the burden of our deficits when we're asking nothing of corporations, special interests, and the wealthiest few. Incredibly, our friends across the aisle won't even put that on the table.

The nonpartisan CBO, Congressional Budget Office, has said that the number one policy decision that brought us to the need to prevent the Nation from defaulting on our debt for the first time in history were the Bush tax cuts in 2001 and 2003 that disproportionately benefited the wealthiest Americans. Yet here we are again rewarding the most privileged at the expense of our working families and our seniors, the bedrock of our society.

Cut, cap, and balance may make for a great sound bite, but it would have a devastating impact on our economy and American seniors. It is clearly more like "duck, dodge, and dismantle." For the sake of our economy, it is essential that we move beyond politics as usual and take action to reduce our Nation's deficit and get our fiscal house in order.

On behalf of the 102,000 Medicare beneficiaries in my home district and on behalf of all middle class Americans, I urge my colleagues to join me in opposition to this reckless bill and pass a balanced plan that engages us all in shared sacrifice to solve our Nation's debt crisis.

Mr. GARRETT. Mr. Speaker, I yield myself 1½ minutes.

I rise today in support of a plan, an actual plan, to address our fiscal crisis, to cut, cap and balance.

Now, Mr. Speaker, with our debt now topping \$14 trillion, we have no other choice but to start sending clear, immediate signals to the marketplace and the world that we are serious about spending and debt reform. And to show that we are serious, we need to put skin in the game in the form of immediate spending cuts today, caps on

spending that occurs tomorrow, and a balanced budget amendment to protect us from spending too much in the future.

You know, I find it interesting that the proponents of a debt limit increase without any substantial reforms point to the so-called financial meltdown-type scenarios of failing to raise the debt limit by August 2. We hear that interest rates for U.S. Treasuries would skyrocket, causing the cost of servicing current debt to increase, which in turn would require more borrowing and disastrous consequences for the Federal budget and also the global economy.

□ 1630

But you know what the other side fails to mention in any of these scenarios is what would happen if we don't get spending under control. The challenge is clear. What are the solutions, though, to it?

House Republicans today are demonstrating that we are committed to confronting our country's addiction to spending and debt with bold and decisive action and with a plan in place. The cut, cap, and balance plan is not only the right prescription to address our fiscal crisis, it is the only plan on the table that makes structural changes to right our fiscal ship. In fact, it is the only plan in place.

Nobody wants to raise the debt ceiling, but if it's going to be raised, we should use it as an opportunity to finally implement comprehensive reform measures to ensure that we never find ourselves in this situation again; because if we do nothing, we put off the tough decision for another day, the only one to blame is ourselves. This is our moment. This is our time to act.

I yield 2 minutes to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Mr. Speaker, it has been very interesting listening to this debate so far. I want to add a couple of points to it.

First of all, I would note for the record that this government is spending \$7 million a minute. We are borrowing \$3 million a minute of that \$7 million. This is money that most Americans will never see in a lifetime, and we are spending that much in a minute.

Now, as I listened to the debate so far, I couldn't help but wonder, Mr. Speaker, what is this President, what are the Democrats so very scared of? Why are they scared of letting a balanced budget amendment go to the people of this country? Let's be clear, voting for this bill starts a balanced budget amendment process, not the implementation of the amendment. So why are they so scared of the people of this country?

Well, if you believe that government, if you believe that elites can make better decisions for the people of this

country than the people can, if you believe that they should be controlling the people's money, their property, better than the people can, well, no wonder they are scared. Because overwhelmingly, the people of this country would say to us exactly what they say around the kitchen table, and that is we have to live within our means.

My second point, Mr. Speaker, this is the first time that I can tell in the history of this Republic that this kind of debt has been racked up with no intention and no plan to pay it back. This is the first time. And, quite frankly, I don't know of anything more piggish or un-American than racking up a bill to be passed on to our best asset, our future—our kids—just so we can have more on our plate now, just so that we can have more largess, just so we can be more selfish in the here and now and kick that can down the road and let our kids pay for it.

Since when has that become part of American exceptionalism? Since when has that attitude become part of this country?

Mr. VAN HOLLEN. Mr. Speaker, I know that the gentleman is new to the body, but there were lots of decisions made over the past years for which the bills are coming due now. For example, in 2005 when our Republican colleagues headed up the House, we passed a prescription drug add-on to Medicare which was not funded, not one penny. It was all put on the credit card. Two wars were put on the credit card; and again, tax cuts in 2001, 2003 that disproportionately benefited the very wealthy that created this gap.

So I agree with the gentleman. It is time, sir, to take responsibility for our actions. And it is interesting to hear some folks say that it is a sacrifice for us to have to pay bills for decisions that were made in the past.

Now, yes, we need to get the deficit under control. And again, the President of the United States has put on the table a balanced approach over 10 years, \$3 of spending cuts to \$1 of revenue. And again, our Republican colleagues have walked away from the table because they don't want to raise one penny of revenue from closing corporate tax loopholes.

Just to be clear, the President's plan would extend middle class tax cuts beyond 2013. The President's plan would say let's extend the payroll tax cut for 2012. But he says let's get serious about our deficit and let's do it in a balanced way with shared responsibility.

With that, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), a member of the Ways and Means Committee who knows a lot about the importance of shared responsibility.

Mr. LEWIS of Georgia. Mr. Speaker, the American people are sick and tired of Washington petty games. People's lives, their homes, their retirement, their health care are hanging in the

balance. The American people are good, strong, resilient people. They are willing to sacrifice to get our country back on track. But they will not be played as fools. Middle class Americans know they are not getting a fair shake.

This bill protects tax breaks for the wealthiest Americans, while the middle class pay more than their fair share and watch their retirement savings disappear. The American people know that there is a deliberate, systematic attempt to destroy Medicare, to damage Medicaid, and threaten Social Security. This is ducking, dodging, and destroying. If it looks like a duck, walks like a duck, quacks like a duck, it must be a duck.

The American people want one thing. They want jobs, good jobs, jobs that pay the bills, give people back their dignity, and get people back on track with the American Dream. Our Nation deserves nothing less.

But this bill would destroy those hopes and those dreams. It will plunge our economy back into a deep recession. It will mean more lost jobs, more lost homes, and seniors living in poverty without health care and basic necessities. It will mean children going hungry, and it will keep smart young people from going off to college.

This bill will sell the very soul of our Nation. We, as Americans, are better than this. We are more compassionate than this. We know better.

It is easier to destroy than it is to build. Another generation of leaders did more with less; they built people up. We cannot turn back.

Vote "no" on this bill. Let's go back to the table and work on a compromise that prevents default, preserves our moral obligation to our seniors, and puts America back on the road to greatness.

Mr. GARRETT. I yield 1 minute to the gentlelady from Michigan (Mrs. MILLER), who is concerned not only about the soul of the Nation today but the soul of the Nation for our posterity as well, who is not willing to duck the hard fiscal issues.

Mrs. MILLER of Michigan. Mr. Speaker, after years, literally years, of growing government and increasing spending beyond all reason, it is now long past time to bring fiscal sanity to Washington and to put America on a path to prosperity.

Mr. Speaker, our national debt has increased. Today it exceeds \$14 trillion. Our debt has increased by almost \$4 trillion, which is more than \$120 billion a month in new debt just since President Obama has been in office. That is \$120 billion each and every month with this new President.

Government has grown so large that it now spends nearly 25 percent of our annual economic output, a level not seen since World War II. That has crowded out private sector growth and new jobs and opportunities that Americans need and are demanding.

This plan puts forward real cuts to spending; no smoke, no mirrors. It enforces discipline with real caps on spending and a balanced budget amendment. And it gives the President the increase in the debt ceiling he is seeking if the balanced budget amendment is sent to the States.

Mr. Speaker, I urge my colleagues to join me in supporting this commonsense reform.

Mr. VAN HOLLEN. Mr. Speaker, I reserve the balance of my time.

Mr. GARRETT. Mr. Speaker, at this time I yield 1 minute to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, many Members of recent sessions of Congress have not been known as practitioners of fiscal discipline.

□ 1640

Balanced budget amendment philosophy has well served thousands of governmental entities and hundreds of thousands of households. Now is the time for the Congress to embrace a balanced budget amendment which will then set us upon a course where fiscal discipline is not merely an option but a necessity. Only then, Mr. Speaker, will the Congress balance its own budget.

I urge support of this worthwhile and commonsense piece of legislation and would like to see it enacted, although that probably will not be the conclusion.

Mr. VAN HOLLEN. I continue to reserve the balance of my time.

Mr. GARRETT. I yield 1 minute to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. I thank my colleague from New Jersey for the time.

Mr. Speaker, there are two reasons why this is the most important vote of my 2½ years in Congress: Their names are Kate and Grant Olson. They are my children. Kate is 14 and Grant is 11. My wife, Nancy, and I uprooted them from the only home that they knew and moved back to my home State of Texas to run for Congress because we were worried that the ever-increasing Federal debt was the greatest threat to their future.

Today, for the first time in my children's young lives, the House of Representatives is passing game-changing legislation that puts our Nation on a path to fiscal sanity and ensures that my Kate, my Grant, your Kates and your Grants, have better lives than we did.

I urge my colleagues to make a downpayment on the future of America's youth and vote in support of H.R. 2560.

Mr. VAN HOLLEN. I would just ask my Republican colleagues to consider why they want to write a provision in the Constitution of the United States that would make it harder to shut down a special interest tax loophole for the purpose of reducing the deficit for our children and grandchildren.

I now yield 4 minutes to our very distinguished Democratic whip and my colleague from the State of Maryland (Mr. HOYER).

Mr. HOYER. I thank my friend, the ranking member of the Budget Committee, Mr. VAN HOLLEN, for yielding.

The American public are rightfully very distressed with the Congress of the United States. They're distressed that at a time of great challenge and great risk, that we fiddle while the debt threatens to burn us, to place our country in the position of being adjudged uncreditworthy. That is not worthy of this Congress or any one of us that serves in this Congress.

We have 14 days, according to the Secretary Treasurer, until such time as America will be unable to pay its obligations, whether to foreigners or to people in this country. That is not a situation that will be looked at positively by the financial sector or by any one of our constituents whose ability to save, to have a 401(k) that is stable, to purchase an automobile or a refrigerator or send their kid to college will be put at risk because of increased interest rates. Not one of us will be held harmless if this Congress fails to do its duty.

Ladies and gentlemen, we have had a number of efforts to get us to where we needed to be to get back to fiscal responsibility. I'm amused when I hear our new Members talk about the fiscal irresponsibility, because I've served here long enough to know that the two Presidents under whom the debt was raised most were Ronald Reagan, a 186 percent increase from the \$985 billion total debt when Ronald Reagan took office to over \$2.8 trillion, and George Bush II, who increased the national debt 86 percent. Did he do it alone? Of course not. Did we all do it, Republicans and Democrats? Yes.

Democrats believe that the debt was raised because we bought things on the Republican watch that were not paid for. That's indisputable. You cannot argue that. Those are the facts. The fact is, did we do the same in the Obama administration? We did. Why? Because we had to respond to the deepest recession we have seen. We didn't create enough jobs. In fact, we lost jobs.

So we bring a bill to the floor some weeks ago to address the creditworthiness of the United States of America, and the chairman of the Ways and Means Committee said, We offer this bill to fail. Not to solve the problem. To fail.

Now we bring a bill to the floor of the House of Representatives this day, 14 days before the debt limit is reached and America might default for the first time in history. This bill was written sometime late Friday or perhaps Saturday. How many of you said, Have you read the bill? How many hours have you taken to consider this bill?

I've read the bill, too, Paul. I guarantee you there is not an American who's not on the Budget Committee that reads this bill knows what impact it has, and the chairman of the Budget Committee is shaking his head and agreeing with me. The fact of the matter is you haven't had one second of hearing on this, there was no markup on this bill, and it has significant consequences.

Let me tell you, my friends on the other side of the aisle, I'm one of those who stands in this well who voted for the balanced budget amendment in 1995.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional minute.

Mr. HOYER. I voted because I believed we needed to get to fiscal responsibility, and in fact we did, and we balanced the budget 4 years in a row, and George Bush inherited a \$5.6 trillion projected surplus. Not debt. Not deficit. And 22 million jobs having been created before he took office. Eight years later, we had increased the debt by \$5 trillion.

I'm not going to vote for the balanced budget amendment, and I urge my colleagues to reject this bill, which has no chance of passage, and we need to stop fiddling. We need to do our work and make sure America can pay its debts, because if it can't, every one of our constituents will lose and our country will lose.

Our oath of office was to preserve and protect. Defeat this ill-advised, ill-timed, unconsidered piece of legislation and let us move to fiscal responsibility in a way that will bring us all together in a bipartisan way, as Bowles-Simpson tried to do, as BIDEN tried to do, and as, frankly, Mr. BOEHNER and the President tried to do. Let's get to that objective. The country deserves it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to others in the second person.

Mr. GARRETT. I yield 2 minutes to the gentleman from Georgia (Mr. GRAVES), who recognizes that if the balanced budget amendment was appropriate back in 1995, with debt now reaching over \$14 trillion today, how much more so is it relevant to pass today.

Mr. GRAVES of Georgia. I thank the gentleman for yielding.

Here we are. We are at the moment of choosing, and we just heard from the former leader of the former majority party that we need to oppose this.

But to those in the gallery here today, to those watching on camera, just in a few hours you will get the opportunity to see behind me on this board every name of every Member of Congress and how they vote. They will make a choice. They will take their



voting card, of which you've entrusted us with, and they will make a decision: this Nation should balance its budget or not.

This isn't so much about cut, cap, balance. This is about prosperity or continued high unemployment. That would be green for prosperity, red for high unemployment. This is about accountability and constraints, green, or Washington run wild. Again, that would be the red button and the status quo.

□ 1650

This is about sustainability of our future or continued uncertainty as we've seen thus far. Or, better yet, this is about standing on our own. The green button, independence of this great Nation. Or, continued and increasing bondage of foreign nations and our indebtedness. Again, the red button.

Members of Congress, this is your time of choosing. We've heard so many names invoked here today. Former Presidents, Members of Congress, other Congresses. But, guess what? This is your time. This is your choice. This is your voting card. What will you choose: A prosperous future for this Nation or continue the status quo?

I urge Members, let's choose a great, prosperous future for this Nation. America deserves it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are again reminded to address their remarks to the Chair. It is inappropriate to address occupants of the gallery and also to address others in the second person.

Mr. VAN HOLLEN. This is a time for choosing. We have to reduce our deficit. We have to get the budget in the balance. The question is, how we do this? And we believe that it is a corruption of the Constitution to write into the Constitution itself a provision that says a majority vote can cut Medicare and Social Security but you need a two-thirds undemocratic vote to close a corporate tax loophole for the purpose of reducing the deficit.

I yield 1 minute to gentlewoman from California (Ms. LEE).

Ms. LEE. First, let me thank the gentleman for yielding and for his outstanding leadership.

I rise in strong opposition to what has been appropriately labeled as the "duck, dodge, and dismantle" budget bill. The Republicans duck making the hard choices by requiring us to actually amend our Constitution before we can act to avoid default. The end result: America fails to pay its bills on time.

The Republicans dodge facing the real challenge by continuing tax breaks for the super wealthy and Big Oil, funding two wars, and other Republican interests. And the Republicans want to dismantle our Nation's economic security for seniors, the dis-

abled, and the poor by cutting Medicare, Medicaid, and Social Security. Making heartless cuts on the backs of the most vulnerable will not balance the budget. And it's morally wrong.

Now, with only 14 days left, Republicans are pushing forward legislation that will guarantee a default and will kill hundreds of thousands of jobs. This "duck, dodge, and dismantle" bill would end the social safety net, kill jobs, and set our Nation back rather than move it forward. I urge my colleagues to oppose this job-killing bill that would end up being written in stone in our Constitution. It turns the American Dream into a nightmare.

Mr. GARRETT. Mr. Speaker, just to remind the other side of the aisle with regard to the radical plan that we talked about here with regard to changing or amending the Constitution, it was Thomas Jefferson who said, in a letter to John Taylor, I wish that it were possible to obtain just a single amendment to our Constitution. I would be willing to depend on that alone, that our government would return to the genuine principles of the Constitution. And he was speaking, of course, of what we're doing here today, what Thomas Jefferson wished that we had done over 200 years ago: a balanced budget amendment.

With that, I yield 2 minutes to the gentlewoman from Washington (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. I rise in strong support of H.R. 2560 to address our national debt.

In 2006 then-Senator Barack Obama voted against raising the debt ceiling. He said at that time that the rising national debt was a "sign of leadership failure." Today, President Barack Obama is asking Congress to raise the national debt \$2.4 trillion, largely to fund many of the programs that he's had passed in the last couple of years. And to put that into perspective, that amounts to \$20,000 for every American family. Congress is being asked to add \$20,000 in debt burden to every American family. And we owe it to them before we raise that debt to make sure we are cutting up the credit cards and that we are not going to continue to spend beyond our means.

House Republicans are committed to getting our fiscal house in order. House Republicans are committed to protecting our excellent credit rating. It is the national debt that threatens our credit rating. The bill before us today, Cut, Cap, and Balance, is a credible plan to address this situation. It will cut spending immediately, it will enact spending caps, and it will require the passage of a balanced budget amendment. Forty-nine out of 50 States balance their budgets.

The President's spend, borrow, and bail out policies have clearly failed. I urge my colleagues to support this legislation. Let's help America's economy

today and let's keep the American Dream alive for many years to come.

Mr. VAN HOLLEN. I would hazard a guess that Thomas Jefferson would not want to write into the Constitution of the United States anti-democratic provisions that said you need two-thirds in order to close special interest tax loopholes for the purpose of deficit reduction or to say that we're going to decide now, for all time, that we have to balance our budget at 18 percent of GDP rather than some other number that may be the will of the American people.

Mr. Speaker, I reserve the balance of my time.

Mr. GARRETT. I yield 1 minute to the gentleman from Minnesota (Mr. KLINE).

Mr. KLINE. I thank the gentleman for yielding.

Mr. Speaker, I rise today in strong support of H.R. 2560, the Cut, Cap, and Balance Act. The severity of our Nation's fiscal crisis cannot be overstated. More than 14 million Americans are looking for work. Meanwhile, Federal spending continues at an unprecedented pace, with an average of \$4 billion added to our country's debt every day. We need to encourage economic growth and investment. Instead, leaders on the other side of the aisle are pushing more reckless policies, more redtape, and more taxes to pay for their irresponsible spending spree, leaving job creators frozen by uncertainty and fear, and risking our future prosperity.

At a recent roundtable in Minnesota, a small business owner told me, The government is out of control. It's too big, and I don't like it. Well, I don't like it either, and it's costing our country jobs. It's time for Washington to do what's right. We need to make the tough choices necessary to get our Nation's fiscal house in order. No one said it would be easy, but it certainly is necessary.

The legislation before us today will end unsustainable spending and put this Nation back on a fiscally responsible path. I urge my colleagues to support it.

Mr. VAN HOLLEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. GARRETT. Just to the gentleman from the other side of the aisle who made the point regarding what sort of amendment that Thomas Jefferson may have been looking for today, whether he actually would be looking for one, what we call a supermajority, what have you, in point of fact I believe Jefferson would be going even further than what we are doing here today and simply say that Congress should not have the ability to borrow at all. The amendment that we are putting forward would actually give us greater flexibility with that in time of emergency, in time of war, and Congress can

take it upon themselves to borrow. Jefferson understood that first and foremost that Congress, just like the businesses and families at the time, needed to live within their means. And he saw it as immoral, basically, to take the responsibilities of this generation and place them on future generations.

At this time I yield 2 minutes to the gentleman from Arkansas (Mr. WOMACK).

Mr. WOMACK. I thank the gentleman for yielding.

Mr. Speaker, I've had the privilege of serving Arkansas' Third District now for a little more than 6 months in this Congress. And I can still hear the voices of those people who sent me here. Their voices said, STEVE, you've got to go to Washington and you've got to cut spending. You've got to empower the private sector. You've got to reduce the size of government. You've got to get to Washington and help put us back to work. Those same conversations at home at the kitchen table, people discussing their personal budgets, saying to me that, I have to live within my means, why doesn't Washington?

Mr. Speaker, to each of these comments I say, we have an answer. It's a trifecta, if you will. It's called Cut, Cap, and Balance.

Mr. Speaker, I realize I've only been here a short time, but I know full well how Washington works. And I know that this concept is foreign to the many people who have been here down through the years. But if you look around and take an objective view, you will know that the only way to bring legitimate control to the irresponsible fiscal behavior of Washington, D.C., the only way to restore the integrity of this Chamber, to restore the confidence in the people we serve, is to make it constitutional, a balanced budget amendment.

□ 1700

No gimmicks, Mr. Speaker. No hollow promises. Simple language that rank-and-file Americans can wrap their heads around: a constitutional requirement for this country to balance its books.

Mr. VAN HOLLEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. GARRETT. I yield 1½ minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman from New Jersey for yielding.

During his 8 years as President, President Bush increased the national debt \$3 trillion. We spent too much money. But not to be outdone, in a 3-year period of time, President Obama has increased the national debt \$5 trillion—a 56 percent increase. Then he turns around and lectures middle class American families, struggling families, to eat their peas. He offers no plan, no

answers—nothing but a phoney budget that even failed in the Democrat-controlled Senate 97-0. HARRY REID voted against his budget.

The President owns this economy, not Haliburton, not Cheney, not George Bush. It's the President. He owns the skyrocketing debt. He owns the 15 million unemployed. He owns the failed stimulus plan. President Obama owns the extended Bush tax cuts because it was he who extended them 2 years. Now, in our time of great fiscal crisis, when America needs leadership, he is absent.

The Republicans in the House are offering a plan, and I understand the Democrats don't like it. That's good, because sometimes the two parties have to battle it out, and you get a better product from it, but you can't do it when the Democrats aren't offering a plan. We will pass this plan today, and I hope HARRY REID and the Democrats will pass a plan and that we can get together. I hope the President decides to offer a plan. Maybe we can look at his, and maybe out of the three possibilities, we can do what's best for the American people, but we can't do it unless the President decides to engage and take on the role of leader.

Mr. VAN HOLLEN. Mr. Speaker, once again, the President had a plan to reduce the deficit by about \$4 trillion over 10 years—\$3 in cuts, \$1 in revenue. Our Republican colleagues walked away from the table because they didn't want \$1 of deficit reduction from closing special interest tax loopholes.

With that, I yield 3¼ minutes to the distinguished member of the Judiciary Committee, the gentleman from New York (Mr. NADLER).

Mr. NADLER. Many of our colleagues on both sides of the aisle would not be here today if President Jefferson had not borrowed to finance the Louisiana Purchase.

Mr. Speaker, this bill promises all the fun of a constitutional amendment without actually amending the Constitution. It simply says that the United States should default on our debts and destroy our economy if we don't amend the Constitution.

If we default on our debts, we will do more damage to our economy than large deficits, tax increases and draconian cuts combined. Right now, we enjoy very low interest rates because we are still the most stable, reliable and wealthy country in the world.

If the markets get the idea that we are too dysfunctional to pay our debts, even though we are certainly wealthy enough to do so, nothing else will matter. Interest rates will climb. Homeowners and businesses will be pushed out of the credit market. The stock market will crash.

Never before in the history of this country has anyone been irresponsible enough to play chicken with our full faith and credit. Never.

We know how to balance the budget, because we've done it before. In the not-too-distant past, we managed, in working with President Clinton, not only to balance the budget but to run surpluses and begin paying down the debt. Unfortunately, President Bush and a Republican Congress managed to turn record surpluses into record deficits in record time.

Rather than admit to serious Republican economic mismanagement and finding responsible solutions, we get this dusted-off quack cure from the past. The so-called balanced budget amendment requires a balanced budget much sooner than does the Republican budget that the House recently passed, the one that abolishes Medicare and turns Medicaid into a block grant.

I asked the sponsor of the balanced budget amendment, the gentleman from Virginia, how he thought this could be done. He answered that the Republican Study Committee budget, which is even more radical than the Ryan budget, would be in balance in just 9 years. That's what we're really voting for today—an accelerated version of the Republican Study Committee budget. Anyone voting for this should be prepared to go home and explain that vote, including Republican members who voted against their study committee budget.

Economists have long known that, in good times, you should balance the budget and pay down the debt but that, in times of recession, when tax revenues plummet and the economy contracts, you have to spend money on unemployment insurance and on putting people back to work. You must run a deficit to get the economy going again. The balanced budget amendment would force us to do the exact opposite and turn every recession into a depression.

This constitutional amendment does a whole lot more than require a balanced budget. Many of its provisions simply cement into the Constitution the policy preferences of the current majority and bind our children and grandchildren to those preferences.

The two-thirds requirement, for example, to increase revenues would have the perverse effect of allowing special interest tax loopholes to be slipped into law with a majority vote, but would require a supermajority to repeal them. This is not just antithetical to a balanced budget; it would also cement the most corrupt aspects of our Tax Code into the Constitution.

The amendment would also require a two-thirds vote for any budget that exceeds 18 percent of GDP. The CBO tells us: "Outlays have averaged close to 21 percent of GDP over the past 40 years." Federal outlays have not dropped below 18 percent since 1966—that is, since the enactment of Medicare.

Regardless of what other parts of this bill may say, there is no way to meet these restrictions without destroying

Medicare, Medicaid, Social Security, veterans' programs, and military preparedness. That's just arithmetic, and no amount of rhetoric will change it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional 10 seconds.

Mr. NADLER. The real problem is that tax revenues have declined from 20½ percent of GDP in 2000 to 14½ percent of GDP because we no longer tax the millionaires, the billionaires and the large corporations the way we used to.

Let's start doing that, and we can have a balanced budget without phoney constitutional amendments which promise balanced budgets, without showing how, but that do protect the millionaires from paying their fair share.

Mr. GARRETT. We are also reminded that Jefferson said in 1816 that he sincerely believed that the principle of spending money today that we don't have, to be paid for by posterity, is but swindling future generations—something this Republican Party does not wish to do.

With that, I yield 1 minute to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Speaker, I rise today in strong support of H.R. 2560, the Cut, Cap, and Balance Act.

Last November, the American people sent a clear and resounding message to cut up the Nation's credit card and to stop spending money we don't have. Today, we are doing that.

This act makes immediate spending cuts and forces the Federal Government to do what Americans all over this country are doing: living within their means. This legislation also begins to cap Federal Government spending at levels that are historically sustainable to ensure vibrant economic growth. Finally, this measure forces the Federal Government to do what to most Americans is simply plain common sense: to spend only the amount of money that you have.

A balanced budget amendment is long overdue.

Republicans have heard the American people's call to action to reduce spending, and that is why I strongly support this measure. I urge my colleagues to vote in favor of the Cut, Cap, and Balance Act.

Mr. VAN HOLLEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. GARRETT. I yield 1 minute to the gentleman from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. I rise today in support of the Cut, Cap, and Balance Act because American families deserve to have a government that lives within its means, just like they do.

Our national debt has grown in excess of \$14 trillion—that's more than \$46,000 for every man, woman and child

in this country—and we continue to borrow, roughly, 40 cents of every dollar we spend. This is a path to financial ruin that will leave the next generation with a less prosperous America than the one we inherited.

Now, I find it astonishing on the House floor that balancing our budget would have a devastating effect on our economy. It's hard to believe, but it has been said.

The Cut, Cap, and Balance Act keeps the promise we made to the American people to cut spending while also granting the President's request for a debt limit increase. By cutting spending \$111 billion the first year alone, by capping future spending and by laying the groundwork for a balanced budget amendment, this package will save \$5.8 trillion over the next 10 years. This bill is nothing more than good old-fashioned common sense, and I urge my colleagues to support this.

□ 1710

The SPEAKER pro tempore. Without objection, the gentleman from Virginia (Mr. MORAN) will control the time on the minority side.

There was no objection.

Mr. MORAN. I reserve the balance of my time, Mr. Speaker.

Mr. GARRETT. I yield 1 minute to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I rise in support of Cut, Cap and Balance.

If you look at what American families have been telling us for the last few years, during these tough economic times what they have been doing is they have been cutting back. They have been tightening their belts, and they sit around the kitchen table and figure out how to balance their budget and live within their means.

Yet today on the other side, all you've seen is a parade of Members coming and criticizing the concept of a balanced budget, actually calling it extreme, radical. Imagine that. Only a big-spending Washington liberal could think it would be radical to require Washington to start living within its means like families have been doing for years.

So, frankly, American families would say it's about time. Welcome to the party. And, instead, some people think you can just live in this fantasy land where you can just keep taxing, spending, borrowing money from China and act like the day of reckoning is never going to come and kick the can down to our children and our grandchildren and make it their problem.

Well, it's time to say enough is enough. We're not going to pass this on to the next generation. We're going to deal with our problems today. We're going to set priorities today and do the tough things people sent us to do. And that means cutting, capping, and balancing the Federal budget.

Mr. VAN HOLLEN. Mr. Speaker, again, the choice is not whether we put in place a plan to reduce the deficit and balance the budget. The issue is how we do that. That is the difference here.

With that, I reserve the balance of my time.

Mr. GARRETT. I yield 1 minute to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Speaker, I rise today in strong support of Cut, Cap, and Balance. Out-of-control spending by the Federal Government has driven our country to the brink of financial meltdown.

Our Nation's debt crisis was easily predictable. In recent years, America has watched as the size of the Federal Government has ballooned and deficit spending has reached dangerous levels. Yet despite the warning, Congress stuck with business as usual—more spending, more regulations, and bigger government. It's time to put an end to business as usual for the good of the country. Our country needs it, the American people demand it, and the future of our grandchildren depends on it.

This legislation puts us on the path of fiscal responsibility, brings certainty, and restores private sector confidence. The naysayers say we can't do this. They argue for tax increases on our job creators. This measure will unleash the private sector and result in more revenues to ensure strength in Social Security, Medicare, and other needed programs.

Just raising the debt ceiling without spending cut reforms according to Moody's and Standards & Poor's will probably lead to a downgrade of U.S. paper and a downhill spiral, higher interest rates, higher taxes, and less opportunities. I urge the support of this and to cut spending now instead of 6 to 10 years from now.

Mr. VAN HOLLEN. Mr. Speaker, I reserve the balance of my time.

Mr. GARRETT. I yield 1 minute to the gentleman from Florida (Mr. STEARNS), who, while the White House says that leadership is not simply proposing a bill to vote up or down, recognizes that the White House has not given us any plan of leadership so far on this issue.

Mr. STEARNS. It's been said before that the United States Government owes close to \$14.3 trillion. An estimate by the CBO reveals that by the year 2021, the government will spend 100 percent of every dollar in revenue on entitlements. Simply raising the debt limit to \$16.3 trillion without comparable spending reduction is irresponsible at best and catastrophic for our Nation at worse.

Forcing our Nation's spiraling and out-of-control debt onto the backs of our country's children and grandchildren is irresponsible. Comparable spending reductions would be in the amount of at least \$2 trillion. But as

that does not even cover the interest on the debt, a \$4 trillion spending reduction would be appropriate; and that's what we should be working on.

Today we must ask ourselves, Is this blessed country of ours disciplined enough to solve the debt problem through austerity and productivity? I think we can. I believe we can. But only if we break from the tradition of spending and raising our debt limit. Instead, we must pass H.R. 2560, the Cut, Cap, and Balance Act.

Mr. VAN HOLLEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. GARRETT. I yield 1 minute to the gentleman from North Dakota (Mr. BERG).

Mr. BERG. Mr. Speaker, we've been down this road before. Our country faces unprecedented debt. The House has worked to cut spending and reduce the deficit. But the Senate Democrat leadership and the Obama administration would rather raise taxes and mislead Americans with scare tactics rather than support these commonsense solutions, solutions that would help get our country back on track.

We cannot do the same thing over and over again and expect a different result. Americans have tightened their belts, and they've made the tough choices. It's time for Washington to do the same.

Our financial situation is a mess. It's going to be a long road to get our country back on track, but it's clear we can begin right here. We need to cut the spending, we need to cap the growth in government, and we need to balance the budget.

Mr. VAN HOLLEN. Mr. Speaker, I would remind my colleagues that this provision that they're talking about, the constitutional proposal that came out of the Judiciary Committee, would prohibit the Congress from balancing the budget at 13 percent of GDP expenditures. It would say you cannot make that choice. It would also say you have to reach a two-thirds hurdle to reduce the special interest tax breaks for the purpose of deficit reduction.

So we keep hearing about this balanced budget amendment without any mention from our colleagues that they've inserted these two devices into the Constitution that would limit our ability to balance the budget in a balanced way.

With that, I reserve the balance of my time.

Mr. GARRETT. Would that we had the problem of this Congress over the last 2 years trying to balance the budget, what with \$1 trillion in additional stimulus spending, \$2 trillion in the cost of ObamaCare, \$3 trillion overall added to the budget deficit. Would that be the problem that we'd look to the other side of the aisle to try to live within our means. Unfortunately,

that's not the case. And that's the reason why, as our Founders understood and as we spoke of Jefferson before, the need to try to constrain ourselves with cutting spending now, placing legislative caps offered tomorrow, and then going forward in the future with a constitutional balanced budget amendment.

With that, I yield 1 minute to the gentlelady from North Carolina (Mrs. MYRICK), who understands the importance of living within our means.

Mrs. MYRICK. Mr. Speaker, the possible default of the Federal Government presents a near-term problem which could have disastrous effects in the short-term on our economy.

But the bigger problem is long term because Washington has just been spending too much money for too darn long—borrowing 40 cents just about of every dollar we spend, most of it from China, and sending the bills to our kids and our grandkids.

This bill to cut spending, cap and then balance the budget is something that needs to be done. And we can't keep kicking the can down the road. You've heard that before, but it's true. The responsibility is on us to do the right thing for tomorrow for our families and everybody else.

We balanced the budget almost, some years ago. It's not impossible. It can be done if we have the courage to do it; 49 out of 50 States do it.

So we need to remember there's no such thing as government money. It is the taxpayers' money. It's our job to be responsible stewards of that. We need to step up and take that responsibility and pass this bill.

Mr. VAN HOLLEN. Mr. Speaker, that's right. A few years ago during the Clinton administration when they took a balanced approach to deficit reduction, we did run surpluses.

With that, I yield 2 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the distinguished member of the Budget Committee as well for the great work that he has been doing.

As I listened to my friends discuss this question of being responsible, I want to at least announce breaking news that our friends in the other body have come up with a semi-solution on revenue and on the question of how we would cut. They are seeking to be responsible; and today in this body, we are not.

□ 1720

I heard a tutorial about the green light and the red light, which, as a Member, you understand green is "yes" and "no" comes up red. What the red will mean is to stop the insanity, to stop the loss of our moral compass, the responsibility to pay America's bills. What the green light will mean is that America, in fact, would not be paying

the bills of our families. We wouldn't be paying Social Security; interest rates would spike; the U.S. dollar would decline; and our credit would literally go out the door. Being without responsibility is what we are planning to do. Then we will lose the ability to pay for the Medicare of American Seniors and would no longer keep America's hospital's open and doctors paid.

So don't be fooled by the green light tutorial. We, frankly, are going to lose our way. We'll close hospitals. We won't have the ability to provide for our seniors, and these are the very persons that my colleagues over here believe that they are helping. But the main point that I want to emphasize very quickly is that the Constitution of the United States already says that the validity of the public debt of the United States in the 14th Amendment, section 4, shall not be questioned.

Let me tell you today that a balanced budget amendment will destroy the United States, and it will not allow us to pay for those in need. Tap dance, losers' club, bust the benefits. That's what this bill is. Tap dance, losers club, and bust the benefits. That is what will happen to all of us. Americans like the friends and families of our military personnel will suffer.

Mr. Speaker, I rise today in opposition to H.R. 2560, the "Cut, Cap, and Balance Act of 2011," which attempts to resolve our budget ceiling crisis by authorizing an increase in the debt limit while implementing spending cuts, caps on future spending, and requiring an amendment to the Constitution. While I support bipartisan efforts to increase the debt limit and to resolve our differences over budgetary revenue and spending issues, I cannot support a bill that unduly constrains the ability of Congress to deal effectively with America's economic, fiscal, and job creation troubles.

As I stated earlier this afternoon, This bill should be called the "Tap Dance, Loser Club, and Bust Bill." It tap dances around raising our debt ceiling and acting in a responsible manner to pay our nation's debt obligations. Our nation will be joining the losers club by threatening to eliminate important social programs such as Medicaid, Medicare, Social Security, and Pell grants. There has been a theme this Congress of focusing on cutting programs for the most at need and ignoring the need to focus on Job creation. This bill busts the hopes and dreams of our children, seniors, and military families. It busts the hopes to grow our nation in the future. I state again that H.R. 2560 has earned the name the "Tap Dance, Loser Club, and Bust Bill." I will call it the "Tap Dance, Loser Club, and Bust Bill" from this point forward, because that is what it is . . . when something walks like a duck, quacks like a duck and looks like a duck . . . call it a duck. This bill is wasting a tremendous amount of time when we should be focused on paying our nation's bills and resolving our differences.

As we continue to discuss the necessity of increasing our debt ceiling, I have heard the concerns of many of my constituents and the American people regarding the size of our national debt and the care with which taxpayer

money is spent. I, too, am concerned about these issues; for to burden future generations of Americans with tremendous amounts of debt should not be a way to avoid our fiscal responsibilities to the American people. However, the task of resolving our debt ceiling crisis must take precedence over other concerns, including political ideology.

Prior to the existence of the debt ceiling, Congress had to approve borrowing each time the Federal Government wished to borrow money in order to carry out its functions. With the onset of World War I, more flexibility was needed to expand the government's capability to borrow money expeditiously in order to meet the rapidly changing requirements of funding a major war in the modern era.

To address this need, the first debt ceiling was established in 1917, allowing the Federal Government to borrow money to meet its obligations without prior Congressional approval, so long as in the aggregate, the amount borrowed did not eclipse a specified limit.

Since the debt limit was first put in place, Congress has increased it over 100 times; in fact, it was raised 10 times within the past decade. Congress last came together and raised the debt ceiling in February 2010. Today, the debt ceiling currently stands at \$14.3 trillion dollars. In reality, that limit has already been eclipsed, but due to accounting procedures by Treasury Secretary Geithner, the debt limit can be artificially avoided until August 2nd.

Congress must act now in order to avert a crisis. Never in the history of America has the United States defaulted on its debt obligations.

We must be clear on what this issue means for our country. United States Treasury bonds have traditionally been one of the safest investments another country or investor could make. For foreign nations and investors, purchasing a U.S. Treasury bond meant that they held something virtually as safe as cash, backed by the full faith and credit of the United States Government.

In turn, with the proceeds from the bonds, the Federal Government of the world's largest economy is able to finance its operations. If the United States defaults on its debt obligations, the financial crisis that began in 2008 would pale in comparison, according to economic experts. The ensuing economic catastrophe would not only place the U.S. economy in a tailspin, but the world economy as well.

The fact that Congress, a body that typically has its fair share of political baffles, has never played political chicken when it came to raising the debt ceiling should give us all pause, and is a testament to the seriousness with which we must approach this issue. However, this time around, my Republican colleagues have created an impasse based upon an ideological commitment to spending cuts. While I understand and share the concern of my Republican colleagues with respect to deficit spending, and will continue to work with them in order to find reductions, now is not the time to put ideology over pragmatism. The reality is that, on August 3rd, the United States will begin to default on its debt obligations if the debt ceiling is not raised.

This detour into a spending debate is as unnecessary as it is perilous, as increasing the debt ceiling does not obligate the undertaking

of any new spending by the Federal Government. Rather, raising the debt limit simply allows the government to pay existing legal obligations promised to debt holders that were already agreed to by Presidents and Congresses, both past and present.

Moreover, the impending crisis would have already occurred were it not for the extraordinary measures taken by Treasury Secretary Timothy Geithner, including the suspension of the investment in securities to finance the Civil Service Retirement and Disability Fund, as well as the redemption of a portion of those securities already held by that fund.

If the United States defaults on its obligations on August 3rd, the stock market will react violently to the news that for the first time in history, America is unable to keep its promises to pay. Not once in American history has the country's full faith and credit been called into question.

Once America defaults, investors who purchase U.S. bonds and finance our government will be less likely to lend to America in the future. Just as a person who defaults on a loan will find it harder to convince banks to lend them money in the future, a country that defaults on its debt obligations will find it harder to convince investors to lend money to a government that did not pay. Showing the world that the United States does not pay its debts makes the purchasing of that debt less desirable because it requires the assumption of more risk on the part of the investors.

Furthermore, any investors that do continue to purchase U.S. Treasury bonds will demand much higher interest rates in order to cover the increased risk. Once a default occurs, investors figure that the chance of the United States defaulting again is much greater, and will require the government to pay higher rates of interest in order to make the loan worth the risk for investors to take on.

Imagine the impact on our stock market if we do not pay our debts. As we have seen throughout the recent financial crisis, a bad stock market hurts not only big businesses and large investors on Wall Street, but small businesses and small investors as well. Families with investments tied to the stock market, such as 401(k)s, pension plans, and savings, will once again see the value of their investments drop. The American people are tired of the uncertainty of the value of their retirement accounts. We must not allow another wild fluctuation to occur due to default and add to the uncertainty still lingering in the minds of citizens.

As if another stock market crisis were not enough, the housing market would take another hit if America defaulted. Higher mortgage rates in a housing market already weakened by default and foreclosures would cause a further depression of home values, destroying whatever equity families might have left in their homes after the housing crisis. Moreover, the long-term effects would reduce spending and investment in the housing market.

Increasing the debt ceiling is the responsible thing to do. Congress has already debated and approved the debt that an increased ceiling makes room for. However, my Republican colleagues have chosen to use this as an opportunity to hold the American people hostage to their extreme agenda. They know that the

"Tap Dance, Loser Club, and Bust Bill" is not a realistic proposal.

In fact, part of the bill is another attempt to get the Paul Ryan budget plan enacted, which caps annual spending as a share of GDP. Moreover, it limits discretionary spending for the global war on terror. As a member of the Committee on Homeland Security, I am acutely aware of the threats our Nation faces from terrorism. By tying the hands of Congress in the fight against terrorism, this bill puts our troops and our homeland at risk. The safety of the American people has no price, and Congress should not be constrained when coming together to decide what level of funding is most appropriate for the global war on terror.

If that were not enough, this bill goes beyond simply implementing budgetary restraints, and contains the absurd requirement that a Constitutional amendment be passed by both the House and Senate and submitted to states prior to any increase in the debt ceiling. Leaving the merits of such a Constitutional amendment aside for a moment, do the proponents of this bill honestly expect such an amendment to be submitted to the states by the August 2nd deadline?

Passing an amendment to the Constitution is one of the most serious processes the United States Congress can undertake, requiring a two thirds supermajority of support in both the House and Senate and ratification by three fourths (¾ths) of the States. The Founders purposely made the amendment process a long and arduous one. Do my Republican colleagues really expect Congress to capriciously pass an amendment altering our Nation's founding document on such short notice; an amendment that will fundamentally change our country without reasonable time for debate; without the opportunity for a hearing or questioning of witnesses; without any reports as to what impact it may have?

By tying the fate of whether the United States pays its debt obligations to the historically prolonged Constitutional amendment process, the Republicans who support this bill have demonstrated, at this critical juncture in American history, that they are profoundly irresponsible when it comes to the integrity of our economy and utterly bereft of sensible solutions for fixing it.

Moreover, the Constitutional amendment itself is merely a ploy to make tax cuts for the wealthy and tax loopholes for big corporations a permanent fixture of American governance. It would make any revenue-raising measure unconstitutional unless a two-thirds supermajority approves it. This is simply unprecedented and unacceptable.

H.J. Res. 1, one of the Constitutional amendment bills acceptable under this bill, limits annual federal spending to 20 percent of the prior year's gross domestic product (GDP), a limit even lower than 20 percent of the current year's GDP since GDP typically grows each year. By contrast, federal spending averaged 22 percent of GDP during Ronald Reagan's presidency—before the baby boomers had reached retirement age, swelling the population eligible for Social Security and Medicare, and when health care costs were much lower. As written this bill would render Social Security unconstitutional in its current form. Capping future spending below Reagan-era

levels would force devastating cuts to Medicaid, Medicare, Social Security, Head Start, child care, Pell grants, and many other critical programs.

Any cuts made to accommodate a mandated balanced budget would fall most heavily on domestic discretionary programs; the immediate result of a balanced budget amendment would be devastating cuts in education, homeland security, public safety, health care and research, transportation and other vital services.

As written this bill would cut total funding for non-defense discretionary programs by approximately 70 percent in 2021, and by more than \$3 trillion over the next ten years. This includes veterans' medical care, most homeland security activities, border protection, and the FBI. These cuts will impact funds to protect our Nation's food and water supply, environmental protections, medical research, education, and services for disadvantaged or abused children, frail elderly people, and people with severe disabilities.

H.J. Res 1 proposes to convert Medicare to vouchers and raises its eligibility from age 65 to 67. It also raises the Social Security retirement age to 70. It contains cuts to the core programs for the poorest and most disadvantaged Americans in 2021; Medicaid, the Supplemental Nutrition Assistance Program (SNAP, formerly food stamps), and Supplemental Security Income would all be cut in half.

This bill will make victims of natural disasters part of the "Loser Club." As the drought in Texas continues, ranchers are forced to sell cattle in the largest beef-producing state. The drought has also induced wildfires. Just last month, a fire that lasted more than a week burned over 4,200 acres and destroyed between two and three million dollars in timber. Since November 2010, more than 13,000 fires have burned over 3.29 million acres of Texas land. Texas Governor Rick Perry requested that the President declare disaster areas in the State of Texas in order to make those areas eligible for federal relief funds. This bill threatens to take away those very funds.

In the State of Missouri, storms, tornadoes, and floods recently ravaged the lands. A nuclear plant was inches of water away from being shut down because of rising flood water. Levees failed to block surging flood waters. The Army Corps of Engineers responded, helping with hundreds of thousands of sandbags.

This bill threatens to make losers out of the people who suffer from these natural disasters. The Small Business Administration (SBA) helps homeowners, renters, businesses of all sizes, and private nonprofit organizations to fund repair or rebuilding efforts and cover the cost of replacing lost or personal property destroyed by disasters. The SBA sets up temporary disaster loan outreach centers where small business applicants can apply for low interest loans and information and updates. The SBA lets natural disaster victims submit disaster loan applications for damage and losses from storms, tornadoes, and flooding. Instead of submitting applications to the SBA, victims of natural disasters will be submitting applications to join the "Loser Club."

The Federal Emergency Management Agency (FEMA) receives applications for assistance

in the form of grants and loans. Private insurance companies deny many claims. Private insurance may not be enough to cover the losses. Specialists from the FEMA go on foot and help families with losses from natural disasters. They offer loans up to \$200,000 to repair or replace real estate; \$40k to repair or replace personal property, at low interest rates. Once funding is stripped from this disaster loan program, are people going to be happy with the interest rates that are provided courtesy of their Loser Club membership?

My home state of Texas ranks 43rd in education, and last (50th) in the nation in people over 25 who only have a high school education. This bill will destroy the hopes and dreams of people who are striving to improve those numbers. With this bill, our children will be given a "Loser Club" education and go on to earn "Losers Club" degrees.

An alternative plan, put forth by Senate Democratic and Republican Majority and Minority Leaders HARRY REID and MITCH MCCONNELL, respectively, deals with the debt ceiling crisis in a way that is less controversial for Democrats. Although still in the negotiation stages, the plan has a few emerging ideas and general bipartisan support in the Senate. However, House Republicans have expressed their dissatisfaction with the proposal.

Tentatively, the Reid-McConnell debt ceiling proposal would allow the President to raise the debt ceiling 3 times in the next year in an amount totaling \$2.5 trillion. Furthermore, it permits Congress to vote on a resolution of disapproval of each increase of the debt ceiling, essentially assigning blame to President Obama for each increase. It includes a plan to reduce the deficit in the amount of \$1.5 trillion over 10 years through cuts to domestic programs, while avoiding cuts to entitlement programs or raising new taxes.

Moreover, the Reid-McConnell debt ceiling proposal would create a new Congressional panel tasked with coming up with, by the end of the year, a way of reducing the deficit by another \$2.5 trillion or more through cuts in entitlements and other yet-to-be identified steps. The proposed committee would be comprised of 12 lawmakers who would issue a report to Congress on how to achieve this. While I am still not convinced that the cuts for this proposal will not unfairly harm our seniors and other beneficiaries of domestic programs, I anticipate the product of these negotiations, as they appear to be far more realistic than the bill before us today.

I urge my colleagues to consider the constituents in their home districts who would be hurt by the "Tap Dance, Loser Club, and Bust Bill." My Republican colleagues who support the passage of this bill seem more concerned with advancing their own agenda rather than with resolving a debt ceiling crisis that is placing our economy in great peril. Federal Reserve Chairman Ben Bernanke warned that defaulting could "throw the financial system into chaos", and "destroy the trust and confidence that global investors have in Treasury securities as being the safest liquid assets in the world". Instead of injecting ideological spending cuts and bizarre Constitutional amendments, into the traditionally non-political business of raising the debt ceiling, we must work quickly to pass a bill that makes good on

our debt obligations and restores confidence in American credit.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Members are advised to heed the gavel and consume only the time yielded them by the managers of the floor.

Mr. GARRETT. Mr. Speaker, I would just remind Members of what the leader on the other side said, wondering whether Members have actually read the bill. If Members do read the bill, they understand that Cut, Cap, and Balance, as provided before us, actually does those three things and allows us to pay the bills at the same time.

With that, I yield 1 minute to the gentleman from Florida (Mr. ROSS).

Mr. ROSS of Florida. I thank the gentleman for yielding.

Mr. Speaker, for the last 30 years, I have spent my life as a husband, a small business owner, and a State legislator. And one thing I have learned from this is that common sense is not so common here in Washington, D.C. As a husband, I know it would be irresponsible to buy a shiny new car or a new boat when my family couldn't afford to make their mortgage payment or their food payment. As a business owner, I know that when I didn't have enough to meet my expenses, I didn't raise revenues on my customers. I cut back my expenses. And as a legislator, I knew that with a balanced budget amendment, we could operate a State successfully. In the State of Florida, we did that. You do not see Floridians running down the street hungry and rioting. No, you see Florida living within its means because of a balanced budget amendment.

Mr. Speaker, those opposed to this plan are frightened. They are frightened because they know that any cuts agreed to in "deals" aren't binding on a future Congress and a balanced budget amendment is. They know that Cut, Cap, and Balance brings real spending reductions today and will force government in the future to get an agreement of the whole family, the supermajority, to go into debt or raise taxes. A balanced budget amendment is common sense. The American people are watching, and their patience is wearing thin.

Mr. VAN HOLLEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. GARRETT. I yield 1 minute to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. Mr. Speaker, with a record debt level of \$14.2 trillion, unemployment at 9.2 percent, and our spending habits out of control, Americans are searching for answers. They are searching for a plan that gives them real hope, a lifeline that will pull them out of the water and onto solid ground. The Cut, Cap, and Balance Act is that lifeline. It is a simple plan with guaranteed results.



Raising the debt ceiling without serious spending reforms would be nothing more than a green light for more of President Obama's failed spending programs, more job-destroying tax hikes, and more crushing debt. The President's policies have us borrowing 40 cents on every dollar we spend and will make our children foot the bill. This will bankrupt America and jeopardize our children's futures.

We must take extraordinary action to solve our debt problems, and I urge my colleagues to support the Cut, Cap, and Balance Act. By making immediate cuts and bringing Federal spending in line with historic averages, we can promote job growth, sustain our Nation's economic viability, and ensure that the future of America is secure. Mr. Speaker, Members of Congress, let's throw Americans a lifeline and vote "yes" on the Cut, Cap, and Balance Act.

Mr. VAN HOLLEN. Mr. Speaker, it does not throw Americans a lifeline to write into the Constitution of the United States a provision that creates a preference for cutting Medicare and Social Security over cutting subsidies for oil companies.

I reserve the balance of my time.

Mr. GARRETT. I yield 1 minute to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Speaker, I am one of the original sponsors of the tax limitation/balanced budget amendment under the Contract with America back in 1995. I have got one of the most conservative voting records in the House over the last 25 years. Common sense tells you that our budget problem today is a spending problem. It is not a revenue problem. And as the first law of ditch-digging says, When you are digging a hole, in order to fill it, you've got to stop digging it deeper.

President Obama's budget that he submitted to the Congress earlier this year does not have a budget deficit of less than \$500 billion over a 10-year period. Cut, Cap, and Balance may have some technical issues with it, but the basic premise is sound: We need to spend less money short term, this year; we need to spend less money in the next 5 years; and we need a constitutional amendment that locks into place that we, over time, have to balance our budget every year unless there is some act of war or national emergency going on that takes a two-thirds vote to override. Vote for this bill later this evening.

Mr. VAN HOLLEN. I continue to reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from New Jersey has 30 seconds remaining.

Mr. GARRETT. At this point, I will yield that 30 seconds to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Speaker, one problem that I see from

my colleagues across the aisle and the President is that many of them have never signed the front of a paycheck. They have only signed the back of a paycheck. I was a small-town banker for 8½ years. I practice the five Cs of credit: character, capacity, capital, collateral, and cash flow.

If our country was held to these same standards, President Obama would never get the loan that he's asking for. I have struggled on this vote because of the \$14 trillion of debt that our Nation faces. President Obama has yet to come up with a plan that changes our spending trajectory, but this House has. Cut, Cap, and Balance—it's not just any plan, but it's revolutionarily reformed the way Congress spends money.

We aren't \$14 trillion in debt because we tax Americans too little. We're in debt because Congress has spent too much money. We don't have a revenue problem, folks. We have a spending problem.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

The gentleman from Ohio (Mr. JORDAN) is recognized for 30 minutes.

Mr. JORDAN. I yield such time as he may consume to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I thank the gentleman from Ohio for that.

Folks, reforms like a balanced budget amendment, coupled with spending caps and significant spending cuts, are the types of revolutionary reforms that can prevent our children and grandchildren from inheriting mountains of debt. Passing off the debt problem to them may be the easy way. But it is not the American way, and it's definitely not the Christian way.

As President Reagan said, "You and I, as individuals, can, by borrowing, live beyond our means, but only for a limited period of time. Why, then, should we think that collectively, as a Nation, we're not bound by that same limitation? We must act today in order to preserve tomorrow."

Mr. VAN HOLLEN. Mr. Speaker, I would point out that when Ronald Reagan was President, he raised the debt ceiling 17 times and specifically wrote to the Congress, saying that failure to pay our bills would jeopardize the creditworthiness and trustworthiness of the United States. Let's not make that mistake. President Reagan didn't want to make that mistake.

I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH).

□ 1730

Mr. FATTAH. Members speak with so much certainty about these things. It's not what we know that's the problem. It's what we know that just isn't so.

Now, first and foremost, when we look at the Constitution of the United

States, and we look at article I, when we deal with the legislature, among other things, the items or powers granted to the legislature, the first one is to borrow on credit on behalf of the United States. Now, if the Forefathers had no notion that we would be borrowing, they would not have granted this as the first enumerated power to the legislature.

But let's deal with this more commonsensical misinformation that's been shared on the floor. They said, well, most families have to balance their budgets. No, our families have mortgages. They don't wait till they get homeless to then go the bank to try to get a roof over their family's head. They borrow so they can have a home.

They don't wait until they need a car; they borrow the money to have the car.

They said most businesses balance their budget. The manufacturers in my district don't wait until their machines fall apart to recapitalize their business. So we need to stop dealing in falsehoods here and know that our country, the greatest superpower in the world, has to act in responsible ways.

I encourage a "no" vote on this proposal.

Mr. JORDAN. I yield 1 minute to the gentleman from the great State of Louisiana (Mr. LANDRY).

Mr. LANDRY. Mr. Speaker, I rise in favor of H.R. 2560.

We need to set the record straight. See, the President said we don't need a constitutional amendment to make government do its job. I don't see why he cares. He normally ignores the Constitution most of the time.

He says he will veto this bill if it comes to his desk. Well, he can go ahead and veto it; but if he does, it is he who is choosing our seniors over everyone else. It is he who is choosing not to move America forward.

Let's look at the record. House Republicans reluctantly passed a CR which was diluted by him and the Senate. We passed a budget, something the Senate hasn't done in 811 days, and something the last Congress didn't do in the last year of the last Congress.

I'm sorry if they don't like our plan, but the President hasn't even put up a plan. He gives us no choice.

So, no, Mr. President, we don't need a balanced budget amendment, but you do.

Therefore, I urge my colleagues to rise and support Cut, Cap, and Balance. ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore. The Chair has a plethora of advisories. First of all, Members are reminded to address their remarks to the Chair and not to others in the second person.

Secondly, personally disparaging remarks directed at the President of the United States are inappropriate.

Mr. VAN HOLLEN. Mr. Speaker, I reserve the balance of my time.



Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Speaker, we're broke. Everyone from the small business owner in West Virginia to Standard and Poor's and Moody's is looking to Washington to solve this fiscal mess.

We have a responsibility to demonstrate that we can responsibly raise the debt ceiling by changing the way Washington treats the taxpayers' dollars. The reason we're in over our heads is not because we're taxed too little; it's because we spend too much.

The bill before us today, Cut, Cap, and Balance, is a tangible idea that demonstrates we have to pay our bills while making sure our future credit card statements are not budget-busting.

If we want to protect our seniors and our grandchildren, encourage small business, and create jobs and safeguard the American Dream, we need to get our economy back on track. That starts with living within our means. It's about time.

Mr. VAN HOLLEN. Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. I yield 1 minute to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Mr. Speaker, the American people know that Washington has a massive spending and debt problem that threatens not only our Nation's credit rating, but our fiscal future.

As a father of four, I understand the threat our Nation's fiscal crisis poses to them and to others in their generation. A child born today inherits more than \$45,000 of debt, an astounding and terrifying statistic.

It's clear that Congress needs to cut spending to ensure that America remains strong and prosperous for future generations. We must fight both the threat of downgrade and the threat of default. This commonsense bill provides a guide to doing just that, without raising taxes on job creators.

We must force this government to live within its means, preserve our Nation's sterling credit rating, and fight for a brighter future for our kids and our grandkids.

I urge my colleagues on both sides of the aisle to support the Cut, Cap, and Balance bill and send it to the Senate with the strongest possible support.

Mr. VAN HOLLEN. Mr. Speaker, I still fail to see how it helps our kids and helps our seniors to write into the Constitution of the United States a bias in favor of cutting Medicare and cutting Social Security and cutting education before cutting special interest tax breaks. They would require only a majority to cut Social Security and Medicare, but two-thirds to get rid of special interest tax breaks for the purpose of reducing the deficit. That's why this is a question of priorities and a question of balance.

How do we reduce the deficit? How do we get it into balance?

I yield 1½ minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentleman for his leadership and for pointing out the priorities and the focus and the injustice and unfairness of the Republican proposal.

At a time when Congress should be laser focused on finding new ways to grow our economy and create American jobs, we find ourselves, once again, bogged down in producing the Republican version of "Waiting for Godot." We all know that this bill will never become law, that it is going nowhere in the Senate.

Their slash-and-burn cuts have not created a single job for hardworking middle class families. And, in fact, most economists say that cutting too deeply, too strongly would hinder economic recovery and could return us to a recession.

For the average American family, the Republican proposal would mean a cut in their future prospects, a cap on their dreams for tomorrow, and balancing the budget on the backs of America's seniors, while they refuse to even look at cutting a special interest tax break or subsidy. They continue to subsidize companies that send our jobs overseas and subsidize record-breaking profits that our oil companies have, but they're subsidizing some of them to the tune of 40 percent.

The Republicans have brought us to the brink of a national default in an effort to force the American people to accept their ideological agenda.

Mr. JORDAN. Mr. Speaker, before yielding to the gentleman from Indiana, let me just say this: This idea that there's no chance this will pass the Senate, how do we know? We don't know until we send it over there. Maybe HARRY REID will have the courage to bring it up on the floor. We don't know.

You know what? Every Friday night when they get ready to play the game, there's always one team that's favored, maybe heavily favored. But they still kick the ball off, they still play the game, and sometimes the underdog wins.

In fact, anything of real magnitude that's ever happened, the conventional wisdom was, it can't happen. So how do we know?

I'm sick of this argument it can't happen in the Senate. We don't know that. If the conventional wisdom always won out, there wouldn't be a United States of America. This is one of those historic moments. And to say this thing can't pass the Senate is just plain wrong, just plain wrong.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. JORDAN. I yield to the gentleman from Maryland.

Mr. VAN HOLLEN. Here's the question. As you know, this requires that we later pass a constitutional amendment. In fact, between now and August 2 we have to pass a constitutional amendment which, of course, requires two-thirds in the House. We'll find out by later this evening whether or not this bill will even get two-thirds in the House.

Mr. JORDAN. I think it's going to get 218, and we'll send it to the Senate. At some point we may be able to get two-thirds. That's our whole goal. This bill needs 218.

Mr. VAN HOLLEN. The point is, this bill says you can't continue to pay the bills unless, between now and August 2 or whenever—

Mr. JORDAN. I know what the bill says.

Mr. VAN HOLLEN. We pass a constitutional amendment with the provisions that you have in here. And so it will be a test today whether you can get the two-thirds to change the Constitution in the ways you're talking about.

□ 1740

Mr. JORDAN. Reclaiming my time, is the gentleman from Maryland suggesting that if there are some changes made to the balanced budget amendment in our legislation that there would be 50 votes in the House to support it on your side?

Mr. VAN HOLLEN. I've already indicated that there is a conversation to be had with respect to what is a reasonable approach, but that is absolutely not what we're dealing with in this particular bill as we've debated.

Mr. JORDAN. That's good to know. Reclaiming my time, so what you're saying is you guys actually think the balanced budget amendment is a good idea and something we need.

Mr. VAN HOLLEN. We believe, as the President said, the best way for us to balance the budget is to get together and hammer out a deal sooner rather than later.

Mr. JORDAN. Oh, that's really worked well over the last 40 years.

I yield 15 seconds to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, the American people who may be paying attention to this whole debate may be a little confused; so let me just sum it up in one sentence: They want to spend more, they want to tax more, and we don't.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Mr. Speaker, if what the gentleman is saying is that we think we should get rid of a lot of the pork barrel spending in the Tax Code, whether it's oil subsidies or whether it's for corporate jets, yes, we think we should get rid of some of that stuff for the purpose of reducing the deficit.

Mr. JORDAN. Will the gentleman yield for a question?

Mr. VAN HOLLEN. We have a lot less time; otherwise, I would.

If the Speaker would tell us how much time is remaining.

The SPEAKER pro tempore. The gentleman from Ohio has 23¾ minutes remaining, and the gentleman from Maryland has 40½ minutes remaining. Then the gentleman from Wisconsin (Mr. RYAN) will control 30 minutes.

Mr. VAN HOLLEN. Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. I yield 1 minute to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Speaker, we've had a great debate here on Cut, Cap, and Balance. All the points have been made. But as I sit here and listen to this debate, Mr. Speaker, I can't help but notice the hypocrisy.

We're dealing with the other side, who is the advocate of three wars. They have a \$1 trillion stimulus bill, a \$1 trillion-plus ObamaCare, and they don't want to come to the table and have a conversation about how we're going to reduce spending in the U.S. Government. And then we hear all this conversation about tax loopholes. Well, welcome to the party.

Mr. Speaker, 2 months ago, we had a bill on the floor where we did away with all these loopholes and reformed our tax codes and they did nothing to support that reform, and now they demagogue our plan again.

We hear about sending jobs overseas. Well, jobs are going overseas because we're taxing our businesses too much. When you tax them too much, they go other places. And when they go other places—like China, India, Mexico, and Vietnam—they take our jobs with them.

I've heard a lot about Medicare. The only party in this House who has cut Medicare is the Democrat Party—\$500 billion out of Medicare in an IPAB bill that is going to ration care for our seniors.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will again remind Members to heed the gavel and consume only the time yielded to them.

Mr. VAN HOLLEN. Mr. Speaker, I would urge my colleagues to look at the Congressional Budget Office analysis of the impact of the Republican budget on senior citizens on Medicare. Essentially what they do is give seniors a raw deal compared to what Members of Congress get themselves, a raw deal in a big way.

I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana, Dr. FLEMING.

Mr. FLEMING. Mr. Speaker, but for the President of the United States who serves today and a Democrat-controlled Congress over the last 2 years, we wouldn't be here today debating this; \$3.8 trillion added to our debt and continuing on that same glidepath.

Mr. Speaker, we're here today because people across America—businesses, cities, States—all have to balance their budgets. The only game in this country, the only entity that doesn't have to balance its budget is the Federal Government, and that's what has ruined our economy.

So all we're asking for in this bill is simply to immediately cut \$111 million in fiscal 2012; begin capping our spending rates, bringing it down to what's traditional, 18 percent; and then, finally, passing a balanced budget amendment that will finally put the restraints on this body, on the President of the United States, and certainly on the Senate, finally, so we will begin doing the people's work and allow this economy to flourish once again.

Mr. VAN HOLLEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. SOUTHERLAND).

Mr. SOUTHERLAND. Mr. Speaker, every second of every day Washington adds another \$40,000 to our national debt. In fact, by the time I finish speaking this sentence our national debt will increase another \$360,000—\$360,000 in one sentence.

We've reached the edge of a cliff, and it's going to take tough decisions and responsible leadership to eliminate this massive, massive debt. That's why today I rise in support of H.R. 2560, the Cut, Cap, and Balance Act of 2011. I support it because it's right, not because it's a Republican plan, but because it's a commonsense plan. It's the American family plan.

Every American family cuts their budget, caps their budget, and balances their budget with their own finances; so should Washington. That is not an unfair expectation. To argue against this is to argue against common sense. This is to say, as bad parents do, "Do as I say, not as I do." That is bad parenting, and that's also bad legislation.

Unfortunately, over the past 3 months, our efforts to get serious about this crisis have been met with scare tactics. Enough. Enough of the political parlor tricks coming out of this city. It is time for us to do the job that the American people sent us here to do: practice common, walking-around sense. That's what my grandfather taught me. That's good at home; that's good in the family; that's good in small business; and it is good enough for Washington, D.C.

Mr. VAN HOLLEN. Mr. Speaker, American families don't have the luxury of saying if we don't get things 100 percent our way, we won't pay our family bills.

I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Our national unemployment rate is stuck at over 9 per-

cent. We're currently borrowing 43 cents on every dollar that's spent around here, and our national debt stands at a staggering \$14.5 trillion. The American people are demanding that we in Congress provide real solutions to these serious problems. The Cut, Cap, and Balance Act does just that.

The debate today is not whether we should make good on our current obligations. We're all in agreement that we must pay our bills, but the spending in Washington is out of control and it has to stop. We have to cap future spending, and passing a balanced budget amendment is critical to doing that; because, let's face it, historically Congress has shown no will or the ability to stop its addiction to spending.

Right now, back in my district in Cincinnati, hardworking Americans are making tough decisions, tightening their belts, and making sacrifices to pay their bills. They expect us to do the same.

Now let's do the right thing and pass this critical bill.

Mr. VAN HOLLEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JORDAN. I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, this has been a fascinating debate. Members on both sides of the aisle stand and claim moral superiority when it comes to the debt that we've accumulated. There is plenty of blame to go around.

When Republicans had majorities in both the House and the Senate and when there was a Republican in the White House, we behaved badly, from No Child Left Behind to prescription drug benefits, bloated farm bills, swollen highway bills, bridges to nowhere, pork strewn everywhere. Let's be honest, we were headed toward this fiscal cliff long before the current President took the wheel.

□ 1750

So here we are today, Mr. Speaker. It matters little who drove what shift. What matters is that we, both parties, are teetering on the fiscal cliff, getting ready to drag the country into the abyss.

Fortunately, the 2006 midterm elections sent many of us on a detour on the road to Damascus, and we are here today with a cut, cap, and balance plan that will put us back on sure financial footing. If the other side of the aisle has a plan that does not entail more of the same behavior that got us here, we should consider that plan. To date, we have seen no such plan.

I urge my colleagues on both sides of the aisle to support this cut, cap, and balance legislation.

Mr. VAN HOLLEN. Mr. Speaker, I agree with a lot of what the gentleman said.

I would say that the President has put a plan on the table to reduce the

deficit by \$4 trillion over about 10 years. It does it with \$3 in spending cuts to \$1 in revenue. That approach apparently was rejected by our colleagues.

I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, you know why it was rejected? Because it is the same old game. It is exactly the same old game. The cuts come in the out-years; the tax increases come now. And, oh, here we go again. And, yes, there are no specifics to it. It is the same old game.

I yield 3 minutes to the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the gentleman for yielding.

Mr. Speaker, I sit back, and as we are watching the debate today, I have got to take my hat off to the gentleman from Maryland, who I think has the toughest job in the whole Chamber, Mr. Speaker; and that is, he is basically, today, the lawyer for the status quo. And that's a tough job. That's a tough argument to make. No matter how thoughtful the arguments have been on this side of the aisle that there is an urgency, no matter how poignant the arguments are that there is an urgency, no matter how jarring the unemployment figures are at 9.2 percent, no matter what the rating agencies are saying, the gentleman from Maryland is basically saying: No, no, no, there's a better plan.

But I would submit that there is no better plan. There is no more balanced plan than cut, cap, and balance.

Most Americans as they are listening to this debate, they are hearing Washington, D.C., basically say hold the line. Defend the status quo. Lash ourselves to the mast and we're going to get around the cape, by golly, if we only stick on the current course. Well, the current course is a failure. There's nobody who can defend the status quo with a straight face.

What happens now is this majority has come up and said: Okay, there is a pathway forward, and the pathway forward is immediate short term and long term. And I don't see what the argument is.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. ROSKAM. I am happy to yield to the gentleman from Maryland.

Mr. VAN HOLLEN. I thank the gentleman.

If what you mean by protecting the status quo is meaning that I am opposed to actually manipulating the Constitution of the United States to make it harder to reduce special interest tax breaks, yes, I don't think we should change the Constitution that way. But if you mean we should—

Mr. ROSKAM. I will graciously reclaim my time.

Furthermore, they are doing it in an orderly basis; that is, amending the Constitution forthrightly and directly.

I think, in closing, Mr. Speaker, my hat is off to the gentleman from Maryland who, no matter what the majority has come up with, always comes up with some argument that just defies logic. But I think most Americans, as they are listening to this debate, are saying cut it, cap it, and balance it. And do it now.

Mr. VAN HOLLEN. Mr. Speaker, I think what will defy the logic of the American people is why our Republican colleagues are going to write into the Constitution of the United States a provision that says a majority vote is needed to cut Medicare, a majority vote is needed to cut Social Security, a majority vote is needed to cut education, but you need two-thirds vote to cut subsidies for Big Oil companies, you need a two-thirds vote to get rid of subsidies for corporate jets. That is something that defies logic.

You would also write into the Constitution a provision that says even if you balanced the budget at 19 percent of GDP or some other level so that we can meet the needs of Social Security and Medicare, you wouldn't be able to do that. You would constitutionally prohibit that kind of balanced budget, one that meets the needs of Social Security and Medicare beneficiaries. That defies logic.

I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, what defies logic is a \$14 trillion debt and the Democrats' unwillingness to say let's do what everyone else has to do. Let's put a balanced budget requirement in the Constitution so that politicians have to do what they have to do in their homes.

Obviously, the other route didn't work. So what part of \$14 trillion don't you understand? What part of balancing the budget don't you understand?

Mr. VAN HOLLEN. I understand \$14 trillion and—

The SPEAKER pro tempore. The gentleman from Ohio controls the time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair, understanding that there are passionate arguments on both sides, would ask all Members to observe the decorum of the House and conduct debate accordingly by speaking one at a time.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MCCARTHY), the distinguished majority whip.

Mr. MCCARTHY of California. I thank my colleague from Ohio for yielding and for his work on this legislation.

It is interesting to listen to the debate, and that is healthy. That's why we are on this floor.

"Defying logic," an interesting term. Defying logic, when you think of a debt limit. What is a debt limit, and why are we debating it?

The debt limit, to the American people so you understand, is to pay for the obligations that this government has already promised.

So let's think about defying logic.

The economy is tough, so I sat in this House and I watched the other side of the aisle, Mr. Speaker, put together a stimulus bill where I even watched their own people stand on the floor and say they didn't know if it would work. At the end of the day, defying logic meant \$278,000 for every job that was created.

Defying logic to the American public is that more people in America today believe that Elvis Presley is alive than the stimulus created a job. Defying logic is that we have gone 28 straight months with unemployment above 8 percent. Defying logic is to continue this pattern. But today we have a debate. Today we have a choice. Today we can take a new path.

I understand why so vigorously you fight this; because it would be a change to America. It would change the direction. And the one thing I would ask is: When will the assault on the American people stop? That would be defying the pattern of where we are going to go.

So I want to ask you one thing. We ask in this bill to cut where you had government spending, just discretionary, gone up 84 percent in the last 3 years—to small business, that would be quite odd that they weren't able to do that—that we are going to cap it so it can't grow out of control, and then we're going to ask for a balanced budget that 49 States even have as a statute.

What I want to say today is a new path. It is not a path to repeating mistakes; it is a path to a new future. When you think of a balanced budget and you question whether it will pass, you know, 16 years ago we came one vote shy in the Senate. It passed this body with fewer people on this side. That meant people on the other side of the aisle voted for it. There are some of the people in your leadership who have voted for it.

Now, I want the American people to think and imagine, imagine had we gotten that one vote, the debate today would not have taken place. The debate today would not be about \$14 trillion. The debate today wouldn't be that we had to change the path. The debate today would be about the future of this country. What do you think we would be debating? What investments we would make to continue to make this country strong? What ability we could grow with our businesses, and it wouldn't be about unemployment.

So I want to harken back to a former President who said we could go to that shiny city on the hill. My charge is for this body to join us on that climb because this is the first step. And when we get there, we will recharge that light so this country burns brighter

with freedom and liberty than it has in times before.

Mr. VAN HOLLEN. Mr. Speaker, there are some things that we want to change, and there are some things we don't want to change. One of the things we don't want to change capriciously is the Constitution of the United States of America.

I think many of us think it is a corruption to the Constitution to write in provisions that say you can only balance the budget the way the Republicans want to balance the budget; you can only do it by capping things at 18 percent even if that means deep cuts to Social Security and deep cuts to Medicare.

□ 1800

We think it's a corruption of the Constitution to write into the founding document a provision that says it's easier to cut Medicare and Social Security than corporate tax breaks. That is in here. We keep hearing 49 out of 50 States. Forty-nine out of 50 States do not write those kind of provisions into their State Constitutions—a very few do—and for good reason: They're bad ideas, they're bad ideas now, and they will be bad ideas in the future which would constrain a Congress from balancing the budget in a way that reflects the will of the American people.

I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I would just add, 38 of those 50 States would have to agree to this before the Constitution would be amended. The gentleman can say, oh, we're going to write this in. The States get to decide this. That's the other part of this equation.

I would yield 2 minutes to the gentleman from South Carolina (Mr. GOWDY).

Mr. GOWDY. I want to thank the gentleman from Ohio for yielding and for his leadership on this and so many other issues.

Mr. Speaker, the President says he wants to do a big deal. He says he wants to do something transformative. He wants to do something that will echo in eternity. And he's willing to risk his political career to get it done.

History tells a very different story. In 2006, Senator Barack Obama joined 47 Senate Democrats in voting "no" on raising the debt ceiling. This, the first post-partisan President, cast a decidedly partisan vote in joining every single one of his colleagues in saying "no" to raising the debt ceiling. Did calamitous have a different definition in 2006? Was reneging on your debt somehow more palatable in 2006? Was the apocalypse not blowing in 2006? In 2007 and 2008, when again this body voted on raising the debt ceiling, the President, who was a Senator from Illinois, was absent for both votes.

Fast forward to President Obama. He has proposed a budget that raises this

debt by trillions of dollars, with no spending cuts, and then he famously invites our colleague, PAUL RYAN, to the White House to lecture him on sensitivity and entitlement reform while offering absolutely no plan whatsoever on his own for entitlement reform. Then he said he wanted a clean debt ceiling increase, free from the nuisances of spending cuts, entitlement reform, and personal responsibility.

How do you go from voting "no" on raising the debt ceiling to saying you want a clean increase in the debt, to now saying you want to do something transformative that echoes in eternity?

Mr. Speaker, the President says he has a plan. Forgive our skepticism. I'd like to see the plan. I prefer cut, cap, and balance over punt, pass, and kick.

The SPEAKER pro tempore. The Chair would congratulate both floor managers as we are at 38¾ minutes on the majority side and 38 minutes on the minority side.

The Chair recognizes the gentleman from Maryland.

Mr. VAN HOLLEN. Thank you, Mr. Speaker.

I yield 2 minutes to the distinguished gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Chairman, I haven't read Ayn Rand for 45 years, so all I have as a reference point is what I've observed over the last 20 years in this body.

I remember when we were trying to pull out of the last recession in 1990. George H.W. Bush called the leaders of both political parties together. They came up with a compromise. They raised revenue, they cut spending, and they started to pull us out of the recession. The economy started rebounding.

President Clinton followed suit. In fact, he raised the top tax rates to 39.6 percent. Now we heard at the time all of the Republican arguments, that you should only cut spending, you can't raise new revenue because it's going to cost jobs, and so on. Not one Republican vote was cast for the tax increase, but what happened? We know what happened. Twenty million jobs were created. We had surpluses. We had the strongest economy in modern history. We reduced welfare. We grew the middle class. Homeownership increased. And we handed over a surplus, a projected surplus, of \$5.6 trillion. In fact, this year we would have paid off our public debt. And what happened to those who paid at that highest rate of 39.6 percent? They brought home more after-tax income than at any prior time in American history. It worked.

And now your party comes in with this attitude we've been hearing about all day, you want to drastically cut taxes, shrink government, and ensure a permanent indebtedness. In fact just this spring you voted for a Republican budget that increased the deficit by \$3.8 trillion, from \$14.3 to \$23.1 trillion over the next 10 years. But now you don't want to pay for it.

That's what happened during the last Bush administration. We didn't pay for anything. We didn't pay for tax cuts. We didn't pay for wars. We didn't pay for expansion of Medicare. That's why we're in the hole that we're in.

Alan Greenspan said, "Restore the Clinton tax rates." Every Republican in 2001 and 2003 voted to let the Bush tax cuts expire in 2011. Do it. Be responsible. Pay off our debts. Let's get back to policies that work with a government that deserves the trust of its citizens.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are again reminded to address their remarks to the Chair and not to others in the second period.

Mr. JORDAN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin (Mr. RYAN) control the balance of my time, who will also take over the final 30 minutes.

The SPEAKER pro tempore. Without objection, the gentleman from Wisconsin will now control 38¾ minutes.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time I would like to yield 1 minute to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this bill. It's no secret that our Nation's \$14.3 trillion debt poses an extraordinary threat to our financial future, and extraordinary times call for extraordinary measures. The Cut, Cap, and Balance Act would finally end the fiscal uncertainty and force the Federal Government to put the interests of the taxpayers first.

Our colleagues across the aisle claim that this plan goes too far by restricting future borrowing, but the reality is that this bill simply caps spending at the same sustainable rates as past generations, about 20 percent of GDP, a post-World War II average.

For too long, government has spent the taxpayers into a debt they cannot afford. Cut, Cap, and Balance would show our creditors, our competitors, and the American people that we are willing to make the tough choices needed to restore confidence and growth in the United States.

Mr. Speaker, it's time to cut the spending and give American businesses the certainty and stability they need to create jobs.

Mr. VAN HOLLEN. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PLATTS).

Mr. PLATTS. I appreciate the gentleman yielding.

I rise today in support of H.R. 2560. It is important for the President and Congress to reach a final agreement on the

debt ceiling that helps restore fiscal responsibility in Washington, honors America's obligations, and puts our Nation back on the path to prosperity.

It is clear that our economy will continue to struggle until Washington demonstrates the ability to get our spending and our debt under control. As the Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, has stated, our national debt is the biggest threat to our national security.

The Cut, Cap, and Balance bill before us addresses our Nation's spending and debt challenges in a manner that stops delaying hard decisions. We immediately cut spending by over \$100 billion, we cap spending in future years at less than 20 percent of GDP, and send a balanced budget amendment to the States for ratification.

At \$14 trillion and counting, our national debt currently is quickly approaching 100 percent of GDP. The Federal Government is borrowing 40 cents of every dollar it spends. America cannot continue on this unsustainable fiscal path. The full faith and credit of the United States Government depends on Congress acting.

I urge a "yes" vote.

□ 1810

Mr. VAN HOLLEN. I yield 1 minute to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. I rise in opposition to the drastic cuts to Social Security, Medicare, and other crucial Federal programs that this Cut, Cap, and Balance Act would force on the American people. The Cut, Cap, and Balance Act takes our Nation closer to default by holding the debt ceiling hostage until Congress passes a constitutional amendment to limit Federal spending to 18 percent of GDP. The last time Federal spending was below 18 percent of GDP was 1966. Even under Ronald Reagan, the Federal spending averaged over 22 percent of GDP. There's almost no conceivable way to revert spending back to the 1960s levels without sharp cuts in every program, including Medicare and Social Security. In order to reduce Federal spending to 18 percent of GDP, every Federal program, including Social Security and Medicare, would need to be cut by 25 percent.

Faced with the need to increase the debt ceiling in 1987, President Reagan called on Congress to raise the ceiling and said failure to do so would threaten those who rely on Social Security and veterans benefits, create instability in the financial markets, and cause the Federal deficit to soar. It's funny, I agree with President Reagan.

Our last balanced budget was in 1999 and 2000, the last years of the Democratic President Bill Clinton. Since 2001 we had 9/11, federalizing airport security, war in Iraq, Afghanistan, war on terror, a prescription drug plan for seniors, and 2001 and 2003 tax cuts—none of

these were paid for—all went to the National debt. We had a balanced annual budget without cutting Medicare or Social Security in 1999 and 2000. It is time for this chamber to end the political theater, to take the necessary steps to avoid default, and I urge my colleagues to oppose this dangerous legislation.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time I yield 1 minute to the gentleman from Virginia (Mr. HURT).

Mr. HURT. I thank the gentleman for yielding.

Mr. Speaker, today I rise in support of H.R. 2560. We are in a spending-driven debt crisis that continues to stall job creation, passes a crushing financial burden on to our children, and affecting all Fifth District Virginians. Since President Obama took office, our national debt has increased by \$3.7 trillion, raising our current total debt to an unacceptable \$14 trillion. Now, after 2½ years of reckless spending, the President is asking that we raise the debt ceiling once again. But we have yet to see any concrete plan from this administration to help rein in the out-of-control government spending that has brought us to the brink of a debt crisis.

So the House is once again leading in delivering on the message sent by the people of Virginia's Fifth District to change the culture in Washington and end the government spending spree by putting forth a commonsense proposal that will cut, cap, and balance Federal spending and force Washington to live within its means. Now is the time to put in place effective spending reforms to reduce our debt and deficits, return certainty to the marketplace, and preserve the American Dream for our children and grandchildren.

Mr. VAN HOLLEN. I yield 1 minute to the distinguished Democratic leader, the gentledady from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentleman for yielding. I commend him for his tremendous leadership as the ranking Democrat on the Budget Committee and for bringing to that debate and that discussion at the table the values of the American people and the concerns they have as they sit around their kitchen table.

They are concerned that this Saturday will mark the 200th day of the Republicans attaining the majority in the House of Representatives. And yet today another day goes by when we do not have a jobs bill on the floor. Indeed, we should have a jobs bill. This isn't a jobs bill. We should be working together to lower the deficit, to grow the economy, to create jobs; and we should be doing so in a balanced, bipartisan way. Instead, we have before us what is called the Republican plan to cut, cap, and end Medicare.

This legislation is the Republican budget that was voted on earlier this year all over again. Wildly unpopular among the American people, the Re-

publican budget, again, ended Medicare, made seniors pay more for less, while it gave take breaks to Big Oil and corporations sending jobs overseas. It made kids pay less for their education while it gave tax breaks to the wealthiest people in our country.

As our Republican colleague, Congressman JIM JORDAN, chairman of the Republican Study Committee, which is the source of this budget, said on Sunday, this legislation basically mirrors the budget proposal that the House passed this year. And indeed it does. It is summed up in one sentence: it ends Medicare, making seniors pay more, while giving take breaks to Big Oil and corporations sending jobs overseas. Furthermore, economists believe that the result of this legislation will be the result of the loss of 700,000 jobs.

This legislation harms middle class families. But don't take my word for it. Nearly 250 national organizations oppose this legislation, saying it would almost certainly necessitate massive cuts to vital programs like Social Security, Medicare, Medicaid, veterans benefits, and lead to even deeper cuts than the House-passed budget.

Mr. Speaker, I heard the previous speaker say we have to think about future generations as we go forward in this debate. Indeed, I agree. For that reason, I call young people to my office over and over again, and most recently, last week, a large group of college students, some just newly graduated, and I said, Your name is used at the table of the debt reduction; your name is used at the table that we owe this to future generations. I'd like to know from you as a member of the next generation, as a leader of the next generation, what do you think about what's going on at the debate table, the discussion table in the White House? What do you think of that? What values do you want me to bring from your generation to that table?

With great wisdom they talked about the fact that education was central to their success and to America's competitiveness now and in the future. They talked about jobs. They said, Please don't have the cuts in the legislation deter job growth and growth of the economy. They said, Please don't harm Medicare and Medicaid, because that's very important to our families. In fact, for many of our families, that enables them to afford our ability to go to college. We just wouldn't make it without that.

Actually, one other thing they talked about was, We want to share in reducing the deficit. We believe that everyone has a responsibility to do so, but we want our voices to be heard. And we're concerned with voter suppression now around the country and that barriers will be thrown up that will hurt our participation in the electoral process. So when I went to the White House, I spoke about that.

But yesterday I met with high school students, well over a hundred high school students. I asked them the same question. They had similar answers. They also said, Tell them if they care about the future generations, they should care about our education, they should care about the budget deficit, they should care about jobs. They should also care about the environment, because the condition of the environment is important to us.

But going back to those college students, that day I went into the White House and told my colleagues—the President, the Vice President, and our Democratic and Republican colleagues—what those college students said about education, for example. And then I listened to the discussion and I thought, Who is going to tell the children? Who is going to tell the children that at this table the suggestion is made that young people should spend \$36 billion more for interest on their student loans so that we can reduce the deficit, but not touch \$37 billion—almost the same number—\$37 billion in tax subsidies for Big Oil. Who's going to tell the children that that is what the values are that are being proposed by the Republicans at that table—\$36 billion more charged to students, \$37 billion as a gift to Big Oil. But don't touch that to reduce the deficit.

It's stunning to me.

So as we use the name of the next generation and what we owe them and what they expect as they come out of school or what they need in order to afford school, in some cases that increase in the cost of interest payments will make it prohibitive—not more expensive—prohibitive for young people to go to school. One young man in high school said to me yesterday, I just graduated from high school at the top of my class. I had great grades and scores and everything, but I can't afford to go to college. I can only go to the community college in my town because I can only afford to be close to home and go to a community college. So please, in whatever it is you do, don't hurt community colleges.

□ 1820

Community colleges are wonderful, and they do a great job for our country and the education of our children and the training of our workers and the rest. I had the privilege of speaking at the graduation commencement ceremony at San Francisco Community College last month, so I value what they do; but this young man had no choice because the cost of other education to him would be prohibitive, and again, because of the economic situation, he had to stay close to home.

So let's listen to these people whose names we use—the next generation, the young people. We cannot heap mountains of debt onto them. Indeed, we shouldn't. Indeed, we didn't. When

President Clinton was President, he took the deficit that he'd inherited on a path of fiscal soundness. Four of the five of his last budgets were either in surplus or in balance. You've heard that over and over again. He took a \$5.6 trillion trajectory into surplus, only to be reversed by President Bush with his tax cuts for the rich, with his giveaways to the pharmaceutical industry and by not paying for the wars. He took us on a trajectory of a swing of \$11 trillion—the biggest fiscal swing in the history of our country.

That's the path we're on.

I didn't hear anybody on the Republican side say “boo, boo” when the President was taking us so deeply into debt; and every time, we stepped up to the plate and lifted the debt ceiling because that was the right thing to do.

Much has been said, if we don't lift the debt ceiling, as to what that means to our economy. We hear sounds from the tables in boardrooms about what it will do to the stock market, the credit markets, what it will do to the fiscal soundness of our country, our reputation overseas—and that's very important. Yet it's not only important what is said around the boardroom table; it's important as to what this means around the kitchen table for America's working families.

American families could soon see an increase in their cost of mortgages, car loans, credit cards, and student loans. Social Security and veterans' checks could be held up. Stock prices, which are important to our economy, could fall with a direct hit on families' 401(k)s, pensions and savings. It would be a job destroyer, heaping more economic insecurity on America's families and on the concerns they have as to the education of their children, the health of their families and the security of their retirements around that kitchen table. Rather than making progress on the debt limit to prevent these widespread consequences for America's middle class, this legislation takes us backward: throwing up further roadblocks to increasing the debt limit.

Mr. Speaker, we still have time to come together in a bipartisan and balanced way for a “grand bargain” that would ensure our Nation meets its obligations while working toward a long-term plan to reduce the deficit, create jobs, grow the economy, and strengthen the middle class.

Let us recognize that the best way to reduce the deficit is to get the American people back to work. Let us do as the President called upon us to do: to out-build, out-educate, out-innovate the rest of the world to win the future by creating jobs. Together, we can keep America number one.

I see my distinguished friend from Indiana is here, and I heard his one-sentence summation earlier. I won't repeat it, but I'll give you my one-sentence summation on this:

This legislation ends the Medicare guarantee, making seniors pay at least \$6,000 more while giving tax breaks to Big Oil and corporations sending jobs overseas.

I hope that some of our Republican colleagues will do what they did before and vote against this budget plan. A majority of Republicans voted against this budget plan when it came to the floor the day of the Ryan budget. I call upon all of us to do the right thing for the next generation and vote “no.”

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 15 seconds only to say that the only place where our budget mentions oil is when we say we want to drill for more of it in our country. We don't address the tax issue. In fact, what we call for is eliminating loopholes to lower tax rates. We save Medicare, and guarantee the program is there for people 55 and above—more importantly, contrary to the current law, which takes Medicare away from current seniors as they now know it.

With that, Mr. Speaker, I yield 3 minutes to the House Republican Conference chairman, the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, this Nation suffers from a surplus of deficits.

First, our seniors have a health care deficit because, in the last Congress, Democrats cut Medicare by a half a trillion dollars, hastening its bankruptcy and then creating a new board, called the IPAB, in order to ration the access and quality of their health care.

Next, they brought us a jobs deficit. Millions are unemployed and they remain unemployed—the highest duration of long-term unemployment since the Great Depression.

Then, Mr. Speaker, we have the financial deficit. After the President's trillion-dollar stimulus program, which has failed miserably, after his \$1.4 trillion takeover of our health care system, after an increase of base government—24 percent in 2 years and three trillion-dollar-plus deficits in a row, we now have a debt crisis. So the President says, Do you know what? We need a balanced plan. I want you, Republicans, to raise taxes to pay for my spending.

Mr. President, one of the greatest impediments we have to job creation today is the threat of taxes to pay for your spending.

Every day, I hear from small business people in my congressional district. I heard from Kristine Tanzillo of Canton, Texas: “Washington seems to think they can tax its way out of our economic problem, which is not possible. We are not hiring or planning to grow for the next several years. We are concerned that our government will raise taxes or put other burdensome restrictions on us that we will not be profitable.”

The financial deficit is tied to our jobs deficit. The American people have a message for their government:



It is time to quit spending money we do not have. It is time to quit borrowing 42 cents on the dollar, much of it from the Chinese, and then sending the bill to our children and grandchildren. It is why, today, House Republicans bring to the floor the Cut, Cap, and Balance program.

Cut. It cuts spending to at least the '08 levels. Who thought that government was too small before President Barack Obama came into town?

Cap. Since World War II, spending has averaged 20 percent of our economy. Under this President, it's 25 percent, growing to 40. Let's keep it at 20 percent.

Balance. Every family in America has to balance their budgets around the kitchen table. Every small business has to balance their budgets as do 49 of the 50 States. But no. Our Democrat colleagues said it is radical. It is radical to balance the budget.

What I say is, if we want jobs, hope and opportunity, we must cut, cap, and balance.

Mr. VAN HOLLEN. I would again remind my colleagues that the last time the Federal Government budget was in surplus was during the Clinton administration, at a time when they took a balanced approach to deficit reduction—unfortunately, one that has been rejected by our colleagues in the communications and conversations with the President of the United States, who has put forward a proposal for \$3 in spending cuts, for \$1 in revenue, again, generated by closing special interest loopholes and by returning to the rates that were in place for the very top income earners, rates that were in place during the Clinton administration, which was the last time we were in surplus.

With that, I yield 3 minutes to a member of the Judiciary Committee, the gentleman from Virginia (Mr. SCOTT), who has been a real leader on this debate.

Mr. SCOTT of Virginia. Mr. Speaker, I oppose this legislation, and I would like to focus my comments on the balanced budget amendment because the dirty little secret about the balanced budget amendment is that it does not require a balanced budget.

□ 1830

It will actually make it more difficult for future Congresses to balance the budget, so the title is just misleading.

Let's go through some of the provisions.

The first provision of the balanced budget amendment requires a budget not in balance to require a three-fifths vote in the House and the Senate. The fact is every budget that we considered this year—in fact, most of the budgets, virtually every budget in the last 10 years—was not balanced in the first year. So all of those budgets, including

the Republican Ryan plan, even the Republican Study Committee plan, would have required a three-fifths vote to pass in both the House and the Senate.

Now, the deficit reduction requires tough votes, often career-ending votes. The 1993 Clinton budget that was on the way to paying off the national debt, if we hadn't changed it after 2001, we would have paid off the entire debt held by the public. By now, we would owe nothing to China, Japan, and Saudi Arabia. But that didn't get three-fifths of the vote, and 50 Democrats lost their seats as a result of that plan.

Likewise, this year's Republican Ryan plan, which repeals Medicare as we know it, is a good deficit reduction plan. Didn't get anywhere close to three-fifths, and Democrats have already picked up one seat in the special election because the Republican candidate supported the Republican Ryan plan.

So deficit reduction requires tough votes, and increasing the votes needed to pass it will not help pass a deficit reduction plan.

Now, while it's harder to pass a deficit reduction plan because of the three-fifths requirement, increasing the deficit can still occur. Last December, we passed \$800 billion in additional deficits by extending the tax cuts. Those still could have been passed under this legislation because you only need a simple majority to cut taxes. And a budget which even proposes additional tax cuts and even higher deficits would require the same three-fifths vote as the tough deficit reduction would require.

Tax cuts can pass by a simple majority, but tax increases will require a two-thirds vote. Common sense will tell you that that will make it harder to balance the budget.

The two-thirds provision to spend more than 18 percent of GDP will obviously put pressure on Medicare and Medicaid, since we haven't been to 18 percent of GDP since Medicare was enacted. You can cut the benefits with a simple majority, but to save the programs with additional taxes will require a two-thirds vote.

Finally, Mr. Speaker, we know that we should not be distracted by misleading titles. We should notice that the legislation will make it harder to actually balance the budget because it increases the number of Members who might have to cast career-ending votes, makes it virtually impossible to raise revenues or close loopholes. It will compel deep cuts in Social Security and Medicare, and you can't cure that with a simple nice little title.

I urge my colleagues to oppose this legislation.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. We don't have to pass this bill to read this bill. We know

what's in it. It's been online for 72 hours. The American people can go read it.

But in case you haven't read it, let me tell you what it does. It caps spending. It caps spending consistent with the discretionary spending cuts that we passed in the budget earlier this year. And it cuts some mandatory spending in 2012, setting us on the path that Moody's and S&P say they need to ensure investors that they can have confidence in U.S. treasuries.

It will create the glide path that Ben Bernanke has told us over and over that we need to bring spending under 20 percent of GDP. And it will pass a balanced budget amendment, like the vast majority of States have. This is the way to implement what we need to raise our debt ceiling.

We know that we cannot default on our debt, so we will raise our debt ceiling in a way that Standard & Poor's and Moody's have said they need to see in order to assure our borrowers that our currency is valuable, that our obligations will be met, and that we are going to get our spending under control.

As the chairman of the House Budget Committee said a few minutes ago, when we passed his budget, we passed a plan that would broaden the base of taxes and lower the rate, that would not cut Medicare for seniors, for people over 55 years of age who aren't yet on Medicare, did not touch Social Security, and yet would preserve for the American people the decisions that this country was founded on.

Mr. VAN HOLLEN. Mr. Speaker, I just remind my colleagues that only seven States placed both the supermajority requirements and the caps that this would place in the Constitution of the United States.

With that, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who has been a leader and fighter in this debate.

Ms. SCHAKOWSKY. This Republican bill cuts, caps, and balances all right—cuts Medicare, caps Medicaid, balances the budget on the backs of seniors. And Republicans like to say that the public supports a balanced budget amendment. But when you ask them if they support balancing the budget by making cuts to Medicare and Social Security, by a 2-1 margin, the American people say "no." And what liberal media outlet conducted that poll? Fox News.

There is something very, very wrong and un-American with the Republican proposal that makes it far easier to cut Medicare than to cut subsidies for oil and gas companies, easier to cut Social Security than ask for one penny more from millionaires and billionaires.

Of course we need to address our economic challenges, but not by holding our country hostage and threatening to not pay our bills with catastrophic



consequences that will hurt every American in order to push an extreme agenda that cuts Social Security, Medicare, and Medicaid.

We have a jobs crisis. We have a disappearing middle class crisis. And this illogical bill, which has no chance of becoming law, will make things much worse.

Mr. RYAN of Wisconsin. At this time I yield 2 minutes to the gentleman from Alabama, the chairman of the Financial Services Committee, Mr. BACHUS.

Mr. BACHUS. Mr. Speaker, we just heard that we were cutting Medicare; but, in fact, it was the minority party that cut \$500 billion out of Medicare last year to pass ObamaCare. How quickly we forget.

Mr. Speaker, at one time, people stored cash under their mattress for safekeeping. Now people all over the world put that same money in treasury bills. That benefits every American in countless ways. Let's not lose that advantage.

The imminent threat to the safe haven of treasury bonds and our national security is default and downgrade. However, by far, the overriding danger is too much government spending. The Federal Government must do what every family in America is called on to do at times when things are tight. That's cut spending and live within their means.

As long as we ignore our spending problem, the economy will weaken, confidence will not be restored, jobs will not be created. We, and more profoundly, our children and grandchildren, will bear the costs.

Earlier, the minority leader said: What will the students say? What will the children say?

Let me say this. When we say to them your money's all gone, we spent it, we lacked the courage to address the problems, we didn't confront the problems, what will our children say to us? What will our grandchildren say?

The heritage of America has never been "can't do"; it's always been "can do." We can do it. We can rise to the challenge. We can answer our children and our grandchildren in future years and say we did the right thing for you. We did the right thing for our country. We confronted the problems.

Mr. VAN HOLLEN. Mr. Speaker, what the Democratic leader asked was how could we tell the children that we chose to reduce the deficit by cutting their ability to afford college rather than cutting subsidies for the oil and gas industry? Those are the kind of choices we're making. This is not a question about whether to reduce the deficit. This is a question about how we do it and what priorities we have. And we think it's absolutely the wrong priority to put in the Constitution of the United States a preference to cutting education, to cutting Medicare as com-

pared to cutting subsidies for special interest corporations, special interest tax breaks for the purposes of reducing the deficit.

With that, I yield 1¼ minutes to the gentleman from New York (Mr. ENGEL).

□ 1840

Mr. ENGEL. I thank the gentleman.

I've listened to this debate for a while now. The American people want us to compromise. The American people are in the middle. That's where most of the American people are. And they don't want extremes from either side.

So what would we do logically to find a solution in the middle to close our budget deficit? We would, first of all, cut spending. Secondly, we would close tax loopholes to big corporations. And, thirdly, we would let those who can afford to pay more, pay more.

The President has proposed something like this, a \$4 trillion reduction in the deficit, and the Republicans have refused to do it. They refuse to even plug loopholes from Big Oil and Gas.

So this is where we are now. It takes two to tango. If they're going to vote "no" on anything that closes tax loopholes, then we have to just raise the debt ceiling.

Now, we voted seven times under President Bush to have a clean debt ceiling raised, 28 times under President Reagan to have a clean debt ceiling raised, and yet the Republicans won't do it and they bring us to the brink of disaster.

The truth of the matter is we don't need extremes. And, as was pointed out here before, this will end Medicare and Medicaid and Social Security as we know it because it will make it easier to cut those programs than it is to cut subsidies to Big Oil. That is shameful, and this should be rejected.

Mr. RYAN of Wisconsin. I yield myself 30 seconds to simply say, I think the gentleman threw Social Security in there for good measure in the budget. That is assumed. Underneath these caps, it doesn't address Social Security. It probably should.

But, more to the point, Mr. Speaker, guess what ends Medicare as we know it? The current law, the President's health care law. It raids \$500 billion out of Medicare to spend on another program, and then puts a board of 15 unelected, unaccountable bureaucrats in charge of price controlling and, therefore, rationing Medicare for current seniors. Medicaid's going bankrupt. If you want these programs to succeed, you have to reform these programs.

Leaders see the problem and fix the problem. That's what we propose to do.

With that, Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. NUNNELEE).

Mr. NUNNELEE. Mr. Speaker, I want to thank the gentleman for yielding.

Today the majority of Americans don't believe that successive generations will enjoy the quality of life that they've enjoyed, and a lot of that fear is driven by unrestrained Federal Government, unrestrained spending, because the majority of Americans understand the proverb: The borrower is the slave to the lender.

Just a few hours ago, Harper Grace Nunnelee entered the world. And today, in her honor, her grandfather will cast a vote to secure the blessings of liberty for Harper Grace and for her brother, Thomas, and for their successive generations yet unborn. And I hope that a majority of my colleagues will join me as we vote to cut, to cap, and to balance.

Mr. VAN HOLLEN. Mr. Speaker, I think we would all agree if we saw a wasteful spending program, we should cut it for the purpose of reducing the deficit. And the question is: If there is a wasteful or unnecessary special interest tax loophole, why shouldn't we cut it for the purpose of reducing the deficit? Why should we write into the Constitution of the United States a provision that says you need two-thirds to cut a wasteful tax loophole rather than say let's cut it to reduce the deficit for the benefit of our children?

I would also observe, Mr. Speaker, that the Republican plan, with respect to Medicare, would force seniors out of the current Medicare system into the private insurance market where the private insurance industry would ration their care. They would get a lot less support from the Medicare program and yet face much higher costs.

That is a deal that Members of Congress don't give to themselves, and I don't think we should ask seniors to take a deal that Members of Congress themselves do not take.

With that, I yield 1 minute to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker, Americans want jobs. After 200 days of Republican power in this House, not one jobs bill. This cut, slash, and burn legislation will not work.

We need an invest, grow, and build strategy. That's what Americans want from Congress. They want us to invest in education, invest in research, and invest in innovation so that America can remain a leader in the global economy. They want us to invest in infrastructure, build bridges, highways, clean energy and cut our dependence on foreign oil, because when we make it in America, that's when America will make it. Americans can make it.

Cut, yes. What we ought to cut are the Republican giveaways to the Big Oil companies, to the Wall Street barons, to the hedge fund managers who enjoy massive tax breaks. That's where the cuts ought to be. They ought to be cut out.

And what of this legislation that's before us? We ought to vote "no."

Cut what doesn't create jobs for middle class families, like Republican giveaways to big oil companies. And save what actually works, like innovation to jumpstart new industries and education to help middle class people get good jobs.

I therefore rise in strong opposition to H.R. 2560, the Cut, Cap, and Balance Act. This bill is an extreme version of the Republican budget plan that would make permanent the dangerous budgetary and constitutional measures that would destroy Medicare and Medicaid, and reduce Social Security benefits for those who need them the most. The bill would also handicap the government's ability to respond to economic downturns and create jobs, and it fails to address some of the real drivers our debt—tax breaks for corporations and the rich and runaway Pentagon spending, including our misadventures in Iraq and Afghanistan.

This legislation is an affront to the very principles of this nation. In 1961, President John F. Kennedy in his inaugural address said, "If a free society cannot help the many who are poor, it cannot save the few who are rich." Unfortunately, it seems that my colleagues on the other side of the aisle have no regard for this fundamental American value, as the bill they have brought to the floor today attempts to balance the budget on the backs of those with less for the benefit of those with more. It attempts to balance the budget on the backs of seniors, by taking away their Medicare benefits. It attempts to balance the budget on the backs of the disabled, by taking away their Social Security benefits. It attempts to balance the budget on the backs of low-income Americans, by taking away their Medicaid. And who stands to gain from taking away Medicare, Medicaid and Social Security benefits? Special interests and the rich.

In addition to taking away Medicare, Medicaid and Social Security benefits, H.R. 2560 would also subvert the federal government's ability to respond to downturns in the economy or special needs including a possible national security crisis. During inevitable cyclical downturns, it will be necessary to raise the debt limit to stimulate growth by cutting taxes and providing unemployment benefits to help people get back on their feet if they're laid off, among several proven effective measures. Furthermore, in the event of a security threat, we have an obligation to act. This bill, including the proposed balanced budget constitutional amendment would make it nearly impossible to respond to any economic or security crisis.

At the root of all of this is a system of misguided priorities. My Republican colleagues have determined that in order to balance the budget, we should prioritize cutting Medicare, Medicaid and Social Security benefits, instead of addressing what got us into this current deficit—a porous, lopsided tax code designed to make the rich richer, and two unnecessary wars, one of which we continue to wage. This bill does nothing to end the tax breaks we currently provide for millionaires and billionaires, hedge fund managers and oil companies. Nor does it address runaway Pentagon spending. Based on CBO's most conservative estimates, the DOD alone is projected to spend nearly \$300 billion on the Afghan and Iraqi wars from 2012 through 2015, and estimates by Harvard

researchers which take into account long-term costs like caring for our veterans put the total cost of these wars in the trillions. Rather than ending tax breaks for corporations and millionaires and billionaires and bringing our troops home from Afghanistan, my friends on the other side of aisle want to cut Medicare, Medicaid, and Social Security benefits for those Americans who need them.

I urge my colleagues to see this charade for what it is—an attempt to balance the budget on the backs of those with less for the benefit of those with more—and vote "no" on H.R. 2560.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 30 seconds to say, I hope the gentleman joins us in supporting our plan, then, because our plan says let's get rid of all those tax loopholes. Let's make the tax code flatter and fairer. Let's get tax rates down for all Americans and for businesses so we can grow our economy.

Mr. GARAMENDI. Will the gentleman yield?

Mr. RYAN of Wisconsin. I will not.

Here is the deal, Mr. Speaker. When we tax our businesses at higher rates than our foreign competitors tax theirs, they win; we lose. Some companies utilize loopholes and pay no taxes. Others pay the second-highest tax rate in the industrialized world.

Yielding myself 15 more seconds, I would simply say, Mr. Speaker, that the goal here is to get rid of all these loopholes so whoever you are, no matter what you make, you pay the same amount of tax rates.

We need to reform this Tax Code so we create jobs. If we simply raise taxes, raise spending, borrow more money, we lose jobs. This debt is a threat to our current economy, and the Tax Code is a current threat to our economy.

With that, Mr. Speaker, I yield 2 minutes to the gentlelady from New York (Ms. BUERKLE).

Ms. BUERKLE. I thank the gentleman from Wisconsin for yielding me this time.

Mr. Speaker, I rise in support of H.R. 2560, the Cut, Cap, and Balance Act. This legislation is strong medicine, Mr. Speaker, but it is what will cure what ails the American economy.

For far too long, Washington has overspent, borrowed, and heaped debt upon our children and our future children. If we don't make a change with cut, cap, and balance now, the American Dream will go away; and our children and our grandchildren won't have the opportunities that this country has always offered.

It's time for the Federal Government to get our spending under control; and this legislation, Mr. Speaker, is a good first step. It's a reasonable plan, far more than we've seen from the Senate or from the President. It is the only plan that will cut, cap, and balance, and do what we need to do for this economy.

Mr. Speaker, Washington has a spending problem. It does not have a taxing problem.

I would just remind the Speaker, in December, a Democratic-controlled House, a Democratic-controlled Senate, and a Democratic President passed a bill to extend the current tax rates because they knew what would happen if we raised taxes in an economy as sluggish and as poor as this one is right now. Raising taxes is the wrong thing to do for this economy and for this country.

Mr. Speaker, most States have balanced budget amendments. It's time for the Federal Government to do the same. This massive spending-induced debt is crushing the American Dream. We must stand up for the American Dream and do what's right for America.

I urge my colleagues to pass H.R. 2560, Cut, Cap, and Balance.

Mr. VAN HOLLEN. Mr. Speaker, this certainly is the only plan on the table that would insert a provision into the Constitution of the United States that makes it easier to cut Medicare and easier to cut Social Security than it is to cut subsidies to oil and gas companies or other special interests for the purpose of reducing the deficit. We think that's a bad idea. That's why it's not part of the President's balanced plan to reduce the deficit by \$4 trillion over 10 to 12 years.

□ 1850

With that, I yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, this bill has a slogan for a title and unrealistic nonsense inside. Under this, millions of students would not get Pell Grants, and education and related programs would be cut by about 25 percent.

And further, for the third time, yes, the third time, the majority is voting today to end Medicare and double health care costs for seniors. We shouldn't be surprised that the majority is squeezing out Medicare. They never liked it in the first place.

We shouldn't be surprised that they are reducing education grants. They promised they would.

We shouldn't be surprised that they want to preserve subsidies and giveaways to Big Oil and other fat cats because that's been their *raison d'être* for a century.

We should be surprised, or at least disappointed, that they want to sacrifice America's credit rating and good name. We should be disappointed too that they won't allow Congress to get on with the work, the hard work, the important work of actually making jobs.

Mr. RYAN of Wisconsin. I yield 1 minute to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, as previous speakers have said, we do not have a revenue problem, and we don't have just a spending problem. We have a doing problem.

The Federal Government for several decades has expanded beyond our core constitutional responsibilities and, in so doing, we have created the financial crisis in which we find ourselves today. A balanced budget amendment would be a great addition to the Constitution, in conjunction with and for the 10th amendment.

For, indeed, what we refer to as federalism is a solution to our problems and the salvation to this country. And this bill before us today is an excellent first step on our way to that ultimate salvation.

Mr. VAN HOLLEN. I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I want to bring the debate back to real people, to seniors who've been contacting my office sharing their fears, their concerns over inaction in this Congress over the debt crisis.

A widow from San Diego called to ask if she'd get her social security check after August 2, the payment she earned working hard for years and years. She doesn't know how she's going to pay her Medicare premiums, her mortgage, her grocery bills or her prescriptions.

Our constituents do expect us to work together to solve serious problems. Yet we seem to be stringing the American public along here, playing games with their futures.

This legislation was put together in the dark of night and brought straight to the House floor. My colleagues didn't hear from one witness on its consequences, didn't hold one hearing, and completely bypassed the regular legislative process.

Instead of wasting valuable time on legislation that won't move beyond this Chamber, we should focus on forging a bipartisan solution to the debt crisis. Let's agree on meaningful and rational solutions for the long term before the debt crisis becomes worse.

We can do one with job creation that won't slash health research, innovation, Medicare, Medicaid or education.

Mr. RYAN of Wisconsin. I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, we're broke, and that's really not the legacy that I want to leave Micah and Claire, my grandkids.

More unrestrained spending and tax increases will only slow our economy and make our fiscal problems worse. Raising the debt ceiling without significant reform is not a solution. It's a gimmick. We have to get our spending under control; and Cut, Cap and Balance is a path to fiscal responsibility.

Mr. Speaker, this year alone the Federal Government will spend twice what it spent just 10 years ago, and more than 40 percent of it is borrowed money. We will have accumulated more debt in the past 2½ years than we

did during the Presidencies of Washington through George H.W. Bush. That's right. It took 41 Presidencies to spend what we have spent since 2009.

We've got to stop spending money we don't have. It's causing the private sector to sit on the sidelines, take fewer risks, and create fewer jobs. And that's what it's all about, isn't it, growing the economy, creating jobs?

The Cut, Cap, and Balance Act automatically saves \$111 billion in 2012 and around \$5.8 trillion over the next 10 years. It includes enforceable caps on spending that will bring the size of government back to below 20 percent of GDP. And the legislation cuts up the government's credit cards by passing a balanced budget amendment.

Cut, Cap, and Balance will create a future of better opportunities for our children, Micah and Claire, my grandkids. Washington will finally have to do what every American family and every business does every day, balance the budget.

This Saturday, I enjoyed an afternoon of kicking the walnut down the street with Claire and Micah, 4½ and 3 years old, but I don't want to kick the can down the road for them.

I didn't have the guts to tell them that we've already taken their tax dollars from them before they're even at the point of going to school and ultimately going to work.

We need to stop our spending now. Cut, cap and balance.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I supported an honest, bipartisan balanced budget amendment in 1995. There is no balanced budget amendment in this legislation. There is a big dollop of legislative legerdemain and blackmail. It simply says that the Republicans will drive the country to default unless Congress later passes their right-wing version of a balanced budget amendment that requires an impossible two-thirds vote to close the most egregious tax loophole, the same loopholes that the gentleman from Wisconsin purports to want to close.

With apologies to Lewis Carroll, "There's no use trying," said Alice. "One can't believe imaginary things."

"I dare say you haven't had much practice," said the Queen. "When I was your age I did it for half an hour a day. Why, sometimes I believed as many as six imaginary things before breakfast," or in this case, before dinner and cocktails at the Republican Club.

Mr. RYAN of Wisconsin. May I inquire as to the division of time between the two.

The SPEAKER pro tempore (Mr. YODER). The gentleman from Wisconsin has 20¼ minutes, and the gentleman from Maryland has 21¾ minutes.

Mr. RYAN of Wisconsin. I yield 2 minutes to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Speaker, my reason for coming to the floor today is, look, there's already been some wonderful arguments, hopefully on our side, talking about cut, cap and balance being a realistic path to get there. But I'm here because the political rhetoric seems to lack basis in math. So let's have a little fun here.

How many times today have we already heard the comments about those corporate jets? We need to get rid of that depreciation.

Okay. Time for a little bit of mathematical reality. We borrow \$4.7 billion every year. If we were to eliminate that incentive for those corporate jet purchases, fine. But it takes care of 15 seconds of borrowing a day. How can 15 seconds of borrowing a day be an honest discussion?

So let's go on to the next one. How many times today have we already heard about evil fossil fuels, those subsidies to Big Oil?

Well, let's do this. If we were to wipe out the subsidies to all fossil fuels, it would take care of 2.2 minutes of borrowing a day. How's that an honest debate? So we're living in that fantasy world.

So let's actually go on to one of the other ones, the Bush-Obama tax extensions. You know, because how many times do we hear around here, oh, it's those millionaires and billionaires. Well, let's do this. What would the math be if you got rid of those tax extensions for all Americans? It would buy you 28 minutes of borrowing a day, and that's assuming you don't slow down the economy, you don't raise unemployment. Actually, we use the President's numbers and pretend you get every dollar in, 28 minutes a day.

So think about that. The rhetoric you've heard here for hours wouldn't even buy, or would actually only buy one-half an hour of borrowing a day.

So I turn to my brothers and sisters on the left and say, what would you like to do with the other 23½ hours of borrowing every single day?

□ 1900

Mr. VAN HOLLEN. Again, I would remind my colleagues to do the basic math. Go back to the last time the budget of the United States was in surplus; it was during the Clinton administration. It followed on some very difficult decisions in the early 1990s. And what it included, as part of a balanced approach, was asking the folks at the very top to pay a little higher rate than they are today. And what the President has proposed is to ask those Americans, as part of a shared responsibility, to go back to paying those rates.

And what our colleagues would plant in the Constitution of the United States is a supermajority requirement, two-thirds vote, to go back to the same tax rates that were in place during the

Clinton administration, but a majority vote if you want to reduce the deficit by cutting benefits for Medicare beneficiaries—whose average income, by the way, median income is under \$22,000 a year.

Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Speaker, I rise in strong opposition to the Cut, Cap and Balance Act, which is nothing more than a politically motivated distraction from the ongoing budget negotiations necessary to avoid a catastrophic default on our Nation's financial obligations. What we need at this challenging time is shared sacrifice.

The Democrats have called for significant cuts, closing tax loopholes, and requiring people in the highest income brackets to pay their fair share while Republicans continue to push an unrealistic plan that relies exclusively on draconian cuts—on the backs of our seniors, on the backs of working families.

One thing is clear: if we don't reach common ground now, America will default on its debt, and that cannot happen. The most dangerous provision of this bill is the Republican version of the so-called "balanced budget amendment." While a balanced budget amendment done the right way is worthy of consideration, it must, at a minimum, be crafted responsibly and provide flexibility in times of war, recession, or national emergency. This bill does not do that.

We all agree that the budget should be balanced; it needs to be. And Congress already has the necessary legislative tools to change its fiscal policies, as we witnessed during the era of surpluses under the Clinton administration. The challenge lies in our collective abilities and individuals' intentions to work together toward a compromise that prioritizes programs most beneficial to our economy, cuts trillions in spending, and increases revenues from those who can afford it.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 1 minute, if we're going into recalling history, just to simply say that the "corporate tax loophole" is a provision that was in the President's stimulus bill drafted by Democrats, passed by Democrats, not supported by Republicans. The "oil tax subsidies" were the result of a bipartisan legislation responding to a WTO suit which said that all American producers, manufacturers, domestic producers get lower tax rates if they produce something in America.

What the other side is simply saying is, no, let's just raise that tax on just oil and gas, not on any other manufacturer, and that is a subsidy for oil and gas.

Mr. Speaker, these provisions are so infinitesimally small, they're just fundamentally un-serious. They're just an

attempt to score political points to try and dodge coming up with solutions to solve the problem. We have a debt problem we have to deal with; we have a deficit problem we have to deal with. If we don't deal with it, we're going to lose more jobs.

With that, Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. PAULSEN).

Mr. PAULSEN. I thank the gentleman for yielding.

Mr. Speaker, it is true that we could, as some of my colleagues on the other side of the aisle suggest, continue to practice business as usual with no plan to control spending. But what will that lead to? Higher taxes, more spending, more debt, and fewer jobs. And with our country right now at a financial crossroads and unemployment at 9.2 percent, this is simply a future that we cannot afford. By cutting spending now, by capping growth of government, and by requiring a balanced budget, we can finally get our fiscal house in order and get people back to work.

American families have tightened their belts in these tough economic times; Washington should do exactly the same thing. We need to pass the Cut, Cap, and Balance Act so that we can address our spending-driven debt crisis, start paying down the national debt, and get our economy back on track. This is about protecting the future of our children and our grandchildren.

Mr. VAN HOLLEN. Mr. Speaker, I find it very curious that on the one hand our Republican colleagues are saying that the revenues that the President has requested as part of a balanced plan are peanuts, that they're irrelevant, and on the other hand arguing that somehow if you raise those revenues it's going to crush the economy. They're trying to have it both ways. The fact of the matter is they are a balanced part of an overall approach that talks about reducing our deficit in a balanced way. And I go back to the fact that the last time we had that balanced approach was the last time that we had Federal budget surpluses.

With that, I yield 1 minute to the gentleman from New York (Ms. CLARKE).

Ms. CLARKE of New York. I thank my colleague for the time.

Mr. Speaker, the Republican majority has spent over 6 months of the American people's time making it abundantly clear what their priorities are not. The Republican majority does not have time to address jobs. As I stated, we are here over 6 months into the 112th Congress, and we have yet to take one vote on a single comprehensive jobs bill.

The Republican majority does not have time to address the economic realities facing millions of homeowners still facing foreclosure. In fact, we

have voted on Republican bills that further undercut those who have lost their homes.

The Republican majority does not have time to work with the President and congressional Democrats to deal with our national debt. They would rather protect tax cuts for multi-millionaires and billionaires and tax loopholes for corporate interests.

What the Republican majority does have time for is playing games, spending 4 hours debating a bill that, thank God, is dead on arrival in the Senate.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding.

After a 3-year spending spree in which the President drove up the national debt 56 percent, he has the nerve to tell the American people to eat their peas. After he has been on this supersize-me diet, he turns around and tells struggling middle class families how to behave.

One must ask, where has the President been? He owns this economy. He has been in office nearly 3 years; it is his. It's his policies that have left 15 million Americans out of work; it's his policies that have stifled growth and business investment; it's his policies that have created and are continuing these so-called "tax breaks" for Big Oil. It's his very signature that has extended the Bush tax cuts.

It's his policies that have given us the highest deficit spending in the history of the United States of America. He owns this, not President Bush, not Vice President Cheney, not the Republican Party, not Halliburton, not all the other straw men that the President likes to set up to distract the American people. It was President Obama who cut Medicare \$562 billion. It was President Obama who set up IPAB, which is a health care rationing system which our moms and dads and grandparents will have to be suffering under. It was this President who took unemployment from 7 percent up to nearly 10 percent.

And now we're having the debate of the decade, and where is the President? We get from him, not a plan, but speeches, finger-pointing, rhetoric, vague promises, but no plan. If there is a plan, could you lay it on the table? And I'll ask my Democrat friends, do you have a plan? We keep hearing the President has a plan. Could you put it on the table? I might want to vote for it. I might be interested in reading the bill. If there is a plan, could you please put it on the table? Just as I thought, there is no plan.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield the gentleman an extra 15 seconds.

Mr. VAN HOLLEN. The gentleman asked a question. Will the gentleman yield?

Mr. KINGSTON. This is the plan: cut, cap, and balance. And this is the President's plan: speeches. That's all we're getting, no legislation whatsoever.

I'll be glad to yield to my friend from Maryland.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VAN HOLLEN. Well-timed.

□ 1910

Mr. Speaker, as the gentleman well knows, the President has put on the table a balanced approach, \$4 trillion in 10 to 12 years, \$3 in spending cuts to \$1 in revenue. In fact, the Speaker of the House and the President of the United States, as my colleagues well know, were talking about a number of components of that plan. What was very clear is our colleagues didn't want to touch it because of this principle they have that not \$1 from closing a tax loophole or revenue can go for the purpose of reducing the deficit.

We heard a little rewrite of history. Let's just remember that when the President of the United States was sworn in, he immediately faced a record \$1.3 trillion deficit. The guy took office, and it was \$1.3 trillion that he inherited. And 700,000 jobs were going down the tubes every month. It took a little while to turn things around, and things are still very, very fragile.

What would be a huge mistake is to go back to the same trickle-down on steroids policy that got us into this mess to begin with, because we know how the movie ended at the end of the Bush administration. They left this administration with a pile of debt, an economy that was falling through the floor. We need to work together to fix this problem. But taking the position that you're going to prevent the United States from paying its bills unless you implant in the Constitution a provision that says it is easier to cut Social Security and Medicare than cut corporate tax loopholes to reduce the deficit is not going to fly with the American people.

With that, I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY), the ranking member of the Natural Resources Committee.

Mr. MARKEY. I thank the gentleman. A poll completed by Gallup just 3 days ago basically showed what Democrats have been saying all along—Americans want their Congress to come together to tackle our debt level with a responsible program of spending cuts and new revenues.

Here is what the poll said: 80 percent of all voters want the Democrats and Republicans to come together on spending cuts and tax increases; 77 percent of Independents, even 74 percent of Republicans agree. CBS has a very similar poll.

But what the Republicans are saying is we're not going to pay attention.

The Republicans are suffering from deficit attention disorder. They've spent their time in power paying attention to everything but the deficit. They have deficit attention disorder. They extended massive Bush tax cuts for the rich. They voted to support billions in subsidies to the most profitable oil companies. They ran up trillions in debt to finance two wars; allowed Wall Street to run wild with deregulation and smash our economy onto the rocks, but they only want to focus on the deficit when it means ending Medicare, when it means shrinking Social Security. They only want to focus on the deficit when they can still protect billionaires and protect big business, Big Oil.

The Republicans have political amnesia. They controlled the Congress for 12 years. President Bush controlled the Presidency for 8 years. They are the ones that ran up this huge deficit on their watch. And now what are they saying? They're saying pass a constitutional amendment before we win the Presidency again so we stop us from killing the economy again. Pass a constitutional amendment that doesn't let us do it again with a Republican President, with 12 years of controlling the House and the Senate.

They want to leave America on the brink of becoming a deadbeat debtor to the world because they are irresponsible, ignoring what the American people are screaming at them: work together as parties; have deficit reductions and revenue increases and tax increases on billionaires. But the Republicans refuse to come together. They refuse to ensure that not just grandma having a shrinking of her Medicare benefit, kids losing their Pell Grants, but also billionaires are at the table if this is such an Armageddon level of financial crisis facing our country.

But they are tied. They are tied back to the Tea Party. They are tied back to those who have tethered them to a policy that does not allow them to escape their deficit attention disorder.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DOLD).

Mr. DOLD. I thank the gentleman from Wisconsin for yielding.

We did hear some rhetoric on the other side that basically said we do have a plan, that the President has laid out a plan; it's clear. Well, frankly, the CBO—the Congressional Budget Office—has taken a look at that to say we can't score speeches. This is a very serious time. We do need to talk about a big, bold plan to put ourselves and our country back on the right course.

We just heard some rhetoric talking about how this was the deficit that the Republicans had run up. Let me tell you, yes, the Republicans have had some deficit spending. This is a bipartisan issue. Washington has a spending problem. We are spending \$1.6 trillion

this year of money we don't have; 42 cents of every single dollar that we are spending is borrowed.

Mr. Speaker, I'm a small business owner. I employ just under 100 people. For me, that's 100 families. These are families that are living paycheck to paycheck. If I ran my business like the Federal Government is run today, I would be out of business inside the month. It is frankly irresponsible the way that this country is being run right now. We have to talk about tightening our belt. We cannot continue to spend the way that we have been spending and expect that we're going to get jobs. This is about jobs and the economy. We have to make sure that we're providing more certainty because I can tell you I have received phone calls from constituents and from business owners back in my district. There are 650 manufacturers in the 10th District of Illinois. They do need to have some certainty before they are going to invest back in their business and create additional jobs.

We cannot be looking at trillions of dollars in deficit spending and expect that this is going to be a jobs plan. We have to tighten our belt. The American public has tightened their belt. American families are living under a balanced budget in their own right. American businesses are doing the same. They should expect that their Federal Government should also live within their means.

There is no question that this is a very serious time. We are not going to become a deadbeat debtor. The way I tell my constituents back home, it is like purchasing a business. We think we have the best business in the world in the United States of America. And yes, it has got some debt, which we are obligated to pay. But we have to restructure how that business is taking on that debt if we are serious about wanting to reform it for next generations.

Mr. VAN HOLLEN. Mr. Speaker, it does not encourage certainty or confidence in the markets or anywhere else for one party to say that if they don't get the budget their way, they're going to prevent the United States from paying its bills. That sends a terrible message. American families don't have the luxury of saying that they're not going to pay their bills.

With that, I yield 1 minute to the gentleman from Michigan (Mr. CLARKE).

Mr. CLARKE of Michigan. Mr. Speaker, I ask this Congress to cut and cap the true debt that is crushing Americans right now, robbing them of any financial security and killing off jobs. I'm asking this Congress to take certain mortgage loans, cut those mortgage principals and cap them to current home value. Let's do that. That will help people who are underwater right now on their mortgages.

Let's cut, cap, and forgive certain student loans so Americans won't have to spend a lifetime repaying back on their education. You see, when you give Americans more money by eliminating their personal debt, they'll be able to save more and invest more and responsibly spend more. That's how you create jobs, the most powerful way. To get this economy engaged again is to help Americans become free of personal debt.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. MULVANEY), a member of the Budget Committee.

Mr. MULVANEY. "The fact that we are here today to debate raising America's debt limit is a sign of leadership failure. Leadership means that the buck stops here. Instead, Washington is shifting the burden of bad choices today on to the backs of our children and grandchildren. American has a debt problem and a failure of leadership, and Americans deserve better."

I wish I could take credit for that one, Mr. Speaker, but I can't because that was President Obama in 2006.

I also wish I could take credit for: "I'm willing to take down domestic spending to the lowest percentage of our overall economy since Dwight Eisenhower."

I wish I could take credit for that. That was the President last week.

Finally, I wish I could take credit for the claim that the President is offering a comprehensive program to force us to live within our means. This is supposedly a \$4 trillion reduction in spending, four thousand billion dollars that in all actuality only cuts spending \$2 billion next year. Talk is cheap in this town, Mr. Speaker; it is time to match actions and words. It is time to act on the spending difficulty that we have and to pass Cut, Cap, and Balance tonight.

□ 1920

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

Let me just quote from a letter:

"Denigration of the full faith and credit of the United States would have substantial effects on the domestic financial markets and on the value of the dollar in exchange markets. The Nation can ill-afford to allow such a result. The risks, the costs, the disruptions, and the incalculable damage lead me to but one conclusion, that we must pass legislation to raise the debt ceiling."

President Ronald Reagan.

Now, there's legislation floating around here that creates this delusion, into thinking that somehow we can get to that date and it's all made up, that Secretary Geithner cooked the books, and there's legislation that says, you know what, let's pay the Government of China and other creditors before we

pay our troops, before we pay our Social Security beneficiaries.

What Moody's, what Standard & Poor's, what the U.S. Chamber of Commerce and others are telling us is, you can't decide to pay your mortgage but not your car payment. If the United States is not fulfilling its obligations to pay for what it has already bought, as Ronald Reagan said, that would have catastrophic consequences.

That is why it's so dangerous to take the position that somehow unless in the next couple of weeks we pass a constitutional amendment that would make it easier to cut Medicare and Social Security than cut subsidies for the purpose of reducing the deficit, if we don't do that, we're not going to allow the United States to pay its bills, and the economy, as President Reagan said, would go straight downhill.

With that, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. Who are you kidding?

Cut, slash, and burn. You bypassed your own rules to bring it to the floor. You say it protects Medicare. It destroys Medicare. You say you're protecting jobs. You'll cost hundreds of thousands of jobs if this ever saw the light of day in law.

It disinvests in education, R&D, and infrastructure in this country. That equals unilateral disarmament when it comes to global competition and innovation, and we might as well hand it over to our competition in Brazil, China, and India.

Shame on you. I urge the defeat of this pony bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to others in the second period.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time I would like to yield 1 minute to the gentleman from California, the chairman of the Government Reform Committee, Mr. ISSA.

Mr. ISSA. Mr. Speaker, for more than an hour, I've listened to floor debate, and it seems like one side wants to say that we have to cut and the other side says that any cut we do is wrong. One side says we have to do tax increases. The other side says no.

What the American people need to hear, Mr. Speaker, is we now spend almost a quarter of every dollar produced in our economy, and as my now deceased father-in-law would have said, Taxes are rocks in your knapsack. The American people cannot afford to have more and more weight on the economy.

This is not an argument about how much we spend. This is an argument about what the American people can afford in overhead that ultimately hurts our competitiveness in jobs big and small, foreign and domestic.

So I will be voting for this and every other initiative that can possibly give

the American people a fighting chance to compete for good-paying jobs here and in competition with the rest of the world.

I urge the support of the bill.

Mr. VAN HOLLEN. Mr. Speaker, again, the President's proposal, which mirrors the framework of the bipartisan Simpson-Bowles Commission, says we'll do \$3 in cuts with \$1 in revenue. It's shared responsibility to reducing our deficit so that our economy in the future can grow. Let's make sure that we don't do anything now that will hurt the fragile economy.

I yield 1 minute to the gentleman from Michigan (Mr. PETERS).

Mr. PETERS. I rise today in opposition to H.R. 2560.

Since taking office, I have fought for greater fiscal responsibility in Washington. I have voted against hundreds of billions of dollars in new spending. And today there is a new bipartisan consensus that a comprehensive deficit reduction plan is a national priority.

Unfortunately, Republicans are squandering this opportunity. Rather than a balanced approach, they are pursuing a radical agenda that will force our Nation's seniors and middle class to sacrifice while letting millionaires and special interests keep their tax breaks and loopholes.

Let us be clear: A vote for this bill is a vote for drastic cuts to Medicare and for putting teachers, firefighters, and police all over our country out of work. Republicans need to stop playing games with our economy and start working for what the American people want: comprehensive deficit reduction that shares the burden, strengthens Medicare and Social Security, ends tax giveaways for the well-connected, and puts our country on a path to financial security. This bill fails to address these needs and should be defeated.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 30 seconds to simply say, if we're talking balance, let's remember the fact that a big tax increase is already coming in current law.

Let's remind ourselves of the fact that in 2013, you have \$800 billion in taxes with the health care law. The President is promising another \$700 billion in tax increases. We've got a \$1.5 trillion tax increase coming, hitting small businesses square in the bottom line. It's putting a chilling effect on jobs, and in the interest of balance, they want to put more tax increases on top of that.

With that, Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. CANSECO).

Mr. CANSECO. Once again, in the debate over our Nation's fiscal future, the House of Representatives is leading. I commend my colleagues for bringing forward a solution to cut, cap, and balance the Federal budget. Together, these will help ensure that it is the Federal budget that will be restrained and not the family budget.



Regrettably, I cannot vote for this bill. I do so not because I have any issue with cut, cap, and balance. I strongly support that part of the bill. What I cannot support is that this bill fulfills President Obama's request to raise the amount of debt that will be borne by American taxpayers by over \$2 trillion. Every American household's share of our national debt is already at \$120,000, and President Obama has asked this House to add an additional \$20,000 per household to that burden.

It is regrettable that President Obama has asked Congress to raise the Nation's debt ceiling and allow more debt to be thrust upon American taxpayers in order to pay for the spending binge he embarked upon over the past 2 years.

The SPEAKER pro tempore. The gentleman from Wisconsin has 8½ minutes, and the gentleman from Maryland has 8¼ minutes.

Mr. VAN HOLLEN. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank my friend from Maryland.

Well, they're right about something. This is cut, cap, and balance. Except that it cuts at the middle class, it caps Medicare, and it balances budgets on the backs of seniors. That is the fundamental difference between them and us, Mr. Speaker.

Look. We agree that our debt is unsustainable, and that we've got to tighten our belts. We've got to reduce spending. We believe that we need to balance our budget through a balanced combination of spending cuts and revenue increases, and we've got to grow our economy.

But here's what this budget says. It says to a constituent of mine living in Deer Park, New York, that if you're a middle class family and you want to send your child to college, to Suffolk Community College, you pay more for your Pell Grant. You pay more for tuition. If you are a worker in Huntington who just lost a job because the corporation that you are working for outsourced your job to China, you watch your unemployment insurance be capped or cut. But if you're a millionaire making over \$1 million a year, you get a \$100,000 tax cut. That's not cut, cap, and balance. It is an assault on the middle class, and it is an assault on fairness.

Mr. Speaker, the middle class has always been the backbone of our economy, and this legislation is a kick in the stomach to the middle class. They tell us that they want to cut spending. They will not cut spending when it comes to tax loopholes. They will increase it. They will not cut spending when it comes to those \$4 billion in oil company subsidies. They will increase it. They will not cut spending when it comes to special interest tax preferences. They will increase it. But

when it comes to the middle class, they want them to pay more.

Mr. Speaker, the real cut, cap, and balance should be this: We ought to cut those tax loopholes, we ought to cap those tax subsidies, and we ought to balance this budget through the right and smart kinds of spending reductions and revenue increases that are fair.

I thank the gentleman for his time.

□ 1930

Mr. RYAN of Wisconsin. Mr. Speaker, at this time I yield 1 minute to the gentleman from Utah, a member of the Budget Committee, Mr. CHAFFETZ.

Mr. CHAFFETZ. Routinely, the other side of the aisle, Mr. Speaker, has made the allegation that the President has offered a balanced plan. I would argue that he has offered neither. The President has never introduced a balanced plan. He's never had anything that's in balance. In fact, the budget that he submitted never balances. In fact, it doubles and then triples the debt. It went before the United States Senate, and 97-0 that budget was rejected, rejected by the United States Senate. So to suggest that he's offered something in balance is not true.

The second part of this, he has not introduced a plan to deal with this crisis that we're in. There is no piece of paper. There's lots of speeches. There are lots of things like going out and doing press conferences. But we need a solution.

What cut, cap, and balance does is it not only solves the short-term problem—it starts to put us in the right pathway—but it actually sends it to the States. And, ladies and gentlemen, what should we be afraid of? All we're asking to do is put forward a balanced budget amendment and send it to the State with a very high threshold, where three out of four States would have to ratify it in order for it to become an amendment to the Constitution.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield the gentleman an additional 30 seconds.

Mr. CHAFFETZ. We keep spending money that we don't have. Every time we look at a decision, we have to understand we're asking to pull money out of somebody's pocket and give it to somebody else. Those days are gone.

I came to Washington, D.C., to change the way we do business. Cut, cap, and balance will do that. We need a balanced budget amendment. The choice is clear: Are you in favor of a balanced budget or not? That's what's before us today, and that's the direction this country needs to go to get its fiscal house in order.

Mr. RYAN of Wisconsin. I have no further requests for time, and I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I'd like to take time out for just a minute and go back to the question I'm hearing most people in America ask about, which is jobs. And one of the things we keep hearing from the other side is that asking ethanol producers to give up their subsidy or asking corporations to give up their special loopholes is a job-destroying idea.

Please, before you cast this vote, all Members look at these facts. In 2001, and again in 2002, we did what the majority says endlessly they want to do—cut taxes on the wealthiest Americans. The economy produced zero net private sector jobs between 2001 and 2008.

In 1993, President Clinton did the opposite of what the majority says it wants to do. He made a modest increase in the tax rate of the wealthiest Americans. The economy produced 23 million new private sector jobs.

The House deserves the facts in going forward in this debate, and the American people deserve a real jobs plan from this House.

Mr. VAN HOLLEN. I'll end where we started today, which is to say that our Republican colleagues are playing a very dangerous game with the economy and with jobs. What this legislation before us says is that unless we graft onto the Constitution a preference for their way of addressing the budget deficit, unless we do that, they will prevent the United States from paying its bills, with all the terrible economic consequences for American families.

So let's see what it is that they're demanding in exchange for letting the economy go. It's the same old plan that we saw in the House before. It does end the Medicare guarantee, it slashes Medicaid, it cuts education, and it protects special interest tax loopholes. But what makes this particularly egregious, what should, I think, upset every American, is they're trying to engineer those changes through the Constitution.

We keep hearing this is just a plain old balanced budget amendment; 49 out of 50 States have it. Not true. This would put into the Constitution of the United States, embed in our Constitution, a provision that makes it easier to cut Medicare or Social Security or education, a 50 percent vote; but if you want to cut a special interest tax loophole—I don't care whether it's oil and gas subsidies, corporate jet, you name it—that a lot of Washington lobbyists work overtime to get inserted into our Tax Code and which amounts to spending through the Tax Code, if you want to do that, you need a two-thirds vote.

They put another mechanism into the Constitution. They would make it unconstitutional to balance the budget if we're having expenditures at the rate of 19 or 20 percent of GDP, according to the provision that came out of their amendment. In other words, the American people cannot choose a level of expenditures that would allow us to meet



our obligations under Medicare and Social Security. Since 1966, our Federal expenditures have been above 18 percent of GDP; in other words, since we enacted Medicare. So they want to prevent us by constitutional fiat from balancing the budget at a higher level of expenditures.

Let me make one last point on Medicare, because we've heard about the Democrats cut \$500 billion. What we did was we eliminated the 114 percent subsidy that was going to Medicare Advantage plans. We did do that. And, you know what? Republicans say, What a terrible thing. But if you look at their budget, they assume that change. They keep that change. What they don't do is what we did, which was to use the savings to close the prescription drug doughnut hole. The Republican budget would immediately reopen that doughnut hole. So they took the savings that they're complaining about, but they didn't use any of it to close the doughnut hole.

Again, the fundamental question is this. We all understand that we've got to reduce the deficit. We've got to bring the budget into balance. The question is how we choose to do that. And why would we implant into the Constitution a mechanism that stacks the deck in favor of choosing to cut Medicare and Social Security and education over choosing to cut corporate tax loopholes or asking the folks at the very top to pay more? But they would do that to our Constitution.

The Founders made it difficult to change the Constitution for good reason. This, I believe, is a corruption of the constitutional process, because it would place these mechanisms into our founding document that essentially graft the Republican budget plan into that document. And that's what this vote is all about.

And what they're saying is that unless two-thirds of the House and two-thirds of the Senate adopt that kind of constitutional amendment, we're not going to pay our bills, bills which the Speaker of the House and the majority leader and people on both sides of the aisle should pay because they are the consequence of decisions that were made by this body. And right or wrong, when you bring up a bill, you can't say you're not paying for it. And if we take the position that we're not going to pay for it, the economy will suffer, interest rates will go up. That will hurt every American family, and it will make it harder for us to reduce the deficit.

So let's come together around a balanced plan. The President's put a proposal on the table: \$4 trillion over 10 to 12 years, patterned after the bipartisan Simpson-Bowles commission; \$3 in cuts, \$1 in revenue. Let's take a balanced approach. That's the way we did it the last time our budget was in surplus.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman has 7 minutes remaining.

Mr. RYAN of Wisconsin. Mr. Speaker, here's our problem. We have a crushing burden of debt that is coming to hit our economy. This is what it all comes down to. We are driving our country and our economy off a cliff. The reason is because we are spending so much more money than we have.

□ 1940

We can't keep spending money we don't have. Forty-two cents out of every dollar coming out of Washington—it's borrowed money. Let's take a look at where it's coming from. We're borrowing it, 47 percent of it, from other countries—China number one. Mr. Speaker, you can't have sovereignty, self-determination as a country, if we are relying on other governments to cash-flow half of our deficit.

This is where we are.

Here is the problem we have right now, Mr. Speaker. We have a leadership deficit. I keep hearing about the President has got a plan; the President is offering balance. The President hasn't offered a thing yet—nothing on paper, nothing in public. Leaning on reporters at press conferences is not leadership. Giving speeches, according to the CBO, is not budgeting.

The President did inherit a tough problem—no two ways about it. What did he do with this problem? He drove us deeper into debt: \$1 trillion of borrowed money for stimulus that was promised to keep unemployment below 8 percent, that went up to 10, and now it's at 9.2; a stalled economy; a budget the President gave us that doubles the debt in 5 years and triples it in 10 years.

That's not leadership.

What has the other body done in the Senate, our partners on the other side of the aisle? Mr. Speaker, it has been 811 days since they bothered trying to pass a budget. Congress has gone for 2 years without a budget.

What did we do when we assumed the majority? We passed a budget. We wrote a budget. We did it in daylight, not in the backroom. We drafted it. We brought it through the committee. We had amendments. We brought it to the floor. We debated it and we passed it.

That is what we've done.

When you take a look at our problem, Mr. Speaker, you have to address what is driving our debt. Here are just the cold, hard facts: 10,000 people are retiring every day. The baby boomers are here, and we're not ready for them. Far fewer people are following them into the workforce. Health care costs are going up four times the rate of inflation. The Congressional Budget Office is telling us Medicare goes bankrupt in 9 years. Medicaid is already bankrupting our States. These are the

drivers of our debt. By the year 2025, three programs—Social Security, Medicaid, Medicare—plus our interest, consume 100 percent of all Federal revenues. By the end of this decade, 20 percent of our revenues goes to just paying interest.

This is unsustainable.

So what does our budget do? What does the document that we passed that shows leadership on this issue do?

It saves these programs.

For Medicare, we say you're already retired if you're retired. If you're about to retire, we don't want to pull the rug out from under you. You organized your life around these programs, so let's keep it as is; but in order to cash-flow that commitment, in order to make good on that promissory note, you have to reform it for the next generation. Let's do it in a way that looks like the commission that President Clinton offered, a system that resembles the one we have as Members of Congress: where we get to choose the plans that meet our needs, where we don't subsidize wealthy people as much, and where we subsidize low-income and sick people a whole lot more. That's what a "safety net" is.

We fix it and we save Medicare.

What does the law do that the President does? It raids a half a trillion dollars from Medicare. It puts a new board in charge of price controlling and rationing care to current seniors, and it does nothing to save it from bankruptcy.

These are the issues that have got to be dealt with.

Mr. Speaker, we keep hearing about balance. We keep hearing about the need to raise taxes as we cut spending \$3 for \$1 or something to that effect. The red line shows Congressional Budget Office projections on spending. The green lines are taxes. Basically, what this says is there is no way you can tax your way out of this problem. We asked the Congressional Budget Office. If we tried to do that—have balance, raise taxes—the tax rates on the next generation would be this:

The lowest income tax bracket that lower income people pay, which is 10 percent now, goes to 25 percent. Middle-income taxpayers would pay a 66 percent rate. The top tax rate, which is what all those successful small businesses that create most of our jobs pay, would go to 88 percent. That's according to the Congressional Budget Office. That's the path we're on right now.

This is unsustainable.

What is needed is leadership, and the reason we're talking about this debt limit increase is that we've seen none—none from the President, none from the other body. So, if we're not going to have a budget process, how on Earth are we going to get spending under control so we can solve this problem?

Our budget, this cap and this cut, gets the debt paid off. It puts us on a

path to prosperity. It closes loopholes to lower tax rates to grow jobs. It says that the genius of America is the individual, is the business, not our government. It maintains the American legacy of leaving the next generation better off, and we know, without a shadow of a doubt, we are leaving the next generation worse off. In the good old days of 2007, we used to say that this debt was a threat to our children and our grandchildren.

Not so anymore.

It is a threat to our economy today.

Pass Cut, Cap, and Balance. Save this country. Grow the economy. Save the Nation for our children and our grandchildren.

Mr. DREIER. Mr. Speaker, today I will cast my vote in support of H.R. 2560, the Cut, Cap and Balance Act of 2011, despite having concerns about it. With the August 2 deadline for reaching a solution on our debt crisis fast approaching, I believe this measure is necessary in order to move the process forward.

However, I remain opposed to key provisions in H.R. 2560 and will continue to work vigorously for better solutions. My primary concern with this legislation is the requirement for a balanced budget amendment to the constitution. In 1995, I voted in favor of a balanced budget amendment. That effort ultimately failed in the Senate by a single vote. With the benefit of hindsight, we can see that that was the right outcome. Just two short years later, we proved that we could balance the budget without altering our most inspired founding document.

What's more, the State of California has proved the futility of balanced budget amendments for years. Despite a constitutional mandate for balanced budgets, California persistently fails to live within its means and spend the taxpayers' money prudently and effectively.

Exercising our Article 1, Section 7 power of the purse with responsibility and discipline doesn't take a constitutional amendment. It simply takes the will to do the right thing.

We have already accomplished something that seemed impossible just a few months ago: we have fundamentally altered the conversation here in Washington. While the last two Congresses presided over an 82% increase in non-defense discretionary spending, we have already halted and reversed the growth in spending.

Now we are on the brink of enacting trillions—that's trillions with a "T"—in spending cuts. While a final deal remains elusive, we have forged consensus on the central, fundamental point that no rise in the debt ceiling can be enacted without trillions in spending cuts. That is a tremendous achievement that seemed barely conceivable a short time ago. It is a testament to what can be achieved when we have the will and resolve to confront the great challenges we face.

We must now put that will and resolve toward a final deal that will not only make trillions in spending cuts, but also enact meaningful reforms that put us on the path to eliminating the deficit, paying down our debt and fostering growth and opportunity. These solutions are within reach. They are closer than

they've been in years. The only question is whether we have the will to achieve them. I urge my colleagues, both Republicans and Democrats, to come together. To rise to the enormous challenges we confront and forge a deal that not only restores the vitality and solvency of our economy for ourselves, but for generations to come.

Mrs. BACHMANN. Mr. Speaker, I rise in opposition to the motion before us. While I embrace the principles of cut, cap and balance, the motion does not go far enough in fundamentally restructuring the way Washington spends taxpayer dollars. The principles found in this bill are a step in the right direction toward the fundamental restructuring we need in the way Washington spends taxpayer dollars.

Along with cutting spending, putting in place enforceable spending caps that put us on a path to balance and passing a balanced budget amendment, we must also repeal and defund Obamacare.

We must remember that Obamacare is the largest spending and entitlement program in our nation's history. That means, at a time when we can least afford it, President Obama added to our spending problem by the trillions. Without its repeal, we cannot have real economic reform.

At a time of trillion-and-a-half-dollar deficits and 9.2 percent unemployment—it was jaw-dropping to hear the President say this past Friday that we need only "modest adjustments" to fix our economy, and to suggest that 80% of the American people want a balanced approach, meaning tax increases, to solve our debt problems.

President Obama also said "we don't need a constitutional amendment to do our jobs." But we have the problems we do because Washington hasn't been doing its job. And a Balanced Budget Amendment would have kept President Obama from adding more than 4 trillion to our national debt.

The current negotiations over the debt ceiling illustrate exactly what is wrong with Washington.

We should not continue to spend and borrow trillions that we don't have just because that's always the way politicians have done things in the past. Those days are over.

The American people have had enough.

The President needs to stop scaring our military and stop threatening default. Last Wednesday, I co-authored a bill that would remove default as an option and guarantee that our military was paid first. We can meet our obligations, keep our bond rating and keep our promises, but we have to make the tough choices now to turn our economy around and put Americans back to work.

Mr. SENSENBRENNER. Mr. Speaker, I rise today in strong support of H.R. 2560, the Cut, Cap and Balance Act, which is common-sense legislation that will bring our fiscal house back in order, and will finally get our government off its spending binge.

We can no longer operate on a business as usual mentality, and the time to rein in our deficit spending is now. Families sit down and make budgets—then they spend within their means. It is imperative, now more than ever, that Congress abide by those same principles. Instead of applying for new credit cards, we need to cut up the ones we already have. I

have long argued that our spending practices in Washington are unsustainable, and have routinely voted against spending measures in Democratic and Republican-led Congresses that have contributed to the crisis we face today.

Since Republicans retook control of the House in January, we have changed the discussion in Washington from how much more are we going to spend, to how much are we going to cut. There are some who feel that our problem is not our spending; rather, it is we are not bringing in enough revenue. I find this thought process misguided. It is not viable to increase taxes drastically enough to bridge the \$1.58 trillion gap between our spending and revenues, without destroying jobs and damaging our already struggling economy.

The Cut, Cap and Balance Act is a plan to bring long-term change to the Washington spending machine. First, this legislation would cut spending by \$111 billion in fiscal year 2012, reducing non-defense discretionary spending below 2008 levels, which was called for in the House-passed budget plan. Second, this legislation would place a cap on total spending as a share of GDP. Without caps on spending, future Congresses will ultimately resort back to the spending practices that have led to the situation we are currently facing. Third, this legislation will only provide for an increase in the debt limit if Congress sends a Balanced Budget Constitutional Amendment to the states for ratification. A Balanced Budget Amendment to the Constitution would legally force our government to live within its means. It's interesting to see that while many of my colleagues on the other side of the aisle, including our President, have argued that a constitutional amendment is not necessary, 49 states currently abide by some form of a balanced budget requirement.

We cannot pass the financial burdens of our country on to our children and grandchildren. It is important to note, that while I am not proud of the spending habits of Republicans when we were in charge, the unprecedented spending increase since 2009 when President Obama took office needs to be noted. Under his leadership, our national debt has increased by \$3.7 trillion. Once again, that is \$3.7 trillion in only two and a half years. It took the U.S. from 1776 until 1992 to accumulate the same amount of debt that President Obama accumulated in two and a half years.

Given our fiscal challenges that lay ahead, the time to act is now. The Cut, Cap, and Balance Act is an important step to bring fiscal sanity back to Washington. We can no longer continue to kick the can down the road hoping that someone else will make the tough choices. I strongly support passage of this important legislation, and urge my colleagues to support the bill.

Mr. WOLF. Mr. Speaker, America is in crisis mode today. We are up against a deadline to increase our nation's \$14.3 trillion debt limit to meet its financial obligations.

There was initial hope some weeks ago that with the president finally leading the talks with Republican and Democratic leaders in the House and Senate, we would see a plan to reverse the spending spiral. But we've been waiting and waiting and watching and watching for that puff of white smoke to come over

the White House to signal to the American people that their government leaders have come together and agreed on a plan and disaster has been averted. Regrettably, we still wait as the debt clock ticks toward the nation's default.

What has been so frustrating to me to watch over the past months is that everyone knows that our country is awash in red ink, everyone knows that our country is spending and borrowing too much, everyone knows that entitlement spending is unsustainable, everyone knows that job creation is stagnant with unemployment today hovering around 9 percent. I've been sounding this alarm for five years.

Everyone knows all this and yet here we are today without the president, who has been leading the debt negotiations, putting pen to paper on a plan for all to see. But the House today is saying to the American people that we can't continue to sit around and wait as our debt grows and the risk of national decline and a downgrading of our nation's credit rating become visible over the horizon.

The House today has a plan before it. The majority Republicans are offering the Cut, Cap and Balance plan. It reduces spending now, caps future spending and says we must balance our budget. Is it a perfect plan? No. I don't agree with all the numbers and the priorities. There are changes I would make and different policies I would include.

But we are at the point today that we cannot allow the perfect to become the enemy of the good. We have to lay down a marker, move the process forward and continue to work for a balanced plan to put America on a path to financial responsibility.

As we listen to some call for a plan that includes more "revenue," I want to be clear that I don't support raising taxes on American families. I believe any responsible plan must take a look at reforming and simplifying the tax code to allow hard-working Americans to keep more of their own money and to spur individual savings and small business job creation.

A balanced plan also must look at the reasons that have allowed the ethanol industry to become one of the most subsidized industries in the United States and other businesses to flourish because of direct spending through earmarks in the tax code. We must also look at certain tax earmarks and expenditures on the books which allow entities, such as General Electric, to not only owe no federal taxes, but to also claim a multimillion dollar tax benefit.

I also believe a balanced plan must include a mechanism to force Congress and the president to live within our nation's means. That's why I have long supported a balanced budget amendment to the Constitution.

As I mentioned earlier, I have been trying to get the attention of Congress and past and present administrations on the debt crisis facing our country. My message has been simple: If America continues on its debt and deficit track, we edge closer and closer to the financial cliff and cede our standing as the world's leading nation.

I have called for a bipartisan solution that puts all options on the table and fully addresses ways to reverse our current deficit spending track and also our nation's unfunded obli-

gations, which are the real drivers of our debt. This includes all entitlements—Social Security, Medicare, and Medicaid—and other mandatory spending, defense spending, discretionary spending, and tax policy, namely the closing of tax loopholes and tax earmarks.

The Bowles-Simpson commission offered a plan with everything on the table, and I was anxious to have the chance to vote on it, but the president, as did the Congress, walked away from the report last December of the very group he created. I was pleased to see the "Gang of Six" senators pick up the broad outlines of Bowles-Simpson and continue to work together this year on a comprehensive deficit reduction plan. The news earlier today that the Gang of Six has offered a path forward and that a large group of senators from both sides of the aisle is reacting positively to the plan is very encouraging.

I do not want the United States to default from a failure to raise the debt limit. The full faith and credit of the United States is on the line. Without an agreement, the cost to every American to borrow will rise, from home loans to car loans to student loans; the checks the Treasury writes will pick winners and losers.

It is precisely because the stakes are so high that I vote today for H.R. 2560 with the fervent hope that it will force the president and the House and Senate to come together and embrace a realistic and balanced deficit and debt reduction plan like the one recommended by Bowles-Simpson and the Gang of Six that puts our nation on sound financial footing for not only today, but for our children and grandchildren's generations.

Mr. STARK. Mr. Speaker, I rise in opposition to this ridiculous legislation quickly cobble together by House Republicans to appease their Tea Party fringe. The so-called "Cut, Cap and Balance" Act (H.R. 2560) is a dangerous political stunt that pushes our Nation right up to the edge of default.

With this bill—better called the Slash, Burn and Pander Act—House Republicans are taking our country to the brink of insolvency and financial devastation to make absolutely sure that rich people in America keep their tax breaks, that big oil and gas companies continue to receive their corporate welfare, and that the pharmaceutical industry be spared from contributing to our economic recovery.

The first title of the bill would immediately slash federal spending at such massive levels as to endanger our government's ability to perform basic functions. If enacted, it would likely prevent the government from sending out Social Security checks to seniors, from providing unemployment insurance benefits during our ongoing economic crisis, from conducting NIH research to find cures for deadly diseases, and from ensuring our food is safe to eat.

The second title would enforce arbitrary and extreme annual federal government spending limits. The bill pays lip service to protecting Medicare and Social Security in the near term—because even right-wingers understand the importance of these programs to the American people. However, there is no mathematical way that the federal government could meet these draconian limits without putting Medicare and Social Security on the chopping block.

The third title would prohibit the debt ceiling from being raised until Congress sends a Balanced Budget Amendment to the States for ratification—all before the August 2nd deadline when we begin to default. This Amendment to the Constitution would require even more restrictive spending limits over time. Importantly, it would also mandate a two-thirds vote in both the House and Senate—a nearly impossible hurdle—to ever close corporate tax loopholes or enact tax increases.

With their Slash, Burn and Pander Act, House Republicans are saying to the American public that the federal government will no longer provide the services and programs they value. At the same time, Republicans would make special interest tax breaks permanent by requiring a super-majority to change existing law.

What's most stunning about this debate is that everyone knows this bill has no chance of becoming law. In just two weeks, the United States will start defaulting on its obligations. The House's actions today waste precious time and take us further away from a solution. President Obama already put a deficit deal on the table that goes beyond what many Democrats and I are comfortable with. House Republicans rejected him out-of-hand and, instead, have offered the radical legislation before us today.

The fact that this inane piece of legislation is on the floor highlights the difference between governing and campaigning—and makes clear that many on the Republican side of the aisle remain unable to make that distinction.

I urge my colleagues to join my in voting "no" on the Slash, Burn and Pander Act.

Mr. HOYER. Mr. Speaker, I don't think that there is a Member here who doesn't believe that America is in poor fiscal health. But the question facing us is this: do we value fiscal responsibility enough to make hard choices, give up some of what we want, and come to the compromise that our form of government demands? Or do we see the possibility of a fiscal crisis as nothing more than a chance to advance our ideological ends? What matters more to us—restoring America's health, or gratifying our party's ideology? We cannot have both.

It's clear that the first, responsible approach is typified by President Obama, who has offered a compromise plan to reduce our long-term deficit by \$4 trillion, even as it gives up spending that Democrats value highly. It's also clear that the reckless, ideological approach is typified by the Republicans who have thus far rejected that compromise because it does not conform to 100 percent of their demands.

It's also typified by this radical plan to cut, cap, and end Medicare. This bill, under the guise of responding to a fiscal emergency that they themselves helped create, would write Republicans' most extreme and unpopular priorities into law. It would impose cuts even more extreme than those in this spring's Republican budget, which would have ended Medicare. A vote for this bill would not only be another vote to end Medicare—it would be a vote to dramatically slash programs for the most vulnerable Americans, programs like Medicaid and Social Security. Republicans would break the Medicare guarantee—but

they are adamantly opposed to asking the best-off among us to contribute their fair share. Nor would they ask for cuts in defense spending.

In fact, this bill would actually make a job-destroying default on our debt more likely. In order to pay our bills, Republicans would require us to pass a Constitutional amendment that would permanently enshrine their partisan budget priorities in law and make it virtually impossible to raise revenue. It is nothing more than a ransom demand—and the beneficiaries of that ransom demand are the most privileged Americans, who are asked to sacrifice nothing even as ordinary Americans are asked to sacrifice their futures, their security, and their health.

When even three-quarters of Republicans said in a poll last week that they want a balanced deficit solution, it is clear that this bill is targeted at the extreme fringe in American politics, a small minority of the far right. I urge my colleagues to affirm that this House represents all Americans—and to vote down this bill.

Mr. RYAN of Wisconsin. Mr. Speaker, I submit the following exchange of letters:

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
Washington, DC, July 18, 2011.

Hon. PAUL RYAN,  
Chairman, Committee on the Budget,  
Washington, DC.

DEAR CHAIRMAN RYAN: I am writing concerning H.R. 2560, the "Cut, Cap, and Balance Act of 2011" which is expected to be scheduled for floor consideration this week.

As you know, the Committee on Ways and Means has jurisdiction over the bonded debt of the United States. Title III of this bill amends Title 31 of the United States Code by changing the amount of debt subject to the statutory limit. In order to expedite H.R. 2560 for Floor consideration, the Committee will forgo action on the bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2560, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely,

DAVE CAMP,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, July 19, 2011.

Hon. DAVE CAMP,  
Chairman, Committee on Ways and Means,  
Washington, DC.

DEAR CHAIRMAN CAMP: Thank you for your letter regarding H.R. 2560, the Cut, Cap, and Balance Act of 2011, which is expected to be considered on the floor this week. The Committee on Ways and Means makes a valid point that certain provisions in this legislation are in your Committee's jurisdiction. I appreciate your decision to facilitate prompt consideration of the bill by the full House. I understand that by foregoing a sequential referral, the Committee on Ways and Means is not waiving its jurisdiction.

Per your request, I will include a copy of our exchange of letters with respect to H.R. 2560 in the Congressional Record during House consideration of this bill. We appreciate

your cooperation and look forward to working with you as this bill moves through the Congress.

Sincerely,

PAUL RYAN,  
Chairman.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in support of H.R. 2560, "The Cut, Cap and Balance Act" of 2011.

This legislation would cut total spending by \$111 billion in FY 2012 and would institute hard spending caps over the next ten years. The bill would provide for the president's request for a debt ceiling increase if and only if a Balanced Budget Amendment passes Congress and is sent to the states for ratification.

Today, we find ourselves on the precipice of a national economic calamity.

I am NOT speaking about the current debate over the debt ceiling, which is indeed very serious.

America pays its bills and default would be irresponsible!

But rather, I am referring to an unsustainable national debt—fueled by out-of-control spending and its damaging partner, rising taxes—that threatens to overwhelm our entire economy. We are truly on the verge of becoming "Athens on the Potomac."

Even if we were not facing a debt ceiling question, I would urge that we enact steep and immediate federal spending cuts, as the Committee on Appropriations is doing.

These reductions must be implemented now because the 'promise' of cuts five or eight or 10 years from now means very little without a way to enforce them.

The only way to truly guarantee spending cuts from future Presidents and future members of Congress is to make sure that the Constitution requires it.

We've tried lower spending targets before.

We've attempted to use deficit reduction goals.

We've enacted "across-the-board" spending cuts.

We've impounded federal dollars.

We've even sequestered funding to force deficit reduction.

The fact of the matter is that none of them worked.

A \$14.3 trillion national debate stands as an appalling monument to Washington's extravagance.

Congress and the President always find another waiver, another loophole, another procedural escape clause to get around what common-sense tells us has to be done: we must be made to live within our means.

Because we cannot continue to spend money we do not have, we are here today to cut spending immediately, set enforceable future caps on spending and send to the states for ratification a balanced budget amendment to our Constitution.

My Colleagues, the preamble to that Constitution states that we are to "promote the general Welfare, and secure the Blessings of Liberty to ourselves and our posterity . . ."

As I said earlier, we stand at a financial precipice. Our current federal fiscal policies are unsustainable for us and for our posterity—our children and their children.

The legislation before us would return us to the spirit and the letter of the Constitution's Preamble.

In closing Mr. Chairman, we find ourselves in a debt crisis not because the debt ceiling is too low, but because federal government spending is too high!

H.R. 2560, the Cut, Cap and Balance Act is a Constitutional, permanent solution which will put an end to the spending-driven debt spiral and rescue our children and grandchildren from a future of bankruptcy and limited opportunity.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in strong opposition to H.R. 2560, the Republican "Cut, Cap, and Balance Act," which is before us today. I am sorry that the House of Representatives has to spend any time on this deeply flawed piece of legislation instead of dealing with the host of serious issues facing our Nation.

I have limited time, so I am not going to try today to cover all of the significant problems inherent in H.R. 2560; I know that there are other Members who plan to address many of the issues I care about, such as the central truth that this bill would end the Medicare guarantee. That in itself is reason enough to oppose H.R. 2560, but I also want to highlight the devastating impact this bill would have on our Nation's competitiveness, our ability to innovate, and our ability to create the jobs of the future.

As written, the legislation before us today would cut non-security discretionary spending for FY 2012 by \$76 billion. That translates into a 25 percent cut in budget authority next year with similar draconian cuts in the years that follow. What will be the impact of cuts of that magnitude? They will be profound and will inflict long-term damage to our Nation's well-being. Let me give just a few examples.

First, let's consider the impact of such a cut on the programs that help to predict severe weather, something that has been a particular concern in many parts of the Nation this year. With these cuts, Mr. Speaker, we would essentially be guaranteeing a diminished national capability for weather forecast and prediction, especially of severe weather events. Why? Because a 25 percent cut to our polar and geostationary weather satellite programs will delay NOAA's ability to procure follow-on weather satellites that provide the weather data needed 7 days a week, 24 hours a day to make accurate long-term weather forecasts.

What will happen? Well, for one thing, we won't get 10-day weather forecasts; the best we'll get with good accuracy are 48-hour weather predictions. Farmers, emergency management officials, military planners, fisherman, coastal residents and marine transportation capabilities, the tourism industry, and all Americans and other American businesses will be operating with weather predictions that are severely diminished in accuracy. When it comes to extreme weather events such as those that we've been experiencing across the Nation, diminished weather forecasting directly increases the risk of loss of lives and property, not to mention the widespread economic losses that come from our inability to prepare for such extreme events.

Mr. Speaker, why would Congress want to "go blind" to severe weather and put our people and our economic infrastructure at risk, especially when our economic recovery is so fragile and Americans are struggling daily to make ends meet?

Turning now to NSF, while it's difficult to quantify the devastating impacts of a 25 percent cut to the NSF budget, we can roughly estimate that such a cut would lead to the reduction of over 17,000 research grants: about 16,500 funded by the various Research Directorates, and 750 funded by the Education and Human Resources Directorate.

We cannot predict where the next scientific breakthroughs will come from, or which research grant will lead to the next Google or GPS. So not only will these budget cuts affect over 200,000 people supported by NSF, including graduate students, undergraduates, K–12 teachers, and K–12 students, but these cuts will most certainly significantly harm our nation's ability to innovate, create jobs, and compete in the global economy.

With these kinds of budget cuts, we will be supporting less cutting-edge research and building fewer critically important scientific research user facilities, but perhaps the biggest problem is the loss of human capital. China and Europe are increasing funding for research and building world class research facilities while we are heading in the opposite direction. Those countries are successfully recruiting our best and brightest as we successfully recruited theirs for many decades.

Such steep cuts to the National Science Foundation will cause vital investments in sustainability, leading edge technology, and STEM education to be greatly delayed, reduced, or altogether cancelled. These investments include support for: NSF-wide emphasis on Science, Engineering, and Education for Sustainability, including vital investments in clean energy research; major investments critical to job creation and competitiveness, such as advanced manufacturing and the National Robotics Initiative; pathbreaking efforts to improve pre-college and undergraduate education, including the Teacher Learning for the Future program and new investments to transform undergraduate science courses.

A budget cut of even 5 percent to NSF's Major Research Equipment and Facilities and Construction account would result in the termination of approximately \$100 million in contracts to industry for work in progress on major facilities for environmental and oceanographic research. This would directly lead to layoffs of roughly 100 direct scientific and technical staff, with larger impacts at supplier companies. In addition, costs over the life of these projects would increase by over \$100 million because of delays in the construction schedule. Again, this is the potential scenario with a 5 percent cut—not the 25 percent cut to discretionary authorizations included in the bill before us today.

The National Science Foundation is the premier STEM education research organization in the country. For decades, NSF has been a leader in improving our collective understanding of how students learn, and how we can develop the most effective and inspiring curriculum and train the most effective and inspiring teachers. The education research being funded at NSF is critical to helping us to better understand what works and what doesn't, so that we can invest in programs that will really make a difference in our schools. Cuts to STEM education at NSF not only will directly impact many students and

teachers across the country, but it will greatly limit our ability to improve the state of education in this country for every student and every teacher.

We cannot afford to make cuts to STEM education at a time when other countries are consistently outperforming us on international tests. For example, in the 2009 PISA, American schoolchildren ranked 17th out of 34 OECD countries in science. Shanghai-China, Finland, Hong Kong-China, and Singapore were the highest performers in the science assessment. Furthermore, American schoolchildren ranked 25th out of 34 OECD countries for math. Shanghai-China, Singapore, and Hong Kong-China ranked first, second and third in math, respectively. This is simply not the time for us to be cutting funding for critical STEM education programs at the NSF.

Mr. Speaker, the bad news in this bill does not end there. The impact on NASA is equally grim. For example, a 25 percent reduction to NASA's Space Operations account is over \$1 billion. This cut could cause NASA to reduce the number of cargo and crew transportation flights to the International Space Station, thereby jeopardizing its agreement with ISS partners to have 6 crew members operate the \$100 billion research facility. Delaying contracted for cargo and crew flights from commercial partners and Russia may have financial repercussions. It could render NASA unable to fulfill its agreed-to pension liability payments to shuttle workers and it could jeopardize our ability to receive data from on-going deep space missions by not having the money needed to replace critical components in its unreliable and outdated communications network.

A 25 percent reduction to NASA's Exploration account would cut almost a billion dollars, further delaying the development of the Space Launch System and Multipurpose Crew Vehicle—NASA's follow-on human space transportation and exploration vehicles—causing an even greater gap in the ability of a U.S. government-operated human transportation system to access space whenever needed, as well as causing disruption to on-going contracts, possibly requiring extensive layoffs and financial compensation due to terminated contracts and further destabilizing the aerospace industrial base.

A 25 percent reduction to NASA's Aeronautics Research account is over \$142 million. This will force cuts to NASA's critically important research in aviation safety and airspace systems and delay work needed by the FAA to increase the capacity and efficiency of the nation's air transportation system through NextGen modernization. In addition, it will prevent NASA from conducting unique research required to develop environmentally responsible aircraft.

NASA's science programs would also suffer deep cuts, an outcome that will be doing long-term damage to an area in which the United States has maintained unquestioned leadership. It is doing the challenging R&D projects that keep our companies and workforce at the top of their game—whether it's landing spacecraft on Mars, acquiring data to understand the complex behavior of our own planet, or carrying out the analysis of data collected from space. Cutting NASA's science programs by

25 percent will severely harm our ability to carry out pathbreaking research, such as investigating dark energy, which may lead to revolutionary breakthroughs in our understanding of our Universe. It will also draw the best and brightest who seek inspirational and challenging projects.

A cut of this magnitude would not only preclude new projects, such as those recommended in National Academies decadal surveys, but could even jeopardize missions being readied for launch in FY 2012, such as the Mars Science Laboratory, the NPP weather satellite, and the Radiation Belt Storm Probe, a mission that will help us understand the impact of the radiation belt environment on spacecraft, something with important practical significance.

Mr. Speaker, I don't want to sit on the sidelines while other nations are the first to announce major scientific discoveries, draw the world's top science and engineering talent into their fold, and begin to assume leadership in areas where the U.S. has always been on the cutting-edge.

NASA's education programs would also suffer if this bill ever becomes law. Mr. Speaker, we tell the youth of this nation to reach for the stars, and NASA is truly one of the agencies that inspire our next generation to dream big and pursue the disciplines that we know are needed to keep our nation strong—science and engineering. However, under this bill, a 25 percent cut to NASA's education programs would cripple initiatives such as the Space Grant and EPSCoR (Experimental Program to Stimulate Competitive Research) programs, minority education projects such as the Minority Undergraduate Research and Education Project (MUREP), and K–12 teacher training and student opportunities that are so critical to building and stimulating our future capabilities.

Finally, Mr. Speaker, a 25 percent reduction to NASA's Cross Agency Support account would have serious implications for NASA's safety and mission success, NASA's information technology activities, and our ability to operate NASA Centers across the U.S. I'd hate to think what a cut to NASA's safety and mission success activities would mean for ensuring the safety of our nation's astronauts launched into space and the success of the critical functions they and our robotic spacecraft perform. At a time when cybersecurity is being discussed as a key issue across federal agencies, this cut would reduce NASA's critical information technology functions, including information security. It is highly likely that a cut to the agency operations budgets included in this account could require NASA to shut down NASA Centers, lay off additional contractors, and take actions that would have negative repercussions throughout communities and regions at a time when local economies are already stressed and jobs are hard to come by.

Mr. Speaker, I hope that my remarks give Members and the American public some idea of the harm that enactment of this short-sighted piece of legislation would do, not only to the agencies listed, but also to other important R&D initiatives at the Department of Energy, the National Institutes of Standards and Technology, and NOAA, to name but a few of the affected agencies.

At the end of the day, Mr. Speaker, this bill is not going to become law. It is simply a diversion from the serious business on which this body should be focusing its attention. However, it is not a harmless diversion. The extreme and ill-considered cuts that would flow from its enactment send a terrible message to our citizens about this House's priorities. When your car is low on gas, you don't siphon more out of the tank, yet that is what this bill would do to the nation's R&D and innovation capabilities. I want the record to be clear that I do not support the cuts in this bill, nor do I support the process under which this bill has come to the House floor. We can—and should—do better. This bill is short-sighted; its negative impacts would cost more in the long-term than any immediate budget reductions would save in the short-term. I urge my colleagues in Congress to vote NO on this bill.

Mr. WAXMAN. Mr. Speaker, I rise today in opposition to the Republican plan to end Medicare and the health care safety net.

Republicans are playing a dangerous game of chicken. They are threatening to hold the global economy hostage unless President Obama and the Senate agree to their demands to slash Medicare and Medicaid.

We must reject this assault on seniors, the disabled, and children.

Previous amendments to the Constitution have ended slavery and guaranteed the rights of citizens of all races to equal treatment under the law. They have guaranteed the freedoms of speech and religion, and for protection from unwarranted government intrusions on personal rights.

What great principle do Republicans seek to enshrine into the Constitution today?

The principle that the rich should never pay more taxes;

That Medicare, Medicaid, and Social Security are too expensive for our Nation to afford;

And the U.S. Congress should be stripped of its ability to increase spending to protect our economy from recession.

Republicans say that they are protecting Medicare for the future—don't buy it. That's what they told us about their budget plan. It wasn't true then, and it isn't true now.

Republicans tried to end Medicare as we know it in the budget they passed in April. Public outrage stalled their plans. So today they have a new approach: Pass a constitutional amendment that that would make it impossible for Congress to continue to fund Medicare, Medicaid, and Social Security.

Their objective is to end Medicare as we know it, repealing its guarantees of coverage for hospital care, chemotherapy, doctor's visits, and prescription drugs. In its place they would create a voucher system—and yes, it is a voucher. Seniors would be forced into the private market to buy health insurance with only limited financial support from the government.

This plan will increase premiums and cost sharing by \$6,000 per person. And they want to write it into the Constitution!

And they want to destroy Medicaid too. Republicans would cut Medicaid in half by 2022, leaving tens of millions of people without access to care. People in nursing homes would be cut off. They would also slash support for

the Children's Health Insurance Program, jeopardizing access to care for 8 million kids.

Medicaid is the primary payer for long-term care and the home and community-based services that help people stay out of nursing homes. Who will now bear the \$72,000 per year cost of a nursing home for an 85-year old grandmother who collects \$10,000 a year in Social Security benefits? Her children will try, but only the rich will be able to afford the costs in today's economy.

This is a complete abdication of our commitment to providing care with dignity for our seniors.

The Republican proposal has other deplorable consequences. It would make it impossible to invest in biomedical research to find tomorrow's cures and technologies for cancer, Alzheimer's, and heart disease. It would effectively foreclose the possibility that Congress could address climate change by putting a price on carbon emissions. It would cripple the FDA, threatening the safety of our pharmaceuticals and our food.

This is an extreme and dangerous proposal. Instead of holding our seniors hostage, we need to work together to pass a realistic compromise that will ensure we honor our debt while lowering our deficit.

I urge a no vote on this legislation.

Mr. BLUMENAUER. Mr. Speaker, the nation's financial future should be serious business. Unfortunately, House Republicans are not treating it that way. It's bad enough that too many of them are willing to court financial disaster by hijacking the process of raising the debt ceiling. Today's vote is perhaps the clearest illustration of their cavalier approach.

The vote on the so-called Cut, Cap, and Balance bill comes without legislative work in any substantive committee. As a member of both the Budget and Ways and Means Committees, I would have welcomed hearings and work sessions which would have shown this bill to be a travesty. Not a single president in 50 years proposed any budget that would have met their requirements that spending be limited to 18 percent of GDP. Ronald Reagan never proposed a budget under 21 percent.

House Republicans would mandate a balanced budget every year, whether we were at war or dealing with the fallout of a tragic natural disaster or an economic meltdown. Cuts to Medicare, the social safety net and student loans would still be possible with a single majority vote, and yet eliminating tax breaks for the favored and the wealthiest individuals or corporations would require a two-thirds supermajority. Since House Republicans want to continue to protect some areas of spending and give more tax breaks to people who don't need them, this means even more draconian cuts to the programs that people depend on the most.

The House Republican approach is not about controlling the national debt. The Republican budget still increases the debt ceiling almost \$9 trillion. Yet their proposal would require three-fifths supermajority to raise the debt ceiling in the future. This bizarre legislation would freeze into Federal law and the Constitution the same dysfunctional mechanics which made the State of California the fiscal basket case that it is today.

Fortunately, this wacky and irresponsible measure will not be enacted by this Congress;

even if Congress were to pass it, the President would veto it. The legislation does put the spotlight on the risks to the country's financial future if voters reward this behavior. The only good that may come of the charade is that it might provide cover for a deal averting the damage from the debt ceiling gamesmanship.

Everyone knows we must honor our debts. Perhaps this foolishness will permit Republican leadership to walk themselves and their members off the ledge and not punish American families. I strongly oppose this cynical, ill-advised proposal.

Mr. REYES. Mr. Speaker, I rise today to strongly oppose the Republican's "Cut, Cap, and Balance Act." The only thing balanced about this bill is that it has the word balance in the title. The actual title should be "Cut, Default, and End Medicare Act" since it would have a devastating effect on all American families and businesses. This legislation makes significant cuts to social programs, and caps spending at unprecedented levels.

Quite simply, this is the worst piece of legislation I have seen while serving in Congress. This legislation seals tax breaks for richest Americans, while gutting Medicare for seniors and other critical programs for students, such as Pell Grants. In order to eliminate tax breaks for the richest two percent of Americans, a supermajority of Congress would be required for approval. This bill will adversely impact the Hispanic community and will substantially weaken the American economy.

The Republican plan is not the balanced approach Americans favor: spending cuts and revenue increases, but instead the Tea Party plan will lock in cuts over the next 10 years as severe as those in the Ryan budget plan that they passed in April. In fact, according to a CBS News Poll released Monday, 66 percent of Americans say an agreement to raise the amount of money the nation can borrow should include both spending cuts and tax increases. This bill would exacerbate the debt crisis by making it more difficult for the U.S. to pay its bills by August 2nd and force the passage of a constitutional amendment that would require a two-thirds approval to raise any revenue in the future.

This bill would require slashing \$111 billion immediately from critical programs, in FY2012, without regard to the 9.2 percent unemployment rate. These cuts would cause the loss of roughly 700,000 jobs in the current weak economy. In fact, the Republicans' slash and burn politics have not created a single job for hardworking middle class families in over the 200 days they have controlled the House. Instead of rebuilding our economic infrastructure by investing in roads, ports, bridges, and education and job training programs to help middle class Americans, they push a radical and dangerous ideological agenda.

H.R. 2560 also continues the Republicans assault on our nation's seniors. Their plan will inevitably result in the end of the Medicare guarantee, shifting thousands of dollars of health costs onto seniors, shredding the social safety net and our promise to protect our most vulnerable. Social Security would also be affected, even though Social Security doesn't add 1 penny to the deficit.

Rather than focusing on innovation, infrastructure, education, and jobs, Republicans

want to manipulate the Constitution to make it easier to cut Medicare and Social Security than to close special interest tax loopholes.

The bill destroys Social Security and Medicare as we know them. These programs are extremely important to seniors, especially to those in my district. H.R. 2560 is nothing more than an ideological piece of legislation to pursue a radical policy agenda of attacking the livelihood of our seniors, while protecting tax breaks for special interests and the wealthiest Americans. For these reasons, I strongly urge my colleagues to oppose this legislation and stand firm in support of our seniors, children, and most vulnerable.

Mr. PASCRELL. Mr. Speaker, "The Cut, Cap, and Balance Act" shows yet again how out of step the Majority is with the needs and concerns of ordinary Americans. With over 9 percent unemployment, Congress should focus on growing the economy, lowering unemployment and reducing our deficit.

We can achieve this economic growth through a fiscal policy that invests in our future, creates broad based economic growth and shares the burden of debt reduction. Instead, we are debating an ideologically extreme policy that makes the Majority's budget's treatment of seniors, the middle class and our children look balanced.

This bill caps spending at 18 percent of Gross Domestic Product (GDP), a level not seen since 1966, when seniors made up 9 percent of the population, not the 13 percent they make up today. In 1966, the average cost of medical care was \$1,500 a year, not the \$8,200 that it is today, and almost no Americans were enrolled in Medicare, whereas over 46 million seniors are enrolled today.

Even more disturbing, the bill holds an increase in the debt ceiling hostage to the passage of a so-called "Balanced Budget Amendment." This Balanced Budget Amendment is more radical than those that have been considered by Congress in the past. Unbelievably, it would require a supermajority in both houses of Congress to raise revenues.

However, you would only need a simple majority to cut taxes on the wealthy and multi-national corporations and slash government programs that our most vulnerable citizens rely on. What type of priorities do we have when we change the Constitution to make it easier to cut Medicare and Social Security, and nearly impossible to end the tax breaks for special interests groups like the oil industry?

We are at a place in our history where the concentration of wealth at the very top has only been matched at the time immediately prior to the Great Depression. This bill will not only continue this trend, but it will act as a catalyst where the people who already have so much, will be given so much more.

And if one thinks that the Balanced Budget Amendment is sound fiscal policy, they would be sorely mistaken. One only has to look at many of the states who have Balanced Budget Amendments on the books to see what happens when you amend your Constitution to promote ideology and politics over common sense fiscal solutions.

The budget priorities enshrined in this legislation have been soundly rejected by the American people, who have also made it clear that they want Congress to come together and

solve our fiscal problems and to stop political posturing. We need to be serious in our attempts to right our fiscal ship, but this Majority is asking our seniors, our children and our middle class workers to take on all the sacrifice while asking nothing of the wealthiest amongst us. I therefore urge my colleagues to reject this legislation.

Ms. HIRONO. Mr. Speaker, I rise in strong opposition to H.R. 2560, which should be called the Cut, Cap, and Default Act. This is not a serious attempt to deal with our debt or the looming threat that the United States could default on its obligations. If the concern of the supporters of this legislation was truly our national debt, they would not be working to pass a bill that would virtually guarantee default on our debt. This may provide some political cover for certain members, but it is not a serious response to the problems of our economy.

To raise the debt limit, this legislation requires two-thirds of both chambers of Congress to pass a balanced budget amendment that games the system by making it far easier to slash federal programs like Medicare (with a simple majority vote) than to raise taxes on the wealthy or eliminate special interest loopholes (a higher than majority, two-thirds of members must agree). Unneeded tax breaks for oil companies or loopholes that benefit hedge fund managers would be protected, but Medicare, Social Security, unemployment insurance, and other programs that matter to the middle class and the most vulnerable members of our community would be on the chopping block. In addition to our social safety net programs, this bill would force cuts in programs ensuring public safety, investing in education and infrastructure, and protecting our environment.

Under this bill, multimillionaires could rest easy that they wouldn't lose the generous tax cuts they received under President George W. Bush. But poor seniors who need Medicaid to be able to get nursing home care would be out of luck. Pell Grants that enable middle and low income students to go to college would have to be cut. Nutrition programs for children and the elderly would be curtailed. Government efforts to protect clean air and water and to protect the wildlife, especially endangered species, would suffer.

It has long been the goal of some to "starve the beast," that is, to cut taxes to the level that government services they feel are unnecessary are eliminated. These "services" include Medicare, Medicaid, Social Security, environmental regulation, and the U.S. Department of Education to name a few well-known targets.

I recognize the need to get our debt under control. But we are in the process of recovering from a devastating recession brought on by the policies of the very people calling for cuts in spending today. We have to raise the debt ceiling because we have less revenue due to the Bush tax cuts, billions spent on two wars, and critically needed efforts to pull our economy out of the nose dive it was in at the end of the Bush administration. Holding the full faith and credit of the United States hostage is not the answer to our problems. We need to come together and take the responsible action of raising the debt limit and then move on to addressing the most serious crises

facing our nation: stimulating job growth and getting our economy moving again.

Mr. YOUNG of Alaska. Mr. Speaker, only in Washington can someone charge \$14.3 trillion in debt, ask for a higher credit limit, and not propose a single solution about how to control their seemingly unrestrained spending. That is just what the current Administration has asked Congress to do and it is something which I joined 317 of my colleagues, Republican and Democrat, in saying "no!"

As every Alaskan family knows, there is no magic wand that will just waive debt away. Rather, debt must be managed, luxuries must be given up, and budgets must be made and adhered to. H.R. 2560, the Cut, Cap and Balance Act of 2011 employs what should be a common-sense approach to controlling and paying down our bloated debt. By cutting today's spending and capping and indexing tomorrow's spending to our growth, we can begin to pay down the \$46,000 that each and every American owes.

To ensure that future generations do not make the same spending mistakes, H.R. 2560 will also encourage Congress to propose a Balanced Budget Amendment to the U.S. Constitution. With this amendment we can begin to restrain growth of Washington bureaucrats whose sole job is to prevent resource development and make everyone's life more complicated and more difficult. By forcing future Congress to spend only what they take in revenue, we can finally create a government which lives within its means.

In the 112th Congress, I am a proud and original cosponsor of a balanced budget amendment and in previous Congresses I have voted for a balanced budget amendment five separate times. Since my first vote in favor of a Balanced Budget Amendment in 1982, I have supported the idea that Congress, like every American family, must make and stick to a budget. Alaskan families seem to understand this concept, it is time that Washington learned from their example.

Mrs. CAPPAS. Mr. Speaker, I rise in strong opposition to H.R. 2560.

This misguided legislation is a ridiculous gimmick that has been dismissed as such by budget and economic experts on both sides of the aisle.

It does nothing to pay our bills. It does nothing to create jobs and grow our economy. And it does nothing to address the rapidly approaching default crisis.

So what would it actually do?

It would destroy jobs and cause economic catastrophe. It protects tax breaks and loopholes for Big Oil and Wall Street by cutting the critical safety net programs seniors, children and American families depend on. And, it would double down on the draconian Ryan Budget, ending Medicare and more than doubling health care costs for seniors.

Rather than wasting yet more time debating a bill that won't pass the Senate and would be vetoed by the President, we should be doing the one thing guaranteed to reduce our deficit immediately—create jobs.

Yes, we must make tough choices to reduce spending and balance our budget. But these cuts must not endanger our economic future. We still need to invest in innovation, infrastructure and education to create the jobs today



and in the future and to ensure a well-trained workforce to do those jobs.

Putting people to work and helping businesses grow increases revenue streams and decreases budget deficits. This is the most effective way to reduce the deficit and pay our bills while still protecting our economic future.

This bill, however, would do the opposite by balancing the budget on the backs of seniors, the middle income families and the most vulnerable among us.

Our deficit is a serious problem that requires serious solutions.

Mr. Speaker, H.R. 2560 is not a serious solution, and I urge my colleagues to oppose it.

Mr. PRICE of North Carolina. Mr. Speaker, This "Cut, Cap and Gut" proposal isn't just a retreat of the policies our colleagues voted for in their extreme budget resolution that would end Medicare as we know it; it's worse. This bill holds an increase in the debt limit hostage to passage of a radical GOP Constitutional Amendment that would require even deeper cuts after ending Medicare as we know it.

It arbitrarily caps federal spending at 18 percent of GDP. To say this is unwise is an understatement. The last time federal spending was 18 percent or less of GDP was 1966. The problems of 2011 don't call for a rigid ideology 45 years behind the curve. Why would we tie Congress' hands in the event of future economic challenges? In economic downturns Congress should be able to cut taxes or increase investments to stimulate growth. This is basic economic policy.

This proposal turns a blind eye not just to basic economics, but to the two pressing and related challenges facing our country: growing the economy and charting a course back to fiscal balance. It would necessitate across the board cuts in the domestic programs—education, research, infrastructure and Medicare—that make us strong and ensure our economic success. We know that the best cure for a budget deficit is a growing economy, but this bill requires deep spending cuts starting in October that could stall the recovery and put more Americans out of work.

The budget surpluses we achieved during the 1990s were the result of a concerted effort to balance the budget through a comprehensive approach. Revenues, entitlements, military and domestic spending—all were on the table. We balanced the budget four years in a row. We paid off more than \$400 billion of the national debt. Yet those surpluses were squandered during the George W. Bush administration through trillions in tax cuts and two wars and a privatized prescription drug plan—none of it paid for. Then, when the recession hit in 2008, we were already deep in a fiscal hole and our ability to take effective countermeasures was dangerously compromised. We must never let that happen again.

The bill before us is the opposite of a balanced, comprehensive approach. This bill makes it easier for future Congresses to cut Medicare than to close tax loopholes for oil companies or millionaires, because it requires a 2/3 vote for any measure that raises revenue. The Ronald Reagan-Tip O'Neal agreement to save Social Security in 1983 would not have passed this hurdle. George H. W. Bush's bipartisan 1990 deficit reduction plan

would not have passed this hurdle, nor would the Democratic deficit reduction plan of 1993. So this bill willfully cuts off Congress' access to the tools that have produced meaningful deficit reduction and boosted economic growth, at a time when our economy is fragile and millions of Americans are out of work.

Perhaps this is just positioning by the House majority, but there is no need for this brinkmanship. We should not be making these decisions under duress, but that is exactly where the Republican no-compromise majority has left us. They ask us to alter the fundamental relationship between our people and government—undermining Medicare, education, infrastructure and research funding—by voting on a bill that has never seen a committee vote and was only completed last Friday.

This legislation is not worthy of Congress' approval, and it deserves rejection from those on both sides of the aisle who understand that it is a dangerous diversion from the pressing tasks of job creation and sound fiscal policy.

Mr. COSTELLO. Mr. Speaker, in 1995, I was one of only 72 Democrats to vote for the balanced budget amendment, BBA, considered by the House, and I would vote for a straightforward BBA today. However, the bill before us, H.R. 2560, the Cut, Cap and Balance Act, does not meet this standard.

H.R. 2560 would ensure massive cuts to Social Security, Medicare and Medicaid by holding government spending to 18 percent of Gross Domestic Product—which has not happened since 1966. In addition, the defense budget is exempted from any cuts under this plan. The only way to achieve a balanced budget would be to dismantle programs that help seniors and the disabled, while tax breaks for the wealthiest Americans and corporations that ship jobs overseas are preserved. It is simply unacceptable to make seniors and the disabled bear such a large share of this burden, and this is why AARP and many other groups oppose H.R. 2560.

Mr. Speaker, this bill is a Republican gimmick, not a serious attempt to find common ground and a reasonable approach to getting our deficit and debt under control, and I will oppose it.

Mr. ADERHOLT. Mr. Speaker, it is no secret that our debt crisis is a result of Washington spending money it does not have and leaving the American people—both of today and future generations—with the devastating tab.

Spending money Washington does not have is the problem, so controlling Washington's spending must be part of the solution. The Cut, Cap and Balance Act delivers immediate spending cuts, puts in place reasonable spending limits going forward, and requires Washington to live within its means from here on out.

Since 2009, the national debt has increased by \$3.7 trillion alone and today the national debt stands at nearly \$14.3 trillion. That's \$46,000 per American citizen.

Needless to say, we cannot continue down the same path and expect a different result.

The measures put in place through the Cut, Cap and Balance Act are important steps to getting America on a fiscally responsible path. It is the least we can do.

I am proud to support such a common sense solution and help get our country back

on the right track. I urge my colleagues to do the same.

Mr. PAUL. Mr. Speaker, I rise to speak against H.R. 2560, the Cut, Cap, and Balance Act. This bill only serves to sanction the status quo by putting forth a \$1 trillion budget deficit and authorizing a \$2.4 trillion increase in the debt limit.

When I say this bill sanctions the status quo, I mean it quite literally.

First, it purports to eventually balance the budget without cutting military spending, Social Security, or Medicare. This is impossible. These three budget items already cost nearly \$1 trillion apiece annually. This means we can cut every other area of Federal spending to zero and still have a \$3 trillion budget. Since annual Federal tax revenues almost certainly will not exceed \$2.5 trillion for several years, this Act cannot balance the budget under any plausible scenario.

Second, it further entrenches the ludicrous beltway concept of discretionary vs. non-discretionary spending. America faces a fiscal crisis, and we must seize the opportunity once and for all to slay Washington's sacred cows—including defense contractors and entitlements. All spending must be deemed discretionary and reexamined by Congress each year. To allow otherwise is pure cowardice.

Third, the Act applies the nonsensical narrative about a "Global War on Terror" to justify exceptions to its spending caps. Since this war is undeclared, has no definite enemies, no clear objectives, and no metric to determine victory, it is by definition endless. Congress will never balance the budget until we reject the concept of endless wars.

Finally, and most egregiously, this Act ignores the real issue: total spending by government. As Milton Friedman famously argued, what we really need is a constitutional amendment to limit taxes and spending, not simply to balance the budget. What we need is a dramatically smaller Federal Government; if we achieve this a balanced budget will take care of itself.

We do need to cut spending, and by a significant amount. Going back to 2008 levels of spending is not enough. We need to cut back at least to where spending was a decade ago. A recent news article stated that we pay 35 percent more for our military today than we did 10 years ago, for the exact same capabilities. The same could be said for the rest of the government. Why has our budget doubled in 10 years? This country doesn't have double the population, or double the land area, or double anything that would require the Federal Government to grow by such an obscene amount.

We need to cap spending, and then continue decreasing that cap so that the Federal Government grows smaller and smaller. Allowing government to spend up to a certain percentage of GDP is insufficient. It doesn't matter that the recent historical average of government outlays is 18 percent of GDP, because in recent history the government has way overstepped its constitutional mandates. All we need to know about spending caps is that they need to decrease year after year.

We need to balance the budget, but a balanced budget amendment by itself will not do the trick. A \$4 trillion balanced budget is most

certainly worse than a \$2 trillion unbalanced budget. Again, we should focus on the total size of the budget more than outlays vs. revenues.

What we have been asked to do here is support a budget that only cuts relative to the President's proposed budget. It still maintains a \$1 trillion budget deficit for FY 2012, and spends even more money over the next 10 years than the Paul Ryan budget which already passed the House.

By capping spending at a certain constant percentage of GDP, it allows for Federal spending to continue to grow. Tying spending to GDP creates an incentive to manipulate the GDP figure, especially since the bill delegates the calculation of this figure to the Office of Management and Budget, an agency which is responsible to the President and not to Congress. In the worst case, it would even reward further inflation of the money supply, as increases in nominal GDP through pure inflation would allow for larger Federal budgets.

Finally, this bill authorizes a \$2.4 trillion rise in the debt limit. I have never voted for a debt ceiling increase and I never will. Increasing the debt ceiling is an endorsement of business as usual in Washington. It delays the inevitable, the day that one day will come when we cannot continue to run up enormous deficits and will be forced to pay our bills.

In conclusion, Mr. Speaker, while I sympathize with the aims of this bill's sponsors, I must vote against H.R. 2560. It is my hope, however, that the looming debt ceiling deadline and the discussion surrounding the budget will further motivate us to consider legislation in the near future that will make meaningful cuts and long-lasting reforms.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong opposition to H.R. 2560, the so-called "Cut, Cap, and Balance the Federal Budget Act."

This bill should properly be called the "Cut, Cap, and End Medicare and Destroy Social Security Act," or quite plainly the "Cut, Cap, and Plunge the United States into Default Act."

Mr. Speaker, this is exactly what will happen if this legislation is passed. My colleagues across the aisle would have us believe that the proposed legislation is the answer to all the debt crisis but any attempt to balance the budget on the backs of seniors, veterans and America's working families isn't an answer; it's a cruel joke, but one with real consequences.

The American people did not send us here to play games. Instead, they want us to work together to adopt fiscally sound pro-growth policies that puts our financial house in order and will give a rocket boost to our economy so that it creates millions of good-paying jobs for all of our people.

We can do this. We did it in the 1990s when under the leadership of President Clinton we balanced the budget four consecutive years, paid down the national debt, created 23 million new jobs, and left \$5 trillion in projected surpluses.

It is not a serious proposal to legislate a spending cap of 18 percent of GDP, a level that has not occurred since 1966, before the escalation of the Vietnam War.

But this isn't 1966. It's 45 years later, and in 2011 we face greater challenges. Our popu-

lation has increased by 57 percent, we are living nearly 10 years longer on average, and the percentage of citizens age 65 and up has climbed to 13 percent.

In my district 63,000 men and women receive Medicare annually and 40,000 receive Social Security, and tens of thousands more will soon reach eligibility age. How can I look them in the eye and tell them that the benefits they are entitled to, that they have worked so hard for over the years, are not coming?

More Americans than ever rely on Medicare and Social Security to pay for the ever increasing costs of health care and provide for themselves in retirement. In my district, Social Security constitutes 90% or more of the income received by 34 percent of beneficiaries (21 percent of married couples and 43 percent of non-married beneficiaries).

Passing H.R. 2560 will result in draconian cuts to these vital benefits. Doing so would leave our most vulnerable citizens exposed and unprotected. I cannot and will not support a proposal that will inflict such grave hardship on the most vulnerable of our citizens while asking nothing of those who benefited most from the reckless economic policies of the previous administration.

Mr. Speaker, the times are serious but this legislation is not. In two weeks the debt limit will be reached so time is of the essence. This legislation, however, is a waste of time and has no chance of ever becoming law. We should reject this proposal and take up a serious proposal to resolve the debt crisis and maintain our country's A+ credit rating.

It is difficult to take seriously a proposal that conditions, as this bill does, paying the nation's bills upon the approval by the House and Senate, and submission to the states for ratification, of a radical balanced budget amendment that enshrines the notorious Ryan Budget in the Constitution and makes the discredited theory of trickle-down economics the law of the land. That is a prescription for economic disaster.

Passage of this gimmick proposal will virtually ensure that America will default on its financial obligations for the first time in history, with catastrophic consequences for our nation and the global economy.

Seniors will not receive their Social Security checks; funding to train, equip, deploy, and pay military and law enforcement personnel will be withheld; interest rates will rise; the value of pensions and retirement portfolios will fall; and jobs will be lost.

Mr. Speaker, this bill is nothing more than political theater; at best a cheap gimmick to appease the Tea Party base of the majority party in the House. But it's not the right thing for our country.

What we need right now is for responsible leaders to act responsibly. As legislators, our constituents are looking to us to get serious about the serious work we need to do to protect the economy, our people, and the nation's unrivaled record of creditworthiness. They deserve no less.

For all these reasons, I stand in strong and unyielding opposition to H.R. 2560 and urge my colleagues to join me in rejecting this radical and dangerous proposal.

Mr. RYAN of Wisconsin. I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 355, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Mr. BISHOP of Georgia. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BISHOP of Georgia. I am in its current form.

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

The Clerk read as follows:

Mr. Bishop of Georgia moves that the bill be recommitted to the Committee on Rules with instructions to report the following amendment back to the House forthwith:

At the end of section 301, add the following new subsection:

(c) PROTECTING OUR VETERANS.—It shall not be in order in the House of Representatives or the Senate to consider any balanced budget amendment to the Constitution that could result in a reduction in veterans benefits.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman is recognized for 5 minutes in support of his motion.

Mr. BISHOP of Georgia. Mr. Speaker and my colleagues, there are many times when we come to this floor and engage in heated debate, and we have heard some heated debate today. This so-called Cut, Cap, and Balance bill does just that.

It cuts and it caps programs that will work for everyone and put America ahead of our competitors. It cuts and caps our ability to jump-start new industries in our country, like clean energy. It cuts and caps our ability to rebuild our economic infrastructure, like roads and bridges and ports, and to put people to work. It cuts and caps education and job training opportunities to help middle class people get and keep good jobs.

Yes, it cuts and it caps, but it balances the cuts and the caps by protecting tax breaks for the wealthiest folks in our country by providing subsidies for corporations that take jobs overseas, away from American workers, and by cutting Medicare and Social Security benefits for our Nation's seniors—balancing it on the backs of them.

I have some problems with this bill, Mr. Speaker, but I am a realist, and I realize, reluctantly, that it might just pass. So, regardless of how we may feel about the underlying legislation, this motion to recommit is something upon which we ought to all be able to agree. It simply says that it shall not be in order in the House of Representatives

or the Senate to consider any balanced budget amendment to the Constitution that could result in a reduction in veterans' benefits.

□ 1950

Mr. Speaker, we have already seen what a shortfall in veterans funding can do. I remember the problems with veterans care. I remember the \$1 billion shortfall a few years ago when the Department of Veterans Affairs had to raid its operations and maintenance account to help pay for veterans basic medical care.

Even now, veterans have to wait years to have their claims adjudicated because they're just are not enough adjudicators. They have to wait too long to get doctors to get their treatment. Mr. Speaker, with more of our servicemembers returning home every day, more vets are returning home who have no opportunity or a limited opportunity for job training, returning home with PTSD, or returning home now having to face the possibility of limited educational benefits because of this bill and its progeny.

Mr. Speaker, now is not the time to endanger benefits to our Nation's veterans.

When veterans come home without limbs because they have defended our freedoms, we should not put in place Cut, Cap, and Balance legislation on their backs, the backs that are strained and damaged by the injuries they sustained fighting for this country. We should not stand idly by and watch this Congress endanger the welfare of our Nation's heroes.

Today's Nation's military remains deployed overseas as it has during the last 9 years. The funding requirements we face in meeting the needs have significantly increased as we continue to meet and address the longstanding issues from past and current wars. And we cannot watch the requirements for these fighting men and women who come home continue to die.

These needs last long after the last American combatants depart Iraq and Afghanistan. This motion to recommit would simply protect our veterans from any potential unintended consequence resulting from this ill-conceived bill, the so-called Cut, Cap, and Balance Act.

The needs of America's veterans, past and future, should be one of our highest priorities. And this motion will ensure that our veterans are taken care of and they receive the benefits they have earned.

Let's be clear. The passage of this motion to recommit will not prevent the passage of the underlying bill. If the amendment is adopted, it will be incorporated into the bill and the bill will be immediately voted upon.

So though we may disagree on the bill, today we have the opportunity with this motion to recommit and my

amendment to speak with one voice in support of our veterans.

It is up to all of us. I urge you to vote "yes" on this motion to recommit. But let's make sure that if this bill passes, the Cut, Cap and Balance and any balanced budget will not result in a reduction of veterans benefits. Vote "yes" on the motion to recommit and protect our Nation's veterans.

Mr. RYAN of Wisconsin. I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. RYAN of Wisconsin. Mr. Speaker, I have fantastic news. All of the gentleman from Georgia's concerns have already been addressed in this legislation.

Let me simply refer you to section 317 where it says: "Exempt from direct spending limits, section (b)(3), veterans benefits and services, which is all of function 700." Let me refer you to section 318 that shows when it comes to sequester, which is basically an enforcement mechanism on spending caps, exemption, veterans benefits. Veterans benefits are explicitly preserved in this legislation just as they are with the budget that we had passed that this cap and cut conformed to.

So make no mistake, Mr. Speaker, there are no cuts to veterans in here, because we agree the men and women out there fighting on the front lines for our freedom have been given promises to benefits like health care and others, and those promises all are to be kept.

That is why we've already taken care of the gentleman's concerns so the recommit is unnecessary because we preserve the benefits explicitly.

I yield back the balance of my time.

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

There was no objection.

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

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

Mr. BISHOP of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on the passage of the bill, if ordered; and approval of the Journal.

The vote was taken by electronic device, and there were—yeas 188, nays 236, not voting 8, as follows:

[Roll No. 605]

YEAS—188

Ackerman  
Altmire  
Andrews  
Baca  
Baldwin  
Barrow  
Bass (CA)  
Becerra  
Berkley

Berman  
Bishop (GA)  
Bishop (NY)  
Boren  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield

Capps  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Chandler  
Chu  
Cicilline  
Clarke (MI)

Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Inslee  
Israel

Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lujan  
Lynch  
Maloney  
Markey  
Matheson  
Matsui  
McCarthy (NY)  
McCullum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree (ME)

Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reyes  
Richardson  
Richmond  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schradler  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Shuler  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

NAYS—236

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Austria  
Bachmann  
Bachus  
Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishkek  
Berg  
Biggert  
Billbray  
Billirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Capito  
Carter

Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman (CO)  
Cole  
Conaway  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett

Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Hutzensga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan

Kelly	Myrick	Schilling	Buerkle	Hensarling	Platts	Hahn	Matsui	Ryan (OH)
King (IA)	Neugebauer	Schmidt	Burgess	Herger	Poe (TX)	Hanabusa	McCarthy (NY)	Sánchez, Linda
King (NY)	Noem	Burton (IN)	Schock	Herrera Beutler	Pompeo	Hastings (FL)	McCollum	T.
Kingston	Nugent	Schweikert	Calvert	Huelskamp	Posey	Heinrich	McDermott	Sanchez, Loretta
Kinzinger (IL)	Nunes	Scott (SC)	Camp	Huizenga (MI)	Price (GA)	Higgins	McGovern	Sarbanes
Kline	Nunnelee	Scott, Austin	Campbell	Hultgren	Quayle	Himes	McNerney	Schakowsky
Labrador	Olson	Sensenbrenner	Cantor	Hunter	Reed	Hinojosa	Meeks	Schiff
Lamborn	Palazzo	Sessions	Capito	Hurt	Rehberg	Hirono	Michaud	Schrader
Lance	Paul	Shimkus	Carter	Issa	Reichert	Hochul	Miller (NC)	Schwartz
Landry	Paulsen	Simpson	Cassidy	Jenkins	Holden	Miller, George	Miller, George	Scott (VA)
Lankford	Pearce	Smith (NE)	Chabot	Johnson (IL)	Ribble	Moore	Moran	Scott, David
Latham	Pence	Smith (NJ)	Chaffetz	Johnson (OH)	Rigell	Honda	Murphy (CT)	Serrano
LaTourette	Petri	Smith (TX)	Coble	Johnson, Sam	Rivera	Hoyer	Nadler	Sewell
Latta	Pitts	Southerland	Coffman (CO)	Jordan	Roby	Inslee	Napolitano	Sherman
Lewis (CA)	Platts	Stearns	Cole	Kelly	Roe (TN)	Israel	Neal	Sires
LoBiondo	Poe (TX)	Stivers	Conaway	King (IA)	Rogers (AL)	Jackson (IL)	Olver	Slaughter
Long	Pompeo	Stutzman	Cooper	King (NY)	Rogers (KY)	Jackson Lee	Owens	Smith (WA)
Lucas	Posey	Sullivan	Cravaack	Kingston	Rogers (MI)	(TX)	Pallone	Speier
Luetkemeyer	Price (GA)	Terry	Crawford	Kinzinger (IL)	Rokita	Johnson (GA)	Pascrell	Stark
Lummis	Quayle	Thompson (PA)	Crenshaw	Kline	Rooney	Johnson, E. B.	Pastor (AZ)	Sutton
Lungren, Daniel	Reed	Thornberry	Culberson	Labrador	Ros-Lehtinen	Jones	Kaptur	Paul
E.	Rehberg	Tiberi	Davis (KY)	Lamborn	Roskam	Keating	Keating	Payne
Mack	Reichert	Tipton	Denham	Lance	Ross (FL)	Kildee	Kildee	Pelosi
Manzullo	Renacci	Turner	Dent	Landry	Royce	Kind	Perlmutter	Tierney
Marchant	Ribble	Upton	Diaz-Balart	Lankford	Runyan	Kissell	Peters	Tonko
Marino	Rigell	Walberg	Dold	Latham	Ryan (WI)	Kucinich	Peterson	Towns
McCarthy (CA)	Rivera	Walden	Dreier	LaTourette	Scalise	Langevin	Pingree (ME)	Tsongas
McCaul	Roby	Walsh (IL)	Duffy	Latta	Schilling	Larsen (WA)	Polis	Van Hollen
McClintock	Roe (TN)	Webster	Duncan (SC)	Lewis (CA)	Schmidt	Larson (CT)	Price (NC)	Velázquez
McCotter	Rogers (AL)	West	Duncan (TN)	LoBiondo	Schock	Lee (CA)	Quigley	Visclosky
McHenry	Rogers (KY)	Westmoreland	Ellmers	Long	Schweikert	Levin	Rahall	Walz (MN)
McKeon	Rogers (MI)	Whitfield	Emerson	Lucas	Scott (SC)	Lewis (GA)	Rangel	Wasserman
McKinley	Rohrabacher	Wilson (SC)	Farenthold	Luetkemeyer	Scott, Austin	Lipinski	Reyes	Schultz
McMorris	Rokita	Wittman	Fincher	Lummis	Sensenbrenner	Loeb sack	Richardson	Waters
Rodgers	Rooney	Wolf	Fitzpatrick	Lungren, Daniel	Sessions	Lofgren, Zoe	Richmond	Watt
McMorris	Ros-Lehtinen	Womack	Flake	E.	Shimkus	Lowey	Rohrabacher	Waxman
Meehan	Roskam	Woodall	Fleischmann	Manzullo	Shuler	Luján	Ross (AR)	Welch
Mica	Ross (FL)	Yoder	Fleming	Marchant	Shuster	Lynch	Rothman (NJ)	Wilson (FL)
Miller (FL)	Royce	Young (FL)	Flores	Marin	Simpson	Mack	Roybal-Allard	Woolsey
Miller (MI)	Runyan	Young (IN)	Forbes	Matheson	Smith (NE)	Maloney	Ruppersberger	Wu
Miller, Gary	Ryan (WI)	Franks (AZ)	Fortenberry	McCarthy (CA)	Smith (NJ)	Markey	Rush	Yarmuth
Mulvaney	Scalise	Frelinghuysen	Fox	McCaul	Smith (TX)			
Murphy (PA)		Galleghy	Franks (AZ)	McClintock	Southerland			

NOT VOTING—8

Blumenauer	Ellison	Shuster
Capuano	Giffords	Young (AK)
Castor (FL)	Hinche y	

□ 2017

Messrs. OLSON and GINGREY of Georgia changed their vote from “yea” to “nay.”

Mr. KEATING, Ms. SCHAKOWSKY and Messrs. THOMPSON of California and GEORGE MILLER of California changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. SCOTT of Virginia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 190, not voting 8, as follows:

[Roll No. 606]

AYES—234

Adams	Barton (TX)	Blackburn
Aderholt	Bass (NH)	Bonner
Akin	Benishek	Bono Mack
Alexander	Berg	Boren
Amash	Biggert	Boustany
Austria	Bilbray	Brady (TX)
Bachus	Bilirakis	Brooks
Barletta	Bishop (UT)	Buchanan
Bartlett	Black	Bucshon

NOES—190

Ackerman	Carney
Altmire	Carson (IN)
Andrews	Chandler
Baca	Chu
Bachmann	Ciциlline
Baldwin	Clarke (MI)
Barrow	Clarke (NY)
Bass (CA)	Clay
Becerra	Cleaver
Berkley	Clyburn
Berman	Cohen
Bishop (GA)	Connolly (VA)
Bishop (NY)	Conyers
Boswell	Costa
Brady (PA)	Costello
Braley (IA)	Courtney
Broun (GA)	Critz
Brown (FL)	Crowley
Butterfield	Cuellar
Canseco	Cummings
Capps	Davis (CA)
Cardoza	Davis (IL)
Carnahan	DeFazio

DeGette
DeLauro
DesJarlais
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Eshoo
Farr
Fattah
Filner
Costa
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez

NOT VOTING—8

Blumenauer	Ellison	Hinche y
Capuano	Engel	Young (AK)
Castor (FL)	Giffords	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2023

So the bill was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. ENGEL. Mr. Speaker, on rollcall No. 606 I in advertently missed the vote. Had I been present, I would have voted “no.”

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker’s approval of the Journal, on which the yeas and nays were ordered.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 304, nays 112, answered “present” 1, not voting 15, as follows:

[Roll No. 607]

YEAS—304

Ackerman	Barletta	Benishek
Adams	Barrow	Berg
Aderholt	Bartlett	Berkley
Akin	Barton (TX)	Berman
Alexander	Bass (NH)	Biggert
Austria	Becerra	Bilbray

Bilirakis  
Bishop (GA)  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boswell  
Boustany  
Brady (TX)  
Braley (IA)  
Brooks  
Broun (GA)  
Brown (FL)  
Buchanan  
Buchson  
Buerkle  
Burton (IN)  
Butterfield  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Capito  
Capps  
Carnahan  
Carson (IN)  
Carter  
Cassidy  
Chabot  
Chaffetz  
Chu  
Ciilline  
Clarke (MI)  
Clyburn  
Coble  
Coffman (CO)  
Cohen  
Conaway  
Connolly (VA)  
Cooper  
Costello  
Crawford  
Crenshaw  
Critz  
Cuellar  
Culberson  
Cummings  
Davis (CA)  
Davis (KY)  
DeGette  
DeLauro  
Denham  
DesJarlais  
Diaz-Balart  
Dingell  
Doggett  
Doyle  
Dreier  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Engel  
Eshoo  
Farenthold  
Farr  
Fattah  
Fincher  
Flake  
Fleischmann  
Fleming  
Flores  
Fortenberry  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Garamendi  
Garrett  
Gonzalez  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Green, Al  
Griffin (AR)  
Griffith (VA)  
Guinta  
Guthrie  
Hall  
Hanabusa

Harper  
Hartzler  
Hastings (WA)  
Hayworth  
Heinrich  
Hensarling  
Herger  
Herrera Beutler  
Higgins  
Hinojosa  
Holden  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Inslie  
Israel  
Issa  
Jackson (IL)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan  
Kaptur  
Keating  
Kelly  
Kildee  
King (IA)  
King (NY)  
Kingston  
Kissell  
Klaine  
Labrador  
Lamborn  
Lance  
Landry  
Langevin  
Lankford  
Larsen (WA)  
LaTourrette  
Latta  
Levin  
Lewis (CA)  
Lipinski  
Lofgren, Zoe  
Long  
Lucas  
Luetkemeyer  
Lujan  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Markey  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McHenry  
McIntyre  
McKeon  
McMorris  
Rodgers  
McNerney  
Meehan  
Mica  
Michaud  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Moran  
Mulvaney  
Murphy (CT)  
Murphy (PA)  
Myrick  
Nadler  
Neugebauer  
Noem  
Nunnelee  
Olson  
Owens  
Palazzo  
Paul  
Paulsen  
Pearce  
Pelosi

Pence  
Perlmutter  
Petri  
Pingree (ME)  
Pitts  
Platts  
Polis  
Pompeo  
Posey  
Price (GA)  
Price (NC)  
Quayle  
Quigley  
Rangel  
Rehberg  
Reichert  
Ribble  
Richardson  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Rothman (NJ)  
Roybal-Allard  
Royce  
Ruppersberger  
Ryan (WI)  
Sanchez, Loretta  
Scalise  
Schmidt  
Schock  
Schrader  
Schwartz  
Schweikert  
Scott (SC)  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell  
Sherman  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southerland  
Speier  
Stark  
Stearns  
Stutzman  
Sullivan  
Thompson (PA)  
Thornberry  
Tierney  
Tipton  
Tonko  
Tsongas  
Turner  
Upton  
Van Hollen  
Walberg  
Walden  
Walsh (IL)  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Webster  
Welch  
West  
Westmoreland  
Whitfield  
Wilson (FL)  
Wilson (SC)  
Wittman  
Wolf  
Womack

Woodall  
Woolsey

Yarmuth  
Yoder

Young (FL)  
Young (IN)

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 451

Mr. BOSWELL. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 451.

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

There was no objection.

#### WHERE'S YOUR PLAN, MR. PRESIDENT?

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

Mr. FLEMING. Mr. Speaker, just moments ago this body passed the Cut, Cap, and Balance bill. Today we stand at a crossroads that will define our Nation's financial security for generations. Republicans, we have a plan that cuts the Federal budget, caps Federal spending, and balances the Federal budget with a constitutional amendment so we do not have this problem in perpetuity.

Democrats, well, there is no plan, no plan to bring this country back to financial sanity. Yet my colleagues on the left continue to criticize the House Republican plan. In all the time my colleagues on the Democrat side have been attacking the House Republican plan, they could have come up with one of their own. Even the President talks about his plan; yet he has yet to produce one. This shows once again a complete failure of leadership by President Obama and congressional Democrats.

The American people spoke loudly and clearly in the 2010 elections: They want Federal spending cut. It's that simple. Let's follow through and not let the American people down.

#### REMEMBERING JAMES T. MOLLOY

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

Mr. ENGEL. Mr. Speaker, it is my sad duty to report the passing of a former officer of this House, doorkeeper James T. Molloy.

Jim, as he was known to so many, served as doorkeeper for 20 years, when I first came to Congress from 1974 to 1994. He was known throughout the world for his distinctive introduction of the President and heads of State to Congress. He is the one who would always yell: Ladies and gentlemen, the President of the United States.

Jim, a native of Buffalo, New York, was a graduate of Canisius College and worked as a fireman and schoolteacher before coming to Washington at the invitation of Congressman John Rooney of New York. He leaves his beloved wife, Roseann, and his daughter, Amy.

We will all miss him. We all remember him, and we all loved him.

#### NAYS—112

Green, Gene  
Grijalva  
Grimm  
Hahn  
Hanna  
Harris  
Hastings (FL)  
Heck  
Himes  
Hirono  
Hochul  
Holt  
Honda  
Hoyer  
Jackson Lee  
(TX)  
Johnson (OH)  
Kind  
Kinzinger (IL)  
Kucinich  
Larson (CT)  
Latham  
Lee (CA)  
Lewis (GA)  
LoBiondo  
Loebback  
Lowey  
Lynch  
Maloney  
Matheson  
Matsui  
McCotter  
McDermott  
McGovern  
McKinley  
Meeke  
Miller (FL)  
Moore

Napolitano  
Neal  
Nugent  
Olver  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Peters  
Peterson  
Poe (TX)  
Rahall  
Reed  
Renacci  
Reyes  
Richmond  
Rooney  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schilling  
Shuler  
Sires  
Slaughter  
Stivers  
Sutton  
Terry  
Thompson (CA)  
Thompson (MS)  
Tiberi  
Townes  
Velázquez  
Visclosky  
Wu

#### ANSWERED "PRESENT"—1

Amash

#### NOT VOTING—15

Bachmann  
Bachus  
Blumenauer  
Capuano  
Castor (FL)  
Cole  
Dicks  
Ellison  
Giffords  
Gohmert  
Gutierrez  
Hinchey  
Nunes  
Runyan  
Young (AK)

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2029

So the Journal was approved.

The result of the vote was announced as above recorded.

#### REPORT ON RESOLUTION PRO- VIDING FOR CONSIDERATION OF H.R. 2553, AIRPORT AND AIRWAY EXTENSION ACT OF 2011, PART IV

Mr. WEBSTER, from the Committee on Rules, submitted a privileged report (Rept. No. 112-155) on the resolution (H. Res. 357) providing for consideration of the bill (H.R. 2553) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HONORING NORTH DAKOTA SENATE MAJORITY LEADER BOB STENEHJEM

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

Mr. BERG. Mr. Speaker, today I would like to honor a statesman and my good friend, Senator Bob Stenehjem, who passed away yesterday in a tragic car accident.

Bob served as the Senate majority leader in North Dakota for 10 years, and he worked incredibly hard for the State that he loved, and he worked through a system that he believed in called the legislative process. He was respected and admired by those of us who served alongside him in the State legislature.

And his tireless legislative work is one of the reasons North Dakota is doing so well today. As Bob would say: We are the envy of the Nation.

It hurts knowing my friend is gone, and I ask that we all keep his wife, Kathy, and the Stenehjem family in our thoughts and prayers.

North Dakota has lost a wonderful public servant. But I know that Bob's character and beliefs will continue through his policy and prosperity for years to come.

I will miss Bob very much.

AMERICANS LOSE WITH PASSAGE OF CUT, CAP, AND BALANCE

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I just heard celebration just a few minutes ago regarding the passage of the Cut, Cap, and Balance that really should be named the Tap Dance, Establishing the Losers Club for Americans, and the Busting of Benefits for Americans bill, because what we are doing is tap dancing around the responsibility of this Congress to in fact raise the debt limit as we have done 60 times.

And, of course, we are establishing losers by the very fact that interest rates will go up, Social Security and other benefits, Medicare will be gone, U.S. credit will be downgraded and the Chamber of Commerce and hundreds of businesses will in fact be begging for us to lift the debt ceiling.

But, more importantly, we will cause America's lack of paying her bills to hurt families and businesses. And let me introduce you to the losers. Now that this bill has passed, welcome to the losers: soldiers and their families, their grandparents and mothers and fathers who are back here in this country while they are on the front lines in Iraq and Afghanistan.

Today we just voted H.R. 2650 to in fact establish a club of losers for these patriots who have served their country. What a shame. What a shame.

TIME FOR WASHINGTON TO LIVE WITHIN ITS MEANS

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

Mr. SCALISE. Mr. Speaker, tonight the House finally passed a real plan that addresses this Nation's spending crisis.

I think many American families out there already know that Washington has had a spending problem, because they have been living within their means for a long time. They have been sitting around the kitchen table figuring out how to make do with what they have got. And yet in Washington, it seems like liberal leadership over here wants to ignore the problem.

We have passed a plan today in the House with Cut, Cap, and Balance that controls spending in Washington and puts us on a path to a balanced budget.

And what's the President's plan? We have still yet to hear his plan. All we hear are speeches and class warfare where the President tries to pit one group of Americans against another, as if corporate jet owners and millionaires and billionaires can solve the problem. If he confiscated every single dollar they have, it wouldn't address the problem.

Now it is time to get real. If the President wants to get serious about addressing the spending problems in this Nation, it is time for him to confront what Cut, Cap, and Balance really does, and that is to finally tell Washington it is time to start living within your means, just like families across this country have been doing for years.

□ 2040

MEDICARE UNDER ATTACK

The SPEAKER pro tempore (Mr. STUTZMAN). Under the Speaker's announced policy of January 5, 2011, the gentleman from New York (Mr. TONKO) is recognized for half the remaining time until 10 p.m. as the designee of the minority leader.

Mr. TONKO. Thank you, Mr. Speaker.

It is our pleasure during the next 40-or-so minutes to express concerns about a Medicare program that has served this Nation's seniors so very well for 45 years and is at risk of being ended.

Tonight, we witnessed on this floor the third such vote to end Medicare by the Republican majority. We know that our seniors would be forced to shop in a private market. The certainty of a guaranteed program that has been available to our Nation's seniors since 1966 is at risk. The money that the government would kick in for coverage would not keep pace with the costs for those health care policies, and so our seniors would be forced to dig

into their pockets, reach into those pockets and perhaps have their costs, their contributions, more than doubled. This is an unnecessary step that is being taken against our Nation's seniors that is irresponsible.

We believe that what we have seen since that threshold in time in 1965 when we approved such a measure, the impact from the private sector health care industry has witnessed a growth of over 5,000 percent in the cost of premiums in that time since 1965. The impact on seniors has been certainly far less than that. We have seen the containing of administrative costs, we avoid marketing requirements with the Medicare program, and we have been able to share benefits with our Nation's seniors in a way that protected their health care coverage, that enabled them to enjoy a quality of life.

It can easily be documented that when our Nation's seniors retired back in the sixties, they would see their economic durability challenged. Their strength, their economic opportunity to grow forward into retirement was oftentimes impacted by the cost of medical needs. There was cherry-picking going on, there were opportunities that were denied our Nation's seniors, and they were asked to absorb an inordinate amount of pressure in order to continue forward in soundness, in wellness and certainly to have the coverage that was required to meet their health care needs.

All of this now is at risk with several proposals. We've seen a Ryan plan, a budget that Republicans produced. The Ryan Road to Ruin, as we've designated it, would cause severe hardship on our Nation's seniors. We saw the Republican Study Committee come up with a vote that again ended Medicare. And today, when we witnessed this attempt to play with the United States Constitution, to make it very easy to end Medicare while making it even more difficult to address those deep pockets that get favorable treatment by some go continuing on because it would be more difficult to end that opportunity.

So what we have here tonight is an opportunity to discuss the assault on America's working families, the assault on her seniors, the Nation's seniors, by ending Medicare, ending Medicare that puts the private sector insurance industry in control. They put them in the driver's seat, they require our seniors to shop with a voucher that won't nearly cover the cost of those premiums, and, again, require them to pay double as we go forward.

We are joined by Representative GARAMENDI from California here this evening and Representative JOE COURTNEY from Connecticut. The three of us will share thoughts about how to better address the economic pressures on this Nation today without ending Medicare. It has been a lifesaver for so

many of our Nation's seniors and has provided a sense of security, of predictability in their budgeting as they go forward in retirement years.

Representative JOHN GARAMENDI from California, thank you for joining us this evening. You witnessed it here tonight, as Mr. COURTNEY and I both did, Representative COURTNEY from Connecticut and I, witnessed yet another vote that would mean the end for Medicare, because it's an attempt to play with the Constitution, mess with our Constitution in a way that would really focus on hardship for our Nation's seniors.

Mr. GARAMENDI. Thank you very much, Representative TONKO. Thank you for bringing this issue alive this evening and for giving us this time to discuss this.

Many, many thoughts went through my mind today as this vote and the debate went along. As it was debated by our Republican colleagues, I just couldn't understand where they were coming from. What would motivate them to want to destroy Medicare? And Medicaid? Why would they do that? The thoughts just reeled through my mind, and I'm going, I guess maybe they had had a different experience than I did.

I was a young boy in the 1950s, and there was no Medicare, and there was no Medicaid. My father was a rancher. We grew up in a ranching area up in the foothills of California, in the Mother Lode Gold Country. He took me one day to the county hospital. It was one of the most horrible moments I can remember as a child, because the wards, there was just a ward, maybe 20 or 30 very elderly men, and then on the other side elderly women, who were dying. Their medical care wasn't available to them.

Sometime later, maybe another month after that, we were out chasing cattle that had gotten loose—I was just a young man—and one of our neighbors, we came upon the neighbor and asked where the cattle might be, and he said they were down that way. He had this huge growth on his mouth, and my dad asked about that, and he said, it's cancer. He had no insurance. He had no care. He was probably 70, 75, 80 years old. He died shortly thereafter.

In 1965, this country did a remarkable, beautiful, wonderful thing. We gave to every senior in America medical care, doctor and hospital care, the opportunity to live longer, to have that cancer treated, to eliminate those wards in the county hospital where people simply were warehoused to die. And here today, for the third time since January of this year, the Republicans have put forth a proposal—and hopefully it will never become law—to terminate Medicare.

Have no doubt about it, Mr. TONKO, they would terminate Medicare. As you said, they would turn it over to the pri-

vate insurance companies, with a voucher, insufficient to pay for medical care insurance from an insurance company today. The discrimination that exists in insurance for people with pre-existing conditions, and the paramount preexisting condition in America is age. If you're 55, 60, 65, you have a pre-existing condition. It's called age. What will come of those people?

What is this Nation all about? Who are we as Americans? Who are we as Americans that on this floor in a charade, in a falsehood, brought to America today, and twice previously, legislation that doesn't deal with the fundamental issues of the budget, the tax issues, the revenue side of it, real reform in the programs, whether it's Medicare or the military. Real reforms. No, no, no. Just cut, slash, burn, and take your seniors, toss them aside.

This is not the America that I want to live in. This is the America of the 1950s when there was no Medicare and when seniors were in wards left to die, or in no care at all. Every American 65 years of age is guaranteed a comprehensive health care benefit. It's called Medicare. Whatever else we stand for, that's where the Democrats stand. We will fight this fight. We will not lose this fight.

□ 2050

This is about the very heart and soul of this Nation.

Mr. TONKO, thank you for these moments.

Mr. TONKO. I think it's important for us to share with the American public what's happening on this floor in the House of Representatives. So many suggest that the history that drove Medicare to be developed, the dynamics that were so impacting on the senior community across this country coast-to-coast, could be revisited if their proposal to end Medicare—the Republican proposal to end Medicare—were to take hold. And I know Representative COURTNEY, JOE COURTNEY from Connecticut, understands that. He has shared those concerns over and over again, that we could go back and revisit history of 45 years ago, 46 years ago, when people literally were impacted by cherry-picking going on, where they couldn't afford policies even if they were offered to them, and many times they couldn't get policies written to cover them.

Representative COURTNEY, thank you for joining us this evening on what is an important bit of information exchange for America. They need to know that the seniors are at risk.

Mr. COURTNEY. Thank you, Mr. TONKO.

I want to thank Congressman GARAMENDI, who did great service as the insurance commissioner in the State of California. He understands these issues intimately.

I think this is really a generational gut check for our country in terms of

whether or not this attempt to butcher Medicare, one of the most successful programs in American and world history, is going to succeed or not. John described very powerfully the public wards in the public hospitals and the third-tier status that seniors had prior to 1965. Kaiser Permanente actually did a study in terms of just reminding us of what this country faced when President Johnson signed that legislation on Harry Truman's porch step. At the time Medicare passed, only 50 percent of seniors over 65 in America had health insurance of any sort whatsoever. Part of it was class. Part of it was the underwriting rules. But part of it is, just as Mr. GARAMENDI said, age is a factor which carries risk. And there is no insurance company that evaluates risk within its own book of business that can really take all comers when you're talking about a population of 65 and up. Life expectancy was 70 in 1965.

So we passed Medicare, and what happened is we created a guaranteed benefit. The genius of Medicare is that we pooled the risk, and we actually made an affordable system financed through payroll taxes, premiums. The system has had its ups and downs financially over the past 45 years. The fact of the matter is we now have a life expectancy of 78 in this country. It has worked. We have also alleviated the crushing out-of-pocket costs that seniors faced in 1965, and we have elevated the status of people in that demographic in a way that the private insurance market just was totally incapable of doing it.

Last year, we passed the Affordable Care Act, which modified Medicare and made some important improvements and changes. We now have annual checkups covered. We now have cancer screenings. We now have extended prescription drug benefits. And one of the things that the Republicans claim, in trying to sell this measure with snake oil, frankly, is that somehow people who are 55 and above today will not be affected by the passage of the Ryan plan. In fact, we know that if you look at that plan, it cancels all of those new benefits in year one.

So seniors who now—hundreds of thousands—have gotten their annual checkups in the last 8 or 9 months since the new benefit kicked in, cancer screenings that kicked in, prescription drug assistance that's now providing health for seniors in the doughnut hole, all of that would be canceled today, and any prospective change that is proposed in this system, which again, starting for individuals 55 and under, now will be left in a private insurance market with a totally inadequate voucher, as Mr. GARAMENDI said. Again, that's where the real butchering of Medicare takes place. But there is no question for anyone who's listening tonight that if you are a senior citizen on Medicare, the false



claim that you are somehow insulated from this measure because of the fact that you're already in the program, that is something that people have got to recognize and understand. That new benefits that are making this a smarter, more effective program are going to be canceled in year one if this measure, God forbid, ever is enacted.

Mr. TONKO. Very well said, Representative COURTNEY.

What I think upsets all three of us is the fact that, with the Affordable Care Act, where we found savings by reining in some of the profit margins of insurance companies that were used—those savings were used to fill the doughnut hole that you just talked about—they're now taking those savings and sharing them in a way that's not going to benefit seniors, and they're not going to fill that doughnut hole. So when seniors come to us and say, Look, what is this talk about Medicare? they're saying, You destroyed Medicare. No. We were working to make it stronger. We're working to fill the doughnut hole so that prescription costs that are impacting seniors—my gosh, with the passage of time, we have seen advancements in pharmaceutical research that provides more opportunity for wellness or for cure. That has stretched opportunities galore for our seniors. But they would raid those savings and pull them away again from our senior community and use those in other ways, which we find very offensive.

This ending of Medicare with this third vote tonight, how much more do we need to challenge the security of seniors out there? They're disturbed every time they hear of this effort to end Medicare. We want to make it stronger. We're talking about all sorts of efforts to bulk purchase pharmaceuticals for the Medicare program, which would make it stronger. They forecast \$156 billion or \$157 billion of savings to the Federal Government that would provide correspondingly some \$27 billion in savings for individual seniors just by doing that.

So there's an all-out effort here to strengthen Medicare, not to end it. And it's sad that tonight we witnessed the third vote cast here, with the majority's support so that it passed in the House, to move forward and include in that packaging the ending of Medicare.

Representative GARAMENDI, you have a chart up there.

Mr. GARAMENDI. I have this chart. We've used it before as we've discussed Medicare. It brings this whole thing right into focus. This is a tombstone. Medicare, 1966–2011. Created by LBJ. Destroyed by the GOP. It may be a little harsh, but this is really the reality of what is going on here. It's the end of Medicare as we know it. It's the end of the guaranteed benefit program, and it does turn everyone who is 55 years and younger over to the insurance industry.

I spoke to this briefly before—and Mr. COURTNEY, thank you for reminding me that I was the insurance commissioner in California for 8 years. I fought tooth and nail with the insurance industry over health care and automobile and homeowner and other kinds of insurance. In the health care sector, the private health insurance companies are about profit. That's their goal. They are profit-making organizations. And to enhance their profits, they do a variety of things. Deny coverage. You've got a policy? Oh, but that was a preexisting condition, and therefore we're not going to cover it. Or, gee, that kind of treatment is not covered.

There was a lot of talk about death panels. I'll tell you where the death panel is—and I saw this as insurance commissioner. I saw insurance companies denying treatment that led to the death of numerous individuals over those 8 years. The real death panels have been the private insurance companies. In Medicare, I know of no case where that has happened. Maybe it did, but I'm unaware of it, and I had the biggest State—California. Also, there is this kind of discrimination that takes place.

Let me just put this additionally to it. The private health insurance company is grossly inefficient. It is inefficient. It has enormous additional costs that Medicare does not have. By comparison, Medicare is a very efficient operation. It takes about 2 percent to raise the money and another, maybe, 2 or 3 percent to pay the bills and, on the provider side, maybe another 10 percent to do the billing also. Maybe the total cost is somewhere at about 15 percent in administrative costs. The private insurance companies run somewhere near 30 percent in administrative costs when you consider profit, when you consider the advertising, sales commissions. And they have thousands of different policies covering this, but not covering that, this deductible, that deductible. And when it gets to the provider, the ultimate chaos. So the administrative cost in the private system is about twice what it is in Medicare. Medicare is a very efficient, very effective, universal program that raises the money in a very fair way.

□ 2100

All of us pay for it, and all of us should be getting that benefit when we get to be 65—but not so in the private sector. Our Republican colleagues want to take all of this money and hand it over to the private insurance market and say, "Okay. You guys take care of it." It's less efficient. It's certainly deadly in denying coverage and benefits. Just compared to Medicare, it's very inefficient.

Mr. TONKO. Representative GARAMENDI, earlier you had talked

about the impact on the 55-year-old or 54-year-old. If you look at a 54-year-old today, that individual is advised to save some \$182,000 to \$190,000 so as to have that available cash to cover the deficiency that's going to come with this end to Medicare, where you shop with this voucher, and it's only going to cover 32 cents on the dollar. So that 54-year-old is already impacted, but there is more to the picture than that.

When you draw the line in the sand and say, "look, we end Medicare, and so those under 55 today will have to fend for themselves," they'll shop out in the private sector market, but when you don't have the newly entering senior community as they turn 65 enter into the mix, there is a correlation of age with the drawdown of the health care system. As you take the younger senior population, they provide for that ebb and flow within the pooling that Representative COURTNEY talked about earlier. The beauty of the program is that you pool seniors from the very youngest of seniors to "senior" seniors, and as that need for health care grows with age, the newly entering help provide that balance. So the stability of the program and the durability of that program is at risk, I believe, because we're changing the dynamics.

Representative COURTNEY, you have talked about the security of that program, of the stability that we can provide, and how we in this House, as Democrats, have been working to strengthen the Medicare program: to build the trust fund so that there is this underpinning of support that will enable the program to continue to meet the needs of the upcoming population of baby boomers.

Mr. COURTNEY. Right, and thank you.

Because there was so much, almost, fear language surrounding this debate in terms of whether Medicare is bankrupt, whether Medicare is going broke, whether Medicare is running out of money, it's important for people to go back and read the trustees' report, which was just issued a few weeks ago. It is a report that is issued on an annual basis. It has been since 1966 when Harry Truman was the first Medicare beneficiary to sign up for the program with his wife, Bess; but it has had its ups-and-downs over the years.

The report that just came out said that Medicare is fully solvent, can pay all of its bills through 2024 and that it can pay 90 percent of its bills through 2045.

Now, there is no question that, compared to last year's report, there was some deterioration in terms of that projection, but the trustees were careful to point out the fact that that slippage in terms of some of the years of lost solvency was due to the economy and due to payroll tax collection. It

had nothing to do with overuse or certainly nothing to do with the Affordable Care Act. In fact, they said the opposite, which was that the Affordable Care Act actually extended the solvency of the Medicare program by a factor of 8 years. Thank God we had passed that legislation, because we really would almost be bumping up into a cliff at this point if we hadn't done it.

But again, I think it's important for people to remember that, going back in time to 1970, the Medicare solvency report that came out for the trustees projected 2 years of solvency as to when it was going to hit that tipping point. When Ronald Reagan was President in 1983 and came to the Congress, seeking an increase in the debt limit to avoid default, Medicare solvency was half of what it is today. So the fact is that it has had its challenges.

As you point out, there are good ideas about using bulk purchasing, and there are good ideas about revisiting the subsidized insurance program in terms of the size of the insurance company subsidies. We can deal with that 10 percent shortfall between 2024 and 2045 without butchering the program. That really is, in my opinion, the wolf in sheep's clothing surrounding this debate in that somehow people are using solvency reports as an excuse to basically eliminate the guaranteed benefit.

Again, it is our duty as Members of Congress to make sure that we protect for the next generation the benefit that our parents enjoyed and that pushed out solvency from age 70 in 1965 to age 78 today. That is a Medicare success, and we cannot go backwards as a Nation.

Mr. GARAMENDI. Mr. COURTNEY, thank you for pointing out that very, very important fact that seems to have been totally overlooked in today's debate, at least by our Republican colleagues.

There is another factor here, and that is that Medicare, like all medical services across the United States, whether you are in Kaiser or in Blue Cross, Anthem or Medicare—all of these programs are carried along on the inflationary wave in health care, which actually runs two or three times the general inflation of our economy. So health care is growing very, very rapidly overall. It turns out that the inflation rate in Medicare is about one half the inflation rate in the general health care system. Now, if Medicare is part of the health care system and takes care of the most expensive part of the population, how is it that Medicare is not inflating—the costs are not going up—as fast as the costs are in the private health insurance sector?

The reason is, as I discussed before, Medicare is very efficient. It is a very, very efficient program: a universal benefit across the Nation, uniform; clear deductibles, clear co-pays; and in

Medicare part B, cost sharing. All of that is there and it's understood. The private insurance has 1,000 different policies—chaos throughout the marketplace.

Now, we've talked about this a little bit. We really need to have Americans understand that the Affordable Health Care Act had a whole series of very, very important legislative activities that will reduce the overall cost of health care.

An example is electronic medical records, not written records by a doctor or a nurse—either legible or illegible, stacked in a great big stack of papers—and all of us have seen those. Electronic medical records. It's a very, very important way to reduce problems, to reduce misunderstandings, a back-and-forth with drugs and the like.

Another very important factor is hospital infection rates. Hospitals have a very high infection rate, and don't get paid a second time for retreating the original illness when that person comes in. It has a very, very important impact on reducing the cost of medical services. There were many other things you talked about—the drug benefit.

By the way, how is it that during the Bush period when the Medicare part D, the drug benefit, went into place that the pharmaceutical industry was so powerful that they denied American taxpayers the opportunity for the government to negotiate for the price of drugs?

Mr. TONKO, you raised that point. To this day, we've not had our Republican colleagues come along and say, "Oh, yeah. There's a good way to save money. We'll just negotiate for the drugs." It turns out, as to the military and the health care services provided by it, they can negotiate for drugs, but Medicare cannot.

So it costs us, you said, \$150 billion over 10 years. Is that the number you came up with?

Mr. TONKO, I believe it's \$157 billion, right. It's a benefit that ought to be shared on behalf of our Nation's seniors.

To the points made earlier in this discussion as to the efforts for prevention, for screenings, that do not require co-payments or deductibles—the annual checkups—these are all elements that were introduced and imbedded into our reform package to contain costs, to bend that cost curve.

The real concern that so many have raised from the Democratic membership in this House is that we're not providing the sorts of savings for our seniors, that we're not bending that cost curve. When you send them out to shop and don't even give them adequate coverage—32 cents—and then the indexing into the future is not keeping pace with the projected inflation of health care costs, we're putting them at risk. We're targeting them for defeat. They're saying, Well, you're going to

have 13 or 15 plans from which to choose as you shop in the open market.—That isn't bending the cost curve.

So the economic consequences here are, first and foremost, the hardship that seniors will have to embrace, that they'll have to endure. Then also, when we look back at 1966 and 1965, the available cash—the economic vitality of a senior household—was drained. It went south because medical costs were usurping their retirement funds.

□ 2110

Think of it. Those dollars not only help provide stability and security for our Nation's seniors, but that's available cash that they can use to perhaps have a meal out at a restaurant in their local community. There are dollars that are made available that get spun into the regional economy that allow for the comeback. So this is very interesting.

The programs, the cuts that they're suggesting, are all in areas that can help create jobs and improve economic viability.

Mr. COURTNEY. We had a town hall meeting in my district, talking about the Medicare program. We had Dr. Rebecca Andrews—she's a primary care doc at the University of Connecticut Health Center—and she was talking about the new annual screening coverage where she had one of her patients who was kind of a big husky guy, kind of. They used to kind of razz each other. But she had 45 minutes with him. She did the soup-to-nuts checkup. She ordered a urine test, which she normally wouldn't with the old system. She found a tiny, microscopic spec of blood, or they did at the lab, which they were a little concerned about. She called him back in, did a follow-up. It turned out he had bladder cancer.

Because they were able to detect it so quickly because of that annual checkup and the cancer screening tests that are now covered under Medicare, it was a day surgery, in and out, a really very nonintrusive event that cost a fraction of what it would have been if he had not had that checkup to detect that cancer early. And she had at least two other patients, because of the new Affordable Care Act annual checkup, where they detected cancer and again were able to intervene at a low cost compared to what it would have been if it had been a full-blown case.

Mr. TONKO. Representative COURTNEY, I think what we're talking about here is legitimate reform in a way that bends that cost curve and takes a sound economic program like Medicare for our Nation's seniors and allows for that benefit and pulls the resources from coast to coast to serve our Nation's seniors well.

The concern here is, Representative GARAMENDI, they want to give their friends with deep pockets more opportunity for business. End Medicare to

provide more business for the private sector insurance industry. Privatize Social Security, right?

Mr. GARAMENDI. It was the bill they introduced.

Mr. TONKO. I think you have a chart there that talks about another special interest.

Mr. GARAMENDI. Before we go to this other issue—and we've got another 7 or 8 minutes here—another major program that is targeted by our Republican friends is Medicaid. Medicaid is a program for impoverished Americans. Seventy percent of Medicaid is for seniors and nursing homes. They want to take some \$700 billion out of Medicaid. In California, that's called MediCal, but in each State they have their own program. But \$700 billion goes directly to seniors that are in nursing homes. What will come of those people that are now in nursing homes when this program, Medicaid, is reduced as proposed in the budget that was passed today?

But, having said that, let's turn to the other side of the coin.

You want to make cuts, but do you want to cut Medicare? Do you want to cut Medicaid?—or do you want to cut the subsidies that exist in American business today?

This is just one of hundreds of subsidies, tax breaks, given to American businesses that they don't need.

Big Oil receives my tax money, your tax money, and the American taxpayers' money to the tune of—I don't know—\$5 billion, \$6 billion, \$7 billion a year. Yet look at their profits. Look at their profits here. This is just 1 year. You add up these profits over the last decade. Exxon last year, \$10 billion; Conoco \$2.1 billion; Chevron, \$6 billion; BP, infamous BP, \$7.2 billion. Yet they receive our tax subsidies. You take this and you apply it over the last decade, and it is just \$950 billion of profit—\$50 billion less than a trillion dollars of profit.

And yet defending the oil companies are our Republican colleagues, saying no, no, no. You can't touch Big Oil. You can't take away their tax subsidies, but you can surely go after seniors and take \$6,000 out of the pocket of every senior with this Medicare program.

Mr. TONKO. It's very obvious from the polls being taken by many, many organizations out there that the American public said it's about jobs. We need jobs in the economy in order to make things work. It will reduce the deficit. It will put people to work. It will start growing the economic engine of neighborhoods and States and the entire country.

But what we're seeing is that there's this Republican assault on the middle class. They're cutting programs that serve the middle class. They're cutting programs that create jobs and invest in a new economy. But they're leaving

alone these groups that are actually not—they're earning record profits, and we're still giving them hard-earned taxpayer dollars in the form of hand-outs and subsidies to the oil industry, to various industries that are just befriended by those in the House that want to play off the middle class and end Medicare, which is a very dangerous precedent that will be set.

Representative GARAMENDI, you wanted to make a point.

Mr. GARAMENDI. Mr. COURTNEY just pointed back to me. I was going to pass it to him.

We just talked about Big Oil, the subsidies to Big Oil that are being protected by our Republican colleagues, making sure that Big Oil gets their money. That's not the only thing.

They are fiercely fighting, fighting fiercely to maintain the Bush-era tax cuts for the superwealthy. We're talking about millionaires.

So what does it mean for millionaires to hang on to that tax cut that occurred in 2003, I believe? For millionaires, that tax cut is worth \$200,000 a year if you have an income of \$1 million. Now, there are folks out there that have incomes of a billion. So you can kind of expand that, add five zeroes. You get close to what it might be for a billionaire, and there are billionaires out there. What does it mean for seniors? It means it's going to cost them some \$6,000 a year in what will be their Medicare costs in the future.

Mr. TONKO. And that's equaling 33 seniors.

Mr. GARAMENDI. Thank you. You read the chart better than I do.

Mr. TONKO. Thirty-three seniors paying \$6,000 more per year. So we're making happy one millionaire and we're economically distressing 33 seniors who are going to pay at least \$6,000 more to have the health care coverage if they, in fact, can get it.

Mr. COURTNEY. If I can just sort of finish, the point is that we were talking about two programs right now that did not create the deficit issue that is facing this country.

We had two massive tax cuts for the super-rich. We have two wars that haven't been paid for and a prescription drug benefit which was passed during the last administration which was never paid for, which we dealt with in the Affordable Care Act to offset that. The Trustees report says that we've got 100 percent solvency through 2024, 90 percent solvency through 2045, and 100 percent solvency for the Social Security system until 2037.

Mr. TONKO. And, Representative COURTNEY, when you talk about all of those costs, they were never put in the budget. They were off-budget. So that meant that those two wars, the pharmaceutical deal for Medicare part D, and the tax breaks for millionaires and billionaires all had to be borrowed from

China, Saudi Arabia, all to make it happen.

This was dishonest budgeting, and it was favoring deep pockets over, evidently, seniors. And now the solution? End Medicare, block grant Medicaid, privatize Social Security. This is an assault on middle class values on our Nation's seniors.

Representative GARAMENDI, we'll move to you.

Mr. GARAMENDI. Representative TONKO, thank you so very much for bringing us together tonight to talk about Medicare and the Republican proposal to terminate Medicare and significantly reduce Medicaid programs for seniors in nursing homes.

This is a pivotal moment in this Nation. It really speaks to our values. It speaks to who we are as Americans, who we care for, and what we are concerned about.

Mr. COURTNEY. I'll just say, I'm sure your offices are like mine. This is the number one issue that we're getting calls, emails, and mail on: Are you guys going to stand up and live up to your sacred duty to protect these programs—Medicare, Social Security, and Medicaid—that our middle class depends on?

Mr. TONKO. At least nine of every 10 comments we get either through the mail or on the phone are: Save Medicare. Don't let them mess with it.

We're fighting the good fight here. America needs to know there is a risk of losing Medicare. There are those who want to end it. We saw another vote here tonight.

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

□ 2120

#### TAX LOOPHOLES, EXEMPTIONS, AND DEDUCTIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Arkansas (Mr. GRIFFIN) is recognized for the remaining time until 10 p.m. as the designee of the majority leader.

Mr. GRIFFIN of Arkansas. Mr. Speaker, I have been listening to some of the speeches here tonight, and I thought I would take a little time to address some of the arguments. But first I would like to just welcome my friend from Wisconsin, Representative DUFFY, who joins me here on the floor tonight.

I've been listening, first and foremost, to the discussion of tax loopholes, tax exemptions, deductions. Specifically, I heard a lot of talk about tax deductions for oil companies. Well, I'm glad that the gentleman from the other side raised that tonight because I was thinking, and before I got here in January, for the last 2 years, this House was controlled by Speaker PELOSI and the other side of the aisle. The Senate,

down the way here, is controlled by the same party, and the White House, President Obama. Now, if my math is correct, that means that Democrats were in control of the House; they were in control of the Senate; and they were in control of the White House.

Now, Mr. Speaker, it puzzles me that they were in control of all of those parts of government, yet not once did they eliminate these subsidies that they're talking about. They had control of the last Congress, 2 years, and nothing was done. I guess they decided only this year that subsidies for U.S. businesses should be eliminated.

Well, I'm not sure why they didn't do anything about that in the last Congress, but I will say that I am pleased that they understand the House budget that we passed because in our House budget that we passed a few months ago, that's exactly what we voted to do. We voted for a framework that eliminates tax deductions, tax exemptions, credits, loopholes, whatever you want to call them. That's what our budget does. And in doing so, we're following some of the proposals put forth by the President's own debt commission, a debt commission that he has yet to follow; but they recommended some similar proposals.

What we do is we lower the top rate and eliminate a bunch of the deductions that, admittedly, upper income folks take. So we eliminate those. But at the same time, we lower the top rate so that we can be more competitive, and we can have a pro-growth, pro-jobs Tax Code. So what we end up with is a fairer, flatter Tax Code, one that encourages private sector job creation.

You might ask, Mr. Speaker, Well, then, why do you disagree with the President on this particular issue? Well, like I said, we're happy that he's decided to come our way and that he sees the light on tax reform and closing loopholes.

The reason the House leadership is opposed to the President's posture on this in the debt ceiling negotiations is because they want to have their cake and eat it too. The President wants to have his cake and eat it too on this issue. He wants to close all the loopholes, yes; and at the same time, he wants to raise taxes. So he wants to increase taxes two ways; whereas, his own debt commission and our House leadership want to reduce the top rate, close the loopholes so that we have a fairer, flatter, simpler, less complex tax system.

So here's the contrast: we agree on closing the loopholes, although we can't figure out what happened last Congress when the Democrats controlled the House, Senate, and White House and did nothing about it. We did something about it. We approved a budget that addresses precisely this issue. So I just wanted to clarify our position on that.

I see that my friend from Wisconsin would like to say a few words. Please join right in.

Mr. DUFFY. I appreciate the gentleman from Arkansas yielding.

I think you make very powerful arguments as to why our friends on the other side of the aisle were unwilling to get rid of these horrible tax loopholes, because when the two of us got to this House in January, they were here. They were here in a Democrat-controlled House, Senate, and with a Democratic President; and they did nothing to do away with these loopholes. When we got to this House, we said, No more crony capitalism, no more corporate welfare. Let's do away with all of these loopholes, all of these nooks and crannies where some big business will hide their money and not pay their fair share. And we'll restructure our Tax Code to make us more competitive in this global marketplace.

And when we did that, the Democrats said, no, they didn't want to participate in reforming the Tax Code. But then they have no problem standing here today and making arguments that we're the ones that want to keep these loopholes in place. Absolutely false.

I've had a chance to sit in and listen to the debate that's going on in this House. I continually hear my friends across the aisle talk about jobs that are getting shipped overseas. And I've got to tell you, that is a great concern for me. They missed the disconnect, however, between jobs leaving America and the regulation and tax rates that we have in America.

You know, this isn't 1960. It's not 1980. It's not 1990. We are in a new global marketplace. In days gone by, America was the only place really to do business. But now our capital, it can go anywhere in the world. It can go to Thailand, India, Vietnam, Canada, Mexico. It can go anywhere. And when you start raising taxes on our job creators, and then you sit and scratch your head and wonder why they're leaving, it's pretty obvious.

We see it on a smaller level in our States. When we see more regulation, more taxes in our States, like California, all of a sudden businesses pack up, and they go to another State that has better rules, regulations, and taxes. That happens on a broader scale right here in America. You raise the cost of doing business; you kill jobs in America. And you know what, in the end, does it hurt these businesses? No. The people that it hurts are our constituents, our families, our people in our districts that are yearning for opportunities, yearning for a job. It's those people that this hurts.

Mr. GRIFFIN of Arkansas. I just want to ask the gentleman, what will it take for folks here to start wondering why businesses are leaving the country? It seems as if they always

want to point the finger to someone else or some third party, some external cause. Maybe we should think about the fact that the policies adopted by the Federal Government have an impact. Businesses react to policies passed in this Congress, in the Senate, and particularly to regulations drafted, promulgated by the administration.

□ 2130

At some point we have to say wait a minute. Businesses are leaving, taking their jobs elsewhere. Maybe, just maybe, they're doing it because we're running them off. We need to ask that question.

Back in my district, in the Second District of Arkansas, in Little Rock and the surrounding area, I like to say, we've got big job creators and small job creators, but the common denominator is they're job creators.

I don't ask that people like business or be in business or whatever. I just ask that they acknowledge that businesses create jobs. And if we run businesses off, if we adopt policies that curtail economic growth and chase businesses away to other countries, we're going to lose jobs. That's not hard to figure out.

Mr. DUFFY. I would agree with the gentleman. And I think it's interesting, as a guy who's come here from central and northern Wisconsin, Wisconsin's Seventh Congressional District, I see that this is a House that will continually talk about political spin and political positioning instead of actual policies that are going to work for American families and American businesses.

I think it's interesting the President likes to talk about corporate jet loopholes. For me, I think it's important that we're clear. The tax increases that the President and my friends across the aisle in the Democrat Party are talking about, these are tax increases on the small job creators in my district, the ones, the same ones that we are asking to expand and grow and create jobs and put our hardworking families of Wisconsin back to work. It's those people that they're asking to raise taxes on, and I think that's absolutely wrong.

I always hear my friends across the aisle talk about the nineties and how great things were in the nineties. They were great. And they talk about the tax rates of the nineties.

I think it's important to note that even Bill Clinton has said, listen, this isn't 1990 anymore. He has looked at our proposal and basically said, listen, let's make our top rates more competitive in this global marketplace. If we make it more competitive, in the end we are going to be more competitive.

And I just think it's so important that we take a hard look at the regulations and the taxes that come from this town because, in the end, if we engage, if we have policies that allow our

people to do what they do best, which is innovate and grow and expand and reap the benefits of their hard work, I think we're going to see America great again and create jobs. But if we stifle that, I think we're going to have a new America that I think none of us would recognize.

Mr. GRIFFIN of Arkansas. I think ultimately the standard for me is: Am I doing things that make the United States more attractive to job creators or less attractive?

We want to be a country where job creators around the world and here say, America is where I want to do business. America is where I want to innovate. America is where I want to create. America is where I want to pursue technological advancement and create jobs. America is the only place to do business. America is the only place to create jobs. That's the America that I want to help create. I don't want to create an America that punishes job creators in such a way that they flee the country. And that's exactly, on many fronts, what we're doing.

I yield to the gentleman.

Mr. DUFFY. Thank you. I appreciate the gentleman for yielding.

When I talk to my job creators back in Wisconsin, never do they say, We're leaving because of the quality of workers we have in this area. Actually, they say we have the hardest working, most productive, smartest workers right here in Wisconsin, right here in America. We don't leave because of the work force. We leave because of the regulations that come from this town, the taxes that come from this town. And I think it's important, again, that we continue to look at that, because, in the end, this doesn't hurt businesses. It hurts families.

We want to make sure we keep our families strong in America with plenty of opportunity. It makes me think to the conversation that happened earlier about Medicare, and we've heard a lot today, with our friends across the aisle demagoguing this Medicare issue, that the Republican Party wants to take away Medicare from our seniors. That's absolutely incorrect. We want to save Medicare. We want to make sure that we preserve it, that we make sure that our seniors, that they get everything that they bargained for, and that we make sure we have a Medicare plan that's in place for future generations. And when I hear my friends across the aisle talk about Medicare, I scratch my head because they're the only ones who ever cut it. In PPACA, the health care reform bill, ObamaCare, they take \$500 billion out of Medicare.

As I talk to seniors around my district, one of the things that makes them so angry is that their Social Security trust fund has been raided for decades, and now the President and the Democrats have raided the Medicare

fund as well. I find that to be absolutely unacceptable.

Then you add on top of that the IPAB board, the Independent Payment Advisory Board. This is a board that is going to look at Medicare reimbursement rates, and what they're going to do is lower reimbursements on certain procedures. And Medicare reimbursements are already so low, you reduce them even further, you are going to start to see doctors and hospitals stop providing those services to our seniors. And so, in the end, this IPAB board is going to impact access to care for our current seniors. That is absolutely unacceptable.

We have to keep the promise to our current seniors but also make sure we reform it for future generations so it's saved.

I mean, the President has come out and said we need to reform it. Well, okay, Mr. President, let's reform it, but let's make sure we do it in a way that preserves the benefits for our current retirees and those who are about to retire, and make sure those who might have a different program have enough time to plan their retirement around the new changes. That's exactly what we do.

But they demagogue this issue and our party for trying to fix this great program. I struggle with that. I think it's misrepresenting to the American people about where we stand.

Mr. GRIFFIN of Arkansas. I appreciate the gentleman raising the issue of Medicare. I'd like to take a few minutes to talk about some of the things I've heard here on the floor tonight.

First of all, if you're just joining us, I can just tell you that a little earlier tonight here on the floor there was a poster being used and the poster showed a tombstone. It showed a tombstone, and it said, "Medicare." And the implication was that Medicare was going to be killed; Medicare was going to be eliminated. And nothing could be further from the truth if we take action to save Medicare. If we allow Medicare to continue as it currently is with no changes, it goes bankrupt in anywhere from 5 to 10 years, if we do nothing.

Now, some of us have done something to save Medicare. What did we do? Well, we came up with a plan as part of our budget in the House to save Medicare for future generations.

Now, what other plans are out there? Right now, none. The Senate doesn't have a budget. The Senate doesn't have a plan to save Medicare. The President's budget doubles the debt in 5 years, triples it in 10 years, doesn't even deal with entitlements.

□ 2140

It got zero votes in the U.S. Senate and does nothing to save Medicare. In fact, it was so silent on Medicare and entitlements that the President had to

come and give a Mulligan speech after we proposed our budget in the House. He gave a speech saying, Well, what I really meant was, and he laid out some ideas, not enough specifics—so few specifics, in fact, that the Congressional Budget Office said, We can't analyze that speech; we can't score that speech, not enough specifics.

So the Senate doesn't have a plan to save it. The President doesn't have a plan to save Medicare. We have a plan to save Medicare.

So what has happened? What has happened is the folks on the other side of the aisle made a conscious decision to attack our plan to save Medicare, and by doing so they engaged in a fiscal fantasy. What does that mean? Well, it means that they compare our reform with the way things are now with Medicare. They say, You're ending Medicare as we know it. Well, the problem with that is Medicare as we know it, on the path that it's currently on, goes bankrupt.

It would be one thing if they were comparing their reform plan to save Medicare with our reform plan to save Medicare, but they're not because they don't have a plan. So they prefer to compare our plan with the way things are now, even though they know the way things are now is going away. In fact, I'd like to read just a couple of quick quotes here.

President Obama has said: "If you look at the numbers, Medicare in particular will run out of money and we will not be able to sustain that program no matter how much taxes go up. I mean, it's not an option for us to just sit by and do nothing."

Now, that's President Obama acknowledging that Medicare is going bankrupt, acknowledging that we must do something to save it, yet he hasn't proposed a plan to save it.

And another quick quote, Senator LIEBERMAN, former Vice Presidential candidate nominee for the Democrat Party, now an Independent, he said: "The truth is that we cannot save Medicare as we know it. We can save Medicare only if we change it."

That is the hard reality, and that is what we are trying to do is save Medicare. And that is precisely what we did in our budget that we adopted this year. If you're 55 or over, there's no change. If you're under 55, you would be in the new program, as Medicare would be constituted, what we call Premium Support. If you're 55 and over, as the gentleman said, there are no changes to you. We give folks time to transition to a new way of living under Medicare, a different kind of Medicare, but what we think would be more effective at reducing cost by putting in some market forces and saving Medicare for future generations.

I yield to the gentleman.

Mr. DUFFY. I appreciate the gentleman yielding, and I agree with most

everything that you have said here, and very well said.

The one point I disagree with is the President has no other plan, no doubt. With the PPACA bill, the health care reform bill, he does deal with Medicare, make no mistake. That is the Independent Payment Advisory Board, the IPAB board, that is going to systematically reduce reimbursements for seniors.

I think the gentleman said it very well when the President acknowledged that these programs can't sustain themselves on their current course, and so he has addressed it, and my friends across the aisle voted for it. And basically, this is a form of reducing reimbursement, which is a form of reducing access to care for current seniors to reduce the outlays of Medicare. It's a disingenuous, I think, way of basically coming around the corner and saying, You know what? We're going to ration care for our seniors. And I find that to be absolutely unacceptable.

Mr. GRIFFIN of Arkansas. Just real quickly I wanted to point out, just to clarify, I totally agree that he has a plan. Unfortunately, he doesn't have a plan to save Medicare. He only has the plan that he passed in his health care law. And as you pointed out, with the cuts that were in the President's health care law, President Obama's health care law ended Medicare as we know it, because it took \$500 billion out and introduced this unelected board, the IPAB that you so eloquently describe.

So I just wanted to clarify, he has a plan. He doesn't have a plan to save Medicare.

Mr. DUFFY. That's right. And there is but only one plan that saves Medicare, and that is ours. And I should have explained that better. I would agree with you.

But just to reiterate, it's not just us and the President saying that Medicare is going broke. The CBO, the Congressional Budget Office, a nonpartisan group, has said that in 9 years the Medicare trust fund is going bankrupt. The Medicare trustees have come out and said the Medicare trust fund will be broke in 10 years.

So make no mistake, we have to fix it. We have to address Medicare. Let's not sit in this House and demagogue this issue. Let's not throw stones at those who want to fix it. Actually engage in the debate or at least take responsibility for cutting \$500 billion, taking money out of a program that people paid into, and using it for a whole different set of people who didn't pay into that program. We're robbing this fund, robbing Peter to pay Paul. Let's save Medicare. And you don't save it by robbing it. Let's not rob Medicare.

You know, I think we got in this situation as Americans because all the time our politicians, they come back to

their States and their districts and they make promises to their people. They tell them, Listen, I'm going to give you the Sun and the Moon and the stars. Don't worry, we can pay for it, not a big deal. I'm going to keep this promise to you.

And that's how they get elected year after year by making promises. Well, the time has come to say these promises can't be kept. And you know what? I think this freshman class of Republicans have come in and said, We're not going to lie to you anymore. We're going to tell you the truth. The truth is we can't continue on this course. We're going to level with you and say we have to reform it to save it. We can't continue to borrow \$1.5 trillion a year and not have substantial economic consequences for the next generation. We have to fix it. You might not want to hear it, but it's the truth. We're going to give you the truth. We're not going to lie to you anymore.

And I think once we all know where we are at as a country, we can then come together and go as a country. How do we fix the problems that face us as a country? But when we have one party that doesn't want to acknowledge the problems that we face and they want to mislead the American people about those problems, it's hard to have an honest conversation.

Well, I didn't come here to misrepresent to the American people. I've come here to be honest and to level with the American people and say, This is where we're at. Let's find solutions that work for the American people.

There is a chart here that I know so many people have seen, Mr. Speaker; but if you look at it, this is a chart that shows gross domestic product in our years out and our debt to GDP, our debt to the size of our economy. In World War II, our debt was about 100 percent of the size of our economy in a year, but we were at war. It was World War II. That went down. But if you look out, look to our future.

□ 2150

This is a sea of red. This is a sea of debt that we are going to leave to the next generation. Our economy will collapse well before we get to the crest of that wave. But that is our future, make no mistake, unless we change course.

I think it is important to note where does this debt come from. Who is financing this debt, because in World War II, American citizens bought war bonds and paid for this debt. Not today, because in 1970, 5 percent of the debt was held by foreign entities. In 1990, 19 percent of our debt was held by foreign entities. And today, 47 percent of our debt is held by foreign entities. And guess what country owns the largest share of that foreign debt? That's right, China. China owns about 30 percent of that foreign debt. We are mortgaging our children's future. We are

giving the Chinese Government an economic nuclear bomb because we can't get our fiscal house in order in this House.

It is time that we come together and fix the problems that face this country. Let's not kick the can down the road. Let's not let this be the future that our children inherit. But to prevent it, we have to act. And we are here to act.

Mr. GRIFFIN of Arkansas. When I look at those charts, I ask myself: How big does our debt have to get before the other side of the aisle joins us in getting our fiscal house in order? How big? It is \$14 trillion now—\$16 trillion, \$20 trillion, \$50 trillion? How big does it have to get before the other side of the aisle admits that we are spending too much money?

I will tell you, I have been studying some of the details of our budget and how we got into this mess. I would be remiss if I did not comment on something I heard earlier today. Someone said: Well, the Bush tax cuts created our debt. That's how we got into debt.

Completely untrue. I took a chart that showed our revenue year by year as a percentage of the economy. And after 9/11, certainly the economy slowed down and our revenues, our tax receipts decreased significantly. But I can tell you that by 2007, our tax receipts were back up to about 18.5 percent of GDP. In 2007, and that was before the meltdown of the housing market in 2008, but that was while we had the Bush tax cuts in place—18.5 percent.

Now, what is interesting, if you go back and look at the mid-1990s, there were some years that had a higher percentage of GDP for revenue, but there are several years that are below that. My point is whatever contribution tax rates have had on revenue, the primary driver of how much revenue we get a particular year is whether we are having economic growth. That is the primary driver. That is the primary determining factor of how much money comes into the coffers of the United States Government.

The idea that we got in this mess because we are somehow as Americans not taxed enough is ludicrous. All you have to do is look at the spending pattern and the trajectory of the debt that you just put up there. It follows the same path, revenue relatively steady over the decade at an average of 18 percent of GDP. And expenditures—spending—off the charts, particularly in the last few years.

I just want to be real clear here, both parties are to blame. The Congress is to blame. The House is to blame, the Senate, the White House. There is plenty of blame to go around. There is plenty of blame to go around. That's not the issue. The issue is how we fix it. And we first have to recognize that we have a spending problem.

Mr. DUFFY. Well said to the gentleman from Arkansas.

You know, jobs have been a key component of the debates here in this House because there is a 9.2 percent unemployment rate, and the effective rate is far higher—those who have stopped looking for work or those who are underemployed. People are suffering in our States and districts. We have seen what proposals have come out from the other side of the aisle. Let's take a walk down memory lane.

They told us that ObamaCare was going to create jobs. Well, all it did was give us a health care reform bill that is not going to get the job done, and it is going to cost us an extra trillion dollars over the next 10 years. They gave us a trillion-dollar stimulus bill, and we weren't supposed to see unemployment over 8 percent if that passed. We just found out for every job created or saved, it cost the taxpayer over \$250,000 per job. That is not a job-creating bill.

And now what has happened is they have come into this House and they want to tell the American people that we can create jobs in America if we raise taxes on the job creators. You ask any economist, or you just use common sense, to raise taxes on job creators, to take money away from them, and to think they are going to create jobs when they have less money doesn't make any economic sense.

You raise taxes on your job creators, you have less jobs. And if you have less jobs, then you have less people paying taxes. And if you have less people paying taxes, you have less money coming into the Federal coffers. Let's put America back to work. When America works, they get off the unemployment track and start getting paychecks. I want to see Americans and Wisconsinites getting paychecks.

But a lot of the circles around this debt that we face in this country, and I know in my own district, there are people who need help from the government. I want to make sure we have a safety net in place to help those people. I see them all the time, and they need help from the government. I want to make sure that we're there to provide that assistance that they need. Or for those who fall on hard times, I want to make sure that we have a safety net in place to help them.

But let me tell you what, if we continue to borrow and spend this way, there isn't going to be money for those who need the most help. Look to Greece. If you want to see America's future, if we stay on this current course, look to Greece. Look at the protests. When you make promises to people that you can't keep, what happens? They take to the streets and they riot. Let's not lie to the American people. Let's tell them the truth. Let's not Greece be America's future. Let's make sure we have a great and prosperous country, the same that our Forefathers passed to us.

But to have that, we have to fight for it because the status quo is this: mas-

sive debt. And with that massive debt, you have Greece-like riots in the streets. That is unacceptable. Let's face this challenge head on and make sure that we leave an America that is prosperous, bright, and full of hope for the next generation.

Mr. GRIFFIN of Arkansas. I just want to close by mentioning the discussion of the debt ceiling. What I would say to the President tonight is that this House has put forth a plan. We have a plan in the form of our budget. But we also have a plan in the form of our Cut, Cap, and Balance where we cut spending and we cap spending in the future and we move toward a balanced budget. We passed that here in the House the tonight. That's a plan. That's a plan that we can debate. We can discuss. The President can criticize. But what we haven't seen from the President is a plan. A plan of his that we can look at and study and that the American people can consider.

I would just ask the President to put his ideas out there. Come out of those rooms and put his ideas in public and let us analyze them and discuss them and let the American people examine for themselves.

Mr. DUFFY. One point, we don't want to do a cabernet dance here. There is no doubt that the proposal that came out the House and passed, it is now going to go to the President. Most Americans know when you buy a house or a car, you make an offer. When you make an offer, the seller makes a counteroffer. We'll wait for the President's counterproposal, if he is going to lead, the leader of the free world. Let's see him put his ideas on paper. Let him show the American people what his ideas are, just as we have shown the American people what our ideas are. I encourage him to do that.

I thank the gentleman from Arkansas for hosting tonight's conversation.

Mr. GRIFFIN of Arkansas. Thank you, and I appreciate the gentleman joining me.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ELLISON (at the request of Ms. PELOSI) for today and July 20.

#### SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 25. Concurrent resolution welcoming the independence of the Republic of South Sudan, congratulating the people of South Sudan for freely and peacefully expressing their will through an internationally accepted referendum, and calling on the Governments and people of Sudan and South Sudan to peacefully resolve outstanding

issues including the final status of Abyei; to the Committee on Foreign Affairs.

#### ADJOURNMENT

Mr. GRIFFIN of Arkansas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 20, 2011, at 10 a.m. for morning-hour debate.

#### OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 112th Congress, pursuant to the provisions of 2 U.S.C. 25:

JANICE HAHN, California Thirty-Sixth.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2533. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement (DFARS) (DFARS Case 2011-D004) (RIN: 0750-AH25) received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2534. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement (DFARS case 2010-D023) (RIN: 0750-AG93) received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2535. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement (DFARS



Case 2011-D031) received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2536. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement (DFARS Case 2011-D035) received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2537. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement (DFARS Case 2011-D034) (RIN: 0750-AH27) received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2538. A letter from the Chief Counsel, Department of Health and Human Services, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket ID: FEMA-8183] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2539. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2540. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Certification, Compliance, and Enforcement for Consumer Products and Commercial and Industrial Equipment [Docket No.: EERE-2010-BT-CE-0014] (RIN: 1904-AC23) received July 1, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2541. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Division of Freedom of Information; Change of Office Name, Address, Telephone Number, and Fax Number; Technical Amendments [Docket No.: FDA-2011-N-0318] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2542. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Group Health Plans and Health Insurance Issuers; Rules Relating to Internal Claims and Appeals and External Review Processes [CMS-9993-IFC2] (RIN: 0938-AQ66) received June 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2543. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — World Trade Center Health Program Requirements for Enrollment, Appeals, Certification of Health Conditions, and Reimbursement [Docket No.: CDC-2011-0009] (RIN: 0920-AA44) received June 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2544. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Lifeline and Link Up Reform and Modernization; Federal-State Joint Board on Universal Service; Lifeline and Link Up [WC Docket No.: 11-42] [CC Docket No.: 96-45] [WC Docket No.: 03-109] re-

ceived July 1, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2545. A letter from the Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Rural Health Care Support Mechanism [WC Docket No.: 02-60] received July 1, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2546. A letter from the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Qualification for Cement Grouting for Prestressing Tendons in Containment Structures [Regulatory Guide 1.107, Revision 2] received July 1, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2547. A letter from the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Personnel Monitoring Device — Direct-Reading Pocket Dosimeters [Regulatory Guide 8.4, Revision 1] received July 1, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2548. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of the New State of the Republic of South Sudan to the Export Administration Regulations [Docket No.: 110525299-1322-01] (RIN: 0694-AF27) received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2549. A letter from the Deputy Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Technical Amendment to the Authorization Validated End-User Regulations of the Export Administration Regulations [Docket No.: 110413240-1255-02] (RIN: 0694-AF23) received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2550. A letter from the Acting Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Paperwork Reduction Act; Updated List of Approved Information Collections and Removal of a Redundant Reporting Requirement [Docket No.: 110224166-1212-01] (RIN: 0694-AF08) received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2551. A letter from the Associate Director for PP&I, Department of the Treasury, transmitting the Department's final rule — Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnian Serb-Controlled Areas of the Republic of Bosnia and Herzegovina Sanctions Regulations; Federal Republic of Yugoslavia (Serbia and Montenegro) Kosovo Sanctions Regulations; and Federal Republic of Yugoslavia (Serbia and Montenegro) Milosevic Sanctions Regulations received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2552. A letter from the Clerk of the House of Representatives, transmitting a letter regarding the election for the 36th Congressional District of California; (H. Doc. No. 112-44); to the Committee on House Administration and ordered to be printed.

2553. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Amendments to Regulations Regarding Major Life-Changing Events Affecting

Income-Related Monthly Adjustment Amounts to Medicare Part B Premiums [Docket No.: SSA-2009-0078] (RIN: 0960-AH06) received July 1, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. Supplemental report on H.R. 1315. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection (Rept. 112-89, Pt. 2).

Mr. BACHUS: Committee on Financial Services. Supplemental report on H.R. 1667. A bill to postpone the date for the transfer of functions to the Bureau of Consumer Financial Protection if the Bureau does not yet have a Director in place (Rept. 112-93, Pt. 2).

Mr. BACHUS: Committee on Financial Services. Supplemental report on H.R. 1121. A bill to replace the Director of the Bureau of Consumer Financial Protection with a five person Commission (Rept. 112-107, Pt. 2).

Mr. SIMPSON: Committee on Appropriations. H.R. 2584. A bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112-151). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 1021. A bill to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts; with an amendment (Rept. 112-152). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 1933. A bill to amend the Immigration and Nationality Act to modify the requirements for admission of nonimmigrant nurses in health professional shortage areas; with an amendment (Rept. 112-153). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 2480. A bill to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States for fiscal years 2012, 2013, and 2014, and for other purposes; with an amendment (Rept. 112-154). Referred to the Committee of the Whole House on the State of the Union.

Mr. WEBSTER: Committee on Rules. House Resolution 357. Resolution providing for consideration of the bill (H.R. 2553) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes (Rept. 112-155). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. WILSON of Florida:

H.R. 2582. A bill to ensure the availability and affordability of homeowners' insurance coverage for catastrophic events; to the Committee on Financial Services.

By Ms. ROS-LEHTINEN:

H.R. 2583. A bill to authorize appropriations for the Department of State for fiscal year 2012, and for other purposes; to the Committee on Foreign Affairs.

By Mr. OLSON:

H.R. 2585. A bill to require that fees for services provided by the Internal Revenue Service be deposited in the Treasury as general receipts; to the Committee on Ways and Means.

By Mr. GARRETT (for himself, Mrs. MALONEY, Mr. HURT, and Mr. MEEKS):

H.R. 2586. A bill to refine the definition of swap execution facility in the provisions regulating swap markets added by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of South Carolina (for himself, Mr. KLINE, Mr. ROE of Tennessee, Mr. WILSON of South Carolina, and Mr. GOWDY):

H.R. 2587. A bill to prohibit the National Labor Relations Board from ordering any employer to close, relocate, or transfer employment under any circumstance; to the Committee on Education and the Workforce.

By Mr. POE of Texas:

H.R. 2588. A bill to direct the Secretary of the Interior and the Secretary of Agriculture to sell certain Federal land, to direct that the proceeds of such sales be applied to reduce the Federal budget deficit, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERMAN:

H.R. 2589. A bill to prohibit certain activities in support of the Arab League boycott of Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CROWLEY (for himself, Ms. BROWN of Florida, Mr. CONYERS, Mr. DEFAZIO, Mr. HIGGINS, Mr. JACKSON of Illinois, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. RAHALL, Mr. REYES, Ms. SEWELL, Mr. TOWNS, Mr. WU, Mr. DEUTCH, Mr. THOMPSON of Mississippi, Mr. PASCRELL, Mr. MCGOVERN, and Mr. FILNER):

H.R. 2590. A bill to ensure that seniors, veterans, and people with disabilities who receive Social Security and certain other Federal benefits, as well as Federal, State, and local government retirees, receive a one-time \$250 payment due to there being no cost-of-living adjustment in 2011; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida:

H.R. 2591. A bill to extend Federal recognition to the Muscogee Nation of Florida; to the Committee on Natural Resources.

By Mr. SCHOCK:

H.R. 2592. A bill to amend the Internal Revenue Code of 1986 to increase the limitation

on the amount of charitable contributions of ordinary income property taken into account in determining the charitable contribution deduction for any trade or business; to the Committee on Ways and Means.

By Ms. SPEIER (for herself and Mr. POLIS):

H.R. 2593. A bill to amend title 31, United States Code, to terminate the Presidential \$1 Coin Program, and for other purposes; to the Committee on Financial Services.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. WILSON of Florida:

H.R. 2582.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. ROS-LEHTINEN:

H.R. 2583.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. SIMPSON:

H.R. 2584.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. OLSON:

H.R. 2585.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof. (Necessary and Proper Regulations to Effectuate Powers)

By Mr. GARRETT:

H.R. 2586.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 ("The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States"), 3 ("To regulate Commerce with foreign Nations, and among the several States,

and with the Indian Tribes"), and 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof").

By Mr. SCOTT of South Carolina:

H.R. 2587.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. POE of Texas:

H.R. 2588.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. BERMAN:

H.R. 2589.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. CROWLEY:

H.R. 2590.

Congress has the power to enact this legislation pursuant to the following:

Section 8—Powers of Congress

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. MILLER of Florida:

H.R. 2591.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. SCHOCK:

H.R. 2592.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8 of the United States Constitution.

By Ms. SPEIER:

H.R. 2593.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 10: Mr. PITTS.

H.R. 58: Mr. LUETKEMEYER and Mr. BACHUS.

H.R. 104: Mr. LIPINSKI.

H.R. 139: Mrs. LOWEY.

H.R. 178: Mr. MILLER of North Carolina and Mr. CHANDLER.

H.R. 181: Mr. MILLER of North Carolina, Mr. CHANDLER, Mr. SCOTT of Virginia, and Mr. JONES.

H.R. 371: Mr. COFFMAN of Colorado, Mr. ROSS of Florida, Mr. PENCE, Mr. LUETKEMEYER, and Mrs. ROBY.

H.R. 376: Mr. CRITZ.

H.R. 402: Mr. AL GREEN of Texas.

H.R. 452: Mr. SHIMKUS, Mrs. ROBY, Mr. COLE, Mr. PAULSEN, Mr. BONNER, and Mr. MCKEON.

H.R. 502: Ms. DEGETTE.  
 H.R. 589: Mr. HOLT.  
 H.R. 640: Mr. MCGOVERN.  
 H.R. 668: Mr. MILLER of Florida, Mr. McCOTTER, Ms. RICHARDSON, and Mr. SMITH of Texas.  
 H.R. 674: Mr. KELLY, Mr. KINZINGER of Illinois, Mr. GINGREY of Georgia, Mr. McKEON, Mr. HINCHEY, and Mr. CLEAVER.  
 H.R. 687: Mr. GONZALEZ, Mr. SCOTT of Virginia, and Mr. DONNELLY of Indiana.  
 H.R. 721: Mr. COLE, Mr. COBLE, Mr. BERG, Mr. DONNELLY of Indiana, and Ms. SUTTON.  
 H.R. 735: Mr. AUSTIN SCOTT of Georgia.  
 H.R. 750: Mr. GOODLATTE and Mrs. HARTZLER.  
 H.R. 769: Ms. KAPTUR.  
 H.R. 831: Mr. BISHOP of Utah.  
 H.R. 890: Mr. RIVERA and Mr. CONYERS.  
 H.R. 923: Mr. KING of New York.  
 H.R. 975: Ms. SCHAKOWSKY.  
 H.R. 1041: Mr. TONKO.  
 H.R. 1046: Mr. SCHIFF.  
 H.R. 1049: Mr. McCOTTER.  
 H.R. 1058: Mr. LANDRY.  
 H.R. 1066: Mr. SCHIFF.  
 H.R. 1103: Mr. GONZALEZ and Mr. FALEOMAVAEGA.  
 H.R. 1116: Ms. HANABUSA.  
 H.R. 1120: Mr. JACKSON of Illinois.  
 H.R. 1127: Mr. CONNOLLY of Virginia.  
 H.R. 1183: Ms. BORDALLO.  
 H.R. 1219: Mr. WELCH.  
 H.R. 1259: Mr. LUETKEMEYER and Mr. TIBERI.  
 H.R. 1293: Mr. PAYNE and Mr. GUTIERREZ.  
 H.R. 1307: Mr. ROYCE.  
 H.R. 1332: Mr. YOUNG of Alaska, Mr. SMITH of New Jersey, Mr. MICA, Mr. ROE of Tennessee, Mr. WHITFIELD, Mr. SHIMKUS, Mr. YOUNG of Florida, Mr. THOMPSON of Pennsylvania, Mr. RYAN of Ohio, Mr. LOBIONDO, Mr. ROGERS of Alabama, Mr. BARROW, Mr. PAYNE, Mr. SCHOCK, Mr. WOLF, Ms. MCCOLLUM, Mr. LONG, Mr. MORAN, Mr. GUTHRIE, Mr. ROTHMAN of New Jersey, Ms. BALDWIN, Mr. JOHNSON of Georgia, Mr. PETRI, Mr. SHUSTER, Mr. HEINRICH, and Mr. CASSIDY.  
 H.R. 1348: Mr. HIMES, Ms. DELAURO, and Mr. COHEN.  
 H.R. 1381: Mr. TIERNEY.  
 H.R. 1397: Mr. PALLONE.  
 H.R. 1464: Mr. LATHAM, Mr. DOLD, Mr. CALVERT, Mr. DOGGETT, and Mr. COFFMAN of Colorado.  
 H.R. 1489: Mr. TIERNEY.  
 H.R. 1497: Ms. PINGREE of Maine.  
 H.R. 1509: Mr. SCHOCK and Mr. REICHERT.  
 H.R. 1543: Mr. MICHAUD.  
 H.R. 1546: Mr. COURTNEY, Mr. PASTOR of Arizona, and Mr. CAPUANO.  
 H.R. 1547: Mr. TONKO.  
 H.R. 1550: Mr. COHEN.  
 H.R. 1556: Mr. HEINRICH.  
 H.R. 1564: Mr. WELCH.  
 H.R. 1588: Mrs. McMORRIS RODGERS.  
 H.R. 1653: Mr. ROSKAM.  
 H.R. 1706: Ms. SUTTON.  
 H.R. 1735: Mr. McDERMOTT.  
 H.R. 1742: Mrs. CHRISTENSEN.  
 H.R. 1744: Mrs. ELLMERS.  
 H.R. 1755: Mr. LOBIONDO and Mr. BENISHEK.  
 H.R. 1756: Mr. JONES and Mr. TONKO.  
 H.R. 1780: Mrs. MALONEY.  
 H.R. 1792: Mr. BURTON of Indiana.  
 H.R. 1798: Mr. ROSKAM.  
 H.R. 1803: Mr. LANDRY.  
 H.R. 1834: Mr. BENISHEK.  
 H.R. 1840: Mr. KINGSTON.  
 H.R. 1854: Mr. HINCHEY.  
 H.R. 1855: Ms. BERKLEY.

H.R. 1865: Mr. FRANKS of Arizona.  
 H.R. 1941: Mr. CONNOLLY of Virginia and Mr. McDERMOTT.  
 H.R. 1946: Mr. SMITH of Nebraska.  
 H.R. 1976: Mr. GARY G. MILLER of California.  
 H.R. 1981: Ms. JACKSON LEE of Texas.  
 H.R. 1996: Mr. MILLER of Florida and Mr. HASTINGS of Washington.  
 H.R. 2011: Mr. MANZULLO and Mr. QUAYLE.  
 H.R. 2033: Ms. ESHOO and Mr. COHEN.  
 H.R. 2068: Mr. SCALISE.  
 H.R. 2087: Mr. HARRIS.  
 H.R. 2104: Mr. RYAN of Ohio, Mr. STIVERS, and Ms. MCCOLLUM.  
 H.R. 2123: Mr. PASTOR of Arizona.  
 H.R. 2139: Mr. NUNES and Mr. ALEXANDER.  
 H.R. 2163: Ms. DEGETTE and Ms. ESHOO.  
 H.R. 2164: Mr. BURGESS and Mr. SULLIVAN.  
 H.R. 2176: Mr. LATTA.  
 H.R. 2224: Mr. CARSON of Indiana.  
 H.R. 2233: Mr. REYES.  
 H.R. 2245: Ms. SLAUGHTER and Mr. JONES.  
 H.R. 2247: Mr. CICILLINE.  
 H.R. 2248: Ms. SCHAKOWSKY.  
 H.R. 2250: Mrs. NOEM, Mr. LONG, Mr. WALBERG, Mr. MILLER of Florida, Mr. SCOTT of South Carolina, and Mr. KELLY.  
 H.R. 2268: Mr. CONAWAY and Mr. FORTENBERRY.  
 H.R. 2307: Ms. WOOLSEY.  
 H.R. 2313: Mr. FLORES.  
 H.R. 2342: Mr. STARK and Mr. PAYNE.  
 H.R. 2357: Mr. LARSEN of Washington.  
 H.R. 2366: Mr. ISRAEL, Mr. CAPUANO, Mr. FILNER, Ms. WOOLSEY, Mr. ENGEL, and Mr. HECK.  
 H.R. 2368: Mr. CLAY, Mr. COHEN, and Mr. FALEOMAVAEGA.  
 H.R. 2387: Mr. KING of New York and Mr. CROWLEY.  
 H.R. 2400: Mr. COHEN.  
 H.R. 2402: Mr. BROOKS.  
 H.R. 2414: Mr. PAUL and Mr. BURTON of Indiana.  
 H.R. 2426: Mr. BACHUS, Mr. BENISHEK, Mr. BOREN, Mr. BURTON of Indiana, Mr. CAMPBELL, Mr. CANSECO, Mr. CARTER, Mr. DESJARLAIS, Mr. DIAZ-BALART, Mr. DUFFY, Mr. DUNCAN of Tennessee, Mr. FLEMING, Mr. GOWDY, Mr. GRIMM, Mrs. HARTZLER, Mr. ISSA, Mr. JORDAN, Mr. KELLY, Mr. KING of Iowa, Mr. KINGSTON, Mr. LANDRY, Mr. LATTA, Mrs. BONO MACK, Mr. MARCHANT, Mr. MCCARTHY of California, Mr. MCHENRY, Mr. NEUGEBAUER, Mrs. NOEM, Mr. NUGENT, Mr. NUNNELEE, Mr. PRICE of Georgia, Mr. QUAYLE, Mr. REED, Mr. RIGELL, Mr. ROGERS of Michigan, Mr. SCHOCK, Mr. AUSTIN SCOTT of Georgia, Mr. SENSENBRENNER, Mr. SOUTHERLAND, Mr. STIVERS, Mr. THORNBERRY, Mr. WALSH of Illinois, Mr. WOMACK, and Mr. YOUNG of Indiana.  
 H.R. 2429: Mr. GIBBS and Mr. POSEY.  
 H.R. 2444: Mr. DICKS.  
 H.R. 2457: Mr. HUNTER.  
 H.R. 2472: Mr. PAUL.  
 H.R. 2479: Mr. CARNAHAN.  
 H.R. 2482: Mr. KILDEE and Mr. CLARKE of Michigan.  
 H.R. 2485: Mrs. HARTZLER and Mrs. ROBY.  
 H.R. 2492: Mr. BUCHANAN, Mr. GERLACH, Mr. HOLDEN, and Mr. KUCINICH.  
 H.R. 2497: Mr. LATTA.  
 H.R. 2507: Mr. McCLINTOCK, Mr. WESTMORELAND, Mr. CANSECO, and Mr. LONG.  
 H.R. 2509: Mr. SHERMAN.  
 H.R. 2514: Mr. GOHMERT.  
 H.R. 2534: Mr. DUFFY and Mr. BROOKS.  
 H.R. 2537: Mr. CLAY.  
 H.R. 2541: Mr. HASTINGS of Washington.

H.R. 2544: Mr. ELLISON.  
 H.R. 2545: Mr. BOREN, Mr. MANZULLO, Mr. CHANDLER, and Mr. DONNELLY of Indiana.  
 H.R. 2554: Ms. MCCOLLUM.  
 H.R. 2560: Mr. CHABOT and Mrs. NOEM.  
 H.R. 2567: Mr. ELLISON, Mr. STARK, and Mr. QUIGLEY.  
 H.R. 2568: Mr. CANSECO.  
 H.R. 2576: Mr. ROSKAM.  
 H.R. 2578: Mr. CARDOZA.  
 H.R. 2580: Mr. RANGEL and Mrs. MALONEY.  
 H.J. Res. 2: Mr. BARROW.  
 H.J. Res. 10: Mr. LIPINSKI and Mr. CHANDLER.  
 H.J. Res. 69: Mr. PERLMUTTER and Mr. HANNA.  
 H. Con. Res. 44: Mr. GRIMM.  
 H. Con. Res. 63: Mr. CONNOLLY of Virginia.  
 H. Con. Res. 64: Mr. RUSH.  
 H. Res. 47: Mr. SABLAN.  
 H. Res. 111: Mr. POSEY and Mr. ROSS of Arkansas.  
 H. Res. 141: Mrs. HARTZLER.  
 H. Res. 213: Mr. GRIMM.  
 H. Res. 306: Ms. BERKLEY.  
 H. Res. 342: Mr. TONKO.  
 H. Res. 353: Ms. SEWELL and Mr. McDERMOTT.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rules XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

##### OFFERED BY MR. MICA

The provisions that warranted a referral to the Committee on Transportation and Infrastructure in H.R. 2553 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

##### OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means on H.R. 2553, the "Airport and Airway Extension Act of 2011, Part IV," do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 451: Mr. BOSWELL.

#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

##### H.R. 2551

OFFERED BY MR. THOMPSON OF PENNSYLVANIA

AMENDMENT No. 1: At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available in this Act may be used to purchase, acquire, install, or use any medium screw base compact fluorescent lamp or light bulb.

## EXTENSIONS OF REMARKS

HONORING MAXWELL KENNER  
DUSCH

## HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Maxwell Kenner Dusch. Maxwell is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 362, and earning the most prestigious award of Eagle Scout.

Maxwell has been very active with his troop, participating in many scout activities. Over the many years Maxwell has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Maxwell has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Maxwell Kenner Dusch for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

LETTERS FROM REP. DENNIS J.  
KUCINICH TO THE UNITED NA-  
TIONS ON THE WAR IN LIBYA

## HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2011

Mr. KUCINICH. Mr. Speaker, I wish to submit letters I have sent to the United Nations Secretary General, Ban Ki-moon, regarding the U.N.-sanctioned war in Libya.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
April 12, 2011.

Hon. BAN KI-MOON,  
Secretary General, United Nations, New York,  
New York.

DEAR SECRETARY GENERAL: On March 19, 2011 the United Nation (UN) Security Council adopted Resolution 1973 which authorized the international community to act to "to protect civilians and civilian populated areas under threat of attack" in Libya. That measure allowed member states to act "nationally or through regional organizations or arrangements . . . in cooperation with the Secretary-General."

However, members of the North Atlantic Treaty Organization (NATO), which has acted under the authority of the UN mandate, have expressed a desire to remove Muammar Gaddafi from power, a demand that was not authorized by the United Nations Security Council. The Libyan Transitional National Council yesterday rejected a cease-fire proposal because it lacked a re-

quirement for Gaddafi to leave power. The United States did not have a full accounting of the cease-fire proposal, but Secretary Clinton continued to call for regime change. Today, news reports indicate that France and Britain are urging NATO to expand their operations in Libya. The British Foreign Secretary, William Hague, was quoted by The New York Times as saying that "[a]ny viable future for Libya involves the Departure of Colonel Qaddafi."

It is imperative the UN remind France and Britain that regime change is not part of the UN mandate. An attempt at regime change would likely expand a civil war creating a large number of civilian casualties on both sides. NATO is not authorized to go beyond the UN mandate and France and Great Britain should not demand they do so. The UN Secretary General must intervene to stop an expansion of the war even though two member states, for whatever reason, appear intent on pursuing that expansion.

Sincerely,

DENNIS J. KUCINICH,  
Member of Congress.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
April 14, 2011.

Hon. BAN KI-MOON,  
Secretary General, United Nations, New York,  
New York.

DEAR SECRETARY GENERAL: I write to bring your attention to reports that reveal that the State of Qatar has been supplying weapons to Libyan rebels and ask that you take immediate steps to ensure full compliance with the arms embargo currently in effect in Libya.

According to The Guardian, Qatar is supplying "anti-tank weapons to Libyan rebels in Benghazi as part of its strategy of working to overthrow the Gaddafi regime, officials in Doha have confirmed." This is a clear violation of United Nations Security Council Resolution (UNSCR) 1970, adopted on February 26, 2011, which established an international arms embargo and requires all member states to take "necessary measures" to prevent the "supply, sale or transfer" of arms and related materiel into Libya.

You recently made strong statements urging full compliance with an international arms embargo in Cote D'Ivoire following revelations that attack helicopters were provided to forces loyal to former president Laurent Gbagbo, recognizing that supplying such aid would be "very dangerous in our own effort to resolve this issue peacefully." Failure to take action to ensure compliance with UNSCR 1970 in Libya could pose the same danger, potentially prolonging a civil war and likely resulting in further civilian deaths. It also significantly undermines the legitimacy of the U.N. and the international humanitarian effort it has authorized in Libya.

I urge you to take immediate and appropriate action to ensure that Qatar and all U.N. member states are in full compliance with UNSCR 1970.

Sincerely,

DENNIS J. KUCINICH,  
Member of Congress.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
April 19, 2011.

Hon. BAN KI-MOON,  
Secretary, United Nations, New York, New  
York.

DEAR SECRETARY GENERAL: The silence of the U.N. appears to be creating an atmosphere that allows member states to take actions that are likely to prolong a civil war and increase the risk to Libyan civilians. We cannot allow such a dangerous precedent to be set in Libya.

Reports today indicate that Britain and France have sent a joint team of military advisors to assist rebels in Libya, an overt and dangerous sign of intentions to act well beyond the authorization granted in United Nations Security Council (UNSCR) 1973. I urge you to take immediate steps to ensure that U.N. member states fully comply with UNSCR 1973 and refrain from taking steps in Libya that can only serve to prolong a protracted conflict at the expense of Libyan civilians.

The United Nations has been noticeably reserved when it was revealed that Qatar was providing arms to Libyan rebels in contravention of UNSCR 1970, despite recognition by the U.N. that the humanitarian situation in Libya has worsened following increased fighting between rebels and pro-Gaddafi forces.

It is of the utmost importance that the United Nations make its stance on violations of U.N. Security Council resolutions well-known. The United Nations must state clearly that any actions taken by member states outside of the scope of UNSCR 1973 will not be tolerated.

I look forward to your response.

Sincerely,

DENNIS J. KUCINICH,  
Member of Congress.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
May 6, 2011.

Hon. BAN KI-MOON,  
Secretary General, United Nations, New York,  
New York.

Hon. LUIS MORENO-OCAMPO,  
Prosecutor, International Criminal Court, The  
Hague, The Netherlands.

I write to express my grave concern over recent actions by the North Atlantic Treaty Organization (NATO) in Libya that appear to constitute a deliberate attack on a foreign leader, in direct contravention to United Nations Security Council Resolution (UNSCR) 1973, and the effect such actions may have on prolonging an already protracted and bloody conflict in Libya.

I am specifically concerned about reports of a strike conducted by NATO on Saturday, April 30 on a compound in Tripoli that reportedly killed Saif al-Arab Gaddafi, the youngest son of President Muammar Gaddafi, along with three grandchildren. According to the The Washington Post, NATO's commander of the current operations in Libya, General Charles Bouchar, stated that "All NATO's targets are military in nature and have been clearly linked to the Gaddafi regime's systematic attacks on the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Libyan population and populated areas. We do not target individuals.”

NATO is acting in Libya pursuant to UNSCR 1973, which authorized an international military intervention for the sole purpose of protecting Libyan civilians. A NATO strike on a compound that resulted in the death of family members of President Gaddafi clearly exceeds this mandate and must not be tolerated. The lack of accountability for U.N. member states and international arrangements if they act beyond the U.N. Security Council mandate makes it clear that U.N. resolutions can be violated with impunity. Despite the mandate to protect Libyan civilians, it is clear that actions are being taken in Libya by member states that endanger the civilians.

As you know, on February 26, the U.N. Security Council referred Libya to the International Criminal Court (ICC) in order to investigate allegations of actions taken by the Libyan government against Libyan civilians in response to an uprising in the country. This week, the ICC prosecutor Luis Moreno-Ocampo announced that charges would be brought upon members of the Libyan government for crimes alleged to have been committed against unarmed civilians that occurred during the current conflict.

It is imperative that NATO also be held accountable for any actions that violate UNSCR 1973 and international law. The United Nations must take immediate action to ensure compliance with UNSCR 1973, or risk a continued escalation of the conflict at the cost of many more lives. The U.N. has an obligation to protect civilians under international law and to ensure that military operations it has authorized are conducted in accordance to such laws.

Sincerely,

DENNIS J. KUCINICH,  
*Member of Congress.*

cc: General Charles Bouchard, NATO.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
June 10, 2011.

Hon. BAN KI-MOON,  
*Secretary General, The United Nations, New York, New York.*

Hon. LUIS MORENO-OCAMPO,  
*Prosecutor, International Criminal Court, The Hague, The Netherlands.*

DEAR SECRETARY GENERAL BAN AND PROSECUTOR MORENO-OCAMPO: I write to express my grave concern over a recent report that states that a senior North Atlantic Treaty Organization (NATO) official believes that Libyan President Muammar Gaddafi is a legitimate target under United Nations Security Council Resolution (UNSCR) 1973. Therefore, I ask that the United Nations take immediate steps to address this and other violations of the U.N. mandate which was to protect civilians in Libya.

NATO has taken actions in Libya that raise serious questions about the military intervention in the country, including a strike conducted by NATO in April on a compound in Tripoli that reportedly killed Saif Al-Arab Gaddafi, Gaddafi's youngest son, and three of his grandchildren. NATO is acting in Libya pursuant to UNSCR 1973, which authorized an international military intervention for the sole purpose of protecting Libyan civilians. A NATO strike to deliberately target a leader of a foreign country clearly exceeds this mandate and must not be tolerated. The lack of accountability for U.N. member states and international arrangements if they act beyond the U.N. Security Council mandate makes it clear that absent

the intervention of your good offices U.N. resolutions can be violated with impunity.

It is imperative that NATO be held accountable for any actions that violate UNSCR 1973 and international law. The United Nations must take immediate action to ensure compliance with UNSCR 1973, or risk a continued escalation of the conflict at the cost of many more lives. The U.N. has an obligation to protect civilians under international law and to ensure that military operations it has authorized are conducted in accordance to such laws.

The failure of the United Nations and the International Criminal Court to effectively intervene to stop such egregious violations by NATO risks the serious degrading of international institutions whose very existence depends upon compliance with and enforcement of international law.

Sincerely,

DENNIS J. KUCINICH,  
*Member of Congress.*

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
June 20, 2011.

Hon. BAN KI-MOON,  
*Secretary General, The United Nations, New York, New York.*

Hon. LUIS MORENO-OCAMPO,  
*Prosecutor, International Criminal Court, The Hague, The Netherlands.*

I write to express my grave concern regarding recent reports that a strike conducted by the North Atlantic Treaty Organization (NATO) in Libya this weekend killed innocent civilians. In light of this event, I reiterate my request that the United Nations (U.N.) take immediate steps to ensure that member states, acting in Libya under NATO and pursuant to a U.N. mandate to protect civilians, are held accountable for possible violations of international law and pertinent U.N. Security Council resolutions.

According to The Washington Post, a “blast flattened a two-story house, killing two children and seven adults . . . and it came a day after the alliance confirmed that last week it accidentally struck a vehicle carrying allied rebel fighters.” The killing of civilians and rebel fighters by NATO airstrikes raises serious questions about the use of military intervention, as codified in U.N. Security Council Resolution 1973, to protect civilians and highlights the urgent need for a negotiated ceasefire. As the war in Libya passes the 90-day mark, it has become clear that the military intervention has resulted in a further escalation of the conflict, which is likely to further increase the risk to civilians. It is vital that NATO work with the U.N., its member states and the international community toward a politically negotiated end to the conflict. Indeed, a political settlement may be the only way to truly protect Libyan civilians from harm and bring an end to a protracted conflict. To that end, I have enclosed a structured series of steps patterned after the African Union effort which can serve to end the conflict.

It is imperative that the U.N. hold NATO and its top command directly accountable under international statutes for actions which place the lives of innocent civilians at risk. The U.N. has an obligation under international law to ensure that military operations it has authorized are conducted in accordance with such laws.

Sincerely,

DENNIS J. KUCINICH,  
*Member of Congress.*

Enclosure: Blueprint for Self-Determination and Peace in Libya.

THE BLUEPRINT FOR SELF-DETERMINATION  
AND PEACE IN LIBYA

(Proposed by Congressman Dennis J.  
Kucinich)

1. CEASEFIRE

All parties to the current conflict must implement an immediate cessation of all hostilities.

a. Following the implementation of a ceasefire, monitors from the African Union (A.U.) and the United Nations (U.N.) will be deployed to ensure compliance with the ceasefire

b. North Atlantic Treaty Organization (NATO) must immediately end all military offensives, including the enforcement of a “no fly zone,” air strikes by jets, helicopters and Unmanned Aerial Vehicles.

c. All covert operations from NATO member nations shall be discontinued.

d. All government and rebel forces, including paramilitary and mercenary forces must withdraw from cities they currently occupy.

2. UNFETTERED HUMANITARIAN ACCESS

Libyan authorities must immediately allow for unfettered humanitarian access and facilitate the safe, timely delivery of humanitarian assistance to all people in need. Libyan authorities must cooperate and allow for the protection of, and if needed, evacuation of foreign nationals and its African migrant community and workers.

3. DIALOGUE

The African Union along with the U.N. is to facilitate an inclusive dialogue in implementing a blueprint for self-determination and peace.

4. FULL COMPLIANCE WITH PERTINENT U.N.  
SECURITY COUNCIL RESOLUTIONS

The U.N. must enforce and ensure that all U.N. member states fully comply with the terms of U.N. Security Council Resolution (UNSCR) 1970, which established an international arms embargo on Libya;

5. REPARATIONS FOR CIVILIANS KILLED OR  
INJURED AND THEIR FAMILIES

Payments should be made by all parties to the conflict to any injured non-combatants or families of those non-combatants killed as a result of the current conflict.

6. REFORMING THE CURRENT GOVERNMENT  
STRUCTURE

Representatives of the Libyan government and the Transitional National Council shall call parties forward to participate in a Constitutional drafting committee, to develop a mechanism to proceed to determine the structure, composition and enactment of a reform government and to select a committee to draft a national constitution.

7. TIMELINE FOR REFORM

a. The Constitutional drafting committee shall issue a report on its deliberations.

b. A referendum shall be held on the newly drafted Constitution, and, once it is adopted, national elections will be held.

c. The referendum on the Constitution shall be conducted under the auspices of independent international observers from the African Union and the United Nations.

d. Independent international observers shall be asked to monitor elections.

8. REPATRIATION OF FROZEN ASSETS

All frozen Libyan assets must be returned.

9. NATURAL RESOURCES

The oil, water and natural gas resources of the State of Libya must be held in public trust for the long-term social and economic security of the people of Libya.

## 10. PROTECTING AND UPHOLDING THE RIGHTS OF ALL LIBYAN CITIZENS

All parties and the newly constituted government of Libya shall abide by international law and human rights law. The newly constituted government must ensure fair access to all basic services in Libya.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,

July 19, 2011.

Hon. BAN KI-MOON,  
*Secretary General, The United Nations, New York, New York.*

DEAR SECRETARY GENERAL: I write to continue to express my concern over the ongoing conflict in Libya and clear violations of a U.N.-sanctioned no-fly zone that only serve to prolong the conflict. It is being reported that the no-fly zone established by United Nations Security Council Resolution (UNSCR) 1973 and enforced by the North Atlantic Treaty Organization (NATO) is not being enforced in certain circumstances in order to allow for the delivery of military assistance to Libyan rebels.

According to The Washington Post, NATO "appears to allow rebel flights that shuttle personnel, food, medicine—and allegedly some weapons and communications equipment—between rebels in the eastern city of Benghazi and a stretch of two-lane highway . . . in the west. On Monday, two reporters watched a four-engine jet take off from the highway and climb quickly into the sky."

As you know, such actions would be in direct violation of UNSCR 1973 and will continue to prolong the war which shows no signs of ending soon. Last month, France, a leading proponent of the war in Libya and member of NATO enforcing the no-fly zone, was reported to be arming Libya rebels in contravention to U.N. Security Council Resolution on Libya. The United Nations must take immediate action to hold member states accountable for allowing violations of U.N. Security Council resolutions. The U.N. cannot stand idly by as its member states take actions under its name that clearly serve to further their own political interests, rather than protect Libyan civilians.

I would welcome the opportunity to meet to discuss ways we can work together toward your stated priority for the U.N., sustainable development. I look forward to hearing from you.

Sincerely,

DENNIS J. KUCINICH,  
*Member of Congress.*

HONORING KEVIN JAMES GORDON

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Kevin James Gordon. Kevin is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 362, and earning the most prestigious award of Eagle Scout.

Kevin has been very active with his troop, participating in many scout activities. Over the many years Kevin has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his fam-

ily, peers, and community. Most notably, Kevin has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Kevin James Gordon for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF DR. TYEESSE GAINS AND MICHELE JAKER

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PALLONE. Mr. Speaker, I rise today to recognize two of the New Leadership Council's 40 Under 40 Award recipients, Dr. Tyeesse Gaines and Michele Jaker. Both individuals have made impressive contributions to their community and great accomplishments in their professional careers and continue to embody the mission of the New Leaders Council.

Dr. Tyeesse Gaines is a physician-journalist and touts an impressive 10 years of experience in both print and broadcast experience. She is currently a health contributor for NBC's theGRIO.com and has made appearances as a medical expert on various media outlets, including MSNBC and ABCNews.com. Currently practicing as Chief Emergency Medicine Resident Physician at Yale-New Haven Hospital in Connecticut, she will soon be transitioning to become an Attending Physician at Raritan Bay Medical Center. Dr. Gaines' academic accolades have bolstered her professional career toward success. Her research and academic interests have focused on head injury cases and improving a patient's understanding of their discharge instruction and medical care. Dr. Gaines has also held various national leadership positions with the Student National Medical Association for 9 years and was later elected Chairwoman of the Board of Directors. In conjunction with her professional career, Dr. Gaines continues to mentor minority pre-medical and medical students, helping them prepare for successful future careers.

Ms. Michele Jaker currently serves as the Executive Director of the Planned Parenthood Affiliates of New Jersey (PPANJ) and the Family Planning Association of New Jersey (FPANJ). She also admirably serves as Director of the Planned Parenthood Action Committee of New Jersey, a statewide political action committee that works in support of pro-choice and pro-women's health candidates in New Jersey. Prior to her current positions, Ms. Jaker served as Chief of Staff to New Jersey State Senator Joseph Vitale. Ms. Jaker also serves as Public Defender for the Borough of Fanwood, New Jersey. Ms. Jaker is an alumna of Douglass College at Rutgers University and holds a Masters Degree in Public Policy from the Eagleton Institute/Bloustein School at Rutgers University. In 2000, she earned a law degree from Rutgers University-Newark and has been a member of the New Jersey State Bar Association since 2001. Ms. Jaker has been the driving force in New Jersey to protect access to quality health services for all women.

The New Leaders Council (NLC) is a national nonpartisan, nonprofit leadership organization that seeks out, trains, and recognizes the best and brightest individuals. The organization has motivated individuals across the country to start their own local chapter of NLC, the most recent located in New Jersey. Along with their mission to prepare the next generation of leaders, NLC honors outstanding individuals and visionaries that are currently impacting society. Tonight's 40 Under 40 Awards Reception supports this mission.

Mr. Speaker, once again please join me in congratulating Tyeesse Gains and Michele Jaker for their immeasurable contributions to the community and thank the New Jersey Chapter of the National Leaders Council for hosting tonight's 40 Under 40 reception.

HONORING IAN MICHAEL NIEMEYER

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Ian Michael Niemeyer. Ian is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 362, and earning the most prestigious award of Eagle Scout.

Ian has been very active with his troop, participating in many scout activities. Over the many years Ian has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Ian has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Ian Michael Niemeyer for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

**HON. LOIS CAPPS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mrs. CAPPS. Mr. Speaker, I was not able to be present for the following rollcall vote on July 18, 2011. I would have voted as follows: rollcall No. 601: yes; rollcall No. 602: yes.

HONORING DEKLAN LOUIS KENNEDY

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Deklan Louis Kennedy. Deklan is a very special young man who

has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 362, and earning the most prestigious award of Eagle Scout.

Deklan has been very active with his troop, participating in many scout activities. Over the many years Deklan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Deklan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Deklan Louis Kennedy for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF THE 40TH ANNIVERSARY OF THE HARRY VAN ARSDALE JR. CENTER FOR LABOR STUDIES AT SUNY EMPIRE STATE COLLEGE

**HON. JERROLD NADLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. NADLER. Mr. Speaker, I rise today in recognition of the Harry Van Arsdale Jr. Center for Labor Studies at SUNY Empire State College on the occasion of its 40th anniversary.

The New York State legislature created SUNY Empire State College in 1971 in order to provide educational opportunities to adults not adequately served by traditional residential colleges. At the same time, it also established the Center for Labor Studies, which was renamed in 1986 to honor the distinguished labor leader, the long-time business manager of IBEW Local 3 and president of the New York City Central Labor Council, who did so much to support its creation.

The Harry Van Arsdale Jr. Center for Labor Studies at SUNY Empire State College continues to fulfill its namesake's dream of providing wage-earning adults with an opportunity to develop their labor leadership skills and to earn a college degree in a learning environment that celebrates their achievements and recognizes their particular needs. To do so, the Van Arsdale Center provides flexible, worker-friendly educational programs delivered by highly qualified faculty to ensure that its trade union students and other working adults may acquire the analytical and communicative skills that are the hallmark of a college degree.

The center currently serves several important constituencies in the New York City area, including IBEW Local 3 and United Association Local 1 apprentices, as well as paraeducators affiliated with the United Federation of Teachers. The longest-standing of these partnerships is with the Joint Industry Board of the Electrical Industry in New York City (JIB), and it is one of the center's most successful partnerships. Since 1978 every registered electrical apprentice in IBEW Local 3 has been required to complete, in addition to their related classroom instruction in electrical

theory, an academic course of study in which they learn to read and write at the college level and for which they are awarded a college degree; or, if they already have a degree, a 20-credit certificate in "Labor and the Construction Industry." Other programs were added later: the paraeducator program of the UFT in 2006, the college degree program of UA Local 1 in 2008; and others are in development.

The Harry Van Arsdale Jr. Center for Labor Studies has graduated more than 5,000 men and women, many of whom have gone on to hold positions of honor in the New York City labor movement and beyond. Please join me in congratulating this exemplary educational organization on the occasion of its 40th anniversary.

HONORING CONNOR JAMES PACE

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Connor James Pace. Connor is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 362, and earning the most prestigious award of Eagle Scout.

Connor has been very active with his troop, participating in many scout activities. Over the many years Connor has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Connor has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Connor James Pace for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

**HON. ADAM KINZINGER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. KINZINGER of Illinois. Mr. Speaker, on rollcall Nos. 601 and 602. Due to previously scheduled district events, I was unable to return to Washington, DC. Had I been present, I would have voted in favor.

TRIBUTE TO MILENDA G. MEDERS

**HON. JEFF DENHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and congratulate Madera resident Milenda G. Meders, or Millie as she is known, upon being named "2011 Senior

Farmer of the Year" by the Madera Chamber of Commerce. This award is a tribute to Milenda's professional accomplishments in the farming industry, as well as her dedicated service and leadership in many Central Valley agriculture and farming community organizations.

Milenda was born on August 8, 1935. She and her twin brother, Michael, were raised on a Chowchilla dairy farm founded by her parents, Carl and Gayle Gaumnitz, in the 1920's. Milenda graduated from Chowchilla Union High School in 1953, and went on to attend California State University Fresno, where she graduated in 1957 with a Bachelor of Science in Animal Science with minors in biology and journalism. After earning her degree, Milenda worked in the Sales and Ag Departments at KMJ Radio in Fresno, and later was a writer and producer of Nelson Crow Publications Western Dairy Journal. In 1965, Milenda married her husband, Lieutenant John Q. Meders, a retired U.S. Navy carrier pilot and 2nd generation cattle rancher. Together, she and her husband have farmed field row crops, almonds, and raised cattle.

Over the past 51 years, Milenda's contribution to the farming community reached beyond her professional accomplishments. Milenda served on the board of the Chowchilla Fair for 16 years, and was the Chowchilla Fair Livestock Superintendent for 20 years. She also served as Director of the Madera County Cattleman's Association for 12 years; Director of the Chowchilla Water District; and has volunteered her time and agricultural expertise as a member of the Ag Advisory Committee at Chowchilla High School. Currently, she is the Director and CFO of "Preserve Our Heritage," and a member of the University of California, Davis Agricultural Issues Advisory Board. Her contributions to these organizations and the Madera County farming community have been honored with several prestigious awards. In 2006, Milenda was a recipient of the California Women for Agriculture and California State University Fresno Ag One Foundation "Common Threads Award", an award given to 5 women in Central Valley agriculture for volunteering their time, energy and resources to benefit the community. In 2007, Milenda and her husband John received the Madera County "Cattleman of the Year" award.

Mr. Speaker, please join me in commending Milenda G. Meders for her hard work and dedicated community service in the Central Valley farming industry, and congratulating her upon receiving the Madera Chamber of Commerce "Senior Farmer of the Year Award."

HONORING ETHAN PATRICK TURNER

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Ethan Patrick Turner. Ethan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 362, and



earning the most prestigious award of Eagle Scout.

Ethan has been very active with his troop, participating in many scout activities. Over the many years Ethan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Ethan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Ethan Patrick Turner for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### RECOGNIZING EUNICE LEWIS

### HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. LONG. Mr. Speaker, I rise today to recognize a great citizen of the State of Missouri. I offer the highest commendation to Eunice Lewis of Granby, Missouri, who has the distinction of being the oldest living member of the Women's Army Corps (WAC). Born in Lincoln, Arkansas and raised in Morris, Oklahoma, Ms. Lewis married Mr. George McFarland of the United States Marine Corps during World War II. At the age of twenty-eight, with her husband serving in the Pacific Theatre of Operations—where he was captured and held prisoner by Japanese forces for five years—Eunice joined the Women's Army Corps and completed her training at Fort Des Moines, Iowa. Eunice was then stationed at Fort Hood, Texas, where her primary responsibility was writing the Last Will and Testaments for the soldiers. After her husband returned safely from overseas, they were anxious to begin their new life together. They found a home in Granby, a home which still stands to this day. Eunice and George McFarland had one son, Pat McFarland, who was all too young when his father passed away. Eunice then married Leon Lewis, who worked for Rocketdyne and Teledyne in Neosho, Missouri, and the couple enjoyed many years of wedded bliss prior to his passing twelve years ago. Eunice Lewis celebrated her ninety-eighth birthday on July 7, 2011. I salute the life accomplishments of Eunice Lewis, a proud daughter of the State of Missouri and the United States.

#### HONORING COREY ALAN STORTS

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Corey Alan Storts. Corey is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 362, and earning the most prestigious award of Eagle Scout.

Corey has been very active with his troop, participating in many scout activities. Over the

many years Corey has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Corey has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Corey Alan Storts for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### PERSONAL EXPLANATION

### HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. CROWLEY. Mr. Speaker, on July 18, 2011, I was absent for two rollcall votes.

If I had been here, I would have voted: "yes" on rollcall vote 601; and "yes" on rollcall vote 602.

#### HONORING TYLER ANDREW GRAEF

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Tyler Andrew Graef. Tyler is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 362, and earning the most prestigious award of Eagle Scout.

Tyler has been very active with his troop, participating in many scout activities. Over the many years Tyler has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Tyler has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Tyler Andrew Graef for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### PERSONAL EXPLANATION

### HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. GERLACH. Mr. Speaker, unfortunately, on Monday, July 18, 2011, I missed two recorded votes on the House floor. Had I been present, I would have voted "aye" on rollcall 601 and "aye" on rollcall 602.

#### TRIBUTE TO THE LIFE OF THE HONORABLE DAVID R. ZAMORA

### HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. BACA. Mr. Speaker, I rise today to ask Congress to pay tribute to a valued member of the Colton Community, the Honorable Mayor David R. Zamora. Mayor Zamora passed away at the age of fifty-six on July 14, 2011.

Albert Einstein was once quoted as saying, "Only a life lived for others is a life worthwhile." According to these standards, David Zamora lived one of the fullest lives imaginable for others.

David was born in San Bernardino on January 9, 1955. He attended the California State University at San Bernardino, earning a Bachelor of Arts in Sociology as well as Social Science. He later graduated with a Master of Public Administration. He worked in Colton and the Inland Empire for over forty years, primarily in education and public service.

David led a life of service to the cities and people of the Inland Empire. He spent twenty-eight years working at the City of Colton, retiring as the Director of Community Development in 2009. As a lifelong Inland Empire resident, David was always extremely dedicated to the well-being of his community. The positive impact he left on the City of Colton will be felt for years to come.

David served three consecutive terms as an elected member of the Board of Education for the Colton Joint Unified School District. He was elected Mayor of the City of Colton in November of 2010, and immediately bolstered Colton's budget reserve funds.

However, the friends and colleagues that served with David say his biggest impact was personal. He possessed the rare ability to bring people together. It was always about the team—the team that he built—and the best interest of the community. Many people credit Mayor David Zamora for bringing a civility to Colton's fractious politics.

On a personal note, I always felt a special kinship with David because my own mother's maiden name was Zamora. He was a positive and genuinely happy person, and I know he will be deeply missed in the Inland Empire.

David leaves with cherished memories his wife, Sarah, his three daughters, Mia, Summer, and Alexa, and his three grandchildren. My thoughts and prayers, along with those of my wife, Barbara, and my children, Councilman Joe Baca Jr., Jeremy, Natalie, and Jennifer are with David's family at this time. Mr. Speaker, I ask my colleagues to join me today in honoring the memory of a beloved community member, the Honorable David Zamora.

#### DANTE BELLAMY

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Dante Bellamy for receiving the Arvada Wheat Ridge

Service Ambassadors for Youth award. Dante Bellamy is a 7th grader at Drake Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Dante Bellamy is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Dante Bellamy for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

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PERSONAL EXPLANATION

**HON. TIMOTHY V. JOHNSON**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday, July 18, 2011, I was unable to attend votes due to conflicting appointments as a result of the change in the legislative calendar for this week. Monday evening I held a listening event with local farmers at the fairgrounds. Had there been advance notice of a schedule change, I would have moved my appointment with the farmers. However, I could not, in good conscience, cancel on a group that had been on my schedule for several months.

Had I been present, my votes would have been as follows:

For H.R. 33, I would have voted, "yea". I believe this suspension resolves financial uncertainty for churches, especially during this rough economic period.

For Approval of the Journal, I would have voted, "yea".

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CASSANDRA GARCIA

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Cassandra Garcia for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Cassandra Garcia is a 8th grader at Mandalay Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Cassandra Garcia is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Cassandra Garcia for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

PERSONAL EXPLANATION

**HON. GUS M. BILIRAKIS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. BILIRAKIS. Mr. Speaker, for rollcall Nos. 601 and 602, I was unavoidably detained.

Had I been present, I would have voted, "yea" for rollcall 601 and, "yea" for rollcall 602.

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CODY GRUBBS

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Cody Grubbs for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Cody Grubbs is a 8th grader at Oberon Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Cody Grubbs is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Cody Grubbs for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

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RECOGNIZING CARMEN CANO,  
EXEMPLARY TEACHER

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize Mrs. Carmen Cano, for her contribution to the South Florida community and on her 90th birthday.

Mrs. Cano, a native of Cuba, always had a passion for education and mentoring those whom she taught.

In 1952, she graduated with a Doctorate in Education from The University of Havana, and just a few years later became the principal of one of Cuba's most prominent schools, St. George's School.

Unfortunately, like so many, in 1960 she was forced to flee Castro's repressive regime in search of freedom and opportunity.

That opportunity was waiting for her here in South Florida.

After arriving in Miami, Mrs. Cano began to volunteer at Gesu School, where she helped to educate not only her students' hearts but also their minds.

Mrs. Cano's dedication to her students and professionalism led to her being offered a permanent position teaching 8th grade math.

In 1982, when the Gesu School closed its doors, Mrs. Cano's reputation throughout the South Florida community led her to being offered a position at another of Miami's staple institutions, St. John the Apostle.

For 12 years she would continue to teach at St. John, where her great sense of humor, extraordinary teaching style, and her faith would earn the respect of her administrators, peers, and most importantly her students.

Mrs. Cano's friendly spirit and maternal nature gave her students, many of whom arrived in Miami alone, a sense of security and belonging.

I am honored to have Mrs. Cano as a constituent of the 18th District of Florida and thank her for all she has done for the South Florida community.

Happy Birthday, Carmen!

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COURTNEY JONES

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Courtney Jones for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Courtney Jones is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Courtney Jones is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Courtney Jones for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

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PERSONAL EXPLANATION

**HON. BENJAMIN QUAYLE**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. QUAYLE. Mr. Speaker, yesterday, July 18, 2011, I missed rollcall votes numbered 601 and 602. Had I been present, I would have voted "aye" on H.R. 33 to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act and "aye" on approving the journal.

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DARYA REDZKO

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Darya Redzko

for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Darya Redzko is a 7th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Darya Redzko is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Darya Redzko for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

PERSONAL EXPLANATION

**HON. CONNIE MACK**

OF FLORIDA  
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2011

Mr. MACK. Mr. Speaker, on Monday, July 18, 2011, I was unavoidably delayed and unable to vote on rollcall Nos. 601 and 602. Had I been present, I would have voted "yes" on No. 601 and "yes" on No. 602.

DAMIEN SALIMBENI

**HON. ED PERLMUTTER**

OF COLORADO  
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Damien Salimbeni for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Damien Salimbeni is a 12th grader at Arvada High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Damien Salimbeni is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Damien Salimbeni for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

EDUCATION JOBS SAVED OR CREATED BY AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

**HON. CORRINE BROWN**

OF FLORIDA  
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 19, 2011

Ms. BROWN of Florida. Mr. Speaker, I submit the following:

State/Territory	Total ARRA Awards	2009-2010 School Year Avg.	2011 Jobs Reported as of 3/31/11
Alabama	\$1,211,481,243	6,005	5,845
Alaska	286,386,725	288	445
American Samoa	55,041,672	0	67
Arizona	1,546,116,040	4,526	2,226
Arkansas	737,604,784	1,187	2,846
California	9,090,383,978	55,912	20,544
Colorado	1,161,981,982	6,861	2,652
Connecticut	793,482,267	5,527	5,461
Delaware	370,482,181	514	558
District of Columbia	275,621,995	1,044	398
Florida	4,996,853,160	25,095	48,473
Georgia	2,793,622,033	20,423	4,914
Guam	121,588,935	—	19
Hawaii	359,806,800	1,284	2,835
Idaho	362,672,280	3,590	6,108
Illinois	3,298,099,077	21,397	5,457
Indiana	1,544,050,551	8,500	2,077
Iowa	693,421,051	6,088	2,797
Kansas	683,903,564	5,582	3,691
Kentucky	1,060,239,635	7,325	6,612
Louisiana	1,216,998,305	5,994	6,317
Maine	316,026,200	282	195
Maryland	1,653,482,244	2,506	1,623
Massachusetts	1,850,860,731	5,647	4,919
Michigan	2,889,081,098	11,432	6,704
Minnesota	1,186,202,076	7,820	1,082
Mississippi	810,144,314	2,553	5,100
Missouri	1,413,344,466	11,881	9,048
Montana	252,686,075	2,192	1,579
Nebraska	450,205,253	2,360	3,484
Nevada	640,833,521	4,256	586
New Hampshire	299,442,060	1,345	556
New Jersey	2,022,050,134	16,600	2,648
New Mexico	567,755,140	2,435	1,473
New York	5,968,744,969	29,282	22,631
North Carolina	2,570,193,077	19,371	21,662
North Dakota	182,232,317	1,483	461
Northern Mariana Islands	49,533,796	148	324
Ohio	3,383,219,434	12,512	15,981
Oklahoma	918,236,975	5,061	4,454
Oregon	869,631,848	5,407	4,114
Pennsylvania	3,015,209,631	8,515	7,780
Puerto Rico	1,328,494,866	11,834	10,606
Rhode Island	341,463,536	636	541
South Carolina	1,132,320,821	4,530	4,336
South Dakota	248,797,745	1,049	461
Tennessee	1,998,304,080	7,177	11,088
Texas	6,423,533,663	21,883	31,625
U.S. Virgin Islands	91,768,429	4	910
Utah	696,668,924	3,064	1,070
Vermont	164,868,039	559	309
Virginia	1,912,898,672	9,524	6,607
Washington	1,670,979,758	13,406	1,846
West Virginia	438,219,215	773	1,580
Wisconsin	1,347,822,608	7,981	1,374
Wyoming	152,612,538	30	395
<b>Total</b>	<b>\$81,917,706,511</b>	<b>422,683</b>	<b>319,494</b>

CHLOE HARRISON

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Chloe Harrison for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Chloe Harrison is a 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Chloe Harrison is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Chloe Harrison for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

**JULY 12TH OPENING OF PARADE SEASON IN NORTHERN IRELAND AND CALL FOR PEACE**

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PALLONE. Mr. Speaker, July 12th marked what is commonly known as "parade season" in Northern Ireland.

It also marks the beginning of what is historically a tense and even violent time for the region.

In preparation for this time, Northern Ireland's First and Deputy First Ministers, Peter Robinson and Martin McGuinness, called for calm during this summer period and urged citizens not to take steps backwards and further stall progress towards peace.

The July 12th parades mark the 1690 victory of Protestant King William of Orange over Catholic King James at the Battle of the Boyne. The annual parades by Protestants often precipitate Catholic protests.

Before the "Good Friday Accords" or Belfast peace agreement, in 1998, Northern Ireland suffered a three decade period of intense fighting and violence known as the "Troubles".

Unfortunately, this past week harkened back to that time, with rioting throughout the region, police officers and citizens injured, and outbreaks occurring almost every day with attacks to churches, vehicles, and homes.

I am confident that no one in Northern Ireland truly wants to go back to a time of consistent violence and unrest.

It is at this critical time that we are reminded of the need for constructive political discourse and peaceful debate about the issues that are of greatest concern to the people of Northern Ireland.

The Good Friday Accords need to serve as guidelines at all times, especially the most

contentious times, as to how peace and compromise should rule the day.

Going back on the progress made since the accords and with the recent elections in Northern Ireland would be a mistake, and I believe that those in Northern Ireland and the Irish Diaspora around the world would agree.

Northern Ireland leaders are urging their residents to pick up the call for peace and work towards compromise during the parade season.

Mr. Robinson asked that "everyone [take] a step back and think of the consequences before doing something which you will later regret."

He continued, "We must not allow the progress that has been made to be thwarted by those who want to drag us back to the past. We are determined to build a better and brighter future for all in Northern Ireland.

I echo the leaders' call and implore Irish American citizens and all Irish people in the world to show their support for peace during this parade season, the summer, and throughout the year.

CICALI VANNOY

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Cicali Vannoy for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Cicali Vannoy is a 7th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Cicali Vannoy is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Cicali Vannoy for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

**TRIBUTE TO THE LATE CONGRESSMAN CHARLES W. WHALEN, JR.**

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. VAN HOLLEN. Mr. Speaker, yesterday I had the sad honor of advising this House of the passing of my constituent and former Member of the House, the Honorable Charles W. Whalen, Jr. Unfortunately, the date of Congressman Whalen's death was printed incorrectly. The correct date is June 27, 2011.

I urge my colleagues to read the tribute that was printed in yesterday's CONGRESSIONAL RECORD, which included the obituaries from

The Washington Post and The New York Times, to learn about this extraordinary American's life and the significant impact that he had on our country.

DAISY ESQUIVEL

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Daisy Esquivel for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Daisy Esquivel is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Daisy Esquivel is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Daisy Esquivel for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

**PERSONAL EXPLANATION**

**HON. TIMOTHY H. BISHOP**

OF NEW YORK

in the house of representatives

*Tuesday, July 19, 2011*

Mr. BISHOP of New York. Mr. Speaker, due to previously scheduled official commitments in my district, I was unavoidably detained and not present in the House chamber on Monday, July 18 to vote on rollcalls 601 and 602.

I would have voted "yea" on both rollcalls had I been present.

**HONORING CLYDE THOMAS PFISTERER**

**HON. TODD ROKITA**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. ROKITA. Mr. Speaker, I rise today to recognize Clyde Thomas Pfisterer on behalf of the people of Indiana as the former Secretary of State and now as the U.S. Representative for the 4th Congressional District. Clyde Pfisterer remains known as a loving husband, father, and grandfather and in that context, I want to extend my heartfelt condolences to his family for their loss.

To Indiana, Clyde's leadership was a shining example of the type of leadership everyone should strive to achieve. Marked by common sense and a commitment to public service, his leadership embodied the qualities emblazoned in the Hoosier spirit. Clyde's focus

on service above self; exemplified in his long service as a firefighter, arson investigator, and as a trainer and teacher to countless firefighters around the world, has left us all a better place to live, work, and raise a family.

As a man of faith, I believe we were put on this earth to love one another and to make the best of the gifts our Lord has provided. We are all blessed to live in a country that allows us to experience freedom and the opportunity to chart our own path. When I look at the life story of a man who served his community as a firefighter, served countless friends and neighbors in the community, and provided life saving instruction to his peers, all I can say is Amen. Well done.

Clyde Pfisterer exemplified the American dream in every way. The amazing narrative of his life will live on, not only through those whose lives he touched throughout our community, but through his family. I want to thank his family for sharing him with a community that will not soon forget him.

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PERSONAL EXPLANATION

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Ms. ESHOO. Mr. Speaker, I was not present during the rollcall vote numbers 601 and 602, on July 18, 2011.

I would like the record to reflect how I would have voted:

On rollcall vote No. 601 I would have voted "yes."

On rollcall vote No. 602 I would have voted "yes."

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PERSONAL EXPLANATION

**HON. ADAM SMITH**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. SMITH of Washington. Mr. Speaker, on Monday, July 18, 2011, I was unable to be present for recorded votes. Had I been present, I would have voted "yes" on rollcall vote No. 601 (on the motion to suspend the rules and pass H.R. 33, as amended), and "yes" on rollcall vote No. 602 (on approving the journal).

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PERSONAL EXPLANATION

**HON. SUSAN A. DAVIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mrs. DAVIS of California. Mr. Speaker, I regret that I was absent from the House Floor during rollcall vote 601 and rollcall vote 602 on July 18, 2011. Had I been present, I would have voted "yea" on rollcall vote 601 and "yea" on rollcall vote 602.

IN RECOGNITION OF DESTINEE  
RICHARDSON

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. BURGESS. Mr. Speaker, I rise today to recognize a constituent of the 26th District of Texas, Destinee Richardson. Miss Richardson is a 9th grader at Little Elm High School, and is the Texas Youth Ambassador for North Texas. As a Youth Ambassador, she has learned important lessons about discipleship, forgiveness, trust, and love.

The Million Youth Peace March International will take place next weekend in Washington, D.C. Leaders from across the globe will gather to support world peace and encourage others to cease teen-on-teen violence, childhood obesity, and drug and alcohol abuse. Participants will march to encourage youth to express themselves in non-violent ways. I thank Destinee Richardson for her service, and am proud to represent her in Congress.

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CORI MORTON

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Cori Morton for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Cori Morton is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Cori Morton is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Cori Morton for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

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IN RECOGNITION OF THE DEFENSE  
INDUSTRIAL SECURITY CLEAR-  
ANCE OFFICE

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. KUCINICH. Mr. Speaker, I rise to recognize the men and women who have served the Defense Industrial Security Clearance Office (DISCO) located in Columbus, Ohio, since 1965 when the office opened. As a result of the 2005 Base Realignment and Closure Commission decision, DISCO must relocate to Ft. Meade, Maryland, in September 2011.

The majority of the 160 employees and contractors plan to remain in Ohio and not relocate to Maryland, seeking either retirement or employment elsewhere. On Wednesday July 20, 2011, at 11:00 a.m., there will be a ceremony in Columbus to recognize their, and their predecessors', achievements over the last 46 years.

Located in Columbus, Ohio, DISCO processes requests for personnel and facility security clearances for industry contractors under the National Industrial Security Program (NISP). The NISP is a partnership between the federal government and private industry to safeguard classified information. It was established through an Executive Order signed by President George H.W. Bush in 1993 and affects all executive branch agencies. The major signatories to the program are the Department of Energy, the Nuclear Regulatory Commission, the Department of Defense, and the Central Intelligence Agency. There are over one million cleared personnel and approximately 13,000 cleared facilities under the NISP.

DISCO is a Central Adjudication Facility responsible, on behalf of the Department of Defense and 23 other departments and agencies, for determining the facility and personnel clearance eligibility of contractors and their employees for access to classified information, foreign or domestic. It is responsible for maintenance of facility and personnel clearance records and processing security assurances, clearances and visits involving the United States and foreign countries.

To demonstrate the volume of work processed by each employee at DISCO on a daily basis, the 160 employees and contractors at DISCO rendered nearly 250,000 clearance decisions in Fiscal Year 2010. The men and women who do this work have a major impact on individuals who seek clearances, the private companies who employ them, and the government agencies which contract for the work. All of this has a major and lasting impact on our national security.

Mr. Speaker and colleagues, please join me in recognizing and appreciating the important work which has been done in Ohio since 1965 to help ensure national security through the issuance of security clearances for those working with some of the most sensitive information in the nation. We thank these individuals for their service and wish them much success as this important agency makes its transition.

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IN OPPOSITION TO ANTI-  
ENVIRONMENTAL LEGISLATION

**HON. GARY C. PETERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PETERS. Mr. Speaker, I am disappointed at what the House Republican Leadership did this week. Unemployment remains above 9%, job growth is sluggish, and we are facing a catastrophic default on our national debt. Yet this past week the Republicans passed three bills that do nothing to create jobs, but instead advance a narrow agenda built on environmental degradation.

First, the Republicans brought the misguided BULB Act to the floor. The BULB Act was rushed to a vote under the fictional pretense that American families were under the imminent threat of having light bulbs snatched from their homes. The truth is, under President Bush, new energy efficiency standards were adopted for light bulbs with bipartisan support. Incandescent bulbs are not banned, as the floor speeches this week would have you believe, and industry groups like the National Electric Manufacturers Association opposed the BULB Act because it would harm the investments light bulb manufacturers have already made to raise the efficiency of their products. This bill was unhelpful and unwanted and responded only to a problem manufactured in the minds of the political right. The bill fortunately failed on the House floor, but it did not fail in wasting our time.

We then moved on to the Energy and Water appropriations bill. This bill guts clean energy programs seeking to research and develop new wind and solar technologies while increasing investments for oil and gas companies. It cuts things like advanced vehicle technologies and weatherization assistance, which support good paying jobs in Michigan and elsewhere. The bill also includes language that makes it easier to pollute our drinking water. While many attempts were made to rebalance the bill in a more equitable manner, the Republicans insisted on their support for oil companies earning record profits and turned their backs on advanced energy and science.

Finally, last week we considered a bill which should be called the "Dirty Water Act." Named instead the Clean Water Cooperative Federalism Act, this bill is one of the most brazen attacks on the Clean Water Acts in memory. The bill strips the authority of the Administration to block environmentally harmful projects and enforce water quality standards. The supporters of the bill claim it is the name of states' rights. But dirty water does not stop at state boundaries, which is why the Clean Water Act was created in the first place. We recognized decades ago that patchwork standards and varying state enforcements don't keep our drinking water clean.

My home state of Michigan relies on billions of dollars in tourism that flow into the state because of the recreational fishing, boating, and beautiful beaches visitors to our state enjoy. These dollars go away if we let our water quality standards slide. My Republican colleagues need to learn that clean water creates jobs, and that a dirty environment kills jobs.

I opposed all three of the measures considered this week, and hope that the Republican Leadership will stop with these senseless attacks on the environment and instead concentrate on creating jobs for the American people.

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#### PERSONAL EXPLANATION

### HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PENCE. Mr. Speaker, I was absent from the House floor during rollcall votes 601 and

602. Had I been present, I would have voted "aye" on both rollcall votes.

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#### THE NEED FOR PEACE IN SUDAN AND SOUTH SUDAN

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. FARR. Mr. Speaker, I rise today to honor the dawn of the Republic of South Sudan, the world's newest nation. While this is certainly a cause for celebration, the road to peace will not be an easy one for this war-torn region of Africa. The legacy of fifty years of violence, two million lives lost, and deep-rooted ethnic tensions will not vanish overnight.

This is especially true in the Nuba Mountains, part of the disputed border region of Southern Kordofan. While this volatile area remains under the control of Sudan, it is home to many communities that support the newly formed South Sudan. Sudanese forces from the north are accused of carrying out extensive aerial attacks targeted at pro-South Sudan groups. These attacks have displaced some 73,000 people, including 2,000 in a recent bombing campaign. Media reports also suggest targeted civilian killings and extrajudicial executions of suspected dissidents.

This violence must stop. The citizens of the Nuba Mountains, and all the citizens of Sudan and South Sudan, deserve to live in freedom, security, and stability. The history of genocide, war, and turmoil that has plagued this region of Africa does not need to be its future. As Sudan marks a momentous separation into two independent countries, let us embrace the possibility and hope that this new beginning can bring. I urge all my colleagues here in Congress to use their voice and their vote to promote enduring stability for the Nuba Mountains and all of Sudan and South Sudan. Peace cannot wait a moment longer.

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#### HONORING THE S'KLALLAM TRIBE AND THE ANNUAL TRIBAL CANOE JOURNEY

### HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. INSLEE. Mr. Speaker, I am pleased to announce that today the Port Gamble S'Klallam Tribe will host the annual Tribal Canoe Journey in the town of Port Gamble on Washington state's Kitsap Peninsula. The Tribal Canoe Journey has been held annually since 1989 to continue the historic intertribal canoe journeys of the Coast Salish people. The first annual journey culminated in Seattle and included nine canoes, one of which was from the Port Gamble S'Klallam Tribe. Canoe families train all year for the multi-day event and often carve their canoes, which is a traditional practice that has been revived for many tribes as a result of the annual Tribal Canoe Journey. Two years ago I was honored to

watch the majestic parade of canoes as they came in on the Suquamish land. The beautifully carved canoes are a testament to the determination and renewal of our local tribes to preserve their sacred traditions.

The S'Klallam tribe is one of the 29 federally recognized tribes in Washington state. Along with other Northwest Native American tribes, members have struggled to preserve their culture in the face of the United States' westward expansion. In 1855, the S'Klallam tribe ceded its traditional lands to the United States in the Treaty of Point No Point, and its current reservation, which is in my district, was created in 1938.

I would like to highlight the Port Gamble S'Klallam Tribe's leadership in issues relating to economic growth, water resources, and land use while retaining many of its tribal practices. The tribe relies heavily on the traditional harvest of clams, oysters, and crabs from Port Gamble Bay, which is one of the only bays in the Puget Sound open to commercial shellfish harvesting. This year saw the opening of Teekalet Village on the reservation, which is an "ecologically and financially-friendly" housing development for low to middle income tribal members.

I am pleased to announce that more than 1000 participants from many Native American tribes are expected to journey through Port Gamble on their way to Swinomish to celebrate the 22nd annual Tribal Canoe Journey. I am honored to recognize the journey's importance before Congress today in helping facilitate a cultural resurgence among Native Americans in the Northwest and for their dedication to this journey.

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#### OUR UNCONSCIONABLE NATIONAL DEBT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is \$14,342,909,569,328.74.

On January 6th, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$3,704,484,223,034.94 since then.

This debt and its interest payments we are passing to our children and all future Americans.

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#### IN RECOGNITION OF SEASHORE DAY CAMP & SCHOOL'S 85TH AN- NIVERSARY

### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. PALLONE. Mr. Speaker, I rise today to congratulate the Seashore Day Camp and School as its members and alumni gather to celebrate the organization's 85th Anniversary. Seashore Day Camp has maintained a successful organization for over eight decades

and continues to provide an array of programs centered on enriching the children's summer experience. Similarly, the award winning Seashore school encourages learning at an early age. Seashore Day Camp and School's hard work dedicated to the children of the community is undoubtedly worthy of this body's recognition.

Mr. John Cittadino, a teacher and swim coach in Asbury Park, New Jersey, founded Seashore Day Camp in 1926 to provide the children of the local community the ability to interact with others during their summer break. This goal would be accomplished through various recreational activities. Seashore opened as the first day camp in New Jersey and one of the first in the United States. Beginning with seven children enrolled in its programs, Seashore Day Camp has grown over the last eight decades into one of the largest businesses in the area. They currently accommodate more than 500 boys and girls each summer and employ approximately 100 staff members per season. Seashore Day Camp has enrolled over 40,000 students throughout their 85 year history. Sixty percent of the students have returned as staff members. Upon his retirement in 1974, Mr. Cittadino sold Seashore Day Camp to the late Augustus "Gus" Villapiano, a 25-year employee. The Villapiano family relocated Seashore Day Camp to its present day headquarters in Long Branch, New Jersey. The camp remains under their direction to this day.

Today, the camp and its administration continue to modify the camp curriculum to reflect the demand for contemporary programs. Daily swim instruction and recreational activities remains the cornerstone of the Seashore Day Camp program, though larger-scale interactive events have also been included. Advanced sports and cultural and educational trips as well as participation in the newly installed theater camp "On Broadway", providing programs for children interested in performing arts, are available. The camp continues to encourage their students to enhance their imaginations, develop new skills and undergo new experiences through a wide variety of recreational programs. The camp administration continues to innovatively maintain the students' interest. Seashore Day Camp's curriculum has acted as a role model for various summer recreational camps that would later follow.

As a result of their impressive actions, Seashore Day Camp was the recipient of the Family Business of the Year Award. In 1994, they also received a proclamation from Long Branch City officials, renaming February 12th as "Seashore Day Camp Day" in the City of Long Branch.

The popular and adored summer camp program led to the demand for the creation of a year-round academic program. For 37 years, Seashore School has maintained a high standard of academic excellence for students enrolled in their Preschool through 8th grade programs. Limited class sizes of sixteen students ensure more personalized attention by the highly qualified instructors. Students continue to perform a grade above their peers, touting the successful curriculum at Seashore School.

Mr. Speaker, once again please join me in thanking the members Seashore Day Camp

and School for their leadership and service for the residents of Monmouth County and congratulate them on maintaining 85 years of excellence at the camp.

#### PERSONAL EXPLANATION

### HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. CROWLEY. Mr. Speaker, on July 8, 2011, I was absent for seven rollcall votes.

If I had been here, I would have voted: "no" on rollcall vote 525; "no" on rollcall vote 526; "no" on rollcall vote 527; "no" on rollcall vote 528; "no" on rollcall vote 529; "no" on rollcall vote 530; "yes" on rollcall vote 531.

#### PERSONAL EXPLANATION

### HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. ANDREWS. Mr. Speaker, on rollcall No. H.R. 33, I am not recorded because I was absent. Had I been present, I would have voted "aye."

On rollcall No. 602 on approving the journal, I am not recorded because I was absent. Had I been present, I would have voted "nay."

#### INTRODUCTION OF THE ANTIBOYCOTT ACT

### HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. BERMAN. Mr. Speaker, today I am introducing the Antiboycott Act, the first major update and improvement of the 35-year-old law that prohibits U.S. persons and firms from cooperating with demands from the Arab League governments to refrain from doing business with Israel.

This legislation rectifies a long-standing weakness in the U.S. antiboycott policy: the lack of a permanent and legally-sound statutory provision to combat the Arab League's boycott, as well as any other boycott that might be imposed against other U.S. friends and allies in the future.

In 1977, in reaction to the Arab League's expansion of its boycott of Israel, Congress made it illegal for U.S. persons and companies to cooperate with secondary boycotts. It imposed civil and criminal penalties for violations. Those provisions were added to the Export Administration Act, EAA, of 1977 and the enforcement was assigned to what is now known as the Bureau of Industry and Security, which also administers our dual-use export controls. An office in that bureau is dedicated full-time to enforcing the antiboycott law and regulations.

However, in 1994, the EAA expired and, with the exception of one 12-month period in

2000–2001, the antiboycott law has been kept in effect by a series of Executive Orders issued under the International Emergency Economic Powers Act, IEEPA, the President's emergency authority. The President's annual declaration of emergency for export controls and antiboycott describes the national emergency as the failure of Congress to act. This has been the situation for 16 of the past 17 years.

The use of IEEPA to continue the EAA—for both antiboycott and export controls—has been challenged in a series of lawsuits. Over the past decade, two of those lawsuits reached the federal appeals courts and were decided in the government's favor by split decisions. There is a risk that some day the government will lose.

The Arab League continues to try to pressure U.S. firms into cooperating with their boycott. In FY 2010 alone, U.S. firms reported 950 demands from governments to comply. The Bureau of Industry and Security counseled 1,020 U.S. firms on what their legal obligations are to resist. In FY 2010, BIS closed 14 cases against violators, up from 3 in the previous year. However, it is the preventive counseling, plus the threat of heavy penalties, that are deterring U.S. firms from complying with the secondary boycott.

The Antiboycott Act would provide a permanent and strengthened statute. It includes findings and a statement of U.S. policy that the President should take vigorous action to end both the primary and secondary Arab League boycott aimed at Israel.

In furtherance of those findings and policy, the bill would give the President the authority, for the first time since the original law was enacted in 1977, to restrict or prohibit U.S. firms from participating in the primary boycott, as well as reauthorizing the long-standing prohibition on cooperation with the secondary boycott. This would be an important new tool to use in seeking an end to the Arab League boycott.

This authority would apply to any other boycott that is imposed against U.S. friends and allies.

Finally, the bill would update the penalties under the antiboycott law to reflect the current civil and criminal penalties that are now temporarily applied to antiboycott violations under IEEPA. Civil fines are authorized up to \$250,000 per violation. Authority is granted to cancel export licenses and to deny a violator's right to export from the U.S. Criminal violations, that is "knowing" violations, would be punished by fines up to \$1 million and up to 20 years in prison.

Ending the Arab League boycott of Israel is in the interest of the people of all Middle East and North African countries, in order to foster trade, investment, economic growth and peace. The Antiboycott Act is a contribution to achieving that goal.

#### PERSONAL EXPLANATION

### HON. MARTIN HEINRICH

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. HEINRICH. Mr. Speaker, I unfortunately missed fifteen votes on July 12, 2011, which



included rollcall votes 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552 and 553.

If I had been present, I would have voted against rollcall vote 539, Representative SESSIONS' (TX-32) amendment to H.R. 2354.

If I had been present, I would have voted in favor of rollcall vote 540, Representative MORAN's (VA-08) amendment to H.R. 2354.

If I had been present, I would have voted in favor of rollcall vote 541, Representative MARKEY's (MA-07) amendment to H.R. 2354.

If I had been present, I would have voted against rollcall vote 542, Representative LAMBORN's (CO-05) amendment to H.R. 2354.

If I had been present, I would have voted in favor of rollcall vote 543, Representative CONNOLLY's (VA-11) amendment to H.R. 2354.

If I had been present, I would have voted in favor of rollcall vote 544, Representative MILLER's (NC-13) amendment to H.R. 2354.

If I had been present, I would have voted against rollcall vote 545, Representative BROUN's (GA-10) amendment to H.R. 2354.

If I had been present, I would have voted against rollcall vote 546, Representative WELCH's (VT-At Large) amendment to H.R. 2354.

If I had been present, I would have voted against rollcall vote 547, Representative POMPEO's (KS-04) amendment to H.R. 2354.

If I had been present, I would have voted against rollcall vote 548, Representative TONKO's (NY-21) amendment to H.R. 2354.

If I had been present, I would have voted against rollcall vote 549, Representative GARRETT's (NJ-05) amendment to H.R. 2354.

If I had been present, I would have voted in favor of rollcall vote 550, Representative WU's (OR-01) amendment to H.R. 2354.

If I had been present, I would have voted against rollcall vote 551, Representative MCCLINTOCK's (CA-04) amendment to H.R. 2354.

If I had been present, I would have voted in favor of rollcall vote 552, Representative SCHIFF's (CA-29) amendment to H.R. 2354.

Lastly, I would have voted in favor of rollcall vote 553, Representative GARAMENDI's (CA-10) amendment to H.R. 2354.

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CONGRATULATIONS TO THE USA  
WOMEN'S SOCCER TEAM

**HON. KATHLEEN C. HOCHUL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Ms. HOCHUL. Mr. Speaker, while we are preoccupied with the weighty issues of the day, we need to take a moment to acknowledge what is good.

Today, I'd like to congratulate a group of exceptionally strong and inspiring women—the United States Women's Soccer Team.

Despite fierce competition, these women overcame insurmountable odds and made it through five rounds of play, doing us all proud.

And what is most exciting to me is that two of the strongest players on that team hail from western New York. Abby Wambach was born and raised in Rochester, and Alex Morgan currently plays for the Western New York Flash.

These two women gave the United States our goals—proving to be tremendous athletes that deserve our recognition.

Thanks to Abby, Alex and their teammates for making western New Yorkers, and all Americans, proud. Through working as a team, they brought us together as a nation.

And I like to note that they worked together as a team, on behalf of America. I think there are some lessons we should take from these inspiring women and I would be very proud to welcome both Abby and Alex to Washington and give them a tour of our Capitol.

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PERSONAL EXPLANATION

**HON. DONALD A. MANZULLO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 19, 2011*

Mr. MANZULLO. Mr. Speaker, on Monday, July 18, 2011, I unfortunately missed a series of votes. If I had been here, I would have voted "yea" on rollcall No. 601 and "yea" on rollcall No. 602.

**SENATE—Wednesday, July 20, 2011***(Legislative day of Tuesday, July 19, 2011)*

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, author of liberty, to You we lift our hearts in prayer. Long may our land be bright with freedom's holy light; protect us by Your might, great God our King.

Give to our lawmakers the wisdom to know the role they should play in keeping freedom's holy light bright. As they seek to be responsible stewards of their calling, keep them from the paths that lead to ruin. May the words of their mouths and the meditations of their hearts be acceptable to You.

We pray in Your sacred Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

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

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 20, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,  
*President pro tempore.*

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. REID. Madam President, following any leader remarks, the Senate will be in a period of morning business for 1 hour. The majority will control the first half and the Republicans the final half. Following morning business, the Senate will resume consideration of the military construction appropriations bill. There will be a rollcall vote at noon on that matter in relation to the Vitter amendment. There are four other amendments pending. We hope to complete action on this bill today. We will notify all Senators when the votes will occur.

**DEBT DEFAULT**

Mr. REID. Madam President, there is a fundamental principle we have to focus on in the Senate, and I think we have focused on it; that is, we cannot default on our debt. We have 11 or 12 days until that crucial time comes. We have a number of plans that are being talked about here. We have a path forward in the Senate, we believe. There is the Gang of 6, which reported some encouraging news yesterday. We have President Obama's grand plan that has been talked about a lot.

So now we return to the roots of what this country is all about; that is, our constitutional form of government. The Founding Fathers uniquely—when they finally figured out a way to do the Constitution, the breakthrough was in June of 1787, the so-called Grand Compromise, when a member of the Constitutional Convention from Connecticut came up with the idea of a bicameral legislature. No one had ever thought about that before, that we would have a system of government with three branches—executive, judicial, and legislative. No one had ever considered having anything other than a parliamentary form of government.

But our Founding Fathers came up with a new idea, and that new idea was to have within the legislative branch of government two Houses; one based strictly on population and one based on the same number of Senators from each State. That took care of the big problem they had with New York—big, massive New York, with a lot of area and lots of people—and little, tiny Rhode Island—not much area and not many people.

The reason I say we return to our roots is we are not going to be able to do the fundamental principle that guides this country in the last 11 or 12

days of this legislative session; that is, we cannot default on our debt. We in the Senate can have the greatest ideas in the world, but if they are not accepted in the House we cannot extend the debt ceiling, which we have to do.

So now we await the House of Representatives. With our bicameral form of legislature, that is what we must do. We know they know time is of the essence. We know all of the partisanship that has been shown in the House of Representatives, including their spending so much time on this plan they call cap, cut, and balance—which others have called cut, cap, and destroy Medicare, and all the other names this program has been given—and we have to get now where we work on something that is important and has an opportunity to pass.

Everyone knew, the Republican leadership knew that did not stand a chance over here. That is why, with this most important issue we are facing; that is, not defaulting on our debt, they have to become real and send something over to us or we will send something to them or agree in the interim to something that will extend the debt.

As most know, I have worked hard in trying to figure a way through all this. Others have worked just as hard as I have. Right now, I am at a point where I am saying we need to hear from the House of Representatives. We have a plan to go forward over here. But until we hear from the House of Representatives, all of our work here would be for naught.

So I await the word from the Speaker. He indicated that he thought it would be appropriate they get this other matter out of the way first. I look forward to working on this.

I had a terrific conversation with the President last night. He understands the issue as well as anyone in the country, if not more so, because the buck does stop at his desk. So I tell all Senators to be calm and deliberate. I am confident we will be able to work our way through this very difficult time. But we are at this stage depending on the House of Representatives to help us find a path forward.

**ORDER FOR MEASURE TO BE PLACED ON THE CALENDAR—H.R. 2560**

Mr. REID. Madam President, I ask unanimous consent that when the Senate receives H.R. 2560, it be ordered to be read twice and placed on the calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Would the Chair announce morning business, please.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### DEBT CEILING

Mrs. MURRAY. Madam President, our Nation is less than 2 weeks away from potentially facing what Federal Reserve Chairman Ben Bernanke has called a "calamitous outcome."

Unless we act, the United States of America, for the first time in our history, may face the prospect of defaulting on our loans, and not making good on the promises we have made to millions of our citizens.

This outcome is unthinkable, and we should be doing everything we can to avoid it. That is why I am so disappointed that instead of working with us to tackle this issue seriously, the Republican-led House of Representatives has chosen to put politics ahead of everything else, and has sent us a bill they call cut, cap, and balance.

First of all, this is a colossal waste of time. The Republican House has sent us a bill that may appeal to their extreme base, but right now the American people are looking for results, not more rhetoric.

The Washington Post reports this bill as being "a doomed plan." Even conservative columnist David Brooks said in his column yesterday that this bill has "zero chance of becoming law." And that it is "likely that Republicans will come to regret this missed opportunity."

But second of all, this bill is not just a waste of time, it's truly terrible pol-

icy. It would essentially enshrine into our Constitution the failed Republican policies that got us into this crisis in the first place.

It could bind our hands from responding to national emergencies that require quick and decisive action. Like another terrorist attack or Hurricane Katrina, payments for families who have lost their homes in tornadoes, or an infrastructure breach in states across the country like the Howard Hanson Dam in my home State of Washington.

It would force us to say "no" to families across the country who need some temporary support to help them get back on their feet, and at the same time help them contribute back to our economic strength.

This bill would have prevented us from taking any real actions after Wall Street brought us to the precipice of financial collapse in 2008, which would have led to thousands more job losses across the country at a time when we could afford it least.

And it would not allow Congress, as representatives of the American people, to make the investments we need to continue innovating, educating, and leading in the 21st century economy.

Republicans may be talking about the virtues of cutting, capping and balancing now, but their actions and votes speak much louder than these three words.

And the Republican budget this same House of Representatives just passed, a budget that slashes and burns away at the fabric of our society that cuts off millions of middle class and working families from the health care, nutrition, education, and housing support they need. Even this Republican budget would not meet the standards of cut, cap, and balance. And you know whose budgets would not meet those standards? Ronald Reagan's and George W. Bush's.

It is truly unbelievable that they are playing these games with the clock ticking down to another financial crisis. We do not need a so-called cut, cap, and balance bill to put in place sensible policies that work for the American people.

My Republican colleagues may choose to ignore this fact these days, but we did some responsible cutting and balancing of our own here in America not too long ago and we did not need a constitutional amendment to do our jobs, either. Like many of them, I was here in 2000.

I remember that when President Clinton left office we were on a course to completely pay down the \$5.6 trillion debt by 2012. I remember the projections of surpluses. I remember some of my colleagues actually being worried that the large surpluses in years ahead could be a problem. And I remember the efforts by many of us to safeguard that funding for our seniors,

for our future, and to pay down the debt.

But I also remember what Republicans chose to do with that surplus. They could not wait to get their hands on the nation's credit card. And when they did, after President Bush took office, they spent lavishly.

Throughout the Bush years, and particularly in the Bush tax cuts of 2001 and 2003, trillions of dollars in tax breaks went to the very wealthiest Americans.

There were capital gains tax rollbacks. Tax breaks designed to benefit corporate giants. And a new tax bracket that provided the very wealthiest Americans the lowest tax rates they have enjoyed since World War II.

These tax breaks were all unpaid for, all handed out to those who could most afford to pay, and all put on the Nation's credit card.

Our country was also led into two wars, and neither of them were paid for.

Now that the credit card bill has come due, now that all those tax cuts and spending need to be reckoned with, and just as our Nation is starting to recover from the Wall Street crisis that has devastated so many families, Republicans are playing political games with our future.

This is serious. If we cannot come to an agreement by August 2, the consequences will be dire.

A few weeks ago the Bipartisan Policy Center put out a report authored by a former Bush Treasury official about what would happen if Congress failed to act and the administration was forced to make desperate spending decisions in August. And the scenarios were worse than grim.

Potentially at risk are: the benefits and health care we owe our veterans, loans for struggling small businesses, food stamps for those struggling to buy groceries, Social Security checks for our seniors, unemployment benefits for the millions of workers desperately seeking jobs, and even active duty pay for our military. These risks are unacceptable.

Senior citizens in this great country are worried that the Social Security checks they depend on, and that they have been promised, may not be coming in the mail in 2 weeks. And then they read the news and hear that Republicans are still "playing games."

Mothers and fathers are sitting around their kitchen table, trying to figure out what they would do if the food stamps they count on to feed their kids got cut off. And then they turn on the television, and see reports of the House of Representatives sending us a bill that cannot pass. This is an embarrassment. And the American people deserve better.

Democrats have come to the table again and again with reasonable proposals for coming to an agreement. We

have come to the middle. We have offered up serious and deep cuts in Federal spending. But again and again, Republicans have said no.

So far, they have refused to make any deal that does not protect tax cuts and loopholes for oil companies, private jets, and millionaires and billionaires and as we see today, they seem to be more focused on offering up red meat to their base than actual solutions for the American people and more focused on negotiating tensions within their own party than on working with us to get results.

So, with 13 days to go, I urge House Republicans to get serious about this.

The so-called cut, cap, and balance bill is bad policy. It is the kind of silly politics that Americans are sick of, and it is a waste of time that we as a country simply cannot afford right now.

If all it took were slogans and gimmicks to solve this crisis, House Republicans would have this covered. But we know that is not the case. And the clock is ticking for families across America.

Democrats are going to keep working to solve this crisis. We are ready to compromise. And we need a partner at the table that is just as serious about this as we and the American people are.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

#### HEALTHCARE FAIRNESS

Mr. NELSON of Nebraska. Madam President, I rise today to speak about legislation that I believe is very important for the future of health care fairness in our country.

Yesterday, I introduced the Savings Through Eligibility Fairness Act, which addresses Medicaid fairness and debt reduction. My friend and colleague from Wyoming, the ranking member of the HELP Committee, Senator ENZI, has a shared interest in this issue, and I commend and appreciate his offering of similar legislation and offer to continue to work with him to deal with and find solutions to this issue.

Medicaid is an important safety net for Nebraska and our country's most vulnerable families. I am committed to making sure they will continue receiving health care coverage. Unfortunately, the health care reform law passed last year would inadvertently make some middle-class Americans eligible for Medicaid who should not be eligible for Medicaid. My bill changes the law to ensure that only the neediest Nebraskans and Americans would qualify for the Medicaid expansion and health exchange subsidies created by the health reform law.

This simple, reasonable change has a significant impact: It saves \$13 billion. Let me repeat that—\$13 billion worth

of savings. My bill commits that \$13 billion will be used to pay down the national deficit. As Washington debates various debt-reduction plans, my bill offers one concrete, commonsense way to reduce the national debt by \$13 billion. We hear a lot of different ideas but not with the same level of concrete, commonsense approach.

I regularly hear from Nebraskans who are already benefiting from the new health care law—children remaining on their parents' coverage, seniors closing the doughnut hole, and young people no longer being denied coverage because of preexisting conditions. Those are Nebraskans who are already benefiting from the new health care law. So improvements such as the one I have proposed will save money and help reduce the national debt, while still protecting health care for Nebraska and American families.

In the current debate of how best to reduce spending and reduce our Nation's deficit, I believe Congress should start with this commonsense approach. It will maintain sensible eligibility requirements for the Medicaid expansion and health exchange subsidies rather than focusing on shifting costs to States, providers, and the people who rely on this most important program.

Right now, most States do include Social Security income when deciding who will be eligible for Medicaid. So my legislation will maintain that definition for establishing eligibility for both Medicaid and health exchange subsidies. Keeping this same definition consistently will ensure Medicaid will not start down the path of covering middle-income families, which has never been the purpose of this program, nor should it be. Rather, Medicaid is part of a critical safety net for the most vulnerable and the most in need.

Let me point out an important fact. Those who would no longer qualify for the Medicaid expansion would still be eligible to receive health insurance coverage through the State health insurance exchange and subsidies where appropriate. So they will receive the health care they need. As a result, the Congressional Budget Office has estimated that the savings through the Eligibility Fairness Act will have a negligible effect on the total number of individuals projected to be insured as a result of health care reform.

Let me conclude and summarize by saying that Medicaid is an important health safety net for Nebraska and America's most vulnerable citizens. I am committed to preserving this program for more than 200,000 Nebraskans out of 1.85 million who include children, seniors, pregnant mothers, and the disabled. I am committed to maintaining this coverage for these Nebraskans in this fashion.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MERKLEY. I ask unanimous consent to speak as in morning business for up to 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### THE BUDGET

Mr. MERKLEY. Madam President, this weekend I was in eastern Oregon holding townhalls. At each gathering, citizens asked me: How important is August 2? Are the Members of the Senate going to be able to come together and make sure our Nation doesn't default?

I rise today to address that question. Indeed, it would be historic, the first time in the history of the United States that we will have refused to pay our bills.

Some of my colleagues have called into question the significance of such an event. One of my colleagues said:

I am a little bit cynical about the scare mongering and putting America's back up against this August 2 deadline just to get an increase in the American credit card.

I heard some of my colleagues talk about the situation in which they view paying the interest on Treasury bills as equivalent to a family holding a mortgage; and the fact that the United States has other bills, such as checks to write to our veterans and our senior citizens, as more equivalent to utility bills; and that somehow, as long as you keep paying on your mortgage, you can quit making your payments on your utilities; that is, other payments for debts and obligations we have already incurred.

I want to clarify that this is a deeply flawed analysis because we don't have our national debt locked in for 30 years in a situation where we don't have to worry about changes in interest on it as long as we keep making our payments. Indeed, every week there is an auction of Treasury bonds. Thus, even if we make our payments on our interest, if we are not making our payments on other obligations in the United States, that translates into a sense that we are in trouble, and we will have to pay higher interest on the Treasury side. So it is as if you had to refinance your family mortgage and you knew that if you didn't pay your utility bills, you weren't going to be able to get that bill refinanced or at least you would have to pay higher interest. The consequences are substantial because this would be an increase in interest that is like a tax on all Americans, on all small businesses, on

the entire economy, and a tax that buys us nothing of value.

A Representative from the House has said, referring to the possibility of losing our AAA rating:

I am not as worried as Moody's or anyone else as this economy gets worse . . . I don't take the premise that we're going to default on our obligations.

Quite frankly, to believe that we can ignore payments on our debts and not have serious consequences is way off the mark. If we don't hit August 2 with action and we don't get our act together by then, on August 3 we will fail to make payments, and there will be a severe impact on our national economy. No matter how we shuffle around the money, we will not have enough money to pay some of our obligations, whether it be our interest payments, Social Security checks, checks to veterans, military checks—you name it—and our credit rating will be downgraded. Already, the ratings agencies have stated as much. As Senator SCHUMER and others have shown very effectively, there is no way for revenues we have coming in to cover the full set of obligations we have incurred.

This cavalier attitude about the consequences of default ignores the fact that default will have an immediate impact on interest rates and could send our economy into quite a tailspin. That is the last thing families need—higher costs in the short term and perhaps a severe loss of jobs and a much deeper recession. That would put us in a hole deeper than the one we have now. It would not facilitate our path to a solution; it would hinder our path to fiscal responsibility.

I thought I would note that the impact on families is fairly direct. Most major items families buy are with loans. A three-quarters of a percentage point increase on the interest rate for Treasury bonds, which J.P. Morgan has estimated would be the minimum it would rise in default, translates into serious costs for a family.

Let me be clear. This is the best-case scenario. The consequences could be much more severe.

Let's start first with the consequences on a mortgage. The average family takes out a loan of \$172,000 to buy their home, with a monthly mortgage payment of around \$1,000. The expected increase in Treasury bond rates would translate into higher rates for mortgages, and it would cost the average family about \$1,000 more per year. This would be on new loans. Families who have adjustable-rate mortgages based on Treasury rates would also be impacted.

Let's take a second look at credit cards. Families use credit to pay for everything from food, to gas, to prescription drugs—it is especially true during hard times such as we are in now. The median balance for an American with credit card debt was \$3,300 in

2009. That means the average family with credit card debt will pay about \$250 more in interest per year.

Let's turn to some of the other family expenses.

Analysts estimate that a technical default on bonds will also diminish the trading value of the dollar, maybe causing it to fall 5 percent or so against competing currencies. This would have a direct impact, and we would feel it most directly in the cost of oil. I have been arguing that we need a plan to end our dependence on overseas oil. We send \$1 billion a day out of our country. That creates jobs overseas rather than here at home. But ending our dependence on overseas oil can't happen overnight, so all of the costs of that additional oil, at a different exchange rate, would be felt in the family budget.

Indeed, if there was a decline of 5 percent, the impact would be felt on food. It takes a lot of energy to power agriculture. The estimate is about \$318 more per year for a family. That is a J.P. Morgan estimate.

Similarly, on utilities, we have all heard horror stories throughout the recession that families have to decide which utilities to pay first. Mothers and fathers are sitting around the kitchen table thinking, Can we get by without electricity or should we postpone the water payment or perhaps the natural gas payment? Default would make the situation worse for families, adding, at that 5 percent estimate from J.P. Morgan, about \$182 more per year. Remember, this is the best-case analysis.

Gasoline at the pump is similarly affected. Taking a look at average consumption per year, families would pay about \$100 more per year on gas. Again, that is the best case.

If we total these, we can see that the overall cost for a middle-class family would be on the order of about \$1,850. We can round it off to about \$2,000 per family. I don't know about the block you live on, but on the block I live on \$2,000 is a real blow for working families.

That is just the beginning of this story because, as it unfolds, the impact on the dollar and the shock waves that would flow would very likely send us into a double-dip recession. Now, it would have an impact as of August 2 or 3 on Social Security and Medicare payments. A bipartisan committee has taken a look at it and backed up Senator SCHUMER's statement that there would not be enough revenue coming in to cover all of our obligations. The stock market would probably take a hit, and 401(k)s could be severely impacted. Other savings could be severely impacted. We all know how that felt in late 2008 and 2009 when families often saw their life savings wiped out in a few short weeks.

The bigger issue is jobs. Perhaps more than half a million jobs could be

lost. This analysis is from the Third Way. Their estimate is 640,000 jobs. Oregon has about 1 percent of the Nation's population. This would translate into about 6,000 to 7,000 jobs in my home State. We would love to have an increase of 6,000 to 7,000 jobs in Oregon, and we would hate to see a loss of 6,000 to 7,000 jobs. I know that would extend throughout our Nation. We need more jobs, not fewer jobs.

In addition, this situation will have an impact on our debt. Contrary to what some of my colleagues have said, it will make the situation worse, not better. That is because the interest payments on the debt will go up—\$1.3 trillion additional in new debt. Is that really the direction in which we want to go? Is that really good stewardship of the economy—to impose a situation in which Social Security checks might be halted and veterans might go to the mailbox and find it empty; that the bills will have to be missed, and it will put people more directly in harm's way in terms of being able to keep house payments up and avoid foreclosure in a situation where we already face a tsunami of foreclosures across this country? At a minimum, the American families will be impacted by higher costs on their homes, credit cards, essential goods—food, gas, utilities—and then with the significant possibility of hundreds of thousands of Americans losing jobs, and additional debt, not less.

It is important that we come together and have a sound deal so that we can avoid this situation. This isn't about incurring new spending, this is about paying the bills on spending decisions that were made in the past. I disagreed with a lot of those spending decisions. I disagreed that Medicare Part D should have been enacted without a way to pay for it. I disagreed with the giveaways for the best off in America, the wealthy and well-connected, when we could not afford it, which reversed the surplus into a deficit in this country. I disagreed with a strategy where we are spending \$120 billion in Afghanistan and a strategy of nation building that is not the best use of national security and of our soldiers, who are there to fight for our national security. Those decisions were made in the past, and we must pay the bill on those decisions, even though I disagreed with them.

Then we need to put together a plan that takes on our deficit and our debt. That plan has to put all of the options on the table. Some of my colleagues across the aisle said: Well, we want to protect the tax spending programs, where we have tucked in tax provisions for the wealthy and well-connected. They want to defend those, and they want to cut the programs for working Americans.

That is unacceptable. We have seen an enormous increase in the disparity between the wages and welfare of our

citizens in general and the best off becoming much wealthier proportionately. We can't continue to say that we are going to protect the well-connected while attacking working families. That is not the America we want to build. We want to build an America where families can thrive, provide a great foundation for their children to also thrive. That means all policies have to be on the table, all spending programs, whether in tax bills or in appropriations bills, have to be on the table, and we have to weigh them one against the other to say which is most important in creating a stronger economy, which is more valuable in strengthening the financial foundations of our families.

That is the process we must go through, and that is the process that will put us back on track. But let us not doubt for a moment that when the citizens of my State come to a townhall and say, How important is it that we get this figured out by August 2, the answer is, Very important. When they ask, Will it hurt us if we fail, the answer is, Yes, it will hurt us. We will be shooting ourselves maybe—I say in the foot, maybe worse.

This is a serious issue. We must come together, not as Democrats and Republicans but as Senators working together for the best future for the United States of America.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CUT, CAP, AND BALANCE

Mr. MORAN. Mr. President, in my view something significant happened yesterday in the House of Representatives. I am pleased with the outcome of the passage of the cut, cap, and balance legislation. I think we have a serious responsibility here in the Congress to see that we address the economic circumstances in which we find ourselves. Certainly the way we do that is important. I am one who believes it would be irresponsible not to address the debt ceiling, but I also believe it would be irresponsible only to address the debt ceiling without adequately taking into account the economic circumstances we are in and the tremendous debt our country faces.

There is no way we can continue down the path we are on. While it is easy for us to make accusations, the reality is that this country, through its Congress and through various administrations, has overspent year after year. The fact that 42 cents of every dollar we spend is now borrowed tells us we

cannot continue down that path. In one of my townhall meetings this past weekend back in Kansas, the suggestion was we are willing to take a cut in what benefits we get from government but let's do this in a fair way and let's do an across-the-board reduction in Federal spending. The suggestion by the constituent was maybe if we all took 5 percent off of what we received, we would be fine.

I appreciate that attitude but it fails to recognize the magnitude of the problem. Reducing Federal spending by 5 percent across the board will not get us out of the financial circumstance we are in, will not restore fiscal sanity to our Nation. So while we are about, between now and August 2, seeing what we can do to raise the debt ceiling, in my view we have to come together with a plan that addresses the long-term financial condition of our Federal Government.

I am a supporter of cut, cap, and balance, and was pleased by the broad support that legislation received in the House. It is my understanding we will now consider that legislation here in the Senate this week. But I read the press reports and the political pundits who say that legislation is dead on arrival in the Senate. I encourage my colleagues not to reach that conclusion. It may be the one and only path we have to accomplish what we need to accomplish in the next 2 weeks. It may be this is one of the very few measures, if not the only one, that would pass the House of Representatives. We have now received in the Senate a message that says this is something we are willing to do. For a long time I have been told as a Senator there is nothing that will pass the House of Representatives that raises the debt ceiling. Yet we saw last night that was not the case. So let's not be so quick to say that the Senate will not address and seriously consider and potentially pass legislation based upon cut, cap, and balance.

In some circles, this concept of cut, cap, and balance is considered radical, extreme. Cutting spending is not extreme. That is what every Kansas family does when the budget gets too tight, when we have overspent, when the credit cards are maxed. We reduce our spending. It is unlikely we can go out and say I need a raise to solve our problems. Our employers are not that sympathetic. We ought not be so quick to say we need a raise. We ought to say what can we find within the government that we can reduce, that we can cut.

The idea of capping is certainly not radical. For the last 60 years, our country has averaged 18 percent of the gross national product in spending by the Federal Government. In the last couple of years that average has increased to 24, 25 percent. It would not be radical to move us back to the days in which we were living with 18 percent—what

seems to me to be a significant percentage; if we would go back to the days in which only 18 percent of our gross national product was spent by the Federal Government.

Finally, balancing the budget is not a radical idea. Amending the Constitution ought to be done rarely and with great regard for this divinely inspired document, but the Constitution allows for an amendment process. In fact, it has been utilized to solve many of our country's problems and challenges over the time of history. It is not radical. Forty-nine States have a provision that requires them to have a balanced budget in some form or another at the end of the year. So amending the U.S. Constitution to say we are not ever going to get back in the mess we are in today certainly is worth pursuing. Of the cut, cap, and balance provisions, perhaps it is the constitutional amendment that is the most controversial among my colleagues. I certainly would express an interest to work with others to find the right constitutional amendment, the right language in an amendment to the U.S. Constitution that met their concerns.

This cut, cap, and balance seems to me the path forward and the Senate should pass a version of cut, cap, and balance to not only allow the debt ceiling to be raised but to allow the debt ceiling to be raised only if we become responsible stewards of American taxpayer dollars.

I actually have a fourth component of cut, cap, and balance. I would say it is cut, cap, balance, and grow. The last time our fiscal house was in solvency—was solvent—was back at the end of President Clinton's administration. In part, Republicans and Democrats could not get along well enough in those days to spend money on big programs. There was legislation that was passed that was supported in a bipartisan way by President Clinton and Republicans in Congress to limit spending, so there was some spending restraint. But the reality is that the last time we had our fiscal house in order, that we were spending less money than we were taking in, was a time at which the economy was growing. If we want to address the issue of balancing our budget, we should focus much more attention than we have on growing the economy, putting people to work and allowing, as they work, that the taxes will be collected.

The greatest opportunity we have to improve people's lives is to create an environment in which jobs are created, in which employers feel comfortable in investing in the future, buying plant and equipment and putting people to work. So while it is cut, cap, and balance today, we need to make certain we do not forget what is in my view that fourth component: Grow the economy. In my view that means a Tax Code that is certain and fair, that does

not change, that is something a business person or a family can rely upon. It is also a regulatory environment that allows businesses to have the opportunity to grow their business.

The most common conversation I have had with a business owner in Kansas, walking through a manufacturing plant, some small business that manufactures a piece of agriculture equipment—that is pretty common in our State—the most common conversation we have is: Senator, what next is government going to do that puts me out of business? If that is the mindset, how do we ever expect that business person to reach the conclusion that they have the faith in the future to invest in their plant and equipment and in hiring new employees? We need to make certain our financial institutions, particularly our community banks, are not hamstrung by significant regulations that would discourage them from making loans and create uncertainty about the ability to do that, a tax regulatory and access-to-credit environment that says now is the time to invest in America, to put people to work.

I am here to urge my colleagues to seriously consider, not dismiss, cut, cap, and balance and upon its passage for us to immediately return to the progrowth agenda that allows people to have the faith the future of their country is bright and we return to them the opportunity for the next generation of Americans to understand the American dream can still be lived.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I appreciate the good words of my colleague from Kansas. He comes from a State where they understand that the role of the government should be limited. They understand the importance of living within your means, of not spending money you do not have. The Senator from Kansas has had a long and distinguished career in public life, but before coming to Washington, DC, to serve in Congress I suspect he also was a State legislator and my guess is that when he was a member of the State legislature in Kansas they had to balance their budget every year.

I ask my colleague if he could perhaps shed some light on what his State of Kansas does, year in and year out, in order to get their budget balanced, to make sure they are not spending more than they take in. I think, as he pointed out, that is something for most families in Kansas—I would say for most families in my State of South Dakota—those are decisions they have to grapple with all the time and we don't always have the luxury of being able to borrow. Most States don't allow it. My State of South Dakota doesn't allow that. Certainly rules in our States probably are not very conducive to saying we are going to raise taxes on peo-

ple and on small businesses, which requires then we have to make our decisions on spending.

I would, through the Chair, ask my colleague from Kansas, perhaps that might have been the way in which they went about dealing with their fiscal crisis in the past?

Mr. MORAN. Mr. President, I thank the Senator from South Dakota and would indicate that, yes, Kansas is one of those 49 States in our Constitution in which we are prohibited in almost all ways of living beyond our means. It has been something that the Kansas legislature and Governor have lived with throughout the history of our State, including in today's environment where an economic downturn creates the circumstance in which there are less revenues. So the solution to the problem in Kansas is not a try for more revenue, it is a recognition that spending in difficult times has to be reduced. It is the restraint that we desperately need in Washington, DC, that is so common in State capitals and families and businesses across the country. While I have always indicated to Kansans, while we have this debate every year how to balance the revenues with the expenditures—and it is not an enjoyable debate—we are fortunate in Kansas we have to reach that conclusion and it is something we need in Washington, DC.

For a long time the political talk of Washington is that we are too likely to spend and tax. There is also a problem of spending and borrowing. We are now suffering the consequence. We are not immune from what we see in Greece and Italy and Portugal and Ireland. If we do not solve this problem that we face today in a responsible way, it will be solved for us by the markets, by those from whom we borrow money, determining we are no longer credit-worthy. We don't have to worry much about that in Kansas because we have a constitutional provision that requires our legislature and Governor to reach the right conclusion, and it is why I thought this debate on the debt ceiling was the opportunity for us to force ourselves to do the things that politicians do not always like to do.

Mr. THUNE. To the point the Senator from Kansas was making, he talks about higher interest rates and the impact of not dealing with the fiscal circumstances in which the country finds itself. Look at what is happening in Europe. Three-year government bond interest rates are about 19.4 for Portugal, 28.9 for Greece, and 12.9 for Ireland.

Think about the impact in this country if we had interest rates go back to what is even a 20-year average. We would see an additional \$5 trillion, about \$5 trillion in additional borrowing costs in the next decade alone. That is if we went back to the 20-year historical average for this country, not

to mention going to what they are looking at in countries in Europe, with these 19, 20-percent rates. Think about auto loans, think about home loans, think about student loans, think about business loans—all those things we rely on in our economy and that families across this country rely on, in order to carry on with their daily lives if we were looking at those types of interest rates. That is the type of interest rate sensitivity we have. If we do not get our fiscal house in order, we could very well end up like many of these countries, and that would be devastating for our economy.

The most important work we could be doing right now—and the Senator from Kansas pointed this out—is to put policies in place that actually grow the economy and support jobs. I also will support the cut, cap, and balance proposal that is before the Senate today because I think it does important work. It cuts spending today, immediately, it caps spending in the near term, and puts in place a process by which we balance the budget in a long term, a balanced budget amendment.

It is interesting to note, if we go back historically, something President Ronald Reagan said 29 years ago this week. He led a rally of thousands of people on the Capitol steps calling for a balanced budget amendment. This is what he said: "Crisis is a much-abused word today but can we deny we face a crisis?"

That is 29 years ago at a time when the Federal debt was \$1 trillion. We face a debt 14 times as high, \$14 trillion. Under the President's budget it would literally double in the next decade. We have to get our fiscal house and our spending in order.

The Senator from Kansas also mentioned the size of government as a percentage of our entire economy. If you go back to 1800, the formation, in the early years of our country, 2 percent is what we spent on the Federal Government, 2 percent of our total economy. This year we are over 24 percent, in that 24 to 25-percent range. If you look at the 40-year historical average, about 20.6 percent is what we have spent as a percent of our entire economy. What does that mean? It means we are spending more at the Federal level and that the private economy is shrinking relative to our total economy. What we want to see is an expansion of the private economy where we put policies in place that enable our job creators to create jobs and that we get the Federal Government smaller, not larger. My view is, when you are looking at a debt crisis the way we are, you don't grow and expand the size of government, you make government smaller. You get the private economy growing and expanding and creating jobs, and that is how you ultimately get out of this situation.

We have policies in place right now that are making it more difficult, and



more expensive I would argue, for our small businesses to create jobs. Anywhere you go—in my State of South Dakota and elsewhere—you talk to small business owners, you talk to farmers and ranchers, and what they will tell you is the policies, the regulations, and the taxes that are coming out of Washington, DC, make it more expensive and more difficult for our job creators to create jobs.

If you look, the data on that it is pretty clear. Since this President took office, we have higher unemployment by 18 percent, we have 2.1 million more people unemployed than we did when he took office, and we have a 35-percent higher debt. We saw spending go up in the last 2 years alone, nondefense discretionary spending, by 24 percent. The number of people who are receiving food stamps in this country is up by 40 percent.

All the data, all the tools by which we can measure economic progress and growth demonstrate that the policies that have been put in place by this administration have been a complete failure. So what we need is a change in policies, and it starts by cutting Federal spending, capping it in the near term, and putting in place a long-term solution—a balanced budget amendment like so many States have in place, like the Senator from Kansas mentioned they have in his State of Kansas, like we have in my State of South Dakota, where our State governments have to live within their means. They cannot spend money they do not have. That is the problem we have in Washington, DC, today.

In terms of our small businesses, there was a survey done by the chamber of commerce a couple of weeks ago in which they found that 64 percent of the small businesses that responded to the survey said they are not going to hire this year. Another 12 percent actually said they are going to cut jobs. Why? Half of the small businesses listed economic uncertainty as the major reason. They are concerned about what is going to come out of Washington, DC. They don't know what policies and regulations are going to be imposed on them and what it is going to do to them and their cost of doing business, and as a consequence they are just hunkering down and trying to survive.

We need to change that. We change that by getting Federal spending under control. Cut, cap, and balance is an important step in that process, and I am pleased the House of Representatives last night passed it and sent it over here to the Senate. We will have an opportunity to vote on that in the next few days, and I would argue to my colleagues that this is fundamentally the best we can be doing to not only get our fiscal house in order and get it on a more sustainable path going forward but also to help get our economy growing again and get jobs created out

there. You can't do it by making government larger. If that was the case, the trillion-dollar stimulus bill that was passed last year would have brought unemployment down. But, as we all know, we are facing 9.2 percent unemployment today.

We continue to see an economy that is struggling, that is growing at a very slow rate. We need to unleash that economy, and the way we do that is by capping or cutting spending in Washington, DC, making the Federal Government smaller, not larger, getting that amount of spending as a percentage of our entire economy back into a more historical norm, and working to ensure that taxes and regulations stay low on our job creators in this country.

That is why I fundamentally object to what the President and many of his allies in Congress want to do with regard to the debt crisis; that is, increase revenues. You cannot create jobs, you cannot grow the economy by increasing taxes on our job creators. I can't think of a single tax that you could put on our economy that actually would help create jobs. It will have the opposite effect—it will make it more difficult for small businesses to create jobs, more difficult for us to get out of this economic downturn.

I hope my colleagues will support cut, cap, and balance and that it will get a big vote here in the Senate and get this country on a more sound fiscal footing and on a path where we can create jobs and get this economy growing.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2055, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

Pending:

Coburn (for McCain) amendment No. 553, to eliminate the additional amount of \$10,000,000, not included in the President's budget request for fiscal year 2012, appropriated for the Department of Defense for planning and design for the Energy Conservation Investment Program.

Johnson (SD) modified amendment No. 556, of a perfecting nature.

Vitter amendment No. 568, to provide that none of the funds appropriated or otherwise made available by this act may be obligated

or expended at a rate higher than the level of the Senate and House of Representatives concurrent budget resolution for fiscal year 2012.

Wyden/Merkley amendment No. 570, to provide for the closure of Umatilla Army Chemical Depot, Oregon.

Coburn amendment No. 564, to require evidence of causal relationships for presumptions by the Secretary of Veterans Affairs of service connection for diseases associated with exposure to certain herbicide agents.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I am hopeful that the Senate will be able to complete action on the MILCON-VA appropriations bill today. Members have had ample opportunity to offer amendments, staff has been working to clear them, and I believe we now have a clear path to final passage.

I would like to spend a few minutes today talking about the military construction portion of this bill, which is so important to our troops and their families. The bill includes \$13.7 billion for MILCON, which is \$1 billion below the budget request. In drafting this bill, we took a hard look at the projects submitted by the administration and made strategic reductions in order to make wise use of our MILCON dollars without sacrificing key military priorities. I believe this bill is a prudent approach to addressing our military construction needs at home and abroad.

The bill fully funds the administration's request of \$1.2 billion for Guard and Reserve projects. Typically, Congress adds funds for our Guard and Reserve components; however, given the current budget pressures, that option was not available to us this year. It is my hope the services will acknowledge and address the chronic backlog of construction requirements for the Guard and Reserve forces in future budget requests.

Of note, this bill includes \$550 million to construct or modify 15 Department of Defense schools at home and overseas. As Newsweek magazine pointed out last month, a shocking number of DOD schools are crumbling and in need of replacing. The administration has made upgrading DOD schools a priority, and the committee wholeheartedly supports that goal. DOD school funding in this bill represents a significant downpayment on the estimated \$3.1 billion requirement for DOD school recapitalization.

The administration's request included funding for the move of Marines from Japan to Guam. While the committee recognizes the need to restructure force posture in the Pacific, we remain concerned about the ballooning cost of this plan and the lack of forward progress on the part of our Japanese allies. The report accompanying this bill directs the Navy to provide Congress with detailed information on

the cost and prognosis of the Guam relocation initiative.

Additionally, the committee is concerned with the potential cost of related troop realignments in Korea and the long-term impact of troop reductions in Europe. The report accompanying this bill addresses these concerns in depth.

As I have said before, this is a sound and responsible bill. Senator KIRK and I have worked hand in hand to forge a bipartisan approach for the MILCON-VA bill, and I believe we have succeeded. I urge my colleagues to support final passage of the bill today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I wish to join with my colleague and say that Republicans unanimously supported this bill that provides appropriations for our veterans and for our military construction needs unanimously in the subcommittee. Our Republican members unanimously supported this bill in the full committee, and the reason why is because this bill is marked to the House budget. This bill cuts spending on the budget authority discretionary side about \$1.2 billion below the President's request. The bill also cuts spending \$620 million below last year's level, and it even comes in \$2.6 million below Chairman CULBERSON's bill that passed the House of Representatives under their very strict budget guidelines.

I will note that we came together on a bipartisan basis in the Senate to bring up this very first of the appropriations bills, and the cloture motion to move forward to bring this bill to the floor passed by a vote of 71 to 26, with Leader MCCONNELL and our vice chairman, the lead Republican on the committee, Mr. COCHRAN, supporting that.

This bill has been endorsed by AMVETS, the Disabled American Veterans, the Veterans of Foreign Wars, the Paralyzed Veterans of America, and the Iraq and Afghanistan Veterans of America.

I think it is very important as we look at the wider issue of deficits and debt, any danger of interrupting payments to veterans because of negotiations here on Capitol Hill, it is a very important signal that not just the House pass the appropriations bill to support our veterans but also the Senate. So my hope is we will consider the amendments this afternoon and then advise Members that we would seek to go to final passage and get this first of the appropriations bills done this year, sending a very clear message, especially to our veterans and men and women on Active Duty, that we are supporting their construction and veterans health care needs in a way that spends money according to the dictates of the House budget resolution.

I yield back and wait for our senior Member from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. I ask unanimous consent to speak up to 10 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DEBT CEILING

Mr. CARDIN. Mr. President, I take this time to point out the obvious; that is, we are 13 days away from August 2, the date Secretary Geithner has indicated, if we do not raise the debt ceiling, that America runs the risk of defaulting on its debt and not paying its bills. I bring this up because this is an issue on which we never should be this close to this deadline.

It has been pointed out many times that the debt ceiling has very little to do with how much money we spend. It has nothing to do with how much money we spend because we already spent this money. The question is whether we are going to pay our bills, whether the United States is going to live up to its obligations, or whether we are going to default on our debt.

The prospect of not making that deadline is basically unthinkable, that the United States would give up its preeminent position internationally. It could jeopardize the U.S. currency being the global currency. It would have an effect on everyone in this Nation.

We already have heard from the rating houses. Last week, both Standard & Poor's, S&P, and Moody's Investors Service warned they are considering downgrading the country's credit rating if the debt ceiling is not raised. A smaller firm, Egan-Jones Ratings, has already downgraded the U.S. securities. What happens if we get the major rating houses saying we are no longer AAA bond rated? Well, it will have an immediate effect on costs for taxpayers in this country. It will cost us more to borrow. That means we will have to pay higher taxes in order to pay the interest on the national debt. It will affect all credit in this country. It is estimated that the typical homeowner will pay an extra \$1,000 a year on mortgage costs. The average credit card holder will pay an extra \$250 a year in credit card interest. In other words, the interest rates of the Federal Treasury notes affect all the interest rates in this Nation. All of us will pay more, and it will cost jobs. It will cost us in our retirement savings. It will affect each one of us.

Yesterday, the people of Maryland found out another way the failure to increase the debt ceiling will have an effect on Maryland taxpayers; that is, the rating houses have indicated that if the Federal credit is jeopardized, the State of Maryland's AAA bond rating is in jeopardy. Why? Because Maryland depends, as do most States, upon the Federal Government.

Governor O'Malley, as the Presiding Officer knows—when you were Gov-

ernor of West Virginia, you managed your State well. The credit ratings you deserved were based upon what you did in your State. That is true in Maryland. But Marylanders will find that their credit costs will go up if we don't increase the debt ceiling by August 2. We are all in this. We should never be this close. We should make sure we increase the debt ceiling by August 2.

Yes, I do hope we use this as an opportunity to get our spending and our budget in order. We need to manage our deficit. We all understand that. We have to bring our debt under proper management.

I have taken the floor before to sort of go over how we got here. I am not going to do that today, but I am here to tell you that the Democrats in the Senate, under Senator CONRAD, have come in with a proposal that we think is well-balanced, that has more deficit reduction, quite frankly, than any plan that is out there. It is comprehensive, and it will allow us to be able to continue to grow our economy because the best thing we can do for our deficit is to create more jobs. The Conrad Democratic budget does that by investing in education, by investing in innovation and in infrastructure.

It also recognizes we have to bring the deficit under control. It protects Medicare and Medicaid because we know those programs are important for our seniors and important for our economy. So we protect high-priority programs and include more deficit reduction by having a balanced approach. That is what we should do in addition to raising the debt ceiling. We should have a comprehensive approach.

Let me cite some of the numbers of what the Conrad budget does. It brings spending down to 22 percent. I heard some of my colleagues talk about the historical averages. Twenty-two percent of our economy would be the same spending amount, on average, we had when Ronald Reagan was President. I think most of us would agree the Reagan years were certainly conservative in terms of government spending. That would bring down the percentages, despite the demographic changes in this country. I think that is quite an accomplishment.

The revenues would be equal to what the revenues were as a percentage of our economy when Bill Clinton was President of the United States and when we had the strongest economic growth and the greatest job growth in modern history. So these are responsible programs.

It also, by the way, says to our government workers, who should not be used as scapegoats and who are doing incredible work under difficult circumstances and are being asked to do more with less since they have already made the sacrifice with a 2-year pay freeze—the Conrad Democratic budget says enough is enough and doesn't ask

our Federal workers to make additional sacrifices beyond the 2-year pay freeze they have already been subjected to.

I know there are other efforts and I hope we will continue those efforts. I have spoken before about the Bowles-Simpson approach, and we have the bipartisan group working. That is how we should proceed. But, quite frankly, this cut, cap, and balance is not a bipartisan effort; it is an extreme effort by Republicans to bring forward a budget that is even more severe and more radical than the Ryan budget. I call it cut, cap, and kill when it comes to Medicare.

Why do I say that? I have taken the floor regarding the Republican Ryan budget to point out the impact on the Medicare system, which would be to increase the costs, on average, to our seniors, when it is fully implemented, by an additional \$6,500 to pay for health care. I know the Presiding Officer has been through West Virginia and I have been through Maryland and I know our seniors are already paying too much for health care. They cannot afford another \$6,500 a year for their health care. We should be looking at reducing their health care costs, not increasing them.

But the cut, cap, and balance approach would go even beyond that. It is estimated there would be another \$2,500 in costs on top of the \$6,500, so \$9,000 of additional costs, when fully implemented, to our seniors for health care. That is cut, cap, and kill on Medicare, and I don't think any one of us wants to be responsible for that.

I heard my colleagues talk about job growth, and we are all for job growth. The cut, cap, and balance bill is estimated to cost us hundreds of thousands of private sector jobs.

Why do we say that? Well, the objective is not very subtle. The objective, as the Heritage Foundation has said—and this was just sent out to us—this would cut the size of the Federal Government by about half within 25 years. Are we going to tell our students they can do without half of their Pell grants? Yesterday, I joined students from around the Nation and presidents of colleges to talk about the importance of the Pell grant. At Morgan State University in Maryland and the University of Maryland Eastern Shore—both historically Black colleges and universities, in which 80 percent of their student body is made up of minority students—50 percent depend upon Pell grants. Half of that number could not be there without Pell grants. We are saying it is OK to cut the Pell grants in half? No, it is not OK.

Are we going to tell our seniors we are going to cut Social Security in half?

Are we going to tell those people who need unemployment insurance they are going to get 50 percent? It is not sustainable.

I heard my colleagues talk about predictability. Well, the cut, cap, and balance bill is not going to be sustained. It is a radical approach. We can do better.

Quite frankly, David Brooks, the conservative columnist, said it best. I will quote what he said about where the Republicans, particularly in the House, are trying to lead this Nation. David Brooks wrote:

... the Republican Party may no longer be a normal party. Over the past few years, it has been infected by a faction that is more of a psychological protest than a practical, governing alternative.

The members of this movement do not accept the logic of compromise, no matter how sweet the terms. If you ask them to raise taxes by an inch in order to cut government by a foot, they will say no. If you ask them to raise taxes by an inch to cut government by a yard, they will still say no.

That is from David Brooks, the conservative columnist.

We need to have the system work. We need Democrats and Republicans working together. We need a budget plan that is predictable, that gets our budget under control, that allows America to create the jobs we need, and that invests in education, innovation, and infrastructure so America can continue to lead the world in economic growth. That is what we need to do. It starts by raising the debt limit so America does not default on its obligations and for us to work in a bipartisan manner to develop a budget plan that gets the debt under control but allows America to live up to its commitments to our seniors, to our students, and to create the job opportunities for tomorrow.

That is what we need to do, and that is what this Senator is prepared to do.

With that, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BARRASSO. Madam President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### THE NATIONAL DEBT

Mr. BARRASSO. Madam President, our country is 2 weeks away from a deadline date, and this deadline is approaching because of Washington's constant inaction. To me, this deadline has to do with our national debt. The President, on the other hand, says it has to do with our debt limit, the amount of money we are allowed by law to borrow.

I believe it has to do with the amount of money we have already bor-

rowed and the amount of money they want to continue to borrow. I believe as Americans we can do better. I believe as Americans we must do better. Our country needs for us to act.

The President has repeatedly said we have to deal with this issue now. Last week he asked the most fundamental question. He said: If not now, when? The clock is ticking.

We got a wake-up call from Medicare not too long ago when we found out that it will be bankrupt 5 years sooner than they initially thought, just over a decade from now. As a doctor who has practiced medicine a long time, I will tell you we have to strengthen Medicare. We know in 25 years the same will happen to Social Security. Unlike our debt limit which Congress can legislate away, strengthening Medicare, saving Social Security, that cannot simply be legislated away. We have to act now to prevent these programs from failing not just people on those programs today but also future generations.

The President has observed that we are in the eleventh hour when it comes to our debt ceiling, and the only clear path to raise the debt ceiling that has passed either House of Congress is the proposal that passed the House of Representatives last night, the Cut, Cap, and Balance Act. This act would only raise the debt ceiling if we put our country on the fast track back to fiscal sanity. That is where we need to be, on the track to fiscal sanity. It is an approach the American people will tell us we need now more than ever.

Our creditors are getting restive. This week Fitch credit ratings warned if the United States does not take action to avoid default, we could lose our AAA credit rating.

Standard & Poor's has already warned that unless we cut our budget, our credit rating could be at risk. Wasteful Washington spending has already saddled our children with over \$14 trillion of debt. If we default, this spending may also force them to pay punishingly high interest rates that will drain American dollars from our already sluggish economy.

I believe we will not default. We are already paying \$6,000 a second on interest alone on our debt. For those of us with children, we know what this impact is going to be on them years and years into the future. Well, the Cut, Cap, and Balance Act would put us on the path to resolving the issue by cutting spending immediately, by capping spending in the future, and by forcing—finally forcing—Washington to live within its means. This is the sort of law that the country needs and that the President should actually welcome.

What has the President done? Well, he has threatened to veto this law, he says, if it crosses his desk. The President has threatened to veto the only plan that actually solves the problem that has passed either House of Congress.

Why? Well, the administration emphasizes “public opinion” as their reason for opposing the hard choices required by our debt crisis. But yet the President said they are opposed to a balanced budget constitutional amendment. Well, in a recent Mason Dixon poll, 65 percent of Americans say they support a balanced budget constitutional amendment. Where is that respect the President talks about for public opinion?

Finally, the administration has hidden behind catch phrases rather than debate the merits of cut, cap, and balance. They refer to it by a different name. Well, when I hear the White House spokesman talk about cut, cap and balance in a different way, I say: How is that ducking the issue to confront both our spending problem and the debt ceiling head on? That is not ducking the issue; that is facing the issue.

When the President’s spokesman talks about dodging the issue, I will say: How is it a dodge to support commonsense solutions to our spending addiction, such as a balanced budget amendment?

Then he used the phrase about dismantling. I say: How does stopping our government from going bankrupt count as dismantling? The White House has even admitted that they do not have a plan. You know what, they do not think they need one. Is that astonishing? The White House—the United States, the most powerful country in the world—the White House does not think they need a plan at the eleventh hour. The White House Press Secretary just recently said: Leadership is not proposing a plan for the sake of having it voted up or down and likely voted down.

The budget that was brought to this floor—the President’s budget—failed 0 to 97. Not one Republican voted for it. Not one Democrat voted for it. No one voted for what the President had proposed, no one of either party.

Perhaps the President ought to propose something new. Holding our country hostage to irresponsible Washington spending while trying to hit the economy with tax hikes is not leadership; it is denying the reality. Refusing to put forward a plan to resolve our spending crisis is not leadership; it is deferring the consequences.

Making the economy worse the way this administration has done for the past 2 years is not leadership, and it is hurting our country. The President’s policies have made it worse—made the economy worse, made health care worse, made energy availability worse, housing worse. The policies have made it worse.

This administration can accuse cut, cap, and balance of ducking, and they can accuse it of dodging, and they can accuse it of dismantling, but the strategy coming out of the White House

seems to be duck and cover. That is what we are seeing.

Anyone who knows the math knows this strategy was never acceptable before, and it is doubly unacceptable now. The amount of debt we owe right now is so high that it is hurting employment at home. Experts tell us our debt is costing us 1 million jobs. Spending like this makes it harder for the private sector to create new jobs, and the unemployment numbers that just came out show us at 9.2 percent unemployment.

With that kind of unemployment, energy prices are high, and people are noticing it in the quality of their lives. It is harder for American families to buy gas, buy groceries, buy cars, homes, pay tuition for their kids to go to college, and it is harder to create jobs for those kids who will be graduating this year and next year and every year until we get the spending under control.

Debt is not just a disaster for the distant future. Our debt is irresponsible. Our debt is unsustainable. Even our military leaders have condemned it. ADM Mike Mullen, Chairman of the Joint Chiefs of Staff, has said: The biggest threat to our national security is our debt.

The debt is the threat. It is not our enemies who are defeating us, it is our spending that is hurting us so very much. It is time for America to fight back. That is why I am supporting and have cosponsored cut, cap, and balance and will vote for it on the floor of the Senate.

This piece of legislation takes commonsense steps to get our country out of debt. It will immediately reduce spending by over \$100 billion as a downpayment on our children’s future. It will place a hard cap on spending so that it never reaches the unsustainable heights of the past 2 years. It will send a balanced budget constitutional amendment to the American people for ratification, and it will prevent us from defaulting on our debt.

Passing this law is the kind of leadership that America deserves; and if the President wants to show he understands leadership, he should retract his veto threat and support this approach. I absolutely will support it when it comes to this body.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VITTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 568

Mr. VITTER. Madam President, I rise to ask support, bipartisan support, for

the Vitter amendment which we will be voting on at 12 noon. This amendment is very simple. It is very straightforward. I think it is important and makes a central point.

The amendment says these funds in this bill will not be spent unless and until we have a 2012 budget, unless we start with first things first and decide what the overall budget framework is and then move forward with spending, with appropriations bills consistent with that budget. That is all it says. It is simple, straightforward, but it is an important point.

Folks around America, including in the market, are scratching their heads. They look at Washington and us and the Congress and the President and see almost complete dysfunction in the complete lack of a budget, even lack of an attempt to get a budget in place, which is a glaring, maybe the top example of that.

This isn’t just a good, commonsense idea, something every family does, something every small business does; this also happens to be required by Federal law.

The Federal Budget Act mandates that we pass a budget by April 15 of every year. We have not done that. The House passed a budget. The Senate, quite frankly, has not even tried. The Senate Budget Committee has not even met to begin to do that in regular order, through the normal process. In fact, it is worse than that. The Senate didn’t even try to do that last year under the same current leadership. So we are now over 800 days and counting, that the Senate, under this leadership, has not even tried to comply with Federal law and adopt a budget.

Again, my amendment is very simple. It says first things first. We need a budget so any appropriations bill, any spending is only done consistent with and in the context of that budget.

That is the right way to do it. That is the right way to run a railroad. That is what every Louisiana family does in setting its plans. That is what every Louisiana business does in setting its plans. That is what the American people and the markets want from us.

In the last few weeks, there has been great discussion about Moody’s and Standard & Poor’s and the threats to downgrade U.S. Treasury notes. What they have been saying is loud and clear. It is not a pure focus on the debt ceiling; it is even a more important focus as well on the underlying issue of spending and debt. They have been saying what every economist also says: We are on a completely unsustainable path in terms of spending and debt. They want to see a real change in that—the start of a real change, adding up to at least \$4 trillion of deficit reduction. We need to do that.

Step one to doing that is to have a budget. We can’t begin to do that without a budget plan, without an outline.

Again, that goes to the core, the simple, fundamental, straightforward and important point of this Vitter amendment. I urge my colleagues to put first things first. I urge my colleagues to say we need to start doing our business, starting with a 2012 budget.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KIRK. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KIRK. Madam President, we are wrapping up to a vote that we hope will occur on Senator VITTER's amendment at noon. I will summarize where we are.

We are completing debate on a bill that provides funding for the Veterans' Administration and military construction needs. This bill backs up over 22 million veterans who have served our country.

The reason I and the Republicans on the Appropriations Committee have unanimously supported this bill is, it is marked to the House budget resolution, the Paul Ryan budget resolution number. We cut funding by \$1.2 billion in budget authority discretionary numbers below the President's level. This bill comes in \$620 million below the 2011 enacted level, and it is even \$2.6 million below the House-passed level just adopted earlier this year, Chairman CULBERSON's bill in the House of Representatives.

The Senate voted by a vote of 71 to 26 for cloture to bring up this bill. This is the first of the working appropriations bills. I hope there are many others. The legislation is important. People may ask: How did we make the funding cuts to come in at the House level? The answer is, Chairman JOHNSON and I made some difficult decisions. We cut 24 separate military construction programs. A list is available in the report that accompanies this bill.

We made some very tough calls regarding spending that was proposed for Bahrain, for Germany, and for Korea. There was a worthwhile project proposed for the Court of Appeals for Veterans Claims. They wanted a brandnew building and a courtroom. That was denied outright. Those tough decisions—those 24 reductions denying a new Court of Appeals for Veterans Claims building—making those cuts necessary then brought us under the House level, as approved by the Paul Ryan budget.

I remind Members the legislation is endorsed by the VFW, AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and the Iraq and Afghanistan Veterans of America. It had the unanimous support of Republicans in the subcommittee and in the

full committee because it comes in at the House budget level. That is why I think it is necessary to move forward, especially as we talk about a budget crisis, in which checks may or may not go out. I very much hope they do. I think it is an important signal to send that the Paul Ryan-approved budget number, which is what this bill is at, goes forward, which ensures 2012 appropriated funding for our veterans and the military construction needs of our men and women in uniform.

With that, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. Mr. President, what is the pending business?

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Vitter amendment.

Mr. JOHNSON of South Dakota. Mr. President, the Vitter amendment pending before the Senate is another attempt to derail the progress we have made in a bipartisan fashion on the MilCon/VA bill.

The Senate has voted twice on this issue during consideration of this bill. At the outset of debate, the ranking member of the Budget Committee raised a point of order against consideration of this bill without prior adoption of a budget resolution. I made a motion to waive that budget point of order and the Senate voted 71 to 26 to cut off debate on the motion to waive. The Senate then agreed to waive the point of order 56 to 40.

Now we have an amendment that says none of the critical funding provided in the bill can be obligated in excess of a budget resolution that does not exist. The strictest interpretation of this means the VA can't spend money on benefits for vets, and our military can't construct new training, housing, or other critical facilities until we have a budget agreement.

I don't disagree that it is important to pass a budget, but the Senate has overwhelmingly voted to move this bill so as to not delay essential funding for our troops and vets while negotiations on the debt ceiling and budget continue.

I remind my colleagues this bill is \$618 million below the current level, \$1.25 billion below the President's budget request, and \$2.6 million below the House-passed bill. This is a responsible and bipartisan bill, and the pending amendment would stop all progress we have made. Therefore, I move to

table the amendment No. 568, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 30, as follows:

[Rollcall Vote No. 113 Leg.]

YEAS—69

Akaka	Franken	Menendez
Alexander	Gillibrand	Merkley
Baucus	Graham	Mikulski
Begich	Hagan	Murkowski
Bennet	Harkin	Murray
Bingaman	Heller	Nelson (NE)
Blumenthal	Hoeven	Nelson (FL)
Boxer	Hutchison	Pryor
Brown (MA)	Inouye	Reed
Brown (OH)	Isakson	Reid
Burr	Johnson (SD)	Rockefeller
Cantwell	Kerry	Sanders
Cardin	Kirk	Schumer
Carper	Klobuchar	Shaheen
Casey	Kohl	Stabenow
Chambliss	Landrieu	Tester
Cochran	Lautenberg	Udall (CO)
Collins	Leahy	Udall (NM)
Conrad	Levin	Warner
Coons	Lieberman	Webb
Cornyn	Manchin	Whitehouse
Durbin	McCain	Wicker
Feinstein	McCaskey	Wyden

NAYS—30

Ayotte	Hatch	Portman
Barrasso	Inhofe	Risch
Blunt	Johanns	Roberts
Coats	Johnson (WI)	Rubio
Coburn	Kyl	Sessions
Corker	Lee	Shelby
Crapo	Lugar	Snowe
DeMint	McConnell	Thune
Enzi	Moran	Toomey
Grassley	Paul	Vitter

NOT VOTING—1

Boozman

The motion was agreed to.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

Mr. JOHNSON of South Dakota. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business until 2:15 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CUT, CAP, AND BALANCE

Mr. DURBIN. Mr. President, we are going to move to a debate on our budget deficit, particularly on the debt ceiling we face on August 2. The proposal before us was enacted by the House yesterday on a virtually partisan roll-call, with one or two exceptions. The Republicans passed a proposal which they have characterized as cut, cap, and balance, and they will bring it to the floor of the Senate for consideration. It tries to project spending targets and cuts in spending for the years to come and also to include in the conversation the balanced budget amendment.

It is interesting, the way they approach it, because the balanced budget amendment is literally an amendment to the Constitution of the United States, and those of us who take our oath seriously—and I assume that is every Member of Congress and the Senate—understand that we are sworn to uphold this Constitution. In other words, it is to be treated as the guiding document for our actions as Members of Congress. I have taken that oath many times as a House and Senate Member, and I take it seriously.

Also, because of that oath, I am skeptical of those who come forward and want to amend the Constitution on a regular basis. We have had 27 amendments to the Constitution. They have been enacted over the course of our Nation's history. They address some of the most serious issues and most historic moments in our history. I think we should address that document, that Constitution, with an air of humility, a feeling that before we add our words, whatever they may be, to this great document that has endured for more than 200 years, we should take care and be serious about it.

I don't often question the motives or the intentions of others who come to the floor, and I won't do it in this instance, but I will say that to have before us, as we will later in the day, a proposal that we amend the Constitution of the United States by choosing one of three options—and that literally is what we will face, three different versions of a balanced budget amendment to the Constitution, and what we will consider here will address choosing one of them. I don't think we were

elected to the Senate and sworn to uphold the Constitution to be part of a multiple-choice test about what the next amendment will be. I think we should be much more serious in our undertaking.

I will also tell you that I have been here in Congress long enough to remember a little bit of history. There once was a President named Ronald Reagan, and Ronald Reagan, as President of the United States, was in a leadership position of the United States at a critical moment in our history, there is no question about it. Some amazing things occurred during his administration, but when it came to the budget side of things, there was some history made there as well.

We are considering the debt ceiling of the United States. What is the debt ceiling of the United States? The debt ceiling of the United States is the authority Congress gives to the President to borrow money.

Each year, the Treasury Secretary will call the President and say: I need additional authority to borrow money. Why does he ask for additional authority? Because Congress—the House and the Senate—sent requests for more spending, and the President has to borrow money to honor those requests. How much does the President have to borrow? In this day and age, about 40 cents for every dollar we spend.

So the President has been told that August 2 is the drop-dead date. He needs more authority to borrow money for the actions taken by Congress. As an example, many Members of Congress—even some who now say they won't give the President this authority—voted for America to go to war not once but twice, and in so voting, for example, on the war in Afghanistan, they are committing the United States of America to spending \$10 billion a month in defense of our men and women in uniform, members of our family who are waging this war. They voted for that.

Now President Obama has said to them: The bill is coming in for the war in Afghanistan, and I have to borrow money to pay for it. These same Members of Congress—the House and Senate—who voted for the war in Afghanistan are now saying: We won't pay the bills. We won't extend the debt ceiling. We won't allow you, Mr. President, to borrow the money to sustain our military forces in Afghanistan.

That is literally what we are talking about here in this debate. The American people are starting to come to understand because when you first ask a person, do you want to extend the debt ceiling, the obvious answer is, no, are you crazy, Senator? Why would I want more debt in this country? We need less debt, not more. Don't you get it?

Understandably, that is the public reaction. But when you go to the point of explaining that this is to pay for debts

we have already incurred—and it is not just to wage war; it is a debt incurred to pay for Medicare. We said to 65-year-olds across America: You get a health insurance plan called Medicare, and it will be there when you need it. When you go to the hospital and turn in your bills, we will pay that doctor and we will pay that hospital. And we borrowed money to do it.

Mr. BROWN of Ohio. Would the assistant majority leader yield?

Mr. DURBIN. I would be happy to yield.

Mr. BROWN of Ohio. I appreciate the Senator's comments about where we were. About 10 years ago, we had a budget surplus in this country, as you recall. We had a number of years of quarter after quarter of economic growth, and we know that when you have economic growth, obviously the budget gets in a better situation. But then it was the tax cuts in 2001 and 2003 that I believe the Senator opposed, as I did when I was in the House of Representatives, that went overwhelmingly to the wealthiest taxpayers; and then the two wars the Senator talked about that the people enthusiastically—some, not the Senator—voted for but didn't see a reason to pay for them; and then this Medicare bill, which was basically a bailout to the insurance and drug companies in the name of privatizing Medicare, and we are in a situation now where we are simply trying to pay the bills.

I appreciate the Senator's thoughts and comments about where that takes us. It seems to me it is not like raising your credit card debt limits. These are obligations we have, and we have to be responsible elected officials, as we would as responsible citizens, and pay the debts and the obligations we have incurred as a nation, correct?

Mr. DURBIN. That is correct. And I would say to the Senator from Ohio that when you look back in history, since 1939 when we had this debt ceiling, President after President has extended the debt ceiling because the cost of government—the debt of the United States—has generally gone up in most administrations.

The record holder for extending the debt ceiling in U.S. history since 1939: President Ronald Reagan, on 18 different occasions during an 8-year period of time, extended the debt ceiling. During his administration, we tripled our national debt, and so we needed to keep borrowing. So to say this debt ceiling extension is the product of a Democratic President is to misstate the case. Every President has faced it. Ronald Reagan asked for those debt ceiling extensions more than any other President. When it comes to incurring debt in 8 years in office, Ronald Reagan has the record for tripling the national debt, and coming in second is George W. Bush for doubling the national debt while he was in office and asking on

seven different occasions to extend the debt ceiling.

The point I am making is that President Obama has asked to extend the debt ceiling, and there is ample history—some 89 different times—that it has been done, and it is done to pay for obligations we have already made, debts we have already incurred.

Now what happens if we don't extend the debt ceiling? Well, what would happen if the Durbin family of Springfield, IL, did not make our mortgage payment on our home this month? Not good. We are likely to get a call from the bank at some point saying: You probably overlooked it, but there was a mortgage payment due. And if you said: We are just not going to pay it, we are not going to continue to borrow money from your bank, they would say there are consequences. And the same thing is true if you don't extend the debt ceiling.

If we don't extend the debt ceiling of the United States and authorize the President to borrow money to meet our obligations, two things will happen. The credit report of the United States of America is not going to look good the next day. The same thing is true for individuals and families: If you don't pay your bills, your credit report doesn't look so hot. What is the difference? For the United States of America, it means the AAA credit rating we have enjoyed throughout our history will be in danger. It means the interest rates charged to the United States for our own debt will go up and interest rates across the economy will go up, affecting every family and business in America that borrows money, which would be most families and businesses.

Raising interest rates with this high rate of unemployment is exactly the wrong thing to do. Every single day, the Federal Reserve, under Ben Bernanke and his Board of Governors, sits down and tries to figure out a way to make interest rates low so the economy will grow and jobs will be created. If we have a self-inflicted wound of not increasing the debt ceiling, the net result will be a higher interest rate on our government and higher interest rates on families and businesses. A 1-percent increase—1-percent increase—in the interest rate paid by our government on its debt costs us \$130 billion a year—1 percent.

We are running the risk, by missing the deadline of August 2, of raising that interest rate, killing jobs, making it more difficult for businesses to expand, and increasing the deficit. Can we imagine three worse outcomes at this moment in our history?

So when Members of the Senate and the House come and make these pious pronouncements of "I am never going to vote for an extension of the debt ceiling," they are jeopardizing our economic recovery and the debt we face.

Some of them have said: I will tell you what. I will vote for a debt ceiling if we can amend the Constitution and put in a balanced budget amendment.

Throughout my time of service in the House and the Senate, I have never—underline "never"—voted for a balanced budget amendment and here is the reason: We don't need the Constitution to tell us what to do. We know what we need to do. We should have the will to do it. For those who have been guilty of voting for all this spending and now want a balanced budget amendment to the Constitution, it reminds me of the person who says: I will not promise I will not steal again, but I will vote for the Ten Commandments. Well, great. Wouldn't it be better if they changed their conduct and the way they acted? Wouldn't it be better if Congress dealt with this budget deficit forthrightly? And we can.

For those who say we don't have a very good track record, they are right. But efforts are underway on the part of what is known as the Group of 6, which is expanding in size, which is trying to, on a bipartisan basis—Democrats and Republicans—come up with a way through this budget deficit problem. It is not easy. We have been at it for more than 6 months. We have produced a plan which is now being carefully scrutinized and will be worked on, I am sure, for a long time to come, but it moves us in the direction of \$4 trillion in deficit reduction. It does it by putting everything on the table—everything—including spending cuts, entitlement programs, and revenue.

Spending cuts are easy compared to the other two—easier for us, I might add, because they generally involve future spending, and we make the reductions thinking, perhaps, it will not have the negative impact in the future that some imagine.

When it comes to the entitlement programs, I think we deal with a different mindset when it comes to the American people. I believe Social Security and Medicare have become even more important to American families than they were 25 years ago because of the vulnerability of families today. Many families planned for their retirement and saved some money and maybe they had a pension plan at work and then they had Social Security. Well, over the years, perhaps the savings took a hit when the stock market went down some 30 percent a few years ago. Many of the pension plans didn't survive corporate restructuring or bankruptcy, and Social Security was the last game in town for a lot of the people retiring.

So when we talk about changing Social Security, people all across America—40 million or 50 million Americans—perk up and say: Senator, what do you have in mind because we are counting on it and we don't want you to mess it up.

Here is what I can say about Social Security. Untouched, with no changes—no changes—Social Security will make every promised payment with a cost-of-living adjustment for 25 years—25 years. That is pretty good. There isn't another program in government that can say the same. But what happens at the end of 25 years? Then the trouble starts. We start running out of money and reducing Social Security payments 22 percent. About one-fifth—or a little more—of the payment a person is receiving today would disappear in 2 years. So what we are talking about in all the deficit conversations is to find ways to extend the life and solvency of Social Security.

There are ways to do it. We have talked about a variety of different ways to do it. Any savings in Social Security will stay in Social Security. It is similar to Las Vegas. We are going to make sure the savings we put in Social Security will be reinvested in the program to make it stronger longer.

I also want the program to be fair—we all do—in terms of beneficiaries, particularly the most vulnerable beneficiaries. About 20 percent of Social Security beneficiaries—the lowest 20 percent—are below the poverty line, even after they get the Social Security check. We need to change that. We shouldn't allow that to happen. These are mainly elderly people who, with the helping hands of our government and Social Security, should be lifted above the poverty level.

Medicare is much the same. If we don't deal with Medicare, the increasing cost of health care is going to cause that program to run into trouble. What we need to do is to make certain at the end we protect the benefits under Medicare but find ways to reduce the cost. We have to reward value rather than volume when it comes to medical treatment, and we have to keep our promise to the Medicare beneficiaries.

There have been proposals made. One was made by the House Republicans in their budget, the so-called PAUL RYAN budget, which would have dramatically changed Medicare. Out-of-pocket expenditures by senior citizens would have more than doubled to \$6,000 a year. So \$500 a month, by a person who is retired, can be a hardship, if not an impossibility. Even worse, the House Republican budget would have taken Medicare as we know it and turned it upside down and said: In the future, under the House Republican plan, Medicare is going to be managed in the tender loving arms of private health insurance companies. I don't think most Americans feel a sense of confidence or relief to hear that.

So as we begin this debate this afternoon on the so-called cut, cap, and balance, the point I wish to make is this: We should not be considering a plan which does not put in specific language a balanced budget amendment but asks



Members of the Senate to vote for a multiple choice test as to what the next amendment to the Constitution will look like. Secondly, we should carefully scrutinize every word of that amendment. Those who have say they are poorly drafted and have no place in the most important document in America. Third, let's accept the responsibility to do what we were elected to do—to reduce spending, to bring this budget to balance, and to do it in a sensible and humane way. The notion we would somehow amend our Constitution and wait for three-fourths of the States to ratify it is, in my mind, not responsible.

I am going to oppose this. I am not going to oppose efforts to reduce our deficit, but I am going to oppose this notion that somehow a balanced budget amendment to the Constitution is going to be our salvation. As the old Pogo cartoon used to say: We have met the enemy and they are us.

We have to do this ourselves—Members of the Senate on both sides of the aisle.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Without objection, it is so ordered.

#### GANG OF 6 PROPOSAL

Mr. SANDERS. Mr. President, if there was ever a time in the modern history of America for the American people to become engaged in what is going on here in Washington, now is that time. Decisions are being made as we speak which will impact not only our generation but the lives of our children and our grandchildren for decades to come. I fear very much that the decisions being contemplated are not good decisions, are not fair decisions.

Right now, there is a lot of discussion about two things: No. 1, the importance of the United States not defaulting for the first time in our history on our debts—I think there is increased understanding that would be a disaster for the American economy, that would be a disaster for the world's economy, and we should not do that—but, secondly, there is increased discussion now on long-term deficit reduction, how we address the crisis we face today of a record-breaking deficit of \$1.4 trillion and a \$14 trillion-plus national debt—a debt, by the way, that was caused by two unpaid-for wars, huge tax breaks for the wealthiest people in this country, a Medicare Part D prescription drug program written by the insurance companies, and the lack of

revenues coming in because of a recession caused by the greed and recklessness and illegal behavior on Wall Street.

Be that as it may, regardless of how we got to where we are right now, there are efforts to develop long-term deficit reduction plans. One of them has to do with a so-called Gang of 6. While we do not know all of the details of that proposal—in fact, we never will because a lot of that proposal boots the issue to committees, such as the Finance Committee, that have to work out the details, and no one can know what those details will be at this time—I think it is fair to say that Senator COBURN, Senator CRAPO, and Senator CHAMBLISS deserve a word of congratulations. Clearly, they have won this debate in a very significant way. My guess is they will probably get 80 or 90 percent of what they wanted, and in this town that is quite an achievement. They have stood firm in their desire to represent the wealthy and the powerful and multinational corporations. They have threatened. They have been very smart in a number of ways. They have been determined. And at the end of the day, they will get 80 or 90 percent of what they want.

That is their victory, and I congratulate them on their victory. Unfortunately, their victory will be a disaster for working families in this country, for the elderly, for the sick, for the children, and for low-income people.

I did want to mention, based on the limited information we have—and as I get more information, I will be on the floor more often, but I think it is important to at least highlight some of what is in this so-called Gang of 6 that the corporate media, among others, is enthralled about.

Some may remember that for a number of years leading Democrats said: We will do everything we can to protect Social Security, that Social Security has been an extraordinary success in our country, that for 75 years, with such volatility in the economy, Social Security has paid out every nickel owed to every eligible American.

I have heard Democrats say Social Security has nothing to do with the deficit. And that is right because Social Security is funded by the payroll tax, not by the U.S. Treasury. Social Security has a \$2.6 trillion surplus today and can pay out every benefit owed to every eligible American for the next 25 years. An enormously popular program, poll after poll from the American people says: Do not cut Social Security.

Two-and-a-half years ago, when Barack Obama—then Senator from Illinois—ran for President of the United States, he made it very clear, if you voted for him, no cuts in Social Security. Yet what Senators COBURN, CRAPO, and CHAMBLISS have managed to do in the Gang of 6 is reach an

agreement where there will be major cuts in Social Security.

Do not let anybody kid you about this being some minor thing. It is not. What we are talking about is that under this so-called Gang of 6 proposal, Social Security cuts would go into effect by the year 2012—virtually immediately. What that means is that 10 years from now, the typical 75-year-old person will see their Social Security benefits cut by \$560 a year, and the average 85-year-old will see a cut of \$1,000 a year.

For some people here in Washington—maybe the big lobbyists who make hundreds of thousands of dollars a year—\$560 a year or \$1,000 a year may not seem like a lot of money. But if you are a senior trying to get by on \$14,000, \$15,000, \$18,000 a year, and you are 85 years old—the end of your life, you are totally vulnerable, you are sick—a \$1,000-a-year cut in what you otherwise would have received is a major blow.

So I congratulate Senator COBURN, Senator CRAPO, and Senator CHAMBLISS for doing what President Obama said would not happen under his watch, what the Democrats have said would not happen under their watch: major cuts in Social Security.

But it is not just Social Security. We have 50 million Americans today who have no health insurance at all. Under the Gang of 6 proposal, there will be cuts in Medicare over a 10-year period of almost \$300 billion. There will be massive cuts in Medicaid and other health care programs.

There will be caps on spending, which means there will be major cuts in education. If you are a working-class family, hoping you are going to be able to send your kid to college, and that you will be eligible for a Pell grant, think twice about that because that Pell grant may not be there.

If you are a senior who relies on a nutrition program, that nutrition program may not be there. If you think it is a good idea that we enforce clean air and clean water provisions so our kids can be healthy, those provisions may not be there because there will be major cuts in environmental protection.

I have heard some people say: Well, all that is not so good, but at least finally our Republican friends are saying we need revenue and we are going to raise \$1 trillion in revenue.

Well, Mr. President, let me ask you this. If you read the outline of the Gang of 6 proposal, which is admittedly vague—I think they would acknowledge that; they do not have all of the details—there are very clear provisions making sure we are going to make massive cuts in programs for working families, for the elderly, for the children. Those cuts are written in black and white.

What about the revenue? Well, it is kind of vague—kind of vague. The projection is that maybe we will raise over a 10-year period \$1 trillion in revenue. Where is that coming from? Is it necessarily going to come from the wealthiest people in this country? Is it going to come from large corporations that are enjoying huge tax breaks? That is not clear at all.

What happens if we do not reach that revenue of \$1 trillion? What mechanism is in place to say it happens? That mechanism, in fact, does not exist. What we do know—and, in fairness, I think the authors of this proposal would acknowledge not all the details are out there, but certainly I want middle-class families to understand when we talk about increased revenues, do you know where that may come from? It may come from cutbacks in the home mortgage interest deduction program, which is so very important to millions and millions of families. It may mean if you have a health care program today, that health care program may be taxed. That is a way to raise revenue. It may be that there will be increased taxes on your retirement programs, your IRAs, your 401(k)s. But we do not have the details for that. All we have is some kind of vague promise that we are going to raise \$1 trillion over the next 10 years. There is no enforcement mechanism and no clarity as to where that revenue will come from.

So I think it is terribly important that the American people become engaged in this debate, which will have a huge impact not only on them, but on their parents and on their children. I believe very strongly what the American people must fight for is not a big deal or a small deal but a fair deal.

At a time when the wealthiest people in this country are doing phenomenally well—their effective tax rate is the lowest on record—at a time when the top 400 individuals in this country own more wealth than 150 million Americans, at a time when corporate profits are soaring, and in many instances these same corporations pay nothing in taxes, at a time when we have tripled military spending since 1997, there are fair ways to move toward deficit reduction which do not slash programs that working families and children and the elderly desperately depend upon.

I believe the issue we are dealing with is of enormous consequence. It is clear our Republican friends have succeeded, and I congratulate them on getting 80, 90 percent of what they wanted.

I want people to think back 3 years ago—just 3 years ago—to think that there would be a serious proposal on the floor of the Senate with all of these devastating cuts. I think very few people would have thought that possible. So I congratulate my Republican colleagues for their apparent victory. But this Senator is going to fight back. I

was not elected to the Senate to make devastating cuts in Social Security, in Medicare, in Medicaid, in children's programs, while I lower tax rates for the wealthiest people in this country. That is not what I was elected to do, and I do not intend to do that.

So I hope the American people get engaged in this issue, stand, and demand that the Congress pass a fair and responsible deficit reduction program, not what we are talking about today.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MILCON APPROPRIATIONS

Mrs. MURRAY. Mr. President, I come to the floor this afternoon to oppose the amendment offered by the Senator from Oklahoma which would undo decades of policies on how we treat veterans who are suffering from diseases associated with Agent Orange exposure. That violates the promise we have made to a generation of veterans. The legacy of Agent Orange exposure among Vietnam veterans is one of tragedy, roadblocks, neglect, pain, and then more roadblocks. It is the legacy of our military spraying millions of gallons of poisonous herbicide indiscriminately, without any consequences or without any repercussions.

At the time of the Vietnam war—and for far too long after it—the U.S. Government neglected to track Agent Orange exposures. Then, in the decades following the war, our government stonewalled veterans who developed horrible ailments of all kinds from those exposures.

To further compound the problem, for decades our government also failed to fund any research on Agent Orange and any other toxins that Vietnam veterans were exposed to. Those mistakes, those decades of neglect, have a cost. It is a cost to the veterans and their loved ones, a cost to the government that sent them to war, and a cost to all of us as Americans. It is a cost that, even in difficult budget times, even with our backs against the wall, we cannot walk away from.

I am not here to question any Senator's commitment to our veterans, but what I am here to do is to question the standard by which this amendment says they should be treated. This amendment that was offered says we should change the standard by which we have judged Agent Orange cases for two decades.

Currently, Vietnam veterans are presumed to be service-connected when

the VA Secretary determines that a positive association exists between exposure to Agent Orange and a certain disease. One of the reasons Congress chose that mechanism is because it was impossible for these veterans to prove their exposure to Agent Orange caused their cancers or other diseases. These veterans were exposed decades ago. They don't know where exactly they were exposed or how much they inhaled. However, under the amendment of the Senator from Oklahoma, Vietnam veterans would be asked to now prove the impossible. They would be asked to prove they would never have gotten cancer or heart disease or any other disease or condition if not for Agent Orange.

Vietnam veterans who have diabetes or prostate cancer or lung cancer or blood-borne diseases would be denied care and benefits under this amendment. Not only would this be a new hurdle Vietnam veterans could never overcome, it would change the rules midstream. It would literally treat Vietnam veterans whose diseases have already been presumptively service-connected different than those whose diseases have not yet been positively associated with Agent Orange exposure.

I will not deny that compensation for exposure is a difficult issue and one that we continually have to look at. We have grappled with this issue in relation to Vietnam veterans and exposure to Agent Orange. Today we continue to deal with this issue as Iraq and Afghanistan veterans come home with illnesses potentially associated with their exposure to toxins released from burn pits or other environmental exposure.

Ultimately, we have to look at the facts with reason and compassion and weigh the years of our military's failure to track these exposures, the inevitable existence of uncertainty, and the word of our veterans. That is exactly what we have to do.

On the one hand, we have thousands of veterans who have come forward and believe their cancers and ailments were caused by an exposure to a known killer. We have studies that show veterans who were exposed to Agent Orange are more likely to have heart disease, cancer, or other conditions. We have the Institute of Medicine that has recommended giving veterans the benefit of the doubt, and we have the Secretary of Veterans Affairs who has decided that we must move forward to provide compensation to presumptively service-connected veterans exposed to Agent Orange for cancer and heart disease.

On the other hand, we may have a compelling fiscal case, but the Senator from Oklahoma hasn't presented one shred of evidence that Agent Orange does not cause heart disease, cancer, or any other condition. What has been

presented is an amendment that asks veterans to wait, wait, wait until there is more scientific evidence.

Well, these veterans have been waiting for 40 years. How much longer should they wait?

The Secretary of Veterans Affairs decided that the time for waiting was over. I ask that we respect and support this decision, and that we also remember that even in the midst of this whirlwind debt and deficit debate, we have made a promise to veterans, one that doesn't go away.

Vietnam veterans have paid enough for that war. They should not end up paying for our debt. It is us who owe them a debt.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I ask unanimous consent that Senator HATCH and I be allowed to participate in a colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TAXING AND SPENDING

Mr. SESSIONS. Mr. President, many of our good colleagues like to suggest our Nation has historic deficits because the American people are not taxed enough. Some claim the so-called Bush tax cuts are the culprit, but the numbers tell a different story. In fact, these tax cuts were fully implemented in 2003. Annual revenues have increased steadily from \$1.782 trillion to \$2.524 trillion in 2008, and they increase every year, for an increase of more than 40 percent. That is double the rate of inflation after the tax cuts took effect.

In fact, since the recession of 2008 and the weakest economic recovery in modern history, revenue has now declined. That makes sense. With high unemployment there are fewer taxpayers and, naturally, revenue declines.

Going forward, however, the CBO projects revenue as a share of the GDP will rise to 18.4 percentage points of GDP by 2021. That is assuming extension, not elimination, of the 2001 and 2003 tax reductions. Revenue is therefore projected to return to its historic 18.4 percent average.

It would seem, then, that the American people are already taxed enough to finance a government whose spending has grown wildly out of control. The real problem is, while revenue will return to its historic average, if nothing is done to slow spending, annual outlays will increase from \$3.7 trillion today to \$5.7 trillion by 2021, for an increase of more than 50 percent. As a share of GDP, spending will remain, on average, above 23 percent of GDP. That is nearly 3 percentage points above the historic average.

Mr. HATCH. Mr. President, I could not agree more with the Senator's

point on the real driver of our deficit and debt. We have this debt because government is spending too much. But this is not a matter of personal preference; this is an indisputable and empirically verifiable fact. The systemic problem this country faces is too much spending, not too little tax revenue.

I understand our friends on the other side of the aisle are in a tough spot. They know this, but their left wing base refuses any changes to the spending programs driving these deficits and debt. They don't want to scare off middle-class Americans by recommending the tax increases necessary to close the gap without major changes for spending programs.

When it comes to offering any real plans, they have resorted to burying their heads in the sand, as indicated on this photo. They choose to ignore the real problem. They hope their friends in the media do the same thing—ignore the fact that they are ignoring the problem. As you can see from this chart, the problem is spending.

Mr. SESSIONS. Our friends on the other side of the aisle are almost exclusively focused on hitting up the taxpayer for more revenue.

Mr. HATCH. That is right. They are talking about revenue, but the tax increases they are recommending are more distracting than illuminating. I think it is fair to say that all of the talk by the President and his congressional allies about corporate jets and yachts is a classic red herring. On this chart, it indicates this:

The name of this fallacy comes from the sport of fox hunting in which a dried, smoked herring, which is red in color, is dragged across the trail of the fox to throw the hounds off the scent. Thus, a "red herring" argument is one which distracts the audience from the issue in question through the introduction of some irrelevancy.

Mr. SESSIONS. Well, we use this turn of phrase all the time, but I am afraid it is worth discussing how politicians use it.

Mr. HATCH. As you can see, that is what they are doing. I am glad the Senator brought this up. As I just read, my research found that the term "red herring" comes from the sport of fox hunting. Again, a red herring argument is one that distracts the audience from the issue in question through the introduction of some relevancy.

In my view, all of these tax issues that President Obama and those on the other side of the aisle are discussing are red herrings. They want to distract Americans from the real driver of our deficits and debt and the real choices Democrats have to but are refusing to make.

Let me walk through some examples. If we were to raise the depreciable life on corporate Jets from 5 years to 7 years, as the Democrats propose, it would yield us \$3.1 billion over 10 years.

Mr. SESSIONS. How many days of debt reduction over that 10-year period

would a \$3 billion savings or increase in taxes amount to?

Mr. HATCH. To hear the President talk, you would think this is the key to balancing our budget. We all know he is overstating the case. It would provide only a month of debt reduction is about all it would do? Given its essential role in his deficit reduction proposals, you would hope so. But I am sorry to disappoint my friend from Alabama, because, according to our calculations, that amount equates to only 20 hours and 23 minutes of the debt over the next 10 years. Unfortunately, that doesn't even begin to solve the problem. Of course, as you can see here, \$13 trillion, the Obama debt; there would be \$3.1 billion over time with the corporate jet taxes; and remaining above the debt—assuming they didn't spend more, which is an assumption you can't make—would be \$12.9 trillion. Is the problem solved? Of course not.

Mr. SESSIONS. Well, let me say I appreciate the work of the ranking member of the Finance Committee, a longtime member of that committee. It seems to me pretty clear that the President's budget he submitted earlier this year—which I have to say was voted down 97 to 0 in the Senate—would have increased the deficit over 10 years by \$13 trillion. He has also suggested his plan to increase taxes on corporate jets by \$3 billion would somehow make a difference in that. I think Senator HATCH is right, that is not accurate.

How about other proposals we hear from the Democratic side, such as cutting back mortgage interest deduction for yachts used for second homes?

Mr. HATCH. Well, in other words, by our calculations, the savings from this proposal would be even more meager. If Congress enacted this change, we could cover the debt from the Obama budget for all of 15 hours and 47 minutes. Again, this is not solving the problems of the burdensome debt the President is piling on.

Mr. SESSIONS. It is shocking to see how small those numbers are, and we aren't hearing that in the press and in the national discussions. From the talk we have heard about these proposals, you would think they would yield more than 2 days of debt reduction over 10 years.

Mr. HATCH. You would think so. But the other 3,651 days of debt under the 10-year Obama budget would not even be touched.

There is a third red herring that has been thrown out there. Maybe that one closes the gap. We have all heard the President talk about hitting American oil companies by reducing or eliminating domestic energy incentives. This is a real priority of his and of congressional Democrats.

We had a cloture vote on a bill by our friend from New Jersey to extract \$21

billion in revenue from U.S. oil companies. The Finance Committee had a hearing where the other side touted the benefits of this tax increase by grilling the CEOs of the top five oil companies. If you listened to my friends on the other side, one would think an additional \$21 billion would solve all our fiscal problems. Their rhetoric suggests this is the only thing standing between more money to send kids to college and provide school lunches.

But I wonder if my friend from Alabama might put into perspective how much of the 10 years of debt under the President's budget this proposal would cover.

Mr. SESSIONS. Well, with \$13 trillion—that is 13 thousand billion—\$21 billion won't amount to much.

Mr. HATCH. Well, here is how many days of the 10-year debt of the Obama budget that would be covered. Keep in mind, this proposal originated from our friend from New Jersey, the head of the Senate Democratic campaign operation, and his tag teammate, the head of the Senate Democratic message operation—the so-called war room—the senior Senator from New York. I will let others decide whether this proposal was more political than substantive, but people should at least know the facts about this proposal before deciding.

As a deficit reduction proposal, this is very weak tea. This is a much ballyhooed proposal, and it would cover the deficit for, in actuality, 5 days 18 hours and 47 minutes.

As you can see, here is the oil rig proposal. We have a \$13 trillion debt—actually it is about a \$13.5 trillion debt right now—and you would save \$21 billion from the extra taxes on oil and gas. Even at that, we would have a remaining debt of \$12.9 trillion. So is the problem solved? Of course not.

Mr. SESSIONS. The Senator has served on the Finance Committee for a number of years and is now the senior ranking Republican there. If you listen to our friends on the other side of the aisle, it would appear that all fiscal problems could be resolved by taxing millionaires. Is that an argument that the Senator is familiar with?

Mr. HATCH. Well, I sure am. Anyone watching C-SPAN will see our friends on the other side making the argument day in and day out. When I hear this argument, I often think of a saying from the distinguished former chairman of the Senate Finance Committee, Senator Russell Long. When talking about tax reform, Senator Long said: "Don't tax you, don't tax me, tax that fellow behind the tree."

And since there are a lot more folks who aren't millionaires than are, the Democrats have calculated the politics of class warfare works. All of our problems could be solved if the rich paid their fair share, according to the

Democrats. As politics, this might sound—I don't even think it sounds good, but as tax policy and its proposal to reduce our deficits and debt, this is the fourth red herring. It does not come close to fixing the deficit from the Obama budget.

Our friends on the other side frequently cite the Tax Policy Center—or TPC—for tax data. That makes some sense. TPC is a professional think tank that is a joint venture of two center-left think tanks, the Urban Institute and the Brookings Institution. With the exception of its director, Donald Marron, TPC is largely staffed by highly qualified tax professionals who worked in Democratic Treasury Departments and Democratic Hill offices. TPC is a solid professional outfit, but you can't ignore its institutional perspective. To be fair, I would say the same thing about the Heritage Foundation. Their institutional perspective is more likely to line up with folks on my side of the aisle. Nevertheless, I am drawing from TPC data, some of the assumptions with which I might not agree.

According to TPC models and estimates, for 2011, American households earning more than \$1 million account for 12 percent of the Nation's pretax income, they pay 19 percent of Federal taxes and carry an average tax rate of 29 percent.

Even more critical from my perspective, these taxpayers also account for 38 percent of all flow-through income. Flow-through income is predominantly earnings from the ownership of small businesses. So raising rates on the rich will squarely hit those who create and expand the small businesses that need to be the engine of our economic recovery.

But let us be clear about something: Higher taxes on these wealthy individuals will not only have adverse economic consequences, it will not even provide the deficit and debt reduction suggested by the left. Even if all the income—every dime they earned, of those earning more than \$1 million—were confiscated with a 100-percent rate—with the unlikely assumption of no taxpayer behavioral response—for the year of confiscation, these higher taxes would yield about \$893 billion. That would be a one-time confiscation. Surely none of these folks would continue to work, save, or invest in the future if the government were to confiscate all their income. They would have to cover all their other expenses, including State and local taxes, from savings. After taking everything from the folks behind the tree—in this case, the folks earning more than \$1 million—how many days of the 10-year Obama budget debt would be eliminated?

Mr. SESSIONS. Well, not many, is my answer to that. But as often as the President talks about taxing the rich or spreading the wealth around as a

cure for our fiscal problems, you would think it would balance the budget. But would he get us there?

Mr. HATCH. I say to my friend from Alabama, confiscating all the income from those earning over \$1 million does not even fix 1 year of the 10 years of projected Obama debt. It would cover 244 days, 16 hours and 34 minutes. That is it. Not even 1 year.

Look at this. Federal policymakers could kiss that revenue source goodbye after an event such as confiscation. So there you are: \$13 trillion. Take the \$893 billion. If we took every dime that millionaires make this next year, the \$893 billion, we would be down to \$12.1 trillion in remaining debt. Is the problem solved? Of course not.

Mr. SESSIONS. Going back to the other chart on taxation and spending under the Obama budget, I would note President Obama's budget raised taxes significantly, increased spending even more, and as a result, over 10 years, created more debt projected than if he had made no budget at all.

Mr. HATCH. That is right.

Mr. SESSIONS. That is a stunning thing. You can talk about raising taxes on American workers, on families, on small businesses and on the wealthy and investors all you want, but this talk is easy. It ignores the root causes of the deficit and debt problem here in Washington: out-of-control spending.

It may sound like a cliché to the American people that Republicans are always talking about out-of-control spending. We wish it were a joke, but sadly, it is true.

Mr. HATCH. I wish it were too. I am surprised about this debate. The press is not pushing Democrats on what a joke their proposals about jets and yachts are, but the American people—the people I represent in Utah—understand these are red herrings. These proposals deal with the President's legacy of debt for less than 2 days—less than 2 days—over the next 10 years. Add in the much-publicized tax hit on the hated oil companies and you get another 5 days.

So after all the demagoguery on jets and yachts and oil companies, you get about 1 week of deficit reduction. And even throwing in a one-time confiscation of all the income for taxpayers earning above \$1 million, you can only add 244 days. Add it all up and there is still less than 1 year. All those tax increases don't even get to one-tenth of the debt President Obama will add over the next 10 years.

It is class warfare. We all know that. All the talk from the White House and from our friends on the other side is on behalf of proposals that would address, at best, less than 10 percent of the debt forced on American families by the President's budget.

I ask my friend from Alabama if he might conclude with the classic definition of a red herring.

Mr. SESSIONS. Let's take another look at the definition of red herring on the chart. It says: The name of this fallacy comes from the sport of fox hunting in which a dried, smoked herring, which is red in color, is dragged across the trail of the fox to throw the hounds off the scent. Thus, a "red herring" argument is one which distracts the audience from the issue in question through the introduction of some irrelevancy.

Our friends on the other side, using White House talking points, sophisticatedly prepared, appear to have resorted to red herrings with their deficit reduction proposals. They want the American people to think a few easy tax increases on the rich or yacht owners or corporate jet users or oil companies—the people behind the tree—can solve our debt crisis without spending reforms. They hope these red herrings will hide a serious Democratic vulnerability. If they are not going to address spending in a serious way, then massive tax increases on the middle class will be a necessity.

These red herrings are designed to throw those citizens who care deeply about reducing the \$13 trillion debt that the President's budget will incur off the trail.

The trail of deficit reduction leads to one of two places: restraining out-of-control spending; or crushing tax relief increases on middle-class families.

Restraining spending is not a red herring. It cuts to the heart of our fiscal problems. It goes to the root of the problem.

The President and his allies need to come clean with the American people. The President so far has refused to present a deficit reduction plan in these negotiations that are going on. He says he has one, but we never see it so it can be scored and analyzed. The White House seems content to produce cheap talking points justifying these red herrings, rather than meaningfully addressing our debt crisis. As I have said before, and will again, this shows a disrespect for the American people.

Our people deserve better. They need honest, fair analyses of the problems we face. I expect they will reward those who talk straight with them and offer serious grown-up efforts to reduce our debt with their support; and I think they will be unhappy once it is realized how little these proposals would impact the huge debt crisis we are now facing.

Mr. HATCH. I thank my colleague for his kind remarks.

I have to say that not only would it not impact it, but it would impact a lot of jobs.

I remember when we did the so-called yacht tax back in the early 1990s, the left thought that was a wonderful thing. We got after all these rich yacht owners. When they found out that thousands and thousands of jobs were

lost because of that bill, they immediately turned tail and got rid of the bill pretty quickly.

What we haven't said is we are assuming the \$13 trillion is going to stay the same. Actually, in the next 10 years there is a good chance it will double to over \$20 trillion and possibly as high as \$25 trillion or \$26 trillion the way this administration is spending. Frankly, we are going to have a very difficult time ever coming out of this hole we are in right now.

All I can say is I like the President personally, but he hasn't presented a program. He is calling on Congress to do it all, and we have our various problems here in getting together, but he hasn't led out on these programs, and neither have the other people down at the White House.

In fact, one of the problems is I can't name one person at the White House who has ever created a private-sector job. And let's face it, they are good at creating public-sector jobs, but they are not very good at creating private-sector jobs.

The real answer is to work our way out of them, and instead of talking about shared sacrifice, let's talk about shared prosperity by allowing the engine of this economy, the small business community, to pull us out.

Even so, we haven't even talked about the fact that the deficit this year, in 1 year, is \$1.5 trillion, \$1.6 trillion. I might add that we are going to have at least probably close to \$1 trillion deficit every year under the President's own actuarial program, every year up through 2020. You can imagine how we are going to continue to increase the debt without doing anything about it. Frankly, that is if his actuaries are right, and they are usually always wrong on the low side. That includes actuaries on both sides, to be honest with you. The expenses have always been more.

I think what is important here is that we get real about working together and coming up with a way of resolving these tremendous debt problems. The future of our young people in this country depend on that, and I don't want to let them down.

I want to thank my colleague for his colloquy with me and I appreciate it very much.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I came to the floor. I heard an interesting colloquy going on between my colleagues, my friend from Utah and my friend from Alabama, and I saw that my name was invoked, so I thought I would come to the floor and maybe elucidate for them and set the record a little bit straight.

No. 1 is I am no longer the chairman of the Democratic Senatorial Campaign Committee, so my focus in ending the tax breaks that the big five oil companies in this country get to the tune of \$21 billion that the taxpayers of this country give in essence to big five oil companies that will make \$144 billion in profits this year I simply think don't need it in order to be able to achieve what the marketplace has allowed them to do. And I am happy for them. I am happy for all their stockholders and shareholders and everyone else, but they don't need \$21 billion of the taxpayers' money and tax break—which, by the way, they describe them as these poor oil companies that, wow, we are going to stop domestic production.

One of the breaks I want to finish actually says you can't be doing what you are doing. Here in the United States, when you get access to the lands and waters to drill for oil and gas, you pay a royalty. Basically, a royalty is a license fee.

The oil companies figured out, Well, when I do this in other countries in the world, instead of paying a license fee, let me ask them to pay a tax for the same amount that it would have cost to pay a license fee. Because then I get the tax and I get to deduct it totally against my obligations here in the United States, which means that for those poor oil companies that I just heard about, we are, in essence, as taxpayers, subsidizing the exploration of foreign oil which goes on a world marketplace—does not come back to the United States—to the tune of \$21 billion.

If we want to talk about the poor, I want to talk about poor people whom Republicans, it seems, want to go after. They want to go after in their budget the things people need to get through every day. It is called Medicare for seniors and the disabled. I know it from my mother's own life. She worked in the factories of New Jersey, worked a lifetime to help build family and community. She had a terrible disease, Alzheimer's, and she would not have lived with the dignity she deserved in the twilight of her life but for what my sister and I were able to do for her and Medicare as her baseline of retirement security. That is what I call poor.

I call poor, young children who, under Medicaid, are getting money for specific health care that through no fault of their own they desperately

need in order to have the quality of life—to even be able to breathe, children with respiratory ailments—so they can fulfill their God-given potential in school. That is poor.

But oil companies that are going to make \$144 billion in profits, they are poor? Give me a break. I know we belittle the fact that it is only \$21 billion that we would put directly to deficit reduction, but if we start putting in those \$21 billion and then put in the billions in ethanol subsidies and then the horse racing industry and the corporate jets and we start adding it all up, maybe if, instead of working-class and middle-class working families whom our Republican colleagues in the Congress seem to want to put all the emphasis on, if we talked about the wealthiest people in the country and said to them: We need you to help the country get out of this difficult time, they, I think, would be incredibly patriotic.

I have talked to a lot of wealthy people who told me if it is to help the country and if we are going to get our house in order, I am willing to help the country. I am willing to pay a little bit more.

But, no, that is not possible to even talk about. It is not possible to talk about big oil companies that are going to make record profits. It is not possible to talk about ethanol. It is not possible to talk about the wealthiest in the country, millionaires, multimillionaires, and billionaires. Yet I did not hear any of these voices when Ronald Reagan raised the debt ceiling 17 times for the equivalent of \$4 trillion in today's money. I never heard any of these voices say how irresponsible it was when George Bush raised it seven times, for \$5 trillion—basically, the same amount of money he used to give tax cuts to the wealthiest people in the country but which became the collective debt of the United States. No, I did not hear any of it then.

I had no intention of coming to the floor. But when the facts are wrong and my name is invoked, I intend to come and set the record straight. I am happy to debate my colleagues. We need to make sure working-class, middle-class families in this country do not bear the overwhelming consequences of our effort to end our deficits and meet our obligations. We cannot continue to hear we cannot close the loopholes in the Tax Code for the poor oil companies, poor corporate jets, poor multimillionaires and billionaires, all because that would somehow be a tax increase, but we can take it right out of the pockets of middle-class and poor families by virtue of the services we deny them—so they will not have the money to be able to produce or scrounge or keep what little they have been able to acquire—and say that somehow is not a tax increase.

I hear about entitlements all the time. I have a new sense of what my

Republican colleagues mean by entitlements. The oil companies are entitled to their \$21 billion. Those are just two provisions. I could come up with a whole bunch of others for which they get tax breaks. The oil companies are entitled. The ethanol producers, they are entitled. The large agribusinesses in the country, they are entitled. But families who struggle every day to make ends meet? No, they are not entitled. We have to cut their entitlements.

Something is wrong with that equation. A nation, at the end of the day, in its budget, talks about its values as a country. We all have a budget. We may not think about it as a budget in our personal lives, but it is income, however we derive it, through gainful employment, the job we have, maybe some investments we make, maybe some interests we get from our savings. That is our revenue. Then there are our expenditures. The house we keep for our family, the insurance we provide for their health care, the education, the tuition we pay for the education we want them to achieve, the church or synagogue we tithe to, the charitable contribution we make to an organization that we believe is worthy of the work we do, that is an expression of our personal values.

The Nation's budget, which is both revenues and expenditures, is an expression of our collective values as a country. I cannot understand, in that expression of collective values, how it is that the very wealthy, that the very influential, that Big Oil is entitled but working-class families and the poorest among us are not entitled to realize their hopes, dreams, and aspirations in the greatest country on the face of the Earth.

Anyhow, I wanted to come, since I heard my name invoked before. I think the facts were not quite up to par. There is, obviously, a different view.

Having had the opportunity to set the record straight, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARDIN). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

#### HOUSE ACTION

Mr. TOOMEY. Mr. President, I wanted to take this occasion to acknowledge a very important event that occurred last night. It occurred in the other body, where we had a vote for the first time since we have been deliberating and debating and wrestling with this challenge of what to do with our debt limit and the fact we have

reached that debt limit. We have had a vote by one of the two bodies that have a say in this matter on this very issue, and the House voted yesterday by a significant margin, with a bipartisan vote—although it was mostly one-sided, there were Members of both parties—in favor of raising the debt limit. The House voted to raise the debt limit, in fact, by the full amount the President requested. The House voted to raise the debt limit by \$2.4 trillion, which would completely eliminate this problem, this struggle we have had over this looming deadline we have been given.

However, the vote came with one condition. It came with the condition that the President join Congress in putting our Federal Government on a path to a balanced budget. That is the requirement. That is the contingency. The way the House bill achieves that is by establishing three parts: The first is cuts in spending, the second part is caps on spending, and the third is a balanced budget amendment to the Constitution. The colloquial name this approach has been given is the “cut, cap, and balance” approach.

This is a big deal because until last night, among the three parties to this debate—the House of Representatives, the Senate, and the President—nobody had previously laid out a case that said: Here is how we will raise this debt limit and deal with this problem. The House has now done so. They have passed this measure by a significant margin.

I would like to quickly walk through the three elements of it—the cuts, the caps, and the balance. They are really all different pieces designed to achieve one goal, which is to put our Federal budget on a path to balance.

The cut refers to cuts in spending in this next fiscal year, which begins soon. It begins on October 1. The cut is 3 percent from this year's spending level—3 percent. So under the House-passed plan, next year we would spend 97 percent of everything we are spending this year, but we would cut 3 percent. Now, anybody who has run a business, anybody who has run a household knows that if you have to, you can cut 3 percent from any big budget. I guarantee you, from the enormously bloated and oversized \$3.7 trillion U.S. Government budget, 3 percent is not much, but that is the cut. That is the first part. That is the level of spending for next year—about 3 percent or \$111 billion.

The next part is the caps. These are the statutory limits as to how much the Federal Government would be permitted to spend in each of the subsequent years for the next 10 years. These levels have spending growth every year. Some suggest these are Draconian, savage cuts in spending. Actually, it is increases, but it is increases in spending at a slower rate than we

have had in the past and certainly slower than what others have proposed—what the President's budget proposed and what the Congressional Budget Office is expecting. Therein lies savings. Therein lies the opportunity to put us on a path to a balanced budget because I think we all acknowledge that, unfortunately, we are not going to be able to achieve a balanced budget overnight. Can't do it. We have dug too deep a hole. So we need a little time to get there. The spending caps provide that discipline as we move in that direction.

The final piece is a balanced budget amendment to the Constitution, which is something most Americans have strongly supported for a long time. If we achieve that, frankly, we would never have to worry about raising the debt limit anymore because we wouldn't run a deficit. We would be forbidden. Without a deficit, you don't need to issue a new debt, so the debt would never rise, and this problem would be permanently resolved, but much more important, we would have our Federal Government on a sustainable, strong, viable fiscal path, and that would create the opportunity for strong economic growth.

I am convinced that part of the reason we are having such a weak economy and such poor job growth is because of the uncertainty we have created not so much over whether we are going to raise the debt limit on August 1 or 2 or 3 or whenever it is but whether we are going to solve the big fiscal challenge we face, the problems dragging down Europe now, and the problems that loom for us.

The President and the Treasury Secretary have been extremely alarmed about the prospect that we might not raise the debt limit on August 2. To that very point, the Treasury Secretary said—and I quote from a May 13 letter he sent to Members of Congress:

This would be an unprecedented event in American history.

He is referring to a failure to raise the debt limit.

A default would inflict catastrophic, far-reaching damage on our Nation's economy, significantly reducing growth, and increasing unemployment.

President Obama had a similar message of great alarm, again referring to a scenario in which we did not raise the debt limit by August 2. He said:

If investors around the world thought that the full faith and credit of the United States were not being backed up, if they thought that we might renege on our IOUs, it could unravel the entire financial system . . . We could have a worse recession than we already had, a worse financial crisis than we already had.

So this is how serious the President and the Treasury Secretary say their concern is that we raise the debt limit. Well, the House just did it. The House said: Mr. President, we hereby vote—

and they did vote—to raise the debt limit by \$2.4 trillion, the full amount the President asked for. They have said this is the only condition: You, Mr. President, need to join us in putting our budget on a path to balance, taking care of this fiscal crisis, and giving us a sustainable fiscal footing so we can have strong economic growth.

So the question today before us is, Will the President join us? Will the President embrace this? The President, as I have just quoted, has indicated great alarm at the prospect of not getting the debt limit increase he has asked for. The House has just said: Here it is.

Actually, I think, if not every Republican Senator, a big majority of Republican Senators will support what the House has done. I hope there will be many Democrats who will support this as well because none of us wants to test the proposition of what happens if we don't raise the debt limit.

So the opportunity is here now. For the first time, we have a bill that has been passed in one of these two bodies that would do exactly what the President has asked for, with just this one condition.

Let me comment for a moment on one of the reasons I think it is so important that the President join us in putting our budget on a path to balance. We have heard from various rating agencies that several of them are considering downgrading the credit standing of the United States. This is an appalling thought.

I was involved in the bond market in my first career when I got out of college, and the United States stood above ratings. We didn't talk about having a AAA rating because we were above even that. Our rating was so superior to anyone else's, the rating system didn't even really apply to the United States. Well, now, not only does it apply, but the danger is that we won't even qualify for the top rating.

Do you know what it is that would cause them to downgrade the debt of the United States? It is not a failure to raise the debt limit by August 2; it is the failure to address this fiscal imbalance, these massive, unsustainable deficits. That is what they have told us has to be corrected or else the downgrade follows, and a downgrade will be enormously problematic because it has all kinds of knock-on effects.

So we have heard about a lot of different ideas that have been floated, and I congratulate and commend everybody who has been involved in putting in a lot of effort. I don't agree with everything that everybody has talked about doing, but I think we have seen people from both parties make a good-faith effort to try to solve this problem one way or another. But the fact is there is only one proposal on the table that has passed either body, and there is only one proposal that actually solves our

long-term fiscal challenge in the law that has already passed—the bill that has already been passed.

So my question now is, Will the President join us and put our government on a path to a balanced budget? We don't expect to get there overnight. By the way, the various levels of cuts and spending and the exact terms of the balanced budget amendment naturally would be subject to discussion. But will the President join us in this effort to restore fiscal sanity and give us the basis for strong economic growth? That is the question, and that is the opportunity for the President.

Now, I know the President has been dismissive of the idea of balancing our budget, but I certainly hope he is not so opposed to balancing our budget that he would reject the debt limit increase that he has said we desperately need. There is an opportunity here to solve two problems at once—to solve this problem over the looming date of August 2 by which he has said we absolutely must raise the debt limit, but the more important opportunity is to put our house in fiscal order.

The House took a very important step in that direction. The Senate will have a vote later this week. I hope my colleagues in the Senate will embrace this opportunity and the President will join us and will put our Federal Government on a path to balance.

With that, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mrs. HAGAN). Morning business is closed.

The Senator from Oregon.

Mr. MERKLEY. Madam President, I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012—Continued

Mr. MERKLEY. Madam President, I rise to address amendment No. 570, offered by Senator WYDEN, regarding closure of the Umatilla Chemical Depot. It is an amendment on which I am proud to partner with him.

This is a very important issue to my home State of Oregon. We have a situation where 20 years of planning have gone forward to arrange for the final transition of this chemical depot based on the recommendations of the Base Closure and Realignment Commission. Indeed, the BRAC Commission, as it is known, noted:

On completion of the chemical demilitarization mission in accordance with treaty obligations, close Umatilla Chemical Depot, Oregon.



This was language that was specifically done to recognize that the chemical depot had to complete its work dismantling the chemical weapons stored there according to the Chemical Weapons Convention Treaty. That treaty had a deadline of April 29, 2012, and thus it wasn't clear that the work would be done within the 6 years outlined for most of the BRAC's work. So they changed the language from "close the Umatilla Chemical Depot" to "on completion of the chemical demilitarization mission in accordance with treaty obligations."

So since this has been a discussion for so long, with the community working so hard with so many stakeholders in order to put the plans together to transition this base to a productive civilian role, it came as a complete shock recently when the community was notified by the Army that, despite the specific language that accommodated the treaty deadline of April 2012, they were going to rule that the transfer under the BRAC legislation could not be completed because it was an exception—even an exception written into the law—to the initial 6 years.

It was quite a shock because a local reuse authority has been formed and has been working hard with representatives from all local stakeholders to make sure this base is transferred in a way that creates the best possible economy and best use of this land. It has been a complicated task. It has been an earnest effort.

This is not the time for the Army to change the rules, digging up a clause and misapplying that clause, ignoring the exception written into the law, and claiming that this work done over all this time doesn't matter.

That is why I am so delighted to join with Senator WYDEN in putting a clarification into statute that says, yes, what the original legislation said with an April 2012 deadline recognizing our treaty obligations must be honored and the BRAC process must be honored for the best use of this land in the community.

#### MORNING BUSINESS

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Madam President, I ask unanimous consent to return to morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE RYAN PLAN

Mr. JOHNSON of South Dakota. Madam President, I quote former Reagan Economic Adviser Bartlett on the House Republican plan.

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them. Even as an open-

ing bid to begin budget negotiations with the Democrats, the Ryan plan cannot be taken seriously. It is less of a wish list than a fairy tale, utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions. Ryan's plan isn't even an act of courage. It is just pandering to the Tea Party. A real act of courage would have been for him to admit, as all serious budget analysts know, that revenues will have to rise well above 19 percent of GDP to stabilize the debt.

Former Reagan administration economic adviser Bruce Bartlett from Capital Gains and Games Blog, "Imbalanced Budget."

I would clarify the impact of the balanced budget proposal. He has called it sheer idiocy. That comes from the former Reagan economic adviser.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012—Continued

##### AMENDMENT NO. 575

Ms. AYOTTE. Madam President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 575, which is at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from New Hampshire [Ms. AYOTTE] proposes an amendment numbered 575.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Secretary of Veterans Affairs, in coordination with the Defense Advanced Research Projects Agency, to submit a report to Congress detailing the Secretary's plans, and identifying challenges, both technical and administrative, to ensure that advanced, next-generation prosthetics are made available to injured members of the Armed Forces and veterans in a timely manner)

On page 112, between lines 2 and 3, insert the following:

SEC. 230. (a) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in coordination with the Defense Advanced Research Projects Agency (DARPA), shall submit to the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Armed Services of the Senate and the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Armed Services of the House of Representatives a report, in writing, on the plans of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics.

(b) The report required by subsection (a) shall include the following:

(1) Details of the strategic plan and timetable of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics

(2) A description of the challenges, both technical and administrative, that could delay injured members of the Armed Forces and veterans access to prosthetics described in paragraph (1).

(3) The plans of the Secretary to address these challenges described under paragraph (2).

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Madam President, I have offered an amendment to H.R. 2055. It seeks to help to make sure our wounded warriors get the benefits of next-generation advanced prosthetics in a timely fashion.

This amendment would require the Secretary of Veterans Affairs to submit to Congress a report within 90 days, identifying the bureaucratic hurdles and redtape we need to cut through to make sure the research that is being done and the next-generation advanced prosthetics that are being developed to help our wounded warriors will get to them as quickly as possible.

We have invested substantial taxpayer dollars, including through the Defense Advanced Research Project Agency, or DARPA, in developing this great technology in advanced next-generation prosthetics.

Last week, I had the chance to go to Walter Reed Hospital and meet with some of our wounded warriors. They are absolutely amazing Americans, and what they have done for our country is incredible. We can never repay the sacrifices they have made. But the last thing they should have to put up with is waiting for years of delay through the FDA or other government agencies to make sure they can get the very best technology available for next-generation advanced prosthetics. That is why I offer this amendment.

I hope this amendment will be passed to make sure we can cut through the redtape, that the Veterans' Administration will identify any hurdles that are present, that we can get through those hurdles and get that technology to our wounded warriors as soon as possible, given what they have done for our country and continue to do in fighting on our behalf. They are heroes, and they deserve to not have to wait and wade through government bureaucracy.

The PRESIDING OFFICER. The Senator from California.

##### AMENDMENT NO. 577

Mrs. BOXER. Madam President, I ask unanimous consent to set aside any pending amendments and call up amendment No. 577.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 577.

Mrs. BOXER. Madam President, I ask unanimous consent that the amendment be considered as read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, add the following:

SEC. \_\_\_\_ No later than 90 days after enactment of this Act, the Secretary of Defense shall report to the Committees on Appropriations of the Senate and the House of Representatives on the status and improvement plan for all DODEA schools with an overall condition rating of Q3 (poor) or Q4 (failing) as identified in the October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, the Department of Defense runs schools that serve over 86,000 children across America, Europe, and in the Pacific region. That is why I was able to get together with Senator GRAHAM and Senator INHOFE to work on a way we could get those schools fixed because they are crumbling. Since a picture is worth a thousand words, I will show this picture from one of the schools.

We can see the tiles on the roof crumbling. We have had that in our public schools, before we woke up. Literally, these tiles fall down, and it is just by the grace of God that a child or a teacher doesn't get hit and very hurt. Clearly, we need to do something about it.

What I would like to say is, we started off with an amendment that actually required the DOD to fix these schools. Now we are asking for a report that they do it because we have to avoid some parliamentary procedure problems of legislating on approps. So we believe we have done this.

I think everyone should be read last month's Newsweek. They published an investigation by the Standard for Public Integrity, which documented the conditions of DOD-run schools with serious problems, leaks, corrosion, mold and overcrowding and relying on temporary facilities.

My amendment has the strong support of the National Military Families Association. They sent me a statement and I will close with this.

DOD schools, especially at U.S. installations overseas, are a community focal point and a key element in the support network for our military families stressed by a decade of war. Poorly repaired or out-of-date buildings can also create the perception among military families that their children's education is not a priority for our Nation.

I urge support for this bipartisan amendment, and I would yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the Johnson-

Kirk amendment No. 556 be modified further with the changes that are at the desk; that Senator WARNER be added as a cosponsor to the Johnson-Kirk amendment; that the pending amendments be set aside and two amendments from Senator HUTCHISON be called up, No. 562 and No. 563 en bloc, and following the reporting of the Hutchison amendments, the following pending amendments be agreed to: Johnson-Kirk No. 556, as further modified; Wyden No. 570; Hutchison, No. 562; and Hutchison No. 563; further, the pending McCain amendment No. 553 be withdrawn; that no other amendments, motions or points of order be in order other than motions to table or budget points of order and the applicable motions to waive; that at 4:45 p.m., the Senate proceed to a vote in relation to the following amendments in the order listed below: Ayotte amendment No. 575, Boxer amendment No. 577, and Coburn amendment No. 564; that upon disposition of the Coburn amendment, the substitute amendment, as amended, be agreed to; the bill be read a third time and the Senate proceed to a vote on passage of the bill, as amended; and the motions to reconsider be made and laid upon the table; finally, that upon passage, the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, with a ratio of 9 to 8.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I would ask that my request be modified to allow 2 minutes of debate, equally divided, between the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 556, AS FURTHER MODIFIED

The amendment (No. 556), as further modified, is as follows:

On page 114 between lines 18 and 19, insert the following:

SEC. 301. Not later than 90 days after enactment of this Act, the Executive Director of Arlington National Cemetery shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives; the Senate Armed Services Committee; the Senate Veterans' Affairs Committee; and the Senate Homeland Security and Governmental Affairs Committee detailing the strategic plan and timetable to modernize the Cemetery's Information Technology system, including electronic burial records. The report should also include a description of the steps taken by the Executive Director in 2011 to implement information technology and management systems improvements, and identify any remaining information technology and systems infrastructure needs of Arlington National Cemetery.

AMENDMENTS NOS. 562 AND 563

The PRESIDING OFFICER. The clerk will report the Hutchison amendments.

The assistant bill clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes amendments numbered 562 and 563.

The amendments are as follows:

AMENDMENT NO. 562

(Purpose: To restrict the use of funds for a permanent United States Africa Command headquarters outside of the United States)

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended for a permanent United States Africa Command headquarters outside of the United States until the Secretary of Defense provides the congressional defense committees an analysis of all military construction costs associated with establishing a permanent location overseas versus in the United States.

AMENDMENT NO. 563

(Purpose: To limit the availability of funds for military construction projects at Grafenwohr and Baumholder, Germany, pending a report on the brigade combat team scheduled to be withdrawn from Germany in 2015)

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended on a military construction project at Grafenwohr, Germany, or Baumholder, Germany, until the Secretary of the Army submits to Congress, in writing, a report on installations and properties in Germany that the Army intends to return to the host nation, including—

(1) intended timelines for closures along with the list of military construction projects required at other installations to facilitate the downsizing and consolidation of Army forces in Germany;

(2) an identification of the brigade combat team that will be withdrawn from Germany; and

(3) an estimate of costs (including operation and maintenance costs and military construction costs) to be incurred during fiscal years 2012 through 2015 in connection with keeping the brigade identified in Germany through September 30, 2015 versus stationing a similar brigade in the United States.

The PRESIDING OFFICER. Amendment No. 556, as further modified, and amendments Nos. 570, 562, and 563 are agreed to.

Amendment No. 553 is withdrawn.

The Senator from Arizona.

AMENDMENT NO. 564

Mr. MCCAIN. Madam President, I rise in support of the Coburn amendment and ask unanimous consent to engage in a colloquy with the Senator from Oklahoma.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I think it is important for us to understand what this amendment is about.

It does not affect the decisions regarding disability as a result of Agent Orange that have already been decided under the guidelines that were extended by the Secretary of Veterans Affairs. This is a prospective amendment. So any allegation that this

somehow affects previous awarding of disability payments is not correct. It is a prospective amendment for cases that will be decided in the future.

The issue of disability is always one that is very difficult because we start on the basis that concerns men and women who have served honorably in the military. Obviously, the predilection is, appropriately, to grant disabilities where those claims are made. But we now have a situation where somewhere around \$40 billion, \$41 billion, simply over the issue of heart disease, can be awarded without what appears to be a direct connection to Agent Orange.

There were many of our men and women who were serving in the conflict in Vietnam who were exposed to Agent Orange, but there were many more who were not. I don't think one can make a case that someone who was stationed on a ship in the Gulf of Tonkin and was many miles from any Agent Orange, that one could make a plausible case that Agent Orange was the cause of this disability.

What this amendment tries to do is give a realistic set of parameters for the awarding of disability payment for those who actually were exposed, and not only exposed but also that there is a direct connection between the exposure to herbicides and the outcome.

There are many needs amongst our veterans. They are there every single day. The purpose of this amendment is to make sure there is a legitimate need for compensation for those who were exposed to Agent Orange and a direct connection between that exposure and certain disabilities, particularly heart disease, Parkinson's disease, Hodgkin's, et cetera. What we are trying to do is make sure those who were actually exposed, and there is a direct connection, are rewarded, and adequately so, but at the same time not have a situation where it is an open-ended expenditure of taxpayers' dollars.

The Veterans' Disability Benefits Commission endorsed the need for establishing a new framework for presumptions with more transparent processes but failed to take the full step of embracing causality in decision-making. This amendment will achieve that goal identified by the Institute of Medicine to ensure that scientifically based causality is at the heart of the disability determination process.

I would match the commitment of the Senator from Oklahoma and my own for veterans with the commitment of anyone in this body, but there also has to be some rationality associated with it. I was a great admirer of the Honorable Tony Principi, who was the former Secretary of Veterans Affairs. Again, I want to quote from his statement:

If the American people lose faith in the integrity of our disability benefit system, veterans and their families will be the ones who

suffer. The surest way for that to happen is for the public to be convinced that presumptive service connection decisions are based on anything other than sound scientific advice.

These presumptions, as they presently exist, are not based on sound scientific advice. With some I am sure this amendment is not popular, but I thank my colleague from Oklahoma for bringing it to the attention of this body.

Mr. COBURN. Madam President, I thank the Senator from Arizona. We want to make sure any veteran who has a positive causation factor from any aspect that would lead to any disability, that we meet that need. That is not what this is about.

This has been looked at two times by the Institute of Medicine. The first time there was no study—none of the studies they cited showed even positive association. The last time we had two that showed some positive association but absolutely no causation. There is a big difference in science. Something can be associated with something and doesn't mean it causes it. On that basis, the Secretary committed this country to make payments to people for disabilities that are not associated with their service. The point is, in a limited budget going forward, if we are paying for disabilities that are not associated with service, that means we are going to have less money available for those veterans who do have a disability.

We have heard, No. 1, this will reverse all that has come before. It will not. It is prospective only. It will not change the presumption that if someone was in or above Vietnam they have the presumption of being exposed to Agent Orange. That will not change at all. The previous scientific diseases that were based on causation will not be eliminated at all. But, in fact, those that are not associated with causality will be eliminated.

Will they be eliminated in the future? If the science at some point in time shows us that there is a causal relationship between that exposure and disease, then we can do something about it. But now we are throwing money at disabilities that are not associated and not caused by veterans' exposure to this herbicide.

I ask, given where we are in this country and the fact that we are going to have a tough time funding veterans programs in the future anyway, that we ought not spend a dollar on something that is not directly caused by a veteran's exposure to Agent Orange so that we have that dollar to pay for those who truly were exposed and truly have a disability.

I yield back to the Senator from Arizona.

Mr. MCCAIN. I thank the Senator from Oklahoma. I ask him, I have heard anecdotally the eligibility for

disability under the guidelines as issued by the Secretary of the Army—and, by the way, we are talking about \$40-some billion additional of taxpayers' money. I think that should be the subject of legislative action rather than a decision made by the Secretary of Veterans Affairs.

Is it not true that, anecdotally, we have heard that people who were in the Korean war and not the Vietnam war have somehow become eligible? And people who were on ships in the Gulf of Tonkin, not anywhere near Agent Orange, have also been declared eligible?

Mr. COBURN. They are eligible, and there are some reasons for that. But that is not what this debate is about. We are not questioning it. We are just saying on this basis we are not using science how we have used it in every other aspect of veterans' disability. Now we are going beyond science.

When we look at the total number of studies, rarely 3 percent or so show any association, and association does not imply any causation. So we have the Secretary who has made a decision to commit this country to \$42 billion of additional expenditures not based on sound science but the fact that he can do that, and that is what I think is wrong. If the veterans committee thinks there is the science to do that, they should bring a bill to the floor and do that. But the science is not there. I have looked at it. I have read it. It is not there.

The Institute of Medicine says it is not there, and they say disability ought to be based on causation, not on association.

Mr. MCCAIN. Madam President, I yield the floor.

Mr. JOHNSON of South Dakota. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 577, AS MODIFIED

Mrs. BOXER. Madam President, I ask unanimous consent that Boxer amendment No. 577 be modified with the changes that are already at the desk.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment (No. 577), as modified, is as follows:

At the appropriate place, add the following:

SEC. \_\_\_\_ No later than 90 days after enactment of this Act, the Secretary of Defense shall report to the Congressional Defense Committees of the Senate and the House of Representatives on the status and improvement plan for all DODEA schools with an overall condition rating of Q3 (poor) or Q4 (failing) as identified in the October 2009 Report to Congress on Department of Defense

Education Activity's Military Construction Program.

Mrs. BOXER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. I thank the Chair.

AMENDMENT NO. 575

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 575.

The amendment (No. 575) was agreed to.

AMENDMENT NO. 577, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Boxer amendment No. 577, as modified.

The amendment (No. 577), as modified, was agreed to.

AMENDMENT NO. 564

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on the Coburn amendment.

The Senator from Oklahoma.

Mr. COBURN. This is a commonsense amendment that will secure this for veterans and make sure we are not paying for disabilities for those who are not truly service connected, that are not based on science or causation. I know it is a tough vote, but in the environment we face today we ought to be using science to positively connect causality with any disability we grant.

With that, I reserve the remainder of my time.

Mrs. MURRAY. So my colleagues know, there is a reason we have made this type of compensation like Agent Orange presumptive. It is because our military did a miserable job of tracking these exposures, and it is because no veteran will ever be able to go to a map and tell you with certainty where they were exposed. No veteran will tell you what and how much of this poison Agent Orange they inhaled. So we have to look at the facts with reason and compassion, and in this case on the one hand we have the knowledge that we sprayed a known killer throughout the area where a number of these veterans were serving.

We have had thousands of veterans who have come forward and believe their cancers and ailments were caused by that exposure. We have studies that show veterans exposed to Agent Orange are more likely to have heart disease, cancer, and other conditions. We have the Institute of Medicine which has recommended giving these veterans the benefit of the doubt, and we have the Secretary of Veterans Affairs who has decided we need to move forward to provide compensation.

On the other hand, you have an amendment today—while it makes a compelling case for saving money, it hasn't presented any evidence at all that Agent Orange did not cause the conditions faced by these Vietnam veterans coming forward. An amendment that asks our veterans to wait longer? That is something they have already done too much of. They have been waiting and getting sicker. They have been dying for 40 years or more. We should not ask them to wait longer.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. MURRAY. I thank the Chair. I urge my colleagues to vote to table this amendment. And if the Senator wants to finish his remarks, I will move to table when he is finished.

Mr. COBURN. I wish to make one point. The Institute of Medicine did not recommend this. As a matter of fact, their recommendation was that causality ought to be the only way in which we would do this.

I would ask for the yeas and nays on the amendment.

Mrs. MURRAY. Madam President, I move to table the amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER (Mr. WHITEHOUSE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 30, as follows:

[Rollcall Vote No. 114 Leg.]

YEAS—69

Akaka	Hagan	Murkowski
Ayotte	Harkin	Murray
Baucus	Heller	Nelson (NE)
Begich	Hoeven	Nelson (FL)
Bennet	Inhofe	Pryor
Bingaman	Inouye	Reed
Blumenthal	Isakson	Reid
Boxer	Johanns	Roberts
Brown (MA)	Johnson (SD)	Rockefeller
Brown (OH)	Kerry	Rubio
Burr	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Snowe
Casey	Leahy	Stabenow
Collins	Levin	Tester
Conrad	Lieberman	Thune
Coons	Manchin	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Webb
Gillibrand	Mikulski	Whitehouse
Grassley	Moran	Wyden

NAYS—30

Alexander	Cornyn	Kirk
Barrasso	Crapo	Kyl
Blunt	DeMint	Lee
Chambliss	Enzi	Lugar
Coats	Graham	McCain
Coburn	Hatch	McConnell
Cochran	Hutchison	Paul
Corker	Johnson (WI)	Portman

Risch Sessions Shelby Toomey Vitter Wicker

NOT VOTING—1

Boozman

The motion was agreed to.

Mr. DURBIN. Mr. President, I rise to express my support for the fiscal year 2012 Military Construction and Veterans Affairs appropriations bill.

As a nation we are dedicated to taking care of our troops, those same troops who deploy into harm's way regardless of whether we are able to come to an agreement on our debt ceiling.

We are also dedicated to upholding our commitment to our veterans who have fought past wars and did so because they believed in this country and the freedoms we all enjoy today.

This bill passed the Appropriations Committee unanimously on June 30, and I'm pleased the Senate moved quickly to bring this measure to the floor for debate.

Our Nation has been at war for almost a decade. We are involved in three wars. In support of our troops on the front lines, we need to make sure they have the infrastructure they need to train and the family housing facilities they deserve.

The bill includes \$11.1 billion for military construction worldwide to provide for barracks, readiness centers, schools, hospitals and clinics.

In particular, it provides the entire requested amount, \$1.2 billion, for reservist construction projects.

Several of these projects from the President's budget are in Illinois, totaling some \$146 million. The bill provides for Army Reserve centers in Homewood and Rockford, IL. It also provides for an Army National Guard Readiness Center in Normal, IL, as well as renovations to the Great Lakes Naval Station.

The bill provides funding for necessary projects like these all across the country.

Without them, our Guard and Reserve would struggle to maintain the training and preparations necessary in a time of war.

The bill also keeps our commitment to our veterans, some of whose lives have changed forever as a result of their service.

We are all committed to providing our veterans with the care, services and facilities they deserve, even in tough budget years.

As such, the bill provides VA medical research at \$72 million above the budget request for mental health, traumatic brain injury, spinal cord injury, burns and sensory loss.

These are key areas for a cohort of veterans who are surviving in larger numbers than previous wars due to improved medical care.

To take one example: Our men and women on the front lines are increasingly suffering brain injuries from improvised explosive device, IED, blasts.

While we have advanced our understanding of how traumatic brain injury, TBI, affects the brain, there is still a lot more to learn through this research.

This funding will also continue work with prosthetics. Walter Reed Army Medical Center has done amazing work with providing prosthetics that even help return some servicemembers to their pre-injury jobs in the military.

Many use their new prosthetics and relearn how to not only take care of themselves, but also ski, ride a bike, and even fish. Without this funding our troops and veterans would not have access to the amazing medical advances which make these activities possible.

Another key area of this bill fully funds the information technology infrastructure at the VA. This will allow the agency to continue developing and improving electronic health records, paperless claims systems, and implementing the seamless integration between the DOD and the VA.

These systems should help address the claims backlog—a problem our veterans deserve to have addressed.

Yes, the VA has expanded eligibility to include those exposed to Agent Orange, a policy long time coming. Yes, there are large numbers of OEF and OIF veterans submitting claims, an unfortunate state of events.

But not one of these veterans deserves to wait for months and years for a response to their disability claim. We can do better. And we must do better.

And for our veterans who have been severely injured as a result of their service and now require full-time care, the VA has already begun accepting applications for the Caregivers Program. Over 1,100 applications have been received nationwide by the end of last month.

I am proud to have helped create this program as part of the Caregiver and Veterans Omnibus Health Services Act of 2009.

The Caregiver Program helps keep the promise our country has made to our veterans by providing comfortable and dignified home care by a family member for post-9/11 veterans.

I have met several of these veterans and their caregivers in Illinois. It has been a long and winding road, but we are finally going in the right direction and supporting those families whose servicemember was severely injured.

This bill provides 100 percent of the President's request, \$208 million, for implementation of the Caregivers Program, and our veterans and their families are depending on the passage of this bill.

Americans are counting on us to pass bills and legislate. Our servicemembers are counting on us to fund their needs so they can get on with the business of keeping us safe. And our veterans are expecting us to honor our commitment and honor their service by paying for

the care and services they have so rightly earned.

Senator JOHNSON and Senator KIRK, the managers of this bill, have put a great deal of effort into creating a spending bill that is fiscally responsible without sacrificing the needs of our men and women in uniform. I look forward to the conclusion of debate on this bill and moving to final passage.

Mr. WARNER. Mr. President, I call to the attention of my colleagues two amendments that Senator WEBB and I have filed to the Military Construction and Veterans Affairs, and Related Agencies Appropriations Act for 2012.

Each of these amendments relates to the Navy's proposal to build a new nuclear pier facility to support east coast aircraft carriers. With annual recurring costs, this new project would likely cost just shy of a billion dollars.

At a time when our Nation is in a severe fiscal crisis and the Navy cannot pay to maintain the infrastructure it currently owns. As Admiral Mullen has said, the greatest challenge to our national security is our mounting debt.

Together, these amendments would save nearly \$15 million for an unnecessary Navy military construction project at Naval Station Mayport, FL. We are awaiting completion of an independent GAO assessment of the strategic risks to our carrier fleet which include manmade and natural disasters. It would also consider the cost and benefits of what other measures we can take to mitigate risk.

This is not a small project, the Navy estimates its homeporting plan will cost nearly \$600 million, but that cost could escalate to up to \$1 billion during the eight years ahead. Tack on to that more than \$20 million in annual maintenance costs currently estimated for an additional homeport and we are signing the taxpayer up for a big bill, much of which is not funded. It is in the "outyears" as they say.

The justification for a new homeport is the mitigation of the risk of a terrorist attack, accident, or natural disaster occurring at the nuclear handling facility at the existing carrier homeport at Norfolk, VA.

However, the current Navy plan fails to take into account the two additional east coast carrier capable facilities at Newport News, VA, and the Naval Shipyard. Each of these facilities maintains separate nuclear handling sites located many miles apart. If there were damage to the existing Naval base, the Navy could simply disperse the carriers to other piers. That is a lot cheaper and more efficient than building a new, duplicative facility.

Additionally, recent Navy briefings indicate there is a 50-percent greater chance of a major hurricane hitting Mayport than Norfolk. Why would we want to build a new facility at a higher risk location?

The Navy has also identified unfunded priorities totaling \$11.8 billion

between fiscal year 2008 and fiscal year 2012. These priorities are in critical areas including shipbuilding, military construction, maintenance, and acquisition programs—programs which are critical to both our current and future readiness.

We must maintain our existing infrastructure properly before pursuing a duplicative homeporting project. It is more fiscally responsible for the Navy to reduce its current unfunded requirements, which total tens of billions of dollars.

With our serious fiscal reality, it is much more responsible to focus on taking care of the infrastructure we have then embarking on buying new infrastructure which we cannot afford and piles more money onto our national debt.

The PRESIDING OFFICER. The substitute amendment, as amended, is agreed to.

The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I would like to yield to Senator KIRK for any final remarks he may have.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I remind Members, we are now moving to final passage on our first appropriations bill of this Congress. It has been 2 years since the Senate has passed a separate freestanding appropriations bill, but this is a bipartisan measure. It is marked to the House budget level, the Paul Ryan budget. We made difficult decisions cutting 24 separate military construction programs. We denied the Court of Appeals for Veterans Claims a new building. We came in below the President, about \$1.2 billion below the President; \$620 million below last year, and even \$2.6 million below the House-passed bill.

This is the bill that takes care of over 22 million veterans and our military construction needs. I thank Chairman JOHNSON for his work as we get the Appropriations Committee going again in a bipartisan way.

With that, I yield back to the chairman.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, shortly we will be voting on final passage of the MILCON-VA appropriations bill. I would like to thank Leaders REID and MCCONNELL and Chairman INOUE and Vice Chairman COCHRAN for their leadership and support in getting us to this point.

I would especially like to thank my ranking member, Senator KIRK, for his

cooperation and support in crafting this bill and steering it through the Senate. I am confident we would not be where we are today without his help and hard work on this bill.

I also thank my colleagues for helping us to move this bill forward by rejecting dilatory amendments and by showing restraint in offering amendments to this bill. A number of Senators have filed amendments that are very important to them but are also controversial or not relevant to the bill. I appreciate their willingness to postpone debate on some of these issues so as not to bog down this bill.

For example, I know Senators WEBB and WARNER feel very strongly about their amendments regarding the homeporting of a Navy carrier on the east coast, and I know the Florida Senators have equally strong feelings on this subject. I understand the Defense authorization bill includes a provision mandating a GAO report on this issue, and I appreciate the willingness of both delegations to postpone the debate on the carrier issue so we can focus on timely passage of this appropriations bill.

Mr. President, I also thank the subcommittee staff who do the heavy lifting in the drafting and managing of the bill on the Senate floor.

As I have said many times, this is a good bill. It is bipartisan, and it is responsible. I urge all of my colleagues to support it.

Mr. KIRK. If the Senator would yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. KIRK. I also thank Dave Schiappa, Laura Dove, and Ashley Messick on the Senate floor for guiding this bill through; Chairman INOUE and especially his staff director, Charlie Houy; Vice Chairman COCHRAN and his staff director, Bruce Evans.

I thank Chairman JOHNSON and especially Tina Evans, Chad Schulken, Andy Vanlandingham, Dennis Balkham, D'Ann Lettieri, and Patrick Magnuson who have brought this first appropriations bill of this Congress through.

With that, I yield the floor.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. JOHNSON of South Dakota. I ask for the yeas and nays on passage of the bill.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 115 Leg.]

YEAS—97

Akaka	Grassley	Murkowski
Alexander	Hagan	Murray
Ayotte	Harkin	Nelson (NE)
Barrasso	Hatch	Nelson (FL)
Baucus	Heller	Paul
Begich	Hoeven	Portman
Bennet	Hutchison	Pryor
Bingaman	Inhofe	Reed
Blumenthal	Inouye	Reid
Blunt	Isakson	Risch
Boxer	Johnson	Roberts
Brown (MA)	Johnson (SD)	Rockefeller
Brown (OH)	Johnson (WI)	Rubio
Burr	Kerry	Sanders
Cantwell	Kirk	Schumer
Cardin	Klobuchar	Sessions
Carper	Kohl	Shaheen
Casey	Kyl	Shelby
Chambliss	Landrieu	Snowe
Coats	Lautenberg	Stabenow
Cochran	Leahy	Tester
Collins	Lee	Thune
Conrad	Levin	Toomey
Coons	Lieberman	Udall (CO)
Cornyn	Lugar	Udall (NM)
Crapo	Manchin	Vitter
DeMint	McCain	Warner
Durbin	McCaskill	Webb
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Franken	Merkeley	Wyden
Gillibrand	Mikulski	
Graham	Moran	

NAYS—2

Coburn

Corker

NOT VOTING—1

Boozman

The bill (H.R. 2055), as amended, was passed, as follows:

H.R. 2055

*Resolved*, That the bill from the House of Representatives (H.R. 2055) entitled "An Act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, namely:*

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$3,066,891,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$255,241,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

*For acquisition, construction, installation, and equipment of temporary or permanent pub-*

*lic works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$2,187,622,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$84,362,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

MILITARY CONSTRUCTION, AIR FORCE

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,227,058,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$81,913,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

*For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$3,380,917,000, to remain available until September 30, 2016: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed \$439,602,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount appropriated, notwithstanding any other provision of law, \$24,118,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.*

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

*For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$773,592,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$20,671,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both*



Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR NATIONAL GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$116,246,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$9,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, ARMY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$280,549,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$28,924,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, NAVY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$26,299,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$2,591,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR FORCE RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$33,620,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$2,200,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**NORTH ATLANTIC TREATY ORGANIZATION  
SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States

Code, and Military Construction Authorization Acts, \$272,611,000, to remain available until expended.

**FAMILY HOUSING CONSTRUCTION, ARMY**

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$186,897,000, to remain available until September 30, 2016.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
ARMY**

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$494,858,000.

**FAMILY HOUSING CONSTRUCTION, NAVY AND  
MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$100,972,000, to remain available until September 30, 2016.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$367,863,000.

**FAMILY HOUSING CONSTRUCTION, AIR FORCE**

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$84,804,000, to remain available until September 30, 2016.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
AIR FORCE**

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$404,761,000.

**FAMILY HOUSING OPERATION AND MAINTENANCE,  
DEFENSE-WIDE**

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$50,723,000.

**DEPARTMENT OF DEFENSE FAMILY HOUSING  
IMPROVEMENT FUND**

For the Department of Defense Family Housing Improvement Fund, \$2,184,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

**HOMEOWNERS ASSISTANCE FUND**

For the Homeowners Assistance Fund established by section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, (42 U.S.C. 3374), as amended by section 1001 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 194), \$1,284,000, to remain available until expended.

**CHEMICAL DEMILITARIZATION CONSTRUCTION,  
DEFENSE-WIDE**

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the

destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$75,312,000, to remain available until September 30, 2016, which shall be only for the Assembled Chemical Weapons Alternatives program.

**DEPARTMENT OF DEFENSE BASE CLOSURE  
ACCOUNT 1990**

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$323,543,000, to remain available until expended.

**DEPARTMENT OF DEFENSE BASE CLOSURE  
ACCOUNT 2005**

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$258,776,000, to remain available until expended: Provided, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or \$2,000,000, whichever is less: Provided further, That the previous proviso shall not apply to projects costing less than \$5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

**ADMINISTRATIVE PROVISIONS**

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except:

- (1) where there is a determination of value by a Federal court;
- (2) purchases negotiated by the Attorney General or the designee of the Attorney General;
- (3) where the estimated value is less than \$25,000; or
- (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to:

- (1) acquire land;
- (2) provide for site preparation; or
- (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base



or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project:

(1) are obligated from funds available for military construction projects; and

(2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883, of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to:

(1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or

(2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 120. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the

Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 122. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 123. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 124. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 125. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 126. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 127. (a) CLOSURE OF UMATILLA ARMY CHEMICAL DEPOT, OREGON.—The closure of the Umatilla Army Chemical Depot, Oregon, and subsequent management and property disposal, may be carried out in accordance with procedures and authorities contained in the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

(b) RETENTION OF PROPERTY AND FACILITIES.—The Secretary of the Army may retain minimum essential ranges, facilities, and training areas at Umatilla Army Chemical Depot, totaling approximately 7,500 acres, as a training enclave for the reserve components of the Armed Forces to permit the conduct of individual and annual training.

(c) OFFICE OF ECONOMIC ADJUSTMENT ACTIVITIES.—Notwithstanding any other provision of law, the Office of Economic Adjustment Activities of the Department of Defense may make grants and supplement other Federal funds, using funds made available by title, in connection with the closure and management and disposal provided for in this section, and the projects so supported shall be considered to be authorized by law.

SEC. 128. None of the funds appropriated or otherwise made available by this title may be obligated or expended for a permanent United States Africa Command headquarters outside of the United States until the Secretary of Defense provides the congressional defense committees an analysis of all military construction costs associated with establishing a permanent location overseas versus in the United States.

SEC. 129. None of the funds appropriated or otherwise made available by this title may be obligated or expended on a military construction project at Grafenwohr, Germany, or Baumholder, Germany, until the Secretary of the Army submits to Congress, in writing, a report on installations and properties in Germany that the Army intends to return to the host nation, including—

(1) intended timelines for closures along with the list of military construction projects required at other installations to facilitate the downsizing and consolidation of Army forces in Germany;

(2) an identification of the brigade combat team that will be withdrawn from Germany; and

(3) an estimate of costs (including operation and maintenance costs and military construction costs) to be incurred during fiscal years 2012 through 2015 in connection with keeping the brigade identified in Germany through Sep-

tember 30, 2015 versus stationing a similar brigade in the United States.

SEC. 130. No later than 90 days after enactment of this Act, the Secretary of Defense shall report to the congressional defense committees of the Senate and the House of Representatives on the status and improvement plan for all DODEA schools with an overall condition rating of Q3 (poor) or Q4 (failing) as identified in the October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program.

## TITLE II

## DEPARTMENT OF VETERANS AFFAIRS

## VETERANS BENEFITS ADMINISTRATION

## COMPENSATION AND PENSIONS

## (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$58,067,319,000, to remain available until expended: Provided, That not to exceed \$32,187,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses, Veterans Benefits Administration", "Medical support and compliance", and "Information technology systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

## READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 51, 53, 55, and 61 of title 38, United States Code, \$11,011,086,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

## VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapters 19 and 21, \$100,252,000, to remain available until expended.

## VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That dur-

ing fiscal year 2012, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$154,698,000.

## VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$19,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,019,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$343,000, which may be paid to the appropriation for "General operating expenses, Veterans Benefits Administration".

## NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,116,000.

## VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, food services, and salaries and expenses of health care employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, and loan repayments authorized by section 604 of Public Law 111-163; \$41,354,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013: Provided, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

## MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code,

and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); \$5,746,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013.

#### MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$5,441,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013.

#### MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$581,000,000, plus reimbursements, shall remain available until September 30, 2013.

#### NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$250,934,000, of which not to exceed \$25,100,000 shall remain available until September 30, 2013.

#### DEPARTMENTAL ADMINISTRATION

##### GENERAL ADMINISTRATION

##### (INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$431,257,000, of which not to exceed \$21,562,000 shall remain available until September 30, 2013: Provided, That \$15,000,000 shall be to increase the Department's acquisition workforce capacity and capabilities and may be transferred by the Secretary to any other account in the Department to carry out the purposes provided therein: Provided further, That funds provided under this heading may be transferred to "General operating expenses, Veterans Benefits Administration".

#### GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,018,764,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to

enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That of the funds made available under this heading, not to exceed \$105,000,000 shall remain available until September 20, 2013: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase (on a one-for-one replacement basis only) up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

#### INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$3,161,376,000, plus reimbursements: Provided, That \$915,000,000 shall be for pay and associated costs, of which not to exceed \$25,000,000 shall remain available until September 30, 2013: Provided further, That \$1,709,953,000 shall be for operations and maintenance as designated in the President's 2012 budget justification, of which not to exceed \$110,000,000 shall remain available until September 30, 2013: Provided further, That \$536,423,000 shall be for information technology systems development, modernization, and enhancement as designated in the President's 2012 budget justification, and shall remain available until September 30, 2013: Provided further, That none of the funds made available under this heading may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that:

(1) meets the capital planning and investment control review requirements established by the Office of Management and Budget;

(2) complies with the Department of Veterans Affairs enterprise architecture;

(3) conforms with an established enterprise life cycle methodology; and

(4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects and in the amounts, specified under this heading in the report accompanying this Act.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information tech-

nology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$112,391,000, of which \$6,600,000 shall remain available until September 30, 2013.

#### CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$589,604,000, to remain available until expended, of which \$5,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds made available under this heading for fiscal year 2012, for each approved project shall be obligated:

(1) by the awarding of a construction documents contract by September 30, 2012; and

(2) by the awarding of a construction contract by September 30, 2013: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

#### CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$550,091,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal

to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for:

(1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and

(2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$85,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal governments in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS  
(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2012 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2012, in this Act or any other Act, under the "Medical services", "Medical support and compliance", and "Medical facilities" accounts may be transferred among the accounts: Provided, That any transfers between the "Medical services" and "Medical support and compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers between the "Medical services" and "Medical support and compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of

any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2011.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2012, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General operating expenses, Veterans Benefits Administration" and "Information technology systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2012 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2012 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not exceed \$42,904,000 for the Office of Resolution Management and \$3,360,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That

payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General administration" and "Information technology systems" accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than \$1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 214. Amounts made available under "Medical services" are available—

- (1) for furnishing recreational facilities, supplies, and equipment; and
- (2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)-(4) and (7)-(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native

Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the Municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical services", "Medical support and compliance", "Medical facilities", "General operating expenses, Veterans Benefits Administration", "General administration", and "National cemetery administration" accounts for fiscal year 2012, may be transferred to or from the "Information technology systems" account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Amounts made available for the "Information technology systems" account for development, modernization, and enhancement may be transferred between projects or to newly defined projects: Provided, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 222. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with—

(1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or

(2) section 8110(a)(5) of title 38, United States Code.

SEC. 223. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2012, in this Act or any other Act, under the "Medical facilities" account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: Provided, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2011 for "Medical services", "Medical support and compliance", "Medical facilities", "Construction, minor projects", and "Information technology systems", up to \$241,666,000, plus reimbursements, may be transferred to the Joint

Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available:

(1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and

(2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 226. Of the amounts available in this title for "Medical services", "Medical support and compliance", and "Medical facilities", a minimum of \$15,000,000, shall be transferred to the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSION OF FUNDS)

SEC. 227. (a) Of the funds appropriated in title X of division B of Public Law 112-10, the following amounts which will become available on October 1, 2011, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical services", \$1,400,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$100,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified, to become available on October 1, 2011, and to remain available until September 30, 2013:

(1) "Department of Veterans Affairs, Medical services", \$1,400,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$100,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

SEC. 228. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That

the Secretary shall notify the committees 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 229. The scope of work for a project included in "Construction, major projects" may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 230. (a) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in coordination with the Defense Advanced Research Projects Agency (DARPA), shall submit to the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Armed Services of the Senate and the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Armed Services of the House of Representatives a report, in writing, on the plans of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics.

(b) The report required by subsection (a) shall include the following:

(1) Details of the strategic plan and timetable of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics

(2) A description of the challenges, both technical and administrative, that could delay injured members of the Armed Forces and veterans access to prosthetics described in paragraph (1).

(3) The plans of the Secretary to address these challenges described under paragraph (2).

#### TITLE III

##### RELATED AGENCIES

##### AMERICAN BATTLE MONUMENTS COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$61,100,000, to remain available until expended.

##### FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

##### UNITED STATES COURT OF APPEALS FOR

##### VETERANS CLAIMS

##### SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$30,770,000: Provided, That \$2,726,323 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.

##### DEPARTMENT OF DEFENSE—CIVIL

##### CEMETERIAL EXPENSES, ARMY

##### SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including

the purchase of two passenger motor vehicles for replacement only, and not to exceed \$1,000 for official reception and representation expenses, \$45,800,000, to remain available until expended: Provided, That none of the funds available under this heading shall be for construction of a perimeter wall at Arlington National Cemetery. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

Funds appropriated under this Act may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery making additional land available for ground burials.

ARMED FORCES RETIREMENT HOME  
TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$67,700,000, of which \$2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

SEC. 301. Not later than 90 days after enactment of this Act, the Executive Director of Arlington National Cemetery shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives; the Senate Armed Services Committee; the Senate Veterans' Affairs Committee; and the Senate Homeland Security and Governmental Affairs Committee, detailing the strategic plan and timetable to modernize the Cemetery's Information Technology system, including electronic burial records. The report should also include a description of the steps taken by the Executive Director in 2011 to implement information technology and management systems improvements, and identify any remaining information technology and systems infrastructure needs of Arlington National Cemetery.

TITLE IV  
GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Such sums as may be necessary for fiscal year 2012 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 408. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or  
(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 409. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

This Act may be cited as the "Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2012".

The PRESIDING OFFICER. The Senate insists on its amendment, requests a conference with the House on the disagreeing votes of the two Houses, and the Chair appoints:

Mr. JOHNSON of South Dakota, Mr. INOUE, Ms. LANDRIEU, Mrs. MURRAY, Mr. REED of Rhode Island, Mr. NELSON of Nebraska, Mr. PRYOR, Mr. TESTER, Mr. LEAHY, Mr. KIRK, Mrs. HUTCHISON, Mr. MCCONNELL, Ms. MURKOWSKI, Mr. BLUNT, Mr. HOEVEN, Mr. COATS, and Mr. COCHRAN, conferees on the part of the Senate.

The majority leader is recognized.

Mr. REID. Mr. President, I express my appreciation to the chairman and the ranking member of the subcommittee for the work they have done on this bill. It took a little longer than we wanted, but they got it done. They have been excellent managers of this important legislation. It is our first appropriations bill. Senator MCCONNELL and I want to do other appropriations bills. It would be a new day to do these bills rather than having a big omnibus bill. Again, I express my appreciation to the managers.

There will be no more rollcall votes today. Tomorrow, I am going to move

to proceed to the bill that we call the Cut, Cap, and Balance bill received from the House today. Under the rules of the Senate, a cloture vote on the motion to proceed will occur Saturday. Therefore, I expect a cloture vote sometime before lunchtime.

I am committed to allowing a full and fair debate on this bill. I want the proponents and the opponents to have plenty of time to air their views. If the proponents of the bill would like to have the vote sooner, they can let me know and we will try to work something out. There may be efforts to try to advance that vote. As far as I am concerned, we should have a full and fair debate, and I look forward to that.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. MCCONNELL. Mr. President, let me echo the remarks of the majority leader regarding the chairman and the ranking members of this subcommittee, who have done a fine job. I commend Senator KIRK, who has served around here for the last couple of years. It is truly remarkable to pass an appropriations bill. We passed it at a level where it is likely to be conferred successfully with the House. I congratulate both Senators—in particular our new Senator from Illinois.

I also share the view of the majority leader that we should have a vigorous debate over cut, cap, and balance. I look forward to being here Saturday to vote to proceed to that bill.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KIRK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILCON APPROPRIATIONS

Mr. KIRK. Mr. President, I extend my thanks to Chairman JOHNSON



again. This bill passed by a vote of 97 to 2. It is the first appropriations bill separately passed by the Senate since November of 2009. It represents a substantial achievement of bipartisan cooperation between the majority and minority. It meets the needs of our over 22 million veterans and the military construction needs of the Army, Navy, Air Force, and allied services around the world.

I am happy that the Senate has begun working again on separate appropriations bills. I commend Chairman INOUE and Vice Chairman COCHRAN for moving forward, as well as the leadership staff. I only hope that further subcommittees can bring other bills forward, as Chairman JOHNSON and I have done, to return regular order to the Senate and its appropriations process.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I ask unanimous consent to engage in a colloquy with the Senator from New Hampshire.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BALANCED BUDGET AMENDMENT

Mr. THUNE. I have been coming to the floor for several weeks to talk about the need to restrain spending and cut our deficit. As we look at the next few days, we are going to have an opportunity to debate something that does that. We are going to be talking about the Cut, Cap, and Balance plan.

The third part of the plan—the balanced budget amendment—is something I have supported since I first ran for the House of Representatives about 15 years ago. This past week, I received a letter from a Boy Scout in South Dakota, who was writing in to earn a merit badge. I will read an excerpt from the letter. This is what he said:

I feel that the Federal Government needs a balanced budget. If we don't, the debt gets larger each year. I feel that there are two solutions for this. In our house, we are careful to only spend what my Mom and Dad earn. The needs come first and what is left is for wants. Many times we were told no when we asked for something. With my allowance and lawn mowing money, I divide it between donations, savings and spending. I can't spend more than I make.

I think there are two very powerful thoughts in this statement. First is that the need for a balanced budget is obvious—even to this young man because, like him, we cannot spend more than we make. The second is that this

has a profound impact on the younger generation. The debts we are running up now will have profound impacts on our children and our grandchildren.

The Senator from New Hampshire is on the floor. She is fairly new to the Senate, but she has already had an immediate impact on many of these budget debates. She is also the mother of two young children, each of whom is carrying a \$46,000 debt. I ask the Senator from New Hampshire about those two young children and the \$46,000 burden that has been placed on them by the \$14.3 trillion national debt we have. Does she feel comfortable having her children essentially owe \$46,000 of this massive national debt we have accumulated now for the past several years?

Ms. AYOTTE. I thank my colleague from South Dakota. This is such an important issue, as he has pointed out, and as his constituent has written him.

As a mother of two children, I am deeply concerned with what is going to happen to the next generation if we continue to kick this can down the road and if we don't use common sense to balance our budget.

I have heard from constituents in New Hampshire—and I am sure the Senator from South Dakota hears the same—that basically only in Washington would the notion of balancing your budget be called “extreme.”

It is common sense that you can't spend more money than you have. We need to pass the Cut, Cap, and Balance plan, because it is a commonsense proposal to ensure that we don't continue along this cycle of continuing to increase our debt and not have a plan to pay our bills.

And borrowing money from China—that has to stop. When you think about all the money we have borrowed from a country such as China, which doesn't share our values—right now, there is no other plan that has been presented but the Cut, Cap, and Balance plan, which was just passed by the House. We can do this now and put our nation on a path to a balanced budget and make sure that the Senator's constituents—and I know he is a father as well—and our children don't bear the burden of our failure to make the tough decisions today. We owe it not only to everybody in our generation but to our children and our grandchildren.

I wanted to ask the Senator from South Dakota this: The cut, cap, and balance plan puts emphasis on cutting spending instead of raising taxes to bring down our deficit and our \$14 trillion debt. Does he believe that is the right approach for America?

Mr. THUNE. Absolutely. I say to my colleague from New Hampshire that the cut, cap, and balance approach is the correct way to approach this problem, because it makes cuts to spending today—real cuts—this year, to this year's budget. It caps spending in the near term, and then it puts into place

a balanced budget amendment that would require Congress to balance its budget in the future years. Obviously, that is something many States have. My State of South Dakota has that. I know that the “live free or die” State of New Hampshire has some very distinct and direct views about the role of government and making its role limited, keeping spending under control, and living within your means.

Cut, cap, and balance is the correct approach because it puts the emphasis on getting spending under control. If you look at the five times our country balanced the budget since 1969, the average amount we spent was just under 18.7 percent of GDP—our entire economy. This year, we are set to spend 24.3 percent of our GDP. That is just on the Federal Government—a historic high.

The President spends substantially above this average in his budget for every year. You literally have to go back to the end of World War II to find a time when we spent this amount as a percentage of GDP on the Federal Government.

Part of the reason for this is the huge increase we have seen in nondefense discretionary spending from 2008 to 2010. In those 2 years, in which the economy was hurting and families everywhere were cutting back, these accounts increased by a mind-boggling 24 percent.

This year, part of our deficit is also caused by low tax receipts, which are caused by a slow economic recovery. If you look at the tax revenue that we brought in in 2006 and 2007, we brought in over 18 percent of GDP in both years. So if we are able to constrain spending, we know we will be able to balance our budget once our economy improves.

I argue that one of the ways we help our economy improve and get back on track is to get Federal spending under control. In 2006 and 2007, the income Tax Code—the way we collected taxes was similar to what we have today. We brought in over 18 percent of GDP in both of those years. So if we get back to a more normal footing in terms of the economy, we will see revenues start to come back. But we have to get spending controlled and actually start to rein in the out-of-control spending we are seeing here in Washington, DC.

If there is still a gap, even if we get back to 18 percent of GDP in terms of what we collect in the form of tax receipts, there is still 23, 24, 25 percent of GDP that the President wants to be comprised of Federal spending. The gap cannot be met through tax increases. It has to be dealt with through spending restraint.

A couple of years ago—and I want to get back to my colleague from New Hampshire in just a moment—Senator AYOTTE's predecessor in this job, Senator Gregg of New Hampshire, who was a great fiscal mind around here and



somebody who was very focused on spending and debt, along with Congressman RYAN, asked the Congressional Budget Office to estimate how high tax rates would have to rise to pay for our projected spending. CBO's response had two parts. First, they said marginal rates would have to more than double to cover the expected expenditures of our government. They said:

The tax rate for the lowest tax bracket would have to be increased from 10 percent to 25 percent. The tax rate on incomes in the current 25 percent bracket would have to be increased to 63 percent. And the tax rate at the highest bracket would have to be raised from 35 percent to 88 percent. The top corporate income tax rate would also increase from 35 percent to 88 percent.

That is a quote from the Congressional Budget Office in response to an inquiry from Senator Gregg and Congressman RYAN about what the tax rates would have to be in order to get our budget back into balance.

CBO also said that, practically speaking, this is impossible; you cannot increase tax rates and create this huge disincentive that would have a profound impact on our economy and our ability to create jobs.

So we know that amount of revenue would never be collected when you raise tax rates that high. We know the real way to deal with the budget and to get the budget balanced and under control in this country is to get spending under control. So I think the cut, cap, and balance approach is the correct way in which to proceed because it puts that focus on spending. We need to make sure to constrain spending and live within our means. The cut, cap, and balance approach does that.

By the way, I would like to make one observation about that because there are people who have said the balanced budget amendment that has been proposed by Republicans is too Draconian and won't work. The cut, cap, and balance plan doesn't specify or prescribe a specific balanced budget amendment; it just says a balanced budget amendment.

I think my colleagues on this side would be more than happy to work with our colleagues on the other side to come up with a balanced budget amendment that actually would work to ensure we don't spend more than we take in each and every year, which is what almost every State in the country has in its constitution. That is why they are able to live within their means.

I would say to my colleague from New Hampshire, I am told she recently held a townhall meeting back in New Hampshire, and I am interested in knowing what her constituents had to say because I think New Hampshire has always been a good barometer when it comes to fiscal issues. What did they think about the crisis we are facing? Do they believe the way we ought to

deal with this would be to constrain spending and to get our budget balanced in that way, as opposed to moving toward raising taxes, which is what many of our colleagues on the Democratic side and the President have suggested doing?

Ms. AYOTTE. I thank my colleague. What I have heard from my constituents in New Hampshire—and we do have a requirement to balance our budget, and it is not easy to make those tough choices—is that they do not understand why in Washington there is controversy over the notion of balancing the budget because at home people are balancing their budgets. Families balance their budgets, and businesses balance their budgets.

I meet with businesspeople, and they look at me in disbelief and say: I don't understand why in Washington they don't look at what they have to spend and then stick within a strict budget. It really comes down to common sense.

One of the biggest issues I have heard about from my constituents is that they are concerned that it has been over 2 years—over 800 days—since the Democrat-controlled Senate last passed a budget. The notion that we have been operating without a budget and running well over trillion-dollar deficits and haven't sat down and done the hard work of rolling up our sleeves, allowing the Budget Committee to do its work, astounds New Hampshire citizens because they understand that if we don't have a basic spending blueprint for our country, the end result is that we are going to continue to run up deficits and spend money we don't have, borrowing from countries such as China, which doesn't share our values.

One of the things that is very important about this cut, cap, and balance plan is that it cuts \$111 billion in fiscal year 2012 and it places firm caps on future spending, contingent upon the House and Senate passing a balanced budget amendment, which is so important.

As we have talked about, let's let the States decide. Really, this is about sending it to the people of this country and allowing them to say whether we should balance our budget. I know what the answer will be in New Hampshire. They will say: Yes, please, balance the budget.

If you look at where we are, as Senator THUNE has mentioned, with respect to spending in terms of the size of our economy, we are over 24 percent of our GDP that we are spending right now—well above our historical level, well above the amount of money we are bringing in. Yet the only fiscal plan the President brought forward would massively increase our debt over the next decade, so much so that not even one Member of his own party in the Senate voted for that budget.

So when we talk about a real plan to get America back on track, this cut,

cap, and balance plan has a very commonsense approach. We will cut spending right away, put together a responsible fiscal plan for America, and then make sure we have those caps in place so we don't continue to spend close to 24, 25 percent of our GDP. I mean, the President has increased our debt 35 percent since he has been in office.

Finally, let's put to the States the question of whether they think it makes sense to balance our budget. I think we know what the answer will be. They will say: Yes, please balance your budget, as we have to do at home, as we do in State government.

The other issue we are facing right now is, of course, what the rating agencies have said about our failure to handle this fiscal crisis. We have heard about the concerns that if we do not come up with a credible plan that really cuts spending right now, our credit ratings will be threatened. That will further impact our economy, and that is why we can't continue to put off the tough decisions. This cut, cap, and balance plan will put forward \$6 trillion of cuts over the next decade. That will help make sure we preserve our credit ratings for this country. It will make sure we focus on real economic growth that get people back to work.

If we raise taxes the way CBO has suggested based on the questions from Senator Gregg and Congressman RYAN, we know that is going to hurt the American taxpayer. It is going to hurt job creators in this country.

I also happen to come from a small business family. I know the impact of raising taxes in the way that was described. If we have to raise taxes to address the spending problem we have in Washington, it is going to hurt our small businesses—those who create the jobs in this country—and that is the last thing we should be doing when we have over a 9-percent unemployment rate.

So I hope my colleagues will pass the cut, cap, and balance plan right away. The House has passed it, and we can raise the debt ceiling with a responsible plan to cut spending right away, impose spending caps, and send a balanced budget amendment to the States.

I would ask my colleague from South Dakota, when the Senator was first elected, before he served in the Senate, I know he had a career in the House of Representatives and served the people of South Dakota there. There was a vote on the balanced budget amendment at the time in the Senate, and it only failed by one vote. What does the Senator believe our current fiscal situation would be had the balanced budget amendment passed the Senate at that time?

Mr. THUNE. What is remarkable about that is when I first got here, there was a vote in the Senate in 1997. We didn't have the opportunity to vote

on it in the House of Representatives, although I think we could have passed it with a two-thirds majority there at the time. It failed in the Senate by one vote. It got 66 votes in the Senate and it needed 67.

I can't help but think how different things would be today had we passed the balance budget amendment then and sent it to the States. I presume, as does the Senator—and New Hampshire is not unlike South Dakota—that we would certainly have ratified it. The 38 States would have ratified it, and it would have put us on a path that is fiscally sustainable. Ironically, at that time the debt was about \$5 trillion. We are talking about \$14 trillion today. Back then, it was \$5 trillion. So that is a \$9 trillion increase. If we had passed a balanced budget amendment, we wouldn't have run up this debt.

Now, it is interesting because—and I will point this out to my colleague from New Hampshire too—if you go back 29 years ago this week, President Reagan led a rally of people—thousands of people on the Capitol—calling for a balanced budget amendment. He said:

Crisis is a much abused word, but can we deny that we face a crisis?

I would say to my colleague from New Hampshire that the Federal debt at that time was \$1 trillion, and President Reagan thought that was a crisis at that time. Obviously, we are in a situation now where the debt is 14 times that amount—\$14 trillion since President Reagan 29 years ago suggested we needed a balanced budget amendment because of the debt crisis we faced then.

A lot of our Democratic colleagues say we just need to balance our budget; we don't need a balanced budget amendment. My response to them is, as the Senator from New Hampshire pointed out, where is your plan? We have been sitting here for 812 days since the Democrats passed a budget in the Senate, and even then that was a budget that didn't balance. The President's budget submitted earlier this year, as the Senator from New Hampshire pointed out, was rejected by the Senate 97 to 0. When the President sent a budget up here, it was actually voted on in the Senate and didn't get a single vote, either Democrat or Republican. So the President took a mulligan on that budget, and he gave a speech outlining the framework for how he would cut the deficit. That didn't balance either.

So it is clear the Democrats don't have the will to balance the budget now. But if we had a balanced budget amendment, they would, along with all of us—Republicans and Democrats because we have all contributed to where we are today—be required to balance the budget every single year, and that would have a huge impact on what our future is going to look like and what

the future for your two children and my two children will be.

The rating agencies are considering, as the Senator from New Hampshire mentioned, downgrading us if we don't take concrete steps to reduce our deficits. It would have a tremendous impact on interest rates if that happened. As I mentioned earlier today, 3-year government bond interest rates for Portugal are 19.4 percent; for Greece, they are 28.9 percent; and for Ireland, 12.9 percent. We are already suffering from slower economic growth because of our debt and deficit.

There is a study by economists Reinhart and Rogoff that found that debt levels above 90 percent of GDP were associated with economic growth that was 1 percentage point less than it would be otherwise.

We know from the President's own economic advisers that translates into the loss of about 1 million jobs every year. So it is clear we need to cut spending now, we need to balance our budget, we need a discipline imposed on Congress. A balanced budget amendment would do that, as it has done for so many States around the country.

But the cut, cap, and balance approach cuts spending, as the Senator from New Hampshire mentioned, now, today, by over \$100 billion this year, cuts spending over the next decade by almost \$6 trillion, and then puts in place a balanced budget amendment that would ensure that going forward into the future we learn to live within our means, that we don't continue to spend money that we don't have.

So I appreciate the observations of my colleague from New Hampshire, as I said. She represents a State that has a great tradition when it comes to keeping spending and government under control. We need that tradition in Washington, DC. I would simply say to my colleague from New Hampshire, I hope we can find the support among our colleagues in the Senate when we have this vote—and it sounds like now it is going to be scheduled for sometime on Saturday—to get a big bipartisan vote in support of cut, cap, and balance.

I know that is what my colleague from New Hampshire hopes as well. I do believe it is the pathway that will get us toward fiscal sustainability for the future of this country and put us on a trajectory that is good for our children and grandchildren, doesn't put this Nation on the verge of bankruptcy, doesn't have the adverse economic impacts that we are experiencing in real time both in terms of jobs lost, potential for much higher interest rates that would affect homeowners, people who are trying to get student loans, auto loans, people who are trying to start businesses. It would be absolutely devastating to this economy if that happened. If we don't get our fiscal house in order, that is the train wreck we are headed for.

Ms. AYOTTE. I thank my colleague from South Dakota. And I, too, hope we will have bipartisan support for this cut, cap, and balance plan. It is so critical, and as the President's own fiscal commission said:

Our challenge is clear and inescapable. America cannot be great if we go broke. Our businesses will not be able to grow and create jobs and our workers will not be able to compete successfully for the jobs of the future without a plan to get this crushing debt burden off our backs.

Well, the cut, cap, and balance plan will help get this crushing debt burden off our backs to allow our job creators to actually create jobs.

Also, when we think about starting from where we began this discussion, our children, we have to act now. I don't want my two children looking at me one day in the future and saying: Mom, what did you do about the fiscal crisis that everybody saw coming? Right now in the Senate, we can come together around this cut, cap, and balance plan. Once and for all, let's commit to passing a balanced budget amendment. Let's send that question to the States. Let's let the people of this country weigh in, because we know they will weigh in with common sense because they do it at the State level, they do it at a family level, they do it in their small businesses.

So I, too, hope we will work with our colleagues on the other side of the aisle; that we will get this cut, cap, and balance plan passed. I look forward to working with all the Senators in this Chamber, and particularly the Senator from South Dakota who, I know, has been such an advocate and such a strong fiscal conservative, wanting to preserve our country and the greatness of America to make sure we get this plan passed now.

Mr. THUNE. I think our colleagues in the House have shown us the way. They passed this last night. They have given us an opportunity now to have this vote, and it is long overdue. In my view—and I think the numbers bear this out—this is not a revenue problem. This is not a problem of having too little tax revenue. This is not a problem, as I pointed out, that can be solved by tax increases, which would devastate the job creators in this country and make it more difficult for our economy to recover and to get people back to work. But this is really about spending.

This is about getting Federal spending back to a level that is historically normal. If we could do that, we will have done a great thing for the future of this country, for our children and grandchildren. It is so important, in my view, that we not wait any longer. We can't afford to wait. The time is now.

We are going to have this vote coming up, it looks like probably on Saturday. I hope we will have a big bipartisan vote in support of this approach

that would cut spending today, cap it in the future, and get a balanced budget amendment on the books.

Mr. President, I yield back the remainder of our time.

#### REMEMBERING THOMAS "BROWN" BADGETT, SR.

Mr. MCCONNELL. Mr. President, I rise today to note for my colleagues the passing of a distinguished Kentuckian and my friend, Mr. Thomas "Brown" Badgett, Sr., who passed away this June 30 at the age of 88. A leading citizen of Madisonville, KY, Brown was a philanthropist who will be remembered for his many gifts to his community.

From the Brown Badgett Sr. Energy and Advanced Technology Center on the Madisonville Community College campus to the Brown Badgett Loop roadway and Badgett Athletic Complex there that also bear his name, he will have an enduring legacy.

Brown was able to make this mark not only because he was so highly successful in his chosen fields of coal, real estate and highway construction, but also because he was successful at reaching out to other people and sharing his success and his zeal for life. I extend my deepest condolences to his many beloved family members and friends for their loss. He will be missed by many.

The Louisville Courier-Journal recently published an obituary for Mr. Thomas "Brown" Badgett, Sr., and I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[From the Louisville Courier-Journal, July 1, 2011]

THOMAS BROWN BADGETT SR.

MADISONVILLE.—Badgett, Thomas Brown Sr., 88, died Thursday, June 30, 2011 at 8:10 a.m. at his residence.

He was born January 17, 1923, in Bellefonte, Ark., to the late Russell and Rheaetta Badgett. In addition to his parents, he was preceded in death by his wife, Helen "Heidi" Badgett; a daughter, Deidre Badgett Griffin; one son, Owen Kinsley Badgett; one brother, J. Rogers Badgett; and one sister, Julia Badgett Badger.

Mr. Badgett loved his community, and he served all walks of life such as the coal business, highway construction, and real estate. He received his Eagle Scout in 1991. Mr. Badgett was a philanthropist who supported education with donations to college and high schools. His favorite saying was, "The youth of today are going to be running this country in the next 20 to 30 years, and they need to be educated." Mr. Badgett is survived by a daughter, Heidi K. Honchariw, of Asheville, N.C.; a son and daughter-in-law, Thomas Brown and Sue Badgett, Jr., of Madisonville; two grandchildren, Corbett G. and Casey McCormick, of Naperville, Ill., and Kyle Owen Yates, of Madisonville; and five great-grandchildren, Lily McCormick, Gavin McCormick and Ryder McCormick of Naperville, Brice Yates of Madisonville and Kyle Owen Yates II, of Central City, Ky.

Funeral services will be 1 p.m. Sunday at Barnett-Strother Funeral Home with Russell Badgett III officiating and Dr. William Klompus and Terry McBrayer to speak. Burial will follow in Odd Fellows Cemetery. Visitation will be 4-7 p.m. Saturday and after noon Sunday at the funeral home. Pallbearers will be Calvin Griffith, Bennie Mouser, Oda Inglis, Jr., John Davis, Don Gish, Bentley Badgett, II and Russell Badgett, III. Honorary pallbearers will be Frank Ramsey, Jr., Coach Joe B. Hall, Terry McBrayer, O.T. Rudd, C.M. Newton and Dr. William Klompus.

Memorials may be made to Boy Scouts of America Shawnee Trails Council, P.O. Box 487, Owensboro, KY 42302, or Green River Hospice, 418 N. Scott St., Madisonville, KY 42431.

#### 37TH ANNIVERSARY OF THE INVASION OF CYPRUS

Mr. CARDIN. Mr. President, I rise in my capacity as cochairman of the Helsinki Commission to again draw attention to the tragic consequences of Turkey's invasion and ongoing occupation of the Republic of Cyprus begun 37 years ago today. I applaud the leadership demonstrated by President Christofias in an attempt to bring about a comprehensive settlement and reunification of his country based on a bizonal, bicomunal federation with political equality, as defined in the relevant U.N. Security Council resolutions, with a single sovereignty, single citizenship and single international personality. Attempts to resolve the Cyprus issue are exacerbated by Turkish intransigence; the continued deployment of tens of thousands of Turkish troops in occupied northern Cyprus; and the introduction of an estimated 160,000 settlers from mainland Turkey. Indeed, the reality is that settlers outnumber indigenous Turkish Cypriots altering the demographic composition of that community by a margin of about two to one.

Previously, I have addressed a number of specific human rights concerns stemming from the ongoing occupation, including freedom of movement, property rights, and freedom of religion. Under my chairmanship, the Helsinki Commission convened a public briefing, "Cyprus' Religious Cultural Heritage in Peril" to document the desecration and destruction of sacred sites in occupied Northern Cyprus.

Today, I want to focus on the situation in the city of Famagusta, the once thriving commercial center and tourist destination on the east coast of Cyprus, featuring the country's deepest water port. This cosmopolitan city, home to nearly 50,000 Cypriots, was a center for trade and finance as well as culture, known for its many museums and vibrant nightlife. The second wave of the Turkish invasion, launched in August 1974, targeted Famagusta and the surrounding region. Seaside hotels that attracted tourists from throughout the world and other important high

rise buildings were targeted for bombardment as residents were forced to flee. Today, barbed wire rings the city of Famagusta, a veritable ghost town except for Turkish troops patrolling the perimeter of this once bustling urban center. What looters left behind is slowly being reclaimed by nature and decades of exposure to the elements.

The only thing I can compare this scene to comes from my walk along the deserted streets in the city of Prypiat, a Ukrainian city of similar size to Famagusta, located in the Chornobyl exclusion zone a short distance from the site of the world's worst nuclear accident. While health concerns keep the residents of the former away, armed Turkish troops prevent lawful residents of Famagusta from returning.

Notwithstanding numerous U.N. resolutions on Cyprus, including provisions specifically addressing the city of Famagusta, Turkey continues to illegally occupy a third of Cypriot territory, preventing Greek Cypriots from returning to their homes and businesses in the occupied area, including Famagusta. In keeping with these UN resolutions and principles enshrined in the Helsinki Final Act, it is time for Turkey to end its illegal occupation of the sovereign Republic of Cyprus. Agreement allowing the lawful residents to return and rebuild the city of Famagusta would be an important step in the right direction.

Mr. MENENDEZ. Mr. President, on July 20, 1974, Turkey invaded Cyprus. Thirty-seven years later, Turkish troops continue to occupy 37 percent of the island. The invasion and occupation resulted in the deaths of more than 5,000 Cypriots and made some 200,000 Cypriots refugees in their own land.

Since 1974, more than 75 resolutions have been adopted by the U.N. Security Council and more than 13 by the U.N. General Assembly, calling for the return of the refugees to their homes and properties and for the withdrawal of the Turkish troops from Cyprus. In addition to these Resolutions, the European Court of Human Rights has in various judgments held Turkey responsible for the violation of the basic human rights and fundamental freedoms of Greek Cypriots, such as the right to life, the right to liberty and security, the right to respect for family life, the right to the protection of property and the prohibition of inhuman or degrading treatment.

Building on past meetings in November 2010 and January 2011, President Christofias again this month met with Turkish Cypriot leader Mr. Eroglu in the presence of U.N. Secretary General Ban Ki-moon in Geneva, where they agreed to intensify discussions on the difficult "core issues" of the negotiations, including the sharing of power and authority between the two communities of Cyprus, territorial adjustments, property issues, and the issue of

the withdrawal of foreign troops, security and guarantees. The Cypriot government is working in good faith to achieve a viable agreement and I remain supportive of the Cypriot government's insistence that this process remain a Cypriot-led process, with any solution agreed upon by the Cypriots and for the Cypriots, without any external arbitration or timeframes, while recognizing that a solution cannot be reached without the full and constructive cooperation of Turkey.

As Cypriot-Americans join with Cypriots from throughout the world in this effort to unify their homeland, and as they seek to secure an economically prosperous state free of illegal occupation, I will stand by them. I will work to ensure that the Turkish occupation comes to an end.

This week, we remember those who perished in the invasion of Cyprus, and honor those who survived and who continue to live under Turkish occupation. We have not forgotten and our thoughts and prayers are with them and their families.

Remembering together the events of July 20, 1974, in solidarity gives reverence to historical events we cannot afford to forget as we move forward to a peaceful, just solution and a hopeful tomorrow.

Ms. SNOWE. Mr. President, I rise in remembrance of the disastrous invasion of Turkish armed forces into the Republic of Cyprus. On this day, 37 years ago, Turkish soldiers began the forcible expulsion of approximately 200,000 Greek Cypriots from the island's northern territory. It is in support of the liberty and human dignity of those evicted that I stand to address my colleagues today.

At this moment, there are more than 43,000 Turkish troops on Cyprus—that is roughly one Turkish soldier for every two Turkish Cypriots. And regrettably, their presence continues to perpetuate the usurpation, occupation, and destruction of Greek Cypriot-owned property. So too continues the egregious desecration of Greek Orthodox churches and religious artifacts that are not only sacred to millions of faithful believers, but also beautiful and irreplaceable historic sites and objects of inherent cultural value to all of humanity.

Since 1974, more than 75 resolutions have been adopted by the United Nations Security Council calling for the withdrawal of Turkish troops from Cyprus and the return of refugees to their homes and properties. Yet despite 37 frustrating years of diplomatic stops and starts, a procession of U.N. special representatives and envoys, and untold hours of negotiations, Turkey continues to occupy this region in complete violation of international law.

It is imperative that Turkey withdraw its forces and at long last concede that the Cyprus question is one that

can only be resolved through mutual agreement on a solution, not the imposition of one. In this way, Turkey must contribute practically and substantially to the negotiating effort and embrace in concrete terms a reunified and prosperous Cyprus where Greek Cypriots and Turkish Cypriots can live together in peace.

As a fellow democracy, the Republic of Cyprus shares basic values with the United States and has remained a close friend and ally for many years. Indeed, the U.S.-Cyprus friendship remains an anchor of American foreign policy in this region.

We must, in our solemn role as a nation that champions human rights and adherence to the rule of law, stand with Cypriots to bring peace, stability, and prosperity to their island. I therefore urge my colleagues to join me in supporting the Cyprus settlement process with the goal of finding a fair and lasting agreement for the benefit of all Cypriots.

#### ADDITIONAL STATEMENTS

##### REMEMBERING JAMES NOEL SMITH

• Mr. BAUCUS. Mr. President, I wish to take a moment to pay tribute to the life of a fine Montanan and good friend, James Noel Smith. Jim passed away last month after a long and courageous battle with cancer.

Raised in the mountainous northwest Montana town of Thompson Falls, Jim grew up with a deep reverence for the land, the water, and the wise stewardship of our natural resources. This became his calling in life.

After graduating from the University of Montana, Jim heard the noble call of public service. He was inspired by national leaders like President Kennedy and Montana's Senators Mike Mansfield and Lee Metcalf. Senator Metcalf, in particular, became Jim's mentor. Jim, his wife Camie, along with their young son Mark—who later served on my staff for a number of years—made their way back to Washington where Jim worked as a legislative aide for Senator Metcalf. In their early days in Washington, Jim and Camie had a daughter Terry. As a young adult, Terry found her way back to Montana, where she lives in Bozeman today.

Jim went on to serve with distinction at the Interior Department, the Environmental Protection Agency, and several conservation organizations. During the latter part of his career, Jim organized the Council of Infrastructure Financing Authorities, a trade association dedicated to helping municipalities pay for infrastructure improvements.

While they remained in Washington for four decades, Jim and Camie were never Washingtonians. They were Mon-

tanans. Thus, when they decided to retire, it came as no surprise to those of us who knew them that they headed home to the "Big Sky."

They settled in Bozeman, sharing their love of Montana, its land, and its people. Jim immersed himself with his work on the board of directors of the Gallatin Valley Land Trust, GVLTL, an organization that protects open land and promotes recreational opportunities throughout the Gallatin. While environmental issues too often turn fractious, Jim respected GVLTL's consensus-based approach. He thought it got results and made a difference.

That is the way Jim lived his life—striving for consensus, getting results, and making a difference. Mel and I offer condolences to Camie, Mark, Terry, and their family.●

##### DELMONT, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Delmont, SD. The town of Delmont will commemorate the 125th anniversary of its founding this year.

Delmont was founded in 1886 after the first train passed through. Located in Douglas County, it boasts community members dedicated to supporting and growing local business. It is also home to the annual Kuchen Festival and the Harvest Festival. The citizens of Delmont have committed themselves to developing their strong heritage and traditions.

Delmont has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Delmont on this landmark date and wish them continued prosperity in the years to come.●

##### HERMOSA, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Hermosa, SD. The town of Hermosa will commemorate the 125th anniversary of its founding this year.

Located in Custer County in western South Dakota, Hermosa was founded in 1886 and was named after the Spanish word meaning "beautiful" because of its breathtaking landscape. Today, Hermosa's rich history, strong traditions and beautiful scenery continue to make it a great place to live.

Hermosa has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Hermosa on this landmark date and wish them continued prosperity in the years to come.●

##### TRENT, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Trent, SD. The town of Trent

will commemorate the 125th anniversary of its founding this year.

Located in Moody County, Trent was originally a post office for the early settlers of eastern South Dakota. Trent was officially given its name with the arrival of the railroad in the late 19th century and soon after, many settlers migrated to the town from neighboring states as well as other areas throughout South Dakota. Today, the citizens of Trent are known for their commitment to growing the community and their local businesses.

Trent has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Trent on this landmark date and wish them continued prosperity in the years to come.●

#### TRIBUTE TO MALLORY REIS

● Mr. WHITEHOUSE. Mr. President, today I wish to commend the heroic actions of Ms. Mallory Reis, of Johnston, Rhode Island. Last week, the Providence Journal reported that while vacationing in Massachusetts, Ms. Reis helped resuscitate a 3-year-old boy who had stopped breathing after choking and falling in the water.

Ms. Reis, an officer with the Cranston Police Department, reacted immediately upon hearing screams for help coming from the water's edge of Curlew Pond. She raced over to the crowd that had formed around the boy. His body was blue and limp, and he had no pulse. The boy needed cardiopulmonary resuscitation or CPR, and Ms. Reis was the first to arrive with the necessary training. Immediately, she began performing CPR and directed bystanders to call 911.

After Ms. Reis performed a series of chest compressions and mouth-to-mouth resuscitation, an off-duty New Bedford firefighter arrived on the scene. Together, they worked to clear the boy's airway and get him breathing again. Thanks to Ms. Reis' efforts, the boy is alive today and it is reported that he is recovering well.

The efforts of Ms. Reis underscore the vital role our first responders play in keeping our communities safe. Law enforcement officers, firefighters, and emergency medical personnel are often the first line of protection, taking risks to keep us and our families safe.

Today I would like to thank Ms. Reis for her swift and heroic response that saved this young boy's life, and commend the Cranston Police Department for providing officers of that caliber. I would also like to commend all our first responders who dutifully perform these acts of heroism every day, and express my deep appreciation for their unwavering commitment to our safety.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT RELATIVE TO THE FORMER LIBERIAN REGIME OF CHARLES TAYLOR AND ON THE CONTINUATION OF THE NATIONAL EMERGENCY BLOCKING PROPERTY OF CERTAIN PERSONS AND PROHIBITING THE IMPORTATION OF CERTAIN GOODS FROM LIBERIA THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13348 ON JULY 22, 2004—PM 14

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

#### *To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication stating that the national emergency and related measures dealing with the former regime of Charles Taylor are to continue in effect beyond July 22, 2011.

The actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, continue to undermine Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to the former Liberian regime of Charles Taylor.

BARACK OBAMA.  
THE WHITE HOUSE, July 20, 2011.

#### MESSAGES FROM THE HOUSE

At 11:08 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2560. An act to cut, cap, and balance the Federal Budget.

At 5:41 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 2553. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

H.J. Res. 66. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2560. An act to cut, cap, and balance the Federal budget.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2536. A communication from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Business and Industry Guaranteed Loan Program" (RIN0570-AA81) received in the Office of the President of the Senate on July 15, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2537. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to a series of violations of the Antideficiency Act including violations at the appropriation level occurring in a variety of Department of Health and Human Services (HHS) accounts, and one violation occurring at the apportionment level; to the Committee on Appropriations.

EC-2538. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11-064, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-2539. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11-059, of

the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-2540. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11-020, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-2541. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General James E. Cartwright, United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-2542. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Bank Secrecy Act Regulations—Definitions and Other Regulations Relating to Money Services Businesses" (RIN1506-AA97) received in the Office of the President of the Senate on July 15, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2543. A communication from the Deputy Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Brokers or Dealers Engaged in a Retail Forex Business" (RIN3235-AL19) received in the Office of the President of the Senate on July 15, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2544. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Listing the Salmon-Crested Cockatoo as Threatened Throughout Its Range with Special Rule; Final Rule" (RIN1018-AW38) received in the Office of the President of the Senate on July 15, 2011; to the Committee on Environment and Public Works.

EC-2545. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Incorporation by Reference of Edition and Addenda to American Society of Mechanical Engineers (ASME) Codes and New and Revised ASME Code Cases into 10 CFR 50.55a" (RIN3150-AI35) received in the Office of the President of the Senate on July 15, 2011; to the Committee on Environment and Public Works.

EC-2546. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2011-0103A—2011-0112); to the Committee on Foreign Relations.

EC-2547. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Amendment to the International Traffic in Arms Regulations: Filing, Retention, and Return of Export Licenses and Filing of Ex-

port Information" (RIN1400-AC91) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2011; to the Committee on Foreign Relations.

EC-2548. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Amendment to the International Traffic in Arms Regulations: International Import Certificate BIS-645P/ATF-4522/DSP-53" (RIN1400-AC85) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Foreign Relations.

EC-2549. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Office of the Inspector General's Semiannual Report for the period of October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2550. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bullhead City Regatta, Bullhead City, AZ" ((RIN1625-AA00)(Docket No. USCG-2011-0410)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2551. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Independence Day Fireworks Celebration for the City of Martinez, Martinez, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0400)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2552. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Big Sioux River from the Military Road Bridge North Sioux City to the Confluence of the Missouri River, SD" ((RIN1625-AA00) (Docket No. USCG-2011-0528)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2553. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Missouri River from the Border between Montana and North Dakota" ((RIN1625-AA00) (Docket No. USCG-2011-0511)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2554. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Upper Mississippi River, Mile 856.0 to 855.0, Minneapolis, MN" ((RIN1625-AA00) (Docket No. USCG-2011-0198)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2555. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Delta Independence Day Foundation Celebration, Mandeville Island, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0395)) received in the Office of the President of the Senate on July 18, 2011; to the Com-

mittee on Commerce, Science, and Transportation.

EC-2556. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Stockton Ports Baseball Club Fourth of July Fireworks Display, Stockton, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0397)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2557. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Jameson Beach Fourth of July Fireworks Display" ((RIN1625-AA00) (Docket No. USCG-2011-0398)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2558. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; The Pacific Grove Feast of Lanterns, Fireworks Display, Pacific Grove, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0159)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2559. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Waterway Closure, Atchafalaya River from Mile Marker 117 (Morgan City Railroad Bridge) to Mile Marker 0 (Simmesport, LA)" ((RIN1625-AA00) (Docket No. USCG-2011-0433)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2560. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Mile Marker 98.5 West of Harvey Lock Gulf Intracoastal Waterway to Mile Marker 108.5 West of Harvey Lock Gulf Intracoastal Waterway" ((RIN1625-AA00) (Docket No. USCG-2011-0434)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2561. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Waterway Closure, Morgan City—Port Allen Route from Mile Marker 0 to Port Allen Lock" ((RIN1625-AA00) (Docket No. USCG-2011-0432)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2562. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Independence Day Fireworks Celebration for the City of Richmond, Richmond, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0399)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2563. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled



“Safety Zone; Marine Events Requiring Safety Zones in the Captain of the Port Sault Sainte Marie Zone” ((RIN1625-AA00) (Docket No. USCG-2011-0542)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2564. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Shore Thing and Independence Day Fireworks, Chesapeake Bay, Norfolk, VA” ((RIN1625-AA00) (Docket No. USCG-2011-0303)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2565. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Cape Charles Fireworks, Cape Charles Harbor, Cape Charles, VA” ((RIN1625-AA00) (Docket No. USCG-2011-0304)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2566. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Fourth of July Fireworks Event, Pagan River, Smithfield, VA” ((RIN1625-AA00) (Docket No. USCG-2011-0588)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2567. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; New Port River; Morehead City, NC” ((RIN1625-AA00) (Docket No. USCG-2011-0230)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2568. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zones; Multiple Firework Displays in Captain of the Port, Puget Sound Area of Responsibility” ((RIN1625-AA00) (Docket No. USCG-2011-0450)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2569. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zones; Fireworks Displays in the Sector Columbia River Area of Responsibility” ((RIN1625-AA00) (Docket No. USCG-2011-0448)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2570. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; July 4th Fireworks Displays within the Captain of the Port Miami Zone, FL” ((RIN1625-AA00) (Docket No. USCG-2011-0439)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2571. A communication from the Attorney Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; New York Water Taxi 10th Anniversary Fireworks, Upper New York Bay, Red Hook, NY” ((RIN1625-AA00) (Docket No. USCG-2011-0222)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2572. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Nicole Cerrito Birthday Fireworks, Detroit River, Detroit, MI” ((RIN1625-AA00) (Docket No. USCG-2011-0416)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2573. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Michigan Bankers Association Fireworks, Lake Huron, Mackinac Island, MI” ((RIN1625-AA00) (Docket No. USCG-2011-0265)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2574. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Augusta Southern Nationals Drag Boat Race, Savannah River, Augusta, GA” ((RIN1625-AA00) (Docket No. USCG-2011-0438)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2575. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Barrier Testing Operations, Chicago Sanitary and Ship Canal, Romeoville, IL” ((RIN1625-AA00) (Docket No. USCG-2011-0453)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2576. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Rochester Harbor Festival, Genesee River, Rochester, NY” ((RIN1625-AA00) (Docket No. USCG-2011-0374)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2577. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; M/V DAVY CROCKETT, Columbia River” ((RIN1625-AA00) (Docket No. USCG-2010-0939)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2578. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Independence Day Fireworks Celebration for the City of Half Moon Bay, Half Moon Bay, CA” ((RIN1625-AA00) (Docket No. USCG-2011-0396)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2579. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Fan Pier Yacht Club Fireworks, Boston Harbor, Boston, MA” ((RIN1625-AA00) (Docket No. USCG-2011-0437)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2580. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Pantego Creek; Belhaven, NC” ((RIN1625-AA00) (Docket No. USCG-2011-0473)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2581. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Charleston Sharkfest Swim, Charleston Harbor, Charleston, SC” ((RIN1625-AA00) (Docket No. USCG-2011-0501)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2582. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Bay Point Fireworks, Bay Point Marina; Marblehead, OH” ((RIN1625-AA00) (Docket No. USCG-2011-0516)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2583. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; 4th of July Festival Berkeley Marina Fireworks Display Berkeley, CA” ((RIN1625-AA00) (Docket No. USCG-2011-0370)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2584. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Hylebos Bridge Restoration, Hylebos Waterway, Tacoma, WA” ((RIN1625-AA00) (Docket No. USCG-2011-0114)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2585. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zones; July 4th Weekend Fireworks Displays within the Captain of the Port St. Petersburg Zone, FL” ((RIN1625-AA00) (Docket No. USCG-2011-0350)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2586. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Truman-Hobbs Alteration of the Elgin Joliet and Eastern Railroad Drawbridge; Illinois River, Morris, IL” ((RIN1625-AA00) (Docket No. USCG-2011-0199)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.



EC-2587. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Marine Events in Captain of the Port Long Island Sound Zone" ((RIN1625-AA00) (Docket No. USCG-2011-0470)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2588. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Brandon Road Lock and Dam to Lake Michigan Including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2011-0228)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2589. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program" ((CG Docket Nos. 03-123 and 10-51) (FCC 11-104)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2590. A communication from the Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Electronic Tariff Filing System (ETFS)" ((RIN3060-AJ41) (WC Docket No. 10-141)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2591. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Atlantic Intracoastal Waterway (AIWW), Elizabeth River, Southern Branch, Chesapeake, VA" ((RIN1625-AA09) (Docket No. USCG-2010-0879)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2592. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Superfund Site, New Bedford Harbor, New Bedford, MA: Anchorage Ground and Regulated Navigation Area" ((RIN1625-AA01 and RIN1625-AA11) (Docket No. USCG-2010-1119)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2593. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Events; Temporary Change of Dates for Recurring Marine Events in the Fifth Coast Guard District; Mill Creek, Hampton, VA" ((RIN1625-AA08) (Docket No. USCG-2011-0540)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2594. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Spe-

cial Local Regulation; Monongahela River, Morgantown, WV" ((RIN1625-AA08) (Docket No. USCG-2011-0235)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

\*Phyllis Nichamoff Segal, of Massachusetts, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2013.

\*Lisa M. Quiroz, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring February 8, 2014.

\*John D. Podesta, of the District of Columbia, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2014.

\*Matthew Francis McCabe, of Pennsylvania, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2013.

\*Marguerite W. Kondracke, of Tennessee, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring June 10, 2014.

\*Jane D. Hartley, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2014.

\*Richard Christman, of Kentucky, to be a Member of the Board of Directors of the Corporation for National and Community Service for the remainder of the term expiring October 6, 2012.

\*Dan Arvizu, of Colorado, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.

\*Alan I. Leshner, of Maryland, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.

\*William Carl Lineberger, of Colorado, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.

\*Aaron Paul Dworkin, of Michigan, to be a Member of the National Council on the Arts for a term expiring September 3, 2014.

\*Eric S. Edelman, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. NELSON of Nebraska:

S. 1389. A bill to exempt any road, highway, or bridge damaged by a natural dis-

aster, including a flood, from duplicative environmental reviews if the road, highway, or bridge is reconstructed in the same location; to the Committee on Environment and Public Works.

By Mr. LEVIN (for himself and Mr. BEGICH):

S. 1390. A bill to amend the Internal Revenue Code of 1986 to simplify, modernize, and improve public notice of and access to tax lien information by providing for a national, Internet accessible, filing system for Federal tax liens, and for other purposes; to the Committee on Finance.

By Mr. TESTER:

S. 1391. A bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with post-traumatic stress disorder or mental health conditions related to military sexual trauma, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. COLLINS (for herself, Mr. WYDEN, Mr. ALEXANDER, Ms. LANDRIEU, Mr. TOOMEY, and Mr. PRYOR):

S. 1392. A bill to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BARRASSO:

S. 1393. A bill to prohibit the enforcement of a climate change interpretive guidance issued by the Securities and Exchange Commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WEBB (for himself and Mr. ALEXANDER):

S. 1394. A bill to allow a Commissioner of the Nuclear Regulatory Commission to continue to serve on the Commission if a successor is not appointed and confirmed in a timely manner; to the Committee on Environment and Public Works.

#### ADDITIONAL COSPONSORS

S. 401

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 401, a bill to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law.

S. 576

At the request of Mr. HARKIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 576, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 605

At the request of Mr. GRASSLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 605, a bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I.

S. 641

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of

S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 707

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 726

At the request of Mr. RUBIO, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 726, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 745

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 745, a bill to amend title 38, United States Code, to protect certain veterans who would otherwise be subject to a reduction in educational assistance benefits, and for other purposes.

S. 798

At the request of Mr. TESTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 798, a bill to provide an amnesty period during which veterans and their family members can register certain firearms in the National Firearms Registration and Transfer Record, and for other purposes.

S. 810

At the request of Ms. CANTWELL, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 810, a bill to prohibit the conducting of invasive research on great apes, and for other purposes.

S. 834

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 834, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 838

At the request of Mr. TESTER, the names of the Senator from Utah (Mr. HATCH) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 839

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut

(Mr. BLUMENTHAL) was added as a cosponsor of S. 839, a bill to ban the sale of certain synthetic drugs.

S. 871

At the request of Mr. COBURN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 871, a bill to repeal the Volumetric Ethanol Excise Tax Credit.

S. 1000

At the request of Mrs. SHAHEEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1000, a bill to promote energy savings in residential and commercial buildings and industry, and for other purposes.

S. 1013

At the request of Mr. HATCH, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1013, a bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1069

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1069, a bill to suspend temporarily the duty on certain footwear, and for other purposes.

S. 1171

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1208

At the request of Ms. MURKOWSKI, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1208, a bill to provide an election to terminate certain capital construction funds without penalties.

S. 1214

At the request of Mrs. GILLIBRAND, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1214, a bill to amend title 10, United States Code, regarding restrictions on the use of Department of Defense funds and facilities for abortions.

S. 1219

At the request of Mr. BARRASSO, the names of the Senator from Mississippi

(Mr. WICKER) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 1219, a bill to require Federal agencies to assess the impact of Federal action on jobs and job opportunities, and for other purposes.

S. 1228

At the request of Mr. WHITEHOUSE, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1228, a bill to prohibit trafficking in counterfeit military goods or services.

S. 1231

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1231, a bill to reauthorize the Second Chance Act of 2007.

S. 1274

At the request of Mr. ENZI, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1274, a bill to provide for a biennial appropriations process with the exception of defense spending and to enhance oversight and the performance of the Federal Government.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1316

At the request of Mr. ENZI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1316, a bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending.

S. 1333

At the request of Mr. REED, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1333, a bill to provide for the treatment and temporary financing of short-time compensation programs.

S. 1340

At the request of Mr. LEE, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 1340, a bill to cut, cap, and balance the Federal budget.

S. 1369

At the request of Mr. CRAPO, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1369, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 1380

At the request of Mr. VITTER, the name of the Senator from Alabama

(Mr. SESSIONS) was added as a cosponsor of S. 1380, a bill to suspend until January 21, 2013, certain provisions of Federal immigration law, and for other purposes.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 132

At the request of Mr. NELSON of Nebraska, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

S. RES. 216

At the request of Mrs. BOXER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 216, a resolution encouraging women's political participation in Saudi Arabia.

S. RES. 228

At the request of Mr. LAUTENBERG, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Tennessee (Mr. CORKER), the Senator from Colorado (Mr. BENNET), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. PRYOR), the Senator from Nebraska (Mr. NELSON), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. Res. 228, a resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

S. RES. 230

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. Res. 230, a resolution expressing the sense of the Senate that any agreement to reduce the budget deficit should not include cuts to Social Security benefits or Medicare benefits.

AMENDMENT NO. 556

At the request of Mr. REID, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 556 proposed to H.R. 2055, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 563

At the request of Mrs. HUTCHISON, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 563 proposed to H.R. 2055, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself and Mr. BEGICH):

S. 1390. A bill to amend the Internal Revenue Code of 1986 to simplify, modernize, and improve public notice of and access to tax lien information by providing for a national, Internet accessible, filing system for Federal tax liens, and for other purposes; to the Committee on Finance.

Mr. LEVIN. Mr. President, as Congress continues to debate ways to reduce our national deficit, some Members of Congress are taking the time to reflect on the state of the Federal tax system and consider how we can simplify it and make it more efficient and fair. Today, as part of that effort, I along with my colleague Senator BEGICH are introducing legislation aimed at simplifying and modernizing the existing system for filing Federal tax liens, a key tool used by the Treasury to collect unpaid taxes. The bill has been endorsed by Citizens for Tax Justice, Tax Justice Network, Public Citizen, US Public Interest Research Group, and the FACT Coalition, an organization of public interest and business groups concerned with tax fairness.

It has been 45 years since Congress has made any significant changes to the laws regulating how the Internal Revenue Service, IRS, files Federal tax liens. Right now, outdated laws are forcing the IRS to waste taxpayer dollars on an old-fashioned, inefficient, and burdensome paper-based filing system spread out over 4,000 locations that should be replaced by a modernized electronic filing system capable of operating at a fraction of the cost. It is time to bring the Federal tax lien system into the 21st century. The Tax Lien Simplification Act, which we are introducing today, will simplify the process of recording tax liens at an estimated ten-year cost savings of \$150 million, while at the same time improving taxpayer service by making it easier to verify lien information and speed up the release of liens after taxes are paid.

Tax liens are a principal way to collect payment from persons who are delinquent in paying their taxes. By law, Federal tax liens arise automatically ten days after a taxpayer's failure to pay an assessed tax. The lien automatically attaches to the taxpayer's real

and personal property and remains in effect until the tax is paid. However, the tax lien is not effective against other creditors owed money by the same taxpayer, until a notice of the Federal tax lien is publicly recorded. Generally, between competing creditors, the first to file notice has priority, so the filing of tax lien notices is very important to the Government and to the taxpaying public if taxes are to be collected from persons owing taxes.

Current law requires the IRS to file public notices of Federal tax liens on paper in State, county, or city recording offices around the country, to ensure other creditors receive notice of the government's claim. There are currently more than 4,100 of these recording offices, many of which have developed specific rules regulating how such liens must be formatted and filed in their jurisdictions. This patchwork system developed more by default than by plan, as different offices developed procedures for filing a variety of legal documents affecting title to real and personal property.

In 1966, to help the IRS comply with a proliferating set of filing rules for Federal tax liens, Congress passed the Tax Lien Act to standardize certain practices. This act provided, for example, that liens against real estate had to be filed where the property was located, and required each State to designate a single place to file Federal tax liens applicable to personal property. Most States subsequently adopted a version of the Uniform Tax Lien Filing Act, enabling the IRS to file a notice of tax lien in each locality where the taxpayer's real estate is located, and a single notice where the taxpayer resides to reach any personal property. For corporations, States typically require the IRS to file a notice to attach real estate in each locality where the real estate is located, and a separate notice, usually at the State level, to attach other types of property. There are often additional rules for trusts and partnerships. The end result of the law was to reduce some but not all of the multiple sets of rules regulating the filing of Federal tax liens.

The bottom line today is that, in most cases, tax liens have to be physically filed in one of over 4,000 recording offices. In most cases, that filing is accomplished by mail, using paper documents. Some jurisdictions also allow electronic filings, but those jurisdictions are few and far between. The same is true if a lien has to be corrected, or a related certificate of discharge, subordination, or nonattachment needs to be filed, or when a tax liability has been resolved and the IRS wants to release a lien. Each action usually requires a paper filing in one or more recording offices and requires the additional involvement of third parties. If a paper filing is lost or misplaced, the IRS often has to send an

employee in person to deal with the problem, adding travel costs to other administrative expenses.

The paper filing system imposes similar burdens on other persons dealing with the tax lien system. Any person who is the subject of a tax lien, for example, or who is a creditor trying to locate a tax lien, is required to make a physical trip to one or more recording offices, which may not even be in the same State as the taxpayer, to search the documents, see if a lien has been filed, and verify or examine the information. Currently, there is no single database of tax liens that can be accessed by any taxpayer that is the subject of a federal tax lien, by any creditor, or by any member of the public. Not even IRS personnel have access to such a tax lien database. It does not exist.

The result is an inefficient, costly, and burdensome paper filing system that can and should be completely revamped. Businesses across the country learned long ago that electronic filing systems outperform paper; they save personnel costs, material costs, time, and aggravation. Government agencies have learned the same thing as they have moved to electronic databases and recordkeeping, including systems made available to the public on the Internet. Among the many examples of government-sponsored, Internet-based systems currently in operation are the contractor registry operated by the General Services Administration to allow persons to register to bid on federal contracts, the license registry operated by the Federal Communications Commission to allow the public to search radio licenses, and the registry operated by the U.S. Patent and Trademark Office to allow the public to search currently registered patents and trademarks. Each of these systems has saved taxpayer money, while improving service to the public.

Just as government agencies gave up the horse and buggy for the automobile, it is time for the IRS to move from a decentralized, paper-based tax lien filing system to an electronic national tax lien registry. But the IRS' hands are tied, until Congress changes the laws holding back modernization of the federal tax lien filing system.

The bill we are introducing today would make the changes necessary to enable the IRS to take immediate steps to simplify and modernize the federal tax lien filing system. The operative provisions would require the establishment of a national registry for the filing of tax lien notices as an electronic database that is Internet accessible and searchable by the public at no cost. It would mandate the use of this system in place of the existing system of paper filings. It would establish the priority of federal tax liens according to the date and time that the relevant notice was filed in the national reg-

istry, in the same way that priorities are currently established from the date and time of a paper filing. The bill would also shorten the time allowed to release a tax lien, after the related tax liability has been resolved, from 30 days to 20 days.

To establish this new electronic filing system, the bill would give the Treasury Secretary express authority to issue regulations or other guidance governing the establishment and maintenance of the registry. Among other obligations, Treasury would be required to ensure that the registry was secure and prevent data tampering. Treasury would also be required to work with industry and other potential users of the registry to develop accurate search criteria to identify persons who are the subject of a tax lien. In addition, prior to the implementation of the national registry, the Treasury Secretary would be required to review the information currently included in public tax lien filings to determine whether any of that information should be excluded from disclosure on the Internet. For example, the Treasury Secretary would end disclosure of social security numbers that are currently included in some tax lien filings. While such identifying information could continue to be included in a tax lien filing to ensure that the filing is directed toward the correct person, the registry could be constructed to prevent such information from being disclosed publicly and instead provide such information only upon request from appropriate persons involved in the enforcement of the tax lien or collection of the tax debt. By requiring this information review prior to implementing the national tax lien registry, the bill would provide greater privacy protections for taxpayer information than occurs in current tax lien filings.

To ensure a successful transition to the new system, the bill would require the Treasury Secretary to establish one or more pilot projects to be carried out within 2 years of enactment of the bill, and require a successful nationwide test of the tax lien registry before it can be made operational. The bill would also allow the IRS to continue to use the existing paper-based tax lien filing system, in parallel with the new system, for an appropriate period to ensure a smooth transition.

Moving to an electronic tax lien filing system using an Internet-based national registry of tax liens, would accomplish at least three objectives. It would save taxpayer dollars, streamline the process for filing, correcting, and releasing tax liens, and improve taxpayer and public access to tax lien information.

The IRS estimates that moving from a paper-based tax lien system to an Internet-based, Federal tax lien registry would save about \$150 million over 10 years. These savings would

come from the elimination of State filing fees, paper and mailing costs, IRS administrative and travel costs related to paper filing problems, and the cost of lost taxes whenever the IRS makes an error or a tax lien filing is misplaced or delayed. Filing fees, for example, vary widely from State to State, but typically cost at least \$10 per filing, and in some States cost as much as \$150. If a taxpayer has real estate in multiple jurisdictions, those costs multiply. A Federal tax lien system would standardize costs for all taxpayers, and require only one filing across all jurisdictions.

In addition, right now, an IRS service center is currently charged with filing tax liens nationwide and complying with the myriad filing rules in effect in the 4,100 recording offices across the country. Eliminating the paper filing system would free virtually that entire service center for other taxpayer services and enforcement work.

Electronic filing would not only save money, it would improve taxpayer service. Taxpayers who are the subject of a tax lien filing, for example, would benefit from an electronic registry in several ways. First, taxpayers would be able to review their liens as soon as they are filed online, without having to make a physical trip to one or more recording offices. Second, taxpayers would have an easy way to look up their liens on multiple occasions, identify problems, and correct any errors. A single tax lien registry would be particularly useful for taxpayers who move during the ten years that a tax lien can be in effect and have to look up liens in jurisdictions where they no longer live.

Third, once the underlying tax liability is resolved, the IRS would be required to release the tax lien in 20 days, instead of the 30 days allowed under current law. The longer 30-day period is necessitated by the current complexities associated with filing a paper lien in one or more offices across the country, requiring the action of multiple parties in different jurisdictions. These complexities would be eliminated by the establishment of an electronic registry. The registry would also enable taxpayers, after they pay their taxes, to make sure their liens have been lifted.

Creditors who need to research Federal tax liens would also benefit from a single electronic registry. Lenders, security holders and others, for example, would be able to use a simplified search process that could take place online and would not require procedures that, ultimately, require physical trips to multiple locations. A single tax lien registry would make it easier to locate tax liens for persons who have moved from the jurisdictions where the liens were first filed. Simplifying the search process would also provide greater certainty that all tax liens were found.

The ability to research Federal tax liens remotely and instantaneously should be of particular benefit to larger lenders and to creditors of taxpayers with assets in more than one county or State.

Tax liens are not a topic that normally excites the public's interest. But sound tax administration requires attention to efficient, effective and low-cost filing systems. Saving taxpayer dollars is more important than ever as Congress looks for ways to tackle the deficit.

Federal law is currently impeding development of a more efficient, cost effective tax lien filing system. Amending the law as indicated in the Tax Lien Simplification Act to streamline the tax lien filing system, moving it from a paper-based to an electronic-based system, would not only advance the more efficient, effective tax system we all want, it would also save taxpayer money. At the same time, it would make the system work better for individual taxpayers by reducing the possibility for mistakes and speeding up the release of liens for taxpayers who have paid. Modernizing our tax lien filing system makes sense in every way. I urge our colleagues to join us in enacting this bill into law this year.

By Ms. COLLINS (for herself, Mr. WYDEN, Mr. ALEXANDER, Ms. LANDRIEU, Mr. TOOMEY, and Mr. PRYOR):

S. 1392. A bill to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes; to the Committee on Environment and Public Works.

Ms. COLLINS. Mr. President, I rise today to introduce the EPA Regulatory Relief Act of 2011. I am pleased to be joined in this effort by my colleagues Senators WYDEN, ALEXANDER, LANDRIEU, PRYOR, and TOOMEY. Our legislation is straight forward: it would allow the EPA the time it needs, by its own estimate, to adequately consider and propose a reasonable, workable rule that affects boilers.

Our bill includes four key provisions. First, it provides the EPA with the 15 months it requested to properly analyze the best methods for implementing the application of the Clean Air Act to certain boilers. Second, it will give businesses adequate time to comply with any requirements the EPA adopts by extending the compliance deadline from 3 years to 5 years. Third, our bill will direct the EPA, when developing the new rules, to ensure that renewable and carbon-neutral materials remain classified as fuel and not solid waste. Fourth, our legislation will help ensure that the rules are achievable by real-world standards consistent with the President's directive to improve Federal regulations.

At a time when manufacturers are struggling to retain jobs, it is essential that this rule not jeopardize thousands of jobs in manufacturing, particularly in the forest products industry, by imposing billions of dollars of new costs. Our legislation provides common sense solutions to the challenges the EPA is facing in attempting to draft and implement these complicated rules, which if written without proper data, analysis, and consideration, would cost the industry billions of dollars and potentially thousands of jobs.

To be sure, the EPA performs some vital functions in helping to ensure that the air we breathe is clean and the water we drink is safe. We need, however, to make sure that as the EPA issues new regulations, it does not create so many roadblocks to economic growth that it discourages private investment, which is the key to maintaining and creating jobs.

The EPA's proposed "boiler MACT" rules, which would affect tens of thousands of boilers, have been an issue of great concern to many of my constituents in Maine. The forest products industry, in particular, is the economic backbone of many rural areas in our country, including in Maine. Mill managers and workers in Maine have expressed their concern to me about the impact of imposing excessively costly regulations on their mills at this time of economic hardship.

Since these rules were first proposed in April 2010, I have been very troubled that the cost of implementation would be far greater than EPA originally estimated. According to industry estimates, this rule could cost Maine businesses alone hundreds of millions of dollars and put many jobs at risk, when less expensive approaches could be used to address emissions from boilers. This is simply unacceptable in this economic climate.

Furthermore, these rules might force some of our mills in Maine to stop using biomass, a source of renewable energy, and instead dump the biomass in landfills and switch to fossil fuels. This makes no sense. As the President has stated, biomass is an important renewable energy source that our nation should promote in working to reduce our dependence on foreign oil. Converting to fossil fuels alone would also cost mills hundreds of millions of dollars.

My colleagues and I have been concerned about this issue since the EPA proposed these new boiler MACT rules in April 2010. Last year, 40 of my Senate colleagues, including 17 Democrats, wrote to the EPA expressing our deep concern that the boiler MACT regulations would impose onerous burdens on U.S. manufacturers. We asked the EPA to set emissions standards based on what real-world, best-performing units actually can achieve. This letter reflected the widespread bipartisan con-

cern about the proposed boiler MACT rules.

It is important to remember that, under The Clean Air Act, a Maximum Achievability Control Technology rule, or "MACT" rule, is designed to reduce emissions to an achievable degree while also considering the economic impact on businesses. The MACT rule must also set its standard according to the best performing practices existing facilities. However, in the case of the boiler MACT rule, the EPA cherry-picked data without considering the real world operating practices of the facilities that will be affected by this rule.

In March 2011, I also asked Administrator Jackson at a hearing to explain why the EPA is not considering alternative standards for emissions since the MACT limits may be far more stringent than necessary to protect public health. Additionally, I have pressed officials at the Office of Management and Budget, such as Administrator of the Office of Regulatory Affairs, Cass Sunstein, about the very negative impacts EPA's Boiler MACT rules would have on the forest products industry.

In 2010, the EPA did request more time from the court to analyze and prepare the boiler MACT rules after it received thousands of comments that raised technical and cost concerns the agency had not originally considered. In response, the EPA appealed for an additional 15 months to implement the rule, noting that the public interest would be best served if it could obtain additional input from the public on these complex rules. Unfortunately, this plea was rejected by the D.C. District Court, and the agency was forced to re-propose the rule in a mere 30 days.

The stakes are too high for the EPA to be forced to rush a complex, multi-step process that could cost thousands of American jobs. Our bill will provide a balance that will help the EPA protect the environment and public health while ensuring that businesses in Maine and throughout the country are not faced with needlessly onerous burdens.

The EPA has claimed that the cost of the final rule has been lowered by 50 percent since the proposed rule last year; however, this is little comfort to manufacturers because the initial rule, according to industry estimates, was approximately \$4 billion in capital costs to the forest industry and over \$14 billion for all industrial sectors nationwide. The industry experts that I've talked with are very concerned that the standards are being set so high that they are going to have to make a massive new investment at a time when they can least afford it.

The EPA is making progress in reducing the costs and coming up with a more practical approach to the boiler

MACT rules, and I believe we can achieve the health benefits that we desire without putting thousands of people out of work. This bill will help ensure that result.

I look forward to working with my colleagues on both sides of the aisle to ensure that the EPA has sufficient time to propose a well thought-out rule that minimizes the negative effect on the economy, while helping to protect public health and the environment.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JULY 20, 2011.

Hon. SUSAN COLLINS,  
U.S. Senate, Washington, DC.

Hon. RON WYDEN,  
U.S. Senate, Washington, DC.

DEAR SENATORS: We are writing to express our united and strong support for legislation you are introducing today and for H.R. 2250, the "EPA Regulatory Relief Act of 2011," bipartisan legislation to address the serious concerns that remain with EPA's Boiler MACT rules. As they exist today, the final Boiler MACT rules will have serious economic impacts on a vast array of facilities across the industrial, commercial and institutional sectors. These rules place at risk tens of thousands of high-paying manufacturing jobs that our nation cannot afford to lose.

As finalized, the Boiler MACT rules are unaffordable, just as the proposed rules were. The rules are not achievable for real-world boilers across the range of fuels and operating conditions. EPA also has created a presumption that materials commonly used as fuels are wastes subject to the extremely costly and stigmatizing incinerator standards. This would not only impose billions of dollars in unreasonable costs, but it also would cause millions of tons of valuable materials to be diverted to landfills and replaced with fossil fuel—a bad result for the environment.

As EPA has acknowledged, the rules were finalized with serious flaws because EPA was forced to meet a strict court-ordered deadline. The final Boiler MACT rule alone would cost over \$14 billion in capital for the manufacturing sector, plus billions more in annual operating costs. Complying with the incinerator standards could cost several billion dollars more in capital.

Legislation is needed to resolve serious uncertainties and vulnerabilities, including to: ensure the rules are stayed for an adequate and certain period, as EPA's current administrative stay is being challenged in court; allow EPA adequate time to re-propose the rules and get them right, including time for stakeholders to conduct more emissions testing and to avoid mistakes that occur when rulemakings of this scope and importance are rushed and become vulnerable to legal challenge; provide direction and support for EPA to use the discretion it already has under the Clean Air Act and Executive Order 13563 to add flexibility and make the rules achievable; clarify that using non-hazardous materials as fuels does not result in boilers being treated as incinerators; and give facilities more time to comply with the complex and capital-intensive requirements of the rules.

If enacted, the "EPA Regulatory Relief Act" will provide the much-needed certainty

and time for EPA to get the rules right and for businesses that will be investing billions of dollars to rationally plan for the capital expenses. This legislation will preserve jobs and the competitiveness of the U.S. manufacturing sector while protecting the environment.

Thank you for your leadership on this issue of great importance to our industries and our workers.

Sincerely,

American Forest & Paper Association, American Chemistry Council, American Home Furnishings Alliance, American Petroleum Institute, American Wood Council, Association of American Railroads, Biomass Power Association, Brick Industry Association, Business Roundtable, Cement Kiln Recycling Coalition, Composite Panel Association, Construction Materials Recycling Association, Corn Refiners Association, and Council of Industrial Boiler Owners.

Hardwood Plywood and Veneer Association, International Falls Chamber of Commerce (MN), National Association of Manufacturers, National Federation of Independent Business, National Oilseed Processors Association, National Solid Wastes Management Association, NORA, An Association of Responsible Recyclers (formerly the National Oil Recyclers Association), Rubber Manufacturers Association, Society of Chemical Manufacturers and Affiliates, The International Association of Machinists and Aerospace Workers, The United Brotherhood of Carpenters and Joiners of America, Treated Wood Council, U.S. Chamber of Commerce, and Virginia Forestry Association.

Mr. WYDEN. Mr. President, biomass energy development is not only a great economic opportunity for Oregon, it is an essential piece of the forest health puzzle. Biomass energy helps create a market and a way to pay for forest thinning and hazardous fuels programs. It is also a way for keeping local timber and wood products mills in business at a time when the industry, like many in the U.S. is going through hard times. Biomass also provides an important renewable energy option for the Nation as a substitute for coal and other fossil fuels. Every region of the country has biomass energy opportunities even if the exact nature of the biomass that would be used varies from region to region. Today, I am joining my colleague from Maine, Senator COLLINS, and a bipartisan group of Senators, in introducing legislation to make sure that the U.S. Environmental Protection Agency can, and will, issue regulations under the Clean Air Act and the Solid Waste Disposal Act that ensure that the owners of these mills and biomass energy plants can continue to invest in them and maintain and create the jobs that are so badly needed.

Pending Environmental Protection Agency regulations governing boilers and incinerators will make it very difficult for biomass energy to be used in the U.S. To its credit, EPA recognizes this fact and has repeatedly proposed to rewrite those regulations to address

the concerns of biomass energy users, the forest products industry, and other industries. The legislation being introduced today is aimed at making sure that EPA can collect the necessary data and reissue its regulations in an orderly process that preserves biomass energy as a national energy option and allows economically hard pressed timber and forest products mills to remain in operation.

On December 7, 2010, EPA, which was under court order to issue new Clean Air Act regulations for boilers and incinerators, filed a request with the Federal Court overseeing the boiler emissions rules asking for a delay in the court-ordered deadline for issuing the rules by 15 months so that EPA could reevaluate its own proposed rules and address the problems raised by the forest products industry and others. However, the Federal judge hearing the case rejected EPA's request and gave EPA just a month to fix the rule. In February 2011, EPA met that deadline, but continuing to recognize the flaws in its regulations, it immediately triggered an administrative process known as reconsideration to allow affected industries to provide more information and for the agency to revise its regulations. In May, EPA agreed with industry comments that the rule needed to be reviewed and it agreed to stay, or delay, the implementation of the existing Clean Air Act rules for boilers and incinerators. Unfortunately, EPA did not issue a stay of a related rule which defines which materials can be burned in those boilers and which need to be burned in incinerators. EPA has now proposed a schedule, which it confirmed in letters to me and several other Senators, to consider additional comments by industry and others and develop new Clean Air Act rules.

Unfortunately, this is not the end of the story. Stays can be lifted by the courts. This legislation would statutorily affirm the EPA's stay of the Clean Air Act rules. And it would affirm EPA's proposal to issue new regulations by a date certain. That date would be 15 months from the date of enactment, the same period of time EPA claimed was necessary to draft a new rule. The goal here, which I believe EPA shares, is to issue Clean Air Act regulations that make sense, not to do away with Clean Air Act regulations for boilers and incinerators.

On the other hand, by not agreeing to make changes to the "what's a fuel and what's not" rule, EPA has made it very likely that many widely used boiler fuels can no longer be used, like wood scrap from door and window mills. And some results of the rule make little practical sense. For example, scrap tires that are picked up at a tire shop can continue to be burned as a fuel. Scrap tires that are picked up at a landfill cannot. EPA has indicated that



it will try to develop regulatory guidance to help industry navigate the regulatory confusion it has created.

I appreciate the fact that EPA recognizes that there is a problem with the fuel-or-waste rule and that they are offering to try to fix it by issuing regulatory guidance. However, I am not convinced that EPA can fix the problems with the rule by just by issuing guidance. This legislation will direct EPA to establish new rules on what materials can be burned as boiler fuel, and which cannot, and give EPA clear statutory direction on what can be included. This direction limits allowable fuels to a specific list so that there are no surprises or backdoor exceptions. EPA can add to the list only after notice and comment so the public knows what, if any, additions are being made.

This process for defining which fuels can be burned in a boiler and which cannot is very important to me. While it makes sense to continue to allow many materials that the wood products industry and others have used as boiler fuels for generations, I do not think that it's appropriate to simply decide that any fuel that was used in a boiler in the past should be grandfathered in. The provisions in this bill defining what materials can be burned in a boiler ensure that will not be the case. This was a major issue in litigation surrounding earlier versions of these rules and I do not think it is wise to ignore this fact. Congress has the opportunity to try to address the legitimate concerns about what is being burned in these boilers and it should.

Finally, the bill would extend the normal 3 year period for boilers to come into compliance to 5 years. It is my hope that once there a final regulations and industry knows what it has to do that it will not take that long. However, there some 2000 boilers in the U.S. that would all have to upgrade or replace their units all at the same time and coincident with similar rules going into effect for electric utility company boilers. This extra time will mean that there will be no excuse for not meeting the final standards.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. ENVIRONMENTAL  
PROTECTION AGENCY,  
Washington, DC, June 27, 2011.

Hon. RON WYDEN,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR WYDEN: I appreciate the opportunity to meet with you on June 16, 2011, regarding the Environmental Protection Agency's (EPA) Non-Hazardous Secondary Materials (NHSM) rule, the Boiler Maximum Achievable Control Technology (MACT) rule, and the Commercial and Industrial Solid Waste Incinerators (CISWI) rule. Thank you for your constructive engagement on these priority issues. We are currently exploring

various pathways under existing authority to address your concerns.

As you know, the Boiler MACT and CISWI standards are currently subject to an administrative stay. Today, as part of a filing with the United States Court of Appeals for the District of Columbia Circuit, the EPA announced the intended schedule for reconsideration of the boilers and CISWI rules. To ensure that the agency's standards are based on the best available data and that the public is given ample opportunity to provide additional input and information, the agency intends to propose the reconsideration rule by the end of October 2011 and issue a final rule by the end of April 2012. This is the best approach to establish technically and legally sound standards that will bring significant health benefits to the American public.

We believe that this stay and the reconsideration period will provide ample time to administratively address the issues raised by various stakeholders on these corresponding rules.

The NHSM rule, which we discussed in our meeting, aims to ensure that the burning of solid waste is subject to appropriate emission controls required under the Clean Air Act and that exposure to harmful pollutants is minimized. We understand that biomass derivatives have long been used for energy purposes in the wood products industry and we believe our rule allows such use to continue without being subject to the CISWI standards, provided that criteria, referred to as "legitimacy" criteria, are met.

Since promulgation of our rule, questions have arisen about how these criteria will be applied and our goal has been to ensure that the flexibility provided by the rule is in fact realized. To that end, we have held several meetings with industry representatives to discuss and understand their concerns and to review newly available data. In addition, on June 21, 2011, my Assistant Administrator for Solid Waste and Emergency Response, Mathy Stanislaus, met with representatives of several industries that use biomass derivatives and other non-hazardous secondary materials as fuel to ensure that they understand the significant flexibility already afforded by the rule, and to discuss the EPA's concepts for further clarifying that flexibility.

As part of that discussion, Mr. Stanislaus explained that one of the options that EPA is considering is issuing clarifying guidance regarding the Agency's legitimacy criteria. Such guidance is a useful tool that is often used under the Resource Conservation and Recovery Act (RCRA) to address these types of issues. The guidance could provide a clear guidepost for comparing traditional fuels with secondary materials. It potentially could clarify that certain nonhazardous secondary materials would not be considered solid waste when combusted and that the units combusting those materials can continue to be used as fuels without having to meet the CISWI standards. Mr. Stanislaus requested that the industry representatives provide the Agency with supporting data on traditional fuels that could further inform the development of such guidance, and asked for feedback on the approach he outlined. In addition to this approach, the Agency is also exploring other options.

We recognize that stakeholders have also raised other issues with the NHSM rule. We are continuing to evaluate those issues expeditiously.

I believe we have made significant progress in addressing the concerns raised by the industry. I will continue to watch the issue

closely and keep you informed. My goal is to bring these issues to closure as soon as possible.

Sincerely,

LISA P. JACKSON,  
Administrator.

U.S. ENVIRONMENTAL PROTECTION  
AGENCY, OFFICE OF SOLID WASTE  
AND EMERGENCY RESPONSE,

Washington, DC, July 11, 2011.

Hon. RON WYDEN,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR WYDEN: Thank you again for the constructive dialogue regarding issues relating to EPA's Non-Hazardous Secondary Materials (NHSM) rule, the Boiler Maximum Achievable Control Technology (MACT) rule and the Commercial and Industrial Solid Waste Incinerator (CISWI) rule. In the Administrator's letter of June 27, 2011 she indicated that the agency is exploring various pathways to address your specific concerns regarding implementation of the NHSM rule. EPA is committed to issuing guidance to assist industry in applying the legitimacy criteria, and had requested that industry representatives provide the agency with supporting data to further inform the development of such guidance.

We received additional information from industry and based on this information and further discussions, we have developed the enclosed concept paper for the development of guidance. The paper identifies approaches to the guidance that EPA continues to evaluate for determining whether concentrations of contaminants in the NHSM are "comparable" to concentrations of those same contaminants in traditional fuels. These comparisons are important in ensuring that NHSM are being legitimately recycled and are not solid wastes, as well as recognizing the varied uses of such secondary materials as product fuels.

We are optimistic about our ability to develop guidance that meaningfully addresses the industry concerns and we are giving it the highest priority within the agency. We intend to complete internal development of draft guidance based on the concept paper by August 31, 2011. In addition, we continue to evaluate all available options available to address the issues raised.

Please be assured that EPA will continue to keep you informed of our progress in addressing the issues involved with the NHSM rule, as well as the related Clean Air Act rulemakings. If you or your staff have any questions regarding the enclosed concept paper, please contact me or your staff may call Carolyn Levine in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-1859.

Sincerely,

MATHY STANISLAUS,  
Assistant Administrator.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 571. Mrs. BOXER (for herself, Mr. GRAMM, and Mr. INHOFE) submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 572. Mr. WEBB (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.



SA 573. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 574. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 556 proposed by Mr. JOHNSON of South Dakota (for himself and Mr. KIRK) to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 575. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 2055, supra.

SA 576. Mr. SESSIONS (for himself, Mr. CORNYN, Mr. VITTER, and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 577. Mrs. BOXER (for herself, Mr. GRAHAM, Mr. INHOFE, and Mr. NELSON of Florida) proposed an amendment to the bill H.R. 2055, supra.

SA 578. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Ms. SNOWE, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 571.** Mrs. BOXER (for herself, Mr. GRAHAM, and Mr. INHOFE) submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. (a) FINDINGS.—Congress makes the following findings:

(1) Over 86,000 children attend Department of Defense Education Activity (DoDEA) schools across the United States, Europe, and the Pacific region.

(2) According to an October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program, 149 of 189 schools assessed, or nearly 79 percent, had facilities with an overall condition rating of either Q3 (poor) or Q4 (failing).

(3) The October 2009 Report to Congress also indicated that many DoDEA schools require significant recapitalization efforts to bring facilities up to current standards and eliminate space shortfalls and temporary facilities.

(4) In the Future Years Defense Plan for Fiscal Years 2012 through 2016, the Department of Defense has established a plan to recapitalize many but not all of these school facilities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the state of disrepair of more than ¾ of Department of Defense Education Activity school facilities is deplorable, and that the Department of Defense should make every effort to accelerate the recapitalization of these facilities.

(c) RECAPITALIZATION OF SCHOOLS.—The Secretary of Defense is encouraged to include funding for each DoDEA school with an overall condition rating of Q3 (poor) or Q4 (failing) according to the October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program in the Future Years Defense Plan for Fiscal Years 2013 to 2017.

**SA 572.** Mr. WEBB (for himself and Mr. LEE) submitted an amendment in-

tended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, between lines 12 and 13, insert the following:

SEC. 410. No amounts appropriated or otherwise made available by this Act may be obligated or expended to implement or carry out any program that creates a price evaluation adjustment that is inconsistent with the holdings in the following:

(1) Adarand Constructors, Inc. v. Peña, 515 U.S. 200 (1995).

(2) Rothe Development Corporation. v. Department of Defense, 545 F. 3d 1023 (2008).

**SA 573.** Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. Not more than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Appropriations of the Senate and the House of Representatives a report that includes—

(1) an assessment of the property management and caretaker costs, including base security, fire protection, and maintenance of the military installations closed or realigned under the 2005 round of defense base closure and realignment;

(2) a description of the risks to property value, safety, and human life if such costs are not funded;

(3) a description of the extent to which the Department of Defense is funding such costs; and

(4) if such costs are not fully funded, an explanation for the shortfall.

**SA 574.** Mr. WARNER submitted an amendment intended to be proposed to amendment SA 556 proposed by Mr. JOHNSON, of South Dakota (for himself and Mr. KIRK) to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

Strike "Sec. 301. Not later" and all that follows and insert the following:

SEC. 301. (a) Not later than 90 days after the date of the enactment of this Act, the Executive Director of Arlington National Cemetery shall submit to the Committee on Appropriations, the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations of the House of Representatives a report on the efforts of the Executive Director to modernize the information technology and management systems of the Cemetery.

(b) The report required by subsection (a) shall include the following:

(1) A detailing of the strategic plan and timetable to modernize the information technology and management systems of the Cemetery, including digital burial records.

(2) A description of the steps taken by the Executive Director in 2011 to implement information technology and management systems improvements.

(3) Identification of any remaining information technology and systems infrastructure needs of the Executive Director for administration of the Arlington National Cemetery.

**SA 575.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; as follows:

On page 112, between lines 2 and 3, insert the following:

SEC. 230. (a) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in coordination with the Defense Advanced Research Projects Agency (DARPA), shall submit to the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Armed Services of the Senate and the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Armed Services of the House of Representatives a report, in writing, on the plans of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics.

(b) The report required by subsection (a) shall include the following:

(1) Details of the strategic plan and timetable of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics

(2) A description of the challenges, both technical and administrative, that could delay injured members of the Armed Forces and veterans access to prosthetics described in paragraph (1).

(3) The plans of the Secretary to address these challenges described under paragraph (2).

**SA 576.** Mr. SESSIONS (for himself, Mr. VITTER, and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. \_\_\_\_ . NO BUDGET—NO APPROPRIATIONS.

Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (c)(1), by inserting after "Sections" the following: "303(c)."; and

(2) in subsection (d)(2), by inserting after "sections" the following: "303(c).".

**SA 577.** Mrs. BOXER (for herself, Mr. GRAHAM, Mr. INHOFE, and Mr. NELSON of Florida) proposed an amendment to

the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; as follows:

At the appropriate place, add the following:

SEC. \_\_\_\_ No later than 90 days after enactment of this Act, the Secretary of Defense shall report to the Committees on Appropriations of the Senate and the House of Representatives on the status and improvement plan for all DODEA schools with an overall condition rating of Q3 (poor) or Q4 (failing) as identified in the October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program.

**SA 578.** Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Ms. SNOWE, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. (a) LIMITATION ON CLOSURE OF COMMISSARIES.—Notwithstanding any provision of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), none of the funds appropriated or otherwise made available by this title may be obligated or expended to cease operations of any commissary until the Secretary of Defense has issued new instructions regarding commissary operations of the Armed Forces that clarify general and economic criteria used for establishing, continuing, or discontinuing commissary operations.

(b) SUBMISSION OF PROPOSED INSTRUCTIONS TO CONGRESSIONAL DEFENSE COMMITTEES.—The Secretary of Defense may not issue the instructions described in subsection (a) until 60 days after the Secretary submits to the congressional defense committees a copy of the proposed instructions and a description of the impact of those instructions on—

- (1) existing commissary operations;
- (2) operations of commissaries at locations affected by a base closure law;
- (3) future construction and operation of new commissaries; and
- (4) the operation and funding of commissary stores at which substantial percentages of users are from more than one military service.

#### NOTICES OF HEARINGS

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, July 27, 2011, at 10 a.m. in SD-430 to mark-up the following: S. 958, the Children's Hospital GME Support Reauthorization Act of 2011; S. 1094, the Combating Autism Reauthorization Act; S. \_\_\_\_, the Workforce Investment Act Reauthorization Act of

2011; and, any nominations cleared for action.

For further information regarding this meeting, please contact the committee on (202) 224-5375.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests. The hearing will be held on Wednesday, August 3, 2011, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 1024, to designate the Organ Mountains and other public land as components of the National Wilderness Preservation System and the National Landscape Conservation System in the State of New Mexico, and for other purposes;

S. 1090, to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee, and for other purposes;

S. 1144, to amend the Soda Ash Royalty Reduction Act of 2006 to extend the reduced royalty rate for soda ash;

S. 1149, to expand geothermal production, and for other purposes; and

S. 1344, to direct the Secretary of Agriculture to take immediate action to recover ecologically and economically from a catastrophic wildfire in the State of Arizona, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to [jake\\_mccook@energy.senate.gov](mailto:jake_mccook@energy.senate.gov).

For further information, please contact David Brooks at (202) 224-9863 or Jake McCook at (202) 224-9313.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 20, 2011, at 10 a.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled "Building American Transportation Infrastructure through Innovative Funding."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 20, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on July 20, 2011.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 20, 2011, at 10 a.m. to conduct a hearing entitled "Federal Regulation: A Review of Legislative Proposals, Part II."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 20, 2011, at 9:45 a.m. in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "S. 598, The Respect for Marriage Act: Accessing the Impact of DOMA on American Families."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON ECONOMIC POLICY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Economic Policy be authorized to meet during the session of the Senate on July 20, 2011, at 10 a.m. to conduct a hearing entitled "Access to Capital: Fostering Job Creation and Innovation through High-Growth Startups."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Transportation and Infrastructure of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 20, 2011, at 10 a.m. in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled "Yellowstone River Oil Spill Oversight."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on

July 20, 2011, at 2:30 p.m. in room SR-253 of the Russell Senate Office Building, to conduct a hearing entitled "Looking to the Future: Lessons in Prevention, Response, and Restoration from the Gulf Oil Spill."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on July 20, 2011, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that Alexa Damis-Wulff be granted floor privileges for the balance of the day.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JULY 21, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., tomorrow, Thursday, July 21; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved until later in the day; that when the Senate considers the motion to proceed to H.R. 2560, the Cut, Cap, and Balance Act, the time until 2 p.m. be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, tomorrow morning, the majority leader will move to proceed to H.R. 2560, the Cut, Cap, and Balance Act. There will be a full debate on this bill. We will decide how much time is needed. We will work on this as we proceed. If all the time is used, we will vote Saturday morning.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:48 p.m., adjourned until Thursday, July 21, 2011, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

MICHAEL WALTER FITZGERALD, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE A. HOWARD MATZ, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

MARY F. HART-GALLAGHER

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531(A) AND 716:

To be major

RAYMOND S. COLLINS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID B. BARKER  
DANISHIA A. BARTON  
MELISSA J. BEASLEY  
TERECA V. BENTON  
JAMIE SUE BING  
RANDOLPH T. BOSCH  
MERRITT M. BROCKMAN  
SCOTT A. BROWN  
JAMES M. CAMILLERI  
BRIAN M. CARUTHERS  
MARIABETHY PULIDO CASH  
KENNETH M. CHAPMAN  
SHAWN M. COFFIN  
DANIEL C. COLEMAN  
BONITA Y. DENNIS  
KELLY LYNN DETERING  
JOI BLYTHE DOZIER  
MICHAEL R. EMERSON  
IAN C. ERSKINE  
DAVID A. FERGUSON  
STEVE V. FLEMING, JR.  
STEVEN M. FOX  
EMIRZA G. GRADIZ  
RONICA S. GRUVER  
CHANG M. HAN  
FRED L. HARRIS  
ADAM G. HENSON  
TODD M. HOGGATT  
KIRK D. HUNTSMAN  
JAMIE M. KAAUAMO  
ALEXEI KAMBALOV  
NATHAN T. KELLETT  
SYLVIA CHIHUN KIM  
AMANDA M. LAWSON  
JOSHUA J. LESLIE  
JORDAN H. LINDEKE  
RANDALL L. LIVENGOOD  
CHARLES E. LUEKER  
PAUL E. MACDONALD, JR.  
STEPHEN W. MARTIN  
CHRISTOPHER B. MATHEWS  
RENEE A. MCCLENNON  
WENDY J. MORENO  
MARLON A. MUTHUVEERAN  
JOY U. NAVARRO  
PHILLIP D. OLIPHANT  
LISA A. PERRY  
BECKY K. QUENNEVILLE  
DANIEL J. RIVAS  
BRENDA TALINA ROBERTS  
VICKI K. ROBLES  
JAVIER A. RODRIGUEZ  
TODD M. ROMAN  
DAWN M. ROSE  
JOSEPH H. ROUNTREE  
TIMOTHY A. SCHMIDT  
HEIDI P. SIMPSON  
TANYA M. SIMULICK  
STATWELL G. SINCLAIR, JR.  
JAMES A. STEWART  
LEWIS RANDOLPH TAYLOR  
THOMAS JASON TELFER  
ALISON M. THOMAS  
JASON T. TOMPKINS  
ROBERT E. TRAYLOR  
NEVA J. VANDERSCHAEGEN  
MERLINDA VERGONIOWILLIAMS  
GLORIA JEN WALSKI  
TOBIE A. WETHINGTON  
JOCELYN M. WHALEN  
LINDSEY KAY WILLHARDT  
THOMAS E. WINDLEY  
RYAN K. YATES  
TANYA R. YELVERTON  
ANGELA M. YUHAS

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

WADE B. ADAIR  
TRACY L. ALLEN  
SUSAN G. ANGUS  
NORA ASHBY  
JOYCE C. BEATY  
PAMELA BELLGARVIN  
JACQUELINE L. BOWERS  
WILLIAM CHADRICK BREEDLOVE  
DAVID B. BROWN  
TERA Y. CARTER  
GREGORY A. COLEMAN  
ANADIS COLLADOVALENTIN  
JEFFREY N. COOK  
SARAH A. COORS DAVIDSON  
ROBERT A. CORBY  
MANUEL DOMINGUEZ  
STEPHANIE K. DUSZA  
TOMMY D. FRANKLIN, JR.  
RICHARD A. FRENCH  
MARIA D. GRAVES  
RONALD J. GREENAWAY  
RODNEY A. GUMBISH  
ALAN C. HARDMAN  
ALISHA N. HENNING  
JOHN J. ISTVAN  
RANDALL G. IVALL  
CHRISTOPHER R. JOSEPH  
MATTHEW S. KRAUCHUNAS  
TED C. LEMON  
JAY T. LUDESCHER  
ROGER E. LYNCH  
KATHLEEN M. MACKEY  
PATRICK R. MISNICK  
ROYCE F. MOORE  
JAMES F. MULLEN  
KENNETH C. PERRY  
CAROLINE D. PLAHUTA  
LYDIA A. RADFORD  
EDWARD E. RHODES III  
JONATHAN E. RICHARDS  
JENNIFER E. RIGGINS  
MARK W. ROGERS  
AMY ELIZABETH RUSSO  
ANDREA NIKITAMONA RYAN  
ALVIN SCOTT, JR.  
BRYAN K. SIMPSON, SR.  
JOSE A. SORTO  
MARY E. STEWART  
JAY W. VEEDER  
ELIJO J. VENEGAS, JR.

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

JOHNATHAN M. COMPTON  
MAURICE E. YOUNG

To be major

AMY M. HENSEL  
BENJAMIN J. MITCHELL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JESSE ACEVEDO  
GILBERT A. ACOSTA  
MARC M. ADAIR  
CHARLES D. ADAMS  
RYAN J. AERNI  
JEREMY S. AGTE  
KIRSTEN G. AGUILAR  
PETER A. AGUIRRE, JR.  
KRISTOPHER H.O. AHLERS  
JAMES D. AKERS  
TODD J. ALDRICH  
JOSEPH R. ALKIRE II  
MATTHEW S. ALLEN  
ANTONIO ALVARADO  
AIMEE C. ALVSTAD  
ERIC K. AMISSAH  
CAROLYN F. AMMONS  
JOHN M. AMODEO  
BRIAN P. ANDERSON  
GRETCHEN E. ANDERSON  
KYLE G. ANDERSON  
MATTHEW P. ANDERSON  
STEVEN J. ANDERSON  
TOBIN G. ANDERSON  
TORA B. ANDERSON  
CHAD W. ANNUNZIATA  
NOEMI ANTEDOMENICO  
VERONICA V. ANTEOLA  
ANTHONY F. ANTONLINE  
ERIK J. ANTON  
WILLIAM E. ANTONIUS  
RICHARD M. ARCHER  
NATHANIEL ARDS, JR.  
JASON P. ARNOLD  
ORBELIN ARREOLA  
DAVID A. ARRIOLA  
JACK R. ARTHAUD  
WILLIAM H. ASHFORD  
LAMONT ATKINS  
DAVID A. ATKINSON  
MATTHEW C. ATKINSON  
PETER G. AXTELL  
KATHERINE M. BAILEY

MICHAEL C. BAILEY  
 RANDY S. BAILEY  
 RYAN N. BAKAZAN  
 MATTHEW B. BAKER  
 JEFFERY A. BALDWIN  
 PAUL D. BALDWIN  
 JEFFREY B. BANKS  
 SEAN K. BARDEN  
 TERRY R. BARENBERG  
 MARGARET A. BARKER  
 RICHARD ALLEN BARKSDALE, JR.  
 JOSEPH A. BARRY  
 JUSTIN P. BARRY  
 BRIAN C. BARTELS  
 DERRICK Q. BARTON  
 ALEXANDER D. BASCO  
 MELVIN E. BASKERVILLE, JR.  
 MATTHEW L. BAUGH  
 JOHN A. BAYCURA  
 BRIAN O. BEALES  
 TODD W. BEARD  
 ROBERT C. BEARDEN  
 WILLIAM W. BEATTY  
 JAMES D. BEATY  
 GREGORY S. BEAULIEU  
 JAMES A. BECKER  
 JASEN J. BECKMAN  
 KRISTI L. BECKMAN  
 GREGG C. BEEBER  
 CARY M. BELMEAR  
 JOHN F. BELO  
 BRIAN L. BELSON  
 FRANCIS M. BENEDICT  
 DAVID J. BENNETT  
 KENNETH A. BENTON  
 KYLE A. BENWITZ  
 JONATHAN T. BERARDINELLI  
 JENNIFER A. BERENGER  
 KEVIN S. BERGAN  
 MATTHEW M. BERGGREN  
 SCOTT E. BERGGREN  
 CHANDLER L. BIGELOW  
 KENNETH L. BLACK  
 JAMES A. BLACKMAN  
 AARON M. BLAIR  
 ANGIE I. BLAIR  
 JOSEPH T. BLAIR  
 DICK J. BLAKEMORE  
 ALAN E. BLANCHARD  
 BRYAN L. BOBECK  
 TIMOTHY J. BODE  
 BENJAMIN D. BOEHM  
 JEFFREY W. BOGAR  
 JOSHUA E. BOHNART  
 MICHAEL B. BOND  
 ERNEST L. BONNER  
 ROBERT J. BONNER  
 WILLIAM P. BOOTH  
 MICHAEL J. BORDERS, JR.  
 DAVID M. BORGESON  
 TIMOTHY J. BOS  
 BENJAMIN L. BOYD  
 DAVID J. BOYD  
 MICHAEL J. BOYER  
 MATTHEW J. BRADLEY  
 CHRISTOPHER P. BRADY  
 AMANDA D. BRANDT  
 MATTHEW L. BRANDT  
 RICHARD W. BRANSON  
 JEANNE M. BRASSEUR  
 MARCUS D. BRAZELL  
 JONATHAN H. BREINGAN  
 JOSHUA D. BROOKS  
 JIMMY K. BROWN  
 MARK BROWN  
 MATTHEW T. BROWN  
 MICHAEL L. BROWN  
 THOMAS W. BROWN  
 MICHELLE R. BRUNSWICK  
 SCOTT A. BRYANT  
 GEORGE M. BUCH, JR.  
 WILLIAM A. BUCKINGHAM  
 DANIELLE M. BUDZKO  
 JASON B. BURCH  
 TRACY K. BURGE  
 MICHAEL G. BURKOTT  
 DANIEL C. BURTZ  
 BENJAMIN C. BUSCH  
 CHRISTOPHER M. BUSQUE  
 JAY E. BUTTERFIELD  
 ANDREW C. CAGGIANO  
 CHARLES B. CAIN  
 BRYAN T. CALLAHAN  
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 CLAYTON E. ROBINSON  
 JORI A. ROBINSON  
 JOHN D. ROCHE  
 ROY V. ROCKWELL  
 JUNE F. D. RODRIGUEZ  
 CHAD A. ROGERS  
 THOMAS C. ROGERS  
 DANIEL S. ROHLINGER  
 JONATHAN M. ROMAINE  
 GEOFFREY J. ROMANOWICZ  
 RICHARD J. ROMANSKI  
 LANCE ROSAMIRANDA  
 JAMES F. ROSS, JR.  
 JOSEPH J. ROTH  
 FRANCOIS H. ROY II  
 JONATHAN S. ROYER  
 CHAD E. C. RYTHER  
 JOSEF E. SABLATURA  
 JEFFREY A. SALEM  
 KELLY M. SAMS  
 PETER A. L. SANDNESS  
 MARK A. SANDOR  
 ELIOT A. SASSON  
 DANIEL M. SAUCER  
 LYNN E. SAVAGE  
 MICHAEL A. SAVILLE  
 MICHAEL M. SAX  
 TRAVIS J. SCHEEL  
 STEPHEN L. SCHEIN  
 NICOLAS J. SCHINDELER  
 CHRISTOPHER G. SCHLAK  
 DAMIAN SCHLUSSSEL  
 JASON A. SCHMIDT  
 DANIEL T. SCHMITT  
 MATTHEW A. SCHNOOR  
 DONALD E. SCHOFIELD II  
 JOHN M. SCHUTTE  
 LAWRENCE J. SCHUTZ  
 NATHAN C. SCOPAC  
 JOHN DANIEL SCOTT II  
 BARRY R. SECREST  
 DAVID C. SEITZ  
 PETER A. SELKEY, JR.  
 JAMES D. SELLNOW  
 CHRISTOPHER SENSENEY  
 SHAWN A. SERFASS  
 MARIO A. SERNA  
 JASON R. SETTLE  
 JOHN M. SEVIER  
 DEVIN L. SHANKS  
 GRANT BROOKE SHARPE  
 JOSEPH L. SHEFFIELD  
 JEROMIE K. SHELDON  
 MICHAEL S. SHELDON  
 DAVID R. SHORT  
 JON L. SHUMATE  
 JOSEPH P. SIBERSKI  
 KENNETH A. SIERRA  
 JAMEY P. SILLENCE  
 CHAD A. SILVA  
 MATTHEW M. SIMMONS  
 TIMOTHY J. SIMMONS  
 EDWARD H. SIMPSON  
 JAMY L. SIRMAN'S  
 TRAVIS D. SJOSTEDT  
 JAMES D. SKELTON  
 MARK ROBERT SLOAN  
 ALBERT E. SMITH  
 ANDREW M. SMITH

ANTHONY L. SMITH  
 BENJAMIN T. SMITH  
 DANIEL W. SMITH III  
 JESSE D. SMITH  
 TRACEY E. SMITH  
 VERONICA E. SMITH  
 WILLIAM H. SMITH  
 BRIAN L. SNYDER  
 DARREN D. SOKOL  
 JONATHAN M. SONGER  
 CADE R. SONNICHSEN  
 WILLIAM G. SOSNOWSKI  
 ANDREW A. SOUZA  
 DANNE EMMETT SPENCE  
 GUY T. SPENCER  
 JAMES H. SPENCER  
 MITCHELL R. SPILLERS, JR.  
 EDWARD T. SPINELLI  
 ERIC J. SPRINGER  
 DANIEL C. ST PIERRE  
 JAMES W. STAHL  
 THOMAS W. STALEY  
 DONALD L. STARLING  
 WILLIAM R. STAUS  
 BRADLEY J. STEBBINS  
 DERICK N. STEDD  
 ANDREW J. STEFFEN  
 RICHARD E. STEGGERDA  
 KAYLE M. STEVENS  
 RODNEY S. STEVENS  
 WILLIAM M. STOVER  
 DAWN M. STRAIGHT  
 STEVEN A. STRAIN  
 JOHN C. STRATTON  
 THOMAS A. STRATTON  
 KELLY L. STRONG  
 ERIC M. STRUMPF  
 KRISTOPHER W. STRUVE  
 CHEN Y. SU  
 BETH ANN SUBERO  
 PATRICK C. SUBERMANN  
 CLIFFORD V. SULHAM  
 JOHN D. SULLIVAN  
 LAWRENCE T. SULLIVAN  
 SEAN P. SUTHERLAND  
 GARY A. SWAIN  
 BRETT T. SWIGERT  
 STEPHEN C. SZTAN  
 KIRSTIE I. TALBOT  
 JEFFREY M. TANG  
 RICHARD C. TANNER  
 MICHAEL A. TARABORELLI, JR.  
 ROY R. TATE, JR.  
 MICHAEL B. TATUM  
 ANDREW J. TAYLOR  
 JASON T. TAYLOR  
 STEPHEN T. TAYLOR  
 TERENCE G. TAYLOR  
 KEVIN B. TEMPLIN  
 PETER G. TERREBONNE, JR.  
 VINCENT M. TERRELL  
 KATRINA A. TERRY  
 CHAD R. TESKE  
 BRIAN C. THILL  
 BRYAN W. THOMAS  
 DILTRICE M. THOMAS  
 JOHN M. THOMAS  
 MICHAEL A. THOMAS  
 BRIAN A. THOMPSON  
 LANE D. THOMPSON  
 SHAWN O. THOMPSON  
 GREGORY D. THORNTON  
 CASEY J. TIDGEMELL  
 MICHAEL C. TODD  
 JAMES M. TRACHER  
 JOHN D. TRAN  
 TRENT W. TRIPPLE  
 CHRISTOPHER D. TROYER  
 AARON A. TUCKER  
 BRADLEY E. TURNER  
 KENNETH D. UNDERWOOD  
 ROBERT T. UNGERMAN III  
 DENNIS W. UYECHI  
 ROD L. VALENTINE  
 TARA R. VALENTINE  
 THOMAS B. VANCE, JR.  
 JEFFREY S. VANDUSEN  
 JERRY M. VANDYKE  
 SPENCER T. VANMETER  
 MATTHEW T. VANN  
 JASON F. VATTIONI  
 BRADY P. VAUCLIN  
 OMAR A. VELASCO  
 MARGARET F. VENCIOUS  
 SHANE M. VETTER  
 DOUGLAS W. VIEWEG  
 DAVID L. VILLA  
 JUSTIN M. VINCENT  
 GRANT T. VINEYARD  
 SHAD D. VINSON  
 JILEENE M. VIVIAN'S  
 JASON D. VOORHEIS  
 CHRISTOPHER M. WACHTER  
 WILLIAM O. WADE  
 TED A. WAHOSKE  
 ANTHONY L. WALKER  
 BRADLEY C. WALKER  
 JASON C. WALKER  
 PHILLIP WALKER, SR.  
 JEFFREY A. WALLACE  
 WILLIAM M. WALLIS  
 ERICK JOHN WALLMAN

SHAWN P. WALRATH  
 STACY E. WALSER  
 BRENDAN P. WALSH  
 MICHAEL O. WALTERS  
 BRANDE HELEN WALTON  
 ZACHARY S. WARAKOMSKI  
 BENJAMIN GRAY WARD  
 RANDY S. WARDAK  
 RICHARD L. WARR  
 MICHAEL S. WATSON  
 JEFFERY A. WEAK  
 JAMES C. WEAVER  
 JONATHAN D. WEBB  
 JOHN S. WEIR  
 JEFFREY H. WELBORN  
 NAOMI M. WELCOME  
 LINWOOD E. WELLS, JR.  
 KIMBERLY LEE WELTER  
 BRENT D. WENTHUR  
 WILLIAM W. WENZEL  
 DERRICK J. WEYAND  
 SCOTT P. WEYERMULLER  
 RYAN W. WHITE  
 PAUL W. WHITFIELD, JR.  
 JONATHAN C. WHITNEY  
 JUSTIN A. WHITSON  
 STACY S. WIDAUF  
 JASON T. WIEHRDT  
 DAVID A. WIELAND  
 STEVEN T. WIELAND  
 COLIN C. WIEMER  
 JANINE O. J. WIGGINS  
 CHRISTOPHER M. WILCOX  
 BRIAN K. WILKERSON  
 BRADY J. WILKINS  
 GARY M. WILLIAMS  
 NICHOLE L. WILLIAMS  
 SARAH C. WILLIAMS  
 SEAN A. WILLIAMS  
 ALAN L. WILLINGHAM  
 DARREN M. WILLIS  
 CLINTON M. WILSON  
 JAMES G. WILSON  
 KEITH D. WILSON  
 KYLE J. WILSON  
 ROCKIE K. WILSON  
 WAYNE W. F. WILSON  
 AARON N. WILT  
 HEATH WIMBERLEY  
 JOSEPH H. WIMMER  
 BRIAN D. WITKOWSKY  
 JEFFREY S. WITT  
 THOMPSON C. WOFFORD III  
 KEITH M. WOLAK  
 IAN S. WOLFE  
 MARK R. WOLFE  
 DAVID B. WOODLEY  
 JOHN P. WOODRUFF  
 CHRISTOPHER WORDEN  
 CARRIE L. WORTH  
 PAUL S. WRIGHT  
 RASHEEM J. WRIGHT  
 MICHAEL C. WYATT  
 BENJAMIN A. WYSACK  
 JARED C. YARRINGTON  
 JASON D. YEATTS  
 JEFFREY W. YOST  
 MATTHEW J. ZAMISKA  
 SHAO H. ZERBA  
 JESSE B. ZYDALLIS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

CINDY B. KATZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 4336(A):

*To be colonel*

WILEY C. THOMPSON

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

MARSHALL S. HUMES

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

CYRUSS A. TSURGEON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

COLLEEN F. BLAILES  
 CURTIS T. CHUN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

*To be major*

BRAD M. EVANS  
 JAY S. KOST

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

MATTHEW J. BAKER  
 RUSSELL B. CHAMBERS

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

JOSEPH B. RUSINKO

*To be major*

VIRGLIO A. CANTU  
 STANLEY H. CHAO  
 PAUL S. LAJOS  
 MARIO A. MIGLIETTA  
 PAULA S. OLIVER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

CHARLESPAUL T. ANONUEVO  
 BRECK S. BREWER  
 KANIK A. DAVILA  
 ABBY M. DEBONIS  
 PETER N. DROUILLARD  
 NICKOLI DUBYK  
 JOSEPH M. DUTNER  
 STEPHEN K. EDWARDS  
 NASSER I. FIQA  
 BRANDON M. GAGE  
 ROBERT N. GILLIAM  
 KAREN E. GONZALEZTORRES  
 PRABHDEEP S. GREWAL  
 ZACHARY H. HIGHBERGER  
 JERRI D. HINES  
 NGHIA N. HO  
 WILLIAM C. JEFFREY  
 MEENAL P. JOHNSON  
 LELAND B. KIMBALL  
 JACOB L. KITSON  
 DAVID H. KWON  
 TIMOTHY A. LEW  
 KURTIS G. LIGHTHEART  
 ANDREW C. MARSHALL  
 ALVIN B. MATTESON  
 SLOAN D. MCLAUGHLIN  
 JAMES D. MEDWICK  
 LARRY L. MUNK  
 JUSTIN M. NELSON  
 TIMOTHY J. NEUNER  
 ADAM R. OCHSNER  
 MILTON M. ONG  
 ZACHARY A. PAUKERT  
 MICHAEL S. PETERMAN  
 SAMUEL E. POINDEXTER  
 SHANE S. PORTER  
 DAVID L. REDMOND  
 MURRAY M. REEFER, JR.  
 JASON D. ROE  
 LUCERO SANABRIA  
 MICHELLE D. SARNO  
 MARC M. SERRA  
 JESSICA S. SHARP  
 KRISTIN L. SOLEAU  
 CHRISTOPHER D. SWAGERTY  
 FELICIA V. SWINNEY  
 JEREMY M. THOMPSON  
 MATTHEW B. THOMPSON  
 SAMIRA F. THOMPSON  
 JUSTIN M. TRISLER  
 J. R. TUCKER  
 JOHN F. UNDERWOOD  
 JOHNNY R. VIDIC  
 ALAN D. WALKER  
 TRACY E. WALTERS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

DAVID H. BURNHAM  
 JAMES C. CLEMENTS  
 ARMANDO V. CORRAL  
 ANN DIRKS  
 QUINCY GAINES  
 JAMES R. HOCK  
 MICHAEL E. LAMBERT  
 GAETANO C. MANGANO  
 WALLACE M. MATTOS  
 FREDERICK PALMER  
 PATRICK W. SCANLAN  
 RANDALL S. VERDE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

MICHAEL A. ADAMS

JEFFREY B. ADLER  
 JASPAL AHLUWALIA  
 OMOLARA R. ALAO  
 MAZER ALLY  
 KAREN A. ALVAREZ  
 JONG AN  
 JASON ANDRES  
 MATTHEW S. ANGELIDIS  
 WASIL M. AQL  
 KELLY A. ARBLASTER  
 ANTHONY ARNETT  
 GAVIN W. ARNETT  
 SYLVIA G. ARORA  
 CHARLES ASHER  
 CHARLES ATKINSON  
 EDWARD P. BAHK  
 DREW C. BAIRD  
 DAGOBERTO BALDERAS  
 TODD P. BALOG  
 RAYMONDA L. BARBOUR  
 MICHAEL BARTOSZEK  
 ROBERT A. BASSETT  
 KELLY A. BEAR  
 BRAD B. BECKMANN  
 MEGAN M. BELPREZ  
 ETHAN S. BERGVALL  
 JOHNNY R. BERNARD  
 KATHRYN E. BERRYMAN  
 AARON M. BETTS  
 ELIZABETH A. BLANK  
 DAVID V. BODE  
 NICHOLAS O. BOE  
 SARAH BOLDT  
 REED A. BONVICINO  
 MELISSA L. BORDEN  
 PAUL H. BORNEMANN  
 ANDREW J. BRACKBILL  
 JENNIFER BREEDLOVE  
 CHRISTOPHER C. BREUDER  
 PAUL A. BREWER  
 AARON C. BRINKMAN  
 RICHARD A. BRODERICK  
 ANGELA R. BRYAN  
 SUMMER D. BRYANT  
 JASON B. BUENAVENTURA  
 MIKI A. CAIN  
 CHRISTOPHER J. CALCAGNO  
 SCOTT W. CALCAGNO  
 TERRA L. CALLAHAN  
 WILLIAM G. CALLIS  
 NAPOLEON A. CAMPOS  
 SAMUEL CANCELRIVERA  
 JORGE E. CAPELLAGONZALEZ  
 KEVIN A. CARTER  
 JULIA M. CAVALLARO  
 LACIA R. CHAPMAN  
 JOHN B. CLARK  
 MICHELLE S. CLARK  
 TREVOR CLAYTON  
 GUY CLIFTON  
 JUSTIN P. COCO  
 GARRETT W. COLBY  
 SHAWN P. CORCORAN  
 CHRISTOPHER COWAN  
 BENJAMIN E. CRABB  
 CRISTINA CRUZCRESPO  
 JUSTIN M. CURLEY  
 JOSEPH DAI  
 LEO A. DAMASCO  
 MATTHEW R. DEBIEC  
 KRISTIAN E. DELGADO  
 ANDREW S. DELMAS  
 JESSE P. DELUCA  
 SALLY P. DELVECCIO  
 SKY A. DENNISTON  
 JEREMIAH J. DEPUE  
 ZACHARIAH M. DEYOUNG  
 JONATHAN F. DICKENS  
 MICHAEL M. DICKMAN  
 MARY DIGIULIO  
 CHRISTOPHER D. DOWNER  
 IAN R. DRISCOLL  
 SCOTT A. DRUMMOND  
 MARK C. DUBER  
 MELISSA E. DUBER  
 LEIGH D. ECKERT  
 KIM EDHEGARD  
 JAMES ELDER  
 BEAU ELLENBECKER  
 TROY ELLIS  
 ZAHER ELMIR  
 MATTHEW EVANS  
 ADAM EVERETT  
 MELISSA FAGA  
 TASHEEMA L. FAIR  
 RUTH S. FAIRCLOTH  
 MICHAEL J. FARRELL  
 TODD FEATHERS  
 DARELL J. FERGUSON  
 COLBY A. FERNELIUS  
 JAMES B. FESKO  
 RYAN P. FOLEY  
 MIRANDA C. FOWLER  
 ANTHONY R. FRATTALONE  
 SHARON L. FRATTALONE  
 DENNIS T. FUJII  
 BRIAN K. FUJIOKA  
 JOHN J. GARTSIDE  
 NICOLE M. GIAMANCO  
 STEVEN W. GILROY  
 MICHAEL E. GOLDBERG  
 GARCIA H. GONZALEZ



SCOTT D. GOODROAD  
 ROSCO S. GORE  
 DAVID W. GRANT  
 MAX L. GRATRIX  
 JON R. GRAY  
 CHARLES E. GROOTERS  
 AMIT K. GUPTA  
 JEFFREY A. GUTHRIE  
 MITCHELL T. HAMELE  
 ANDREW HAMMER  
 CHADWICK B. HAMPTON  
 BRIAN R. HANEY  
 JACOB J. HANSEN  
 STEPHEN A. HARPER  
 JASON N. HARRIS  
 LEAH E. HASTINGS  
 TRAVIS T. HAWKS  
 MAXIMILIAN W. HECHT  
 JASON D. HEINER  
 BRYCE C. HEITMAN  
 RHINE N. HELFRAN  
 PAUL W. HENDRIX  
 BRANDI N. HICKS  
 ERIC J. HILL  
 TINA HILLS  
 MICHELLE N. HOANGQUOCGIA  
 MARC H. HOHMAN  
 SUSANNA N. HOLT  
 SONNY S. HUITRON  
 OLIVIA T. HUNTE  
 PAUL F. HWANG  
 LUIS G. IZQUIERDO  
 KHALID JABOORI  
 JONATHAN JI  
 CHRISTOPHER JOHN  
 JACQUELINE M. JOHNSON  
 JOSEPH S. JONES  
 ROBERT A. JONES  
 KAMALJEET S. KALSI  
 GRACE KANG  
 PATRICIA KAPUNAN  
 BENJAMIN KASE  
 SEAN KEARNEY  
 DAVID M. KELLER  
 JEREMY B. KENT  
 LEAH K. KERNAN  
 REBECCA A. KESSLER  
 MATTHEW C. KIDD  
 JEEHUN M. KIM  
 YOUNG S. KIM  
 KATE E. KINNAIRD  
 ALISON R. KINSLER  
 CHARLES A. KITLEY  
 ELIZABETH A. KNAZEK  
 CHIEF S. KNIFE  
 TODD C. KNUDSON  
 CHRISTINE J. KO  
 CAROLINE M. KOLB  
 GREGORY P. KRAUS  
 BRIAN R. KRIETE  
 MATTHEW D. KUHNLE  
 MARY L. KWOK  
 ELENA H. KWON  
 CHAD E. LAMPHERE  
 ANGELA LANTANG  
 JOSEPH T. LANZI, JR.  
 NOELLE S. LARSON  
 JARED I. LENZ  
 RICHARD N. LESPERANCE  
 GARY LEVY  
 TRACY L. LEVY  
 LEYI LIN  
 MATTHEW J. LINCOLN  
 JEREME P. LONG  
 ABRAHAM LOO  
 CARLTON A. LOOMIS  
 SPENCER E. LUDLOW  
 EMILY E. LUERSSEN  
 JAMES E. MACE  
 JOSHUA MANDEVILLE  
 ANTHONY L. MARK  
 ANA E. MARKELZ  
 JORGE I. MARTINEZOSORIO  
 MITCHELL C. MARZO  
 TABATHA H. MATTHIAS  
 RYAN J. MCDONOUGH  
 MEGAN H. MCKINNON  
 HSIANG C. MCLAUGHLIN  
 BRANDI S. MCLEOD  
 LAWRENCE W. MCMILLION  
 NATHAN E. MCWHORTER  
 CHRISTOPHER J. MEYER  
 MARCY MEYER  
 JOEL MILLER  
 LONNIE MILLER  
 NATHANIEL R. MILLER  
 DAUN J. MILLIGAN  
 JOSHUA D. MITCHELL  
 DAVID MOORE  
 MELINDA J. MORTON  
 BENJAMIN A. MOSES  
 SUSAN M. MOSIER  
 JOHN E. MUSSER  
 CRISSY A. NAVEJAR  
 JAMES R. NEINER  
 SEAN R. NELSON  
 JAMES NICHOLSON  
 UPNEET K. NIJJAR  
 TYLER M. NIXON  
 DEREK T. NOEL  
 TIMOTHY A. NYDAM  
 CRYSTALE J. OAKMAN

FREDERICK P. OBRIEN  
 KEARY E. OCONNOR  
 COLLEEN M. OLSON  
 ADAM R. OLSSON  
 HEATHER M. OMARA  
 BRIAN ORILLY  
 LINDSAY R. ORMSBY  
 RASTISLAV OSADSKY  
 HAINES K. PAIK  
 STEPHEN PARADA  
 ANGELO H. PAREDES  
 DENNIS J. PARK  
 PATRICK M. PARKER  
 SHIMUL S. PATEL  
 TANVI D. PATEL  
 VINCENT J. PAUL  
 KATHRYN M. PAYNE  
 KEVIN S. PAYNE  
 JESSICA J. PECK  
 ANGELA PENN  
 KEITH H. PENSKA  
 CORYELL J. PEREZ  
 PAUL G. PETERSON  
 THACH PHAM  
 KIMBERLEY J. PHILLIPS  
 SAMUEL C. PHINNEY  
 JENNI PICKINPAUGHINOCENCIO  
 TIMOTHY P. PLACKETT  
 BENJAMIN F. PLATT  
 MARK D. POIRIER  
 JOHN J. POULIN  
 DOUGLAS F. POWELL  
 NATHAN F. PURSIFULL  
 RAYMUNDO C. RACELA  
 RASEL M. RANA  
 MICHAEL A. REDD  
 ANGELA L. RETZ  
 KURT J. REYES  
 ROBERT D. RICE  
 SHANE M. RINEHART  
 BRADLEY A. RITTENHOUSE  
 PAUL M. ROBBERN  
 MATTHEW D. RODGERS  
 DEREK J. ROGERS  
 CHRISTOPHER J. ROSEMEYER  
 FRANCISCO C. RUBIO  
 JEREMY K. RUSH  
 JENNY L. RYAN  
 KATHLEEN C. RYAN  
 JUAN C. SAAVEDRA  
 SHARI L. SAMMS  
 JOHN R. SANTAANA  
 ERIN S. SEEFELDT  
 BRETT M. SHAPFER  
 MOHAMMAD A. SHAH  
 SHAHROOZ SHAYEGAN  
 MALLA A. SHIMOKAWA  
 PAUL J. SHOGAN  
 JASON SIM  
 JOHN W. SIMMONS  
 MICHAEL P. SIMPSON  
 JASON D. SMITH  
 RYAN C. SMITH  
 NIKOLAUS T. SNESHKOFF  
 JON S. SOLBERG  
 JAEKYUNG SONG  
 ADAM T. SOTO  
 KEVAN M. SPENCER  
 CHRISTOPHER A. SPOJA  
 DANIELLE A. STACKHOUSE  
 GREG E. STARLEY  
 LAUREL R. STEARNS  
 THERON R. STINAR  
 DANIEL STINNER  
 FRANKLIN STUMP  
 JOSHUA J. STUTZMAN  
 THOMAS A. SUMMERS  
 ZOE E. SUNDELL  
 ERIC M. SWANSON  
 DUSTIN TAUFERNER  
 RANDOLPH TAYLOR II  
 NATHANIEL TEAGUE  
 HILLARY THOMAS  
 KEVIN M. TOU  
 CORY TRICKETT  
 JEFF TZENG  
 ALICE UY  
 RAMESH VENKATARAMAN  
 DAVID L. WAITE  
 DANIELLE WARNER  
 MATTHEW WEBB  
 MARK WELCH  
 MELANIE D. WHITMAN  
 SCOTT WHITWORTH  
 SCOTT WILCHEK  
 SHAPRINA R. WILLIAMS  
 BART J. WINTER  
 KELLY J. WINTER  
 SEAN R. WISE  
 ALLAN G. YOUNG  
 PAULA YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

GEOFFREY R. ADAMS  
 SCOTT R. ALLEN  
 PATRICK S. ALTENBURG  
 PHILIP W. ANDERSON  
 NIKOLAI L. ANDRESKY  
 PAUL M. ARMSTRONG

SHERMAN ARMSTRONG  
 ARIC N. ARNOLD  
 ROBERT R. ARNOLD, JR.  
 KENNETH S. ATES  
 DENNIS R. ATKINS III  
 GAIL E. ATKINS  
 CHRISTOPHER S. AUCLAIR  
 ROBERT G. BAILEY  
 VINCENT P. BAILEY  
 JAMES J. BAIRD III  
 DARIEN L. BAISLEY  
 TODD E. BAJAKIAN  
 KOO BAKER  
 MICHAEL D. BAKER  
 THOMAS W. BAMFORD  
 GARY A. BANTAD  
 SHAWN M. BARNES  
 CATINA M. BARNESRICKS  
 MAURICE O. BARNETT  
 THOMAS J. BARRETT  
 STEVEN T. BARRY  
 AARON C. BARTA  
 LISA M. BARTEL  
 SCOTT L. BARTLEY  
 LAWRENCE O. BASHA  
 BASSEY E. BASSEY III  
 BRETT A. BASSINGER  
 JAMES E. BATCHELOR  
 BRYAN K. BATSON  
 TAMMY L. BAUGH  
 RICARDO A. BAUTISTA  
 TIMOTHY R. BECK  
 GARY M. BELCHER  
 VINCENT J. BELLISARIO  
 JASON M. BENDER  
 IAN S. BENNETT  
 LEROY D. BENTON  
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 JEFFREY D. BUCK  
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 BARRY R. CARLSON, JR.  
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 MARCUS D. CARTER  
 RAFAEL E. CATHELLINEAUD  
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 DERRICK W. CHENG  
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 TRAVIS W. CORNETT  
 JIM B. CORRELL  
 ORLANDO V. COSME  
 PATRICK M. COSTELLO  
 BARBARA R. CRAWFORD  
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 DUSTIN K. HARRIS  
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 HEATHER A. LENTZ  
 ALLEN D. LETH, JR.  
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 APISIT LEWIS  
 CHAD B. LEWIS  
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 ANDREW N. LIFFRING  
 PETER A. LIND  
 TRAVIS J. LINDBERG  
 ERIC N. LINDSAY  
 TIMOTHY A. LINDSAY  
 MATTHEW R. LITTLE  
 JOHN T. LITZ  
 BRIAN S. LOCKE  
 ANDREW R. LOEB  
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 KEVIN J. LOVELL  
 JEREMIAH C. LUMBACA  
 CREDE J. LYONS  
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 GERALD G. MAPP  
 STEPHEN T. MARCHANT  
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 HUNTER M. MARSHALL  
 TODD H. MARSHBURN  
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 MICHAEL N. PERRY  
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 BRENDAN C. RAYMOND  
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 NATHAN P. REYNOLDS  
 JESUS T. REYNOSO  
 STEPHEN M. RHUDY, JR.  
 DANIEL L. RICE  
 ARIE C. RICHARDS  
 JOHN P. RICHARDS  
 ALVARO F. ROA  
 WALTER G. ROBERSON, JR.  
 KURT W. ROBERTS  
 SAMUEL R. RODRIGUEZ  
 RICHARD K. ROPER  
 STEPHEN V. RUZICKA  
 SEAN J. RYAN  
 RAFAEL SAENZ  
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 IKE L. SALLIE  
 MICHAEL J. SALVO  
 ANDREA L. SAMPSON  
 STEVEN M. SATTINGER  
 MATTHEW C. SAUNDERS  
 TIMOTHY L. O. SAVIDGE  
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 MICHAEL A. SCARPULLA  
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 JEFFREY SCHRICK  
 DARRYL T. SCHROEDER  
 GERD D. SCHROEDER  
 JAMES C. SCHWARTZ, JR.  
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 STACY M. SEAWORTH  
 ALLAN M. SELBURG  
 SCOTT A. SENDMEYER  
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JAMES D. SIDES  
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CHRISTOPHER A. SIKES  
ALEXANDER V. SIMMONS  
RAYMOND T. SIMONS  
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CHARLES J. SMITH  
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JASON E. SMITH  
KELSEY A. SMITH  
TYLER B. SMITH  
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ERIC G. SORENSON  
PHILLIP D. SOUNIA  
JOSEPH R. SOWERS  
JON R. SPELL  
KEVIN SPIELMAN  
WARREN E. SPONSLER, JR.  
STEPHEN J. STASEVICH  
JENNESS F. STEELE  
MICHAEL P. STEPHENS, JR.  
MICHAEL A. STINNETT  
CARRINGTON L. STOFFELS  
KEVIN J. STOLL  
TOMMY E. STONER  
DANA T. STOWELL  
DAVID A. STRANGE  
JENNIFER L. STRIEGEL  
ERIC S. STRONG  
PATRICK J. SULLIVAN  
RICHARD J. SUROWIEC  
GRAHAM R. SWENSON  
NEIL TATOR  
T G. TAYLOR  
TONY TAYLOR  
JAMES L. TENPENNY  
ERICH R. THEN  
CHRISTOPHER W. THOMAS  
JOEL W. THOMAS II  
CHARLES S. THOMPSON  
MARK W. THOMPSON  
MICHAEL A. THOMPSON  
MICHELE A. THOMPSON  
JEFFREY A. TIEGS  
MATTHEW J. TIESZEN  
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STEVEN B. TRAUM  
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MICHAEL J. TROTTER  
JAMES J. TUITTE IV  
JAMES E. TURLEY  
MARCIA J. TUTT  
TIMOTHY S. TYSON  
RONALD H. UPTON  
JOHN B. VAN HOOK  
CHRISTIAN G. VAN KEUREN  
GEOFFREY R. VANEPPS  
MARK D. VERTULI  
TIMOTHY C. VILES  
TITO M. VILLANUEVA  
SAMUEL L. VOLKMAN  
WILLIAM D. VOORHIES  
CHRIS A. WADE  
BLAINE N. WALES  
JOSHUA H. WALKER  
BRADLEY J. WALLACE  
DOUGLAS R. WALTER  
JOHN P. WALTON  
CHRISTOPHER J. WARD  
MARK S. WARDEN  
STEPHEN WARGO  
RONALD A. WARNER  
MICHAEL B. WEATHERS  
SETH A. WEAVER  
SYLVESTER O. WEGWU  
HEATHER E. WEIGNER  
MATTHEW R. WEINSHIEL  
SHAMAI T. WELLONS  
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RYAN H. WHITTEMORE  
MARCUS A. WILDY  
CURTIS D. WILEY  
PATRICK S. WILKINS  
JOHN C. WILLIAMS  
JOHN M. WILLIAMS  
LEEVAINE WILLIAMS, JR.  
RAYMOND E. WILLIAMS  
RHONDA Y. WILLIAMS  
ANTHONY T. WILSON  
JEREMY S. WILSON  
MARK A. WINKLER  
SCOTT M. WINTER  
KEVIN D. WISSEL  
AARON W. WOLF  
PHILLIP E. WOLFORD  
FREDERICK D. C. WONG  
ROBIN S. WOODY  
JOHNNY WORKMAN, JR.  
BRIAN K. WORTINGER  
NANCE J. WRIGHT  
TED D. YATES  
RODNEY R. YOUNG  
WILLIAM R. YOUNG

DAMON M. YOURCHISIN  
JOHN J. ZEIGLER  
ANDREW S. ZIESENIS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES ARMY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

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STEPHANIE R. AHERN  
THOMAS S. AKIN  
ANDY R. ALLEN  
DANIEL P. ALLMACHER  
ROBERT R. ANDERSON  
MARIA T. ANGELI  
WANDRA F. ARNOLD  
SCOTT C. BAGER  
STEPHEN K. BARKER  
MARK W. BARLOW  
CHRISTOPHER T. BARRY  
JOHN M. BARRY, JR.  
CHAD T. BATES  
ERIK M. BAUER  
JOHN W. BAUER  
DAMON A. BECKNEL  
CEASAR P. BERGONIA  
BRIAN A. BISSONNETTE  
WARD T. BLACKLOCK III  
MARK A. BOEKE  
BRIAN C. BOLIO  
CRAIG J. BONDRRA  
AQUANITA R. BONDS  
TIMOTHY B. BORAAS  
WILLIAM E. BOSWELL  
JESUS E. BOTELLO  
COOPER D. BOWDEN  
STEVEN T. BOWER  
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JUSTIN W. BROWN  
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BENJAMIN D. BUALAT  
WILLIAM B. BURLEY  
JEREMY D. BUSHYAGER  
RAYMOND D. BUTLER  
RICHARD D. BUTLER  
JASON C. CALDWELL  
TERENCE A. CALIGUIRE  
JAMES J. CAMERON  
CHAD E. CAMPFIELD  
SHAWN B. CARDEN  
DAVID F. CARRY  
SHAWN E. CARPENTER  
HORACE CARTER, JR.  
RICHARD K. CASSEM II  
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JENNIFER CHAPMAN  
DONALD J. CHARRON  
JAMES A. CHARTERS  
CHRISTA M. CHEWAR  
KEITH T. CHINN  
BRIAN J. CHWOJDAK  
CHRISTOPHER W. CIRINO  
GREGORY S. COBURN  
JOHN D. COLWELL, JR.  
KRIS M. COLWELL  
JASON P. CONROY  
BRADLEY J. COOK  
BRANT R. CORNISH  
DAVID J. CREASMAN  
DANIEL J. CURTIS  
TIMOTHY G. DALTON  
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ROGER K. DAVIS  
KEITH L. DAWSON  
PHILIP H. DAWSON  
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MATTHEW S. DENNY  
KAREN J. DILL  
JOHN J. DISMER  
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THOMAS W. DORREL, JR.  
JAMES L. DOTY III  
SEAN P. DUVAL  
MARY T. EBERST  
DAVID P. ELSEN  
MICHAEL C. ENOS  
SAMUEL A. ESCALANTE  
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DUANE A. FAIRFAX  
GARY E. FARLEY, JR.  
ANDREW T. FERGUSON  
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YVETTE FOSTER  
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ERNEST A. FREUND  
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SCOTT D. GILMAN  
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BRANDON S. GLOVER  
CURBY W. GRAHAM  
JESSICA L. GREGRIS  
JON D. GRIESE  
GREGORY C. GRIFFIN  
JENNIFER S. M. GRIFFIN  
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CHAD K. HACKLEY  
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MICHAEL P. HANSEN  
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MARVIN G. HAYNES IV  
BENNETT E. HAYTH  
CHRISTOPHER K. HEATH  
JON L. HEFFNER, JR.  
DUANE I. HENDERSON  
OBIE C. HENDERSON  
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DAVID HERNANDEZMORALES  
STEVEN J. HILDEBRAND  
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CHRISTOPHER R. HOLLIFIELD  
PETER H. HOPEWELL  
ROBERT E. HORNE  
KEVIN G. HOSIER  
JEFFREY M. HOWELL  
CHRISTOPHER G. HURLBURT  
SCOTT E. HUTCHISON  
KENNETH P. HYNES  
UNKYONG IM  
BOB A. ISAAC  
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BRIAN A. KASTNING  
DANIEL J. KEEL  
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MATTHEW R. KENT  
LEONARD W. KERGOSIEN  
RAYMOND A. KIMBALL  
WARREN E. KIMMEL  
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JONATHAN P. KLUG  
RODGER D. KNEDEL  
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KARL F. LEDEBUHR  
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JILL L. MACKIN  
CECIL R. D. MACPHERSON  
VERONICA H. MAGNOTTO  
MELVIN T. MAGSINO  
RYAN M. MARRO  
CHRISTOPHER S. MARTIN  
JUAN F. MATA  
JONATHAN S. MATEY  
JAMES S. MATTHEWS IV  
STUART T. MCCALL  
HUGH P. MCCAULEY  
BRIAN W. MCCLAUGHLIN  
LOUIS P. MELANCON  
JOHN C. MICHAUD  
MELISSA C. MILES  
TRICA M. MILES  
TIMOTHY W. MILLER  
CHRISTOPHER D. MILLS

SAMUEL T. MITCHELL II  
 JEFFREY T. MORAN  
 HOWARD A. MURRAY  
 MARGARET M. MUSSER  
 SCOTT C. NAYLOR  
 GARY P. NELON  
 JAMES H. NELSON  
 JEFFREY S. NELSON  
 JOHN E. NELSON  
 JAMES E. NICHOLS III  
 MELVIN J. NICKELL  
 QUENTIN C. NOREIGA  
 GRETCHEN M. NUNEZ  
 JEFFREY P. O'DONNELL  
 KEVIN M. ONEIL  
 ROBERT J. ORSI  
 AARON D. OSBURN  
 JOHN D. PAGE  
 DAVID J. PALAZZO  
 CHARLES G. PALMER IV  
 JASON N. PALMER  
 MATTHEW S. PALMER  
 DAVID W. PARKES  
 SAMUEL L. PARTON  
 JON F. PARVIN  
 RICHARD S. PEEKE  
 JOSE PEREIRA  
 JAY L. PERSONS  
 AARON L. PETERSON  
 DONALD PETERSON, JR.  
 KEVIN L. PETERSON  
 GARY D. PHILMAN  
 ROBYN L. PIETRON  
 BURCHELL O. PORTER  
 GARY L. PRATER  
 TED M. PREISTER  
 DOUGLAS A. PRYER  
 ALAN J. QUATTRIN  
 RALPH J. RAGOSTA III  
 CHAD O. RAMBO  
 RONALD V. RANALLI  
 THOMAS B. RANSOM  
 RICHARD A. RASSBACH  
 JOHN C. RAYBURN  
 MARK G. REARDANZ  
 DONALD W. REEVES  
 DWAYNE D. B. REEVES  
 MASON J. RICE  
 JOHNNIE L. RICHARDSON, JR.  
 WALTER E. RICHTER  
 PAUL H. RIGBY  
 JAMES F. RILEY  
 JAWARA RILEY  
 NED C. RITZMANN  
 JOSE R. RIVAS  
 BRIAN L. ROBINSON  
 DARELL M. ROBINSON  
 PAUL R. ROMANO  
 FRED D. ROTHENBUSH, JR.  
 PETER J. ROWELL  
 JONATHAN A. RUFENACHT  
 TODD D. SABALA  
 BILL N. SABBAGH  
 AARON D. SAMMONS  
 ROBERT SAYRE  
 ADAM C. SCHLANG  
 ROBERT F. SCHLICHT  
 CRAIG M. SCHLOZMAN  
 KURT P. SCHOMAKER  
 ADAM D. SELLERS  
 EDWIN S. SERRANO  
 JOHN D. SHANNON  
 MICHAEL P. SHANNON  
 ANTHONY E. SHEPARD  
 CARLOS R. SHIPPY  
 ROBERT E. SHOLL  
 SAMUEL R. SMITH, JR.  
 DERRICK C. SMITS  
 MICHAEL D. SPAKE  
 PAUL S. SPARKS  
 ERICH C. SPRAGG  
 RYAN R. SQUIRES  
 NICOLE J. STANFORD  
 JOHN W. STANLEY  
 ROGER E. STANLEY  
 BRIAN M. STEPHAN  
 ALEXANDER D. STEPHENSON  
 HEATHER L. STEWARTJOHNSTON  
 BERNIE E. STONE  
 DONALD B. STREATER  
 BRENDA J. SUGGARS  
 MARNE L. SUTTEN  
 SULEV A. SUVARI  
 STEPHEN P. SZYMANSKI  
 IAN J. TARASEVITSCH  
 DAVID A. TARVIN  
 JAMES S. TAYLOR, JR.  
 EDWARD B. TEAGUE IV  
 JAMES C. TEAGUE  
 KIRBY K. TEAGUE  
 STEPHEN D. TERSTEGGE  
 ENRIQUE P. TORRES  
 STONEY A. TRENT  
 WILLIAM M. UNDERWOOD  
 SCOTT L. UNSWORTH  
 HEIDI A. URBEN  
 CAINAZ A. VAKHARIA  
 LITA VAN HOOK  
 ERIC J. VANDENBOSCH  
 BRYAN D. VELARDE  
 NATALIE C. VINES  
 JOSEPH W. VONGSVARNRUNGUANG

JOHNNIE R. WALKER, JR.  
 MARK D. WALTERS  
 ALEX L. WEHMEYER  
 JEFFREY J. WEINHOFER  
 JAMES R. WEST  
 DALE M. WHITE  
 CARLOS A. WILEY, SR.  
 RONALD D. WILKES  
 DENNIS G. WILLE  
 TUWANDA F. WILLIAMS  
 TERRI A. WISE  
 KIEU D. WOLFORD  
 ERNEST Y. WONG  
 BRIAN D. WOOLWORTH  
 CHRISTOPHER J. YOUNG  
 JOSEPH J. ZELAZNY  
 KIRK F. ZIMPEL  
 RAYMOND C. ZINDELL III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

THOMAS H. AARSEN  
 KRISTIN A. ABERG  
 PAUL E. ALESSIO  
 CHRISTINE E. ALLEN  
 RONNIE D. ANDERSON, JR.  
 JOHN M. ASKEW  
 GERALD AVILA  
 ALEJANDRO AYALA  
 CHAD A. BAGLEY  
 JAMES E. BAGLEY  
 JEFFREY E. BAKER  
 SCOTT R. BAKER  
 ANDREW M. BALANDA  
 THOMAS M. BALLENGER III  
 SHANE A. BARNA  
 SHANE C. BARNES  
 LESLIE A. BARNETT  
 SEAN G. BARRETT  
 ANTHONY C. BAUER  
 HEATHER O. BELLUSCI  
 GARRICK B. BENSON  
 TYRONE C. BENTINCK  
 LAWRENCE W. BITTNER  
 JOSEPH C. BLANKENSHIP  
 DENNIS BOWERS  
 MATTHEW R. BOWLER  
 KENNETH C. BRADFORD  
 ANGELIQUE O. BROUGH  
 TODD A. BROWNING  
 BRADLEY N. BRUCE  
 BOBBY W. BRYANT  
 LETITIA L. BRYANT  
 ANGELA R. BUCHANAN  
 TODD E. BUHR  
 SEAN M. BURKE  
 DONALD L. BURTON  
 JAMES M. CALLIS II  
 JONATHAN G. CAMERON  
 LANCE CANGELOSI  
 HEATHER J. CARLISLE  
 ANDREW T. CARTER  
 JOHN H. CHAFFIN IV  
 KEVIN S. CHANEY  
 JAMES C. CLARKE, JR.  
 KELVIN R. CLAUDE  
 JAMES L. CLIFT  
 NOAH C. CLOUD  
 JERRY E. COBURN  
 BRENT D. CORYELL  
 LAWRENCE M. COUSINS  
 JESSE A. CRISPINO  
 LESLIE E. DARLING  
 MARY M. DASILVA  
 CHERRIE L. DAVIS  
 JOSEPH M. DAVIS  
 ANDREW J. DEKEVER  
 ANTHONY R. DEKEYZER  
 TROY M. DENOMY  
 DAVID S. DINKELMAN  
 JULIAN A. DOMINGUEZ  
 MICHELLE K. DONAHUE  
 STEVEN T. DOWNEY  
 CHARLES P. DOWNIE  
 DEREK J. DRAPER  
 MICHAEL C. DUSABLON  
 BRYAN D. EDWARDS  
 JASON T. EDWARDS  
 DANIEL P. ELLINGER  
 PAUL A. ESMAHAN  
 JOSEPH E. FAGAN  
 RAY C. FALLARIA  
 RYAN D. FEARNOW  
 ROBERT S. FEATHERS  
 ANGEL M. FELICIANOCASILLAS  
 KEVIN E. FINCH

AARON P. FITZSIMMONS  
 CHRISTOPHER A. FORD  
 GREGORY S. FORTIER  
 MICHAEL P. FRANK  
 JOHNATHAN B. FRASIER  
 TIMOTHY R. FULLER  
 DEZZAIRE D. FULTON  
 DONOVAN O. FUQUA  
 WILLIAM A. GALINGER  
 ADAM GAMEZ  
 JAMES M. GARRETT  
 RAYFUS J. GARY  
 JERRY E. GAUSSOIN, JR.  
 WAYNE J. GAVIN  
 EDWARD J. GAWLIK III  
 PATRICIA L. GEORGE  
 RODNEY M. GIBSON  
 GLENDA A. GILL  
 MARSHANNA M. GIPSON  
 EDWARD C. GOSLINE III  
 SIDNEY M. GOURDINE II  
 KIMBERLY K. GRAHEK  
 DANIEL M. GRAY  
 DAMIAN A. GREEN  
 ROCHELLE Y. GREEN  
 MICHAEL H. GREENBERG  
 JOEL M. GREER  
 RUDOLPH C. GRIMES  
 KEVIN J. GROTH  
 BORIS A. HALL  
 JOHN F. HALL  
 MATTHEW T. HAMILTON  
 RAPHEAL J. HAMILTON  
 SIDNEY A. HARRIS  
 JAMEY P. HAUKAP  
 KELDA S. HAWKINS  
 DANIEL J. HEAPE  
 NICOLE M. HEUMPHREUS  
 JUSTIN L. HIGHLEY  
 KELSIE C. HILLHUSTON  
 LINNEN E. HODO  
 GARY A. HOFFMAN, JR.  
 LANNY A. HOGABOOM II  
 CAIN A. V. HOPSON  
 LOWELL E. HOWARD, JR.  
 STEPHEN M. HOWELL  
 CORT J. HUNT  
 ANGELA R. HUTCHERSON  
 EDWARD A. IVEY  
 ERIK A. JABLONSKI  
 JASON K. JEFFERIS  
 PAIGE M. JENNINGS  
 GREGORY S. JOHNSON  
 TRAVIS H. JONES  
 ROGER L. KEEN, JR.  
 RAYMOND D. KELLER  
 MILTON G. KELLY  
 KEVIN H. KERBY  
 STEFAN S. KING  
 TIMOTHY W. KLENESKE  
 MATTHEW H. KNORR  
 MICHAEL J. KOVACS  
 BRIDGET A. KROGER  
 WILLIAM D. LASH  
 NOEMI LAUREANO  
 ANTHONY Q. LEE  
 STEPHANIE J. LEGGETT  
 BRIAN A. LESIAK  
 JEREMY R. LEWIS  
 CHRISTOPHER R. LIERMANN  
 JOSEPH L. LISELLA  
 ELISABETH S. LITVIN  
 WALTER LLAMAS  
 BRIAN D. LOFTON  
 JARED T. LONGFIELD  
 BRETT K. LORD  
 JOHN M. LORENZEN  
 JON A. LUST  
 GABRIELLE M. MADDALONI  
 DENNIS C. MAJOR  
 ANTHONY T. MANERI  
 CHASE S. MARTIN  
 DANIEL P. MARTIN  
 MISTY L. MARTIN  
 RICHARD MARZANCOLLAZO  
 CHERYL B. MASISAK  
 WILLIAM W. MAY  
 MARK W. MAYS  
 JAMES J. MCANDREWS  
 TAMARA MCLENDON  
 MICHAEL J. MCCURTY  
 SCOTT W. MCINTOSH  
 KELLEY L. MCINTYRE  
 WANDA Y. MCLEAN  
 MICHAEL B. MCNEELY  
 JAMES K. MCPHERSON  
 BRIAN A. MEINSHAUSEN  
 CHRISTOPHER E. METZ  
 RICHARD L. MICHAELS  
 MICHAEL T. MOORE  
 STACEY A. MOORE  
 MARCUS A. MOTLEY  
 HAROLD L. MOXLEY  
 ROBERT C. MURRAY  
 MICHAEL S. NAVARRO  
 JAMES T. NAYLOR  
 WIL B. NEUBAUER  
 KHOI T. NGUYEN  
 THOMAS H. NGUYEN  
 COLIN P. NIKKILA  
 SETH A. NORBERG  
 CHARLES G. NOVOTNY

JASON J. NOWAK  
 SEAN M. O'BRIEN  
 KENNETH G. O'DONNELL  
 CARL S. OELSCHEG  
 MARSHAL R. OLLER  
 MICHAEL D. OLSON  
 CHRISTOPHER C. OSTBY  
 ARTHUR A. PACK  
 MARK E. PARSONS  
 RICHARD G. PETERSEN, JR.  
 STEVEN A. PETERSEN  
 ROBERT L. PHILLIPS III  
 JOSEPH C. PISANI, JR.  
 LAURA N. POSTON  
 BRYCE D. PRINGLE  
 KERRY S. PROWELL  
 HEATHER J. PUTMAN  
 JEFFREY E. REDECKER  
 MARK J. REED  
 BRADLEY L. REES  
 RYAN G. REGTUYT  
 THOMAS J. RICE  
 BRIAN K. RICHIE  
 TIMOTHY C. RIGGS  
 LORENZO P. RIOS  
 STEVEN D. RIOS  
 MICHAEL T. RITTENHOUSE  
 MONIQUE N. RIVERA  
 SANDRA E. ROBINSON  
 LUIS A. RODRIGUEZ  
 LUIS E. ROJAS  
 CHRISTOPHER J. ROMERO  
 GARY D. ROWLEY  
 ROBERT W. RUGG  
 MICHAEL J. RUTHERFORD  
 BRYAN W. SALYERS  
 DARCY L. SCHNACK  
 JONATHAN E. SCHRADER  
 STEPHEN R. SEIGER  
 TYRA S. SELLERS  
 NOBERT G. SIMONNET  
 ROBERT C. SLOSSON  
 BRIAN A. SMITH  
 GREGORY S. SMITH  
 JOEY R. SMITH, JR.  
 KEVIN Z. SMITH  
 VICTORIA L. SNOW  
 TOY Y. SOBERS  
 ROY W. SPEAKS  
 MARC D. STAATS  
 MEGAN B. STALLINGS  
 JAMES M. STEPHENS  
 JONATHAN A. STEVENS  
 EMILLY M. STOFFEL  
 SENODJA F. SUNDIATAWALKER  
 JACOB C. SWANTKOWSKI II  
 TODD N. TERRAL  
 GREG R. THAYER  
 ARMOND THOMAS III  
 JARRETT A. THOMAS II  
 STEPHEN THOMAS  
 WILLIAM M. THORNHILL II  
 PATRICK M. TIEMANN  
 MICHAEL S. TITUS II  
 WILLIAM TRIMBLE, JR.  
 MICHAEL T. TRIPLETT  
 PATRICK W. TRIPLETT  
 JOHN K. TULIFUA  
 JAMES L. TURNER V  
 MICHAEL N. TURNER  
 MICKEY A. TURNER  
 DANE A. TYNES  
 FELIX J. VALENTIN  
 STEWART J. VANBUREN  
 JENNIFER S. WALKAWICZ  
 FRANK E. WALKER  
 ANDREW H. WARNINGHOFF  
 MICHELLE G. WASHINGTON  
 DAVID C. WELCH  
 KENNETH W. WICAL  
 JOHN S. WIEMAN  
 JESSE R. WIGHTMAN III  
 XAVIERA C. WILLIAMS  
 WESLEY J. WILLIAMSON  
 GARTH K. WINTERLE  
 MARK D. WOLF  
 DAVIE L. WRIGHT, JR.  
 STEVEN C. WRIGHT  
 MITCHELL L. YBARRA  
 MICHAEL R. ZAHURANIC

#### IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

#### *To be lieutenant commander*

MATHEW R. LOE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be lieutenant commander*

MICHAEL J. O'DONNELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be lieutenant commander*

LAWRENCE BRANDON, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

#### *To be lieutenant commander*

ROBERT A. SLAUGHTER  
 ROBERT THOMAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 5589:

#### *To be lieutenant commander*

ANTHONY DIAZ  
 TAMI M. LINDQUIST  
 ERROL K. MANDRELL  
 TODD A. MCINTYRE  
 JANE E. MCNEELY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

#### *To be lieutenant commander*

CARISSA L. GAREY  
 BRYAN E. LONG  
 DANIEL G. NICASTRI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be lieutenant commander*

TIMOTHY M. DERBYSHIRE  
 TOMASZ DMITRUKOWSKI  
 VON H. FERNANDES  
 BARBARA E. JONAS  
 RICHARD L. MCKNIGHT II  
 CHRISTINA E. ORTEGA  
 DANIEL G. UPP  
 CHRISTINA J. WONG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be lieutenant commander*

JEREMIAH E. CHAPLIN  
 ROBERT J. CLEARY  
 ERIC L. DALEY  
 DAVID W. DAMRON  
 CASEY J. GON  
 JAMES D. HARRIS  
 DARIN H. KEETER  
 GREGORY J. KURTZ  
 RAZAAB O. LAIYEMO  
 JENNIFER J. LANDRY  
 NATALIE A. LAUDIER  
 ANGELA S. LEPLER  
 STEPHEN A. MCINTYRE  
 MATTHEW W. MCKENZIE  
 JEANETTE SHEETS  
 ADAM B. SHINABARGER  
 PAMELA A. TELLADO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be lieutenant commander*

PAIGE H. ADAMS  
 ALEXANDER J. BEECROFT  
 GRETCHEEN A. BUNDYDLADOWICZ  
 JEFFERY L. BURKE  
 CHARLES Y. CHA  
 DAVID E. DWIGGINS, JR.  
 CRAIG A. FOWLER  
 RAYMOND G. FREDRICKS, JR.  
 LONNIE N. GRIFFITH, JR.  
 BRANDY L. GROSSI  
 JONATHAN M. HAY  
 PHILLIP L. HICKMAN, JR.  
 GENE J. JACKSON  
 ERIC L. KIRK  
 CASANDRA L. KOISTINEN  
 GARY A. MCCONAGHY, JR.  
 JASON A. TRACEY  
 BRIAN P. WALSH  
 CORNELL A. WOODS  
 DURKE A. WRIGHT  
 ANDREW F. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be lieutenant commander*

ROBERT S. BAIR  
 BRIAN R. BAKER  
 TRISTAN M. BORNE  
 DANNY R. BOUIE  
 ANTHONY A. BUMATAY  
 JAMES E. DELOSSANTOS  
 BRIAN A. EVANS  
 AARON C. GEARY  
 ERVIN B. HATCHER  
 ROBERT N. JOHNSON

WILLIAM R. JOHNSON  
 JUDITH L. LEMLEY  
 HENRY A. MARTINEZ II  
 CODY K. MORTENSEN  
 PHILLIP C. PETERSEN  
 RALPH J. STEPHENS  
 PATRICIA R. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be lieutenant commander*

KIRKLAND M. ANDERSON  
 MARTIN J. ARA  
 STACY A. BELDEN III  
 MATTHEW R. BLANCHETTE  
 TRAVIS Z. BODE  
 SEAN P. BOYLE  
 LAWRENCE R. CADENA  
 JAMES G. CARVER  
 RUSSELL D. CHAPMAN  
 TRAVIS R. CLEMINS  
 RONALD B. CLOVE  
 JOHN C. COPELAND  
 MATTHEW P. DOMINGOS  
 ADRIAN A. DY  
 ANDREA C. EASTON  
 LYNDON D. EASTON  
 SCOTT K. EMLEY  
 RICHARD E. FAROTTEKRUCHAS  
 NATHAN A. FEEZOR  
 JASON M. FLOOD  
 TYRONE T. GABRIEL  
 BERTHEA G. HAMPTON  
 JOHN D. HEAVRIN  
 JOHN M. HERMAN  
 ERIN E. HIGGINBOTTOM  
 KARL T. HJEMBO  
 SEAN R. HOLMAN  
 CHRISTIAN E. JIMENEZ  
 CHARLES K. JONES  
 PAUL C. KELLER  
 RYAN K. KING  
 MELISSA A. MACLIN  
 ROBERT A. MADDEN  
 NICK D. MARTINEZ  
 DAVID H. MILLNER  
 AMANDA J. MITTELSTADT  
 DAVID M. MROSEK  
 JON J. MUHOBERAC  
 SUNG D. NGUYEN  
 ROBERTO R. PEREZ  
 JEFFREY M. ROARK  
 DAVID N. SAVERY  
 KIMBERLY K. SHELBURNE  
 STEFANIA A. SIGURDSSON  
 JEFFERY C. STEPHENSON  
 ROBERT J. STORER  
 MICHAEL B. STURM  
 SETH F. TAYLOR  
 GABRIEL A. THOMAS  
 BRIAN E. WALKER  
 FRANK A. WARNER  
 KATHRYN E. WATSON  
 GEOFFREY J. WEBER  
 DAVID M. WHITE  
 WILLIAM D. WHITEMAN III  
 JEREMY B. WILGUS  
 SHANE A. WINKER  
 MARTHA A. WITTOSCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be lieutenant commander*

CHERYL E. AIMESTILLMAN  
 JEFFRY A. ALSUP  
 DAVID C. ANDERSON, JR.  
 ROSS M. ANDERSON  
 TODD A. ATKINSON  
 JAMES S. BALDWIN  
 MICHAEL J. BALDWIN  
 ANTHONY C. BARBER  
 JOHN P. BARD  
 LANCE O. G. BARKER  
 BRAD A. BAUER  
 MATTHEW J. BELLAIR  
 ANTHONY J. BELLVILLE  
 BRENT J. BENLEN  
 BRYAN G. BENNETT  
 WILLIE J. BERNARD  
 DOWAYNE BISTLINE  
 GEORGE V. BODINE  
 LESTER F. BOERNER  
 KELLY V. BORDEN  
 CURTIS BROWN  
 KENNETH A. BRUCE  
 FRED E. BRUMMER  
 ROBERT W. BURGETT  
 ZEVEKICK L. BUTTS  
 PABLO CAMARILLO III  
 STEVEN S. CARPENTER  
 CRAIG A. CARSTEN  
 EDWARD CASAS  
 JOEL A. CASTILLO  
 JAMES M. CATTEAU  
 THOMAS S. CAVANAGH  
 MICHAEL L. CAWYER  
 JAMES C. CLARK  
 JOHN W. CLINE  
 DAVID A. CONTI

PETE A. COORE  
 HARVEY J. COPELAND  
 MICHAEL K. CRUTCHFIELD  
 MICHAEL C. CURETON  
 JON R. DAVIS  
 RANSOM A. DAVIS, JR.  
 ROBERT D. DAVIS, JR.  
 JASON A. DAVY  
 BRIAN C. DEMANGE  
 WILLIAM A. DENNIS  
 JAMES W. DESROSIERS, JR.  
 SHAWN W. DEVLIN  
 PATRICK D. DONOVAN  
 MARK R. DUMAS  
 LYNOR A. DUNCAN  
 ANDREW B. DUNHAM  
 ALAN V. DUNN  
 GARY D. DUNN  
 SCOTT M. DURDLE  
 ROBERT DURHAM  
 STEPHEN J. DURHAM  
 FRANK A. DURSO  
 KELLY D. EGGLEHOFF  
 WILFREDO A. ESLAO  
 RICHARD E. EVANS  
 JOHN S. FAIRWEATHER  
 SHAUN W. FISCHER  
 TAYLOR R. FORESTER  
 ROBERT C. FRY  
 FELIPE D. GARCIA  
 MARK T. GEORGE  
 CARL J. GERHARD  
 PHILIP L. GESAMAN  
 RUSSELL J. GOFF, JR.  
 ALBERT GUAJARDO  
 BRUCE A. HAMILTON  
 CHAD M. HAMM  
 MICHAEL L. HANKE  
 JOHN A. HARDESTY  
 RONALD A. HARMON, JR.  
 LEE M. HART  
 SCOT A. HAVEN  
 BRIAN HEASLEY  
 MILES G. HICKS  
 RICHARD D. HILTON  
 HAROLD E. HONEYCUTT  
 ROBERT L. HYLTON, JR.  
 SHAWN W. IRISH  
 MICHAEL R. ISAAC  
 DWIGHT A. JEFFERSON  
 MICHAEL B. JENSEN  
 BRANDON L. JOHNSON  
 ROBERT M. JOHNSON  
 MITCHELL R. JONES  
 LOYAL A. KAMM, JR.  
 STEPHEN E. KASHUBA  
 MARVIN L. KEEN, JR.  
 ARTHUR C. KEENAN II  
 SCOTT F. KESLER  
 BRIAN L. KING  
 PAUL J. KITE  
 DEBRA A. KLEINSMITH  
 JEFFREY S. KLINKER  
 JOHN A. KNOLLA  
 RICHARD K. KNOTT  
 FREDDIE B. KOONCE  
 BRIAN J. LADIEU  
 GARY L. LANE  
 RUSSELL A. LAWRENCE  
 LINDA K. LAWS  
 THOMAS E. LAYNE  
 GERARD P. LETOILE, JR.  
 GARY A. LOCK, JR.  
 MANUEL LOPEZ, JR.  
 JON O. MAGNUSON  
 MICHAEL J. MARTIN  
 DAVID M. MARTINEZ  
 KENNARD L. MASSIE  
 ANDREI L. MCARTHUR  
 NIGEL L. MCDONALD  
 DARNELL C. MCNEILL  
 GLEN A. MECKES  
 JOSEPH E. MIKOLAJCZAK  
 BRENT A. MILLER  
 RICHARD E. MILLER III  
 TEREETHA A. MINTZ  
 RUSSELL A. MOSER  
 LELAND M. MURPHY  
 TROY L. NAATUS  
 TODD D. NELSON  
 GREGORY F. NOTARO  
 JAMES A. O'BRIEN  
 RONALD K. OCHELTRIE  
 JUNSIMON A. OLIVEROS  
 BENICIA I. ONEAL  
 ROBERT L. PAGE

DAVID W. PIERCE  
 ERIC J. PIERCE  
 ANTHONY D. PINK  
 BLAINE C. PITKIN  
 KEITH D. PLAVNICK  
 BRIAN PONCE  
 DAVID P. PRATT  
 JOHNNY QUEZADA  
 DAVID A. QUINTON II  
 ROBERT E. RAMSEY  
 WESLEY D. REEDY  
 JAMES L. REMINGTON, JR.  
 SAM C. RENNEN  
 FLOYD F. RINEHOLD  
 GREGORY K. RING  
 MARVIN G. ROBINSON  
 CHARLES B. ROEGIERS  
 MARK V. ROLLSTON  
 STEPHEN R. ROSE  
 DAVID J. RUSSELL  
 MICHAEL A. RUSSELL  
 STEPHEN L. RUSSO  
 WAYNE N. SALGADO, JR.  
 RAMIL Y. SALVADOR  
 SAMANTHA J. SAVAGE  
 ELIZABETH A. SAMANOW  
 SCOTT N. SHENK  
 JAMES R. SHIRLEY  
 RONALD R. SHORTER  
 GREG N. SHUPP  
 JAMIE J. SIGALA  
 ERICK W. SMITH  
 RICHARD T. SNYDER  
 MICHAEL J. SPANGLER  
 DENYSE F. SPRINGER  
 JOHN A. STALEY II  
 BOBBY C. STANCL  
 CLINTON STONEWALL III  
 ROBERT J. STREMMEL  
 LUKE S. SULLIVAN  
 OTIS S. SUMMERS  
 LARRY E. TARVER  
 GREGORY L. TAYLOR  
 TODD N. TAYLOR  
 MONTE R. TEMPLE  
 JOHN T. THOMPSON  
 ANTOINE D. THORNTON  
 BARON D. TILLINGHAST  
 GARY A. TINCHER  
 TOMMY L. TINNEY, JR.  
 DAVID R. TOLINE  
 ERIC A. TRAINI  
 SHAWN A. TRISLER  
 SCOTT TROJAHN  
 MICHAELANGELO T. TUNGOL  
 KARL E. VAUGHN  
 JAMES M. WALKER  
 THOMAS S. WARE  
 STEVEN R. WHEATLEY  
 GARY E. WHITE  
 DEAN E. WHITEHOUSE  
 PEGGY S. WHITENER  
 BENJAMIN J. WIECHERT III  
 STERLING R. WOOLRIDGE  
 MICHAEL J. WORKS  
 RICHARD D. WRIGHT  
 GILBERT A. YARBROUGH, JR.  
 HECTOR R. YOUNG  
 ELLIOTT W. YOUNGBLOOD  
 JON E. ZATLOKOWICZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

ARCHIE L. BARBER  
 AARON E. BETZ  
 PETER BISSONNETTE  
 KRISTINA M. CHENERY  
 JAMES J. CULNEN, JR.  
 MICHELE R. EWING  
 RICHARD G. GLASGOW II  
 KIMBERETTA Y. GREEN  
 LOUIS F. IMBODEN  
 RANDALL D. KREKELER  
 KELLY A. MAKSEM  
 LAURA L. MCDONALD  
 DEANNE B. MCPHERSON  
 TERESA S. MITCHELL  
 JEFFREY L. MORIN  
 SCOTT A. MOWERY  
 CHRISTOPHER C. MULLER  
 JAMES R. PEDERSON  
 ERIC L. POND  
 GUNER L. SANDERS

CHRISTOPHER J. SCHLOBOHM  
 CHRISTY N. SIBLEY  
 MELODY L. STAHR  
 ZAVEAN V. WARE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

MYLENE R. ARVIZO  
 GREGORY P. BALL  
 DARRIN E. BARBER  
 BOBBY A. BASSHAM  
 MARK F. BOSEMAN  
 PERRY L. BRANCH  
 JEREMY J. BRAUD  
 JAMES L. BRAWLEY  
 KRISTIN D. CARTER  
 CEDRIC N. DEDBAUX  
 SCOTT R. DELWICHE  
 COLIN J. DUNLOP  
 JOHN M. GALLEBISHOP  
 JONATHAN W. GANDY  
 RICHARD C. GARGANO  
 JOHN A. GENTA  
 JASON A. HICKLE  
 ANTHONY C. HOLMES  
 JOHN D. JUDD  
 BIRUTE I. JURJONAS  
 ANDREW M. LAVALLEY  
 JOSEPH J. MARRA  
 ARMANDO MARRONFERNANDEZ  
 CHRISTOPHER K. MATASSA  
 JEROME S. MCCONNON  
 DAVID A. MCGLOONE  
 JOSEPH D. MEIER  
 HECTOR A. OJEDA, JR.  
 MATTHEW R. ONEAL  
 ANGELA C. OWENS  
 JONATHAN E. PAGE  
 TRAVIS J. PLUMMER  
 UPENDRA RAMDAT  
 JOHN A. RAMSEY  
 SARAH B. RICE  
 CHRISTOPHER M. SCHINDLER  
 BRIAN D. SNEED  
 WILLIAM J. SUMSION  
 JACK A. TAPPE  
 CHAD N. TIDD  
 ERROL A. WATSON, JR.  
 ASHLEY S. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

AMELIA F. DUDLEY  
 JESSIE J. HALLAN  
 JASON SAGLIMBENE  
 BRANDON D. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

RICHFIELD F. AGULLANA  
 SAMUEL A. BORNINO, SR.  
 DEREK H. BURNS  
 LEANNE R. CARTER  
 HARRY D. CHREST  
 RICHARD MERCADO  
 ERIC A. NAGLEY  
 SHANTELE J. OVERLY  
 MICHAEL D. PHILLIPS  
 BECKY L. RAMOS  
 DANIEL D. REID  
 JAMES L. RORER  
 ANDREW L. RUTHERFORD  
 THOMAS A. SCHROEDER  
 FRANKLIN A. SUELA  
 SHANNON P. THOMPSON  
 JERICHO B. TIMOG  
 CHIEH YANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

CHARITY C. HARDISON  
 ZACHARY F. HARRELL  
 PAUL D. MACAPAGAL  
 STEPHANIE B. MURDOCK

## HOUSE OF REPRESENTATIVES—Wednesday, July 20, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 20, 2011.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### UNCLE SAM—THE GREAT LANDOWNER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, we've heard the song:

"This land is your land;

"This land is my land;

"From California to the New York Island;

"This land was made for you and me."

But we need to understand that, in America, the greatest, largest landholder is Uncle Sam—Uncle Sam, the great landowner. He owns 27 percent of all the land in America.

This poster here shows the holdings of Uncle Sam. All of the red in the United States, including the red in Alaska, is owned by Uncle Sam. Over 50 percent of the land in the West is owned by Uncle Sam.

Now, if we were to transfer all of these acres to the east coast, that's about the size of all of the land east of the Mississippi that is owned by Uncle Sam. Looking at it another way, let's go across the seas, to Europe. If you were to take all of the land that Uncle

Sam owns and superimpose it on Europe, it would include the United Kingdom, Spain, France, Switzerland, Netherlands, Italy, Austria, Germany, and Poland. That would be how much land Uncle Sam would own if he owned that portion of Europe.

So the great landholder is none other than the Federal Government. The Federal Government owns about 27 percent of all the land in America—623 million acres.

We are now talking about how to increase the revenue for this country.

Maybe we should do something that was thought of years ago. Ronald Reagan may not have been the first, but he did mention in the 1980s that the Federal Government ought to sell some of that land to Americans to help—get this—pay down the debt. This has even been talked about in the White House. President Obama, a couple of weeks ago, discussed selling just one little 300-portion acre in Los Angeles that was worth approximately \$2 billion.

Maybe we should sell some of that.

So I introduced the American Land Act, which will do this:

It will require that the Bureau of Land Management and the Forestry Service sell a portion of their land for the next 5 years, and that will be a 26 percent decrease in total land in the United States owned by Uncle Sam. Now, bear in mind—I'm going to make this clear—this does not include the national parks; this does not include the Fish and Wildlife Service, the marshes, the coastal plains, the environmentally sensitive areas. The Federal Government would make the decision as to what would be sold. In 2005, the landholdings of the United States, according to OMB, was worth about \$1.1 trillion. So I think, if we sold a portion of this land, it would raise revenue for the United States, approximately \$200 billion or less.

Plus, it would do other things.

It would put the land in the hands of Americans. Americans would own the land, and they would pay taxes. They could pay taxes not only to local and State governments, but when they build a business or make a business, they would bring in more Federal income tax. It will save the Federal Government the cost of maintaining ownership, and it will raise revenue and pay down the debt.

Real property in the hands of real Americans.

What a thought.

It will create productivity.

Sell American land to Americans. Let Americans own more of America.

Uncle Sam shouldn't prevent Americans from having a stake, or a share, in America. The United States owns most of the grand estate of our great country, and it's time to let more Americans own it—because this land was made for you and me.

And that's just the way it is.

### THE DEBT LIMIT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. CHU) for 5 minutes.

Ms. CHU. In less than 2 weeks, on August 2, we must raise the debt limit or the American Government will go into financial default. If we don't, it will be a disaster for the economy, and real American families will pay the price.

That's why for almost 95 years we have kept our promises and paid our bills. Congress has voted to avoid economic default nearly 100 times since 1917 because it was the right thing to do. The debt limit was raised 17 times under Ronald Reagan, four times under Bill Clinton and seven times under George W. Bush; but now Republicans are shying away from their duty, spreading misinformation about the serious threat we are facing, saying there will be no impact on the average American and that it will not hurt our economy.

But that's not true. Let me tell you why.

If we default on our bills, the interest on all our loans would skyrocket just as your interest rate would go up if you missed a credit card payment. This means disaster for all American families. The median 30-year home loan would increase by almost \$20,000, or 10 percent. This would hurt an already struggling housing market, pushing home sale prices down and potentially leaving more borrowers underwater.

If we default on our bills, the stock market could plunge, and Americans in their fifties would lose almost \$9,000 immediately from the typical 401(k). The S&P 500 could lose 6.3 percent in value in just 3 short months. These losses would affect millions of Americans, who would have fewer savings for their retirements, their supposed golden years.

If we default on our bills, prices for gas, electronics, clothes, and other imported goods could dramatically increase. A U.S. default would create economic chaos, forcing the value of our dollar to decrease, making many products we use every day more expensive at a time when our household dollars are already stretched thin.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



We cannot let this happen, but Republican leaders in Washington are playing political games with our economic security. With 2 weeks left and the clock ticking, the time for playing childish political games should be over. Republicans should come back to the table and work with Democrats on a compromise that will avert economic catastrophe, and they should work on a compromise that doesn't hurt the most vulnerable amongst us.

Seniors earn an average of only \$19,000 a year. Contrast that to millionaires, who, because of the Bush-era votes, are getting almost \$140,000 in tax breaks from the government every year. There is no reason that our seniors and the neediest amongst us should struggle to pay their hospital and electric bills just so we can subsidize a millionaire's yacht.

Yet Republicans want to gut the programs that benefit seniors most—Social Security, Medicaid and Medicare—in exchange for their votes on the debt limit. They actually want to hold your senior years hostage just so they can make a political statement on the debt limit. We cannot balance the budget on the backs of seniors.

For those who believe that the potential for default is not real, let me quote a famous President who said 25 years ago: "Congress consistently brings the government on the edge of default before facing its responsibility. This brinkmanship threatens the holders of government bonds and those who rely on Social Security and veteran benefits. Interest rates would skyrocket; instability would incur in financial markets, and the Federal deficit would soar." That President was Ronald Reagan, making his plea to Congress.

Today, the American people are calling again on this body to do what's right.

I know that, if we can move past all the political posturing, we can reach a bipartisan agreement that protects Social Security, Medicaid and Medicare, that reduces the debt, and that saves our economy from the disaster of default. We must do it now.

□ 1010

#### HOUSE REPUBLICANS LEADING THE WAY TO RESPONSIBILITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. WILSON) for 5 minutes.

Mr. WILSON of South Carolina. Mr. Speaker, it was an honor to be here earlier with Congressman TED POE from Texas explaining about the Federal lands and how they could be developed to create jobs and opportunity. It is particularly fitting that the Speaker pro tem at this moment is DANIEL WEBSTER, Congressman from Florida, because over his head is inscribed a state-

ment, a very wise statement, from the previous Daniel Webster, the statesman of our country. In the inscription over the head of our Speaker pro tem at this moment it says, "Let us develop the resources of our land."

And so we know that the original Daniel Webster was correct, and we know that Judge TED POE is correct, and our Speaker pro tem is correct.

Mr. Speaker, last night, the House passed the Cut, Cap, and Balance Act of 2011. As the cosponsor of this legislation, I am grateful to have my colleagues support this measure with bipartisan votes by Republicans and five Democrats. It cuts spending by \$111 billion in 2012. It enacts statutes that will enforce spending caps on the Federal Government for the next 10 years to promote jobs. Finally, it requires passage of a balanced budget amendment in order to raise the debt limit.

This positive legislation goes beyond politics and puts forth measures that address the needs our Nation faces. These policies force Washington to do what families and small businesses must do every day: balance the budget. Rather than devise a plan of their own, liberals in Congress simply want to raise taxes. These taxes will harm more families and kill more jobs. As the President said in 2009, "You don't raise taxes in a recession." Of course, today we have nearly 15 million unemployed persons in our country. Unemployment under the failed policies of our President has increased to 9.2 percent. We need to change course.

Cut, Cap, and Balance is a plan I encourage the Senate to pass in order to put our country back on the path to prosperity creating jobs.

In conclusion, God bless our troops, and we will never forget September 11th in the global war on terrorism.

#### DEBT CEILING DEBATE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. LARSON) for 5 minutes.

Mr. LARSON of Connecticut. Thank you, Mr. Speaker.

I want to start first of all by talking about the tenor of debate in this Chamber. Historically, we've had great debates in this Chamber. I think that the Speaker of the House, JOHN BOEHNER, is an honorable man who cares deeply about this institution, and I think on both sides of the aisle we have very intelligent people who care passionately about their beliefs. We have a Nation that's in the midst of the worst recession since the Great Depression. It prevails on us as Americans to come together and face the problems that our Nation is currently dealing with.

You heard Representative CHU mention it earlier. Ronald Reagan did so at that time with a Democratic Speaker, Tip O'Neill. He did so by appealing to

both Chambers about the need to come together, facing the daunting reality of defaulting for the first time on the country's full faith and credit and the impact that that would have on the global economy, on the Nation's economy, but I daresay, more importantly, on one's household economy. From my perspective as a Member here and going back home and listening to our constituents, I think that's the most important thing, is their household economies that are hanging in the balance here.

Washington can oftentimes provide great theater and great back and forth, but we do not want this to become the theater of the absurd as our constituents look on in the pain and agony of being out of work and wondering whether or not their government is going to be there for them.

So I hope that we're able to pass a clean debt ceiling, as Ronald Reagan did 17 times, the same kind of thing that was afforded Bill Clinton and George W. Bush seven times most recently, so that we can get on with the concerns that we care deeply about: whether it's dealing with the national debt and dealing with the issues of spending and making cuts that will strategically grow the economy, or whether it's dealing with investing in the American people and making sure that revenues that come in do so to put America back to work, like the creation of an infrastructure bank funded by the private and public sectors working together to create those much needed jobs, but essentially putting America back to work.

I recently received a letter from one of my constituents, and I think this sums up the feeling of America. I want to read her words because they tell the story of all too many Americans:

"I'm worried, afraid for myself and all in my situation, and saddened. If I still have not been hired to work in the next few weeks, I will lose the financial ability to live in a room or an apartment and will lose the parts of my life that literally had to be placed in storage, most notably my family photos of my deceased parents, of my children, due to the lack of income or savings to pay the rental fees. I have no one who will take me in or who can afford to do this."

She went on to say, "How can you not agree that this is comparable to a natural disaster when individual lives are at stake and left as if to be swallowed by an abyss of dark uncertainty?"

These are the people of our country who we are sworn to serve. This debate is important on the floor. The debt ceiling could be lifted tomorrow, but the pain and agony of the American people are stated more eloquently by the people who are actually suffering, and when she says "to be swallowed up by an abyss of dark uncertainty," that

is a moral obligation for us. Rather than talking about staying here over the weekend to make sure we deal with the debt ceiling and all the machinations that are going on between the two Chambers, let's stay here till we put America back to work. That's what we should be doing: out-innovating, out-building and out-educating the rest of the world.

#### RESTORING AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. BOUSTANY) for 5 minutes.

Mr. BOUSTANY. Mr. Speaker, yesterday we had a very vigorous debate about the unsustainable debt that our country is facing, and we passed a bill, the Cut, Cap, and Balance bill. That bill is really the only one that's been on the table, House or Senate, so far.

So we asked in the Senate, where's their proposal? We asked the White House, give us a proposal that the Congressional Budget Office can actually give us a score on, on how we're going to do this. We need legislative language to move forward on these things. We can't just base things on speeches, as has been said yesterday.

Mr. Speaker, I believe this country is at a very pivotal point in its history. There's no question about it. We're at a pivotal point. We can decide, is the United States going to lead in the 21st century as it did in the 20th century and in the 19th century, or will we be swallowed in a sea of red ink, high unemployment and very sluggish growth? That is the basic fundamental problem we're faced with today.

It's within our power in Congress to make policy decisions that will change this equation for the good or the bad for the American people. We have decisions to make, tough decisions. And it's time. It's time to make those decisions.

□ 1020

Now yesterday we debated the unsustainable debt problem that this country is facing, a situation that is going to swallow up savings for every single American, currently, \$46,000 for every man, woman, and child in this country; and it's rising. And that doesn't count the unfunded liabilities.

So the debt is clearly a problem, and we have to set the country on a sustainable path with a credible plan to move us forward. But there's another side to the problem that's not being talked about enough, and it's the fact that we are not growing this economy. We are not growing private sector jobs. The previous speaker, my friend from Connecticut, talked about the plight of so many who are without jobs. We have to grow this economy if we're going to create jobs, and that means having a well-thought-out energy strategy for

the United States. It means fundamental tax reform to put us on a very competitive footing, whether it's a small business or a large U.S. company, and it also means a very aggressive trade strategy for the United States.

Now I want to talk about trade for a minute because it really does not get enough discussion here in this body. I got some very encouraging news just last week from the World Trade Center of New Orleans, in my home State. It released some quarterly trade figures. In the first quarter of fiscal year 2011, exports from Louisiana manufacturers and farmers grew by almost 50 percent compared to the previous period last year. This is incredible news because Louisiana is rapidly transforming its economy into a global trading economy that helps our farmers, helps our manufacturers. We sell to the world. We create private sector jobs that pay better than the average jobs around the United States. One out of five jobs in Louisiana is related to international trade where we export. This is critical. If we're going to grow this country and grow private sector jobs, we need a trade strategy in place to do this, to help it, to open markets overseas for our farmers, our manufacturers, our small businesses.

We're seeing rapid growth in Asia and South America right now, all based on trade. Hundreds of trade agreements have been basically voted upon in these countries and implemented. Regional trade agreements. Here in the United States, it's been 4 years, and no activity. We have three pending agreements right now: Panama, Colombia, and South Korea. These will basically open markets in countries that are already having pretty much unfettered access into our market. These will create, by the President's own estimate, 250,000 jobs in this country. Those are direct jobs in the short term. That doesn't even speak to the number of jobs that will be created going forward. It is critically important that we move forward on this. There will be \$13 billion in exports from these three agreements alone, exports. These are American companies, American farmers selling their goods overseas. This will stimulate growth in this economy and job creation. This is why we need to move forward on it.

But there are other important aspects to this. These three agreements were negotiated in good faith. And so just like the full faith and credit of the United States is on the line with regard to dealing with our debt problem, our credibility internationally is on the line as to whether we're going to be a leader in this world or we're just going to sit back and shrink and see high unemployment and sluggish job growth and lost opportunities for our children and grandchildren. That's what's at stake with this.

These three trade agreements need to be done now. The President could easily send these to Congress, and we can vote on them. That's what we need to do. That's a step forward to restore American competitiveness, to restore American credibility, and to restore American confidence. Come on, Mr. President, lead.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

#### IN GOD WE TRUST

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL) for 5 minutes.

Mr. RANGEL. A previous speaker referred to our distinguished Speaker pro tem with that historic name and was suggesting that we look for something to guide us that would be over the podium. What I see is "In God We Trust," not the Congress, not the House, not Democrats, and certainly not Republicans, but in God we trust.

Recently, I took this to be a very serious thing. I was saying that in the process of increasing the debt ceiling and cutting back spending, that a lot of people were vulnerable, and I called upon our spiritual leaders not to forget them. And, indeed, whether we're talking about Social Security or Medicare or Medicaid, that all of these things were going to be on the block, subject to being cut. The press said that I was calling upon Jesus to help Democrats.

Well, that's not so. I was calling upon religious leaders, whether they were Christian or Protestant or Jewish or Gentile or Mormon or Muslim to say "in God we trust," and that there comes a time when human beings, regardless of their party registration, need some help in deciding the crucial issues that actually, actually affect the lives of people. And whether we're talking about peace or war, with thousands of people being killed, no one can deny that this is a moral issue, if we were asked whether we support it or not. But yet we find that most Members of Congress cannot even give a reason why we're in Iraq and Libya and Afghanistan.

But having said that, let's face it. It would be ridiculous to assume that I'm making an appeal for Democrats when what I'm talking about is those people who are vulnerable. When flaws in our financial center caused people to lose their homes, it wasn't just Democrats. There were Democrats, Republicans, Independents, and those that have no faith in government who woke up in the morning, they have lost their jobs; they lost their homes; they lost their pension funds; they lost their savings; they had to pull their kids out of

school; they lost their self-esteem; some lost their homes. I don't remember anywhere where we're talking about people who are registered Democrats. These are Americans that expected more from their government than just saying that we will be able to address your needs in the by-and-by.

And the very people that are aged, God knows we're not talking about a party label. When we talk about our sick, when we talk about Medicaid, when we are talking about Medicare, when we are talking about Social Security, how in God's name can we say we are just talking about Democrats? No. We're talking about all Americans that invested in this country that now see that some of them are so hopeless.

We had hoped that we would deal with the debt ceiling which gives the President the ability to say, When America borrows, America pays back. We thought that the integrity of our great country would never be challenged, certainly by Members of the Congress. But that's not the case. The President is being held hostage. And what's being held hostage is the budget.

On the other side of the issue is the question of taxes. So it appears to me that wherever you find the vulnerable, somebody should be protecting them since the lobbyists are not knocking on their door saying, Protect the poor. And this is a great opportunity, since the President is being held hostage, that we can reform some of the things that we wanted to do, whether it's the tax system, Medicare, Social Security. But these things are supposed to go through a process.

I was honored to chair the Ways and Means Committee, which constitutionally deals with all tax issues, all fiscal issues. It deals with trade. It deals with Medicare. It deals with Social Security. And it deals with taxes. So you wake up in the morning, and you find out that the Congress, 435 of us who now have this important decision to make as we hopefully move forward after the deadline of August 2, and the Senate are to decide these questions by the Gang of Six. Well, I'll be back because no longer am I making an appeal for the Congress; God bless the Gang of Six in trying to save this great Nation.

□ 1030

#### ENVIRONMENTAL PROTECTION AGENCY'S AGRICULTURAL POLICIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. POMPEO) for 5 minutes.

Mr. POMPEO. Mr. Speaker, last night this body passed a piece of legislation that takes a first good step toward fixing America's spending problem, toward taking on our spending ad-

diction and addressing the enormous deficits and debt that our Nation faces.

But we all know there's a second component to making sure that we solve this deficit and debt crisis, and that's economic growth. It's jobs. It's allowing the American entrepreneur, the American consumer to have affordable products, and in the case of Kansas, the American farmer and agriculture producer to survive, to continue to do the things that they need to do to feed the world.

I've been in Congress just 6 months now, and I've watched this administration's Environmental Protection Agency act with respect to our agriculture community with radical indifference or, worse, outright hostility. These are folks who are providing affordable food for our entire world, and yet this administration—this administration—seeks to regulate it. It seeks to harass it. It seeks to impose burdens which will cause this great source of wealth for our Nation to leave. I want to talk about that because it's so important for the growth of our Nation and the success of our Nation to continue to have that industry thrive, and I want to talk about some of the things I've seen in just these 6 months.

The American farmer needs energy. The American farmer needs affordable energy. In this morning's Wichita Eagle, our primary utility in western Kansas and south central Kansas said that the utility rules that this administration is about to impose will put them in a place where they cannot comply. Now, I'm not talking about increased costs. We know that this administration has driven higher electricity rates. We're talking about a utility that will not be able to comply with a set of regulations this administration is putting in place. That's not good for the agriculture community in Kansas. They rely on affordable energy.

The examples go on. This administration, under the Clean Air Act, has attempted to regulate dust. Now, I don't know about folks that live out further this way, but in Kansas, on a dry day like today when it's 110 degrees, there's a little bit of dust when you drive your truck down the road. Yet they want to say, no, that's a regulated particulate matter. Where's the common sense?

Today they're changing the clean air rules to take a set of chemicals that are already regulated under a set of regulations that have been in existence for decades and saying, no, we want to add another layer. We want you to now have to be permitted to have these chemicals that have already been demonstrated to be safe in their use in agricultural production.

We've seen what they've tried to do with greenhouse gas regulation as well. We saw this body respond by not giving the President cap-and-trade, and I'm thankful for that. But we've now get

the Environmental Protection Agency that's trying to do the same through regulatory fiat. And now the Department of Transportation is chiming in as well, trying to regulate trucks, farm equipment under rules that are normally intended for cross country truckers and trying to regulate them in the same way, putting an additional burden on the agricultural community that has been operating their farm equipment in south central Kansas in an incredibly safe way for decades.

I hope that this administration will reconsider. We cannot continue to drive costs. We cannot continue to regulate the Kansas agricultural community. We cannot harass it into its leaving our country. We know this is important. If we drive up the cost of food, we'll drive up inflation. That's good for no one.

I hope this administration will reconsider, that they'll use some common sense. Our farmers, our agriculture producers want clean air. They make it happen. They need clean water. They ensure that it happens every day. We do not need this administration to harass them into leaving the very profession that is so important to our country.

#### CUT, CAP, AND CONTINUE WARS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I'm here catching my breath after the debate over the extreme Tea Party legislation that we considered yesterday. It's easily one of the worst bills I can remember in nearly 20 years of service here in this body. Every time I think they can't possibly go any farther, the majority blows me away with the audacity of their proposals and the cruelty of their priorities.

H.R. 2560, yesterday's debt ceiling proposal, almost makes the Ryan budget look progressive. It makes the continuing resolution passed back in April look positively generous. On this side of the aisle, we call it the Cut, Cap, and End Medicare plan, which is completely accurate. But I'm going to give it another name today, Cut, Cap, and Continue Wars, because throughout the debate over the debt ceiling there's been an elephant in the room, if you'll pardon the expression, that hardly anyone is willing to acknowledge, and that is the impact of waging not one, not two, but three wars is having on our Nation's fiscal health.

Afghanistan alone is costing \$10 billion a month, with the total price tag for Iraq and Afghanistan, going back 10 years, \$3.2 trillion. And that's a conservative estimate, Mr. Speaker. These are staggering figures, especially during a recession when Americans are

crying out for Washington to do something about creating jobs and breathing life back into our economy.

And what are the taxpayers getting for their trillions of dollars in war spending? More than 6,100 dead Americans, continued violence in Iraq and a Prime Minister who's cozying up to Iran, and an ongoing civil war in Libya, a corrupt regime in Kabul, insurgents that continue to kill at will, in Afghanistan a nation still under crushing poverty, and an Afghan Government that cannot protect its own people.

By any measure, these wars have been a devastating failure. And yet, with barely any scrutiny, barely any debate, and certainly no outrage from Republican leaders, we continue to write that check. Meanwhile, we have domestic programs that work, proven investments in the survival and prosperity of our people: Medicare, Social Security, Medicaid, school lunches, student loans, food stamps, unemployment insurance. But the majority says these programs have to be cut and capped so we can continue three wars.

Republicans want to cut programs that are keeping Americans alive while they want to continue funding the wars that have killed more than 6,100 Americans. It blows my mind, Mr. Speaker.

How about we ask the American people: Which do they prefer? These wars that have been failing us for 10 years or the guaranteed Medicare benefits that will allow them and their families to retire with dignity?

I ask my colleagues on the other side of the aisle: Do you really believe everything should be on the table? Everything? If you do, let's talk about war spending. And if you're really and truly serious about restoring fiscal sanity, where were you when the Congressional Progressive Caucus released a plan that will put us back in the black within 10 years?

The Congressional Progressive Caucus budget proves that we can balance the budget, but we don't have to amend the Constitution to do it. We don't need to shred the safety net to do it. We don't need to tear the heart out of Medicare to do it.

We can do it by bringing fairness back to the Tax Code, by ending subsidies, handouts, and giveaways to people and corporations who will do just fine without them, we can do it by passing a clean debt ceiling and putting our people to work, and, Mr. Speaker, we can do it by ending these wars once and for all and bringing our troops home where they belong.

#### COLOMBIAN INDEPENDENCE DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. CANSECO) for 5 minutes.

Mr. CANSECO. Mr. Speaker, there are many concerns on the minds of

Americans today. But there's one concern that dominates discussion in every coffee shop, grocery store, barber shop, civic clubs or everywhere else that Americans gather, and that is the need to turn our economy around and create jobs.

The American people are right to be concerned about the economy and jobs. We've had 29 straight months with the unemployment rate at 8 percent or higher, the longest streak since the Great Depression. Fourteen million Americans are unemployed, and month after month the jobs reports show anemic job growth.

□ 1040

Over 2 years ago, the American people were told by President Obama and other Washington liberals that if we would just spend over \$1 trillion on the so-called "stimulus" bill, the unemployment rate would not exceed 8 percent. Well, in the entire Obama presidency there has only been one month—January of 2009—that the unemployment rate did not exceed 8 percent. Every month since the stimulus bill was signed into law in February of 2009 has seen unemployment rates at 8 percent or higher.

It is clear that the approach of attempting to spend and borrow our way to a better economy has not worked. That's why Congress needs to look to policies that will create jobs, like passing the three pending free trade agreements our Nation has with Colombia, Panama and South Korea.

Beyond the fact that the Business Roundtable estimates these agreements will create more than 250,000 jobs and are important for our economy, these agreements are also important to the United States' role in the world. There is no better illustration of this than the agreement we have pending with Colombia. Colombia is an important ally in Latin America, and I do say that today Colombians celebrate Colombian Independence Day. They're serving as an example for other nations and in stark contrast to the dictatorial regimes in Venezuela, Cuba and Bolivia. Colombia should not only enjoy a strategic relationship with the United States, we should also enjoy a strong commercial relationship. Passage of the free trade agreement would build upon the existing relationship and further strengthen it.

Apart from being beneficial for an important ally, this agreement is important for the U.S. economy. Here are just a few of the benefits that will occur with passage of the Colombia Free Trade Agreement: Duty-free access to the Colombian market for more than 80 percent of U.S. consumer and industrial goods, exports, with remaining tariffs phased out in 10 years; immediate duty-free access to more than two-thirds of current U.S. agricultural exports with the remaining tariffs

phased out over time; strengthened intellectual property and investor protections; open services markets; and enhanced transparency in government procurement. However, perhaps the most important reason to pass this agreement is that if we don't, our competitors will.

Our competitors worldwide are aggressively moving to pass trade agreements. We have already seen our market share in Colombia jeopardized. For instance, although Colombia has doubled its agricultural imports over the past 5 years, the U.S. has seen its market share shrink by one-half. In 2008, American farmers held a 46 percent share of the Colombian market. Today, that share has diminished to 21 percent. In 2000, China was Colombia's 12th largest trading partner. Today, China is the second biggest trade partner for Colombia behind the United States.

Failure to pass the free trade agreement will allow our competitors to enjoy an artificial advantage. At this point in our economy, why do we not want to do everything we can to keep the jobs we have and create new ones? We need to put the politics aside and recognize the importance of the Colombia Free Trade Agreement, not only for our economy but for our strategic interests. It's time to pass the Colombia Free Trade Agreement.

#### GANG OF SIX AND CHAINED CPI

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Well, yesterday the so-called "Gang of Six" on the Senate side—six very important Senators—unveiled sort of an outline about how to save \$4 trillion over the next 10 years. Immediately it was embraced by President Obama. We really don't know much about it, nor does he, but he immediately embraced it.

We know one thing about it. It contains something called a chained CPI. Okay. Well, who cares about a chained CPI? Well, seniors, they care a lot about a chained CPI; middle-income taxpayers, they care about it—they don't know it yet; veterans, and a whole host of other people.

What is a chained CPI? Well, the pointy heads, like Mr. Furman who work for President Obama, say we're understating and overstating inflation with the way we adjust. There is something called substitution effect. So when prices of things go up, you buy something cheaper, so that means there isn't inflation. Well, no, wait a minute; the thing you used to buy is still more expensive and you're buying something else? But in the pointy-head economics world, this makes sense.

So let's say how this would work for someone on Medicare: Okay, you can't afford your heart bypass, so instead

you'll say to the doc, "Hey, look, I can't afford the copay on the heart bypass. Why don't you do a hernia instead?" That's substitution. In Mr. Furman's world, this makes sense.

Now what this would do to seniors on Social Security, we already understate inflation. Seniors haven't gotten a COLA for the last 2 years. Tell me the price of prescription drugs and medical care hasn't gone up over the last 2 years. We need, in fact, a different measure for seniors, for Medicare, for our veterans and others who consume more health care and more essentials, which the CPI doesn't measure. It just measures junk that people buy. That's all it measures. And they're saying because people buy cheaper junk, we should change the CPI. That means the senior, by the time they reach 85 in this brave new world of the chained CPI, will get 100 bucks less a month in their Social Security—not too good. Veterans would see their benefits also be restrained and go down about the same amount.

And then there is this other little impact they're not mentioning. If you're earning \$20,000 a year, the tax brackets get adjusted every year. Well, they wouldn't get adjusted so much anymore under the chained CPI. So someone who earns \$20,000 a year over 10 years would see their taxes go up 14 percent, but for the rich people, you earn \$500,000 a year, you're already at the top; their taxes will only go up .3 percent, three-tenths of 1 percent. Fourteen percent for someone who earns \$20,000 a year; .3 percent for someone who earns \$500,000. And Obama has embraced this?

What's happened down there at the White House? They're listening to these pointy-head economists, and they're going after programs that are important to the American people. All of this, all combined of this great "Gang of Six," would save \$4 trillion over 10 years. That is, seniors will pay more, working people will pay more, veterans will pay more—rich people, not so much—but it would save \$4 trillion. Guess what? If we let all the Bush tax cuts expire at the end of next year—all of them, and the stupid Social Security tax holiday—that would be \$5 trillion over 10 years and we wouldn't have cut Social Security, we wouldn't have cut veterans benefits, we wouldn't have asked low-income and middle-income people to pay more in taxes. Now does that make more sense? I think so.

Let's hope they rethink this down at the White House, and I hope the American people are watching closely.

#### CUT, CAP, AND BALANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. MORAN) for 5 minutes.

Mr. MORAN. Last night, we were asked to amend the Constitution, after

two-and-a-quarter centuries, in a way that will permanently limit the ability of our government to foster competitiveness in a global economy, to generate greater equality of opportunity, to treat our seniors with dignity and respect, and to defend and define this great Nation as an ever-shining democratic beacon of hope and prosperity.

So I was proud to vote against the Cut, Cap, and Balance Act. It is the House Republicans' vision for America's future. This is a vision in which the country turns its back on the achievements of the last century and chooses not to invest in meeting the challenges of the next century.

Republicans aim to use a crisis of their own making to hamstring future Congresses, limiting our ability to make necessary infrastructure investments, to care for the poor, aged and disabled, and to respond to national and international crises.

The 18 percent spending cap mandated by the bill would return the government to spending levels not seen since the establishment of Medicare and Medicaid. The impending retirement of more than 70 million baby boomers means that these spending levels are woefully inadequate, unless we condemn our grandparents to a severely diminished quality of life.

□ 1050

The Republican Party would enshrine constitutional protections for tax cuts and loopholes for wealthy individuals and corporations, requiring an unattainable two-thirds majority in both the House and the Senate for the government to increase the currently unsustainably low revenue levels of roughly 15 percent of GDP.

This would necessarily result in unprecedented cuts in student loans and grants, transportation, education, environmental protection, law enforcement—in other words, the physical and the human infrastructure of our economy.

The only budget plan that comes close to meeting the requirements of these constitutional amendments is the Republican Study Committee budget which eliminates 70 percent of non-defense discretionary funding by 2021, contains deep cuts to Medicare, cuts Medicaid, food stamps, supplemental security income for the elderly and disabled and poor in half by the end of the decade, and raises the Social Security retirement age to 70 years of age.

Yesterday's vote means that the Republican majority is demanding that in return for avoiding an economically disastrous default on our debt, we make \$111 billion in immediate spending cuts. These cuts seriously increase the likelihood of a double-dip recession. It is estimated that they could cause the loss of more than a million public sector jobs just in the next year alone.

Last month, the economy added an anemic 18,000 jobs; but the private sector added 57,000 jobs, while 39,000 public sector jobs were lost in addition to the 49,000 public sector jobs lost in the prior month. This is a continuing trend. Half a million public sector employees have now lost their jobs, 200,000 of them teachers, while student enrollment has increased by 750,000. Firing more government workers will only decrease aggregate demand, making it that much harder to sustain the recovery.

We have witnessed this before. In 1937, President Roosevelt responded to similar conservative pressure by substantially reducing Federal spending before the Great Depression was fully in the rearview mirror. It drove us right back into economic depression. The economy wouldn't recover until the increased spending and hiring that accompanied the World War II armaments buildup got the country moving again. After the war, spending on education and housing for our GIs, the Marshall Plan for Europe, and the construction of the interstate highway system established a permanent middle class and sustainable prosperity.

This is not the time for the Democratic Party to sacrifice our values, values held by a majority of the American people, even in the face of opposition that has reached unprecedented levels of ideological radicalization.

We have to address our long-term deficits for the sake of future generations, but we must do so in a balanced manner, combining rational spending cuts and increased revenue. That's what has worked in the past. That's what we need to do now. We must not abandon the people that depend upon the government for a decent quality of life, but we must not let this great Nation become a second-class society and a third-rate economy. If the bill that was passed last night were to be enacted into law, that's the limited vision it would yield. That's why I was proud to vote against it.

#### WIC ADMINISTRATIVE COSTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. FARR) for 5 minutes.

Mr. FARR. Mr. Speaker, I rise today to clarify a mischaracterization of the administrative costs of the supplemental nutrition program for Women, Infants and Children, commonly known as WIC.

It's interesting, you can come down here to the floor or speak in committee, and we are protected as Members of Congress to say anything we want. It isn't required that everything we say is factually correct. Sometimes those mischaracterizations, misstatements get into the record. And in this case, the complaint or the statement in subcommittee and full committee and even in debate here on the

floor of the Agriculture appropriations bill, it was asserted that the administrative costs in this program are up to 40 percent of the total cost of WIC, this is a misstatement of fact, although it was included in the report language and it was adopted by the committee.

So I come today to point out that the 40 percent administrative cost claimed by the majority is based on selective data from a 2008 Brookings Institute report. It didn't come from the Department of Agriculture, which administers the program. The Brookings report collapsed several legislative mandated nonmonetary programs, including the education of nutrition, the requirement that we support and inform people on how to do proper breast feeding, other client services, issues like health care referrals, even immunization screenings, these were counted as administrative costs when they are mandated by us in Congress to be carried out. They are programmatic costs, and it wasn't proper for the Brookings report to include those as administrative costs.

Breast feeding, nutrition education, and immunization screening are vital programs which improve birth outcomes and reduce the incidence of health problems for WIC participants. They should not be categorized as administrative costs for the purpose of budgeting.

So today, I would like to point out in a recent letter to our Subcommittee on Agriculture Appropriations, of which I am the ranking member, from the Secretary of Agriculture, Secretary

Vilsack, and I will include this letter at the end of my comments today, he notes that the food and nutrition service delivers its program management and actual administrative costs at a steady 9.09 percent rate, far less than the 40 percent purported in the Brookings Institute report and included in the committee report.

WIC is effective in improving the health of pregnant women, new mothers and their infants. I feel it is important to clarify that the WIC program is meeting its mission. It is meeting the law to safeguard the health of low-income women, infants, and children who are at nutrition risk by providing nutritional food and supplemental diets and information on healthy eating and referrals to other health care services.

As Members of Congress, we should not do the program any further disservice by erroneous figures being included in the report. So today, Mr. Speaker, I insert in the RECORD the letter from Secretary Vilsack pointing this out and to make the record clear that the WIC program is indeed being administered very soundly and fiscally conservatively.

U.S. DEPARTMENT OF AGRICULTURE, Washington, DC, July 14, 2011.

Hon. SAM FARR, Ranking Member, Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CONGRESSMAN FARR: Thank you for your work on behalf of the Department of Agriculture's (USDA) appropriations for fis-

cal year (FY) 2012. I appreciate the difficult decisions and choices that were before you and the Committee.

As identified in the Statement of Administration Policy, the Administration has serious concerns with H.R. 2112; however, I wanted to weigh in specifically on what I perceive as misstatements regarding administrative costs for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). I understand that during full committee debate and on page 43 of the committee report, selected data from a 2008 Brookings Institute report were referenced, giving the impression that administrative costs in the WIC Program are over 40 percent of Federal expenditures for the program. The true figure is much lower.

Beyond simply providing assistance in the form of supplemental food benefits, WIC provides low-income mothers, infants, and children with other legislatively mandated non-monetary program benefits, including nutrition education, breastfeeding support, and other client services such as healthcare referrals and immunization screening, which improve birth outcomes and reduce the incidence of health problems for WIC participants. The Brookings Institute report collapses these important additional benefits under the category of administrative costs. However, these legislatively mandated program benefits provided to participants should not be classified as administrative costs.

For reference, I asked USDA's Food and Nutrition Service to provide me with a breakdown of the Federal cost of food benefits, non-monetary program benefits and administrative expenses for FY 2010. I am sharing this information with you to correct the record and so that you can share it with your colleagues:

Category	Obligations	Percentage of obligations
Supplemental Food Benefits .....	\$4,561,570,027	70.44%
Nutrition Services and Admin. (NSA):		
Additional Benefits:		
Nutrition Education .....	418,437,331	6.46%
Breastfeeding Support .....	149,133,594	2.30%
Other Client Services .....	758,015,711	11.70%
Program Management .....	588,984,767	9.09%
Total Nutrition Services & Admin. (NSA) .....	1,914,571,403	29.56%
Total Food and NSA .....	6,476,141,430	100.00%

I consider the category of program management, which is 9.09 percent of total Federal obligations, to be the true measure of administrative costs needed to deliver the complete suite of benefits to WIC participants. This percentage has remained consistent over the past 5 years.

It is my hope that this will clear up any misunderstanding regarding administrative costs in WIC, and I look forward to working with you in the future. A similar letter is being sent to Congressmen Jack Kingston, Harold Rogers, and Norman Dicks.

Sincerely,

THOMAS J. VILSACK,  
Secretary.

**SEXUAL ASSAULT IN THE MILITARY**

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, for the last few months I have come to this

floor every week to talk about a moral black eye on this country—the issue of rape and sexual assault in the military. I have mentioned the fact that the Pentagon has estimated that 19,000 servicemembers are raped or sexually assaulted each and every year. The victims typically are blamed and the assailants are promoted.

I have shared the personal stories of several women who needed to have a bright light shined on this ongoing epidemic. But it is not only females in the military that are victims. Men are being victimized as well.

In an April 2011 article entitled “The Military’s Secret Shame,” Newsweek looked at the subject hardly anyone talks about: male on male rape and sexual assault. Mr. Speaker, it is time to break this silence.

Last year, nearly 50,000 male veterans screened positive for “military

sexual trauma.” Think about that, 50,000 men. That’s nearly double what it was in 2003. Another 110 men made confidential reports of sexual assault by other men, nearly three times what it was in 2007. We know the number of actual victims is much higher.

The latest Department of Defense report showed that only 13 percent of those who are raped in the military actually report them. Men keep quiet for the same reasons women do—a military system that gives them virtually no chance of justice.

In 2010, the Pentagon anonymously asked active duty soldiers who had been sexually assaulted why they did not report their attacks. Half of them said they didn’t want anyone to know. A third of them said they didn’t think anything would be done. And 30 percent said they were afraid of retaliation or reprisal.

□ 1100

I now want to share with you the story of Blake Stephens. I warn you that some of the material is graphic.

Stephens joined the Army in 2001. The verbal and physical attacks started quickly and came from virtually every level of the chain of command. In one of the worst incidents, a group of men tackled him, shoved a soda bottle into his rectum, and threw him backward off an elevated platform onto the hood of a car. When he reported the incident, his platoon sergeant told him, "You're the problem. You're the reason this is happening," and refused to take action. His assailants told him that once deployed to Iraq, they would shoot him in the head.

I recently received an email from Heath Phillips, who joined the Navy at the young age of 17, in 1988. Phillips was attacked on multiple occasions beginning his first weekend on duty. When he reported the assault, he was called a liar, a baby, mama's boy, and a few other choice words. He would complain to the chain of command and be told to shut up, and asked for witnesses. In one particularly horrific incident, a group of men attacked Phillips in the shower and sodomized him with a toilet brush handle. They laughed and joked about it the whole time. After he went to the infirmary, bleeding and in pain, he was told he was fine and to take the day off. Phillips eventually went AWOL to protect himself. He still suffers to this day.

Mr. Speaker, this is a moral black eye on the military, it's a moral black eye on this Congress, and it's a moral black eye on this Nation. It is time to stop talking and to take action.

### THIRTY-SEVENTH YEAR OF INVASION AND OCCUPATION OF CYPRUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. SARBANES) for 5 minutes.

Mr. SARBANES. Mr. Speaker, I rise today, as I do each year on the anniversary of Turkey's unlawful invasion of Cyprus, to again call upon Turkish authorities to end the 37-year military occupation of this island nation. The tragic history of the occupation is well-documented. Sadly, with each passing year, still more indignities are visited upon the Cypriot people.

On Christmas morning, 2010, a large number of Orthodox Christians made their way to the Saint Sinesios Church. During the prayer service, the Turkish occupation authorities barged into the church, drove out the worshipers, and sealed the doors of the building. This was an assault on religious freedom. A few months ago, on May 2, Turkish occupation authorities demolished the 200-year old Chapel of Saint Thekla located in the village of Vokolida. This,

too, was an assault on religious freedom. These are among countless examples of the systematic repression and destruction of the Orthodox Christian faith that is carried on by Turkish authorities on the island.

The United States Commission on International Religious Freedom, the body that is tasked by this Congress on the state of religious freedom throughout the world in terms of advising us on that situation, reports that gross violations of religious freedom occur in the areas under the control of the Turkish occupation authorities. Turkey's foreign minister, the Honorable Ahmet Davutoglu, has proclaimed that Turkey's foreign policy is rooted in the doctrine of "zero problems with its neighbors." Unfortunately, the fruits of this doctrine appear to be wholly absent in Turkish relations with the Republic of Cyprus.

Under the auspices of the United Nations, Turkey agreed as a confidence building measure in 1979 to withdraw and hand over the uninhabited city of Famagusta to its rightful inhabitants. Despite the annual calls of the United Nations for Turkey and the Turkish occupation authorities to honor this agreement, Famagusta remains a ghost town. The international community continually demands the withdrawal of the overwhelming Turkish military presence on Cyprus. However, the Turkish occupation authorities have not even considered a reduction of military troops.

As a candidate country seeking accession to the European Union, Turkey has been advised to open its air and sea ports to the Republic of Cyprus as a condition for the further negotiation of the accession chapters. Turkey nonetheless refuses to open its ports to Cypriot-flagged vessels. Cyprus will hold the presidency of the European Union in the second half of 2012. Rather than seize the opportunity to put its "zero problems" doctrine into effect, Foreign Minister Davutoglu just the other day threatened the European Union that Turkey will freeze relations with that body when the Republic of Cyprus holds its presidency.

Mr. Speaker, this is not the conduct of a country serious about joining the family of democratic nations. The United States, the European Union, and the United Nations all call for a just and lasting settlement that reunifies Cyprus as a bizonal, bicommunal federation. After 37 years of broken promises, it is high time that this Chamber demand that Turkey conduct itself in accordance with the standards and values expected of a democracy, a member of NATO, and a candidate country of the European Union.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until noon today.

Accordingly (at 11 o'clock and 7 minutes a.m.), the House stood in recess until noon.

□ 1200

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving and Gracious God, we give You thanks for giving us another day. Bless the Members of this assembly as they set upon the work of these hours, of these days. Help them to make wise decisions in a good manner and to carry their responsibilities steadily, with high hopes for a better future for our great Nation.

Deepen their faith, widen their sympathy, heighten their aspirations, and give them the strength to do what ought to be done for this country.

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

Amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Indiana (Mr. BUCSHON) come forward and lead the House in the Pledge of Allegiance.

Mr. BUCSHON led the Pledge of Allegiance as follows:

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

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

### HONORING U.S. ARMY SPECIALIST JAMES A. WATERS

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

Mr. BUCSHON. Mr. Speaker, I rise today to honor U.S. Army Specialist James A. Waters. Specialist Waters, a



21-year-old native of Cloverdale, Indiana, lost his life in combat on July 1 in Kandahar, Afghanistan, of wounds suffered from an improvised explosive device during an insurgent attack.

Specialist Waters was assigned to the 1st Battalion, 32nd Infantry Regiment, 3rd Brigade Combat Team, 10th Mountain Division in Fort Drum, New York. Indiana lost a great citizen, who was affectionately known as Jimmy. He planned to marry his high school sweetheart in December.

His sacrifice and valor should be commended, and I would like to offer my most heartfelt condolences to Specialist Waters' family and friends. From a grateful Nation, he will be missed but not forgotten.

#### IOM REPORT ON WOMEN'S PREVENTATIVE HEALTH SERVICES

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

Mrs. CAPPS. Mr. Speaker, I rise today to applaud the work of the Institute of Medicine's Committee on Preventive Services for Women, who released their critically important final report yesterday. The IOM's recommendations are clear. Women need access to annual well-woman preventive visits, access to screening for domestic violence, gestational diabetes, and a full range of sexually transmitted diseases. They need to have increased breastfeeding support, and they need to have access to contraceptives, all without cost sharing.

In these hard economic times, these recommendations underscore the imperative that women and their families should not have to choose between preventive care and paying their bills.

The IOM was bold. It broke through the extreme politics surrounding women's health and, instead, relies on rigorous science to make its determinations. We must follow the IOM's lead and ensure all women have access to these services, no matter where they get their health care or how much they earn.

#### GANG OF SIX

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

Mr. CHAFFETZ. Gang of Six? The Gang of Six? How about that gang of 234 people yesterday, Republicans and Democrats, who passed the plan that doesn't raise taxes and averts the crisis?

#### RHODE ISLAND COUNCIL OF COMMUNITY MENTAL HEALTH ORGANIZATIONS

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

Mr. CICILLINE. Mr. Speaker, I rise today in recognition of the extraordinary work of the Rhode Island Council of Community Mental Health Organizations. Representatives from the Rhode Island Council of Community Mental Health Organizations are on Capitol Hill this week advocating for the millions of Americans who suffer from mental illness.

The council's work is vital because, according to the National Institute of Mental Health, an estimated 26 percent of American adults will suffer from a diagnosable mental disorder in a given year, and approximately 6 percent of Americans will suffer from a serious form of mental illness.

Since 1979, the council has led critical efforts to raise awareness about mental health and emphasize the importance of mental health care funding. The council's efforts to integrate behavioral health with primary care has saved lives and cut costs in our State, setting an example for the Nation.

The Rhode Island Council of Community Mental Health Organizations is a true leader in the field of mental health. I believe we must make mental health care and full implementation of mental health parity a major priority as we continue to protect health care as a right for all.

I commend the Rhode Island Council of Community Health Organizations on their work to improve and promote mental health care.

#### RECOGNIZING THE SERVICE OF ARCHBISHOP CHARLES CHAPUT

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

Mr. GARDNER. Mr. Speaker, today I rise before you to recognize the hard work and dedication of Archbishop Charles Chaput, who has served the Colorado Catholic community for over a decade. It was announced this week that he has been reassigned to lead the Archdiocese of Philadelphia. While I am saddened that Archbishop Chaput will be leaving our great State, he leaves behind a legacy of defending the innocent and helping the weak that we can all celebrate with pride.

He first came to Colorado in 1977 to be pastor of Holy Cross Parish in Thornton. After many years of ministry, and having held various important positions in the Church, in 1977 Pope John Paul II appointed and installed him Archbishop of Denver. He has fought against anti-Semitism and other forms of intolerance, working tirelessly to advance religious freedom around the globe. His outreach to the Hispanic community is second to none.

I first met him at the Colorado State Legislature where I came to know him as a man of high integrity and deep, deep faith. I admire the archbishop's dedication to all people of faith.

I'd like to offer him my most sincere thanks for all of his work in Colorado and wish him the best of luck in all of his future endeavors.

#### DEFAULT WOULD DESTROY AMERICAN JOBS

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

Mr. DOYLE. Mr. Speaker, Republicans want deep spending cuts with no new revenues as the price of raising the debt limit. Some Republicans have downplayed the impact that defaulting on the national debt would have on our economy and our people, and most Republicans have downplayed the impact on average Americans of the budget cuts they're calling for. This doesn't come as a surprise, but what is surprising is how out of touch they are with mainstream Americans.

Most Americans say their biggest concern isn't government spending; it's jobs. But rather than pursue a real job-creation agenda, House Republicans have passed legislation that would actually slow the economy and kill American jobs. Their demand for even bigger spending cuts in exchange for raising the debt ceiling is the latest and greatest effort yet to kill middle class American jobs.

They say either we cut government spending deeper, or they're going to force us into default, which every economist agrees causes a deeper recession and throws hundreds of thousands of middle class Americans out of work.

Mr. Speaker, it's time for House Republicans to get a grip and offer an agenda that actually creates jobs.

#### WE MUST PRESERVE AMERICA'S SPACE LEGACY

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

Mr. PALAZZO. Mr. Speaker, 42 years ago today, Neil Armstrong took one small step on the lunar surface. It was the culmination of a national initiative to put men on the Moon. But although our mission was achieved, it didn't end our yearning to explore. In many ways it only deepened, and I believe it still exists today.

Tomorrow, STS-135 Atlantis is scheduled to land in Florida; and with the completion of the mission, the shuttle program will have come to an end. We now face the uncertainty of where our next steps in space will be.

America's legacy as the unrivaled world leader in space exploration enters into a new and uncertain era. As chairman of the Space and Aeronautics Subcommittee, partnered with Chairman RALPH HALL, I will work within Congress, with NASA, and with private entities to ensure America's space exploration legacy is maintained and

that last year's NASA reauthorization bill is implemented.

We must continue developing the Space Launch System and Multi-Purpose Crew Vehicle in order to achieve assured access for American crews to the international space station. Even in challenging economic times, I urge my colleagues to prioritize human space flight, for it is in times like these that inspiration is needed more than ever.

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□ 1210

#### WE NEED JOBS

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

Mr. COHEN. Mr. Speaker, Republican slash-and-burn politics have not created a single job for hardworking Americans and Republicans have not presented a bill on jobs in this Congress. The fact is we need jobs and we need innovative jobs, and the Democrats have proposed a jobs plan that emphasizes innovation.

We had an opportunity last week to have more investment in solar—less in fossil fuels—solar green jobs that are innovative, create more jobs and protect us in the future so we don't have to spend money on defense to protect those lines that bring us oil from the Middle East, yet we didn't do it.

We need to invest in education, and the Democrats have tried to do that. But the Republicans want to cut Pell Grants and cut workforce investment opportunities. We need to have an educated workforce, and we need to have creative ways to create jobs and not just be slaving to Big Oil and Wall Street.

Jobs is our most important business here. And while I speak of jobs, we have one job the American public wants us to do, and that is prevent a default on our debt and embarrass the United States and wreck the world's economy. That's more important than any pledge, Mr. Speaker, that anybody has taken. Don't default.

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#### CALL FOR SENATE ACTION

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

Mr. PITTS. Mr. Speaker, yesterday, the House passed the cut, cap, and balance plan to control government spending and raise the debt limit. Now we need the Senate to act and put their plan on the table.

While it was good to hear yesterday that at least six Senators have reached agreement on a plan to control our debt, what we really need is the other Chamber to bring a plan to the floor and pass it out of the Senate. We have passed a clear plan, one that can be

scored by the CBO, a plan that calls for a long-term solution to keep Congress responsible, the balanced budget amendment.

It is clear that we need to act on the debt ceiling soon. Our credit rating is certainly at risk. However, we cannot forget that what is truly at risk is the long-term solvency of our Nation. If we continue on the current path, we will end up being controlled by our creditors, just like Greece, Portugal, and Ireland. Our very independence is at stake here.

By acting responsibly now, we avoid greater pain later. Kicking the can down the road is only kicking our Nation's future.

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#### DEBT LIMIT

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

Ms. TSONGAS. Mr. Speaker, unless this Congress takes action on August 2, our Nation will stop paying our bills because we refuse to come together and take shared responsibility. These bills pay for policies already purchased, such as the wars in Afghanistan and Iraq, the 2003 prescription drug benefit, tax cuts, and emergency measures to save our economy.

Yesterday, House Republicans passed a bill that asked for sacrifices from seniors, veterans, and children but exempted corporations from giving up even their most egregious tax loopholes, like those that encourage shipping jobs overseas. That bill also all but guarantees a default by requiring a two-thirds vote from both Chambers before we can pay our bills. To return to the balanced budgets of the 1990s will require a long-term commitment from the entire country, a commitment that will only come if everyone contributes.

We do not need to end Social Security and Medicare, as some would do. We can and must reduce the deficit in a balanced way that ensures the well-being of every American.

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#### JOBS AND THE ECONOMY

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, we need bipartisan efforts that focus on fiscal responsibility while maintaining important investments in our communities that will create jobs and grow the economy.

Even now, I am trying to be confident that the best interests of the American people will prevail, but it is terribly disappointing that ending Medicare for seniors is so important to Republicans that they continue to pursue this agenda at all costs and willingly put our national economy in peril.

Mr. Speaker, the House of Representatives has been under the control of the Republicans for nearly 200 days, and they have yet to bring a single job-creating bill to the floor. This is an issue that should always be above partisan politics. It seems that they would rather see the United States default on its existing debt for the first time in history, watch our economy lose hundreds of thousands of jobs, and cause interest rates and consumer goods to skyrocket in the process.

We must do something about it.

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#### DON'T DEFAULT

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

Ms. EDWARDS. Mr. Speaker, I rise today because I look across my congressional district and across this country where people have lost their homes, they have lost their jobs, and they have sacrificed their retirement accounts because our fiscal house hasn't been in order, and here today we sit awaiting the opportunity to do for the American people what we ought to, which is to prevent a default, to prevent a default that would result in further sacrificing of retirement savings and jobs and homes across this country. They're really depending on us.

I rise today, Mr. Speaker, to say that we have an important responsibility to our seniors to protect their Medicare and their Social Security benefits, to make sure that we're creating opportunities for education for their children, to make sure that we're creating jobs, rebuilding our infrastructure, our roads, our bridges, our highways, our rail systems, and we haven't done our job.

So, Mr. Speaker, I say it's time for us to stop the silliness, to prevent the default, and to get on with the Nation's business.

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#### STOP PLAYING GAMES, DON'T DEFAULT

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

Mr. WALZ of Minnesota. Mr. Speaker, I rise today to say what my colleagues and I'm sure many Americans across the country are saying: Stop playing the games and get the work done.

I understand we all come here with values, ideas, and principles that we hold dear, but when the facts dispute our ideology, we don't get the choice to change the facts; you change your ideology.

Failure to pay our bills will be catastrophic to our economy; it's that simple. This isn't a question of enabling future deficits. The Federal Government needs to cover promises it made

to our soldiers, to our veterans, to our seniors, and to our creditors.

Responsible people in countries pay their bills. Our 40th President knew this. In a radio address he delivered in 1987, Ronald Reagan admonished Congress for bringing the government to the edge of default and urged them to face their responsibility.

Here's what President Reagan said: "Interest rates will skyrocket, instability will occur in the financial markets, and the Federal deficit will soar."

We cannot ignore the facts, and allowing our Nation to default no way fixes our budget problems.

Stop playing the games; get the work done; move the country forward.

#### EMERGENCY WATERSHED PROTECTION PROGRAM

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

Mr. LUJÁN. Mr. Speaker, there are a lot of important conversations that are taking place today, but it's important that we talk about what has happened in New Mexico recently.

New Mexico has been hit by a series of wildfires during this extremely dry fire season. Many communities have been threatened by fires as families have lost their homes and livestock and tribal lands have been damaged.

At a time when many counties are struggling with a drought, the fire damage to our watersheds, which provide New Mexico with the majority of its surface water, has impacted drinking water supplies and increased the threat of floods during monsoon season.

With the Midwest recovering from floods and tornados and the West battling fires and drought, the current resources available to fight these disasters are simply not enough. Funds for the Natural Resource Conservation Service's Emergency Watershed Protection program, which assist with the protection of watersheds that have been impacted by natural disasters, have almost been depleted as a result of the disasters around the country. It's vital that we provide more resources for this critical program that can strengthen watersheds affected by the combination of fire, damage, high temperature, and lack of rainfall.

I encourage my colleagues to support efforts to address funding shortfalls to the Emergency Watershed Protection program so we can help our communities recover.

□ 1220

#### WARRIORS' WATCH RIDERS

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

Mr. McNERNEY. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the contributions of the Warriors' Watch Riders, a troop support group, for their commitment to our veterans, their families and our community.

Rain or shine, the Warriors' Watch Riders in my district provide a motorcycle escort to our servicemembers and welcome them home as they return to our community.

When one of our servicemembers makes the ultimate sacrifice in the line of duty, the Warriors' Watch Riders recognize their sacrifice, honor their memory, and offer support to their families.

I have seen firsthand how the Warriors' Watch Riders bring communities together with the roar of their motorcycles. Bonds are built, tears are shed, and families, friends, and neighbors come together with the Warriors' Watch Riders to show respect for the sacrifices those in uniform make to ensure our freedom.

I ask my colleagues to join me in recognizing the Warriors' Watch Riders for all they do for the men and women who serve our country.

#### MEDICARE GUARANTEE THREATENED

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

Ms. SCHAKOWSKY. Mr. Speaker, the Republican bill cuts, caps, and balances all right; cuts Medicare, caps Medicaid, and balances the budget on the backs of our seniors, people with disabilities, and the middle class.

When Willy Sutton was asked why do you rob banks, he said, because that's where the money is.

Asking the elderly and people with disabilities to shoulder the responsibility for our national debt—really? Nearly half of Medicare beneficiaries have income at or below 200 percent of poverty. The median income for seniors is just over \$19,000 a year. The Republican proposal will end the Medicare guarantee, double out-of-pocket costs for seniors and people with disabilities, and send them an invoice for \$6,000.

Of course we need to address our fiscal challenges, but not by ending Medicare in the process.

#### REPUBLICAN FRESHMEN CUT SOCIAL SECURITY

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, yesterday our Republican friends jumped for joy when they passed a draconian bill that would cut \$6 trillion and jeopardize a lifeline for millions of Americans, and that is Social Security. We have all been refer-

ring to a President that endeared himself to this whole country, President Reagan. His letter to Senator Baker said: The Nation can ill-afford to allow such a result. The risk, the costs, the disruptions, and the incalculable damage lead me to but one conclusion: The Senate must vote to raise the debt ceiling—in 1983 when the country was much smaller.

But what do we face here? Frivolous activity like Republican freshmen who, in their manner of affect, showing disrespect for the Office of the President. One Member said: "I have a challenge for the President. I dare him, I double dare him to even think about cutting Social Security." What about the Member? Should he be dared to not cut Social Security? The Republican vote yesterday already cut Social Security. And you've just cut Social Security as Republican freshmen. Why don't we engage in negotiation and let the approach be negotiation and resolution—not obstruction. Why don't we engage in negotiation and work together as a Nation, as the American people want? I would like a little more respect from my colleagues for the President of the United States, President Barack Obama.

#### CUT, CAP, AND BALANCE DEAD ON ARRIVAL

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, last night we voted once again in the House of Representatives to cut Medicare, to cut Social Security, and to reward the wealthiest 2 percent of our Nation with tax cuts, and of course big business with tax cuts. The Republican majority wasted a crucial day of debate instead of protecting and working on the financial security for our Nation.

We could have debated a strong jobs agenda like the Make It in America agenda that the Democrats have. We could have discussed how we could strengthen partnerships with businesses to retain America's workers for the jobs that are actually needed here.

But what did they do? As one former Republican budget adviser calls it, they debated something that was "a misleading political cheap shot."

The Republicans Cut, Cap, and Balance Act is harmful for this country, and it is not a serious proposal. It is not going to be signed into law. They wasted our time. So I am glad that that bill is dead on arrival in the Senate. But I really wish, I really wish they would get down to working for America.

PROVIDING FOR CONSIDERATION OF H.R. 2553, AIRPORT AND AIRWAY EXTENSION ACT OF 2011, PART IV

Mr. WEBSTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 357 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 357

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2553) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Florida is recognized for 1 hour.

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

GENERAL LEAVE

Mr. WEBSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. WEBSTER. Mr. Speaker, I rise today to support this rule and the underlying bill. House Resolution 357 provides for a closed rule for consideration of H.R. 2553, the Airport and Airway Extension Act of 2011, Part IV.

So far in the 112th Congress, three short-term extensions have been signed into law to allow for the continued aviation trust fund revenue collections and aviation program authority necessary to operate America's airports. The latest short-term extension expires this Friday, July 22.

H.R. 2553 would extend the program for a little less than 2 months, until September 16. The bill maintains current funding levels for FAA, its employees, and airports around the country. The bill includes two simple Essential Air Service (EAS) reform provisions, one of which has already passed the Senate by unanimous consent.

Both the House and Senate have passed separate versions of multiyear reauthorization bills, so this short-

term extension will hopefully give the House and Senate the time needed to work out the differences between the two bills so we can stop kicking the can down the road.

To say that, that is exactly what we are doing. For starters, this is the 21st extension of the FAA program since the last reauthorization. We have been at this exact juncture 20 other times. The last reauthorization, shepherded by Chairman MICA, was over 7½ years ago. That is a long time. Since September 30, 2007, the FAA has been operating on a series of short-term, stopgap extensions.

Quite simply, it is time to stop doing this. It is too much. The safety of our airline passengers is something we ought to take into consideration and pass a necessary, meaningful and long-term FAA reauthorization.

Once again, Mr. Speaker, I rise in support of this rule and the underlying legislation. The Transportation and Infrastructure Committee has worked to provide us yet another short-term extension which will ensure the continued safety of airline passengers, with the hope that the Senate and the House can finally come to the table and realize a long-term reauthorization.

I encourage my colleagues to vote "yes" on the rule and "yes" on the underlying bill.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my good friend from Florida for yielding me the time, and I yield myself such time as I may consume.

Mr. Speaker, the Airport and Airway Extension Act of 2011, Part IV, extends aviation trust fund revenue collections and aviation program authority at current funding levels through September 16 of this year while also imposing new restrictions on the Essential Air Service program.

Frankly, it is no substitute for a long-term Federal Aviation Administration authorization, and casts further doubt on airport construction and safety improvements instead of ensuring air passenger safety, creating jobs, or investing in air traffic control modernization.

□ 1230

As I'm sure most Americans would agree, the word "uncertain" does not belong in a conversation about our Nation's aviation system and it certainly does not belong in the same sentence as air passenger safety. I note a friend in the House who is a pilot agrees with that statement. Over the course of almost 4 years, however, great uncertainty surrounding long-term funding for the FAA has threatened and continues to threaten both. Without steady funding, the FAA is unable to best manage the long-term programs and projects that are vital to the future of our aviation system, including

lifesaving airport safety improvements and the transition to the very important Next Generation Air Transportation System that we know as NextGen.

Make no mistake, the United States has the safest, most efficient aviation system in the world. We can all thank our highly skilled, dedicated aviation professionals for that. But in order to ensure that it remains that way, we must stop kicking the FAA reauthorization can further down the road. I know these cans around here get tired of being kicked down the road.

The measure before us is the 21st short-term FAA extension to be considered since the last FAA authorization bill. Vision 100 expired at the end of September 2007. I repeat: This is the 21st short-term FAA extension we have considered in less than 4 years. It is also the sixth extension of operation authority for fiscal year 2011. Meanwhile, there has been no progress for weeks on a long-term authorization.

While short-term extensions have their place in the legislative process, they should be the exception, not the rule, especially when authorizing the important safety and modernization activities of the FAA. The extension not only fails to address the long-term aviation needs of our Nation, but also denies many of our small and rural communities the air service and economic opportunity made possible by the Essential Air Service program.

By including these policy riders, House Republicans risk a shutdown of our aviation system. Senator ROCKEFELLER, after our Rules Committee meeting last night, made that very clear in a letter from him to Chairman MICA.

Instead of appointing conferees, as the Senate did 100 days ago, House Republicans seem to be pointing fingers and effectively forcing a vote on the future of the EAS program ahead of conference legislation. While House Republicans continue to play the blame game with the Senate, American businesses and workers are losing out on much needed economic opportunities.

Aviation, as we all know, is an economic engine for the United States, contributing \$1.3 trillion to our economy, accounting for more than 11.5 million jobs and \$396 billion in earnings, and contributing 5.6 percent to our Nation's gross domestic product.

Without full-year funding for the FAA, local officials are unable to move forward with project proposals. Because of this, the FAA is an estimated \$800 million to \$1 billion behind in obligating funding, which translates to tens of thousands of jobs. Furthermore, if the FAA is unable to utilize these funds before the end of the fiscal year, they risk being reprogrammed or rescinded. This, in my view, is irresponsible, dangerous, and unacceptable. The FAA will have to do more with less,

which reduces its ability to help airports finance safety improvements such as special runway overshoot areas, runway resurfacing, proper signage and lighting, and equipment to prevent snow and ice buildup on runways.

These measures not only save lives but increase efficiency at a time when air traffic is projected to continue growing significantly. According to the FAA, the number of passengers on U.S. airlines is forecasted to increase by about 75 percent within the next 20 years and to reach 1 billion passengers annually within the next decade. We must invest more in our aviation system, not less. Long-term FAA authorization should be an immediate priority.

In the 110th and 111th Congresses, the House, under Democratic leadership, passed FAA reauthorization bills that would have created jobs, improved aviation safety, and provided the FAA with the tools necessary to modernize airport and air traffic control infrastructure.

My friends on the other side should do the responsible thing and appoint conferees so that the House and Senate can work out their differences and finalize a long-term FAA reauthorization bill. Unfortunately, my friends on the other side of the aisle are clearly preoccupied with further isolating small and rural communities than moving this debate forward. In fact, the House Transportation and Infrastructure Committee has held no hearings specifically on the EAS program this year, nor did they hold a markup on the measure before us.

The Senate is not going to pass this. The letter from Senator ROCKEFELLER makes it very clear, as the chair of the relevant committee in the Senate, that this is not going to pass in its form with the policy riders attached. Yet, without the ability to offer amendments on the floor, as I requested in the Rules Committee last night, to consider a clean extension, one free of the policy riders that will hurt our small and rural communities, we face a shutdown. I believe my good friend from Florida (Mr. WEBSTER) said on Friday this short-term extension would expire and then our aviation system stands to shut down. That would be most unfortunate.

I reserve the balance of my time.

Mr. WEBSTER. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. I thank my colleague for yielding, and I'd like to thank my colleagues on the Rules Committee for so expeditiously bringing up this rule for consideration this afternoon of I think it's the 21st temporary extension of the reauthorization of the FAA legislation.

This reauthorization has been held hostage for several years, and it is not cost-free. It's interfering with the efficiency of operations, the ability to

plan and to expend funds on needed airport improvements all across the country. So we're paying a price for this sort of thing, and I really don't think we should be allowing people to assert that they have the right unilaterally to hold up the whole process, that it's their way or the highway, especially when what we're doing in this particular mild change to reform a needed part of this legislation, Essential Air Service, which is badly in need of reform, is basically acceding to language that's already in the Senate bill. By agreeing to the bill that in this respect has passed the other House, this is non-negotiable that we can be so bold as to simply say, Fine, we'll agree to the language that you have which basically provides that if an airport is within 90 miles of a major airport, it's not eligible for Essential Air Service.

□ 1240

The other provides that the cap on subsidy from the Federal Government would be \$1,000 per passenger.

Now, what are we talking about? You can rent a car for a lot less than \$1,000; and most people, frankly, prefer not to go through a couple of changes, to a feeder airline to a hub to another destination, if you're able to avoid it. An hour 45 minutes, hour and a half air travel is certainly perfectly reasonable, especially when you consider in addition that if it really is essential, the Secretary of Transportation has the ability to waive this legislation. So people are just unilaterally assuming that somehow some terrible thing will happen when the authority already exists in the executive branch to prevent that from happening.

So to further hold the whole system hostage over a small effort to reform what really has been, I think, over a period of years an accumulation of earmarks—people had the ability to provide for a subsidy for an airport in their district in this area or that area because they were in leadership on the committee or in the Congress, and we've seen this pile up and pile up, and it's really about time it gets addressed.

And asking people to find a way to get to an airport, if it's less than 90 miles that they have to find alternative transportation, rather than having the Federal Government subsidize it in a few airports around the country seems to me to be something that is badly in need of doing. It saves money for the taxpayer. Not a whole lot, but I think estimates are between \$8 million and \$9 million a year. I guess around here that doesn't amount to a whole lot, but in most communities and families and other areas, that's a lot of money.

Of course, we have to remember the Federal Government isn't the only government concerned. If people really do want a subsidized service because of some local need, the community or the

State or the county involved is certainly perfectly free to do that.

So why we should be picking a couple dozen communities around the entire United States and subsidizing to the extent of over \$1,000 per passenger to provide this sort of almost air limousine service for a few individuals in these communities is beyond me.

Yet if this is nonnegotiable and we can't concede to the language already in the Senate bill and we're going to have to shut down the whole system, except for essential air service, because of trying to do this modest reform after 23 extensions or 24 extensions, we've really come to a pretty kind of arbitrary and unreasonable place here in this House.

So I urge my colleagues to support the rule and the underlying legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 3 minutes to my good friend, the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the gentleman. And I want to associate myself with his very detailed and well-stated opening statement on this legislation.

I think the premise should be that all of us agree on the importance of the FAA. I have served as the chairwoman of the Transportation Security Subcommittee of the Homeland Security Committee and now serve as its ranking member. Through that timeframe, I have seen the overlapping need to view particularly FAA's work and particularly air traffic controller work as part of both the safety and security of this Nation.

I remind my colleagues of the activist role that air traffic controllers in particular took during 9/11. During the massiveness of confusion and the loss of the destination or the placing of three of our major airlines and planes that were flying in, airplanes, the air traffic controller was really a team that was on the first response, if you will. So their work is enormously important.

And my colleague mentioned some numbers that I think are extremely important: \$1.3 trillion is what we find as the revenue in the airline industry, 11½ million jobs, a 75 percent increase in employees within 20 years and 1 billion in the next decade. I want to say that this means that we have a great obligation to protect the American traveling public.

I also want to associate myself with the idea of not protecting our small airports and disadvantaging those airports by this legislation. And again I assume Chairman ROCKEFELLER's comments play to that as well.

But I had offered an amendment that was sent to the Senate to establish a mandate that at the top 20 United States airports there should be no fewer than three air traffic controllers

on duty during periods of airfield operations. I firmly believe this provision will ensure that air traffic control towers at high-volume airports in this country will be appropriately staffed at all times.

Mr. Speaker, we engaged with the conference committee very diligently. We have all heard the recent stories of air traffic controllers falling asleep or being locked out of the control tower or, for whatever reason, not being able to be on the job, on duty at critical times.

Now, I know that air traffic controllers reflect the diversity of America and the various ills and concerns. We also know they have long concentrated hours and it's a difficult job. Just recently there was a question of whether or not an air traffic controller was inebriated on the job, whether he drank on the job or he came to the job, he or she, with this condition. But if that was the case and there was one air traffic controller there, there's zero. If that was the case and there were two, then there was one.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS of Florida. I yield the gentlelady an additional minute.

Ms. JACKSON LEE of Texas. I thank the gentleman.

I submit that by simply having a codified policy that at the busiest and most critical airports we mandate there be personnel redundancy in control towers, we can make the aviation system much safer and much more secure.

The American passenger has value. Those dear souls who lost their lives on 9/11 who were not exposed to this concept of terrorism had value. The American passenger is entitled to safety and security. Think about the people on planes flying across our country. They are our grandmothers, husbands, wives, babies, family members, businesspersons, associates, colleagues. They're American passengers and their lives have value. To ensure their safety and security, I believe we need more than what is presently moving in this bill that has not come to the floor, and I believe we should move on with the conferees to be appointed because, as I said, I sent my language to the initial negotiation. We need to move on so there's an opportunity for us to work this idea.

But this is more than a study. We don't need another study. We have already seen the mishaps. On 9/11 we discovered the value and importance of these particular workers, and we now have discovered the problem.

I ask my colleagues to raise the question and to question this rule and this bill, or this extension, because we are putting our American passengers in jeopardy.

Mr. Speaker, as we consider yet another extension for FAA programs, I rise today to dis-

cuss a key issue that I urge the conferees on the FAA Reauthorization bill to consider.

Prior to H.R. 658 being sent to the Senate, I offered an amendment to establish a mandate that at the top 20 U.S. airports, there shall be no fewer than three air traffic controllers on duty during periods of airfield operations. I firmly believe this provision will ensure that air traffic control towers at high volume airports in this country will be appropriately staffed at all times. This is a matter of national security.

We have all heard the recent stories of air traffic controllers falling asleep, or being locked out of the control tower, or for whatever reason, not being able to be on the job, on duty at critical times.

I submit that by simply having a codified policy that at the busiest and most critical airports we mandate there be personnel redundancy in control towers, we can make the aviation system much safer.

The American Passenger has value. The American Passenger is entitled to Safety and Security.

Think about the people on planes flying across our country. They are our grandmothers, husbands, wives and babies. They are American Passengers and their lives have value. To ensure their safety and security we must insist that Air Traffic Controllers are vigilant. To ensure their vigilance we must set reasonable minimum standards.

After 9-11, we discovered the vital importance of protecting our domestic airspace. Air Traffic Controllers are part of the front line of defense to protect the ensure the safety of our air space. If they lose contact with a plane, they can alert authorities. If an Air Traffic Controller at a major domestic and international airport is asleep at the wheel who will make that call?

It is unfair to put the lives of American passengers at high volume airports at ANY time in the hands of one individual, who may at some point be incapacitated. Even pilots have co-pilots. What if the Controller fell ill? What then? What would you tell those passengers on the plane? Hope for the best? We need to provide the support that Air Traffic Controllers need in addition to the responsibility.

This language I support creates a mandate, that at all times there must be a minimum of three air traffic controllers in the tower during hours of airfield operation. I commend Secretary LaHood for ordering a second air traffic controller to be on duty overnight at National Airport. However, the Secretary's action simply evidences that there is no current mandate for multiple air traffic controllers. According to the National Air Traffic Controllers Association, most airports operate 24 hours a day with two controllers in the tower for the midnight-to-6 a.m. shift. The operative word is "most", we must act to create a uniform nationwide standard, verifiable and enforceable by the FAA. Again, safety and security are mutually needed to protect the public. This mandate of 2 air traffic controllers on duty at the top 20 airports is vital to America's National Security.

I urge the conferees to adopt this important provision.

Mr. WEBSTER. I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 4 min-

utes to my very good friend from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend for yielding.

Mr. Speaker, as we meet this afternoon to consider this very necessary legislation, too many Americans are looking at yet another Friday without a paycheck. Too many Americans are leery when they hear the phone ring for fear it's another dunning phone call from a creditor they can't pay. Too many Americans are stuck for yet another week in a part-time job that doesn't come anywhere close to paying their families' bills.

The country has a jobs crisis. We have the same number of private sector jobs in America today that we had in 2001, and we have 14 percent more people looking for work. We have a jobs crisis.

This is the 196th day of the majority that now runs the House of Representatives, and on not one of those days has the majority taken advantage of the opportunity to come to the floor, work together on legislation that would address this jobs crisis here in our country.

□ 1250

I believe that resolving this crisis requires us to work together in three areas:

First, we have to get our fiscal house in order as a government. We can no longer borrow 40 cents of every dollar we spend, and we certainly cannot let this country fail to meet its obligation to pay its bills—a deadline that is on August 2. Failure to do that would mean more than simply failing our country's national obligations. It would mean higher mortgage rates; it would mean higher car loan rates, higher small business rates; and if we miss the deadline, it would mean not enough money to pay Social Security checks or our troops or our creditors. We cannot let that happen.

Just across this Capitol, there are signs of hope, where Members of the other body from both political parties have begun to have a serious proposal put on the table that would significantly address our budget problem by reducing entitlement spending, which we must do; by reducing spending on regular government programs, which we must do; by reducing spending on defense in areas that would not weaken our country, which we must do; and yes, by requiring the wealthiest and most successful of Americans to pay a bit more towards solving this problem. That is a fair and balanced way to approach this problem. I am heartened by the fact that, across the Capitol, both Republicans and Democrats are beginning to make that effort. We should make the same effort here, something we could agree to.

Second, we've got to stimulate the demand for businesses in this country.



I think the main reason so many employers are not hiring is they legitimately fear there won't be enough customers to buy their appliances or their antibiotics or their software, that there isn't enough demand in our economy.

One of the reasons we don't have that demand is we send \$1 billion a day to Middle Eastern countries which sell us oil. Why don't we keep that \$1 billion here in the United States of America and put it to work by putting Americans to work, whether it's in building windmill farms off the coast or solar farms throughout our rural areas or in exploring regular, conventional sources of energy in a safe and environmentally conscious way. Let's do that.

Why aren't we investing to give ourselves a continued lead in the biotechnology industry? As scientists are figuring out ways to grow new tissue that heals hearts and livers and kidneys, why aren't we working to retain our leadership position in the world in order to create jobs here in our country?

So these are ways that we could and should work together.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman an additional 1 minute.

Mr. ANDREWS. Why aren't we doing far more than we're doing this afternoon on this airport bill?

Airport investment puts Americans to work, and good air travel makes growth possible, but look at what we're doing: a temporary, scanty extension of our investment in our air traffic system because we can't get our fiscal house in order to agree to the kind of extension that we need.

We have 196 days of missed opportunity. Let's not make tomorrow the 197th day of missed opportunity. Let's come together; work together as Republicans and Democrats, and create an environment where entrepreneurs can begin to create the jobs that we so desperately need here in our country. Yes, we have a deficit in America—it is a very serious deficit—but the most serious deficit we have is a jobs deficit, and until we can find a way to put 15 million unemployed Americans back to work, our deficits will continue.

Mr. WEBSTER. Mr. Speaker, I want to remind the people who might be watching this that we're talking about House Resolution 357, which is a rule that would allow us to reauthorize an extension of the Airport and Airway Extension Act, which is called H.R. 2553. That's our discussion. That's what we're talking about.

I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. I would ask my good friend from Florida whether he has any other requests for time. I am prepared to close.

Mr. WEBSTER. No. I am ready to close.

Mr. HASTINGS of Florida. In so doing, Mr. Speaker, having now fully read Senator ROCKEFELLER's letter, I do ask that it be made part of the RECORD. I will read only four sentences from it. He says to Chairman MICA:

"I strongly urge you to reconsider your position and send over a clean FAA extension and appoint conferees for the FAA reauthorization bill, as the Senate did on April 7, 2011, to move this important legislation forward. Further efforts to add policy components to FAA extensions that have not been negotiated with the Senate will likely shut the FAA down."

As Transportation Secretary LaHood and FAA Administrator Babbitt have said, the United States faces a pivotal time in aviation history. In order to ensure the safety of the flying public and bring our air transportation system into the 21st century, the FAA needs a long-term reauthorization bill. While H.R. 2553 buys us a little more time, we cannot afford to continue ignoring the underlying problem.

Mr. Speaker, I try very much not to be as parochial as I can be in many instances, but in West Palm Beach, we are building a new airport tower, and we need the NextGen facilities. At the Fort Lauderdale Airport—that is my hometown airport—we are expanding the runway. It becomes increasingly difficult to complete the projects when money for doing so comes in increments rather than in a block that will allow that they go forward in a meaningful way.

Toward that end, the failure to enact a multiyear FAA reauthorization is just going to result in delays to much needed infrastructure improvements, including, as I have mentioned, the ground-based and NextGen technologies; and it will ultimately cost our Nation more in the long run with regard to passenger safety, jobs and the environment.

Enough is enough. We need a clean extension now in order to pass a long-term authorization as soon as possible. I urge my colleagues to vote "no" on the rule and on the underlying bill.

UNITED STATES SENATE, COMMITTEE  
ON COMMERCE, SCIENCE, AND  
TRANSPORTATION,

Washington DC, July 19, 2011.

Hon. JOHN MICA,  
Chairman, Committee on Transportation and  
Infrastructure,  
House of Representatives, Rayburn House Office  
Building,  
Washington, DC.

JOHN. As you are well aware, Congress has passed 20 routine Federal Aviation Administration (FAA) extensions since 2007. I was genuinely hopeful that we would have had a comprehensive bill after four months of negotiations, but appreciated that a handful of difficult issues remained to be resolved before agreement on a final bill could be reached. I was under the impression that we were still operating on a shared desire to complete this important legislation.

It is for this reason that I am deeply puzzled by your decision to introduce an FAA

extension with language that adversely affects the Essential Air Service (EAS) program. This surprise maneuver is a complete reversal from the discussions we have been having for several months, and strongly suggests you have not been negotiating in good faith.

As troubling and problematic as the extension you introduced is, I am even more taken aback by the blistering press release you issued in conjunction with it. Its hostility was unexpected. The tone and tenor of the release was so different than any of our previous interactions, I almost did not believe you wrote it.

As your press release inferred, you inserted the EAS language into the FAA extension in retaliation for the Senate's refusal to accept your language on the National Mediation Board (NMB). At no point during our discussions, have we ever linked reforms to the EAS program to language on NMB. I made it clear from the beginning of our negotiations that the NMB language included in your bill—or any other language adversely impacting workers rights—could not pass the Senate. As you know, the Senate voted on this issue last year and our Leadership considers this matter settled. Your attempt to punish the Senate by hurting small community air service has backfired—this language only guarantees that the Senate will reject the FAA extension.

As I told you on numerous occasions, EAS is critical to West Virginia. Specifically, I discussed how Morgantown and Clarksburg depend on the EAS program. Air service has been a critical factor in the economies of these communities, and drives economic growth across my state. Our every conversation had me convinced that you appreciated the reasons I am so dedicated to supporting this program. I believed you when you indicated you wanted to work with me on reaching language acceptable to both chambers. The language in the FAA extension you introduced with Congressmen Camp and Petri makes it harder to find a path forward on this issue.

Over the last twenty-four hours, it is my understanding that you have asserted to others that you had no role in developing this extension, claiming that it was a leadership decision. If this is true, I am unclear as to why you sponsored it, and issued such a searing press release along with it. If you truly have no authority to make final decisions on the FAA bill, I urge the House to formally appoint conferees and allow me to negotiate directly with your colleagues who can make decisions.

I strongly urge you to reconsider your position and send over a clean FAA extension and appoint conferees for the FAA reauthorization bill, as the Senate did on April 7, 2011, to move this important legislation forward. Further efforts to add policy components to FAA extensions that have not been negotiated with the Senate will likely shut the FAA down. You need to think about this very, very carefully. Any consequences resulting from such an action will fall squarely on your shoulders. Right now you are in control of the agency's immediate future.

Sincerely,

John D. Rockefeller IV.

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

Mr. WEBSTER. In closing, I would like to address one thing about the change that's in this particular reauthorization, that of essential air service, which has basically become the



government-funded corporate jet program. We've tried to reduce that. If you're a businessman and you live in a rural community, instead of being willing to drive an hour and a half to get on a plane at a medium- or small-sized hub, you're willing to have the government fund your airplane for you. It's basically a corporate member, somebody who has a business there. He gets on a jet, and to the tune of up to \$3,720, we subsidize that. The taxpayers of this country subsidize that, so it's like a subsidized corporate jet.

It's a sad thing. We want to reduce that. We'd like to do away with it, and a lot of us would like to do away with it altogether; but it would reduce that down to \$1,000 instead of having to drive, maybe, an hour and a half to an airport. It's a sad thing.

However, another sad thing is that we're here. I am sad about the fact that we're standing here on the floor once again to vote for another extension. I wish it had worked out. I wish we could get together, and I hope that happens in the next few weeks if we approve this. This extension is necessary to ensure continued safety for all who fly, be it for business or pleasure or for any other reason, in the American skies.

I ask my colleagues to join me today and vote in favor of this rule and of passage of the underlying bill.

I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 239, nays 183, not voting 10, as follows:

[Roll No. 608]

YEAS—239

Adams	Brady (TX)	Cravaack
Aderholt	Brooks	Crawford
Akin	Broun (GA)	Crenshaw
Alexander	Buchanan	Culberson
Amash	Bucshon	Davis (KY)
Austria	Buerkle	Denham
Bachus	Burgess	Dent
Barletta	Burton (IN)	DesJarlais
Bartlett	Calvert	Diaz-Balart
Barton (TX)	Camp	Dold
Bass (NH)	Campbell	Dreier
Benishek	Canseco	Duffy
Berg	Cantor	Duncan (SC)
Biggart	Capito	Duncan (TN)
Bilbray	Carter	Ellmers
Bilirakis	Cassidy	Emerson
Bishop (UT)	Chabot	Farenthold
Black	Chaffetz	Fincher
Blackburn	Coble	Fitzpatrick
Bonner	Coffman (CO)	Flake
Bono Mack	Cole	Fleischmann
Boustany	Conaway	Fleming

Flores	Lankford	Rivera
Forbes	Latham	Roby
Fortenberry	LaTourette	Roe (TN)
Fox	Latta	Rogers (AL)
Franks (AZ)	Lewis (CA)	Rogers (KY)
Frelinghuysen	LoBiondo	Rogers (MI)
Gallegly	Long	Rohrabacher
Gardner	Lucas	Rokita
Garrett	Luetkemeyer	Rooney
Gerlach	Lummis	Ros-Lehtinen
Gibbs	Lungren, Daniel	Roskam
Gibson	E.	Schick
Gingrey (GA)	Mack	Ross (FL)
Gohmert	Manzullo	Royce
Goodlatte	Marchant	Ryan (WI)
Gosar	Marino	Scalise
Gowdy	McCarthy (CA)	Schilling
Granger	McCaul	Schmidt
Graves (GA)	McClintock	Schock
Graves (MO)	McCotter	Schweikert
Griffin (AR)	McHenry	Scott (SC)
Griffith (VA)	McKeon	Scott, Austin
Grimm	McKinley	Sensenbrenner
Guinta	McMorris	Sessions
Guthrie	Rodgers	Shimkus
Hall	Meehan	Shuler
Hanna	Mica	Shuster
Harper	Miller (FL)	Simpson
Harris	Miller (MI)	Smith (NE)
Hartzler	Miller, Gary	Smith (NJ)
Hastings (WA)	Mulvaney	Smith (TX)
Hayworth	Murphy (PA)	Southerland
Heck	Myrick	Stearns
Hensarling	Neugebauer	Stivers
Herger	Noem	Stutzman
Herrera Beutler	Nugent	Sullivan
Huelskamp	Nunes	Terry
Huizenga (MI)	Nunnelee	Thompson (PA)
Hultgren	Olson	Thornberry
Hunter	Owens	Tiberi
Hurt	Palazzo	Tipton
Issa	Paul	Turner
Jenkins	Paulsen	Upton
Johnson (IL)	Pearce	Walberg
Johnson (OH)	Pence	Walden
Johnson, Sam	Petri	Walsh (IL)
Jones	Pitts	Webster
Jordan	Platts	West
Kelly	Poe (TX)	Westmoreland
King (IA)	Pompeo	Whitfield
King (NY)	Posey	Wilson (SC)
Kingston	Price (GA)	Wittman
Kinzinger (IL)	Quayle	Wolf
Kissell	Reed	Womack
Kline	Rehberg	Woodall
Labrador	Reichert	Yoder
Lamborn	Renacci	Young (FL)
Lance	Ribble	Young (IN)
Landry	Rigell	

NAYS—183

Ackerman	Cooper	Hanabusa
Altmire	Costa	Hastings (FL)
Andrews	Costello	Heinrich
Baca	Courtney	Higgins
Baldwin	Critz	Himes
Barrow	Crowley	Hinojosa
Bass (CA)	Cuellar	Hirono
Becerra	Cummings	Hochul
Berkley	Davis (CA)	Holden
Berman	Davis (IL)	Holt
Bishop (GA)	DeFazio	Honda
Bishop (NY)	DeGette	Hoyer
Boren	DeLauro	Inslie
Boswell	Deutch	Israel
Brady (PA)	Dicks	Jackson (IL)
Braleigh (IA)	Dingell	Jackson Lee
Brown (FL)	Doggett	(TX)
Butterfield	Donnelly (IN)	Johnson (GA)
Capps	Doyle	Johnson, E. B.
Cardoza	Edwards	Kaptur
Carnahan	Engel	Keating
Carney	Eshoo	Kildee
Carson (IN)	Farr	Kind
Chandler	Fattah	Kucinich
Chu	Filner	Langevin
Cicilline	Frank (MA)	Larsen (WA)
Clarke (MI)	Fudge	Larson (CT)
Clarke (NY)	Garamendi	Lee (CA)
Clay	Gonzalez	Levin
Cleaver	Green, Al	Lewis (GA)
Clyburn	Green, Gene	Lipinski
Cohen	Grijalva	Loeb
Connolly (VA)	Gutierrez	Loeb
Conyers	Hahn	Lowey

Lujan	Peters	Sewell
Lynch	Peterson	Sherman
Maloney	Pingree (ME)	Sires
Markey	Polis	Slaughter
Matheson	Price (NC)	Smith (WA)
Matsui	Quigley	Speier
McCarthy (NY)	Rahall	Stark
McCollum	Rangel	Sutton
McGovern	Reyes	Thompson (CA)
McIntyre	Richardson	Thompson (MS)
McNerney	Richmond	Tierney
Meeks	Ross (AR)	Tonko
Michaud	Rothman (NJ)	Towns
Miller (NC)	Roybal-Allard	Tsongas
Miller, George	Ruppersberger	Van Hollen
Moore	Rush	Velázquez
Moran	Ryan (OH)	Visclosky
Murphy (CT)	Sánchez, Linda	Walz (MN)
Nadler	T.	Wasserman
Napolitano	Sanchez, Loretta	Schultz
Neal	Sarbanes	Waters
Olver	Schakowsky	Watt
Pallone	Schiff	Waxman
Pascrell	Schradler	Welch
Pastor (AZ)	Schwartz	Wilson (FL)
Payne	Scott (VA)	Woolsey
Pelosi	Scott, David	Wu
Perlmutter	Serrano	Yarmuth

NOT VOTING—10

Bachmann	Ellison	Runyan
Blumenauer	Giffords	Young (AK)
Capuano	Hinchey	
Castor (FL)	McDermott	

□ 1330

Messrs. CONYERS, CLYBURN and Ms. BROWN of Florida changed their vote from "yea" to "nay."

Messrs. LEWIS of California, CAMP, MCKINLEY, and CRENSHAW changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against: Mr. McDERMOTT. Mr. Speaker, due to official House business, I was unable to vote on the following measure:

Motion on Ordering the Previous Question on the Rule for H.R. 2553—Airport and Airway Extension Act of 2011, Part IV (H. Res. 357).

Had I been able to vote, I would have voted "nay."

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 178, not voting 12, as follows:

[Roll No. 609]

AYES—242

Ackerman	Biggart	Buerkle
Adams	Bilbray	Burgess
Aderholt	Bilirakis	Burton (IN)
Akin	Bishop (UT)	Calvert
Alexander	Black	Camp
Amash	Blackburn	Campbell
Austria	Bonner	Canseco
Bachus	Bono Mack	Cantor
Barletta	Boustany	Capito
Bartlett	Brady (TX)	Carney
Barton (TX)	Brooks	Carter
Bass (NH)	Broun (GA)	Cassidy
Benishek	Buchanan	Chabot
Berg	Bucshon	Chaffetz

Coble  
Coffman (CO)  
Cole  
Conaway  
Costa  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxo  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt

Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paul  
Paulsen  
Pearce  
Pence  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo

Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuler  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Souterland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thornberry  
Tiberti  
Tipton  
Turner  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (FL)  
Young (IN)

Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kildee  
Kind  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lujan  
Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McGovern  
McIntyre  
McKinley  
McNerney  
Meeks  
Michaud

Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Oliver  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reyes  
Richardson  
Richmond  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky

Schiff  
Schrader  
Schwartz  
Scott, David  
Serrano  
Sewell  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Tierney  
Tonko  
Townes  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

port and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill. The SPEAKER pro tempore. Pursuant to House Resolution 357, the bill is considered read.

The text of the bill is as follows:

H.R. 2553

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Airport and Airway Extension Act of 2011, Part IV".

#### SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking "July 22, 2011" and inserting "September 16, 2011".

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking "July 22, 2011" and inserting "September 16, 2011".

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking "July 22, 2011" and inserting "September 16, 2011".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 23, 2011.

#### SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking "July 23, 2011" and inserting "September 17, 2011"; and

(2) by inserting "or the Airport and Airway Extension Act of 2011, Part IV" before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) of such Code is amended by striking "July 23, 2011" and inserting "September 17, 2011".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 23, 2011.

#### SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103 of title 49, United States Code, is amended by striking paragraph (8) and inserting the following:

"(8) \$3,380,178,082 for the period beginning on October 1, 2010, and ending on September 16, 2011."

(2) OBLIGATION OF AMOUNTS.—Subject to limitations specified in advance in appropriation Acts, sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2011, and shall remain available until expended.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking "July 22, 2011," and inserting "September 16, 2011,".

#### SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(1)(7) of title 49, United States Code, is amended by striking "July 23, 2011," and inserting "September 17, 2011,".

(b) Section 44302(f)(1) of such title is amended—

(1) by striking "July 22, 2011," and inserting "September 16, 2011,"; and

(2) by striking "October 31, 2011," and inserting "December 31, 2011,".

#### NOT VOTING—12

Bachmann  
Blumenauer  
Capuano  
Castor (FL)

Ellison  
Giffords  
Gutierrez  
Hinchev

McDermott  
Runyan  
Scott (VA)  
Young (AK)

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1337

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. McDERMOTT. Mr. Speaker, due to official House business, I was unable to vote on the following measure:

H. Res. 357—Closed Rule providing for consideration of H.R. 2553—Airport and Airway Extension Act of 2011, Part IV.

Had I been able to vote, I would have voted "nay."

#### GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 2553 and to include extraneous material in the CONGRESSIONAL RECORD.

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

There was no objection.

#### AIRPORT AND AIRWAY EXTENSION ACT OF 2011, PART IV

Mr. PETRI. Mr. Speaker, pursuant to House Resolution 357, I call up the bill (H.R. 2553) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Air-

#### NOES—178

Altmire  
Andrews  
Baca  
Baldwin  
Barrow  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (GA)  
Bishop (NY)  
Boren  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capps  
Cardoza  
Carnahan  
Carson (IN)  
Chandler  
Chu  
Cicilline  
Clarke (MI)

Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costello  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle

Edwards  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Hahn  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda

(c) Section 44303(b) of such title is amended by striking “October 31, 2011,” and inserting “December 31, 2011.”

(d) Section 47107(s)(3) of such title is amended by striking “July 23, 2011,” and inserting “September 17, 2011.”

(e) Section 47115(j) of such title is amended by striking “July 23, 2011,” and inserting “September 17, 2011.”

(f) Section 47141(f) of such title is amended by striking “July 22, 2011,” and inserting “September 16, 2011.”

(g) Section 49108 of such title is amended by striking “July 22, 2011,” and inserting “September 16, 2011.”

(h) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking “July 23, 2011,” and inserting “September 17, 2011.”

(i) Section 186(d) of such Act (117 Stat. 2518) is amended by striking “July 23, 2011,” and inserting “September 17, 2011.”

(j) The amendments made by this section shall take effect on July 23, 2011.

#### SEC. 6. ESSENTIAL AIR SERVICE REFORM.

(a) IN GENERAL.—Section 41731(a)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A) by redesignating clauses (i) through (iii) as subclauses (I) through (III), respectively;

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) in clause (i)(I) (as so redesignated) by inserting “(A)” before “(i)(I)”;

(4) in subparagraph (A)(ii) (as so redesignated)—

(A) by striking “determined” and inserting “was determined”;

(B) by striking “Secretary” and inserting “Secretary of Transportation”; and

(C) by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following:

“(B) is located not less than 90 miles from the nearest medium or large hub airport; and

“(C) had an average subsidy per passenger of less than \$1,000 during the most recent fiscal year, as determined by the Secretary.”

(b) LIMITATION ON AUTHORITY TO DECIDE A PLACE NOT AN ELIGIBLE PLACE.—Section 41731(b) of such title is amended—

(1) by striking “Secretary of Transportation” and inserting “Secretary”; and

(2) by striking “on the basis of a passenger subsidy at that place or on another basis” and inserting “on any basis”.

(c) EXCEPTIONS AND WAIVERS.—Section 41731 of such title is amended by adding at the end the following:

“(c) EXCEPTIONS FOR LOCATIONS IN ALASKA.—Subsections (a)(1)(B) and (a)(1)(C) shall not apply with respect to a location in the State of Alaska.

“(d) WAIVERS.—The Secretary may waive subsection (a)(1)(B) with respect to a location if the Secretary determines that the geographic characteristics of the location result in undue difficulty in accessing the nearest medium or large hub airport.”

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. PETRI) and the gentleman from Illinois (Mr. COSTELLO) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

□ 1340

Mr. PETRI. I yield myself such time as I may consume.

Mr. Speaker, for the third consecutive Congress, we are working to pass a long-term reauthorization of the FAA.

This year both the House and Senate passed their own reauthorizations; but, unfortunately, negotiations with the Senate have slowed, and it is necessary for us to pass another extension to enable the FAA to continue to operate.

This bill is a short-term extension of FAA funding and programs through September 16 at current levels. This extension also includes important reforms to the Essential Air Service program. These reforms could result in as much as \$20 million in savings for the American taxpayer.

The first reform provision was adopted unanimously by the Senate and is included in its reauthorization bill. That provides that only airports that are 90 miles or more away from a large- or medium-hub airport would be eligible to participate in the Essential Air Service—90 miles away. People can obviously and in most instances would prefer to drive 90 miles rather than take a connecting flight. It seems like a sensible thing. We hadn't thought about it when we passed our original legislation; the Senate did. We are including their reform. So we are, in effect, acceding to the Senate. In the case of one airport under the current program which is within 90 miles, we are paying a per passenger subsidy of \$351, and the nearest hub is 82 miles away. That is a \$10 per mile subsidy.

So the second provision dealing with Essential Air Service caps the subsidies for each passenger, in addition to the fares they pay, at \$1,000. During this economically difficult time, it is not possible to justify using taxpayer dollars to pay a subsidy of \$1,000 per passenger at an EAS airport, and subsidies can frequently exceed that amount. If there are difficulties with that, there is other language that would allow the executive branch to waive this provision.

The EAS provisions included in the extension are limited and sensible reforms that target the most indefensible of the subsidies. If we can't do this, what can we do, especially after 23 or 24 extensions that have been holding the whole program and the efficiency and improvements in the air infrastructure of our country hostage.

The House-passed bill actually phases out the Essential Air Services program for all but Alaska and Hawaii. We are not insisting on that at all. We are modifying that and going along with largely what the Senate itself has been suggesting in this regard. So these provisions are a compromise, and EAS will continue to be discussed as we work to finalize the bill.

As Congress tries to find a way forward to address deficit and long-term debt issues, if we can't put an end to these extravagant subsidies, then we will never be able to rein in spending where really hard decisions are necessary.

Although I continue to hold out hope that we will reach a compromise with

the Senate in the near future, it is necessary to pass this extension to provide the FAA with continued funding authority and provide needed EAS reform. Ultimately, we need to get back to the negotiating table to work out a long-term FAA bill. Short-term extensions are not the way to run such an important agency.

I urge my colleagues to support the bill.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
Washington, DC, July 18, 2011.

Hon. JOHN MICA,  
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MICA: I am writing concerning H.R. 2553, the “Airport and Airway Extension Act of 2011, Part IV” which is expected to be scheduled for floor consideration this week.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code. Sections 2 and 3 of this bill amend the Internal Revenue Code of 1986 by extending the current Airport and Airway Trust Fund (AATF) expenditure authority and the associated Federal excise taxes to September 16, 2011. In order to expedite H.R. 2553 for floor consideration, the Committee will forgo action on the bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2553, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely,

DAVE CAMP,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE,  
Washington, DC, July 18, 2011.

Hon. DAVE CAMP,  
Chairman, Committee on Ways and Means,  
Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2553, the “Airport and Airway Extension Act of 2011, Part IV.” The Committee on Transportation and Infrastructure recognizes the Committee on Ways and Means has a jurisdictional interest in H.R. 2553, and I appreciate your effort to facilitate consideration of this bill.

I concur with you that forgoing action on H.R. 2553 does not in any way prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will include our letters on H.R. 2553 in the Congressional Record during House Floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation and I look forward to working with the Committee on Ways and Means as the bill moves through the legislative process.

Sincerely,

JOHN L. MICA,  
Chairman.

I reserve the balance of my time.

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

I rise today in opposition to H.R. 2553, the Airport and Airway Extension Act of 2011. This is the 21st extension of the FAA authority to fund airport improvement projects at current levels, through September 16, 2011. Regrettably, unlike all of the prior 20 extensions of the FAA authority, this bill includes a policy rider eliminating Essential Air Service eligibility for 13 airports in small and rural communities.

The issue today is not whether we support the Essential Air Service program or not. We should not be legislating on this extension. We should have a clean extension so we can move it over to the Senate and make certain that the FAA is funded through September 16.

There have been no hearings on proposals to reduce EAS this Congress and no hearings on this bill either. Members with affected communities should be allowed to make their case to the House and offer amendments to the bill that would preserve service to their communities.

Instead, this extension is inviting opposition and creating major problems because the Senate has indicated they will not accept this extension. Policy riders should be left out of the extension and taken up by the House and Senate conferees, if, in fact, we ever have conferees appointed here in the House.

Earlier this year, the House and Senate both approved comprehensive FAA reauthorization bills. In February, the Senate passed the FAA Air Transportation Modernization and Safety Improvement Act by an overwhelming bipartisan vote of 87-8. Passage of the Senate bill was widely applauded by both labor and industry stakeholders, and it was estimated the bill would create at least 10,000 jobs.

In contrast, in April of this year, the House passed an extremely controversial H.R. 658 by a vote of 223-196, the narrowest vote margin for House passage of an FAA reauthorization bill in nearly three decades. The bill has been harshly criticized by labor and industry stakeholders because it would undermine aviation safety, slash FAA funding, and destroy good-paying airport construction jobs.

Since Chairman MICA introduced the FAA reauthorization bill, we have been warned and we have warned, actually, that it contains a number of controversial poison pill provisions that seriously jeopardize the enactment of a long-term reauthorization act this year.

The failure to enact a long-term FAA reauthorization act is costing taxpayers millions of dollars and the Nation tens of thousands of good-paying jobs. Short-term stopgap funding au-

thorizations have stymied airport construction, job creation, and the FAA's overall ability to efficiently administer its programs. Further, multiple FAA extension acts have created uncertainty among local airport officials regarding the total amount of Federal funding available this year for airport construction. As a result, State and local airport officials are advancing fewer projects, less new construction is moving forward, and fewer jobs are being created.

Last week the Airports Council International of North America sent a letter stating that if Congress did not extend the airport grant program through September 30, "safety and security projects will go unfunded and the much needed jobs associated with these projects will not materialize." So I am puzzled why the majority would disregard this warning. It is time that we move forward and that we get a clean extension so we in fact can move to conference and get a bill that is agreed upon that we can bring to the floor that can be signed by the President.

For the majority of the House who claims to care about creating jobs, reducing bureaucracy, and listening to the business community, this extension bill goes out of its way to create unnecessary red tape and problems.

The FAA needs the certainty, stability, and direction that a long-term reauthorization act provides. Further, the American people and the American public deserve a long-term FAA reauthorization act that will create jobs, improve safety, and modernize our infrastructure. We need to stop playing partisan games, quit posturing, and pass a clean extension through September 16, appoint conferees, and in fact reach agreement on a long-term FAA reauthorization bill.

I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Florida (Mr. MICA), chairman of the full Transportation and Infrastructure Committee.

Mr. MICA. Mr. Speaker, I thank our chairman of the Aviation Subcommittee, Mr. PETRI, for his leadership. Also Mr. COSTELLO, who formerly chaired the committee and now is the ranking member. I want to thank him for his dedication to our Nation's aviation system, safety. And also Mr. RAHALL. You couldn't ask for better partners. Mr. RAHALL is the Democrat leader of the committee, and we have a great working relationship. We have had a great working relationship to try to move forward legislation like a long-term reauthorization of FAA and other major transportation legislation that has been mired in delay. Quite frankly, my colleagues, I find myself very frustrated being here.

Now, this is the 21st extension. I complimented and don't let me not

compliment the staff on both sides. We have great professionals that deal with this.

□ 1350

The Congress is fortunate and the Nation is blessed to have the kind of leadership we have with staff working on these important issues to move what accounts for about 8 to 9 percent of our GDP. That's the aviation industry forward, setting the policy, the programs, the funding formula, all those things these folks are responsible for. And they're good stewards of that responsibility. So I thank them in advance. I also want to thank Senator ROCKEFELLER, Mr. Speaker, and others who have worked with us trying to bring this to a conclusion. KAY BAILEY HUTCHISON, the ranking Republican on the Senate side, worked in good faith to try to get this, again, inexcusable delay in passing the long-term reauthorization.

That being said, again, I find myself so frustrated. This is the 21st delay. We have a former chairman of the subcommittee, Mr. COSTELLO. Mr. PETRI now chairs it. He's been active on this. I was chairman for 6 years of the subcommittee. We were all wanting to do the same thing—and that's move forward with reauthorization.

The irony of this is I chaired the Subcommittee on Aviation in 2003, when we wrote the last reauthorization. And we did that in some 6 months. And there were controversial provisions. That 4-year bill expired in 2007. We have not passed a reauthorization, even when the other side had humongous numbers in this Chamber and control of the other body. At one point, I think 60 votes to get something done. Nothing was done. Seventeen extensions under their watch. And, quite frankly, I'm embarrassed that this is the fourth extension. But I'm trying to do in 6 or 7 months what couldn't be done in almost 5 years. And we're going to get it done. We're going to get it done one way or the other.

Now, we have also done three what they call clean extensions to move this process forward. And we did need some time. You have to be reasonable because this is a new Congress. The other body, the Senate, passed their bill in February. We passed the first day in April our legislation. And here we find ourselves on the fourth, again, extension, which is regrettable.

All this, I say, my colleagues, could be resolved I think in a matter of an hour. There's been great work and discussions, informal discussions, in what we call preconference, where some of the principles get together and discuss the terms. All these issues are not new. Mr. COSTELLO and I, Mr. Oberstar and I, we had discussed this. In fact, I think the other body took up the pending legislation from last time. My goodness, it was pending for 48 months. So there's

no new issues here. Again, we find ourselves stalled in the process.

That being said, I call on the Members to pass this extension. This is a clean extension, except for one change; and it has two parts. The first part deals with Essential Air Service. That's the program that underwrites, again, routes for air service from local communities. This is a program that started at about \$50 million a decade ago and now is approaching \$200 million. We had a vote here in the House, and we decided to sunset that program, I guess with the exception of two of our exceptional States, Hawaii and Alaska, who have some unique geographic limitations on service. But the other body passed a provision, the Senate, passed a provision that would eliminate service based on distance, I think it's 90 miles, and it affected some 10 communities. Mr. Speaker, I'll insert in the RECORD the 10 communities affected.

So this is language that the other body passed and we are including. Now, I have made one exception, and it affects three airports, three States: Nevada, Montana, and New Mexico. A provision I put in is that no State or no airport operation that has service where the subsidy exceeds a thousand dollars a ticket can receive that subsidy. I don't think that's unreasonable, when we've got from now until the beginning of August to get our Nation's finances together. I want to see folks come down here to vote to continue to see subsidies for more than a thousand. One of these subsidies, and I won't state the State but you can figure it out, is \$3,719 per passenger. That's obscene when our country is on the verge of debt crises and disaster.

If I have to take the entire reauthorization and we continue—now this extends through the 16th of September. I'm putting everybody on notice that each time we will pass reauthorization, if we have to do it extension by extension. So we're starting with this small part of what the other body has passed, and I'm adding what I think is a reasonable provision. A thousand-dollar subsidy in itself is almost obscene, if you ask the average Member of Congress. In fact, when I went to the Rules Committee, one of the members on the other side of the aisle was stunned that we were paying those kinds of fees.

Now, don't come here and tell me that we don't legislate on extensions. In fact, the other body put an entire bill, a regional safety legislation, on one of the past 17 extensions. So we've done this before. We need to work together on this. I would implore Members on both sides of the aisle to support this because this is in the people's interest. This has to move forward. I don't know of any other mechanism. I certainly am not going to allow this fiasco to continue and certainly I don't want the FAA to close down at midnight on Friday night. And that won't

happen. Essential services will continue. Air traffic controllers will be at their job. There may be some people furloughed. But it is not my fault. It will be the responsibility of the other body, who does not take this up and pass it. They will be furloughing people and putting people out of jobs.

If you want to see people work, then let's pass the FAA bill. It has the Next Generation air traffic control provisions. It has safety provisions in there that are long overdue.

So, again, I'm a bit frustrated. I want the best for the Nation. I want the best for our air traffic control system, our aviation system, and thousands of people who depend—not just working in the Federal Government, but in this important industry—to move forward. Again, I'm so disappointed. But we're going to find one way. I may not be the most powerful Member, I may not be the most intelligent Member, I may not be the highest ranking Member. But I'll tell you what: I am a persistent Member. And we will pass reauthorization one way or another. We're going to get it done. So I appreciate everyone's indulgence in working with me on this project.

SUBSIDIZED EAS COMMUNITIES AND DISTANCES TO NEAREST HUB—BASED ON FY 2009 HUB DATA  
[Excludes communities located in Alaska]

EAS Community	Nearest large/medium hub	Miles
Athens, GA	Atlanta Hartsfield-Jackson Int'l, GA (L)	72
Morgantown, WV	Pittsburgh Int'l, PA (M)	75
Jamestown, NY	Buffalo Niagara Int'l (M)	76
Bradford, PA	Buffalo Niagara Int'l (M)	77
Hagerstown, MD/Martinsburg, WV	Washington Dulles Int'l, VA (L)	78
Jonesboro, AR	Memphis Int'l, TN (M)	82
Johnstown, PA	Pittsburgh Int'l, PA (M)	84
Oil City/Franklin, PA	Pittsburgh Int'l, PA (M)	85
Lancaster, PA	Philadelphia Int'l, PA (L)	86
Jackson, TN	Memphis Int'l, TN (M)	86

Mr. COSTELLO. Madam Speaker, at this time I am pleased to yield 3 minutes to the distinguished ranking member of the full committee, the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. I commend our ranking member, Mr. COSTELLO, Chairman MICA, Subcommittee Chairman PETRI, my senior Senator, JAY ROCKEFELLER, in the other body and his ranking member, KAY BAILEY HUTCHISON, for the tremendous efforts they have put in this legislation and so much other legislation important for our infrastructure in this country. I recognize that those on the majority, their heart is in the right place. Perhaps those whose pay grade is above them have different opinions and different agendas on this legislation. And perhaps that's the reason why we need to appoint conferees, as the other body has done, and move forward and let the normal process work its will in this legislation.

But instead, we're here to consider the 21st short-term extension of FAA programs and authority and the fourth

short-term extension this Congress, as our chairman has just stated. Twenty-one extensions. It's now old enough to drink. Instead of celebrating, however, this should give all cause for concern. This past Saturday marked the 100th day since the Senate appointed conferees on long-term reauthorization. The sun has risen and set over the Capitol more than 200 times since then. House and Senate negotiators have boiled down the remaining issues to just a few.

□ 1400

But the House Republican leadership still has not appointed conferees to move this process forward, despite the fact that, as Chairman MICA has acknowledged to the press late last week and even in his comments here today, the remaining differences are so few they could be resolved by conferees in 20 minutes. So I ask: What is the Republican leadership waiting for?

We find ourselves now faced with the need for a 21st extension. Unlike the three other extensions this Chamber has passed this year, this extension contains a policy rider that would cut 13 small and rural communities from the Essential Air Service program.

There have been no hearings on proposals, as Ranking Member COSTELLO has stated, to reduce EAS and no hearings on this proposal in particular. That said, I would note for the record that the provision of this extension dealing with EAS is an improvement over the proposal in the House-passed reauthorization bill that would have cut the EAS program altogether for the lower 48 States.

There's no question that a sunset of the program would not pass the Senate and be enacted, and at least my Republican colleagues have stepped back from the brink on that particular proposal. However, I am disappointed that instead of appointing conferees to address the future of the EAS program and other outstanding issues in this long-term reauthorization, my Republican colleagues have instead chosen to force a major policy provision into an otherwise clean FAA extension bill at the last minute.

Holding hostage the negotiations is not the way to move the reauthorization process forward. In fact, it is almost guaranteed to set us back in our efforts to work with the other body and reach agreement on a long-term reauthorization.

I object to the tactics used by my Republican friends and colleagues, and I implore them to act in good faith, appoint conferees, and work toward enactment of a long-term reauthorization bill that will put Americans to work and improve the safety of our skies.

Mr. PETRI. I yield such time as he may consume to the gentleman from Florida (Mr. MICA).

Mr. MICA. Thank you so much for yielding again.

The question has been brought up to try to shift the responsibility for, again, the possibility of the other body's not acting here to the question of the Republicans not appointing conferees.

I might point out just for the record that in the 110th Congress—this is for an entire 2 years—the Senate never passed an FAA reauthorization bill, so we never even got to preconference. We never got to the issue. So they never appointed conferees. There was a bill passed. And, again, huge majorities on both sides.

In the 111th Congress, the House and Senate passed FAA reauthorizations and preconferenced for 5 months without naming conferees. They never named any conferees.

This process of preconfereencing is part of the bipartisan nature of our committee and our work and bicameral discussions. As I said, they've been excellent. The staff has been working well. These aren't new issues. The other side controlled the process for some 4 years. The bills have been out there for some time.

I have the commitment from the leadership, when we are ready to go and having resolved most of the issues, and, again, there are only a couple and everyone knows what they are, I think that they can fall in place. But we need the leadership of the other body, in fact, the leader of the other body, to step forward and act in a responsible manner in dealing with me or the leadership of the House or someone in responding to a major impediment that we have to move this process forward. Then our leadership has said they will appoint conferees. We can sit down, resolve those issues in a public forum, and pass this. We could do that tomorrow.

So, again, it's not the question of appointing conferees. And if I have to take more strident measures to get this job done, we're going to get the job done one way or the other, as I said.

Now, I had a Republican ask me to modify the language that the Senate passed before the Rules Committee. There's a tape. You can all see it; it's part of the RECORD. And I said, No, I don't want to do that. I want to take what the Senate passed. The only difference here in the Essential Air Service is that I provided language that says that if you get more than a \$1,000 subsidy that affects three airports, that will not be allowed. That's the only thing standing between us and shutting down part of our Federal Aviation Administration.

Mr. COSTELLO. I yield myself 10 seconds just to make a point to the chairman.

The 5-month period that he referred to, one, the Republicans in the Senate, as he knows, blocked our ability to appoint conferees. In particular, the Senators from Tennessee put a hold on it

until the Colgan families made their point to let the hold move forward.

With that, Madam Speaker, I yield 3 minutes to the former chairman of the Aviation Subcommittee, the distinguished gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman for yielding.

This used to be a legislative body. I'm not quite sure what it is now.

The way, traditionally, the House and the Senate resolve differences is the House and the Senate each pass a bill—most people learn this in their high school civics class. Then each side appoints conferees and they get together and hash through the differences. I've actually served on some of those conference committees. I've actually voted across the aisle on some provisions of bills in those conference committees.

But not now. What they're saying here is, after they have worked out all the differences with the Senate and only in the way that their bill passed the House—that is, my way or the highway, or, my way or your plane's grounded, however you want to look at it—then they will appoint conferees to a meaningless conference on something that's already agreed to and then we'll come back and pass their bill.

It doesn't work that way. It won't work that way. And this is just not a simple problem, because if the FAA has to close down all of its capital improvement programs—Friday night, very expensive, 4,000 people laid off—thousands of projects across the country that would put construction workers to work and suppliers to work won't happen. So this isn't a no-cost playing games kind of thing that they're doing here.

And what's it all about? The bottom line is it's about whether or not labor should have the right to organize. That is what hung up the bill in the Senate before because they wanted to have a level playing field. We wanted to have a level playing field between providers of railroad and airline services and allow people to actually organize, to be represented. And, of course, Federal Express hated that, and their two Senators held up the last conference in the last Congress, plain and simple.

Now they're on the same wavelength here. The Republicans here want to overrule the National Labor Relations Board and impose a rule for organizing that says you have to have a majority of people voting and a majority of the majority voting; i.e., if you apply the same rule that they want to the United States House of Representatives, not one Member of this House would have won their election. Not even some people who are in totally partisan districts, Democrat or Republican. No one would have won because no one got a majority of the majority of the votes. That's the rule they want to apply to labor.

So if you want to organize a union, there's 100 people. First off, you've got to get 51 positive votes. Anybody who doesn't vote counts as a negative vote. So if we apply those same things, we would never have Federal elections in this country. You would never be able to elect anybody to anything. And they say, oh, that'll be fair for labor.

That's what's hanging up this bill: their anti-labor fervor, their hatred of working people and their right to organize. It's absolutely obscene that they are going to do that and cost us more jobs by not having a capital improvement program.

Mr. PETRI. I would just point out to my colleagues that the provision that was changed by the National Labor Relations Board to which my colleague referred has been the law of this land for a generation. So it's not anti-labor fervor at all; it's more regular order.

Madam Speaker, how much time does each side have remaining?

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The gentleman from Wisconsin has 12½ minutes remaining, and the gentleman from Illinois has 19¼ minutes remaining.

□ 1410

Mr. PETRI. I yield such time as he may consume to the chairman of the full committee, the gentleman from Florida (Mr. MICA).

Mr. MICA. Thank you, my colleagues.

You just heard the comments. Again, I couldn't have a better friend or compatriot on many issues and on many improvements that we've made to transportation on the committee together: Mr. DEFAZIO, the gentleman from Oregon. He said this used to be a legislative body. Yes, it was a legislative body before the other side took over 4 years ago and closed down quite a bit of the process.

Now, has this been an open process on the FAA reauthorization? I submit to you that it has been from the committee.

Go back and check the committee records. We held more votes on this FAA reauthorization in committee than we held probably for the last 6 years—I know certainly for the last 4 years—on that one piece of legislation. On the floor, we had an open process. I think there were some 30 amendments, and 23, I believe, were made in order. So, unless they were duplicative or the Rules Committee took them out, it was an open process as opposed to a closed process with closed rules that, again, we had on major pieces of legislation for some time. So this has been an open process.

The House is going to act. The House is going to pass this. If we have to pass additional extensions, as I said, with the rest of the reauthorization piece by piece, then we are going to pass a reauthorization to set the policy, the programs, the projects, and the priorities

for our aviation industry and for FAA. The only projects that will be stopped are projects for which, if the other body doesn't act on this extension, they will be responsible for.

The only difference in the extension—and we gave them three clean extensions, and this is a clean extension with their provision that passed with their language unanimously in the other body—is that I added three States—actually, three airports—that subsidized in excess of \$1,000 per ticket, per passenger.

Again, when the Nation is going down the tubes almost literally because of debt, we can't make one little, tiny change and move this process forward? keep people working? put safety provisions that are in this reauthorization that we don't have now and move forward with it? There is something wrong.

Mr. COSTELLO. Madam Speaker, I yield 4 minutes to the gentlelady from Texas (Ms. JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank the leadership on the committee and then simply appeal to my chairman, Mr. MICA, to come and reason together, because this has been a committee that has had a history of reasoning together. Without my standing here and going through it, you are very aware of what the most objectionable part of this extension is.

If we are serious about passing an extension, let's pass the extension and deal with the other issues at another time. Yes, it has been since 2007, and it has been because of the battling back and forth. You're either pro-labor or anti-labor, but we are ruining the lives of workers. We are subjecting safety to the whims, and we are messing up projects and wasting money by allowing this bickering to continue.

I would simply appeal to our chairman to please come to the table, and let's pass a clean extension bill.

Mr. PETRI. I yield myself such time as I may consume.

Madam Speaker, I just thought, as long as we were spending some time talking about the modest cleaning up of the series of, kind of, earmarks that have accumulated over the years in the Essential Air Service program, which was referred to by the chairman of the committee as a program that started out as a true essential air service to help provide access to the outside world to very isolated communities, it has gradually been kind of earmarked, going from \$50 million to some \$200 million in cost. They're not isolated, but they are subsidized. God knows why.

Let me just mention a few of the areas that would be affected by these modest changes: that it has to be more than 90 miles from another airport and, secondly, that we try to cap the subsidy, unless it's varied somewhat by the Secretary, at \$1,000 per seat, per flight.

One that would be affected that is currently being subsidized is Jonesboro, Arkansas. It's 82 miles from Memphis. You can't drive 82 miles, and you want the Federal Government to provide service?

Athens, Georgia, is 72 miles from Atlanta, and it's getting subsidized.

We're worrying about billions of dollars of subsidies. If we can't even do this, where do we start? They say a big journey starts with a single step, and we're not willing to take even in this small area the most modest of steps.

Harristown, Maryland, which is north of here, is 78 miles from the Dulles Airport. It's getting a subsidy of over \$800 per flight, and it's right near Baltimore as well.

There is Glendive, Montana, which is 60 miles from another essential airport in Montana. It's just 60 miles. You could drive over to Sidney—but no, they're asking for a \$1,357 subsidy, per passenger, flying from Glendive under this program.

Alamogordo, New Mexico, is 89 miles from a hub airport in El Paso, but instead of driving 89 miles, there continues to be a \$1,500 subsidy. You can rent a car. This is a profligate, hard-to-defend use of the taxpayers' money, yet people are talking about closing the government down or the FAA down unless they can spend \$1,500 to subsidize a flight when you can drive 89 miles to another airport.

This is what we're talking about, and this is why my constituents and many others are wondering when we're going to get serious out here about taking the modest steps to get our financial affairs and our stewardship of the Federal taxpayers' money under better control.

I reserve the balance of my time.

Mr. COSTELLO. Madam Speaker, I yield 3 minutes to the gentlelady from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentleman from Illinois for yielding.

Madam Speaker, the debt limit isn't the only deadline that is upon us. Here we are, facing Friday—D-day for the Nation's aviation system. This is the third Congress where our committee has passed this bill. Most of the sections of the bill do not have major disagreement. But, now, we are going for a bare 2-month extension.

On the policy rider, all I've got to say is, why make it more difficult when you know that when it goes to the other body, it's either going to be stripped out or we're going to be facing another terrible deadline.

I appreciate that negotiations have been going on all along with staff. I do believe, though, that the failure of the majority to appoint conferees is a problem with this bill because, once members are appointed, it seems to me that sends another signal and gets another set of people in it to move the bill. So the conferees do matter and should have been appointed.

These are difficult issues, and they shouldn't be left to linger: Next Generation Air Transportation.

□ 1420

If we don't modernize our air transportation, we're going to be left behind even developing countries. Runway safety. We've had collisions on runways at airports right here where there are major airports. Aircraft noise, and we always have this issue, of whether or not the perimeter rule is going to be extended or violated again. Well, you know, I oppose increases of the perimeter rule, but I oppose even more not sitting down to figure it out with conferees at the table.

We've got the air ambulance operation issues, the oversight of foreign carriers and, of course, the notorious national mediation board issue, where what constitutes a majority could only be an issue in this Congress. Is it the majority of votes cast, or is the majority of those in the class or in the whole group? If it's a majority of votes cast, then, of course, it's what all of us in the Congress use every 2 years to get elected.

There are matters in this bill that the Congress has to do anyway that would be especially useful to do now as we recover from the Great Recession.

We should pass this bill providing jobs, which is something we have to do anyway, now, when it would count, would matter very much to the entire country. Let's reauthorize the entire bill and quit short-term extensions.

Mr. PETRI. Madam Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Wisconsin has 6½ minutes remaining, and the gentleman from Illinois has 15¼ minutes remaining.

Mr. PETRI. I yield such time as he may consume to the chairman of the full committee, the gentleman from Florida (Mr. MICA).

Mr. MICA. Madam Speaker, the chair of the Aviation Subcommittee went through the list of the airports that are within 90 miles that would be affected by the provisions of this extension.

Now, all of those 10 airports were included in an amendment and a provision that's in the Senate bill and passed unanimously. The only difference, and he spoke briefly to one of them, again is the provision that I put in putting a restriction on paying more than a thousand dollars per ticket, per passenger subsidy. Those subsidies start in Montana at one airport with \$1,357.

Another airport, one airport in New Mexico, has a subsidization per ticket per passenger of \$1,563.

Now the granddaddy, the big enchilada in this whole thing is one airport in Nevada. Every ticket is subsidized \$3,719.

Now you're telling me that they are going to close down parts of the FAA



to preserve this subsidy when this Nation is on the verge of a financial debt crisis unheard of in the history of our Nation.

So, again, I've tried to deal on a bipartisan, bicameral basis working with folks to get this done. Twenty-one extensions over 4 years. I'm not adding an entire bill. I'm adding that one provision. The other side added in one of their extensions an entire bill.

The other language Mr. PETRI spoke to was 10 airports that are within the distance of 90 miles that the Senate passed unanimously. So it's not like I am taking some language.

A Republican tried to change that in the Rules Committee, and I recommended against it. And we did not change it because, again, I want to have language that the Senate passed.

So that's what we boil down to on the eve of a crisis with FAA, on the eve of a crisis with our Nation's finances, we're going to come and vote here. And I want people to go back and say, "I voted for a \$3,700 subsidy for air service for one passenger for one ticket." I want to see that list of names.

Mr. COSTELLO. Madam Speaker, at this time I would yield 3 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I rise today in continued opposition to the Airport and Airway Extension Act of 2011, H.R. 2553. I will continue to oppose the FAA reauthorization until the FAA rethinks their ill-advised redesign for the airspace around New York, New Jersey, and Philadelphia.

I have opposed this airspace redesign from day one, along with some of my Republican colleagues in New Jersey as well, and have thwarted its implementation every step of the way.

Time and time again, the FAA has pursued the airspace redesign while ignoring the concerns of my constituents in Rockland County, New York. The FAA created their proposal with zero input from the very people whose lives would be most harmed by the proposal. In fact, even when we brought this up to the FAA, they had to be dragged kicking and screaming into holding a public forum in Rockland County. This plan, which will only save minutes on flight time, will disrupt the lives of thousands of residents in my district in Rockland County in New York and in northern New Jersey who live under the new flight plans.

As my constituents have noted to me, the noise and air pollution in the area will increase. It is unknown how this increase in air pollution will affect the disproportionate rate of childhood asthma in my district. The modernization of our aviation system is necessary to bring it into the 21st century, to keep pace with the increased number of flights, and to also maintain our technological advancements by implementing new equipment to keep our system the safest in the world.

However, there are several alternatives to this plan, and I encourage my colleagues to join me in opposition to this reauthorization. Not only are we going to have planes going into Newark Airport fly directly over my constituents, but now there are other paths of planes coming in from JFK airport as well.

This is government at its worst running roughshod over the people that it's supposed to serve, not taking any kind of input. In fact, they come up with a redesign plan. And then when it's challenged, the person who decides the challenge was the very author of the redesign plan to begin with. Sounds like a kangaroo court to me.

So I am going to continue to oppose these things. I think at a time when we're all talking about government spending less and being more sensitive, this is a good place to start. And I will continue to oppose the FAA reauthorization until the FAA halts and revises their deeply flawed airspace redesign plan for New York, New Jersey, and Philadelphia.

Mr. PETRI. I reserve the balance of my time.

Mr. COSTELLO. I yield myself the balance of my time.

Madam Speaker, we heard from Chairman MICA, who we have worked with very closely. He has done, I think, his very best up to this point to try and get an FAA reauthorization bill both out of the House and to the point where we can get it to a conference committee.

So he said he is very frustrated with the process. We are very frustrated with the process. And today the extension that the majority is offering even frustrates us more because we know that this is an extension, not a clean extension, but it has a rider on it involving Essential Air Services.

The debate today and the discussion about this extension is not about Essential Air Service. Some members may support Essential Air Service, others may not support it. There's been a lot said on the floor today about subsidizing a \$3,000 subsidy per ticket. Just for the record, we are not debating that. That is to be taken up by conferees if we ever get to conference. Members can, in fact, have their opportunity to make changes in the EAS program at that time. It should not be a part of this extension.

But for the record let me say that in reference to an airport that was mentioned in Montana, it is actually 607 miles from Denver, to the Denver airport. So if you live in that community, it's not just a short drive to get in a rental car and drive to the Denver Airport. Also, the Nevada airport that was referenced from Salt Lake City, you are talking 234 miles. And the list goes on and on.

□ 1430

So that's an issue that we can debate at the appropriate time. Some changes

may need to be made to the Essential Air Service program. But I think also we need to keep in mind, we're not just talking about passengers getting from point A to point B when there's hundreds and hundreds of miles to get to the nearest large hub airport to catch a flight, but we're also talking about moving medical supplies, donor organs, and a number of other things. So it's not just passengers.

And let me also say, my friend Mr. MICA mentioned as well that we've had an open process here. Well, in fact, we have not. The process has not been open on this extension. In fact, the majority dropped the bill on Friday without consulting the minority. They did not consult with us about what may be in the extension. In addition to that, they went to Rules Committee and asked for a closed rule so that no Member who might be affected by this legislation or might have an Essential Air Service airport in their district that may want to go to the Rules Committee and, in fact, get an open rule or come to the floor to debate the merits of keeping their airport on the EAS program, they did not have that opportunity because the majority asked for a closed rule.

Had the majority come to us in the minority and said, We want a clean extension; we want to move it forward, we wouldn't be here today. We, in fact, would probably have voice voted this extension. It would have gone to the Senate. It would have been voice voted there. And, in fact, we would have been a step closer to making certain that the FAA is able to operate after the deadline on Saturday.

Finally, let me say that we are frustrated because I've heard Chairman MICA say many times and, as the ranking member, Mr. RAHALL, has said, We have worked closely together. We have done everything we can do in order to work together with Mr. MICA and Mr. PETRI in order to get a bill. But I have read reports and I have just heard Mr. MICA say on the floor again today that, you know, we could wrap this conference up in 20 minutes. And he said today we could wrap it up within an hour, that there is only one issue that is remaining.

Just for the record, let me say, if that's the case, we have not been consulted on that one issue. There are several issues. And just for the record, I would say major issues that have not been resolved on our side, on the House side between the majority and minority, let alone with the other body are: one, funding levels; two, Essential Air Service; three is repeal of the National Mediation Board rule; four is the DCA perimeter rule, often referred to as "slots."

Other outstanding issues are occupational safety and health protection for flight attendants, the 3-hour rule for tarmac delays, the lithium battery

issue, and the aircraft activity disclosure to the public, the BARR program. And I have a list of other things to our knowledge that have not been resolved.

So when the chairman or others say that we could wrap this up in 20 minutes or in 1 hour, I don't believe that is the case. In fact, I know it's not the case. We have not been consulted or negotiated to the extent that we could reach an agreement among ourselves on the House side, let alone with our colleagues over in the other body. So let me just say that it's a disappointment to me.

We have worked closely together to move the FAA extension on a permanent basis. We are here on Wednesday. The FAA extension, in fact, will expire—the FAA will have to lay off employees this Saturday if, in fact, this extension is not approved by both bodies and sent to the President. And the Senate has already told us that they are not going to accept this extension with this rider, in fact, in the extension. They will approve the clean extension. And it's my understanding the other body is going to pass a clean extension and send it over here sometime today or by the end of the week.

It would be my hope that the majority would, in fact, accept a clean extension so that the FAA can continue to serve the flying public and do all of the things that are essential to keeping the safest aviation system in the world as safe as possible so that we can begin to try and get a permanent bill and a long-term bill as well.

Finally, I would conclude by saying that we need to appoint conferees. The Senate has passed their bill in February of this year. We have passed our bill in April. And we are here now in the latter part of July, and Chairman MICA is saying that all of these issues have been resolved but one, and we do not even have conferees appointed. So I would just encourage the leadership—Ranking Member RAHALL. And I have sent a letter to the Speaker and to the leadership and to the majority saying, Look, let's appoint conferees. The Senate has appointed conferees.

The only opportunity we had to appoint conferees in the last Congress was, in fact, stifled and held up by the Senate and, frankly, by two Senators from the State of Tennessee over one issue.

Let's get the nonsense behind us. There are things in the Essential Air program that I would like to see changed. There are things in the bill that I would like to see us reach an agreement on. The only way to do that is to get an extension passed so the FAA can get past Saturday and operate until September 16. It will give us an opportunity to appoint conferees so that we can meet with the conferees who have already been appointed in the other body to reach a permanent agreement.

The American people deserve better than what they're getting today on the floor of this House, and the American people deserve to know that we, in fact, are doing everything that we can to move forward to keep the safest aviation system in the world exactly that—the leader in safety around the world.

So with that, I ask my colleagues to vote "no" on this extension in the hopes that we could pass a clean extension.

I yield back the balance of my time.

Mr. PETRI. Madam Speaker, let me just conclude by urging my colleagues to support this 21st extension with a very, very modest change from a purely clean extension in that it yields to the Senate for a provision that's included in the Senate bill to eliminate, quote-unquote, "Essential Air Service for airports within 90 miles of another airport."

We've talked about the individual flight subsidy. Let me just look at this issue from another point of view to make it perfectly clear what we are talking about.

Eight of the 10 airports that would be affected are because they are within 90 miles of a hub airport. So that makes it much more convenient to just drive over. And what's the subsidy to each airport each year? Let me just mention it: Athens, Georgia, over \$1 million of Federal money so that people don't have to drive 72 miles. We have Morgantown, West Virginia, right near the Pittsburgh hub, nearly \$1.5 million. The same thing with Hagerstown, over \$1 million so you don't have to drive 70-some miles to Dulles. Jonesboro, Arkansas, gets an \$800,000 subsidy when it is right next to the Memphis International Airport. The same thing, \$1.6 million going to Johnstown, Pennsylvania, which is 84 miles from the Pittsburgh International Airport. Franklin/Oil City is getting a subsidy of nearly \$1 million a year. They are 85 miles from the Pittsburgh International Airport. Lancaster, Pennsylvania, nearly \$1.4 million, also by Pittsburgh. And Jackson, Tennessee, \$1.2 million in Federal taxpayer money, which is only 86 miles from the Memphis International Airport.

It's hardly essential use of Federal taxpayer money to provide non-essential, subsidized airport service for people who could otherwise drive in an hour, hour and a half to a hub airport that most of the people in the area probably are doing already. So it's a very modest step. We are just doing what the Senate provides. I would urge my colleagues to support the legislation.

Mr. TOWNS. Madam Speaker, I rise today to urge my colleagues to oppose H.R. 2553, the Airport and Airway Extension Act of 2011. This bill would add controversial policy riders that have not been negotiated and would cause undue harm to critical FAA programs

that support thousands of public and private sector jobs. I urge my colleagues to pass a clean FAA extension so that capital accounts which support Grants-in-Aid for Airports, Facilities and Equipment can continue to remain functional. Without this much needed funding stream these programs would be shut down, and approximately 4,000 employees would be furloughed. With a 9.2% unemployment rate nationwide Congress must act in a bipartisan manner to help stabilize and enhance job creation. Again I urge my colleagues to come to a reasonable consensus and support a clean extension of airport and airway funding.

Mr. PETRI. I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 357, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1440

#### MOTION TO RECOMMIT

Mr. RAHALL. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. RAHALL. Yes, I am opposed to the bill.

Mr. PETRI. Madam Speaker, I reserve a point of order on the motion.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Rahall moves to recommit the bill, H.R. 2553, to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following:

#### SEC. 7. BAGGAGE FEES FOR MEMBERS OF THE ARMED FORCES.

(a) FEES.—No air carrier may charge any fee for the transport of 4 or fewer items of baggage checked by a member of the Armed Forces who is—

(1) traveling in scheduled air transportation on official military orders; and

(2) being deployed on or returning from an overseas contingency operation.

(b) DEFINITION.—For purposes of this section, the term "baggage" does not include an item whose weight exceeds 80 pounds.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia is recognized for 5 minutes in support of his motion.

Mr. RAHALL. Madam Speaker, in June, the American public learned that a major U.S. airline greeted a group of Army soldiers who were returning home from the front lines in Afghanistan with a bill for almost \$3,000, or \$200 apiece for each soldier to check four bags on a scheduled domestic flight. Americans were rightly outraged by the incident, which was explained in a YouTube video posted by one of our troops. In the video, one soldier notes that his fourth bag, for

which he was charged \$200, contained an M-4 carbine rifle, a grenade launcher and a 9-millimeter pistol, "the tools I used to protect myself and Afghan citizens while I was deployed."

A spokesman for the Veterans of Foreign Wars told the Associated Press the fees were "the worst welcome home any soldier could receive. The shock of even being charged is enough to make most service men and women simply shake their heads and wonder who or what it is they are protecting."

Members of the Armed Forces who are serving our country on the front lines should not endure personal financial hardship when they are traveling to or returning from war zones. Yet, the media's reporting of the incident last month showed that major U.S. carriers were applying the same or similar policies across the board. Airlines were charging soldiers to check four reasonably sized bags and were profiting at the expense of the brave men and women of the Armed Forces who were going to or coming home from war.

This amendment, this motion to recommit, prohibits U.S. air carriers from charging soldiers for up to four bags of checked baggage. It applies to bags that weigh 80 pounds or less and is consistent with many airlines' published policies.

I urge my colleagues, in a bipartisan fashion, as they should, to support this amendment. If the amendment is adopted, it will not kill the bill. The House will vote on the bill immediately after this amendment is adopted.

This motion recognizes a tremendous debt of our gratitude owed by the United States to the men and women of our Armed Forces. Members of the Armed Forces who are going to the front lines or coming home from a war zone should not be given a bill with their boarding passes.

I urge my colleagues to join me in ensuring that our Nation's airlines treat our warriors with the respect they deserve for defending our country. This should be a bipartisan, overwhelming "yes."

And I close by saying, vote for our veterans.

I yield back the balance of my time.

Mr. PETRI. I withdraw my point of order, Madam Speaker.

The SPEAKER pro tempore. The point of order is withdrawn.

Mr. CRAVAACK. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. CRAVAACK. Madam Speaker, I think it is absolutely outrageous what happened to those soldiers. As a military officer for 24 years, and as an airline pilot for 17 years, I think it is absolutely heinous what happened to those soldiers. Quite frankly, it's outrageous. And I think we should ask

Chairman MICA for open debate on this issue. It's something that definitely should be taken a look into.

As a matter of fact, I think it is so critical I will ask Chairman MICA to make sure that this never happens to another United States servicemember.

But, unfortunately, Madam Chairman, we're bringing this up on a motion to recommit. My question would be, why didn't we bring this up earlier, this act? We should be debating this when—

Mr. RAHALL. Will the gentleman yield on his question?

Mr. CRAVAACK. Just a moment, sir, and I will yield.

We should have opened this up when we had open committee, and this should have been brought up then. But not now, in the motion to recommit, when we have FAA jobs on the line, and we need to get this bill moved forward.

I look forward to engaging in that debate a little bit further on, and I look forward to working with you and ensuring that this does not happen again, but now is not the time. We need to investigate this a little bit later on.

I yield to the gentleman from West Virginia.

Mr. RAHALL. In response to the gentleman's question asked a few seconds ago, it was a closed rule. There was no way we could have brought this up in the amendment process. The gentleman's party controls the rules of this body and controls the legislative debate.

Mr. CRAVAACK. Reclaiming my time, we did have an FAA open debate, Madam Speaker, and we could have brought this up at this time.

Mr. RAHALL. If the gentleman would continue to yield, the incident did not occur until after the markup of this bill, by the way.

Mr. CRAVAACK. We should not be opening this at this time on a motion to recommit. I will fully work with the other side in trying to make sure that this does not happen again to another soldier, and I look forward to that discussion, but having it right now is a little bit disingenuous on this FAA reauthorization.

I yield back the balance of my time.

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

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 187, nays 233, not voting 12, as follows:

[Roll No. 610]

YEAS—187

Ackerman	Green, Al	Pallone
Altmire	Green, Gene	Pascrell
Andrews	Grijalva	Pastor (AZ)
Baca	Gutierrez	Perlmutter
Baldwin	Hahn	Peters
Barrow	Hanabusa	Peterson
Bass (CA)	Hastings (FL)	Pingree (ME)
Becerra	Heinrich	Platts
Berkley	Higgins	Polis
Berman	Himes	Price (NC)
Bishop (GA)	Hinojosa	Quigley
Bishop (NY)	Hirono	Rahall
Boren	Hochul	Rangel
Boswell	Holden	Reyes
Brady (PA)	Holt	Richardson
Bralley (IA)	Honda	Richmond
Brown (FL)	Inslee	Ross (AR)
Butterfield	Israel	Rothman (NJ)
Capps	Jackson (IL)	Royal-Allard
Cardoza	Jackson Lee	Ruppersberger
Carnahan	(TX)	Rush
Carney	Johnson (GA)	Ryan (OH)
Carson (IN)	Johnson, E. B.	Sánchez, Linda
Chandler	Jones	T.
Chu	Kaptur	Sanchez, Loretta
Ciulline	Keating	Sarbanes
Clarke (MI)	Kildee	Schakowsky
Clarke (NY)	Kind	Schiff
Clay	Kissell	Schrader
Cleaver	Kucinich	Schwartz
Clyburn	Langevin	Scott (VA)
Cohen	Larsen (WA)	Scott, David
Connolly (VA)	Larson (CT)	Serrano
Conyers	Lee (CA)	Sewell
Cooper	Levin	Sherman
Costa	Lewis (GA)	Shuler
Costello	Lipinski	Sires
Courtney	Loeback	Slaughter
Critz	Lofgren, Zoe	Smith (WA)
Crowley	Lowey	Speier
Cuellar	Lujan	Stark
Cummings	Lynch	Sutton
Davis (CA)	Maloney	Thompson (CA)
Davis (IL)	Markey	Thompson (MS)
DeFazio	Matheson	Tierney
DeGette	Matsui	Tonko
DeLauro	McCarthy (NY)	Towns
Deutch	McCollum	Tsongas
Dicks	McDermott	Van Hollen
Dingell	McGovern	Velázquez
Doggett	McIntyre	Visclosky
Donnelly (IN)	McNerney	Walz (MN)
Doyle	Meeks	Wasserman
Edwards	Michaud	Schultz
Engel	Miller (NC)	Waters
Eshoo	Miller, George	Watt
Farr	Moore	Waxman
Fattah	Moran	Welch
Filner	Murphy (CT)	Wilson (FL)
Frank (MA)	Nadler	Woolsey
Fudge	Napolitano	Wu
Garamendi	Neal	Yarmuth
Gohmert	Olver	
Gonzalez	Owens	

NAYS—233

Adams	Brady (TX)	Cravaack
Aderholt	Brooks	Crawford
Akin	Broun (GA)	Crenshaw
Alexander	Buchanan	Culberson
Amash	Bucshon	Davis (KY)
Austria	Buerkle	Denham
Bachus	Burgess	Dent
Barletta	Burton (IN)	DesJarlais
Bartlett	Calvert	Diaz-Balart
Barton (TX)	Camp	Dold
Bass (NH)	Campbell	Dreier
Benishek	Canseco	Duffy
Berg	Cantor	Duncan (SC)
Biggert	Capito	Duncan (TN)
Bilbray	Carter	Ellmers
Bilirakis	Cassidy	Emerson
Bishop (UT)	Chabot	Farenthold
Black	Chaffetz	Fincher
Blackburn	Coble	Fitzpatrick
Bonner	Coffman (CO)	Flake
Bono Mack	Cole	Fleischmann
Boustany	Conaway	Fleming

Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford

Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Palazzo  
Pallone  
Pence  
Petri  
Pitts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera

Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (FL)  
Royce  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southerland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Burton (IN)  
Calvert  
Camp  
Campbell  
Cantseco  
Cantor  
Capito  
Carney  
Carson (IN)  
Carter  
Cassidy  
Chabot  
Kissell  
Coble  
Coffman (CO)  
Cole  
Conaway  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Donnelly (IN)  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 177, not voting 12, as follows:

[Roll No. 611]  
AYES—243

Adams  
Aderholt  
Akin  
Alexander  
Austria  
Bachus  
Bartetta  
Barrow  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggart  
Bilbray  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Cantseco  
Cantor  
Capito  
Carney  
Carson (IN)  
Carter  
Cassidy  
Chabot  
Kissell  
Coble  
Coffman (CO)  
Cole  
Conaway  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Donnelly (IN)  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson

Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (GA)  
Bishop (NY)  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Butterfield  
Capps  
Cardoza  
Carnahan  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Doyle  
Edwards  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn

Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinojosa  
Hirono  
Holden  
Holt  
Honda  
Inslie  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kildee  
Kind  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lujan  
Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McKinley  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Pallone  
Pascrell  
Pastor (AZ)  
Paul  
Perlmutter

Bachmann  
Blumenauer  
Capuano  
Castor (FL)

NOT VOTING—12  
Ellison  
Giffords  
Hinchey  
Hoyer

□ 1513

Messrs. STEARNS, STUTZMAN, PEARCE, MARCHANT, CANTOR, and ROSKAM changed their vote from “yea” to “nay.”

Mr. BRADY of Pennsylvania, Mrs. CAPPS, Messrs. WELCH, DOGGETT, SCHRADER, RICHMOND, BISHOP of Georgia, OLVER, and BERMAN changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. RAHALL. Madam Speaker, I demand a recorded vote.  
A recorded vote was ordered.

Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Reed  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (FL)  
Royce  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sessions  
Sewell  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southerland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (FL)  
Young (IN)

NOES—177

Ackerman  
Altmire  
Amash  
Andrews  
Baca  
Baldwin

Bachmann  
Blumenauer  
Capuano  
Castor (FL)

NOT VOTING—12  
Ellison  
Giffords  
Hinchey  
Hoyer

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LANKFORD) (during the vote). There is 1 minute remaining in this vote.

□ 1523

Mr. GENE GREEN of Texas changed his vote from “aye” to “no.”  
So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON H.R. 2596, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2012

Mr. WOLF, from the Committee on Appropriations, submitted a privileged report (Rept. No. 112-169) on the bill (H.R. 2596) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies

for the fiscal year ending September 30, 2012, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

**ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

**APPROVING RENEWAL OF IMPORT  
RESTRICTIONS AGAINST BURMA**

Mr. BOUSTANY. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 66) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, as amended.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

**H. J. RES. 66**

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. RENEWAL OF IMPORT RESTRICTIONS  
UNDER BURMESE FREEDOM AND  
DEMOCRACY ACT OF 2003.**

(a) IN GENERAL.—Congress approves the renewal of the import restrictions contained in section 3(a)(1) and section 3A (b)(1) and (c)(1) of the Burmese Freedom and Democracy Act of 2003.

(b) RULE OF CONSTRUCTION.—This joint resolution shall be deemed to be a “renewal resolution” for purposes of section 9 of the Burmese Freedom and Democracy Act of 2003.

**SEC. 2. PAYGO COMPLIANCE.**

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

**SEC. 3. EFFECTIVE DATE.**

This joint resolution shall take effect on the date of the enactment of this joint resolution or July 26, 2011, whichever occurs earlier.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. BOUSTANY) and the gentleman from Washington (Mr. McDERMOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

**GENERAL LEAVE**

Mr. BOUSTANY. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. BOUSTANY. I yield myself such time as I may consume.

Mr. Speaker, as an original cosponsor of this joint resolution, I rise in strong support of H.J. Res. 66, which would continue the imposition of sanctions against the repressive regime in Burma for another year.

The purpose of imposing sanctions against Burma is to promote democracy and respect for human rights and improve living conditions for the Burmese people. Unfortunately, the ruling junta is still dedicated to working against, not toward, those objectives. For that reason I am in favor of continuing our practice of extending import sanctions against Burma for another year.

Burma’s regime is one of the world’s most repressive and continues to oppress democratic movements and humanitarianism. On November 7, 2010, the military junta, known, ironically, as the State Peace and Development Council, or SPDC, held an election for the first time in 20 years. However, while elections are usually considered a step towards democracy, in this case it was actually a step backwards. These elections were not transparent, inclusive, or credible.

Notably, Burma’s leading pro-democracy party, the National League for Democracy, as well as others, was not allowed to participate in the elections. And by ensuring that most candidates were former high-ranking government and military officials, the election “victory” by the government-backed Union Solidarity and Development Party simply means that the military junta remained in control with the veneer of an election to simply justify itself.

Shortly following the elections, Aung San Suu Kyi—freedom fighter, Nobel Peace Prize recipient and Congressional Gold Medal winner, and general secretary of the NLD—was finally released after having been falsely detained for 15 of the past 21 years.

However, in a move highlighting how little things have changed in Burma, the junta recently warned Suu Kyi that “there may be chaos and riots” if she continues on her cross-country tour to meet with supporters. The government also chided Suu Kyi and the NLD for their political work and threatened that “they should stop doing so to avert unnecessary consequences.” On Suu Kyi’s last tour in 2003, she was attacked by a pro-government mob that killed many of her followers and landed her under house arrest for the next 7 years.

In short, the recent election does not represent any kind of shift in domestic Burmese politics. In fact, the political situation in Burma and for the Burmese people has not changed at all.

The human rights situation is no better. The State Department human rights report on Burma, echoed by the March United Nations Human Rights Council Resolution, cites a laundry list of grave human rights violations that are simply appalling. According to the State Department, this repugnant regime, in which military officers wield the ultimate authority at every level of government, continues to use forced labor, denies participation in any democratic processes, and commits extrajudicial killings. The regime detains civic activists indefinitely and without charge, and it engages in harassment, abuse, and detention of human rights and pro-democracy activists. The regime is rumored to hold an estimated 2,100 political prisoners.

Ethnic violence inflicted by the army is also rife. There have been recent reports of renewed fighting in the northern Burmese province of Kachin between the government and ethnic minority villagers, resulting in reportedly up to 20,000 refugees. Not only have these people been driven from their homes and many killed, there have also been widespread reports of the rape of women and children.

What have we been doing on our end? I’m pleased that this Congress amplified our sanctions 3 years ago to eliminate trade in jewelry containing Burmese rubies and jadeite, even if the jewelry was made in, and exported from, a third country. The expansion was designed to bring about multilateral pressure on the regime through the United Nations and the World Trade Organization, similar to successful legislation on conflict diamonds. I urge similar campaigns against Burmese rubies and jadeite at the U.N. and WTO.

I must be clear that I generally view import sanctions with great skepticism. However, if there is a right way to impose sanctions, I think that these Burma sanctions are crafted to maximize the ability to effect change. For example, they require the administration to issue annual reports on Burma that include findings on whether U.S. national security, economic, and foreign policy interests are being served so that we can make an informed decision.

□ 1530

Perhaps the most critical aspect of the Burma sanctions program is that they require us to redirect our attention every summer to the question of whether these sanctions should be continued. Because they are not self-executing, we here in Congress must consider this issue and vote to continue them on an annual basis.

I continue to believe that our greatest hope for effecting real change in Burma is multilateralism. I am therefore disappointed that there has not been sufficient multilateral pressure against this regime.

I strongly urge the administration to put more pressure on our trading partners to place the leaders of this regime under targeted economic pressure that denies them access to personal wealth and sources of revenue.

I call on the United Nations, Burma's Southeast Asian neighbors in ASEAN, and the People's Republic of China to step up engagement considerably.

I support this resolution because it increases our chances to bring about this multilateral effort, to promote democracy and to end the longtime suffering of the Burmese people.

Mr. Speaker, I reserve the balance of my time.

Mr. McDERMOTT. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of House Joint Resolution 66, a measure to renew the ban on imports for Burma.

Over the past 23 years, Burma's authoritarian regime has detained or killed political opponents, waged war against ethnic minorities and, in the process, accumulated one of the worst human rights records in modern history. Finally, in 2010, with continued pressure from Congress and the inspiring leadership of Nobel Peace Laureate Aung San Suu Kyi, Burma's military junta promised to lay down its arms and clear the way for democracy. Unfortunately, Mr. Speaker, it was a sham.

Parliamentary elections held last November were rife with fraud. Opposition parties were intimidated by the police and banned from offering up candidates. Votes were rigged to provide electoral legitimacy to the existing military rule. Once again, the people of Burma were denied a free and fair opportunity to choose their own leaders. Human rights abuse is widespread and continues to go unprosecuted. Under the guise of a new civilian parliament, it is "business as usual" for the old regime.

In light of the unchanged political reality in Burma, the renewal of America's ban on Burmese imports could not be more urgent. We must send a message to Burma's new rulers, who turned out to be the same old rulers, that empty promises of democratic reform are unacceptable.

Now, there are some who question whether we should maintain our import ban following Burma's election and the formal dissolution of the military junta. Even our European allies have begun to rethink their strategy as EU travel and financial restrictions have been lifted on certain officials in the new government.

The problem with that approach, Mr. Speaker, is that meaningful reform has

yet to take place in Burma. By opening our borders to Burmese imports, we would only strengthen and enrich the same old regime that maintains a stranglehold on civic and family life in Burma. According to the U.N., the new government has failed to make any significant progress on land confiscation, forced labor, the internal displacement of people, extrajudicial killings, and sexual violence against women. The Obama administration affirms this view.

Burma's sanctions are unique because they have the widespread support of the Burmese people. Aung San Suu Kyi, herself, recently said, "Sanctions must remain in place" and "should only be lifted when something has changed here." Aung San Suu Kyi's political party, the National League of Democracy, also confirmed its view that American sanctions "do not hurt the public at large" as the true target is Burma's undemocratic leadership.

In response, true to form, the so-called "new government" warned publicly that Suu Kyi and members of her party could meet "tragic ends" if they continued to call for international sanctions.

In passing H.J. Res. 66 and reauthorizing the Block Burmese JADE Act of 2008, Congress will send a clear message of support to the people of Burma in their aspirations for true democracy and lasting peace.

Until there is meaningful reform in Burma, Mr. Speaker, we must keep steadfast in our support of the Burmese people and maintain the pressure on Burma's undemocratic rulers. I urge my colleagues to pass House Joint Resolution 66.

I reserve the balance of my time.

Mr. BOUSTANY. Mr. Speaker, I am now pleased to yield 2½ minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I rise in strong support of this important resolution to renew sanctions against the brutal military dictators in Burma.

The plight facing the people of Burma remains terrible. The ruling party in Burma continues to use the rule of law and government apparatus to deprive minority groups of their human rights and their lives, and it does so with impunity. The regime's human rights violations continue to be horrific. The regime in Burma is responsible for committing virtually every human rights violation imaginable. The atrocities perpetrated by the regime range from the use of rape as a weapon of terror, the recruitment of child soldiers, ethnic cleansing, forced labor, political detention, and the list goes on.

I have received firsthand reports in my office which detail the dictatorship's use of ethnic minorities as human landmine sweepers. Over 1 million refugees and 500,000 internally dis-

placed peoples have been forced to flee their homes, and 750,000 of the country's inhabitants remain stateless. Indicative of the times, the regime has now turned to the censorship of the Internet, as well as that of individual e-mail accounts and social networking sites, to block the dissemination of evidence related to the atrocities.

The Burmese Government must realize that such attempts to hide its record of abuse, as well as its dishonest elections and mock constitutional reforms, cannot cover up the junta's war against its own people. Such a record only demonstrates the regime's illegitimacy.

I call on the administration to renew its efforts in fulfilling the Burmese Freedom and Democracy Act of 2003, particularly the provision which requires our government to craft a multilateral sanctions regime against Burma.

By renewing these sanctions, Congress is making our Nation's concern for human rights paramount in our foreign relations interests. The administration should do the same. The people of Burma must know that we stand with them.

Mr. McDERMOTT. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. I thank my friend from Washington for yielding me such time.

Mr. Speaker, I rise in strong support of House Joint Resolution 66.

This measure is a sign of how we can all work together on foreign policy when we put our minds to it. I want to acknowledge the bipartisan support, both here in the House as well as in the Senate, for human rights in Burma.

The Burmese Freedom and Democracy Act and the Burmese JADE Act together have prevented hundreds of millions of dollars from getting into the hands of the Burmese military apparatus. By passing these bills into law and renewing them this year, we have ensured that the 65 million people of Burma see us, the United States, as an ally in their struggle for human rights, and we have helped send a signal to others around the world that the United States will not turn a blind eye to crimes against humanity.

There is no question that Burma is ruled by one of the world's most brutal governments. Over the past year, we have seen ongoing abuses committed by the Burmese military, including rapes, torture and killings. Just last week, Human Rights Watch released a report, documenting how villagers are subjected to summary executions, torture and being used as human shields during conflict. The women in Burma live in constant fear of rapes by soldiers of their own military. For the leaders of the Burmese military, rape is a tactic of war—one used to torment

and to intimidate entire populations, not just their immediate victims.

In fact, just 2 weeks ago, on July 5, the Burmese soldiers carried out four more rapes against ethnic civilians. The innocent victims were of all different ages. One of those victims was as young as 12 years of age. That's right. A 12-year-old girl was raped by a member of the Burmese military.

□ 1540

As a result of thousands of brutal rapes and other abuses, Burmese villagers continue to flee their homes into the jungle where they live as refugees or internally displaced people.

As bad as these abuses are, this bill is not only about stopping human rights abuses. We must remember that the inspiration for this measure came from the remarkable woman, Nobel Peace Prize recipient Aung San Suu Kyi. She led her political party to victory in Burma's last free and fair election in 1990. Many people call her the Nelson Mandela of Burma, and the U.S. House of Representatives voted to award her the Congressional Gold Medal.

Up until last November, she was also the world's only imprisoned Nobel Peace Prize recipient, and today, even though she is no longer under formal house arrest, the military has threatened her over and over again in an attempt to intimidate her into silence. She has called on the people throughout the world to take action saying, "Please use your liberty to promote ours."

She and the democracy movement in Burma have also called for us to maintain sanctions on Burma. This is similar to how the African National Congress led by Nelson Mandela called for sanctions on South Africa in the 1980s.

Passing this bill isn't all we must do. I want to urge the administration to fully implement the Burmese Freedom and Democracy Act and Block Burmese JADE Act. The JADE Act gives the administration tools to implement tough bilateral financial sanctions on members of the Burmese regime and its cronies, and we should proceed as soon as possible.

It's important to remember that the United States isn't the only country that has imposed sanctions on Burma. This is not a bilateral effort. It is a multilateral effort. While every country has different types of sanctions, those that have taken action include Australia, Canada, New Zealand, the European Union, and more. We should be doing all we can to expand these sanctions into an even greater multilateral effort. That's why in the Burmese JADE Act, we ask the President to appoint an envoy to work internationally on increasing pressure on the Burmese regime.

Now that this envoy has been nominated, I urge our colleagues in the Senate to confirm him without haste, and

I hope he gets to work right away on strengthening and implementing multilateral pressure.

I also believe the administration should work proactively to establish an international investigation into crimes against humanity committed by the Burmese military. The Burmese leadership is clearly carrying out crimes against humanity. The sooner these abuses are investigated, the sooner they will end.

Mr. Speaker, this bill is the right thing to do. I stand in strong support of this bill, and I urge its immediate adoption.

Mr. BOUSTANY. I reserve the balance of my time.

Mr. McDERMOTT. I yield 3 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank my friend from Washington, and I rise in support of this resolution.

When I first visited Burma decades ago, I learned what a difference a misguided regime can make. Burma had been a vibrant country known as the Rice Bowl of Asia. Burma had a rich history, fertile land, abundant resources, and a productive population.

In the years following the coup in the early 1960s, the authoritarian regime impoverished the nation and brutalized its people, a pattern that persists today. For more than 20 years, the United States Government has sought to use its influence to try to create conditions for a restoration of democracy and the rule of law in Burma. One tool has been the use of sanctions.

The Burmese Freedom and Democracy Act was signed into law 8 years ago this month, and it requires the President to impose a ban on the import of products from Burma. It blocks U.S. support for loans from international financial institutions and freezes the assets of and bans visas for key members of the military junta that has imposed its will on the Burmese people for decades. I believe these sanctions should be renewed because there is evidence they are working.

Last November, Burmese elections were clearly illegitimate and not a free expression of the will of the Burmese people. But the continuing international pressure on and scrutiny of the junta may be having some tangible effects.

As the international crisis group noted earlier this year, two senior junta leaders have resigned since the elections, and there is some evidence that pressure has eased on some of the minority ethnic groups in the country.

Burma's greatest human rights figure, Aung San Suu Kyi, told the Australian Broadcasting Network yesterday that continued use of targeted sanctions is important. "I think it's much better to have very, very clear targets," she said, and continued, "I do not think it's really very reasonable

just to say, 'We want an improvement in human rights, in your human rights record.' It's too vague. The release of political prisoners, the inclusion of all in the political process, the rule of law and so on—pick out the important points and say, 'Well, if you want sanctions removed, you've got to do these.'"

Mr. Speaker, we need to continue standing with Aung San Suu Kyi and all of the freedom-seeking Burmese. This resolution gives us a chance to do that, which is why I urge my colleagues to join us in supporting this resolution.

Mr. BOUSTANY. Mr. Speaker, I continue to reserve the balance of my time.

Mr. McDERMOTT. I would only say that this bill expires on the 26th of July, so we need to act on it quickly.

I yield back the balance of my time.

Mr. BOUSTANY. I am in full agreement. We need to move and pass this, and I think we'll get it passed.

I must say to the gentleman from Washington, at least we have a trade bill on the floor. I hope there are many more to come. We're waiting for the President to send the three pending agreements to us so that we can move forward on these and embark on a very aggressive trade agenda.

Mr. KING of New York. Mr. Speaker, I rise in support of H.J. Res. 66, a resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act (P.L. 108-61). I am proud to have once again introduced this legislation this year with the gentleman from New York, Mr. CROWLEY.

In 2003, Congress passed the Burmese Freedom and Democracy Act, legislation that I co-authored with my friend, the late Tom Lantos. President Bush signed this bill into law and Congress has reauthorized these import restrictions every year since. The legislation bans imports from Burma and the issuance of visas to those officials affiliated with the State Peace and Development Council (SPDC), the military junta that rules Burma and brutally represses its people. This law also bans U.S. financial transactions that involve individuals or entities connected with the SPDC.

The sanctions are critically important to keeping the pressure on the Burmese junta. The government continues to have one of the worst human rights record in the world and routinely violates the rights of Burmese citizens, including the systematic use of rape as a weapon of war, extrajudicial killings, arbitrary arrests and detention, torture and child labor. Moreover, the Burmese regime has more child soldiers than any other country and has destroyed more than 3,700 ethnic villages, displaced approximately 2,000,000 people, more than 600,000 of which are internally displaced, and has taken nearly 2,000 political prisoners.

We must continue to stand with the Burmese people and expose the despicable and reprehensible actions of the SPDC. Sanctions are critical to putting pressure on the junta. In 2008, the Tom Lantos Block Burmese JADE Act (P.L. 110-286) was signed into law, which



bans the importation of Burmese gems into the United States and freezes the assets of Burmese political and military leaders. While these steps are significant, others must follow ours and the EU's lead. The Association of Southeast Asian Nations (ASEAN) and the United Nations Security Council (UNSC) must impose multilateral sanctions against Burma's military regime including a complete arms embargo.

While I applaud the confirmation of Derek Mitchell as Special Coordinator for Burma, there are additional provisions of the Tom Lantos Block Burmese JADE Act that have yet to be implemented. I urge the Obama Administration to call for a UN Commission of Inquiry on Burma to investigate war crimes and crimes against humanity. This Commission is necessary to prevent further killings and to encourage a meaningful political dialogue.

I urge adoption of the resolution.

Mr. BOUSTANY. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. BOUSTANY) that the House suspend the rules and pass the joint resolution, H.J. Res. 66, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the joint resolution, as amended, was passed.

A motion to reconsider was laid on the table.

#### A LITTLE LOCAL FLAVOR

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

Mr. PALAZZO. Mr. Speaker, two things come from a town called Kiln, Mississippi: a famous NFL quarterback and Lazy Magnolia Beer. We know Brett's story, but let me tell you about Lazy Magnolia.

One Christmas, Leslie Henderson bought her husband, Mark, a home brew kit. The two engineers started brewing beer and eventually turned their hobby into a business.

We can fix our faltering economy by giving small business owners more responsibility. H.R. 1236, the Small Brew Act, does that, allowing a much needed tax cut to our small brewers. By lowering the tax on the beer they produce, these companies will have more revenue to invest in maintaining and hiring employees. This legislation therefore promises to create over 4,000 jobs.

On that Christmas a few years ago, Lazy Magnolia Beer had no employees. Today it provides jobs to about 20 people in Hancock County. That, my friends, is an American success story.

#### CONGRATULATING NORTHERN MARIANA ISLANDS COUNCIL FOR HUMANITIES ON ITS 20TH ANNIVERSARY

(Mr. SABLAN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. SABLAN. Mr. Speaker, 20 years ago, one of the most significant and enduring community groups in the Commonwealth of the Northern Mariana Islands was formed, the Northern Mariana Islands Council for the Humanities. Since its founding, the council has become a well-respected, community-based organization committed to fostering awareness, understanding, and appreciation of the humanities in the Northern Mariana Islands through its support of educational programs that relate the humanities to the indigenous cultures and the intellectual needs and interests of the people of the Commonwealth. The Northern Mariana Islands Council for the Humanities has enhanced the lives of our residents as individuals and enhanced our community as a whole.

The council's board of directors is and has always been extraordinarily passionate and successful in setting and achieving goals that benefit our diverse and remote community. The council's achievements belie our modest population and resources.

Please join me congratulating the Northern Mariana Islands Council for the Humanities on its 20th anniversary of serving the Commonwealth of the Northern Mariana Islands community.

Twenty years ago this past April, one of the most significant and enduring community groups in the Commonwealth of the Northern Mariana Islands was formed: the Northern Mariana Islands Council for the Humanities.

My island community is a melting pot of cultures, an amalgam of languages, the possessor of a 3,500-year-long and colorful history, and the newest participant in this great experiment called democracy in America. The National Endowment for the Humanities founding principle is that knowledge of the humanities—the ideas, people, and events that make up the record of human thought and experience—is both personally rewarding to Americans as individuals and critical to our common civic life as a nation. I suspect that nowhere is this sentiment as relevant as it is in the Northern Mariana Islands.

In the two decades since its founding, the NMI Council for the Humanities has become a well-respected community-based organization committed to fostering awareness, understanding, and appreciation of the humanities in the Northern Mariana Islands through its support of educational programs that relate the humanities to the indigenous cultures and the intellectual needs and interests of the people of the Commonwealth. The Council also sponsors programs that explore, document, and recognize the many contributions to our community made by the non-indigenous residents of the Northern Marianas. In furtherance of these programs, collaborative relationships have been established with a variety of local, regional, national, and international organizations and individuals.

The Council accomplishes its mission through financial support from the National Endowment for the Humanities, with which it is

affiliated, as well as from the local government, businesses, and individuals throughout our islands. The Council has also been designated an "educational institution" in the Commonwealth, enabling financial donors to take advantage of a local educational tax credit program.

The Council's 13-member board of directors is, and always has been, extraordinarily passionate and successful in setting and achieving goals that benefit our diverse and remote community. Its achievements over the past 20 years belie our modest population and resources. In fact, one former board member is a recipient of the National Humanities Medal—which is awarded to no more than 12 recipients each year whose work has deepened the Nation's understanding of the humanities, broadened our citizens' engagement with the humanities, or helped preserve and expand Americans' access to important resources in the humanities.

Some current programs undertaken by the Council include: the nationally-acclaimed Motherhead/Fatheread program that encourages literacy skills among parents and children; a teachers institute that provides primary-school instructors with a thorough overview of local history; a weekly radio show that provides wide-ranging humanities-based programming; a Micronesian authors initiative that publishes the work of local authors; a community lecture series on humanities topics of interest; a multiyear project to revise the Chamorro-English dictionary; an initiative to promote geotourism in the CNMI; a digital database of primary source documents and images to facilitate the study of local history; and diversified classroom programs that introduce students to the humanities at an early age, including a poetry competition, a junior high school mock trial competition, an annual Covenant Day debate, and curricula that explore multiculturalism in the Commonwealth.

Support of grassroots humanities projects in our community is also a primary focus of the Council. During the past 20 years, over 150 individual grants totaling approximately \$900,000 have been awarded to community groups through the Council's community grants program.

At a time in our nation's history when we encounter oftentimes fierce polemics and uncivil discourse, humanities councils serve an important role. The Northern Mariana Islands Council for the Humanities has, for the past 20 years, enhanced the lives of our residents as individuals and enhanced our community as a whole. I have faith it will continue to do so far beyond the next 20 years. It promotes teaching and learning of the humanities in our schools, facilitates research and original scholarship, provides opportunities for lifelong learning, preserves and provides access to cultural and educational resources, and strengthens the institutional base of the humanities in the Northern Marianas.

Please join me in congratulating the past and present directors, staff, and supporters of the Northern Mariana Islands Council for the Humanities on its twentieth anniversary of serving the Commonwealth of the Northern Mariana Islands community.

□ 1550

## ISSUES FACING AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from North Carolina (Mrs. ELLMERS) is recognized for 60 minutes as the designee of the majority leader.

Mrs. ELLMERS. Mr. Speaker, today we have a wonderful group of women who are going to come together and discuss the issues at hand right now in Washington and across America as we all are so concerned with what is happening to our economy.

Some of you out there are up late at night wondering how you are going to be paying that mortgage, wondering how the car payment is going to be made and which payments you'll make this month and which payments you may have to put off for another time. We're all doing it. We might as well all admit it. And it's time to come together for solutions and answers.

We, as GOP women in Congress, know how important these issues are. We are the women that are taking care of our children. We're taking care of our households. We're taking care of our parents and their health care needs, and we're watching out for our neighbors to make sure that they're okay.

And we continue on this path. We simply cannot run on this path of unsustainable spending and financial uncertainty. We need jobs back in this country. There are those who have jobs and are worried if they're going to be able to keep them. And yet there are others who have lost their jobs and wonder if they'll be able to find another job. We understand this. We understand that it's affecting all of our households, and we're going to come together and discuss these very important issues.

Before we get started, I'm just going to pass along to you one of the greatest quotes that I think hits home to all of us from Ronald Reagan: "All great change in America begins at the dinner table." How true is that.

Now, in many of our households, we don't all eat dinner together anymore like we used to. When I was growing up, dinnertime was a specified time and we all came together. And if you didn't get to the table, you didn't eat. Today we're all on different schedules, but that dinner table still remains. And we still sit there and we discuss these issues with our spouses.

My husband is a doctor. Brent is a surgeon. He practices in Dunn, North Carolina. We have a son, Ben, who's 16. I'm worried about his future. I'm worried about my husband's practice because he is suffering, realizing that the volume of patients he once was seeing has decreased. That's out of fear, and that's out of the health care system that we have created now.

So as we move forward, I am going to be introducing to you some of the greatest women that I have had the honor of getting to know here in D.C. I have many friends back home, but these ladies are my family here, and I'm going to start off with my esteemed colleague from North Carolina, Ms. SUE MYRICK. She has been a mentor to me but mostly a friend.

I thank you, SUE, for coming today and sharing your thoughts.

Mrs. MYRICK. Well, it's my honor to be here. And I thank you for yielding me the time.

As you said, we have a lot of colleagues here, and most of us share the same ideas relative to what we're about. You mentioned and are talking there about the dinner table and women being financial planners. We do the budget. We're the ones that take care of our families, as you said. We're the health care providers, all of that.

You mentioned your husband's in business, but I, also, am a former small business owner. And when I look at what's happening today, there are so many businesses—I think there are, like, 400 new businesses every day that are started by women in this country. And when I talk to business owners at home, they say to me: I am really concerned about the fact that I could expand my business, but I'm afraid to because of the uncertainty that's out there. I don't know what policies are coming down. I don't know what kind of health care costs I'm going to have. I don't know what tax policies and what, if I hire somebody, it's going to cost me to retain that employee. I don't want to go out and hire them and train them and then have to turn right around and, you know, maybe let them go because I can't afford to keep them.

So the policies that we're working on—and all of the women in Congress on our side of the aisle that really care about these issues—are to make sure that we put policies in place that help and promote those small businesses to exist because they hire most of the people in the country. Most of the jobs are provided by small business. And it's really important.

I also, from another standpoint, used to be the mayor of Charlotte. Unfortunately, the first and only female mayor. I wish somebody else would run on the female side, but that's beside the point.

What I wanted to say is that we had to operate with a balanced budget, very simple. And you can do it. We've been talking this week and actually passed a bill yesterday of cut, cap, and balance. I mean, what a novel idea. It's the way all of us live all the time. It's how we do our business. And there's no reason the Federal Government, like the 49 States that balance their budgets, can't be living under a balanced budget.

Yes, it's tough. We have to make some hard decisions. But the bottom

line in all of that is we can do it. And if we have the resolve and the American people want us to do it, there's no such thing as government money. It's all the taxpayers who send their money up here to Washington. That's what we're spending. And we've been spending too much of it.

So I'm encouraged by the fact that we really did have a vote on that bill yesterday that says we're going to live within our means, we're going to do what you do every day, and that we, as women, can have a voice in that and we'll continue to have a voice in that.

And I thank you so much for putting this together so that we have a chance to express that to the American people.

Mrs. ELLMERS. Thank you so much.

I yield now to Ms. HERRERA BEUTLER from Washington. Thank you so much for coming today. She is one of my fellow freshmen, and we have gotten to be good friends.

Ms. HERRERA BEUTLER. Thank you so much. It's a pleasure to be here.

This is one of the most monumental times we face as a Nation. We are right now making decisions that are not just going to impact those of us here today but our children and our children's children.

I am so proud to be a part of this body that passed a bipartisan solution to our budgeting problems just yesterday. We passed, like the gentle lady spoke about, a balanced budget amendment.

I know there's a lot of controversy happening right now, and it's frustrating to watch people posture here in Washington, D.C. Folks back home are sending me emails, and they're calling me, saying, Can you just get some solutions done, Washington? And you know my what my response is? I completely agree.

It is frustrating to watch partisan bickering taking place. And I kind of smile to myself and I think, Just put more women in charge because we're going to fight for solutions. And that's what we are here doing today, promoting the solutions that we were able to pass on the floor just yesterday, solutions that require this House, this body, not to spend more money than it has coming in.

You know, it shouldn't be a radical concept. It shouldn't be controversial in the least. Every mother watching this, every mother in America, daughter, sister, aunt understands you cannot spend more money each month than you have coming in, no.

Women in the household tend to be the decisionmakers when it comes to finances, to health care, to education, to taking care of older parents or family. Women tend to be those decisionmakers, which gives us a solution-oriented bent, which is why we're here today saying we are willing to work with anybody who puts a plan on paper to move this country forward, that reduces government overspending.

Again, very simple, don't spend more than you have coming in every month. That is a plan to economic prosperity. Don't treat small business owners—many of whom are women—don't treat small business owners as your personal piggy bank. You can't just go back to the cash cow every time you want to spend more money.

It's ironic. Margaret Thatcher—in fact, I saw this quote, I think it was yesterday, which basically said—I'm going to paraphrase her a little loosely. But she said: The problem with socialists is eventually they run out of other people's money. And that's the reality. Women understand, you just can't live beyond your means for sustained amounts of time.

For too long people of both parties—right, Republicans and Democrats—overspent. People of both parties in the White House have overspent. We can talk a long time about what got us here, but that's not going to get us out of the mess. What we need now are our solutions. And the solution that was passed yesterday—again, a bipartisan solution to cut the overspending, cap future growth of government, and balance our budget—is a solution that's going to get our country on a path to prosperity. It's going to tell job creators, keep doing what you do best; entrepreneurs, keep dreaming, hire more people.

□ 1600

In my neck of the woods in southwest Washington, we have double-digit unemployment. Three years plus now of families hurting. Enough is enough.

I encourage the Senate, I encourage the White House to come to an agreement, show us something on paper. We're willing to work together and to negotiate. We're all about making a solution happen for the American people. But let's live within our means. It shouldn't be that difficult.

With that, I thank the gentlelady for putting this together, and I'm proud to be a part of it.

Mrs. ELLMERS. Thank you so much.

I yield now to my very good friend from Alabama (Mrs. ROBY), who is the mother of two, and she is wise beyond her years.

Mrs. ROBY. I thank you very much for those kind remarks, and, again, what an honor and a privilege to be here on the floor of the U.S. House of Representatives representing Alabama's Second District, but also here just to embrace the very quote that you began with: All great change in America begins at the dinner table, from President Ronald Reagan.

As I sit here, and I've been listening to my colleagues, I can't help but reflect back on my time as a child around the dinner table with my parents and my siblings. I am so grateful for the parents that I have that encouraged debate, yet taught me the respon-

sibility that I have as an American and as an individual. Certainly I credit my wonderful parents for the opportunities that I've had to lead me to this place today to have the privilege and honor of representing Alabama's Second District.

This week, this Congress is embarking on a historical path. We all understand the responsibility that we have, and each of us brings to the table a unique sense. As women, as those who pump gas and go to the grocery store and see the rising costs of milk, we bring a perspective to this Congress that I think is vitally important to demonstrate exactly where this country is now. The people that are having to make the choice between whether they're putting food on their table or gas in their car so that they can get to their job to provide for their family. So again, thank you for letting me be a part of this.

All of us that are here on the floor today, since the day we walked in, particularly this past January, we have been fighting to tighten the government's belt. Every American has done so in the past several years, and it's time that this Federal Government did the same. We did it with the continuing resolution. We did it with the House budget resolution, and we've been doing it throughout the appropriations process, and we have done it this week.

Our children, my children, my children's children, they deserve a future free of crushing taxes so that they have the same opportunity that I mentioned that I had before. They deserve to be free from a life of indebtedness to China.

The Cut, Cap, and Balance Act ensures that we fulfill our constitutional obligation to pay our debts. We're at a place right now, you and I could never call up our credit card company and say, hey, credit card company I've maxed out my card. I don't have any cash to pay you the interest on what I already owe, so could you just increase my credit limit? Can you imagine? Can you imagine going to your husband and saying, I maxed out, but I need a little bit more so I'm just going to call the credit card company. That's exactly what's going on here. And if we don't insist, just like you and I would in our home, just like our spouses would, just like we would for our children, if we do not insist that there are significant spending reforms where we cut up that credit card and say no more—your child wouldn't change his or her behavior if you just continued to give them more; nor would you change your behavior if your credit card company allowed that kind of action. We should require the same of our Federal Government as we do in our home.

It is so urgent that we provide the American people with honest, honest solutions, and I believe that we have

demonstrated that this week. I look forward to the next coming weeks as we can do all that we can, as Republican women, to help turn this tide of spending in this country so that we can save this country for the next generation. It cannot be about the next election. It must be about the next generation.

Mrs. ELLMERS. I would now like to yield to my very, very special friend, Mrs. BIGGERT from Illinois, who has been a voice of reason. She is a strong woman here in Congress for us in the GOP conference, and I appreciate all of her remarks, which are always extremely thoughtful.

Mrs. BIGGERT. Thank you, and I thank you for doing this.

I think that we've got such great women that have come into this Congress in this last term and are really, you are all moving forward and really, I think, setting the tone for what's going to happen in the future, and I appreciate that.

But, you know, it is time for America to live within its means. I got an email from a constituent from Lockport, Illinois recently, and she wrote to me imploring Congress to say no, no to all personal income tax increases. And she further explains that she's a single mom. Just think of how many single moms are out there having to work to keep their kids clothed and in school and keep her home going.

She said that she is a single mom, struggling to keep her home, raise her son, and pay her bills. She says, I cannot pay any more taxes. I will lose everything. There are so many like that out there.

A gentleman from Downers Grove, Illinois, wrote to me and said, it's sad to see the constant disagreement in Washington over almost all issues, including national security, foreign affairs, et cetera. But the budget must be controlled. This is the hard-earned money of American taxpayers that must be spent wisely. Less is better.

We must live on budgets and not be able to borrow whenever we run out of money, as the gentlelady just said. We don't have a credit card. Most people don't have the credit card that they can go and get their limit raised. Neither should we. We have to cut taxes and stop spending. So let's get people back to work so that this country can prosper and be great again.

For too long the government spent the taxpayers into a debt that they can not afford. And despite trillions in the so-called stimulus, the economy has grown only weaker as a result.

So consider these troubling statistics. Our tax burden is approaching the highest levels in our country's history and is expected to rise. Unless we take action now, it could exceed 20 percent of GDP in just 3 years, a record we've only seen once in 35 years.

Similarly, household taxes are excessively high. Even in the slow economy,

at over \$18,000 last year, the average household tax burden has almost doubled in the last 50 years. What's worse is that the interest on our debt for 1 year is equal to the entire budgets of the Departments of Labor, Agriculture, and Veterans Affairs combined.

In individual terms, it means that each American's share of our debt is over \$46,000. When I think of my family and future generations, this means that my nine grandchildren would collectively owe over \$414,000 if they had to pay their share of our debt today. Before my youngest grandson graduates from college, he would owe \$103,000 on our national debt. This is unacceptable. And that's why we took this first step to address the crisis yesterday by passing the Cut, Cap, and Balance Act. And our colleagues across the aisle would argue that this plan goes too far by restricting future borrowing. But the reality is that this bill simply caps spending at the same sustainable rates as past generations, about 20 percent of GDP, a post World War II average. No more and no less.

Don't we care as much about our children and grandchildren as our parents did? I do, and so do the people who sent us here to Congress. So we need to show our creditors, our competitors, and the American people that we are willing to make the tough choices needed to restore confidence and growth in the United States.

I'm so proud of all the women that are participating in this and are really making a difference and showing that we can move forward and balance our budget and live within our means like families across America.

I thank you for leading this effort.

□ 1610

Mrs. ELLMERS. Thank you.

And to your point, I would just like to refer to this chart right here. As you can see, we have two individuals who are talking about how they're going to pay those taxes, and that checkbook right there, with obviously a nice lady's hand filling out that check. We don't know what it's for, but we all know that feeling. And this actually ran in *The Chicago Tribune* May 6, 2011. It says, "Financial planners say they are seeing more women becoming the sole decisionmakers when it comes to the family's finances," as you were speaking. "More and more women are taking on the role of their family's chief financial officer; they set the budget, pay the bills, make the grocery list, and can tell you how much it truly costs to run the family." And I believe that the American people, as you do, should be able to know how much it costs to run the country, and we should stick to that budget as well.

Thank you so much for your comments.

I would now like to yield to my good friend who, the last time we had a Spe-

cial Order, I just literally watched her because she is a numbers person, and I am always so impressed by that because I am not a numbers person. So thank you to the gentlelady from Kansas. She is, again, just so incredibly smart, and I thank you, LYNN JENKINS, for coming today to help us with this effort.

Ms. JENKINS. I thank the gentlelady from North Carolina for yielding.

I am LYNN JENKINS from the Second Congressional District of Kansas, a proud Republican woman, a mother of two, and a CPA with nearly 20 years of experience helping small businesses, major corporations, and American families budget and return to solvency.

You see a family up there in the picture. I have spent nearly two decades working with families across the dinner table to help them chart their way back to prosperity and fiscal responsibility, and I can tell you that if you want to be serious about balancing your budget and returning to solvency, you have to look at both sides of the ledger; you have to look at what you're taking in and what you're spending, and you have to look at your assets and your liabilities.

When it comes to spending and liabilities, it seems that in this town there is some consensus that Washington does indeed have a spending problem. The time to rein in this out-of-control wasteful Washington spending and debt is long overdue. That is why the House has passed a responsible, fact-based budget that will curb Federal spending by more than \$6 trillion over the next 10 years, and why just yesterday we passed a measure to again cut spending by trillions of dollars and cap any future spending as part of a deal to grant the President his request to raise the debt ceiling.

But it is our assets that make our country truly blessed because our greatest asset is the strength, the drive, and the ingenuity of the American worker and the American business owner. That is why we need to enhance this asset and therefore increase our revenues in a way that grows the economy. And it is not to hit our small businesses with tax increases or more regulation, but rather to institute these pro-growth policies like House Republicans are doing in our efforts to reform the Tax Code to make it fairer and flatter, to increase exports by finally passing the three pending trade agreements, increase our energy production, and remove the burdensome regulations that are stifling growth and hiring.

You simply can't tax your way out of this mess and into a robust economy; you have to grow your way out of it. You don't have to take my word for it. The President himself agreed with me just last year when he said raising taxes would "just take more demand out of the economy and put businesses in a further hole."

Balancing our budget is critical to our future, just as it is critical to every business and family across this great country. So it's my hope that the establishment here in Washington can finally see the error of its ways, make real cuts to this out-of-control spending binge, put hard caps on the attempts to increase spending in the future, and establish some pro-growth policies that will lift us out of this stagnant economy and into the prosperity the American people deserve.

Mrs. ELLMERS. Thank you very much.

I now yield to my good friend from South Dakota, part of our freshman leadership, part of our freshman class who has truly shown her leadership. Thank you for coming today, Mrs. NOEM. I am very excited to hear your comments.

Mrs. NOEM. Thank you, and I thank the gentlelady for yielding to me today. I certainly appreciate it.

Mr. Speaker, I rise today not only as a proud Republican woman as well, as my good colleague from Kansas said, but also as a wife and as a mother and as an American concerned about Washington, D.C.'s spending habits.

We not only need a solution to dig ourselves out of the situation that we are in, but we need to make sure that we don't find ourselves back in the same place. We need to make sure that we are putting us on a new fiscal path that certainly addresses the problems that we have in front of us. The frustrating thing about that entire process is that this President has been on the sidelines. Certainly we all know the Biblical phrase that "without a vision the people perish," and that is truly what is happening to America today—that we don't have a leader who has been willing to step forward and give us a plan to tell us what he truly thinks are the options that are available to us. Instead, that has been left to others to lead, and he has been more than willing to stand on the sidelines and to criticize every single one of those options that have been brought forward. In fact, his original budget, which was proposed in February of this year, failed to even address our most difficult problems.

The Democrat-led Senate voted down his budget unanimously. No one jumped onboard because they recognized that, under his plan, that we doubled our debt in 5 years and tripled it in 10. It certainly wasn't going to be the answer to what we needed to prevent this most predictable financial crisis that we find ourselves in.

Since then, the executive branch has failed to provide the American people with a solid plan to move forward. During a House Budget Committee hearing the CBO director, Douglas Elmendorf, referenced President Obama's revised budget speech by saying this: "We don't estimate speeches. We need much

more specificity than was provided in that speech for us to do our analysis." And essentially what he was saying was, we can't score a speech, we don't know what a speech means. Anybody can give a really great speech; what we need is leadership. We need someone to step up to the table and tell us what we need to do to address our problems so that we can put it into action.

House Republicans have taken this lead in the looming budget crisis. We have shown time and time again that we are serious about cutting our spending, we're serious about balancing our budget. In January, we passed H.R. 1, which continued funding through 2011, only to have it stalled by the Senate, which in effect essentially delayed any action until it got down to the brink of a government shutdown. In March, we passed our budget plan for fiscal year 2012. We are still waiting—more than 800 days—for the Senate to pass anything that resembles a budget. We are doing our work here in the House, but we can't do it alone; we need a willing partner in the President, and we need a willing partner in the Senate.

Last night, the House again passed yet another plan to get our fiscal house in order. We voted overwhelmingly to support Cut, Cap, and Balance. I supported this plan because my constituents have been calling for weeks telling me to support serious change, serious spending cuts, and a balanced budget amendment. They realize they can't spend more money than what they have in their households; they want their government to have some common sense.

South Dakota families and businesses understand the need to balance a checkbook. Our country, just like our families, can't continue to spend more than it makes. Even my 9-year-old son realizes that. Recently, he had the chance to come out with me to Washington, D.C., and he wanted to spend some time at the Spy Museum, he had been talking about it for months. So he did a lot of chores around the ranch to earn some money, but when he got there and he got to walking through the gift shop, he realized he didn't have enough money to buy everything that he wanted. He saw a lot of things he wanted to take home with him, but he didn't have the money, so he had to prioritize. He had to pick and choose and leave some things there because he simply couldn't afford that. Was he disappointed? Absolutely. He was heartbroken. But I tell you what: That taught him a life lesson that he will only learn from people that have common sense, that understand you cannot spend money that you do not have and you have to prioritize and make choices.

America is out of money. We know this, and President Obama knows this. And yes, we do need fundamental tax reform; yes, we need to identify our

priorities; and yes, we absolutely have to stop spending money we don't have. Strong leadership, action, courage, along with responsible solutions, are needed from all of us if we want to preserve the American dream for our kids and our grandkids.

□ 1620

As a wife, mother, and a Republican woman, I support a balanced budget amendment, smaller government so my kids can grow up with the liberties and freedoms and so that they don't have to worry about paying the bills that we are continuing to rack up in this country. It is time to change our ways.

I certainly thank the gentlewoman for yielding to me.

Mrs. ELLMERS. Thank you so much for your comments.

You know, it's interesting, we all have our stories, our anecdotes about our household budgets and what we're dealing with. My son is 16 years old, and he received his driver's license a couple of months ago. But the deal with him is, Ben, you can't get a car until you finish that Eagle Scout project. And you're going to have to be responsible to pay for the gas that goes in it. Well, there's not a day that goes by here in Washington that I don't receive a picture that he texted me of the newest truck he's found or the newest Jeep. But there again, he understands the deal. The deal is no vehicle until the Eagle Scout project is at least under way. I'm yielding on that. I'm negotiating with him, but that's the plan.

Sometimes, as you said, we just can't have everything that we want. In a perfect world we could, but we can't because when taxpayer dollars are being spent, it's not an endless flow of money coming into Washington that is from some unknown source. It's taxpayer dollars that we are spending. We have to be good stewards of that. And what better way to do that than the Cut, Cap, and Balance plan that we passed here in the House yesterday evening.

It was so incredibly powerful to see those numbers up on the board and to think that we could actually put a balanced budget amendment in place, which is basically amending the Constitution. This would be a historic moment for us, and we will be part of it. And President Obama would be the President that puts that forward for future generations. I just again am so proud of it. Like I said, when you bring it home, we all have to deal with those budgets in our own household. Washington should be doing the same.

I would like to yield now to our vice-chair, the gentlelady from Washington, another member of leadership and a voice of understanding, reason and leadership for the GOP women, vice-chair of our GOP Conference. Mrs. MCMORRIS RODGERS, thank you so much for coming to offer your comments.

Mrs. MCMORRIS RODGERS. Thank you very much. I am proud to be here this evening to join the Republican women. I want to especially thank you as our leader from North Carolina. I am proud that you are one of the dynamic Republican women freshmen who joined the House this year.

As I think about what the solution is that faces America, I believe Republican women are a big part of that solution. We see that for all of the people in America that are frustrated with leaders in Congress who go behind closed doors and strike a deal without putting it to the people, Republican women, women are seen as being honest and trustworthy and problem-solvers. And Republican women are also seen as being fiscally responsible and the ones who, I believe, are a big part of the solution. So I am proud to join you all this evening.

In so many ways we are at a crossroads here in the country. We have had record unemployment, over 9 percent for a record amount of time. We have also reached a record in our spending. As I think most people in the country are aware, the President has asked Congress to raise the debt ceiling by \$2.4 trillion to get us through November of 2012. That is his request. The Republicans believe it is very important that as we look at our fiscal situation, that we are not just continuing down the current path of raising the debt ceiling, of adding to the credit cards, but that we are changing course and cutting up those credit cards.

I think it is important for people to realize what that means for them and their families. This request would be \$20,000 for every American family, \$20,000 in additional debt for every American family across this country. It is very important before we vote to raise that debt, add that debt to our families moving forward, that we change course. And the real question in my mind is whether or not the President recognizes that we cannot continue down this path. When you think about our future, economic opportunities, national security interests, it is very important that we change paths.

That's why I am proud of the legislation that passed the House last night with an overwhelming majority. We actually got some Democrat votes. It is a bipartisan bill that passed the House with 234 votes. Now it is over in the Senate. We already know that 37 Senators have signed on to support this bill. We want to make sure that America realizes that there is a plan on paper that has passed the House and does have support in the Senate, and we want to continue to build on that support.

Cut, Cap, and Balance is a reasonable, credible plan to addressing where we find ourselves as a country. Yes, it includes cuts in current-year spending. It includes caps as we move forward so

that we are going to bring down how much we are spending, and it includes a balanced budget amendment. I am a strong supporter of a balanced budget amendment.

When I was first running for Congress in 2004, I talked a lot about the balanced budget amendment. What I didn't appreciate was to what degree the Federal Government spends money, borrows money, and prints money with no limits. I thought there must be some limits. There are no limits on the Federal Government's ability to borrow, to spend, and print money; and the balanced budget amendment was one that even Thomas Jefferson, after they finished writing the Constitution, said: If I can make one change, it would be to limit the Federal Government's ability to borrow money. It's been a debate through the ages. It is long overdue. This is the time. It's about America's future, and I'm proud to stand here tonight in support of Cut, Cap, and Balance and the balanced budget amendment and getting our fiscal House in order for our economy today and for keeping the American Dream alive for many years to come.

Mrs. ELLMERS. Thank you so much.

I would now like to yield to the gentlelady from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Thank you.

I would like to thank my colleagues here today for the opportunity to talk about something that is extremely important to every woman in America, every person in America. It is not really a man or woman thing, or a child or a grandparent thing. It is all of us. So I look at things a lot of times, like a lot of people, I try to put my own life filter over what is going on here.

I'm in the sandwich generation. I have elderly parents who are having bumpy roads with their health. I just today for the very first time had my only and most beautiful granddaughter with me today on the House floor. I realized poor little Celia has \$45,000 worth of national debt on her head. And then I think of my parents trying to manage their health care and their finances in their senior years: have they prepared enough, and did they make the right choices. I think about all of the in-between generation, the sandwich generation which I am, and I know that we want to make the right choices for ourselves so when our children are taking care of us, those decisions can be easier for them and we can be well prepared.

Quite honestly, with a \$14 trillion debt, I don't think we're going to be prepared. What kind of handcuffs are we putting on our future generation?

I think about times in my life when maybe I have gone up to the limit on my credit card or maybe things haven't been as—particularly when we were younger, trying to buy a house for the first time and trying to figure out how

we were going to manage the dollars when we were first getting started, and when we realized maybe we were going a little over the limit or spending too much, was the first thing we thought about, was it let's get a loan, let's ask our parents for more money?

No, the first thing you think about is how are we going to cut back? How are we going to save? How are we going to live within our means? Because that is the reasonable and rational way. That is the way that our parents did it, and that's the way we've tried to do it.

But that's not the way things go on here in Washington. A lot of people say why is it only about cutting spending. Because if we don't prove and show we can cut spending at the beginning before we talk about anything else, we are never going to do it. I think those are the hard decisions. Those are the kitchen-table decisions. All great change in America begins at the dinner table. That is a Ronald Reagan quote. That is absolutely true. That is why I think the Cut, Cap, and Balance bill that we passed yesterday makes so much sense to a lot of American women around the kitchen table because that's what they're doing.

□ 1630

And so I think when we think about it in terms of the balanced budget, when I listened to the debate yesterday, I think about my home State of West Virginia. We have a balanced budget. We have hundreds of millions of dollars in surplus right now because we are not permitted by law to spend more than we bring in. And so we had a good year this year for a lot of different reasons. But I think some of it is the smart budgeting that we did up front as a State—make tough decisions as a State to make sure that at the end of the year we're not dipping into the rainy day fund, that we're not finding ourselves saying the only way we can save ourselves is to raise somebody's taxes. It's because the spending decisions that were made in the front end with a budget—we have a budget for the first time in, I think, 3 years in the House.

And everybody around their kitchen table makes a budget. If they don't make it every year, certainly when they're in trouble they start making a budget. You do really simple things like decide not to go out to eat, stop your magazine subscriptions. The easy things first and then the really hard decisions. That's where we are right now are the hard decisions.

I think as a daughter and as a mother of a daughter and a mother of now a granddaughter, I think women make a lot of these decisions. I see the generations changing. I see the decisions maybe that my mom made were not as involved as the ones that I'm making. And I certainly can see that my own daughter, independent, on her own, is

going to be so much more empowered financially to make decisions. So let's not leave her and the next generations holding a big IOU on their back. Let's take the opportunity.

Another question I get is that we've raised the debt ceiling how many times in the past—numerous times in the past. I think they were quoting 17 times under Ronald Reagan or something like that, if I recall correctly. And that is correct. We have raised the debt ceiling. I've voted to raise it before. But this is different. We need to seize this opportunity. Because if we don't seize the opportunity to clamp down on the spending now when the American people realize what an issue and what a problem and what a generational burden we're passing on—we have the ear of the American people, and that's the difference. That's the difference.

A lot of things in our lives are all about timing. Certainly political lives are all about timing. Sometimes you can have the greatest candidate in the world, and if it's not the right time, they can't make it. And this is the time. This is the time for us to grab the reins, to say to the Senate and the President and the American people, We're ready, you're ready, and let's join together and do this.

So I look forward to hopefully Cut, Cap, and Balance making it through the Senate. But at least if it doesn't make it in the form we pass today, the concepts within this—cutting, capping, and balancing our budgets—are everyday events in people's lives. We need to do it here. I look forward to joining with all my fellow women Republicans we're talking with today, with the rest of the women in the country, but also every man, woman, and child in this country, because it's all about every American, and we don't want to see an overburden on either the older generation, the younger generation, or the generations to come.

Thank you for having us. I look forward to working together.

Mrs. ELLMERS. Thank you so much.

I would like to now yield to one of my fellow freshman colleagues who I have gotten to be very good friends with. She is an incredible individual. She is a great person to be serving with. I truly appreciate all of her input, thoughtful comments. We discuss issues every day here in Congress. I yield to my good friend, SANDY ADAMS, from Florida.

Mrs. ADAMS. Thank you.

I join my fellow Republican women today to come and talk to you about what we passed yesterday, Cut, Cap, and Balance. I want to reach out to the American people and tell them why. August 2 is quickly approaching, and what we have heard from our President is, first, the Biden talks. Then it was the "grand bargain." Then it was the McConnell-Reid deal. Then it was Gang



of Six. Again, all of these are proposals, all of these are ideas. Nothing on paper. Nothing to be scored by the Congressional Budget Office. Not one thing put down in writing so that the American people and, quite frankly, Congress knows what is truly in these plans.

So now, just yesterday, the House Republicans passed Cut, Cap, and Balance with bipartisan support. It's the only legislation that has been introduced to Congress that actually addresses the debt, the deficit, and the ability to get our budget back in order, balancing our budget, the only one scored by the Congressional Budget Office. I supported that legislation and I will continue to support it because it is the only legislation that has been brought forth to handle our debt, deficit, and our budget. Not any of these other plans that have been floated out there, spoken about, talked about, nothing in writing.

As I heard one of my colleagues say earlier, the Congressional Budget Office said, We can't score a speech. And the American people don't really know what's in that legislation unless you write it down and let them take a look at it. That is so important for the American people. They want to know what we are doing. That's why it was so important that we had Cut, Cap, and Balance out there. The American people had a chance to read it, review it. They've seen what we have done. And I'm hearing from the people in my district that they're happy. They're happy that we have passed a responsible bill.

We're facing \$14.3 trillion in debt. It's equal to about 95 percent of our entire economy. And \$3.7 trillion of that was just accrued under President Obama's watch. To put that in perspective, it took the United States from 1776 to 1992 to accrue that same amount of debt that we've accrued in about 2½ years. We're mortgaging our children's future. We're borrowing 40 cents on the dollar, much of it from the Chinese. And we are sending the bill to our children and grandchildren. This has got to stop.

If we don't listen to the American people, then shame on us. We have heard them loud and clear. We know they want us to get our fiscal house in order because every day the American people are making their hard decisions on what they're going to buy, whether it's gas, whether it's prescription drugs, whether it's food, because everything is going up. And the jobs are going away. We have a high unemployment rate. We have different credit rating places telling us, Get your fiscal house in order or we are going to downgrade you. If that happens, the American people are the ones that suffer with us. This affects each and every one of us.

That is why I am proud to have supported Cut, Cap, and Balance. That is

why we stand here today talking with you, the American people, letting you know we heard you. I'm ringing the alarm. My colleagues in the House are ringing the alarms. But the Senate Democrats and this President don't seem to be listening. We have a problem, and it is not a tax problem. It is a spending problem here in Washington. We need to get that spending under control.

Since 1917—I think that's when they first passed this debt ceiling legislation, and I think, personally, they passed it with hopes that Congress would never spend more than they took in. That's my opinion. I wasn't here back then. But I will tell you that year after year, Congress has voted to ignore, to move on, to continue the spending without addressing the true drivers of our debt. We have to address those drivers.

If Congress isn't willing and the President isn't willing, then the American people are willing, and they're saying, Send us the balanced budget amendment. Let us show you where we are on this. Forty-nine States have a balanced budget requirement and they're able to live within their means. We should do no less. The American people live within their means, States live within their means, and Congress and the Federal Government should do no less.

□ 1640

Years of kicking the can down the road have come to an end. Reckless spending needs to stop. And the Senate's repeated failure to pass a budget and do their jobs that has led us to this economic crossroads needs to stop.

I'm asking my colleagues in the Senate, take up this bill, pass this bill. Listen to the American people. They want the opportunity to vote on a balanced budget amendment. Let them. What are you afraid of? Let the American people's voices be heard. Let them vote.

Americans deserve better, and we have proven that here in the House. I hope that our Senate colleagues are listening. I hope our President is listening. August 2 is quickly approaching. You do not have a scorable plan written down. We need to make sure that we protect our American heritage for our future generations.

Mrs. ELLMERS. I thank the gentlelady.

I now yield to the gentlelady from Ohio.

Mrs. SCHMIDT. I thank my good friend Mrs. ELLMERS from North Carolina for hosting this Special Order this evening because this is about America's future and about America doing what each and every woman, each and every man, each and every family has to do each and every week at their table, and that's balance the budget and pay the bills.

The greatest President, they say, in the last century was Ronald Reagan. And in his farewell speech, he said, "All great change in America begins at the dinner table." And it does. It's the universe of our home life. It's where we educate our children, where we feed our children, where we stake out the ideas on how we want our future to go, where we plan parties, where we plan events, and where we discuss Grandma's departure. It is the center of our home. And it is from that that I want to focus on what I think needs to be said tonight.

We have to balance our budget in America, in this House, in this Chamber, at this kitchen table. We have all seen what it is to take a checkbook, take the bills, and make them come together. That's what we need to do, and that's what I believe a balanced budget amendment will force this Congress and future Congresses to do: balance our checkbook.

Just like mothers and grandmothers across this country, I have a major stake in the future of our Nation, and that is not just my daughter and her wonderful husband, but my Michael and my Anthony, my wonderful little grandchildren.

My father was the epitome of the American Dream. He came from nothing, but he worked hard and started his business and paid the bills of those businesses at their little, small kitchen table. And he grew that and gave us the opportunity to make sure that what we wanted to accomplish in the United States was available to us. And that's what I did for my daughter. And, you know, when she started her little business, do you know where she started it? At the kitchen table in the house she grew up in. And she's got a thriving little business. But she's got two little children, and we want that American Dream for them.

We've got to get our fiscal house in order. We cannot keep creating the debts and deficits that we are creating in this country. A balanced budget amendment will force us to do the right things for our country just as moms and dads across the Nation have to do all the time at their kitchen tables; that's live within their means.

I urge the Senate to take up the balanced budget amendment. I urge this Chamber to adopt it, I urge the Senate to adopt it, and to make it a reality.

Mrs. ELLMERS. Thank you so much.

I now yield to my other—I say "other" but we have many—good friend from Missouri (Mrs. HARTZLER), who is one of those great freshmen that I'm serving with.

Mrs. HARTZLER. Thank you, RENEE. We certainly appreciate your hosting this today, and I certainly am glad to lend my support for a balanced budget amendment.

It goes back to my childhood. I've shared this before, but I wanted to share this again because this is what I



grew up with, and I believe it's what most Americans grew up with.

I grew up on a farm, and it was just my mom and my dad and my sister and me. And every January my mom would get out all these ledger papers and lay them out on the kitchen table. That was before the days of the computers. Each page represented a month. And she and my dad would spend days, literally, charting out the cash flow for our farm for the rest of the year. And they would try to estimate how much the yield was going to be on the corn and the soybeans, and they had to guess how much the price was going to be, and they researched the cost of the seed and the other inputs and the fuel, and they charted that all out, and then our mortgage payments.

They were able to, through working that pencil and erasing and reworking it, figure out how they were going to make everything work, how they were going to be able to live within their means. It wasn't always easy, but as the years went on and conditions changed, Mother would get that eraser out and she would readjust that cash flow to make sure that we stayed in balance, make sure that we had everything that we needed. And that's just common sense. That's families balancing their budget.

I carry on that tradition. I do it, and people all over Missouri's Fourth District do it. Families I talk to, they say, Every year we balance our budget, how come Washington doesn't? Every small business I visit says, We balance our budget, how come Washington doesn't? Every farmer and rancher I visit with says, We balance our budget, how come Washington doesn't?

We have got to start taking the common sense from the people and apply it here in Washington.

Even the States, they certainly are one up on us here—49 out of the 50 States have a balanced budget amendment. They live within their means.

Yet Washington thinks they don't need it. Well, I think they do. With a \$14.3 trillion debt that we have now, it is evident that people here cannot live within their means, and they need to have the constraints of a budget.

So we've passed it here in the House. It was the right thing to do. It's supported by the American people. Now the Senate and the President need to get on board.

Why the President would oppose our cut, cap, and balance plan, I have no idea. I want the President to share with me and with all of us and the American people why he does not support balancing our budget. We do it at home. We need to do it in Washington, and we need to do it now.

Thank you.

Mrs. ELLMERS. Thank you so much.

The gentlelady from Texas (Ms. GRANGER) will be finishing this evening's comments.

She is a good friend to all of us as freshmen, a mentor to us, and I thank you for coming this evening as well. It means very much that you contribute to this.

Ms. GRANGER. Thank you very much.

Mr. Speaker, I want to talk a little bit about my experience balancing budgets because I had to manage many different kinds of budgets, and some all at the same time.

As a business owner for 23 years, I had to balance my insurance company's budget. As the mayor of Fort Worth, I had to balance the city's budget. And as the mother of three, I had to balance the household budget.

What is the same about every budget I have ever balanced is that there was never any choice. There were very serious consequences for not being fiscally responsible, whether it was in my business, at city hall, or at home.

Most Americans have had the same experience I've had. We all sit around the kitchen table and figure out how to make ends meet, and then we ask why can't Washington do the same thing?

Families and businesses have to balance their budgets every single day. It's only right that the Federal Government, with \$14.3 trillion in debt, should finally have to do what all Americans already do. But when Washington is asked to balance the budget for the American people, this seems to be too tall an order.

Washington could learn a thing or two from the women in Congress: 10.6 million businesses owned in the United States are owned by women, and women now make up the majority of the workforce. We're the leaders of Fortune 500 companies. But as we've taken an even greater responsibility, we haven't given anything up. We're balancing budgets at our business during the day, and when we get home, we're taking care of our families' finances, and many of us care for our aging parents and their budgets too.

□ 1650

We know what it means to make ends meet, and we've lived up to that responsibility in every part of our lives. It's now time for Washington to do the same.

Mrs. ELLMERS. Thank you so much.

My good friend was pointing out the need to be following our finances as more and more women are becoming businessowners. They are the breadwinners, as you can see from this chart here, once again figuring out the bills, balancing the budget, taking care of our family members and their health care needs. It's so important.

In order for us to be good stewards of taxpayer dollars here in Washington, it's time for a balanced budget amendment. I am very proud of what our House did in a bipartisan effort yesterday, and I'm hoping that the Senate

and the President will also be part of that very significant, historic move so that we can get this country back on sound financial ground.

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

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Pate, one of his secretaries.

#### MAKE IT IN AMERICA

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

Mr. GARAMENDI. Thank you, Mr. Speaker.

I am going to be joined by my colleagues today, and we are going to talk about the financial situation here in the United States and about the meaning of the various ideas and proposals that have been put forward.

I want to compliment my colleagues on the Republican side for their tenacity in putting out their sound bites, but I think it's very, very important for the American people to understand in detail exactly what is being proposed here. Yesterday, we did what was called the Cut, Cap, and Balance proposal. You might also call it the "Cut, Slash, and Burn" proposal because, once you get past the sound bites and get into the details of what has actually been proposed, you've got to stand back and go, Whoa. Wait a minute. Is that really what a balanced budget amendment is all about?

We're going to go into that in a few moments to really understand exactly what this balanced budget amendment is and the effect that it will have on Americans, particularly on women in America; but before we go there, we need to step back a bit and understand how it is that we got into this situation with this deficit of \$14 trillion. How did we get here? It's really important to understand that. Before you go off and try to solve the problem, you need to know what is the situation, what is the circumstance.

This little chart here lays out where the deficit came from. Now, understand that, at the end of the Clinton administration in January 2001, the United States Government was running a surplus, a \$300 billion-plus surplus. It had run that for the previous 2 years. So we had a surplus, and we were on the path during the decade 2001–2010 to literally pay off the entire American debt. It would be paid off. Now, whether that's a good idea or not, you can debate that, but that's what we were on. So the trajectory was, had we maintained the same policies, the same growth in

our economy, we would have paid off the total debt. However, something happened.

Now, what happened?

What happened was a change in policies and two wars: the Iraq and the Afghanistan war following the 9/11 event in 2001 and then the Iraq war in 2003—neither war paid for. For the first time in American history, neither war was paid for—all borrowed money for the first time ever in America's history. Another thing happened along the way, and that is: in 2001, the first George W. Bush tax cut followed in 2003 by the second George W. Bush tax cut.

Here is what they meant. Take a careful look at this. This is where the deficit started. We started here with the Bush-era tax cuts and then over the years so that in 2019—20 years—we have this extraordinary growth in the deficit caused by those tax cuts. Of course it assumes the tax cuts will continue on into 2019.

The red area here are the wars. Again, not paid for. So the Iraq war and the Afghanistan war.

The other thing is this downturn in the economy. The downturn in the economy occurred in 2008. How did it happen? Why did we have that crash of the American economy?

We had it because the Federal Government stepped back from regulating the financial institutions, allowing them to run wild, assuming that they would be smart enough to regulate themselves. That didn't happen. They were smart enough to be extraordinarily greedy. Wall Street went on a greed binge, and the result was the collapse of the financial industry. Needless to say, there are other players in this game. Many Americans, hundreds of thousands of Americans, joined in the game and took out mortgages and bought houses, but there was no way they could possibly afford them. It was the financial industry, the mortgage industry and the Wall Street bankers, and we wound up with the great collapse of 2008.

To deal with that, the bailout of Wall Street occurred. Most of that has now been paid back. It worked. Did it work for the benefit of Americans? It stabilized the financial institutions, and it certainly worked for the benefit of Wall Street. That program occurred in the final months of the George W. Bush administration. Unfortunately, the American economy has not recovered despite the spending of some \$700 billion in the stimulus program. It actually worked. It didn't work enough to get the economy moving forward, so we wound up with this huge deficit.

Going forward, the deficit remains in place because the wars continue: \$178 billion a year spent on the war in Afghanistan and Iraq. Also continuing are the George W. Bush tax cuts. This is where the deficit is coming from. Thirdly, the economy has not recovered. That's where the deficit is.

Now, what do you do about that? Do you put in place a constitutional amendment that has something really interesting? When the American public understands what is in that amendment, it's not just a balanced budget; there are real things in that amendment. Then that amendment, if ever put in place, will have extraordinary consequences for America—in my view, none of them positive.

A sound bite is great: Balance the budget. Force the government to balance the budget just like we do at home. Hello, America. Do you really balance your budget every month? every year? I don't think so. We take out a mortgage to buy a house. That's borrowing money, folks. That's not balancing your daily budget. That's borrowing money, and now you've got to pay the mortgage, pay the interest. When you lose your job or when you're laid off or when you're cut back in hours, what do you do? You do your best to cut expenses, and then you probably are going to borrow more money—maybe the home equity loan, maybe the credit card—to get by. We all do that, all of us. It's not so easy to at the end of every year balance the budget.

Forty-nine States? Yes, they have balanced budget amendments. I'm from California. Democrat Jerry Brown: facing a balanced budget amendment. Guess what? He borrows money. He doesn't balance the budget. Oh—and his predecessor, Arnold Schwarzenegger—Republican, said he was going to “blow up the boxes” and balance the budget. It happened twice in the 7 years that he was Governor that he was able to balance the budget.

Why did this happen? Why did it happen? America, ask the question: What is in the balanced budget amendment? I'll tell you what's in it: a requirement that a two-thirds vote be enacted for every expenditure and every tax increase—a two-thirds vote. This is a fundamental shift in the very nature of American democracy.

□ 1700

We had a dozen wonderful Representatives of the Republican Party talk for an hour here, and not once did they mention that the American democracy will be forever changed. No longer majority rule. A fundamental tenet of American democracy, majority rule, pushed aside. And now should this ever become law, a minority rule, one-third of this House, one-third of this Senate dominating the will of 65 percent of every elected Representative and Senator. The end of the most fundamental tenet of American democracy, the end of majority rule.

It also works in a very pernicious and bad way. You can cut taxes with a majority vote. It takes a two-thirds to raise taxes.

So years and years ago, the oil industry had the opportunity in our democ-

racy to receive a tax reduction. They got a tax reduction. And the oil industry went on with that tax reduction, called a subsidy, so that they can explore for oil and gas. For a hundred years they have had a tax break. Now, we can give them another tax break; but under the balanced budget amendment, it would take a two-thirds vote to take away the tax reduction, the tax break, the subsidy that they have received for a hundred years, a century, would take a two-thirds vote to do that because that would be considered to be a tax increase.

So what does it mean to the oil industry? Well, here's their profits from last year. Let's see: Exxon, \$10.7 billion; Oxy, \$1.6 billion; Conoco, \$2.1; Chevron, \$6.2 billion; BP, of gulf fame, \$7.2 billion, that's their profit. Part of that profit is your tax dollar. Part of that profit is the tax dollar of every American that has been given to the oil companies for more than a century so that they can go explore for oil.

Is there an American that believes that the oil industry needs our tax dollars to continue to be viable? I don't think so. But if the constitutional amendment passes, becomes part of our Constitution, a majority of this House and the Senate could increase the subsidy, but it would take a two-thirds vote to get our money back. We need to understand the details of what a balanced budget amendment means.

I've been joined by my wonderful friend and extraordinary Representative from the great State of New York representing the Hudson River Valley in the capital region.

We had a discussion last night about a piece of this, and I've been waiting for you to arrive when we could talk about how the balanced budget amendment and the cuts in the legislation that was passed yesterday would affect women.

We just had 20 women from the Republican Party here telling us that we ought to enact a balanced budget amendment. What does it mean for women who are 65 and over?

Would you please join us and enter this conversation.

Mr. TONKO. Thank you, Representative GARAMENDI, and thank you for bringing us together on some very important discussions and laser-sharp focus which is essential as we face this default crisis, where there are those who are dragging their feet and not resolving the default crisis and refuse to have us pay our bills. And when we default on our debt, it's very problematic because it can disrupt our pensions, it can disrupt our 401(k)s, it can disrupt our mortgages because of the interest rate being somewhat fluctuated by that default crisis and our failure to pay our bills.

What I think is important here is that you outline how unfair this process can be, how it can be routed to support easily deep pockets, efforts to give

windfall industries a mindless handout, the big oil companies getting a handout. It's much easier to retain that benefit, and it's very difficult to save Medicare. It's a simple majority that can end Medicare.

Many of us go home every week, others as frequently as they can because of the distance they have to travel to get to their districts, and we're greeted by signs like this: Hands off my Medicare.

And it's no wonder, because what we've seen yesterday was the third attempt in this given few months of the 112th Congress to end Medicare. Three votes. One with the Republican Study Committee, one with the Ryan plan, a Path to Prosperity—which we have redesignated as the Road to Ruin. And then yesterday with this cut, burn and whatever, slash-and-burn attempt. I won't even get into the nomenclature because it's misrepresenting what would really happen.

Yesterday, we had a vote on this floor to make it easy to end Medicare and easy to maintain handouts to the oil companies. And when we look at the dollars that are saved by ending Medicare, we see where they somehow are transitioned over to tax cuts that are maintained for the millionaire-billionaire community, mindless handouts, the Big Oil industry.

So this is buyer beware week. We've seen this three times over, and it's an assault on the middle class.

When you talk about the impact on women, you know, an armchair scientist can take a look at the population of seniors and understand the proportional representation to the greater degree is women in that category. So this is an assault on senior women who require Medicare.

We talked about this last night on the floor, that things have changed since 1965 when President Truman and Mrs. Truman were the first to sign up for Medicare with that wonderful legislation. They began a process of dignity for our Nation's seniors where affordable, accessible care, a certainty in their lives, became a much-needed concept because there was cherry-picking going on. There was the unaffordable notion, the inaccessible notion of health care insurance coverage.

And to put that now at risk and develop and mess with our Constitution to make that all work, it's no wonder Wall Street, The Wall Street Journal, called it a very foolish approach. They labeled it in just very negative tones.

And certainly Bruce Bartlett, who was the economic adviser to President Reagan, said that it was akin to an intern writing a bill on a napkin. Well, I think that's a pretty tough slam for our interns. They would do better.

So we need to go forward with sensible strategies. We need to solve the default crisis. And let's face it, it should be about investing in jobs.

The jobs crisis is the number one priority of the American public. We see it

in public opinion surveys over and over again. And that job crisis when we resolve it addresses any revenue crisis, any spending crisis, any deficit crisis. This is the best solution: Create jobs, invest in innovation, infrastructure, education.

Mr. GARAMENDI. Mr. TONKO, once again you are on the right track here.

Earlier before you came in I was discussing our Republican colleagues, Women's Day, and they were all talking about the great value in the balanced budget constitutional amendment.

My colleague from Colorado, JARED POLIS, came running over and said, They don't understand. They need to know what's in this. And I'd like you to explain.

I started off with the majority, two-thirds vote. You're a constitutional specialist. What does all of this mean to America if they really understood and got past the sound bite? "Balanced budget" sounds good, but what does it actually mean?

□ 1710

Mr. POLIS. It's particularly ironic that this session of Congress opened with a recital of the United States Constitution which really just, in the vote yesterday, has been debased. And our democratic Republic has been debased to an extent that I certainly have not seen in this body prior under either party.

Let's talk about exactly what was attempted yesterday in this constitutional amendment that would have essentially passed as part of a resolution. It's one thing to say that we want to eliminate Medicare. The House worked its will through the Ryan budget, phasing out Medicare for those who are under 55 years of age. The people of this country will have the opportunity to change that. We saw an election in upstate New York where I think and most people think that the people of this country soundly rejected the effort to eliminate Medicare.

But regardless, that's what elections are about. I know that in the last election, Democrats didn't fare too well. A majority of this House was elected that wanted to phase out Medicare for people under the age of 55. Likewise, in the next election, if people run on that, a majority might arise in this body that supports keeping Medicare solvent for the next generation.

What was attempted yesterday was circumventing the public will by inserting into the United States Constitution exact fiscal policy that essentially wouldn't allow Medicare to exist in any form similar to what it is today. It would actually specify an exact percentage of the gross national product that the public sector can contain in our governing document.

This is unprecedented. Who hears of putting numbers, 19.7 percent, 19.5 per-

cent, 20, 21 percent—we're talking about the percentage of the economy that can be public sector versus private sector. Who knows what the ideal percentage is? That's what elections are about. That's what we fight off every day here on the floor of the House. Some will say we should have it a little bigger; others will say we should have it a little smaller. The people of the country have their say. To somehow take that out of the realm of public discourse and insert that into our governing document is unprecedented. It castrates the United States Congress. It castrates and eliminates our ability to make public policy, for better or worse.

I had an exchange with one of my colleagues on the Rules Committee as we were bringing this to the floor the other day. I said, This is such an absurd concept. Imagine for a minute that there was a Democratic majority and we were saying, You know what, we want to put in our Constitution that public expenditures have to be at least 22 percent of GNP or—but it never even crossed our minds. There is no Democratic proposal like that because it just doesn't make any sense. That's what elections are about.

And yet here the Republican majority is trying to insert into our governing document—the one that they say that they have great respect for, the one that they began this session of the House by reading—inserting exact formulated fiscal policy regarding the exact size of the public sector, taking that ability away from the voters of this country, taking the discussion away from the deliberative bodies of the House and the Senate, taking it out of the hands of an election for President of the United States, removing the fundamental issue of what role government should play from political debates.

That is grossly undemocratic. It should be an insult to all of us who value our democratic Republic, who value our democratic institutions.

However flawed, our representational system of democracy is the most effective in the world. The people's voice will be heard. By taking away the people's voice and castrating the United States Congress to specific policies prescribed in the Constitution, we remove the ability of present and future voters of the country to have their voices heard. Regardless of where anyone comes down on the policies, regardless of what percentage of the GNP you think it should be, I hope that most Americans believe that it's a fundamental value to have a say in our system of governance and to have these debates and to have them be part of the public discourse, and that was proposed to be taken away completely by a bill that passed yesterday in this body by a majority vote from the Republican side.

Mr. GARAMENDI. Thank you so much for bringing our attention to the way in which the balanced budget amendment would fundamentally alter the very nature of our government.

Earlier I talked about the majority vote versus the minority rule that is in this amendment. And now you bring to our attention the percentage that is in the amendment. Those percentages have real meaning beyond the issue of just a very, very important issue, the very nature of our government, and the reason why we have representative government, why we have the Senate, why we have a Congress.

But there's something else to it and that is, the percentage that they have chosen would force the government expenditures to go back to the 1965 level where there was no Medicaid and no Medicare program in America. So, once again, there are different ways of assaulting and terminating Medicare. One was the direct way that was in the Republican budget that passed this House earlier in which they explicitly said that for all Americans who are not yet 55, there would be no Medicare. They would be given a voucher, and they would have to go buy insurance from the private insurance market, which all of us understand is a very difficult place to get a fair deal. The other way of doing it is in a constitutional amendment, as was proposed yesterday, that would make it impossible to fund Medicare and similarly impossible to fund things like natural disasters.

Let's assume we were at 18 percent, which is the number they've chosen, of GDP and the Federal budget, and we have the great Mississippi flood or the great Missouri flood or the earthquake in California or the hurricane in Florida, billions of dollars. The Federal Government would have no ability under this amendment to step in.

Let me turn to Mr. TONKO. I know you had some other things that you wanted to bring to our attention.

Mr. TONKO. Well, by their own acknowledgement, their own leaders indicated that this would enshrine the Republican agenda to end Medicare in the United States Constitution. So what we end up with is that we have these very bold statements made, that right there after the freedom of religion and the freedom of thought, the freedom of assembly, we can have the freedom from health care for anyone age 65 and older. That's not quite an honorable position to follow or to promote.

Mr. GARAMENDI. Freedom "from" health care.

Mr. TONKO. Yes. I just think that what we have witnessed is a messing with a very precious document, one that governs this democracy, this Republic in a way that was carefully planned by our founding parents. And to take that precious document and to use it in order to promote a political agenda and one that denies access to a health care concept is wrong.

When we look at this 1966 threshold, when we take it back to spending opportunities at that vintage, we need to keep in mind that Medicare, assisting grandparents, grandma and grandpa, means that they're denying the fundamental fact that since 1966, grandparents, grandma is living 10 years longer, on average. So it's not real to take us back to this unwarranted threshold of 1966. And also, we've had much progress in technology and research in medicine so that there are new opportunities for which we avail ourselves the funds.

So I think that a lot of this is not based on reality. It's not based on the desire to serve. It's rather based on denial. And that's not what this should be about. There is a certain bit of dignity. There is a respect factor shown to the senior population. And I can tell you, when you get messages like this at home, Keep your hands off Medicare, we're getting this in letter format, email format, faxes coming into the office, phone calls. Nine to one, every 10 calls coming in, you'll get nine phone calls of advocacy to not only keep Medicare but to strengthen it.

And what we did, as you know, Representative GARAMENDI, we went through and provided those screenings and those annual checkups and made certain that no copayments or deductibles would hold back the opportunity for our seniors. We made certain that we began the process of filling the doughnut hole, and we found savings in the Medicare situation.

And, yes, they're right. They talk about cutting back. We found savings by reducing the profit columns of the insurance industry when it came to Medicare and then transferred—in a very fungible way, we transferred those savings into the development, positive outcome for seniors in the pharmaceutical area because we know that the doughnut hole is a very pricey thing for many people. In just a few months into a calendar year, seniors are dipping into their own pockets to pay for the pharmaceutical costs in order to stay well or to recover from an illness.

So there was great compassion shown here, and we moved forward with a way to fill the doughnut hole completely, completely. And we began that process last year. That is denied again in this process.

Again, to the fact of being concerned about women, if you are concerned about women, why would you cut Head Start programs? Many working moms require Head Start, not only to maintain a career or perhaps work, because you may be a single parent, or even a double income household still needs that job.

□ 1720

Head Start is a good way to develop the social, the educational, and the cognitive skills of youngsters. Why

would you deny a quarter of a million of children Head Start? That's that attack on women, working women.

Why would you reduce education by 12 percent in title I areas, as they had suggested, as they did with their budget. That's an attack on educators, most of whom are women. It's still a very highly predominant field for women.

So when we look at some of the attacks here by gender, by age, by income strata, it's clearly assumed here, and documented, that it's an assault on middle class America, on working families. And it is time to grow the middle class, strengthen the middle class, enhance their purchasing power. In so doing, you develop a stronger America.

And so we need to go forward with a laser sharp focus and an honesty that's built by truth, not fiction, and do what is best as we go forward to invest in infrastructure, education, and certainly the improvements that we need to make in innovation.

Mr. GARAMENDI. Before we leave the balanced budget amendment, the bill that was on the floor yesterday had two other pieces to it. One of them was to go after the budget of the United States and reduce it by \$111 billion, beginning in October of this year. That has real impact. Part of that impact would be felt on Medicare.

Let's just put some understanding into what Medicare is all about. Our colleague from Connecticut did this last night, but it really, I think, is well worth repeating, and so I am going to just read off some statistics, so please bear with me.

In 1965, when Medicare was established, 44 percent of all seniors 65 and over did not have health insurance. Now, of those, 40 percent of the seniors lived in poverty. So you had heavy poverty and you had no insurance. The two are tied together. You get sick, you lost your money, you spent everything you had. The life expectancy at that period was 70 years.

Now, what's happened in the intervening years since 1965? Now, 40 million seniors, nearly every senior in the United States, has health insurance. Not just a little health insurance, they have a comprehensive health insurance policy that covers most everything they need—doctors, hospitals, and drugs.

The poverty rate for seniors has fallen from 40 percent to 10 percent. Why? Social Security and Medicare.

Now, they lived to 70 in 1965. Today, seniors live to an average age of 78½ years. Why? Because they have medical care and they have Social Security providing them with the basics of life.

Now, what happens if the Republican budget were to pass and Social Security were to end, not only for those who are 55 years of age now and want to have Social Security 10 years later in their lives when they become 65, but immediately for seniors, now, if the

Republican bill passed, would become law that passed yesterday, and the previous one, the budget bill were to become law? \$880 billion would be removed from Medicaid.

Medicaid's a different program than Medicare. This is for impoverished people in America, almost all of whom are in nursing homes. \$880 billion, over 10 years, removed from Medicaid. So those seniors, most of whom are women—and I would remind you that we heard from the Republican women here earlier promoting a program that would cut \$880 billion out of Medicaid, 70 percent of which goes to nursing homes, the majority of whom in those nursing homes are women. This is not a women's program that they've put forward.

And on the drug side, you were talking about this, Mr. TONKO. This is an immediate reduction, an immediate reduction in the drug benefits, so that 3.9 million seniors would wind up paying \$2.2 billion more immediately if the Republican budget were to go into law because of the reduction in the Affordable Care Act that provided this benefit.

These are just some of the things that the American public needs to understand when you get past the sound bites. We must balance the budget and, therefore, the balanced budget amendment.

Well, wait. What is it? What does it really do? It terminates majority rule in America and institutes minority rule so the fundamental of American democracy is trashed; requires that the budget of the United States be ramped back, back, back to the 1965 percentage of GDP, before there was Medicare, which, inevitably and inextricably means that Medicare is over once that balanced budget amendment passes.

Mr. TONKO, please continue.

Mr. TONKO. Representative GARAMENDI, what I didn't hear, though, was the resolve of the default crisis. I didn't hear advocacy from the other side about paying our bills. I'm hearing about cutting away at middle class values and middle class needs. I didn't hear about the default crisis and paying our bills.

We're saying we need to respond to a default crisis, and we're also talking about a jobs agenda. We haven't seen one jobs bill in the House brought forward. And that is a major concern, because the jobs crisis, when resolved by producing jobs and investing in jobs, resolves the revenue crisis, the spending crisis, the deficit crisis. So we need to go forward.

Mr. GARAMENDI. You've moved to a subject that we really want to get to, which is jobs, but this is my favorite.

Mr. TONKO. Just on the Medicaid/Medicare piece, if I could just say one thing.

When we fall short on the Medicaid side, it falls again upon the property

taxpayer, and again, if you're on a fixed income, as many seniors are, and again, the disproportionate number of women in households in the senior years are going to be, again, impacted by a property tax that, when levied on that home, doesn't know if you're unemployed, on fixed income, underemployed, so it will be hitting a retiree on fixed income very, very hard.

And so we're transferring from a progressive income tax and a progressive series of taxes at the Federal level on over to a State situation where it's going to trickle down into a property tax, which is grossly unfair.

Mr. GARAMENDI. And on the individuals.

Let's move on beyond it. But this is something that I always put up when we talk about Medicare, and that is it was 1965. This is a tombstone, and it says: Medicare 1965–2011. Created by LBJ. Destroyed by the GOP. No doubt about it.

Mr. TONKO. We've had three votes to end Medicare.

Mr. GARAMENDI. Three votes in the first 6 months, now 6½ months of this new Congress, three votes by the Republicans that have put up three different measures that terminate Medicare as we know it.

Mr. TONKO. To give tax cuts to the job creators.

Mr. GARAMENDI. Oh, to the job creators. You must mean those wealthy folks.

Mr. TONKO. We're told it's the millionaire-billionaire tax cut that responded to the needs of the job creators.

Mr. GARAMENDI. We've been joined by an individual from the great State of Vermont who has spoken many times on this floor about jobs and about what we need to do.

Thank you for joining us. Share your thoughts.

Mr. WELCH. We are in a very serious situation now. We're what, 11 days away from perhaps, the first time in the history of this country, not paying our bills. And it's extraordinarily damaging what that will do to our economy. I mean, interest rates will go up. If we have a 1 percent increase in our debt service, that's going to mean \$140 billion more in taxpayer expense to service the debt. And I don't care whether you have a NANCY PELOSI point of view that we could use that money better on infrastructure or an ERIC CANTOR point of view that you could use that for tax cuts, that's money out the door. That is squandered money. And the damage to the economy and to this asset, the AAA rating, is enormous, and that ripples through the economy and starts hurting people, individuals.

If you have a mortgage, your mortgage rates can go up on an adjusted rate loan. If you want to buy a car, you have to borrow some money, your rates

are going to go up. If you have put aside money for your kids to go to college, which is, as we all know, incredibly expensive, the markets are going to create an immense amount of turmoil, and the likelihood is you'll take a real hit on that.

□ 1730

If your retirement savings, if you're about to retire and you've been saving all your life, that can get whacked. This is reckless and irresponsible. We have to pay our bills.

Now it is true that we've got a long-term fiscal challenge that requires a long-term fiscal plan, but this first time in the history of our country literally holding hostage our obligation to pay our bills to getting your way on your design of how we should have a long-term fiscal plan, that's never been done before.

You know, in all candor, both sides in the past have tended to grandstand when it comes to the debt ceiling. The custom has been around here that the party that's out of power and doesn't have the responsibility to get the debt ceiling passed so that we pay our bills grandstands about it, but neither side has ever actually held that debt ceiling and that obligation to pay our bills hostage.

Ronald Reagan, who was not at all shy about engaging in tax fights and budget fights, raised the debt ceiling. He never would use the full faith and credit of this country to win his battles because he knew that would cause too much harm to the economy; it's putting a loaded gun at the head of the American economy. We have got to get back to the basics here. We've got to pay our bills.

My hope is that then we would work together because we don't have to cut Medicare to get to fiscal solvency. We do have to reform the way we deliver health care to bring down the cost of health care, but if we have a balanced approach where we include revenues, we include the Pentagon, and we, as Democrats, look very hard at various spending programs and are willing to share in the effort to get ourselves onto fiscal solvency, we can do that. So we can make progress if we work together and just recognize the obvious: we've got to pay our bills, and we also have to work together to get a long-term fiscal plan.

Mr. GARAMENDI. PETER, as we stand here on the floor of this House debating an extraordinarily important moment in time about the direction we're going to go, this issue of paying our bills, we need to understand that what we're really talking about here is not tomorrow's bills; we're talking about expenditures that have been made over the years dating back to World War II and even before World War II, expenditures that have been made, votes by the majority of this

House and by the Senate, signed by the President, America decided to spend the money. Earlier, I put up a chart here talking about where it came from—this House. And George W. Bush voted to reduce taxes, created a deficit, had to borrow money, voted to start and to carry out two wars, Afghanistan and Iraq, borrowed money to do it. These are past expenditures. And here we are 12 days away from the default crisis where our Republican friends are using this moment in time where we're not really discussing tomorrow's expenditures; we're talking about yesterday's expenditures, and they're saying give us our way or else America defaults.

Mr. TONKO. Representative GARAMENDI, I think that the message from the Democrats in the House of Representatives is straightforward and very logical: Don't end Medicare. We saw three votes to end Medicare in the House. We say save Medicare, make it stronger. But then we talk about cutting, cutting programs that don't create jobs; do those cuts where there are not jobs created. Where there are, save those programs, strengthen them; provide for jobs by investing in education, in innovation, and in infrastructure. And it's very easy when you take the education investment, the infrastructure investment, and certainly the education investment, that equals jobs for Americans, for middle class Americans. And that's what it's all about. If we create jobs, it drives down the unemployment factor, drives down the deficit. And there's no stronger form of medicine, bar none, than jobs being created. It solves a revenue crisis, it solves a deficit crisis, it solves a spending crisis.

Some of these programs are correlated directly with unemployment. There is a need to address the needs of the unemployed, the poor. If you put people to work, if you invest in retraining programs, education, if you invest in R&D to grow, move ideas along to a manufacturing mode and then you make it in America, these are the values that we embrace as a party in the House.

I think it has been a refreshing message, one that really gets to something here. And at the same time we're speaking to the default crisis, we're saying this is how we resolve that default crisis. Don't walk away from the obligation, the responsibility to pay our bills. And as you said, two wars, a pharmaceutical deal for part D for Medicare, and millionaire and billionaire tax cuts were all spent, those were all forms of spending. And all of that, all of that was borrowed in order to spend on tax cuts. And now the bills have come home to be paid. It happened a decade ago—it doesn't matter, they are bills that have to be paid. We cannot put the economic vitality and viability of this Nation at risk or trig-

ger an international economic crisis by not paying our bills.

So we address the default crisis, we save Medicare and strengthen Medicare, and we have a formula of innovation, education, and infrastructure that equals jobs for Americans, working families, and middle class Americans. It's straightforward. It's straightforward.

Mr. GARAMENDI. We kept hearing from our Republican colleagues that what America needs is a cut, balance—how does that work?

Mr. TONKO. I don't know because it was messing with the Constitution. And The Wall Street Journal advised, don't mess with the Constitution, leave the Constitution out of this. And there were those who were economic advisors to President Reagan who said this is frightening—the exact words were very denouncing. And so no one took that seriously. And we spent hours here debating on a format that adjusts the Constitution, and some of the best minds who have worked in government from very conservative perspectives have said this was a wasteful measure.

Mr. GARAMENDI. Well, the Republican—we heard it here over and over again, it was cut, balance—whatever. What I kept hearing is cut, slash, and burn because they're going to cut and slash critical programs for seniors.

I think what Americans really, really want, they want a job.

Mr. TONKO. They want to work.

Mr. GARAMENDI. They want to go to work. They want an invest, grow, and build policy—not a cut, slash, and burn policy, but an invest, grow, and build. They want to invest, as you say, in education. They want their kids to have an education. They want to build the infrastructure. And they want to see the economy grow. But I'll tell you what happens when you start cutting, slashing, and burning. Here's what happens: If you take a look at the American economy, beginning in December of 2009, just start right there, just say that's the equilibrium point—wasn't a good day at all in America, a lot of jobs were not available. But we've seen 2.8 million jobs created in the private sector, okay. Simultaneously, we have seen cut, slash, and burn at the Federal level, as the Republicans have taken control and put in their continuing resolutions and reduced the Federal budget—and at the State level, and we've seen 378,000 jobs lost in the public sector. These are police, firemen, teachers, people that are out there making sure that our food is safe, and so forth.

So the reality is, we're seeing the government jobs go down. For every 100 government jobs that are cut, 30 private sector jobs are lost because those people depend upon the payroll from those government jobs.

The Simpson Bowles deficit commission said it very clearly: This is a long-term problem. We need to solve the

deficit over the long term. We cannot and should not solve it with immediate cuts because it will impair the recovery of America. And here's what's happening: We're seeing the growth in the private sector retarded as the public sector reduces. This is the effect of the cut, slash, and burn strategy that our Republican colleagues want to put forward.

So what's going on in Vermont?

□ 1740

Mr. WELCH. Well, let's talk about the balanced budget amendment. We in Vermont don't have a balanced budget amendment. We're the only State that doesn't have it. We have always managed to balance our budget. And we have done that when we have had Republican administrations and Democratic administrations.

The balanced budget amendment in Congress I think has some hazards because the Federal Government at certain times is the one tool that the American people have to be countercyclical. If the economy is really going down and it requires the Federal Government to step up to try to maintain purchasing power, that is debatable; but it is the only tool that we have as citizens is the Federal Government to do that.

I think what the balanced budget amendment suggests is that you can legislate away your future problems. You can come up with a fix that is going to guarantee you're not going to have to suffer through trying to figure out how to solve very difficult problems, either because it is a national security threat, it's a collapse in the economy like we had with the collapse of Wall Street.

And by and large it's not any way for us to avoid making direct and difficult decisions where we balance our revenue needs and we balance our spending needs based on the circumstances, and that's the constant work of Congress. It requires the application of judgment, it requires cooperation, and it requires the ability to be flexible and responsive to the circumstances that exist.

A balanced budget amendment is one size fits all that puts us in handcuffs in an effort to try to avoid getting out of balance.

Mr. GARAMENDI. Thank you, Mr. WELCH.

The gentleman from Colorado (Mr. PERLMUTTER) has joined us, and directly in front of me is the gentleman from Ohio (Ms. SUTTON).

Let me turn to the gentleman from Colorado first.

Mr. PERLMUTTER. Thank you, Mr. GARAMENDI.

I think you all have been focused on the real issue in front of us. We have some budget issues, but the best way to handle our debt is to put people back to work. The quickest way to reduce the debt or the deficit is to put people

back to work. All of a sudden you have revenue coming in, and you don't have to pay unemployment and COBRA and you don't have to pay so much Medicaid. That's the first order of business. Plus, it really makes people feel valuable. Anybody knows that a job gives you dignity. That's what you're looking for, a good job to care for your families and provide for the future. That's what we have to do here.

And Democrats, our formula is innovate, educate, rebuild our infrastructure, equals jobs, equals good jobs that are long lasting that people can rely on and they can work and feel good about their lives and the future for their family.

Now, one of the things that we have said as Democrats is if we make it in America, we will make it in America. Instead of sending jobs overseas, let's have them here. We have the finest people in the world, some of the most talented and skilled people anywhere, and we need to be making things in this country.

In Colorado, for instance, one of the places where we can see these jobs is in our energy sector, both in traditional energy, oil and gas development, but also in new energy—energy efficiency, renewable energy, solar, wind, biomass, new jobs, good jobs. And so all this budget talk, all of this balanced budget stuff that I think does real damage to the Constitution, that should be going to the side. We have to focus on putting people back to work with good jobs that last a long time.

Mr. GARAMENDI. Let's just get ourselves into a good discussion here. The great Midwest, Ohio, the industrial center of America, being rebuilt by BETTY SUTTON.

I yield to the gentlelady from Ohio.

Ms. SUTTON. Thank you. I thank my colleagues for being down here fighting the fight that the American people want us to fight. And that's a fight for jobs. The American people, the people I represent in Ohio, their number one priority by all means is about putting people back to work. As Representative PERLMUTTER just stated so eloquently, it is really about empowering people. They don't want a lot from their government, but they do want a government that works with them and for them, and to the extent possible plays that role that will help spur our economy, invest in infrastructure which puts people back to work, and levels the playing field for our manufacturers.

I come from a place where we have a very strong manufacturing base, and it hasn't always been treated fairly. We have had a lot of unfair trade deals that have been passed that hurt the people that I represent, and we have a lot of policies that frankly didn't do them well. We can do better.

But here we are 200-some days into this new Congress under this Repub-

lican leadership and not a single jobs plan to come before this body. It is quite amazing to think about. Instead, what are they talking about, imposing a budget that ends Medicare and protects the very tax breaks that end up shipping our jobs overseas.

Well, I am proud to stand with you tonight and work on those policies that will put America back to work and strengthen not only our infrastructure but our economy which will keep our place in this world as leaders. And so as we move forward, I hope that our colleagues on the other side of the aisle will get focused on what America needs, and that is jobs, jobs, and jobs.

We have a role to play. We can deal with the deficit. We should deal with the deficit; but the kinds of cuts that they are talking about, ending Medicare, taking this out of our seniors instead of cutting those tax breaks that have existed for those oil companies and others at the very top that have been a burden to our middle class because they are the ones who have to make up the difference, let's focus on jobs. Let's encourage our colleagues in the GOP to get on board and start working on what America needs, and that is to put America back to work.

Mr. GARAMENDI. And we're going to make it in America. America is going to make it. This is a great, strong country. Yesterday, I heard during the debate that we're broke. We're not broke at all. We've got a deficit problem; we can deal with that with some good policies when we put people to work.

This is America, and we're going to make it in America.

Let's look at that chart that Mr. PERLMUTTER has over there. Trade policies. We talked about that a little bit.

Taxes. We're spending our tax money on buying equipment that's made overseas when it ought to be made in Ohio—the buses, the trains, the solar panels, and the wind turbines. How about doing those in Colorado? You have a plant there. Use our tax money to buy American-made equipment.

Talk to me about research. Mr. TONKO, you come from one of the great early research centers of America.

Mr. TONKO. The original tech valley. Thank you, Representative GARAMENDI. I know we don't have much time. I'll do this quickly.

The 21st Congressional District that I represent in upstate New York is the host community to the Erie Canal barge canal. It gave birth to a necklace of communities dubbed mill towns that became the epicenters of invention and innovation. That same pioneer spirit is fed today. It's part of our DNA. But you need investments in R&D. It's why my region is now one of the top five in the country for the growth of green collar jobs, innovation that is being advanced simply by investing, as we did

in the prior Congress, in job creation. Not cutting programs that provide opportunities for work.

Instead, they are going and building up programs like handouts to the oil companies that aren't producing a job, tax cuts for millionaires and billionaires. They need the dollars for that. They're cutting valuable programs that either speak to the dignity factor for our seniors through Medicare or advancing research and development that grows jobs. That's what we need to do.

The Democrats are on message. Jobs, jobs, jobs. Solve the jobs crisis, you'll resolve the deficit situation, the revenue situation, and the spending situation.

Mr. GARAMENDI. We're going to put people back to work, and one way we're going to do it is with a clean energy policy. We need a national security policy on energy. I know that part of that solution is going to come from Colorado where they are doing the research and where they are making some of this equipment and from middle America. And I suspect even Vermont will have a piece of this puzzle.

Mr. PERLMUTTER, tell us about energy systems in Colorado.

Mr. PERLMUTTER. I know time is short, but in Colorado, we are very fortunate to have the National Renewable Energy Lab which is the finest lab of its kind anywhere in the world to help us develop ways to better use our energy. A gallon saved is a gallon earned, you know that kind of thing, but focus on energy efficiency, renewable energy, solar, wind, biomass, geothermal, those are new jobs. And to be more efficient with traditional energy sources, to be smarter about how we use them and how we extract them.

This is about restoring the American Dream for people, that they have good jobs, a good education, dignified and healthy lives of seniors. That's what we want to restore for America, not all of this gloom and doom and all that we're hearing and cuts. This is about restoring the American Dream, and we can do this.

Mr. GARAMENDI. Okay, we are going to have our bullet session here. We'll start with Ms. SUTTON from Ohio.

Ms. SUTTON. Thank you again for having this hour. It is so important that we do make it in America. I talked a little bit about jobs. I have a bill right now that is pending that I would encourage the Republicans to join me in passing. It's called the Keep American Jobs From Going Down the Drain Act. It says that as we rebuild our infrastructure here, our water infrastructure and sewer infrastructure, we do it with American iron and steel and manufactured goods. It's a jobs bill; it's a strengthening bill. It's good for America. This is a strong and great country. And I agree with my colleague, we can do better by it.



□ 1750

Mr. GARAMENDI. Mr. TONKO.

Mr. TONKO. Our country is strong. Our economy is one that is bolstered by job creation. And we've said it so many times over and over again: Don't cut valuable programs. Allow our seniors the dignity of Medicare. That enables them to have economic sustainability, vitality. That is important. And we invest from children to seniors in a way that produces jobs, strengthens regional, State, and the national economies, and we go forward.

And I think the optimism is there. Our message is one of can do, not denial, cuts, slash, burn.

Mr. GARAMENDI. Mr. WELCH.

Mr. WELCH. Three points:

One, let's pay our bills. We always have; we always will;

Two, let's have a long-term budget plan to stabilize our budget with a balanced approach—revenues as well as cuts, the Pentagon as well as reforming how we deliver health care;

Three, let's make it in America.

Mr. GARAMENDI. We're going to make it in America. When we do, America will make it. We will put forth, as Democrats, a jobs program. We're going to invest, we're going to grow, and we're going to build this economy. That's our promise.

I yield back the balance of my time.

**CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO THE FORMER LIBERIAN REGIME OF CHARLES TAYLOR—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-45)**

The SPEAKER pro tempore (Mr. RENACCI) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed: *To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication and related measures dealing with the former regime of Charles Taylor are to continue in effect beyond July 22, 2011.

The actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and sequestration of Liberian funds and property,

continue to undermine Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to the former Liberian regime of Charles Taylor.

BARACK OBAMA.

THE WHITE HOUSE, July 20, 2011.

## RECESS

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

Accordingly (at 5 o'clock and 54 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1835

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NUGENT) at 6 o'clock and 35 minutes p.m.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1315, CONSUMER FINANCIAL PROTECTION SAFETY AND SOUNDNESS IMPROVEMENT ACT OF 2011**

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112-172) on the resolution (H. Res. 358) providing for consideration of the bill (H.R. 1315) to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, and for other purposes, which was referred to the House Calendar and ordered to be printed.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2551, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012**

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112-173) on the resolution (H. Res. 359) providing for consideration of the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. AUSTIN SCOTT of Georgia (at the request of Mr. CANTOR) for today after 3 p.m. and July 21 on account of attending a funeral.

## ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 21, 2011, at 10 a.m. for morning-hour debate.

## EXECUTIVE COMMUNICATIONS, ETC.

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

2554. A letter from the Acting Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting the Department's final rule — Competitive and Noncompetitive Non-Formula Federal Assistance Programs — Administrative Provisions for the Sun Grant Program (RIN: 0524-AA64) received July 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2555. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Prohibition on Interrogation of Detainees by Contractor Personnel (DFARS Case 2010-D027) (RIN: 0750-AG88) received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2556. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Simplified Acquisition Threshold for Humanitarian or Peacekeeping Operations (DFARS Case 2011-D032) (RIN: 0750-AH29) received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2557. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the System's final rule — Truth in Lending [Regulation Z; Docket No.: R-1422] received July 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2558. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Consumer Leasing [Regulation M; Docket No.: R-1423] received July 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2559. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Truth in Lending [Regulation Z; Docket No.: R-1424] received July 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2560. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2561. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Ear, Nose, and Throat Devices; Classification of the Wireless Air-Conduction Hearing Aid [Docket No.: FDA-2011-N-0361] received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2562. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; West Coast Salmon Fisheries; 2011 Management Measures; Correction [Docket No.: 110223162-1295-02] (RIN: 0648-XA184) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2563. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; 2011 Specifications for the Spiny Dogfish Fishery [Docket No.: 110303179-1290-02] (RIN: 0648-XA163) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2564. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No.: 110111018-1279-03] (RIN: 0648-XA109) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2565. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Alaska Plaice in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA482) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2566. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Alaska Plaice in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA483) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2567. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Groupers Fishery of the South Atlantic; Snapper-Groupers Management Measures [Docket No.: 110422261-1309-02] (RIN: 0648-BA70) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2568. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2011 and 2012 Harvest Specifications for Groundfish; Correction [Docket No.: 101126521-0640-02] (RIN: 0648-XZ90) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2569. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Operation and Maintenance of the Neptune Liquefied Natural Gas Facility off Massachusetts [Docket No.: 0808041026-1295-02] (RIN: 0648-AX09) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2570. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Halibut Fisheries; Limited Access for Guided Sport Charter Vessels in Alaska [Docket No.: 110601314-1313-01] (RIN: 0648-BA99) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2571. A letter from the Assistant Department Administrator for Operations, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Limited Endangered and Threatened Species: Threatened Status for the Oregon Coast Coho Salmon Evolutionarily Significant Unit [Docket No.: 110531311-1310-02] (RIN: 0648-XA407) received July 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2572. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures [Docket No.: 100804324-1295-03] (RIN: 0648-BA01) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2573. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Monkfish; Amendment 5 [Docket No.: 090225241-1233-03] (RIN: 0648-AX70) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2574. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Optional Standard Mileage Rates [Announcement 2011-40] received June 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 290. A bill to amend title 36, United States Code, to ensure that memorials commemorating the service of the United States Armed Forces may contain religious symbols, and for other purposes (Rept. 112-156). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 295. A bill to amend the Hydrographic Services Improvement Act of 1998 to authorize funds to ac-

quire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes (Rept. 112-157). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 441. A bill to authorize the Secretary of the Interior to issue permits for a microhydro project in non-wilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes; with amendments (Rept. 112-158). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 470. A bill to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and for other purposes (Rept. 112-159, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 489. A bill to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes (Rept. 112-160). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 643. A bill to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes; with an amendment (Rept. 112-161). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 670. A bill to convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands (Rept. 112-162). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 686. A bill to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard; with an amendment (Rept. 112-163). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 765. A bill to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other purposes (Rept. 112-164, Pt. 1). Ordered to be printed.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 944. A bill to eliminate an unused lighthouse reservation, provide management consistency by incorporating the rocks and small islands along the coast of Orange County, California, into the California Coastal National Monument managed by the Bureau of Land Management, and meet the original Congressional intent of preserving Orange County's rocks and small islands, and for other purposes (Rept. 112-165). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1022. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes (Rept. 112-166). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1141. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System (Rept. 112-167). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1160. A bill to require the Secretary of the Interior to convey the McKinney Lake National Fish Hatchery to the State of North Carolina, and for other purposes (Rept. 112-168). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLF: Committee on Appropriations. H.R. 2596. A bill making appropriations for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112-169). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 320. A bill to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California (Rept. 112-170). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 266. An act to redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge (Rept. 112-171). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 358. Resolution providing for consideration of the bill (H.R. 1315) to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, and for other purposes (Rept. 112-172). Referred to the House Calendar.

Ms. FOXX: Committee on Rules. House Resolution 359. Resolution providing for consideration of the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112-173). Referred to the House Calendar.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Budget discharged from further consideration. H.R. 470 referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA (for himself, Mr. RAHALL, Mr. PETRI, Mr. COSTELLO, Mr. HULTGREN, Mr. DUNCAN of Tennessee, Mr. SHUSTER, Ms. RICHARDSON, Mr. HOLDEN, and Mr. PIERLUISI):

H.R. 2594. A bill to prohibit operators of civil aircraft of the United States from participating in the European Union's emissions trading scheme, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself, Mr. BURGESS, Mr. TIBERI, Mr. CARNAHAN, Mr. SCHOCK, Mrs. BLACKBURN, Mr. TERRY, Mr. FORTENBERRY, Mr. KING of New York, Mr. LATOURETTE, Mr. POSEY, Mr. THORNBERRY, Mrs. McMORRIS RODGERS, Mr. WILSON of South Carolina, Mr. WOLF, Mr. WITTMAN, Mr. LATHAM, Ms. LEE, Mrs. MALONEY, Mr. RUNYAN, Mr. DEUTCH, Ms. CLARKE of New York, Mr. GRIMALVA, and Mr. ENGLAND):

H.R. 2595. A bill to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders; to the Committee on Energy and Commerce.

By Mr. WOLF:

H.R. 2596. A bill making appropriations for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2012, and for other purposes.

By Mr. PALLONE (for himself, Mrs. MALONEY, and Mr. BILIRAKIS):

H.R. 2597. A bill to amend the International Claims Settlement Act of 1949 to allow for certain claims of nationals of the United States against Turkey, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of New York:

H.R. 2598. A bill to establish a Science, Technology, Engineering, and Math (STEM) Master Teacher Corps program; to the Committee on Education and the Workforce.

By Ms. HAYWORTH (for herself, Mr. THOMPSON of California, Mr. DANIEL E. LUNGREN of California, Mr. SENBRENNER, Mr. SESSIONS, Mr. FLORES, Mr. COLE, Mr. HANNA, Mr. DOLD, Mr. MANZULLO, Mrs. CAPPAS, Ms. WOOLSEY, Mr. PERLMUTTER, Ms. MATSUI, and Mr. POLIS):

H.R. 2599. A bill to prevent Fannie Mae, Freddie Mac, and other Federal residential and commercial mortgage lending regulators from adopting policies that contravene established State and local property assessed clean energy laws; to the Committee on Financial Services.

By Mr. LANCE (for himself, Mr. SESSIONS, Mr. MORAN, Mr. MCGOVERN, Ms. RICHARDSON, Ms. BALDWIN, Mr. MCKINLEY, Mr. JACKSON of Illinois, Mr. HARPER, Mr. BURGESS, Mr. TIBERI, Mr. GRIMALVA, Mr. CARSON of Indiana, Mr. GRIMM, Mrs. MALONEY, Mr. KING of New York, Mr. KISSELL, Mrs. BLACKBURN, Mr. BONNER, Mr. CONNOLLY of Virginia, Ms. FUDGE, Mrs. CAPITO, Mr. BARROW, Mr. GALLEGLY, Mr. MILLER of North Carolina, Mr. BLUMENAUER, Mr. PAYNE, Mr. RUSH, Mr. FRANK of Massachusetts, Mrs. McMORRIS RODGERS, Ms. JACK-

SON LEE of Texas, Mr. KILDEE, Mr. SIREN, Ms. NORTON, Mr. PENCE, Mr. RYAN of Ohio, Mr. SCHIFF, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mr. RANGEL, Mr. BURTON of Indiana, Mr. LARSON of Connecticut, Mr. MEEHAN, Mr. YARMUTH, Mr. MCKEON, Mr. RUNYAN, Mr. ROSS of Arkansas, Ms. BROWN of Florida, and Mr. HIMES):

H.R. 2600. A bill to provide for implementation of the National Pediatric Acquired Brain Injury Plan; to the Committee on Energy and Commerce.

By Mr. LUJÁN (for himself, Mrs. NAPOLITANO, and Mr. BLUMENAUER):

H.R. 2601. A bill to provide permanent authority for the Forest Service and the Bureau of Land Management to enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for National Forest System lands and the public lands that meet local and rural community needs; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN (for himself, Mr. GRAVES of Missouri, and Mr. SHULER):

H.R. 2602. A bill to improve the accountability and transparency in infrastructure spending by requiring a life-cycle cost analysis of major infrastructure projects, providing the flexibility to use alternate infrastructure type bidding procedures to reduce project costs, and requiring the use of design standards to improve efficiency and save taxpayer dollars; to the Committee on Transportation and Infrastructure.

By Mr. POSEY (for himself, Mr. CONAWAY, Mr. CAMPBELL, Mr. PAUL, Mr. WESTMORELAND, Mr. BURTON of Indiana, Mr. BROUN of Georgia, and Mr. LAMBORN):

H.R. 2603. A bill to prohibit the enforcement of a climate change interpretive guidance issued by the Securities and Exchange Commission, and for other purposes; to the Committee on Financial Services.

By Ms. SLAUGHTER (for herself, Mr. WELCH, Mr. KUCINICH, Mr. MICHAUD, Mr. JOHNSON of Georgia, Mr. OLVER, Mr. COSTELLO, Mrs. NAPOLITANO, Ms. PINGREE of Maine, Ms. SUTTON, Mr. DEFazio, Ms. KAPTUR, Mr. WALZ of Minnesota, Mr. TIERNEY, Ms. SCHAKOWSKY, Ms. MCCOLLUM, and Mr. RAHALL):

H.R. 2604. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of securities of a controlled corporation exchanged for assets in certain reorganizations; to the Committee on Ways and Means.

By Mr. HASTINGS of Florida (for himself, Ms. LEE of California, Mr. DAVIS of Illinois, and Mr. BUTTERFIELD):

H. Res. 360. A resolution expressing support for the sixth IAS Conference on HIV Pathogenesis, Treatment, and Prevention and the sense of the House of Representatives that continued commitment by the United States to HIV/AIDS research, prevention, and treatment programs is crucial to protecting global health; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE (for himself, Mr. CARNAHAN, Ms. LEE of California, and Ms. BASS of California):

H. Res. 361. A resolution concerning efforts to provide humanitarian relief to mitigate the effects of drought and avert famine in the Horn of Africa, particularly Somalia, Ethiopia, Djibouti, and Kenya; to the Committee on Foreign Affairs.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MICA:

H.R. 2594.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3 and Clause 18.

By Mr. VAN HOLLEN:

H.R. 2595.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the United States Constitution.

By Mr. WOLF:

H.R. 2596.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. PALLONE:

H.R. 2597.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution.

By Mr. BISHOP of New York:

H.R. 2598.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, 3, and 18 of Section 8 of Article I of the Constitution.

By Ms. HAYWORTH:

H.R. 2599.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause (Art. I, §8, cl. 3) of the United States Constitution.

By Mr. LANCE:

H.R. 2600.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 1.

By Mr. LUJÁN:

H.R. 2601.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. PAULSEN:

H.R. 2602.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. POSEY:

H.R. 2603.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article I, Section 8 Clause 18

By Ms. SLAUGHTER:

H.R. 2604.

Congress has the power to enact this legislation pursuant to the following:

Sections 7 & 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. SARBANES.  
 H.R. 121: Mr. WITTMAN.  
 H.R. 140: Mr. FITZPATRICK.  
 H.R. 198: Mr. ISRAEL.  
 H.R. 207: Ms. BASS of California.  
 H.R. 343: Mr. LOBIONDO.  
 H.R. 350: Mr. PAYNE.  
 H.R. 361: Mr. POE of Texas.  
 H.R. 422: Mr. TONKO.  
 H.R. 452: Mrs. EMERSON, Mr. SCHILLING, and Mr. LEWIS of California.  
 H.R. 507: Mr. BUTTERFIELD, Mr. BOSWELL, and Ms. HANABUSA.  
 H.R. 576: Mr. TONKO.  
 H.R. 591: Mr. HOLT and Ms. SPEIER.  
 H.R. 615: Mr. WOODALL and Mr. UPTON.  
 H.R. 637: Mr. GRIFFIN of Arkansas.  
 H.R. 687: Mr. SMITH of Washington and Mr. JONES.  
 H.R. 692: Mrs. BLACK.  
 H.R. 721: Mr. BENISHEK.  
 H.R. 733: Mr. PAULSEN.  
 H.R. 735: Mr. HURT.  
 H.R. 791: Mr. JONES and Mr. SCOTT of Virginia.  
 H.R. 808: Mr. JOHNSON of Georgia.  
 H.R. 835: Mr. CLAY.  
 H.R. 942: Mr. CONNOLLY of Virginia.  
 H.R. 969: Mrs. CAPITO.  
 H.R. 1001: Ms. MCCOLLUM and Mr. TONKO.  
 H.R. 1025: Mr. CARNAHAN and Mr. AUSTIN SCOTT of Georgia.  
 H.R. 1070: Ms. HAYWORTH.  
 H.R. 1084: Mr. GUTIERREZ.  
 H.R. 1155: Mr. RENACCI.  
 H.R. 1156: Mr. FITZPATRICK.  
 H.R. 1172: Mr. COHEN and Mr. ISRAEL.  
 H.R. 1283: Mr. WITTMAN.  
 H.R. 1297: Mr. CARSON of Indiana and Mrs. EMERSON.  
 H.R. 1325: Mr. RAHALL.  
 H.R. 1340: Mrs. HARTZLER.  
 H.R. 1344: Mr. RAHALL.  
 H.R. 1351: Mr. LATOURETTE.  
 H.R. 1370: Mr. MCINTYRE.  
 H.R. 1385: Mr. FITZPATRICK.  
 H.R. 1397: Mr. MATHESON.  
 H.R. 1416: Mr. AUSTRIA.  
 H.R. 1418: Mr. MCKEON and Mr. BACA.  
 H.R. 1465: Ms. RICHARDSON.  
 H.R. 1466: Mr. REYES, Mr. PASTOR of Arizona, Ms. ROYBAL-ALLARD, Ms. WOOLSEY, Mr. MCDERMOTT, Ms. HIRONO, Mr. FARR, and Ms. LEE of California.  
 H.R. 1513: Mr. LARSON of Connecticut and Mr. CONNOLLY of Virginia.  
 H.R. 1533: Mr. LANDRY.  
 H.R. 1588: Mr. ROGERS of Alabama and Mr. DIAZ-BALART.  
 H.R. 1648: Mrs. CAPPS.  
 H.R. 1653: Mr. BOUSTANY, Mr. LARSON of Connecticut, and Mr. PRICE of Georgia.  
 H.R. 1683: Mrs. CAPITO.  
 H.R. 1700: Mr. SOUTHERLAND.  
 H.R. 1712: Ms. KAPTUR.  
 H.R. 1744: Mr. MCKEON, Mr. THOMPSON of Pennsylvania, and Mr. MCINTYRE.  
 H.R. 1781: Mr. TONKO, Mr. GUTIERREZ, and Mr. CAPUANO.  
 H.R. 1802: Mr. TONKO, Mr. RANGEL, Mr. DEFazio, Mr. MCDERMOTT, and Mr. GARAMENDI.  
 H.R. 1822: Mr. DUNCAN of South Carolina.  
 H.R. 1872: Mr. CRITZ.  
 H.R. 1897: Mr. COHEN.  
 H.R. 1919: Ms. BALDWIN.  
 H.R. 1947: Mr. SCOTT of Virginia, Mr. FILLNER, Mr. RUSH, and Mr. MANZULLO.  
 H.R. 1974: Mr. SCHOCK and Mr. POLIS.  
 H.R. 1980: Mr. ANDREWS and Mr. OLVER.  
 H.R. 2005: Mr. CONYERS, Mr. VAN HOLLEN, and Mr. PALLONE.  
 H.R. 2010: Mr. NUNNELEE.  
 H.R. 2014: Mr. HOLDEN, Mr. BONNER, and Mrs. CAPITO.  
 H.R. 2036: Mrs. CAPITO.  
 H.R. 2076: Mr. ROSS of Florida and Ms. JACKSON LEE of Texas.  
 H.R. 2137: Mr. LATOURETTE.  
 H.R. 2146: Mr. SHERMAN.  
 H.R. 2164: Mr. FORBES.  
 H.R. 2182: Mr. SULLIVAN.  
 H.R. 2198: Mr. ROE of Tennessee.  
 H.R. 2204: Mr. SOUTHERLAND and Mrs. CAPITO.  
 H.R. 2236: Mr. SOUTHERLAND.  
 H.R. 2239: Mr. WELCH.  
 H.R. 2245: Mr. ELLISON.  
 H.R. 2250: Mrs. BACHMANN, Mr. GOHMERT, Mr. WOMACK, and Mr. SULLIVAN.  
 H.R. 2257: Mr. JOHNSON of Illinois, Mr. FINCHER, and Mr. BARLETTA.  
 H.R. 2267: Mr. ALTMIRE, Mr. NEUGEBAUER, Mr. COURTNEY, Mr. PAUL, and Mr. YARMUTH.  
 H.R. 2268: Mr. CULBERSON.  
 H.R. 2324: Mr. ANDREWS, Mr. WU, Mr. FILLNER, and Mr. GENE GREEN of Texas.  
 H.R. 2341: Ms. WOOLSEY and Mr. CONYERS.  
 H.R. 2397: Mr. BISHOP of Utah and Mr. RIBBLE.  
 H.R. 2402: Mr. CHABOT, Mr. FLEISCHMANN, Mr. CONAWAY, and Mrs. BLACK.  
 H.R. 2407: Mr. GEORGE MILLER of California and Mr. BOSWELL.  
 H.R. 2412: Mr. GEORGE MILLER of California.  
 H.R. 2433: Mrs. ROBY.  
 H.R. 2442: Mr. COBLE.  
 H.R. 2447: Mr. RYAN of Ohio.  
 H.R. 2457: Mr. POE of Texas.  
 H.R. 2458: Mrs. HARTZLER.  
 H.R. 2492: Mr. DAVIS of Illinois, Mr. SMITH of New Jersey, Mr. CONNOLLY of Virginia, Mr. DENT, Mr. RANGEL, Mr. LATOURETTE, and Mr. ISRAEL.  
 H.R. 2499: Ms. LEE of California.  
 H.R. 2505: Mr. COHEN.  
 H.R. 2514: Mr. SCHILLING and Mrs. LUMMIS.  
 H.R. 2527: Mr. PEARCE and Mr. HINOJOSA.  
 H.R. 2529: Mr. HECK and Mr. ROGERS of Michigan.  
 H.R. 2530: Mr. ISRAEL, Ms. BERKLEY, Ms. PINGREE of Maine, Mrs. MCCARTHY of New York, Mr. HANNA, Mr. HINOJOSA, Mr. GRIMM, Ms. MOORE, Ms. BROWN of Florida, Mr. REYES, Mr. JONES, and Mr. TOWNS.  
 H.R. 2541: Mr. BOREN.  
 H.R. 2544: Mr. GRIJALVA.  
 H.R. 2557: Mr. CONNOLLY of Virginia.  
 H.R. 2570: Mr. BRALEY of Iowa.  
 H.R. 2581: Mr. BENISHEK, Mr. GARDNER, Mr. ROONEY, Mr. BISHOP of Utah, Mr. SCHILLING, Mr. ROE of Tennessee, Mr. PITTS, Mr.

PALAZZO, Mr. SOUTHERLAND, Mr. HARRIS, Mr. BARTLETT, and Mr. RIBBLE.

H.R. 2587: Mr. MULVANEY, Mr. ISSA, Mr. ROKITA, Mrs. ROBY, Mr. BUCSHON, Mr. DUNCAN of South Carolina, and Mr. ROSS of Florida.

H. Con. Res. 64: Ms. ROYBAL-ALLARD, and Ms. WILSON of Florida.

H. Res. 137: Mr. LEVIN and Mr. GUTIERREZ.

H. Res. 262: Mr. LIPINSKI.

H. Res. 317: Mr. GENE GREEN of Texas.

H. Res. 333: Mr. PAYNE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative ELLISON, or a designee, to H.R. 1315, the Consumer Financial Protection Safety and Soundness Improvement Act of 2011, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2584

OFFERED BY: MR. COLE

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to implement any rule, regulation, or executive order regarding the disclosure of political contributions that takes effect on or after the date of enactment of this Act.

## EXTENSIONS OF REMARKS

RECOGNIZING  
R.E.A.D.E.R.L.E.A.D.E.R.S.  
OF  
COPLÉ ELEMENTARY SCHOOL

### HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mr. WITTMAN. Mr. Speaker, I rise today to recognize an outstanding group of students from Cople Elementary School in Westmoreland County, Virginia. The "R.E.A.D.E.R.L.E.A.D.E.R.S." took part in the Community Problem Solving contest of the Future Problem Solving Program International competition, which involves students using problem-solving skills to tackle an important issue in their community. The team from Cople chose to promote youth reading, a goal highlighted in their name, which stands for, "Reading Each And every Day and Educating others to Read and become Lifelong readers so Every Cople student is Able to Dream, imagine, love, and Experience how Reading can be Super fun." Among other endeavors, the members of the R.E.A.D.E.R.L.E.A.D.E.R.S. sponsored book fairs, read to fellow students, promoted book giveaways, and even composed a resolution urging that March be named "Young Reader's Month" by the Westmoreland County School Board.

The group's hard work paid off, with their efforts culminating in First Place awards in the Junior Division at both the state and national levels. The students represented America's First District with the highest degree of dedication and perseverance, exhibiting skills of reasoning and team work that will certainly serve them well in the future. At the same time, I am impressed with the devotion these students have shown for serving their community. I am proud of the R.E.A.D.E.R.L.E.A.D.E.R.S. of Cople Elementary School, and I commend them on their impressive achievements.

SPEAKER WILLIAM O'BRIEN CELEBRATES HIS 60TH BIRTHDAY WITH FAMILY AND FRIENDS

### HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mr. GUINTA. Mr. Speaker, on July 20, 2011 Speaker William O'Brien will celebrate his 60th birthday with family and friends. Speaker O'Brien is a principled and selfless public servant having served our nation, state, and local communities in various capacities for many years.

Known as a principled, honest, and forthright man, Speaker William O'Brien's public service includes serving as a past member of

the Mont Vernon School Board, past member of the Mont Vernon Police Advisory Commission, three terms as a member of the New Hampshire House of Representatives, and Speaker of the New Hampshire House in 2011.

Known as a fiscal conservative, under Speaker William O'Brien's leadership, the New Hampshire legislature passed a fiscally responsible budget reducing spending by over \$1.2 billion, enacted 43 laws to reduce burdensome regulations on employers allowing more flexibility and opportunity to grow and create jobs, and passing a state budget that restores fiscal discipline while including no new or increased taxes and fees.

Speaker O'Brien is a long-standing advocate and leader of conservative values and principles. He has served in numerous conservative leadership capacities including Chairman of the New Hampshire Republican Party Platform Committee, Vice-Chair of the Granite State Taxpayers, and Co-Chair of the House Republican Alliance.

However, Speaker O'Brien's greatest joy and accomplishment is as a loving husband of thirty-seven years, father of three children, and three grandchildren. This is a great day for Speaker O'Brien, his wife Roxanne, and his family and friends. I wish him the very best on his 60th birthday. This is truly a very joyous occasion.

IN MEMORY OF PETE MOLLICA

### HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the memory of Pete Mollica, a fixture of Niles and the Mahoning Valley, who passed away on July 14th. Pete fought a long, hard battle with cancer, and the loss of his voice in our community is a void that will be impossible to fill.

A graduate of Niles McKinley High School, Pete was himself an athlete, competing on the football and baseball fields. Sports was in his blood, whether it be as a player, coach or official. Fortunately for the people of Northeast Ohio, he made his love of competition a career as a sports writer.

He leaves behind his high school sweetheart, Bonnie, two children, and six grandchildren. They will continue his legacy of kindness, generosity and optimism, but no one can ever fully replace what he brought to our community.

As a Valley athlete, I grew up reading Pete's writing. He covered it all with heart—high school, college, football, golf, softball, you name it. His uplifting stories of competition and athleticism helped inspire local children and adults alike.

Being named in one of Pete's columns was a badge of honor; you could be certain friends, family, and the community would take notice. And therein was Pete's true gift, his understanding of how sports bring communities together. Through his craft, for just a moment, we could forget about our differences and embrace our shared excitement and appreciation of sports.

RECOGNIZING THE EDWARDS FAMILY AS THE 2011 SANTA ROSA COUNTY OUTSTANDING FARM FAMILY OF THE YEAR

### HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mr. MILLER of Florida. Mr. Speaker, it is a great pleasure for me to rise today to recognize the Edwards family for being selected as the 2011 Santa Rosa County Outstanding Farm Family of the Year.

Alan Edwards is a fifth generation farmer whose love for farming came at an early age. At fourteen, he bought his first cotton picker. Since then, he has never lost sight of the value of hard work and good soil and continues to instill those values in his family today. He and his wife Michele, along with their three daughters, Shelby, Madison, and Brianna, sow and harvest 750 acres of cotton, peanuts, soybeans, hay and wheat, and raise beef cattle.

The Edwards family, like all farm families, knows too well that taking care of a farm while raising a family is a full-time job. However, Alan and Michele remain very involved with their community. Michele works for the Century Correctional Institution, and Alan serves on numerous agricultural organizations, including the Santa Rosa County Farm Bureau, Florida Farm Bureau Peanut/Cotton Advisory Board, the Santa Rosa County Extension Advisory Committee, the West Florida Research and Education Center Advisory Committee, and the Florida Peanut Producers Association. This past year he was appointed by the Secretary of Agriculture to represent Florida on the USDA Cotton Board, the oversight and administrative arm of the Cotton Research & Promotion Program. He was also selected as one of two Florida growers to participate in the Peanut Leadership Academy. Among other community activities, Alan has served area schools through his involvement with the Future Farmers of America.

Mr. Speaker, our great nation was built by farmers and their families. The Santa Rosa County Outstanding Farm Family of the Year award is a reflection of the Edwards family's tireless work and dedication to family, faith and trade. On behalf of the United States

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Congress, I would like to offer my congratulations to the Edwards family for this great accomplishment. My wife Vicki and I wish them best wishes for continued success.

HONORING THE WORLD WAR II  
VETERANS OF ILLINOIS

**HON. MIKE QUIGLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mr. QUIGLEY. Mr. Speaker, I rise today to honor the World War II veterans from my district who are traveling to Washington, DC, with Honor Flight Chicago, a program whose goal is to provide as many World War II veterans as possible the opportunity to see the World War II Memorial here in Washington, DC, a memorial that was built to honor their courage and service.

The American veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsmen traveling here today answered our nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theatre to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorial. I am proud to submit the names of these men and women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

Eugene L. Andrews, Raymond Appler, Gus Banakis, Preston Beard, Wallace E. Beaver, Frank J. Bernd, Frederick J. Boland, Edward Brown, Alfred Burton, Konstantine Costa, Donald DeBraul, Theodore DeJong, Edwin H. Enyart Sr., Arthur J. Fiddelke, Bernard Fine, David J. Floyd, James E. Folliard, Virginia L. Gary, Stanley G. Golaszewski, Byron G. S. Gronlund, Elmer Hajek, Lester Hansen, Wesley Earl Hardin Jr., Leonard P. Hasse, Roy E. Hilgendorf, Charles Hirsh, Robert Iftner, Anna Incinelli, William Isaacson, John Isenberg, Joseph G. Kacey, Vernon G. Kanz, Chris Karabatsos, Adam Joseph Keke, James F. Kerr Jr., Edward Kerschbaum, Lauri V. Koski, Ernest Krause, Chester Kwilosz, Daniel H. LaBella, Jerome L. Landsman, Rodney Latimer, Raymond J. Lesniewski, Jerry C. Levin, Paul T. Lorenzo, Donald E. Maas, John J. Maisch, Allen Mann, Earl McGarry, F. Edward Meksto, William Mihalo, Stephen Mileusnich, Jerrald Miller, Roy J. Mocer, James Morgan, Tony D. Morgese, William J. Murtha Sr., Thomas John Nagel, Carmen C. Nespeca, George Novak, Cornelius J. O'Connor, Dwain Eldon Parker, Stanley Piorkowski, Peter G. Polmen, Stanley Porch, Harry Clayton Price, Lloyd Quamme, Samuel S. Radford, Curtis D. Ramlet, Ora J. Royal, Thomas B. Ryan, Lester Schuenemann, Roland C. Schwarz, Mary S. Senn, Milton H. Shatswell, Burton J. Shulhafer, Bernard Joseph Siegel, David Simpson, George P. Slivinski, John F. Smith, Demetri Michael Spiro, Donald Springer, Leonard J. Sytsma, Daniel J. Trahey, Robert J.

Trauscht, Marven Treiber, Robert Turner, Henry Van Westrop, Harold Verdak, William A. Vicich, John B. Wallar, Barry R. Wallis, Mathew A. Wardynski, Bernard J. Wavra, Theodore B. Winters, Chester B. Wojcik.

AMERICA'S SON . . . IN HONOR OF  
ROBERT DOLE, ON HIS BIRTHDAY

**HON. MICHAEL G. FITZPATRICK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mr. FITZPATRICK. Mr. Speaker, I would like to submit this poem in honor of one of America's greatest son's, Senator Robert Dole of Russell, Kansas, "America's Son" penned by Albert Caswell . . . in honor of his birthday on July 22nd when he turns 88.

AMERICA'S SON . . .

America's Son . . .  
One of her most blessed, of all one's!  
A man of such charm and grace . . .  
A true reflection of our Lord's heart and  
courage's face!  
All in what he so faced!  
From out of the Midwest . . .  
One of Russell Kansas, and America's very  
best!  
Who has, but our nation so blessed!  
Who all in times of war, helped Save The  
World . . . let's hear the yeas!  
The True Measure, of a what great man so is!  
A 10th Mountain Man . . .  
Who in his way, would not let any mountain  
so stand!  
All In His Profiles of Courage, who came  
armed with but only his faith!  
A Man of God, a future Angel one day!  
Who has touched so many hearts, all alone  
his way . . .  
Who with his sense of humor, helped wipe all  
of those tears away!  
Whose kindness and great heart, to Heaven  
has so shown us all the way!  
Who married up with Elizabeth, I must say!  
The Soldier's Friend! Time and time again!  
Who put the A in Army my friend!  
Whether, over at Walter Reed . . . helping  
recoveries to so speed!  
As a shining example to of all of those heroes  
in need!  
Showing all of those harmed by war, that up  
ahead but lies so much more!  
Or on The Mall, those Freedom Flights . . .  
with his Brothers In Arms so bright!  
Bob Dole . . . Bob Dole . . . a man with a  
heart of gold!  
What happens, when Leader's Lead!  
America's Heart And Soul!  
Yea Bob, you make me so proud to be . . . an  
American!  
God Bless America, for in your life Bob you  
make freedom sing!  
America's Son!

How one man can touch so many lives, is a reflection of our Lord's heart!

Bless you Bob and your family, as you have blessed our Nation.

—Albert Caswell

COMMEMORATING THE TURKISH  
INVASION OF CYPRUS

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mrs. LOWEY. Mr. Speaker, July 20th marks the 37th anniversary of the Turkish invasion of Cyprus. In 1974 over 200,000 Greek Cypriots were driven from their homes, becoming refugees in their own country. The legacy of this occupation still weighs heavily on the northern third of the island, which remains occupied by Turkish troops.

There is consensus in the international community that any solution to the Cyprus problem should include a bizonal, bicommunal federation with political equality, a single sovereignty, and single citizenship. I believe the United Nations led negotiations that are currently underway are the best means to achieve a fair and permanent settlement which will reunify the island. We are at a critical juncture in the pursuit of peace and prosperity for all Cypriots, and I urge all parties to move toward a peaceful resolution and reunification effort that will build a more united and prosperous Cyprus.

I commend President Demetris Christofias for following through with his promise to make the solution of the Cyprus problem his top and principal concern. Since 2008 he has participated in United Nations led negotiations with Turkish Cypriot leaders Mehmet Ali Talat and Dervis Eroglu. I am confident that these negotiations will result in a solution that will safeguard the human rights and fundamental freedoms of all Cypriots.

Cyprus is a strategically important ally of the United States, and Cyprus has proven itself to be a reliable partner in efforts to counter terrorism. I look forward to a reunified and prosperous Cyprus where Greek Cypriots and Turkish Cypriots can live together in peace, security and stability.

THE THIRTY-SEVEN YEAR  
OCCUPATION OF CYPRUS

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to address ongoing human rights violations in occupied northern Cyprus. Today is the 37th anniversary of the illegal 1974 invasion—a terrible tragedy, and an ongoing one, as the continued occupation of that country by tens of thousands of Turkish troops continues to deprive of their homes all those forced to flee the north—estimated to number approximately 200,000. Many Greek Cypriots escaped the north with little more than the clothes on their backs. While some have returned to visit their own homes or ancestral villages, none have been allowed to take back their rightful property—those despoiled include an estimated 5,000 Americans of Cypriot descent. Several hundred courageous Greek Cypriots, mainly elderly people, refused to be



uprooted and today live in enclaves, the remnant of once-thriving Greek Cypriot communities which have effectively been ethnically cleansed.

Hundreds of churches, chapels and monasteries once dotted the rugged landscape of the region, part of Cyprus's rich religious cultural heritage. Indeed, St. Paul visited the island nation on one of his early missionary journeys, and St. Barnabas, a native of the Cypriot city of Salamis, was martyred nearby for his defense of Christianity. The Helsinki Commission, of which I am the Chairman in this Congress, has documented the desecration and destruction of some of the over 500 religious sites in the occupied area looted of their priceless icons, mosaics and frescoes once revered by the faithful. Many of these sacred objects, stolen from churches inside or adjoining Turkish military bases, have landed on the international art market. Even the dead are not allowed to rest in peace with destruction of cemeteries rampant throughout the region. Cypriot authorities interdicted a container originating in the occupied area filled with metal destined for a recycling facility in Asia. Upon inspection agents found that the unit consisted of metal crosses and stolen grave markers.

Mr. Speaker, I remain deeply concerned over ongoing violations of freedom of religion and other rights in northern Cyprus. Let there be no mistake, the Turkish government is responsible for what happens in the occupied part of the island. Last Christmas, a small group of Orthodox believers gathered in the village of Rizokarpaso to celebrate the divine liturgy—only to have their worship disrupted by Turkish security forces, who ordered them to disperse. The Helsinki Commission continues to receive reports of the demolition of churches in the region even as others are converted to commercial use as warehouses, barns, or casinos.

Mr. Speaker, the nearly four-decade-long illegal occupation of northern Cyprus by Turkey is an affront to the principles enshrined in the Helsinki Final Act and an encroachment on the fundamental freedoms and human rights of Greek Cypriots living in the region's enclaves and those forced to flee the area following the 1974 invasion. Our government must continue to engage on behalf of the human rights of Greek Cypriots.

#### PERSONAL EXPLANATION

### HON. MIKE POMPEO

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. POMPEO. Mr. Speaker, on July 18th, I missed rollcall votes numbered 601 and 602 because I was in Kansas on official business.

Rollcall No. 601 was a vote on passage of H.R. 33, to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities. Had I been present, I would have voted "yes."

Rollcall No. 602 was a vote on the Approval of the Journal. Had I been present, I would have voted "yes."

#### PERSONAL EXPLANATION

### HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 229, I was delayed in leaving a Members meeting and was unable to reach the House floor to cast my vote before the vote was closed.

Had I been present, I would have voted, "no".

#### CONGRATULATING SOUTH SUDAN'S INDEPENDENCE

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. RANGEL. Mr. Speaker, I congratulate the Republic of South Sudan on achieving their independence. This is a long awaited step for a nation that has experienced many years of struggle and strife.

South Sudan has fought for their independence for a long time: first from Egypt and the United Kingdom, which was achieved in 1956, and then years of civil war with Northern Sudan that culminated with the horrific genocide in Darfur. Thanks to the efforts of Secretary of State Colin Powell in 2005, an end to civil war was reached and the framework for an independent Southern Sudan was established.

There are many people who deserve credit for fostering this momentous occasion. I thank President Barack Obama and Vice-President JOE BIDEN for their leadership in rallying the international community to push this referendum through; Secretary of State Hillary Clinton for helping broker peace in the region; Ambassador Susan Rice for building support for South Sudan in the United Nations; and Special Envoy Princeton Lyman, his predecessor, Scott Gration, and numerous other U.S. Government officials who worked tirelessly to bring peace and independence to a troubled region.

A special word of praise goes out to the tireless efforts of dozens of American diplomats who, in the face of considerable danger, have been on the ground throughout Sudan. They helped to forge independence for South Sudan through guidance, advice, and collaboration with both sides and helped facilitate negotiations that culminated in the referendum for South Sudan's independence. Our heroic diplomats will continue to remain in both countries to support them through this time of transition.

The United States has worked long and hard for this moment. Our commitment, however, does not end with the declaration. I look forward to working with my colleagues and the State Department in helping the new African nation establish their economy, strengthen their democracy and meet the needs of the people. This is a joyous event for South Sudan and an inspiration to the world for achieving peace and stability.

#### HONORING CORPORAL FRANK GROSS

### HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor the life, sacrifice, and heroism of Army Corporal Frank Gross, of Oldsmar, Florida.

CPL Gross, a member of the 38th Cavalry Regiment, lost his life on July 16th in Khost, Afghanistan, when the vehicle he was riding in was struck by an improvised explosive device.

As Vice-Chairman of the House Committee on Veterans' Affairs, I constantly find myself in awe of the sacrifices and efforts that are made on behalf of our great country by the men and women who have worn the uniform of our Armed Services. CPL Gross personified this dedication by postponing a bright career to enlist in the United States Army and follow in the footsteps of his grandfathers into military service.

Outside of the Army, Frank was an outstanding baseball player who attended college on a baseball scholarship. Off of the baseball diamond, CPL Gross demonstrated a talented artistic ability and ultimately earned bachelor's and master's degrees from Full Sail University in digital arts and entertainment business.

Mr. Speaker, though proud to have such a fine example from the Tampa Bay community, it is with great remorse that I rise to commemorate the life of CPL Gross. As I stated, I am in awe of the young men and women, such as Frank Gross, who choose to serve alongside their countrymen in our military. As professionals in all that they do, they exhibit honor, courage, and commitment in every pursuit. Their sacrifices, such as that made by CPL Gross, will not be forgotten.

#### COMMENDING J.J. O'CONNOR AND THE OTHER PARTICIPANTS IN THE 1918 TRENCH FEVER STUDY

### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. HASTINGS of Florida. Mr. Speaker, I rise to pay tribute to the American soldiers who participated in the 1918 Trench Fever study, conducted by the American Red Cross. Their service was brought to my attention by one of my constituents, Eugene O'Connor, whose father, Joseph John O'Connor, served as a private in the U.S. Army during World War I and participated in the study.

After volunteering along with 19 other American soldiers, Pvt. O'Connor, at the time only 19 years old, was selected to participate in the study to determine the causes and progression of trench fever, an illness that was one of the most prevalent diseases amongst soldiers during World War I. From 1915 to 1918, nearly 1 million soldiers became ill from trench fever, many of whom remained ill for months.

On February 23, 1918, Pvt. O'Connor was directly injected with 15 c.c. of plasma from soldiers suffering from trench fever, eventually

becoming severely ill while researchers documented the progression, effects, and transmission of the disease. After two continuous months of the illness, and having suffered from its debilitating effects, Pvt. O'Connor recovered and returned to the front lines as an ambulance driver and stretch-bearer until the end of the war.

Mr. Speaker, Pvt. O'Connor and the other soldiers who participated in the Trench Fever study were never recognized, compensated, or acknowledged for their sacrifice. They deserve to be properly recognized for the courage and sacrifice they made to help doctors understand and treat a disease afflicting their fellow soldiers. Because of their participation, this illness has been all but eradicated in modern times. We owe Joseph John O'Connor and these other brave men a debt of gratitude.

#### PERSONAL EXPLANATION

### HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mr. DENT. Mr. Speaker, on rollcall No. 601 and 602: I regret that I was unavoidably absent on Monday, July 18, 2011, due to a family obligation. Had I been present for the two votes which occurred, I would have voted "aye" on H.R. 33, rollcall No. 601 and "aye" on Approving the Journal, rollcall No. 602.

#### RECOGNIZING THE 37TH ANNIVERSARY OF TURKEY'S ILLEGAL INVASION OF CYPRUS

### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mr. PALLONE. Mr. Speaker, today I rise to recognize the 37th anniversary of Turkey's illegal occupation of Cyprus. I hope that my colleagues in the House of Representatives will join me in calling for an end to this occupation.

On July 20th 1974, Turkey invaded Cyprus in violation of international law and at great cost to the citizens of Cyprus. Turkish troops established a heavily-armed force which occupied the northern part of Cyprus and continues to occupy close to 37 percent of Cyprus' territory. The invasion forced nearly 200,000 Greek Cypriots to flee their homes and made one-third of the Cypriot population refugees in their own country.

Turkey continues to illegally occupy northern Cyprus with a force of approximately 43,000 troops. This incredible number of troops amounts to almost one Turkish soldier for every two Turkish Cypriots. The military occupation of northern Cyprus continues in the face of international pressure to achieve a peaceful settlement.

While military occupation of northern Cyprus continues to be a constant threat to peace, the forcible expulsion of Greek Cypriots and U.S. citizens has resulted in the mass colonization of their homes and property. At the time of the invasion this amounted to almost one-third of

the total population of the island being expelled and having their property taken. Once again this illegal colonization comes in defiance of international calls on Turkey to take action to stop the illegal occupation and ensure the return of properties to their rightful owners.

In fact, since 1974 more than 75 resolutions have been adopted by the U.N. Security Council and more than 13 by the U.N. General Assembly calling for a withdrawal of Turkish troops and the return of refugees to their rightful homes. However, the Turkish government continues to remain defiant, plainly ignoring these calls to withdraw and continuing to display blatant disrespect towards Greek Cypriots and their property.

We continue to see Turkey pursuing policies that not only hurt its relations with nations that should serve as true democratic allies, but also policies that hurt regional stability. I have been an outspoken opponent of Turkey's irresponsible regional relations, which in many ways negatively impact the United States. Turkey plainly disrespects international law and provides support to rogue nations and organizations that threaten the United States and our regional partners.

It is unfortunate that I must again this year say enough is enough and ask my colleagues to join me in taking principled steps to prevent further destabilizing actions by Turkey. As a member of the Hellenic Caucus, I have long advocated for the withdrawal of Turkish forces from northern Cyprus and called on Turkey to support a settlement that comes from the Cypriots themselves.

Cypriot President Christofias has begun meetings with Turkish Cypriot leader Mr. Eroglu and U.N. Secretary General Ban Ki Moon in attempts to come to a peaceful settlement. The leaders have agreed to intensify their diplomatic contacts in order to establish a practical plan for overcoming the major remaining disagreements. It is my hope that this agreement will come in a fair and expeditious manner that is in the best interest of the Cypriot people.

The U.S. must also do its part to foster a united Cyprus. It is in the best interest of the United States, and I believe all involved parties to ensure that the goal is a reunified Cyprus where Greek Cypriots and Turkish Cypriots live together in peace and security. A successful settlement effort must build on the work towards a bizonal, bicommunal federation with political equality that represents U.N. Security Council resolutions. In the end, Cyprus must have a single sovereignty and single citizenship which all Cypriots can enjoy.

Now is the time for Turkey to show that they are willing to take a sincere approach to allowing a peaceful resolution to the dispute. The leadership in Ankara must show that the will and support behind a peaceful settlement is in the best interest of Turkey and that it is fully supported. Without such a signal by the Government of Turkey, a final settlement will continue to dwindle as Turkish settlers pursue the policies of their home nation. The Government of the Republic of Cyprus has shown their willingness to work constructively with the Cypriots towards a reunified island. It is time for Turkey to do the same.

Mr. Speaker, today I am reintroducing legislation that is just one step towards achieving

justice for those who have been unfairly expelled from their rightful property in occupied Cyprus. My legislation, the American Owned Property in Occupied Cyprus Claims Act, will enable U.S. citizens who own property in the Turkish-occupied territory to seek financial remedies with either the current inhabitants of their land or the Turkish government. Passage of this legislation will not only return rights to U.S. citizens but send an important message to Turkey and the international community that the status quo cannot stand.

Mr. Speaker, as we remember the 37th Anniversary of Turkey's illegal invasion and occupation of Cyprus, I remain hopeful a united Cyprus can become a reality. However, the United States can not be complacent in this goal or the protection of its citizens.

#### WILL COLLEGE BUBBLE BURST FROM PUBLIC SUBSIDIES?

### HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mr. DUNCAN of Tennessee. Mr. Speaker, it shocks students at the University of Tennessee when I tell them it cost me only \$270 tuition my freshman year and \$405 my senior year in 1969.

George Washington University, where I attended law school, was private and "expensive" at around \$1,000 a semester. Students there now marvel at that figure.

Students could attend college in the late 60s and early 70s and pay all their expenses just by working part time.

No one got out of school deeply in debt for tuition and fees.

But costs simply explode on anything the federal government subsidizes. Healthcare was cheap and doctors even made house calls until the government got into it.

Since the federal student loan program started, college tuition has gone up three or four or five times the rate of inflation, ranging from school to school, almost every year.

Before the government started "helping," tuition went up at the rate of inflation. Now costs are 300 or 400 percent higher than if we had just left things alone.

A few years ago, I heard excerpts from a book called Going Broke by Degree. That is what many students are doing today by incurring huge student loan debts.

And the colleges and universities have been able to tamp down any opposition to tuition increases by encouraging an attitude of "don't worry—we'll just give you an easy, no-interest student loan."

I have been concerned about this for several years and especially after I started noticing so many college graduates working as waiters and waitresses in restaurants.

This is why I was so pleased to read a great column on this topic by Michael Barone in the July 20 edition of the Washington Examiner newspaper.

Mr. Barone is very respected, and he is right on target in this column, which I would like to call to the attention of my colleagues and other readers of the RECORD.

[From the Washington Examiner, July 20, 2011]

WILL COLLEGE BUBBLE BURST FROM PUBLIC SUBSIDIES?

(By Michael Barone)

When governments want to encourage what they believe is beneficial behavior, they subsidize it. Sounds like good public policy.

But there can be problems. Behavior that is beneficial for most people may not be so for everybody. And government subsidies can go too far.

Subsidies create incentives for what economists call rent-seeking behavior. Providers of supposedly beneficial goods or services try to sop up as much of the subsidy money as they can by raising prices. After all, their customers are paying with money supplied by the government.

Bubble money as it turns out. And sooner or later bubbles burst.

We are still suffering from the bursting of the housing bubble created by low interest rates, lowered mortgage standards, and subsidies to Fannie Mae and Freddie Mac. Those policies encouraged the granting of mortgages to people who should never have gotten them, and when they defaulted the whole financial sector nearly collapsed.

Now some people see signs that another bubble is bursting. They call it the higher education bubble.

For years government has assumed it's a good thing to go to college. College graduates tend to earn more money than non-college graduates.

Politicians of both parties have called for giving everybody a chance to go to college, just as they called for giving everybody a chance to buy a home.

So government has been subsidizing higher education with low-interest college loans, Pell Grants and cheap tuitions at state colleges and universities.

The predictable result is that higher-education costs have risen much faster than inflation, much faster than personal incomes, much faster than the economy over the past 40 years.

Moreover, you can't get out of paying off those college loans, even by going through bankruptcy. At least with a home mortgage you can walk away and let the bank foreclose and not owe any more money.

Peter Thiel, co-founder of PayPal, is adept at spotting bubbles. He cashed out for \$500 million in March 2000, at the peak of the tech bubble, when his partners wanted to hold out for more. He refused to buy a house until the housing bubble burst.

"A true bubble is when something is overvalued and intensely believed," he has said. "Education may still be the only thing people still believe in in the United States."

But the combination of rising costs and dubious quality may be undermining that belief.

For what have institutions of higher learning accomplished with their vast increases in revenues? The answer in all too many cases is administrative bloat.

Take the California State University system, the second tier in that state's public higher education. Between 1975 and 2008 the number of faculty rose by 3 percent, to 12,019 positions. During those same years the number of administrators rose 221 percent, to 12,183. That's right: There are more administrators than teachers at Cal State now.

These people get paid to liaise and "facilitate" and produce reports on diversity. How that benefits Cal State students or California taxpayers is unclear.

It is often said that American colleges and universities are the best in the world. That's undoubtedly true in the hard sciences.

But in the humanities and to a lesser extent in the social sciences there's a lot of garbage. Is a degree in Religious and Women's Studies worth \$100,000 in student loan debt? Probably not.

As economist Richard Vedder points out, 45 percent of those who enter four-year colleges don't get a degree within six years. Given the low achievement level of most high school graduates, it's hard to avoid the conclusion that many of them shouldn't have bothered in the first place.

Now consumers seem to be reading the cues in the marketplace.

An increasing number of students are spending their first two years after high school in low-cost community colleges and then transferring to four-year schools.

A recent New York Times story reported that out-of-staters are flocking to low-tuition North Dakota State in frigid Fargo.

Politicians, including President Obama, still give lip service to the notion that everyone should go to college and can profit from it. And many college and university administrators may assume that the gravy train will go on forever.

But that's what Las Vegas real estate developers and home builders thought in 2006. My sense is that once again, well-intentioned public policy and greedy providers have produced a bubble that is about to burst.

INTRODUCING A RESOLUTION IN SUPPORT OF THE 6TH IAS CONFERENCE ON HIV PATHOGENESIS, TREATMENT, AND PREVENTION

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce a resolution in support of the 6th IAS Conference on HIV Pathogenesis, Treatment, and Prevention (IAS 2011), which takes place from July 17, 2011, through July 20, 2011, in Rome, Italy. This year's conference is of particular importance given the first documented case of a patient being cured of HIV infection and global resurgence of tuberculosis (TB), including multidrug-resistant tuberculosis (MDR-TB) and extensively drug-resistant tuberculosis (XDR-TB). My resolution supports a strong international response to HIV/AIDS; the rights of those infected; and increased access to testing, treatment, and care.

There are currently 33.4 million people living with HIV/AIDS worldwide and more than 25 million have died of AIDS since the first cases were reported in 1981. In the United States, approximately 1.1 million people are living with HIV/AIDS and someone is newly infected with HIV every 9.5 minutes. To make matters worse, one in five individuals living with HIV is unaware of their infection, and significant disparities persist across different communities and populations with regard to incidence, access to treatment, and health outcomes.

The biennial IAS Conference on HIV Pathogenesis, Treatment, and Prevention is the world's largest open scientific conference on

HIV/AIDS, attracting about 5,000 delegates from around the world. Together with the International AIDS Conference, which will next be held in Washington, DC from July 22, 2012, through July 27, 2012, it provides the world's leading scientists, clinicians, policymakers, and community leaders with a unique opportunity to examine the latest developments in HIV research and how scientific advances can practically guide the national and global response to HIV/AIDS.

According to the Centers for Disease Control and Prevention, CDC, TB is the leading cause of death among persons with HIV worldwide and XDR-TB is resistant to the most powerful first-line and second-line drugs. The improper treatment of TB in HIV-infected individuals perpetuates the spread of this infectious disease as well as bolsters drug resistance, which poses a tremendous threat to public health in the United States and abroad. Improved efforts to prevent and treat TB among people living with HIV, including the development of new, transformational antibiotic drugs, can save millions of lives.

Several organizations, including small business biotechnology companies, developing therapeutic vaccines and other immune-based therapies are presenting updates on their clinical research at IAS 2011. In addition, the National Association of People With AIDS (NAPWA) and Health People, the first community-based organization for women infected with HIV in the United States, are hosting the NAPWA "Treatment Horizons: Pathways to a Functional Cure" satellite symposium, which is officially affiliated with IAS 2011. Therapeutic vaccine candidates and immune-based therapies such as those being presented at IAS 2011 may lead to a "functional cure" for HIV/AIDS.

Mr. Speaker, continued commitment by the United States to HIV/AIDS research, prevention, and treatment programs is crucial to protecting global health. I urge my colleagues to support my resolution, which recognizes the important contributions of the 6th IAS Conference on HIV Pathogenesis, Treatment, and Prevention in the global struggle to end the HIV/AIDS pandemic. If we are to be successful in preventing the transmission of HIV and tuberculosis and improving the health outcomes of people living with HIV/AIDS, we must encourage the ongoing development of innovative therapies, advances in clinical treatment, and new, transformational antibiotic drugs to treat infectious diseases.

PERSONAL EXPLANATION

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 20, 2011

Mr. PALAZZO. Mr. Speaker, on rollcall Nos. 601 and 602, I was unavoidably detained.

Had I been present, I would have voted "yes."

## INVASION OF CYPRUS

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. COSTA. Mr. Speaker, I rise today to draw attention to the anniversary of Turkey's invasion of Cyprus, which occurred on July 20, 1974. In violation of international law, Turkish troops occupied the northern part of Cyprus, and established an armed force that continues to occupy nearly over one third of Cyprus' territory.

The invasion and continuing occupation of the northern part of the island has resulted in the continuing presence of a force of thousands of Turkish troops, mass violation of the human rights and fundamental freedoms of the Cypriot people, and the destruction of cultural and religious artifacts. On September 28, 2010, the U.S. House of Representatives unanimously passed H. Res. 1631 which calls for the protection of religious sites and artifacts from and in Turkish-occupied areas of northern Cyprus, as well as for general respect for religious freedom.

Over the years, Cyprus has proven itself to be a reliable partner of the U.S. Throughout the wars in Afghanistan and Iraq, Cyprus has provided over-flight and landing rights to United States aircraft and port access for U.S. ships. Furthermore, during the Lebanon crisis of 2006, Cyprus served as the principal transit location for people evacuating Lebanon, including some 15,000 U.S. citizens.

Cyprus and the U.S. also share a deep and abiding commitment to upholding the ideals of freedom, democracy, justice, human rights, and the international rule of law. It is time for Turkey to share this goal with the Government of the Republic of Cyprus and work earnestly and constructively with the Cypriots for a true reunification of the island as a bizonal, bicomunal federation with political equality, as defined in the relevant U.N. Security Council resolutions.

Such a solution would not only serve the best interests of all Cypriots, but ultimately the interests of the U.S. in promoting stability in the Eastern Mediterranean.

The aim remains to work towards a solution which will establish a bicomunal, bizonal federation with respect for human rights and fundamental freedoms for all Cypriots.

## IN MEMORY OF PEGGY GREENWAY

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to a great American and faithful public servant of the State of Georgia, a woman of great faith, and a personal friend, Peggy Greenway.

Although she was born and raised in Alabama, Peggy's heart and home was our great State of Georgia. She was an active part of the Albany community for 37 years before moving to Vienna, Georgia, and finally relocating to Dublin, Georgia.

Peggy loved Southern Gospel music and had a deep faith in the Lord. She was a cherished member of the Byne Memorial Baptist Church in Albany, the Pinecrest Baptist Church in Vienna, and the Dublin Baptist Church in Dublin. Through her work with the Byne Memorial youth group, she touched many lives; those who knew and loved her described Peggy as a fine Christian and loving lady.

In addition to her devout faith, Peggy was an enthusiastic employee; I first witnessed Peggy's dedicated work ethic during my first term in Congress. Peggy served as a case-worker and as Director of Constituent Services for my district in our Albany office. For more than a decade, she worked tirelessly to fight for the citizens of the Second Congressional District of Georgia. Whether it was an issue with Social Security or the VA, Peggy was an expert at providing constituent care.

Peggy's expertise was a great asset to the Second District, a calling which first began under Rep. Charles Hatcher. Peggy also faithfully served the Eighth Congressional District of Georgia, handling casework for the constituents of Representatives Jim Marshall, and AUSTIN SCOTT. She also worked for Congressman J. Roy Rowland.

As Members of Congress, we are well aware of Peggy's dedication to improving her community. She honed her commitment to excellence when she began her career working at WALB, the local television station in Albany, and also for Judge Asa Kelley.

Peggy's unyielding strength of character will truly be missed. She lived a full life, and her selfless dedication to the citizens of Georgia is her lasting legacy. My thoughts and prayers are with her family, especially her daughters, Tammy and Julee, and her beloved grandchildren, Cade Greenway, Cole Bailey, Camryn Bailey, Cara Bailey and Conner Bailey.

Leonardo da Vinci said, "As a well-spent day brings happy sleep, so a life well used brings happy death." Peggy Greenway utilized her God-given gifts to improve the lives of others, and her days were well-spent; therefore, Mr. Speaker, I know that she can rest happy.

## THE FUTURE OF CYPRUS

**HON. DAN BURTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. BURTON of Indiana. Mr. Speaker, for several years, I have come to this Floor to urge my colleagues to support efforts to achieve a resolution to the dispute on Cyprus. Tragically, I find myself here once again as yet another year has gone by with no end to the conflict.

While the Cyprus dispute is most directly between Greek Cypriots and Turkish Cypriots, it has larger implications for regional security and prosperity. Over the past few decades this dispute has involved not only the Cypriot communities, but also Turkey, Greece, the United Kingdom, the United States, the United Nations, and the European Union. Moreover, Turkey's membership to the European Union,

which the United States enthusiastically supports, is unfortunately being impacted because of the impasse over Cyprus.

In 2003, it looked like we were on the cusp of a resolution when Cypriots voted on the United Nations backed Annan Plan which would have created the United Cyprus Republic, as a loose confederation of two component states—the Greek Cypriot State and the Turkish Cypriot State.

That plan provided a strong framework for a bi-zonal, bi-communal unified Cyprus; and the U.S. House of Representatives strongly endorsed the plan by unanimously approving a Sense of the House to that effect. Regrettably, the Annan Plan did not succeed when put to a referendum.

Since the collapse of the Annan Plan peace efforts have moved forward sporadically. The latest round of talks began on July 7th of this year when Turkish Cypriot and Greek Cypriot leaders met in Geneva under the auspices of the UN Secretary General. I welcome these meetings. The status quo on Cyprus clearly benefits no one. It must end and the time is now.

Ultimately, the Cypriots themselves are the ones who must make the tough decisions that will ensure a peaceful future for their island. Nevertheless, I urge the administration to work with all stakeholders to ensure that a future unified Cyprus is a Cyprus that respects human rights and the fundamental freedoms for all Cypriots. Any unnatural or unnecessary artificial limitations imposed on either community are a recipe for future disaster.

Mr. Speaker, I truly believe that a lasting, fair and comprehensive solution to the conflict on Cyprus is possible. If we avoid inflammatory rhetoric and political statements and instead work in unison to bolster the efforts of the Greek Cypriots and the Turkish Cypriots to work together in good faith for the future of all Cypriots; the future will be bright for Cyprus.

## OUR UNCONSCIONABLE NATIONAL DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is \$14,342,898,467,069.07.

On January 6, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$3,704,471,720,775.27 since then.

This debt and its interest payments we are passing to our children and all future Americans.

## THE PASSING OF MYRA HIATT KRAFT

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. MARKEY. Mr. Speaker, I rise today in great sadness to mark the passing of one of

the most beloved residents of Massachusetts, my good friend, Mrs. Myra Hiatt Kraft.

Myra lived her life according to the Jewish principle of "Tikkun Olam"—to repair the world—striving each day to make our community, our country, and our world a better place for the less fortunate. Myra was the absolute embodiment of Tikkun Olam, living according to its values of justice, compassion, and peace.

Myra was a community leader and philanthropist without equal. Whether it was through the New England Patriots Charitable Foundation, the Robert K. and Myra H. Kraft Foundation, the Boys and Girls Club of Boston, or her alma mater Brandeis University, Myra's tireless work gave a voice to victims, a stage for performing artists and a home to countless disadvantaged youth. Her love for Israel was rivaled only by her commitment to making Massachusetts and Boston beacons of social and cultural goodwill worldwide. She was guided by an incredibly strong moral compass and an unrelenting drive to help others.

Massachusetts has lost a hometown hero, and the Kraft family also has lost a loving wife, mother, and grandmother. My thoughts and prayers are with the entire Kraft family and with all of those whose lives have been touched by Myra's formidable and gracious spirit. We mourn Myra's passing, while we know that her incredible legacy of acts of loving kindness will live on forever.

H.R. 2018, CLEAN WATER COOPERATIVE FEDERALISM ACT OF 2011

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Ms. McCOLLUM. Mr. Speaker, I rise in strong opposition to H.R. 2018, the so-called Clean Water Cooperative Federalism Act. It would be far more accurate to title this legislation the "Dirty Water Act" due to the damage it would inflict on our nation's waters.

This legislation severely weakens the Clean Water Act by prohibiting the Environmental Protection Agency (EPA) from challenging state water quality standards in cases when those standards threaten the quality of the nation's waters. Further, the bill removes the EPA's authority to protect water bodies and waterways from pollution resulting from mining, development and water resource projects. This unprecedented unraveling of federal authority would have very real and negative consequences for the country, especially my state of Minnesota.

Minnesota is known as the land of 10,000 lakes. It is the headwaters of the mighty Mississippi River and the longest shoreline of Lake Superior—the largest of the Great Lakes. Our quality of life is inexorably linked with the quality of our state's rivers, lakes, streams and wetlands. Minnesota's economy depends on clean water to support its multibillion dollar tourism and outdoor recreation industry, which sustains tens of thousands of jobs. In addition to the economy, responsible EPA regulation helps to protect the health of millions of Minnesotans who rely on the Mississippi River

and other surface waters for their drinking water. Minnesotan's strong commitment to clean water is best evidenced by passage of a state constitutional amendment in 2008 dedicating funding to protect and restore the states' waters—the first of its kind in the nation.

H.R. 2018 undermines the ability of Minnesota or any other state to protect the quality of its waters. This legislation eliminates Clean Water Act protections that prevent states from setting lax environmental laws and weak enforcement policies that send pollution flowing over its borders into neighboring states. Minnesota's public health, economic vitality and quality of life should not be at the mercy of other states. H.R. 2018 is a serious threat to states' rights and demands a full and public debate. Unfortunately, House Republicans are rushing this highly controversial bill to the floor without holding even a single Committee hearing.

The Clean Water Act is one of our country's most successful environmental laws. For over forty years, Democrats, Independents and Republicans have worked together to protect and restore America's waters using the authorities in this law. Members of Congress today have a responsibility to protect this important legacy. H.R. 2018 is an unprecedented attempt to dismantle the Clean Water Act and return to the days when waterways in America were so polluted they caught fire.

H.R. 2018 is the latest in a series of Republican proposals that benefit polluters, not American families, communities or the vast majority of American businesses that follow the law. I urge my colleagues to oppose this legislation and put an end to the Republicans' dangerous policy of regulatory retreat.

TRIBUTE TO NATIONAL JROTC INSTRUCTOR OF THE YEAR JUSTIN BLUM

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. CLYBURN. Mr. Speaker, I rise today to recognize one of my constituents, Justin Blum, of Florence, South Carolina. Lt. Col. Blum has been selected as the 2011–2012 National JROTC Instructor of the Year by the United States Army Cadet Command. It was because of Lt. Col. Blum's distinguished work and long history with the JROTC that he was bestowed this great honor.

JROTC is a citizenship program devoted to the moral, physical and educational uplift of American youth. Originally the JROTC was a source of enlisting recruits and officer candidates into the United States Military. It has now shed some of its early military content, but the program has retained its military structure and the resultant ability to infuse in its student cadets a sense of discipline and order. Lt. Col. Blum has been with the JROTC for 16 years now, following his 21 year tenure in the United States Army before retiring with the rank of Lieutenant Colonel.

During his time with United States Army, protecting our country, he was also fighting

another battle. Lt. Col. Blum was fighting ulcerative colitis and a diagnosis of early stage colon cancer. He did not let this deter him in life. Being the resolute person that Mr. Blum is, there was no doubt in his mind that he would be able to return to a full schedule. After the surgery, Lt. Col. Blum, used his struggle to inform others that no matter what you are hit with, you can overcome if you put your mind to it.

Lt. Col. Blum is the recipient of the 2011 Tony Snow Public Service Award, presented by the Great Comebacks Program. This program raises awareness of quality of life issues for people with Crohn's disease, ulcerative colitis, colorectal cancer and other diseases that can lead to ostomy surgery. Since receiving this award Mr. Blum has continued to work hard and his determination is shown again through being selected as the 2011–2012 JROTC National Instructor of the year. This is the second time Mr. Blum has received the JROTC National Instructor of the year award, also receiving the award in 2003. Being a two-time recipient, demonstrates his commitment and dedication to the JROTC, a program which is near and dear to my heart as a former educator and the grandfather of a JROTC student.

Mr. Speaker, I urge my colleagues to take the time and get to know JROTC instructors, like Lt. Col. Blum. Their devotion to uplifting American youth is worth our time and help. These instructors motto is, "Instruct Young People to be Better Citizens." With this dictum we see the uplifting manner of the JROTC and why the instructors are such an influential part of America's youth. Please join me in congratulating Lt. Col. Justin Blum of Florence, S.C. for being chosen as the JROTC National Instructor of the year from a group of amazing individuals who are changing the lives of scores of young people every day.

GOP WOMEN SPECIAL ORDER

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Ms. ROS-LEHTINEN. Mr. Speaker, our nation's budget is out of control. Two years ago, our nation experienced our first trillion dollar Federal budget deficit. Last year, we experienced our second trillion dollar deficit.

This year, our annual deficit is projected to reach over \$1.6 trillion—the largest in history. We are spending more than we can afford and in the process saddling future generations with a grim economic future. This is unacceptable.

It is also why my colleagues and I are here this evening. As women, we know the importance of creating and sticking to a budget.

The finances of many households are run by women.

We know that a family cannot wildly spend beyond its means. And yet this is what our government is doing on a daily basis.

Our government has acted recklessly with our financial security and prosperity. Just as our families and neighbors have had to tighten our belts during this recession, the Federal government must do the same.

Women have to juggle various household necessities while still remaining within their budget constraints. This is why Republican women support a constitutional amendment requiring a balanced budget to help reign in Federal spending.

It will help us start to get our fiscal house in order. A constitutional amendment will help ensure the future stability and solvency of our economy. Our grandchildren deserve nothing less.

LEGISLATION TO FAIRLY TAX  
"REVERSE MORRIS TRUST"  
TRANSACTIONS

**HON. LOUISE McINTOSH SLAUGHTER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Ms. SLAUGHTER. Mr. Speaker, I rise today to introduce legislation that would eliminate a tax loophole that puts at risk telecommunications services and workers in states across the country. The bill seeks to limit "Reverse Morris Trust" (RMT) transactions, a tax avoidance loophole that continues to be utilized by companies, including publicly regulated utility companies. RMT transactions regularly allow companies to avoid paying millions of dollars in taxes while having adverse consequences for consumers, workers and the Federal Treasury.

Under an RMT, a parent company can spin off a subsidiary that merges into an unrelated company tax free if the shareholders of the parent company control more than 50 percent of the voting rights and economic value of the resulting merged company. The result deprives the federal treasury of hundreds of millions of dollars. And all too frequently, the new entity incurs too much debt and lacks the capital needed to maintain services and perform system upgrades that it depends on to provide quality services to its customers and create good paying jobs.

The legislation I am introducing would restrict the benefits of the RMT transaction by removing an incentive for companies to sell off assets tax free by creating a spinoff company that assumes massive amounts of debt. The bill would help protect the interests of consumers and workers, while preventing this unintended loophole from resulting in the loss of hundreds of millions of dollars of federal revenues at a time when our federal deficit is soaring. Based on analysis from the Joint Committee on Taxation in the 111th Congress, closing the RMT loophole would raise approximately \$250 million over 10 years.

One recent RMT transaction provides a prime example of the dangers of this loophole. Despite objections from the public and Congressional members, Verizon utilized the RMT to avoid taxes on a similar transaction with FairPoint Communications in Maine, New Hampshire and Vermont almost four years ago. As predicted, the result was unprecedented consumer complaints lodged with state regulators who were unable to reverse the negative consequences. On October 26, 2009, FairPoint declared bankruptcy, leaving the future of telephone service across all three

states uncertain, and potentially putting at risk the compensation and benefits of thousands of employees.

Mr. Speaker, I urge my colleagues to join me in this effort to close this loophole that cheats the American public and helps large companies evade paying taxes by saddling smaller ones with debt.

THE 37TH ANNIVERSARY OF  
TURKEY'S INVASION OF CYPRUS

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. VAN HOLLEN. Mr. Speaker, I rise on the 37th anniversary of Turkey's invasion of Cyprus to call upon the Government of Turkey to end its unlawful military occupation of the Island.

For 37 years, Greek Cypriots have had to live with the memory of being forcibly removed from their homes only to become refugees in their own country. For years, they endured a policy of systematic ethnic cleansing and, despite the insistence of the international community, to this day Cyprus remains under occupation. Forty-three thousand Turkish troops occupy a third of the island, making the area they control among the most militarized regions in the world.

For 37 years, it has been the goal of the international community to reunify Cyprus into a stable and prosperous country where Greek Cypriots and Turkish Cypriots can live together in peace and security.

Attempts to reunify the country have undergone various levels of negotiation for over 45 years yielding few lasting achievements along the way. Even the occasional success has produced little of enduring material value.

For example, in 1979, the U.S. and UN applauded Turkey's agreement to withdraw and handover the uninhabited city of Famagusta to its rightful inhabitants. Every year, the UN calls upon Turkey to honor its commitment, but, to this day, Famagusta remains in the hands of the Turkish government.

The U.S. and the EU and the UN have demonstrated their willingness to work with Turkey toward a lasting settlement in Cyprus that reunifies the country into a bi-zonal federation. By continuing its occupation, by closing its seaports to Cypriot-flagged ships, and by refusing to follow through on its promises, Turkey has continued to ignore the will of the international community.

So, on this 37th anniversary of Turkey's illegal occupation of Cyprus, I ask my colleagues to join me in condemning the continued occupation and join me in calling for Turkey to withdraw its troops from the island.

TRIBUTE TO REV. DR. FRANKLIN  
D. COLCLOUGH

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 20, 2011*

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a man of great faith, who has

been a tremendous blessing to the State of South Carolina. The Rev. Dr. Franklin D. Colclough is retiring from the Presbytery of New Harmony after 23 years of faithful service and 42 years with the Presbyterian Church (U.S.A.). He is deserving of recognition for his lifetime of service to his community and spiritual guidance to his congregants.

Dr. Colclough began his ministry in 1969 after receiving his Master of Divinity at Johnson C. Smith Theological Seminary in Atlanta, Georgia. He earned a Doctoral Degree in Ministry at McCormick Theological Seminary in Chicago, Illinois.

His first ministerial position was as pastor of the Carmel Presbyterian Church in Chester, South Carolina and Mt. Tabor Presbyterian Church in Blackstock, South Carolina from 1969–1971. In 1972 he accepted a call as the fourth, and youngest, installed pastor of the Goodwill Presbyterian Church in Mayesville, South Carolina. Goodwill was founded in 1867, and is the oldest African American Church in Sumter County, South Carolina and one of the oldest in the Sixth Congressional District. He served as Goodwill's pastor from 1972 until 1988. It is worth noting that Dr. Colclough served only three churches in rural South Carolina during his 19 years as a parish minister.

In September 1988 he was called to serve on the staff of New Harmony Presbytery which is headquartered in Florence, South Carolina. Presently Dr. Colclough serves as the Head of Staff and Stated Clerk for New Harmony Presbytery.

Dr. Colclough has served on many boards including the Board of Trustees at Johnson C. Smith University Theological Seminary in Atlanta and the Columbia Theological Seminary in Decatur, Georgia. He has served the Presbyterian Church at all levels including Member, Board of Pension, Moderator, Synod of South Atlantic, Stewardship Consultant for Mission 20/20, and member of the President's Council, Montreat Conference Center.

While serving the church, Dr. Colclough also served 26 years as a Military Chaplain in the United States Army Reserve retiring in 1996 with rank of Colonel.

Dr. Colclough is married to Eddie Segars Colclough. They are the parents of four adult children, Franklin, Jr., Glenys, Shelley, Kriston and grandparents of a granddaughter Kellen and grandson Kriston.

Mr. Speaker, I ask you and our colleagues to join me in congratulating Rev. Dr. Colclough for his faithful service to his community and his state. I sincerely appreciate Dr. Colclough's friendship and guidance over the last 19 years, and his generous advice from the first day I offered to run for Congress. He has been a true leader in the State of South Carolina, and while he will no longer serve in the Presbyterian Church on a daily basis, I am confident he will continue to be a guiding force in the community.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all

meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 21, 2011 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### JULY 22

9:30 a.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine minority at risk, focusing on Coptic Christian in Egypt and renewed concerns over reports of disappearance, forced conversions and forced marriages of Coptic Christian women and girls.

210, Cannon Building

##### JULY 26

9:30 a.m.

Armed Services

To hold hearings to examine the nomination of General Martin E. Dempsey, USA for reappointment to the grade of general and to be Chairman of the Joint Chiefs of Staff.

SD-106

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of Martin J. Gruenberg, of Maryland, to be Chairperson and to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation, Thomas J. Curry, of Massachusetts, to be Comptroller of the Currency, Department of the Treasury, and S. Roy Woodall, Jr., of Kentucky, to be a Member of the Financial Stability Oversight Council.

SD-538

Finance

To hold hearings to examine perspectives on deficit reduction, focusing on a review of key issues.

SD-215

Health, Education, Labor, and Pensions

To hold hearings to examine building a ladder of opportunity, focusing on what's working to make the American dream a reality for middle class families.

SD-430

Judiciary

Immigration, Refugees and Border Security Subcommittee

To hold hearings to examine the economic imperative for enacting immigration reform.

SD-226

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine small business contracts, focusing on how oversight failures and regulatory loopholes allow large businesses to get and keep small business contracts.

SD-342

Intelligence

To hold hearings to examine the nomination of Matthew G. Olsen, of Maryland, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

SD-562

2 p.m.

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine Federal workers' compensation.

SD-342

2:30 p.m.

Foreign Relations

Business meeting to consider S. 1280, to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, S. Res. 216, encouraging women's political participation in Saudi Arabia, S. Con. Res. 147, expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO), S. Res. 227, calling for the protection of the Mekong River Basin and increased United States support for delaying the construction of mainstream dams along the Mekong River, S. Res. 175, expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders, Treaty between the Government of the United States of America and the Government of the Republic of Rwanda Concerning the Encouragement and Reciprocal Protection of Investment, signed at Kigali on February 19, 2008 (Treaty Doc. 110-23), Convention between the Government of the United States of America and the Government of the Republic of Hungary for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on February 4, 2010, at Budapest (the "proposed Convention") and a related agreement effected by an exchange of notes on February 4, 2010 (Treaty Doc. 111-07), Protocol Amending the Convention between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed on May 20, 2009, at Luxembourg (the "proposed Protocol") and a related agreement effected by the exchange of notes also signed on May 20, 2009 (Treaty Doc. 111-08), Protocol Amending the Convention between the

United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income, signed at Washington on October 2, 1996, signed on September 23, 2009, at Washington, as corrected by an exchange of notes effected November 16, 2010 and a related agreement effected by an exchange of notes on September 23, 2009 (Treaty Doc. 112-01) and the nominations of Jonathan Don Farrar, of California, to be Ambassador to the Republic of Nicaragua, Derek J. Mitchell, of Connecticut, to be Special Representative and Policy Coordinator for Burma, with the rank of Ambassador, Frankie Annette Reed, of Maryland, to be Ambassador to the Republic of the Fiji Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Nauru, the Kingdom of Tonga, Tuvalu, and the Republic of Kiribati, Paul D. Wohlers, of Washington, to be Ambassador to the Republic of Macedonia, William H. Moser, of North Carolina, to be Ambassador to the Republic of Moldova, Thomas M. Countryman, of Washington, to be an Assistant Secretary for International Security and Non-Proliferation, Jeffrey DeLaurentis, of New York, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, and to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations, all of the Department of State.

S-116, Capitol

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

##### JULY 27

10 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine ten years after 9/11, focusing on emergency communications.

SD-342

Judiciary

To hold hearings to examine fulfilling our treaty obligations and protecting Americans abroad.

SD-226

Veterans' Affairs

To hold hearings to examine the lifetime costs of supporting the newest generation of veterans.

SD-562

Joint Economic Committee

To hold hearings to examine maximizing America's prosperity, focusing on how fiscal rules can restrain Federal over-spending.

SH-216

10:30 a.m.

Commerce, Science, and Transportation Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee

To hold hearings to examine defending United States economic interests in the changing arctic, focusing on if there is a strategy.

SR-253



2 p.m.  
 Armed Services  
 Readiness and Management Support Subcommittee  
 To hold hearings to examine financial management and business transformation at the Department of Defense.

SR-232A

2:30 p.m.  
 Commerce, Science, and Transportation  
 Consumer Protection, Product Safety, and Insurance Subcommittee  
 To hold hearings to examine improving highway and vehicle safety, focusing on reauthorization of the National Highway Traffic Safety Administration.

SR-253

Judiciary  
 To hold hearings to examine certain nominations.

SD-226

JULY 28

1:30 p.m.  
 Commission on Security and Cooperation in Europe  
 To hold hearings to examine United States policy and the Organization for Co-operation in Europe, focusing on making good on commitments and challenges, including unresolved conflicts, ethnic tension, corruption and lack of governance, racism and intolerance, and trafficking in persons.  
 210, Cannon Building

2:15 p.m.  
 Indian Affairs  
 To hold an oversight hearing to examine enforcing the "Indian Gaming Regulatory Act", focusing on the role of the National Indian Gaming Commission and tribes as regulators.

SD-628

2:30 p.m.  
 Homeland Security and Governmental Affairs  
 To hold hearings to examine the nominations of Mark D. Acton, of Kentucky, and Robert G. Taub, of New York, both to be a Commissioner of the Postal Regulatory Commission.

SD-342

Energy and Natural Resources  
 National Parks Subcommittee  
 To hold hearings to examine S. 264, to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, S. 265, to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park, S. 324, to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission, S. 764, to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon, S. 864, to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California, S. 883, to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution, S. 888, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System, S. 925, to designate Mt. Andrea Lawrence, S. 970, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, S. 1063, to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska, S. 1134, to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values, and S. 1235, to recognize the memorial at the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national memorial of Navy SEALs and their predecessors.

SD-366

Intelligence  
 Closed business meeting to consider pending calendar business.

SH-219

AUGUST 3

10 a.m.  
 Foreign Relations  
 To hold hearings to examine the nomination of Wendy Ruth Sherman, of Maryland, to be Under Secretary of State for Political Affairs.

SD-419

Health, Education, Labor, and Pensions  
 Business meeting to consider S. 958, to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and S. 1094, to reauthorize the Combating Autism Act of 2006 (Public Law 109-416), an original bill entitled, "Workforce Investment Act Reauthorization of 2011", and any pending nominations.

SD-430

Judiciary  
 To hold hearings to examine cybercrime, focusing on updating the "Computer Fraud and Abuse Act" to protect cyberspace and combat emerging threats.

SD-226

2:30 p.m.  
 Energy and Natural Resources  
 Public Lands and Forests Subcommittee  
 To hold hearings to examine S. 1024, to designate the Organ Mountains and other public land as components of the National Wilderness Preservation System and the National Landscape Conservation System in the State of New Mexico, S. 1090, to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee, S. 1144, to amend the Soda Ash Royalty Reduction Act of 2006 to extend the reduced royalty rate for soda ash, S. 1149, to expand geothermal production, and S. 1344, to direct the Secretary of Agriculture to take immediate action to recover ecologically and economically from a catastrophic wildfire in the State of Arizona.

SD-366

## SENATE—Thursday, July 21, 2011

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

### PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Simeon Spencer, senior pastor of Union Baptist Church in Trenton, NJ.

The guest Chaplain offered the following prayer:

Let us pray.

Creator God, we bow with thanksgiving for the privilege and call of service given the lawmakers of our great Nation. We are awed by the grace that brings us all to this place and the gravity of the work with which these elected officials have been entrusted. In the wonder of such grace and in the face of crucial hours, we confess now with humility the limits of human knowledge, of frailty of human ability, and the finitude of human ways. And so, in these moments we petition You, You the all-knowing for understanding, the all-powerful for strength, the everlasting for enduring.

We pray that You will equip both the Members of this body and those who advise them with the gifts of Your Spirit, so that the work which brings them here might be executed in a manner worthy of Your holy Name, bring honor to the memory of those who have served before them, and inspire trust in those who have sent them. We wait now in hope for the fulfillment of faith that "they that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not be weary; and they shall walk and not faint."

These things we pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 21, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

### CUT, CAP, AND BALANCE

Mr. MCCONNELL. Mr. President, the Senate will begin debate today on cut, cap, and balance, the plan approved earlier this week in the House. This means Senators will now have the opportunity to go on record either in support of balancing our books or against it.

This is an opportunity for everyone to take a stand. It is an opportunity to say that a government which borrows more than 40 cents of every \$1 it spends is not sustainable and very much needs to change its ways. It is an opportunity to stand with those who believe Washington needs to heal its addiction to spending now, not make more false promises of spending restraint sometime later.

The President's veto threat of this legislation is telling. Many of us learned a long time ago to pay more attention to what this President does than what he says. Anyone who has witnessed his reckless spending habits over the past 2½ years or sat across the negotiating table with him over the past few weeks could be forgiven for being skeptical of his recent attempts to come across as a fiscal moderate.

I will just say this: There should be no doubt in anyone's mind that this President is as deeply committed to a government we cannot afford as he was on Inauguration Day.

That is why we have decided to bring our case directly to the American people with the cut, cap, and balance plan, which forces Washington to get its fiscal house in order with a constitutional amendment.

It is nice that some people are hoping the President has had a change of heart, but no one should be planning on it. Cut, cap, and balance cuts spending now, caps it in the future, and only raises the debt ceiling if it is accompanied by a constitutional amendment to balance the Federal budget.

That is what America wants, and it is what Washington needs. All we need is 20 Democrats to join us. At least 23 of them have led their constituents to believe they would fight for a balanced budget amendment. The White House has called for a balanced approach in this debate. This bill does not just suggest balance, it actually mandates it. So I strongly urge my Democratic friends to join us in supporting this legislation.

Let me note in closing another virtue of the cut, cap, and balance plan. It does not raise taxes. Why is this a good thing? There are many reasons Americans do not like tax hikes. First, they know government is bound to waste the money. Americans have seen what government does with new tax revenue: It wastes it on things such as turtle tunnels. Second, it never uses it to pay down deficits and debt. So if you are concerned about the size of our debt, then raising taxes is a sure way to ensure that nothing gets done about it—absolutely nothing.

The reason we have a debt crisis is government spends every cent it gets—and then some. Sending Washington more money will not solve the problem, it will enable it.

Our tax system certainly is not perfect. But until Washington can prove it is responsible with our tax dollars, we should not be sending it more of those tax dollars. That is why Republicans have focused on cuts in this debate, and that is why every one of us—Democrat and Republican—should support cut, cap, and balance.

Mr. President, I yield the floor.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. BARRASSO pertaining to the introduction of S. 1395 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BARRASSO. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ORDER OF BUSINESS

Mr. REID. Mr. President, following leader remarks, I will move to proceed to H.R. 2560. The time until 2 p.m. today will be equally divided and controlled, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

We will have a full debate on this bill over the next few days. I hope we can accelerate the time. If people feel we have debated it enough, I hope we can move to some other matter.

#### CUT, CAP, AND BALANCE

Mr. REID. Mr. President, first, let me get this off my chest. Coming in today, I just heard the announcement that the House of Representatives is taking the weekend off. I have reached out to the Speaker. I have not had an opportunity to speak to him. But I want everyone who can hear my voice to understand that time is of the essence. We are running out of time.

Procedurally, things cannot move very quickly through the Senate under the best of circumstances, and when there are people who want to cause problems, it takes a long time to get things done. There are people who serve in the Senate who say they do not believe—and they will fight to make sure we do not—we should raise the debt ceiling. In fact, they are saying: Let's default on our debt.

I think this is a very bad picture for our country, to have the House of Representatives out this weekend when we have to likely wait for them to send us something because I understand that the negotiations taking place deal with revenues, which constitutionally have to start in the House of Representatives. So I think it is just untoward—

that is the kindest word I can say—to have the House of Representatives out this weekend. What a bad picture that shows the country. We have 12 days before our Nation does the unthinkable, forever undermining the full faith and credit of our great country.

Members of Congress come from 50 different States, but we all serve one Nation. The American people deserve better than leaders who each stake out their own positions—sometimes radical positions—forsaking the good of the Nation. The American people expect us to find common ground no matter how difficult it may seem.

Every reasonable voice in America has warned us that a default on this Nation's financial obligations would not only be a blight on our reputation but would precipitate a global economic crisis that we have never, ever seen. These warnings have come from the banking industry and the business community; they have come from our finest economists and shrewdest investors; they have come from former legislators, past policymakers, both Democrats and Republicans; and they have come from reasonable people here in our Congress.

It is clear to me that we have to increase the debt ceiling. That is what JOHN BOEHNER, the Republican Speaker of the House, said this spring. But it is now summer. He also said this: Not raising the debt limit would have a serious implication for the worldwide economy and jobs here in America.

That is the Speaker of the House of Representatives. His deputy, ERIC CANTOR, agrees. Last week, CANTOR said:

We want to make sure that we avoid default. We want to make sure that we avoid going past August 2nd without raising the debt ceiling.

And my Republican counterpart here in the Senate, the senior Senator from Kentucky, said he would support the debt limit as long as Congress used the opportunity to do "something really important" about the national debt.

Democrats are willing to join with our colleagues on the other side of the aisle to do, as my Republican counterpart said, "something really important." We have already shown our willingness to make tough decisions for the sake of finding common ground even if it means drawing the ire of our own political party. Unfortunately, the loudest, shrillest voices from the Republican Party are not reasonable leaders but tea party extremists.

Congress has days, not weeks, to reassure the markets that when this great Nation issues an IOU, we stand by it, we do not turn into deadbeats when the bills come due. If you want to know how important this issue is, ask Ronald Reagan. Here is what he said about the importance of averting this kind of default:

The United States has a special responsibility to itself and the world to meet its obli-

gations. It means we have a well-earned reputation for reliability and credibility, two things that set us apart from much of the world.

President Reagan took the threat of default seriously. I will repeat what he said:

The United States has a special responsibility to itself and the world to meet its obligations. It means we have a well-earned reputation of reliability and credibility, two things that set us apart from much of the world.

President Reagan took the threat of default seriously. So do reasonable Members of Congress today. And this is reasonable Republican Members of Congress. Yet I fear the closer we get to disaster, the further we get from making the arrangement needed to raise the debt and stop a default.

Democrats have shown they are willing to work with Republicans on any serious, reasonable plan that averts default and cuts the deficit in a balanced way. Now it is time for House Republicans to show they are also willing to get serious. A plan to decimate Social Security, Medicare, and every other Federal benefit plan, while protecting hundreds of billions of dollars in special interest tax breaks, is not a serious plan. The Republicans so-called cut, cap, and balance plan does not have one chance in a million of passing the Senate.

The moment for partisan games has long since passed. It is time for patriots on both sides of the aisle to join hands and actually govern. So I ask, Will reasonable Republicans join us in forging a compromise for the good of our country?

#### CUT, CAP, AND BALANCE ACT OF 2011—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 106, H.R. 2560.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The bill clerk read as follows:

A motion to proceed to the consideration of Calendar No. 106, H.R. 2560, an act to cut, cap, and balance the Federal budget.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 2 p.m. will be equally divided and controlled by the two leaders or their designees, with Senators permitted to speak therein for a period of up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, I rise today to speak to the issue the Senate is going to be considering for the next couple of days and ultimately voting on, it sounds like, possibly sometime on Saturday; that is, the cut, cap, and

balance proposal that has been put forward by the House of Representatives.

The House passed this particular proposal the night before last. It is now pending under consideration in the Senate. What I would suggest to my colleagues in the Senate is this: It is the only proposal out there. It is the only plan we have to vote on.

It has now been about 813 days—I think is the correct number of days—since a budget was passed in the Senate. The Democratic majority has not submitted one for consideration here. We have not had votes on a budget. We have been operating without a budget. There is no plan.

The House of Representatives passed a budget earlier this year. It was criticized by many people here—Democrats—as being something they didn't want to support. There wasn't an alternative put forward by the Senate Democrats or by the President. The President did put a budget forward in his annual budget release earlier this year, but the Senate voted it down 97 to 0. There wasn't a single Member, Republican or Democrat, who voted in favor of the President's budget proposal. Why? Because it would have raised spending, raised the debt—almost doubled the debt over the next 10 years, and it would have increased taxes by over \$1 trillion.

Overall, I don't think those are the elements you want to be in a budget. You want to reduce spending and put a plan into place that starts getting a trajectory in place that starts reducing the amount of debt we have. You certainly don't want to raise taxes in an economic downturn, when you are dealing with 9.2 percent unemployment. That is the only budget submission we have seen from the President.

As I said, there has not been anything in the context of the debt limit debate put forward by the Democrats in the Senate or by the President. The only proposal we have in front of us is the Cut, Cap, and Balance proposal passed by the House of Representatives. You can say the House arguably has done its work. They have put forward a plan that we need to act on.

To suggest for a minute that there isn't an alternative, that the Republicans are being unreasonable in all this, I think completely misses the point, because that is the only plan out there. If you don't like that one, where is your budget? We have had 813 days without a budget. We don't have a plan to deal with the debt limit. What we have to vote on and consider and debate today is the Cut, Cap, and Balance proposal.

That is significant for a number of reasons. One, I believe the way to deal with the crisis we have in this country today—a debt crisis that gets worse by the day—is to get spending under control. I believe fundamentally that the problem we have in this country is not

a question of not enough revenue, it is a question of too much spending. The government has gotten too big, has grown too fast. It is spinning out of control, in the minds of most Americans. They want to see us rein it in and get government spending and debt under control.

Yesterday, I read this on the floor, but I want to read it again. Ironically, it is a letter I got from a Boy Scout in South Dakota who is earning his merit badge. He wrote me a letter and said this:

I feel that the Federal Government needs a balanced budget. If we don't, the debt gets larger each year. I feel that there are two solutions for this. In our house, we are careful to only spend what my mom and dad earn. That needs come first and what is left is for wants. Many times we were told no when we ask for something. With my allowance and lawn mowing money, I divide it between donations, saving, and spending. I can't spend more than I make.

I think there are a couple of very powerful observations in this statement. The first is, obviously, it is not lost even on this young American how important it is to live within your means, and that you cannot spend money you don't have. That is clearly a lesson he has already learned. We need to learn that in Washington, DC.

Second is how profoundly this issue impacts the next generation. If, in fact, we fail to act to get spending and debt under control and to put us on a sustainable fiscal course, the next generation is going to pay a powerful price for our irresponsibility.

I submit again to my colleagues this is fundamentally a spending issue. A lot of folks talk about the need for more revenue. The President talks about wanting more revenue. The majority leader just said the House is out of town and how that is terrible because revenue measures have to originate in the House. Many of us believe this can be solved without more revenue, that we don't have to raise taxes on the American people or American small businesses to solve what is inherently and fundamentally a spending problem.

If we want to balance the budget, we have to get spending under control. Five times since 1969 the budget was balanced in this country. In each case, the average amount we spent was just under 18.7 percent of our GDP, so that is kind of the benchmark for the five times in our history since 1969 when the budget has been balanced. The 40-year average of spending to GDP in this country is 20.6 percent. That is the 40-year average. The five times we balanced the budget, it was 18.7 percent of GDP. This year, we are spending 24.3 percent of GDP. If you look at the President's budget—and even what are, in my view, optimistic assumptions about economic growth—you are still looking at that sort of a course for the foreseeable future. With what I think

are going to be the exploding costs of the health care bill that was passed last year, it could be much higher than that.

My point is this: If you can balance your budget at 18.7 percent Federal spending as a percentage of GDP, and we are spending at 24.3 percent this year, we are 30 percent higher in terms of what we spend than those times in which we were able to balance the budget. If you are talking about balancing the budget, it means getting spending under control, reining in out-of-control Washington spending.

For a long time, I have believed that we need not only what is proposed in the Cut, Cap, and Balance bill, in terms of an immediate reduction in spending, caps on spending in the future years, but also a balanced budget amendment to the Constitution. That is something I have campaigned on my entire political career. I believe it is necessary.

Washington has not demonstrated in the past the political courage that is necessary to get spending under control. The consequence of that is we now have a Federal debt that is over \$14 trillion, and we are actually talking about raising the borrowing authority of this country simply because we get further and further into debt every year. We are running \$1 trillion deficits, and at that rate you are obviously going to continue to accumulate enormous amounts of debt. It means getting your budget balanced. We don't do that around here. Most States—49 of them—have some form of a balanced budget amendment that requires them to make sure their spending doesn't exceed the amount of revenue they have coming in. I think that is needed.

When I first got to the Congress as a freshman Congressman in 1997, there was a vote in the Senate on a balanced budget amendment. It failed by one vote. It needs two-thirds votes in the House and Senate, and then has to be sent to the States for ratification. If 38 States ratify, it would be added to the Constitution. We would have a requirement that the Federal Government balance its budget as so many States have to do every single year. Well, that vote in the Senate in 1997 failed by 1 vote. It got 66 votes in the Senate, which is 1 short of the 67 necessary to send it on to the House. At that time, I was a Member of the House of Representatives, and had the Senate passed it and sent it to the House, I believe we would have gotten a two-thirds majority in the House and been able to send it to the States.

What has happened in the last 15 years? At that time, the accumulated debt was \$5 trillion. Today, it is \$14 trillion. We have seen a \$9 trillion increase in the amount of debt. I can't help but think that had we had a balanced budget amendment in place, we would be much better off today.

The cut, cap, and balance approach strikes at the very heart of the issue,

which is that this is fundamentally a spending issue that needs to be addressed in the near term by cutting spending, capping spending in future years, and putting in place the mechanism that requires Congress to have the discipline to balance the budget for future generations. I hope we will get an affirmative vote when the time comes, and that my colleagues will support the measure I think will get this country back on a sustainable fiscal track and create prosperity for this generation and future generations, as well.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I rise today to discuss the legislation that has come over from the House of Representatives which, I must say, I consider to be some of the most ill-considered legislation I have ever seen come over from the other body. This legislation has been hastily thrown together, has never had a hearing, and yet proposes to amend the Constitution of the United States in dramatic and draconian ways. This is truly dangerous business.

I have been a part of the fiscal commission, and I was part of the majority that supported its conclusions to reduce our debt from what it would otherwise be by \$4 trillion. Eleven of us supported that plan—five Democrats, five Republicans, and one Independent. I have been a part of the Group of 6—three Democrats and three Republicans—and we have released our plan to reduce the debt from what it would otherwise be by \$3.7 trillion. I have been part of putting out the Democratic Senate Budget Committee plan, and I am proud to say it would reduce the debt from what it would otherwise be by \$4 trillion.

In my entire career, 25 years in the Senate, I have consistently spoken of the dangers of deficits and debt and the risk of the debt threat to our country. I believe passionately that we have to find a way to come together to reduce the danger of these runaway debts. But this legislation that has come over from the House cannot be the answer. It is not bipartisan. In fact, it is super-partisan. It is totally done on one side of the ledger. It will not pass, it will not become law, and it should not.

Now, let's understand the context within which we are operating. First of all, as a country, we are borrowing 41 cents of every dollar we spend. Our gross debt is now 100 percent of our

gross domestic product. The best economists in the country have warned us that once we get to a debt that is more than 90 percent of our gross domestic product, our future economic prospects are in danger. Future economic growth is reduced. That is why I have been deeply involved in every serious bipartisan attempt to reduce deficits and debt.

This proposal that has come over from the House—not having had a single hearing in this body, not one—is truly radical. Again, I say to my colleagues, we have an urgent need to act, but we shouldn't panic. Unfortunately, I think that is what the House did when they sent us this half-baked concoction of ideas that don't hold together, that don't add up, and that would actually further threaten the economic recovery.

There is no denying we face a debt threat. This is what the Chairman of the Joint Chiefs of Staff said in June of last year:

Our national debt is our biggest national security threat.

Now we have had the rating agencies warn us that if we don't act, if we don't get our debt and deficits under control, they are going to downgrade the rating of U.S. debt—the rating of how the markets respond to our debt offerings. That would have a very serious impact on what we pay to borrow money. Remember, for every 1 percent increase in the interest rates we pay, it adds \$1.3 trillion to the debt.

Here is what one rating agency has said:

We may lower the long-term rating on the U.S. by one or more notches into the AA category in the next 3 months, if we conclude that Congress and the administration have not achieved a credible solution to the rising U.S. Government debt burden and are not likely to achieve one in the foreseeable future.

That is why I joined the Gang of 6 some 6 months ago, to produce a bipartisan plan to deal with the debt threat. And we have released that plan now—three Democrats, three Republicans. Many more of our colleagues on both sides have joined and said they are with us. So we have a way forward, but it is certainly not the legislation that has come over from the House of Representatives that we are considering today.

The House legislation would restrict the ability to respond to economic downturns and actually compound declines. It uses Social Security funds to calculate balance and subjects that program to the same cuts as other Federal spending, even though we all understand that is totally separate from the rest of the budget. It shifts ultimate decisions on budgeting to unelected and unaccountable judges. What a mistake that would be. It requires a State ratification process that could take years to complete.

We don't have years to deal with this problem. I am afraid the House legislation is mostly political theater that has been sent to us rather than a serious response to the problem. But perhaps most alarming, the proposal before us could turn a recession into a depression. We need to think very carefully how we respond to this debt threat, and then we need to react in a serious and credible way, and we have to stand together with our colleagues.

That is why I was proud to be a part of the fiscal commission, because we produced a plan that would get our debt under control and start reducing it. There were 11 of us—five Democrats, five Republicans, and one Independent—and a majority of that commission agreed to that plan. It is why I have been proud to be part of the Gang of 6 in the Senate—three Democrats, three Republicans. We have produced a plan to control our debt and to begin to work it down. None of those plans, and none of the other bipartisan plans, would risk turning a recession into a depression. But that is exactly what the legislation from the House would do.

Now, why do I say that? Well, here is one of the most respected scholars in this town. He is from the American Enterprise Institute. He called the balanced budget amendment that has come from the House a really dumb idea. This is what he said:

Few ideas are more seductive on the surface and more destructive in reality than a balanced budget amendment. Here is why: Nearly all our states have balanced budget requirements. That means when the economy slows, states are forced to raise taxes or slash spending at just the wrong time, providing a fiscal drag when what is needed is countercyclical policy to stimulate the economy. In fact, the fiscal drag from the states in 2009–2010 was barely countered by the Federal stimulus plan. That meant the Federal stimulus provided was nowhere near what was needed but far better than doing nothing.

Now imagine that scenario with a Federal drag instead. Mr. Ornstein doesn't just imagine that, the Washington Post, in an editorial from last Friday, said:

Rewriting the Constitution is the wrong way to deal with the debt.

Let me just reference, from their second column, these words:

Worse yet, the latest version would impose an absolute cap on spending as a share of the economy. It would prevent Federal expenditures from exceeding 18 percent of the gross domestic product in any year. Most unfortunately, the amendment lacks a clause letting the government exceed that limit to strengthen a struggling economy. No matter how shaky the state of the union, policymakers would be prevented from adopting emergency spending, such as the extension of unemployment insurance and other countercyclical expenses that have helped cushion the blow of the current economic downturn.

Two of the most distinguished economists in our country, Alan Blinder, the

former Deputy Chairman of the Federal Reserve, and Mark Zandi, who was an adviser to JOHN MCCAIN's Presidential campaign, studied the government response to the latest financial crisis. Here is what they concluded:

We find that its effects on real GDP, jobs, and inflation are huge, and probably averted what could have been called Great Depression 2.0.

This amendment before us would have stopped the governmental response, which two of the Nation's most distinguished economists tell us averted Great Depression 2.0. Quoting further from the article:

When all is said and done, the financial and fiscal policies will have cost taxpayers a substantial sum, but not nearly as much as most had feared and not nearly as much as if policymakers had not acted at all. If the comprehensive policy responses saved the economy from another depression, as we estimate, they were well worth their cost.

This amendment that is before us now would have prevented this response and would have prevented averting a Great Depression.

Here is the work of Zandi and Blinder with respect to what would have happened to jobs absent the Federal response. Jobs with the Federal response, the green line; jobs without the Federal response, the red line: 8 million fewer jobs without the Federal response to prevent a depression. Unemployment, what would have happened without the Federal response, according to this detailed study by Zandi and Blinder: Without the Federal response, unemployment today would be about 16 percent instead of the 9 percent we are experiencing. We would be in a depression. That is the hard reality. The amendment before us would have prevented that kind of governmental response.

They call this plan cut, cap, and balance. They should have called it cut, cap, and kill Medicare, because that is what this plan would do; it would cut, cap, and kill Medicare.

Why do I say that? Well, if we look at the House budget proposal that underlies this plan, we see what happens under traditional Medicare. Under traditional Medicare, the beneficiaries would pay 25 percent of their expenses. Under the Republican budget plan that underlies the amendment that has come before us, Medicare beneficiaries would pay 68 percent of the expenses of their health care. In other words, somebody who is Medicare eligible, qualifies for the program, pays their required costs, pays their required copays, pays their required premiums, pays 25 percent of the cost under the plan. With the Republican plan from the House, that would increase to 68 percent. That stands Medicare on its head. Instead of Medicare, as normal insurance does, paying the lion's share, individuals would pay the lion's share of their health care expenses.

The underlying House Republican plan that underlies this amendment

would increase the out-of-pocket costs to a Medicare beneficiary from \$6,000 to \$12,500. That would be health spending for a typical 65-year-old Medicare beneficiary in 2022. Instead of paying \$6,000 under current law, they would pay \$12,500.

Somebody who has been following the details will look at these numbers and say, Well, Senator CONRAD, what you have outlined there is the House Republican plan. And what has been sent you in an amendment actually is even more draconian than the House Republican plan. It goes even further. It cuts Medicare even more. And, yes, that is true. I have understated very substantially the devastation that would be done to Medicare under the amendments before us. But how can that be? Well, here is how it can be.

The red line shows the spending under the House GOP budget. But in this amendment, in this legislation that has come to us, not only did they adopt the House Republican budget, they then trump it. They then override it with a constitutional amendment that goes even further.

Here is the spending under the House Republican plan. It goes from 24 percent of GDP down to 19.9. Then it is leapfrogged by the provisions of the constitutional amendment that would take spending down to 18 percent of GDP. From 24.1 to 18, that is a 25-percent cut if you took the cut across the board.

But their plan doesn't take the cut across the board. It shields certain things. So the cuts to those things that aren't shielded have to be more draconian and even deeper.

Visually I thought I should produce a chart that shows what would happen if you had to reach the limit that is in the constitutional amendment that is before this body today.

With an 18-percent cap on all gross domestic product spending, here is Social Security. That is 5 percent of gross domestic product. Defense and other nonhealth spending, as you can see, takes you well over 15 percent. Then you have interest, and you are at their cap. There is no money for Medicare. There is no money for Medicaid. There is no money for any of the other health care accounts. If they hold harmless Social Security, defense and other nonhealth spending, and of course we have got to pay interest on the debt, there is nothing left over. That is why I call this cut, cap, and kill Medicare. I should have added cut, cap, and kill Medicaid. Cut, cap, and kill every other health care account.

This plan caps spending going forward at draconian and unrealistic levels. It fails to account for the retirement of the baby boom generation and rising health care costs. Perhaps more remarkable, it provides no war funding for 2013 to 2021. Nothing.

Let me repeat that. This plan that has come over from the House is so ill-

considered, so hastily thrown together, so lacking in credibility that they provide for no war funding after 2013. Does that mean they are advocating bringing all the troops home from every location everywhere around the world? Well, I am certain not, because that is not the position they have taken. But they don't provide any money for it.

I don't know who slapped this thing together, but they weren't very careful in what they did. None of it adds up. It is totally make-believe.

This is not make-believe. This is what is going to happen to the number of people who are eligible for Medicare and Social Security running up to 2050: The number of people eligible is almost going to double. That is a demographic tidal wave that is a reality. It is not a projection. These people have been born. They are alive today. They are going to retire. They are going to be eligible. This amendment before us makes no provision for them.

So what is going to happen? They are going to shred Medicare, they are going to shred Medicaid, and they are going to put at risk Social Security. That is as clear as it can be.

Here is the reality we confront today as a nation. Spending as a share of GDP is the highest it has been in 60 years, but revenue as a share of GDP is the lowest it has been in 60 years. Both of these are facts, both of these are true. Our friends on the other side are saying you cannot touch the revenue side of the equation, even if it is closing tax havens, going after abusive tax shelters, going after tax scams that proliferate the Tax Code today. They say, Oh, no, you can't touch that; you can't make any changes on the revenue side of the equation, even though the revenue is the lowest it has been in 60 years as a share of our national income. They say it would take a two-thirds vote, and they would put it in the Constitution of the United States that they would require a two-thirds vote to close any tax haven, any tax shelter, any abusive tax scam would take a two-thirds vote.

That is not what I learned when I was growing up about the Constitution of the United States. It didn't say anything about protecting those who engage in tax scams and tax havens and abusive tax shelters. But that is what this plan would do.

The Washington Post back in May did an analysis: How did we get into this ditch we are in of runaway debt and runaway deficits? How did we get into this position? Their conclusion after this study was that:

The biggest culprit by far has been an erosion of tax revenue triggered largely by two recessions and multiple rounds of tax cuts. Together, the economy and tax bills enacted under former President George W. Bush, and to a lesser extent by President Obama, wiped out \$6.3 trillion in anticipated revenue. That is nearly half of the \$12.7 trillion swing from projected surpluses to real debt. Federal tax

collections now stand at their lowest level as a percentage of the economy in 60 years.

This amendment before us would require a two-thirds vote to do anything about it? Let's get serious.

As I say, I have been part of every serious bipartisan effort here over the last 2 years to come up with a plan, to get our debt under control. So, yes, cut spending; yes, reform entitlements; yes, get the revenue base recovered so we can reduce our debt. But this plan before us is a disaster.

Let's look at reality. The last five times the budget has been in surplus in the last 40 years, revenue has been close to 20 percent of GDP. This plan would require a two-thirds vote to increase any revenue. Revenue is at 14.8 percent of GDP. Wow. You talk about consigning this country to an endless round of economic uncertainty and an undermining of the economic position of the United States, vote for this thing.

Martin Feldstein, who is one of the most conservative economists in the country, has said we have got to take on these tax expenditures. Tax expenditures now amount to \$1.1 trillion a year. We are spending more through the Tax Code than we are in all appropriated spending every year, and yet this amendment would require a two-thirds vote to change any of those tax expenditures, to close any of the tax loopholes, to go after any of the tax havens and abusive tax shelters.

Here is Martin Feldstein, Professor of Economics at Harvard, Chairman of the Council of Economic Advisers under President Reagan. This is what he said:

Cutting tax expenditures is really the best way to reduce government spending. Eliminating tax expenditures does not increase marginal tax rates or reduce the reward for saving, investment or risk-taking. It would also increase overall economic efficiency by removing incentives that distort private spending decisions. And eliminating or consolidating the large number of overlapping tax-based subsidies would also greatly simplify tax filing. In short, cutting tax expenditures is not at all like other ways of raising revenue.

Interestingly enough, every bipartisan commission has come back and said, as one part of dealing with our deficits and debt, we ought to reduce tax expenditures. It is spending by another name. But do you know what. The legislation before us would require a two-thirds vote to change any of these tax expenditures because it raises revenue. It raises revenue, so they are against that.

Here is where the tax expenditures go. The top 1 percent get 26 percent of the value of tax expenditures. These loopholes that have proliferated have gone to the very top. We are going to have to reform this Tax Code, take out the junk, and at the same time we are going to have to go after these offshore tax havens and tax shelters that some

of the very best off among us, the most fortunate, are using to dodge what they legitimately owe in this country.

They call this legislation cut, cap, and balance. They should have called it preserve, protect, and defend tax havens and tax shelters because that is, in effect, what it would do. They say if we go after these tax havens and these tax shelters that is a tax increase. That increases revenue; therefore, it should take a two-thirds vote to do anything about it.

Let me say to my colleagues, this is a little five-story building down in the Cayman Islands. It claims to be home to 18,857 companies. They all say they are doing business out of this little building. This is the most efficient building in the world. It is unbelievable: 18,857 companies say they are doing business out of this little building. That is a remarkable accomplishment, to be running 18,000 businesses out of this little building. How can that possibly be?

Of course it is not. The only thing they are running down there is a giant tax scam on all the rest of us who pay what we owe. By the way, it has no taxes that apply to these businesses. We are not down in the Cayman Islands. We are right here. We are filing our taxes, and we are paying them. These companies are dodging theirs. If anybody doubts that this has become a huge hemorrhage for the U.S. Treasury, here is what our own Permanent Subcommittee on Investigations has found:

Experts have estimated that the total loss to the Treasury from offshore tax evasion alone approaches \$100 billion per year, including \$40 billion to \$70 billion from individuals and another \$30 billion from corporations engaging in offshore tax evasion. Abusive tax shelters add tens of billions of dollars more.

Before we raise taxes one thin dime on any of the rest of us who are paying our taxes, let's go after these folks who are dodging their responsibilities and their obligations. This amendment before us would require a two-thirds vote to do it.

That is not the end of it. Here is what happened to the tax rates of the most wealthy 400 families in the United States, their effective tax rates since 1995. In 1995 their effective tax rate was 29.9 percent. By 2007 it was down to 16.6 percent. The wealthiest among us have had their tax rates about cut in half. I don't know about you, but I didn't have my taxes cut in half. The vast majority of Americans did not have their taxes cut in half. But with the help of well-placed lobbyists here, those who are the most fortunate have had their effective tax rates cut in half.

This amendment before us would say it would take a two-thirds vote to change that. That is why I say this amendment should be called preserve, protect, and defend tax havens and abusive tax shelters.

The last time the top rate was 39.6 percent we experienced the longest period of uninterrupted economic growth in U.S. history. Those who say if we raise any revenue we kill jobs—really? That is not what history shows. The last time we had a comprehensive plan to cut spending and raise revenue to reduce the debt—during the Clinton administration—we kicked off the longest period of uninterrupted economic growth in U.S. history: 39 straight quarters of economic growth, 32 of those quarters during the Clinton administration, and 24 million jobs were created.

Dealing with the deficit and the debt in a balanced and comprehensive way does not kill jobs. It creates the climate for the creation of jobs because it improves the competitive position of the United States.

I have been part of three plans to reduce this debt from what it would otherwise be by \$4 trillion. The fiscal commission plan—I served, 11 of us, 5 Democrats, 5 Republicans and 1 Independent endorsed that outcome. I was part of the Group of 6, 3 Democrats and 3 Republicans.

We produced a plan to reduce the deficit and debt from what it would otherwise be by \$3.7 trillion. I was part of the Democrats on the Senate Budget Committee that unveiled a plan to reduce deficits and debt from what they otherwise would be by \$4 trillion. So I have been happy to be part of bipartisan efforts, efforts just on our side of the aisle, and interestingly enough every single commission has come up with a package of about \$4 trillion in deficit savings.

I think the Group of 6 did yeoman's work, bringing the deficit down from 9.3 percent of GDP, down to 1.9. Yes, we have revenue; yes, we have spending cuts; yes, we reform entitlement programs—because all of that is necessary. This legislation before us says: Whoa, wait a minute. We don't want to do it all. We want to focus on just part of it. This problem is too big to try to solve it with just part of the Federal fiscal picture. It is going to take all parts to solve this problem.

The Group of 6, I am proud to say, came up with a plan that stabilizes this debt and begins to bring it down, avoiding this skyrocketing debt we are otherwise going to experience. This legislation before us would stop it in its tracks. I think that would be a profound mistake.

I hope my colleagues reject this ill-considered plan.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I rise to speak in favor of the plan that is before us, the Cut, Cap, and Balance Act. I also think there are some very important achievements in the Group



of 6 proposal. It is a proposal. It is not legislative language. It has many things in it that are very good. It has tax cuts, it has entitlement reform, it has spending cuts. It is a complicated outline and one that needs to be fleshed out to know exactly what is in it, and it has some areas with which I disagree. I certainly want to assure that we keep the 15-percent capital gains and dividends rate. But we also have another proposal that I think has great merit.

I think the bill that has come over from the House, the Cut, Cap, and Balance Act, puts even more together on the issues that we are all trying to address. What we need are spending cuts that are real, not proposed down the road or promised. That is what the Cut, Cap, and Balance Act will do.

We all know we have a \$14.3 trillion debt ceiling that is getting ready to be hit sometime in the month of August. What we need to do—in this Senate, in the Congress, and, certainly, hopefully, the President—is give confidence to the markets. That means we do two things: We raise the debt ceiling. We don't default or even scare people that we are going to default, with reforms that will assure that we will not ever have to do it again. That is what we must do to send a message to the markets that we are going to get our fiscal house in order, and we are going to assure that our debts are paid, that the people who work on Federal contracts and our military and Social Security recipients will get their paychecks. We have to assure the market. To raise the debt ceiling we have to show we are going to cut back on spending. That is the key.

We have to tackle the core problem. We have to stop spending too much, borrowing too much, and taxing too much. We do not have a taxing problem in this country, we have a spending problem. We are not being taxed too little, we are spending too much.

With \$2.2 trillion in tax revenue collected, the Federal Government has the ability to live within its means. We must prioritize and we must make sure we get a private sector economy that will hire people.

I can tell you, small businesses are not hiring because they are terrified of the health care bill that was passed last year. They are terrified of the costs involved. Second, they are looking at people in Washington talking about more taxes, and they are saying: I am freezing right now. I am not going to take a chance that I am going to hire a new employee who is going to cost more than the productivity we can add to our business and keep going.

The cut, cap, and balance bill would make significant spending cuts now. It also requires the passage of a balanced budget amendment to the Constitution. It takes a two-thirds vote of both Houses to do that, but we need to do it. We need to put the Federal Govern-

ment on the same kind of fiscal constraint that almost every State in our Nation has; that is, a constitutional requirement that we have a balanced budget, that we do not borrow for operational expenses.

We can borrow for long-term projects, bonds—absolutely. But we are not going to borrow for our immediate needs. That is what kills the governments that overspend, of which the U.S. Federal Government is one. We need to have the balanced budget amendment that is in this bill passed, knowing that it is not going to be an immediate fix because the States would have to ratify it.

More than half the States will have to ratify a constitutional amendment. In that constitutional amendment we have an 18 percent of gross domestic product cap on Federal spending because that will put our fiscal house in order. We know that is long term. Certainly, we want to get started on that long-term constitutional amendment fix because once we do it and once the States ratify it—and I believe they will—then we will have the ability to assure future generations that we will never be in the fix we are in now.

Today the Federal Government is spending 24 percent of GDP. The 40-year average is 20.6 percent. We have about a 3-percent increase in the Federal spending level that is juxtaposed against a gross domestic product. If we put a spending cap of 18 percent in a constitutional amendment, we will have time to start drawing that down so it will not be an immediate hit. In fact, the bill that is before us has a gradual decrease in the caps on spending. We have the constitutional amendment part, that is the balance part.

We also have a cap in the bill that is before us. It is not an immediate cut, 18 percent, but it does ratchet down: 21.7 percent in the year 2013, 20.8 percent in 2014, and so forth until we get to 2021 which would have a 19.9-percent spending cap as a percentage of gross domestic product. It is a gradual cut between 2013 and 2021, in the cap on Federal spending. I think that is a responsible approach, and that is why I am fully supporting this bill. That is the cap part. We have the cut part that is real cuts. We have the cap part that puts the lid on spending going forward, and then we have the balanced budget part, which goes to the States and goes through our constitutional process to put us in the same situation most States are in; that is, with constitutional provisions that they have balanced budgets.

One of the most valuable economic lessons we have in this country—because we have learned from history—is we cannot spend our way out of debt. That is the worst remedy. If you are a family in debt, you do not keep spending and you do not put a freeze on spending either, which is what was sug-

gested in President Obama's budget. He said: We will just freeze at 2011 levels. But 2011 levels are inflated. Because of the huge stimulus bill that was passed we have an inflated level and we say let's freeze there. No; we need to freeze at a lower level. We need to start ratcheting down the spending in this country in order to assure that we start going toward a balanced budget. The Cut, Cap, and Balance Act is a reasonable way to cut spending now so we will not have that debt ceiling lifted again because we will bring down the deficit and not hit that debt limit again. So we bring down the deficits with immediate spending cuts, then we go forward with a cap that starts at 21.7 percent in 2013. Knowing we are at 24 percent now, we have to have those immediate cuts to start getting down to the reasonable level.

There is one more thing we need to do that is not in this bill but is something that if we are going to have the long-term debt reduction, we have to look at the entitlements and expenditures because our discretionary expenditures are roughly 30 percent of the total expenditures of our country. So we know we are out of kilter right now in Social Security because the actuarial tables have not been kept up-to-date. When Social Security was passed, the average man lived to be about 60 years old. Today, the average man lives to be about 77. We are going up—and thank goodness—with the life expectancy and quality-of-life. So if we are going to get our fiscal house in order, we do need to address that. We need to have a very gradual increase in the retirement age.

I have proposed a Social Security reform bill that does adjust the COLA, and it also has a gradual increase in the age of retirement. It stops at 69. The other thing the Gang of 6, or the Group of 6, did that I thought was very positive is, it put everything that depends on a cost-of-living adjustment in the Federal budget on a different calculation that is determined by economists to be a more realistic spending gauge, and it is the CPI, the Consumer Price Index. The CPI is adjusted in the Group of 6 proposal that will bring down the costs and will be a more realistic COLA, cost-of-living adjustment. So it is very important we look at that as one of the good parts of the Gang of 6, or Group of 6, proposal because it puts it more in line with reality, and it also will save money on the other end on the long-term strategy that we must have to adjust our fiscal requirements to meet the needs and the revenues that are coming in. The tax cuts that are also in the Group of 6 proposal will help spur the economy, and along with the spending cuts, will bring our debt interest requirements down. The cost-of-living adjustments are very minor but will have an impact over the long term. These are some of the good things that are out there.

Let me say in conclusion, we have had several of our leaders make proposals. We had Senator REID and Senator MCCONNELL put out a proposal. Of course, there were critics on all sides of that proposal. Then we had the Group of 6 that came out with a proposal and there were people who criticized that immediately. I think we need to take the nuggets of these proposals—which there are some very good parts of the Reid-McConnell bill and there are some very good parts of the Group of 6 proposal—and let's not criticize people for putting forth ideas because that is how we start coming to a conclusion about what is the best proposal. To criticize the people who have come forward with very bold plans is a huge mistake, and I think it is unfair to those who have put something out to say: Oh, that is a terrible plan and we would never vote for it. Are you kidding? I mean, we need to come together with all the plans.

I am supporting this one, the Cut, Cap, and Balance Act, which I think came mostly from the House and some of our Senators. It is very solid. I certainly think Senator REID and Senator MCCONNELL didn't want us to come to August 1 and have no endgame. So they were preparing something that has some merit. They have a 302(a) allocation in theirs that is basically a cap on spending. We need to have that, and that part of their proposal is very sound. Then the Group of 6 has tax cuts as well as spending cuts and some adjustments in the mandatory spending side, the entitlements. We have to have those ideas all on the table.

Instead of being negative about everything, let's take some of the good parts we like and see if we can come to a consensus on those. That is what we have to do if we are going to have an end result that will assure our obligations are paid sometime in August when the true debt ceiling is hit. I think it is later in August. That is what is in conflict right now. I think it is later in August, and if we are going to meet those requirements that we have as elected Members of Congress, we are going to have to find some way to get there with the reforms that are necessary to give confidence to not only the people who hold our debt but to the markets that would assure that our economy is not going to collapse under the heavy burden of this debt. The reforms are a necessary element to lift the debt ceiling or we will not be sending the right message to our debtors nor to the people who might start hiring and getting this 9.2 percent unemployment down.

I hope we can have a very strong, positive vote on the Cut, Cap, and Balance Act. We need to address these issues. Let's put it all together and let's start talking about what we have to do when that debt ceiling is reached, and this is a good start.

I yield the floor.

Mr. ALEXANDER. I ask consent to speak for up to 15 minutes.

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I congratulate the Senator from Texas for her remarks, for her leadership, for her willingness to be involved in and support a variety of ways for us to meet the two goals we have before us, one of which is to make a significant step to reduce our Federal debt, to stop Washington from spending money it doesn't have; second, to do so in a way that honors the financial obligations of the United States of America, the most creditworthy country in the world.

The Cut, Cap, and Balance Act, which has passed the House and has 37 cosponsors in the Senate—I am proud to be one of them—I think is a superior piece of legislation. I hope when we vote on it, it gets a majority of votes in the Senate and becomes law. Before I speak about the Cut, Cap, and Balance Act, I would like to speak for a moment about those two goals that are before us as we consider our debt, consider our financial obligations, and consider all of them up against what is said to be a point on August 2 where the debt ceiling needs to be increased.

As I think about those two goals, reducing our debt, honoring our obligations, I think about a friend of mine in Tennessee who pays his bills out of a cigar box. This is how it works: A bill comes in to my friend and he puts the bill in a cigar box. Then another bill comes in and he puts that bill in a cigar box. Then the next week maybe some money will come in. So my friend will reach down to his cigar box and he will pull a bill out and he will pay that bill. Then, when a little more money comes in the next week, he will reach down and pull out another bill and pay that bill. My friend pays his bills out of a cigar box. Now what happens to my friend if he wants to go down to the local bank and says: I would like to borrow some money in order to pay all the bills I have in my cigar box.

I think what the banker is going to say is: I am sorry, my friend, but we are reluctant to loan money to you or, if we do, we are going to charge you more for it because we don't know whom you are going to pay. You might reach into your cigar box and pay the whiskey store instead of the bank. You might pay the grocery store instead of the principal on your loan. You might pay the service station before you pay us. So because you selectively pay your bills out of your cigar box, you are not a good risk. We are going to charge you more to borrow money or we are not going to loan you money at all. That is the risk we take if we play around with this idea of the United States of America—the most creditworthy country in the world—selectively paying its bills,

going from being the most creditworthy country to being a country that pays its bills out of a cigar box.

There are three obvious reasons why we should not do that. Reason No. 1 is, it is going to cost us more. Today, the United States of America can borrow money for 10 years at about 3 percent. We are so creditworthy—people trust us so much to pay our obligations—that they will give us money for a short period of time at no interest. It is a tremendous advantage to us. The United States has the most risk-free credit in the world, and I might add the most risk-free credit in an increasingly turbulent world.

What if we decided after August 2, when we are told sometime in that month we will begin to not have enough money to pay all our bills, what if we decided not to raise our debt ceiling and that we would pay our bills out of a cigar box? We might say: OK. We don't have enough money, so we will pay China before we pay grandma her Social Security. Oh, better not do that. In fact, I saw a fellow in Portland, TN, on Monday and he said: What is this about my Social Security not being paid? I said: I think it will be paid. It might be two or three days, but the telephone calls would come in and Congress will fix it and it will get paid. He said: It better not be 5 minutes.

So we might want to pay all of our Social Security benefits, but the President might say or the Secretary of Treasury might say: Well, we will pay grandma her Social Security, but we won't pay the wife of the soldier at Fort Campbell who is in Afghanistan on his third tour. That is not such a good idea. So maybe we won't pay the veteran's benefit. We will pay the wife. That doesn't sound so good, either.

What about those 12 million, 15 million students who are headed off to college in the next few weeks with a student grant or a student loan from the government? Should we pay just those going to public colleges and let the private colleges take care of their own—just the for-profits, not the nonprofits?

We see what could happen if we have a country that—especially a country such as the United States—instead of paying all of its obligations on time, whether it is to China or Japan or to grandma or to the veteran, begins to selectively pay those bills when we have the money. I think I know what would happen. Instead of being able to borrow money for 10 years at 3 percent, we might have to pay a little more for it. Let's say it just went from 3 percent to 4 percent. What would that mean to us? It would mean, according to the Congressional Budget Office, the taxpayers would have to pay \$1.3 trillion more in interest over 10 years. So if it goes up 2 percentage points to 5 percent, it is twice that. That is what happens when we pay our bills out of the cigar box.

It is not just the taxpayers. My son said to me the other day: Dad, my mortgage loan resets in October. If you all don't work this out, it means my interest rate might go up.

Let's say he has a \$100,000 house loan, and it goes up 1 percent. That gets to be some money for him. So if it is a credit card loan, if it is a home loan—whatever loan it is, it would begin to go up. Paying our bills out of a cigar box would raise our costs.

There is a second obvious reason not to do this. In 2008, we were smacked in the face with a world economic crisis. We didn't expect it. Most of us didn't cause it, but we had to deal with it. Here in the Congress, we had to do some very unpopular things: We had to bail out banks, even some industries. The American people hated that, even though most of the money has been paid back. We don't know what we averted—probably a much worse problem—but we are still suffering from what happened in 2008. But we didn't do that deliberately.

In this case, if we were to deliberately go from being the most credit-worthy country in the world to a country that paid its bills out of a cigar box, we would be deliberately injecting uncertainty into a turbulent world.

Look at Europe, with the eurozone trembling over the debt in Portugal and the debt in Greece, with sovereign nations perhaps having to bail out European banks.

Look at Japan, the third largest economy, in a 10-year recession, with a third of its powerplants closed after the tsunami, sweating through the summer, with an inability to sell their goods.

Look at China. China is a big success story, but it may be growing too fast. Its inflation is up, and it has a lot of unreported debt at the provincial level.

Look at our markets. We make trades in milliseconds, and twice in the last year we had sudden drops in the market which we couldn't explain for months. Do we really want to inject this level of uncertainty into the turbulence we have today and into the financial markets when we know we could avoid it? I think not.

Then there is a third reason, and this is a purely partisan reason. Maybe it is not even appropriate to talk about it on the Senate floor, but let's talk about it for a moment anyway.

The President has done a pretty good job of blaming his predecessors for problems, but lately people have said: Mr. President, we don't blame you for the problems you inherited, but we do hold you responsible for the decisions you have made to make it worse. You have made it worse with the health care mandates and higher individual health care policies. You have made it worse with the financial regulations bill. You have made it worse by not sending over the trade bills. You have

made it worse with the high cost of energy. You have made it worse with your National Labor Relations Board appointments and undermining right-to-work laws. You have made it worse by doubling and tripling the debt.

People are listening to that. They agree with that. But what would happen if the Republican Party or the Democratic Party or any group of people have the primary responsibility for turning this country from a country that is the most creditworthy country in the world into one that pays its bills out of a cigar box? The President will say—instead of us saying, Mr. President, you made it worse, he will say, you made it worse.

There is every reason in the world to regard the debt ceiling decision we have to make as an opportunity to take a significant step to reduce the debt. We can do that while still honoring our financial obligations, and we should. And today we are talking about one of those ways to do it.

Republicans have offered—with Democratic cosponsorship in a number of cases—at least five major ideas for taking a significant step toward stopping Washington from spending money it doesn't have. There are five ways to do that:

There has been the Corker proposal, which is bipartisan and over 10 years would bring our spending, which is the real problem, from its present level—about 25 percent of our total output in the country—to about 20 percent, which is the historical level.

There is the balanced budget amendment, which is the most obvious solution for a nation that is spending more than it takes in. Families do it, States do it—balance their budgets, live within their means—and the Federal Government can do it. Over time, we can get back to the point where we were not many years ago, where we spend about the same amount of money we take in. As Governor, I know that for 8 years we did that. As a result, we have almost no debt in the State of Tennessee, and as a result of that, we can use our gas tax money, for example, to pay for roads instead of interest on the debt.

Then there is a third idea that has bipartisan support; that is, the Gang of 6, which came out this week. The President said it was a gang of seven. He thought I was in it. I would have to say with respect, Mr. President, I am a law-abiding citizen. I am not a member of any gangs. But I support what they do because I think it is a serious, bipartisan effort to help stop Washington from spending money it doesn't have.

Then there is another proposal which has bipartisan support that Republicans as well as Democrats have initiated. Senator ISAKSON from Georgia has taken the lead on it. It is the 2-year budget proposal which would allow us time every other year to focus

our efforts on eliminating rules and eliminating regulations instead of adding so many.

So there are four ideas we have suggested—in some cases with bipartisan support—where we can take a significant step to reduce our debt while still honoring our financial obligations.

Today, we are talking especially about cut, cap, and balance. The legislation that passed the House of Representatives with 234 votes this week has come to the Senate floor. We are going to be voting on it in the next day or two. It has 37 cosponsors, and I am one of them. I especially commend Senator LEE for his work on putting this bill together and doing it in a way that would attract the largest amount of support.

This is a very reasonable proposal. The cut part is to say that for the first year, we would spend a little less than we did last year. Now, that is a reasonable proposal. The State of Tennessee, where I was once Governor—the current Governor is presiding over a State that is spending \$1½ billion less than it spent last year. Now, they don't like to do that. There are some unfortunate consequences from it. But they still balanced their budget, they are still getting along, and they are hoping for the day when the economy recovers and they will have more revenues coming in without raising taxes.

So step one is to cut what we are spending today in next year's budget. Then we cap, according to the economic output of the country over the next 10 years, the amount we spend over those 10 years. Then the third step is to balance the budget—the most obvious solution of all—over time, to say we are not going to spend more money than we have coming in. This is our proposal to begin to control spending in a government that borrows 40 cents out of every dollar it spends, a government the economists tell us is costing our Nation 1 million jobs because of the high level of debt. This is an urgent problem. It urgently needs a solution.

In conclusion, almost all of us here in the Senate are good at making speeches. That is one way we get here. But we have not become as good at the rest of our job, which is to get a result. The American people expect us to do that. They have to do that in their everyday lives. So they respect our principles, they respect our speeches, but they know our principles sometimes conflict, and in the end, we have to have a result. We have to have a result here. We have to find a way, first, to significantly reduce the debt and, second, to do it in a way that honors the financial obligations of the United States.

I have suggested five ways we can do that, including cut, cap, and balance. In order to do that, it means each of us is probably going to have to accept as a part of the solution an idea that is not our first choice. But why should we

be exempt from that requirement? That is what we have to do in a marriage. That is what we have to do in a family. That is what we have to do in a business. That is what we had to do in creating the Constitution years ago. This Senate wouldn't exist if it weren't because of a grand compromise. Otherwise, how could we justify two Senators from Wyoming and the same number of Senators from California, which is so much larger?

To get a result, after we make our speeches, we need to be willing to accept some ideas that are not our first choice. That is why I am a cosponsor of several different kinds of ideas—cut, cap, and balance, the Corker proposal, the Gang of 6 proposal. That is why I support the Isakson-Shaheen effort on the 2-year budget. That is the kind of attitude we need in the next couple of weeks.

Cut, cap, and balance is a good way to meet our two urgent goals: take a significant step to reduce our debt and do it in a way that honors our financial obligations.

We are perfectly capable as a country of fiscally disciplining ourselves. We are capable of reducing our debt and of stopping spending money we don't have and, at the same time, avoiding turning the most creditworthy Nation in the world into a country that pays its bills out of a cigar box.

Thank you, Mr. President. I yield the floor.

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, as we spend the day debating the Republican plan to cut, cap, and kill Medicare, a plan that is dead on arrival in the Senate, it has become obvious what the true question of the day is. That question is, Will we as a nation allow ourselves to be driven into default and financial calamity by a small group of extreme rightwing ideologues in the House GOP?

It has become increasingly clear that this group of ideologues has grabbed the reins and is refusing to let go, no matter who tries to pry their fingers off. It is clear that this uncompromising group of narrow ideological Congressmen is the one thing standing in the way of raising the debt ceiling so our Nation does not default. It is the group that alone wants to drive the car off the cliff. We are now 11 days from defaulting on our debt, and for the last few months this small group, far outside the mainstream, has contributed nothing to efforts to reach a compromise.

The House GOP has rejected every form of compromise, from the Simpson-Bowles plan, to the President's \$4 trillion grand bargain, to the McConnell fallback plan, to, as of yesterday, the Gang of 6 framework. Instead, they have offered dangerous schemes such as the cut, cap, and kill Medicare plan that passed the House yesterday. Their "plan" would wreak havoc on our country's seniors and the middle class. It is not a serious proposal, it will never pass this body, and it is a waste of time.

While reasonable people are trying to come to a compromise, the House GOP is becoming increasingly isolated. Yesterday, for example, my colleague JOHN MCCAIN warned the House GOP that Americans do not want the government to shut down and urged them to learn the lessons of 1995. Then, close to a third of Senate Republicans signed on to a plan that would combine major spending cuts with new revenues—a balanced approach the House GOP has sworn off. And every day more voters are abandoning them. As the L.A. Times reported this morning:

Republican resistance to compromise has turned a significant bloc of voters against them . . . frustrated members of their own leadership as well as establishment GOP figures.

So the House GOP is being criticized from every corner.

Then today we have what must be the most significant departure to date from the House GOP's fantasy-land. In a major development, antitax crusader Grover Norquist told the Washington Post that letting the Bush tax cuts lapse would not constitute a tax hike. This is a development the significance of which should not be underestimated. It is a recognition from Norquist that the House Republicans are increasingly isolated and have painted themselves into a corner. Norquist is trying to signal to the House GOP that their no-compromise position is untenable, deteriorating, and bad for their party and the country. The House GOP is on an iceberg that is melting into the ocean, and even Grover Norquist is offering them a lifeboat. The question is, for their own good and for the country's good, will they take it? I urge my colleagues in the House to accept this lifeline. It is time to leave default-denier island and come back to reality.

The House Republican extremists—those who are way over to the far right—painted themselves into a corner, even to the right of Grover Norquist. Grover Norquist, the hall monitor when it comes to enforcing the Republican Party's antitax pledge, has given House Republicans a hall pass. They should use it. This is a coded message from one of the truest believers in the Republican Party that it is time for conservatives to step back from the brink.

Norquist has given us a potential path forward. If we decouple the Bush

tax cuts now by only extending them for the middle class and not for millionaires and billionaires, we could have the foundation of a deal that includes revenues but does not violate the Norquist antitax pledge.

This decoupling strategy is what the President and Speaker BOEHNER were entertaining earlier in the context of a grand bargain, but Leader CANTOR and other rightwing hardliners forced the Speaker to walk away because they feared violating the antitax pledge. But now a deal on decoupling seems to have Norquist's permission, if not his blessing. We should revisit it.

It is time to recognize that the quickest, most effective and economically sound way to reduce our deficit and debt is a balanced approach that both cuts spending and raises revenues—a plan that mirrors every other successful deficit reduction deal in our Nation's history, a plan along the lines of the ones negotiated by Presidents Reagan, Bush, and Clinton.

I hope my colleagues in the House GOP see the danger of the path they are going down and change course before they take the entire country down with them.

Mr. REID. Will my friend yield for a question?

Mr. SCHUMER. I would be happy to yield to the distinguished majority leader.

Mr. REID. Mr. President, I ask permission to ask my friend a question through the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. It is true, is it not, that the Senator served many years in the House of Representatives?

Mr. SCHUMER. Eight years.

Mr. REID. And the Senator understands the difference between the procedures in the House and in the Senate, does he not?

Mr. SCHUMER. I do, some.

Mr. REID. And in the Senator's years serving in the House of Representatives, he has seen how quickly things can move over there; is that right?

Mr. SCHUMER. That is absolutely right.

Mr. REID. And coming to the Senate, the Senator has seen how slowly things have to move here in the Senate; is that right?

Mr. SCHUMER. Indeed. I have learned that hard lesson.

Mr. REID. I say to my friend through the Chair that I see what is developing now as very, very bad for our country. It is hard to comprehend—I ask my friend this question—it is hard to comprehend how the House of Representatives, at the height of this fiscal crisis we have, has decided to take the weekend off. Is the Senator aware they have decided to take the weekend off?

Mr. SCHUMER. I have read that. Yes, I have.

Mr. REID. And it appears to me one reason to do this is to do indirectly

what they cannot do directly; that is, we have—and I read them here this morning—statements from my friend the Speaker, JOHN BOEHNER, saying we cannot default on our debt; from the whip over there, ERIC CANTOR—or majority leader, whatever he is, second in command—saying we cannot default on our debt. I am saying to my friend from New York that it appears to me they are going to do indirectly what they cannot do directly by not sending us whatever they decide to do in time to get it done.

I think the country is staring in the face a default on our debt because of the House of Representatives being out this weekend. Would my friend comment on that?

Mr. SCHUMER. Yes. I think the leader has an excellent point. To not be here this weekend when the Nation stares at the first default in our 200-some-odd year history is amazing to me, that they would be gone. And when you think about it, either they do not care about defaulting on the debt—and we know Speaker BOEHNER does care about that default. I think he is aware of what terrible problems it would create for this country for decades to come. So the answer must be what the leader is saying; that is, they hope to jam us at the last minute with something and say: Take it or leave it, which is playing with fire.

I can assure my colleagues in the House that is not how we are going to play ball here. There has to be a fair compromise, not something they come up with at the last minute and sort of toss it over here. That could create default, and if they do it, it would be on their shoulders.

Mr. REID. I say to my friend through the Chair that they may send us something well-intentioned, but I am not sure they understand the rules of the Senate. There are a number of people who are Republicans over here who have stated publicly that they think the debt should be defaulted upon. As my friend knows, most everything we do here is by unanimous consent and, if not by unanimous consent, by the rules of the Senate, which are very strict and very difficult sometimes to comprehend, but they are there.

So I am afraid that what is happening with the House leadership is they think they can send something over here and, as the majority leader, I can figure out a way to get it done. I cannot get it done if we have to follow the rules, which we have to follow, and I cannot get consent, and I cannot get consent on most anything I do around here. So I would like my friend to comment on that.

I appreciate my friend saying that Speaker BOEHNER is a good person. I agree with that. But I am not too sure that this is not an easy way out for everybody over there, that they could say: Well, we did what we wanted to do.

I am sorry the Senate could not do it, so I guess our debt is defaulted upon, and we will close down all of the functions of this government and wait for a better day.

Mr. SCHUMER. Well, again, in answering the leader, first, the rules of the Senate would allow any single Senator—and we have a whole handful—to delay things day after day after day after day. Second, there are things out of any Senator's control. For instance, any proposal on an issue such as this would have to be scored by the CBO. We learned on the health care legislation that CBO cannot just sort of push legislation into a machine and an hour later say: Here is your score. It takes days and sometimes weeks. And the fact that just about every procedural motion can be filibustered and delayed means we are getting so close to the deadline that we would be in serious trouble.

Again, I repeat, I find it terribly disconcerting. It is hard to see anything but callousness toward the danger our Nation faces if we were to default by the House not being here this weekend because even a rudimentary knowledge of the House procedures—which I know the leadership of the House has—would indicate to them that if they do not get us something very, very soon and, in fact, they do not sit and negotiate and compromise—which they have refused to do, driven by a hundred, perhaps, Congressmen, many of them new here, who sort of say: We do not care if we default—the consequences of default would be enormous and staggering and would not just go away in a month or two but would be with us for a decade. And here they are back home this weekend when America faces one of the greatest potential economic crises that we have faced.

So I very much thank the leader for bringing this up and asking these questions.

The PRESIDING OFFICER. The senior Senator from Massachusetts is recognized.

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VISIT TO THE SENATE BY THE PRIME MINISTER OF NEW ZEALAND, RIGHT HONORABLE JOHN KEY

Mr. KERRY. Mr. President, I apologize to my colleagues. I know this has been previously scheduled, and I know the importance of what the Senator from New York is talking about, and the majority leader, and I completely agree with their comments and would like to share some thoughts on that at another moment. But at this particular moment, we are privileged to welcome here a great friend of the United States, the Prime Minister of New Zealand, John Key.

New Zealand is a country that is in enormous partnership with us at this time, assisting in Afghanistan, engaged

in transpacific trade deliberations with us, and in many other ways contributing to one of the strongest and best global partnerships we have

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RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. KERRY. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the chair so that colleagues might welcome the Prime Minister to the floor of the Senate.

There being no objection, the Senate, at 11:46 a.m., recessed subject to the call of the Chair and reassembled at 12:51 p.m. when called to order by the Presiding Officer.

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CUT, CAP, AND BALANCE ACT OF 2011—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. RUBIO. Mr. President, I ask unanimous consent that I be recognized to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. I was witness a few minutes ago to an interesting and informative exchange and wanted to comment on that briefly. Both the leader and the senior Senator from New York had some comments that I think are important in the context of what is being discussed here today. But I wanted to come to the floor today because we have been getting a lot of phone calls and letters from people back home who are wondering—people—what this is all about. These are folks who are out working every day and raising a family and running their businesses. They want to understand what the debate here is about. They get the gist of it, that there is this debt limit fight, and that Congress, if it does not do anything, may not be able to pay some bills beginning August 2.

But what is behind all of this? The best way to explain it to people is to equate it to the lives of real people in the real world.

Every single one of us as adults has a credit rating. In essence, there are two or three companies out there that basically rate you as an individual. What they do is give you a credit rating that determines, No. 1, whether you are willing to pay back; and, No. 2, whether you have the money to pay people back. Based on that you get something called a credit score. People are familiar with that. Every time you try to go lease or buy a car or buy a house or anything on credit, they are going to run your credit. It is going to tell them: This is John Smith, this is so-and-so, and this is his credit rating. Based on that, people will decide whether to lend you money.

Countries have credit ratings too. It is based on two things. No. 1 is your

history of paying people back; and, No. 2, on your ability to pay them back in the future.

There are three major companies in the world that give credit ratings to countries—three major companies. What those companies are saying right now is we are looking at America and we are worried. We are worried about two things. They are worried about this debt limit issue, and the fact that if the debt limit is not raised, they are going to downgrade us because we are going to miss payments on this, that, or the other. They are worried about that.

But they are a lot more worried about something else. It is not our willingness to pay back, it is our ability to pay back people who lend money to the United States.

Let me read you some of the quotes. This is from Moody's, which is one of the top ones. They write: "If the government avoids default, we will likely affirm America's AAA rating."

America has the highest credit rating in the world right now that you can possibly get. They say: If we avoid default, they will likely affirm our AAA rating, but they will still assign us on something called a negative outlook, unless there is—this is the money line—"a substantial and credible budget agreement to cut the deficit."

What they are basically saying is, if you raise the debt limit, you may temporarily avoid being downgraded, but ultimately we are still putting you on a watchlist and we ultimately are still going to downgrade you unless we have a substantial and credible budget agreement to cut the deficit.

What does that mean? They go on to elaborate. They say: The agreement should include a deficit trajectory—basically a path of deficits—that leads to stabilization and ultimately a decline in your deficit, particularly in how much money you owe compared to how big your economy is.

That is what they want to see, a plan in place that shows how we stop growing the deficit and then how we start reducing it. That is what they are saying. Then they actually talk about specific numbers. They have said, their analysts have said we think \$1.5 trillion of cuts this year—over the next 10 years—is a plan that is too little. We think \$4 trillion might be enough. That is from Moody's.

Standard & Poor's, the other rating company, wrote very clearly that even if the parties—meaning Republicans and Democrats—agree to raise the debt limit, it may not be enough to avoid downgrade.

That is the second credit house. They are saying: Even if you raise the debt limit, we may still downgrade you. In order to avoid a downgrade, you need a plan that reduces annual budget deficits by at least \$4 trillion over the next 10 years.

We hear the \$4 trillion number again. This is the second rating company basically saying: Yes, the debt limit is a problem. What we are worried about is, do you have a plan to deal with the debt and the deficit?

Then the third major company, called Fitch, wrote that they are looking for an agreement on credible fiscal consolidation strategy in order to secure America's top credit rating, a triple A.

So the three major houses' rating which is what this is all about at the end of the day, because if our credit rating goes down, interest payments go up on everything from your mortgage, to your car, but, more importantly, on America's debt, which means we are going to have borrow more money to pay the interest on the debt we already owe.

So we cannot allow our credit rating to go down. The three major companies that give us our credit rating are all saying the same. Here is what they are saying in plain English: The debt limit is a problem, but it is the least of your problems. Your bigger problem is the debt. If all you do is pass an increase to the debt limit and it does not come with a serious, credible, substantial plan to deal with the debt, you are in big trouble.

I would submit to you that the biggest issue facing us on this issue is not the debt limit. The debt limit is actually the easiest issue. That is one vote away from being raised. Our biggest issue is the debt, and the fact is that as we speak, there is no plan in place to begin to do anything about it. Our credit is in danger because of this. That is what we should be focused on like a laser.

What will a substantial plan look like? Let's take it from the words of these credit companies: It has to stabilize deficits and begin to show how the deficits come down. We know that \$1.5 trillion in cuts is not enough. We know that \$4 trillion might be enough.

This is what we need to do. How do you do this? How do you get there? It is not rocket science. It is a pretty simple mix of two things that have to happen. The first thing you have to do is you have to stop spending money at the rate you are spending. You cannot keep spending more money than you have. If you are in debt and you keep borrowing a lot more money than you take in especially, it is only going to get worse. So you have got to control the amount of money you spend. Also what you have got to do is generate more money for government.

So if you can do those two things, if you can control how much you spend and you can generate more money for government, and you can do both things at the same time, that is how you dig yourself out of this. The debate we should be having here is how do you accomplish that.

On the do-not-spend side, we have two choices: You can either trust that future Congresses will do what virtually no Congress in the history of this Nation has ever done; that is, control themselves. And I say this when Republicans were in charge, Democrats were in charge; they have never been able to control spending. If you let politicians spend money they do not have, they will spend it, I do not care who is in charge. That is what history teaches us. So we can either trust that somehow in the future Congress will not do that or we can put into law limits on their ability to do that.

That is why I am for things such as a spending cap and a balanced budget amendment, because I think if you do not have restrictions in place, it is not going to happen. Almost every State in the country has a balanced budget amendment. I come from a State where there is a balanced budget amendment.

I assure you, I do not care who is in charge or how conservative they claim to be. If you do not have laws in place that keep politicians from spending money they are borrowing, they will borrow the money and spend it. History will back that up.

The second is, how do you generate more money for this controlled government? That is the crux of the debate we are having today. Some of my colleagues believe the way you do it is you raise taxes, especially on rich people. To some people this may sound appealing. Here is the problem. It does not raise nearly enough money, if you could even collect it. It does not raise nearly enough money.

From the only tax plans I have seen put out there by the administration and some of my colleagues here on the other side of the aisle, it adds up to less than 10 days' worth of deficit spending. We do know, however, that these increases in taxes could kill jobs.

The other way you can generate more revenue for government—and it is the way I think we should do it—is to grow your economy. You get more people back to work, and so now more people are paying taxes. You get people who are working to make more money because their businesses are doing better and so they are paying more taxes. The government uses that money not to grow government, it uses that money to pay down its debt and control itself. How do you create more jobs and economic growth? You do it by encouraging people, not in this building but outside this building, to start businesses or grow existing businesses.

If you ask those people—not economists, not people on Wall Street, not journalists, not professors, not politicians—if you ask people to create jobs: What would it take for you to start creating jobs again, what they are looking for is a tax system that is fair and regulations they can comply with and then get out of the way and they

will do what Americans have always done. Those are our ideas.

Here is the problem. Even as we stand here today, there are few plans on the table to do it. I have watched the President give press conferences. I have watched the President give speeches. I have yet to see a plan from the President. With all due respect to my colleagues in the other party in the Senate, I have not seen a plan from them either. They are the majority party. They control this Chamber. They control the Senate. I have not seen a plan from them.

A moment ago we heard this talk about we have to compromise. It is hard to compromise when the other side does not have a plan. What do you compromise on? Where is your plan? You cannot compromise if only one person is offering plans. There is only one plan that has been voted on by any House to deal with this issue, and it is the one we are on right now—cut, cap, and balance.

I would submit if you do not like cut, cap, and balance, if you do not think we need to cut spending, cap spending, and balance our budget, then show us your alternative. Or maybe you do believe we do need to cut, cap, and balance, but you do not like the way this bill cuts spending, caps spending, and balances spending. Fine. Offer your version of cut, cap, and balance. Let's proceed to this bill. Let's get on this bill the House has passed. If you do not like it, change it. You have got the votes here to do it. If you have got a better idea, bring this bill up and amend it and put your ideas on it.

But how could you ask for compromise? How could you scold Republicans in the House for refusing to compromise if you do not have a plan of your own? How can a person compromise if they don't have any ideas of their own? It is not a fair thing to say.

So I urge the leadership of the Senate and the President of the United States to offer their ideas on paper—put their ideas on paper and offer them so we can begin to work on this concept of compromise they have offered.

We cannot compromise and negotiate with people who will not offer a plan. Why don't we vote to proceed to cut, cap, and balance—proceed to this bill so we can debate it and they can offer their ideas on this bill. This is the perfect opportunity to do it. Stop negotiating in the media and through press conferences and start doing it on the Senate floor, which is what the people sent us to do. I hope that is what will happen.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF RICHARD CORDRAY

Mr. BROWN of Ohio. Madam President, as we debate the best way to get our fiscal house in order, we must avoid, first of all, defaulting on our obligations while also working to make our economy stronger.

While our debt has been rising for several decades—and there is enough blame to go around—it has been exacerbated by the economic crisis that has all too often turned workers and taxpayers into collectors of unemployment insurance, housing assistance, and health care assistance.

We must not forget that the economic crisis was brought on by a financial crisis that pulled our economy into a deep recession.

Some people in this Chamber—conservative politicians in Washington—like to forget this financial crisis ever happened. But throughout the United States—in places such as Cleveland, Dayton, Chillicothe, and Zanesville—fast-talking mortgage brokers in America steered Americans into unfair loans that helped put our economy on the brink of collapse, costing millions of Americans their homes and jobs.

While Wall Street has regained its footing, millions of Americans are still struggling to find jobs, stay in their homes, and afford health care coverage. Businesses are struggling to access credit so they can hire new workers.

Thankfully, 1 year ago, we passed Wall Street reform. The President signed the landmark legislation that was aimed at providing consumers with protection from abusive rates, fees, penalties in mortgages and credit cards.

The centerpiece of the bill—one of the centerpieces of the bill is the creation of the Consumer Financial Protection Bureau, which is aimed at giving consumers a voice as loud and powerful as Wall Street; frankly, something this city is not used to.

Richard Cordray will be that voice. He is one of Ohio's most talented public servants, who is strongly committed to protecting Ohio consumers and investors.

As Ohio's attorney general, he was a strong voice for Ohioans who struggled during these tough times to stay in their homes, consumers who faced unfair practices by big Wall Street banks who had deceived consumers.

He has targeted institutions—including Fannie Mae—that hid material information from investors, in the process undermining pension funds that provide retirement security for teachers, secretaries, police officers, and janitors.

Coming from Ohio, he has seen firsthand how unscrupulous actors steered Americans into unfair subprime loans that helped push the economy to the brink of collapse, costing millions of Americans their homes and jobs.

Rich took the unscrupulous actors, but he also worked closely with Ohio banks, which are supporting his nomination to advocate the Consumer Protection Bureau because he played it straight and fair. He worked closely with them to promote financial literacy and craft effective, targeted legislation distinguishing traditional banks—those that lend and are the lifeblood of any economy—from those banks engaged or those companies or Wall Street institutions that are engaged in predatory lending.

As he has been throughout his career, Rich will be a strong voice for consumers as the Consumer Financial Protection Bureau carries out his mission. It is a mission of bringing oversight and transparency to checking accounts, credit cards, mortgages and student loans and ensuring that our financial system continues to support job creation. The Consumer Financial Protection Bureau is already starting to make a difference. It is working to make sure credit card terms and loan contracts are written in ways that regular people can understand—in plain English. It has earned rave reviews from industry and consumer groups alike for the substance and process involved in creating a new model mortgage loan disclosure form.

The Consumer Product Financial Protection Bureau is helping our men and women in uniform, preventing them from being targeted by bad actors committing fraud and engaging in deceptive financial practices. You can see them like vultures surrounding military bases as they do it—at Wright-Patterson Air Force base in Dayton and other places.

When Rich was attorney general of Ohio, he was the first State attorney general in Ohio to take on unscrupulous bankers and sue a mortgage lender over foreclosure fraud. He recovered billions of dollars for Ohio.

I am proud to have worked with him to identify financial predators that prey on homeowners facing foreclosure. When he was Ohio treasurer, he worked across party lines to strengthen Ohio's finances.

Besides being a five-time Jeopardy winner, Rich is a great human being and a devoted family man. The challenges he will face in his new position are great, but I know he will be strengthened by the support of his wife Peggy and twins Holly and Danny.

I urge my colleagues to support Richard Cordray to be head of the new Consumer Financial Protection Bureau. It will help consumers, banks, and our economy.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. I ask unanimous consent that the order for the quorum call be rescinded.



The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the time during the quorum call be divided equally between the two parties.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Madam President and colleagues, I have been struck in the discussion about cut, cap, and balance that there has been virtually no mention—virtually no mention—of the No. 1 issue on the minds of the American people, and that is jobs. What we need above anything else is to create more good-paying jobs. In this discussion about cut, cap, and balance, the whole question of jobs has virtually not come up.

Now, what we know is that between the worst of this fiscal crisis and the end of 2010 we lost 8.5 million jobs, and our country has only recovered a small portion of those jobs. The fact is, many of those new jobs that have been created don't pay as much as the jobs that have been lost. We also know millions of our people can't find full-time work, and they have had to settle for part-time jobs to make ends meet. Cut, cap, and balance virtually ignores that question.

I hear, for example, from our business community that they have a very serious challenge in terms of generating sales. Sales are all about middle-class folks coming into our stores and, in a consumer-driven economy, making purchases. As we have seen a number of times, David Leonhardt—particularly over the weekend in an excellent piece in the *New York Times*—described how in one area after another, in terms of consumer durable goods, middle-class folks have essentially walked off the economic playing field.

There is, however, one particular approach to job creation that has a proven track record—a proven track record—and bipartisan support, and it is one I hope the Congress will soon move to. I find that we have plenty of disagreement now in the Congress on a whole host of issues, but whether one is part of the Warner-Chambliss group or any other particular group, there is a sense that even though cut, cap, and balance doesn't talk about it, job creation is the most important issue. The path to that—the proven path to that, Madam President—is tax reform.

The fact is, that is the one unused tool in the economic toolshed. The

Federal Reserve has thrown tremendous efforts at trying to boost the economy. The Recovery Act was a path. Various steps have been taken with respect to housing. Tax reform is the one area from the economic toolshed that has not yet been picked up and actually used. I think the country understands what needs to be done. Certainly, the Congress does. We had the report from the Bush Commission—George W. Bush—that made a number of excellent recommendations in their report. The Volcker Commission for President Obama had a number of sensible ideas.

I have had the pleasure of working with two very thoughtful colleagues on the other side of the aisle—Senator Gregg, before he retired, and now Senator COATS—and we have picked up on the model that populist Democrats and former President Ronald Reagan pursued in the early 1980s. It was all about cleaning out scores of special interest tax breaks and using that money to hold down rates for everybody and keep progressivity.

The reason I bring it up this afternoon—in the context of the fact that I sure don't see any mention of cut, cap, and balance focusing on jobs—is when Democrats and Ronald Reagan got together, the results on job creation were real, they were tangible, and we saw middle-class people get a chance to get back into the economy and get back to work.

According to the Bureau of Labor Statistics, in the 2 years after Democrats and Ronald Reagan got together on a bipartisan basis to focus on job creation, our country created 6.3 million new jobs—6.3 million new jobs. Between 2001 and 2008, when tax policy was partisan, we only created about 3 million jobs. We have lost jobs in this last fiscal crisis, looking particularly at the measure that I cited at the end of 2010. So we have to get people back to work.

I see my friend from Iowa is here, and we have talked about tax reform on a number of occasions. Let me just cite an example of an approach on which Senator COATS, a Republican, and I have teamed up. We take away the tax breaks for shipping jobs overseas.

Right now, there are a huge array of tax breaks for, in effect, exporting jobs, when the country wants to export goods and services—goods made in the United States, where we add value to them in the United States and then we ship them somewhere. What Senator COATS and I propose is taking away those tax breaks for exporting jobs and using those dollars for what I call red, white, and blue jobs—jobs that pay a good wage in the United States so we can get full-time employment for some of the folks so hard hit now who can't find more than 15 or 20 hours of work a week that doesn't pay a good wage so they can support their families.

Cut, cap, and balance doesn't raise those kinds of issues. It doesn't raise the fact that when we put people back to work, have good-paying jobs in this country, that generates revenue Democrats and Republicans alike can support.

I know Senator HARKIN has focused particularly on this question of where the revenue is going to come from to pay for our safety net with so many people hurting and falling between the cracks; tax reform that puts middle-class people back to work as we saw when Democrats such as Dick Gephardt and former President Reagan got together that generates revenue both sides can support, private sector job growth that puts folks back to work and gets the middle-class consumer back into the economy and back into our stores.

Look, for example, at the bipartisan proposal Senator COATS and I have. The typical middle-class person can get \$3,000, \$4,000 worth of tax relief under our proposal, not by raising the deficit, not by spending more money, but by closing out some of these special interest loopholes. Where is that consumer going to go? They will have a chance in a consumer-driven economy to go back into the stores. Maybe they will buy a washing machine, maybe they will buy a computer for their kids. They will go back into the economy and help, as we have seen time and time again over our history, to get our country back on its feet by middle-class people who have good-paying jobs going back into the marketplace and helping our economy grow.

The numbers are striking. Again, after Democrats such as Dick Gephardt got together with Ronald Reagan, in the 3 years after those reforms in the middle 1980s, Federal tax receipts for individuals and corporations rose by \$137 billion. That is the kind of revenue-raising approach that Democrats and Republicans alike can support. But we don't hear a word about job growth in the private sector under cut, cap, and balance.

We hear a lot of technical terms about whether Federal spending ought to be 19.9 percent of gross domestic product or should it be 20 or 21. Those are important issues, but to their credit, one economist after another has made it clear that we don't get to economic recovery in this country just by cutting. We are going to have to do some growing.

Colleagues, we are going to have to do some growing. And, to me, to be out on the floor talking about cut, cap, and balance and not paying any attention to a Tax Code that is a job killer rather than a job creator for what I call red, white, and blue jobs in this country just seems to be a mistaken set of priorities.

The reality is, as Senator COATS and I have made clear in offering our bill,

the Tax Code is larded down with so many special interest goodies and sweetheart deals, and I just touched on one that we would actually be rewarding: the export of good American jobs. What we ought to be doing is taking away these foolish tax breaks and creating ones that get the middle class back into the economy and get our companies investing in our country.

Now, it does not take a constitutional amendment to do what Dick Gephardt, Ronald Reagan, Dan Rostenkowski, Bob Packwood, and a whole host of Democrats and Republicans got together to do in the 1980s. It requires Democrats and Republicans to work together to take on the special interests that currently benefit from the broken tax system.

Make no mistake about it. Those special interest groups are taking tax breaks that ought to instead go for real relief for hard-hit, middle-class families and American business to create jobs in this country.

I see colleagues on the floor. I want to wrap up with one last point, briefly. I would not say for a second that tax reform is the only component of economic recovery. Senator BLUNT is here, and as chairman of the Trade Subcommittee on the Finance Committee, we have worked very closely together on another important trade issue. What we have seen—and I know Senator HARKIN is interested in this—is the Chinese have essentially been involved in merchandise laundering—some companies. What they have done after they have been found guilty of violating our trade laws, instead of changing their practices and complying with the trade laws, some of these Chinese outfits essentially go to another country and export through that country, and put on, for example, “Made in Korea”—big implications with these trade agreements—and end up shipping those goods to the United States.

Senator BLUNT and his constituents have made the correct point that is again taking away jobs from middle-class folks. But we have to get back to the issue of jobs on the floor of the Senate. That is the most important question for our constituents.

Staff told me on the way over here that in a recent survey of businesses cites, again, their No. 1 concern is that sales are going down in their stores. I think everybody in the Senate knows you can often go to a store on a weekend or an evening and you hardly see anybody there because middle-class people are very worried about what is ahead and simply because of these economic times do not have the money to go in and buy those goods and arrange for those services that, in an economy that requires they be in the marketplace, they simply don't have the resources for it.

So I hope my colleagues will oppose cut, cap, and balance. I hope they will

see the No. 1 issue in the country is jobs. Tax reform has a proven track record, colleagues—a proven track record: 6.3 million new jobs in the 2 years after Ronald Reagan, a conservative President, and Dick Gephardt, a populist Democrat, got together—a conservative Republican President, a populist Democrat. That is the tool we ought to take out of the economic toolshed and use as quickly as possible.

I hope we will move on certainly to tax reform in the fall, and I hope colleagues will remember that as we have this discussion about cut, cap, and balance. I think it misses the central question of our time, which is job creation. For that reason, I oppose the bill.

Madam President, colleagues are on the floor. With that, I would yield.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. I thank the President for recognizing me, and I will speak and then look forward to hearing the remarks of my good friend from Iowa.

I agree with the simple premise of what Mr. WYDEN had to say. I think private sector job creation should be the No. 1 target for the country today. Frankly, anytime we are not talking about that or what we can do about spending, we are talking about the wrong two domestic issues.

I would suggest, however, it is not like the option today was to bring that bill he described to the floor. I would love to see it on the floor. I would love to see a simpler, fairer, flatter more easily understood Tax Code because I do think certainty is one of the things that makes a difference in that decision to invest. But I absolutely agree the No. 1 priority for the country at this minute should be private sector job creation. And I look forward, as he does, to working on that.

My only fault I find with the premise that is not the reason to talk about this is that is not what we were going to be talking about otherwise. In fact, the week we were going to spend here that was supposed to be the workweek during the Fourth of July, the bill the majority brought to the floor was the Libya resolution, which I haven't seen since.

That was the week we were here to do something about spending, and that is why we didn't do the other things we had scheduled because we were going to talk about spending. The bill the majority was going to bring to the floor was the Libyan resolution, which was the most important thing in the world, apparently, that day, and we haven't seen it since that day.

So while I agree job creation matters, I don't agree that it doesn't matter how much the Federal Government spends. In fact, I think there is a lot of difference in a country where the Federal Government is spending \$1 out of \$4 that the country can produce in

goods and services, or \$1 out of \$5. Now we are spending \$1 out of \$4.

For 40 years, before 2008, we spent \$1 out of \$5. In 2008 we didn't spend an average of 20.6 percent; we spent 19 percent. So we have gone from 19 percent of GDP spent by the Federal Government to 25 percent of GDP spent by the Federal Government, and it matters. That is why spending is the other issue.

What we are talking about with cut, cap, and balance is, How do we get that spending under control? If there is a better plan, I would be glad to see it. But I don't see a plan on spending control coming from anywhere else.

We all know we now have a record debt of almost \$15 trillion, at \$14.3 trillion and counting. We all know we have spent approximately \$7.3 trillion and added almost \$4 trillion to that debt since the Senate and President Obama passed the last budget the country had 813 days ago. We all know unemployment has increased by 18 percent since January of 2009.

In the 29 months since then, despite the so-called stimulus package, unemployment has been over 8 percent every month for 29 months, and it was 9.2 percent in the month of June. We also all know that 40 cents out of every dollar the Federal Government spends is borrowed, and we just can't continue to do that. One option might be to raise taxes and think that 40 cents would come in. I am not for that because I don't think higher tax rates necessarily produce more tax revenue.

Until 1981, for 50 years the highest tax rates had been 70, 80, or 90 percent, and people don't pay that tax rate. People definitely don't take a chance and invest in that tax rate. But the fact that we know maybe most of all is we can't keep doing what we are doing now. The status quo is both unacceptable and unsustainable, and we have to look at what it takes, as Senator WYDEN said, to meet the No. 1 priority, which is, What do we do that creates private sector jobs? I think getting Federal spending under control is something that the moment, the moment of August 2, creates an opportunity for us to talk about and do.

Now, why was I one of the first co-sponsors of cut, cap, and balance? It is because I thought it had the potential, and I believe it has the potential, to do what needs to be done.

What was “cut”? Cut was to go back not to 1980 spending levels, but to go back with nondefense discretionary to 2006—just to go back to what we were spending on nondefense discretionary in 2006. Rearrange that as you may want to, rearrange that in a way that better meets 2011 goals, but go back to that amount of money and then set caps.

By the way, in virtually all cases they were growing caps in various categories of government spending for the next 10 years and working within those

caps, but knowing every year what they were going to spend.

Then, the third element was, let's balance the budget. While I have always been for a balanced budget and a balanced budget amendment, I believe now more than I ever have that it is the tool that ensures, not just 5 years from now, but 55 years from now that we just have to simply get the resources of government and the spending of government in place. Forty-nine States, including my State of Missouri, have a balanced budget amendment. Every family at some point or another has to deal with the reality of a balanced budget amendment. These provisions take us in the right direction.

President Obama has said he would veto this bill if it passed. It has already passed the House. If it would pass the Senate this week, I don't know that the President would veto it if he really was faced with those options, but he said he would. I guess we might have to test that. But we shouldn't not vote for this because the President said he is going to veto it. We should vote for this because it is the right thing to do to get the spending of the Federal Government under control.

Missourians deserve better. Americans deserve better. Both parties no doubt have contributed to where we are right now in our current economic situation. Frankly, both parties have to find a way out. It takes three things to pass a bill in Washington: It takes the House of Representatives, it takes the Senate, and it takes the White House. My party, the Republican Party, controls one of those. Our friends on the other side control the other two. So how do any of us think we are going to get everything we want in this environment? But we have to work toward the right result. I think cut, cap, and balance would produce that result. I think we do have to get on with the work of being focused on what do we do to create private sector jobs, what do we do to get this spending under control.

American families have to deal with this all the time. It is time their government dealt with it as well. I don't want to settle for business as usual. We have a unique opportunity here. Are we going to be like every other country, like Greece and Ireland and Portugal and Italy and so many countries in the world today? Or are we going to set out on a different path, a path that shows we are prepared to control and rein in Federal spending and do what is necessary to encourage private job sector growth? I hope we can join together and find a solution. This is the moment we need to do it.

Madam President, I am looking forward to working with you and others. I know I am yielding the floor to my good friend, Senator HARKIN from Iowa. We are working together on the Missouri River working group. We are sponsoring legislation together for Spe-

cial Olympics. We can find solutions to these problems if we want to find solutions. That is what the people we work for deserve. Let's find a way forward.

For me, the way forward would be cut, cap, and balance but I do know we all have to work together or we are not going to arrive at any conclusion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I listened both to Senator WYDEN and to the remarks of Senator BLUNT. They are both very thoughtful individuals, thoughtful Senators. I enjoy working with both of them.

Madam President, why are Republicans refusing to agree to raise the debt ceiling, something we have done 89 times since the 1930s, including 18 times under President Reagan? I might point out, the Republicans at that time controlled the White House and the Senate and the Democrats controlled the House.

Also, in September of 1987, President Ronald Reagan used his weekly radio address to urge Congress to increase the debt ceiling. He said—and here it is. I thought it was worth printing out. Here are the exact words of Ronald Reagan spoken in September of 1987:

Unfortunately, Congress consistently brings the Government to the edge of default before facing its responsibility. This brinkmanship threatens the holders of government bonds and those who rely on Social Security and veterans benefits. Interest rates would skyrocket, instability would occur in financial markets, and the Federal deficit would soar. The United States has a special responsibility to itself and the world to meet its obligations.

I didn't put it on here, but President Reagan went on:

It means we have a well-earned reputation for reliability and credibility—two things that set us apart from the rest of the world.

Today, so many of our friends on the other side, Republicans, constantly invoke Ronald Reagan as a role model, almost as a kind of a patron saint. I wish they would heed his words and what he said in September of 1987.

I also remind my colleagues when President Reagan realized that his 1981 tax cuts were resulting in large deficits, he turned right around and supported corrective income tax increases in 1982 and 1984. That is right, President Reagan supported income tax increases in 1982 and 1984. In stark contrast to President Reagan's example, today Republicans reject any compromise that requires raising any new revenues from the wealthy.

One of the things we are talking about is eliminating tax expenditures. Those are special interest tax breaks that even Senator COBURN, on the Republican side, described as "corporate welfare." As the distinguished chair of the Budget Committee said in his remarks earlier today, Senator CONRAD pointed out that tax expenditures now

total more than \$1 trillion, more than all of our discretionary appropriations in the Federal budget.

Here is the difference. The discretionary appropriations for the most part go out for programs such as health, education, research, transportation, security, police, the judiciary—it goes out for that. What do tax expenditures go out for? They go out to support the wealthy. Here is why I say that. The wealthiest 1 percent of Americans get 26 percent of the benefits from these tax expenditures. That is what Senator CONRAD pointed out this morning.

Many of our Republican friends are perfectly willing, indeed eager, to slash Medicare, Social Security, Medicaid, education, other programs that undergird the middle class. But they have made it clear they would rather default on the debt than agree to a compromise that requires shared sacrifice from the most privileged people in this country.

The legislation before us, which is called cut, cap, and balance, and which should be more fairly described, as Senator CONRAD and others have said, as cut, cap, and kill Medicare, this bill that is before us now would enshrine in the Constitution a requirement that two-thirds supermajorities in both the House and Senate vote to raise revenues. Fifty-one percent could cut spending but it would take two-thirds to raise any revenues.

What does that mean? It means as a practical matter that it would permanently lock in the benefits of the current tax breaks for the wealthy, such as the outrageous 15-percent tax rate for hedge fund billionaires, and by building a firewall to protect tax breaks for the wealthiest Americans, this legislation would shift even more of the burden of deficit reduction onto the backs of middle-class Americans. Really, it should be cut, cap, and kill Medicare. That is what it is all about.

Let me take this a step further. In this bill before us that was passed over here from the House, it would cap Federal expenditures at 18 percent of GDP. Where did they get that number? Is that an arbitrary number? Why isn't that 18.5? Why isn't it 19? Why is it 18? I will tell you why. That number has a purpose. The last time Federal spending was at 18 percent of GDP was in 1966, right before Medicare kicked in and started expanding. So, guess what. They want to roll it back to a point in time before we had Medicare. This assault, now, on Medicare comes on the heels of another Republican assault on Medicare. You remember the Republican budget, the so-called Ryan budget. What was its centerpiece? A plan to dismantle Medicare, replace it with a voucher system that would require seniors to spend \$6,400 additional out of pocket for Medicare every year. It was basically the dismantling of Medicare,

turning it into a voucher system. That was the Republican budget.

So now we have a two-front assault on Medicare by Republicans. One is the Ryan budget, kind of a frontal assault, if you will, to dismantle it, turn it into a voucher system, and now we have the so-called balanced budget amendment that takes an indirect backdoor approach. It would simply defund Medicare. It would put the Federal Government in a fiscal straitjacket and allow it to spend no more than we did in the mid 1960s, before Medicare started. That is why it is at 18 percent.

I would say this legislation before us is also a direct assault on Social Security, the bedrock of our American retirement system. It is vitally important to the middle class of America, to ensure that seniors are able to enjoy their retirement years without falling into poverty or moving in with their kids. Social Security's modest benefit, around \$14,000 a year now, has become the biggest source of retirement income for two out of three retired Americans.

Mr. BROWN of Ohio. Will the Senator yield for a question?

Mr. HARKIN. I am glad to.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. BROWN of Ohio. Madam President, I thank the Chair. I heard what the Senator was saying about Medicare. Am I right about this? I know what some conservative politicians in this town think about Medicare. In 1965 when Medicare passed, it was a lot of conservative Republicans who opposed it. Later—I was in the House then. Senator HARKIN was in the Senate. But the first chance that Speaker Gingrich with the new Republican majority had in the mid-1990s, they tried to privatize it. Remember, Speaker Gingrich talked about it withering on the vine.

Am I right, with the Ryan budget they tried to privatize Medicare again and the public rose up against it a few months ago, so is this sort of a backdoor way of going after Medicare? They do not want to acknowledge to their constituents they do not like Medicare because 90-some percent of Americans like Medicare and benefit from it. This is this sort of backdoor approach to put these limits on spending so it will force the privatization and unraveling of Medicare and ultimately Social Security and these programs we care about?

Mr. HARKIN. I think my friend from Ohio put his finger on it. Of course it is. It is a backdoor approach. We all want to have surpluses. We don't want to have deficit spending. So it sounds good: We will balance the budget. Most people say that sounds like a good idea, let's do that, without looking behind this cap they put in of this 18 percent. Eighteen percent is a number picked by the Republicans because that would take us back to where we were in 1966, before Medicare kicked in. It would

throttle it, a backdoor approach as a way of defunding Medicare and also as a way of getting at Social Security, moving it to privatization, which the Republicans never have given up on.

They started under Gingrich. My friend is right. I remember them talking about privatizing Social Security. They have never given up on it. They cannot do it frontally but they are trying to do it through the back door.

Mr. BROWN of Ohio. If the Senator will yield again, imagine what would have happened in 2003 and 2004 with the Senator in the Senate and a lot of people all over the country—including a lot of Republicans all over the country, but not elected Republicans, when we were fighting the privatization of Social Security in 2004 and 2005—imagine what would have happened if so much of Social Security had been turned over to Wall Street. Imagine what would have happened if, in 2005, people would have put all this money in Wall Street instead of their secure lockbox, if you will, the Social Security fund, where nobody is missing Social Security payments and people know what they are going to get. It is predictable, it is always there and always will be. If we put it in these private accounts, there goes the predictability and there goes the solidness of Social Security, right?

Mr. HARKIN. Another thing we ought to think about, I say to the Senator, is this: What the Republicans are saying—there are a lot of Republicans who do not care if we default. They don't care if we default. In fact, MICHELLE BACHMANN, Congresswoman BACHMANN—who is one of their frontrunners for the Presidency—said she would never vote to increase the debt ceiling no matter the circumstances. As President Reagan said in 1987, it would mean that “those who rely on Social Security and veterans benefits” wouldn't get their Social Security checks, and that is exactly right.

People have to think about this. If we default, that means all the people who have put their money into Social Security in the past, what we are saying is you may have put your money in there and guess what. We are not going to pay you. Is that what we want to do as a country? Social Security is backed by the full faith and credit of the U.S. Government—more than anything than Wall Street has ever gotten. Wall Street can go under. The Senator is right, if we had put Social Security in the stock market it would be in the toilet now. But we put it into U.S. Government bonds because it is backed with the full faith and credit of the U.S. Government. That is why we have to support Social Security. That is why we can't support this cockamamie scheme they are trying to do here.

I thank my friend Ohio for pointing those things out. It is a backdoor assault on Medicare and on Social Security.

People are saying: Well, Social Security—we have to shore up Social Security. It is sound for about the next 20-some years, but looking ahead, yes, we should shore up Social Security. One good way to do it is to raise the cap on Social Security taxes. Well, right now the cap is \$106,800 a year. What does that mean? That means if you make up to \$106,000 a year, you pay into Social Security on every dollar you earn. If you make over that, you don't. Well, let me put it another way. If you make \$50,000 a year, you pay on every dollar you earn into Social Security. If you make \$500,000 a year, you only pay on every 20 cents of every dollar you earn into Social Security. Why is that fair? Why is that fair that someone who makes \$50,000 a year pays on every dime they earn, every dollar they earn, but someone who makes \$500,000 a year only pays 20 cents on the dollar? If you want to shore up Social Security, raise the cap on payroll taxes. Raise the cap. That is something no one is talking about. What are they talking about? Cut benefits. Cut the benefits. Well, we don't have to cut Social Security benefits in any way. We just have to make it fairer in terms of how we raise the payroll taxes.

As I said earlier, the bill before us would require a two-thirds vote before we could even change that. So if we wanted to raise the cap on payroll taxes on Social Security, it would require a two-thirds vote. That means we would never get it done. That means, yes, at some point we would probably have to start reducing Social Security benefits. Well, again, as the Senator from Ohio pointed out, this is a backdoor approach to dismantling Social Security.

Republicans are rejecting any notion of shared sacrifice. They demand we dismantle Medicare, slash Social Security, slash education, cut infrastructure—all those things that undergird the middle class. They shred the safety net for the most vulnerable people in our society, as Senator WYDEN pointed out earlier, but they insist on shielding the wealthiest people in our society from even contributing \$1 to the mess we are in.

Lastly, why are so many people here—to pick up on what Senator WYDEN said earlier—obsessed with deficit reduction to the exclusion of the single largest priority we should have in this country: putting people back to work. That is the most urgent deficit we have—the jobs deficit. Senator WYDEN spoke eloquently about that.

My friend from Missouri, Senator BLUNT, talked about that too. He talked about private sector employment. Well, something has to happen to get that moving. It is not giving more tax breaks to the wealthy. The old trickle-down theory, we tried that and it never worked. All these big tax cuts we gave to the wealthy happened

under George Bush and a Republican Congress. Look at the mess it got us into. We have been losing jobs for the last several years. Our jobs have been going overseas. It put us in a huge budget deficit.

One of the things we need to do now is not to turn a chainsaw on ourselves but to recognize that the Federal Government can be a powerful force for stimulating the private sector. Again, one of the things I think we need to do is to put more money into the infrastructure of this country. We need to rebuild our roads, our highways and bridges, and our sewer and water systems. We have hundreds of billions of dollars needed to remodel and upgrade our schools all over America. We need a new electric grid, a smart grid. We need to be putting more into green energy so we won't be importing so much oil into this country. There is only one place that has the power to focus on that in a large, comprehensive way, and that is the Federal Government. But then people say: We can't do that. We can't afford it. We don't have any money. Well, they are right.

So there are two ways we can get these wheels of our economy going again: We can either borrow the money or we can raise the revenue. I would prefer that we raised the revenue. There is plenty of it out there. The businesses in America are sitting on, I have heard, anywhere from \$1 trillion to \$2 trillion that they are not investing. Well, if they are not investing it, I know where to invest it. Let's put it out there rebuilding the infrastructure of America.

Now, that is not the government doing the work; it is simply the government providing the input so that the private sector can go to work. It is not government workers out there who would be building the roads, bridges, highways, remodeling our schools, and rebuilding the new electric grid. No, this is the private sector doing it, but we can marshal the forces from the Federal Government, marshal the power to focus the funds in that direction to rebuild America, to make it a more energy efficient, a better educated, a more innovative, technologically competent future for our kids and grandkids. Once we start doing that, then other elements of the private sector will take off because they will see we have made a commitment to the future, the growth of this country—not a dismantling, not a withdrawing, not a shrinking, but, as Senator WYDEN said, a growth. Once the private sector sees we have made a national commitment to growth, they will start investing.

How many times do we have to learn that the investment we have made in infrastructure has spun off into all kinds of private sector entrepreneurship and jobs and new businesses or research, the money we have put into re-

search and how that stimulates the private sector?

How many times have you heard this old Republican line—I hear it all time—the government doesn't create wealth, it consumes wealth. I hear that all the time. Well, that is nonsense.

Just about a month ago, I had a hearing before my committee, the HELP Committee, which has jurisdiction over the National Institutes of Health. We had the National Institutes of Health here, and Francis Collins, who is now the Director of it, brought us up to date on what the NIH is doing. He pointed out something very interesting. Some 20 years ago, we began to invest taxpayer money—your money, taxpayer dollars—into something called mapping and sequencing the human gene. It was called the Human Genome Project. It became the Human Genome Institute at NIH. After 12 years, they finished the process of mapping and sequencing the human genome.

The Battelle Institute—a research institute that is privately owned, not government, based in Ohio—did a study of what happened because of that. We invested \$3.8 billion in mapping and sequencing the human gene—\$3.8 billion. The Battelle Institute said: In the last 8 to 10 years, that \$3.8 billion of taxpayer money invested in research resulted in over \$790 billion of private sector investment. Let me say that again: \$3.8 billion of taxpayer money resulted in \$790 billion of private sector investment. Tell me again that the government can't create wealth. Of course, it can because it can marshal the kinds of resources that this sector or that sector can't do. No private entity could have mapped and sequenced the human genome. Well, they probably could have, but it would have taken 40 or 50 years to do it. It took the massive power of the Federal Government to get it done, and in a short period of time.

So, again, this is what we ought to be thinking about: How do we create jobs? How do we put people back to work? I say it is by making sure we have the revenue to invest. We can invest in our infrastructure. I don't mean just the physical infrastructure, I mean also the human infrastructure. That means education and job training.

I just saw a figure the other day. This year, we are spending—of the taxpayer money—\$14 billion training Iraqi and Afghanistan security forces. That is for training, \$14 billion this year. Yet here in America, for all of our job-training and retraining programs for the entire country—all job-training programs—we are spending less than \$10 billion. Do you think the American people think that is wise? Do you think they don't know this? There is \$14 billion going to Iraq and Afghanistan to train their security forces while less than \$10 billion is going to retrain our workforce for jobs of the future.

Well, I see others have come to the floor, so I will wrap this up.

Deficit reduction is important—I am not saying it isn't—but it is not the single most important thing right now. The single most important thing is to put people back to work. As Senator WYDEN said, that will start to create the demand. It will spur more private investment as the Federal Government begins to invest in the future of this country. That is where we ought to be focusing. Once we get the wheels going again, once we get people back to work and the economy starts to grow, that is when we start to reduce the deficit. To just focus on deficit reduction right now to the exclusion of putting people back to work reminds me of when doctors used to put leeches on people who were ill. It only made them more ill because it drained more blood out of their system. And most times it proved fatal, as it did to our first President, George Washington. Our urgent, No. 1 priority must be to create jobs and put people back to work. We shouldn't just turn a chainsaw on ourselves.

I look at this Republican cut, cap, and kill Medicare proposal we have before us, and what I see is a budget predicated on fatalism—fatalism and fear of the future. We need a budget that is predicated on hope and aspiration, of putting our people back to work.

So put the ideology aside. Come together in a spirit of compromise for the good of this country to have a balanced package—balanced—spending cuts that will take place in the mid-and outer ranges of our years and revenue increases now so we can take that money and start putting people back to work rebuilding both the human infrastructure and the physical infrastructure of this country.

I ask unanimous consent that the time from 2 p.m. until 5 p.m. on the motion to proceed to H.R. 2560 be equally divided between the majority leader and the Republican leader or their designee and that Senators be permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

Mr. HARKIN. I yield the floor.

Mr. CORNYN. Mr. President, I would like to speak on the cut, cap, and balance legislation. I plan to vote yes on Saturday morning to proceed to this bill, and I urge my colleagues to do likewise. I would also like to explain why I think that is important.

Most of us understand what this bill does. It cuts spending next year by more than \$100 billion. These are real savings and not smoke-and-mirrors. It caps total Federal spending as a percentage of the economy, and it puts us on a path to keep spending at 19.9 percent of our gross domestic product. Right now, our Federal spending is at

25 percent of the gross domestic product. Our revenues are at roughly 15 percent, so there we have a 10-percent deficit totaling \$1.5 trillion this year alone. Of course, those cumulative annual deficits make up our debt, which is now approximately \$14.4 trillion.

This piece of legislation also links an increase in the debt ceiling to passage of a joint resolution to balance the budget, and this is an important amendment to the Constitution that is being proposed. I believe we have amended the Constitution 27 times so far. This is a process the Framers of our Constitution embodied in the original document to allow Congress and the American people to amend the Constitution as circumstances change. Clearly, it is obvious to anyone who will look and pay attention that Congress has shown itself unable to constrain its spending and live within our means and to spend only the money we have as opposed to money we borrow from future generations. As important, this constitutional amendment—this balanced budget amendment to the Constitution—is not an extraordinary thing. It may be for the Federal Government, but 49 different States operate under a balanced budget requirement.

I support the cut, cap, and balance legislation because it meets the three primary criteria I am using to evaluate proposals related to the debt ceiling. The first of those three criteria is, No. 1, we must not default. That is not an option. Also, we must not lose the Federal Government's AAA credit rating. No. 2, we must not increase the tax burden on job creators during a fragile economic recovery. This is not just my position; this was the President's position last December when the expiring tax provisions were extended for 2 more years. No. 3, we cannot resort to smoke and mirrors in the hopes of somehow fooling either the credit rating agencies or the American people that we are serious about the spending problem Washington clearly has.

Cut, cap, and balance earned bipartisan support in the House of Representatives, and I applaud the courage of those who crossed the aisle to support this legislation in the House. I hope we see a similar demonstration of bipartisan support for this proposal in the Senate.

I know some of our colleagues on the other side are dismissive of this piece of legislation. I believe the previous speaker—I wasn't here for most of his comments, but I did see his chart—is fairly dismissive of this proposal. For those colleagues who are critical of this proposal, my question for them is this: Where is your plan? Where is your plan? To criticize what responsible Members of Congress are trying to propose as a solution to a problem when they have no plan of their own is irresponsible, in my opinion.

The House of Representatives passed a budget earlier this year but, unfortunately, it has been more than 800 days since the Senate has adopted a budget—800 days. That is approaching 3 years. When asked, the majority leader, Senator REID, said it would be foolish for the Senate to pass a budget. I think he was saying that not because he believes it is foolish to have a budget, but perhaps he thought by attacking the House plan, while having nothing to propose on his behalf, gained some marginal political advantage.

President Obama has ignored his own debt commission for months and the debt problem. We know last December his fiscal commission, the Simpson-Bowles commission, rendered a very important report documenting in sobering detail the debt problem the Federal Government has—unfunded entitlements, as well as our tax system, which makes very little sense and makes us noncompetitive globally. It is our corporate tax system which encourages—because it makes economic sense—businesses here in the United States to create jobs overseas where it is more efficient, it is cheaper to do so, and where it affects their bottom line in a positive way. Why wouldn't we want to encourage job creators to create jobs here at home by reducing the disincentives and providing an incentive for job creation here in the United States? Until recently, the President has shown very little interest in that recommendation of his own deficit commission.

We know when the President proposed his own budget in February—this is a budget never taken up by a Democratically controlled Senate either in the Budget Committee on which I serve or here on the floor—the President's own budget proposed in February would actually make our debt problem worse, not better. That is why, when we had a vote on the President's proposed budget a few weeks ago—not because our Democratic friends proposed it and brought it up for a vote but because our side of the aisle asked for a vote on it—it failed 97 to 0. None of our Democratic colleagues saw fit to vote for the President's budget proposal because they know it makes the problem worse, not better.

The President finally got engaged a few weeks ago. But the problem we still have is we don't know what the detail of the President's proposed solution to the plan is. He will not say publicly in detail what his plan is. Unfortunately—and this is sort of the nature of the beast—all the negotiations so far that apparently are still continuing are behind closed doors. If there were a grand bargain to be, I am confident what would happen is it would be rolled out on the floor of the Senate or in the House at the last minute, without adequate time to review it or to debate it or for the American people to read it

and see how it affects them and to give us feedback. We are representatives of a constituency, and the 25 million people I represent in Texas would like to have a chance to read it and then tell me what they think about it.

We know so far the American people are in the dark about the negotiations, and that is not a good way to do business. That does not help gain public confidence in what Congress is trying to do in dealing with a very serious problem.

Last week, I believe it was the Press Secretary at the White House who actually said that "leadership is not proposing a plan for the sake of having it voted up or down."

I think that is a bizarre statement. A person offers a plan because they believe it offers a solution to a problem, not because of some fear of having it voted up or down. That is, in fact, how our system works. The majority rules. But, unfortunately, the President's leadership style is captured perfectly in that statement, and I think it sums up what is wrong with what is happening here in Washington.

I wish to remind my colleagues of the challenge before us, and it is not the debt ceiling; it is the debt. I think those who think it is not real are just whistling past our fiscal graveyard.

Here is what one of the credit agencies, Standard & Poor's, said just this morning, according to Reuters. They said:

If an agreement is reached to raise the debt ceiling but nothing meaningful is done in terms of deficit reduction, the U.S. would likely have its rating cut to the AA category.

Such a downgrade would have an immediate effect on other securities, as Standard & Poor's said:

We would downgrade the debt of Fannie Mae and Freddie Mac . . . the AAA rated Federal Home Loan Banks, and the AAA rated Federal Farm Credit System Banks, to correspond with the U.S. sovereign rating. We would also lower the ratings on AAA rated U.S. insurance groups, as per our criteria that correlates insurers' and sovereigns' ratings.

What would be the impact if these credit rating agencies—which seem to have an oversized influence on our lives but they are what they are—what would be the impact of them downgrading the quality rating of our national debt? We know it would yield higher interest rates for American families, for small businesses, and for the U.S. Government. In fact, we know interest rates are at a historic low now because of Federal Reserve policy, primarily. Those low interest rates we may think are a good thing and they have provided some glimmer of hope for our struggling economy. But if they were as a result of a downgrading of our debt by these credit rating agencies or by a default which, to me, is unthinkable—just a 1-percent increase on the cost of credit we would have to pay



to people who buy our debt—just a 1-percent increase over current rates would mean \$1.3 trillion over 10 years.

So the results of cuts in the billions of dollars are chicken feed compared to what the credit rating agencies could wipe out almost immediately by downgrading our debt. This is what we are risking by not dealing with this problem. This is what we are risking by political gamesmanship rather than trying to work together in a bipartisan basis to solve this threat to our country and to our future.

As the economist Larry Lindsey wrote in the *Wall Street Journal* last month:

If interest rates rose to their historical average over the next 2 decades of 5.7 percent, our cost of borrowing would be \$4.9 trillion higher over the next 10 years.

So we are left with the obvious question: How can we stop this economic calamity? We can pass this cut, cap, and balance plan or the President or our friends across the aisle could propose something they consider just as serious and just as credible, but we have to do it quickly. So this deadline of August 2 is one we should not flirt with, we should not play with, we should not ignore. We have to deal with it, and we can't just deal with it by raising the debt ceiling because as we have seen from the credit rating agencies, that doesn't solve the fundamental problem. We need to solve the fundamental problem of unsustainable debt or our economic future will not be one of hope and optimism, as the Senator from Iowa was saying earlier; it will be bleak indeed, and it will be our fault.

I see my colleague from Kansas, and I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, it is my understanding I am recognized for 15 minutes; is that correct?

The PRESIDING OFFICER. It is the understanding of the Chair, Senators may speak up to 10 minutes each under the previous order.

Mr. ROBERTS. I see. If I hit 10 minutes, I might ask unanimous consent for an additional 5, and seeing the smile on the Presiding Officer's face, perhaps he will be conducive to that request. I also wish to associate my remarks with the distinguished Senator from Texas.

Every generation confronts challenges. The greatest generation declared victory over fascism and imperialism. The next generation faced down an enormous competition between the United States and its way of life based on free markets, private ownership, and free expression on one hand; and the Soviet Union and its way of life based on central planning, collectivization and police state control on the other. Again, victory belonged to America and the free world.

A new generation in America has now come of age since the Soviet system collapsed. It is a generation that too often, in my opinion, takes for granted the hardship and sacrifice of our forebears. It is this generation that must confront the crippling \$14.3 trillion debt—and climbing. We have met the enemy and he "is" us. The enemy today is our unsustainable debt, as has been pointed out by speaker after speaker on both sides of the aisle.

I am privileged to represent the people of Kansas and the people of Kansas are rightfully angry over the endless posturing and all the rhetoric and all the fingerpointing regarding yet another increase in the national debt. That is right, another increase in the debt limit. Here we are again trying to reach agreement. I wish the President and the House leadership well in their current talks. I wish the Senate was engaged. We certainly don't need to kick the can down the road any farther.

We are faced with one issue; that is, to rein in spending. Let me point out that in 2 years, the debt limit was raised nearly as many times as it was in 8 years under the previous administration. It should come as no surprise that the American people in general, and those in Kansas in particular, reject these current spend-thrift policies.

I, from the first, decided it was time to stand up to spending, deficits, and debt. I am talking about the time when we were considering TARP, and we went through that very difficult time when many in the administration—the previous administration—indicated if you did not vote for TARP you were taking a very dangerous road.

I must confess, I have written a lot of speeches down through the years of public service I have been privileged to have. It is that old line of somehow or other we have to set our fiscal house in order not only for us but for our kids and grandkids. How many times do we have to say that? How many times do we have to give the speech? I decided no more during the TARP consideration. I voted no.

I remember the time when the administration folks came in to visit with me to convince me to vote yes. I said: Can you explain to me what a credit default swap is? I had not really heard that term before. They could not. They said they did not have enough time to do that. I just decided to vote no. I opposed TARP. I opposed the bailouts. I opposed the stimulus. I opposed Dodd-Frank. I opposed ObamaCare. And I oppose any increase in the debt limit without real, tangible cuts in discretionary spending and meaningful, structural reform to mandatory spending.

I do not challenge the intent of people who promoted all of these things, but the result has been an incredible increase in our national debt.

Remember the line: Did you read the bill?—that was the question people got when they went back home, faced up to the folks back home, especially with the health care bill. All of a sudden people became aware of the regulations and all the problems—now we have a hurricane of regulations pouring out of the Department of Health and Human Services.

Now the question from folks back home is: Have you read the regulations? If we add up the costs of regulations, for goodness' sakes, clear back in 2008 alone it was \$1.78 trillion in cost to the American public. Figure that in regards to the debate about the national debt. That was back in 2008. Think what it is today. It is probably twice that amount. So, consequently, we really have a problem.

Now, since last November the President has spoken to this issue. As a matter of fact, he has spoken rather continuously at the White House and campaign rallies. The problem is, there is no specific plan.

I know Republicans in the House are getting a lot of criticism for their plan. At least they have a plan. The cut, cap, and balance plan has received, as I said, a lot of criticism, but at least it is there. On the other side of the aisle we just do not find anything. There is no specific plan at all. We call that in Dodge City: Big hat, no cattle.

The President's first opportunity to put words into action came in February when the White House submitted its budget request: \$3.73 trillion. It was estimated to add another \$1 trillion to the debt. Obviously, that did not work. That proposal was defeated 97 to 0 in the Senate. Not too many bills get defeated 97 to 0.

Then, all of a sudden, now, we got into the tax situation. Maybe if we just got involved in a little more revenue enhancement—that is what we call it here; it is called taxes back home. Taxing is not the problem; the problem is spending money we do not have.

In May, the President's budget was, as I said, defeated. And rightly so. So here we are, more than halfway through the calendar year, 2 months away from the end of the fiscal year, and still no budget from this body—over 800 days. Meanwhile, we have met the \$14.3 trillion debt ceiling, and it is climbing. Rather than make meaningful cuts and meaningful reforms—specific reforms—the White House and some in the Senate want to increase the debt ceiling again.

Again, we have met the enemy, and he is us.

Mr. President, \$14.3 trillion—it is a sum so large that it is difficult to understand. Kansans with whom I visit and who call my office express shock we have allowed it to get to this point. How did we get to this point? Then, if, in fact, we kick the can down the road, what does it mean in regards to—as the



Senator from Iowa pointed out—the faith and optimism in our country? What does the future hold for a country that acts this way?

Paying down the debt should be bipartisan. What would Presidents Truman and Eisenhower say of a \$14.3 trillion debt? I think they would be pretty harsh. Both Presidents had pretty tough quotes in regards to fiscal responsibility. What we need in this Chamber, what we need in Washington is a very strong dose of common sense and a sense of purpose, as evidenced by previous Presidents when they put leadership first.

Here are the facts. They are stubborn things. They are clear. We borrow 40 cents for every dollar we spend. A lot of people hear that. That is climbing. It is going to be 41 cents pretty quickly.

There is a lot of talk about tax breaks for corporate jets. Boy, am I tired of that. I am tired of this class warfare stuff in regards to saying: If we just apply taxes to a certain, small segment of the economy, or maybe a big segment like oil and gas—the bad guys, the fat cats—boy, if we get them, we can sure solve the problem.

Let's take corporate jets, which I would emphasize represents general aviation. It is called general aviation because the general public uses it. It is not all Hollywood stars. It is not all rich people using these so-called corporate jets. General aviation—it is the people who have to get from here to there because for 90 percent of our airports, a commercial flight does not land there.

What if you have a plant? What if you are a manufacturer? What if you are a farmer? What if you are a rancher and you have to visit several places in the country at one time, say, 5, 6, 7, 8, maybe 30? That is what general aviation is all about.

As a matter of fact, in the stimulus, the President recommended an extension of this same tax depreciation schedule. Now he is blaming the fat cats in regards to taking advantage of corporate jets. That is nuts. What the left hand giveth, the left hand taketh away in regards to this class warfare rhetoric. We make these jets in Wichita. They are great airplanes, and they service the general public for the public good.

According to Charles Krauthammer, the renowned columnist, if we collect the corporate jet tax every year for the next 5,000 years, we would cover only 1 year of the debt the President has run up—1 year.

The general aviation industry will persevere, but we have come through some tough times. We are coming in on a wing and a prayer—that old World War II song that is almost revered. So we will persevere. But can't we end this class warfare business? My Lord, the President talked about it six times in

two paragraphs. As I say, again, that is the same industry he tried to help in the stimulus.

Here is another fact: Every cent of taxpayer money is used to pay for entitlement programs and interest payments on the national debt. All discretionary spending is borrowed. That is where we are headed; that is where we are at.

On average, we accumulate \$4 billion in debt each day. It would cost each citizen \$46,000 to pay the debt off. That means a family with a husband, wife, and two kids would owe \$184,000. That is rather startling to Kansas families. They do not have that kind of money. I know perhaps some would say that is apples and oranges with the function of government and the function of families, but it is a good illustration.

We have gone over 800 days—I think it is 810 now—without a budget in the Senate of the United States. During that time, this country has spent \$7.3 trillion. We have spent \$439 billion in interest on the money we have borrowed.

We do not have regular order. If Robert C. Byrd were here today and sitting in that chair, he would be appalled. He would be making a speech in louder terms than I am, with short sentences, and he would point out we are not doing our duty.

It used to be that we would have a budget. Then we would have appropriations bills. Then we would have the committees of jurisdiction meet those budget demands, meet that number. Then we would debate it on the Senate floor. Members would have an opportunity to bring amendments. That is how we worked. We do not work that way anymore. There is no regular order anymore.

What we do is bring up huge bills such as Dodd-Frank and the health care bill, usually written in private, and then we vote on it. Then the American public says: Have you read the bill? Then they say: Have you read the regulations?

We have to restore regular order and restore the Senate back to the Senate. People are fearful. The American public is fearful today. They have a real, conscientious worry that America is not the same as it used to be. Why is that? Because I think the American dream is that every American youngster can climb on the ladder of success as fast and as high as he or she can, with nothing government made or manmade in their way. Regardless, they may stumble, hit their chin on a couple of rungs, but, by golly, they get back up and they go right up again.

Not anymore. We have, apparently, a national agenda to level everybody with everybody else. It is called social justice. Nothing wrong with social justice except if it is an agenda to affect everybody. We now have the President of the United States deciding who is

rich. It does not make any difference if a person does not make anything 1 year and makes \$250,000 the next year; he is rich—despite his or her circumstances, family circumstances, or anything.

We have the national government, the Federal Government deciding everything: light bulbs, what you eat, rural fugitive dust. When a grain truck goes down a gravel road in Kansas we have the EPA worried about it. No kidding. We have navigable farm ponds now, farm ponds declared navigable waters. No self-respecting duck would even land there.

We have regulation after regulation after regulation. I cannot talk to any manufacturer, any business, anyone in Kansas where I have the privilege of speaking without somebody raising their hand and saying: Pat, what on Earth are you doing back there passing all these regulations that really don't make any sense and are about to put me out of business?

My reply to them: I am not a “you” guy; I am an “us” guy; and I am sure trying to do something about that. I do have a bill on that, by the way, and I encourage my colleagues across the aisle to look at it. I will be talking to you personally.

These are all serious issues, but the most serious matter is the national debt. At the rate we are going, in a few short years we will spend more paying interest on the debt than on all discretionary spending outside defense. Mike Mullen has said this is the biggest threat to our national security: \$14.3 trillion. He is right. His comments echo the calls I receive every day from Kansans.

There is a lot of rhetoric going on now, and I understand that. Perhaps I have added to it. If I have offended somebody, I apologize. But let's all take a deep breath, if we can. Debate and posturing is nothing new in this body. In American history, in the earliest days of our Republic, it was between Alexander Hamilton and the Federalists on one side and Thomas Jefferson and his allies on the other. The enmity between these men was so obvious through vitriolic rhetoric. Much of the mudslinging that occurred then would be considered out of bounds by today's standards of political discourse.

Well, as the debate raged on between the early parties over the drafting of the Constitution, it seemed possible that the great American experiment would be over before it even began. Edmund Randolph wrote to George Washington, who at that time had retired to private life, and begged him to “rescue America from the impending ruin.”

Washington rose to the occasion the way a leader does. He did it for his country, for his fellow Americans. He showed leadership because it was the right thing to do. In the end, a compromise was reached—yes, it was a

compromise—to have the Constitution as drafted by the Federalists but with the Bill of Rights included as drafted by the Jeffersonians.

Later, after being elected our Nation's first President, Washington was dismayed over the continuous bickering between Hamilton and Jefferson—not so much different than we are doing today—over a wide range of issues: how to interpret the Constitution, the powers of Congress, the relationship between the States and the Federal Government, and the public debt—even then. Sound familiar?

Well, amidst the feuding, George Washington wrote to Jefferson and said this:

How unfortunate, and how much is it to be regretted then, that whilst we are encompassed on all sides with avowed enemies and insidious friends, that internal dissension should be harrowing and tearing our vitals.

That is pretty tough. That is the bottle we ought to drink from every morning and stop to think about it.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ROBERTS. I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, since the founding of our Nation, people the world over have looked to us as a beacon of light because of our freedoms. Others have watched the great American experiment with a perverse hope that it falls. We can only fail if we fail ourselves, if we fail to balance the budget and bring down the debt.

America has always proven itself. We will meet any challenge and confront any enemy. The enemy before us is our own fiscal irresponsibility. It is time to stop talking. It is time to start doing. It is time for the President to come up with a specific plan, and in meeting with Republicans and Democrats in the House and the same in the Senate, let's do our duty.

In some of the toughest early debates in our country, Americans were fortunate to have steady leadership in keeping a hand on the wheel. I hope Members of this Chamber and the current President of the United States can look to character, to leadership, to love of our country to guide us through these very trying times.

Every generation confronts a unique set of challenges. The challenge we face today is the \$14.3 trillion debt—and growing. I am so hopeful we can close ranks and confront this enemy. We owe the American people and our forebears no less than victory in this fight.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, we have spent a considerable amount of time discussing the debt and the deficit crisis this country is facing during the 112th Congress. Although we have heard from the President that we must raise the debt limit, neither he nor any of his Democratic colleagues, with the exception of the three Senators in the Gang of 6, have presented us with a concrete plan to rein in spending and get our fiscal house in order.

Meanwhile, every day we are spending more money that we do not have. While my Democratic colleagues continue to talk about the need to increase the debt limit and get our fiscal house in order, the House of Representatives has taken concrete action to make that happen. On Tuesday night, 234 Members of the House of Representatives joined to pass the Cut, Cap, and Balance Act.

The bill will put the country on a sound fiscal course at the same time that it gives the President \$2.4 trillion in additional borrowing authority that he has asked us to provide. The problem we currently face is that we are spending too much money and borrowing too much money.

I agree with our colleagues in the House that it only makes sense for us to increase the borrowing authority if we put the country on a path where that borrowing will eventually end, even though it is a long way out.

The Cut, Cap, and Balance Act takes a three-tiered approach to finding the right fiscal ship. First, it provides some substantial but reasonable cuts to spending immediately. The bill requires us to cut about 3 percent in spending from the bloated Federal budget next year. That cut amounts to more than \$100 billion in spending next year.

The bill allows the House and Senate to determine where those cuts are most appropriate. Because we recognize the need to cut in appropriate areas, the Cut, Cap, and Balance Act ensures there are no immediate cuts to Social Security, Medicare, veterans benefits, or to our military colleagues.

At the same time we cut spending, the bill puts in place spending caps that prevent us from spending above a specific amount and puts our spending trajectory on a path where we can achieve a balanced budget. We all wish we could balance the budget tomorrow, but we are spending money at such an alarming rate that it just is not achievable. We are almost borrowing as much money as we take in in revenue. The bill recognizes that fact and gradually caps spending so we can achieve balance.

Finally, the bill gives the President the ability to borrow an additional \$2.4 trillion he is requesting, subject to one condition: that Congress passes a balanced budget amendment. We all agree we need to stop borrowing so much

money. The only way to stop borrowing is to have a balanced budget—not spending more than we take in.

We have a pretty good idea how much is coming in and how much is going out. That is why August 2 is the day of crisis, and that is including the money we borrow. When we pay the interest, we have to borrow 40 cents on every dollar to pay the interest.

If someone has a maxed out credit card and borrows to pay the minimum balance, do you think they will ever pay that card off? Not a chance. That is the situation we are in.

A balanced budget means we will not spend money we do not have. Therefore, if the President wants to borrow \$2.4 trillion more from a country such as China, we need to know it will not force us to borrow money forever. Cut, cap, and balance does not ask for the time for States to ratify a balanced budget amendment after it passes. Their time to ratify gives us time to get where we need to go.

Like families across America, we are going to have to decide what spending is essential. Families have as many ideas for spending money as the Federal Government does. But they know it is not an option to spend what they do not have. They have to decide what is essential and what is nice to have.

I think it is important to take a look at the problem we are facing. If we grasp the size of the problem, we will share my sense of urgency that we must pass the Cut, Cap, and Balance Act.

Our national debt is around \$14.3 trillion. Our national debt is almost equal to the whole economy of the United States—everything that is produced and sold in the United States.

Our debt is almost equal to the whole economy of the United States. We call it GDP. That is so we do not really know what we are talking about. That means if we were to pay off the debt, every man, woman, and child in this country would need to write a check for more than \$46,000. It would be one matter if that number were projected to decrease or if there were signs that we are making progress in bringing our budget back into balance. But that is not happening. Since the President took office in 2009, our national debt has increased by more than \$4.4 billion each day, for a total increase of \$3.7 trillion.

I can already hear the President counter that he had a lot to clean up. At what point when things are getting worse instead of better is the President going to take ownership and provide a solution on paper? Lots of speeches, no paper.

The stimulus did not work, so let's not repeat it. If we keep doing what we have been doing, we should not be surprised when we wind up with what we already got—the same result.

Margaret Thatcher, when she was Prime Minister, proved that putting

your fiscal house in order increased the economy. They already tried some of the other things, but putting the fiscal house in order is what made the difference.

In 2011 we are expected to spend \$3.6 trillion. At the same time that we spend the \$3.6 trillion, we will have revenues of \$2.2 trillion. That is a \$1.4 trillion deficit. If we follow the President's budget, we will have a deficit the next year of \$1.2 trillion. The 10-year average, if we follow the President's budget proposal, is nearly \$1 trillion in deficits each year.

After his first term, the President's policies are expected to add almost as much debt held by the public as all the Presidents in the history of the United States. That level of deficit cannot be sustained and, contrary to the opinions of my friends on the other side of the aisle, we cannot tax our way out of this problem. Failure to live within our means does not warrant taxing the taxpayers for Washington's failures.

According to the Congressional Budget Office, the top 20 percent of income earners paid almost 86 percent of all Federal taxes in 2007. Those individuals are the job creators in this country. Many of them are small business people who reinvest their profits, even though they have to pay the taxes on them at that time. So they put the profits back into their businesses to make them grow.

Increasing taxes at a time of economic struggle will cost jobs and will lead to more unemployment and higher deficits. Businesses are already reluctant to expand because of the increasing and detrimental regulations coming out every day of this administration. Some of the regulations are not even from current law, so they will be fought in the courts and they will be overturned. But it will be at a great expense, a great delay, because it will take over a 5-year period to do that, and we will experience more pain than any cuts we might make.

Now, rather than increasing taxes, we need to cut spending and reform entitlement programs. Mandatory and entitlement programs now account for 62 percent of all Federal spending. That number continues to rise as the baby boomer generation retires. By comparison, mandatory and entitlement programs accounted for 33 percent of all Federal budget spending in 1964—33 percent up to 62 percent.

The numbers do not lie. Entitlement programs are placing a stranglehold on our budget, and yet there are still calls from my colleagues on the other side of the aisle to keep them as they are. Misinformation from campaigns and outside groups say there is not a problem and we can fix our budget simply by cutting earmarks and finding waste, fraud, and abuse. That is just not true. Even if the money from the Social Security trust fund that has been spent

were returned, the length of time a person now lives makes the fund actuarially broke.

These problems are too serious for us to ignore. Erskine Bowles, the cochairman of the deficit commission, said it best when he testified that "we are facing the most predictable crisis in our nation's history."

Everyone knows we need to take action. Everyone knows we need to make the tough choices necessary to right our fiscal ship. Yet there are some who suggest we should not act or that we should wait to act.

To those Members, I say we have kicked the can down the road long enough. It is time for us to take serious action to change the trajectory of our spending habits and get this country in a condition that we can be proud to leave to our grandchildren.

We have known that this debt limit debate was coming for months. We can all see that the government is spending money at a rate that will require us to authorize the Treasury Department to borrow more money. Although the date shifted, the fact that the government will have reached the debt limit should come as no surprise to anyone. That is why it is so perplexing the President and my Democratic colleagues have not presented any written plan to get the country back on track.

Well, I guess the President did present one. We voted on it, and it did not get a single vote in this Chamber—not one vote. He did not even talk one Democrat into voting for it. He had an outstanding opportunity to talk about the deficit crisis that the deficit commission pointed out. He could have done that in the State of the Union speech. He could have followed that up with a budget that would have mirrored what the budget commission said. That is kind of where this Gang of 6 is right now with their suggestion.

But that did not happen. Instead, we move on to the crisis and figure that just raising the debt limit will solve everything. We have known it was coming for a long time.

In the House, Republicans passed a budget that would cut the spending by \$5.8 trillion over the next 10 years. Senator TOOMEY and Senator PAUL in this body presented their own budget that would get our country back on track. Senator CORKER has introduced legislation that would cap spending levels and head us in the right direction. I have introduced legislation that would require us to reduce spending by 1 percent for 7 years and cap spending each year to balance the budget. It will work: In 7 years, 1 percent.

Incidentally, that is probably how long it will take the States to ratify the balanced budget amendment. If we are saying we can do it without a balanced budget amendment, we should also pass my 1 percent solution bill and prove that we can. A backup plan is always a good idea.

Most businesses in the United States have to find a way to reduce spending by 1 percent to match the economy or to do the regulations we have forced on them. Most families have to find a way to spend one penny less out of every dollar or face a financial crisis.

Why can't the United States do 1 percent—1 percent each year? By making the 1 percent spending cut, we would save around \$7½ trillion over the next 10 years, balance our budget, and we would put the country on a sustainable spending path.

Republicans have offered all of these plans, and we continue to hear only silence from the other side. The only plan presented by the majority, as I mentioned, was President Obama's fiscal year 2012 budget, which was unanimously opposed.

When the President and the majority do not lead, some bill has to take the lead. Members of the House proved that on Tuesday night by passing a plan that allows the President to have his debt limit increase and get our country back on track. The Cut, Cap, and Balance Act is a responsible solution to the problems we face. We are spending too much. Too much spending leads to too much borrowing.

To rein in spending, we must make immediate cuts that prove Congress can act. We must cap future spending to ensure that our spending levels do not grow at an unsurmountable level.

To prevent future borrowing, we need to put into place a mechanism that will require us to balance the budget. Forty-nine States require a balanced budget, and it is well past time for the Federal Government to show the same fiscal restraint.

The President has asked us to give him the ability to borrow \$2.4 trillion more, which our children and grandchildren will have to pay back and, if the crisis worsens, it will move up to the current generation. It is money we will need to borrow from countries such as China, which are our competitors in the world and which don't necessarily share the same values. I don't take that responsibility lightly.

This responsibility requires immediate action to correct the problem and prevent future generations from having to make the tough choices our out-of-control spending has forced us to make. The House took the responsibility seriously and passed the Cut, Cap, and Balance Act to right our fiscal ship at the same time we give the President the borrowing authority he so desires. The Senate should follow suit and pass the Cut, Cap, and Balance Act immediately.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SANDERS). The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I ask unanimous subsequent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I come to the floor today because we are discussing the cut, cap, and balance legislation, which I support. This gets back to a poster I have had at home with my kids over the years. I have a copy of it here. It is called "the two penny difference." It says that if you earn a dollar and you spend the 99 cents, you are OK. But spend \$1.01 and you are heading for trouble. This is from many years ago.

Today, spending seems more fashionable than saving. What once was called "poor money management" is now called "deficit spending." Whatever it is called, it leads to inevitable headaches for people, companies, and even for governments.

Frankly, that is the situation in which we find ourselves today, a major headache, because as a nation we have continued to spend money we don't have. As a result, we have been borrowing money, significant amounts of money. Actually, it is about \$4 billion a day. A lot of it we are borrowing from overseas, and much of it from China. You say, how does one maintain oneself as an independent, strong, and forceful nation when it owes that sort of debt to someone else?

What the American people have told me as I traveled around my State is that Americans believe—and the people of Wyoming clearly believe—they want Washington to cut spending, not increase taxes. The White House doesn't seem to hear that message. They are ignoring it, tuning it out. They have admitted they don't have a plan to cut Washington wasteful spending, and actually the President doesn't think he needs one. I will quote the White House press secretary:

Leadership is not proposing a plan.

You know, it is saddening, but it is not surprising given this White House's track record of changing positions, saying one thing and doing another, and nobody can predict what they will do. Last week, the President said he would not support a short-term increase in the debt ceiling. He even warned the House majority leader: "Don't call my bluff." We have all seen it on television. Now we know it was a bluff.

The President is now saying he might welcome a short-term increase in the debt ceiling. Yesterday, the President announced—or it was announced by his spokesman—that they would consider the short-term increase. So it is hard to tell what they are thinking at 1600 Pennsylvania Avenue. A lot of times it depends which way the wind is blowing. White House officials aren't the only

ones who think it is better to not propose a plan. The story in Roll Call yesterday said that the senior Senator from New York warned the Democrats to not release a plan. The article even said they told the budget chairman not to propose a budget because it would give others around the country something to shoot at.

We have been here for over 800 days since a budget was passed through the Senate, and a Senator tells the chairman of the Budget Committee don't let them see the budget. According to this article, it said he thought it was politically helpful to spend time "attacking corporate jet owners and defending entitlements."

Our entitlements are going to be bankrupt in just over 10 years, and some folks don't want to produce a plan to save them or to strengthen them. That is what we are hearing on the floor of the Senate.

People often try to figure out how large this debt is that we have. We spend more on interest on our debt—just interest—each and every day than it would cost to buy several hundred corporate jets, which the senior Senator from New York is railing against. And that is just the interest alone on the debt. That is what kind of money we owe.

This isn't the kind of leadership America needs right now. Even though the White House and my friends on the other side of the aisle continue to send different signals each day, Republicans remain committed to cutting spending. In fact, we put forward the only plan that has passed either House of Congress. It is called cut, cap, and balance. It will cut spending. The American people realize we continue to spend money we don't have. It will cap future spending, and it will require Washington to balance its budgets. Wyoming does that every year. Every other alternative in the Congress, on the Hill, around town, is either undefined or unfinished or only speculative.

I am pleased that the Senate will soon vote on cut, cap, and balance, which is a plan that is good for our country. It is common sense that when Washington is \$14 trillion in debt, we must cut spending. When Washington borrows \$4 billion a day, we must cap future spending. When Washington borrows \$2 million every single minute, we must learn to balance our budget. Americans understand our country can't continue down this same track. We cannot continue to spend money we don't have. Cut, cap, and balance is the best plan for America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, these are challenging and daunting times. While we are coming out of the worst economic crisis since the Great Depression, with continued high unemployment, our economy remains fragile.

The fragility is not simply a macroeconomic phenomenon. It affects every family in this country who is worried about their employment, about the future of their children, and about whether their parents will still enjoy adequate coverage under Medicare and will still be able to draw some sustenance from Social Security checks. All these worries are in the daily lives of all Americans. We have to respond to that.

The most salient fact that affects most Americans is the dramatic loss of employment, beginning in 2007, 2008, as the financial crisis engulfed this country.

The U.S. economy has lost about 8.8 million private sector jobs just in 2008 and 2009 alone. These were times when a Republican President continued to accumulate huge deficit spending—most of it beginning with tax cuts, which my Republican colleagues supported enthusiastically; two wars that were not paid for, which was supported overwhelmingly by my Republican colleagues; and an expansion of Part D of Medicare, which again they supported. At no time did I hear the kind of outcry about growing deficits we are hearing today.

We all understand that after the 10 years of this decade—8 of which were under the Presidency of George W. Bush—we are in a very difficult deficit position. That position is made worse because our economy has not generated enough jobs. One of the aspects of all these so-called plans—the cut, balance, whatever plan, and all the rest—should be the answer to the fundamental question: How is it going to help us grow our economy and grow jobs in Rhode Island, in Vermont, and in Wyoming? That seems to elude all the proponents of these plans at the moment.

We have seen, since President Obama has taken office, some growth in employment, with 16 consecutive months of private sector job growth—about 2.1 million jobs—in sharp contrast to what was happening during the last 2 years of President Bush's administration. But we have a long way to go. Indeed, we have a long way to go to make up for the surplus which President Bush and the Republican Congress inherited in 2001 and the deficit and economic destruction President Obama inherited when he took office.

Our most immediate and pressing business is to reach some principled compromise on raising the debt ceiling—something that was done, I must say, rather routinely under President Bush about seven times, even though Democrats had very serious disagreements with him on tax policy—a tax policy that was increasing the deficit—and disagreement on wars, which were increasing the deficit as well as distorting our strategy internationally. At no time did we try to use the debt ceiling as the ultimate apocalyptic

weapon to bring the President and, perhaps in doing so, even the country down. Yet I hear too many of my colleagues on the other side talking in those terms, particularly in the other Chamber.

The bill that has been passed in the House is an attempt to shrink government, protect the wealthy and special interests in the Tax Code. It ties the debt ceiling increase to passage of a constitutional amendment that would require 38 States for ratification. Once again, we are taking what was routinely done and necessary so we don't default on our credit and making it the vehicle for altering the Constitution of the United States, of building in even additional protections in the Tax Code for our wealthier citizens. This approach they are taking will needlessly jeopardize Social Security, Medicare, and Medicaid, while it enshrines in the Constitution further protections for loopholes in our Tax Code and the tax benefits that many of the wealthy and the large corporations enjoy today.

At the heart of what they are trying to propose in the House, and what they have sent to us, is to make it easier to cut these vital programs—a range of programs that involve transportation security agents at our airports, flight controllers in the towers, and can even involve the distribution of agriculture programs, which affect large parts of our country—not so much in my State but large parts of this country. All that would be subject to the calculation of cutting, cutting, cutting, while it would be extraordinarily difficult to raise revenues.

I don't think that makes sense. I don't think that is what the American people want. From what I have seen from the polling, huge numbers of Americans are frankly saying the wealthiest in this country are enjoying huge tax benefits. I believe approximately 80 percent of the American public believes the first step we should take in balancing the budget is to raise the taxes on the wealthiest Americans. That is what they are saying. They are not saying cut benefits from people who are on the margin, who are struggling—the working poor, who may be just under or over the line to qualify for Medicaid benefits in a State and get health care for their children. I think the American people are smarter and more decent than some of the proposals that have surfaced around here.

Again, the caps on spending are all dressed up as if they will have no real effect on the important programs, but they will have an effect on every program, including Social Security, Medicare, and Medicaid. For people who are still struggling to find work, who are still struggling to find some type of traction in a difficult economy, these cuts can be devastating. Indeed, one of the challenges we have is to generate more growth in our economy again.

When we pull back from spending in the economy, that will further accelerate the lack of demand and the lack of any incentive for private hiring.

We are already seeing companies cut back and cut back. What are they saying? There is no demand. People aren't buying. People are saving. They sense—not sense, they know—they have to save more because they are not quite sure whether they will get all of their Social Security check or their Medicare benefits or any other benefits. That drives demand further down and slows the economy further down.

The Republican plan includes overall spending caps that reach 19.9 percent of GDP in 2017, but we have to look at this number in historical perspective. Over the past 40 years, this rate of spending is not only lower than the average spending but, moreover, outlays as a percentage of gross domestic product have only declined to 19.9 percent or lower when unemployment has been 6 percent or below. That makes sense. When the American economy is working, people don't collect a lot of benefits. They have a job and so they do not need the kind of assistance they need today. This cap of 19.9 percent is totally out of the context when it comes to the present unemployment rate of 9.2 percent and, frankly, could perhaps cause an even larger unemployment rate if this program is enacted.

Again, I don't think this makes sense in terms of the simple mathematics or the history or the underlying policies it would inevitably produce in the country. Yet still, in this Republican proposal, we are protecting the most special interests in this country—Big Oil and corporations. Those tax breaks, those tax perks, are still there, and they will continue to be there.

We all recognize we have to make tough decisions about spending and about revenue. What I find acutely ironic is Democrats did that in 1993 and 1997 and we heard about it for years and years, with Republicans assailing us. Of course, by 1998, we had a surplus. We had an economy with an unemployment rate much closer to 5 percent than 10 percent. But all that hard work—without any assistance from the Republicans—was completely squandered beginning in January 2001. Now we are back to the same challenge we faced in 1993 and 1994. But we did it before by making tough decisions. We did it over several years. We did it by trying to balance both cutting expenditures and increasing appropriate revenue and also by recognizing that working Americans need the assistance and support of their government. So we can do it again, and I hope we do.

But the first challenge—the one that has to be met—is to raise the debt ceiling. Defaulting on our debt would have catastrophic consequences. As we approach this deadline, the mere fact we haven't done anything yet is prompt-

ing credit agencies to suggest they will downgrade our credit rating. One of the most salient figures I have heard in this debate is that for every increase of 1 percent in our cost of credit and the interest we pay to borrow over 10 years, we will add \$1.3 trillion to our deficit. The longer we avoid raising the debt ceiling, the closer we come to actually accelerating the deficit dramatically by increasing the rate we have to pay to borrow funds.

The final point I would make is, raising the debt ceiling is not for new spending we want to borrow money for. This is for the accumulation of the deficit that began dramatically in January of 2001. So I would urge my colleagues to move promptly and responsibly to raise the debt ceiling and then to get to the hard, difficult work of balancing our budget, as we did, as Democrats, in the 1990s, and then later, in 1996–97, with a Republican Congress, further adding to the deficit reduction under the leadership of President Clinton and not some magic plan that is produced overnight.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, one of the things that frustrates the American people about Washington is how hard it is to get reliable information and straightforward answers. We in the Senate and Congress have that same difficulty. It is hard to know sometimes what numbers and statements and plans mean and what they will cost. Politicians offer a budget proposal and they say it cuts taxes even though taxes go up. They even come up with new names to disguise tax hikes, like revenue enhancements or reduced spending in the Tax Code. It doesn't mean eliminating the earned income tax credit; it usually means some deductions somebody is allowed to take, and that has been renamed as spending.

We hear people come to the floor and blame our massive deficit on anything and everything but our out-of-control spending, whether it is the war in Iraq or it is a tax cut passed a decade ago, or it is special preferences for private yachts or Lear jets. We can't have an honest budget if we can't talk honestly and factually about it, and I hope to be able to contribute in some way to clarifying the issues. I will do my best today to plainly state some of the things I think are plainly true.

First, I wish to address the myth that the President has a \$4 trillion deficit reduction plan. Some believe that the President has a plan to reduce spending by \$4 trillion, but the only plan the President has put on paper

and allowed anybody to see is his February budget, which doubles the national debt. The President has never put a single spending cut plan on paper that actually reduces spending, and he has no program that would substantially reduce the deficit. If he does, it is a closely guarded secret.

His budget, which he submitted earlier this year, increases taxes significantly but has greater increases in spending. By the Congressional Budget Office analysis, it would increase the deficit more over the next 10 years than if the budget were not passed at all. Indeed, it would increase the gross debt of the United States by \$13 trillion, doubling the entire debt of the United States again in the next 10 years.

If there is a secret plan that does exist somewhere, it should be made public this afternoon. Let's see it. I would like to. I think millions of Americans would feel the same way. Summaries don't work.

The President summarized his budget, which I just described, as calling on Americans to live within our means and will not add more to the debt. That sounds pretty good, because this year our deficit is projected to be \$1,500 billion. So we want to be living within our means again and we do not want to add more to the debt. But even by the President's own analysis, the plan didn't do this. The Congressional Budget Office, Congress's independent agency, analyzed the President's budget and found that in 10 years, the lowest single annual deficit that would occur would be \$740 billion. The highest budget deficit under President Bush was \$450 billion. But under the President's budget, the lowest deficit that would be accrued would be \$740 billion. It goes up in the outyears until it goes over \$1 trillion, over \$1,000 billion in the tenth year of his budget.

How can that be living within your means? It will not add more to the debt? Every single year would be adding to the debt. So we can't deal with summaries and spin statements about a plan until that plan has been put in legislative language and scored.

We also have received no plan from our Senate Democratic colleagues. For a time there a couple of months ago, the Democrats were on the path of producing a budget in the Budget Committee as required by statutory law. I, as ranking Republican, was very anxious to see it. We were told we would get it the morning of the hearing, not a bit sooner. I grumbled about that. I wanted to have a little more time to see it. But we never received a budget. I think the majority leader and the Democratic leadership, not our committee chairman, decided they didn't want to have a budget. One of the committee folks said it would put a target on your back. Senator REID said it would be foolish to have a budget. Why

would it be foolish to have a budget? Well, you can't say your budget calls on you to live within your means if you actually put it out there. People can score it and find out whether it is true.

We haven't had a budget this Senate in 813 days. As of now, there is only one debt limit plan on paper, only one plan available for public scrutiny and review, and that is the one we are considering today, cut, cap, and balance. It cuts spending immediately, it caps it so it won't go up, and it requires the passage of a balanced budget amendment to ensure that Washington ends deficit spending once and for all.

The American people do not support a Washington plan to pass some grand deal with tax hikes that never go away and with spending cuts that are talked about but never materialize. They are wise to the gimmicks and accounting of Washington. They are not happy with us.

At this very moment the people's Representatives in Congress preside over a country that borrows 40 percent of every dollar its government spends.

People in the Tea Party are angry. And why shouldn't they be angry when this kind of leadership has occurred in the Congress of the United States of America? It is utterly, totally indefensible. It should never, ever have happened. Yet, it has. It threatens our financial future. It threatens our economy and our economic growth. So the American people are not happy about it.

That is why I introduced a piece of legislation that would require 7 days to review any bill that would increase the debt limit, because this is going to be complex. People want to bring it up at the 11th hour under a panic mode. Some warn that if we don't pass it tomorrow, the world markets are going to be destabilized, interest could go up. I don't know, some of those things could happen. So we absolutely should do something. But we ought to not wait until the last minute and have plopped down in the Senate some big complex bill that has got to be passed before the sun rises the next day and nobody has time to analyze it or score it to find out what it means.

But our Democratic colleagues here in Washington are resisting the cut, cap, and balance bill because there is no gimmick in it. There is no accounting trick to get around if this becomes law. They know it will work. And for the big spenders, the only thing you don't want to pass is a piece of legislation that will work to contain spending. You see, they want to spend more. They think if they continue to spend more, then they can go and demand you raise taxes to pay for it.

Washington is going to have to end this spending spree. These kinds of difficult choices are the responsible choices families, cities, States, and county commissions are making every day, every year.

In Alabama, Governor Robert Bentley oversaw an across-the-board cut of 15 percent from the general fund in the current year because of the constitutional prohibition on deficit spending. Alabama is not going to run up debt. For next year, he has taken a cautious approach. Hopefully we will have more revenue, but he is cautiously approaching next year and he has proposed cuts of up to 45 percent for some agencies that he felt would be appropriate places to reduce spending. Those are tough choices. But unlike Alabama, the Federal Government is not required to live within its means.

Another myth I wish to address is the idea that our current budget crisis is the result of two wars and a tax cut. We have heard that over and over again. The wars cost money, a good bit of money. Over the entire decade, the cost of the Afghanistan and Iraq wars is about \$1.3 trillion. That is a lot of money. Again, that is over 10 years, over a decade. This year alone, the deficit is expected to be \$1,400 billion, or \$1.4 trillion. The deficit this year will be larger than the cost of the wars in Iraq and Afghanistan over 10 years. So the driving force behind our deficit is not the wars in Iraq and Afghanistan. It is not. War costs represent only 4 percent of total outlays over the last 10 years. The total amount of money spent since President Obama took office is \$8.5 trillion. By the end of his first 3 years in office, we will have added \$5 trillion to our gross Federal debt. These are stunning numbers.

As I said, President Bush had a widely criticized—in many ways rightly criticized—\$450 billion deficit. Since President Obama has been in office, the deficits have been 1.2, 1.3, looks like this year it will be \$1.4 trillion, each year, more than double the deficit under President Bush.

We are borrowing close to half of what we are spending every single day. In 2 years, nondefense discretionary spending increased 24 percent, 12 percent a year on average. This is our discretionary spending. This isn't Social Security and Medicare, which increase more than that. The stimulus package alone added into law the largest expenditure bill in the history of the American Republic. It cost more than the entire war in Iraq has cost. In a single day in 2009 we passed it on this floor, over my objection, and every penny of it was borrowed. We were in debt, but they said: The economy needs to be stimulated so we are going to spend 850 or so billion dollars.

The spending when President Bush took office was less than \$2 trillion. Today, it is almost \$4 trillion. It will be almost \$6 trillion by the end of the decade. There is only one honest answer to the question of why our debt is rising so fast, and that is out-of-control domestic spending.

Another myth that is circulating, which I wish to address, concerns the



outline from our colleagues and friends who participated and worked hard on the Gang of 6 proposal. I give them a lot of credit and respect for the hard work they put into it. I wish it had been produced a month ago so we could have actually had legislative language and know what it would mean today.

The authors of the summary, though, that they just produced for us, claimed the approach would reduce the deficit by \$3.7 trillion over 10 years. That is a little over one-third or so of the deficit we projected to see in the next 10 years. But my staff on the Budget Committee, taking the summary pages they produced for us, can only find \$1.2 trillion in reduced spending in that outline, along with what is a very clear \$1 trillion tax increase.

Where does the other \$1.5 trillion in deficit reduction claimed in the outline come from? Chairman CONRAD, one of the members of the Gang of 6 and our chairman on the Budget Committee, a man I respect and have enjoyed working with, even said the outline has a \$1.5 trillion tax cut. But this is compared—this is how these numbers get bandied about—it is compared against a baseline which assumes more than \$3.5 trillion in tax increases would occur. So they are only going to increase taxes, I guess, by \$2 trillion, and you can get savings by not having them go up as much. But based on the current tax rates that are in existence in America today, as we read their outline—and I think they would agree—it increases taxes by \$1 trillion over 10 years. That is a large amount.

The real cost of the tax changes, some who have looked at these numbers say, is not \$1 trillion but \$2 trillion. That remains to be seen. Hopefully we will get the legislative language that can actually be analyzed, and we would know how much our taxes would actually go up.

The last myth I would like to address is perhaps the most important of all, and this is the myth that we only need about \$2 trillion in actual spending cuts over the next 10 years. That has basically been what our colleagues are saying. They float the idea of \$4 trillion in savings. What they mean is that you save \$2 trillion by reducing spending and you increase taxes \$2 trillion and you have saved \$4 billion over 10 years. I am not sure that is what the American people are expecting of us when we say we are saving money. By taking it from them? It is not saving the American people more. It is not saving the private economy more, to take another \$2 trillion from them. There is no free lunch. Somebody pays.

Our Democratic colleagues have said, although no plan has ever been made public to this effect, that they could get behind the budget deal that reduces the deficit \$4 trillion over the next 10 years, half of it composed of spending cuts. This is not even close, frankly, to

what is needed to ultimately balance our budget. We are projected to spend \$46 trillion over the next 10 years. A \$2 trillion reduction is only about a 4-percent reduction in spending, and that is set to increase by almost 60 percent.

Remember, we will say we are reducing spending. We are not reducing spending, we are reducing the rate of growth in spending by \$2 trillion on a \$46 trillion plan. Think about it. We are not talking about reducing spending. This budget would have the expenditures go up significantly in the next 10 years to \$46 trillion. The \$2 trillion means we are just reducing the growth of spending by \$2 trillion. The \$2 trillion in tax increases would mean we would still spend the same \$46 trillion, but we just would borrow \$2 trillion less because we have extracted more from the American people.

In just a little over 2 months, our debt will reach 100 percent of our economy—100 percent of GDP. That is the gross debt. That would match the size of our economy. It costs us 1 million jobs or more a year when gross debt reaches this level.

We have the Rogoff-Reinhart study that shows that when a country's gross debt climbs as high as ours has, it starts pulling down economic growth. Secretary Geithner said it is an excellent study. He said in some ways it understates the problem we have. Secretary Geithner knows this debt is a real problem for America.

We expected 3 percent growth the first quarter. It came in at 1.8 percent. Could that be because we have crossed the 90-percent debt-to-GDP threshold, and that debt is now a burden on the economy that is reducing growth? The experts have also downgraded the projected growth for the third and fourth quarters of this calendar year. It is very serious.

Christina Romer, who used to be in President Obama's White House on economic matters, said 1 percent growth means you will add 1 million jobs. So if our economy grows at 2 percent instead of 3 percent we will fail to add 1 million jobs we could have added. And I truly believe the debt is the reason we are having surprisingly low growth rates, below projected rates. Maybe I am wrong, but we certainly have a study that seems to say that exactly, and it has been widely praised by economists all over the country.

The honest truth is that this President and his Democratic Senate are not going to agree to the level of spending cuts in a debt deal that is necessary to put our country on a sound path. I think that is a fact. We have been negotiating and talking all year. The House laid out a budget plan. The Senate has refused—813 days without a budget. They are determined not to reduce spending after increasing domestic spending, nondefense, by 24 percent. They say they will freeze spend-

ing—freeze spending at levels that have jumped 24 percent? We do not have the money. We are borrowing 40 cents out of every dollar we spend.

Unfortunately, we're in a battle over the vision for the future of America. It is a big-government vision a lot of our Members have, and they are going to work as hard as they possibly can to preserve that vision, preserve that spending. After running up this huge debt by a 24-percent baseline increase—that does not count the stimulus package of almost \$900 billion that is thrown on top of that—now they want to go to the American people and say: We are not going to cut spending; you have to pay more in taxes. I don't think that is what the American people want, so we have a national debate here.

This is the great debate of our time. It is not going to be settled in 2 weeks. A few people are not going to meet in secret and work out some grand and glorious deal. I wish they could, but I don't think they will. I would be pleased if they do.

I am confident that the good sense and wisdom of the American people will ultimately prevail. I am confident we will eventually get our spending under control. We will restore the American principles of limited government and build a better, freer future for our children. We will raise the debt limit, but we will also put this country on a sound path. If we get our debt under control, I think our economic growth will rise quickly, and I believe we will see the progress we have always seen in this great, productive, dynamic country.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNET. Mr. President, we have reached a point in this country's history that I never thought I would ever see, which is that the major credit rating agencies have all said that our credit rating is in jeopardy and that the United States may face a downgrade of its debt.

You and I both have had our issues with the credit rating agencies that failed to predict the crisis we were driven into by very poor business decisions. I can't even really call them business decisions—horrible decisions that were made that drove our economy off a cliff, both here and in our financial markets, both in Washington among our politicians and among people who securitized debt, sold it off, and took no responsibility for it. Having said all of that, I don't think these



agencies have any political incentive other than to shoot straight on this question of the condition of our debt.

One of the greatest assets we have always had as a country is the steadiness of our credit. Countries and investors all over the world use it to finance transactions that otherwise would be difficult to do because we have an AAA rating on our debt.

Now we are facing a downgrade because we cannot even have an adult conversation, a polite conversation about a path forward. People should be very clear about what this means. This is not just a Washington problem. If we blow through our credit rating and if our interest rates rise by 1 percentage point—just 1 percentage point—that is going to add \$1.3 trillion to the debt over the next 10 years. If it goes up 2 percentage points, that is \$2.6 trillion added to the debt over the next 10 years. That means we will continue to pay our borrowers interest and we will continue to underinvest in the children of this country, in our infrastructure, in our research and development—in all of what will allow us to compete in the 21st century. For what? Just to pay higher interest rates to people because we could not come to an agreement here in Washington.

I have spent the last 2½ years traveling around the great State of Colorado, a State which is complicated politically, which I enjoy, because we are one-third Republican, one-third Democratic, and one-third Independent. If I had to boil down the essence of what I have heard from people in my State about what they want us to be doing, it is that they want us to approach this question the same way they would approach this question. They want us to materially address the problem we have. They want a material solution to it. They know we cannot fix this overnight, a \$1.5 trillion budget deficit and a \$15 trillion debt, but they want us to fix it. They want to know that we are all in it together, that we all have a role to play to solve a problem that is too big for any one of us to solve or any group of us to solve. They want it to be bipartisan because they have no confidence in my State in either party's go-it-alone approach.

I would add a corollary to all that: We need to satisfy the capital markets that the paper they bought is actually worth what they paid for it and that the United States of America is going to stand behind that paper and is going to be able to stand behind the paper. This is one of the reasons I have supported an approach the Gang of 6 has brought forward—because it meets that test. It may not be perfect in all respects. I know there can be disagreement about it. But that is one of the reasons I have supported it. It is bipartisan, it is a measured approach, and I cannot say the same for the bill we are considering today.

Among other things, even if you thought this was a good idea, even the proponents of the legislation say it would take 10 years before this constitutional amendment would take effect. What we need to be doing over the next 10 years is figuring out how to get our fiscal house in order. I have other issues with it as well, but I think the point I want to make today is we need to work together in a bipartisan way to create a measured approach. You know what else. We cannot declare victory then even when we are able to say to the credit markets, you know what, we have had a disaster. This did not used to be our standard as Americans.

I know I have heard the Presiding Officer on the floor many times talk about the state of the American economy, and I agree with him and his diagnosis. If I had to pick one fact over the last 10 years from our economic life—and I see the Senator from Oklahoma is here, and I will wrap up in 1 minute. What worries me the most is that median family income has fallen the last 10 years for the first time in this country's history. It stagnated for a while before that, but it has fallen for the first 10 years. The average family income went up over that period of time. Median family income has fallen and the cost of higher education has skyrocketed, the cost of health care has skyrocketed, and it is harder and harder for the middle class to get ahead. Our economic production in this country is roughly the same as it was before we went into this recession, but we have 14 million fewer people doing the work because they are unemployed. We need to have a set of tax policies, regulatory policies, that is driving innovation in this economy and a policy to drive energy independence and make sure we are fiscally responsible.

Before I leave the floor, I want to thank the Senator from Oklahoma who is here today. He and I probably don't agree on most things—we disagree about a lot of things—but I want to thank him and the other members of the Gang of 6 for the work they have done. I want to thank him and DICK DURBIN, in particular—one of the more liberal members of the Senate—for voting for the deficit and debt recommendations that were made by the bipartisan commission that was appointed to the deficit and the debt committee. It took real courage for him to do that. It took real courage for DICK DURBIN to do that. It is going to take real courage for the 100 Members of this body and for the Members of the other body to produce a plan to address this fiscal problem that no one would agree with every single aspect of but that we can come together and agree is worthy of the aspirations we have for our kids and our grandkids.

Time is very short. If we trip over this debt ceiling and if we fail to uphold the full faith and credit of the

United States, no one is going to be asking any one of us what pledge we made about this or what pledge we made about that. They are simply going to observe when we were 1 of 100 Americans—out of over 300 million Americans—we let the unthinkable happen to this country.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Oklahoma.

Mr. COBURN. Madam President, I wanted to spend some time talking about what is coming forth Saturday morning. As a member of the Gang of 6, I am wanting us to solve our problem. But the best way to solve that problem would be the bill that is going to be voted on Saturday morning. Why is that? We are borrowing \$4 billion a day, and I have enough gray hair to know that regardless of all the good intention and regardless of all the statements of the Members on the floor that we will never live within our means in Washington until we are forced to live within our means, and just because a constitutional amendment would take probably 4 years to pass—given what the American people think about it—isn't a reason not to go on and do it no matter what we do about our short-term problem coming up August 2. So the very fact people would say we are not going to pass the Cut, Cap, and Balance Act because it won't happen in a period of time is exactly the same approach that got us \$14.3 trillion in debt, that has our credit rating at risk and puts us in the kind of problems we have today.

I have offered a plan I think is even better. I know not many of my colleagues will, but here is a plan to cut \$9 trillion over the next 10 years. It is the only plan that specifically states what you would cut, where you would cut it, and why you would cut it. It is backed up with the facts. Nobody else can claim it. You don't have to like all of them, but what we do know is if something doesn't come out of this body between now and August 2 that cuts at least \$4 trillion, this country is going to see significantly increased interest rates as a cost of that. What so often happens is you hear wonderful words and wonderful speeches on the Senate floor but nobody putting their name on where you would cut. Well, I put my name on \$9 trillion worth of cuts. It pinches everybody in this country. Everybody. But you know what. We are all in this. We have lived for the last 30 years on the backs of those who are going to pay the taxes for the next 30 years. It is time we start paying back. It is time we start giving back.

The Senate is a different place today than when I came to the Senate. When I came to the Senate, the idea was not to block legislation but to discuss legislation, to have the courage and the backbone to vote against something

and go home and tell your constituents why you voted against it, to offer amendments you thought would improve legislation and defend those amendments, and to vote for a bill you thought was in the best interest of the country and be able to defend that. What has happened in the last 3½ years in the Senate is we don't vote because the politicians of the Senate don't want to go home and explain their positions. So if you are not voting, you are not accountable and you are not responsible.

That type of behavior is exactly the opposite behavior we need to have. So Saturday morning, when Members of the Senate vote against proceeding to cut, cap, and balance, they will display either courage or cowardice. I am not talking about simple words. There is only one plan that has passed the House of Representatives that raises the debt limit and addresses what is said to be needed by the rating agencies, and that is cut, cap, and balance. And to not allow proceeding to that debate whether you agree with it or not—you can change it through amendments. You have the votes to change it through amendments. But to not allow it to proceed so the American people can see their elected Senators and their real positions and what they know has to be done—you know, what happens around here is we say things so we can protect our political careers. You know what that does? We are not only bankrupting financially, we are bankrupting our country's history and heritage. The heritage of this country was sacrifice, and that means even sacrifice of political careers to do the right thing right now for the country.

I believe if you were to pass something like this, we would lower our debt by at least \$2 trillion over the next 10 years, the economy would absolutely boom, and we would quit undermining self-reliance and enforcing dependency. We would hold accountable a Pentagon that is wasteful, we would eliminate duplication of hundreds of programs that all do the same thing with multiple layers of redundancy and administrative bureaucracy. If we were to do that, this proposal will never come to a vote in the Senate nor any of the aspects of it because Senators don't want to make those hard choices, and that is what the debate about cut, cap, and balance is all about. It forces Senators to go back to embrace the heritage of this country and make the hard choices. If you don't pass a balanced budget amendment and you don't force the discipline, the political expediency of this country will continue to run and the problems will not be solved.

I would also say raising the debt limit doesn't have anything to do with our real problems. That is just the symptom of the problem. The problem is not living within our means. Somehow thinking the U.S. Government is

different than all the State governments, all the city and county governments, every family in this country, every business in this country, and every other organization in this country that has to live within its means, I refuse to believe the American people will not hold Members of the Senate accountable for not giving them a chance to put those fixed parameters on us and their government for the future.

We are going to hear all sorts of reasons why we can't do that, why we won't do that, or we may not hear many at all. What we will see is voting against the procedure with no comment whatsoever. My plan is if that happens, to be all over this country to make sure every citizen of every State of every Senator who does not allow them to proceed is aware of that. I want to personally make them aware of that. Because what you are doing is denying the liberty and the freedom of this country to hold you accountable to do the right thing. So we are going to see.

I wanted to spend a few minutes saying that the only thing that is possible right now to solve the problems in front of us—even though I have endorsed a \$9 trillion plan and \$3.7 trillion plan—the only thing is this \$6 trillion plan. It has passed the House of Representatives. They voted to increase the debt limit and they put significant cuts into our budget for next year. They put significant caps as we go forward and they said we have to vote to pass a balanced budget amendment. Right now that is the only thing that will get us out of a jam. You know what. That is not hard to do. The first point, we are going to cut another \$11 billion at least next year, no matter whether that passes. We are going to cap spending in the years that go forward whether or not that bill passes. But the difference is as soon as we get our balance again, the politicians who don't want to make hard choices will be back to not making hard choices and we will get in trouble again. That is why it is absolutely critical that this country's citizens have the ability to hold us accountable within the parameters of living within our means.

We will hear all sorts of reasons why we can't do that, that it might hurt the poor. Nobody here wants to in any way intend anything other than support for those who cannot help themselves. That is their excuse, we can't do that. Well, let me tell you what is going to happen in our country. The very programs that help the poor are going to be diminished in the future through fiscal necessity when we are mandated to make cuts to be able to borrow more money. So it is a false statement because by not voting for a balanced budget amendment, what you are saying is I want to plan one thing but I know something else is going to happen.

I paraphrase a statement by Martin Luther King that I think describes this place more than anything I have ever known and it was this: Vanity asks the question: Is something popular? Cowardice asks the question: Is it expedient? Character asks the question: Is it true and right? We have tons of vanity. We have tons of cowardice. We limit ourselves on courage and character.

As we listen to the debate over the next 2 days on this motion to proceed on the only thing that will solve the problem in front of us today, I want my colleagues to listen for political expediency, I want my colleagues to listen for vanity, and then I want them to search hard for courage and character because we will see an absence of it from those who oppose this. They know this will solve the problem. They know this is one of the few things that can pass the House of Representatives. Yet we are not going to have it come to the floor for an amendment process, for a full debate, and for a vote. We are not going to allow it to have a vote because we are political cowards. We do not want to truly address the problem because it might affect our political careers. That is a sad commentary on the heritage of this country—a sad commentary—but it is a commentary to be expected; otherwise, we would never have gotten into the position we are in today.

Let me talk about some details of what we can do. We are going to hear all sorts of reasons why we can't do things and all sorts of reasons why we couldn't come up with \$9 trillion. But when the American people truly know what is going on—if they go and read about it in "Back in Black"—when they find out about the background of all the waste, all the duplication, all the stupidity that goes on in our government, all the lack of accountability, the lack of responsibility in bureaucratic agencies, all the silly decisions that get made that spend billions of dollars and don't help anything—the Tax Code. Tax earmarks and tax credit and tax expenditures are nothing but, most of the time, corporate welfare or socialism. The greatest tax in the world comes when we allow the Federal Reserve to print money which devalues our assets through inflation and the earnings on those assets. So the greatest tax in the world that is coming in America is we are going to devalue the dollar and inflation is going to go up and what we can earn on our assets is going to be limited by the interest rates, and the differential is that which we actually lose in real value of what we own every day.

The other thing I would point out is, through the tax earmarks and tax credits in our Tax Code, anybody who doesn't get one of those is actually paying for it. So if a person doesn't

have an “in” up here, if a person doesn’t have a lobbyist, if a person doesn’t have some special interest looking out for them and they are not getting one of those, they are paying for them through the increased taxes. It is inherently unfair.

Let’s look at duplication for a minute. It is interesting to look, as we have gone through the government programs in a detailed fashion, at the GAO report. We have 100 different programs with 100 sets of bureaucracies for surface transportation. Why do we have that? Because Congress has mismanaged. That is why. Because of expediency, because of vanity, because of wanting to get reelected, we create another program, another program, another program. It looks good and sounds good, but nobody ever does the research to see where they overlap. Nobody ever requires us to ask if this program is effective, and nobody ever looks at the Constitution to see if it fits with article I, section 8 of the Constitution—the enumerated powers we are supposed to live by and which we blow by all the time doing things.

Today, the Judiciary Committee passed a bill for State prisons called the Second Chance Act. When we passed it the first time, I finally let it go because it was supposed to be a demonstration and a limited program. It is now going to get reauthorized for 5 more years. It legitimately has zero role for the Federal Government, and we are going to spend \$600 million which we don’t have. We will borrow. It is well intended, but it is not our role. It is the States’ role. We have hundreds of thousands of examples such as that, where we have ignored what the Constitution says so we can look good politically.

We have teacher quality programs. Teacher quality programs—82 different programs by the Federal Government to improve the quality of our teachers. Thomas Jefferson was truly the father of education in our country. He worked for years to establish the University of Virginia. He was committed to the fact that a great education will produce great benefits, not only for the individual with the education but for their family and our country as a whole. Here is what he said: For the Federal Government to become involved in education would require a change to the U.S. Constitution, and he happened to be one of the people who wrote it.

What have we done since the beginning of the Department of Education? We have spent \$2.6 trillion on education in this country at the Federal level and every parameter measuring a metric on the progression of our kids in school is worse or the same after that \$2.6 trillion. Hey, it is not working. The reason it is not working is a person can be a teacher at home and the Federal Government looks at that person and they don’t know what to do,

but we can hire that person to do the work in Washington and all of a sudden that person knows what they need to do. So we have this massive bureaucracy that has ruined our education because we spend all our money filling out forms and requirements and meeting mandates and we have taken the power and control of education away from the parents and teachers, the very people who care most about the success of the kids. So \$2.6 trillion with nothing to show for it, other than for the politicians to feel good about themselves and to say we were doing something.

We have 88 different economic development programs, with \$6 billion just in four of them. Not for 1 of those 88 programs is there a metric anywhere that says it is money well spent that gets a positive result for the country. There is anecdotal evidence that says it worked here or it worked there, but we don’t know what we are doing. We are throwing money we don’t have at things we don’t know are working and when we go to vote for them to eliminate them, the Senate votes against it because it might bother their political position. It might bother their next election. We don’t do it. We don’t address it and do our job.

I will never forget in one of the committees I was on last year, two separate times bills were brought up in committee that were doing identical things that we were already doing in the agencies. The Senators and their staffs didn’t know it. Had I not raised objections, we would have created more agencies.

Eighty programs for transportation assistance—80. If it is our role, why do we need 80? Oh, by the way, has anybody measured to see if any of the 80 actually work? The answer is no. We have none that have a report on whether they are effective to the goals of what they were set out to do because there is no oversight carried out by Congress. We were so busy earmarking for so many years, everybody forgot to check to see if what we intended to do is working, and we still aren’t doing it.

We have 56 different programs to teach the American people to become financially literate—56. The Federal Government is teaching financial literacy when we can’t balance our budget. We have multiple programs. We don’t live within a confined budget. The first principle of financial literacy is living within your means. Yet we have this many programs—56—to teach American citizens to be financially literate.

Job training. Here is one of the best. This is great. We have 47 job training programs that cost \$16 billion a year. All but three overlap one another. That is what the GAO says, and there is not a metric on one of them to see if they are working. When we talk to the people who go through the program, half

of them say it is a waste, it is a joke. I have actually talked to them. Yet we are spending that kind of money, in excess of \$15 billion a year, on job training programs. There is no question we need job training programs, but we need job training programs that work. Why would we need 47? So when somebody tells you we can’t balance our budget, you ought to blow a hole right through them with your thought that says you obviously don’t know what is going on in the Federal Government.

Homeless prevention/assistance, 20 different Federal programs. We should be helping people who need our help. I am not denying that. But how we help and the mechanisms of the way we help ought to be frugal, efficient, and effective.

I have served in Congress—I am in my 13th year, 6 years as a Congressman, 4 years out of here to get a breath of fresh air, and now my seventh year in the Senate. What I know is, we don’t know what we are doing, and it is obvious looking at our budget. It is also obvious looking at the dysfunction of the Senate and the leadership in the Senate, that we—we haven’t had a budget in 2 years. The one thing any financial counselor will tell you is the first thing you have to know is where you are and set up a plan. We have had no attempt to bring a budget to this body in well over 2½ years—no attempt. What does that tell us? It goes back to vanity. It goes back to cowardice. It goes back to us not doing what we are intended to do because we care more about our position than we care about the country.

There are 18 programs to feed the hungry. We have 17 disaster response/preparedness, just in FEMA—17 different programs, of which 11 overlap. FEMA didn’t set those up. The bureaucracy didn’t create those; we did. Every one of these programs was created by a Member of Congress. So we can’t blame administrations and we can’t blame Presidents. What we have to do is blame Congress.

We have 130 overlapping programs in the Department of Agriculture; 18 overlapping programs in the Department of Commerce; 230 overlapping programs in the Department of Education; 17 in the Department of Energy; 36 in the Department of Human Services; 32 in the Department of Homeland Security; 60 in the Department of Housing and Urban Development; 40 in the Department of the Interior; 53 in the Department of Justice; 35 in the Department of Labor; 6 in the Department of State; and 180 governmentwide if we look at all economic development programs. We just listed the 88 that run through 4 of the agencies.

Is it any wonder we are going belly up? The problem is us. The problem is we have a solution now that has come to us from the House and we are not going to let that solution go forward because politically—politically—it is

uncomfortable. Politically, we don't want to allow the people of this country to decide whether we ought to live within our means and put a bridle with a bit in our mouth that says, whoa, you are not going to continue to destroy the future of this country and the prospects for our children anymore.

When I came to the Senate, I came after having read a book called "Running On Empty." It was written by a man by the name of Pete Peterson. He was bipartisan in his criticism of both parties, and he was absolutely accurate. We are in trouble because parties matter more than the country, because control matters more than the country, because political careers matter more than our children or our grandchildren.

So I go back to talk about what is possible. A lot of people would disagree with what is in here; this \$9 trillion of what the House has sent us would take about 60 percent of it. But here is what I say to my colleagues who don't want to vote on a balanced budget amendment, don't want to vote on cut, cap, and balance. Where is your plan? I have listed 625 pages of specific cuts, elimination of duplication, elimination of waste, elimination of fraud, and 3,000 footnotes that looked at every program throughout the Federal programs—looked at every CRS report, looked at every OIG report, looked at every GAO report, looked at every OMB report, and looked at every other outside report we could find.

The fact is, we could solve our problems tomorrow, America. We could solve them tomorrow, with good old-fashioned common sense that the vast majority of Americans have and is sorely lacking here.

We do not have a fiscal crisis. We have a commonsense crisis in this body and in the leadership in Congress. We lack common sense, we lack sound judgment, and we need the hard bit of a bridle put on us through a balanced budget amendment to control us. Because human nature is human nature in whatever we do today, we will be back to our bad habits tomorrow. Even if we pass cuts, even if we cap spending, if we do not have a balanced budget amendment that forces us to live within the constraints of our revenue, we will be back here again.

What does that mean? That means the future of America is suspect. It does not have to be. We do not have to go the way of every other republic. We do not have to fail over fiscal issues. We can cheat history. The American people are the greatest people in the world because they are a blend of all the people in the world and they desire freedom and opportunity and that is limited because we have limited it.

We, through our profligate spending, our inattention to detail, our failure to do oversight, have undercut the potential of our country. Let's restore it.

Let's restore it Saturday morning by moving on to this bill and allowing ourselves to have a debate, offer amendments, and truly debate—have what the Senate has not had in a year and a half: a real debate about the issues of our day and the reasons behind it.

But I would caution the American people. Remember what Martin Luther King said as you hear that debate: Vanity asks the question, is it popular? Cowardice asks the question, is it expedient? But conscience and right and good asks, is it right?

I tell you, it is not right to have multiple programs doing the same thing, wasting our kids' future. It is not right for the Congress not to do oversight and eliminate programs. It is not right for us to spend money we do not have on things we do not absolutely need. It is not right for us to take the control of our children's education from the parents and teachers who have their best interests at heart and place it in a bureaucracy that has no compassion whatsoever, even though it feigns that it does. It is not right. It may be politically expedient, it may be popular to some people, but it does not make it right.

As you look at this, here is how you get \$9 trillion, and you can pick any part of that to meet this cut, cap, and balance or you can come up with your own. But the fact is, nobody wants to lay on the table what they think. I have already been roundly criticized in the press for certain aspects of this by people who disagree. That is fine. I am planning on defending everything I put in here. With the best of my knowledge and a great staff that spent thousands upon thousands of hours on this, we came up with a way to solve America's problems, and we can do it.

America can be bright, can be growing, can be developing jobs, if we get the government out of the way and limit the role of the Federal Government.

I see my colleague from Delaware, one of my great friends. We hear that said a lot here, but he is a great friend. It is not the conventional, common greeting. I believe I am over my time. I will be back to the floor to finish this conversation.

But America needs to know we do not have any problem we cannot fix. What we lack are leaders who will fix it. That is our deficit. It is a deficit of courage. It is a deficit of will.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, thank you very much for this time to speak.

Before Dr. COBURN leaves the floor, I thank him for the kind things he just said. As to TOM COBURN and I—a lot of people say: Well, that is an unlikely duo who would end up working to-

gether as much as we have and actually having the sense of trust and friendship. There are things people certainly find in me not to like, and the same is true of all of us. But I would say, there is nobody in the Senate who cares more about getting our deficits under control. He and DICK DURBIN have shown terrific courage and leadership, along with others in this so-called Gang of 6, and also as members of the deficit commission, in trying to get us to a comprehensive, bipartisan solution as to how we rein in the budget deficit without destroying our economy, making sure we do not pierce the debt ceiling and have our financial world begin to crumble around us. So I very much appreciate what he said today. I heard most of it, not all of it. I have had a chance to work with him in a number of areas.

What we try to do, and Senator MCCASKILL—who is presiding at this moment—what she tries to do, along with others of us who serve on the Homeland Security and Governmental Affairs Committee, is we try to look in every nook and cranny of the Federal Government. Whether it is defense spending, entitlement spending, domestic spending, we look at the so-called tax expenditures, tax breaks, and so forth, and we look at all of them and ask this question: How can we get a better result? Whether it is health care, education, transportation, defense, how can we get a better result for less money or how can we get a better result for not much more money?

We need to do that across our government. We need to change, if you will, the culture in the Federal Government from sort of a culture of spendthrift—which a lot of people think we operate under—we have to change it to a culture of thrift and not just for a couple weeks or a couple months or a couple years; I mean for as far as the eye can see, until these pages who are sitting in front of me—who are rising juniors in high school—until they are rising juniors in college and out of school and off into the world and well beyond that. That is what we need to do. That is part of our obligation.

One of the recommendations—I am going to go back to over 1 year ago when we voted on whether to create a deficit commission that would have a number of members who would be responsible—some elected, some not—they would have a responsibility to look across the Federal Government and to come back to us at a date certain with ways to rein in the Federal deficit to get us back on a more fiscally sustainable and responsible track.

We voted in the Senate. Our Presiding Officer will recall not all the folks who were cosponsors of the legislation that created the deficit commission actually ended up voting for it. In fact, seven of them who were cosponsors—as I recall, I do not believe any of

them were on this side of the aisle; I think they were on the other side of the aisle—ended up voting against it, and we did not actually have the votes to create the deficit commission.

With that happening, a number of us encouraged the President to use his Executive powers to create one by Executive order. He did that. Last year, the deficit commission was created, and there were 18 people named to it. Madam President, 12 were elected, 6 were not, and he named 2 cochairs. One was Erskine Bowles.

Erskine Bowles, who is he? He used to be, in the second term of President Clinton's administration, Chief of Staff for President Clinton. Erskine was asked by President Clinton to negotiate the deficit reduction package with the Republican House and Senate. At that time, during those years, Republicans were in the majority in the House and Senate. President Clinton said: Erskine, go out and negotiate a deficit reduction deal, where some of the deficit reduction comes on the revenue side and some comes on the spending side, so we can follow up on, actually, an earlier deficit reduction package adopted in 1993 with only Democratic votes. But he said: Let's see if we can't actually balance our budget. We had not done that since 1968.

God bless Erskine Bowles and the folks he negotiated with too. He went to work in 1997 and came up with a deficit reduction package with 50 percent revenues, 50 percent spending that had everything on the table. A long story short, we ended up with a balanced budget—not 1, not 2, I think at least 3 years in a row at the end of the Clinton administration and handed off to a new administration balanced budget surpluses as far as the eye could see.

I remember Alan Greenspan testifying, I think, before the Banking Committee, when Alan Greenspan was the Federal Reserve Chairman. He said he was concerned at the time we were going to pay down our debt too soon, too fast. I mentioned to him later that concern was misplaced because we certainly did not pay down our deficit too fast. About starting 10 years ago, we turned black ink surpluses as far as the eye could see to red ink, to deficits as far as the eye could see.

A lot of people like to reinvent history. They say we did not do much to reduce deficits in the years from, say, 1993 to 2000. Actually, we had two big votes, one in 1993, with all Democrats—and I am not saying this in a partisan way—and one in 1997, where the Republicans in the House and the Senate actually negotiated in good faith with a Democratic President. With those two packages together, with a strong, robust economy, we balanced the budget not once, not twice, three times, created something like 21 million new jobs, and ended up for the decade end-

ing in the year 2000 among the nations with a balanced budget and the most productive workforce on the face of the Earth. Those were halcyon days for our country. We need to get back to that.

So President Obama, naming the cochairs of the deficit commission, goes back to an earlier President and taps the same guy, Erskine Bowles, to be a coleader of the deficit commission.

On the Republican side, the President asked a guy a lot of people remember, Alan Simpson, a Republican Senator from Wyoming, here for a number of years, as maybe the funniest person who ever served in the Senate. He is also one of the most insightful, commonsense deficit hawks, and a great guy to be a partner with Erskine. They went together.

We had 12 Members of the House and Senate—6 Democrats, 6 Republicans—and some other folks from civilian life. Dave Cote, who is chairman and CEO of Honeywell, was among the private sector participants. But they worked for months and gathered input from all kinds of sources and came up with a broad-based plan that was recommended, adopted, endorsed by, if you will, 11 out of the 18 Commissioners. That was not the magic threshold of 14 before it actually would be the official recommendation of the Commission, but it was a majority, and it included 3 Republican Senators: Judd Gregg, who was then a Senator from New Hampshire, TOM COBURN, and MIKE CRAPO. I thought they were courageous, those Republican Senators.

On our side, among them included KENT CONRAD and DICK DURBIN, and I want to say MARK WARNER, but I may be mistaken. MARK has been all over this stuff. I think he has been a real leader, but I am not sure if he was the third Democrat. Yes, the third Democrat was John Spratt, Democrat from South Carolina, chairman of the House Budget Committee. But anyway, those three Democrats and three Republicans basically agreed to a package and said: Let's reduce the deficit over the next 10 years by \$4 trillion. Let's do it mostly on the spending side—two-thirds to three-quarters on the spending side—but let's have revenues as well.

They did not propose raising the rates. What they actually proposed was to reduce the rates for business, put us more in line with other advanced countries, bring us down from about 35 percent to somewhere roughly between 25 percent and 29 percent on the corporate income side, to reduce personal income tax rates for middle- to low-income families to as low as 8 percent, and to actually reduce the upper income rate from somewhere in the mid thirties to the high twenties. But at the same time we would bring down the rates. We would eliminate not all but a lot of the so-called tax expenditures.

The tax expenditures—what are tax expenditures? They are tax breaks.

Some folks call them loopholes. Actually, a lot of them are meritorious: the mortgage deduction, deductions that will encourage people to make charitable donations, stuff that a lot of us will say: We don't want to change that. We don't want to get rid of that. But if you add all those tax expenditures over the next 10 years, do you know what that adds up to? Madam President, \$15 trillion. Think about that. Add all the tax expenditures for the next 10 years, and it is \$15 trillion. If we only were able to somehow reduce that by 8 or 9 percent, we would come up with the revenues that were called for in the Bowles-Simpson deficit commission to be part of a \$4 trillion package.

In order to be able to bring the rates down, to lower the rates, broaden the base—in order to do that—we are going to have to take more than 8 or 9 percent out of tax expenditures. They may have to be reduced by as much as 50 percent.

I would argue, at the end of the day, we should preserve the deduction for interest we pay on mortgages, especially for our primary home. Also, to encourage charitable donations, I think we ought to preserve the deduction for charitable donations. There are others as well. But those are a couple of the good ones. But that was sort of the sum and substance they came up with.

Among the things the Bowles-Simpson commission also said we ought to have on the table for deficit reduction is entitlement programs.

What are entitlement programs? Things that we are entitled to by virtue of our age, our station in life. If we are 65 years of age and we have paid into Social Security and Medicare, we may be eligible—we will be eligible, in all likelihood, for Medicare. If we are disabled and totally unable to work, we will be eligible for Medicare even before age 65.

If we paid into Social Security for a number of years, we would be eligible for early retirement for Social Security at age 62. If we want to take it later, we can take it at age 67 for full retirement benefits, which I think are roughly about \$2,000 per month max, something like that.

Medicare and Medicaid, Social Security are entitlement programs. They said they should all be on the table. They did not propose using Social Security to balance the budget. But they did say: We have a long-term problem in Social Security with an imbalance between now, the amount of money that is coming into Social Security, and the amount of money that is going out.

As the baby boomers are starting to retire—my generation—we are paying out now, for the first time in a long time, more in Social Security benefits than we are raising. The reason is, for today it is roughly, for every one person receiving Social Security benefits

there are about 2½ people working. Before long it will be for every one person receiving Social Security benefits, it will be two people working and paying into Social Security. The mismatch of inflow into the Social Security trust fund versus the outflow is going to get worse not better.

Sometime, a couple of decades down the road, we are going to start running out of money to pay 100 percent of Social Security benefits. We will not have to stop them all together, but we will have to get them a pretty serious haircut. I was a freshman Congressman, sworn in on January 3, 1983. The day I was sworn in at the other end of the Capitol, they told all of my freshman class: We are going to run out of money in Social Security. That is what they said.

They said: Well, when? In a couple of decades or when?

They said: No. This year. This year.

We said: Are we going to provide a haircut, reduce Social Security payments?

They said: No, we are going to stop making them because we are running out of money in the Social Security trust fund.

That was where we were on January 3, 1983. Thanks to the good work of the commission led by Alan Greenspan and others, but the good work they did then, they handed off to us not just a problem but a solution. Their solution was a combination of new sources of revenue for Social Security and some reductions in benefits, gradually raising the full retirement age over a period of 25 years from 65 to 67; requiring what people pay into Social Security, State and local employees, among others. A balanced plan.

Ronald Reagan, then President, provided political cover to Democrats to vote for that. Tip O'Neill, then Democratic Speaker of the House, provided cover for the Republicans to vote for that. Almost everybody, House and Senate, Democrat and Republican, drank the Kool-Aid and voted to preserve Social Security. It preserved it for another 25 years. We did not have to stop paying Social Security benefits that year or the next year or the next year after that. We had a significant surplus that has gone up in the Social Security trust fund.

But now it is beginning to be paid down. But the fund is going to be going in the wrong direction in the years to come. Over time the outflow will increase as my generation retires. The question is, Do we wait until the 2020s or 2030s to do something about it? I do not think we should. I swore, 28 years ago, I did not want to hand off to the next generation the problems we should solve today.

We have an opportunity not to use Social Security to balance the budget, but actually under the plan that has been now sort of reworked from the

Bowles-Simpson deficit commission, the opportunity to secure Social Security for the next 75 years, and to do it in a way that involves a number of, I think, relatively modest changes, some new revenues, and to gradually increasing the full retirement age from 67 to 68 by 2050, and from 68 to 69 by 2075.

Remember, when Social Security was first introduced, signed into law by FDR back in the 1930s, a person had to be 65 years of age in order to receive Social Security benefits. The average life expectancy then was just over age 60. Think about that. Back then a person had to live to 65 to draw benefits. The life expectancy for most people under 65 was between 60 and 65.

We are talking today about a life expectancy closer to 80. People still get early benefits for early retirement benefits under Social Security at age 62, but to gradually increase the full retirement age and make a couple of other changes as well that on the surface do not seem to be major changes—in fact, I think they are relatively modest. But when we put them all together over many years, it is a lot of dollars and a lot of people.

We can put Social Security on a safe footing for another 75 years. The idea is to actually kind of wall that off from the rest of the problems so we are basically preserving Social Security for a lot longer, for my lifespan and the lifespan of these young pages who are about 16 years of age, throughout their lifetimes as well.

On Medicare—let me talk about Medicare, health care for people 65 and over, people who are totally disabled under the age of 65 and are unable to work. We will spend this year about \$550 billion in Medicare—about \$550 billion. The amount of fraud in Medicare—Eric Holder, our Attorney General, tells us that fraud each year from Medicare is about \$60 billion. That is roughly 10 percent of the amount of money we spend in Medicare—\$60 billion. Roughly 10 percent.

GAO keeps track of something else that is called improper payments. One of the things GAO does is tell us every year how much we are making in improper payments in our Federal Government across the board. They said last year improper payments were about \$125 billion. That is different from fraud. That is just overpayments, accounting mistakes, that sort of thing—\$48 billion in improper payments for Medicare, and another \$60 billion, according to Eric Holder, just from fraud.

If those numbers are true, \$60 billion out of \$550 billion in Medicare payments, that is actually more than 10 percent. Well, let's just say it is only 10 percent or close to 10 percent.

How are they doing over in the private sector? How are they doing in the private sector in terms of controlling their fraud? Well, their fraud costs are

not 10 percent of their costs. That is probably not a surprise. They are not 9 percent. They are not 8 percent. They are not 7 percent. On balance, they are probably closer to 5 percent, and in some cases less than 5 percent. Roughly half, their fraud cost, over Medicare. Maybe they are doing something over in the private sector to control fraud in ways that we can learn from in the Federal Government. If we can learn those lessons, maybe we can provide better rules for less money in Medicare.

Let me give you a couple of examples. Improper payments. Last year Medicare had \$48 billion in overpayments, mistakes, that kind of thing—\$48 billion—separate from fraud. The President said we are going to cut it in half by the end of next year, from roughly \$50 to \$25 billion. If we do that for 10 years, 10 years times \$25 billion, what does that add up to? \$250 billion. That is real money around here, one-quarter of a trillion dollars.

If Eric Holder, our Attorney General, is right on the fraud side, we actually have \$60 billion in fraud losses for Medicare in a year, if we could cut that in half—and we put in the health care law, the new health care law, all kinds of tools to do that kind of thing. If we can cut that in half, that would be a savings of \$30 billion a year. Over 10 years that is \$300 billion—\$300 billion in potential fraud savings, \$250 billion in potential savings by cutting in half improper payments for Medicare. That is \$550 billion. That is over ½ trillion.

For those who say we have to savage Medicare and Medicaid in order to reduce outlays in them and achieve savings in Medicare and Medicaid, that is not correct. That is not true. Let me give you a sense for where some of the money is being lost in fraud.

I have learned a new term this last week called the “death master file.” Maybe you have heard that term before but did not remember it.

But we are trying to keep track of the folks who are dying so that we—when people die who are getting Social Security, we do not continue to send out Social Security checks forever for people who are dead. The same thing with folks who are eligible for other benefits, whether they are benefits for—whether they happen to be educational benefits or health benefits. We do not want to pay benefits for folks who, frankly, are not with us anymore.

By the same token, we want to make sure that when doctors die, we do not face the possibility that someone steals their provider ID number, their Medicare provider ID number, or their Medicaid provider ID number, if they have one, and write prescriptions for, among other things, controlled substances. What we have today are crooks, criminals, stealing provider ID numbers from dead doctors and using those to

write prescriptions for controlled substances, which then feed the drug trade and provide profits to criminal groups.

The inspector general tells us in the most recent report in terms of buying advanced wheelchairs, we spent almost \$200 million a few years ago. Over half of the payments did not meet the Medicare reimbursement rules for the wheelchairs.

We have to be smarter than that. Over in Japan—I have my friend from Florida sitting here waiting for me. He is cooling his jets, but he will not do it for long, so I will close with this: As he knows, we served together on the Finance Committee, and we used to serve together in the House. He is an old friend and a good one. But as we wrestled with health care reform legislation a year or two ago, one of the things we heard in our hearings was, over in Japan—we compete against Japan, friendly competition, but they are our competitor in a lot of ways: electronics, cars, any number of products, we compete against them. They spend about 8 percent of GDP for health care. We spend 16 percent. They get better results: longer life, longevity, less infant mortality. They get better results. They spend half as much, they get better results. They cover everybody. They cover everybody.

I would like to say, they cannot be that smart. As smart as they are in Japan, they cannot be that smart, and we cannot be that dumb. There are any number of ways that we can actually save money that does not reduce benefits in Medicare or Medicaid. We can learn from some of the things they are doing to uncover fraud and reduce improper payments in the private sector and just navigate some of those ideas over to the public sector, and find out what works.

I like to say—this was Alan Blinder's. Alan Blinder testified before us a couple of months ago, a month or two ago, as the Senator will remember.

Alan Blinder said: In terms of reducing the deficit, especially on health care costs, he said: I am not an expert on this thing, but here is my advice to you. Find out what works. Do more of that.

Think of that. Find out what works, do more of that. The converse of that would be, find out what does not work, do less of that. If we do that sort of thing, if we do it not just once or twice or for a couple of weeks or a couple of years, but we just make that a cultural change going forward, we will get us back on the right track. That is our challenge.

It is not just Democrats, it is not just Republicans, it is not just the Congress, we are in this with the President. We are all in this together.

In closing, that is a good thing for us to remember. We are all in this together. We do not have all of the smart

ideas on this side, neither do the Republicans. It has to be a combination of spending and revenue. If we are smart about it, we will come out of this at the end of the day just fine.

I yield the floor to my friend from Florida.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Madam President, I know that the Senator from Massachusetts has time. I just want to take this time while he is coming into the Chamber to say that you can almost hear in the background very foreboding music as we are counting down the days. Here we are in a situation in which we cannot get a certain group of people over in the House of Representatives to be willing to sit down, and, as the Good Book says, to come and let us reason together.

If we are going to govern this country, we have to come and reason together, people of goodwill who will respect each other's point of view, to hammer out a final agreement in order to start bringing this country into balance. It is sad that it is taking this long and this much of a difficult torturous process.

#### FLORIDA'S HISTORY

On a much happier note, at a subsequent time I want to share with the Senate the wonderful heritage that we have in this country, not from the English but from the Spanish. We are about to celebrate 500 years of the discovery of what is now America, the United States, from the Spanish explorer Ponce de Leon who first came to the shores of my State. Then soon thereafter we will celebrate the 450th anniversary of the oldest continuous settlement, a settlement that is 42 years before the English came and settled Jamestown.

Those celebrations are going to be not just for Florida and not just for St. Augustine but for all of Florida and all of the country. We have a commission that has been appointed by the Secretary of the Interior. We have just kicked off that commission. I will be sharing with the Senate a lot about this historical restoration in the public's mind of all of those Spanish explorers who helped establish this country, first with Ponce de Leon in 1513, and he came back in 1539.

By the way, the Puerto Rican community is quite energized and excited about this because Ponce de Leon, when he came and found at the Feast of Flowers, Pascua Florida—and thus he named La Florida—he was the Governor of Puerto Rico.

So they are quite excited, as they should be, and they will be part of this celebration.

After him came a Spanish explorer named de Ayllon, who sailed up the coast.

Later, in 1527, came Spanish explorer Narvaez, who landed somewhere in the

Tampa region and went up into the panhandle of Florida.

After him came the Spanish explorer Hernando de Soto in the late 1530s. He ended up landing also in the Tampa Bay region when, all over Florida, they celebrated the first Christmas because he had Spanish priests with him and was in what is today Tallahassee by Christmas Day. They celebrated the first Christian Christmas by Europeans in this new world of what is now the United States. That was the late 1530s. Then he ended up traveling all over the United States, what is now the Southeastern United States.

Then along came de Luna thinking he would have the first permanent settlement in 1559 in Pensacola, and in 1561, along came a hurricane, and it wiped them out. We had the King and Queen of Spain in Pensacola on that anniversary back in 2009.

Then later came the French thinking they were going to set up the first permanent settlement at Fort Carline at the mouth of what is today the St. John's River at Jacksonville in 1564. But when they heard that the Spanish explorer Menendez had come 30 miles to the south to set up this permanent settlement at St. Augustine, they sailed to wipe out the Spanish colony and instead got hit by a hurricane and were shipwrecked and thus dispatched by the Spanish explorer Menendez. From there, St. Augustine continued all the way to the present day. You ought to see that restored city. It is a sight to behold, and it is not only the history of St. Augustine, the history of Florida, it is the history of this United States.

I will share a lot more about our Spanish history, our roots in this country. I thank the Senator from Massachusetts for his kind indulgence so that I might share this with the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Madam President, I congratulate the Senator from Florida. I am delighted to accommodate him and join with all Floridians in a good celebration of a great part of our history.

Madam President, obviously everybody in America is well aware that the date of August 2 is fast coming at us. They are also, unfortunately, well aware that the Senate and the Congress appear to be stuck yet again at this moment—in fact, here in the Senate we are debating a constitutional amendment to balance the budget instead of balancing the budget. I have heard a lot of sidesteps around here, but this is what they call a message amendment. It is sending a pretty mixed message to America.

What we, in effect, ought to be doing is not trying to pass a piece of paper that tells us to do what we know we ought to do, we ought to be doing it.



What we ought to be doing is stopping our country from defaulting on debt that has already been obligated.

What people are refusing to do in the House on the other side of the aisle is to live up to our obligations. This is not suggesting that we are giving permission to borrow more money to spend money on something responsible in the future; this is paying the debts of our country—money already spent, already obligated.

Here we have the so-called Cut, Cap, and Balance Act that passed the House of Representatives. Everybody understands it is nothing more than an ideological message exercise. Everybody knows it is not going to pass the Senate. We know even more that if it does pass, it is not going to be signed by the President of the United States. What it is doing is taking up time that we ought to be spending with a real solution on the floor of the Senate that addresses the needs and concerns of the American people. We ought to be reaching that compromise. What this does, unfortunately, in terms of message is it sends a message to the American people that this place may not quite get it still and that a lot of folks here are more prepared to play politics than to really engage in the real business of our Nation.

If you look at the specifics of this legislation, which is not going to pass, it is divided into three parts. Each one of them is equally problematic.

The cut part of the bill would require immediate cuts that would cut almost 1 percent of our GDP, which economists tell us would result in the immediate loss of 700,000 jobs. So they are coming to the floor with a program to actually cut 700,000 jobs at a time when most Americans believe job creation is the single most important thing we can do in the country, as well as avoid defaulting on our debt.

The cap part locks into place the unrealistic spending levels the House passed in their budget, while at the same time preserving hundreds of billions of dollars in tax cuts for the wealthiest Americans and tax loopholes for the biggest corporations.

I think every American scratches their head and says: What? They are going to put in these unrealistic caps that would strip away research and development, education funding, the ability of kids to go to college—all of the things on which we build the future job base of our country. They are going to strip that away, but preserve the tax cuts for the wealthiest people in the country, who, incidentally, may be investing the benefits of those tax cuts in China or in India or job creation in many places other than here.

The balance part of this amendment requires the passage of a balanced budget constitutional amendment that would require a supermajority to raise any new revenue or close any wasteful

tax loopholes. In other words, you don't have to have a supermajority to decide where and what you are going to wind up spending, but you have to have a supermajority in order to raise any revenue or close an egregious tax loophole—one that may have no economic purpose, may be completely outdated, or may be a sweetheart deal that got into the Tax Code over the course of the years, but you still have to get a supermajority to get rid of that.

Everybody here knows how hard it is to get 60 votes. A lot of the business in the Senate has been caught up by the eternal filibuster. Every single nomination, every single small piece of legislation that comes to the floor of the Senate—everything requires a motion to proceed, which requires 60 votes, which is effectively a filibuster each time. We have had a record number of filibusters in the Senate over the last three years compared to any other time in the entire history of the United States of America, so requiring that two-thirds supermajority would lock in gridlock, it would lock in bad policies for the future.

The constitutional amendment that is proposed would make all revenue-raising measures unconstitutional unless they secured a two-thirds supermajority in both the House and the Senate.

Again, I repeat, we do not need a piece of paper, a new one—we do not need an amendment to the Constitution, a group of words—to tell us to do our duty. Every single Member of the Senate raised their right hand and took an oath of office over there beside the Presiding Officer and said they promised to uphold the Constitution of the United States. All we need is the courage and the conviction to make compromises and do the business of the Senate. It is not going to get any easier just because you pass some words that tell you to do it.

We did this in the 1990s. What I am talking about is not pie-in-the-sky, it is not some theory; we balanced the budget in the 1990s. We did it without a constitutional amendment. We had people of good common sense who came together and voted on compromises, and we not only balanced the budget, we created a \$5.6 trillion surplus for America, and at the same time we created 23 million new jobs for Americans. Guess what. While we balanced the budget in a sensible way, without artificial caps and artificial, Draconian instructions but with common sense, while we did that, every single quintile of American income earners rose in their income. Every single American quintile saw their incomes go up. America got richer than at any time in America's history even as we balanced the budget without a balanced budget amendment.

So I will tell you, if we go down the road our friends on the other side of

the aisle are proposing, we will see major reductions in Medicare, and much worse than what the Ryan budget proposed, and Social Security beneficiaries would receive a \$3,000 reduction in average recipient benefits within 10 years and be forced to see deeper cuts down the road. I think it is safe to say, without exaggeration, that it would put an end to Social Security and Medicare as we know them today.

This week, Eric Maskin, Robert Solow, and Alan Blinder—each a Nobel laureate in economics—and other renowned economists sent an open letter to President Obama and Congress in strong opposition to a constitutional balanced budget amendment. These economists stated that a balanced budget requirement to the Constitution would be a “very unsound policy” that would adversely affect the economy.

They believe that adding arbitrary caps on Federal expenditures would make the balanced budget amendment even more problematic.

A balanced budget amendment would mandate perverse actions in the face of recessions. By requiring large budget cuts when the economy is weakest, the amendment would actually aggravate recessions.

Madam President, in the 27 years I have been privileged to serve here, we have already debated this several times. We have voted on it. As I have said in the past, the most compelling argument against this amendment doesn't come from me or from anybody on the floor; it actually comes from the real experts, the people who framed the Constitution of the United States. If they were here on the floor of the Senate today, they would vote against this amendment because it violates the Constitution's most basic tenet majority rule. The notion that the most fundamental document of law can be set aside for a time is ludicrous and anathema to the very reasons for having a governing document at all.

Worst of all, this bill from the House Republicans, holds hostage the increase in the debt limit needed by August 2 and it holds it hostage until a constitutional amendment to balance the budget is sent to the states. We all know that is not going to happen. August 2 is looming. We have to put aside this type of partisanship. We need to sit together and develop a bipartisan plan that works for America with no preconditions and not hide behind a constitutional amendment that makes choices for us.

We can no longer afford to delay. We are facing a default that would jeopardize Social Security payments, Medicare benefits, and troops' pay, as well as send interest rates soaring in a way that would force Americans to pay more for their mortgages, student loans, and small business loans. And the whole world is watching to see if

we make the right choices because the consequences would be cataclysmic.

Madam President, let's get real. President Obama offered to cut the debt by \$4 trillion—exactly what we know we need in savings and nearly twice as much as the Republicans had proposed—and Republicans turned it down. President Obama has gone the extra mile. He has put everything on the table, even things Democrats strongly oppose. But the House Republicans simply will not budge because for them, this isn't about the deficit; it is about ideology, an extreme ideology.

But it needs to be about priorities. And leadership. President Kennedy said "sometimes party asks too much." Well, if the cost of ideology is economic ruin, the House Republicans really are asking too much—much too much. Americans deserve better. They need the Senate not to be a slightly slower version of the House; no, they need the Senate to be the deliberative body of serious people the Framers expected us to be.

Madam President, I yield to the majority leader.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The majority leader.

Mr. REID. Madam President, I appreciate my friend's courtesy.

I want everyone who has any interest in this piece of legislation on the floor today to know that now is the time to come and debate to their heart's content. If they want to debate it late tonight, we are here to do it late tonight. If they want to debate it tomorrow for a period of time, they can do that.

I think this piece of legislation is about as weak and senseless as anything that has ever come to the Senate floor, and I am not going to waste the Senate's time day after day on this piece of legislation, which I think is anathema to what our country is all about. So I want everyone to understand we are going to have a vote tomorrow. I am not going to wait until Saturday. We are going to vote tomorrow, and I feel confident this legislation will be disposed of one way or the other.

The American people should understand this is a bad piece of legislation—perhaps the worst piece of legislation in the history of this country.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I hope we will move quickly to the real business, which is avoiding default. Let me say, I think there is one effort we ought to be engaged in, and that is the serious effort of passing the McConnell-Reid, Reid-McConnell initiative, or whatever you want to call it. Their initiative is not kicking anything down the road. Their initiative requires, just like the base closing commission, for the Senate to deal with the big deal in a very short period of time. If colleagues want to speed that period of

time up, I wouldn't object. I think that would make sense.

What we need to do is to recognize that in the next few days we do not have the time to put the kind of common sense to the task that will allow us to get the budget figures from the CBO, that will allow us to know with certainty what we are doing with Medicare, Medicaid, Social Security, or all of these other important initiatives are being done in the most deliberative and thoughtful way possible. That is what this institution is supposed to be about. That is what makes the Senate the world's most deliberative body, but it hasn't been particularly deliberative on this subject in the past months.

We have the opportunity, with the Reid-McConnell initiative to be able to put in place a process that will guarantee we have up-or-down votes on these critical issues after all the relevant committees have had the opportunity to weigh in, using perhaps the budget commission's report, together with what the so-called Gang of 6—which I don't think is a particularly appropriate name—has proposed, which I think is a very constructive and important contribution to the debate. It helps us have a starting point for this discussion, as Congress, in the next short period of time, actually fashions the kind of budget decision that benefits America and does credit to this institution as a truly deliberative body.

That is what I hope we do, and I look forward to working with my colleagues in an effort to make that happen.

Madam President, I yield the floor.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent to speak as in morning business for, hopefully, no more than 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FAA REAUTHORIZATION EXTENSION

Mr. ROCKEFELLER. Madam President, yesterday, at the direction of the leadership, the House passed an FAA extension. Unlike the 20 previous FAA extensions, their extension included changes to FAA policy that had not been agreed to by both the House and the Senate—both Chambers. What is the effect? The effect is that move will begin to shut down the Federal Aviation Administration, beginning tomorrow at midnight, if we do not reach agreement on a sensible path forward to pass a clean FAA extension bill.

The consequences of an FAA shut-down will be severe. This is not about me or the content of the extraneous provisions in the House bill. This is about being responsible and doing the necessary work to ensure our aviation system continues to function at its highest level while Congress completes its business.

Over the past 4 years—which is how long we have been negotiating this bill—we have been able to work together to do the right thing each time

the FAA authorities were about to expire. Congress has consistently acted to pass extensions to make certain the Nation's air transportation system continues to operate safely. Therefore, we have passed 20 extensions over 4 years waiting to do the work we need to do for an enormous Federal agency. In only one case were policy changes made during the consideration of an FAA extension, and that was last year. Airline safety measures were included because both the House and the Senate negotiators agreed to them, and the extension passed unanimously in both Chambers. You don't pass an extension which has policy riders on it unless they have been agreed to by both Chambers.

It is very unfortunate the House is taking a rash approach to pass a bill when we have made so much progress negotiating a complete FAA reauthorization package. From the time the House passed the FAA reauthorization, we have had more than 3 months of productive negotiations, where staff engaged in more than 30 meetings and spent hundreds of hours developing this legislation.

Over this period, we have worked the entire number of items to be resolved from 281 separate issues to approximately 10 separate provisions of consequence. House and Senate negotiators have compiled more than 300 pages of text for a bill. All of the components of the legislation represent needed aviation policy changes that will improve the country's airspace system.

I remind you that our country, unlike virtually any other in the modern world, basically uses radar as a way to approach landing or takeoff. It is embarrassing. It is ridiculous.

I have been able to negotiate with the two other committees in the House—the Science Committee and the Homeland Security Committee—to develop workable agreements on all of our policy differences. The main items that need to be made final are difficult, yes, partisan provisions that fall within the jurisdiction of the House Transportation and Infrastructure Committee—T&I, as they say—and its chairman, JOHN MICA.

The House bill was developed in a partisan manner. It had a number of problematic provisions added during floor consideration. Central to these was the decision to include language that would reverse a National Mediation Board decision from the previous year. The National Mediation Board—the NMB—provision was so tainted that it passed by just seven votes in the House, which is overwhelmingly Republican. It passed by just seven votes. Consideration of the final FAA package passed in the House by a party-line vote of 223-196. Ultimately, the House FAA reauthorization bill garnered the narrowest vote margin for

a House FAA reauthorization bill in almost 30 years. I am talking about the House of Representatives.

As the House well knows, the White House has threatened on numerous occasions to veto any FAA package that includes the House's National Mediation Board language. The House's addition of policy riders to the extension that are being considered as part of the FAA reauthorization discussions represent an abandonment, in my judgment, of the good-faith negotiations we have been engaged in for the last 3 months.

The House acted without consulting the Senate on this FAA extension, without engaging the Senate on putting policy riders into their extension. From their actions and public statements, it is clear this effort is designed to force the hand of the Congress on the National Mediation Board provision that President Obama has singled out as a reason to veto the legislation. That is the legislation which basically says if you have a vote for a union, or for whatever, and if you are not present and don't vote, your vote is automatically counted as no. This is a whole new concept of democracy in America, one which is very strange and very wrong.

The House claims that negotiations on the FAA bill have been stalled over the NMB issue, but they have simply not done their work. It has been over 100 days since the House passed the FAA bill and they have never even appointed conferees. We have done that; they have not. The Senate is ready to break this deadlock, but we have not been able to engage in a formal process because there are no House conferees. The Senate includes all of its conferees in negotiations and works through each provision to reach bipartisan agreement. And as I indicated earlier, we have gone from 281 down to 10 issues. The House only had Chairman MICA, and now the House leadership, calling the shots on each negotiated item. It makes it very awkward to negotiate anything at all.

If the House wants to move forward, it is time they appointed conferees and we will be able to determine where things stand on what remains in the FAA reauthorization bill. But the Senate cannot accept the House sending over items that remain to be negotiated in a piecemeal fashion as part of this FAA extension, which is what they have done; or for that matter, any future extensions. And it may come to that.

The American people expect Congress to work together to reach agreement. That is what I have been in the Senate for, to reach agreement, and not to have 20 extensions over 4 years. What an embarrassment, chopping the FAA continuity up into tiny little chunks so they can't even let out contracts or proceed with their work. The American

people expect Congress to reach agreement, and I believe we can do this, but it is going to take some more time.

If the House continues its attempt to hold the Senate hostage on the FAA extension, it will result in a partial shutdown of the Federal Aviation Administration, and people need to consider that very seriously. A majority of the Senate is more than willing to pass a clean FAA extension of any length. This week, I introduced S. 1387, with Senator KAY BAILEY HUTCHISON and Senator MAX BAUCUS, to do just that. Our bill would give the FAA the necessary funding and authority to keep the agency functioning into September—I think September 16.

I have also indicated to the House on at least four occasions that I am willing to drop all of the remaining controversial items that are not included in both bills in order to get us close to a deal. That offer—seemingly reasonable—has been consistently rejected by the House.

Despite the House's lack of appointing conferees on the FAA bill, and willingness to threaten the agency with problematic extensions, I do remain committed to completing this process in a proper and responsible way.

Again, after spending 4 years trying to complete this bill, nobody wants a resolution more than I do. It is not a way to run a train, much less an airline.

I believe we can finish a comprehensive FAA reauthorization by August if the House will come back to the negotiating table in good faith. I am willing to sit down at the table anytime to move the larger FAA package forward or to develop an FAA extension that can pass the Congress. We will try to move a clean FAA extension through the Senate. Having said that, I ask that the other Members do support this effort when that happens, which will be shortly, and allow us to complete the FAA reauthorization bill.

I will say a word on the consequences of an FAA shutdown. An expiration of the FAA will shut down any activities funded out of FAA's four capital accounts, which I will not name. This includes a program to halt the airport improvement program, which provides \$3.5 billion for infrastructure projects at airports annually and is estimated to support more than 150,000 jobs a year now. Nonessential employees will be furloughed, and approximately 4,000 FAA employees will be among them.

If the FAA authorities do expire, the agency estimates it could only operate air traffic support services through about mid-August 2011. This would mean services to smaller areas such as mine, West Virginia, would need to draw down in the near term so that the FAA can focus on primary traffic. That is not something we would look forward to.

A shutdown quickly starts to have safety implications too and safety

projects at airports. It also places a hold on testing and implementation of NexGen efforts, Next Generation efforts. That is the modern GPS-based system which is clear, precise, and reads where airplanes are and how fast they can land one after the other with great precision. Fewer personnel will be available to dispatch to problem areas. So these are real concerns.

Madam President, I hope my colleagues will hear what I have said. I hope my colleagues in the other body will hear what I have said. I want to proceed in good faith. I have tried. It has not worked. The American people are suffering as a result of it, particularly the aviation industry and the Federal Aviation Administration. I would hope my speech will be listened to.

I thank the Presiding Officer and I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. While the distinguished chairman of the Commerce Committee and my dear friend from West Virginia is on the floor, I wanted to illuminate a little bit of the difficulty on the FAA reauthorization.

I share concern with the chairman, as he knows, because we talked in the well last night about our desire for a reauthorization of FAA and how important it is to our economy. But the difficulty between the House and the Senate, in part, has been over the House version as it treated the National Mediation Board versus the Senate's unwillingness to consider any change in current status with the NMB.

I have been the negotiator or the runner, or whatever you want to call it, between the two bodies, Mr. MICA and Mr. ROCKEFELLER. As the chairman knows, about 1 month ago I delivered Leader REID a comprehensive list of requests the House had asked for in the reauthorization. Senator REID and his staff, after pondering it for a few days, responded that they would not agree to any of the changes that were requested.

I then went back and said, well, let me see what I can do to try to find some common ground, and came back with a recommendation I gave to Chairman ROCKEFELLER that said give judicial review to the airlines, which the unions already have under the National Labor Relations Act, to have a balanced treatment in terms of a response in terms of NMB regulation. As it turns out, that was an unsatisfactory offer.

The House I think still insists that some provision addressing the National Mediation Board should be included in the authorization, and that—and if I am incorrect in any way, please, Mr. Chairman, correct me—I think that is the primary difficulty in getting to a final conclusion.

From my standpoint, I want everybody to understand clearly, I agree

with the chairman that we need a reauthorization. But I also think we need a balanced playing field with NMB, and I continue to work to try and find some common ground to see to it that the aviation industry can have judicial review, just as the unions already have, with regard to NMB regulations and NMB rulings.

I wanted that to be documented in the RECORD. I thank the chairman for letting me have a little time.

I yield the floor.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. McCONNELL. Madam President, it has been reported that the White House has made an internal decision not to send Congress three long-pending free trade agreements before the August recess. I wish to be able to reiterate that I, for one, remain as committed as ever to passing these job-creating agreements into law as quickly as possible, given the condition of our economy.

As I see it, every sticking point seems to have been resolved. The White House initially said it needed a deal on trade adjustment assistance on the substance. I think they have gotten that. Then they said they needed an agreement on the process. I believe we have achieved that.

I, myself, am personally committed to working with the majority leader to ensure a fair floor process for my Members so they have an opportunity to try to amend a stand-alone trade adjustment assistance bill separate from the three free-trade agreements. That way, if the administration can generate the votes it needs, TAA will pass on its merits.

I think we have a pretty clear path in front of us at this point. I recognize that the calendar is tight, that we have got a lot of other urgent business to take care of around here, so I don't expect to finish any of this before August. Still, I think the administration should submit the agreements anyway as a show of good faith with our trading allies in Korea, Colombia, and Panama. Then we can work to pass them when we return. The administration has received everything it has publicly asked for on TAA. It is time to show they are serious about creating jobs and getting those deals done.

This is an opportunity to create jobs in America for Americans. It was snarled needlessly by the suggestion that TAA be dropped inside these agreements. That now has been cleared up. We are going to have an opportunity to ratify all three of these trade agreements, which will be good for the country, and the TAA issue will be dealt with separately, and all indications are that the votes are there to pass the TAA bill.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, I come to the Senate floor to tell my colleagues why I support the issue of cap, cut, and balance.

On August 2, our Nation will be unable to borrow money to meet our current obligations. We have known for a while this was coming. Our annual deficits have been near \$1.5 trillion for the past 2 years and are going to be that large this year as well.

With deficits of that size, no one should be surprised that we have hit the debt ceiling, which raises the question then: What has the President offered to confront this looming crisis?

I ask that question because people expect a President to lead, and we have had an executive budget and an executive budget law since I think the 1920s putting the President in the lead on these issues.

So I ask another question: What has the Senate Democratic majority done to address our deficit crisis? Because it is the responsibility of the majority to present a budget to the Congress of the United States, and we have not had a budget resolution for more than 800 days now. So I think you can draw the conclusion, whether it is the President of the United States or the Senate majority, the answer is simple: Not much has been done.

Last year, President Obama virtually ignored his own deficit reduction commission. Remember, in February 2010 the President appointed a lot of people to a deficit reduction commission to give us a plan of what could be done about this fiscal situation that has happened so dramatically in the last 2 years, and there was no recognition in December when they reported that the President said that is the thing that should be done in this country.

This year, he did offer a budget, as he has to do under the budget law, February 14 of this year. That budget would increase spending, increase taxes, and still add trillions to our debt.

Everybody would think that a Democratic President suggesting a budget would be well-received in a body that is controlled by the same political party. But that budget he presented in February was so ill-conceived and out of touch that it was defeated here in the Senate by a vote of 97-0.

Let me emphasize that by saying not a single Senator of either party voted for President Obama's budget. Of course, it is very obvious that every member of the President's party said no to the President's budget.

For most of this year, President Obama said we should raise the debt ceiling without taking any measures to address our long-term deficits and debt. It was the position of this administration that Congress should simply rubberstamp another debt ceiling hike with no plan in place to reduce our deficits.

That plan was voted on in the House and was soundly rejected there as well. All of the Republicans and nearly half of the Democrats in the other body voted against increasing the debt ceiling without deficit reduction.

So it seems to me we have a lot of bipartisan agreement, when people say we have no bipartisan cooperation, that with the Senate's vote on the President's budget and in the other body with nearly half of the Democrats opposing a debt ceiling without deficit reduction, that there is a clear understanding in a bipartisan way in the Senate that the President's budget spends too much, taxes too much, and leaves too much debt. In the House of Representatives, there is a strong feeling that is bipartisan that if you are going to have a debt ceiling increase, there needs to be deficit reduction. So don't ever say there is not bipartisan agreement, because it has been expressed in votes in both Houses.

The President then gave a budget speech in April, and I presume he recognized the inadequacy of his budget presented to Congress in February. He outlined a budget framework that would reduce that budget that was presented in February by \$4 trillion over 12 years. So the President very quickly in about 60 days came to the conclusion that his budget was out of step with what people of even his own political party felt was necessary so he could find \$4 trillion to trim out of it.

But do you know what he hasn't done yet that a President ought to do in an environment where we have an executive budget process? He still hasn't presented the details of that budget.

The Director of the Congressional Budget Office, Dr. Elmendorf—as we all know, a person who is a devoted public servant, doing what is intellectually right all the time when he tries to help us decide how much money taxes are going to bring in or how much is going to be spent on a particular policy of Congress—was asked if he could estimate the budget impact of this new framework that came with the President's speech on April 13, in which he came to the conclusion you ought to spend \$4 trillion less than what he thought he could spend on Valentine's Day. That is not necessarily a Valentine's gift in his February budget.

This is what the CBO Director said in regard to that April 13 speech. He said:

We don't estimate speeches. We need much more specificity than was provided in that speech for us to do our analysis.

But, so far, the President has not provided those specifics. We have heard a lot from the White House about the need to come up with a plan, when the President has not presented a plan. The White House itself has never offered a single debt ceiling proposal for voters, and the Senate Democratic leadership has also seriously shirked its responsibilities because, as I said once before

today, they have not put forward a budget in more than 800 days, even though the law requires that they do it.

Every family in America who works hard and sacrifices to pay their bills ought to be ashamed of the failure of the Senate to offer a budget, in violation of the law. In sharp contrast, Members of the House fulfilled their responsibility and passed a budget earlier this year. So the very same majority party in this body that has not presented a budget for 800 days has done nothing in regard to the House budget but demagog.

While they can't find time to compile their own budget, they sure found time to make speeches that are derogatory about the House budget. The House budget, then, obviously means the House of Representatives did their responsibility under the law by presenting a budget and adopting a budget.

While Members on the other side come to the floor to oppose and demagog the bill I am speaking about—the cut, cap, and balance bill—they have offered no plan of their own. While there is now a framework from the so-called Gang of 6, their plan also lacks any specificity. Perhaps that is the political strategy the other side has chosen. Voters and the American people cannot be upset with the position you have taken if you have not taken a position. It is like a rule for political leaders: You never get in trouble for a speech you do not give. Perhaps this strategy may be politically expedient, but it is going to drive our economy and our country off the cliff.

The strategy of placing a higher priority on the next election rather than the economic and fiscal situation facing our country is how we got into this mess. Based on the lack of proposals put forth by the other side, one could assume they are perfectly content borrowing 40 cents for every dollar we spend. Are they pleased with the deficits of \$1.5 trillion annually? We could conclude they must be because they have not offered a plan to reduce the deficits.

On top of that, they have argued for tax increases. They must believe we have a revenue problem. According to their argument, the American people are not handing over enough of their money to satisfy the needs of Washington to spend. I am not sure we can ever tax high enough to satisfy the attitude in Congress to spend. In fact, if somebody would tell me how much money they really need from the American people to satisfy their appetite to spend, and I could get a limit on it and it were a hard limit, I might even vote for it because I would like to have people say they are finally satisfied, that government ought to be so big but no bigger. But I never get those sort of broad statements in the Congress. So I

have come to the conclusion that we cannot raise taxes high enough to satisfy the appetite to spend.

But because we are borrowing money, the economy is not growing, and jobs are not being created because Washington is spending too much. Of course, the other side believes the economy is not growing because we are not spending enough from Congress.

Remember, just a few years ago they passed the \$800 billion so-called stimulus as a means to keep unemployment below 8 percent. That was early February 2009. That is when Speaker PELOSI said: Yes, we wrote the bill. We won the election.

So employment shot above 8 percent right away. It got up over 10 percent. It is at 9.3 percent. So the promise of a \$830 billion stimulus keeping unemployment under 8 percent just did not work. What did they do under those circumstances? They borrowed money and spent it on government programs.

Where is the U.S. economy today? I will say it again: 9.2 percent unemployment, more than 14 million Americans out of work, and now the national debt is more than \$14.3 trillion. This experiment called the stimulus proved that government spending does not stimulate private sector job growth. Do you know why? Government consumes wealth; government does not create wealth. The only jobs created by government are government jobs. They don't add value to the economy; they are a cost to the economy.

Do we have to have government? Yes. Do we have to have government employees? Of course we have to have government employees. But to think we can hire more government employees and create wealth is false. The fact is, we are the hole we are in because of our spending problems, not because we do not have enough revenue coming in.

Look at this historically. Spending has averaged about 20 percent of our gross national product. That is probably over four or five decades. Today and in recent years spending has grown to 25 percent of the gross national product. This level of spending cannot be sustained, particularly when revenue has historically been around 18 percent of GDP. This very day it is less than 18 percent because the economy is not growing, but a 50-year average is 18 percent of GDP.

For my colleagues who think we can reduce deficits by increasing taxes, they need to understand it just does not work. Professor Vedder of Ohio University has studied tax increases and spending for more than two decades. In the late 1980s he coauthored, with Lowell Galloway also of Ohio University, a research paper for a committee of Congress called the Joint Economic Committee that found that every new dollar of new taxes led to more than \$1 of new spending by the Congress.

In other words, raise taxes \$1 and you think we would go to the bottom line and reduce the deficit? But, no, \$1 coming in, we spend more than \$1, so we make the deficit worse. Professor Vedder has now updated his study. Specifically he found:

Over the entire post World War II era through 2009, each dollar of new tax revenue was associated with \$1.17 of new spending.

History proves tax increases result in spending increases. We know increasing taxes is not, then, going to reduce the deficit. Instead of going to the bottom line, tax increases are a license for Washington to spend even more.

History also shows that tax increases do not increase revenue. Everybody thinks if we raise the marginal tax rates we will bring in more revenue. But the taxpayers, workers, and investors of this country are smarter than Members of Congress are who believe that.

Regardless of the rate, over the past 40 years—I am sorry, I don't have a chart with me. I had a chart with me a week ago that demonstrated this. But if you listen closely, you will get the message of the chart.

Regardless of the rate of taxation, over the past 40 years revenue has averaged, as I said before, about 18 percent of gross domestic product. Higher tax rates just provide incentives for taxpayers to invest and earn money in ways that reduce their tax liability. We cannot tax our way out of this problem. We have a spending problem, not a revenue problem. That is why I am supporting the only plan that has been put forth to address our deficit and debt problem: the cut, cap, and balance plan passed by the House with the bipartisan support of 234 Members.

This plan is the only plan offered to cut spending in the near term. We need to halt and reverse the trend of the last 2 years when government spending increased by 22 percent, not even counting the failed stimulus program of another \$830 billion. We cannot increase expenditures 22 percent when the growth of the economy is about 2 percent. It just does not add up. That is how we get into trouble, and that is how we have increased a 50-year average of the national debt from about 35 percent of gross national product to—after 2 years, it is now 65 percent, and it is on a path to go over 90 percent.

We know where Greece is right now when they are over 100 percent. It is going to lead to failure. We are on that path right now, and we have to preempt that.

This bill before us also will impose budget caps to get our spending down to a manageable level compared to our gross domestic product.

Finally, it would impose a balanced budget amendment to our Constitution, similar to what—I don't know whether it is 46 States or 49 States—but most States have a constitutional

amendment requiring a balanced budget. You know what. It works.

We have to stop to think, if a State that is as liberal as New York, if they can elect a liberal Democratic Governor, and if he can cut, cut, cut, to live within that constitutional requirement of a balanced budget, it ought to be something we can do in Washington DC. It is a discipline that works in the States. It is a discipline that we need through our Constitution so when we take an oath to uphold the Constitution, the requirement of a balanced budget is something we swear to, and we will deliver on our promise to the American people. It only makes sense to impose a requirement that we live within our means. Washington proves again and again that it needs this kind of discipline.

I say to my colleagues: If you do not support this plan, then offer your own plan. You know the debt limit must be increased, but you also know we must take action to reduce the future levels of deficits and begin to bring our debt down. Where is your plan to do that? Where is your budget resolution that has not been presented in the last 800 or more days to the Senate, violating the budget law? How will you meet the responsibilities, then, of being elected to this office where you take an oath to uphold the laws and the Constitution of the United States?

The trajectory of our debt is alarming. It will soon undermine our economy and our economic growth. If we do nothing, our children and grandchildren will have fewer economic opportunities than we have had. So this is not just an economic issue, this is not just a fiscal issue, this is a moral issue of whether this generation, my generation and people who are even younger than me but spending a lot of money, ought to live high on the hog and leave it to young people to pick up the bill.

Without a plan to put our fiscal situation on a better path, the next generations will have a lower quality of life than the one we have experienced. We cannot let that happen. We must take action to correct our course.

I urge my colleagues to support the cut, cap, and balance plan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUE. Madam President, I ask unanimous consent that the time from 5 p.m. to 8 p.m. on the motion to proceed to H.R. 2560 be equally divided between the majority leader and the Republican leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUE. Madam President, I rise today in opposition to the Cut, Cap, and Balance Act of 2011. Rather than taking a balanced approach that requires shared sacrifice, House Republicans have passed legislation that

would gut essential services for average Americans while asking nothing of the wealthy and privileged. Such a misguided approach would cost countless American jobs while doing nothing to solve America's long-term deficit challenges.

In my opinion, the Cut, Cap, and Balance Act fails to measure up as a serious proposal to address the structural deficit that our Nation faces. It is misguided, and assumes that our Nation will pay no price if we fail to invest in our future. These are some of the assumptions of this bill. Highways will not buckle, pipes will not rust, bridges will not collapse, and there is no need to invest in the next generation of innovators to keep America's competitive advantage. This bill would gut the very funding we need to revitalize our economy and invest in the future.

Cut, cap and balance would render Congress essentially powerless to address revenues, thereby pushing America further down the road of economic inequality by ensuring that the wealthy do not have to share in any sacrifice. And whatever might be said about this legislation, to call it balanced is a cruel irony. In fact, all of the sacrifice is demanded of the poor and working families. This legislation forces Congress to slash programs that average Americans rely on for education, housing assistance, food safety, safer air traffic control, and clean air and water.

We have an aging population, which means that increasing costs for Social Security and Medicare are a reality that must be dealt with. The Baby Boomers are retiring, which increases the need for Social Security and Medicare. And while those programs are not subject to sequester, how will we meet the higher costs and at the same time bring down overall spending to 18 percent of GDP, a level that has not been achieved since the 1960s? My colleagues should not kid themselves: mandating a balanced budget by 2020 while taking revenues off the table will require draconian cuts to Social Security and Medicare.

As the chairman of the Appropriations Committee, I take particular note of the impact cut, cap, and balance would have on nondefense discretionary spending. A 10-year freeze on domestic spending that does not adjust for inflation would have a devastating impact on the ability of all nondefense departments and agencies to carry out their missions. My colleagues should know that over 10 years, such a cap would amount to a 33-percent cut in real dollars. Such a level of cuts would make it impossible for the United States to compete on a global stage. Our infrastructure, our education system, our technology, everything we need to remain a great nation will be drastically underfunded, or simply not funded at all.

I hope we all understand that we are not talking about nice to have things, we are talking about investments that are necessary to maintain the quality of life for the middle class. Education is not optional. Roads and sewers, clean air and clean water are not options. Meeting the basic nutritional needs of our poorest children should not be optional. This great Nation was built on such investments, made in the best interests of the American people—all the people, not just the wealthiest one-tenth of 1 percent.

I would like to take a brief moment to provide a few specifics about the impact of this act. While it is not possible to predict specific impacts 10 years down the road, it is certainly possible to give examples of what the American people would experience in the near term, as a result of this deeply flawed bill.

In fiscal year 2012, Head Start funding would decrease by more than \$900 million, eliminating comprehensive early childhood services for over 130,000 low-income children and their families and resulting in the termination of 30,000 teachers, teacher assistants and related staff.

The combined cuts to mandatory programs such as Food Stamps and School Lunch programs coupled with domestic spending reductions contained in this legislation would be a double blow to the Nation's most vulnerable populations. With these cuts, there would be 13 million fewer meals served to seniors. Let me be blunt, if this bill is enacted, children and seniors in this Nation will go hungry in far larger numbers than today.

We all recognize that reducing waste, fraud, and abuse are essential components of getting our fiscal house in order. Every billion dollars we save is a billion dollars we can use to reduce the deficit or better invest in America's future. And yet this bill would reduce funding for the Internal Revenue Service by some \$1.8 billion below the President's request for fiscal year 2012, which would cripple its efforts to find fraud and eliminate waste and abuse. The IRS could be forced to furlough between 4,100 and 5,000 employees, mostly enforcement agents. Furthermore, a cut to IRS funding would increase the deficit by approximately \$4 billion a year beginning in 2013, since every dollar invested in enforcement resources brings in \$5 in tax revenues.

Finally, I would note that a cap on the Federal budget means that we are unable to make smart choices about our future investments. As an example, the Bureau of Prisons inmate population is expected to grow to roughly 250,000 Federal inmates by 2018, an increase of more than 31,000 prisoners, or 15 percent, over the next 8 years. A growing inmate population coupled with a spending cap for Department of Justice activities will mean further severe cuts to other important functions



of the Department of Justice—Federal, State, and local public safety efforts will be cut in order to pay the required costs of housing prisoners.

Yesterday 97 Senators voted in favor of the Military Construction and Veterans Affairs appropriations bill. The Senate is perfectly capable of producing and passing fiscally responsible appropriations bills that meet the Nation's needs and that have strong, bipartisan support. The real answer to our fiscal crisis has not changed since this debate began. We must cut spending in a responsible fashion. We must reform entitlement programs to ensure that they survive for future generations. And we must reform our Tax Code to allow for sufficient revenues to meet the needs of an aging population and the challenges of a global economy.

Cut, cap, and balance does none of these things, and I urge my colleagues to reject this misguided measure.

The PRESIDING OFFICER. The majority leader.

Mr. REID. While the distinguished chairman of the Appropriations Committee was talking, I had a visit with some of the pages to ask them did they realize who was speaking. They all knew who he was. They knew he was a heroic man winning the Medal of Honor. They knew he had been elected to the Senate nine different times in addition to service in the House of Representatives. So it is great that our pages are so versed on what happens around here. We depend on them very much, and I am grateful they understand what a great man the chairman of the Appropriations Committee is.

#### FBI DIRECTOR EXTENSION ACT, 2011

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to consideration of Calendar No. 76, S. 1103, the bill to extend the term of the incumbent Director of the FBI; that the committee substitute amendment be considered; that a Coburn amendment which is at the desk be agreed to; the committee substitute amendment, as amended, be agreed to; the bill, as amended, be read a third time, and the Senate proceed to vote on passage of the bill, as amended; the motions to reconsider be laid upon the table with no intervening action or debate; and any statements related to the bill be printed in the RECORD at the appropriate place as if read; further, that if Robert S. Mueller, III, is nominated to be Director of the Federal Bureau of Investigation, the nomination be placed directly on the Executive Calendar; that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider the nomination; that there will be 2 hours for debate equally divided in the usual

form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER (Mr. FRANKEN). Is there objection? Without objection, it is so ordered.

The Senate proceeded to consider the bill (S. 1103) to extend the term of the incumbent Director of the Federal Bureau of Investigation, which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 1103

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS.

*Congress finds that—*

(1) on May 12, 2011, the President requested that Congress extend the term of Robert S. Mueller III as Director of the Federal Bureau of Investigation by 2 years, citing the critical need for continuity and stability at the Federal Bureau of Investigation in the face of ongoing threats to the United States and leadership transitions at the Federal agencies charged with protecting national security;

(2) in light of the May 1, 2011, successful operation against Osama bin Laden, the continuing threat to national security, and the approaching 10th anniversary of the attacks of September 11, 2001, the President's request for a limited, 1-time exception to the term limit of the Director of the Federal Bureau of Investigation, in these exceptional circumstances, is appropriate; and

(3) this Act is intended to provide a 1-time exception to the 10-year statutory limit on the term of the Director of the Federal Bureau of Investigation in light of the President's request and existing exceptional circumstances, and is not intended to create a precedent.

#### SEC. 2. EXTENSION OF THE TERM OF THE INCUMBENT DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) IN GENERAL.—At the request of the President, the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of the enactment of this Act may continue in office until August 3, 2013, in accordance with the amendment made by subsection (b).

(b) EXTENSION OF THE TERM.—Section 1101 of the Omnibus Crime Control and Safe Streets Act of 1968 (28 U.S.C. 532 note) is amended by adding at the end the following:

“(c) With respect to the individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection, subsection (b) shall be applied—

“(1) in the first sentence, by substituting ‘12 years’ for ‘ten years’; and

“(2) in the second sentence, by substituting ‘12-year term’ for ‘ten-year term’.”.

The amendment (No. 579) was agreed to, as follows:

(Purpose: To create a new 2-year term of service for the Director of the Federal Bureau of Investigation)

On page 3, line 17, strike all through page 4, line 12, and insert the following:

#### SEC. 2. CREATION OF NEW TERM OF SERVICE FOR THE OFFICE OF DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

Section 1101 of the Omnibus Crime Control and Safe Streets Act of 1968 (28 U.S.C. 532 note) is amended by adding at the end the following:

“(c)(1) Effective on the date of enactment of this subsection, a new term of service for the office of Director of the Federal Bureau of Investigation shall be created, which shall begin on or after August 3, 2011, and continue until September 4, 2013. Notwithstanding the second sentence of subsection (b) of this section, the incumbent Director of the Federal Bureau of Investigation on the date of enactment of this subsection shall be eligible to be appointed to the new term of service provided for by this subsection, by and with the advice and consent of the Senate, and only for that new term of service. Nothing in this subsection shall prevent the President, by and with the advice of the Senate, from appointing an individual, other than the incumbent Director of the Federal Bureau of Investigation, to a 10-year term of service subject to the provisions of subsection (b) after the date of enactment of this subsection.

“(2) The individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection may not serve as Director after September 4, 2013.

“(3) With regard to the individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection, the second sentence of subsection (b) shall not apply.”.

The committee amendment in the nature of a substitute, as amended, was agreed to.

Mr. LEAHY. Madam President, on Monday I, again, set forth the history of our efforts to extend the term of Robert Mueller as the FBI Director in response to the President's request. I am glad that the Senate is now being permitted to proceed to pass the bill. The holds have finally been lifted.

I worked with Senator GRASSLEY to respond to the President's May 12 request, and the Judiciary Committee reported a bill to do that more than one month ago. I am pleased that a bill finally passed the Senate today. I hope the House will take up and pass the bill so that it can be signed by the President, and the Senate can confirm Director Mueller's renomination prior to August 3, 2011.

This important legislation, S. 1103, would fulfill the President's request that Congress create a one-time exception to the statutory 10-year term of the FBI Director, in order to extend the term of the incumbent FBI Director for 2 additional years. Given the continuing threat to our Nation, especially with the 10th anniversary of the September 11, 2001, attacks approaching, and the need to provide continuity and stability on the President's national security team, it is important that we respond to the President's request and enact this necessary legislation swiftly. The incumbent FBI Director's term otherwise expires on August 3, 2011.



Mr. PAUL. Madam President, I am voting no on S. 1103, a bill to create a second 2 year term for the FBI Director. I am opposed to changing the term limits on this important position, which serve as a safeguard and check against the significant power of the position. I am not opposed to Director Mueller and will not oppose his renomination, but I do oppose the idea that term limits should be changed when it is convenient. I thank him and the Bureau for their cooperation and answers to my questions over the last few weeks.

Mr. REID. I want to extend my appreciation to Senators LEAHY and GRASSLEY for together getting this matter done.

He has done a wonderful job for 10 years, and the country believes they need him for 2 more years, and he has agreed to take that, and I appreciate that very much.

The PRESIDING OFFICER. Under the previous order the foregoing actions with respect to the bill are accomplished.

The bill (S. 1103), as amended, was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill, as amended.

The bill (S. 1103), as amended, was passed, as follows:

S. 1103

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS.

Congress finds that—

(1) on May 12, 2011, the President requested that Congress extend the term of Robert S. Mueller III as Director of the Federal Bureau of Investigation by 2 years, citing the critical need for continuity and stability at the Federal Bureau of Investigation in the face of ongoing threats to the United States and leadership transitions at the Federal agencies charged with protecting national security;

(2) in light of the May 1, 2011, successful operation against Osama bin Laden, the continuing threat to national security, and the approaching 10th anniversary of the attacks of September 11, 2001, the President's request for a limited, 1-time exception to the term limit of the Director of the Federal Bureau of Investigation, in these exceptional circumstances, is appropriate; and

(3) this Act is intended to provide a 1-time exception to the 10-year statutory limit on the term of the Director of the Federal Bureau of Investigation in light of the President's request and existing exceptional circumstances, and is not intended to create a precedent.

#### SEC. 2. CREATION OF NEW TERM OF SERVICE FOR THE OFFICE OF DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

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“(3) With regard to the individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection, the second sentence of subsection (b) shall not apply.”

#### CUT, CAP, AND BALANCE ACT OF 2011—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I wish to speak on behalf of the resolution before us—the so-called cut, cap, and balance resolution—and explain briefly why it represents a better approach to resolving the financial crisis our country is faced with than the alternative, which seems to be myopically focused on raising taxes, as if our problem in this country were taxes. Our problem is spending. That is why the reference to cutting spending, capping future spending, and ensuring that we never go back to our errant ways by passing a balanced budget amendment to the Constitution, which would forever prevent us from getting into the same position we are in now where we have to keep coming back to increase the Nation's debt ceiling. That is why the emphasis on spending.

Some of our friends on the other side of the aisle, and certainly the President of the United States, say: I will not agree to anything unless you raise taxes.

Why are Republicans so opposed to the President's approach? Why are we focused on reducing spending rather than raising taxes? Why is it important? First of all, because spending is the problem, not taxes. Spending in this country, under President Obama, has gone from the historic level of about 20 percent of our gross domestic product to now 25 percent in just 3 short years. That is a historic growth in spending. We have never been this high. Under the Obama budget, as far as the eye can see, we are going to be above the historic levels—never below,

I believe, 23 percent of the gross domestic product and, as far as I can see, very close to that 25 percent. Spending is the problem.

Some will say: Well, the government has collected less income taxes in the last couple of years.

That is true, but it isn't because tax rates have changed. We have had the same tax rates for the last decade. They have been constant. The only reason there is less revenue coming into the Treasury right now—the so-called tax take of the government—is because the economy is in the tank. People are unemployed. They are not working. They are not making as much money. Businesses are not making as much money, so they are not paying as much in taxes.

So what is the answer? To raise tax rates and try to squeeze more blood out of this turnip, to try to get more out of a sick economy? No. The answer, of course, is to try to get the economy well again so people are working, they make more money, businesses make money, they all pay more in taxes, and then we will be back at the historic levels of tax-take by the Federal Government, and presumably the folks who say taxes are the problem will then be satisfied.

But how do we grow the economy? How do we get it well? We know one thing for sure not to do; that is, impose taxes on an already weak economy. The President himself, last December when we reached agreement between the Congress and the President on extending all of the current tax rates, made that exact point. He said:

To raise taxes at this time when the economy is weak would be the worst thing for economic growth and job creation.

He was right. He was right then. If anything, our economy is in worse shape now. Now we are at 9.2 percent unemployment. We continue to stagnate. If we have a sick economy, the last thing we want to do is impose more taxes on that economy.

One of our colleagues here in the Senate, our colleague from the State in which I was born, the Cornhusker State of Nebraska, BEN NELSON, said:

Raising taxes at a time when our economy remains fragile takes us in the wrong direction. If we start with plans to raise taxes, pretty soon spending cuts will fall by the wayside.

I couldn't agree with him more.

I think there is some bipartisan consensus—though certainly I recognize many Democrats would like to raise taxes, but I think economists and most Americans appreciate that when the problem is spending, when spending has gone up so dramatically, the answer is to reduce the spending, get it back down to a minimum to where it was, and not raise taxes.

The second reason we are focused on the spending side and why we therefore support the cutting of spending, the

capping of that spending, and making sure we have the constraint of a constitutional amendment to restrain us from our impulses in the future is because it never fails that tax hikes always hit more than the people at whom we are aiming. It doesn't hit just the millionaires and billionaires; it hits a lot of other people.

When the alternative minimum tax was created, the idea was to make sure that—and I could be a little wrong on the number—I think it was 125 millionaires couldn't use deductions and credits to get out of paying their taxes. We were going to create an alternative minimum tax. They would have to pay some tax even if they had lots of credits and deductions they could take. Well, 2 years ago it was going to hit 23 million Americans, and I think this year it is something like 32 million. Again, I could be a little bit wrong on the number, but let's just say between 20 million and 30 million people. So we started out with about 125, and now that tax hits well over 20 million and I think over 30 million households a year. Why wouldn't we want to do something about that? We do every year. We pass what we call a patch so that it doesn't affect those people because we never intended it to affect them in the first place. We aimed at the millionaires, and we hit over 20 million other Americans.

The same thing would happen here. How many millionaire and billionaire households are there that report income of above \$1 million? The answer is 319,000. Out of the whole United States, there are 319,000. How many people would actually pay the increased tax in the upper two brackets where these people are located? Well, that number turns out to be 3.6 million people right now. What will it be in 20 years? We will probably be up to the 20 and 30 million category again.

The point is, we aim at 300,000 people, and we end up hitting 10 times that many people—3.6 million people. That is how many people there are in the top two brackets that the President's proposals would hit.

There is another unintended consequence. It doesn't just hit the millionaires and billionaires, it hits small business owners. Small businesses create two-thirds of all of the jobs coming out of an economic downturn such as we have had, out of a recession. Small businesses usually—or at least 50 percent of small business income—let's put it that way—is reported in these top two income tax brackets. We have an individual person, and he is not a corporation, so he reports his income taxes in one of the two top income tax brackets. What happens when we raise the tax on that 50 percent of the folks, the small business folks? Are they more likely to hire or are they more likely to just sit on their hands? Obviously, the answer is they are not going to hire more people.

Earlier this week, I quoted from several small business folks who, of course, said precisely that. The experts all agree on this issue. When we raise taxes on the top two rates, we hit a lot of small businesses.

One of the taxes the President proposed raising—as a matter of fact, his own Small Business Administration did a study and reported that tax “could ultimately force many small businesses to close.” So we aim at the millionaire and the billionaire, and we end up hitting small businesses. By the way, since this Small Business Administration report has been in the news, I have noticed the administration is not talking about this particular tax anymore. Well, that is fine, but the reality is that the others they are talking about would also hit small businesses and force many of them to close.

Who else gets hit by this tax on millionaires and billionaires? We have some experience. Back in 1990, we thought we would impose a luxury tax on millionaires and billionaires. We were going to tax things such as yachts and jewelry and luxury items, and so on. Well, that lasted a little less than 3 years when all the people who made the yachts marched on Washington and said: Hey, you just put us out of business, and we repealed that tax. I think it was over 9,000 people who were put out of business.

It is interesting that the same proposition translates to today. What was one of the provisions in the stimulus bill? Now, the stimulus bill was opposed by all but I think two Republicans, and all the Democrats supported it. Well, it was the tax treatment for corporate jets. Republicans didn't support this special tax treatment for corporate jets, but the President did. It was in his stimulus bill because it was thought it would help to create or save jobs.

Accelerated depreciation, which is the tax treatment here, was beneficial to the people who make these airplanes—more beneficial from a tax standpoint—and it might well be that jobs were either created or saved as a result of that. But that tax provision that was so important to creating or saving jobs when the stimulus bill was passed now all of a sudden is something that is evil because presumably people who fly in business jets are people to be attacked, to be demagogued.

We have heard the President of the United States talk about this. He talks about the special tax loophole for corporate jets. Well, it is his tax loophole, and he put it in there because he thought it would create or save jobs. Now, who is it going to hurt? The business guys will still fly on their corporate jets; it is just that the jets will cost more money, but probably fewer people will be working, making those planes. Is that good policy or bad policy? I am all for having that debate. I

am not going to defend the corporate jets; I will defend the people who make them. But let's have that debate in the context of tax reform, which we have all said we are for doing, so that if we decide it is good policy to eliminate that accelerated depreciation provision, we do that and then we apply the savings to reducing tax rates overall, which is exactly what the President said we should do.

In his State of the Union speech, he pointed out that America is not competitive with the rest of the world. We have the highest corporate tax rate in the world, and he said we have to get it down. What we ought to do is eliminate loopholes in the Tax Code and then, with the savings, reduce overall corporate rates, so instead of paying 35 percent, our corporations would pay maybe 20 or 25 percent, which is still above the world average of developed countries, but at least we would be more competitive.

So what is the right policy? Should we be demagoguing corporate jets or should we think through the policy? We might just be hurting regular Americans, and maybe we should think twice about the kind of political language we are using.

Even oil and gas—we have to tax the big oil companies. Everybody knows we put the tax on, and the next thing we know we are paying more tax when we fill up our car at the local service station. So we should think through whom we are really going to hit with these taxes on millionaires and billionaires and big corporations.

Even the death tax—the death tax is part of the taxes the President would like to have rates go up on, to go back to the 45-percent rate. That is almost half—45 percent—of the estates. Now, a lot of these estates are small businesses, farms, ranches, and a lot of times they have to sell all or part of the business or the farm or the ranch in order to pay the estate tax. So who are we really hurting when we do this?

I have a friend who had a small printing business in Phoenix. He was one of the largest charitable givers in our community, a fine, wonderful man. His name was Jerry Wisotsky. He created the business from nothing, moved out from New York City, and had over 200 employees when he died. He had Boys & Girls Clubs named after him. He and his family contributed as much money to charity in Phoenix as anybody I know. Well, they had to sell the business because the estate taxes were eating them up. The out-of-State company that bought the business didn't contribute to the local community. They didn't contribute to charity. Who got hurt when we imposed that estate tax, that death tax on Jerry's family?

So let's just stop and think. One reason we don't want to focus on taxes and we would rather focus on spending is because a lot of times, when we focus

on millionaires and billionaires, we end up hurting a lot of other people instead.

The third reason and, frankly, the most important from an economic standpoint, of course, is the fact that tax hikes kill job creation and economic growth, and I alluded to this in the second point I made. Fifty-four percent of all of our jobs are from small businesses, and when we hurt small businesses' ability to hire people, obviously we are hurting families, we are creating more unemployment, and we are preventing the economy from rebounding.

I mentioned the fact that the top two brackets of our income-tax code is where at least half of all of the small business income is reported and taxes are paid. That is one of the areas where the administration wants to increase taxes. Why would we do this when, as the Small Business Administration says, it would force many small businesses or could force many small businesses to close? It doesn't make sense. That is why we are focused on cutting spending, capping that spending over time, and ensuring those caps stay in place through a balanced budget amendment.

I think the American people have an understanding of this. There have been a lot of polls quoted lately. I just wish to refer to one, which is only a week old. It is the Rasmussen poll from last Thursday. The question was asked whether there should be a tax hike included in any legislation to raise the debt ceiling—a pretty straightforward question. Rasmussen is a very reputable pollster. This was just 1 week ago. Most voters said no. Only 34 percent thought a tax hike should be included. Fifty-five percent disagreed, said it should not. Among those affiliated with neither political party—the so-called Independents—35 percent favored it and 51 percent—a majority—opposed including a tax hike in the legislation to raise the debt ceiling.

So we are with the American people on this issue. It isn't necessary. Taxes aren't the problem. It affects a lot more people than they ever think it will. Finally, if we want to really hurt economic growth, if we want to really kill job creation, then just pile more taxes on to the economy. It doesn't make sense. That is why we are so insistent on supporting legislation that would cut spending rather than raise taxes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, yesterday, I was on the Senate floor talking about this piece of legislation that is

now pending before the Senate, passed by the House of Representatives earlier this week. I am a sponsor and supporter of cut, cap, and balance and believe it is a path toward responsibility that we need to demonstrate in the Senate, in the Congress, and here in America.

It seems to me it certainly is irresponsible not to raise the debt ceiling, but it is equally or more irresponsible not to raise the debt ceiling without making adjustments in the way we do business in Washington, DC. Clearly, cutting spending is a component of that, capping spending is a portion of our national economy, returning it to the days, just a few years ago, in which we were spending "only" 18—I say "only" in quotes, perhaps—"only" 18 percent of our gross national product by the Federal Government. Unfortunately, in the last few years that 18 percent has grown to 24.2 percent.

So reducing some spending, capping that spending in the intermediate future, so it does not exceed a certain portion of the national economy, and, finally, passing a balanced budget amendment to the U.S. Constitution seems to me to be a reasonable, rational approach to solving the problems we face.

I also indicated yesterday that in my view there is a fourth component. It is cut, cap, balance, and grow. I do not want us to forget the importance of a growing economy. The last time we had our budget that was in balance, close to being in balance, was at the end of the term of President Clinton. Yes, there was some spending restraint back in those days, in those years. Republicans and Democrats could not get together and pass major pieces of legislation that increased spending, so that spending restraint was an important component.

But the other part of that is the economy was growing and people were working and, as a result, they were paying taxes. That is the more enjoyable component of our work, in addition to restraining spending, capping its percentage of the economy, and putting a balanced budget in place so we do not get back into this mess.

The other aspect of that is to make sure we make the policy decisions in our Nation's Capital that allow a businessperson, an employer, to make the decision that now is the time to invest in plant and equipment, now is the time to add additional employees. Yet there are so many aspects of decisions that have been made in our Nation's Capital over a long period of time that now come together and discourage an individual business owner, a potential employer from making the decision: I am going to invest in the economy.

We have all heard the numbers as to the amount of money sitting on the sidelines in the U.S. economy. In my view, the recession we are in has lin-

gered longer than necessary because there is so much uncertainty in regard to what is going to happen next, and a large portion of that uncertainty comes from the inability to predict what policy decisions are going to be made in the Senate, across the hall in the House, and what the Obama administration is going to propose and potentially put in place in regard to rules and regulations.

I certainly hope my colleagues in the Senate will take the proposal by the House of Representatives as serious work. I certainly agree there can be negotiations had. There has been, as I indicated yesterday, some concern about the specific language of the constitutional amendment that requires a balanced budget, and we ought not draw the line in the sand and say it has to be exactly the way it is written.

Let's come together and work to find a reasonable, rational solution based upon the outline this legislation provides. From time to time, it has been considered a radical piece of legislation—labeled that way. Yet so many of the things we do in our everyday lives, that States across our Nation encounter and the way they conduct business are certainly capsulized in cut, cap, and balance.

I know there has been significant talk about raising taxes. I heard the Senator from Arizona speak to this before, just a few moments ago. When an individual is struggling to pay the bills, they do not often have the opportunity to ask for a pay raise. What we do at home, what we should do in our own lives, is to reduce our spending levels. Simply asking for more money to meet our current obligations is not usually an option.

That tax issue goes with my comments a moment ago about the importance of growing the economy. Too often, we look at taxes as a source of revenue. I am for raising revenue, but I am for raising revenue by a growing economy and people being at work paying those taxes, not by raising the tax rates but by improving the economy and allowing good things to happen to families, individuals, and businesses across the country. So that Tax Code is an important component of this issue of growing our economy and getting our deficit back in line, back to some level of responsible behavior here.

ONE-YEAR ANNIVERSARY OF DODD-FRANK  
LEGISLATION

Mr. President, the additional point I wish to make—in addition to what I have said already today but also in addition to what I said yesterday to the Senate—is that this is the 1-year anniversary of the passage of Dodd-Frank.

Huge financial regulations were put in place by legislation that, just 1 year ago today, was passed by the House and Senate and signed by President Obama. In my view, that legislation is another component of the difficulty in knowing

what is coming down the road—hundreds of regulations yet to be proposed, pursued, and enacted, so many of our businesses and financial institutions do not know what to expect and, therefore, again are waiting to see what happens in the Federal Government, what decisions are made here, in this case not by Congress now but by regulators up the street in our Nation's Capital.

So on this anniversary of the passage of that legislation, I wish to again highlight what I think is a common-sense reform to that legislation. A part of Dodd-Frank created the Consumer Financial Protection Bureau. A number of Senators have signed a letter to President Obama trying to make clear that before a head of that Bureau is going to be confirmed by the Senate, we believe that structural reform, change in the nature of that organization, needs to occur.

Again, these seem very straightforward and common sense to me. But rather than have a single head of the Consumer Financial Protection Bureau, I would ask that—in fact, I have introduced legislation to do this, and my colleagues, in signing that letter, asked the President to help us change that individual to a board or commission similar to other government agencies charged with financial oversight, so the power does not rest in a sole individual.

Then, again, one would think Congress would never want to give up the authority to determine the appropriations for this agency. Instead, the law, as currently written, provides for a draw against the Federal Reserve as compared to where almost all agencies have to come to Congress and ask for their appropriations, which gives us, as legislators—me, as a member of the Senate Appropriations Committee, as ranking member of the Financial Services Subcommittee on Appropriations—the opportunity to review, to have input, to provide oversight. We ought to change that formula by which the money comes directly from the Federal Reserve and put it back with the responsibility of this Congress making those decisions.

Finally, we want to have banking regulators—who oversee the safety and soundness of our financial institutions today—given meaningful input into the Bureau's operation, all designed to provide greater opportunity for us as Members of Congress, for the American people, to have input and oversight over what will be one of the largest agencies, most powerful regulators in our country's history, and certainly having significant creation of new rules and regulations that are going to, in some fashion, affect the U.S. economy.

Many of my community banks feel so overregulated today. There is a real concern or fear about making loans today—something that is very impor-

tant for an economic recovery, that aspect of growing the economy—because they do not know what the next set of regulations is going to be.

In fact, for the passage of Dodd-Frank—the legislation we are now observing the 1-year anniversary of it becoming law—the GAO, our Government Accountability Office, estimates that the budgetary costs of Dodd-Frank will exceed \$1.25 billion. In addition to that, the Congressional Budget Office estimates that over the next 10 years, Dodd-Frank will take \$27 billion directly from the U.S. economy in new fees and assessments on lenders and other financial companies.

So as we look at the legislation that is pending before us—cut, cap, and balance—my hope is we will expand—once we pass that legislation, we will get back to aggressively pursuing a projob, progrowth agenda. Jobs certainly are important for us in generating the revenues necessary to fund the Federal Government and to reduce our national debt. But there is nothing more important to Americans, to Kansans across our State, than being able to have a secure opportunity for employment, to put food on the family table, to save for their own retirement and their children's education.

I do believe—seriously believe—that a significant message that was delivered by the American people in the election of November 2010 was the reminder to us that we have the responsibility—again, government is not a creator of jobs, but we are the creator of an environment in which the private sector can create jobs.

So let's cut, cap, balance and grow the economy and strengthen the opportunity for every American to have a valuable and viable job, with the hope of improvement in their own lives, and, most importantly, make certain we pass on to the next generation of Americans the ability to pursue that American dream.

I thank the Presiding Officer for the opportunity of addressing the Senate.

I suggest the absence of a quorum.

**THE PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

**Mr. CHAMBLISS.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. CHAMBLISS.** Mr. President, I rise to talk about the bill that is before the Senate today. But as a part of that, we are now in the midst of a true fiscal crisis in this country, and I want to address something that has been debated over the last several days, discussed over the last several days, criticized over the last several days. It has been the subject of a lot of misinformation—by colleagues on my side of the aisle particularly—about the proposal that

has been submitted by the so-called Gang of 6, of which I happen to be a member. And I am someone who for the last 7 months has participated in discussions with two of my colleagues on this side of the aisle, as well as on the other side of the aisle, to try to find a bipartisan solution to being able to repay the \$14.3 trillion our Federal Government owes, and that we have all participated in creating.

The misinformation that is going around from my friends is very disturbing. People are here on this floor throwing out numbers that are wrong, giving specifics on a piece of legislation that has not even been written, and yet they are talking as though they are experts on the subject of a matter that my five colleagues and I have been discussing and debating among ourselves for the last 6 months—and we have not even put the legislation out there yet. So it is pretty disturbing to me that there are some people in this body who want to see nothing done and I assume want us to continue down the road of borrowing 40 cents out of every dollar we are spending. I am not willing to do that. I think we were sent here with a commitment from our constituents to solve the serious problems this country faces. The only way we are going to solve this fiscal problem we have is to generate 60 votes in this body in support of some proposal.

I am going to talk in support of the proposal we have under consideration now because I think it is a potential solution. I am very appreciative of the authors of the cut, cap, and balance bill. I am appreciative of our leadership for at least trying to come forward with something and put it on the table to give us the opportunity to debate those ideas.

I think there have been a number of very positive proposals that have come forward and hopefully that will come forward in the next few days to allow us to debate this issue and to primarily solve the problem relative to the debt ceiling and solve the problem relative to the long-term debt we have.

I have to say, I am disturbed about some of the comments and statements—even from folks who were critical of the plan we put forward for cutting too much spending. These are the folks who have been ranting and raving about the fact we are spending too much money in this town, and now they are complaining about the fact we are cutting too much in spending.

I look forward to continuing this debate. I want to say the proposal that we put forward was intended from day one to be a framework, not the final product, but a framework, for this body as well as the House to discuss as a way forward for solving the issue of how we are going to repay this \$14.3 trillion. We never, ever intended for it to be in the mix on solving the issue of the debt

ceiling that needs to be raised, according to the Department of the Treasury, by August 2.

Because we happen to have come to a conclusion of our negotiations this week, at the same time the debate on raising the debt ceiling is reaching its height, that has obviously created the impression on some folks that our proposal is intended to solve the issue of the debt ceiling. And it is not. It categorically is not. I want to make that perfectly clear.

That being said, if there is any part of our agreement, any part of our principles that can be utilized by the leadership of the House and the Senate to figure out a way forward on the debt ceiling, for we have no pride of authorship. We hope leadership will take advantage of anything that can be used to try to generate the necessary support in this body as well as in the House to solve the issue of this deadline we are facing on August 2.

I rise today in full support of the cut, cap, and balance legislation. I am proud to be a cosponsor of this bill and I commend my fellow Senators in this Chamber who have taken it upon themselves to offer solutions to the large and growing problem of our debt and our deficit.

A majority of Republicans here in the Senate as well as a majority of those in the House believe that legislation that cuts government spending and makes tough enforcement mechanisms on the Federal budget is the right way to bring spending under control. I am also proud to be a cosponsor of a separate balanced budget amendment. I firmly believe all of these proposals will structure and control the Federal Government's spending, just as Americans have demanded. We are in the middle of a fiscal crisis. Last year, the government spent at a rate of 25 percent of our gross domestic product and took in revenues of about 14 percent of our gross domestic product. The result of that is that last year, for the fiscal year ending September 30, 2010, we had in excess of a \$1.5 trillion deficit. It looks as though we are headed in the same direction this year. This is totally unsustainable. Our financial markets have told us that. The folks who are in the process of putting together another sale of our bonds have told us that. We know people who are looking at buying those bonds are looking very closely at how this body acts over the next several days.

Some people have said the bond market is the most honest financial market out there, as the bond market tends to track truest to the debtor's overall fiscal standing.

The bond-rating agencies have already told us that we are approaching the edge of what the market will bear. We are close to the brink of our self-imposed debt limit of \$14.3 trillion.

We must give serious, solemn consideration to any plan that will turn us

immediately away from our overspending. We need to be mindful of the consequences of a default. Forcing the administration to make spending decisions is only one problem we face.

A default and the subsequent rise in interest rates means we will find ourselves deeper in debt, and rampant inflation will prevent us from achieving fiscal solvency.

Current levels of discretionary and mandatory spending cannot be sustained. Mr. President, I say that with respect to every area of the Federal Government. We cannot allow any area of the Federal Government to go untouched. If we do, we will allow that area of government to continue to grow out of control. We must cut Federal spending anywhere we can and in every department of the Federal Government.

We also have to reform entitlements. We have to look at the issues that are very difficult for a lot of us to deal with, and we have to make some very tough decisions.

Too frequently we have engaged in political theater instead of earnest efforts to resolve these long-term budget issues. The American people expect and deserve an honest budget debate and an honest budget process.

On Tuesday of this week, the House made an historic vote. Its Members decided that Congress can no longer feign interest in securing our financial future. They took the right step of voting to cut spending and place rigid caps on remaining expenditures with tough budget enforcement mechanisms. I commend them for their efforts.

Now is the time to join our colleagues in the House. We must look for new ways of ensuring that the Congress cannot break promises.

The best path forward toward fiscal stability will set a firm foundation, and this legislation will do exactly that.

George Washington gave clear guidance when he told the House of Representatives that no consideration "is more urgent than the regular redemption and discharge of the public debt."

We can no longer allow the American people to suffer by not providing the economic basis for recovery and growth. The equation is simple: a balanced Federal budget that is free of excessive debt leads to a healthy economy and sustainable job creation activities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I rise in support of H.R. 2560, the Cut, Cap and Balance Act.

I have been watching the debate on my TV back in the office this afternoon, listening to the arguments made pro and con, and thinking to myself that back home in Georgia there are a lot of folks who live around me who are

scratching their heads wondering why cut, cap, and balance is such a bad idea because they have also had to cut, cap, and balance.

The call I left before I came here to speak on the Senate floor was from a minister and his wife whom I know. They are retired. Both of their daughters are married and live away from Georgia. Both of them have been in financial difficulty, and both are on the brink of losing their homes. Through the counseling of the minister and their support, they counseled and showed them where to cap, cut, and balance so they could make their mortgage payments and not lose their homes. Americans have had to do that all over the country. The present economic situation mandates that. There are no excuses with the IRS or bill collectors or people with whom you may do business. If you don't pay, there are consequences.

America as a country must ask of itself what we impose and ask of every citizen in our country. I think also there are probably a lot of members of the Georgia Legislature who are watching this debate and scratching their heads. In my State, in the last 4 years we cut \$5 billion—from a \$22 billion budget to a \$17 billion budget. Do you know why? It is because our Constitution says we have to have a balanced budget. We can't borrow to pay for everyday operations, and we must live within our means. We have had to cut, and a lot of those cuts have been painful.

Many States are coming back now. There was an article the other day about States that are coming back and showing future months of growth in revenues and in their income, and even looking to surpluses that will come in the years to come. Why? Because when they had to do it, they balanced their budgets and capped their expenditures, and they did what their Constitution requires.

This proposal tells us, first of all, to make cuts that would materialize early of about \$51 billion. It would be a downpayment on the process to continue the cutting process to reduce our deficit and our debt. It has a formula for capping expenditures in the future, going from 21.7 percent of GDP to 19.9 percent of GDP which, by the way, falls within the realm of the last 40-year average, until the last few years when we have gone from 20, 22, 24, to 24.6 percent of GDP.

It is not unreasonable to ask us to impose upon ourselves a cap consistent with the averages of our past. Remember this: As we get our arms around our spending and live within our means, business will prosper, revenues will go up to companies, taxes will go up, and that percentage of GDP will give us a broader margin. It is only when we are in a declining economy, a recessionary environment, where revenues go down,

that caps are hurting a lot because we are not empowering business, profits go down, and revenues go down for the country.

On the balanced budget amendment, this provision leaves room for negotiation between the bodies as to what the caps will be in the balanced budget amendment, whether it would be a supermajority of 60 or 67 to raise taxes. It is a realistic approach to cause us to sit around the table in Congress and negotiate what is wrong for the country. If it is right for almost every State in our Union to have to balance their budgets, to cap their spending, and to limit their borrowing, it should be right for us.

This proposal is right for America. It is basically what we require of our citizens. It is now time we required it of ourselves. I am proud to join my fellow members of the Republican Conference of the Senate to vote for a new discipline for America that cuts excessive spending, caps wasteful spending, and, over time, allows us a roadmap to have a balanced budget and a GDP ratio to expenditures that is doable, workable, and historically justifiable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for 15 minutes as in morning business.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

#### PILOTS' BILL OF RIGHTS

Mr. INHOFE. Mr. President, first of all, let me make a comment on something totally unrelated to the subject of the day, which is that we have a significant bill coming up that the occupant of the chair and I have put together. It is called the pilots' bill of rights. The reason I want to say something about it is it is getting toward the end of the week. It happens a week from today—the largest gathering anywhere in the world of pilots who will get together in Oshkosh for the big event. I have been going to that for 32 consecutive years. We have probably the most significant piece of legislation we have ever introduced at Oshkosh. We are going to have literally thousands—I am talking about 200,000 pilots who are single-issue people.

I have been a pilot for 50 years. I know how these people think. The pilots' bill of rights is going to offer an opportunity to these people, who might be accused of something by the FAA, to have access to the evidence against them. It is something that everybody is for. As a matter of fact, it is something that—I haven't said yet, but I just heard that the air traffic controllers are supporting this effort. So we are going to have a lot of people. We already have 34 cosponsors.

The reason I want to say this, I know not many Members are listening, but a

lot of staffers are. Pilots are single-issue people. They are going to want to know who is cosponsor of the bill. We will be talking for a period of 2 hours in two different settings. We will have literally thousands of pilots there.

I encourage very strongly people who may be listening to us right now to have their Members look at this carefully. As I say, pilots are single-issue people, and this is their issue. I did this twice—once in 1994, when we were able to use the population at Oshkosh to push over the top the first product liability bill that changed our manufacturing of aircraft from a major importer to a major exporter. That all happened at Oshkosh.

Another time it happened was with Bob Hoover, whom I think would be considered to be the best pilot in America today. He is up in years, but this guy had a problem that we helped him with, an emergency revocation. We did it in Oshkosh.

I hope we get a lot more people who are interested in general aviation, and particularly if you are on the general aviation caucus and you are not on this bill. There are going to be an awful lot of questions.

#### CUT, CAP, AND BALANCE

Let me make a few comments about the Cut, Cap, and Balance Act. I can remember coming to the floor standing at this podium about 15 years ago, and this was during the Clinton administration. I came here because the Clinton budget for the entire country at that time was \$1.5 trillion. I came down and stood here and said: How is it possible to sustain a level like \$1.5 trillion? That was to run the United States for the entire year of 1996.

Now I think the outrage this year is that in President Obama's current budget, the deficit alone was \$1.65 trillion. In other words, the deficit alone, right now, is greater than what it took to run the entire country for a period of a year in 1996.

That is something we can't continue doing. I believe the spending has gone so out of line that it is not believable. It is not possible for people to think this could be happening. President Obama has managed to increase Federal spending by over 30 percent, to an average of \$3.6 trillion a year—\$3.6 trillion. I was complaining about \$1.5 trillion, and this is just 15 years later.

Is anybody listening out there? Does anybody really care? Maybe since I have 20 kids and grandkids I am a little more sensitive to the fiscal destruction of this country. This has caused our national debt to increase by 35 percent. Today, we have to borrow 40 cents for every dollar we spend. It just happened. This is something that we have to address.

I think we are so wrapped up now in saying how are we going to get this done by this deadline of August 2. I remind everybody of something that

most people don't know, and it is a shock. They think this is the first time in the Obama administration that we have talked about increasing the debt limit. It is the fourth time. He keeps coming up with trillions of dollars of deficit each time—\$5 trillion in three budgets. Believe me, it is not anybody else in this Chamber. It is not in the other Chamber, the House. It is one person—the President—who has come out with his budget. He signs it and sends it to us.

Well, that is a total of \$5 trillion over the last three budgets. Some may think it is just not possible that this could be happening. This is the fourth time he wants to increase the debt limit.

This is the strategy: Go out and spend all this money like drunken sailors, and then come right up to the last minute and say the world is going to come to an end unless you increase the debt limit. You have to stop someplace, and I decided the last time he did this that I was going to stop unless we had some type of discipline.

The only discipline out there is the cut, cap, and balance budget amendment. I think we need to look at this carefully because if you stop and put this down—what I normally do on something like this is say: How does this affect the average person? This increase in debt just in this period of time would be \$11,000 for every man, woman, and child—an increase from the time this President took office. That is an increase, and the total amount of debt they would owe would be \$46,000. That is the day they are born. Happy Birthday.

Well, over the past several weeks, we have talked about what to do about the debt limit. I have looked at the three major plans out there. Looking carefully, the problem I have with the plan that has come up—called the Gang of 6, or the Gang of 7 depending on which group you are looking at—is that it has some intangibles in there.

For example, the military cuts—it doesn't say where they are, but we are talking about it—almost \$1 trillion over a period of 10 years.

I am on the Armed Services Committee. I can tell you that I don't know where that will come from until they come up with more specifics—and they might do it, and it might be plausible. As it is right now, the cut, cap, and balance legislation is the only one I have seen that would really work. I haven't been involved in all these discussions. A lot of people are certainly working to try to come up with answers, the ones going to the White House every other day talking with the President. I don't happen to be one of those. My major concern right now—and I will at least mention this, because I have done several shows today to try make people understand—is, yes, the deficit and the spending, all that is



terrible, but what is equally as bad—and that nobody knows about—is what is happening in terms of the regulations. We have all these programs this administration has tried to pass. I would say the main one that people are familiar with is cap and trade. Remember the old thing that has been going on for 10 years now—the cap and trade? That would cost the American people somewhere between \$300 billion and \$400 billion a year. That is a huge thing. Bringing that figure down to every taxpaying family in my State of Oklahoma, it would be a little over \$3,000 a year, and you get nothing for it.

According to the President's own Director of the Environmental Protection Agency, Lisa Jackson, when I asked her on the record if we were to pass any of these cap and trade bills, would it reduce CO<sub>2</sub> emissions—assuming you want to reduce CO<sub>2</sub> emissions—she said no, because this is only applying to the United States. Let me carry it one step farther. As we run out of ways to create energy in America, we will have a job flight from our manufacturing base, which would have to go to places such as China, India, and Mexico, where they do not have any emission restrictions. So, if anything, it would increase emissions.

I am very proud of the Senate, because now we have perhaps, at the very most, 24 votes to pass cap and trade. So what does the President do? He says: Fine, we will do it through regulations. So, through regulations, he is attempting to do that. And we will hear next week of another example. In fact, there are six major areas where regulations are costing taxpayers hundreds of billions of dollars. Another one he is going to announce next week is going to be a tightening in the standards on MACTs, and it is one that is going to cost in the neighborhood of \$90 billion each year. So in just two of these regulations you have \$400 billion a year in costs to the American people. People just aren't aware of that.

Some smart guy in my office went back and said: You know, you are not the first person to be concerned about the cost of these regulations. Politicians don't talk about it because no one understands it. But Ronald Reagan, back in 1981, said this:

Overregulation causes small and independent businessmen and women, as well as large businesses, to defer or terminate plans for expansion.

That is what he said. And then he said:

I have asked Vice President Bush to head a cabinet-level task force on regulatory relief.

That was the first Bush he was referring to there. So they realized it back then, the cost of overregulation. But it has gotten to the point now where it is every bit as important as the spending problem.

But we are talking about the spending problem right now, and there is nothing complicated about it. When you spend more than you take in, you go into debt, and we can't keep doing that forever. We keep getting these budgets from the President each year—three budgets now totaling a greater increase in debt than all Presidents since George Washington combined. Nobody seems to understand and no one seems to care that we can't keep doing that. We are going to have to do something about it for future generations. I think we are going to do it. I hope when this vote comes up—and I think it has been set for tomorrow—on the cut, cap, and balance legislation, it will be something that will be seriously considered, particularly by people who are coming up for reelection in 2012. They need to be thinking about this, because this will be a huge issue. To stand here on the floor and not vote for a balanced budget amendment—during this crisis we are facing now—is something everyone will have to answer to.

So while the caps we talk about in the cut, cap, and balance legislation would be over a period of time, it is no good unless you have some kind of enforcing mechanism. This bill we will be voting on tomorrow, I understand, does have that enforcement mechanism. It has sequestration. These are automatic cuts, so that if Congress decides it is going to spend above the caps that are allowed, then automatic sequestration goes into effect. It works. It is enforceable.

We have watched spending go up. I am reminiscing here that this has been going on for a long time. People are saying: Well, we are not going to be able to pass a cut, cap, and balanced budget bill because they have been trying to pass a balanced budget amendment for some 40 years or so and they haven't been able to do it. I think this is a unique time that is different than the past 40 years. This is the first time I have seen where the average person knows we can't sustain this thing. We can't go from a budget running the United States of America from \$1.5 trillion and then all of a sudden it is \$3.5 trillion under just one President. You can't continue to do that.

I remember way back many years ago, when I was in the State legislature, there was a great Senator named Carl Curtis from Nebraska. Carl Curtis was quite elderly at that time, and he had been trying to do a balanced budget amendment for probably 20 years at that time. This was back in the 1970s. He came to me in the State legislature in Oklahoma and said: I have an idea. The argument they use against a balanced budget amendment is that three-fourths of the States would never ratify it. So, he said: Let's preratify a budget balancing amendment.

He was kind of a genius. I happened to be the first State legislator he ap-

proached, and he asked me to take it on as a project. So the State of Oklahoma was the first State in history to preratify a balanced budget amendment to the Constitution. It was kind of fun. Then it was so popular that others started doing it, and we got right up to the three-fourths but couldn't quite get over that. But that is something that took place many years ago.

This is something we know is not easy, it is something that is difficult to do, but we now have another chance. It is the first time we have had a chance where the majority of the people, by polling, are expressing their outrage and stating that we are going to have to do something. Even though we have raised the debt limit countless times, this is the one time it is getting all this attention, and it is getting this attention because we all know we have something that is no longer sustainable. So we have another chance at the balanced budget amendment provision in the cut, cap, and balance bill, and it would prevent the debt limit from being raised until Congress sends one of the three balanced budget amendment proposals to the States for ratification. In other words, the amendment would have to pass both Chambers by two-thirds majority before the debt limit is allowed to increase. This makes sense. It is a permanent solution to our problem.

Within 5 years of ratification, the amendment would require Congress to pass a balanced budget every year, and it would cap total spending at 18 percent of GDP. Right now it is above 20 percent of GDP, so it is even lower than the caps we have had before. It would also require a two-thirds majority to raise taxes. We all know conditions could change—we could be in a war—so this does have a deficit provision which I think is very responsible. The balanced budget amendment is the only reform that will put our Nation on a true path for permanent fiscal stability. It will force comprehensive and real changes to the Federal Government and its spending priorities. If it is ratified, it would avert the risk of a debt crisis. In short, it would put our Nation on a path to limited government it has not seen in years. So I think this is the opportunity.

We have three different opportunities coming up. We have heard about the proposal by the Republican leader and by, I think, the majority leader. That might be some kind of last effort, and maybe that is what we will be considering. But the first and the best and the easiest—and the most fiscally responsible—is the cut, cap, and balance bill. So we will have that opportunity tomorrow. It is very significant we take advantage of that opportunity. I am not the pessimist most people are. I think we have a shot at this thing. If the American people are watching carefully, we could pass this thing.



Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. Mr. President, I come down here frustrated and hopeful. I want to see the glass half full even though we have been through a frustrating number of days and months dealing with our debt crisis, and here we are careening toward another crisis. Congress went through this earlier in the year. It seems as though the only way we ultimately get things done is to take it right up to the edge and then come through with an agreement. I don't think it is fair to the American people. It clearly isn't a formula for providing certainty in our economy for those who are running businesses and for households that are making tough decisions.

If there is one word that characterizes where we have been this entire year, it is "uncertainty"—uncertainty about what the future is going to look like. Are we going to default or not? Do we have enough money to pay the bills or not? What are the consequences of a potential default? When we had the continuing resolutions to provide funding for the rest of the year, we went from one extension to another extension to another. Everything is in limbo. How can you run an economy, how can a business man or woman make a decision if they don't know what is coming down the line in terms of taxes, in terms of regulations, in terms of the economic climate, in terms of whether people will be buying, selling, or just sitting on their money?

Into the third year of a slowdown and recession, the economy is growing but not growing at a rate that is putting people back to work. We all want to get the economy moving again, and inserting certainty into the process will certainly be a positive step forward.

I think there is virtually unanimous consent that this government has grown too big, it spends too much, it doesn't have the revenues to pay for what it does, and there needs to be real reform taking place soon.

We are 12 days away from August 2, the date the Treasury Department has indicated we run out of money and don't have enough to pay our bills. Obligations that have been committed to and promised can't be paid because we won't have the funds to do so on August 2.

We have known this day was coming for a long time. We were originally told we would run out of money in March, and then for some reason it was moved to May and then to August. I don't

know how they are moving money around at the Treasury to extend this particular date, but it appears we are now at the end of the road, we are at the wall, and decisions have to be made.

Are we going to take the necessary steps, make the tough decisions, and do what we need to do to control our spending, to put in place mechanisms that will ensure we don't continue to do what has been done over the past several years, and put policies in place that will stimulate our economy and get people back to work? After all, it is really all about jobs. It is all about an economy that is providing opportunities for young people coming out of college and high school, opportunities for people to buy homes and raise their families and save money and send their kids to school, to keep a good-paying job, to be able to pay the mortgage and all the bills that come to the household every month. That is really what it is all about. Unless we address these issues before us here fiscally, we are not going to get to the point where people have hope for the future.

I said I am frustrated, and I guess I just expressed some of that frustration, but I am also hopeful. I am hopeful because in times of crisis, solutions can be found. We wish we could do it in a more systematic way. We wish we had done it in the past several months, but we didn't, so here we are. And now I think the focus is clearly on getting to a solution.

We are debating a plan called cut, cap, and balance—cut because we are spending more money than we can afford to spend; cap because we want to put procedures in place not to spend more than we can afford in years to come; and balance, a balanced budget amendment to the Constitution so that when Members come here and put their left hand on a Bible and their right hand in the air and swear to uphold and support and defend the Constitution of the United States—and that Constitution says you can't spend more than you take in, you need to balance your budget just like households and businesses all across America, and virtually all of our States have these either in statute or in amendment form, the Federal Government excepted.

I don't believe Congress has demonstrated the discipline necessary to run a fiscal house that is anywhere close to balanced. Despite all the wonderful speeches that we are going to cut this and do that and provide for this and provide for that, we have just seen an explosion of debt, an explosion of spending regardless of what the revenues coming in happen to total. A constitutional balanced budget amendment will give us the spine and backbone and the duty and responsibility to uphold the Constitution in that regard and achieve and make the tough choices, make the tough votes every year.

This happens in our State every year. We somehow survive, and in fact we are doing pretty well because our legislators have to go before the people and say: That is a good idea; but we have to balance our budget. We could raise your taxes to pay for that if you want that extra program or we can cut another program and substitute the money saved from that for this program or, we just can't go there. We don't have the money. These are the choices we have to make, and this is the responsibility we have.

I said I am hopeful. Why am I hopeful? I am a baseball fan, sports fan, basketball. I have seen so many sports situations where the announcers have said or the spectators have observed that it is hopeless, there is no way they can come back, there is no way they can pull this out, but then I have seen miraculous comebacks in the fourth quarter of basketball games, maybe the last 2 minutes, in the bottom of the ninth where you have just about written off any chance of victory at all, and all of a sudden they come from behind. Whether it is soccer, baseball, basketball, or any sport, we all have experienced situations that give us hope.

Even though the clock is ticking down, as it is on this debt limit date, and even though some are saying we are never going to get there, I am hopeful we can come forward with a sensible plan. In my opinion and in the opinion of many, the cut, cap, and balance is a plan that can get us to where we need to go. Clearly, first we need—and cut does this—to address our spending issue, and then cap so that we don't keep running into this year after year, and then balance so that we are committed to it for the long term. In order to get there, this provision before us gives us the opportunity to do just that.

The reforms that we need to address—not just cutting but addressing the out-of-control, deficit-driving entitlement programs that need to be reformed in order to save those benefits and save those programs for the future, not take them away and not watch them go into insolvency—all those need to be addressed, and I hope they will be, and this is the plan that can get us there.

We will be voting on this tomorrow morning, and I am urging my colleagues to look at this in a serious way.

There has been a lot of criticism of various plans that Republicans have put forward. Yet the President hasn't put anything forward. My colleagues across the aisle, the Democrats, haven't put a budget forward or a plan. We get criticism because they don't like this part of our plan or they don't like that part of our plan. We aren't saying our plan is perfect, but where is yours? We have nothing to measure it against. Democrats are in the majority

in the Senate, but nothing has been brought forward here for us to debate or vote on. There is no way we can stand here and say, here is our plan, what do you like about it, what don't you like about it, or for you to stand here and say, here is our plan. Let's work together to meld these two things together. Maybe we can find a compromise. Nothing has been provided by the other side.

We are here with cut, cap, and balance, and people said: No, that is not the one. People have said: Gang of Six—no, that is not the one. People have said that of other provisions that have been brought forward: No, that is not the one. Well, OK, fine. You don't like that? What is the one? What is the one that gets us there?

So as we approach the very end, we have to understand that the consequences of what we do are enormous. Doing what is right for the future of America and the future of the American people, the future of generations to follow, is what ought to be driving us at this point toward reaching a rational, sensible solution to put us on the path to fiscal responsibility and get our financial house in order.

Just hours are left before we have this vote, and if this vote doesn't pass, as many are predicting it won't, and the President has said he will veto it if it does, I am still hopeful we can pull something out here in the bottom of the ninth. And if it doesn't pass, where do we go next? So we need leadership, and we need leadership from the leader of our country to guide us where we need to go if they are going to just simply reject everything we put forward.

Let's be very careful how we evaluate our vote tomorrow and the implications it has for the future of this country and the fact that the clock is ticking louder as we careen toward a serious crisis on August 2.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Mr. President, since I was sworn into office this January, about 6 months ago, the House and the Senate have both been understandably and properly concerned with one issue that has perhaps eclipsed every other issue that has come before us in this half-year period of time; that related to our national debt and the anticipated expiration of our debt limit which will hit in just a couple weeks. Many Americans are understandably concerned and have articulated the concern that if we pass the debt limit deadline of August 2 without raising the debt limit, there

could be catastrophic financial consequences.

In light of that, I, along with a number of my Republican colleagues both in the Senate and in the House, have introduced legislation called the Cut, Cap, and Balance Act to address the debt limit, to address it head on. It says we will raise the debt limit if three conditions are met: first, that we make significant cuts to domestic discretionary spending for the fiscal year 2012 budget; second, we need statutory spending caps to put us on a smooth but steady glidepath toward balancing our budget sometime within the next decade; third, we need a balanced budget amendment passed out of Congress and submitted to the States for ratification.

We think all three of these steps are necessarily required before we take the significant additional step of raising the debt limit. Because of the fact that it took us a long time to get to this point, the point where, by the end of the year, we will have accumulated \$15 trillion in debt—about \$50,000 for every man, woman, and child in America, between \$120,000 and \$150,000 for every wage earner in America; this is a lot of money—before we extend that debt limit again by an additional \$2.4 trillion, we have to solve the problem. We have to address the problem that led to its creation in a real, lasting, binding fundamental way.

That is why the most critical part of this legislation, while each part is important, happens to be found in that which rests upon the idea of a balanced budget amendment to the Constitution. We as Members of Congress could decide right now that over the next 10 years or 15 years, it might be a good idea to cut spending by \$2 trillion, \$3 trillion, \$4 trillion, \$5 trillion, \$6 trillion, perhaps more—but if we made that promise today as a downpayment to the American people in exchange for the permission of the people to raise the debt limit, it is a promise we cannot make good on because we cannot bind a future Congress.

This Congress was sworn in in January of 2011. Elections will be held in November of 2012 and a new Congress will be sworn in based on those elections in January 2013. The same thing will happen again in January 2015 and every 2 years after that for the duration of our Republic. The decisions we make right here, right now can affect the here and now and can be binding for the here and now, but we cannot reasonably expect and we cannot ask the American people, when making a decision so long-lasting and precedent-setting as this one, to simply trust us that future Congresses will see things the same way we do.

The only way we can bind a future Congress is by amending our law of laws, that 224-year-old document painstakingly ironed out by some of the

brightest men of the last several centuries in Philadelphia 224 years ago.

When we amend the Constitution, we make it possible to bind a future Congress. That is what we need to do. We have had some interesting debate and discussion surrounding this proposal. Last Friday, I listened with surprise and dismay as our President said we don't need to amend the Constitution to require a balanced budget, but we do need to balance our budget. In the opinion of the President, Congress just needs to do its job, not amend the Constitution.

I think I understand his point. I think he is suggesting that for Congress to do its job it needs to balance its budget. But I have to ask the question, how has that worked out for us? Have past Congresses balanced their budgets? Has the current Congress balanced its budget? Overwhelmingly, the answer is no. It happens every now and then. Some would describe those instances where it has balanced in the last two or three decades as an accident; others, a momentary blip; still others would suggest it was the product of accounting gimmickry rather than an actual act of budget balancing when that occurred.

Regardless, we know that balanced Federal budgets are newsworthy indeed because they are very rare. I look forward to the day when they are no longer newsworthy, when they are customary, and the only way to make them customary, based on our experience as Americans throughout most of our Nation's history, is by amending the Constitution to require it, to make this a binding and permanent law.

I was shocked and dismayed again to learn that our Senate majority leader, Senator REID from Nevada, stated just a few hours ago that he does not like this legislation. He made some very disparaging comments about it, notwithstanding the fact and completely ignoring the fact that this is not just the best legislation to address the debt limit issue, right now it is the only legislation. It is the only legislation that addresses this issue that is moving through Congress and that has been reduced to legislative language. It is certainly the only one that has been passed by one body of Congress and is now moving over to the Senate.

He is criticizing something when he himself has not offered anything. This is the only show in town. Given how close we now are to the August 2 deadline and, in part, because we punted this so long and, in part, because we have not been having the debate and discussion in Congress we should have been having for months, this is it. This is the only proposal.

If Senator REID has suggestions on how we might change this proposal, I am all ears. I would love to hear what they are. If he has his own proposal, I would love to see what that is. But

simply to stand from that desk over there and disparage this legislation is inexcusable, absolutely inexcusable, given the fact that he has offered nothing.

Let me read some of his words. He said: "The American people should understand that this"—"this" meaning the Cut, Cap, and Balance Act—"is a bad piece of legislation, perhaps some of the worst legislation in the history of this country."

I don't know what he is referring to. He didn't give specifics, nor has he given any specifics on what he would like to see in its place or how it could be improved. My suggestion to our Senate majority leader is, if he has ideas, please put them on the table because, as we approach this debt limit deadline, we are running out of time. The clock has been ticking for 6 months. We have known this was going to happen. This is not news to us.

Why, then, has there been so little debate and discussion in this body? Why is it that we spent weeks and weeks and weeks, often dealing with legislation that paled in comparison to the importance of this issue. The clock kept ticking and we kept debating and discussing other legislation far less important.

This, in my opinion, was a gross dereliction of duty. But we still have a few weeks. We can still deal with it. We can still address it. I suggest strongly that we address it by starting with that legislation that has actually been proposed and that we have full debate and discussion.

But, no, we are told. Even after the House of Representatives earlier this week passed the Cut, Cap, and Balance Act, passed it with bipartisan support, by the way—no fewer than five members of the Democratic caucus in the House of Representatives voted to support this. That was passed Tuesday night. We were told later we would be having a vote on Saturday or perhaps Monday. Then, just a little while ago, we were informed by the Senate majority leader that the vote would be tomorrow, giving us little or no time for actual debate and discussion on the floor of what is still, to this moment, the only legislation moving through to address this issue.

This is not an appropriate moment for demagoguery. Demagoguery on an issue this important can result in a lot of unnecessary pain. No one disputes that there could be significant negative economic consequences associated with not raising the debt limit. I do not dispute that, not for a moment. That is exactly why I put my neck on the line in order to file this legislation because nothing else was moving forward. I didn't want to do it, but when I was sworn in as a Senator just a few months ago, I understood it was my obligation to do what I could to make things better, to make our constitutional system work. So I filed it.

It is an insult, not only to me and to my colleagues but to all Americans when addressing an issue this important, to have so little debate and discussion over this issue. I find it appalling. I find it reprehensible. I demand an explanation, and I demand an alternative solution, if the Senate majority leader is going to pick this apart and say he will not do it. Moreover, I will remind the Senate majority leader that just a few short years ago, in 2006, when we had a different President, belonging to a different party, and this body was in control of another party, if my memory serves me correctly not only did then-Senator Barack Obama vote against raising the debt limit, calling the need to do so the product of a failure of leadership that he was not willing to condone and perpetuate, but every single one of his Democratic colleagues joined him in that vote. Not one of them voted to raise the debt limit.

Here we are again approaching the debt limit. Here we are again with only Republicans stepping to the plate and offering a solution. Only this time the solution is a permanent one. Unfortunately, in 2006 and prior and in subsequent debt limit extension votes, there was no serious debate attached to it as to a permanent solution.

We have to amend the governing document, the law of laws, the only kind of law that can bind future Congresses in order to solve this problem. We have to do it now. This is part of what it means to be an American.

We, as Americans, crave liberty and we eschew tyranny to any degree. Every single time we authorize deficit spending we fuel the unfettered expansion of the Federal Government and all its power. We commit ourselves and our posterity to a future that will include working more and more hours and days and weeks and even months just to pay their Federal tax bills every single year. That is time they will not get back. That is time we will not get back. That erodes our individual liberty.

It also erodes our liberty when the same regulatory structure that exists today grows bigger and bigger every year because we are borrowing now more than \$1.5 trillion every single year—not because of some aberrational condition, some unusual development that requires an unusual expenditure of borrowed money, but just to cover our basic day-to-day operations. This is what fuels the perpetual expansion of government, and when government expands perpetually, our individual liberty is diminished, unfortunately, and to a corresponding degree. This is unacceptable.

But there is a way home. The way home is found in limiting the role of government. We can limit the role of government most effectively at this point in time, I believe, by limiting the

pool of money to which Congress has access. The only way to do that is through a constitutional amendment.

I wish to close by addressing one final argument that sometimes has been used in response to and against the Cut, Cap, and Balance Act. Many of its detractors are making the claim that I find extraordinary, a claim that says: Why are you even supporting this because it can't pass. It is a little bit akin to saying: Why do we even play the Super Bowl when it is expected that one team is going to beat the other team. We have to play. But this one is not a game. This one is for real.

When we vote after debating and discussing, Members of this body can and will be held accountable to our constituents. So it will be up to me and each of my colleagues in this body to decide how to vote on this issue. For those who make the unfortunate decision to vote against this, notwithstanding the fact that 75 percent of the American people strongly support the idea of a balanced budget amendment; notwithstanding the fact that 66 percent of Americans—both of these figures according to a CNN poll today—support the principles underlying cut, cap, and balance; notwithstanding the fact that this is the only permanent way of solving our debt problem, if Members of Congress and Members of this body choose to vote against this legislation, they will do so, I believe, at their own peril. They will have to face their constituents and explain why a handful of them were unwilling to raise the debt limit, unwilling to address this problem, unwilling to fix the perpetual deficit spending habit of Congress simply because they did not want a balanced budget amendment to the Constitution. I think that is a tall order. I think that is difficult to explain. I think those who try to make that explanation to their constituents will do so at their own political peril. But, more importantly, the vote they cast will be at the peril of the people of the United States of America, of their liberty, of their economic stability and of their ability to prosper now and in the future.

We can turn this ship around, but in order to do it we need robust debate and discussion, and our constituents deserve more. The American people deserve more than to have the kind of sleight-of-hand scheduling and the kind of dismissive, cavalier attitude toward what is being characterized correctly by many as the fight of an entire generation.

We need to pass the Cut, Cap, and Balance Act. It is not only the best solution, it is the only solution. The time is running out, and I urge each of my colleagues to support this.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator from Utah. I am just a bit taken aback by the majority leader's decision to alter the course that I thought we were on that would allow for debate and work on a bill to deal with the budget, the debt ceiling, and our budget deficit tomorrow. In some of his comments he made today after he changed his mind yesterday, he said:

I'm committed to allowing a fair and full debate on this bill. I want the proponents and opponents to have time to air their views.

And so forth. Then he says:

I think this piece of legislation is about as weak and senseless as anything that has ever come before the Senate. I am not going to waste the Senate's time day after day on this piece of legislation which I think is an anathema to what our country is about.

And he goes on to say:

The American people should understand this is a bad piece of legislation, perhaps the worst legislation in the history of this country.

That is what the majority leader said just a few hours ago. Well, let me ask Senator LEE—he is newly elected from the State of Utah. He has traveled all over the State.

Did the Senator share with his people at various times in his efforts that he thought a constitutional amendment, like so many States have to contain spending, is good and sound policy? Did they hold that against the Senator or does he think his election was an affirmation of the cry of the American people that we take some action that would actually constrain spending?

Mr. LEE. On countless occasions throughout the State of Utah, I have articulated the fact that I believe we have no business raising the debt limit without first adopting permanent structural change in the form of a constitutional balanced budget amendment. The people of Utah elected me in part based on that promise. Elections have consequences, and in my case this was one of them.

Mr. SESSIONS. I am flabbergasted by the majority leader's comments. He said:

I think this piece of legislation is about as weak and senseless as anything that has ever come up on the Senate floor.

Well, wouldn't the Senator say that compared to all the other legislation we are talking about passing—and some of it has some teeth to it, I acknowledge—but compared to all of that, a constitutional amendment that requires us to live within our means is certainly not a weak piece of legislation.

Mr. LEE. I would hardly call it weak. Quite to the contrary. Calls for legislation such as this date back a couple of hundred years. Thomas Jefferson was arguably the first one to suggest this kind of proposal. He called for it again and again, and those calls have continued throughout most of our history,

but they have accelerated in recent decades. They have accelerated because this body has refused to balance its budget, and it has abused its borrowing power to the point we are spending more than \$1.5 trillion a year more than we bring in. It is bankrupting our country. We are burying our children under a mountain of debt. We are killing jobs, we are spending money we don't have, and that is wrong.

I would hardly call legislation designed to deal with that in a permanent binding way senseless, and I am insulted that the majority leader would suggest that this is somehow senseless just because he doesn't like it because it will make him less powerful.

Mr. SESSIONS. Well, I think that is getting to the nub of the matter. I think it is a sense in which—now for a constitutional amendment to pass, it has to have a two-thirds vote in the Congress, both Houses, and three-fourths of the States. Once passed, no majority leader could come in next year and say: Well, I know I have been in favor of balanced budgets, but I don't want to do it this year. I have more spending I want to occur.

It would, indeed, curb the power of the majority leader and actually some newly constituted Senate to spend more money than the government takes in, would it not?

Mr. LEE. Yes, it would. The whole purpose of the balanced budget amendment is to restrict our power and give that power back to the people where it belongs. The power has been abused here. It has been abused over a prolonged period of time, and it has been abused to a severe degree. This is why the election of 2010 brought about some significant outcomes.

Mr. SESSIONS. I couldn't agree more. I think the American people rightly have concluded that our Congress of the United States that borrows 40 percent of the amount of money it spends—because it is spending more money than it takes in—is acting irresponsibly.

As I have noted earlier, somebody said: Oh, you know, the tea party is angry. Well, why shouldn't they be angry? We have completely mismanaged the American people's business. We are elected to be responsible leaders. Nobody, I believe, would come to the floor of this Senate—I would like to see if it happens—and defend what we are doing, borrowing 40 cents of every dollar we spend no matter what it is on. And the President proposed his budget for next year that would include a 10-percent increase for education, 10-percent increase for energy, 10-percent increase for the State Department, and we are spending money that we don't have.

So I think a constitutional amendment would require a major participation by the American people and all the States of America would discuss it.

If the American people decide they believe Congress needs to be restrained and pass that constitutional amendment, what is wrong with that? Isn't that a legitimate way for the American people to have their voices expressed according to the Constitution?

Mr. LEE. There is nothing wrong with it, and quite to the contrary. This is exactly the kind of activity that our Constitution contemplates, authorizes, and with good reason. I should note here it is significant that in this body each State is represented equally. A relatively small State such as mine, the State of Utah, has the same number of Senators as a large, heavily populated State such as California or such as New York because we represent the States. We represent the States as States.

One of our jobs is to make sure that their sovereign interests are vindicated in this body. To suggest that we should not balance our budget, to suggest that we should not propose a balanced budget to be considered by the States—keeping in mind that it is the States ultimately that ratify it if three-fourths of them choose to do so—is insulting to the very States we represent. It somehow suggests our States can't handle it when the States overwhelmingly, almost every one of them, balance their budgets every year.

Mr. SESSIONS. Well, I agree with that, and it is just odd to me—and contrary to the heritage of the Senate—for the majority leader to assume as much power as is being assumed now. I am ranking member on the Budget Committee, and essentially the Democratic leadership told the Budget Committee not to even mark up a budget this year even though the statutes of the United States in the United States Code require Congress to have a budget.

I know the Senator is a skilled lawyer. His father was Solicitor General of the United States. It is probably the most prestigious position a lawyer can have in America, in my opinion. To be able to stand before the U.S. Supreme Court and to represent the U.S. Government in court is an honor that is very high. So he is a student of the law, and I know he is familiar with the statutes of the United States that require a budget. It doesn't say you go to jail if you don't, I will admit, but it says we should have a budget.

Does the Senator think the people in Utah—and I think the people in Alabama—would think we should have a budget because it is the right thing to do, No. 1, and No. 2, we should do it because it is the law?

Mr. LEE. It is the law, and notwithstanding the fact that we don't have a court order enjoining us to do that, we still have taken an oath to uphold the Constitution. I think that means especially on an issue so fundamental, so important, so sweeping as the budgeting process, we should be complying

with that law or at least making an effort to do so.

What I see here is not only a lack of effort to comply with that law but a deliberate, conscious effort made with malice aforethought to avoid the law. That is damaging. That is wrong.

Mr. SESSIONS. The House of Representatives passed this bill. They passed it by more than a few votes to spare and sent it here. I believe if the American people knew what was in it, they would favor it. The people in my State would favor it. I think the American people would favor it. How does the Senator think the good people in the House, the good people of America, who overwhelmingly favor a restraint in spending and balancing our budget, would feel about the leader curtailing our debate on this important subject and saying:

I think this piece of legislation is about as weak and senseless as anything that has ever come on this Senate floor. I'm not going to waste the Senate's time.

Mr. LEE. I think the American people would be profoundly disappointed by that statement. More importantly, they would be profoundly disgusted by the fact that it wasn't enough for the Senate majority leader simply to say: I disagree with it or to point out areas in which he might disagree with it or might want to improve upon it. He went so far as to say it is not even worth our time to debate and discuss this. That smacks of tyranny. Americans don't respond well to tyranny, and this is unacceptable.

Mr. SESSIONS. I have to say I think we are having a problem in the Senate. I consider the majority leader a friend. I know it is a very difficult job. I have said that many times. I wouldn't want it. Trent Lott said it is like herding cats or it is like pushing a wheelbarrow with frogs; you put one in and two jump out. It is a tough job, but he asked for it.

The Senate is a great institution. I don't know what Robert Byrd, the late Senator from West Virginia, would say if he were here. I think I know. I think he would be very uneasy about the process we have gone through this year when, through the power of the Chair, the majority leader has blocked legislation after legislation, has blocked us moving forward with a budget, refusing to allow the committees to move forward, and refused to allow the budget even to come up last year.

We are now I think 812 days without a budget in the Senate, running the largest deficits the Nation has ever run, and those deficits are not transient. They are not going to turn around when the economy picks up a little bit. It is a systemic, deep, structural problem, and we are endangering our future. We are being blocked from even being able to discuss it while people meet in secret over at the White House with the Vice President, with

the President, and a few others meet with a group of Senators. Nobody elected them, but they are good people. If they want to meet, that is fine. We need to be seeing legislation, actual bills we can take to committee and score and see how much they cost.

Being the student of American law and the Constitution as the Senator from Utah is, and being knowledgeable about common people, does the Senator think the American people think there is something wrong with this process, where we have gone all year long and not done anything of significance to deal with the most significant issue facing our Nation maybe in the next decade, and that is the size of our debt?

Mr. LEE. Absolutely. Absolutely. Look, the American people understand that power is most dangerous in government when it is consolidated into the hands of a few people. It becomes even more dangerous when that power is wielded under cover of darkness.

The great thing about sunlight is it illuminates and it disinfects. We need that illumination and that disinfectant during that process, because it is corrupt. A process that allows something of such profound importance to be decided by a handful of people, who tell their colleagues: You plebeians don't worry about it; this is for us high-minded people; we will decide; you will follow; and we will do it in such a way that you won't have time to read it, to review it, to debate it, to discuss it; this is corrupt, and it has to end.

Mr. SESSIONS. Mr. President, I think what the Senator has said is sadly too truthful. I do believe this is a corruption of the process. I believe it has been happening over a period of time since I have been here. I have seen it happen more and more. Both parties have done a lot of this, but I do believe it has reached a new height this year.

I think Senator REID believes in the Senate. I think he respects the Senate. I do. But I think he is under constant pressure, and they have decided that—some of his Members, I guess, didn't want to stay here this weekend. They wanted to go home. They had a speech they wanted to give or a party they wanted to attend or a fundraising event they wanted to go to, so they don't want to stay here this weekend. Just yesterday, I think it was, Senator REID was complaining about the House going home this weekend, and promising we would stay here and we would work. Now, all of a sudden, anybody who stays here and wants to vote on a bill that passed by a substantial majority in the House of Representatives, he says is acting—he says the bill is anathema to the Senate, and senseless, and not worth our time to talk about. How does he get to decide this?

Mr. LEE. He gets to decide it only if we allow him to decide it. We outnumber him, and if we vote contrary to

his will, we can overrule him. If enough Members of this body are willing to stand up for truth and justice and the American way, debate and discussion and the rule of law, this thing he is trying to do to us won't happen. We can have actual debate and discussion.

We have responded. We have responded politely and well to his directive that we would stay here this weekend. We had made plans. We have canceled plans in our home States. All of a sudden, his high and mighty speech earlier this week telling us we had to stay here is no longer important when he disagrees with some legislation we put forward. He would rather shut down debate and discussion. He would rather end the process that is absolutely necessary to avert this crisis that is quickly coming than he would to have to confront the facts, offer up his own solution and respond to the valid points that have been made in this debate and in this discussion.

Mr. SESSIONS. It is an important issue, I think. I really do. I wish to make this point: There is only one bill that has passed and been advocated, that is actually on the floor of the Senate, that raises the debt ceiling and changes our debt course in America, and that is the bill the Senator from Utah has brought up—the cut, cap, and balance bill—the bill he has been so articulately describing and advocating. That is the only bill.

They say this is senseless. Well, do you have anything that raises the debt ceiling and does something about the debt of America? Does anybody else in the Senate? Or, if they bring it up, will they be blocked from bringing it up? I don't see it. The only legislation is this legislation. It is not senseless. It is very significant.

When I came to the Senate the first year in 1997, we voted on an amendment to balance the budget, a constitutional amendment. We thought the votes were there to pass it, taking all the people who voted for it and when they said they were going to vote, there were enough votes to pass it, it appeared, and at the last moment several Senators changed their vote and it only got 66 votes. Had it had 67, it would have gone to the States. I am convinced that balanced budget amendment would have passed. Had it passed, we wouldn't be in the financial crisis we are in today. Now that is a fact, I believe.

I don't think this is a senseless process. I believe people—if they don't agree with this legislation, if they don't agree with it, let's hear why. But to come down and trash it—trash the Members of the House who voted for it, trash the American people—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. I thank the Chair and ask unanimous consent to have 1 additional minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SESSIONS. To inquire, was there a time limit on this?

The PRESIDING OFFICER. There was a time limit earlier, and it was 5 p.m. to 8 p.m. equally divided, and now a Member of the other side is here. All the remaining time has expired for the minority.

Mr. SESSIONS. I thank the Presiding Officer for his courtesy. I would say, forgive me if I am a little bit offended. I don't think it is wrong to be offended when the majority leader walks in here and says a piece of legislation that is critical, I believe, to the future of America is senseless, not worth discussing. He changes his mind entirely and is going to file a motion. I guess he figures he will have the majority Members of his party who will stick with him and kill off the legislation tomorrow morning. I think it is a very valid piece of legislation, an important piece of legislation, and the only piece of legislation in the Senate that would raise the debt ceiling. I think it is worthy of respect, it is worthy of full debate, and ought not to be demeaned in the way it has.

I respect my friend, the majority leader. I am sure it is a frustrating job and every now and then you kind of say things maybe you wish you hadn't, but I don't think this is a senseless piece of legislation. I think it is important and worthy of the greatest consideration in the Senate.

I thank Senator LEE for his efforts to promote it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I rise tonight to discuss the so-called cap, cut, and balance legislation that has come to us from the House of Representatives.

Congress is a coequal branch of the Federal Government. I have always believed it is a forum for informed, bipartisan debate of public policies that we all agree should help us achieve greater equality, opportunity, and treatment under the law, while nurturing and caring for our young and vulnerable, producing well-paying jobs, and investing in the future. That is why I have established good working relationships with my colleagues in both the Senate and the House and on both sides of the aisle. Unfortunately, this legislation abandons each of these principles.

The challenge facing Congress today is urgent. The stakes are extremely high. Congress must raise the debt ceiling to fulfill our commitments and take meaningful steps to reduce our deficits and debt. However, the policies needed to achieve these goals cannot be negotiated at the expense of the safety net that our seniors, children, working-class, long-term unemployed, and mi-

nority communities depend upon, nor should they come at the cost of good government.

The House legislation falls far short of what is needed. It makes no pretense to partisanship. On the contrary, it is a model of extreme bipartisanship. Moreover, it threatens to turn a recession into a depression. It will cut, cap, and kill Medicare, and it will leave millions of the Nation's sick, disabled, poor, long-term unemployed, and elderly to bear an unreasonable share of burden of deficit and debt reduction. These are our citizens who are already struggling. Meanwhile, the "cut, cap, and kill" bill would protect and defend the tax havens and shelters of the wealthiest.

The balanced budget amendment portion of this legislation would do even more long-term harm. It would make future periods of economic weakness worse and restrict our ability to respond. Even though we all know it is not a part of the regular Federal budget, it would use Social Security revenues and spending as part of the formula to determine whether the Federal budget is in balance and, if not, Social Security would be subjected to the same cuts as other Federal spending. We cannot forget that an important reason Americans expect us to fix our debt and deficit is to preserve and protect their Social Security and Medicare benefits.

I will continue to work to preserve our Nation's social safety net and seek a balance between raising revenues and cutting spending in which all Americans contribute to the solution.

That said, I will oppose the House bill because it will not do any of that. This legislation was quickly and poorly considered. It leaves the vulnerable exposed to harm and seeks to weaken Congress's power to govern. I cannot support it.

Thank you, Mr. President. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of Colorado. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are on the motion to proceed to H.R. 2560, with time allotted to the majority.

Mr. UDALL of Colorado. Mr. President, I wished to come to the floor this evening to join a number of my colleagues from both sides of the aisle who are concerned about the Federal budget and our ever-increasing deficits and debt.

But today I am also speaking on behalf of the 4.5 million Coloradans who are worried we will not have the dis-

cipline to do anything about it. They know our great Nation will not win the global economic race unless we take some responsible action on the floor of the Senate and soon.

I have to say, I do not think the debate we have been having offers them a whole lot of solace. I say that because instead of getting to work on the bipartisan Gang of 6 deficit reduction plan, which draws from the President's bipartisan fiscal commission, headed by—I have to say this—two true American patriots, former Senator Alan Simpson and North Carolinian Erskine Bowles, instead of getting onto that plan and the substantive proposal it makes, we are debating what looks to be a bumper sticker campaign gimmick called cut, cap, and balance. I have a hard time even saying it.

But I have to say, I have spent a good deal of time analyzing budget tools. After all, I was one of the first—and one of currently only a few—Democratic Senators who signed on to a balanced budget amendment to our Constitution this Congress.

I have also been fighting for many years for other smart budgeting tools, including pay-as-you-go budgeting, a line-item veto, and a ban on earmarks, which would help reduce waste and rein in Federal spending.

But let me be clear that cut, cap, and balance is not about balancing the Federal budget because when we read the bill, it becomes clear it is simply about ideology. While the name of the bill seems reasonable enough—it is conveniently designed literally to fit on a bumper sticker—the language of the bill does not represent a balanced approach to deficit and debt reduction, and for that reason alone I cannot support it.

As I said, I have supported the idea of a balanced budget amendment, even though a number—maybe I should say most—of our caucus has opposed the idea. However, the balanced budget amendment contained in cut, cap, and balance is not about balance. It is about locking in—if we look at it—special interest tax breaks for corporations and the wealthy, which would then force Draconian program cuts that would harm our Nation's middle class, not to mention the most vulnerable in our communities all across our country.

I have to say, this is not a balanced way to pursue deficit reduction. It makes a balanced budget nearly impossible to achieve when we get into the guts of this idea because it ties literally one hand behind our back by preventing the Congress from closing wasteful special interest tax breaks.

In addition, the bill in front of us holds the increase in the debt limit hostage. The debt limit needs to be raised by August 2 to avoid a first ever government default on our debt obligations. Cut, cap, and balance dictates



that the debt limit cannot be increased until Congress approves a constitutional balanced budget amendment.

Even if one is the most optimistic person in the world, a scenario for passage, ratification, and implementation of a balanced budget amendment shows it is unlikely to take effect for at least 10 years—10 years—not 10 days, 10 years.

I have always maintained that a balanced budget amendment to the Constitution—which, again, I wish to mention I support—should be a backstop put in place only after we have made the tough decisions about reducing our spiraling deficits in the here and now.

If we were to tie our Nation's obligations to pay its bills to the passage of a one-sided and partisan balanced budget amendment, that would be bad enough as it is. But cut, cap, and balance would also lead to severe—severe—cuts in Social Security and Medicare, and it would actually lock in billions of dollars in tax breaks currently in our Tax Code which benefit the wealthiest citizens as well as Big Oil and corporations that have spent decades shipping jobs overseas.

This is such an egregious proposal that I have a sneaking suspicion it was not actually designed to pass the Senate. I believe it was designed to be a campaign gimmick because it certainly does nothing to address the problems we face right here and now, which is the looming default of our government, the U.S. Government.

Let me be clear—and I think the public has begun to understand this—raising our debt limit is not about future spending or paying for more government; it is about paying our previous bills. Business leaders, economists, rating agencies, and especially Treasury Secretary Geithner have told us our credit rating, were we to default, would take years to rebuild and that our country would never be the same if we were to default on our debt.

You know this, Mr. President. You are a businessman. We cannot ask for a do-over, a mulligan, if we default on our debt. We cannot say: Oh, we were just kidding. This is truly the real deal.

I wish to share some ways we would be directly affected by a government default. Paychecks for soldiers in Afghanistan and Iraq and at bases around the world conceivably would not go out. FAA towers could shut down. Border crossings could close. Operations at the FBI and the CIA would be put at risk. Safety inspections of the food we eat and the cargo that enters our ports could halt.

The resulting spike in interest rates would ironically make our debt even harder to tackle because each 1-percent rise in interest rates alone would result in \$130 billion in increased interest payments on our national debt each year.

Perhaps most important, hard-working American families would also feel the crunch. A spike in interest rates would effectively force a tax on all Americans and American businesses due to increased consumer costs. As important, failure to raise the debt limit would lock up credit markets because the United States would no longer be seen as a reliable credit risk.

Coincidentally, yesterday, an important consumer protection law, which Senator LUGAR and I introduced and passed—and the Presiding Officer helped us with on the floor last year—went into effect. It provides Americans with free access to their credit scores, which is so important to understanding their own credit risk.

FICO—this is some good news in a day that has a few dark clouds hanging over it—FICO has estimated as many as 500 million credit scores will be given to Americans for free each year because of this important bipartisan law.

In working on this legislation, I learned a lot about credit scores: what they mean, how they are calculated, and how critical they are to economic success. But—and I am tying this back to our discussion today—it got me wondering, what would America's credit score look like if we defaulted on our debt? Nearly two-thirds of a credit score is based on an individual's total debt and payment history.

So here is how I think our great Nation would score if we do not raise the debt limit by August 2. We all know our debt is spiraling out of control. That is demerit No. 1. But if we now also are unwilling to pay our debts—demerit No. 2—we will be left with the credit score of a deadbeat.

I do not think that is the way we see ourselves or want to see ourselves in the 21st century's global economic race. We want to be at the head of the pack. We want to win that race. But to see ourselves as a deadbeat, that is not what America represents to me. It certainly is not the way Coloradans see us.

The people see this very clearly. They are ahead of us. They understand the risks we face. I wish to share a couple letters that Coloradans got into my hands just this last week.

Sarah Jane wrote me last week, and she was to the point. She said:

Dear Senator, I am furious about the games being played with the debt ceiling. This is really abusive to this country.

Another Coloradan, Nicholas, sent me an e-mail that said:

Dear Senator Udall, Republicans are calling for big cuts to vital programs and refusing to increase revenue. This is lunacy. As a native Coloradan, I and most others here work for a living. We don't own yachts, planes, or mansions. The thought of Republicans gutting the social safety net in order to prevent millionaires and billionaires from paying a little extra tax makes me wonder what we really value in this country.

I could not agree more. We have some tough choices to make, but some Members of Congress are so lost in their ideological rhetoric that finding an agreement on our deficits and debt seems out of reach. It feels to me—I truly do not want to say this, but it feels to me as if some of our colleagues would be perfectly fine with shutting down the Federal Government out of the belief it has grown too large. They believe a catastrophic shock to the system is the only remedy.

But I have to say, our fiscal imbalances are not caused by the things they keep saying they want to cut. Foreign aid, Federal salaries, and other programs are a tiny percentage of overall spending. In fact, Appropriations Chairman INOUE, the dean of the Senate, the President pro tempore of the Senate, noted last week that “in constant dollars, adjusted for population growth, non-defense discretionary spending is at the same level in Fiscal Year 2011 as it was in Fiscal Year 2001, when the Federal Government ran a \$128 billion surplus.”

The fact is, our fiscal imbalances are caused by three historical irregularities: record low revenues, an increasingly aging population, and heightened security needs in the wake of September 11. They each demand thoughtful and balanced solutions, and only a bipartisan deal will get us those balanced solutions.

I have to say, no matter how much bloated rhetoric we hear, there is one simple fact; that is, we are all in this together. But it seems to me often—and unfortunately—we are in the same canoe paddling furiously upstream away from the waterfall behind us off our stern, but half our crew has thrown their paddles overboard in protest.

I do not get it. I do not understand it. What is so agonizing is that we have a bipartisan solution right in front of us. As I mentioned at the beginning of my remarks, I was thrilled to see the Gang of 6 this week report a responsible, balanced, and very bipartisan agreement. I do not agree with every aspect of it. I do believe, however, that the plan would responsibly reduce our debt and protect our middle class, while also allowing our economy—not only allowing but incenting our economy to grow.

This plan has already received bipartisan support—not just here but across the country. It is my feeling rather than arguing we ought to be acting on those recommendations. Many of us just want to get to work. It is hot here. We have taken our jackets off and can roll up our sleeves. I know there are Members on both sides of the aisle who share that sentiment even if others here are demanding they remain quiet about it.

There is no question that the fiscal challenges in front of us demand a bipartisan solution, but the clock is running, the sand is rapidly running out of



the hour glass, and we have to get to work on making the necessary changes to get our fiscal house and its foundation in order.

Frankly, some issues should rise above partisanship, politics and campaigns—our country's economic and national security. By the way, the two are linked. Secretary Gates and Admiral Mullen—the Presiding Officer and I serve on the Armed Services Committee—made it very clear that they see one of our biggest threats as the country's fiscal situation. A broke country is going to be a weak country. So our economy and national security fall in the category that ought to be above politics and partisanship.

Cut, cap, and balance is wrong for our country. It represents more divisiveness, way too much gamesmanship, and more politics. Let's listen to our constituents. I shared letters from two of them from my State of Colorado who are pleading with us to get to work and focus our attention on the sensible, bipartisan Gang of 6 plan.

Let's combine it with a debt limit increase to ward off default and work together and pass it into our laws before our national credit rating is downgraded and it damages our chances of winning the global economic race.

That is what Coloradans are expecting of me, and that is what I expect of the 100 of us who are so fortunate enough to serve in the Senate. I am not being dramatic. I am not a particularly dramatic individual. But I have to tell the Presiding Officer and my colleagues that I think nothing less than the fate of the U.S. economy hangs in the balance.

I am willing to stay here day and night, weekends, holidays, to help put a long-term balanced and bipartisan plan in motion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

TRIBUTE TO BRUCE SUNDLUN

Mr. WHITEHOUSE. Mr. President, I wish to say a few words about the debt ceiling that is rapidly approaching. But on this particular day, I cannot come to the floor and speak about anything without just making one, I guess I would say, note of personal privilege; that is, that today is a particularly sad day in my home State of Rhode Island because one of the great Rhode Islanders has passed away.

Former Gov. Bruce Sundlun, whom I worked for for many years and formed a very devoted affection for has died peacefully at home with his family after one of the most accomplished and eventful lives in Rhode Island history.

I know my senior Senator, JACK REED, and I will be back on the floor at a later time to give Gov. Bruce Sundlun his proper due and recognition. But for all he has meant to me, for all he has meant to our State of Rhode Island, for all he has meant to

the people whose lives have been made so much better or who have been protected from very bad outcomes by his courage and by his determination, I simply could not overlook that at this point. So more will follow on my dear friend, Bruce Sundlun.

So to the matter at hand. Less than 2 weeks from now, our Nation is going to hit its statutory borrowing limit, and it may begin, for the first time in its history, defaulting on its obligations.

Unless we act very soon, the Treasury of the United States of America, long the issuer of the safest and the most conservative securities in the world, will simply run out of money. Social Security checks, as the President has already said, would be at risk. Millions of American families would suddenly lose their household income. The Treasury would have to suddenly stop paying more than 4 out of every 10 Federal dollars, choking off all the economic activity supported by those funds.

Private sector projects across the country that depend on Federal dollars or Federal permits or Federal regulatory approval, all would grind to a halt—a catastrophic triple whammy on our economic activity.

In addition, an increase in interest rates would likely freeze investments and cause the financial markets to plummet. So reaching the decent limit will not just put us back into recession, it would risk economic calamity. With the stakes so high and with time so short, it is unfortunate that the House Republicans who created this completely unnecessary crisis have sent us this so-called cut, cap, and balance bill.

This bill, which cuts no tax loopholes, not one, and puts no cap on corporations offshoring jobs or earnings and dodging U.S. taxes, would do one thing: It would kill Medicare. Consistent with the Republican 2012 budget, this bill puts the costs of deficit reduction right down on those who can least afford it: senior citizens, the disabled, and our children.

The cut, cap, and kill Medicare plan the House Republicans have proposed would begin with steep cuts to Federal programs in 2011, while we are still in this recession, slashing domestic spending by over \$111 billion, and eliminating 700,000 jobs from our economy when we need them the most.

It would also require immediate cuts to social safety net programs likely reducing—or eliminating even—student loans, Pell grants, school lunches, Medicaid, and food stamps, some of the most important programs to families who are struggling to get back on their feet during this prolonged period of high unemployment. This is simply unacceptable.

The second part of the cut, cap, and kill Medicare bill would limit Federal

spending beyond 2012 to levels significantly lower than during the Reagan Presidency. In fact, our Nation has not seen spending at those low levels since 1966. Mr. President, 1966 was a time when only 9.2 percent of the population was retired and drawing benefits, compared with 12.9 percent today.

So the effects of those spending levels would be even harsher. The cap on Medicare and Social Security makes no adjustment for the \$2.5 trillion of Social Security reserves that Americans have paid into that system, that the government then went and borrowed. It makes no adjustment for that being their money or for the aging population that we are experiencing.

So with a fixed cap, and baby boomers retiring in greater numbers, the Republican plan forces devastating cuts to Social Security and Medicare benefits. There is simply no other way. It would address our deficit in the worst way possible, by taking an axe to the retirement programs on which tens of millions of retired Americans rely and which most every working person in America looks forward to.

For ordinary Americans, this approach is wrong. Frankly, it is unthinkable, although it is the goal of a few determined extremists who are driving things within the House Republican Party.

Finally, the cut, cap, and kill Medicare bill would hold the debt limit hostage to an extremist constitutional amendment that has been widely criticized, even by many responsible voices on the right. If this dangerous constitutional amendment were to pass, the Congress of the United States would be unable to respond to an economic or national security emergency without steep supermajority votes, giving even more leverage to small extremist factions in Congress, as if it is not clear that is already not too much of a problem.

As dangerous, this constitutional amendment—this is hard to believe—this constitutional amendment would make it easier to cut Medicare and Social Security benefits than to take away tax subsidies from Big Oil, from offshoring corporations, and from billionaires. It would make it easier, as a matter of law, to cut Social Security and Medicare benefits than it would be to go after these special interest corporate tax loopholes and the gimmicks that allow billionaires to pay lower tax rates than truck drivers in this country.

It builds a constitutional preference for corporate and special interest loopholes into our Constitution, a Constitution renowned around the world for its commitment to equality. Into this great document that has shown the light of equality around the world, we would build a preference for corporate special interests over working people and the retirements they count on.

Constitutional amendments traditionally move this country forward. This would be a colossal step back. In summary, adding all those different features of the cut, cap and kill Medicare bill together, the Republicans in the House would require such severe spending cuts that the only way to achieve them—the only way to achieve them—would be to, in fact, get rid of Medicare as we know it and slash Social Security benefits for seniors.

It would hurt those who depend on government the most, while giving special protection to special interests and corporations with tax loopholes and subsidies that permit them to pay lower tax rates than middle-class families—in some cases, with some of our most profitable corporations—no taxes at all. That is what gets protected.

House Republicans know their cut, cap and kill Medicare plan has zero chance of passing the Senate. It is not going to happen—not now, not ever. It has already drawn a veto threat from President Obama. Nevertheless, as this deadline looms closer and closer, with those terrible consequences portending, the House Republican extremists have forced this piece of political theater while ignoring serious and constructive proposals for deficit reduction such as Budget Committee chairman KENT CONRAD's plan, which would reduce deficits by \$4 trillion, more than the House's budget plan. We actually do better at solving the deficit than they do. But we do it with every dollar in spending cuts matched by a dollar in new revenue from closing tax loopholes and tax gimmicks. This plan would stabilize the budget and would reassure the financial markets, and would do so without cutting Social Security and Medicare benefits on which our seniors rely and which all working Americans are counting on. It is one of the basic freedoms we have as Americans—know that that is waiting for us.

I was proud to introduce a resolution earlier this month which would express the sense of the Senate that "any agreement to reduce the budget deficit should not include cuts to Social Security benefits or Medicare benefits." I am grateful to Senators BLUMENTHAL, SHERROD BROWN, MERKLEY, FRANKEN, BOXER, and GILLIBRAND who have joined with me on the resolution, and I invite all of my colleagues to do the same.

The Conrad budget proves that we need not attack Medicare and Social Security to deal with our deficit. His budget is living proof that there is no reason to attack Medicare and Social Security to get through our deficit situation. That attack on Medicare and Social Security is a willful and unnecessary act by the Republicans.

Well, Rhode Islanders, in increasing numbers, have been writing to me urging me to continue fighting to preserve these retirement programs, to preserve

this infrastructure of American freedom. Time is running short, and Americans are counting on their elected representatives to do the right thing. It is time to do the right thing.

Let me close by reading a piece from an editorial in *The Economist* magazine. *The Economist* is a very conservative publication, and it is very much in favor of free markets. I would say, by and large, it is a Republican journal. Here is what *The Economist* said about the situation we are in now:

The sticking point is not on the spending side. It is because the vast majority of Republicans, driven on by the wilder eyed members of their party and the cacophony of conservative media, are clinging to the position that not a single cent of deficit reduction must come from a higher tax take. This is economically illiterate and disgracefully cynical . . . even Ronald Reagan raised taxes when he needed to do so. And the closer you look, the more unprincipled the Republicans look. Earlier this year, House Republicans produced a report noting that an 85 percent to 15 percent split between spending cuts and tax rises was the average for successful fiscal consolidations, according to historical evidence. The White House is offering an 83 percent to 17 percent split (hardly a huge distance) and a promise that none of the revenue increase will come from higher marginal rates, only from eliminating loopholes. If the Republicans were real tax reformers, they would seize this offer. Both parties have in recent months been guilty of fiscal recklessness. Right now, though, the blame falls clearly on the Republicans. Independent voters should take note.

So it is not just Democratic Senators coming to the floor to point out that the crisis we are at is an unnecessary one. It is a manufactured crisis, a crisis driven by extremism, and it is a crisis that threatens the survival of Medicare and Social Security—two cornerstone programs in the economic security and in the freedom of ordinary Americans.

I yield the floor.

#### MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO ELAINE HAYS

Mr. MCCONNELL. Mr. President, I rise today to honor Mrs. Elaine Hays, whose story has been chosen to be recorded as part of the London, KY "Living Treasures" project.

Born in Elkhorn City, KY, on March 19, 1924, Mrs. Hays has lived in and been a part of the Kentucky community her entire life, and has called London home since 1949. She is the granddaughter of Austrian and German immigrants, and even has one ancestor who was on the McCoy side of the famous Hatfield-

McCoy feud. Growing up in the Floyd County community of Betsy Layne, Mrs. Hays saw firsthand the development of the coal mining industry, as well as the devastating effects of the Great Depression.

After receiving her degree in home economics from Western Kentucky University, Mrs. Hays, sister to three war veterans, opened and subsequently ran a cannery at the Belfry High School in Betsy Layne where she was already working as a home economics teacher. Mrs. Hays wanted to help both the Nation and the families of Betsy Layne during the war by preserving food.

Mrs. Hays married her husband Earl in 1947 and taught alongside him at Belfry High until 1949. After an extensive interview process, The Hayses were hired by Sue Bennett College as teachers and program developers. Mr. Hays was to set up and run the college's farm which supplied food for the college dining hall, while Mrs. Hays was to develop a home economics program. In later years, Mrs. Hays became a "first lady" of sorts when Earl was chosen to become president of the college, a position he filled from 1958 to 1985. In between teaching and raising her two sons, Jim and Lon, Mrs. Hays still found the time to entertain students and other guests of the college. The eventual closure of Sue Bennett College was a somber day for Mrs. Hays, and her family alike, but its influence on their lives has been unforgettable.

Mrs. Hays retired in 1998 after working in the education field for 55 years. After Earl's death in 1999, her retirement has been made happier by her three grandchildren.

Kentucky is lucky to have women such as Mrs. Elaine Hays who put aside their own needs in order to better serve their family and their community. It is an honor to record Mrs. Hays' story, for it is a story of an outstanding Kentuckian.

The Laurel County-area newspaper the *Sentinel Echo* recently published an article detailing the life, accomplishments, and contributions of Mrs. Hays' life and career. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[From the *Sentinel Echo*, June 22, 2011]

LONDON'S LIVING TREASURES: PART 4

The last installment of the London Treasures project is the story of Mrs. Elaine Hays, who shares rich memories of her mountain heritage and her life as the president's wife at Sue Bennett College. Mrs. Hays is a very faceted, elegant woman who has spent her life learning and teaching others.

"I am Elaine Hays, oldest child and only daughter of Lou and Elizabeth Weber Roberts. My three brothers and I spent our childhood in the coal mining areas of Pike and Floyd counties. We all have a strong sense of

home, our origins and a strong loyalty to family.

I was born on March 19, 1924, in Elkhorn City, Ky., on an island in the middle the Russell Fork of the Big Sandy River. My grandmother Ida Eiler Weber, an Austrian emigrant, ran a hotel there for tourists and mining officials. She came to New York City and met Thomas Edward Weber, whom she later married. Tom was from Magdeburg, Germany. As he read, wrote and spoke several languages, he was hired by large coal companies to meet the boats at Ellis Island and hire immigrants to work in the coal-fields of Ohio, Virginia, West Virginia and, Kentucky. He became a mining superintendent and many of the miners followed him from one place to the next; Elkhorn City being the last. Mamaw, as we called my grandmother, was a wonderful cook and loved to dance, especially polkas and waltzes. My grandfather traveled a lot and was an avid reader. He kept us supplied with books and piano rolls for the player piano. My mother sang beautifully and sang for audiences at the local movie theatre while they were changing the old movie reels.

My parents married in Elkhorn City in 1923. My father, Lou, was the son of Ricely and Caroline Ratliff Roberts. His mother died after the birth of her eleventh child, a sad fate of many mountain women. Grandfather Ricely was primarily a logger. He and his older sons would clear "new ground" and raft the logs down the Big Sandy River to Catlettsburg or Ashland. When I was 8 years old, I rode horseback with him to visit his family. He lived in a big, two-story log house. My father's great-grandmother was Cherokee and his grandmother was Maryetta McCoy Roberts, of the infamous Hatfield-McCoy feud.

My dad had a great respect for women and believed they should be well-educated and work for equal wages. My mother owned a grocery store and eventually get into the restaurant business and he supported her in those efforts.

The first 10 years of my life there was always one, sometimes two, of Dad's sisters living with us and going to high school. In the mountains during the 30s, high schools were only in county seat towns or larger towns. Children living up creeks and hollows had to live away from home to go to high school.

We moved from Elkhorn City to Hellier, a dusty little mining village. We played in polluted creeks, catching minnows and crawdads. We roamed the nearby hills. We also picked up every disease, including diphtheria. In Hellier, we saw miners go to work before daylight and return after dark, always with carbide lamps on their caps. I was impressed with the big commissary owned by the coal company where miner's families purchased food, clothing and household goods. My mother told me we couldn't afford to trade at the company store.

We moved to Betsy Layne in Floyd County when I was in seventh grade. Betsy Layne was a nice community with two hollows where there was a big mine and where the miners lived. It was owned by the Pittsburgh Coal Company. One excellent thing that mining companies did was to support the school programs. At Betsy Layne, the emphasis was music. We had music every day through the eighth grade. The high school had band, orchestra, girl's glee club, men's glee club and various trios and quartets. Athletes all participated in the glee club.

Many evenings, our band director gathered the neighborhood band members and came to

our home. We played our instruments and sang. Mother provided refreshments. Betsy Lane had been our favorite place to live. I was greatly influenced by my family's love of music and their heritage. When I was a teenager, my grandmother moved to Brooklyn and I visited her there in the summers in the 1930s. She took me to Radio City, Statue of Liberty, Battery Park Aquarium, Metropolitan Museum of Art and History and to many ethnic restaurants.

My most formative years were in Betsy Layne. It was during the Depression and there was so much unemployment. My dad always had a job, but the whole family had to work to make ends meet. We didn't have a car, but travel was convenient as there were four passenger trains a day that stopped at Betsy Lane. My brothers and dad raised a big garden and mother canned and preserved food. I helped string beans and thread them on a string and hung them to dry for "shuckie" beans. We hung them to dry rather than drying them flat. We had a cow and the boys cared for her and did the milking. I learned early how to churn and make butter and cottage cheese. Mother shared the milk from the cow with less fortunate neighbors. Mother was a great cook, but didn't cook as most mountain women did. She used cookbooks and measured ingredients. She taught me basic cooking terms and at 12 years old, I could cook a simple summer meal that would probably be green cooked with new potatoes on top, slaw and cornbread. We seldom fried anything. Mother broiled meat, except chicken, which she fried. In November and December, the making of fruitcakes was a family project. My brothers cracked and shelled pecans and Mother and I cut up candied fruits. I have continued the fruit cake tradition and have sent them to my brothers for Christmas for over 50 years—Mother's recipe, of course. She had the newest kitchen tools just as my grandmother did always and served food attractively and used parsley to garnish it. It was my job to set the table and make it look pretty and I still enjoy doing that. My mother was a great influence in choosing my college major of home economics. In 1982, I wrote a cookbook called "Along the Way" that had recipes from three generations of my family and those from many friends as well. The book has travelled through several generations since that time.

My brothers had lot of chores and all of us developed a strong work ethic in those years. The boys would dig ginseng and sell it for spending money. Though we all worked, we had good play times and there was always a baseball game going on. I played on the teams with the boys and we all played tennis on clay courts on the high school playground that was just across the street from our home.

Dad helped us daily with our studies, checked our homework and taught us what we didn't understand. It was very important to him that his children did well in school and he encouraged the neighborhood kids to attend school, too. In fact, he bought baseball equipment and kept it with him at the C&O depot where he worked. After school, the neighborhood boys would go to the depot and get the bats and gloves and play ball. During World War II, he received many letters from those boys telling him they were glad he had encouraged them to stay in school. Dad realized his dream of having college-educated children. I went to Western Kentucky University and majored in Home Economics. Gerald graduated from Annapolis Naval Academy and became a com-

mander. Lon Edward graduated from Pikeville college, University of Virginia, and University of Louisville Medical School and practiced medicine. Gene had three years of college and became a county commissioner in Titusville Florida. My three brothers served in World War II, Vietnam and the Korean War."

In the summer of 1940, I had just graduated from high school and Earl Hays, the man who later became my husband, just out of Berea College, came to Betsy Layne to teach agriculture. I would see him often when I was home on vacation from Western. The war years came along and he enlisted in the Army. In the meantime, I graduated from Western in 1943 and went to Belfry, Pike County, to teach home economics.

Belfry High School was fairly large and I taught 120 freshman girls. In the summer of 1944, I went to University of Kentucky to learn how to operate a community cannery. I didn't stay in Belfry, but went to Betsy Layne to teach home economics. The ag teacher and I set up and operated a community cannery. It was part of the national war effort to help families preserve their own food.

Earl came back from the Army to Betsy Layne in 1945. We dated a year and a half and were married December, 1947. Earl and I were very compatible and had the same values. He was one of the kindest and most thoughtful men that I have ever known. Our wedding was a community affair. Our students decorated the small church with fresh greenery and candles. Our friends gave the reception and Mother baked a gorgeous wedding cake.

We taught at Betsy Lane High School until 1949. It is interesting how we came to London and Sue Bennett College. Our Methodist minister was at the annual Methodist Conference and met Oscie Sanders, president of Sue Bennett. She said, "Bob, I'm looking for an agriculture and home economics teacher and preferably a married couple." He said, "I know just the couple." After much communication and several interviews, we were employed to come here. Earl was to supervise the college farm which supplied food for the college dining hall and I was to set up a home economics program.

Earl was born and raised in McKee, Ky., but his mother's family was from London. His grandfather, Creed Russell, had a general store about where Porters store is now and his grandmother, Ellen Hale Russell, named the post office at Lida and was postmistress there for many years.

In the early 1950s, we began attending University of Kentucky on Saturdays and summers. Earl's emphasis of study was horticulture and mine was child care and family living. We received our master's degrees in 1953.

Earl supervised the farm but gradually it and the dairy was discontinued. He became dean of students, taught basic horticulture classes and did public relations. I taught orientation, folk dancing, and later home economics courses. My favorite two courses were Marriage and Family and Appalachian Sociology—which I developed. These courses were the result of my taking graduate courses from UK in Appalachian history and culture. I continued taking classes in guidance and counseling and became certified in that field.

Our son, Jim, was born in 1954, and in 1957, our son Lon was born. Both of them later attended Sue Bennett College. Their background at Sue Bennett College served them well. Jim became a biologist, and Lon, a psychiatrist.

Earl became president in 1958 after President Oskie Sanders retired. Upon his retirement in 1985, he had served in that capacity longer than any other Kentucky junior college president. A new president's home was built in 1960, and we moved on campus.

Unknowingly, when Earl became president, I became an unofficial hostess. I enjoyed having students and visitors in our home. Some of our happiest Thanksgiving dinners were when foreign students were with us. We and our sons met and enjoyed many interesting people.

In 1977, I left Sue Bennett as a teacher and became the first guidance counselor for adult students at Laurel County State Voc-Tech. I enjoyed working with adult vocational students. It was as if I had made the full cycle in vocational education.

Earl retired in 1985 and we moved to our retirement home just off campus. The campus was a great place to raise our sons. They enjoyed the students and college activities and I appreciate the great influence Sue Bennett College had on our family.

After working in the education field for 55 years, I retired in 1998. My retirement years have been made happier with my three grandchildren. My oldest grandchild, Lon Stuart, and his wife Alina are both attorneys. Karolyn graduated from Centre College this year and he sister, Kathryn, will be a sophomore at Centre this fall. London has been a great place for my to continue living after my retirement and Earl's death in 1999.

Any time I'm in town, I see and chat with many former students. The greatest joy from teaching is seeing former students succeed. I always feel surrounded by friends.

I am still a part of a group of friends that we met the summer we came to London. Though the group has expanded and decreased through the 62 years, the original ones still have dinner together monthly. That's friendship.

I think one of the saddest days for my family and Laurel County was the closing of Sue Bennett College. Earl and I and my sons feel privileged to have been a part of the college, which played a huge role in the development of our entire region.

It has been a joy to have been acquainted with people who have worked hard to improve our area. The beautification efforts on Main Street and those who are working for historic preservation are just the latest examples. I truly love the people of London-Laurel County and have enjoyed making this our home since 1949.

#### WALL STREET REFORM AND CONSUMER PROTECTION ACT

Mr. LEVIN. Mr. President, we mark today the first anniversary of the Dodd-Frank Wall Street Reform and Consumer Protection Act. This law was Congress's earnest attempt to answer a vital question: How do we avoid a repeat of the financial catastrophe from which we are still struggling to recover?

I would like to describe the findings of our Permanent Subcommittee on Investigations report on the origins of the financial crisis, and how those findings informed my thinking and that of some of our colleagues about how to address Wall Street reform and design effective legislation. Then I would like to talk about a specific provision in the

Dodd-Frank Act that my colleague, JEFF MERKLEY, and I—as well as Senator REED and others—fought hard to include in Dodd-Frank, and why I believe that provision has the potential to remedy key failings of our financial system that helped contribute to the financial crisis. And then a few minutes on how, at the law's 1 year anniversary, we are fighting a second battle, just as important as the first, on how to implement Dodd-Frank.

Many of my colleagues, and particularly Republican colleagues subscribe to the view that banks and the market know best. It is the same view espoused by those who told us in the 1990s that we should deregulate finance, give free rein to so-called financial innovation, and place our trust in the belief that the market was “self-correcting.” It was a big mistake, and it led us to the brink of economic disaster, when only a massive taxpayer bailout of large banks prevented a second Great Depression. I can't imagine how one could look at those events and come to the conclusion that we need relaxed regulations.

Our subcommittee reviewed literally tens of millions of documents, interviewed hundreds of witnesses, and held four lengthy hearings. We found that the financial crisis was the result of unchecked greed and conflict of interest up and down the line. Financial institutions that were too big to be allowed to fail engaged in reckless risk-taking in pursuit of massive, but short-term, profits. Government regulators and credit rating agencies, who were supposed to be the cops and independent referees to keep those reckless impulses in check, instead allowed or even encouraged them, in part because of their own conflicts of interest, which gave them incentive to go along.

Our investigation started upstream, with mortgage lending. We looked specifically at Washington Mutual Bank, which was the Nation's largest thrift when it began a campaign of aggressive subprime mortgage lending, even though the bank's top executives recognized there was an unsustainable bubble in housing prices. We found massive evidence of fraud in WaMu's lending, fraud that people inside and outside the bank recognized. But bank executives ignored the red flags, allowing WaMu to make its fraudulent and high-risk loans, package those loans, flooding the financial system with toxic mortgages, and led their bank to the largest bank failure in our history.

WaMu's primary regulator, the Office of Thrift Supervision, utterly failed to stop WaMu's reckless lending, despite identifying and logging nearly 500 serious deficiencies at the bank that they were supposed to regulate over 5 years, doing nothing about it. The OTS director—perhaps out of deference to the fact that fees from WaMu were the biggest single source of OTS's budget—re-

ferred to WaMu as a “constituent,” which surely would come as a surprise to his agency's real constituents, the American people, who counted on OTS to walk a beat—and not to toe the WaMu line.

WaMu and other banks were aided and abetted in their pollution of the financial system with toxic securities by credit rating agencies that failed to accurately and objectively assess risks. Our investigation examined ratings failures at Moody's and Standard & Poor's. The testimony of employees of the two firms, corroborated by internal documents, show that the rating agencies were more focused on growing market share for themselves and increasing revenues than in improving rating accuracy. In other words, their ratings failed in part because they relied for their revenue on the same banks whose products they were supposed to impartially assess, a conflict of interest that led to AAA ratings being given to shoddy securities.

Wall Street firms facilitated this whole chain of shoddy securities. They were hungry for mortgages, even poor quality mortgages, to package and sell, taking in large fees to underwrite these toxic financial assets. Some reaped huge returns by trading those assets for their own profit. The subcommittee found that some investment banks, such as Goldman Sachs, were engaged in conflicts of interest. Goldman misled its clients. It packaged mortgage-backed securities in an attempt to rid their own inventory of assets the firm's employees called “junk,” “crap” and worse. Goldman Sachs bet secretly against their own products, bet that they were failed, and not only sold these products to unsuspecting clients, but misrepresented their own interest in the transaction.

The four hearings we held in the spring of last year laid out this evidence in damning detail. Those hearings took place as the Senate was considering the legislation whose 1 year anniversary we are marking today.

We saw the impact of our hearings on the law. For instance, Dodd-Frank did away with the Office of Thrift Supervision, which failed so completely in the years leading up to the crisis. Dodd-Frank included important reforms in how credit rating agencies operate and attempted to resolve some of the conflicts of interest that tainted their work by taking steps to keep financial firms from shopping for high ratings.

Dodd-Frank tackled abusive mortgage lending in many ways. We banned the “liar loans” that WaMu and others issued so recklessly to borrowers who provided little or no documentation of their ability to pay. We required banks to keep some of the mortgage-backed securities they issue on their books rather than making bad loans and selling 100 percent of them and the risk

they carried. We prohibited banks from paying their employees more when they persuade home buyers to take out high-risk loans. We established a consumer protection agency with authority to police abusive lending.

Throughout the debate, I focused in particular on an issue I see as the connecting thread that ran through our hearings and our report: rampant, unchecked conflict of interest. The subcommittee's work showed how time and again, institutions within the financial and regulatory system chose their own short-term interests over the interests of their clients.

We found a particularly vivid example in a \$2 billion deal called Hudson Mezzanine issued by Goldman Sachs. Hudson was a collateralized debt obligation—that's a security that references or is backed by a pool of loans and other assets, in this case mortgage loans. In marketing Hudson to its clients, Goldman told clients that its interests were "aligned" with the buyers of the CDO, and that the CDO's assets had been "sourced from the Street," in other words outside of Goldman. In fact, most of the assets backing Hudson were from Goldman's own inventory, assets the bank knew were risky and wanted to unload. And far from being "aligned" with its clients, Goldman's position was opposed to its own clients, because it held the entire short side of the CDO, making a \$2 billion bet that Hudson would plunge in value. When it did, Goldman effectively took \$2 billion out of its clients' pockets and made a handsome profit. And injecting those junk securities into the financial system did real damage to that system.

The question of accountability is important here. I have said before, it is up to the appropriate authorities, and not to us in the Senate, to decide whether those responsible for transactions such as Hudson should be punished. But what I can say is I think it is vitally important that those authorities address and resolve that question. That is why our subcommittee forwarded our report to law enforcement authorities. They have the job of providing the Nation with the accountability that so far has been lacking.

The congressional role is legislative. The amendment that Senator MERKLEY and I offered on the Senate floor, known as Merkley-Levin, codified the so-called Volcker rule, former Fed Chairman Paul Volcker's recommendation that we rein in proprietary trading by banks. Firms such as Lehman Brothers and Bear Stearns collapsed in part because their pursuit of short-term profit led them to risky trades that blew up in their faces. Merkley-Levin says that if you are a commercial bank protected by taxpayer-funded Federal deposit insurance, you can't engage in high-risk proprietary trading. Even if you are not a traditional bank, but because of your size, your

collapse would damage the stability of the U.S. financial system. You are now required to adhere to certain capital requirements and other limitations.

Merkley-Levin also breaks new ground in the area of conflict of interest. It explicitly bans the kinds of conflict of interest we saw so vividly in Goldman's Hudson transaction. It prohibits firms from assembling an asset-backed security and selling it to clients while betting against that same security, acting not as a market-maker, but as an investor for its own profit. You are either for your client or you are for yourself.

We had to fight hard for Merkley-Levin's passage. When the Senate passed its version of Dodd-Frank, Republicans engaged in complicated maneuvers on the floor to block the Senate from even considering our amendment. But we succeeded in getting it included in the bill produced by the House-Senate conference committee, and despite intense lobbying by banks against Merkley-Levin, it is now law.

But the battle is far from over. Since passage, regulatory agencies have been working to turn the provisions of Dodd-Frank into detailed regulations and have been subjected to the same barrage of bank lobbying that accompanied our debate in Congress. Banks have spent more than \$50 million so far this year lobbying to weaken Dodd-Frank.

Consumers and the American economy won an important victory one year ago today. But that victory will not be secure until Dodd-Frank has teeth—tough rules backed by conscientious enforcement. Some are pulling every trick in the book to slow these regulations and weaken their impact. But the success we had in passing Dodd-Frank shows that the powerful interests don't always win.

Supporters of reform made their voices heard a year ago, and today, they are working to ensure that Dodd-Frank is implemented forcefully. They are telling regulators—many of whom once subscribed to the notion that banks know best—that the American people will not allow a return to policies that so recently did so much harm. Just like we need a cop on the street to enforce the traffic laws, we need a cop on the beat on Wall Street. Anything less threatens a repeat of disaster.

Anything less will also damage confidence in our financial system, and we will not have a market that holds the confidence of investors and potential investors. That should be everybody's goal. The free market is incredibly important. We all depend on it for economic growth. But that market must be honest. That is in the interest of everyone. Whether you have invested in the market or thinking about investing in the market, that is in the interest of the American people. We are not talking about weakening the market—we

are talking about strengthening it. And that is just what the Dodd-Frank Act can accomplish, if we implement it as Congress intended.

#### TRIBUTE TO HOSPITAL CORPSMAN SECOND CLASS JACOB EMMOTT

Mr. REED. Mr. President, today I pay tribute to an exceptional U.S. Sailor, HM2 Jacob Emmott, known as "Doc Emmott" to the marines with whom he serves. "Doc" was awarded the Silver Star medal on July 14, 2011, for his extraordinary bravery and service.

Petty Officer Emmott, a resident of Wakefield, RI, served as a platoon corpsman with Company C, 1st Battalion, 2nd Marines in Helmand Province, Afghanistan. On April 20, 2010, Petty Officer Emmott was on patrol with his fellow marines when they began receiving heavy fire from multiple enemy positions. One of the marines sustained multiple gunshot wounds and, with complete disregard for his own personal safety, Petty Officer Emmott rushed through enemy fire to aid the fallen marine. While tending to yet another fallen comrade, Petty Officer Emmott sustained a gunshot wound directly to his face, rendering him unconscious. After Petty Officer Emmott regained consciousness, he refused morphine in order to supervise the care of the other wounded marines. His courage and dedication to duty rallied the spirits of his squad mates as they were evacuated from the battlefield.

The Silver Star Medal is the third-highest military decoration that can be awarded to a member of the U.S. Armed Forces for valor while engaged in an action against an enemy. Petty Officer Emmott is clearly deserving of the Silver Star medal for his actions to aid his fellow marines at his own personal risk.

I join all Rhode Islanders in expressing deep appreciation and gratitude for Petty Officer Emmott's extraordinary commitment and service to our Nation. We also thank his family for their support and sacrifice. Congratulations and best wishes.

Mr. WHITEHOUSE. Mr. President, I rise today to commend Navy HM2 Jake Emmott of Wakefield, Rhode Island for his exceptional service to our country, which earned him one of our Nation's highest military awards for gallantry during combat. Last week, I had the honor of joining Jake and his family as he was presented with the Silver Star Medal for heroic acts that went above and beyond the call of duty.

On April 20, 2010, Mr. Emmott was serving as platoon corpsman with Company C, 1st Battalion, 2nd Marines in Helmand Province, Afghanistan. That day, Mr. Emmott's squad was on combat patrol when it came under intense enemy fire. Upon seeing a marine in his squad fall from multiple gunshot

wounds, he rushed through the fire-fight to provide first aid.

Mr. Emmott and other squad members proceeded to transport the injured marine to the casualty collection point, when a second marine was shot in the thigh. Mr. Emmott ignored the chaos around him and worked calmly to aid the second casualty. After stabilizing the second marine, Mr. Emmott was struck directly in the face by a bullet, which pierced his sinus cavity and just narrowly missed his carotid artery. The blow knocked him unconscious. His squad leader, who saw him get shot, thought he was dead.

When Mr. Emmott regained consciousness, he refused morphine in order to supervise the treatment of the injured marines. Despite difficulty speaking and choking on his own blood, he provided precise instructions to another combat lifesaver on how to administer aid to the injured. Then, despite excruciating pain, he managed to stagger to the medical evacuation helicopter, so that the other injured marines could be carried on stretchers.

Today I would like to offer my humble thanks to Mr. Emmott for his selfless service, leadership, and courage. We all admire his strength and willingness to put others before himself, especially as he faced his own life threatening injuries. He is truly an inspiration and role model for all Americans. At the young age of 22, he has already accomplished feats of excellence that few could do in a lifetime. I commend Mr. Emmott for his unwavering commitment to his comrades and to his country.

#### STENNIS LEADERSHIP PROGRAM

Mr. KOHL. Mr. President, some 9 years ago, the John C. Stennis Center for Public Service Leadership began a program for summer interns working in congressional offices. This 6-week program is designed to enhance their internship experience by giving them an inside view of how Congress really works. Each week, the interns meet with senior congressional staff and other experts to discuss issues ranging from the legislative process, to the influence of the media and lobbyists on Congress, to careers on Capitol Hill, and more.

Interns are selected for this program based on their college record, community service experience, and interest in a career in public service. This year, 25 outstanding interns, most of them juniors and seniors in college who are working for Democrats and Republicans in both the House and Senate have taken part.

I congratulate the interns for their involvement in this valuable program and I thank the Stennis Center and the senior Stennis fellows for providing such a meaningful experience for these interns and for encouraging them to

consider a future career in public service.

I ask unanimous consent that a list of 2011 Stennis congressional interns and the offices in which they work be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Matthew Becker, attending the University of Mary, interning in the office of Senator John Hoeven

William Bergstrom, attending Harvard College, interning in the office of Senator John Hoeven

Kathleen Bouziss, attending the University of Wyoming, interning in the office of Senator Mike Enzi

Tyler Brandt, attending the University of Wisconsin-Madison, interning in the Senate Special Committee on Aging

Andrew Bunker, attending Wake Forest University, interning in the Office of The Speaker

Jessica Casperson, attending the University of Wisconsin-Oshkosh, interning in the office of Senator Herb Kohl

Kaitlin Chandler, attending Boston University, interning in the office of Senate Democratic Steering and Outreach Committee

Andrew Clauw, attending the University of Michigan, interning in the office of Representative Hansen Clarke

Todd Garland, attending Louisville Law School, interning in the office of Representative Geoff Davis

Sarah Gokey, attending Smith College, interning in the office of Senator Kent Conrad

Emily Holman, attending Miami University, interning in the office of Representative Tammy Baldwin

Mark Kauzlarich, attending the University of Wisconsin-Madison, interning in the office of Senator Herb Kohl

Aubrey Lauersdorf, attending the University of Wisconsin-Madison, interning in the office of Representative Tammy Baldwin

Alan Ledford, attending the University of Virginia, interning in the office of Senator Orrin Hatch

Anna McCracken, attending Elon University, interning in the office of Senator Jon Tester

Nicholas Muncy, attending the U.S. Air Force Academy, interning in the office of Senator Mike Enzi

Lilly Nottingham, attending Harvard University, interning in the office of Representative Mike Coffman

Andrew Podrygula, attending Middlebury College, interning in the office of Senator Kent Conrad

Hannah Postel, attending Middlebury College, interning in the House Committee on Foreign Affairs

Emily Risch, attending Minnesota State University Moorhead, interning in the office of Senator Kent Conrad

Jeff Swartz, attending The George Washington University, interning in the House Committee on the Budget

Allison Tilt, attending Georgetown University School of Foreign Service, interning in the office of Senator Jon Tester

Kim Touch, attending Northern Virginia Community College, interning in the office of Representative Don Young

Deana Veal, attending the University of Georgia, interning in the office of Senator Saxby Chambliss

Dan Wolgamott, attending St. John's University, interning in the office of Representative Tim Walz

#### NASA RECOGNITION

Mr. BROWN of Ohio. Mr. President, earlier today, in the early morning hours before sunrise, humankind once again touched the Earth after exploring the universe. On the day when 42 years earlier, Ohio's Neil Armstrong became the first human to walk on the Moon, I rise to honor the men and women of the National Aeronautics and Space Administration's, NASA, Space Shuttle Program on reaching the historic milestone of the 135th and final flight of the Space Transportation System, STS. I especially honor the men and women of NASA Glenn in Cleveland, OH, for their achievements with the Space Shuttle Program, thereby advancing the human exploration of space, driving scientific advances and technology development, and enriching the lives of all people throughout the United States and the world and inspiring our next generation of explorers.

The first firing of a hydrogen/oxygen rocket engine occurred in 1953 at the NASA Lewis Flight Propulsion Laboratory, now known as NASA Glenn Research Center. Early design work and testing of turbopumps, seals and bearings, main combustion chamber injectors, baffles, heat transfer testing, development of the electroforming process, and testing of nozzle shapes and lengths was all performed by NASA engineers in Cleveland, OH. These research and development activities led to the current design of the Space Shuttle Main Engine. Three space shuttle main engines combined delivers more than 37 million horsepower, the same amount of energy as 13 Hoover Dams.

NASA Glenn is also a leader in fuel cell research and development. Scientists performed vital research to improve the performance and efficiency of the fuel cells to generate electricity for the space shuttle. Today, that work continues as NASA Glenn is a leader in alternative energy, from fuel cells to wind turbines to batteries that are now changing the way Americans live and work.

In the 1970s and 1980s, NASA Lewis ran aerodynamic wind tunnel tests on scale models of the solid rocket boosters, orbiter and external tank, and complete scale models to gather data for the new Space Transportation System. Some of the models even had gaseous hydrogen-oxygen rockets and solid propellant booster rockets, which were fired in the wind tunnel to test their behavior during ascent. These activities helped NASA to catalogue important flight characteristics of the Space Shuttle for launch and landing.

NASA Glenn not only fostered the Shuttle program's achievements, but it also comforted its setbacks. After two unfortunate accidents—the *Challenger*, STS-51L, on January 28, 1986, and the *Columbia*, STS-107, on February 1,



2003—Glenn engineers performed many shuttle safety improvements and aided the return to flight.

And as the Space Shuttle Program progressed through breakthroughs and heartbreaks, numerous microgravity experiments have been designed, built, and operated by NASA Glenn and conducted on-orbit on the space shuttle. The results of NASA Glenn experiments have been used to improve fire safety, emissions reduction, energy efficiency, healthcare, and electronics.

On the ground Ohio's NASA engineers explored the universe with Ohio astronauts on-orbit. Nineteen astronauts from Ohio flew on the space shuttle, some multiple times. Former astronaut-turned-U.S. Senator John Glenn flew on STS-95, and STS-70, the "All-Ohio Crew," flew in 1995 with four Ohio natives on the crew, and the fifth crewmember was made an honorary Ohioan.

As we congratulate NASA on the Shuttle Program and honor all those involved in its success, the true measure of the importance of the STS Program will be where NASA goes next.

I have had the privilege to meet many of the scientists, engineers, and workers at NASA Glenn. They are dedicated and compassionate, guided by the scientific patriotism that displays a nation's pursuit in understanding the world in which we all live.

The space shuttle has enabled the United States to continue its leadership in space, science, and technology. I am proud of NASA Glenn's role in the design and testing of the space shuttle, and especially of its leadership in numerous scientific experiments that have been conducted on the space shuttle.

I am confident that both NASA and the United States will refocus to continue to push the boundaries of science—fueling technology advancements and inspiring our children to become the next generation of scientists, engineers, and explorers. NASA Glenn and Ohio will continue to play a major role in that effort.

Our Nation is defined by the spirit of discovery, pushing westward on land, navigating the oceans, and sending humankind into what was once a mere vision seen only through Galileo's eye. We are a nation of explorers. And we all have a responsibility to safeguard that defining American spirit and to inspire a new generation of American explorers.

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#### ADDITIONAL STATEMENTS

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##### RECOGNIZING WAY WAY STORE

• Ms. SNOWE. Mr. President, it is always devastating when a business that has been part of the fabric of a local community closes, whether it is the drycleaner, the candy shop, or the gro-

cery store. That was the case with the Way Way Store in Saco, ME, which closed its doors 8 years ago after nearly 80 years in business. However, due to the entrepreneurial spirit of a local couple, the Way Way Store has recently reopened, reinstating the original store's dedication to offering personal service and affordable products. Today I commend the Way Way Store for its grand reopening and discuss its remarkable history.

The Way Way Store was originally opened in the southern Maine town of Saco in the late 1920s by the Cousens family. Eugene Cousens constructed the store from handmade concrete blocks, an effort that resulted in the building being placed on the National Register of Historic Places. Today, the building's exterior retains its original red-and-white color scheme, and the original cash register still sits atop the counter. Through the 1940s, the Way Way Store was essentially a rest stop for travelers as it offered gasoline, clothing, outhouses, and food. Over time, the Way Way Store began to focus on selling candy and other foods and quickly became a popular local establishment.

Like many other established small businesses, the Way Way Store places a strong emphasis on family. The Cousens family owned the Way Way Store from the time that it opened until Peggy Tyrell and Catherine Cousens decided to close the store in 2003. Eight years later, Peter Scontras, a retired historian and schoolteacher, and his wife Bridget reopened the store last month to much acclaim, thus restoring a local landmark. They remain determined to honor the legacy that the Cousens left behind while adapting to ensure the store's success.

The Way Way Store has been something of an institution in Saco, and the reopening has provoked a strong positive response in the town. People who frequented the Way Way Store before it closed in 2003 are coming back to take in the atmosphere that harkens back to the mid-20th century and to enjoy the wide range of sweets that the store offers. By offering a multitude of traditional favorites like penny-candy and employing original ideas like a takeout ice cream window, the Scontras family has proved to be shrewd business owners, and the new Way Way Store has endeared itself to yet another generation of Mainers.

As many specialty shops fall to the wayside due to competition from larger chains, it is inspiring to see a small business rediscover success and continue its contribution to the local economy. People in the Saco area have expressed their gratitude to Mr. and Mrs. Scontras for reinvigorating a true gem in York County. I join them in thanking the Scontras family for the risk they have taken in opening a small business in this tumultuous

economy and commend them on their hard work and dedication to their customers and to the Way Way Store's grand tradition.●

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#### ISABEL, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Isabel, SD. The town of Isabel will commemorate the 100th anniversary of its founding this year.

Isabel was founded in 1911 and named after the daughter of a railroad agent. Located in Dewey County, it was a booming community in the early years when the town served as the last western stop on the Milwaukee railroad. Isabel became a home for settlers looking for a place to successfully raise livestock and farm. Today, the community of Isabel continues to carry on their strong agricultural heritage and grow their local businesses.

Isabel has been a successful and thriving community for the past 100 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Isabel on this landmark occasion and wish them continued prosperity in the years to come.●

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#### MELLETTTE COUNTY, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Mellette County in South Dakota. Mellette County will commemorate the 100th anniversary of its founding this year.

Mellette County was organized in 1911 and named after Arthur C. Mellette, the first Governor of the State of South Dakota. The county seat, White River, is home to the annual Frontier Days celebration and rodeo. In celebration of the centennial, the communities of Norris, White River, and Wood will be hosting many events to mark this important milestone.

Mellette County has been a successful and thriving example of South Dakota values and traditions for the past 100 years, and I am confident that it will continue that tradition. I would like to offer my congratulations to the citizens of Mellette County on this landmark occasion and wish them continued prosperity in the years to come.●

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#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

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#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages



from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2553. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2595. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Carboxymethyl guar gum sodium salt and Carboxymethylhydroxypropyl guar; Exemption from the Requirement of a Tolerance" (FRL No. 8880-5) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2596. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Walter L. Sharp, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-2597. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Retail Foreign Exchange Transactions" (RIN1557-AD42) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2598. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, (6) reports relative to vacancies within the Department, received in the Office of the President of the Senate on July 20, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2599. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Pittsburgh, transmitting, pursuant to law, the Bank's 2010 Statement on System of Internal Controls, audited financial statements, and Report of Independent Auditors on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards; to the Committee on Banking, Housing, and Urban Affairs.

EC-2600. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Fees for Services" (RIN2140-AB06) received in the Office of the President of the

Senate on July 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2601. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Required Warnings for Cigarette Packages and Advertisements" (RIN0910-AG41) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2602. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standard; Montana" (FRL No. 9440-6) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Environment and Public Works.

EC-2603. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Revisions to Permits by Rule and Regulations for Control of Air Pollution by Permits for New Construction or Modification" (FRL No. 9442-7) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Environment and Public Works.

EC-2604. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Disapproval and Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standard; Wyoming" (FRL No. 9441-5) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Environment and Public Works.

EC-2605. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standards; Revisions to ARSD Chapter 74:36:09 (PSD); South Dakota" (FRL No. 9441-6) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Environment and Public Works.

EC-2606. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standard; Colorado" (FRL No. 9442-1) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Environment and Public Works.

EC-2607. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air

Quality Standard; Utah" (FRL No. 9442-2) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Environment and Public Works.

EC-2608. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—August 2011" (Rev. Rul. 2011-16) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Finance.

EC-2609. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Determining the Amount of Taxes Paid for Purposes of the Foreign Tax Credit" (RIN1545-BK40) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Finance.

EC-2610. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed export license for the export of defense articles, including, technical data, and defense services related to the sale of M60E4/MK 43 general purpose machine guns, accessories training and spare parts to the Colombian National Police in the amount of \$1,000,000 or more; to the Committee on Foreign Relations.

EC-2611. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Singapore for the manufacture of accessory products, fabricated/machined components and assemblies for various U.S.-origin aircraft, vessels and military vehicles in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2612. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to the United Kingdom for the manufacture of Joint Services General Purpose Masks (M50 and M51) in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2613. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Labeling and Effectiveness Testing; Sunscreen Drug Products for Over-the-Counter Human Use" (Docket No. FDA-1978-N-0018) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2614. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Tobacco Products, Exemptions from Substantial Equivalence Requirements" (Docket No. FDA-2010-N-0646) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2615. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Requirements for Fee Disclosure to Plan Fiduciaries and Participants—Applicability Dates" (RIN1210-AB08) received in the Office of the President of the Senate on July 19, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2616. A communication from the Assistant Deputy Secretary for Innovation and Improvement, Office of Innovation and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Promise Neighborhoods Program" (RIN1855-ZA07) received in the Office of the President of the Senate on July 19, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2617. A communication from the Director, Retirement Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Customs and Border Protection Officer Retirement" (RIN3206-AL69) received in the Office of the President of the Senate on July 19, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2618. A communication from the Chairman of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, the Federal Deposit Insurance Corporation's 2011 Annual Performance Plan; to the Committee on Homeland Security and Governmental Affairs.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1228. A bill to prohibit trafficking in counterfeit military goods or services.

S. 1231. A bill to reauthorize the Second Chance Act of 2007.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Christopher Droney, of Connecticut, to be United States Circuit Judge for the Second Circuit.

Cathy Bissoon, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Mark Raymond Hornak, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Robert David Mariani, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Robert N. Scola, Jr., of Florida, to be United States District Judge for the Southern District of Florida.

Clayton D. Johnson, of Oklahoma, to be United States Marshal for the Northern District of Oklahoma for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. BARRASSO (for himself, Mr. ALEXANDER, Mr. KYL, Mr. WICKER, Mr. ROBERTS, Mr. INHOFE, Mrs. HUTCHISON, Mr. CORNYN, and Mr. GRASSLEY):

S. 1395. A bill to ensure that all Americans have access to waivers from the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. MENENDEZ:

S. 1396. A bill to amend title 31 of the United States Code to require that Federal children's programs be separately displayed and analyzed in the President's budget; to the Committee on the Budget.

By Mr. CARPER (for himself, Ms. SNOWE, Mr. MENENDEZ, Ms. COLLINS, Mr. COONS, Mr. WHITEHOUSE, Mr. BROWN of Ohio, Mr. REED, Mr. LAUTENBERG, and Mr. CARDIN):

S. 1397. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Finance.

By Mr. CASEY:

S. 1398. A bill to amend title 5, United States Code, to limit the number of local wage areas allowable within a General Schedule pay locality; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FRANKEN (for himself, Mr. DURBIN, Mrs. GILLIBRAND, and Ms. KLOBUCHAR):

S. 1399. A bill to protect children affected by immigration enforcement actions, and for other purposes; to the Committee on the Judiciary.

By Ms. LANDRIEU (for herself, Mr. SHELBY, Mr. VITTER, Mr. NELSON of Florida, Mr. RUBIO, Mr. SESSIONS, Mr. COCHRAN, Mr. WICKER, and Mrs. HUTCHISON):

S. 1400. A bill to restore the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of Gulf Coast States, to create jobs and revive the economic health of communities adversely affected by the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, and for other purposes; to the Committee on Environment and Public Works.

By Ms. CANTWELL (for herself, Ms. MURKOWSKI, Mrs. BOXER, Mr. BEGICH, Mrs. MURRAY, Mr. MERKLEY, Mr. WYDEN, and Mrs. FEINSTEIN):

S. 1401. A bill to conserve wild Pacific salmon, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN of Massachusetts:

S. 1402. A bill to amend the Marine Mammal Protection Act of 1972 to increase the maximum penalty for violating that Act; to the Committee on Commerce, Science, and Transportation.

By Mr. HARKIN (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. LAUTENBERG, Mrs. MURRAY, Mr. WHITEHOUSE, Mr. LEAHY, Mr. BENNET, Mr. FRANKEN, Ms. MIKULSKI, Mr. REED, Mrs. SHAHEEN, Mr. JOHNSON of South Dakota, and Mr. BEGICH):

S. 1403. A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. ENZI):

S. 1404. A bill to amend the Internal Revenue Code of 1986 to increase participation in

medical flexible spending arrangements; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 1405. A bill for the relief of Guy Privat Tape and Lou Nazie Raymonde Toto; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL (for himself and Mr. REID):

S. Res. 234. A resolution relative to the death of William F. Hildenbrand, former Secretary of the Senate; considered and agreed to.

By Ms. MIKULSKI (for herself, Mr. SANDERS, and Ms. SNOWE):

S. Res. 235. A resolution designating 2011 as "The Year of the Family Caregiver"; considered and agreed to.

By Mr. RUBIO (for himself and Mr. NELSON of Florida):

S. Res. 236. A resolution designating September 2011 as National Spinal Cord Injury Awareness Month; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 78

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. 78, a bill to amend the Safe Drinking Water Act to protect the health of pregnant women, fetuses, infants, and children by requiring a health advisory and drinking water standard for perchlorate.

S. 119

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 119, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 299

At the request of Mr. PAUL, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 299, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 401

At the request of Mr. LEAHY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 401, a bill to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law.

S. 539

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 539, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental

health, and substance abuse professionals and facilities, and for other purposes.

S. 707

At the request of Mr. DURBIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 752

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 771

At the request of Mrs. FEINSTEIN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 771, a bill to amend the Indian Gaming Regulatory Act to modify a provision relating to gaming on land acquired after October 17, 1988.

S. 807

At the request of Mr. ENZI, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 807, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 975

At the request of Mr. TESTER, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 975, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 1013

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1013, a bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1120

At the request of Mr. CARDIN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1120, a bill to encourage greater use of propane as a transportation fuel, to create jobs, and for other purposes.

S. 1176

At the request of Ms. LANDRIEU, the name of the Senator from New Hamp-

shire (Mrs. SHAHEEN) was added as a cosponsor of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1188

At the request of Mr. BROWN of Ohio, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1188, a bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government.

S. 1228

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 1228, a bill to prohibit trafficking in counterfeit military goods or services.

At the request of Mr. WHITEHOUSE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1228, supra.

S. 1280

At the request of Mr. ISAKSON, the names of the Senator from Colorado (Mr. UDALL), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

S. 1308

At the request of Mr. HATCH, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1308, a bill to amend title 18, United States Code, with respect to child pornography and child exploitation offenses.

S. 1368

At the request of Mr. ROBERTS, the names of the Senator from Hawaii (Mr. INOUE) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 1368, a bill to amend the Patient Protection and Affordable Care Act to repeal distributions for medicine qualified only if for prescribed drug or insulin.

S. 1378

At the request of Mr. NELSON of Nebraska, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1378, a bill to ensure that Social Security and Tier 1 Railroad Retirement benefits are properly taken into account for purposes of determining eligibility for Medicaid and for the refundable credit for coverage under a qualified health plan.

S. 1392

At the request of Ms. COLLINS, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Georgia

(Mr. CHAMBLISS), the Senator from Tennessee (Mr. CORKER), the Senator from Georgia (Mr. ISAKSON), the Senator from Alabama (Mr. SHELBY), the Senator from Louisiana (Mr. VITTER) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 1392, a bill to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes.

S.J. RES. 17

At the request of Mr. MCCONNELL, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 228

At the request of Mr. LAUTENBERG, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. Res. 228, a resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

AMENDMENT NO. 476

At the request of Mrs. FEINSTEIN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of amendment No. 476 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BARRASSO (for himself, Mr. ALEXANDER, Mr. KYL, Mr. WICKER, Mr. ROBERTS, Mr. INHOFE, Mrs. HUTCHISON, Mr. CORNYN, and Mr. GRASSLEY):

S. 1395. A bill to ensure that all Americans have access to waivers from the Patient Protection and Affordable Care Act; to the Committee on Finance.

Mr. BARRASSO. Mr. President, I come to the floor, as I have just about every week since the health care law has been passed, with a doctor's second opinion about the health care law. I have great concerns about the law that was forced through this Senate.

I come to the floor because it seems that the more Americans find out and learn about this health care law, the less they like it. A majority of Americans now in national polls say they want out. They absolutely want out.

Since October of 2010, the administration has granted waivers—waivers—to

unions, businesses, insurers, and actually to whole States because they cannot afford the health care law's burdensome mandates.

The Secretary of Health and Human Services continues to release more waivers and did so again last Friday. They have now granted a total of 1,471 annual benefit limit waivers, and this has covered 3.2 million Americans.

That is why I come to the floor to introduce a bill that will allow every American—every American—to apply for a waiver from the President's health care law.

Under my bill, any American can submit a waiver application seeking relief from any or all of the health care law's mandates. All those Americans will have to do is simply show what unions and corporations have shown in order to get their waivers—nothing more, nothing less.

Waivers will be granted to individuals who show that the health care law is either increasing their insurance premiums or decreasing their access to benefits. That is all they have to show.

So far, this administration has ignored most Americans demand for a way out of the health care law, and Americans are looking for a way out of it. Instead, this administration has granted half the waivers—half the waivers—to people who get their health coverage through unions. Although those people represent a very small percentage of the workers in America, they got half of all the waivers. It is neither fair nor is it reasonable.

These are the same unions—the same unions—that lobbied for and supported the health care law. But now that they have actually read it and found out what is in it, even though it has been passed—too late now; we thought too late—but they have been getting waivers so they do not have to live under the mandates of the health care law.

We are talking about unions such as the Service Employees International Union. This is what they said about the health care law. These are people who lobbied for the health care law. Now they have found out what is in it, and they say to live under it would be financially impossible. A union that lobbied for the health care law now says it would be financially impossible to live under it.

It does not just apply to that union; it applies to Americans all across this great land. So I do not think any Americans should have to bear financially impossible costs because of the law.

The financially impossible mandates and elements of this bill have absolutely become more obvious to more Americans as they have taken the time to look at the rules and the regulations. That is why, frankly, this steady drip of waivers coming out of Health and Human Services—giving waivers to many of their friends—has become such

an embarrassment for this administration and why they actually recently abruptly changed the rules.

In June, the Centers for Medicare and Medicaid Services announced that all employees and organizations that cannot afford the law's crushing mandates—and there are many—must jump through a new set of hoops. It used to be that they would get a 1-year waiver. Now all employers and organizations, even those that have already gotten a waiver, must apply for long-term waivers by September of this year. The long-term waivers will last all the way until 2014.

Instead of ending the waiver process, the administration should extend the waiver process to include all Americans. That is what my bill does. If not, families, companies, and organizations of all sizes will soon be hit with these crushing mandates.

Under the administration's current plan, employers will be forced to provide \$750,000 worth of coverage to every employee this year. By next September, that number balloons to \$2 million. Beyond that, there is no limit—it continues to go higher and higher. So if you are an employer and you cannot afford \$2 million in coverage next year, well, you better apply for your waiver now, that long-term waiver, before September of this year; otherwise, you are going to be stuck with costs that only get higher and higher. This, to me, is what the administration wants to do because they do not want to put out waivers in 2012, an election year, which is going to cause additional attention to how unpopular this health care law continues to be.

Let's talk about some Americans who get together—people in any community, in my State, in your State, Mr. President—and want to start a new business. They are thinking about starting a new business after September, thinking about, Do we do it this summer? Do we wait until the fall? If these people want to start a new business and hire people and they want to start that business after September, they are going to be faced with two difficult choices: They can offer high-cost, government-approved health insurance—that is what the health care law says—making it very expensive for them to try to open a new business, to try to hire workers, to put America back to work—we are at a time when there is 9.2 percent unemployment in this country—or these people trying to start a new business can refuse to offer coverage at all because they can't afford the health care law's sky-high mandates.

So the incentives in the health care law will encourage businesses to do what? Well, to drop insurance coverage if they are providing it right now. Under the law, businesses are permitted to drop out of paying for employer-provided coverage as long as

they pay a fine. The fine is going to be \$2,000 per employee. The fine is far smaller than the exploding costs imposed by the health care law. So I think this explains why McKinsey & Company recently reported that up to 50 percent of employers are expected to stop offering employer-provided health care coverage.

The employees who are dumped—what happens to them? Well, they will be forced to get their insurance through a government exchange, an exchange run by Washington, which is heavily subsidized by the American taxpayers. They are going to be dumped into the exchange. The annual cost of subsidizing these ballooning numbers of insurance policies, by my calculation, is about \$900 billion. Well, that is nine times higher than what the White House has claimed. In short, the taxpayers of this country will be stuck with a bill of nearly \$1 trillion every year.

Well, I am going to continue to come to the floor week after week, continue to fight to repeal and replace this health care law with patient-centered care—patient-centered care—that lowers costs for all Americans and improves their care. So I will continue with the second opinions because until we are able to repeal and replace the health care law, I am going to move forward with what is now the Waive Act. This bill offers all Americans the freedom to choose—the freedom that has been taken away from them by the President's health care law. It gives them the right to seek and be granted a waiver out of the President's health care law. It is time to transfer power from Washington back to the American people. This will ensure they can get the care they need from the doctor they want at a price they can afford.

By Mr. FRANKEN (for himself, Mr. DURBIN, Mrs. GILLIBRAND, and Ms. KLOBUCHAR):

S. 1399. A bill to protect children affected by immigration enforcement actions, and for other purposes; to the Committee on the Judiciary.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1399

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Humane Enforcement and Legal Protections for Separated Children Act" or the "HELP Separated Children Act".

**SEC. 2. DEFINITIONS.**

In this Act:

(1) APPREHENSION.—The term "apprehension" means the detention, arrest, or custody by officials of the Department or cooperating entities.

(2) CHILD.—Except as otherwise specifically provided, the term “child” has the meaning given to the term in section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)).

(3) CHILD WELFARE AGENCY.—The term “child welfare agency” means the State or local agency responsible for child welfare services under subtitles B and E of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(4) COOPERATING ENTITY.—The term “cooperating entity” means a State or local entity acting under agreement with the Secretary.

(5) DEPARTMENT.—The term “Department” means the Department of Homeland Security.

(6) DETENTION FACILITY.—The term “detention facility” means a Federal, State, or local government facility, or a privately owned and operated facility, that is used to hold individuals suspected or found to be in violation of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(7) IMMIGRATION ENFORCEMENT ACTION.—The term “immigration enforcement action” means the apprehension of, detention of, or request for or issuance of a detainer for, 1 or more individuals for suspected or confirmed violations of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) by the Secretary or a cooperating entity.

(8) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given to the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(9) NGO.—The term “NGO” means a non-governmental organization that provides social services or humanitarian assistance to the immigrant community.

(10) SECRETARY.—Except as otherwise specifically provided, the term “Secretary” means the Secretary of the Department.

### SEC. 3. APPREHENSION PROCEDURES FOR IMMIGRATION ENFORCEMENT-RELATED ACTIVITIES.

(a) NOTIFICATION.—

(1) ADVANCE NOTIFICATION.—Subject to paragraph (2), when conducting any immigration enforcement action, the Secretary and cooperating entities shall notify the Governor of the State, the local child welfare agency, and relevant State and local law enforcement before commencing the action, or, if advance notification is not possible, immediately after commencing such action, of—

(A) the approximate number of individuals to be targeted in the immigration enforcement action; and

(B) the primary language or languages believed to be spoken by individuals at the targeted site.

(2) HOURS OF NOTIFICATION.—To the extent possible, the advance notification required by paragraph (1) should occur during business hours and allow the notified entities sufficient time to identify resources to conduct the interviews described in subsection (b)(1).

(3) OTHER NOTIFICATION.—When conducting any immigration action, the Secretary and cooperating entities shall notify the relevant local educational agency and local NGOs of the information described in paragraph (1) immediately after commencing the action.

(b) APPREHENSION PROCEDURES.—In any immigration enforcement action, the Secretary and cooperating entities shall—

(1) as soon as possible and not later than 6 hours after an immigration enforcement action, provide licensed social workers or case managers employed or contracted by the

child welfare agency or local NGOs with confidential access to screen and interview individuals apprehended in such immigration enforcement action to assist the Secretary or cooperating entity in determining if such individuals are parents, legal guardians, or primary caregivers of a child in the United States;

(2) as soon as possible and not later than 8 hours after an immigration enforcement action, provide any apprehended individual believed to be a parent, legal guardian, or primary caregiver of a child in the United States with—

(A) free, confidential telephone calls, including calls to child welfare agencies, attorneys, and legal services providers, to arrange for the care of children or wards, unless the Secretary has reasonable grounds to believe that providing confidential phone calls to the individual would endanger public safety or national security; and

(B) contact information for—

(i) child welfare agencies in all 50 States, the District of Columbia, all United States territories, counties, and local jurisdictions; and

(ii) attorneys and legal service providers capable of providing free legal advice or free legal representation regarding child welfare, child custody determinations, and immigration matters;

(3) ensure that personnel of the Department and cooperating entities do not—

(A) interview individuals in the immediate presence of children; or

(B) compel or request children to translate for interviews of other individuals who are encountered as part of an immigration enforcement action; and

(4) ensure that any parent, legal guardian, or primary caregiver of a child in the United States—

(A) receives due consideration of the best interests of his or her children or wards in any decision or action relating to his or her detention, release, or transfer between detention facilities; and

(B) is not transferred from his or her initial detention facility or to the custody of the Secretary until the individual—

(i) has made arrangements for the care of his or her children or wards; or

(ii) if such arrangements are impossible, is informed of the care arrangements made for the children and of a means to maintain communication with the children.

(c) NONDISCLOSURE AND RETENTION OF INFORMATION ABOUT APPREHENDED INDIVIDUALS AND THEIR CHILDREN.—

(1) IN GENERAL.—Information collected by child welfare agencies and NGOs in the course of the screenings and interviews described in subsection (b)(1) may not be disclosed to Federal, State, or local government entities or to any person, except pursuant to written authorization from the individual or his or her legal counsel.

(2) CHILD WELFARE AGENCY OR NGO RECOMMENDATION.—Notwithstanding paragraph (1), a child welfare agency or NGO may—

(A) submit a recommendation to the Secretary or a cooperating entity regarding whether an apprehended individual is a parent, legal guardian, or primary caregiver who is eligible for the protections provided under this Act; and

(B) disclose information that is necessary to protect the safety of the child, to allow for the application of subsection (b)(4)(A), or to prevent reasonably certain death or substantial bodily harm.

### SEC. 4. ACCESS TO CHILDREN, LOCAL AND STATE COURTS, CHILD WELFARE AGENCIES, AND CONSULAR OFFICIALS.

(a) IN GENERAL.—The Secretary shall ensure that all detention facilities operated by or under agreement with the Department implement procedures to ensure that the best interest of the child, including a preference for family unity wherever appropriate, is considered in any decision and action relating to the custody of children whose parent, legal guardian, or primary caregiver is detained as the result of an immigration enforcement action.

(b) ACCESS TO CHILDREN, STATE AND LOCAL COURTS, CHILD WELFARE AGENCIES, AND CONSULAR OFFICIALS.—At all detention facilities operated by, or under agreement with, the Department, the Secretary shall—

(1) prominently post in a manner accessible to detainees and visitors and include in detainee handbooks information on the protections of this Act as well as information on potential eligibility for parole or release;

(2) ensure that individuals who are detained by reason of their immigration status may receive the screenings and interviews described in section 3(b)(1) not later than 6 hours after their arrival at the detention facility;

(3) ensure that individuals who are detained by reason of their immigration status and are believed to be parents, legal guardians, or primary caregivers of children in the United States are—

(A) permitted daily phone calls and regular contact visits with their children or wards;

(B) able to participate fully, and to the extent possible in-person, in all family court proceedings and any other proceeding impacting upon custody of their children or wards;

(C) able to fully comply with all family court or child welfare agency orders impacting upon custody of their children or wards;

(D) provided with contact information for family courts in all 50 States, the District of Columbia, all United States territories, counties, and local jurisdictions;

(E) granted free and confidential telephone calls to child welfare agencies and family courts as often as is necessary to ensure that the best interest of the child, including a preference for family unity whenever appropriate, can be considered;

(F) granted free and confidential telephone calls and confidential in-person visits with attorneys, legal representatives, and consular officials;

(G) provided United States passport applications for the purpose of obtaining travel documents for their children or wards;

(H) granted adequate time before removal to obtain passports and other necessary travel documents on behalf of their children or wards if such children or wards will accompany them on their return to their country of origin or join them in their country of origin; and

(I) provided with the access necessary to obtain birth records or other documents required to obtain passports for their children or wards; and

(4) facilitate the ability of detained parents, legal guardians, and primary caregivers to share information regarding travel arrangements with their children or wards, child welfare agencies, or other caregivers well in advance of the detained individual's departure from the United States.

### SEC. 5. MEMORANDA OF UNDERSTANDING.

The Secretary shall develop and implement memoranda of understanding or protocols with child welfare agencies and NGOs

regarding the best ways to cooperate and facilitate ongoing communication between all relevant entities in cases involving a child whose parent, legal guardian, or primary caregiver has been apprehended or detained in an immigration enforcement action to protect the best interests of the child, including a preference for family unity whenever appropriate.

#### SEC. 6. MANDATORY TRAINING.

The Secretary, in consultation with the Secretary of Health and Human Services and independent child welfare experts, shall require and provide in-person training on the protections required under sections 3 and 4 to all personnel of the Department and of States and local entities acting under agreement with the Department who regularly come into contact with children or parents in the course of conducting immigration enforcement actions.

#### SEC. 7. RULEMAKING.

Not later than 120 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to implement this Act.

#### SEC. 8. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

#### SEC. 9. REPORT ON PROTECTIONS FOR CHILDREN IMPACTED BY IMMIGRATION ENFORCEMENT ACTIVITIES.

(a) REQUIREMENT FOR REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report that describes the impact of immigration enforcement activities on children, including children who are citizens of the United States.

(b) CONTENT.—The report submitted under subsection (a) shall include for the previous 1-year period an assessment of—

- (1) the number of individuals removed from the United States who are the parent of a child who is a citizen of the United States;
- (2) the number of occasions in which both parents or the primary caretaker of such a child was removed from the United States;
- (3) the number of children who are citizens of the United States who leave the United States with parents who are removed;
- (4) the number of such children who remained in the United States after the removal of a parent;
- (5) the age of each such child at the time a parent is removed; and
- (6) the number of instances in which such a child whose parent is apprehended, detained, or removed is referred to the local child welfare agency by officers or employees of the Department.

By Mr. HARKIN (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. LAUTENBERG, Mrs. MURRAY, Mr. WHITEHOUSE, Mr. LEAHY, Mr. BENNET, Mr. FRANKEN, Ms. MIKULSKI, Mr. REED, Mrs. SHAHEEN, Mr. JOHNSON of South Dakota, and Mr. BEGICH):

S. 1403. A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part; to the Committee on Finance.

Mr. HARKIN. Mr. President, throughout my career in public service I have focused on ensuring that each and every child with a disability has a right to a good education. To this end, I have fought tirelessly to safeguard the rights of children with disabilities under the Individuals with Disabilities Education Act, IDEA, the landmark legislation that has been improving the educational outcomes of millions of students across the nation since 1975 through the principles of inclusion and equality. When Congress passed IDEA with strong bipartisan support, we understood that our commitment to provide high-quality educational opportunities and serve the needs of students with disabilities in our classrooms entailed excess costs compared to other students, which would have a significant financial impact on States and school districts. As a result, Congress committed to cover up to 40 percent of the excess cost of educating students with disabilities; however, we have failed to deliver on that promise and the law has been greatly underfunded. This is why I am pleased to introduce the IDEA Full Funding Act, with my colleagues RICHARD DURBIN, FRANK LAUTENBERG, RICHARD BLUMENTHAL, PATTY MURRAY, SHELDON WHITEHOUSE, PATRICK LEAHY, MICHAEL BENNET, AL FRANKEN, BARBARA MIKULSKI, JACK REED, JEANNE SHAHEEN, TIM JOHNSON, and MARK BEGICH, which will meet the full Federal commitment at no additional cost to taxpayers. Given the current financial difficulties that many State and local governments are facing, this legislation is more essential than ever for ensuring that students with disabilities get the high-quality education and services they need to fulfill their potential.

Since the enactment of IDEA, students with disabilities across the United States have made tremendous progress. Today, over 6.6 million students receive special education services designed to meet their individual needs. Mr. President, 95 percent of students with disabilities attend a neighborhood school, and almost 2/3 of those spend at least 80 percent of their day in the regular school environment. Nearly 350,000 infants and toddlers receive early intervention services. Almost 6 out of 10 students with disabilities graduate high school with a regular diploma—twice the percentage of 25 years ago. Moreover, approximately half of students with disabilities enroll in postsecondary education. We must do our best to continue this progress and make good on a 36-year-old promise because we still have a long way to go: students with disabilities who graduate from high school have an employment rate that is less than half the population.

Today, the Federal Government provides about 16 percent of special edu-

cation costs or less than half of the committed level of 40 percent. In the current fiscal year, this means that Federal funds are almost \$24 billion short, which forces States and school districts to make up the Federal shortfall at a time when they are cash strapped. The IDEA Full Funding Act will fully fund the Federal commitment to IDEA by gradually increasing the Federal Government's share of the excess costs of educating students with disabilities to its committed level over 10 years. Specifically, this legislation will increase the Federal dollars appropriated from \$11.5 billion in fiscal year 2011 to \$35.3 billion in fiscal year 2021.

By making good on our 36-year-old promise, which has a history of bipartisan support, we will supply schools with the necessary funding to enhance the quality and range of services available to students with disabilities. The funding increase will help to raise salaries for teachers and related services personnel, thereby allowing districts to enhance recruitment and retention possibilities, and will support school districts in increasing graduation rates and postsecondary enrollment rates of students with disabilities.

In these difficult times, it is essential for Congress to provide these revenues without increasing the deficit. The IDEA Full Funding Act is fully paid for by doubling the tax on cigarettes and small cigars and setting equivalent increases to other tobacco products. In addition to the benefit of offsetting the cost of fully funding IDEA, these tax provisions will help an estimated 1 million Americans reduce their tobacco use or quit altogether and prevent an estimated 2.2 million children from taking up smoking in the first place. The stakes are incredibly high: smoking kills more people than alcohol, AIDS, car accidents, illegal drugs, murders, and suicides combined, with thousands more dying from spit tobacco use. Every day at least 1,000 children become new regular, daily smokers in the U.S. and of those, almost a third will ultimately die from it. Furthermore, every year Americans incur the cost of \$96 billion in public and private health care expenditures caused by smoking, including an estimated \$54.6 billion in Federal Medicare and Medicaid Federal expenditures. Overall, this legislation, which I hope will enjoy bipartisan support, will impact children's lives in important ways, both by improving the educational outcomes of students with disabilities and by improving their health through smoking prevention.

By Mr. CARDIN (for himself and Mr. ENZI):

S. 1404. A bill to amend the Internal Revenue Code of 1986 to increase participation in medical flexible spending arrangements; to the Committee on Finance.



Mr. CARDIN. Mr. President, I rise today to introduce the Medical FSA Improvement Act of 2011. I am joined in this effort by Senator ENZI and I thank him for his support. Our bill would allow employees who have medical FSAs to cash out unused amounts, effectively repealing the current "use-it-or-lose-it" policy.

Our legislation would modernize and encourage participation in FSAs, which are a helpful tool for health care consumers who face significant cost sharing burdens. It would remove the penalty on employees who act prudently throughout the year and save their FSA dollars.

Flexible spending arrangements are an important benefit for many of my constituents in Maryland, Federal, State, and private sector employees, that allows them to set aside a portion of their income tax-free to pay for out-of-pocket medical expenses, such as copayments for doctor visits and prescription drugs, medical supplies, and equipment.

Nationwide, about 35 million Americans have FSAs, and the median salary of FSA participants is \$55,000. It is estimated that one-third of Federal employees contribute to an FSA. Currently in Maryland, there are over 50,000 Federal employees who benefit from FSAs. These plans are efficient, the administrative costs are between two and three percent of claims, far lower than other health insurance administrative costs, and over 90 percent of claims can be substantiated electronically, meaning that paperwork for participants is minimized.

More than 85 percent of America's large employers offer FSAs, but only about 20 percent of eligible employees enroll. According to several surveys of eligible participants, the primary reason for declining to enroll or for underfunding accounts is concern about the "use-it-or-lose-it" rule, which requires participants to spend their entire contribution before the end of the plan year or risk forfeiting the unused funds back to their employer. This "use-it-or-lose-it" rule was initially enacted to prevent participants from putting excessive amounts in their FSA, and it served to regulate what used to be an uncapped benefit. With the enactment of the Affordable Care Act in 2010, annual contributions to FSAs will be capped at \$2,500 beginning in 2013, which makes the "use-it-or-lose-it" rule unnecessary.

It is unreasonable to expect FSA participants, especially those with chronic conditions, to be able to accurately forecast their out-of-pocket medical expenses a year in advance, and it is unfair to penalize them at the end of the plan year if their estimates are incorrect by making them forfeit any unspent amounts. Ending the "use-it-or-lose-it" rule and allowing for this cash-out option is a wise and sensible

improvement to FSAs that will encourage more efficient participation in medical flexible spending accounts.

It is time to modernize FSAs to eliminate this burdensome "use-it-or-lose-it" rule. It is both fair and sound health policy to allow FSA participants to cash-out remaining funds at the end of the plan year rather than forfeiting the balance to their employer. The amounts cashed out would be taxable for the year of the cash-out. Moreover, just as it is at the discretion of employers to establish FSAs for their employees, it would be the employer's option to offer the cash-out feature. But I believe many employers will offer this option, as they too will save money through increased employer payroll tax savings.

Data provided by WageWorks shows that the average unused balance in the end of the year in an FSA is about \$100, and each year a total of nearly \$400 million remains in FSA accounts. The static analysis, before considering the effects of greater participation in FSAs, would indicate that allowing a cash-out of these funds and taxing these unused amounts would increase federal revenues by about \$70 million a year, holding everything else constant.

Our legislation is supported by the Employers' Council on Flexible Compensation, representing more than 100 member companies, including employers, accounting and consulting firms, third party administrators, and actuarial companies. I am also pleased to announce the support of the National Treasury Employees Union, which represents more than 150,000 Federal employees in 31 agencies.

I commend Representatives CHARLES BOUSTANY and JOHN LARSON for having introduced a bipartisan companion bill in the House of Representatives, and urge my colleagues to support this common-sense measure.

By Mrs. FEINSTEIN:

S. 1405. A bill for the relief of Guy Privat Tape and Lou Nazie Raymonde Toto; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am introducing a private relief bill on behalf of Guy Privat Tape and Lou Nazie Raymonde Toto. Mr. Tape and Ms. Toto are citizens of the Ivory Coast, but have been living in the San Francisco area of California for approximately 17 years.

The story of Mr. Tape and Ms. Toto is compelling and I believe they merit Congress' special consideration for such an extraordinary form of relief as a private bill.

Mr. Tape and Ms. Toto were subjected to numerous atrocities in the early 1990's in the Ivory Coast. After participating in a demonstration against the ruling party, they were jailed and tortured by their own government. Ms. Toto was brutally raped

by her captors and several years later learned that she had contracted HIV.

Despite the hardships that they suffered, Mr. Tape and Ms. Toto were able to make a better life for themselves in the United States. Mr. Tape arrived in the U.S. in 1993 on a B1/B2 non-immigrant visa. Ms. Toto entered without inspection in 1995 from Spain. Despite being diagnosed with HIV, Ms. Toto gave birth to two healthy children, Melody, age 13, and Emmanuel, age 8.

Since arriving in the United States, this family has dedicated themselves to community involvement and a strong work ethic. They are active members of Easter Hill United Methodist Church.

Mr. Tape is employed as a security guard and unfortunately, in 2002, he was diagnosed with prostate cancer. While his doctor states that the cancer is currently in remission, he will continue to require life-long surveillance to monitor for recurrence of the disease.

In addition to raising her two children, Ms. Toto obtained a certificate to be a nurse's aide and currently works as a Resident Care Specialist at a nursing home in San Pablo, California. Ms. Toto continues to receive medical treatment for HIV. According to her doctor, without access to adequate health care and laboratory monitoring, she is at risk of developing life-threatening illnesses.

Mr. Tape and Ms. Toto applied for asylum when they arrived in the U.S., but after many years of litigation, the claim was ultimately denied by the 9th Circuit Court of Appeals.

Although the regime which subjected Mr. Tape and Ms. Toto to imprisonment and torture is no longer in power, Mr. Tape has been afraid to return to the Ivory Coast due to his prior association with former President Laurent Gbagbo. As a result, Mr. Tape strongly believes that his family will be targeted if they return to the Ivory Coast.

One of the most compelling reasons for permitting the family to remain in the United States is the impact their deportation would have on their two U.S. citizen children. For Melody and Emmanuel, the United States is the only country they have ever known. Mr. Tape believes that if the family returns to the Ivory Coast, these two young children will be forced to enter the army.

This bill is the only hope for this family to remain in the United States. To send them back to the Ivory Coast, where they may face persecution and inadequate medical treatment for their illnesses would be devastating to the family. I have received approximately 30 letters from the church community in support of this family.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.



There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1405

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. PERMANENT RESIDENT STATUS FOR GUY PRIVAT TAPE AND LOU NAZIE RAYMONDE TOTO.**

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Guy Privat Tape and Lou Nazie Raymonde Toto shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Guy Privat Tape or Lou Nazie Raymonde Toto enters the United States before the filing deadline specified in subsection (c), Guy Privat Tape or Lou Nazie Raymonde Toto, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon granting an immigrant visa or permanent residence to Guy Privat Tape and Lou Nazie Raymonde Toto, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Guy Privat Tape and Lou Nazie Raymonde Toto under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Guy Privat Tape and Lou Nazie Raymonde Toto under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

**SUBMITTED RESOLUTIONS**

**SENATE RESOLUTION 234—RELATIVE TO THE DEATH OF WILLIAM F. HILDENBRAND, FORMER SECRETARY OF THE SENATE**

Mr. McCONNELL (for himself and Mr. REID of Nevada) submitted the following resolution; which was considered and agreed to:

S. RES. 234

Whereas William F. Hildenbrand began his service to the United States Senate in 1961 as an assistant to Senator J. Caleb Boggs;

Whereas William F. Hildenbrand served as Administrative Assistant to Senator Hugh Scott from 1969 until 1974;

Whereas William F. Hildenbrand served as Secretary for the Minority of the Senate from 1974 until 1981;

Whereas William F. Hildenbrand served as Secretary of the Senate from 1981 until 1985;

Whereas William F. Hildenbrand served as an employee of the Senate of the United States and ably and faithfully upheld the high standards and traditions of the staff of the Senate from 1961 until 1985;

Whereas William F. Hildenbrand discharged the difficult duties and responsibilities of a wide variety of important and demanding positions in public life with honesty, integrity, loyalty and humility; and

Whereas William F. Hildenbrand’s clear understanding and appreciation of the challenges facing the Nation has left his mark on those many areas of public life: Now, therefore, be it

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of William F. Hildenbrand.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of William F. Hildenbrand.

**SENATE RESOLUTION 235—DESIGNATING 2011 AS “THE YEAR OF THE FAMILY CAREGIVER”**

Ms. MIKULSKI (for herself, Mr. SANDERS, and Ms. SNOWE) submitted the following resolution; which was considered and agreed to:

S. RES. 235

Whereas there are more than 65,000,000 people in the United States serving as family caregivers for a family member or friend with a disability, chronic illness, or the frailties associated with old age;

Whereas family caregivers in the United States are family, friends, partners, and neighbors who choose to provide care out of feelings of love or a sense of duty;

Whereas family caregivers deal with significant medical and psycho-social issues that require complex care management and coordination with numerous medical providers;

Whereas family caregivers provide 80 percent of all long-term care services in the United States;

Whereas despite the physical, psychological, and financial hardship that caregivers endure, these individuals provide high-quality services that bring countless benefits to their care recipients and to society; and

Whereas the people of the United States should acknowledge the vital role of family caregivers, enable such caregivers to live healthier, less stressful lives, and enhance the ability of family caregivers to improve the health and well-being of those that they care for: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the year 2011 as the 11-year anniversary of the National Family Caregiver Support Program;

(2) applauds the Administration on Aging and national and community based organizations that support family caregivers;

(3) applauds the family, friends, partners, and neighbors who provide long-term care services; and

(4) designates 2011 as “The Year of the Family Caregiver”.

**SENATE RESOLUTION 236—DESIGNATING SEPTEMBER 2011 AS NATIONAL SPINAL CORD INJURY AWARENESS MONTH**

Mr. RUBIO (for himself and Mr. NELSON of Florida) submitted the following resolution; which was considered and agreed to:

S. RES. 236

Whereas the estimated 1,275,000 people in the United States who live with a spinal cord injury cost society billions of dollars in health care costs and lost wages;

Whereas an estimated 100,000 of those individuals living with a spinal cord injury are veterans who suffered the spinal cord injury while serving as members of the United States Armed Forces;

Whereas accidents are the leading cause of spinal cord injuries;

Whereas motor vehicle crashes are the second leading cause of spinal cord and traumatic brain injuries;

Whereas 70 percent of all spinal cord injuries that occur in children under the age of 18 are a result of motor vehicle accidents;

Whereas every 48 seconds a person will become paralyzed, underscoring the urgent need to develop new neuroprotection, pharmacological, and regeneration treatments to reduce, prevent, and reverse paralysis; and

Whereas increased education and investment in research are key factors in improving outcomes for victims of spinal cord injuries, improving the quality of life of victims, and ultimately curing paralysis: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2011 as Spinal Cord Injury Awareness Month;

(2) supports the goals and ideals of Spinal Cord Injury Awareness Month;

(3) continues to support research to find better treatments, therapies, and a cure for paralysis;

(4) supports clinical trials for new therapies that offer promise and hope to those persons living with paralysis; and

(5) commends the dedication of local, regional, and national organizations, researchers, doctors, volunteers, and people across the United States that are working to improve the quality of life of persons living with paralysis and their families.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 579. Mr. REID (for Mr. COBURN) proposed an amendment to the bill S. 1103, to extend the term of the incumbent Director of the Federal Bureau of Investigation.

SA 580. Mr. WHITEHOUSE (for Mrs. MURRAY) proposed an amendment to the bill H.R. 1383, to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.

## TEXT OF AMENDMENTS

**SA 579.** Mr. REID (for Mr. COBURN) proposed an amendment to the bill S. 1103, to extend the term of the incumbent Director of the Federal Bureau of Investigation; as follows:

On page 3, line 17, strike all through page 4, line 12, and insert the following:

**SEC. 2. CREATION OF NEW TERM OF SERVICE FOR THE OFFICE OF DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.**

Section 1101 of the Omnibus Crime Control and Safe Streets Act of 1968 (28 U.S.C. 532 note) is amended by adding at the end the following:

“(c)(1) Effective on the date of enactment of this subsection, a new term of service for the office of Director of the Federal Bureau of Investigation shall be created, which shall begin on or after August 3, 2011, and continue until September 4, 2013. Notwithstanding the second sentence of subsection (b) of this section, the incumbent Director of the Federal Bureau of Investigation on the date of enactment of this subsection shall be eligible to be appointed to the new term of service provided for by this subsection, by and with the advice and consent of the Senate, and only for that new term of service. Nothing in this subsection shall prevent the President, by and with the advice of the Senate, from appointing an individual, other than the incumbent Director of the Federal Bureau of Investigation, to a 10-year term of service subject to the provisions of subsection (b) after the date of enactment of this subsection.”

“(2) The individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection may not serve as Director after September 4, 2013.”

“(3) With regard to the individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection, the second sentence of subsection (b) shall not apply.”

**SA 580.** Mr. WHITEHOUSE (for Mrs. MURRAY) proposed an amendment to the bill H.R. 1383, to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes; as follows:

On page 3, strike lines 10 and 11 and insert the following:

Code, who, since January 4, 2011, has been enrolled in the same non-public institution of higher learning in a State in

Beginning on page 4, strike line 12 and all that follows through page 5, line 3, and insert the following:

(a) EXTENSION.—Section 3729(b)(2)(B) of title 38, United States Code, is amended—

(1) in clause (i)—

(A) by striking “January 1, 2004” and inserting “October 1, 2011”; and

(B) by striking “3.00” both places it appears and inserting “3.30”;

(2) in clause (ii)—

(A) by striking “January 1, 2004, and before October 1, 2011” and inserting “October 1, 2011, and before October 1, 2012”; and

(B) by striking “3.30” both places it appears and inserting “2.80”; and  
(3) in clause (iii), by striking “October 1, 2011” and inserting “October 1, 2012”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of October 1, 2011, or the date of the enactment of this Act.

## NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, July 28, 2011, at 9:45 a.m. in SD-430 to conduct a hearing entitled “FDA User Fees: Advancing Public Health.”

For further information regarding this meeting, please contact Elizabeth Jungman of the committee staff on (202) 224-7675.

COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, July 28, 2011, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the nominations of Charles McConnell, to be an Assistant Secretary of Energy (Fossil Energy) and Rebecca Wodder, to be Assistant Secretary for Fish and Wildlife.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to allison\_seyferth@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224-7571 or Allison Seyferth at (202) 224-4905.

AUTHORITY FOR COMMITTEES TO  
MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND  
FORESTRY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on July 21, 2011, at 10 a.m. in room SD-G50 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 21, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN  
AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 21, 2011, at 10 a.m. to conduct a committee hearing entitled “Enhanced Oversight After the Financial Crisis: The Wall Street Reform Act at One Year.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 21, 2011, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC  
WORKS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 21, 2011, at 10 a.m., in Dirksen 406 to conduct a hearing entitled, “Legislative Issues for Transportation Reauthorization.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 21, 2011, at 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled “Improving For-Profit Higher Education: A Roundtable Discussion of Policy Solutions” on July 21, 2011, at 2 p.m. in room SH-216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate, on July 21, 2011, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building to conduct a hearing entitled “Facing Floods and Fires—Emergency Preparedness for Natural Disasters in Native Communities.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 21, 2011, at 10 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 21, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY, AND SECURITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 21, 2011, at 2:30 p.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled, "Making Our Roads Safer: Reauthorization of the Motor Carrier Safety Programs."

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on July 21, 2011, at 2 p.m. in room SD-106 of the Dirksen Senate Office Building to conduct a hearing entitled "A Prescription for Savings: Reducing Drug Costs to Medicare."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Matthew Levy, a fellow on the Budget Committee, be granted the privileges of the floor during the duration of today and tomorrow's session of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Greg Greubel of my staff be granted the privilege of the floor for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, I ask unanimous consent that Jara Settles, an intern on my staff, have floor privileges for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESERVING HIGHER TUITION AND FEES RELATING TO THE POST-9/11 VETERANS EDUCATIONAL ASSISTANCE IMPROVEMENTS ACT OF 2010

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Veterans' Affairs Committee be discharged from further consideration of H.R. 1383, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The bill clerk read as follows:

A bill (H.R. 1383) to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that a Murray amendment, which is at the desk, be agreed to; that the bill, as amended, be read the third time and passed; that the motions to reconsider be laid upon the table, with no intervening action or debate; and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 580) was agreed to, as follows:

On page 3, strike lines 10 and 11 and insert the following:

Code, who, since January 4, 2011, has been enrolled in the same non-public institution of higher learning in a State in

Beginning on page 4, strike line 12 and all that follows through page 5, line 3, and insert the following:

(a) EXTENSION.—Section 3729(b)(2)(B) of title 38, United States Code, is amended—

(1) in clause (i)—  
(A) by striking "January 1, 2004" and inserting "October 1, 2011"; and

(B) by striking "3.00" both places it appears and inserting "3.30";

(2) in clause (ii)—  
(A) by striking "January 1, 2004, and before October 1, 2011" and inserting "October 1, 2011, and before October 1, 2012"; and

(B) by striking "3.30" both places it appears and inserting "2.80"; and  
(3) in clause (iii), by striking "October 1, 2011" and inserting "October 1, 2012".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of October 1, 2011, or the date of the enactment of this Act.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 1383), as amended, was read the third time and passed, as follows:

H.R. 1383

Resolved, That the bill from the House of Representatives (H.R. 1383) entitled "An Act to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes," do pass with the following amendments:

(1) On page 3, strike lines 10 and 11 and insert the following:  
Code, who, since January 4, 2011, has been enrolled in the same non-public institution of higher learning in a State in

(2) Beginning on page 4, strike line 12 and all that follows through page 5, line 3, and insert the following:  
(a) EXTENSION.—Section 3729(b)(2)(B) of title 38, United States Code, is amended—  
(1) in clause (i)—  
(A) by striking "January 1, 2004" and inserting "October 1, 2011"; and  
(B) by striking "3.00" both places it appears and inserting "3.30";  
(2) in clause (ii)—  
(A) by striking "January 1, 2004, and before October 1, 2011" and inserting "October 1, 2011, and before October 1, 2012"; and  
(B) by striking "3.30" both places it appears and inserting "2.80"; and  
(3) in clause (iii), by striking "October 1, 2011" and inserting "October 1, 2012".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of October 1, 2011, or the date of the enactment of this Act.

INTERNATIONAL YEAR OF COOPERATIVES

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 87, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.  
The bill clerk read as follows:

A resolution (S. Res. 87) designating the year of 2012 as the "International Year of Cooperatives."

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the preamble be agreed to; the resolution be agreed to; that the motions to reconsider be laid upon the table, with no intervening action or debate; that any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 87) was agreed to.

The preamble was agreed to.  
The resolution, with its preamble, reads as follows:

S. RES. 87

Whereas in the United States, there are more than 29,000 cooperatives with 120,000,000 members;

Whereas cooperatives in the United States generate 2,000,000 jobs and make a substantial contribution to the economy of the United States with annual sales of \$652,000,000,000 and assets of \$3,000,000,000,000;

Whereas the cooperative business model has empowered people around the world to improve their lives through economic and social progress;

Whereas cooperatives are a major economic force in developed countries and a powerful business model in developing countries, employing approximately 100,000,000 people;

Whereas there are millions of cooperatives, which are owned and governed by more than 1,000,000,000 members, operating in every nation of the world;

Whereas the economic activity of the largest 300 cooperatives in the world is equal to that of the 10th largest national economy;

Whereas United Nations Resolution 64/136, adopted by the General Assembly on December 18, 2009, designates the year 2012 as the "International Year of Cooperatives";

Whereas the theme of the International Year of Cooperatives is "Cooperative Enterprise Builds a Better World"; and

Whereas cooperatives are the businesses of the people, and for more than a century, have been a vital part of the world economy: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the year 2012 as the "International Year of Cooperatives";

(2) congratulates cooperatives and members of cooperatives in the United States and around the world on the recognition of the United Nations of 2012 as the "International Year of Cooperatives";

(3) recognizes the vital role cooperatives play in the economic and social well-being of the United States;

(4) urges the establishment of a National Committee for the 2012 International Year of Cooperatives to be comprised of representatives from each Federal agency, all cooperative sectors, and key stakeholders;

(5) recognizes the importance of raising the profile of cooperatives and demonstrating the manner by which cooperatives build local wealth, generate employment, and provide competition in the marketplace; and

(6) encourages highlighting the positive impact of cooperatives and developing new programs for domestic and international cooperative development.

#### RELATIVE TO THE DEATH OF WILLIAM F. HILDENBRAND, FORMER SECRETARY OF THE SENATE

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 234, which was introduced earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 234) relative to the death of William F. Hildenbrand, former Secretary of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 234) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 234

Whereas William F. Hildenbrand began his service to the United States Senate in 1961 as an assistant to Senator J. Caleb Boggs;

Whereas William F. Hildenbrand served as Administrative Assistant to Senator Hugh Scott from 1969 until 1974;

Whereas William F. Hildenbrand served as Secretary for the Minority of the Senate from 1974 until 1981;

Whereas William F. Hildenbrand served as Secretary of the Senate from 1981 until 1985;

Whereas William F. Hildenbrand served as an employee of the Senate of the United States and ably and faithfully upheld the high standards and traditions of the staff of the Senate from 1961 until 1985;

Whereas William F. Hildenbrand discharged the difficult duties and responsibilities of a wide variety of important and demanding positions in public life with honesty, integrity, loyalty and humility; and

Whereas William F. Hildenbrand's clear understanding and appreciation of the challenges facing the Nation has left his mark on those many areas of public life: Now, therefore, be it

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of William F. Hildenbrand.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of William F. Hildenbrand.

#### DESIGNATING 2011 AS "THE YEAR OF THE FAMILY CAREGIVER"

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 235, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 235) designating 2011 as "The Year of the Family Caregiver."

There being no objection, the Senate proceeded to consider the resolution.

Ms. MIKULSKI. Mr. President, I rise today in support of this resolution recognizing 2011 as the 11-year anniversary of the National Family Caregiver Support Program and declaring 2011 The Year of the Family Caregiver. This year, caregivers across the country and the Administration on Aging are celebrating family caregivers and working to improve the support family caregivers receive.

Today's resolution recognizes the 65 million Americans who serve as family caregivers for their family members, friends, and other loved ones living with a disability, chronic illness, or other condition associated with old age. Family caregivers are the backbone of our Nation's long-term care

system, accounting for 80 percent of all long-term services provided in the United States. They provide high-quality services that improve the lives of the people they care for and benefit our society.

I created the National Family Caregiver Support Program in 2000 to strengthen the Older Americans Act so it may meet the day-to-day needs of our older Americans and their caregivers. The program is a partnership between States and Area Agencies on Aging. The National Family Caregiver Support Program provides counseling, training, respite care, adult daycare, and other support services to 600,000 caregivers so that families can get the resources they need to care for their loved one. The program helps American families take care of older parents while raising children of their own and pursuing a career. It also helps grandparents who are taking care of grandchildren. The National Family Caregiver Support Program helps families provide care longer and delays the need for costly nursing home care.

Family caregiving continues to place a lot of stress on families in terms of time, energy, and finances, but American families are up to this challenge. I ask my colleagues today to join me in applauding the work of family caregivers and those who support them every day.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 235) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 235

Whereas there are more than 65,000,000 people in the United States serving as family caregivers for a family member or friend with a disability, chronic illness, or the frailties associated with old age;

Whereas family caregivers in the United States are family, friends, partners, and neighbors who choose to provide care out of feelings of love or a sense of duty;

Whereas family caregivers deal with significant medical and psycho-social issues that require complex care management and coordination with numerous medical providers;

Whereas family caregivers provide 80 percent of all long-term care services in the United States;

Whereas despite the physical, psychological, and financial hardship that caregivers endure, these individuals provide high-quality services that bring countless benefits to their care recipients and to society; and

Whereas the people of the United States should acknowledge the vital role of family caregivers, enable such caregivers to live healthier, less stressful lives, and enhance

the ability of family caregivers to improve the health and well-being of those that they care for: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the year 2011 as the 11-year anniversary of the National Family Caregiver Support Program;

(2) applauds the Administration on Aging and national and community based organizations that support family caregivers;

(3) applauds the family, friends, partners, and neighbors who provide long-term care services; and

(4) designates 2011 as “The Year of the Family Caregiver”.

**DESIGNATING SEPTEMBER 2011 AS  
“NATIONAL SPINAL CORD IN-  
JURY AWARENESS MONTH”**

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 236, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 236) designating September 2011 as “National Spinal Cord Injury Awareness Month.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 236) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 236**

Whereas the estimated 1,275,000 people in the United States who live with a spinal cord injury cost society billions of dollars in health care costs and lost wages;

Whereas an estimated 100,000 of those individuals living with a spinal cord injury are veterans who suffered the spinal cord injury while serving as members of the United States Armed Forces;

Whereas accidents are the leading cause of spinal cord injuries;

Whereas motor vehicle crashes are the second leading cause of spinal cord and traumatic brain injuries;

Whereas 70 percent of all spinal cord injuries that occur in children under the age of 18 are a result of motor vehicle accidents;

Whereas every 48 seconds a person will become paralyzed, underscoring the urgent need to develop new neuroprotection, pharmacological, and regeneration treatments to reduce, prevent, and reverse paralysis; and

Whereas increased education and investment in research are key factors in improving outcomes for victims of spinal cord injuries, improving the quality of life of victims, and ultimately curing paralysis: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2011 as Spinal Cord Injury Awareness Month;

(2) supports the goals and ideals of Spinal Cord Injury Awareness Month;

(3) continues to support research to find better treatments, therapies, and a cure for paralysis;

(4) supports clinical trials for new therapies that offer promise and hope to those persons living with paralysis; and

(5) commends the dedication of local, regional, and national organizations, researchers, doctors, volunteers, and people across the United States that are working to improve the quality of life of persons living with paralysis and their families.

**MEASURE READ THE FIRST  
TIME—H.R. 2553**

Mr. WHITEHOUSE. Mr. President, I understand that H.R. 2553 has been received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 2553) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

Mr. WHITEHOUSE. I ask for a second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

**ORDERS FOR FRIDAY, JULY 22, 2011**

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 o'clock a.m. on Friday,

July 22; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to H.R. 2560, the Cut, Cap, and Balance Act, with the time until 10 o'clock a.m. equally divided and controlled between the two leaders or their designees; further, that at 10 o'clock a.m., the majority leader be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PROGRAM**

Mr. WHITEHOUSE. Mr. President, I am advised to inform the Senate that tomorrow morning the majority leader will make a motion to table the motion to proceed to H.R. 2560. Therefore, Senators should expect a rollcall vote at approximately 10 o'clock a.m. To accommodate Senators on both sides, this vote will be longer than usual.

**ADJOURNMENT UNTIL 9 A.M.  
TOMORROW**

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent it adjourn under the provisions of S. Res. 234, as a further mark of respect to the memory of the late William F. Hildenbrand, former Secretary of the Senate.

There being no objection, the Senate, at 8:13 p.m., adjourned until Friday, July 22, 2011, at 9 a.m.

**NOMINATIONS**

Executive nominations received by the Senate:

**DEPARTMENT OF HOMELAND SECURITY**

ROSLYN ANN MAZER, OF MARYLAND, TO BE INSPECTOR GENERAL, DEPARTMENT OF HOMELAND SECURITY, VICE RICHARD L. SKINNER, RESIGNED.

**FEDERAL TRADE COMMISSION**

MAUREEN K. OHLHAUSEN, OF VIRGINIA, TO BE A FEDERAL TRADE COMMISSIONER FOR A TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2011, VICE WILLIAM E. KOVACIC, TERM EXPIRING.

## HOUSE OF REPRESENTATIVES—Thursday, July 21, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. CRAWFORD).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

July 21, 2011.

I hereby appoint the Honorable RICK CRAWFORD to act as Speaker pro tempore on this day.

JOHN BOEHNER,

Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### IN GOD WE TRUST

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL) for 5 minutes.

Mr. RANGEL. Good morning, my colleagues.

Like most of you, I have taken so many things around this wonderful Capitol for granted. And this beautiful statement, "In God We Trust," unfortunately for me has been one of them. It has not really struck me like the pledge of allegiance to the flag or the "Star Spangled Banner" or so many other things.

But I think that now is the time that we really need God to guide us to do the right and the moral thing. And the reason we have to do it is because we're dealing with something that is basic to all religions and faiths and this is our responsibility to make certain that we balance our budget, do what is fiscally necessary for our great Nation to survive. But also to do it in such a way that the poor and the vulnerable, who have nothing to do with the crisis that we face, are not hurt.

So I guess this is what we're talking about when we say "In God We Trust."

But God works through us. We are the tools. We have the responsibility of

the missionaries. We don't have lobbyists that come down to say protect those people. And I guess this is one of the reasons why this saying here is a constant reminder to us that even though we're carried away with our ability to create statutes, that we respect our court system and the Supreme Court, in the final analysis it's the higher authority of morality that should be guiding all of us.

Recently, I called upon religious leaders to help us in this guidance, to make the right decisions—Christians, Catholics, Protestants, Muslims, Mormons, Jews, and gentiles. And I was so pleased that a long and dear friend named Jim Wallis—he's a Lutheran pastor, was an adviser to the President, and just yesterday he brought in a group of ministers to help the President to make the moral decision as he struggles so hard to make the proper decision as it affects our budget and how we're going to reduce our deficit.

But the things that he had cited, like Matthews, "Truly I tell you, whatever you did for the least of these brothers and sisters of mine, you did for me," what it is, is that whatever you have done to assist a poor person or those who are not as strong physically and financially as you and I that you really did this, in a sense, for Jesus because you have done the right thing.

And then he goes on to have something that sounds like statutes when it says: Woe to those who enact unjust statutes and who write oppressive decrees—oppressive decrees—depriving the needy of justice and robbing poor people of their rights.

Is health care a right? Is Social Security a right? Is decent housing, education, the pursuit of happiness—is all of this a right? And does this permeate the entire budget and every decision that we're trying to make?

Well, in these statements that he made, we have the Torah that says the same thing: If there is a poor man among your brothers in any of the towns of the land, we have a responsibility. The Koran indicates: Believe in Allah and his messengers and spend on charity.

And so my brothers and sisters, it seems to me that now is the time for us to really get in touch with the Gang of Six because it seems like nobody in the House of Representatives has any clue as to what ultimately the President and his advisers will decide. Certainly the Senate doesn't know what we will decide.

But somehow we should include not just the question of revenue, not just

the question of trillions of dollars to be cut, but in the course of these negotiations to think of the lesser of our brothers and sisters. Remember that it is a part of our very lives in saying "in God we trust" and to know that you just can't cut services without losing jobs.

In other words, when you have people who are jobless, homeless, who lost their savings, these are God's children and they need hope for the future.

So thank you for once again giving me this opportunity. And what words could better express what I've been trying to say, and that is, Mr. Speaker, "in God we trust."

### AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. On Tuesday, the House passed H.R. 2560, the Cut, Cap, and Balance bill. I was amazed by the \$120 billion approved to fund the war on terror. I, like many of my colleagues, agree that we must continue to fight terrorism, but I do not understand why we are funding the civil war in Afghanistan.

I do not understand why Members of Congress want to spend \$10 billion a month in Afghanistan when our people back home are struggling. I can assure you the American people do not understand it either. In June a poll was conducted by the Pew Research Center where 56 percent of the American people polled said bring our troops home now, not later.

Mr. Speaker, I brought back the picture of Eden and Stephanie Balduf. Their father, Sergeant Kevin Balduf, and Lieutenant Colonel Benjamin Palmer died. And that continues to haunt me, and the way they died continues to haunt me. That's the reason I wanted to bring this picture down here again.

They were given the task to train Afghans to be policemen. The two were shot and murdered by one of the trainees. What really haunts me is the email Sergeant Balduf sent to his wife the day before he was shot and killed. And I quote the email: "I don't trust them. I don't trust them for anything, not for anything at all."

Why in the world do we continue to send our young men and women overseas to get themselves blown up, shot, and murdered by people they are trying to train?

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

These little girls are standing at their daddy's funeral at Arlington Cemetery.

Mr. Speaker, that brings me to the last email I received from a retired marine general. I called him about 20 months ago and I said, I made a mistake on Iraq. I don't want to make one on Afghanistan. Will you advise me?

He said, Yes, I will.

Let me read the one that just ties in to this issue of this sergeant and this marine colonel being murdered by a trainee in Afghanistan. The general said: "Get real with 'training' an army and police force. All we are doing is training eventual new members of the Taliban." He further stated: "Trainers are doing a wonderful job, but we don't have the time to 'make' an army or police force in Afghanistan."

The general closed his email to me by saying this: "Every day someone dies."

□ 1010

It is time to bring our troops home from Afghanistan. How many more children have to cry at a mom or dad's grave site because their mother or daddy went to Afghanistan to prop up a corrupt leader named Karzai that we send \$10 billion a month to? I hope no other children have to cry like Eden and Stephanie.

That brings me to my close, Mr. Speaker. Several weeks ago, Eugene Robinson in his editorial titled, "Afghan Strategy: Let's Go," wrote, "We wanted to kill or capture Osama bin Laden, and we did. Even so, say the hawks, we have to stay in Afghanistan because of the dangerous instability across the border in nuclear-armed Pakistan. But does anyone believe the war in Afghanistan has made Pakistan more stable?"

No, it has not. In fact, it's more fragile now than it's ever been.

"The threat from Afghanistan is gone. Bring the troops home."

Eugene Robinson is not a conservative. We see him on TV all the time. And I will say that he nailed it with this editorial: The threat from Afghanistan is gone. Bring them home.

Mr. Speaker, as I close always on the floor of the House, for these little girls who have lost their father and all the children who have lost their fathers and moms over in Afghanistan and Iraq, I ask God to please bless our men and women in uniform; I ask God to please bless the families of our men and women in uniform. I ask God, in his loving arms, to hold the families that have given a child dying for freedom in Afghanistan and Iraq. I ask God to please bless the House and Senate, that we will do what is right in the eyes of God for His people. I ask God to give strength, wisdom, and courage to Mr. Obama that he will do what is right in the eyes of God for his people.

And I will say three times, God, please, God, please, God, please continue to bless America.

#### LET THE BUSH TAX CUTS EXPIRE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Colleagues, we are truly through the looking glass here into a strange world. The Gang of Six has supposedly met the President's requirements that we would have \$3 trillion in cuts and \$1 trillion in revenues. But actually, they are cutting taxes.

Now how does that work? Well, that only works inside the Washington, DC, Beltway. When you reduce revenues, you will increase revenues because you pretend that you wouldn't have had those revenues otherwise. It's a little bit complicated, isn't it? It is incredibly complicated. There is a lot of smoke and mirrors here.

There is a simple way to deal with this crisis. We need to rein in spending. We also need to make investments that will put people to work. Now, the Republicans don't think the government can invest in anything that puts people to work, except they haven't noticed that we have an infrastructure that's falling apart. We have 20 percent unemployment in construction and related fields. If we were to begin to invest and rebuild America's infrastructure, all private sector jobs put those people to work. They start paying taxes, then part of the deficit goes away, and the money will be spent on something that will benefit this generation and future generations. But, no, they categorize all Federal spending the same. They just want to slash it all.

So how about a plan that targets investment, putting people back to work that reduces spending appropriately across the government and actually pays for all of this with revenues? How could you do that? Simple. Let the Bush tax cuts expire. Let all the Bush tax cuts expire. That's \$4 trillion. It's not too complicated. It would take us back to those bad old Clinton years when rich people paid taxes. The "job creators" they call them.

You can't make the job creators pay taxes; it will ruin the economy—that's what they said when Clinton raised the taxes back in the nineties. Guess what, we ended up with 3.8 percent unemployment, and we actually balanced the budget and paid down debt. But, yes, the wealthy and all Americans carried a fair share of that burden. I would love to go back to those bad old days.

We've been now, for a decade, living under the theory that reducing taxes creates jobs, especially reducing taxes on billionaires—you know, the job creators—creates jobs. It's not working too well, is it? No, it's really not working at all. But the Obama administration and the Gang of Six have apparently bought into this flim-flam. Let's continue the Bush tax cuts. Let's continue this stupid Social Security tax holiday that hasn't created a single job. Sure, there are a lot of American

families that could use an extra \$20 a week. But their spending an extra \$20 a week does not create jobs. And now Obama wants to give employers \$20 a week on each employee, saying, Well, they'll go out and hire millions if they get an extra \$20 a week. Corporations are sitting on trillions of dollars of cash, trillions of dollars of cash. They don't need more cash. And for \$20 a week, they're not going to go out and hire anybody.

So here's the plan: let the Bush tax cuts expire. That's \$4 trillion. We've met the targets. We didn't cut Social Security. We didn't cut Medicare. We didn't cut veterans benefits. We didn't cut student financial aid. But we are \$4 trillion ahead in this game. And then cancel the stupid Social Security tax holiday, but still borrow the money. We're borrowing the money to give people a Social Security tax holiday, borrowing the money to put back in the Social Security trust fund after we reduce the income.

Stop reducing the income to Social Security, go back to the statutory rate of taxes, and guarantee the benefits to people. And borrow, instead, that \$110 billion to rebuild America's infrastructure—\$110 billion, that's about 4.7 million jobs. And that is not just construction jobs, but engineering jobs, small business jobs, manufacturing jobs all across the country. It will put America back to work, and that would reduce the deficit by about another 25 percent.

So if we cancel the Bush tax cuts, \$4 trillion. Okay, we're now at the President's "big deal" target which we're not going to meet under the Gang of Six or any of these other constructs around here. Cancel the Social Security tax holiday. Instead, borrow that money one more year, as the President has proposed, and invest in infrastructure. It will put millions to work. And then when those millions go to work, they'll be paying taxes, and that will reduce the deficit by another quarter.

So we've solved three-quarters of the problem without killing programs essential to the American people and without cutting taxes on the job creators.

The Gang of Six is proposing that billionaires should see their taxes cut by about 25 or 30 percent. That will help us balance the budget? It is time to get back to the real world and out of "Alice in Wonderland."

#### HONORING PRIVATE FIRST CLASS ROSS MCGINNIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, since 1947, every August, the Little League Baseball World Series is held in South Williamsport, Pennsylvania, within Pennsylvania's



Fifth Congressional District. And each year, Little League International recognizes Little League graduates who have become outstanding citizens and role models as adults for induction into the Little League Museum Hall of Excellence.

Among previous recipients of this honor include prominent figures such as Vice President JOE BIDEN in 2009, General Peter Pace in 2003, and former New York Mayor Rudy Giuliani in 2002.

This year's ceremony will prove to be extra special. For 2011, Little League International plans to enshrine the first-ever Little League graduate known to have received our Nation's highest military award, the Medal of Honor. That person is Army Private First Class Ross Andrew McGinnis of Knox, Pennsylvania. Ross McGinnis played second base and outfield for 6 years and is a graduate of Little League in Knox, Pennsylvania, also in the Fifth District.

In 2006, Army Private First Class Ross McGinnis heroically gave his life to save four others from a grenade blast inside a Humvee during Operation Iraqi Freedom. On June 2, 2008, McGinnis was awarded the Medal of Honor posthumously for his heroic actions.

I will quote from President George Bush: "In a selfless act of bravery, in which he was mortally wounded, Private McGinnis covered the live grenade, pinning it between his body and the vehicle and absorbing most of the explosion," the official citation read, which was awarded by President George Bush. McGinnis' mother, Romaine, says baseball taught her son teamwork and a commitment to achieving common goals.

Today, because of McGinnis' sacrifice and commitment to others, four men will live on to enjoy their families and their futures. Congratulations to you, Ross Andrew McGinnis. We thank you for your service, and may you rest in peace. Thank you to Little League International for recognizing Mr. McGinnis' heroic achievements. To the McGinnis family, we are proud of your son, a true American hero.

□ 1020

#### PRESCRIPTION DRUG PRICES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, almost no one in Washington is talking about jobs. For 2 months now, both Chambers of the Congress have been locked down in talking about the debt ceiling.

Meanwhile, if you look back at the Bush years, America lost over 8 million jobs while the largest recession since the Great Depression, was precipitated by the Bush Wall Street bailout. America has only gotten back about 2 mil-

lion jobs. Yes, only 2 million; still jobs are being created at about 120,000 per month. That is far from where we need to head to achieve economic recovery for all.

But rather than this Congress engaging in intelligent dialogue on how to create jobs, we keep going down these side roads to nowhere. Meanwhile, unemployment just went up another 10,000 jobs. 10,000 more workers filed for unemployment.

Every Member in both Chambers will be judged on not doing the work that the people want us to do. Instead Congress must focus on how to use the power of the Federal Government to create jobs.

If you take a look at what the Republican majority in the House wants to do, they want to cut unemployment benefits. That's not even understandable to any rational person.

They want to cut food. I invite any one of them, come to my district. Come and stand in the food lines. See how it feels. Better yet, help us pack some of the food bags, and then distribute them and give them to veterans who are coming home from the wars who don't have jobs. And then ask yourself what are you really doing here. What are you doing here? America needs jobs.

What about health benefits for people who've fallen out of work, and don't have any more health benefits for their family? Why should we cut there?

You know, there are some who like to proudly proclaim they're pro-life. Pro-life doesn't only involve the period before a child is born. It involves the entire life of a person, of a human being until natural death.

I think there are some philosophical questions our Members ought to be asking themselves about helping the American people at this critical point in our history.

Now, all of us want to produce balanced budgets. When you have full employment, you get balanced budgets and you even can get extra funds. Full employment means you can pay down your long-term debt. But you don't hear anything up here being talked about jobs. If it were happening, we'd have more job creation. But we have less job creation. More people are going on unemployment benefits. So the current conversation and discussions are totally off base.

Let's just look at one sector where America and the Federal Government could save a lot of money. America, as a country, spends over \$250 billion a year on prescription drugs. And nearly a third of that amount is paid for by the Federal Government, which actually means our people paying their fair share of taxes, when they work, to the Federal Government and then the Federal Government meeting its obligations to our citizenry for their security and our Nation's future. Now, some of my colleagues on the other side of the

aisle are saying, cut Social Security, cut Medicare. Hurt the American people. Hurt the people who have worked for a living. They don't talk about trimming the excess profits of the pharmaceutical companies. So, let's look at that pharmaceutical industry.

You know what? They're not paying their fair share into the Federal till.

Let's just look at one bag of heparin in a hospital for which Medicare ends up paying over \$600, and in total, millions and millions of dollars a year for a product, a blood thinner that's been off patent for years. It's made in China. The ingredients are made in China. They're not even made here. Do you realize how much money a couple of companies are making off of selling just that one product? My Republican friends aren't trying to get fair prices for the American people.

Celebrex, for treating arthritis, Medicare pays for an average patient \$148 a month. For Lipitor, for those trying to lower cholesterol, \$122 a month.

Now if you take a look at the profits of Pfizer, Pfizer made \$8.3 billion in profits, and its CEO made \$25 million last year, just in what he's willing to admit. Johnson and Johnson made \$13.3 billion in profits, while their CEO walked away with \$29 million. Other big drugmakers like Abbott Labs, \$4.6 billion. These are with Bs—billions. These aren't with Ms—millions. These aren't millions; these are billions. And Eli Lilly, \$5 billion in profits our Federal Government is just forking over billions all the time. Yes, the Federal Government is the pharmaceutical industry's biggest customer, and the industry surely knows it.

Why doesn't the Federal Government use its purchasing power to get better bids on these drugs and have competitive bidding in order to purchase more fairly-priced pharmaceuticals? We did that back in the 1990s. We haven't done it since.

There's plenty of ways to get the funds to try to balance the budget. But the most important way to balance the budget is to help Americans get back to work. Then Congress must not forget the places in our budget where the American people are being gouged because some very powerful companies aren't doing their fair share to help our Nation recover. Proper management of the Federal pursestrings in long over-  
due.

#### REMEMBERING LANCE CORPORAL ROBERT S. GRENIKER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. PAULSEN) for 5 minutes.

Mr. PAULSEN. Mr. Speaker, I come to the floor of the House to honor and remember an American hero, Marine Lance Corporal Robert S. Greniger of Greenfield, Minnesota, who died last

week after an IED attack in Afghanistan in Helmand province.

As we grieve the loss of one of our finest citizens who loved being a marine and share our grief with his widow, Ashley, and his family, we really marvel that such heroes have been able to live among us. He gave up everything to protect his neighbors and extend the blessings of freedom to millions who have never known it. He was proud of his country and of the marines that he served with.

Mr. Speaker, in honor of Lance Corporal Greniger, we need to regularly thank our servicemen and -women and pray for their safe return each and every day.

We honor the service and the memory of Lance Corporal Greniger and commit ourselves to follow his example of patriotic duty, honor, and sacrifice in our daily walk as Americans.

Semper Fi, Lance Corporal.

#### TRIBUTE TO STAFF SERGEANT RUSSELL JEREMIAH PROCTOR

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, on June 26, a roadside bomb in Julula, Iraq, claimed the life of a young man from Oroville, California. He was Army Staff Sergeant Russell Jeremiah Proctor, age 25, on his third tour of combat duty.

He was laid to rest last week in solemn ceremonies in California. Sergeant Proctor leaves behind a grieving widow, a devastated family, and a 9-month-old son who will know his father only by reputation. And it is reputation I want to speak of today.

I never met Sergeant Proctor. I too know him only by reputation. It is a reputation commemorated by, among other decorations, two Army Commendation Medals, two Army Achievement Medals, two Army Good Conduct Medals, the National Defense Service Medal, the Iraqi Campaign Medal with Bronze Service Star, the Global War on Terrorism Service Medal, two Overseas Service Ribbons, a Combat Action Badge, the Bronze Star, and the Purple Heart.

It's a reputation memorialized by those who knew him best, the men he served with. "He was a leader among leaders," said one. "His drive to be the best motivated all of us to reach our potential." Another said, "He led from the front. He inspired everyone around him to better themselves."

Perhaps the most poignant was this simple post on a local newspaper site: "My son was killed with Sergeant Proctor. Private First Class Dylan Johnson and the rest of the soldiers in the unit all looked up to Russell for leadership and guidance. They are both heroes to me as well." It's signed, "A grieving dad."

I had the honor to speak last week with Sergeant Proctor's widow, Soila. She's also active duty Army. They met while serving at Fort Hood. She was deployed at the same Forward Operating Base as Russell. They were billeted together. She was nearby when he was killed.

I cannot begin to imagine the hell that she has been through. And yet, having endured all this, she plans to continue her service to our country in the U.S. Army.

Mr. Speaker, James Michener's question thunders down upon us at times like these: Where do we get such people?

As I talked with Soila last Monday, I was struck by the transcendent nobility that accompanies her grief.

Perhaps a more pertinent question is: What would our country do without such people as Sergeant Proctor, or the nine generations of Americans who have preceded him in the defense of our Nation?

General Patton was right when he observed: "It is foolish and wrong to mourn the men who died. Rather, we should thank God that such men lived."

And so, Mr. Speaker, I rise today for exactly that purpose, to thank God that Russell Proctor lived and to pray that his infant son, Ezekiel, grows up in a Nation made safer by his sacrifice, and a Nation that will never forget not only what we owe to those who Lincoln called "the loved and lost," but what we owe to the families who so personally bear that loss.

□ 1030

A chaplain who brought the dreaded news to the family wrote a commentary over the 4th of July weekend, a weekend filled with barbecues and picnics and fireworks, in which he noted the grief of this family amidst all of the frivolity around them. And he noted that at the age of 25, Russell Proctor will never again celebrate a birthday, take his son fishing, or hug his wife.

Sergeant Russell Proctor and all those who preceded him since the first shots on Lexington Green believed enough in our country and what it stands for to sacrifice all of those precious years of love and life and joy so that we, their fellow Americans, could enjoy those same blessings of liberty and safety and security, including a baby boy named Ezekiel, whose dad won't be there to take him fishing or hug him or celebrate birthdays with him.

Ezekiel, if you should someday stumble upon these words, I hope you will know that, like you, many of us knew your dad only by reputation, and we stood in awe of him.

#### HELP AMERICANS REDUCE DEBT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. CLARKE) for 5 minutes.

Mr. CLARKE of Michigan. Mr. Speaker, today I'm asking this House and this Congress to cut the debt that's truly crushing the American people right now, the debt that Americans and American families have to pay month after month, year after year, without any help from anyone else. It's a direct burden on our people.

And I'm not talking about the Federal debt. I'm talking about the debt that Americans must pay on their mortgages and on their student loans. So today I'm offering a resolution to strongly urge this body, that as we work to prevent the government from defaulting on its obligations, that we do the same thing to help the American people, that with equal intensity and drive and commitment, we work to help Americans free themselves of debt.

Now, if we help the American people reduce their debt burden, that's going to help our families to be more financially secure. Now, yes, jobs are important. I represent metro Detroit, a region that has one of the highest unemployment rates in the country. But you know what? I know folks that are working, they have jobs, but they don't have any money because all of their income is going to pay off creditors. That's outrageous.

A couple of days ago, I made a big issue to the American people about not borrowing and handling their money responsibly. The reason why I said that is because many of us think that being in debt is the American way. It's not. This country was founded on the principles based on the Declaration of Independence, that we all have a God-given right to life, to liberty, to the pursuit of happiness. But who can be free when drowning in debt?

So I'm urging this Congress, cut the mortgages, forgive the student loans. That will help American families be secure. But also this: by reducing that debt burden that Americans have to directly pay, that will create more jobs because that will free up money that Americans are earning for themselves. So instead of spending it on creditors, they can save that money, they can invest it, they can spend it responsibly on businesses, who in turn will hire more people. That's how you create jobs in a sustainable way. It's by helping Americans get out of debt.

Yes, Americans have a responsibility to manage their own finances, but likewise Congress has the duty to help Americans get out of the debt that this body, over the years, helped put people into debt by changing the laws, by allowing lenders to loan money under imprudent terms and target certain people with the sole objective to put the American public into debt, into a

debt that they can't repay or would take them a lifetime to free themselves of. We have that responsibility and that obligation.

I'm going to close because the underlying point I'm trying to make is this: yes, the Federal Government is important; how the Federal Government manages its money is important. This debt, it's critical that we manage it properly. We have to avoid default because if this government goes into default, everyone's interest rates on their loans are going to go up. That could force people into bankruptcy, force folks into foreclosure, and ruin property values for everyone else. Just so you know, property values have been ruined because of foreclosure. So if we help homeowners stay in their homes by modifying their loans, that's going to save the property values of other homeowners who never missed a payment, because you are the same homeowners right now that can't sell your home to pay off your mortgage.

You can't retire. You are depending on selling your home to pay off your mortgage, but you can't do it because your other neighbors are so under water they had to walk away from their homes or had to be evicted because of foreclosure. So by helping families reduce their debt, that helps all of us in America and it helps our American economy.

You see, this country is a great country. Our economy has been a strong one, not necessarily because of government, but because of the American people. So you know what, folks? If we want this economy to rebound, let's make sure that Americans are financially secure. And one of the most effective ways to do that is to free Americans from mortgage and student loan debt.

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#### HONORING SHERIFF JAMES "DEE" STEWART

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WESTMORELAND) for 5 minutes.

Mr. WESTMORELAND. Mr. Speaker, as an elected Member of Congress, I have the honor to serve and represent the people of the Third District of Georgia through my voting record and through participation in the law-making process.

Georgia's Spalding County sheriff, James "Dee" Stewart, represented his community through selfless service to his county, his deputies, and the thousands of citizens who elected him to four terms to be their protector.

I come before the House today with a heavy heart to honor the nearly 40 years of law enforcement service that was brought to a premature end on July 3, when Sheriff Stewart was killed in an automobile accident while on his daily patrol.

I hope that one day my staff and my friends will talk about me the same way Dee Stewart's coworkers and friends did at his funeral. He was the kind of man who always led from the front. Even though he was the head of the department, it would often be his voice that came across the radio responding to calls no matter what time of day or night. He would rather put his life on the line than let anyone else cover for him.

A man who valued his duty more than his sleep, Sheriff Stewart readily gave his personal cell number to anyone and made sure that everyone knew that he was available to them 24/7. That set him apart and contributed to his reputation as a man who really cared about the people of Spalding County.

Chief Deputy Major Teresa Bishop called Sheriff Stewart the "greatest boss ever" after 29 years of working together. He trusted his deputies to do their job and expected them to hold him accountable too. His humor made his employees look forward to each work day, but he took his responsibility very seriously, especially when it came to the safety of children and the elderly.

Sheriff Stewart is remembered as having a huge heart, a heart as big as Spalding County. In a testament to the number of lives touched by Sheriff Stewart's service, his funeral procession took nearly 20 minutes to pass by.

I stand here on behalf of his wife, Janice; his children, Jay, Hope, Joey and Darren; his 11 grandchildren; and everyone who knew James "Dee" Stewart as more than just a sheriff, but as a preacher, a marriage counselor, a friend, a father, and a husband.

The Bible says: "Blessed are the peacemakers, for they shall be called the children of God." Sheriff Stewart embodied that verse.

Thank you for your service, Sheriff. The people of Spalding County lost a great man on July 3, but your memory will live on. Many others will be inspired by your example to live justly and with kindness. You will be missed. See you later, Dee.

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□ 1040

#### THE COST OF FAILURE EXCEEDS THE PRICE OF PROGRESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, ladies and gentlemen of this House, I am pleased to rise with my colleague and dear friend BARBARA LEE to focus on an issue that all too frequently is ignored. I rise to speak as we are engaged in an extraordinarily important discussion, debate, and responsibility. That responsibility is to ensure that America pays its bills; that America's credit-

worthiness is not put at risk; and that an America which has incurred obligations meets those obligations to individuals and to others, as we have made policies that have cost money and it is now necessary for us to pay the bills that we have already incurred.

But as we engage in that debate and discussion, we must remember that there is in our country one child out of every five who is living in poverty, who is worried about proper food, proper housing, proper medical care. Children who are, in fact, at risk. We now in America, the richest nation on the face of the Earth, have the largest number of people living in poverty that we have had in over seven decades.

And so as we engage in this debate, it is important that we take this time to focus on those who all too often are invisible, who all too often are not the center of our discussion, who all too often are perceived to simply be those who will not matter at the voting booth.

Each of us in this House has a compass formed in many respects by our faith. My faith teaches me I have a responsibility to my God to reach out to the least among us to lift them up, to care for them, to clothe them, to feed them, to house them, to make sure that as a part of our American family, they are not forgotten. They are not by negligence driven more deeply into despair, unhealth, sickness, and a negative lifestyle which costs us all and costs those individuals.

I come from the State of Maryland, and I want to quote somebody you would think it may be unusual for me to quote, but I was elected to the State senate in 1966. Ted Agnew was elected Governor of our State in 1966, and he was inaugurated 2 weeks after I was sworn in as a member of the State senate at the age of 27. In his inaugural address he said: The cost of failure far exceeds the price of progress. What he meant by that, the failure to invest in the welfare of our people, as well as our infrastructure and the creation of jobs and the expansion of opportunity for our people, the failure to make those investments would in the long run cost us far more than the investments would cost us in the short run.

My colleagues, I suggest to you that our failure to invest in the welfare of all of our citizens will cost us far greater sums in the long run for the failure to invest in the short run.

And so I congratulate BARBARA LEE from California for making sure that the least of us are not forgotten in this very important debate.

Do we need to bring down spending? We do. But one of the interesting facets of every report that has been issued in a bipartisan way, most recently by the so-called Gang of Six, or the Simpson-Bowles Commission, or the Senator Domenici-Alice Rivlin Commission—all

had a central premise: Do not take actions that undermine the most vulnerable among us. Those were all bipartisan commissions.

I know my friends on the Republican side of the aisle who pride themselves on being the party of Lincoln understand Lincoln's message of healing and bringing us together and making sure that we lifted up our fellow citizens and cared for the sick and the homeless and for the young and, yes, for the old.

So as I said, I thank Chairwoman LEE, such a courageous and powerful voice on behalf of those who sometimes have no voice. I am pleased to join my voice to hers and hopefully to all 435 of us who have been given the privilege of serving in this body to raise our voices on this day on behalf of a Nation that has been perceived around the world as being a Nation of hope, of opportunity, of heart, and of soul. Let us reflect that in whatever way we go forward in ensuring the fiscal health of our Nation, both in the short term and in the long term. And understand that the health of our people physically, mentally, financially will be equally important to the health of our Nation.

I thank the gentlelady for leading this debate.

#### PASS FREE TRADE AGREEMENTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. CANSECO) for 5 minutes.

Mr. CANSECO. Mr. Speaker, if one were to ask the average American what their top three priorities for the Congress to work on would be, I think you would get the answer of jobs, jobs, and more jobs.

That's the answer because the employment situation in America is not good. Over 14 million Americans are out of work. We have had 29 straight months with the unemployment rate at 8 percent or higher and monthly jobs reports that show anemic job growth.

Clearly, we need to turn our economy around so robust job creation can occur. The American people want and expect nothing less.

Much of why our economy is not creating jobs is because of uncertainty in the economy that has been created by policies passed by Washington, like the government takeover of health care, the credit-restricting financial regulation bill, and the out-of-control spending.

We tried it the way desired by President Obama and Washington liberals, attempting to spend and borrow our way to a better economy. And their bills, all they did was add to the debt that is dragging the economy down.

Worst though is that Washington is ignoring three very easy actions that, if taken, will immediately help our economy. There are three pending trade agreements with Colombia, Panama, and South Korea that will create jobs and are at no cost to the taxpayer.

□ 1050

Altogether, it's estimated by the Business Roundtable that these three agreements will create 250,000 jobs. How can we not pass these agreements that will create jobs and not cost the taxpayers?

Today I want to talk about the benefits of the Panama Free Trade Agreement. In 2010, U.S. exports to Panama accounted for \$6.1 billion, creating \$5.7 billion in trade surpluses with Panama. The United States is Panama's largest trading partner. And once the agreement goes into effect, 88 percent of U.S. goods will enter Panama duty free.

What are some of the products that we export to Panama that could benefit from this agreement? Well, our top exports to Panama now are aircraft, machinery, and agricultural products. In the 23rd District of Texas, which I have the privilege of representing in the United States House of Representatives, agriculture is an important source of economic activity. The Panama Free Trade Agreement will help agricultural products in my district and those districts across the United States. This agreement is helping level the playing field for American agricultural producers.

In 2009, the U.S. exported \$362 million in agricultural exports to Panama. Less than 40 percent of those exports received duty-free status, while more than 99 percent of Panama's agricultural exports to the United States received duty-free status. Upon implementation of the agreement, 56 percent of U.S. agricultural exports will enter Panama duty free, and the remaining tariffs will phase out within 15 years.

While there are benefits to passing this agreement, there are also consequences for failing to pass it. American jobs are at stake as our competitors, notably Canada and the European Union, have their own trade deals with Panama. And once these deals are implemented, their exports will have an advantage over U.S. exports currently going into Panama. This will lead to a loss of market share for the United States exporters and a loss of jobs here at home.

Mr. Speaker, we have the ability to create jobs without spending taxpayer money. With over 14 million Americans unemployed, we must stop waiting. It's time to pass the Panama Free Trade Agreement.

#### POVERTY CRISIS IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE. I rise today as the founding cochair of the Congressional Out of Poverty Caucus to join my colleagues to discuss the urgent crisis of poverty and to provide a voice for those people living in poverty and who we feel that

could get disproportionately hurt by any negotiations that take place that cut too deeply.

I want to thank our leadership, especially our whip, Mr. HOYER, for his powerful words this morning and for his leadership; Leader PELOSI and our Assistant Leader, Mr. CLYBURN, for each and every day standing and working for the least of these.

Mr. Speaker, a daunting statistic speaks for itself: One in 5 million children in America are growing up in poverty, and nearly 45 million Americans are living in poverty today. Our national unemployment rate is 9.2 percent, but for African Americans it is 16.2 percent and for Latinos it is 11.6 percent. And we know it's twice these statistics, given the millions of people who have lost hope in looking for jobs.

Given these heart-wrenching statistics, the Congressional Out of Poverty Caucus, our cochairs—Representatives BACA, BUTTERFIELD, CONYERS, HONDA, and I—sent a letter to the President, the Vice President, and the congressional leadership on both sides of the aisle asking them to protect those programs that support those facing or living in poverty in the debt ceiling negotiations.

My colleagues and I are here on the floor today to remind every Member that it was not American families or children or the working poor that forced Congress to run a deficit, and it definitely was not America's seniors on Social Security or Medicare or people on Medicaid that forced Republicans to turn the first budget surplus into decades of record deficits. Two wars, massive tax breaks for millionaires and billionaires, Big Oil, and Wall Street running wild caused these deficits. The American people are willing to work, they want to work and pay their fair share, but they should not be asked to fill a hole that they did not dig.

We should quickly pass clean legislation to raise our debt ceiling to end this default crisis so that we can move on doing the critical work of creating jobs and responsibly addressing the national debt. Making heartless cuts on the backs of hungry children and struggling American families will not balance the budget. Every Member of Congress should consider the millions of Americans who are struggling—struggling to find work, struggling to pay for health care if they have health care, struggling to stay in their homes, and struggling to feed their children.

Mr. Speaker, more and more Americans are facing poverty every day, and the Congressional Out of Poverty Caucus is on the floor once again to be the voice for these Americans struggling day in and day out just to survive, demanding that we protect these vital safety net programs and help support the poor, especially in this Great Recession.

We are here today to share some stories from people who have benefited

from those programs. I have a story from Veronica, who lives in northern California, who has turned her life around under these vital safety net programs. Her story is one of hardship and survival. It's a story of getting back up when life knocks you down. It's a story of America. She is the American Dream. But she and her spouse were teenage parents. They relied on public assistance to bring up their children. They were able to get good jobs and they got off of Federal assistance.

Well, in 1995, the bottom fell out. Their son was diagnosed with diabetes. Her world imploded. She tried to go back to work full time. Her son needed more care at home. She was given child care assistance so she could support her family and her son. She was offered counseling and job training and, in the fall of 2009, the opportunity to work at Second Harvest Food Bank as an administrative assistant through the Federal stimulus program. She said she's still married to her husband. They have three beautiful children. And there's no way she could have kept her family together without the help of such programs such as SNAP food stamps, Medi-Cal, and job training. She said, "We found unknown strength, faith, and resilience in our downfall. We'll do everything that we can do to stay self-sufficient but cannot say enough about the blessed safety net."

Mr. Speaker, we understand that even when you work hard and do things right, sometimes everyone needs a helping hand, especially when there are no jobs. I personally needed this helping hand in years past when I was forced during many hardships that I was faced with that I had to rely on for many years public assistance and food stamps and Medi-Cal just to get through school, to take care of my kids, to get a job. And if it weren't for that safety net, I would not be here today.

And so let me just ask all of you to remember the poor, remember those struggling to survive, and to support those people who have exhausted their benefits, their unemployment benefits. They hit the wall in 99 weeks. We need to add more weeks of unemployment compensation for individuals who deserve this help. The 99ers need help. We need to do this. We need to do more to create jobs. We need to help people survive until we have the vision and the backbone to do that here.

HOUSE OF REPRESENTATIVES,  
Washington, DC, July 5, 2011.

Hon. BARACK OBAMA,  
*President of the United States, The White House, Washington, DC.*  
Hon. JOSEPH R. BIDEN, Jr.,  
*Vice President of the United States, The White House, Washington, DC.*  
Hon. HARRY REID,  
*Senate Majority Leader, Washington, DC.*  
Hon. MITCH MCCONNELL,  
*Senate Minority Leader, Washington, DC.*  
Hon. JOHN BOEHNER,  
*Speaker of the House, Washington, DC.*  
Hon. NANCY PELOSI,  
*House Minority Leader, Washington, DC.*

DEAR MR. PRESIDENT; MR. VICE PRESIDENT; SPEAKER BOEHNER; MINORITY LEADER PELOSI; MAJORITY LEADER REID; MINORITY LEADER MCCONNELL: As you and your colleagues work to consider solutions to our nation's fiscal challenges, we urge you to ensure the protection of social service programs that serve as a life line for our nation's low income and poor communities who continue to feel the detrimental impact of the economic downturn.

As co-chairs of the Congressional Out of Poverty Caucus (COPC) working to eradicate poverty, it has always been our goal to ensure critical programs protecting the impoverished remain viable while also keeping poverty at the forefront of debate and action here in Washington. Programs such as Medicare and Medicaid, low-income housing benefits, and earned income tax credit benefits must not be put in jeopardy in the name of deficit reduction, which will only create a greater cost burden to us in the future.

Poverty has taken on an entirely new face as a result of the financial crisis, the recession, and our nation's slow economic recovery. The latest statistics estimate 14.3 percent or 43.6 million Americans living in poverty as of 2009, up from 39.8 million in 2008. Furthermore, the poverty rate for Blacks is 25.8 percent, for Hispanics is 25.3 percent, and for children under age 18 is 20.7 percent. According to the U.S. Census, "the number of people in poverty in 2009 (43.6 million) is the largest number in the 51 years for which poverty estimates have been published." The recession has also left 13.9 million people unemployed, thereby putting another population at risk of falling into poverty.

We simply cannot afford to balance the budget on the backs of the poor. The COPC shares the concerns of an earlier letter sent to you in late June 27, 2011 by a list of think tank and nonprofit organizations advocating that deficit reduction efforts do not result in an increase in poverty. While we understand the need for fiscal responsibility, we also recognize the need to invest in programs that protect poor and vulnerable communities, especially in the face of economic hardship. Therefore, staying committed to safety net programs in health, education, housing, and employment is both a moral and economic responsibility that we cannot afford to ignore in the midst of deficit reduction efforts.

Sincerely,

BARBARA LEE,  
*Co-Chair, COPC.*  
JOE BACA,  
*Co-Chair, COPC.*  
G.K. BUTTERFIELD,  
*Co-Chair, COPC.*  
JOHN CONYERS,  
*Co-Chair, COPC.*  
MIKE HONDA,  
*Co-Chair, COPC.*

VERONICA'S STORY ABOUT SNAP, MEDI-CAL  
AND JOB TRAINING, CALIFORNIA  
(By Veronica of San Jose, CA)

I am the American Dream!

My name is Veronica, and I have such an immense gratitude for federal programs such as SNAP/Food Stamps and Medi-Cal.\* I am ESPECIALLY grateful for the Federal Stimulus programs that finally got my family off welfare.

My spouse and I were teenage parents in 1990 and relied on welfare to bring up our daughter until 1993, when we were able to get good jobs and get off federal assistance.

We had our son in 1995 and thought we would never need welfare again. We were wrong. I cannot pinpoint an exact time when we crumbled, because we cracked slowly. My husband's two closest cousins were murdered and he began abusing drugs to cope. I pretended it wasn't happening and kept working harder.

The bottom fell out when my son was diagnosed with Diabetes (type 1) in 2001. My world imploded. I was on leave from work through the Family and Medical Leave Act because both of my parents had been diagnosed with diabetes earlier that year—and then my son. So I went back on welfare, because I could not go back to work.

Thank God I was given the opportunity to help myself and my family through the assistance of different federal programs. When I tried to go back to work full-time and my son needed more care at home, I was given child care assistance so I could support my family and help my son. I was offered counseling, job training, and in the fall of 2009, the opportunity to work at Second Harvest Food Bank as an administrative assistant through the Federal Stimulus program.

I knew I was a hard worker but needed an opportunity to show it. When the program ended I was offered employment permanently at the food bank. I was one of 2010's Client Success Stories for Santa Clara County.

I am still married to my husband Ray. We have three beautiful children, Danielle, Raymond Jr., and Albert. There is NO WAY I could have kept my family together without the help of the programs such as SNAP/food stamps, Medi-Cal, and job training.

I will not say I will never need federal assistance again, but my husband and I know things happen for a reason. We found unknown strength, faith, and resilience in our downfall. We will do everything we can to stay self-sufficient, but cannot say enough about the blessed safety net.

#### THE PROMISE OF AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 5 minutes.

Mr. WOODALL. I'm conflicted as I come to the floor today, Mr. Speaker. I'd actually planned to talk about tax reforms this morning. The Ways and Means Committee for the first time in 10 years is holding a hearing on the Fair Tax next Tuesday, July 26. The Fair Tax is a proposal that abolishes the income tax system in this country that punishes people based on what they earn and creates a consumption tax that rewards people based on how much they save. And as we talk about poverty here this morning, as we talk about how to get folks back on their

feet, the problem in this country, Mr. Speaker, is not that we don't bring in enough revenue. It's that we spend too much money. There is a bias in our culture now towards consumption as opposed to thrift.

Now, when did that happen? I wish I were a better student of history. I know that Ben Franklin shared with us that "a penny saved is a penny earned." I know that our colleagues in the past said if we talk about a million here and a million there, pretty soon we're talking about real money.

□ 1100

My grandfather was a United Methodist minister in the South Georgia Conference. He was a Navy chaplain during World War II, and went down and worked the South Georgia circuit after the war. They'd get together and get all the little nubs of the candles that they would have during the year and melt them all together to put together those Christmas candles. I don't know if you all grew up with one of those Christmas candles in your home, but they couldn't afford to go out and buy a candle. They had to put together all the nubs and put in the wick themselves.

My dad tells the story of a lot of cold winters and a lot of very hot summers. He tells the story of every time the Klan would threaten to come and burn a cross on the lawn, my grandfather would sit out there on the front porch in his rocking chair with a shotgun. If you can picture that: a United Methodist minister, a man of peace, sitting out there on the porch with his shotgun, but that's the way things were in that part of the world and in those days.

And then he went on to become the superintendent of the United Methodist children's home in the South Georgia Conference. He died about a decade ago without two nickels to rub together, but it was the largest funeral I had ever seen in my life, because he touched people, he nurtured people, he reached out to those who didn't have anyone else to advocate on their behalf. His entire career he spent building people up. His entire career he spent reaching out to those who had no one and being their "someone."

As this discussion goes on here this morning, I promise you there is not a bureaucrat in Washington, D.C., there is not an agency funded by Federal dollars, that loves people like my grandfather loved people. There's not one. There is not one bureaucrat in Washington, D.C., and there is not one agency under Federal control that loves children the way my grandfather loved children.

Folks, we have a choice each and every day that's going on in this de-

bate that we're having over deficits, debts and defaults. Freedom and security. My big fear is not that there's going to be a default on United States debt. My big fear is that there's going to be a default on the promise of America. My big fear is that the government is doing so much, that we as people may think that we get to do so little, that government's not taking care of anyone. The government is taking from people who would have taken care of someone and is stealing that responsibility for nurturing our neighbors.

It is not the government's job to feed the hungry in my community. It's my job. It's not the government's job to reach out to the least of these. It's my job. As we're talking about children here on the House floor today, as we're talking about the most vulnerable of these, I think back to STENY HOYER's words in 1995, that when it comes to balanced budgets, when it comes to running up deficits, the person who gets hurt the worst when reckless government spending goes unchecked are the least of these, are the children. I agree with him a hundred percent.

What are we teaching our children today? What are we teaching our children about our responsibility as individuals to take care of one another? Where is the proposal? I've been in Congress 7 months now. There has not been a single proposal to encourage individuals to take care of one another. Time and time again what there are, are proposals to take away the responsibility from individuals of taking care of one another and to transfer that responsibility to government.

Now, I say that with passion. I know, Mr. Speaker, as you know, that everyone who brings those proposals to the floor brings it with a full heart. I do not question the motivations or the intentions of anyone who is reaching out to the least of these. I only question the results.

Mr. Speaker, the longest and most expensive war in this country's history is not the war in Afghanistan. It is the war on poverty, and the government's results are poor. We need to put it back in the hands of individuals.

SETTING THE RECORD STRAIGHT ON THE STIMULUS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. BROWN) for 5 minutes.

Ms. BROWN of Florida. Thank you, Mr. Speaker.

The best anti-poverty program is a job. The stimulus bill saved 3.3 million jobs just this year. After 8 years of reverse Robin Hood under Bush, we were losing 800,000 jobs a month. I repeat:

We were losing 800,000 jobs a month. Eight hundred thousand people headed toward poverty. The stimulus bill reversed the slide toward poverty for this Nation.

Earlier this week, I submitted data for the CONGRESSIONAL RECORD showing that the stimulus bill has funded 700,000 education jobs, more than all of the jobs lost due to Hurricane Katrina and the BP oil spill combined. Today, I submit for the record data on jobs saved or created by transportation funding in the stimulus bill. Since February 2009, 335,000 positions have been funded directly by the Department of Transportation. That figure does not include the jobs indirectly created by the stimulus bill as States and local governments leverage these funds for improvements that get goods and services moving throughout this country.

So far, the DOT has paid out \$30 billion in grants and has authority for another \$18 billion. Over 15,000 projects have been made possible by the stimulus bill. Mr. Speaker, can anyone seriously argue that \$48 billion for roads, rails and infrastructure will not put millions of people to work? Of course they can't.

In my district, construction of a new Amtrak station in Sanford, Florida, employed 46 subcontractors. Forty-five of them are from Florida. Does anyone want to call that a disaster?

The real disaster is that we didn't put enough money in the stimulus bill for transportation. This country gets a failing grade for the conditions of our roads and bridges, and we're going to have disaster after disaster like what occurred in Minnesota, the collapsing of the bridge that killed people.

Mr. Speaker, the stimulus bill put us on the road to recovery, and I will continue to set the record straight. Let's not stop this recovery by reversing course. The pending transportation reauthorization bill will take us backwards a decade and will kill the millions of jobs. That is what I call a disaster.

I am placing in the RECORD the transportation and how much each State received and how many jobs it created. For example, in Florida, 782 projects, over 16,000 people put to work. Let me just mention one other State—Pennsylvania, 384 projects, 13,000 jobs reported.

Mr. Speaker, people come to this floor and they talk all the time, and I guess people on TV think that what they're saying is actual, or factual. You can fool some of the people some of the time, but you can't fool all of the people all of the time.

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009—DEPARTMENT OF TRANSPORTATION GRANTS AS OF MARCH 31, 2011

State	Projects	Total Awarded	Funds Per Capita	Jobs Reported
Alabama .....	364	\$689,783,797	\$146	4107

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009—DEPARTMENT OF TRANSPORTATION GRANTS AS OF MARCH 31, 2011—Continued

State	Projects	Total Awarded	Funds Per Capita	Jobs Reported
Alaska	54	388,794,321	557	2771
American Samoa	4	8,468,599	N/A	348
Arizona	249	808,989,561	123	7964
Arkansas	150	422,379,045	146	4021
California	1244	7,348,869,737	199	33355
Colorado	151	667,300,538	133	6441
Connecticut	169	472,631,172	134	6667
Delaware	49	143,098,747	162	1196
District of Columbia	26	1,733,232,733	2,890	13812
Florida	782	1,839,648,149	99	16596
Georgia	438	1,136,153,103	116	11212
Guam	12	30,591,897	N/A	186
Hawaii	39	214,745,880	166	3185
Idaho	107	221,927,181	144	2235
Illinois	920	2,727,586,568	211	10433
Indiana	1163	828,803,322	129	6910
Iowa	255	424,232,778	141	3741
Kansas	180	397,374,332	141	3465
Kentucky	183	518,755,460	120	5079
Louisiana	156	578,683,578	129	4313
Maine	91	212,986,398	162	1252
Maryland	191	649,531,314	114	4029
Massachusetts	152	897,777,105	136	4173
Michigan	819	1,139,143,390	114	10209
Minnesota	266	692,002,343	131	4104
Mississippi	199	419,224,091	142	4988
Missouri	377	800,082,800	134	5269
Montana	98	305,897,160	314	3344
Nebraska	142	272,964,222	152	2493
Nevada	89	331,090,324	125	2844
New Hampshire	54	154,196,422	116	1192
New Jersey	202	1,156,651,333	133	8467
New Mexico	129	355,934,416	177	2927
New York	521	2,853,649,172	146	14377
North Carolina	460	1,413,137,683	151	10512
North Dakota	184	211,838,719	328	1369
Ohio	493	1,313,714,616	114	10045
Oklahoma	304	646,213,981	175	5174
Oregon	385	530,282,667	139	3560
Pennsylvania	384	1,450,896,521	115	13060
Puerto Rico	65	186,789,071	N/A	1597
Rhode Island	84	205,287,296	195	1656
South Carolina	219	552,208,453	121	3922
South Dakota	65	250,604,563	308	2717
Tennessee	370	839,526,398	133	6448
Texas	642	2,851,769,034	115	25458
U.S. Virgin Islands	11	31,184,858	N/A	319
Utah	143	398,498,657	143	2577
Vermont	82	198,703,920	320	1181
Virginia	193	934,531,617	119	7558
Washington	306	1,467,863,369	220	9414
West Virginia	184	253,292,304	139	2013
Wisconsin	479	699,094,342	124	4252
Wyoming	77	202,044,754	371	1934
Totals	15155	\$46,480,663,811	\$11,312	\$332472

Sources:  
<http://www.dot.gov/recovery>  
<http://www.recovery.gov/Transparency/RecipientReportedData/Pages/StateTotalsByAgency>

DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER) for 5 minutes.

Mr. SHUSTER. Thank you, Mr. Speaker.

The time for talk is over. The time for action has come. We are in a spending-driven debt crisis. Washington is spending money it doesn't have, and it's leaving the American people, our children and our grandchildren, with the tab. The national debt now stands at \$14 trillion, which is equal to 95 percent of the economy of the United States.

In his first 2 years in office, President Obama has added more to our national debt than was added between 1776 and 1992, totaling close to \$4 trillion in new debt in less than 36 months. We are now borrowing 40 cents on every dollar. I was a small business owner before I came to Congress, and if I borrowed 40 cents on every dollar, my business would have been out of business. American families know that if they're borrowing 40 cents on the dol-

lar, it's not long before they're in crisis.

President Obama inherited an economy in distress. There's no denying that. However, practically every decision he has made and every policy he has pursued has made matters worse. Between a failed trillion-dollar stimulus and a trillion-dollar government takeover of health care, this administration has spent without restraint and without regard to our financial health.

If spending is the problem, then controlling Washington spending is the solution. My colleagues stand on the House floor and talk about increasing revenues by raising taxes, but history tells us a different story. We can raise revenues by lowering tax rates. President Kennedy did it in the sixties, President Reagan did it in the eighties, and even President Bush in 2000 when he lowered tax rates. What happened was not a decrease in revenues to the Federal Government but an increase. In fact, in 2000, after the 2001, '2 and '3 tax cuts, we had record revenues in the Federal Government.

Our problem is spending. That's why I joined my colleagues in voting to pass Cut, Cap, and Balance. My passing this

legislation, the House stepped in and filled the vacuum of leadership left by the President of the United States in the debt limit negotiations. We acted to cut spending by over \$110 billion, cap the growth of spending, and force Congress to balance its books through a constitutional balanced budget amendment.

No one wants the United States to default on its debt. The consequences would be dire, not only for our economy but for the world. However, we cannot continue down the path that has led us to this crisis. The House has acted. It's time for the President to step in and act as well.

□ 1110

LET OUR EYES REST UPON WHAT POVERTY IN AMERICA TRULY IS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. I would like to particularly thank the Out of Poverty Caucus: Congresswoman LEE, Congressmen TOWNS, CONYERS, HONDA, and a number of other Members who



have joined that caucus and all of us who are here on the floor who are members of that caucus and who believe that this could not be a more important time.

A few days ago, I got on the floor to rename the Cut, Cap, and Balance legislation that was passed that would cut \$6 trillion out of the hearts and needs of the American people. I called it the “Tap Dance, Losers’ Club, and Bust the Benefits” bill because this is not a question of Members who are standing here today, wanting to recklessly spend your money. In fact, we are excited about opportunities that help boost the middle class, but we want to remind our colleagues that there are Americans who are impoverished.

Do you know that there are Americans who are on the front lines—young soldiers of the ages of 18, 19, 20, and 21 who have come out of places like the Delta in Mississippi or the Fifth Ward in Texas or the Appalachian Mountains or from the urban centers around the Nation—who are suffering from the highest degree of poverty, not poverty that they have generated on themselves?

Yes, there are issues sometimes with legacy poverty: families that have never broken the cycle, who are living in public housing or, even worse, who are living in housing that is not fit to be lived in. Travel in some of the shoes that many of us travel in, and go to places in America where there is no running water.

So we come today to acknowledge the fact that there is poverty in America.

In my own State, the people who are living in poverty rose to 16.3 percent in 2007 and to 17.2 percent in 2009—and we happen to be the second largest State in the Nation. Those are large numbers of individuals. We have the highest number of soldiers in the State of Texas who have come back from Iraq and Afghanistan, some of whom have had to access food stamps. The Kaiser Family Foundation estimates that there are currently 5.6 million Texans living in poverty. 2.2 million of them are children.

So I stand here today.

Let our eyes rest upon what poverty truly is.

This little one is a symbol of what poverty really is. It is the innocent and those who cannot speak for themselves.

Over 50 percent of the children who are in foster care in Harris County—that is in Texas—happen to be minority children, African American children. I remember my late colleague Mickey Leland was so overwhelmed by the depth of children who were in crisis and in need that he organized something called the “crisis cradles” so that, when babies had to be taken out of a distressed home in the middle of the night, they could come to a comforting place. Those babies were in pov-

erty, were in crisis, and they became part of the foster care system. That is a system that needs money, not because they’re deadbeats, but because they are innocent children who have come into home situations where women are impoverished, where there may be abuse.

Poverty comes in all forms. 3.9 million residents of Texas rely on the Supplemental Nutrition Access Program. This is all discretionary funding which the \$6 trillion would devastate—again, tap dancing around lifting the debt ceiling. President Reagan said to Majority Leader Baker that it would be an incalculable devastating result if, at the time that he was President, the debt ceiling was not raised. By the way, it was raised 17 times.

Does anyone understand that, constitutionally, the debt ceiling may be unconstitutional? The 14th Amendment, section 4—read your Constitution—says that all debt of the United States, public debt, should be recognized.

So just to conclude, Mr. Speaker, we come today to let America know: Should we let this little baby be part of the losers’ club or should we let our soldiers and their families and grandmothers and grandfathers be part of the losers’ club?

We are standing here today for the impoverished, and we are committed to fighting for them.

I would like to thank my friend from California for managing this time and drawing attention to the millions of Americans living in poverty.

In the coming weeks and months, this Congress will continue to debate the debt ceiling and budget. However, as we discuss cuts, it is imperative that we not lose sight of how funding reductions affect the American people.

CFPB regulations enacted by the bureau are designed to protect the average consumer from fraud and abuse, and prevent financial institutions from employing unfair practices.

In 2009, there were 43.6 million Americans throughout the nation living in poverty. The 2010 Federal poverty threshold, determined by the U.S. Census, is that a family of four is considered impoverished if they are living on less than \$22,314 per year.

Children represent a disproportionate amount of the United States’ poor population. In 2008, there were 15.45 million impoverished children in the Nation, 20.7 percent of America’s youth.

In my home state of Texas, where I represent the 18th Congressional District, the percentage of people living in poverty rose from 16.3 percent in 2007 to 17.2 percent in 2009. The Kaiser Family Foundation estimates that there are currently 5.6 million Texans living in poverty, 2.2 million of them children, and that 17.4 percent of households in the state struggle with food insecurity.

We must not, we cannot, at a time when the Census Bureau places the number of Americans living in poverty at the highest rate in over 50 years, cut vital social services, not when in the wake of the 2008 financial crisis

and persistent unemployment so many rely on Federal benefits to survive.

In April 2011, 3.9 million residents of Texas relied on the Supplemental Nutrition Access Program (SNAP) and other food stamp programs to feed their families.

The Republican budget reforms SNAP benefits into block grants, and caps the amount of Federal funding available to the program, with no guarantee that the allocated funding will be sufficient to meet the demand of low income families struggling with hunger.

The Republican budget also cuts \$504 million from the Women, Infant and Children (WIC) Program, which provides nutritious food to struggling mothers and children. The USDA reports that more than 990,000 Texas families rely on WIC for essential nutrition to keep mothers and their children healthy.

The Congressional Budget Office estimates changes to Medicare under the Republican budget plan will triple the cost for new beneficiaries by 2030 and increase costs for current recipients, including the 2.9 million people in Texas who received Medicare in 2010.

The Republican proposal will enact damaging changes to Medicaid, threatening healthcare resources for the 60 million people, half of them children, that rely on this program to stay healthy. A block grant for funding or a cap on federal Medicaid spending would increase the cost for states and the low income families who benefit from the program.

Harris County has one of the highest Medicaid enrollment records in Texas. Limits and cuts to Medicaid funds would significantly hurt the citizens of Texas’s 18th District. Harris County averages between 500,000 and 600,000 Medicaid recipients monthly, thousands of people who may not have access to healthcare under this budget.

Yes, we must take steps to balance the budget and reduce the national debt, but not at the expense of vital social programs. It is unconscionable that in our Nation of vast resources, my Republican colleagues would pass a budget that cuts funding for essential social programs benefitting children and the elderly in order to finance \$800 billion in new tax cuts for the wealthiest among us.

Perhaps my friends on the other side of the aisle are content to conclude that life simply is not fair, equality is not accessible to everyone, and the less advantaged among us are condemned to remain as they are, but I do not accept that. That kind of complacency is not fitting for America.

I firmly believe that all Americans can come together to protect the most vulnerable citizens in the Nation, to provide relief for the poor and the hungry, because 43 million of our fellow countrymen living in poverty, 15 million of them children, is simply unacceptable. Finally, where are the jobs—cutting \$6 trillion will not create jobs. I am here to create jobs for the poor and our American families.

I urge every Member in this Chamber to look at what unites us rather than what divides us. We are linked by our compassion, and bound by the fundamental edict of the American dream that says we will strive to provide our children with a better life than we had. We can, and we must reach a compromise that will not cut valuable services from those who need government the most.

I thank my friend, the gentlelady from California.

#### COMPROMISING AMERICA FOR THE SAKE OF A DEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. LANDRY) for 5 minutes.

Mr. LANDRY. Mr. Speaker, when I ran for this office, I didn't run to get a job. I ran to create jobs.

I know that there is a new poll out there, supposedly, that tells us that a vast majority of Independents wants us to compromise for a deal; but the question which all of the Members of this House should poll their constituents and the American people on is whether or not they want this Congress to compromise their country for a deal.

Do we compromise our country for the sake of simply getting a deal?

I also ran to uphold the Constitution. I supported Cut, Cap, and Balance. It is the compromise that I came here to make. I compromised in agreeing to raise the debt ceiling if we get real cuts, if we cap our spending and if we do what a vast majority of the States in this country do—and that is to have a balanced budget amendment.

What is so wrong with this balanced budget amendment? It's hard for me to understand, Mr. Speaker.

Then along comes the Gang of Six. Let's see what the Gang of Six has.

Part one is that they cut \$500 billion in gimmicks compared to our real cuts. How do they cut \$500 billion? Part of it is by changing the CPI formula and indexing for Social Security. Only in this city does the law of mathematics not work. You see, when I was in the second grade, I was taught that  $2 + 2 = 4$  and that  $2 \cdot 2 = 4$ . That hasn't changed. It's still that today. But in this town, when you get inside this Beltway, mathematics is different. You can get a different outcome based upon a different formula.

Then the second part is they used the reconciliation process in order to control our spending. Let's see. The last time we used the reconciliation process, we got ObamaCare. That's how they passed ObamaCare. Mr. Speaker, they used the reconciliation process to pass ObamaCare; and I have a feeling that what we're going to get out of this Gang of Six is a bill that they're going to ask us to vote for before we know what's in it.

□ 1120

Thirdly, if through this reconciliation process they come out with the cuts that are necessary to bring them within the amount that they allocate that we need to cut and save, then if that reconciliation process produces a supermajority in the Senate, only after they produce a supermajority of votes in the Senate will they move to shoring up our Social Security system.

What they should be doing is working on getting a supermajority so we can pass a balanced budget amendment to the Constitution. What is so wrong with giving the American people the opportunity to speak, to say, Congress, you have been out of control. You need to balance your books like all of the American families in this country do.

In closing, I want to warn our Members in this Chamber that the Gang of Six proposal cedes the power of the House to the Senate. Now, I came here to uphold that Constitution. The power of the purse, article I, section 7, clause 1, gives the power of the purse to this House. Regardless of whether you are a Democrat or a Republican, you should care about that. Those committees in the Senate should not be dealing with our tax laws or they should only deal with them after we have had a chance to send it to them.

This is what the American people demand. They demand that our Constitution work. And for it to work, revenue and spending starts here in the House. Let's not cede the power of the House over to the Senate.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2055. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2055) "An Act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes" and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSON (SD), Mr. INOUE, Ms. LANDRIEU, Mrs. MURRAY, Mr. REED (RI), Mr. NELSON (NE), Mr. PRYOR, Mr. TESTER, Mr. LEAHY, Mr. KIRK, Mrs. HUTCHISON, Mr. MCCONNELL, Ms. MURKOWSKI, Mr. BLUNT, Mr. HOEVEN, Mr. COATS, and Mr. COCHRAN to be the conferees on the part of the Senate.

#### IMPACT OF CUTS ON POVERTY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. CARSON) for 2 minutes.

Mr. CARSON of Indiana. Mr. Speaker, it is very easy for some Members of Congress to blindly advocate across-the-board cuts to our investments in people. But I join those today to ask my colleagues to open their eyes to what these cuts really mean. They

aren't abstract numbers. For the many people living in poverty, they mean lives irreparably damaged and critical opportunities lost.

My home State, the great Hoosier State of Indiana, suffers from an average unemployment rate of 10 percent. Among veterans, that number is higher. And for wounded vets and others with physical limitations, the numbers are staggeringly higher.

As a result of these economic times, Mr. Speaker, more families live in poverty and rely critically on your and my help. Valuable health care, education, housing, and job-training programs are necessary to provide them with the tools for survival.

At this time, Mr. Speaker, when most of our communities are struggling to recover, we must not turn our backs on the people who are trying to overcome extreme poverty.

I ask my colleagues to remember these vulnerable Americans. They're not burdens. They're our children, our working mothers, our police officers, our firefighters, our neighbors, our vets. They are our fellow Americans.

#### TRIBUTE TO SERGEANT NATHAN BEYERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. COFFMAN) for 5 minutes.

Mr. COFFMAN of Colorado. Mr. Speaker, today I rise to honor a soldier who made the ultimate sacrifice and laid down his life for our freedoms, United States Army Sergeant Nathan Ryan Beyers.

Sergeant Beyers, a 2006 graduate of Thunder Ridge High School in Highlands Ranch, Colorado, volunteered to serve in the Idaho Army National Guard. In the Army, he served with the 145th Brigade Support Battalion of the 116th Cavalry Heavy Brigade Combat Team.

He deployed with his unit in support of Operation New Dawn in Iraq. On July 7, 2011, he gave his life in the line of duty on a convoy security mission.

Nathan is remembered not only for his heroics on the battlefield, but for the tremendous impact he had on his family, friends, and community.

He was absolutely devoted to his family and his fellow soldiers. As his wife recalls, Nathan was proud of his job and serving our country. He died doing something he loved and was such a brave person.

Sergeant Nathan Ryan Beyers personifies the honor and selflessness of service as a citizen soldier. His bravery and dedication to duty will not be forgotten. As a Marine Corps combat veteran, my deepest sympathies go out to his family, his fellow soldiers, and all who knew him.

## OUT OF POVERTY CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. TOWNS) for 2 minutes.

Mr. TOWNS. Mr. Speaker, let me just sort of set the record straight and explain things.

When President Obama came into office, we were in debt, and we were also involved in two wars. And when President Clinton left office, there was a surplus. So we need to make certain that we keep our facts in line.

So I stand here this morning with the Out of Poverty Caucus to voice my opposition to the Cut, Cap, and Balance Act passed by this body yesterday.

Furthermore, I'm very disturbed that many of the policies being promoted by some of my colleagues are unjust and they are just plain wrong. Cutting back on Medicare and Social Security is unfair to the senior citizens who have worked hard all of their lives and should not have to worry at this point whether they can afford to go to the doctor or buy the medicine that they need.

Let me add, I am baffled at times by the fact that many of my colleagues refuse to even consider how unjust their proposals are. Yes, we must reduce our debt burden. I agree with that. But it is unjust to balance the budget on the backs of the poor and most vulnerable citizens in our Nation.

The wealthy must join in the sacrifice. They must be included. According to a report by the Center on Budget and Policy Priorities, two-thirds of the income gains in the United States from 2002 to 2007 went to the top 1 percent of the income earners. Many of my colleagues are saying give them more tax breaks. They're not even asking for more. But they're saying give them more.

Many of the Members of this body believe it's all right to balance the budget by taking food out of the mouths of babies, by cutting WIC programs. Imagine how terrible it must be for a mother or father to send their kid to bed hungry at night.

That is why I stand for the Out of Poverty Caucus and say enough is enough.

## SLASHING MEDICARE AND MEDICAID

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for 3 minutes.

Mrs. CHRISTENSEN. Mr. Speaker, the Republican leadership has taken us to the brink of a default crisis by holding the debt ceiling and our ability to pay our bills hostage. Their latest slash, burn, and kill Medicare and Medicaid bill, otherwise known as Cut, Cap, and Balance, is putting the full faith and credit of our Nation at risk and threatening critical safety nets for our

seniors, people with disabilities, and the poor, including our Nation's children.

Medicare covers over 4 million African Americans, over 4 million Latinos, and close to 2 million of other people of color—citizens with higher poverty rates who have some of the most serious health problems. Our seniors and people with disabilities rely on Medicaid for long-term care and there are 9 million dual eligibles, low-income seniors and younger persons with disabilities, who are enrolled in and rely on both Medicare and Medicaid.

□ 1130

Nearly three in every four poor or near-poor African Americans and Latinos are covered by Medicaid, but 64 percent of low-income black children and 63 percent of low-income Latino children are on Medicaid. Medicaid also provides critically important support to all Americans who lost their jobs as a result of the economic downturn.

In the Affordable Care Act, the Democrats strengthen Medicaid. And contrary to what you hear from our Republican colleagues, we use \$500 million in savings identified in Medicare to strengthen it, to extend its solvency, and to begin to close the doughnut hole.

In this risky standoff, it is clear that Medicare and Medicaid payments are at risk, and African Americans and other racial and ethnic minorities, and the poor who are already underwater and who rely on them for coverage, will bear the overwhelming brunt of the cuts, as will the providers and facilities that care for them. This is unacceptable. Then the loss of the economic multiplier effect that States would experience as a result of Federal Medicaid cuts would be even much greater than the amount of the Medicaid cuts themselves.

We're calling on the Republican leadership to do what we all know must be done to release the debt ceiling and all of the people who are being held hostage with it, the poor, racial and ethnic minorities who we stand here on behalf of today with the Out of Poverty Caucus.

I quote Dr. Martin Luther King, Jr., who said, "Of all the forms of inequality, injustice in health care is the most shocking and inhumane." We must avert the default crisis. Colleagues, let's lift the debt ceiling, let's pay our bills, and let's avoid an economic catastrophe that the good people of this country do not deserve and cannot withstand.

## AMERICAN ECONOMIC DISPARITIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DAVIS) for 2 minutes.

Mr. DAVIS of Illinois. Thank you, Mr. Speaker.

Whenever I hear a Member of Congress proposing austerity as a fix for any or all of our Nation's economic problems, whether the problems are real or perceived, my first reaction is "austerity for who?"

The fact is that in recent years we've been condemning more and more Americans to austerity then ever before while at the same time we continue to hand out tax breaks and fat government contracts for the wealthiest Americans, and the largest and wealthiest corporations. After getting bailed out, the profits at the largest financial institutions have recovered and then some—bonuses for their CEOs have recovered, and then some, but this Congress refuses to ask those institutions and those CEOs, and others like them, to give back just a little.

The latest census data dramatically shows how after African Americans had made significant gains in the 1950s and '60s, progress began to stall in the 1970s. Four decades after the civil rights movement, blacks still earn only 57 cents and Latinos earn 59 cents for each \$1 of white median family income in our country. The contrast is even starker for net worth. That is, the total value of investments, savings, homes, and other property, minus debt. Blacks hold only 10 cents of net wealth and Latinos 12 cents for every \$1 that whites hold.

Out of the 43.6 million Americans living below the poverty threshold, 9.9 million of those are African Americans. Meanwhile, the latest unemployment rates are, to say the least, grim. Overall, African American unemployment, 16.2 percent; African American men, 17 percent; black teenagers, about 40 percent—and this Congress can't find the votes to extend unemployment insurance. I say that our policies must reflect the needs of those who are most vulnerable. We must provide opportunity for the needy and not just the greedy.

When I see that the median annual Social Security benefit for a 65-year-old single African American woman is \$10,680 which puts the median benefit for African American woman seniors just above the 2010 poverty line for individual seniors, an obscenely low \$10,458. And when I couple that with the knowledge that nearly half—45.6 percent—of non-married African American women aged 65 older rely on Social Security for all of their income and 54.1 percent rely on it for 90 percent of their income or more. And, worst of all when I recall that non-married African American women seniors already suffer from high rates of poverty and near-poverty, nearly half—47.8 percent—of African American women living alone have an income under 125 percent of poverty, and one-third—33 percent—have income below 100 percent of the poverty line . . .

Well, I just have to say to those who are talking of reducing Social Security benefits, or the annual Social Security COLAs, or raising the age for collecting Social Security "austerity for who?"

When I pick up the paper every morning and have to read over and over that home

foreclosures were two-and-a-half times above the 2001 rate by the end of 2010 and that some 3.7 million homes are in danger of foreclosure and this Congress, instead of addressing the epidemics of unemployment and foreclosure, plays politics with raising the debt ceiling;

I can't help but remember that, for all the hubbub about the size of government and Federal spending, the Bush tax cuts increased the deficit by \$1.7 trillion between 2001 and 2008 and the two wars begun by President Bush added another \$1 trillion to the deficit and Bush Administration's policy of deregulation of the financial markets led ultimately to the bursting of the housing bubble which triggered the Great Recession which not only sapped our federal budget, but have decimated state and local budgets in every corner of the nation. I have to demand of those risking default and tipping the nation into depression "austerity for who?"

I have to wonder why we aren't talking about the fact that since the recession officially ended in June 2009, private payrolls have increased by more than 1 million workers, still nowhere close to putting 14 million Americans back to work, but State and local government payrolls for teachers, fire-fighters, police officers, public health workers and other critical services have declined by 493,000—cutting the number of jobs created almost in half while the loss of those good jobs reverberate throughout the local economies. My obvious question is "austerity for who?"

I wonder if some Members of Congress just don't know that Medicaid covered half of all Black children in the United States and nearly two-thirds (64%) of low-income Black children. Medicaid covers over a third (35%) of African Americans in fair or poor health and 59% of African Americans living with HIV/AIDS. Shouldn't we expect and require of those who are proposing to slash Medicaid an answer to: "austerity for who?"

I am just as concerned about balancing the Federal budget as any Member of this Congress, but there are a lot of ways to do that. The Peoples' Budget proposed by the Progressive Caucus would get us to a balanced budget and would put us on the road to paying down the debt and lay the foundation for a healthy, sustainable and just economy.

I've reached the conclusion that we do need a Constitutional Amendment, not a Balanced Budget Amendment, but one that would require Members of Congress who glibly propose austerity as a quick and dirty solution to every challenge which comes over the horizon to explain to the American People, truthfully and fully, in each and every case, "austerity for who?"

#### CRASH, SLASH, AND TRASH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. SCHAKOWSKY) for 2 minutes.

Ms. SCHAKOWSKY. Last year, John Carlson, a hedge fund manager, made about \$5 billion and paid taxes at a lower rate than most Americans. Right now, the 400 richest Americans in our country control as much wealth as 150

million other Americans. We have a crisis, all right, in our country, and it's called a disappearing middle class. The rich getting richer, the poor getting poorer, and the middle going into poverty.

We have a jobs crisis in our country. And poverty has taken an entirely new face as a result of the financial crisis, the recession, and our Nation's slow economic recovery. In Skokie, Illinois, a solid middle class suburb, now 40 percent of the kids who go to school there qualify for a reduced or free lunch. And the food pantry is bulging now with new people waiting in line. I went to a mortgage foreclosure workshop in suburban Des Plaines, Illinois, and I felt like I was watching the American Dream slip through the fingers of hard-working Americans. More than one in five children is now called "food insecure," meaning they go to bed hungry some nights.

And what have the Republicans decided to do? They decided to cut the programs that will help those people. That's how they want to reduce the deficit. They passed a bill called the Cut, Cap, and Balance bill. And it cuts, and it caps, and it balances. It cuts Medicare. It caps Medicaid. And it balances the budget on the backs of the seniors, the poor, and the WIC program, taking food out of the mouths of hungry children. There is something very wrong and very un-American with the Republican proposal that makes it easier to cut Medicare than to cut subsidies for oil and gas companies; easier to cut Social Security than to ask for one penny more for the billionaires, like John Carlson, and easier to cut subsidies for food for little children than to cut subsidies for corporate jets.

I heard from a woman who lives on \$1,023 a month. That's her Social Security. And she doesn't have enough money to make it through the month and often goes hungry. Is this right in the richest country in the world? We can reduce our debt, but not on the backs of the middle class that are becoming poor and those who are already poor.

#### AMERICANS NEED WORK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 3 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, according to the latest figures available, an estimated 43.5 million Americans are living in poverty. Ladies and gentlemen, that's more than the entire State of California. Unbelievable. Communities of color continue to be disproportionately affected by poverty. The national unemployment rate is 9.2 percent. In my home State of Georgia, it's even higher, at 9.8 percent.

With millions of Americans in poverty and a high unemployment rate,

you would think the Congress would do what it was elected to do, which is to create jobs and pass legislation that spurs economic growth. But in the past 7 months, the Republican majority has not moved one single jobs bill. Instead, this House majority is pushing bills through that take away Grandma's Social Security check, dismantle the Affordable Care Act, which would provide health care to millions of uninsured Americans, and cut a first-generation college student's Pell Grants. They want to crash our economy by ignoring the need to raise the debt ceiling and ignoring the catastrophe that would occur if we don't. Instead of bringing us opportunities and the American Dream, the Republican majority gives us cut, cap, and kill. Kill Medicare, Social Security, Medicaid. Those are the prisoners who are awaiting execution. It's really about crash, slash, and trash.

Staying committed to safety net programs and health, education, housing, and employment is both a moral and an economic responsibility that we cannot ignore. However, Congress seems to be doing all that it can to keep families from getting back on their feet during times of economic distress. They shouldn't be trying to pull the wool out from under the people of this great Nation, regular working people.

The record debt run up by the Bush administration was a direct result of Republicans' two unfunded wars, failed economic policies, and failed oversight of the financial services sector. And what we need to do is support more programs like Pathways Out of Poverty, which puts residents in my district back to work doing green jobs. But instead, what we want to do is give Rupert Murdoch a tax break and give all of the big oil companies tax loopholes that you could drive a submarine through. Americans need to go to work. So let's focus on getting Americans what they need, which is jobs, jobs, jobs.

#### RECESS

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

Accordingly (at 11 o'clock and 40 minutes a.m.), the House stood in recess until noon.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

Once again we come to You to ask wisdom, patience, peace, and understanding for the Members of this people's House. The words and sentiments that have been spoken and heard in these recent days were born of principle, conviction, and commitment.

We ask discernment for the Members, that they might judge anew their adherence to principle, conviction, and commitment, lest they slide uncharitably toward an inability to listen to one another and work cooperatively to solve the important issues of our day.

Give them the generosity of heart and the courage of true leadership to work toward a common solution, which might call for compromise, even sacrifice, on both sides. We pray that their work results not in a result where some are winners and some losers, but where all Americans know in their hearts that we are winners.

May all that is done this day be for Your greater honor and glory.

Amen.

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#### THE JOURNAL

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

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

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#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Minnesota (Mr. WALZ) come forward and lead the House in the Pledge of Allegiance.

Mr. WALZ of Minnesota led the Pledge of Allegiance as follows:

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

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#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

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#### DEBT CONTRIBUTION ACT

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

Mr. STIVERS. Mr. Speaker, sometimes small steps can make a big difference, and often the best legislation comes from our constituents. That's the case with legislation that I have introduced called the DEBT Contribution Act, which gives Americans simpler ways to make a tax-deductible contribution specifically to reduce our national debt.

Recently, I have received letters from constituents like this one asking

how they can donate funds to pay down our national debt. I voluntarily give \$700 out of every paycheck to go toward paying down the national debt, and I want to make it easier for like-minded citizens to do the same. That's why I've sponsored the DEBT Contribution Act. It does three things:

First, it creates a check-off box on the individual tax return form to make it more user friendly to give a tax-deductible contribution to pay down the national debt.

Second, it makes sure that 100 percent of those funds are used to reduce the national debt and not redirect it for any purpose.

And, finally, it makes it clear that it is tax deductible, as it has been to give that charitable contribution.

Our national debt is now \$14.2 trillion, and we need to do everything we can to pay down our national debt. I urge my colleagues from both sides to support this measure.

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#### JOBS

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

Mr. BACA. Madam Speaker, on Tuesday, we passed one of the worst bills I have ever seen in my time in Congress.

The cut, cap, and default plan jammed through by the Republicans is not a real solution to our fiscal crisis. Instead, it threatens Medicare benefits, and it increases out-of-pocket expenses for seniors. It's just another example of special interests holding our country hostage to protect tax breaks for the wealthiest few.

It has been 28 weeks since the Republicans took control of the House, and we have not seen a jobs bill. Instead, we see a bill that makes seniors suffer while cutting taxes for the ultrarich and corporations that shift jobs overseas.

The Bush tax cuts for the wealthy have failed to create jobs. We need a balanced solution to go forward. No new taxes, no new jobs.

Let's work on a plan that solves our Nation's deficit without making our seniors and our middle class pick up the tab.

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#### HONORING TERRE HAUTE POLICE OFFICER BRENT D. LONG

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

Mr. BUCSHON. Madam Speaker, I rise today to honor Terre Haute Police Officer Brent D. Long. Officer Long was killed in the line of duty on July 11, 2011, while assisting to serve a felony warrant.

A proud member of the Terre Haute, Indiana, Police Department for 6 years as a K-9 handler and a member of the department's SWAT team, Officer Long was 34 years old.

Terre Haute has lost one of its finest citizens, and the community will forever be indebted to Officer Long's service. His sacrifice and valor should be commended, and I would like to offer my most heartfelt condolences to Officer Long's family, friends, and to the Terre Haute Police Department, who have lost one of their own.

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#### WE NEED A CLEAN ENERGY STRATEGY

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

Mr. INSLEE. Madam Speaker, as we search for a bipartisan solution to our fiscal short-term and long-term issues, I don't think we should be unmindful of what is really happening in the real world. In the real world, there are two things: One, we have a jobs crisis; and, two, we have Americans sweltering from coast to coast with unprecedented heat. And these things are connected, because if we adopt a clean energy strategy to develop clean energy sources, we can prevent our climate from continuing to change, which left unabated will leave New York City with three times the number of days with over 95 degree temperatures in the next several decades.

We need to have an energy policy that will invest in those clean energy jobs. And as we look for this bipartisan solution, let's not cut off our energy research, which is going to be successful building a new clean energy strategy for this country and building millions of new clean energy jobs and, by the way, keep us down to a climate that's habitable.

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#### SPACE PROGRAM'S END THREATENS AMERICAN EXCEPTIONALISM

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

Mr. HULTGREN. Madam Speaker, Shuttle *Atlantis* returned to Earth at daybreak this morning, and it marked the end of America's 30-year shuttle history of scientific and engineering excellence in space.

I am a strong believer in American exceptionalism, and at its heart, the story of America's exploration of space is a story of American exceptionalism. No other nation has mastered manned space flight like the United States, launched anything like the Hubble Space Telescope, or led efforts like the international space station.

Forty-two years ago today, Americans first walked on the Moon. No other nation has come close to matching this achievement. But I am deeply concerned about America's future greatness. Today, the path forward for our space program is unclear. Save for empty political rhetoric, President

Obama has been unwilling to lead or articulate a vision for future American endeavors in space.

The Defense Department fears that the loss of our civilian space program will erode our aerospace industry base and threaten our technological edge in all fields. As a result, we are left relying on Vladimir Putin for rides into orbit. This is unacceptable and it's un-American.

I hope we will reform Washington's habit of borrowing and spending. And after we have cut, capped, and balanced, it's time to lead again in space. It's time again for American exceptionalism.

□ 1210

CONGRATULATIONS, GUSTAVUS  
ADOLPHUS COLLEGE

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

Mr. WALZ of Minnesota. Madam Speaker, it is my honor to rise today to congratulate Gustavus Adolphus College in St. Peter, Minnesota, on 150 years of academic excellence.

For a century and a half, Gustavus Adolphus College has thrived as a prestigious and nationally recognized liberal arts college and cultivated the values of faith, service, justice, and community in its students. I have had the opportunity to see firsthand the many Gustavus students and graduates who live by the motto of the college: Make your life count.

Gustavus students are bright, engaged, and my interaction with them leaves me feeling optimistic about the future. I am also lucky enough to be married to one of their alums.

Every year, Gustavus hosts a unique and world-renowned science conference named after Alfred Nobel. The conference is dedicated to the ideals of Alfred Nobel as he professed in the final years of his life: international collaboration and science for the sake of improving our lives and progressing the human condition. This conference embodies what Gustavus is all about: pursuing academic excellence with the purpose of making it count.

Gustavus can be proud of its 150 years, and I am confident that its tradition of excellence will continue to leave a profound mark on Minnesota and the world.

HONORING STAFF SERGEANT  
WYATT A. GOLDSMITH

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

Mrs. McMORRIS RODGERS. Madam Speaker, it is with a very heavy heart today that I rise to honor the life of

Staff Sergeant Wyatt A. Goldsmith. Twenty-eight-year-old Sergeant Goldsmith lost his life on July 15 while defending America in Operation Enduring Freedom.

As a native of Colville, Washington, Sergeant Goldsmith was a medic with the 3rd Battalion, 1st Special Forces Group. He was treating an Afghan commando when insurgents attacked his unit in the Helmand Province last Friday.

While his life was cut way too short, his legacy lives on forever in the hearts of those who knew him, and even those who did not. His many years in the service earned him the Bronze Star Medal, a Purple Heart, two Army Commendation Medals, an Afghan Campaign Medal, an Iraqi Campaign Medal, and many other honors for his valor and heroism in the name of American freedom.

So today I rise to remember an American hero who gave his life to make America safer, freer, and more prosperous. May God bless Sergeant Goldsmith's family and all of the brave men and women who have answered America's call to freedom.

REMEMBERING FELIX ANTON  
SCHWARZ

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, it is with great honor that I rise today to pay tribute to a friend and a remarkable public servant, Felix Anton Schwarz.

Mr. Schwarz was the executive director of the Health Care Council of Orange County, where he had such a passion for working with people until his 80th year. Unfortunately, he passed away on the 4th of July.

Mr. Schwarz will be remembered for his long and productive life in which he brought people together to seek solutions to so many of our health care issues back home. He was an avid advocate for improved access and affordable care for the people of Orange County. Through the Health Care Council, Mr. Schwarz was able to educate the public, educate health care professionals, and in particular policymakers in the need to support the county's safety net of health care services. He was a strong voice for the most vulnerable and neglected populations within our area.

Mr. Schwarz's energy and vision touched thousands of individuals. Today I rise to honor his memory and the legacy that he has left for our community.

DON'T RAISE TAXES IN A  
RECESSION

(Mr. STUTZMAN asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. STUTZMAN. Madam Speaker, in August 2009, President Obama visited my district in Elkhart, Indiana. A brave constituent of mine expressed his disappointment with taxes and asked the President to explain how raising taxes on anyone during a deep recession is going to help with the economy. President Obama responded: "I guess what I would say to Scott is his economics are right; you don't raise taxes in a recession."

Responding to a follow-up question by MSNBC's Chuck Todd, he stated: "So he is absolutely right. The last thing you want to do is to raise taxes in the middle of a recession because that would just suck up—take more demand out of the economy and put business in a further hole."

Now the President is demanding that any debt ceiling compromise include higher taxes. That would discourage economic growth and, in his own words, take more money out of the economy.

Washington has a spending problem, not a revenue problem. The GOP plan, the Path to Prosperity, addresses our spending problems, puts our Nation on a strong footing and begins the journey towards balanced budgets and economic recovery. As part of our Cut, Cap, and Balance Act, House Republicans have demanded that a balanced budget amendment to the Constitution be sent to the States for ratification, to require a balanced budget in Washington just like Americans do every day.

END DEBT DEFAULT CRISIS

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

Mr. CARNAHAN. Madam Speaker, it is time to come together and put an end to this debt default crisis. Economists and business leaders warn us that failing to pay our Nation's bills would spell disaster for this economy. Interest rates would skyrocket, the dollar plummet, our modest economic recovery wiped away.

Are my Republican colleagues really going to continue to hold the U.S. hostage to protect special interests, subsidies for big oil, and profitable corporations sending jobs overseas at the expense of seniors? Are my Republican colleagues really going to drive this economy over the cliff?

Last year they promised America a jobs agenda, and now they confess they have none. Nearly a thousand of my constituents have contacted my office in the last two weeks concerned about the consequences of default. One writes: "If our elected leaders . . . let our country fall into default, it would be inexcusable. There must be compromise."

It is time to stop focusing on political posturing and give the American people the leadership they deserve for a stronger American future.

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#### AMERICA'S GREATEST ACHIEVEMENT

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

Mr. OLSON. Madam Speaker, yesterday marked the 42nd anniversary of our Nation's greatest achievement—putting an American on the moon.

Today marks a different milestone with the last flight of the space shuttle. The space shuttle program has been the heartbeat of human spaceflight for the past 30 years. Today, we celebrate the shuttle fleet—*Columbia*, *Challenger*, *Discovery*, *Atlantis*, and *Endeavor*—for their awe-inspiring records: 135 missions, over 5 million miles flown in orbit, construction of the international space station, repair of the Hubble telescope. The list goes on and on and on.

We owe immense gratitude to those heroes on *Challenger*, *Columbia*, and their families who made the ultimate sacrifice for space exploration.

Most of all, we recognize the best space industry team in the world for enabling our country to bear the honor of such incredible achievements. I am proud beyond words to represent the Johnson Space Center, the home of U.S. human spaceflight now and forever.

May God bless America and remember this remarkable team.

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#### CONSUMER PROTECTIONS THREATENED

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

Mrs. CAPPS. Madam Speaker, last year we enacted historic new consumer protections as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

This landmark law created the Consumer Financial Protection Bureau, the first Federal regulator dedicated exclusively to protecting consumers from deceptive practices and potentially harmful financial products and services. Protecting consumers from predatory lending and confusing credit cards is something we should all be able to agree on. It is good for consumers, and it is good for businesses that want to know their competitors are playing by the rules. But the majority has made it clear they don't like these new protections and has worked actively to undermine them.

This week, the House will consider H.R. 1315, a bill that increases bureaucratic redtape and seriously weakens

the bureau's authority to protect consumers. Sadly, the majority is yet again choosing Wall Street and its high-paid lobbyists over middle class families. I urge my colleagues to put the needs of Main Street over those of Wall Street and vote "no" on H.R. 1315.

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□ 1220

#### PASS PENDING FREE TRADE AGREEMENTS

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

Mr. DOLD. Madam Speaker, our number one priority here in the United States Congress is jobs and the economy. I'm happy to say that I think that's the number one priority on both sides of the aisle. So the question then becomes: What other things can we be doing each and every day to move forward that agenda?

In my district, the 10th District of Illinois, we've got 650 manufacturers, representing 80,000 jobs. It's the third largest district for manufacturing in our Nation. Forty-six thousand of those jobs rely on exports.

The President has said that he wants to double exports by 2014. We certainly want to help him in that process. For every billion dollars that we increase in exports, we create 6,250 jobs, according to the statistics. The Korean Free Trade Agreement alone would add \$10 billion of GDP to our bottom line.

It is important—I would say critically—that we pass the pending free trade agreements with South Korea, Panama, and Colombia so we can expand our markets and create jobs here at home.

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#### THE AMERICAN PEOPLE DON'T WANT IDEOLOGY

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

Mr. YARMUTH. Madam Speaker, nearly every economist in our country and leaders from both sides of the aisle agree: Defaulting on our debt would be disastrous to our economy, to middle class families, and to our most vulnerable citizens. Yet more than 60 of my Republican colleagues have said they will not, under any circumstances, support a plan to raise the debt ceiling and prevent another economic crisis.

Since day one of this Congress, the Republican agenda has been driven by a reckless Tea Party ideology that ignores reality. Now, with the security of our economy and every American family on the line, they again choose ideology over reality.

But ideology doesn't pay the bills. Middle class families can't buy groceries with ideology. You can't pay for prescription drugs with it. Mortgage

bankers don't accept ideology as payment, and neither do credit card companies. Ideology doesn't provide a safety net for our seniors who rely on Social Security and Medicare. And ideology won't pay our troops serving on the front lines.

No matter how many times they deny the consequences of default, the reality is not going to change. This blind adherence to an ideology is not leadership, and it's not what the American people want or desire.

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#### DEFAULT EQUALS DISASTER

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

Mr. CARNEY. Our Nation is lurching towards an August 2 deadline to avoid defaulting on the national debt. If Congress doesn't act, the United States will face an economic calamity that could easily have been prevented.

If we don't raise the debt ceiling, the world will lose confidence in the U.S., and its credit rating will be downgraded from its current bullet-proof AAA grade. Interest rates will rise, which will slow the fragile economic recovery and risk pushing the economy back into recession. Higher interest rates on U.S. Treasuries would also seriously affect ordinary Americans. A default would force consumers to pay more for mortgages, car loans, and other borrowing. Losing our AAA credit rating will increase the government's interest payments on the national debt, making it even more difficult to get our fiscal house in order.

Let's face it. A default would be a financial disaster for the country. We can't afford it. But we shouldn't just raise the debt ceiling. We should use it as an opportunity for both sides to agree on a plan to reduce the deficit by \$4 trillion over the next decade. The so-called Gang of Six has come forward with a bipartisan plan to do just that. It's comprehensive, balanced, and it's right for the country. It's not perfect but it's all we have.

It's time to do the right thing for the country.

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#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 605

Ms. BROWN of Florida. Madam Speaker, I ask unanimous consent to remove my name as a cosponsor from H.R. 605.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentlewoman from Florida?

There was no objection.



PROVIDING FOR CONSIDERATION OF H.R. 1315, CONSUMER FINANCIAL PROTECTION SAFETY AND SOUNDNESS IMPROVEMENT ACT OF 2011

Mr. SESSIONS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 358 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 358

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1315) to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee Print dated July 14, 2011. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. In the engrossment of H.R. 1315, the Clerk shall—

(a) add the text of H.R. 830, as passed by the House, as new matter at the end of H.R. 1315;

(b) conform the title of H.R. 1315 to reflect the addition of H.R. 830, as passed by the House, to the engrossment;

(c) assign appropriate designations to provisions within the engrossment; and

(d) conform provisions for short titles within the engrossment.

POINT OF ORDER

Ms. FUDGE. Madam Speaker, I raise a point of order against H. Res. 358 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act, which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentlewoman from Ohio makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentlewoman has met the threshold burden under the rule, and the gentlewoman from Ohio and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentlewoman from Ohio.

Ms. FUDGE. Madam Speaker, I raise this point of order not necessarily out of concern for unfunded mandates, although there are likely some in the underlying bill, H.R. 1315, but because this bill will put consumers and the American economy at risk.

A year ago today, President Obama signed the Dodd-Frank Wall Street Reform and Consumer Protection Act into law. This law creates a strong Consumer Financial Protection Bureau, the CFPB, that will protect consumers, especially the poor and the most vulnerable, from unscrupulous practices in the financial industry.

The Dodd-Frank law levels the playing field. The CFPB has taken steps to protect Americans against abuses by the financial industry, like payday lenders and debt collectors, that we were unable to monitor before the passage of the law.

I oppose the underlying bill because it removes these protections. This bill, H.R. 1315, is designed to cripple the CFPB before it is up and running.

Voters across party lines solidly support the Wall Street reform law. The American people want safeguards to help the economy and protect them from deceptive financial practices and predatory products. By trying to weaken the CFPB, Republicans in Congress just confirm how out of touch they are with the concerns of the American people.

□ 1230

Madam Speaker, I yield 3 minutes to the gentlelady from New York, YVETTE CLARKE.

Ms. CLARKE of New York. I thank my good friend from Ohio for the time.

Madam Speaker, the Republican majority would like the American people

to believe that a near financial collapse never happened, never occurred. To hear the majority's narrative over the course of the 112th Congress, you would think that nothing is wrong with the economy that deregulation and tax cuts for multi-millionaires and billionaires can't solve.

What the Republican majority refuses to acknowledge in their revisionist narrative is that their tax cuts for multi-millionaires and billionaires helped lead our country from surplus into massive deficits.

The majority's revisionist narrative also omits the fact that years of deregulation and lax oversight of financial institutions is what caused the economic downturn we are struggling to fully recover from.

Madam Speaker, the near collapse of the national economy not only cost the American people billions of dollars in bailouts but also resulted in millions of Americans losing their jobs, their homes and life savings through no fault of their own.

The number one priority of the 112th Congress should be to continue the economic recovery work of the 111th Congress. The American people expect the other side to work with the President and congressional Democrats to put Americans back to work.

So I find it unbelievable, Madam Speaker, that, in the face of 9.2 percent unemployment and when millions of Americans are struggling simply to stay in their homes, the majority would declare war on the very agency that would prevent a similar financial crisis from ever happening again.

By decreasing accountability, muddling decision-making and starving it for funds, the Republican majority is threatening to turn the Consumer Financial Protection Bureau into a gridlocked agency that cannot possibly fulfill their mandate as a financial industry watchdog, leaving the American people once again vulnerable to the predatory lending that precipitated the financial collapse in the first place.

Madam Speaker, the 112th Congress has been in session for over 6 months, and we still have not had one comprehensive jobs bill, nor have we voted on one single bill that would help struggling homeowners stay in their homes. We have, unfortunately, been forced to vote to protect tax cuts for multi-millionaires and billionaires, we have voted to protect the profits of companies who ship jobs overseas, and we have voted on bills that undercut the social safety net for Americans at a time when the most vulnerable amongst us need it the most. In other words, Madam Speaker, we have wasted the American people's time.

If the Republican majority claims to speak for the American people, then perhaps they should listen to the American people, stop playing games and bring legislation to the floor that

addresses the number one priority of the American people: jobs.

By bringing this bill to the floor, the Republican majority either doesn't remember the recent financial crisis or simply doesn't care about the hardships facing the American people.

I support the gentlewoman from Ohio in bringing this point of order.

Ms. FUDGE. Madam Speaker, I yield 3 minutes to my friend and colleague, the gentlelady from California, JACKIE SPEIER.

Ms. SPEIER. I thank my good friend from Ohio.

This is getting old. The majority knows it can't kill an idea whose time has come. So now they're trying to slow down the process, just like their friends in the banking industry who use tricks and traps to separate American families from their hard-earned money. This bill is nothing more than an attempt to turn the CFPB into the Center For Profits and Big Business.

The Consumer Financial Protection Bureau will provide families a level playing field upon which to shop for the full range of financial products. Nothing is getting banned. Consumers can still choose to make bad decisions if they wish, but now they'll have the tools to be better informed through the process. Instead of mountains of mortgage documents, they'll get a simple-to-read one-page document that they can then use to answer crucial questions like, Is this something that I can afford? Is this the best deal that I can get?

The Consumer Financial Protection Bureau is the most accountable regulatory body in the world. In fact, it has a whole slew of regulators watching and questioning everything it does. It is required to undergo an annual GAO report; have all enforcement actions subject to appeal; and be regulated, in turn, by every other agency on the Financial Stability Oversight Council. Simply put, the CFPB helps families hold on to the money they might otherwise give to the banks. And the banks hate that.

That is precisely why the majority has thrown this ridiculous bill together. Among other things, this legislation would require those regulating predatory lenders to stop if their actions threatened the company's "safety and soundness." In other words, their profits.

We heard all about this issue when we banned unreasonable penalties on credit cards. At the time, the credit card companies said this would absolutely crush their model. Well, look what's happened. Are they still alive and well? You bet they are. But the truth is this legislation isn't really about any of that. No, this is about the only area where the majority has any kind of legislative record: legislative delay.

The anti-consumer bloc in this Congress is engaged in a legislative Ponzi

scheme. They're helping Wall Street suck a few more dollars out of American families before the inevitable happens and the CFPB stands up. Every day politicians can stall the opening of the bureau, well, that's more profits.

Today, the CFPB is alive, and I want every American to look at this opportunity to call this number. This is a hotline available today for you to access if you've got problems with your credit cards; but you had better act now because the majority wants to shut it down.

Ms. FUDGE. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman has 2½ minutes.

Ms. FUDGE. I yield 1½ minutes to the gentlelady from New York, CAROLYN MALONEY.

Mrs. MALONEY. I thank my colleagues for raising this issue.

The Consumer Financial Protection Bureau is needed. House Republicans have today officially launched their legislative effort to make sure these protections will never have the chance to do the job of protecting our consumers and safeguarding the larger economy. It is as if our friends across the aisle are blind to the painful lessons of the Great Recession. It's the group that says let's pretend the recession never happened. The Republican strategy to defang, defuse, and delay the consumer protection agency ignores critical issues that contributed both to the credit bubble and the financial meltdown.

Deceptive and misleading practices, predatory lending, unsafe credit standards—these practices cost Americans dearly. According to the Federal Reserve, between 2007 and the final quarter of 2009, United States household wealth fell by \$16.4 trillion of the net worth, and that is terrible. That is a sum that would be more than enough to pay for the United States national debt. If the CFPB had been in place in 2001, we might have avoided this painful, disruptive economic downturn that has hurt our overall economy, our standing in the world, and our consumers. We must let the CFPB go into effect to protect our economy and protect our consumers.

I congratulate the gentlelady on her leadership.

Ms. FUDGE. Madam Speaker, in closing, this underlying bill, H.R. 1315, is trying to gut the reforms we fought for and won in the new Wall Street reform law. The CFPB is set to begin work today as the cop on the financial beat protecting American consumers and the economy from Wall Street greed.

Republicans want to delay, defund, and dismantle the Dodd-Frank law. Make no mistake, Madam Speaker: Republicans want to remove protections for consumers and investors. Republicans want to return to a time where consumers, investors, and the entire financial system are at risk.

I urge Members to vote "no" on this question of consideration.

I yield back the balance of my time.

Mr. SESSIONS. I claim time in opposition to the point of order and in favor of consideration of the resolution.

The SPEAKER pro tempore. The gentleman from Texas is recognized for up to 10 minutes.

Mr. SESSIONS. Thank you, Madam Speaker.

The question before the House is, shall the House now consider H. Res. 358? That is really the question here.

□ 1240

While the resolution waives all points of order against consideration of the bill, the committee is not aware of any points of order. The waiver is simply made up in nature.

In fact, the Congressional Budget Office has issued cost estimates for each of the three bills included in the Rules Committee Print of H.R. 1315. The following statements were issued by the nonpartisan Congressional Budget Office:

"H.R. 1315 contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of State, local or tribal governments."

"H.R. 1121 contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of State, local or tribal governments."

"H.R. 1667 contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of State, local or tribal governments."

Madam Speaker, these are the three sections—the bills—which are contained within the rule. As we have stated, as a result of what has been defined, there are no mandates. There is nothing in this bill which would cause the point of order to stand.

However, my friends on the other side of the aisle have also raised concerns about the amount of debate time provided for in this rule. Madam Speaker, the Rules Committee takes great pride in its degree of openness; and under the leadership of Chairman DAVID DREIER and of our Speaker, JOHN BOEHNER, we have tried to accommodate this request. This rule continues that record of accomplishment by making in order 11 out of the 14 amendments submitted to the Rules Committee. Of the three amendments not made in order, one was withdrawn by the sponsor; one was not germane to the bill, and one was duplicative of another amendment submitted.

I would also like to note for the record that the bill being considered today and every bill included in the Rules Committee Print went through

regular order. The Financial Services Committee held hearings, a subcommittee markup, and a full committee markup of the bill.

Madam Speaker, I see that my friends are trying to make a point of order that simply does not exist. In order to allow the House to continue its scheduled business for the day, I urge Members to vote "yes" on the question of consideration of the resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

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

Ms. FUDGE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 227, nays 173, not voting 32, as follows:

[Roll No. 612]

YEAS—227

Adams	Fincher	Lamborn
Aderholt	Fitzpatrick	Lance
Akin	Flake	Lankford
Alexander	Fleischmann	Latham
Amash	Fleming	LaTourette
Austria	Flores	Latta
Bachus	Forbes	Lewis (CA)
Barletta	Fortenberry	LoBiondo
Bartlett	Fox	Long
Barton (TX)	Franks (AZ)	Lucas
Bass (NH)	Frelinghuysen	Luetkemeyer
Benishkek	Gallely	Lummis
Biggart	Gardner	Lungren, Daniel
Billbray	Garrett	E.
Bilirakis	Gerlach	Mack
Bishop (UT)	Gibbs	Manzullo
Black	Gibson	Marchant
Blackburn	Gingrey (GA)	Marino
Bonner	Gohmert	McCarthy (CA)
Bono Mack	Goodlatte	McCaul
Boren	Gosar	McClintock
Boustany	Gowdy	McCotter
Brady (TX)	Granger	McHenry
Brooks	Graves (GA)	McKeon
Broun (GA)	Griffin (AR)	McKinley
Buchanan	Griffith (VA)	McMorris
Buchson	Grimm	Rodgers
Buerkle	Guinta	Meehan
Burgess	Guthrie	Mica
Burton (IN)	Hall	Miller (FL)
Calvert	Hanna	Miller (MI)
Camp	Harper	Miller, Gary
Campbell	Harris	Murphy (PA)
Canseco	Hartzler	Myrick
Cantor	Hastings (WA)	Neugebauer
Capito	Hayworth	Noem
Carter	Heck	Nugent
Cassidy	Hensarling	Nunes
Chabot	Herger	Nunnelee
Chaffetz	Herrera Beutler	Olson
Coffman (CO)	Huelskamp	Paul
Cole	Huizenga (MI)	Pearce
Conaway	Hultgren	Pence
Cravaack	Hunter	Petri
Crenshaw	Hurt	Pitts
Culberson	Issa	Platts
Davis (KY)	Jenkins	Poe (TX)
Denham	Johnson (IL)	Pompeo
Dent	Johnson (OH)	Posey
DesJarlais	Johnson, Sam	Price (GA)
Diaz-Balart	Jones	Quayle
Dold	Jordan	Reed
Dreier	Kelly	Rehberg
Duffy	King (IA)	Reichert
Duncan (SC)	King (NY)	Renacci
Duncan (TN)	Kingston	Ribble
Ellmers	Kinzinger (IL)	Rigell
Emerson	Kline	Rivera
Farenthold	Labrador	Roby

Roe (TN)	Sensenbrenner	Tipton
Rogers (KY)	Sessions	Turner
Rogers (MI)	Shimkus	Upton
Rohrabacher	Shuler	Walberg
Rokita	Shuster	Walden
Rooney	Simpson	Webster
Ros-Lehtinen	Smith (NE)	West
Roskam	Smith (NJ)	Westmoreland
Ross (AR)	Smith (TX)	Whitfield
Ross (FL)	Southerland	Wilson (SC)
Royce	Stearns	Wittman
Runyan	Stivers	Wolf
Ryan (WI)	Stutzman	Womack
Scalise	Sullivan	Woodall
Schilling	Terry	Yoder
Schmidt	Thompson (PA)	Young (IN)
Schweikert	Thornberry	
Scott (SC)	Tiberi	

NAYS—173

Ackerman	Gutierrez	Pascrell
Altmire	Hahn	Pastor (AZ)
Andrews	Hastings (FL)	Payne
Baca	Heinrich	Pelosi
Baldwin	Higgins	Perlmutter
Barrow	Himes	Peters
Bass (CA)	Hinojosa	Peterson
Becerra	Hochul	Pingree (ME)
Berkley	Holden	Polis
Berman	Holt	Price (NC)
Boswell	Honda	Quigley
Brady (PA)	Hoyer	Rahall
Braley (IA)	Inslee	Rangel
Brown (FL)	Israel	Reyes
Capps	Jackson (IL)	Richardson
Capuano	Jackson Lee	Richmond
Cardoza	(TX)	Roybal-Allard
Carnahan	Johnson, E. B.	Ruppersberger
Carney	Kaptur	Rush
Carson (IN)	Keating	Ryan (OH)
Chandler	Kildee	Sanchez, Loretta
Chu	Kind	Sarbanes
Cicilline	Kissell	Schakowsky
Clarke (MI)	Kucinich	Schiff
Clarke (NY)	Langevin	Schrader
Clay	Larsen (WA)	Schwartz
Cleaver	Larson (CT)	Scott (VA)
Clyburn	Lee (CA)	Scott, David
Cohen	Levin	Serrano
Connolly (VA)	Lewis (GA)	Sewell
Cooper	Lipinski	Sherman
Costello	Loebsack	Sires
Courtney	Lofgren, Zoe	Slaughter
Critz	Lowe	Smith (WA)
Crowley	Lujan	Speier
Cuellar	Lynch	Stark
Cummings	Maloney	Sutton
Davis (CA)	Markey	Thompson (CA)
Davis (IL)	Matheson	Thompson (MS)
DeFazio	Matsui	Tierney
DeGette	McCarthy (NY)	Tonko
DeLauro	McCollum	Towns
Deutch	McDermott	Tsongas
Dicks	McGovern	Van Hollen
Dingell	McIntyre	Velázquez
Doggett	McNerney	Visclosky
Donnelly (IN)	Meeke	Walz (MN)
Edwards	Michaud	Wasserman
Engel	Miller (NC)	Schultz
Eshoo	Miller, George	Waters
Farr	Moore	Watt
Filner	Moran	Waxman
Frank (MA)	Murphy (CT)	Welch
Fudge	Nadler	Wilson (FL)
Garamendi	Napolitano	Woolsey
Gonzalez	Neal	Wu
Green, Al	Olver	Yarmuth
Green, Gene	Owens	
Grijalva	Pallone	

NOT VOTING—32

Bachmann	Doyle	Palazzo
Berg	Ellison	Paulsen
Bishop (GA)	Fattah	Rogers (AL)
Bishop (NY)	Giffords	Rothman (NJ)
Blumenauer	Graves (MO)	Sánchez, Linda
Butterfield	Hanabusa	T.
Castor (FL)	Hinchee	Schock
Coble	Hirono	Scott, Austin
Conyers	Johnson (GA)	Walsh (IL)
Costa	Landry	Young (AK)
Crawford	Mulvaney	Young (FL)

□ 1307

Mr. MILLER of North Carolina changed his vote from "yea" to "nay."

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

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BERG. Mr. Speaker, on July 21, 2011, I was unavoidably detained for rollcall vote No. 612. Had I been present I would have voted in favor of the question of consideration of H.R. 1315, the Consumer Financial Protection Safety and Soundness Improvement Act of 2011.

Mr. COBLE. Madam Speaker, on rollcall No. 612, had I been present, I would have voted "yea."

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

Mr. SESSIONS. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the ranking member of the Rules Committee, my friend, the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. House Resolution 358 provides for a structured rule, designated by the Rules Committee, for consideration of H.R. 1315. This rule allows for 11 of 14 amendments submitted to the Rules Committee to be made in order.

□ 1310

Madam Speaker, this rule provides for debate and amendment opportunities for members of the minority and the majority to change the legislative text of the underlying bill.

Madam Speaker, I rise today in support of this rule and the underlying legislation. This legislation, the Consumer Financial Protection Safety and Soundness Improvement Act, was introduced by my dear friend from Wisconsin, the Congressman SEAN DUFFY, on April 1, 2011. The bill went through regular order, with hearings, subcommittee markup, and a full committee markup.

I applaud my friend, the distinguished chairman of the Financial Services Committee, the gentleman from Alabama, SPENCER BACHUS, for providing such an open process and an

opportunity for all members of the Financial Services Committee to participate in reforming and changing this bill.

Additionally, the chairman of the Rules Committee, the gentleman DAVID DREIER, has once again provided Members of this body with a Rules Committee vote to ensure that we have transparency and an accountable structure under the rule which we're discussing today allowing Members from both sides of the aisle this opportunity to offer amendments and to join in the debate of the underlying legislation.

Today marks the first anniversary that President Obama signed into law the 1,300-page unprecedented Federal overhaul of the financial services industry, the Frank-Dodd Wall Street Reform Act.

I have the opportunity to discuss this bill today, and also I did last Congress. And we spoke at that time about its overarching reforms that were being made in that legislation. Additionally, I will discuss why and how it is bad for our current economy and what with the Republican underlying bill will do to protect consumers, ensure credit, and allow for economic growth.

Last year, I stood before this body to state that our friends on the other side of the aisle, that they were once again allowing the government to overstep its boundaries well into the private marketplace. One of the most far-reaching provisions of the Dodd-Frank bill that was signed into law last year is the creation of the Consumer Financial Protection Bureau, best known as CFPB. The CFPB is a classic example of the government unnecessarily crippling its authority into the free enterprise system. This massive new Bureau will be led by a credit czar, who will have unprecedented and unchecked authority to restrict product choices for consumers and impose fees on consumer products and financial transactions. Just about any business or financial institution who offers any form of credit falls underneath the jurisdiction of the CFPB.

The new bureaucracy would raise costs for consumers. I will say this again—will raise costs for consumers. It will reduce the number and types of products available to them. It will increase the micromanagement of financial services firms and will greatly increase the confusion caused by differing and conflicting consumer laws across the United States.

The underlying bill we are voting on today is designed to promote greater accountability and transparency at the CFPB, and to ensure that the CFPB fulfills its consumer protection mandate without undermining the safety and soundness of the financial system. This bill achieves this mission by making the leadership structure of the CFPB a collegial body, streamlining the Financial Stability Oversight

Council, or what is known as FSOC, their review and oversight of CFPB rules and regulations, and delaying the transfer of functions from other Federal regulatory bodies to the CFPB until the date on which the Chair of the Commission of the CFPB is confirmed by the Senate.

This comes, and it is of a great deal of importance since it was just this week that President Obama nominated Richard Cordray as the Director of the CFPB, which officially begins its oversight of banks with more than \$10 billion in assets today.

So no Director, no mission statement, no accountability, no hearing in the Senate to confirm the person who would have this extensive authority and responsibility.

The Consumer Financial Protection Safety and Soundness Improvement Act makes three important changes to the current CFPB:

First, it would change the vote required to set aside a CFPB regulation from two-thirds of the FSOC membership to a simple majority vote, excluding the Chair of the CFPB. A letter from the American Bankers Association, from May 3, 2011, states, and I quote, "The very purpose of the FSOC was to avoid problems that could lead to risks that threaten the economy. To ignore the majority viewpoint of the regulators with this responsibility is completely counter to its mission statement and that of the council." This first provision ensures that the council carries out the intended mission and goal;

Second, the bill would clarify that the FSOC must set aside any CFPB provision that is inconsistent with the safe and sound operation of U.S. financial institutions;

Lastly, the bill amends Dodd-Frank which provided for the CFPB to be headed by a Director to be replaced with a bipartisan commission with the responsibility of exercising the Bureau's authorities. This was in the original House version of the bill and was changed by the Senate during conference.

In a letter sent by the U.S. Chamber of Commerce, dated May 23, 2011, the U.S. Chamber expressed support, saying, "The Chamber strongly supports this reform because it would conform the bureau to other independent agencies, ensure impartial decisionmaking, minimize the risk of regulatory capture, and ensure continued stability over the long term."

Reforms to the CFPB as it stands are necessary to avoid business closures, limitations to start-up companies, slower economic growth, and ensure that we do not hinder the free enterprise system. These are all in the best interest of consumers and our country.

The underlying legislation ensures that the original intent of this legislation is carried out in a fair and unbi-

ased manner to ensure the future safety and soundness of our Nation's financial institutions.

I encourage a "yes" vote on the rule and a "yes" vote on the underlying legislation.

I reserve the balance of my time.

Ms. SLAUGHTER. I thank my friend for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, the Consumer Financial Protection Bureau is a reflection of the Nation's values. It embodies the ideals of fairness, accountability, and equality, values that help us define who we are as a people. Just as importantly, the CFPB brings accountability and transparency to the financial sector and reduces the risk that consumers will be sold financial products they don't understand and can't afford to buy.

The CFPB is already hard at work. This agency has started by proposing a simplified disclosure of mortgages so the consumers can read them—isn't that refreshing?—in plain language, the terms of an agreement, before signing on the dotted line.

Despite this valuable start, today's bill is designed to effectively neuter the agency before it can fully begin to serve the middle class. In so doing, this bill is a giveaway to special interests in the financial sector that fear they will finally be held accountable by the law.

□ 1320

Apparently unchastened by the economic crisis they plunged us into, financial firms continue to take advantage of unknowing consumers. Just this past year, a robo-signing scandal led to banks foreclosing on many families who had done absolutely nothing wrong. These firms will not stop trying to take advantage of people unless someone forces them to stop. Despite all this, the majority proposes that we weaken the very agency designed to protect consumers against illegal practices and unfair play.

The CFPB was launched thanks to the great work of Professor Elizabeth Warren and the team of professionals that she has assembled to launch the agency. Their work has been tireless and invaluable. Professor Warren acutely understands the struggles of American families and her words summarize nicely the choice Members of Congress are being asked to make today.

While speaking about the nomination of Richard Cordray to head the CFPB, Professor Warren said, "I remain hopeful that those who want to cripple this consumer bureau will think again and remember the financial crisis—and the recession and job losses that it sparked—began one lousy mortgage at a time. I also hope that when those Senators and Congressmen next go

home they ask their constituents how they feel about fine print, about signing contracts with terms that are incomprehensible, and about learning the true cost of a financial transaction only later when fees are piled on or interest rates are reset.

"I hope they will ask the people in their district if they are opposed to an agency that is working to make prices clear, or if they think budgets should be cut for an agency that is trying to make sure that trillion-dollar banks follow the law." Members of this House would do well to remember her words.

Will we vote today to protect the middle class and the millions of consumers struggling to make ends meet, or will this body stand with financial lobbyists and leave the middle class to go it alone? In strongest possible terms, I urge my colleagues to take a vote that reflects our values and vote against this rule we're considering today and against the underlying bill.

Please let's stand up for the American families and help the helpless people who are simply struggling to get by despite what we have done for them.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, in an encouragement to my dear colleague Ms. SLAUGHTER, I would like to inform her that I have fewer speakers as a result of committee hearings and would encourage her to run through perhaps two of her speakers at this time and then I will be available with mine.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from Massachusetts (Mr. FRANK), the ranking member of the Financial Services Committee.

Mr. FRANK of Massachusetts. First, I want to express my objection to the rule. The chairman of the Rules Committee said maybe I can get a unanimous consent agreement to modify it.

All amendments are not created equal. This rule gives a total of 10 minutes for each amendment, five and five. That is simply inadequate—grossly inadequate—for discussing some of these important issues. There are two amendments in particular where I will be approaching my colleagues in the majority to see if we can get an extension of time. If that is not the case, I will be very, very disappointed that major issues here on this important subject of consumer protection would be given only 5 minutes on each side. Now let's get to the substance.

My Republican colleagues have had a little bit of a change of heart since last year. When we debated this bill in committee—actually, we debated it in 2009 in committee, this particular section—they wanted to kill the whole bureau. They were opposed to the notion of an independent consumer bureau.

Understand where we are. Consumer protection has always, until last year,

been consigned to the financial regulators. Indeed, the largest single share of consumer protection was given, of all entities, to the Federal Reserve—and it's been, at best, a second thought for them and for some a non-thought. And the Republican position during the debate on this was: Do not set up a separate agency. Now they say, well, we're not opposing a separate agency, we just want to dismantle it, in effect. So we will get into the specifics, but let's be clear: This is as close as they dare come now because of public opinion to abolishing the whole agency. They want to weaken it, and then they will want to undercut it altogether.

Of course, this is the third major assault they've made on the financial reform bill. Yesterday in committee, incredibly the Financial Services Committee voted to reduce the liability that rating agencies will face if they put an inaccurate statement into a prospectus. And if you buy that security based on inaccuracies in the rating agencies, they want to lessen what we try to give people in the bill as a right to sue. And of course consistently the Republicans have voted specifically to deny to the Commodity Futures Trading Commission the funds that they would need to deal with speculation in energy. And Mr. KINGSTON, on behalf of the majority, said speculation's got nothing to do with the oil prices. No one believes that except apparently him and maybe those Republicans who voted with him. Today there is an assault on the most important thing that's ever been done to protect consumers in the financial area.

Now the Republicans have been saying, we're not trying to kill it, we just want to make it work a little better. But last year—and I will put in the RECORD statements from about a dozen of the Republicans—Mr. GARRETT, Mr. HENSARLING, Mr. PRICE, Mrs. BIGGERT, Mr. MANZULLO, Mr. BACHUS, many others—making very clear they didn't want the whole agency. So this notion that they're just trying to improve it is belied by the fact that they tried to kill it.

But even then, Mr. BACHUS sometimes has trouble sticking to his own line. Here's what he said this morning on CNBC: "We're not trying to kill it. That has been totally misrepresented. Republicans stand strongly behind consumer protection. We, however, think that safety and soundness has to be considered. So we don't worry about a Federal Reserve or an FDIC, but we do worry about a consumer protection agency whose sole goal is to benefit consumers without considering how that benefit affects the stability of our financial institutions." Well, it doesn't go the other way. They don't worry about what the financial institutions do to the consumers. But let me read again what he says, We do worry about a consumer protection agency whose

sole goal is to benefit consumers without worrying about the poor banks.

What the bill will do will be to put the bank regulators back in charge of consumer protection—and these are the bank regulators of whom Mr. BACHUS, the chairman of the committee, earlier said the regulator's job is to serve the banks. So in roundabout ways they are trying to accomplish here what they admitted they want to accomplish before.

The consumer agency does not have an aggressive role. It doesn't go out there and do things in a positive way; it is a protection agency. Now we passed a credit card regulation bill—and many on the Republican side were very opposed to that a couple of years ago; it has worked very well. One of the main authors, the gentlewoman from New York (Mrs. MALONEY), is here. That has helped people, it hasn't hurt them.

One of the things the consumer agency gets under our bill is the power to cover currently nonregulated entities—payday lenders, mortgage lenders—who aren't covered. Frankly, that's in the interest of the consumer. The Credit Union Federation likes much of the Republican bill, but they don't like the part that would slow down the takeover of regulation over their competitors.

Bad mortgages were not just a problem for individuals, they were a problem for the whole economy. We want to strengthen the ability to go after bad mortgages. They don't want that to happen. So let's be very clear: This is a party, the Republican Party, that tried to kill this—

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman 1 additional minute.

Mr. FRANK of Massachusetts. Madam Speaker, what we have is, as the statements that I am submitting show, the Republicans wanted last year to maintain the status quo in which the regulators of the banks—whose job it is, according to the Republican chairman of the committee, to serve the banks—would maintain this. And they worry about an institution whose sole goal is to protect consumers. He says, We don't worry about the Federal Reserve, we don't worry about the FDIC, we worry about an institution whose sole goal is to protect the consumers.

They do understand that politically it's not a good idea to be fully straightforward about their intention—when they would really like to repeal it—but what they are trying to do instead today is substantially weaken it. And the most important thing they will do will be to put back in charge of the independent consumer regulator the very bank regulators who historically have not protected the consumer—because some of them agreed with the

chairman of the committee, the Republican chairman, that their job was to serve the banks—and it would substantially weaken consumer protection. I do not think that is the right way to go.

EXCERPTS FROM THE FINANCIAL SERVICES COMMITTEE OCTOBER 2009 MARKUP OF H.R. 3126, THE CONSUMER FINANCIAL PROTECTION AGENCY ACT

REP. PRICE

“I think more appropriately, this bill would be called ‘The Restricting the American Dream and Jobs Destruction Act.’ And I say that with all sincerity, pointing out that there are multiple, multiple entities that cover literally millions of jobs out there, that have gone on record and said: This is absolutely the wrong direction in which to head at this time, especially this time, a time of remarkable economic challenge.”

REP. ROYCE

“I’m afraid this legislation and the establishment of a product approval agency will create more problems than it’s going to resolve, especially with respect to this safety and soundness.”

REP. MANZULLO

“This is not the time to have additional rules and regulations on products which are already regulated. And then, to take 400 million dollars away from the Federal Reserve, which could have outlawed 327s and 228s and the so-called teaser mortgages, it doesn’t make sense. This is like cutting the police force by 20 or 30 percent. That’s why I have a big problem with why we’re even considering this bill when no agency wants it.”

REP. BIGGERT

“What’s the answer to the financial meltdown? How do we prevent it from happening again? What’s not the answer is to create another federal agency. Allegedly, to protect consumers. We already have the OCC, the OTS, the NCUA, the FDIC and the Fed. The underlying bill would pile 50 state regulators on top of that. Why not address the real problem with these agencies instead of creating another one? Are we creating another agency or a problem? Are we creating a guarantee for consumers that they will certainly never be, or less likely to be, caught up in a bad financial situation? Or a product that they really shouldn’t have signed the dotted line for?”

“No, there is no guarantee.”

REP. BACHUS

“Mr. Chairman, I want to reiterate that I believe this underlying legislation creates a new large and expensive government bureaucracy with broad and ambiguous powers that will ration credit and limit consumer choice. The legislation gives this new agency and its czar-like chairman or director the power to impose both fees and taxes on all financial products, which are broadly defined. It is not about consumer protection. It is about creating a financial product approval agency with the powers to review and approve financial products. Real consumer protection must include consumer choice, competitive markets, vigorous enforcement of anti-fraud law, effective disclosure, and product innovation. Regrettably, that is not what the Democratic proposal does. Placing broad rule-making authorities in the hands of an untested agency will limit innovation and restrict credit . . . Congress should not create another layer of federal bureaucracy whose mission includes rationing credit and limiting choice.”

REP. BACHUS

“What we are creating here is a new Financial Products Approval Agency that has the power to review and approve all financial products. That means they have a right basically to fix prices because they may not approve them unless a certain price is agreed to. They could actually set a price.

They can ration credit, whatever else the credit card legislation did last year and any benefit it had, it has already resulted in people’s credit limits being lowered, it has resulted in interest rates going up on account, it has resulted in annual fees being imposed. Consumers today have a broader array of choices, and choice is good. Innovation is good. In fact, I think the greatest form of consumer protection is giving individuals a choice, if they have a credit card and they want to choose a different credit card or drop that credit card.

This bill is going to limit competition. It is not about enforcing anti-fraud laws. It is not about effective disclosure. It is not about protecting people from unethical behavior.

It is placing broad rulemaking authority in the hands of an untested agency, one that is going to be created from scratch, one that has no appreciation for safety and soundness, that has no history of financial regulation.

Now is not the time to restrict choice and credit. It is not the time to start rationing these things. We have seen in health care proposals to ration health care. We have seen instances where the Government wants to come in and begin to regulate the energy and how we create energy and said no to nuclear energy.

Now we see it in financial services. We are witnessing a broad expansion of Government interference and involvement. None of those things, it was not choice that created the financial crisis that we faced last year.”

REP. BIGGERT

“You know, there is no question that our financial service regulatory structure is broken, and for both consumers and the health of our financial services industry and the economy, we need to clean it up. However, I fear that we are moving in the wrong direction when we strip from the banking regulators their mission to protect consumers; instead, we place the responsibility with a new government bureaucracy.”

REP. MCHENRY

“What we have here is an agency that will restrict credit, will restrict new products from being offered, innovation in the private sector and in the financial marketplace, and in the end, it will hurt consumers, not help them. This is a credit restriction agency, not a consumer protection agency.”

REP. BACHMANN

“I would also like to add to the conversation that I too support the Biggert amendment, because the CFPA, in my estimation, it would ultimately increase the costs on American consumers and reduce the customized type of products that are available to them, increase costs, reduce the type of products.”

REP. HENSARLING

“Ultimately, we do not view this as a bill that promotes consumer protection. Ultimately, what we have is a brand new large draconian Federal agency with new sweeping powers that is going to have the ability to declare financial products and services unlawful based on subjective opinions about “unfairness” and subjective opinions about what is ‘abusive.’”

REP. NEUGEBAUER

“When you look at this bill, we’re going to give unprecedented authority to one indi-

vidual, who’s not elected, to really, basically determine whatever kind of consumer protection rule or regulation that they want to put on the books. And they get to do that. You know, the American people send their Members of Congress up here to make those decisions. To look after their interests. And now, we’re going to relegate that decision, that empower this one individual to do that. Somehow, I don’t think that’s in the best interest of the American people.”

□ 1330

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Madam Speaker, I rise in strong opposition to the majority’s attempt to undercut the Consumer Financial Protection Bureau just as it is set to open its doors. Yet again, this majority is siding with Wall Street, credit card companies and predatory lenders and against the interests of the American people.

Three years ago, we suffered an economic meltdown that was brought on by greed, corruption, and well-documented incidents of predatory behavior. We are still dealing with the economic ramifications of that collapse today. People all across America are losing their jobs and fighting for their homes.

That is why, as part of the financial reforms Democrats passed last year, we created the Consumer Financial Protection Bureau to reintroduce transparency and accountability in the financial sector, to put an end to predatory lending practices that were abused by the banks and mortgage lenders to precipitate this crisis, and to protect the public from future malfeasance.

But now this Republican majority wants to undo all of that hard work and put Wall Street back in the driver’s seat. The bill eliminates the bureau’s independence and gives the regulators, who missed the financial crisis, it gives them veto power over its actions, all to ensure that nothing of consequence gets done to rein in Wall Street.

In order to promote gridlock and guarantee the bureau is unable to curb the abuses that led to the financial crisis, the bill before us also removes the position of director and installs a five-member commission at the head of the agency, while delaying consumer protection authorities until a commission chair is named. This comes as Republicans have constantly attacked the bureau’s architect, Elizabeth Warren, and made clear that they will not approve any nominee for director, including President Obama’s nomination of Richard Cordray last week.

We are not here to represent the interests of Wall Street, of their banks, predatory mortgage lenders, or credit card companies, as my Republican colleagues are choosing to do, by smothering this new agency in its crib. We



are here to represent the American people. That is what the Consumer Financial Protection Bureau has been designed to do.

I urge my colleagues, put Main Street before Wall Street. Stand up for ordinary, hardworking, middle class families, oppose this rule and the underlying legislation.

Mr. SESSIONS. Madam Speaker, I yield 4 minutes to the gentleman from San Antonio, Texas, a freshman member of this body, Congressman FRANCISCO "QUICO" CANSECO.

Mr. CANSECO. Madam Speaker, I would like to thank Mr. DUFFY, Chairman BACHUS, and Chairman CAPITO for their leadership on this important matter.

Madam Speaker, I rise in strong support of the rule and the underlying bill with important measures of accountability to an agency that currently operates independent of any real oversight. The mission of the Consumer Financial Protection Bureau is indeed puzzling. How exactly a government bureau is going to determine what financial products are suitable for every American family has never been explained. I have great concern that consumer protection is merely a euphemism for consumer restriction and consumer control. But equally concerning is that this agency currently operates outside the normal checks and balances that exist as a bedrock of our system of government.

The director of the agency has enormous influence over family decisions regarding credit cards and mortgages, and there currently exists an extremely high and nonsensical standard for overturning a CFPB rule. The director can set the CFPB's budget every year without ever having to appear before Congress. Despite all of this, the person appointed by the President to advise Treasury on the setup of this agency came before the House Financial Services Committee and called it "the most constrained and the most accountable agency in government." Only in Washington could someone make that claim with a straight face.

I fully support H.R. 1315, which would replace the single director with a more democratic commission and would also require a simple majority vote of the Financial Stability Oversight Council to overturn a CFPB rule.

Madam Speaker, the financial crisis did not occur because of a lack of rules, and it certainly did not exist because of a lack of Federal bureaucracies. Regulatory overkill does not equal effective regulation. It means fewer jobs and higher unemployment.

The last thing we need is an unrestrained agency adding more uncertainty to our economy and destroying our ability to grow the economy and create jobs. This legislation will help remove the threat to economic and job growth that the CFPB currently poses.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the great leader from New York State for her leadership on this committee and in this great Congress, and for fighting every day for the American people and New York State.

Madam Speaker, 1 year ago today, President Obama signed into law the Dodd-Frank Wall Street Reform and Consumer Protection Act. This landmark law helped restore faith in our institutions and markets, helped our economy, and helped consumers. Yet on this historic day, my friends on the other side of the aisle are doing everything they can to defund, defang, and derail the important consumer protection office.

Now, what is this office supposed to do? It is going to make prices clear to consumers, risk clear to consumers, and make markets work for the American middle class families. We need this independent office.

For too long, no one was looking out for consumers and we paid dearly for it in the financial crisis. But now with the CFPB, everyone who takes out a student loan, everyone who takes out a mortgage, everyone who takes out any financial product will have a financial consumer protection agency on their side.

And we need this protection. Just yesterday, it was reported that one of our largest institutions received the largest fine ever, \$84 million for illegally pushing borrowers into subprime mortgages—10,000 Americans in this suit alone—for falsifying loan documents. If a CFPB had been in place, that could have helped the 10,000 people.

Let me tell you I'm calling this Republican bill: Let's just forget that the financial crisis ever happened. Let's just forget the pain that it caused to people and the painful lessons of the great recession.

These practices cost our country dearly. According to the figures from the Federal Reserve, between the spring of 2007 and the first quarter of 2009, U.S. household wealth fell by about \$16.4 trillion. That is pain to the overall economy and to American families. That is a sum that would be more than enough to pay off the entire U.S. national debt. And if the CFPB had been in place in 2001, we might have avoided the most painful and disruptive economic downturn in our lifetime.

We must fight to keep this in place to protect consumers. I believe when it comes to great recessions, once is more than enough. Let's stop these practices that hurt consumers. Protect our overall economy and protect our people. The American people agree: 73 percent favor it; 93 percent favor it. The Amer-

ican people favor the CFPB. We should let it open its doors to protect consumers.

Mr. SESSIONS. I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentlelady.

If there is a problem with the Dodd-Frank bill, it is that it was passed 2 years after, rather than 2 years before, the Wall Street meltdown. That was a catastrophe. It was so bad that one of the most conservative Presidents in the history of this country came to Congress with the Goldman Sachs Secretary of the Treasury asking Congress to authorize \$750 billion to bail out Wall Street's collapse.

□ 1340

That was an avoidable situation. The reason it collapsed is because of the fact that the only problem worse than no regulation or little regulation is no regulation at all. And that's what Wall Street had enjoyed. The heart of the crisis were these subprime mortgages that were loans to people who had no documentation, no ability to pay them back. They were sold and peddled not because there was even an expectation that they would be paid back, but they were sold to the mortgagees so that they could then be sold off to investors. This was the architecture of catastrophe. And the American economy is still reeling from it.

The tradition of regulation in this country goes back to Teddy Roosevelt, the Republican "trust buster," who understood that the public had to be protected, who understood that with proper regulation you set fair rules for business to operate that level the playing field for those good banks to do what's right, to do it in the light of day, to provide protection to consumers who are busy with their own lives and don't have time to go over all of the forms.

This consumer protection agency is absolutely essential to providing fairness to consumers and security in their transactions, to protect them from unscrupulous activity that does and can occur, and it's important to our banks and our financial industry that want to play by the rules and do it the right way. This is very important legislation. We must defeat the, in effect, repeal and retraction of Dodd-Frank.

Mr. SESSIONS. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Only a year ago, Republicans were using every trick in the book to stop any Consumer Financial Protection Bureau. And you know, they never really stopped. The party of Wall Street bailouts, of Big Bank budgets, remains determined to deny our



families basic, effective protection from credit abuses.

The lyrics of Grammy Award Winner Steve Earle, who grew up in Schertz, on the edge of San Antonio, ring true for so many families. "You go to school and learn to read and write, so you can walk into the bank and sign away your life." Well, so many families were deceived in taking out mortgages or a credit card or a payday loan on terms in the fine print that only the big lenders understand. Many of these families were counting on a home, on a job, on a retirement plan, or maybe with their credit card, just to put clothes on the kids and food on the family's table.

Nobody was there to protect them from the tricks and traps that some creditors used to enrich themselves and to fleece consumers with loans with incredible interest rates. In too many of these transactions what were once known as "loan sharks" can today legally ply their trade.

If you're mugged on the street, you can lose your wallet. But if you're mugged on Wall Street, you can lose a lifetime of savings. That's why we need this new squad of financial cops whose sole job will be to protect those who borrow from abuse.

With foreclosures at near record highs in San Antonio and in Austin, now is not the time for a retreat by consumer law enforcement. Oppose this latest Republican attempt to roll back the power of the Consumer Financial Protection Bureau and oppose the effort to take cops off the beat when we need them the most.

Mr. SESSIONS. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 5 minutes to the ranking member of the Financial Services Committee, the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Madam Speaker, if I had to stand up here and defend weakening consumer protection in the area of financial activity, I wouldn't be too eager to do it either. So I understand the absence of discussion here.

Let me make one general point. When we legislate, you have to take history into account and what the balance is. The argument essentially of the Republican Party here is—and I wish it weren't partisan, but it is. They have made it partisan, not us. The position of the Republican Party is that there is a serious danger that we will overprotect the consumer. That the Federal regulators will do too much for the consumer. That's an extraordinary fear indeed to have. That's not a fear. It's a phobia. It is based on unreality.

The fact is, as we've seen this now, we were able to get that legislation enacted with the brilliant work of Elizabeth Warren, whose nomination did not come as it should have, although I very much admire the man who was nomi-

nated, Mr. Cordray, but what we had was an unusual moment because the irresponsible practices of many, not all, in the financial community—and by the way, let me repeat: Much of the problem came from the unregulated, not from the financial institutions. And one of the things we do in this bill, which is supported by the Credit Union National Association, is to cover the unregulated so that community banks and credit unions which did not cause this problem are protected from the pressures of unfair competition by the unregulated. But what we had was an unusual moment in which there was a great deal of public awareness of the need to deal with this. So we were able to get an independent consumer agency through, over the unanimous opposition of the Republican Party.

But as things go forward, the average citizen has got other things to worry about. So what we'll see is the bank lobbyists and the nonbank lobbyists and all the people who represent these mortgage lenders already trying to erode things. Apparently, my colleagues would like people to believe that they seriously think that the danger is we will protect the consumer too much. I defy anyone to show me a moment in American history when we did too much to protect consumers in the financial area. What we try to do here is to put something in place that will go against that overriding tendency to underprotect the consumer. And the Republicans say, Oh, no, we're for consumer protection. We're not trying to abolish this agency. Yes, they are.

Let me cite the bill they sponsored last year. The gentlewoman from Illinois (Mrs. BIGGERT) supported the bill. What it did was, it would take the Federal Financial Institutions Examination Council, extend it to 14 members. It would put on there for consumer protection a whole range of Cabinet officers and others. And it would give them the power to study this issue. But it is very, very clear that this council would have no power.

Here's what it says. This is the Biggert bill that was submitted instead of an independent consumer agency with enforcement powers. Page 5: No provision of this subsection shall be construed as conferring any enforcement authority to the Council. Here's what it does to come to the aid of the beleaguered consumer. It sets up a hotline. I don't know what movies they've seen, but I can't remember one where a hotline rode to the rescue of the imperiled.

So they establish a toll-free hotline and Web site to contact regarding inquiries or complaints related to consumer protection. And what does this powerful council do with this important hotline? It refers the inquiries of complaints to the appropriate council member. You know who your council members are? The bank regulators, the

Federal Reserve, the Comptroller of the Currency. So instead of having an independent agency—and yes, the chairman of the committee, Mr. BACHUS, said, We think that safety and soundness has to be considered; so we don't worry about a Federal Reserve and FDIC. They had no interest in the fact that they underprotected consumers and allowed consumers to be abused, historically. We do worry, Mr. BACHUS says, about a consumer protection agency whose sole goal is to benefit consumers without considering how that benefit affects the banks, because he believes the regulators are there to serve the banks.

So here's the Republican plan. It takes the bank regulators, you throw in a few other Cabinet officers, you get it to an unwieldy size. You let them do studies, and you let them set up a hotline. You let them set up a hotline. What a powerful tool. And when things come in over the hotline, they then refer them back to the very same bank regulators who failed to do this. Now, that's what they really wanted.

We were able to get this passed. And they know it's popular. They understand what the public thinks. The public does not think that the poor banks need to be protected against these rapacious consumers. So they come up with—instead of repealing it outright—with ways to weaken it. We ought to reject this because this particular bill is a proxy for what they really want to do—abolishing the whole agency.

□ 1350

Mr. SESSIONS. I yield myself such time as I may consume.

I'm going to have to stand up for what we're here for today, and that is, Madam Speaker, that after this bill was passed, it took almost one year for the President to appoint the person who would run the CFPB. The person who runs the CFPB is required to have Senate confirmation. During Senate confirmation—and it's a process that takes place for senior administrators who run our government—during that period of time this person who is nominated by the President would be expected to come in on behalf of the agency as a result of understanding their mission statement and the things that they do and would be expected to come to the United States Senate and to express their ideas. This is a brand new agency. How it would be run, what their mandate would be, how they would manage the assets and resources not only of the agency but how they viewed that mission statement vis-a-vis the industry.

The President took a year to nominate this person. That person has not even begun their hearings. I think, and this is what Republicans think, and this is what our bill says today. I know the gentleman, Mr. FRANK, said, Oh, no, Republicans have something far

greater and bigger. It's that they don't want this agency. Well, perhaps we don't want the CFPB. Perhaps we don't. But that's not what we're here today saying. We're here saying that until that head of that agency has a chance—a brand new agency—has a chance—after all, it's taken a year to come and speak forthrightly to elected officials that are called Members of the Senate to answer questions about how they would run this agency, what the philosophies should be, what the intent of the agency is, how the interaction between other agencies really should be done, what they think of the law, and what they see their job as being. Those are important issues. And so Republicans are saying we should not move forward on that until such time as we are able to go through that process. So that's really what Republicans are here for.

I know there are a lot of people listening and watching and think there's something sinister about Republicans. This is common sense. Republicans are here talking about an agency that will have broad and almost unlimited access to the marketplace. To overregulate, if you look at the possibilities. And we're trying to say before we kick this thing off, let's make sure we have an idea of what the leader would say. Otherwise, we should go to a group of people who will run this, not just one. So that's what we're here to do today.

I reserve the balance of my time.

Ms. SLAUGHTER. I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. First, Madam Speaker, I want to reassure the gentleman from Texas I don't think he's sinister. I think he is opposed to effective consumer protection. I think he and the other Republicans, some of them believe—the chairman of the committee—that the regulators are there to serve the banks. I do believe that they were opposed to it last year. And I appreciate his honesty, his approach towards openness when he said perhaps they're against it. Perhaps they're against it. They understood it would be a bad idea to go all out to try to weaken it.

But let me respond to his point about confirmation. It's bogus, Madam Speaker. He said we're just trying to hold this up until there's a confirmation. But 44 Republican senators have announced that they will not allow any confirmation to go forward—they will filibuster it, and they have more than the 40 they need to do that—until the agency is weakened. They have said they will not allow it to go forward until we allow the bank regulators, who Republicans think are there to serve the banks, can overrule this. And they weren't just saying that about Elizabeth Warren. Forty-four Republican senators contradicted the gen-

tleman from Texas. He talked about this wonderful confirmation process. It can't happen because 44 Republicans have said until we give in and weaken the agency, they won't confirm anybody.

Mr. SESSIONS. Madam Speaker, I appreciate the gentleman's perspective of looking into my brain and knowing what I think or talking about how 44 senators override what I'm saying. I would tend to offer the argument that as we near now the August recess, they had every understanding that the President, without this person going through hearings, having to come to Congress, to the Senate, to talk about and go through these hearings, that the President would just offer a recess appointment. In other words, bypassing exactly what we're talking about should happen, and that is where this brand-new nominated person, after a year, waiting until just a few weeks before the August recess.

Madam Speaker, what we're saying is we're not going to allow, in the Senate, the 44 Senators saying they're not going to allow a recess appointment where this person is appointed, nominated, and just gets it done because the Senate is gone. We're not going to allow him to skip out of coming and having to be thoughtful and talking about what he's going to do as the head of this CFPB.

So to say that 44 Senators really are trying to do the wrong thing or that I'm here trying to suggest something different is not true. We believe that this new agency must have the person who's going to head it to come to Congress, be forthright and open to hearing questions and responding back. I think that's open, honest, transparent, and legitimate. And if the President waited a year, he should expect that we would probably have an opinion that we would not want a recess appointment.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend from New Jersey for yielding.

Tomorrow will be yet another Friday without a paycheck for 15 million Americans, and this is the 198th day of the Republican majority. It is the 198th day that they've brought no legislation to the floor to address the jobs crisis and create jobs for the American people. Now most of those 198 days, they've ignored the problem.

Today's bill is a curious approach to the problem that I think makes it worse. Americans painfully remember what happened in the fall of 2008 when the big banks started to go under and slip under. People's 401(k) accounts melted, people's home equity disappeared, and to this day most Americans' homes aren't worth nearly what

they were worth in the fall of 2008. Foreclosures went up, jobs went down, and people's hopes went out the window.

The predicate of today's bill is the reason that all happened is there weren't enough regulators watching the banks. Or, excuse me, the predicate of today's bill is that there were too many regulators watching the banks. I had it backward because it's so obvious.

You understand that today's bill starts from the presumption that the problem here is that there were too many people watching what the banks did to make sure they did the right thing by the country. I think exactly the opposite was true.

I think the fact that these banks could take money insured by the taxpayers under the FDIC and gamble it on credit default swaps was wrong; I think the fact that they could sell junk bonds masquerading as valid mortgages was wrong; I think the fact that they charged extortionist credit card interest rates was wrong; I think the fact that they papered over loans for people who never should have gotten loans was wrong. And the problem was not that their hands were too tied; the problem was that they were being ignored by the regulators.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional minute.

Mr. ANDREWS. I appreciate the gentlelady.

So I would just say to you that after 198 days of essentially nothing on jobs, they now bring to the floor a bill that says, let's fix the jobs problem by having fewer regulators watch the big banks.

There are very few people in America who think the problem is the banks didn't have enough regulators. Unfortunately, almost all of them are in this Chamber on the Republican side of the aisle.

I yield to my friend from Massachusetts.

Mr. FRANK of Massachusetts. My friend is unfair to the Republicans, because they do create more jobs in this bill. The CBO says this bill will cost \$71 million because instead of the single administrator, they want to create four more bureaucrats, with more staff. CBO says this will cost \$71 million.

So, in fact, there are some jobs they're going to create. They will be for bureaucrats who can dilute the activity of the consumer bureau.

□ 1400

Mr. ANDREWS. Reclaiming my time, I respectfully would correct the record and say the Republicans have not created no jobs; they've created four, for four more bureaucrats who will ignore the abuses the banks are predicated on the American people.

Mr. SESSIONS. Mr. Speaker, I would like to yield 5 minutes to the chairman of the Financial Services Committee, the gentleman from Birmingham, Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, I've been listening to the debate on the floor, and although this was concerning the rule, there have been a lot of false claims lodged against what this legislation does.

It does not gut the Consumer Financial Protection Bureau. It is not anti-consumer. It is not an attempt to repeal Dodd-Frank. It does three simple things, and all three of those things, Mr. Speaker, the Democrats were for before they were against. These are all proposals that they have made. We all know who the person who first proposed the Consumer Financial Protection Bureau is. I think all of the Members of this body would say it was Elizabeth Warren.

What did she propose? She proposed a bipartisan commission. She did not propose the end result of Dodd-Frank, which was an unaccountable czar. A five-member board is done for almost every other agency, the exceptions being the EPA and the OCC. With both of those, the OCC is accountable to Congress because it is part of the Treasury Department, and is subject to OMB. The EPA is a Presidential appointee, a Cabinet member. He has to be confirmed. Not only that, he has to come to the Congress for appropriations. There is no accountability on the part of this body.

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. BACHUS. I will yield to the gentleman to just answer this question: Was a bipartisan commission proposed by Elizabeth Warren? That's number one. Then you can respond to it or ask me a question. My number one question: Did she propose a bipartisan commission?

Number two, is that what you introduced into the House, saying that that was the fairest approach?

I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. First, I would say the Comptroller of the Currency, which is in the Treasury for administrative purposes, is legally independent, and the Secretary of the Treasury has no right to interfere. The Comptroller of the Currency is not subject to appropriation; so the Comptroller of the Currency is even more independent.

Mr. BACHUS. That doesn't sound like a "yes" or a "no."

Mr. FRANK of Massachusetts. The gentleman made a statement. I am ready to get to it. Do you want me to answer?

Mr. BACHUS. Yes.

Mr. FRANK of Massachusetts. You made a statement about the Comptroller of the Currency, a statement

which I thought was inaccurate, and I wanted to correct it.

Now, as to Elizabeth Warren, yes, that's what she originally proposed, and I decided and others on our side decided that this would be more effective. We thought, after listening, that the five-member commission wouldn't work as well, particularly with the Senate refusing to confirm with the 44 Senators.

Mr. BACHUS. That's right.

Mr. FRANK of Massachusetts. So, yes. We listened, and we decided it would be a stronger agency.

Mr. BACHUS. I reclaim my time.

What the gentleman said is, yes, that's what Elizabeth Warren proposed. Then he said, yes, that's what I introduced. Then he said, but I decided at some point that we would rather have an unaccountable czar because we want him to do whatever we want him to do.

POINT OF ORDER

Mr. FRANK of Massachusetts. A point of order, Mr. Speaker.

The SPEAKER pro tempore (Mr. POE of Texas). The gentleman will state his point of order.

Mr. FRANK of Massachusetts. I won't quite ask for them to take my words down, but the gentleman just simply misstated, blatantly, what I said. He said I want a single accountable czar. He was not quoting me. I said I wanted a single person.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. FRANK of Massachusetts. It is that the gentleman misstated my words quite clearly, and I believe they should be taken down if he is not ready to rescind them.

Mr. BACHUS. I will change my remarks. He said a single director, who doesn't have to come to Congress for an appropriation. The second thing we do is we have an appeal process, or a review process.

Now, if I could have the second slide, what we have asked for is what you said you gave us; but this legislation—I won't say who—created a sham review process, and we want a realistic review process. We don't think any single person ought to be able to dictate a rule without any accountability.

So what do we do? What is set up in Dodd-Frank?

Seven out of the 10 regulators have to determine that any one rule will endanger the entire financial system—one rule. In other words, it takes seven of President Obama's 10 appointees to say that it would bring down the entire financial system. How would one rule ever do that?

What we say is it endangers the safety and soundness of our financial institutions. That's all we do. That's all we do.

Ms. SLAUGHTER. I would like to inquire of the gentleman from Texas how many speakers remain on his side.

Mr. SESSIONS. I appreciate the question.

I have no further requests for time.

Ms. SLAUGHTER. I would like to inquire as to how much time remains.

The SPEAKER pro tempore. The gentleman from New York has 2 minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, in closing, this rule and this bill will do nothing but get in the way of the important work of an agency designed to help consumers who are being taken advantage of by unscrupulous lenders. The Consumer Financial Protection Bureau is not even up and running yet. There is no reason to think it won't work exactly as intended. Is that what the majority is afraid of?

Are they afraid that CFPB will make prices clear? that they will make terms and conditions clear? that they will ensure that mortgage disclosures are short, relevant and understandable by the consumer and the lender?

Are they worried about letting consumers shop for the best product at the lowest price? to help consumers understand the true cost of a financial transaction? that a cop on the beat will make sure the largest financial institutions in this country are following the law?

If that's what they're afraid of, then we don't want to join them, Mr. Speaker. I urge my colleagues to vote "no" on the rule and "no" on the underlying bill so that the Consumer Financial Protection Bureau can do its job without Congress getting in the way.

I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, Congress has an opportunity today to ensure that we protect consumers and American business. Additionally, we have an opportunity to ensure the safety and soundness of financial institutions in the United States. That's what we are also here to do.

Reforms to the CFPB are necessary and, I believe, timely. Congress must and has a responsibility to do everything that we can to encourage economic growth, jump-start the free enterprise system and put Americans back to work. Growing our economy and slowing Federal spending will be the best way that we can work together to get our economy back on track, to get out of rising debt and also out of the financial malaise that's underway. This legislation provides for some of these necessary steps.

I applaud my colleagues. I thank my colleagues also on the Republican side who were here to not only defend what we're doing but to talk about the need for such action. This bill that we are facing here today has the support of the chairman of the Financial Services Committee, the chairman of the Rules Committee, and I applaud them for providing such an open and transparent process. I also encourage a "yes" vote on the rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The yeas and nays were ordered.

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

□ 1410

PROVIDING FOR CONSIDERATION OF H.R. 2551, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 359 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 359

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and except pro forma amendments offered at any time by the chair or ranking minority member of the Committee on Appropriations or their respective designees for the purpose of debate. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the cus-

tomary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Ms. FOXX. House Resolution 359 provides for a structured rule for consideration of H.R. 2551, the fiscal year 2012 Legislative Branch Appropriations bill.

Mr. Speaker, I rise today in support of this rule providing for consideration of H.R. 2551. This rule represents a continuance of fulfilling the new Republican majority's pledge to implement a more open legislative process in providing for consideration of a bipartisan list of 16 amendments, which is more than at any time dating back to at least 1988. Twelve amendments were made in order in both the second session of the 103rd Congress and the first session of the 104th.

This is in stark contrast to the past two Congresses in which Democrat domination of this House provided for a collective grand total of four amendments that were allowed to be debated during the past 4 years, when three were made in order during the first session of the 110th and one in the first session of the 111th.

In fact, even considering a Legislative Branch appropriations bill is a change of pace from Democrat control when 2 years yielded no consideration of standalone funding legislation, second sessions of both the 110th and the 111th Congresses. In other words, with the consideration of this single rule and bill, the House Republican majority is making in order four times as many amendments on standalone legislative branch appropriations legislation as were provided for in the previous 4 years of liberal Democrat House domination combined.

Given the terrible budgetary mess we inherited from the liberal Democrats, the underlying bill reflects the Republican House majority's continued drive for restoring the fiscal restraint that is so desperately needed in this city.

The bill appropriates \$3.3 billion for legislative branch entities, including \$1.2 billion for House operations and \$2.1 billion for legislative branch agencies and other offices, including the Capitol Police, Congressional Budget Office, the Library of Congress, the Government Accountability Office, and Government Printing Office. This total is \$227 million, or 6 percent less than the current funding, and \$472 million, or 9 percent less than requested by the offices and agencies covered by this bill.

The cuts come on top of the 2.5 percent, or \$115 million, cut from fiscal year 2010 contained in H.R. 1473, which was the fiscal year 2011 continuing resolution deal that was ultimately signed into law.

That bill provided \$4.5 billion for the legislative branch, including a reduction of \$55 million in funding for the House from the year before, and provides a 5 percent cut in Member, committee, and leadership office expenses, except for the Appropriations Committee, which offered a larger 9 percent cut.

At this point, Mr. Speaker, I will insert at this place in the RECORD a budgetary outline of H.R. 2551.

Out of the \$1.2 billion provided in this bill for House operations:

\$574 million is provided for operating members' offices, \$39 million (or 6%) less than current funding and \$60 million (or 9%) less than requested.

\$293 million for allowances and expenses, \$24 million (representing 8%) less than current funding and \$15 million (or 5%) less than requested.

\$153 million for salaries and expenses of House committees, \$10 million (representing 6%) less than current funding, and \$10 million (or 6%) less than requested. -and-

\$178 million for functions performed by the various House officers and employees, including the Clerk of the House, the Sergeant at Arms, and the Chief Administrative Officer, \$16 million (or 8%) less than current funding, and \$26 million (representing 13%) less than requested.

Furthermore, the bill provides funding levels for the following agencies:

\$490 million for the Architect of the Capitol, which is \$37 million (or 7%) less than the current level, and \$129 million (or 21%) less than requested.

\$340 million for the Capitol Police which is equal the current funding, but \$47 million (or 12%) less than requested.

\$575 million for various activities of the Library of Congress which is \$53 million (or 9%) less than the current level and \$91 million (or 14%) less than requested.

\$113 million for activities of GPO which is \$22 million (or 16%) less than current funding and \$35 million (24%) less than requested.

\$44 million for CBO which is \$3 million (or 6%) less than current funding and \$3 million (or 7%) less than requested.

\$511 million for GAO which is \$35 million (6%) less than current funding and \$46 million (8%) less than requested.

Even with all of these funding reductions, it's easy for those who look at Washington, D.C., and see only political dysfunction to oppose providing any funding at all for the legislative branch. While they may see this bill simply as a vehicle for fattening the paychecks of congressional staff and other undesirables, we must remember the important work these support people provide in the function of the most important branch of government.

Contrary to popular belief, congressional staffers work notoriously long hours for relatively little pay and help us represent the views of our constituents. Furthermore, hundreds of thousands of constituents throughout the

country are helped to navigate the Federal bureaucracy every day by our local case workers working in nearby district offices. Their work here is hardly the self-enrichment many people are led to believe by populist media sources eager to pose the catchiest headlines.

At the same time, we must remember the many important functions this funding provides in serving and protecting the American public. Given ever-evolving security threats, this bill funds the Capitol Police who protect critical infrastructure as well as secure the safety of the thousands who visit Capitol Hill every day. And we thank the Capitol Police for their invaluable service.

Furthermore, this bill's funding provides for the maintenance, operation, development, and preservation of 17.4 million square feet of buildings and more than 460 acres of land throughout Capitol Hill, including the House and Senate office buildings, the U.S. Capitol, Capitol Visitor Center, the Library of Congress buildings, the Supreme Court buildings, the U.S. Botanic Gardens, the Capitol power plant, and other facilities which are needed for Presidential inaugurations and other ceremonies of national importance.

The responsible funding level in this bill provides adequate funding for the critical functions of the legislative branch but also represents a step in the right direction towards enhancing government efficiency. During these times of fiscal restraint, this bill underscores the new House Republican majority's will to share in the pain of difficult spending decisions.

□ 1420

Mr. Speaker, not too long ago, it used to be that if funding levels weren't rising fast enough, then Congress was seen as cutting a program. That reality is no longer. When the new House Republican majority says we're going to cut spending, we actually reduce spending. This is the commonsense understanding of the American people which is reflected in the underlying legislation. And I will urge my colleagues over and over to support this rule and to support the underlying legislation.

With that, I reserve the balance of my time.

Mr. POLIS. I thank the gentlewoman from North Carolina for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

I rise in opposition to the rule; again, a rule that is not an open rule that allows for different amendments to be brought forth under this rule, as we have done with other appropriations bills. I also rise in opposition to the underlying bill.

Mr. Speaker, when Americans think of Congress, they likely picture our

beautiful Capitol Building, its iron dome, the rotunda filled with so many tourists each day, and so many sites on the National Mall and around the Capitol complex. But that is really just the physical infrastructure that we all live in and around. What really makes Congress function, or fail to function, are its people, its human capital, the staff that we have on the Hill that help keep Members informed and able to effectively operate in an increasingly complex world.

The bill before us risks squandering Congress' human capital. The bill cuts the legislative branch by 6.4 percent below 2011 and 9 percent below 2010 funding levels. What that means is the hardworking and underpaid and overworked men and women who staff our offices and our committees, giving long hours—frequently giving up their weekends. They'll be working through next weekend, Mr. Speaker. And I think there are very few jobs where they are actually thrilled to be informed that they actually have the weekend off. I know that not only myself but my staff rejoiced in leadership's decision to allow us not to work this weekend. I think that is a bar that most people assume they won't be working on weekends. Well, we assume in many cases we are, and we are actually very happy when we only have a 5-day workweek. That's the type of dedication that brings people into this line of work.

This cut will result in layoffs and pay cuts for members of the staff. And I would like to point out, it doesn't ask anything of the highest paid people here, the Members of Congress. We make \$174,000 a year. I am a cosponsor of a bill to reduce that by 5 percent. But here we are, cutting salaries for people making \$30,000 and \$40,000 a year without cutting the salaries of any of us who make \$174,000 a year. Again, I think that's just wrong. I think it's consistent with the Republican agenda of preserving tax cuts for people making over \$250,000 a year and making hardworking middle class families earning \$80,000, \$100,000 a year dig deeper and pay more by cutting student loans and programs that they benefit from.

So it shouldn't come as any surprise that that Legislative Branch appropriations bill is consistent with that in that it asks great sacrifices and at a time that we all agree our country has to cut back. But it asks great sacrifices of those making \$30,000, \$40,000 a year and takes nothing away and demands nothing of those who are earning \$174,000 a year, namely, the Members of Congress themselves.

Another concern about this bill is, instead of strengthening security in the wake of violence against Members, including the events in Tucson several months ago, instead of investing in inspectors, they've slashed, under this

proposal, every operation under the legislative branch except for Capitol Police, but including the Sergeant at Arms Office. Again, this represents a potential physical threat to Members at a time when, unfortunately, our national discourse has become more divisive than ever.

This bill also cuts the Library of Congress by 8.5 percent. I want to explain, Mr. Speaker, what the Library of Congress does and how we, as Members of Congress, rely on them. They are our objective research service. My staff and I, along with other Members of this body, rely on the Congressional Research Service. We get experts on issues on the phone, bring them to our offices to gain their expertise on complicated appropriations, budget issues, the peace process in the Middle East. This information is a vital part of producing sound legislation.

They are our only objective source of information. By reducing their ability to supply Members of Congress and our staff with quality information, we only empower the lobbyists and the other exclusive purveyors of information in this town who will give less objective information than Members of Congress and their staffs will have to increasingly rely on, rather than the Congressional Research Service.

The Government Accountability Office is cut by 6.4 percent. I want to point out that the GAO saves money. Again, every \$1 we spend at the GAO results in \$4 of savings. This is an office charged with finding savings and excess on duplicative expenditures. So by cutting their ability to do that, we actually increase wasteful spending elsewhere in the budget. It's the congressional watchdog. Taking away funding from the GAO means taking away methods on how we can alert policymakers to emerging wasteful spending and wasteful programs throughout government.

GAO is proven to protect taxpayer dollars. It was GAO that warned Congress about problems in the savings and loan industry. It was GAO that warned Congress about the dangers of deficit spending. If there's a looming issue that's not getting public attention but threatens public dollars, the GAO needs to be there to do thoughtful research and help Congress understand these issues.

I am also very concerned with the cuts to the Congressional Budget Office, the 6 percent cut. The Congressional Budget Office is critical to reducing our deficit. To cut Congressional Budget Office spending now, at a time when we are coming up with trillion-dollar plans to reduce our deficit, would prove that the majority does not value proper accounting or prompt consideration of important policy proposals. We want to make sure that what we are passing has cost savings, reduces the deficit, and cuts spending,

and the taxpayers are protected. We also want to make sure we pass legislation as expeditiously as possible. And if we're cutting off funding to the Congressional Budget Office and we expect layoffs, I'm not sure that we have the taxpayers' best interests at heart.

There were also amendments that were brought forth in the Rules Committee that, if we had an open amendment process, we would be able to include; but, unfortunately, they were not made in order under this particular rule, including a bipartisan amendment by DEBBIE WASSERMAN SCHULTZ and Representative SCHWEIKERT. The amendment would have provided \$100,000—not of new money but rededicated from another account to name one of our rooms in the Capitol Visitor Center the Gabriel Zimmerman Meeting Room.

Who is Gabriel Zimmerman? He is the first congressional staff person in this country's history to die in the line of duty. He was with Representative GIFFORDS in the January 8 tragedy in Tucson, Arizona, that struck this country and shocked our Nation and really tore through the fabric of the congressional community. Representative SCHWEIKERT and Representative WASSERMAN SCHULTZ came together to provide a fitting memorial for a member of our congressional family that died in the line of service. Gabe Zimmerman was a loyal, dedicated public servant; and he made the ultimate sacrifice to this country as the first congressional staff person murdered in the line of duty in the history of our country.

This distinction wouldn't have cost taxpayers any money and would have recognized not only the devoted service of Gabe but also of the thousands of other staff people on Capitol Hill and I think would have been appropriate, particularly at a time when every Member's office will be involved with pay cuts and layoffs as a result of the 6.5 percent cut, to show that beyond the dollars, the giving of your life and the dedication of the staff that help keep us well informed in making decisions in the best interests of the country is appreciated by the institution of Congress as a whole.

I therefore oppose the rule, as well as the underlying bill.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, my colleague from Colorado would have the American people believe that we can't make any cuts in spending at the Federal Government level, but I don't believe that argument is going to go very far. The American people know that we can make big cuts in spending at the Federal Government level, and Republicans are making sensible cuts in spending at the Federal Government level. In the leg branch, it's not a huge amount of money that we have control over; but we believe, on our side of the

aisle, that we should make spending cuts everywhere.

Many millions of Americans have lost their jobs since the Democrats took control of this Congress in January of 2007. We had a 4.5 percent unemployment rate when they took over, and now we've had north of a 9 percent unemployment rate for several years. Those people didn't have any choice at all about whether they continued their income or not. What we're saying is, we want to continue the vital functions, those particularly that serve the American people. We want to keep this Capitol looking great.

□ 1430

We want to keep the Capitol Police force at full force. We want to give them the tools that they need. But everybody in Washington, D.C., can work a little harder and spend a little less money to make it easier on the American public, and that's what we're recommending in this bill. And I believe this rule does a very good job of representing the amendments that were presented to the Rules Committee.

Mr. Speaker, I could go on and on about what are the problems that we're facing here, but I think it's better if I quote someone who put some of the situation that we have here in perspective. And so I'd like to quote a Washington Post article by Charles Krauthammer, a brilliant essayist, who put forward this article.

He said other solutions are being suggested by "the man who ignored the debt problem for 2 years by kicking the can to a commission.

"Promptly ignored the commission's December 2010 report.

"Delivered a State of the Union address in January that didn't even mention the word 'debt' until 35 minutes into the speech.

"Delivered in February a budget so embarrassing—it actually increased the deficit—that the Democratic-controlled Senate rejected it 97-0.

"Took a budget mulligan with his April 13 debt plan speech. Asked in Congress how this new 'budget framework' would affect the actual Federal budget, Congressional Budget Office Director Doug Elmendorf replied with a devastating 'We don't estimate speeches.' You can't assign numbers to air.

"The flip-flop is transparently political. A clever strategy it is: Do nothing and invite the Republicans to propose real debt reduction first; and when they do—voting for the Ryan budget and its now infamous and courageous Medicare reform—demagogue them to death.

"And then up the ante by demanding Republican agreement to tax increases. So first you get the GOP to seize the left's third rail by daring to lay a finger on entitlements. Then you demand the GOP seize the right's third rail by

violating its no-tax pledge. A full spectrum electrocution. Brilliant.

"And what have been Obama's own debt reduction ideas? In last week's news conference, he railed against the tax break for corporate jet owners—six times.

"I did the math. If you collect that tax for the next 5,000 years—that's not a typo, 5,000 years—it would equal the new debt Obama racked up last year alone. To put it another way, if we had levied this tax at the time of John the Baptist and collected it every year since—first in shekels, then in dollars—we would have 500 years to go before we could offset half of the debt added by Obama last year alone.

"Obama's other favorite debt reduction refrain is canceling an oil company tax break. Well, if you collect that oil tax and the corporate jet tax for the next 50 years, you will not have offset Obama's deficit spending for February 2011."

Mr. Speaker, there you have it: Liberal hypocrisy exposed in another brilliant Krauthammer essay.

The choice before the American people is clear. We can either continue accommodating the passions of the liberal elite in cementing a bloated dependency state fueled by job-crushing tax increases, or we can trim spending so private sector employers and innovators, who are the real creators of wealth, can do what they do best in healing the wounds of unsustainable government largesse.

Mr. Speaker, our colleagues on the other side of the aisle simply cannot stand any kind of cuts. What they want are tax increases and continued irresponsible spending.

Republicans are bringing a different message, a message from the American people.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. I want to thank the gentleman for yielding and also for his leadership.

Mr. Speaker, I rise in opposition to this rule and in opposition to the underlying bill.

As a member of the Appropriations Committee and former vice chair of the Leg. Branch Subcommittee, I am deeply saddened by Republicans' ongoing efforts to weaken and dismantle our democracy. The Leg. Branch appropriation bill is simply an inadequate and misguided bill. We must not gut one of the coequal branches of government. We should be working to ensure that we are strengthening and preserving the most direct voice the American people have in our government, the legislative branch, especially the House of Representatives, the people's House.

Passing this bill will undermine one of the fundamental building blocks of our democracy, and it will weaken our



Nation. Failing to provide adequate resources to the leg. branch will mean that all of our congressional offices, both here and in our home districts, will face cuts in staff. The constituent services that we provide would suffer right when our people need them the most.

Our constituents rely on our staffs to help us develop sound legislation and to provide constituent case work. Our constituents rely on them to keep them informed about the complex and incredibly diverse issues that fail our Nation each and every day.

Now, I worked as a staffer for my mentor and predecessor, Congressman, Mayor, Ron Dellums; so I know very well how hard staffers work to help us represent the American people. These staffers are paid much less. They work more hours than most public employees, not to mention the private sector employees.

We need to keep in place the resources necessary to attract the best and the brightest to public service. When you gut this budget, you are creating more unemployed people who will need to go on unemployment compensation.

This is an example of the policies that Republicans are putting forward to create more unemployment and a nonresponsive government. It is vital that our district offices and our Washington offices are fully staffed to make sure that our constituents—this is about our constituents—that they will continue to have access to the services so that they don't just get hung out there once again because, in this hard economic time, many, many people are desperate and they need our help.

This is just another signpost on the road to ruin during this "good luck" Republican Congress. This bill says good luck to finding a job. It says good luck to finding affordable health care. This bill says good luck to keeping your home and your family intact. Good luck to feeding your family and your children. When the public demands, as they should, constituent services and help, this bill says, good luck to our constituents.

Representative democracy is really on its way out the door. Case work will be greatly diminished with these unrealistic budget cuts. Bills like this clearly show the Republican agenda for what it is. It's really: Good luck, you are on your own.

Let me ask Members to please oppose this bill because this is not good. It's not good for our staffs; it's not good for our constituents; it's not good for the country.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to my distinguished colleague from Texas (Mr. SESSIONS).

Mr. SESSIONS. I want to thank the distinguished gentlewoman from North Carolina, who sits right next to me in the Rules Committee and has for a

number of years. And I appreciate not only her leadership but her service.

Mr. Speaker, I want to stand up just as a Member of this body. We're all equal representatives in this body, and I do recognize that there are people that come down here and talk about all the layoffs that will occur and all the hard times and people losing their insurance and all the dramatic things that will happen.

Mr. Speaker, we need a 6 percent cut. We need a 6 percent cut because we've been receiving outlandish increments of increases for a number of years, including the first year, I believe, that Speaker PELOSI was in, a 10 percent increase.

Mr. Speaker, the American people are having a tough time. But the American free enterprise system, when faced with these opportunities, and I think it's what will happen in our offices, we're all going to look at each other; and instead of laying somebody off, we'll all understand there's not enough money to go around and we're going to have to all take a sacrifice.

□ 1440

That's what I intend to do in my office, and I hope my employees will understand that.

This is going to mean some changes, and sometimes change is hard. But just to continue to receive more money because taxpayers, who control the money—that taxpayers would expect us to just answer every one of their questions and do every one of their things is an outlandish example of a government out of control.

We need to make sure that our offices are just as responsible as other areas of the government. It's time to cut back. It's time that we take a hit. It's time that we join with the rest of the American people and understand these are difficult times; these are difficult times because government is too big, costs too much money, listens too little, and now is unadaptive to the hard times themselves.

Mr. Speaker, I say let's vote for this Legislative appropriations bill, and let's cut the amount of money that we have for ourselves in the House of Representatives. A 6 percent cut helps lead the way, and we can do that. That's why Republicans are in the majority; we can make tough decisions in difficult times.

Mr. POLIS. I yield myself such time as I may consume.

Now, again, I know how my colleague from Texas and my colleague from North Carolina have discussed how tough these economic times are and how Congress needs to tighten its belt, and that's true. But where is the actual belt-tightening for Members of Congress ourselves? What are Members being called upon to sacrifice? Did we cut our own salaries to help spare layoffs for staff people making \$25,000 a

year? No. And how about the many Members of Congress who proudly talk about living in their offices. Are they going to start paying rent? They're essentially living rent free on the government dime. They use electricity, water and other taxpayer-paid-for resources. We have Members of Congress who are squatters in government buildings. And as a businessman, I can tell you that if I owned a piece of commercial real estate and decided to start saving money or rent by living in my office, I would be violating the law. So don't tell us that you're being frugal by living in our office. You're living free at the taxpayers' expense, any Member who does that.

And how about the cars that Members lease? I don't know too many Americans who have jobs that give them a free car to use however they choose, but Members of Congress have that benefit. And many abuse it with car leases that cost as much as \$1,000 a month or more. Now, I appreciate there is an amendment on this issue, but those car leases should be eliminated in this bill, not capped at \$1,000. Members would still be permitted to have cars that cost \$950 a month paid for by taxpayers, at the same time we're slashing salaries of staff people making \$25,000 or \$30,000 a year.

In difficult economic times, it makes sense to cut back on everything. It makes sense to cut back on our own perks before laying off hardworking employees. Congress chose not to do this with this bill, and the closed process associated with this bill does not allow us to bring these proposals forward. When it comes time to cut, the majority has said hit the little guy, leave the big guy alone, hit the person who can least afford to go without. Talk about shared sacrifice right up until it involves giving up something that benefits you or your friends.

If you vote for this bill, Mr. Speaker, please do not tell me that you're willing to make the hard choices about the budget for the good of the Nation. You have made the easy choices. This bill cuts Members' day-to-day abilities to effectively represent constituents while leaving all of the perks of office untouched.

I strongly urge a "no" vote on both the rule and the bill.

I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I don't think that Members of Congress should be extravagant in their spending in any way whatsoever, but I think it's up to the voters to hold those Members responsible for what they do. If there is a Member that is leasing a car that's paying an exorbitant amount of money, then the voters should turn that person out if they think they're wasting their money. I would certainly think that person is wasting his or her money. That's up to the voters to take care of.



We're doing our part here in the Congress. We are balancing between making sensible cuts and making sure that the public is well served when it visits Washington, D.C., and the public should be well served by the individual Members. And I hope that if there are abuses on the part of any Member of Congress, no matter which party he or she belongs to, that the voters will look into that and take care of that person. But that is not our exact responsibility here. Our responsibility is, as it is everywhere, to allow a certain amount of money to be spent in the Members' offices, and then each Member should be held individually responsible.

Mr. Speaker, we have discussed at great length today why America needs this rule and this bill. Voting for these measures will allow the House to continue its work toward resolving the debt crisis currently gripping the Nation. As we continue this debate, we must remember the simple truth that tax increases have been tried before and led us to the mess that we have today.

We should not be raising taxes because tax increases do nothing more than fuel parasitic, wasteful government spending. We are cutting the spending for the leg branch in a very responsible way, and that's what we should be doing. But it is past time that we pursue an innovative idea, one that is unparalleled in modern American history, and that is to cut spending and shorten the long arm of government that is currently choking economic prosperity. That is what is happening in every appropriations bill that we're passing.

As we rapidly approach our Federal debt ceiling, our economy is struggling and people are looking for jobs. Americans crave accountability and belt-tightening in Washington and need the Federal Government to stop draining job-creating resources from the private sector to fund misguided adventures in social engineering. They demand action and they deserve answers.

H.R. 2551, for which this rule provides consideration, reflects the House Republican majority's unending commitment to restore the fiscal discipline that is so long overdue in this city. It represents a sensible balance between the vital need for budget restraint and funding the critical functions of the legislative branch.

Without compromising the safety or security of critical infrastructure, this bill further trims the fat and encourages efficiencies while demonstrating that we are not immune to feeling the effects of much needed spending cuts that are so desperately needed throughout our bloated Federal bureaucracy.

It is for these reasons that I urge my colleagues to vote for the rule and the underlying bill so that we can begin to

restore the trust Americans have in their Federal Government.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 359 will be followed by a 5-minute vote on adoption of House Resolution 358.

The vote was taken by electronic device, and there were—yeas 239, nays 172, not voting 21, as follows:

[Roll No. 613]

YEAS—239

Adams	Flake	LaTourette
Aderholt	Fleischmann	Latta
Akin	Fleming	Lewis (CA)
Alexander	Flores	LoBiondo
Altmire	Forbes	Long
Amash	Fortenberry	Lucas
Austria	Fox	Luetkemeyer
Bachus	Franks (AZ)	Lummis
Barletta	Frelinghuysen	Lungren, Daniel
Bartlett	Gallegly	E.
Barton (TX)	Gardner	Mack
Bass (NH)	Garrett	Manzullo
Benish	Gerlach	Marchant
Berg	Gibbs	Marino
Biggart	Gibson	Matheson
Bilbray	Gingrey (GA)	McCarthy (CA)
Bilirakis	Gohmert	McCaul
Bishop (UT)	Godlatte	McClintock
Black	Gosar	McCotter
Blackburn	Gowdy	McHenry
Bono Mack	Granger	McKeon
Boustany	Graves (GA)	McKinley
Brady (TX)	Graves (MO)	McMorris
Brooks	Griffin (AR)	Rodgers
Broun (GA)	Grimm	Meehan
Buchanan	Guinta	Mica
Bucshon	Guthrie	Miller (FL)
Buerkle	Hall	Miller (MI)
Burgess	Hanna	Miller, Gary
Burton (IN)	Harper	Mulvaney
Calvert	Harris	Murphy (CT)
Camp	Hartzler	Murphy (PA)
Campbell	Hastings (WA)	Myrick
Canseco	Hayworth	Neugebauer
Cantor	Heck	Noem
Capito	Hensarling	Nugent
Carter	Herger	Nunes
Cassidy	Herrera Beutler	Nunnelee
Chabot	Huelskamp	Olson
Chaffetz	Huizenga (MI)	Olver
Coble	Hultgren	Owens
Coffman (CO)	Hunter	Palazzo
Cole	Hurt	Paul
Conaway	Inslee	Paulsen
Cravaack	Issa	Pearce
Crawford	Jenkins	Pence
Crenshaw	Johnson (IL)	Petri
Culberson	Johnson (OH)	Pitts
Davis (KY)	Johnson, Sam	Platts
Denham	Jones	Poe (TX)
Dent	Jordan	Pompeo
DesJarlais	Kelly	Posey
Diaz-Balart	King (IA)	Price (GA)
Dold	King (NY)	Quayle
Dreier	Kingston	Reed
Duffy	Kinzinger (IL)	Rehberg
Duncan (SC)	Kissell	Reichert
Duncan (TN)	Kline	Renacci
Ellmers	Labrador	Ribble
Emerson	Lamborn	Rigell
Farenthold	Lance	Rivera
Fincher	Lankford	Roby
Fitzpatrick	Latham	Roe (TN)

Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schweikert  
Scott (SC)  
Sensenbrenner

Sessions  
Shinkus  
Shuler  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Stivers  
Stutzman  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner

NAYS—172

Ackerman	Gonzalez	Pascrell
Andrews	Green, Al	Pastor (AZ)
Baca	Green, Gene	Payne
Baldwin	Grijalva	Pelosi
Barrow	Gutierrez	Perlmutter
Bass (CA)	Hahn	Peters
Becerra	Hanabusa	Peterson
Berkley	Hastings (FL)	Pingree (ME)
Berman	Heinrich	Polis
Boren	Higgins	Price (NC)
Boswell	Himes	Quigley
Brady (PA)	Hinojosa	Rahall
Braley (IA)	Hochul	Rangel
Brown (FL)	Holden	Reyes
Capps	Holt	Richardson
Capuano	Honda	Richmond
Cardoza	Hoyer	Rothman (NJ)
Carnahan	Israel	Roybal-Allard
Carney	Jackson (IL)	Ruppersberger
Carson (IN)	Jackson Lee	Rush
Chandler	(TX)	Ryan (OH)
Chu	Johnson, E. B.	Sanchez, Loretta
Cicilline	Kaptur	Sarbanes
Clarke (MI)	Keating	Schakowsky
Clarke (NY)	Kildee	Schiff
Clay	Kind	Schrader
Cleaver	Kucinich	Schwartz
Clyburn	Langevin	Scott (VA)
Cohen	Larsen (WA)	Scott, David
Connolly (VA)	Larson (CT)	Serrano
Conyers	Lee (CA)	Sewell
Cooper	Levin	Sherman
Costello	Lewis (GA)	Sires
Courtney	Lipinski	Slaughter
Critz	Loeback	Smith (WA)
Crowley	Lofgren, Zoe	Speier
Cuellar	Lowey	Stark
Cummings	Lujan	Sutton
Davis (CA)	Lynch	Thompson (CA)
Davis (IL)	Maloney	Thompson (MS)
DeFazio	Markey	Tierney
DeGette	Matsui	Tonko
DeLauro	McCarthy (NY)	Towns
Deutch	McCollum	Tsongas
Dicks	McDermott	Van Hollen
Dingell	McGovern	Velázquez
Doggett	McIntyre	Visclosky
Donnelly (IN)	McNerney	Walz (MN)
Doyle	Meeks	Wasserman
Edwards	Michaud	Schultz
Engel	Miller (NC)	Waters
Eshoo	Miller, George	Watt
Farr	Moore	Waxman
Fattah	Moran	Welch
Filner	Nadler	Wilson (FL)
Frank (MA)	Napolitano	Woolsey
Fudge	Neal	Wu
Garamendi	Pallone	Yarmuth

NOT VOTING—21

Bachmann	Ellison	Sánchez, Linda
Bishop (GA)	Giffords	T.
Bishop (NY)	Griffith (VA)	Schock
Blumenauer	Hinche	Scott, Austin
Bonner	Hirono	Sullivan
Butterfield	Johnson (GA)	Young (AK)
Castor (FL)	Landry	
Costa	Rogers (MI)	

□ 1513

Ms. CHU and Mr. COOPER changed their vote from "yea" to "nay."

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**PROVIDING FOR CONSIDERATION OF H.R. 1315, CONSUMER FINANCIAL PROTECTION SAFETY AND SOUNDNESS IMPROVEMENT ACT OF 2011**

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 358) providing for consideration of the bill (H.R. 1315) to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 238, nays 177, not voting 17, as follows:

[Roll No. 614]

YEAS—238

Adams	Denham	Huelskamp
Aderholt	Dent	Huizenga (MI)
Akin	DesJarlais	Hultgren
Alexander	Diaz-Balart	Hunter
Altmire	Dold	Hurt
Amash	Dreier	Issa
Austria	Duffy	Jenkins
Bachus	Duncan (SC)	Johnson (IL)
Bartletta	Duncan (TN)	Johnson (OH)
Bartlett	Ellmers	Johnson, Sam
Barton (TX)	Farenthold	Jones
Bass (NH)	Fincher	Jordan
Benishek	Fitzpatrick	Kelly
Berg	Flake	King (IA)
Biggert	Fleischmann	King (NY)
Bilbray	Fleming	Kingston
Bilirakis	Flores	Kinzinger (IL)
Bishop (UT)	Forbes	Kline
Black	Fortenberry	Labrador
Blackburn	Fox	Lamborn
Bonner	Franks (AZ)	Lance
Bono Mack	Frelinghuysen	Lankford
Boustany	Gallely	Latham
Brady (TX)	Gardner	LaTourette
Brooks	Garrett	Latta
Broun (GA)	Gerlach	Lewis (CA)
Buchanan	Gibbs	LoBiondo
Bueshon	Gibson	Long
Buerkle	Gingrey (GA)	Lucas
Burgess	Gohmert	Luetkemeyer
Burton (IN)	Goodlatte	Lummis
Calvert	Gosar	Lungren, Daniel
Camp	Gowdy	E.
Campbell	Granger	Mack
Canseco	Graves (GA)	Manzullo
Cantor	Graves (MO)	Marchant
Capito	Griffin (AR)	Marino
Carter	Grimm	McCarthy (CA)
Cassidy	Guinta	McCaul
Chabot	Guthrie	McClintock
Chaffetz	Hall	McCotter
Coble	Hanna	McHenry
Coffman (CO)	Harper	McIntyre
Cole	Harris	McKeon
Conaway	Hartzler	McKinley
Cooper	Hastings (WA)	McMorris
Cravaack	Hayworth	Rodgers
Crawford	Heck	Meehan
Crenshaw	Hensarling	Mica
Culberson	Herger	Miller (FL)
Davis (KY)	Herrera Beutler	Miller (MI)

Miller, Gary	Rigell	Smith (NJ)
Mulvaney	Rivera	Smith (TX)
Murphy (PA)	Robby	Southerland
Myrick	Roe (TN)	Stearns
Neugebauer	Rogers (AL)	Stivers
Noem	Rogers (KY)	Stutzman
Nugent	Rogers (MI)	Sullivan
Nunes	Rohrabacher	Terry
Nunnelee	Rokita	Thompson (PA)
Olson	Rooney	Thornberry
Owens	Ros-Lehtinen	Tiberi
Palazzo	Roskam	Tipton
Paul	Ross (AR)	Turner
Paulsen	Ross (FL)	Upton
Pearce	Royce	Walberg
Pence	Runyan	Walden
Petri	Ryan (WI)	Walsh (IL)
Pitts	Scalise	Webster
Platts	Schilling	West
Poe (TX)	Schmidt	Westmoreland
Pompeo	Schweikert	Whitfield
Posey	Scott (SC)	Wilson (SC)
Price (GA)	Sensenbrenner	Wittman
Quayle	Sessions	Wolf
Reed	Shimkus	Womack
Rehberg	Shuler	Woodall
Reichert	Shuster	Yoder
Renacci	Simpson	Young (FL)
Ribble	Smith (NE)	Young (IN)

NAYS—177

Ackerman	Grijalva	Pascrell
Andrews	Gutierrez	Pastor (AZ)
Baca	Hahn	Payne
Baldwin	Hanabusa	Pelosi
Barrow	Hastings (FL)	Perlmutter
Bass (CA)	Heinrich	Peters
Becerra	Higgins	Peterson
Berkley	Himes	Pingree (ME)
Berman	Hinojosa	Polis
Boren	Hochul	Price (NC)
Boswell	Holden	Quigley
Brady (PA)	Holt	Rahall
Braley (IA)	Honda	Rangel
Brown (FL)	Hoyer	Reyes
Capps	Inslee	Richardson
Capuano	Israel	Richmond
Cardoza	Jackson (IL)	Rothman (NJ)
Carnahan	Jackson Lee	Roybal-Allard
Carney	(TX)	Ruppersberger
Carson (IN)	Johnson (GA)	Rush
Chandler	Johnson, E. B.	Ryan (OH)
Chu	Kaptur	Sanchez, Linda
Ciçilline	Keating	T.
Clarke (MI)	Kildee	Sanchez, Loretta
Clarke (NY)	Kind	Sarbanes
Clay	Kissell	Schakowsky
Cleaver	Kucinich	Schiff
Clyburn	Langevin	Schrader
Cohen	Larsen (WA)	Schwartz
Connolly (VA)	Larson (CT)	Scott (VA)
Conyers	Lee (CA)	Scott, David
Costello	Levin	Serrano
Courtney	Lewis (GA)	Sewell
Critz	Lipinski	Sherman
Crowley	Loeb sack	Sires
Cuellar	Lofgren, Zoe	Slaughter
Cummings	Lowe y	Smith (WA)
Davis (CA)	Lujan	Speier
Davis (IL)	Lynch	Stark
DeFazio	Maloney	Sutton
DeGette	Markey	Thompson (CA)
DeLauro	Matheson	Thompson (MS)
Deutch	Matsui	Tierney
Dicks	McCarthy (NY)	Tonko
Dingell	McCollum	Towns
Doggett	McDermott	Tsongas
Donnelly (IN)	McGovern	Van Hollen
Doyle	McNerney	Velázquez
Edwards	Meeks	Visclosky
Engel	Michaud	Walz (MN)
Eshoo	Miller (NC)	Wasserman
Farr	Miller, George	Schultz
Fattah	Moore	Waters
Finler	Moran	Watt
Frank (MA)	Murphy (CT)	Waxman
Fudge	Nadler	Welch
Garamendi	Napolitano	Wilson (FL)
Gonzalez	Neal	Woolsey
Green, Al	Oliver	Wu
Green, Gene	Pallone	Yarmuth

NOT VOTING—17

Bachmann	Bishop (NY)	Butterfield
Bishop (GA)	Blumenauer	Castor (FL)

Costa	Griffith (VA)	Schock
Ellison	Hinche y	Scott, Austin
Emerson	Hirono	Young (AK)
Giffords	Landry	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1521

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**PERSONAL EXPLANATION**

Mr. BISHOP of New York. Mr. Speaker, due to previously scheduled official commitments in my district, I was unavoidably detained and not present in the House Chamber on Thursday, July 21 to vote on rollcalls 612, 613 and 614.

I would have voted “no” on each rollcall had I been present.

**PERSONAL EXPLANATION**

Ms. HIRONO. Mr. Speaker, on rollcall Nos. 612, 613, and 614, had I been present, I would have voted “no” on all three.

**GENERAL LEAVE**

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1315 and to insert extraneous material thereon.

The SPEAKER pro tempore (Mr. WESTMORELAND). Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

**CONSUMER FINANCIAL PROTECTION SAFETY AND SOUNDNESS IMPROVEMENT ACT OF 2011**

The SPEAKER pro tempore. Pursuant to House Resolution 358 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1315.

□ 1522

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1315) to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, and for other purposes, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentlewoman from West Virginia (Mrs. CAPITO) and the gentleman from Massachusetts (Mr. FRANK) each will control 30 minutes.

The Chair recognizes the gentlewoman from West Virginia.

Mrs. CAPITO. I yield myself 4 minutes.

Mr. Chairman, a year ago, the President signed into law the most sweeping financial regulatory reform package in nearly a generation. The centerpiece of the Dodd-Frank Act was the creation of the Consumer Financial Protection Bureau. While there was nearly unanimous agreement that improvements were needed in the regulatory structure for financial services and consumer credit, we as Republicans did not agree that the best answer to the problems was creating an entirely new bureaucracy.

No legislation is perfect, and Dodd-Frank is a law that needs to be improved and refined. The legislation before us today marks an important step in improving the structure of the Consumer Financial Protection Bureau.

I would like to thank both Chairman BACHUS and Mr. DUFFY for their leadership on this issue.

The creation of the CFPB presents the first time in which consumer protection and safety and soundness regulation will not be handled by the prudential financial regulators for institutions over \$10 billion in assets. While we do not disagree that many of the prudential regulators failed to uphold their responsibilities in the years leading up to the financial crisis, there is a legitimate concern in separating consumer protection from safety and soundness.

This is why H.R. 1315 is a much needed improvement to the Dodd-Frank Act. The act gives the Financial Stability Oversight Council, also known as FSOC, the ability to override a CFPB rule or regulation. However, the threshold is set so high for the FSOC to consider the overturning of a CFPB rule or regulation that, in reality, it will never happen. Furthermore, a two-thirds majority of the FSOC is needed to overturn the rule or regulation once the petition is filed. This simply sets the bar too high and further exacerbates the problem presented by separating consumer protection from safety and soundness.

This is Mr. DUFFY's bill, and it will lower the threshold for petitioning the FSOC to "regulation which is the subject of the petition that is inconsistent with the safe and sound operations of United States financial institutions," and will require a simple majority of the FSOC to overturn a CFPB rule or regulation. This is a critical improvement to the CFPB that will ensure that CFPB regulations strike the balance between consumer protection and safety and soundness.

The Rules Committee Print also includes two bills that the Financial

Services Committee has reported favorably. The first represents an important change to the leadership structure of the CFPB that will provide greater stability in leadership and moderation in rulemaking. As we have seen over the last 9 months, the current leadership structure provided for the CFPB is subject to toxic political fights. Individuals and groups from across the political spectrum have advocated for whom they believe to be the ideal candidate and, in some cases, the only acceptable candidate. This is not good for consumers, and it is not good for the legitimacy of the agency.

Rather than a single director, we are advocating for a five-person commission. This strengthens the leadership of the CFPB in two ways. First, a commission provides greater stability in leadership. We are all aware of the challenges in the Senate's ability to approve nominees. A commission where the individual commissioners are staggered in their terms will provide greater stability by ensuring there is always some form of leadership at the CFPB. A commission will also provide greater consistency, not only in rulemaking, but also in administration. I fear that a single director will set up a situation in which the leadership of the CFPB will be subject to the variances in ideology from one administration to another when the director is appointed. Consumers stand to lose the most if we have a situation in which the directorship of the CFPB swings back and forth between the extremes of the political spectrum.

Finally, H.R. 1315 includes legislation that I introduced to prevent the transfer of full powers to the CFPB, which should begin today, until there is a Senate-confirmed director or chairman in place.

Personally, I think this is really good government. We are talking about an agency that is sailing into uncharted waters without a captain of the ship. It is irresponsible to proceed without a leader confirmed by the Senate. In conclusion, I know that the creation of the CFPB is a source of great passion, and I look forward to discussing these bills. I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 3 minutes to one of the leaders on this committee, the gentlewoman from California (Ms. WATERS).

Ms. WATERS. First, I would like to take a moment to thank BARNEY FRANK for his leadership in establishing one of the most important pieces of legislation that has ever happened in the Congress of the United States of America, and that is the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 to create a Consumer Financial Protection Bureau.

I am so pleased to have been able to serve, not only on the Financial Serv-

ices Committee, but on the conference committee that worked through all of the difficulty of creating this bureau to give protection to consumers who had been forgotten, who had been dropped off of the regulatory agency's agenda, who had not been protected because they simply said that they had the responsibility for safety and soundness and that they didn't know much about consumer protection. They failed on both, but our consumers have been harmed.

Mr. Chairman, the CFPB is needed because it is very clear that our current regulatory framework inadequately protects consumers. Just look at the wrongful foreclosures on veterans, the robo-signings on foreclosure documents, the 500 percent interest rates on payday loans. The list of abuses goes on and on and on.

This bill would undermine the CFPB by creating a commission instead of a director, making it easier for the Financial Stability Oversight Council to override CFPB rules and to delay the transfer date for the CFPB until there is a director confirmed by the Senate. In short, this bill would bring us back to the days when harmful financial products and practices went unchecked and when consumers paid the price in the form of high interest rates, predatory subprime mortgages, and bad credit card bills.

□ 1530

We've seen what happens when our banking regulators are tasked with both consumer protection and bank safety and soundness responsibilities. The pro-bank, anti-consumer stance wins every time. That's why we created CFPB, to make sure the consumer voices aren't shouted down by the industry and that an independent agency is beholden to consumers and not CEOs.

A strong regulator, one which focused solely on consumer safety and championed simpler disclosure and products, could have prevented the current economic crisis and the ensuing foreclosures, bankruptcies, and defaults. Preventing the CFPB from doing its work, as this bill would, would only hurt America's consumers and turn our economy upside down. I oppose this bill.

Mr. Chairman and Members, it is evident what was needed, and it is inconceivable that at this point in time we could have legislation that would undermine the good work of the conference committee of the Dodd-Frank legislation that is in the best interest of all Americans, all consumers.

I ask for a "no" vote on this bill.

Mrs. CAPITO. Mr. Chairman, I would like to yield 6 minutes to the chairman of the full committee, the gentleman from Alabama (Mr. BACHUS), and I thank him for his leadership on this bill and many others.

Mr. BACHUS. Mr. Chairman, what is this awful thing that Republicans are bringing before the Congress today? This monstrosity, the Democrats have called it, is an attack on consumers. Well, it is a proposal that was first brought to us by our Democratic colleagues, and that was to have a bipartisan commission to protect consumers. That is what we're being attacked for today, a five-member board.

Now, all of us in this body are for consumer protection. Our voters, our constituents are all consumers, and we're all for protecting them. We're also for protecting our financial institutions and our economy. And we need a balance. So how do we achieve that?

Well, the Democrats, Elizabeth Warren, who is the originator of this consumer protection commission, back in 2007 proposed a Consumer Protection Product Safety Commission. In 2008, the Consumer Federation of America proposed a financial product safety commission. Senator DICK DURBIN, acting on their recommendations, introduced, in 2009, a consumer protection commission with a director and a board.

Then the then-chairman of the committee, in July of that year, introduced a bill, a five-member board. The Energy and Commerce Commission followed that a few months later with what? A five-member commission.

Then Senator Dodd issued his draft discussion. What did he propose? A five-member commission because it needed to be bipartisan, it needed to be balanced.

But what was passed out of this body, really, after three nights of amendments and sessions that went all day? Well, what came about was an unaccountable czar—one person. The Dodd-Frank bill put a single Director in charge, and it gave him unmitigated discretion to issue rules, to ban financial products, to determine what products would be offered. Whether you're a borrower, whether you're a lender, whether you're a consumer of financial services, or whether you offer financial services, he will determine or she will determine what those services will be and the terms of those services.

So what is wrong with that? Well, let me say this: In America, do we give one person the power to do whatever they want to regulate every product and service that we are offered or that we can accept or that we, as a company, can offer? That sounds to me like a government command and control economy with the government making choices that we make. So for that reason, we've been attacked for proposing a five-member bipartisan commission instead of an unaccountable czar.

The pattern from my Democratic colleagues continues to be: We're going to put one person in charge of an agency and we're going to let them make all of the decisions, and that way there will

be no real review of those decisions. People can either take it or leave it. It's up to the government. The government controls everything.

Well, Mr. Chairman, I wouldn't want George Washington, I wouldn't want Abraham Lincoln, I wouldn't want Mother Teresa to have that kind of power. That, to me, is not what a democracy is about. And if you look at the person, who is he appointed by? He's appointed by the President of the United States. There's no input from Congress. Not only can he determine all of these problems, but his funding, he doesn't have to come to the taxpayers or their representatives for funding. He doesn't have to come to the Congress to get funding. He's totally unaccountable.

Now, Mr. Chairman, how in the world is proposing for the Consumer Financial Protection Bureau the exact same model that the FDIC is set up with, the Federal Deposit Insurance Corporation, the Securities Exchange Commission—all of these are commissions. All of them are bipartisan. They basically ensure that no one political party, one agenda or one person, will make decisions for every American every day. But that's what has been created.

And the monster is not the bill that we bring forward. The monster is the bill that you've created. You took a good idea and you ruined it. You took a good idea that was all about consumer protection and you converted it into a one-man show where one person could control every financial product or every offering in America. It could ban any product. It could say to any American: You cannot enter into that financial agreement. It could say to every American: You can't make that financial decision.

And, Mr. Chairman, that is un-American.

Mr. FRANK of Massachusetts. I yield myself 2 minutes.

I am really appalled at the gentleman saying it's un-American. We ought to be able to disagree more civilly than that.

And the gentleman made a misstatement when he said we took a good idea and ruined it. If it was such a good idea, Mr. Chairman, I have to ask the gentleman why was he opposed to that good idea?

He's making a big deal of the fact that we switched our view after listening to people. After having hearings, we made a change. That's why we had hearings. And we decided after a lot of debate that the model of the control of the currency, a single individual appointed by the President, without being subject to appropriation, was a better model for the consumer agency. So does Elizabeth Warren. So does everybody else who supported it.

The gentleman from Alabama said, That was a good idea and you ruined it. But the gentleman from Alabama was

opposed to it when it was a good idea. The gentleman from Alabama was, all of the last 2 years, opposed to the notion of an independent consumer agency.

So he makes a point of stressing, yes, we decided after hearings that a single individual would be better than a commission. He said: How can you make such a change? Well, he made a change that dwarfed the trajectory of ours. He went from being opposed to it to now telling us retroactively that it was a good idea. But even then, today, on television, he said: We have concerns about an agency whose sole mission is to protect consumers unless they worry about the banks as well.

□ 1540

There's one other point I would make: There are three parts of the bill. He took the only one he thought he could defend to talk about because this bill would also put the bank regulators back in charge, and it would say that the part of the bill that would give us powers over the nonbanks, over the payday lenders and the mortgage lenders, which their bill retards, he didn't talk about that. So I will admire his discretion.

Of the three parts of his bill, he only talked about one. He didn't talk about putting the bank regulators, who he said are there to serve the banks, back in charge and allowing them to veto the consumer agency; and he didn't talk about their proposal to postpone until we get a Senate confirmation, which the Senate minority said they wouldn't allow to happen. They will filibuster, so it will postpone the new powers.

I reserve the balance of my time.

Mrs. CAPITO. I yield 30 seconds to the gentleman from Alabama (Mr. BACHUS), the chairman of the committee.

Mr. BACHUS. Mr. Chairman, I never voted for a stand-alone consumer protection financial bill and I never voted against it because it was never offered. What was offered was a 2,400-page extravaganza which hires about 10,000 new Federal employees to enforce rules that weren't enforced in the first place. And I have consistently said let's enforce the rules we have and not just hire more regulators and create more rules.

As you know, we offered a bill which did have several protections.

Mr. FRANK of Massachusetts. I yield myself 30 seconds to correct the latest misstatement.

The gentleman from Alabama did, in fact, vote against this. This wasn't just voted on in the final. He appears to have forgotten, we had a markup in committee just on this bill, and the gentleman from Alabama voted against a free-standing consumer agency, whether it had five members or not.

So he said it was a good idea which we ruined, but he voted against it. He

did vote against the individual one. And the Republicans offered a substitute, which took 14 officials, made them a council, gave them the power to run a hotline, and said, if anything came in over the hotline, they'd send it back to those bank regulators, who he says are there to serve the banks, and they would be the ones to deal with it.

I now yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the ranking member for yielding.

Mr. Chairman, we are still feeling the effects of a crisis that largely came about because the referees who oversee the soundness of our financial system were not on the field. We took the referees off the field. As a result, millions of Americans are still out of work. But while Democrats have worked to restore proper oversight to Wall Street, Republicans want the referees off the field again, and that would put us all at risk. This legislation puts the special interests ahead of the public interests by weakening the very entity that shields responsible consumers from financial abuses.

Last year, Congress passed an important Wall Street reform bill in order to prevent a job-destroying financial crisis from happening again. And one of the most crucial parts of that bill was the creation of a new Consumer Financial Protection Bureau, a watchdog, a watchdog that would look out for the interests of ordinary Americans who want to sign mortgages, apply for student loans, and start businesses on honest and fair terms.

The Consumer Financial Protection Bureau is empowered to ensure that lenders provide clear, plain-language explanations of loan terms and to help stop the kind of abusive and deceptive loan practices that helped drive our economy off a cliff. If such protections had been in place in the last decade, the odds of a crisis occurring would have been significantly less.

And I want to tell my friend from Alabama, he said that there was no congressional involvement. In fact, of course, the President does appoint, but it is with the advice and consent of the Senate so that the entire Senate, as is normal, is involved in this appointment.

The Republican legislation that we have on the floor today would make it much easier to overturn these consumer protection rules. It would make the people's watchdog far weaker at a time when they are needed more than ever. This legislation is part of the Republicans' stated goal to dismantle Wall Street reform, protecting special interests but leaving Americans unprotected from another crisis.

Removing America's defenses when we have not even fully recovered from the last crisis is a new level, in my view, of irresponsibility. I urge my colleagues, think of what we have been

through; think of our responsibility to make sure it doesn't happen again; think of our responsibility to make clear that the interests of your constituents come first, and vote this bill down.

Mrs. CAPITO. I yield myself such time as I may consume.

Mr. Chairman, I really am just amazed at the hyperbole of the dismantling and the ruining of the agency and the weakening of the agency. The Bureau will go forward with all of the consumer protections that it's empowered with in the Dodd-Frank bill. The original intent was a commission. We go back to a commission.

Let me just tell you, the President has had an entire year to nominate this very important person to lead this Bureau, and it wasn't until the beginning of this week, Monday, did he finally get around to it. What kind of signal does that send? At least to me, it sends a signal that it really isn't all that important to have that person there Senate-confirmed, as the minority leader said, with the oversight of the United States Senate.

And let's talk about the Financial Services Oversight Commission. There are 10 people on there. I am going to go through them quickly because I don't want to use too much time.

Secretary of the Treasury, he's confirmed; Chairman of the Federal Reserve, Bernanke, he's confirmed; Director of the CFPB, somebody was nominated 4 days ago, empty; Chairman of the FDIC, Acting Director, a nomination, but nobody confirmed; Controller of the Currency, Acting Director, no one confirmed; Chairman of the NCUA, confirmed; Chairman of the SEC, confirmed; Chairman of the CFTC, confirmed; Director of the FHFA, Acting Director, no nominee; and he just nominated the insurance specialist. Five of the people on this 10-person commission are not even permanently—

Mr. FRANK of Massachusetts. Will the gentlewoman yield?

Mrs. CAPITO. No, I will not.

So I say to myself, what kind of priority is this administration putting on this marquis part of the Dodd-Frank bill?

I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING), our vice chair.

Mr. HENSARLING. I thank the gentleman for yielding. I thank her for her leadership on this issue.

Mr. Chairman, already we know that in America we are looking at 9.2 percent unemployment. Since the President told us if we would pass his stimulus plan, \$1 trillion, unemployment would never go beyond 8 percent, and now he is presiding over the longest period of high unemployment since the Great Depression. We just got the statistics since they've been keeping them. It now takes almost 10 full months for somebody unemployed to

find a job. One in seven are on food stamps. The fewest new business starts in 17 years.

This economy is not suffering so much from a lack of capital; it is a lack of confidence, and a lack of confidence primarily in the policies of our President and the previous Congress. Part of that lack of confidence is attributable to Dodd-Frank and this CFPB which, yes, does have some wonderful consumer protection powers but also has historic draconian powers to ration and ban consumer credit for families and small businesses.

Yet here it is, as the gentlewoman from West Virginia, the subcommittee chairman, pointed out, almost a year later that only now has the President seen fit to appoint some type of Director.

The lack of confidence in these policies is what is keeping jobs and capital on the sideline. It is incumbent upon us to return that confidence.

So, yes, to my colleagues on the other side of the aisle, this is, yet again, another jobs bill. We need to say, You know what, small businesses in America? There is not going to be one czar who controls consumer credit. We're at least going to have a panel representing both primary parties in the United States.

□ 1550

And, by the way, at least now somebody will have to consider safety and soundness in what this bureau does. I mean, the people who are telling us don't worry about it are the very same people who told us don't worry about safety and soundness when it comes to Fannie and Freddie. Come on. It's all about consumers. It's all about homeownership. Let's roll the dice. Don't worry about safety and soundness.

Well, Mr. Chairman, we have to worry about safety and soundness. American small businesses are worried about safety and soundness. It is time to bring some confidence. It is time to bring some certainty so that we can get our friends, our neighbors and our constituents back to work, because they don't want welfare checks; they want paychecks. And this is one small step we can take today to provide that certainty.

Mr. FRANK of Massachusetts. I yield myself 15 seconds to say the gentleman from Texas talked about Fannie Mae and Freddie Mac, but he doesn't do anything about it. The majority has been the majority since January.

The gentleman from Texas filed a big, tough bill about Fannie Mae and Freddie Mac a year ago. He has sat sweetly and quietly by while his majority has ignored it and taken no action on it. The Republicans always talk tough about Fannie Mae and Freddie Mac when they're in the minority, and then they get in the majority and they choke.

I now yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH), a leader in fighting, in particular, against speculation and the abuse of derivatives.

Mr. LYNCH. I want to thank the gentleman for yielding and for his advocacy on behalf of the American consumer.

The Dodd-Frank Act created the Consumer Financial Protection Bureau with the sole purpose of ensuring that financial markets work for, and not against, American families. It established a single director empowered with a singular mandate which is simply to protect the consumer.

This bill, H.R. 1315, seeks to weaken the CFPB on the day it opens its doors for the first time in two important ways. First, it would make it more difficult for the Consumer Protection Bureau to act by replacing the director with a five-member commission.

As has been shown, a single director with executive authority and who is directly responsible to the American consumer is better suited to act quickly to address problems in the consumer financial markets, and he or she will be directly accountable to Congress for the bureau's actions.

On the other hand, a five-member commission creates another bureaucracy that would be both less effective and less accountable to consumers. A five-member commission would also, in this case, cost taxpayers an additional \$71 million.

To offset the cost of these commissioners and their staffs, we're being asked to use the money from a Federal Housing Administration program created to help responsible Americans who have continued to make mortgage payments refinance their underwater homes. According to Mark Flemming, the chief economist for the property research company CoreLogic, underwater mortgages are a primary factor holding back the housing market and the economy as a whole.

So instead of working to solve this problem and boost our economy, our colleagues on the other side of the aisle have decided that our money is better spent unnecessarily expanding the bureaucracy at the CFPB.

H.R. 1315 would also make it much easier for the same regulators who in many cases were captured by the industry that they oversee and who fell down on the job in the lead-up to the financial crisis, to now overrule the CFPB. These regulators proved that they were not capable of ensuring the soundness of the financial system while simultaneously protecting American consumers.

I urge my colleagues to oppose this bill.

Mrs. CAPITO. I yield 1½ minutes to the gentlewoman from Illinois (Mrs. BIGGERT), a leader on our Financial Services Committee and chairman of

the Insurance, Housing and Community Opportunity Subcommittee.

Mrs. BIGGERT. Mr. Chairman, I rise in support of H.R. 1315, which would prevent the most visible legacy of the Dodd-Frank Act from also becoming the most costly and regrettable.

Today's legislation will provide the new agency with accountable leadership, proper oversight, and a much needed check against bad decisions. American consumers don't need more bureaucracy to stifle innovation and raise costs. We need regulators to understand that the job isn't just to layer on expensive new rules. It's about educating consumers and preserving a vibrant and competitive financial market that provides affordable and innovative options.

Unfortunately, the current structure of the bureau is subject to virtually no oversight from Congress or anyone else. And unlike other agencies, even the Consumer Product Safety Commission on which it is modeled, it is led by a single czar who has unprecedented power.

Even more dangerous, the Financial Stability Oversight Council must agree by a two-thirds majority before they can overturn a rule imposed by the CFPB, even if that rule threatens to imperil our economy or shut down a financial institution.

Mr. Chairman, our commonsense reform adds a few more voices to a panel that is supposed to protect all consumers, not just those favored by the political powers that be, and it creates a reasonable process to overturn bad or inconsistent decisions.

Mr. Chairman, these reforms will help protect consumers and ensure that the government doesn't stand in their way.

Mr. FRANK of Massachusetts. Mr. Chairman, I am very pleased to be joined by so many leaders on the Financial Services Committee.

I now yield 3 minutes to one of them, the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Chairman, let me say at the outset that I was a strong supporter in our committee for the creation of the Consumer Financial Protection Bureau and remained a strong supporter of the bureau and its mission. The reason I did that was because all of these regulators had within their authority a consumer protection initiative. Unfortunately, that consumer protection obligation was subordinate to other obligations that each of the regulators had.

So when we started talking about this, I kept saying to them, look, we need a consumer regulator that has as much authority as and the least cumbersomeness of any of the other regulators. So if you're going to create a Consumer Financial Protection Bureau, don't give the other regulators authority to reverse them unless you

give the Consumer Financial Protection Bureau the authority to reverse the other regulators. Now, if you think that's fair, do it both ways.

This is the only agency that ended up with the other regulators, the Federal Reserve, the OCC, the FDIC, having the authority to reverse them; and we were able to restrict it to things that were in their jurisdiction. If it was a systemic risk that the Consumer Financial Protection Bureau was creating by promulgating a rule or regulation, then we thought it was fair to have them police what the Consumer Financial Protection Bureau was doing.

But I don't know of any reason that we would create a child of an agency to deal with consumer protection when we don't have a child of an agency dealing with other aspects of the regulation in our financial services industry.

So for me, this is just about parity. Give this agency equal authority and oomph as the other agencies had. And we are not asking that the Consumer Financial Protection Bureau be able to overrule the Federal Reserve when it makes a decision. We're not asking that the Consumer Financial Protection Bureau be able to overrule the OCC when it makes a determination. Neither should we be allowing those other agencies, the FDIC, the OCC, the Federal Reserve, to overrule the Consumer Financial Protection Bureau when they are not acting within their authority.

□ 1600

Mrs. CAPITO. Mr. Chairman, I yield 5 minutes to the author of the bill, the gentleman from Wisconsin (Mr. DUFFY), and I thank him for his hard work on this issue.

Mr. DUFFY. I want to take a moment and thank Chairman BACHUS and Chairwoman CAPITO for their hard work on this legislation and for their drive to make sure that this bill came to the floor today.

All of us in this House agree that we want consumer protections, where any one of our friends or family members, our neighbors and our constituents, when they deal with a financial institution, they are dealt with in a fair way and in a transparent way. Our reform here to the CFPB does exactly that; it advances that very same cause.

I want to talk about a couple of the components of this bill. One is we are moving this from a director to a bipartisan commission. I think it's important to note that my friends on the other side of the aisle, when they first crafted this bill, the ranking member, they included a bipartisan commission. And the President, when he talked about this bill, he was in favor of a bipartisan commission. And now all of a sudden today, as we have brought this back up, they are now opposed to a bipartisan commission.

I think it's important that we note that today you may have a Democrat

President and you might like the recommendation for the Director of the CFPB, but if I'm going to project in the future, I am one to guess that I bet at one point in our future there will be a Republican President, and you may not like his appointee.

Let's come together. Let's not regret this moment. Let's come together and make sure we have a bipartisan commission that is going to work on behalf of consumers, because this isn't a Republican or Democrat issue, it is truly an American issue that should be dealt with on a commission level.

One other key component of our legislation is the review standard of rules that come from the CFPB. The way it is set up right now, the only way a rule can be overturned is if we are going to have Armageddon in the financial industry. And so the only one that can have a rule overturned is a big bank on Wall Street, one who is too big to fail.

The way it is currently written, you have given a voice to those people who helped cause this financial crisis. You know what? I'm not from Wall Street, I am from small town, rural Wisconsin. We don't have big Wall Street banks, we have small community banks and we have credit unions. The way the current bill is written—not mine, the one that's in existence today, the current law—it doesn't give a voice to the people in my community if a rule that comes out from the CFPB is going to affect them negatively.

And you know what? On Main Street, the very people who had nothing to do with the financial crisis, who haven't been given a voice—but will if my bill passes—those are the people who deal with our small business owners, with our family members, people who are looking at expanding their business, growing their business, creating jobs in our community. They rely on community banks and credit unions for loans, and they don't have a voice. I don't understand that. And then the same people that we look to when we want a mortgage for our home or we want a car loan, it's these people we look to, and they have been left voiceless in the current law. But my bill gives a voice to Main Street America. I have to say, the point I don't think can be made clearer with those who support my bill. I don't have big Wall Street support for my bill, but I'll tell you what support I do have. I have the Community Bankers of Wisconsin, I have the Wisconsin Bankers Association, I have the Independent Community Bankers of America, American Bankers Association, I have the Consumer Bankers Association. All those who are about small community banks that deal with customers support this reform.

We go a step further. We have the Wisconsin Credit Union League, the Credit Union National Association, and the National Association of Credit Unions, all people who didn't have any

role in this financial crisis, all people in our communities who are looking out for consumers because if they don't, they don't survive in small town America, and they all support this reform legislation.

I would encourage all of my colleagues to jump onboard and support commonsense reform that is going to strengthen consumer protection and provide great oversight for a very powerful agency, and it's going to hold it accountable.

Mr. FRANK of Massachusetts. I yield myself 30 seconds to say, first of all, the gentleman made one more flat misstatement when he talked about car loans. Car loans are exempted from this. This is an example of the failure to understand what we're really talking about.

Secondly, he does have Wall Street support for this bill. I think he mentioned the American Bankers Association. And this notion that the community banks aren't involved is just nonsense. As a matter of fact, the community banks are favored here because the Consumer Bureau is given the right to examine banks of \$10 billion in assets or more, but it cannot examine the credit unions and the community banks. So that was a recognition that he ignores.

Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. MILLER), who has been a leader in trying to fight for decent mortgages.

Mr. MILLER of North Carolina. I also disagree with the gentleman who just spoke. The reason that all of the Republicans want to talk about whether the commission ought to be five members on a commission or one director is that's the only part of the bill that really can be argued one way or the other. I mean, there are arguments one way or the other. I think it will be a much stronger agency if there is one director, but everything else in the bill really cripples this agency before it can even take hold.

And I also disagree with the argument that everybody here wants to protect consumers. No, they do not. We saw what happened in the last decade, we know who was doing it. It was the most powerful industry in America, and they were making a ton of money by cheating consumers, cheating consumers on credit cards, cheating consumers on mortgages, cheating consumers on overdraft fees, and on and on. And we've heard the same arguments about this that we heard a century ago. A century ago, when Theodore Roosevelt pushed for pure food laws, the meat packers said, do you want government to take away your right to buy meat? Do you want government to take away your freedom to buy beef from diseased animals or spoiled beef? And the American people said yeah, that's exactly what we want. We want to know what we're getting.

And Americans want to know what they're getting in financial products too.

Do they want to lose the freedom to get a subprime loan when they qualify for a prime loan? Yes, they do. Do they want to have a credit card, to know what they are getting in a credit card? Yes, they do. Do they want to know what's really in their overdraft fees? Yes, they do. They want to know that there is somebody with their interests at heart who is reading all that fine print that the banks' lawyers wrote to be good for the banks, profitable for the banks, and let the consumer have no idea what's in that little print in the legalese. Yes, they want someone, a strong agency reading that fine print with their interests at heart and saying, no, you can't do that; you can't cheat consumers that way. That's what this agency does, and the American people want it.

Mrs. CAPITO. Mr. Chairman, may I inquire as to the time remaining, please.

The Acting CHAIR (Mr. CONAWAY). The gentlewoman from West Virginia has 9½ minutes remaining, and the gentleman from Massachusetts has 13¾ minutes remaining.

Mrs. CAPITO. I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 30 seconds first to say that I am sorry the gentlewoman from West Virginia wouldn't yield to me, but there was a lot of talk about switching positions. The gentlewoman from West Virginia, along with every other Republican then on the committee, voted against this. She now says she wants it to go forward. So I will take "yes" for an answer. I am glad that my Republican colleagues, having opposed an independent consumer agency, I think maybe for tactical purposes, but for whatever, are now all for it. So as we go forward, I will accept their conversion.

I now yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. First of all, I want to thank the gentleman from Massachusetts for all he has gone through in the last couple of years so that people understand that we do need some regulation.

□ 1610

Now today, my friends on the other side—and I mean that—the stock market hit its highest point since 2008. Isn't that wonderful? And yet we are at 9.2 percent unemployment.

Well, I looked at the Treasuries. They're doing very fine. They're doing well. But Main Street isn't; and that's what consumer protection is all about, Main Street. No question about it.

We don't want to go back. We don't want to go back to 2007 and 2008. Why? Because the conditions that led to the



mess we have now, we don't want those conditions to exist now, and that's what we've been trying to correct, particularly over the last 2 years.

Now, here's the consensus, whether you are a European financial person or someone in the United States, here's the consensus: Dodd-Frank puts us more on a level playing field with regard to capital reserve, with regard to too big to fail. Regardless of what we are talking about, we are oceans ahead of our European partners and our allies in addressing these issues because we're addressing the causes of the financial meltdown in the United States and in foreign allies.

And if it wasn't for the gentleman from Massachusetts, and the gentleman from Connecticut at the other end of the building, we wouldn't be where we are today, and we'd be saying: Let's go back; we want things to be like they were in 2007 and 2008. Well, things were not good.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FRANK of Massachusetts. I yield the gentleman an additional 30 seconds.

Mr. PASCRELL. In a book by James Stewart, "How False Statements Are Undermining America," he zeroes in on the Madoff situation which became a poster child. No one else has been really brought before us. No one else has really suffered for the pain they provided to the middle class and to Main Street people. We don't want to go back. We want different rules, and regulations do have a part in it. And the person who is struggling day in and day out needs our help.

They don't need it. It doesn't matter who the President nominated, you'll turn it down. It's this bureau you want to destroy, not the nominee.

Mrs. CAPITO. Mr. Chairman, I would like to say today is a nice day, but we have 9.2 percent unemployment. It is not a day that I want to keep repeating when there are so many people out of work.

Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. HURT), a member of the Financial Services Committee.

Mr. HURT. I thank the gentelady for yielding.

Mr. Chairman, today I rise in support of H.R. 1315. A year ago today, the President signed the Dodd-Frank Act into law, a 2,300-page bill with 400 new regulatory mandates that have created an atmosphere of economic uncertainty that has stalled job growth in Virginia's Fifth District and across the country.

The centerpiece of this law was the formation of the Consumer Financial Protection Bureau, a massive government bureaucracy with unprecedented authority and little to no accountability.

H.R. 1315 will add much-needed oversight to this far-reaching new govern-

ment agency. These checks and balances will help reform CFPB to protect small community banks and credit unions, like those in central and south-side Virginia, from unnecessary and excessive government regulations. These community financial institutions play a critical role in providing capital to our small businesses and families as we all work to get our economy back on track.

At a time when far too many Fifth District Virginians and Americans remain out of work, we must continue to support policies that will help restore certainty to the marketplace, grow the economy, and create jobs. I urge the body to pass this bill.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2½ minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), the former chair and now ranking member of the Small Business Committee, and she is the best protector of small businesses in the Congress.

Ms. VELÁZQUEZ. I thank Ranking Member FRANK for his commitment and balanced approach to protect consumers in this country.

Mr. Chairman, I rise in strong opposition to H.R. 1315.

My first question is: Do my colleagues on the other side of the aisle really have that short a memory? It was just 3 years ago when regulator indifference resulted in the single largest loss of middle class prosperity in this Nation's history, costing over \$3 trillion in this country. In fact, we have spent the last month debating the need to raise the debt ceiling not because of the war in Iraq, not the stimulus plan, but because of the massive bailout needed as a result of regulators turning a blind eye to unfair and unsafe lending practices.

You can go to any community in any part of this country and see the collateral damage resulting from Wall Street playing fast and loose under the disinterested watch of Federal regulation. In Brooklyn, one in eight mortgages is in serious delinquency or foreclosure. It was this type of dire situation that our working families were left with that necessitated, demanded that we act and create the CFPB. By consolidating all financial protection within the umbrella of CFPB, every American is given the peace of mind that someone is watching out for their interests, not some financial institution's bottom line.

Unfortunately, the legislation before us today will create a completely unmanageable regulatory process, once again leaving the average American in financial limbo. I am not willing to go back to those days and neither are the 200,000 seniors in New York City who will be without protections should this legislation pass.

Vote "no" on this bill. Let's not allow the very regulator that stood by

and did nothing, while trillions were stolen from Americans, do nothing again.

Mrs. CAPITO. Mr. Chairman, I would like to remind the other side that we're not changing, taking any powers away from the CFPB. We're not reforming any of the reach of the CFPB. We are simply looking at the accountability structure of who is going to be governing the CFPB.

The gentlewoman from New York was very helpful in committee when we amended the commission to have one commissioner particularly looking at specialty issues concerning veterans and elderly and children, and I thank her for her input on that.

I yield 1½ minutes to the gentleman from New York (Mr. GRIMM), a great member of our committee.

Mr. GRIMM. I thank the gentlewoman for yielding.

Mr. Chairman, I am almost at a loss for words when I hear that we are taking away the protections for our seniors, and we're weakening this and we're weakening that. This is simply a commonsense approach to reforming the CFPB and correcting the bureaucratic overreach of Dodd-Frank.

Specifically, this bill, very, very simply, replaces a single director model with a five-member bipartisan commission. A bipartisan commission, that's what this bill is doing. A commission has several advantages over a single director. For example, a commission will drastically decrease uncertainty over the rules issued by the CFPB. As the bureau is currently structured, a new director can unilaterally reverse the decisions of his or her predecessors. Such dictatorial power will do nothing but increase uncertainty in our markets, reduce credit access to businesses and consumers; and that stifles job growth.

Today, we have unemployment at 9.2 percent. We must stop the job-killing, economy-crushing policies that have come out of Washington, and that's why I urge my colleagues to support H.R. 1315.

Mr. FRANK of Massachusetts. First, I yield myself 30 seconds to say I understand many of the Republicans objected to the financial reform bill because it was too long; but apparently even a much shorter bill was too long for the gentleman from New York. He got up to talk about this bill and then mentioned one-third of it. That is only one-third of the bill which he talks about as if it is the whole bill. It goes forward to give the bank regulators the power to overturn the Consumer Bureau. It delays the takeover of some of the powers. So when a Member can't get through a 4- or 5-page bill, I understand why they are confused by something that is more complex.

I now yield 2 minutes to the gentleman from Michigan (Mr. PETERS).

Mr. PETERS. I thank the gentleman from Massachusetts for yielding and for his leadership on this issue.

Mr. Chairman, imagine a wave of arson attacks was burning down houses and businesses across the city. And then imagine if the city council responded by trying to delay and water down new laws making arson a crime, refused to appoint a police and fire chief, and gutted funding for public safety. Well, I know that sounds far-fetched, but that's exactly what the Republican majority is doing in the aftermath of the 2008 financial crisis.

It was everyday American consumers who suffered most from the financial crisis through job losses, foreclosures, declining home values, and decimated retirement accounts. The Dodd-Frank Wall Street Reform and Consumer Protection Act was designed to address fundamental weaknesses in the financial regulations that keep our economy safe.

□ 1620

The centerpiece of this law is the Consumer Financial Protection Bureau, a new agency tasked with putting consumers first, not Wall Street or other special interests.

The bills we are debating today are part of a coordinated effort by the Republicans to let Wall Street go back to business as usual. They have been trying to delay the implementation of these new rules. They have been gutting funding for the agencies that are supposed to be the cops on the Wall Street beat. And they are refusing to allow qualified nominees to even be considered for appointments.

This bill is called the Consumer Financial Protection Bureau Improvement Act, but it has nothing to do with improving the agency. This bill would make it easier for special interests to block or delay CFPB rules. The American people are sick and tired of gridlock; yet this bill only offers more of the same.

In the example of the fires breaking out across town, ask yourself, Mr. Chairman, who would you blame after the next building burned? Would it be the understaffed police who failed to catch the arsonist or the ill-equipped firefighters who failed to put out the fire? Or would the responsibility lie with the politicians who failed to give them the tools that they need in order to do their jobs?

I urge my colleagues to stand with consumers and oppose this legislation. We need to make sure the law takes effect and keep fighting to implement the reforms needed.

Mrs. CAPITO. I yield 2 minutes to a member of our committee and chairman of the Capital Markets Subcommittee, the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. I congratulate the chairman of the full committee, the chairman of the subcommittee, and the gentleman from Wisconsin for the good work done on, really, a commonsense piece of legislation before us.

Earlier, I heard the ranking member from Massachusetts comment about the partisanship here. He said something like, well, we didn't make this partisan; they did it. Well, I remind the chairman that his underlying piece of legislation, the Dodd-Frank piece of legislation, actually had more Democrats vote against it than it had Republicans for it. And he was the one that actually pushed through a bill in an extremely partisan manner, and that's really why we're here today.

I believe that the agency we're talking about, the CFPB, is really a one-stop shop to basically allocate credit and give the government the power to direct and control the economy. At the same time they're talking about consumer protection, what are they doing? They're separating safety and soundness from it. How can you have consumer protection when you're separating safety and soundness?

I also remind the ranking member, who originally was the sponsor of Dodd-Frank—the bill that has his name on it, that bill that is going to destroy so many jobs in this country as pointed out once before—that he was in favor of the same type of legislation that we have before us today on the floor. So, basically, this is once again a case of where the ranking member was in favor of it before he was against it. So operating under that logic we are hearing from the other side, if the bill today weakens the agency, then the bill that the gentleman introduced originally would actually destroy the agency.

Now, I've heard the ranking member during his debates do what he always does when he doesn't have the facts or the law on his side: He attacks and he twists other people's motives. He knows that he was essentially supportive of the elements of this bill today by offering these provisions himself before to get through the House, but today he comes out against it. Basically, he accuses everyone on our side of the aisle of trying to kill his legislation.

But I remind him to consider his own statements. The ranking member has claimed over this past week that the most important piece of the Dodd-Frank bill is the risk retention section of the legislation.

The Acting CHAIR. The time of the gentleman has expired.

Mrs. CAPITO. I yield the gentleman 30 additional seconds.

Mr. GARRETT. So he says on the one hand that the risk retention is most important; then he turns around and says that any loans with 4 percent down payment should be exempt from risk retention. I don't know very many loans that are at that level. So I find it surprising that he is attempting to exempt everyone from what he claims is the most important portion of his bill instead of accusing everyone else of at-

tempting to destroy this job-destroying bill.

Mr. Chairman, I would ask that the gentleman from Massachusetts think before he speaks on the legislation and then come out in support of the same legislation that he once supported in the past.

Mr. FRANK of Massachusetts. How much time is remaining, Mr. Chairman?

The Acting CHAIR. The gentlewoman from West Virginia has 4 minutes remaining. The gentleman from Massachusetts has 5¾ minutes remaining.

Mr. FRANK of Massachusetts. First, the gentleman from New Jersey more consistently misstates things that I said. I suppose it's kind of flattering that he hangs on my every word. I just wish he didn't hang askew on my every word. He said I should be supporting this legislation. In fact, the gentleman from Alabama said it. Once again, listen to what they say on the other side.

This has three pieces. It has a single member versus a commission. More importantly, it increases the ability of the other bank regulators who have an historic terrible record of consumer protection and who the chairman of the committee, Mr. BACHUS, says are there to serve the banks. It would put them in a better position to cancel the work of the CFPB. The gentleman from New Jersey said I've supported this. I've never supported anything remotely like that. The gentleman from New Jersey knows that. I have no idea why he would do that, except for this. And yes, I will impute some motive.

Of the three parts of the bill, the only one that they think won't be very unpopular is the one about a single director versus a commission. But, again, the gentleman said, oh, I misstated that or that I was in favor of something last year. No, I was never in favor of those parts of the bill.

By the way, as to the risk retention, I did say you could get the 4 percent if you also had a very good debt-to-income ratio and loan-to-value ratio.

So the pattern of misstatements of what I said, it's flattering that the gentleman is so interested in what I say. I did not ever support putting the bank regulators back in charge. In fact, I will say this about the gentleman from New Jersey. He's more clear about what he really believes.

Again, I hope the gentlewoman from West Virginia, when she closes, will tell us. She voted against this last year. She now says, oh, we're not trying to undo it. Well, has she switched her position?

The gentleman from New Jersey was very clear. He doesn't really like this, and he voted against it and he would abolish the whole thing. That's what we are saying, that people who voted against it last year. He says we made it partisan. No. When the vote came up on this, they all voted against it. I wish

that wasn't the case, but they had voted against it because they didn't want an independent consumer agency. The chairman of the committee said it again today on television: We don't worry about the FDIC or the Federal Reserve. We worry about an agency whose sole mission is to protect the consumer without worrying about how the banks work.

And then we had the performance by the gentleman from Wisconsin, again, talking only about one part of it and claiming, oddly it seemed to me, that this somehow hurts the small banks versus the bigger banks. In fact, the small banks are given preference with regard to who gets examined.

And in terms of the ability to overturn rules, no, it's not simply—and this is one of the things some people may misunderstand. Things that threaten the system might be the action of one particular entity like AIG, but they could also be a pattern like subprime loans, particularly subprime loans issued by nonbanks. This bill regulates, for the first time, those nonbanks.

So let's go back over this. Ms. Warren came up with this. And I do want to address the single member versus commissioners.

The one issue they have found, it was originally proposed by Ms. Warren, and I introduced the administration's bill to make it a commission. We had hearings. We had conversations. Every single consumer group that we dealt with—and the gentleman from Wisconsin mentioned all his supporters. There wasn't a single consumer group there. The AARP just came out against their bill, as have all of the consumer groups—the Consumer Federation, et cetera. They persuaded me that a single member would be better than a commission. I acknowledge we had hearings. I listened to people who were for it.

So here's the debate. We have everybody who voted against establishing this in the first place, who are against it in principle, who think we should leave it to the bank regulators, they want a commission. We have everybody who supports the entity as an independent consumer protector, therefore, a single member. I listened. I was persuaded. So, yes, I will acknowledge having changed my position based on the evidence.

I will repudiate, once again, the gentleman's inaccurate suggestion that I was for the other parts of this. No, I was not. I think putting the majority of the bank regulators able to overrule virtually anything doesn't work.

And the proof of that? The Republicans offered their own version last year, the gentlewoman from Illinois (Mrs. BIGGERT). It created a 14-member council, Secretary of the Treasury, Secretary of Defense, a bunch of others, and they were empowered to set up a hotline. If they got things from the

hotline or the Web site that were complaints about the banks, what did they do with them? They sent them to the very financial regulators who have failed to do things in the past.

□ 1630

That's where we are. That's what they preferred. They opposed then, and I believe continue to oppose, an independent regulator whose primary role is the consumer.

As the gentleman from North Carolina pointed out, they want to give the FDIC and the other bank regulators the ability to cancel what the consumer regulator does, but it's not reciprocal. If the consumer regulator thinks that the bank regulators have been too lax in not protecting consumers in what they still have, that's not reciprocal. It is very clear. They have never liked consumer protection.

Finally, Mr. Chairman, I want to say that they do the banks a disservice. I stress again that the banks were not the problems here, particularly the community banks and the credit unions. They apparently think that if banks have to protect consumers, they will fail. That's unfair to the banks.

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

Mrs. CAPITO. Mr. Chairman, I would like to make a few points in closing.

First of all, I want everyone to understand that nothing in this package weakens or changes the ability of the CFPB to make rules and regulations for consumer protection.

Now, the ranking member was criticizing me for trying to change something that I didn't support. Well, guess what: I'm a realist. This is law, this is now a part of our government, and my chore is to try to make it better. If I wanted to get rid of it, I'd be sitting here arguing for a bill that totally dismantled the entire Bureau, but I'm not doing that and neither are my colleagues, because we accept the reality that the Bureau is going to exist, and we want to see it exist in the best form. That's why we're trying to make changes to it.

We can argue back and forth about whether a commission or an individual director is better or not. We believe a commission is better. Their original bill stated that. There are others on the other side of this building who believe that to be true as well, to mirror some of the other regulatory bodies that we have in the financial arena and other arenas.

I find it a little bit amusing that the ranking member keeps saying, well, you're only talking about one section. So let's talk about the other section, the ability to overturn a rule that's been promulgated by the director of the CFPB. He says we're trying to make it so that those rules can be overturned. Well, guess what: His bill makes you able to overturn the rules.

He voted "yes" on that and so did everybody else who voted for this bill. So the concept of overturning a rule and a regulation is reality. It's already in the bill. We're simply saying, if you're going to have a rule that says you can overturn a rule and a regulation, or a law that says that, let's make it workable. Their standard is the whole safety and soundness of the entire financial system. Please. What rule could possibly do that? I'm sure there's one out there, but I'm not sure what it is. We've got to get over some of the over-exaggerations of what we're trying to do here today.

The last part of the bill is actually my bill, and that is saying that I don't think that we should be turning over the reins of the CFPB to a single person. Number one, I don't agree with that. But if I accept reality—remember, I said I'm accepting reality—if it is one person, like it's written, then let's make sure that the intent of that is a Senate-confirmed person. That's the way it's written in the law. It's a Senate confirmation. I'm saying in my part of the bill, I don't like the fact that we're going to throw everything into this Bureau and have somebody who's not been confirmed overlook this, and then we don't have the oversight that we have as Members of this Congress.

Those are the three sections of this bill. None of the provisions that we're talking about destroys consumers' ability to be looked after by this Bureau. None of this bill undoes any of the bureau's ability to undo deceptive and abusive practices. We certainly think that that's a laudable goal. We don't like the way it's maybe been constructed, but we lost that fight. The reality is this Bureau is here, and so let's make it better. Let's make it better for the consumers, because this is who we're talking about.

I've had strings of people in my district, before our committee, saying, we can't hire people because there's too much uncertainty. There's a regulatory structure here in the financial institutions that we don't understand, we don't understand what it is, we don't understand what it's going to mean, and it's constraining our ability to help small business owners, and that's constraining our ability to grow jobs in this country.

That's what we're talking about today. We're talking about getting back up on our feet, weeding through this bureaucracy, and making sure that the financial institutions that are the heart and soul of this country can grow the jobs, grow the economy, and get people back to work.

Mr. BLUMENAUER. Mr. Chair, I strongly oppose H.R. 1315, the Consumer Financial Protection Safety and Soundness Improvement Act of 2011. This bill is merely the latest attempt by my Republican colleagues to undermine American families and consumers, joining a distressing series of efforts including

stripping health insurance from children, ending Medicare, and removing protections for clean air and clean water. Congress has been in session for nearly 200 days this year and Republicans have so far failed to enact any legislation that would create jobs in America.

A year ago today, I rose in support of the Dodd-Frank Wall Street Reform and Consumer Protection Act, to end taxpayer bailouts of big banks, to improve consumer protections, and to strengthen the rules governing the financial sector. Among the most important of these protections was the creation of the Consumer Financial Protection Bureau (CFPB), whose purpose is to protect consumers from the worst abuses of the financial industry. Today, on the one year anniversary of its enactment, my Republican colleagues are trying to defang this critical agency, putting the economy at risk of the very same practices that caused the financial crisis.

Under the Dodd-Frank Act, the CFPB is led by an independent director appointed by the President and confirmed by the Senate. It will write rules for consumer protections governing all financial institutions—banks and non-banks—offering consumer financial services or products and oversee the enforcement of federal laws intended to ensure the fair, equitable, and nondiscriminatory access to credit for individuals and communities. The CFPB will unify responsibilities that, prior to its creation, were spread across seven different government entities, providing consumers with an accountable and powerful advocate.

H.R. 1315 seriously weakens the CFPB and the protections it provides for our families. Some of my specific concerns include:

The legislation requires a director be in place before the CFPB can take any action. With Republican Senators committed to filibustering any nominee to head the new agency, this requirement effectively stops any action the CFPB might take, putting the financial security of families at risk;

The legislation seems motivated by a desire to deny the history of regulatory failure that contributed to the financial crisis, granting these same regulators the power to block CFPB rules; and

H.R. 1315 compromises the independence of the CFPB by expanding the Financial Stability Oversight Council's authority to set aside CFPB rules and regulations, significantly impeding the agency's ability to protect American consumers.

Professor Elizabeth Warren famously remarked that it is, "impossible to buy a toaster that has a one-in-five chance of bursting into flames and burning down your house. But it is possible to refinance an existing home with a mortgage that has the same one-in-five chance of putting the family out on the street." H.R. 1315 badly undermines consumer protections and allows financial services companies to continue engaging in the abusive practices that put millions of families on the street and threatened the global financial system.

H.R. 1315 is deeply misguided, repudiating important protections for consumers, and I urge my colleagues in opposing this reckless bill.

Ms. HIRONO. Mr. Chair, I rise in opposition to H.R. 1315, the Consumer Financial Protection Safety and Soundness Improvement Act of 2011.

Today is the first anniversary of the Dodd-Frank Wall Street Reform and Consumer Protection Act. It is also the first official day of work for the Consumer Financial Protection Bureau (CFPB).

For the first time, the United States will have a financial regulator whose sole purpose is to protect consumers. From now on, there will be a cop on the beat watching out for predatory lending practices and unfair fees. Scam artists taking advantage of seniors, young people, and our men and women in uniform will be stopped. And, it will prevent honest businesses from having to compete with unscrupulous ones.

It will help consumers across the country get a fair deal.

I recently spoke with a young man in Hawaii who this agency's work would have helped. He was sold a \$700,000 home at age 19. He worked in construction and, at the time, business was booming. He was told by his lender that he qualified for the loan and that everything would be fine. He was inexperienced in purchasing real estate and trusted that the lender had his interests in mind. He was wrong. He no longer has that house, and today that young man's credit is so damaged that it will take him years to rebuild it.

This happened all over the country, and our economy is still reeling. But you wouldn't know that based on the legislation we are considering today. In fact, this bill seeks to limit the independence and effectiveness of the CFPB before it ever gets up and running.

First, it gives the Financial Stability Oversight Council (FSOC), which is primarily made up of the heads of the federal financial regulatory agencies, significant authority to block CFPB regulations. The FSOC's role is for the heads of these agencies to work together to identify and address serious risks to the whole economy—their primary responsibility is not consumer protection. This bill would reduce the threshold of votes required to overturn a CFPB rule from two-thirds to a simple majority and prevent the CFPB's director from voting.

Second, it replaces the single, independent CFPB director with a "collegial" commission. According to the Committee's report on this bill, such a structure is necessary for a better functioning agency. However, the Committee report fails to point out that the Securities and Exchange Commission, Federal Reserve Board, and other financial regulators are "collegial" commissions. Before the economic crisis these "collegial" bodies all had consumer protection responsibilities in their portfolios—but too often, those responsibilities fell to the bottom of the to-do list. The Federal Reserve was given the authority to regulate mortgages in 1994—but it took them 16 years to rein in risky loans.

Last, in a prime example of Washington double-speak the bill prevents the CFPB from taking over the consumer protection authorities of these other agencies until it has a Director. That is odd given that this very bill eliminates the Director position in favor of a commission.

Proponents of this measure say these changes are for the "safety and soundness" of the financial system. "Safety and soundness" in this case is really code for "what's good for Wall Street's profitability is good for consumers."

We all know that's not true.

Congress gave the CFPB sole responsibility for consumers so that other regulators will be able to focus on their primary jobs. The simple fact is that this bill would help reinstate regulatory gridlock and silence the voices of consumers—the opposite of what Dodd-Frank intended.

We have to remember that the cause of the crisis wasn't too much regulation—it was too little. I strongly oppose this legislation, and urge my colleagues to vote against it as well.

Mr. VAN HOLLEN. Mr. Chair, I don't think it's lost on anyone in this House that today is both the first anniversary of the Dodd-Frank Wall Street Reform law, as well as the first day the Consumer Financial Protection Bureau (CFPB) created by that law officially begins its work on behalf of American families. And so it is disappointing—although not very surprising—that the majority would choose to bring a bill to the floor designed to undermine and delay this vitally important independent watchdog for American consumers.

Specifically, H.R. 1315 would invite gridlock at the Consumer Financial Protection Bureau by replacing its current Director with a less accountable five-member commission. It would make it easier for other regulators to interfere with and overturn the Bureau's proposed consumer protections. And it would delay the CFPB's core functions until the Senate confirms the Chairman of the legislation's proposed Board of Directors—something the Senate Republican leadership has publicly and repeatedly announced it is unwilling to do.

Mr. Chair, although not the only cause, it is at this point beyond dispute that insufficiently regulated predatory lending practices targeting consumers with abusive financial products like subprime mortgages helped create the housing bubble that precipitated the financial crisis. Had the Consumer Financial Protection Bureau been in existence during the early 2000s, we could have protected individual homebuyers from these marketplace abuses—and ultimately protected the Nation from the financial meltdown that ensued.

Mr. Chair, we have an obligation to learn from history. Rather than take the referee off the field, we should insist on a referee that enforces clear and understandable rules of the road so that American consumers can make informed decisions about the financial products that are right for themselves and their families.

I urge a no vote.

Ms. MCCOLLUM. Mr. Chair, I rise in strong opposition to H.R. 1315, which would fundamentally weaken the Consumer Financial Protection Bureau (CFPB) and leave consumers unprotected from the predatory lending practices that helped cause the Great Recession.

This week marks one year since President Obama signed the Wall Street Reform and Consumer Protection Act (P.L. 111-203) into law and provided long-overdue protection for consumers. Instead of building on the reforms and making them stronger, House Republicans are delaying and defunding parts of the Wall Street Reform law that will protect consumers the most. H.R. 1315 is just the latest example of House Republicans siding with Wall Street lobbyists over the best interests of their constituents.

This misguided bill would further delay the core functions of the CFPB and undermine its structure by replacing its director with a five-member commission. H.R. 1315 also threatens the independence of the CFPB by making it easier for the Financial Stability Oversight Council (FSOC) to override the CFPB's regulations. This is the wrong approach. In order to effectively oversee the \$3 trillion consumer finance industry, the CFPB must be able to operate independently from other regulatory agencies.

H.R. 1315 would do nothing but prevent the CFPB from carrying out its duties of curbing abuses by big banks, credit card companies, and other financial institutions. Millions of Americans lost their jobs, homes, life savings, and pensions because of the recklessness of some on Wall Street. Now is the time to strengthen consumer protection laws, not weaken them.

I urge my colleagues to oppose H.R. 1315. Ms. RICHARDSON. Mr. Chair, I rise today in strong opposition to H.R. 1315, the "Consumer Protection Safety and Soundness Improvement Act" because it is an undisguised attempt to undermine the critical reforms we worked to put in place following the economic disaster which cost this country 8 million jobs and \$17 trillion in Americans' net worth and retirement savings.

I cannot support legislation that would take us back to a time when the people charged with regulating the financial industry were so intertwined with its interests that they purposefully looked the other way while unscrupulous firms conjured up dangerous and self-defeating schemes that brought our nation to the brink of economic disaster.

My friends on the other side of the aisle, aided by the army of banking industry lobbyists, all seem to have forgotten everything that happened in the past three years, so let us review the record.

Years without accountability for Wall Street and the Big Banks under President Bush and Congressional Republicans led to what most economists consider to be the worst financial crisis since the Great Depression.

The official explanation was that the crisis was not a natural disaster, but the result of high risk, complex financial products; undisclosed conflicts of interest; and the failure of regulators, the credit rating agencies, and the market itself to rein in the excesses of Wall Street.

Major financial institutions began to fall like dominoes, and we had to step in and bail them out. I voted for the Dodd-Frank Wall Street Reform and Consumer Protection Act because it ended any possibility of another taxpayer bailout and put in place measures to ensure that such insanity should never again threaten the livelihoods of innocent Americans.

H.R. 1315 is designed to slow down the Consumer Financial Protection Bureau (CFPB), replacing its single leader with a 5 member commission, which is likely to lead to internal gridlock.

Simply put, this legislation is an attack on the landmark Dodd-Frank Wall Street Reform Act passed by the Democratic-controlled 111th Congress and an attempt to return to the bad old days of the Wild West of Wall Street.

Weaken, delay, and erode—these are the tactics being employed through this legislation

by those who choose to side with some reckless Wall Street bankers over millions of American families.

Mr. Chair, the financial crisis of 2008–2009, which we have come to call the "Great Recession," saw millions of Americans pay the price of abuses committed by big banks, credit card companies, and other financial institutions on Wall Street.

They paid with their homes, their savings, their pensions and their jobs.

The Consumer Financial Protection Bureau was established under the Wall Street Reform and Consumer Protection Act which President Obama signed into law last year. Since then, opponents, backed by an army of banking lobbyists, have tried to restrict and cripple parts of the law that will do the most good for American consumers, the CFPB being the prime target.

H.R. 1315 replaces the Director of the CFPB with a 5 person commission, which will make it easier for other banking regulators, who failed to protect consumers in the past, to overturn its rules and delay its core functions until its leadership is confirmed by the Senate.

Mr. Chair, despite the claims made by supporters of H.R. 1315, the CFPB is far from being some all-powerful government bureaucracy subject to the whims of a single person, as new rules and initiatives it generates can at any time be overturned by a two-thirds vote from the Financial Stability Oversight Council. This ensures that the Director of the CFPB is held to account to the overall safety and stability of U.S. financial institutions.

The CFPB is intended to oversee the \$3 trillion consumer finance industry and prevent unfair and deceptive lending practices such as those that caused the economic crisis we find ourselves in today.

H.R. 1315 would delay the transfer date for the CFPB until there is a Director confirmed by the Senate—a distant prospect since Republican Senators have vowed to filibuster any person nominated by President Obama. Thus, this provision in the bill would leave the CFPB with no meaningful consumer protection authority when it officially opens its doors.

The same federal banking regulators who failed us the first time will remain in charge, leaving consumers unprotected from the abuses that brought our country to the brink of collapse and led to the loss of more than 8 million American jobs.

Mr. Chair, since its creation last year, the CFPB has made considerable progress which hints at its full potential as a valuable and necessary component of our regulatory framework.

The CFPB has established a new consumer complaint process and consolidated the authority of seven other agencies in policing abuses in consumer financial products such as mortgages and credit cards, pushing their providers to simplify their forms so consumers fully understand the costs and fees associated with their products.

The CFPB also provides special guidance to members of the armed forces and has taken steps to police unfair practices employed by certain payday lenders and debt collectors.

H.R. 1315 throws a wrench into these accomplishments with the ultimate goal of destroying the Consumer Financial Protection

Bureau and turning back the Dodd-Frank Wall Street Reform Act.

Mr. Chair, I believe that strong consumer protections are essential to stabilizing the economy, promoting competition and transparency, and bringing confidence back to the financial marketplace.

For these reasons and for the protection of my constituents' livelihoods, I will vote against this legislation and I encourage my colleagues to do likewise.

Mr. DINGELL. Mr. Chair, I rise in unreserved opposition to H.R. 1315, the Consumer Financial Protection Safety and Soundness Improvement Act. H.R. 1315's short title is ironic, given the bill's thinly veiled purpose of eviscerating the Consumer Financial Protection Bureau (CFPB) and continuing to allow unchecked consumer abuses by the financial institutions responsible for the crash of 2008. This is cynical legislating, Mr. Speaker, and ugly proof positive that my friends on the other side of the aisle care more about Wall Street banks than Main Street families.

H.R. 1315's provisions show that Republicans clearly have not learned the lessons of our ongoing Great Recession. Today's bill weakens the Consumer Financial Protection Bureau's ability to devise protections to protect the American public. Not only does H.R. 1315 allow for consumer financial protection rules to be overturned more easily, but it also strips the time limit within which the Financial Stability Oversight Council (FSOC) must review and vote on petitions against them. H.R. 1315's perilous net effect is the crippling of the Consumer Financial Protection Bureau and its ability to protect Americans from all manner of deceitful Wall Street rascality.

As if reducing consumer protections were not enough, my Republican friends also feel the need to use H.R. 1315 as a vehicle to play wild games with the legislative process. The rule to bring H.R. 1315 to the floor mandates that when passed, H.R. 1315 will include H.R. 830, an unrelated bill to terminate the Federal Housing Administration's refinance program. I opposed H.R. 830 when it was originally considered on the House floor because I believe it hastily terminates a promising program tailored to benefit responsible homeowners. Wrapping H.R. 830 into the text of H.R. 1315 is Republican leadership's irresponsible ploy to appear fiscally austere at any cost, all while violating their own vaunted "three-calendar-day" and "72-hour" rules. Republican leadership might as well come on to the floor and announce, "Do as I say, not as I do."

Mr. Chair, H.R. 1315 and the ongoing debt limit debate have shown that the House Republicans are more concerned about the needs of their fat cat friends on Wall Street than American families that are living paycheck to paycheck. It is for all of these reasons and more that I strongly oppose H.R. 1315. I urge my colleagues to do the same so they can sleep at night with the peace of knowing they voted their conscience to protect the very people they were elected to represent, not the banks that crippled our country's economy.

Mrs. CHRISTENSEN. Mr. Chair, I rise in strong opposition to H.R. 1315. This bill reeks of financial irresponsibility under the guise of protecting the American consumer. H.R.

1315 weakens and not strengthens the Dodd-Frank Wall Street Reform and Consumer Protection Act.

H.R. 1315 would grant the same regulators who failed so spectacularly to protect consumers and stop the financial crisis broad leeway to block CFPB rules. Bank regulators did not bother to stop dangerous mortgage lending and credit card practices because they were not independent of the lenders they regulated. They put near-term profitability ahead of consumer protection.

If we have learned anything from our current financial crisis is that strong consumer protections would have reduced, rather than increased, systemic financial risk. Consumers would have had less unsustainable debt. Banks would have fewer losses and been more financially stable. The real estate market would not have gone belly up. Families would not be finding themselves homeless. The economy would not have been pushed to the brink of collapse. Nonetheless, that did not stop the financial regulators like the Office of the Comptroller of the Currency (OCC) from claiming that protecting consumers from unfair and deceptive practices would harm bank "safety and soundness."

Mr. Chair, what about consumer "safety and soundness"?

H.R. 1315 would ensure that bank regulators who want to block the CFPB from preventing abusive but lucrative practices—like unjustified, burdensome credit card interest rate increases or exploding ARM loan—have an easy excuse and a very good chance of succeeding. Less than one year after historic financial reform legislation was signed into law, Republicans are now trying to undermine the new CFPB. At a time when our economy is close to defaulting, we cannot continue to protect those who were responsible for our present economic situation.

And Mr. Chair, I would be remiss if I did not use this opportunity to applaud and commend Professor Elizabeth Warren for being our inspiration on behalf of the people of this country and for her excellent and dedicated work in standing up the Consumer Financial Protection Agency.

I urge my colleagues not to support this legislation.

Mr. BACA. Mr. Chair, I rise today to speak in strong opposition to the bill before us today.

In 2008, this country experienced the worst economic crisis since the Great Depression.

Millions of Americans lost their jobs, homes, life savings, and pensions because of the recklessness of some on Wall Street.

For too long, financial institutions were allowed to solely look out for their bottom line, instead of the hardworking American consumers they served.

Our economic system was dominated by greed, irresponsibility, and lacking oversight.

And now, exactly one year after we enacted the Dodd-Frank Wall Street and Consumer Protection Act, a comprehensive package of financial reforms, my Republican colleagues have brought to the floor a bill that severely restricts one of the main components of the bill—the Consumer Financial Protection Bureau.

For the first time in our history, we constructed a government agency that will look

out for the American consumer first and foremost.

Yet instead of applauding this movement and supporting the efforts of consumer protection, my colleagues are working to cripple its authority and limit its effectiveness.

H.R. 1315 does nothing to protect American consumers. Instead it delays the transfer of authority to the CFPB and adds several levels of bureaucracy to the bureau's leadership which will only work to delay any decision, rulemaking or enforcement action the bureau engages in.

Finally this bill makes it easier for the other banking regulators, who failed to protect consumers for years, to overturn the Bureau's rules.

Equally appalling is the source of funds being used to pay for this bill.

Republicans have taken the savings gained from H.R. 830, a bill that eliminates the FHA Refinance Program to pay for the cost of the bill before us today.

This means that Republicans are taking money away from a government program aimed at helping homeowners struggling to keep their home, and using it to weaken the CFPB—ultimately making it easier for big banks to skirt consumer protection regulation.

Our economy is still struggling to recover from the economic collapse of 2008.

Millions of Americans are still struggling to find jobs and figure out how they are going to keep their homes.

It has been 28 weeks since the Republicans took control of this chamber, and time and time again, we are forced to consider bills that do nothing to solve the problems that Americans are facing today.

Instead we debate bills like this that eliminate protections for the American middle class and serve as handouts to the ultra rich and corporations that ship jobs overseas.

We should be focusing our attention on getting our economy back on track.

We should be focusing on bills that create jobs and help the middle class recover.

We need to bring back financial security for Americans, and one of the ways to do that is to allow for a strong and independent Consumer Financial Protection Bureau.

Democrats are standing with American families to help get our economy back on track, and calling for strong consumer protection and effective accountability to prevent another financial crisis for Wall Street.

I urge my colleagues to vote against this bill.

Mr. HOLT. Mr. Chair, I rise in opposition to the so-called "Consumer Financial Protection Safety and Soundness Improvement Act," which would weaken the Consumer Financial Protection Bureau, just as it is beginning its work on behalf of American consumers. While its supporters claim this bill is innocuous, it would water down the CFPB's ability to issue consumer protections and subject new proposals to an additional layer of bureaucratic review.

It is noteworthy that the Republican majority has brought this bill to the floor one year after Congress passed sweeping reforms and consumer protections for the nation's financial sector, maybe to blunt any press coverage on the launch of the CFPB. With no chance of

this bill becoming law, House Republicans are sending a message to big banks and financial institution that they are fighting to protect their interests, not the interests of American consumers.

But House Republicans are sending another message—that they still fail to understand the causes of our current economic troubles. If we have learned any lesson from the financial crisis of the last several years, it should be that by protecting consumers we can protect the rest of the financial system.

It is clear that the consumer credit and housing bubbles of the last decade were the result of unfair and deceptive practices of credit card companies and lenders that steered families into financial products that they did not understand and that they could not afford to repay.

Congressional Republicans claim the CFPB will be a cumbersome bureaucracy that will be a drag on the marketplace. All we need to do is look at the CFPB's first reform effort—simplifying the long, tedious paperwork consumers face when purchasing a home down to a short, simple form—to know that Republican claims have no merit.

I am hearing different messages from consumer advocates like AARP and the Consumer Federation of America and my constituents. They know that transparency in consumer financial products is long overdue and they support the CFPB.

A free marketplace can only function properly if consumers can make well-informed decisions about financial products, whether they are home mortgages or credit cards. The American people deserve a strong, effective CFPB. We should allow it to do its work, and that is why I urge my colleagues to oppose this legislation.

Mrs. CAPITO. I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee print dated July 14, 2011. That amendment shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1315

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Consumer Financial Protection Safety and Soundness Improvement Act of 2011".*

**SEC. 2. COUNCIL VOTING PROCEDURE.**

*Section 1023(c)(3)(A) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—*

*(1) by striking "2/3" and inserting "a majority"; and*

*(2) by inserting before the period the following: ", excluding the Chair of the Commission of the Bureau".*

**SEC. 3. REVIEW AUTHORITY OF THE COUNCIL.**

Section 1023 of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) in subsection (a)—  
(A) by striking “may” and inserting “shall”; and

(B) by striking “regulation or provision would put the safety and soundness of the United States banking system or the stability of the financial system of the United States at risk” and inserting “regulation which is the subject of the petition is inconsistent with the safe and sound operations of United States financial institutions”; and

(2) in subsection (c)—

(A) in paragraph (3)(B)(ii), by striking “would put the safety and soundness of the United States banking system or the stability of the financial system of the United States at risk” and inserting “is inconsistent with the safe and sound operations of United States financial institutions”;

(B) in paragraph (4)—

(i) by striking subparagraph (B); and  
(ii) by redesignating subparagraph (C) as subparagraph (B);

(C) by striking paragraph (5);

(D) by redesignating paragraphs (6), (7), and (8) as paragraphs (5), (6), and (7), respectively; and

(E) by adding at the end the following new paragraph:

“(8) PUBLIC MEETINGS.—Any time the Council meets pursuant to this section to decide whether to issue a stay of, or set aside, any regulation, every portion of such meeting shall be open to public observation.”.

**SEC. 4. ESTABLISHMENT OF THE COMMISSION.**

Section 1011 of the Consumer Financial Protection Act of 2010 is amended—

(1) by striking subsections (b), (c), and (d);

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (a) the following new subsections:

“(b) ESTABLISHMENT OF THE COMMISSION.—

“(1) IN GENERAL.—There is hereby established a commission (hereinafter referred to in this section as the ‘Commission’) that shall serve as the head of the Bureau.

“(2) AUTHORITY TO PRESCRIBE REGULATIONS.—The Commission may prescribe such regulations and issue such orders in accordance with this title as the Commission may determine to be necessary for carrying out this title and all other laws within the Commission’s jurisdiction and shall exercise any authorities granted under this title and all other laws within the Commission’s jurisdiction.

“(c) COMPOSITION OF THE COMMISSION.—

“(1) IN GENERAL.—The Commission shall be composed of the Vice Chairman for Supervision of the Federal Reserve System and 4 additional members who shall be appointed by the President, by and with the advice and consent of the Senate, from among individuals who—

“(A) are citizens of the United States;

“(B) have strong competencies and experiences related to consumer financial protection; and

“(C) should want to protect service members and their families who are sacrificing their lives for this country from abusive financial practices.

“(2) STAGGERING.—The members of the Commission appointed under paragraph (1) shall serve staggered terms, which initially shall be established by the President for terms of 1, 2, 4, and 5 years, respectively.

“(3) TERMS.—

“(A) IN GENERAL.—Each member of the Commission appointed under paragraph (1), including the Chair, shall serve for a term of 5 years.

“(B) REMOVAL FOR CAUSE.—The President may remove any member of the Commission appointed under paragraph (1) only for inefficiency, neglect of duty, or malfeasance in office.

“(C) VACANCIES.—Any member of the Commission appointed under paragraph (1) appointed to fill a vacancy occurring before the expiration of the term to which that member’s predecessor was appointed (including the Chair) shall be appointed only for the remainder of the term.

“(D) CONTINUATION OF SERVICE.—Each member of the Commission appointed under paragraph (1) may continue to serve after the expiration of the term of office to which that member was appointed until a successor has been appointed by the President and confirmed by the Senate, except that a member may not continue to serve more than 1 year after the date on which that member’s term would otherwise expire.

“(E) OTHER EMPLOYMENT PROHIBITED.—No member of the Commission appointed under paragraph (1) shall engage in any other business, vocation, or employment.

“(4) ROLES AND RESPONSIBILITIES OF COMMISSIONERS.—One member of the Commission shall have as their primary responsibility the oversight of the Bureau’s activities pertaining to protecting consumers, with a focus on consumers who are older, minorities, youth, or veterans, from unfair, deceptive, and abusive lending practices. The designated commissioner shall be responsible for—

“(A) ensuring the Bureau conducts regular outreach to consumers regarding industry lending activities;

“(B) researching and reporting to the full Commission, on a regular basis, the impact of new loan and credit products and services on consumers; and

“(C) ensuring the Bureau coordinates with State-level consumer protection agencies on enforcement measures that protect consumers from unfair, deceptive, and abusive lending practices.

“(d) AFFILIATION.—With respect to members appointed pursuant to subsection (c)(1), not more than 2 shall be members of any one political party.

“(e) CHAIR OF THE COMMISSION.—

“(1) APPOINTMENT.—The Chair of the Commission shall be appointed by the President from among the members of the Commission appointed under paragraph (1).

“(2) AUTHORITY.—The Chair shall be the principal executive officer of the Bureau, and shall exercise all of the executive and administrative functions of the Bureau, including with respect to—

“(A) the appointment and supervision of personnel employed under the Bureau (other than personnel employed regularly and full time in the immediate offices of members of the Commission other than the Chair);

“(B) the distribution of business among personnel appointed and supervised by the Chair and among administrative units of the Bureau; and

“(C) the use and expenditure of funds.

“(3) LIMITATION.—In carrying out any of the Chair’s functions under the provisions of this subsection the Chair shall be governed by general policies of the Commission and by such regulatory decisions, findings, and determinations as the Commission may by law be authorized to make.

“(4) REQUESTS OR ESTIMATES RELATED TO APPROPRIATIONS.—Requests or estimates for regular, supplemental, or deficiency appropriations on behalf of the Commission may not be submitted by the Chair without the prior approval of the Commission.

“(f) NO IMPAIRMENT BY REASON OF VACANCIES.—No vacancy in the members of the Commission shall impair the right of the remaining

members of the Commission to exercise all the powers of the Commission. Three members of the Commission shall constitute a quorum for the transaction of business, except that if there are only 3 members serving on the Commission because of vacancies in the Commission, 2 members of the Commission shall constitute a quorum for the transaction of business. If there are only 2 members serving on the Commission because of vacancies in the Commission, 2 members shall constitute a quorum for the 6-month period beginning on the date of the vacancy which caused the number of Commission members to decline to 2.

“(g) SEAL.—The Commission shall have an official seal.

“(h) COMPENSATION.—

“(1) CHAIR.—The Chair shall receive compensation at the rate prescribed for level I of the Executive Schedule under section 5313 of title 5, United States Code.

“(2) OTHER MEMBERS OF THE COMMISSION.—The 3 other members of the Commission appointed under subsection (c)(1) shall each receive compensation at the rate prescribed for level II of the Executive Schedule under section 5314 of title 5, United States Code.

“(i) INITIAL QUORUM ESTABLISHED.—During any time period prior to the confirmation of at least two members of the Commission, one member of the Commission shall constitute a quorum for the transaction of business. Following the confirmation of at least 2 additional commissioners, the quorum requirements of subsection (f) shall apply.”.

**SEC. 5. CONFORMING AMENDMENTS.**

(a) CONSUMER FINANCIAL PROTECTION ACT OF 2010.—

(1) IN GENERAL.—The Consumer Financial Protection Act of 2010 is amended—

(A) in section 1002, by striking paragraph (10);  
(B) in section 1012(c)(4), by striking “Director” each place such term appears and inserting “Commission of the Bureau”;

(C) in section 1013(c)(3)—

(i) by striking “Assistant Director of the Bureau for” and inserting “Head of the Office of”; and

(ii) in subparagraph (B), by striking “Assistant Director” and inserting “Head of the Office”;

(D) in section 1013(g)(2)—

(i) by striking “ASSISTANT DIRECTOR” and inserting “HEAD OF THE OFFICE”; and

(ii) by striking “an assistant director” and inserting “a Head of the Office of Financial Protection for Older Americans”;

(E) in section 1016(a), by striking “Director of the Bureau” and inserting “Chair of the Commission”;

(F) in section 1017(c)(1), by striking “Director and other employees” and inserting “members of the Commission and other employees”;

(G) in section 1027(l)(1), by striking “Director and the”; and

(H) in section 1066(a), by striking “Director of the Bureau is” and inserting “first member of the Commission is”.

(2) GLOBAL AMENDMENTS.—The Consumer Financial Protection Act of 2010 is amended—

(A) by striking “Director of the” each place such term appears, other than in—

(i) subparagraphs (A) and (E) of section 1017(4);

(ii) section 1043;

(iii) section 1061(b)(3);

(iv) section 1062;

(v) section 1063(f);

(vi) subparagraphs (E) and (G) of section 1064(i)(2); and

(vii) section 1065(a); and

(B) by striking “Director” each place such term appears and inserting “Bureau”, other than in—



(i) section 1063(f)(2); and  
(ii) section 1065(a).

(b) DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—The Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) in section 111(b)(1)(D), by striking “Director” and inserting “Chair of the Commission”; and

(2) in section 1447, by striking “Director of the Bureau” each place such term appears and inserting “Bureau”.

(c) ELECTRONIC FUND TRANSFER ACT.—Section 921(a)(4)(C) of the Electronic Fund Transfer Act, as added by section 1075(a)(2) of the Consumer Financial Protection Act of 2010, is amended by striking “Director of the Bureau of Consumer Financial Protection” and inserting “Bureau of Consumer Financial Protection”.

(d) EXPEDITED FUNDS AVAILABILITY ACT.—The Expedited Funds Availability Act, as amended by section 1086 of the Consumer Financial Protection Act of 2010, is amended by striking “Director of the Bureau” each place such term appears and inserting “Bureau”.

(e) FEDERAL DEPOSIT INSURANCE ACT.—Section 2 of the Federal Deposit Insurance Act, as amended by section 336(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by striking “Director of the Consumer Financial Protection Bureau” each place such term appears and inserting “Chair of the Commission of the Bureau of Consumer Financial Protection”.

(f) FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL ACT OF 1978.—Section 1004(a)(4) of the Federal Financial Institutions Examination Council Act of 1978 (12 U.S.C. 3303(a)(4)), as amended by section 1091 of the Consumer Financial Protection Act of 2010, is amended by striking “Director of the Consumer Financial Protection Bureau” and inserting “Chair of the Commission of the Bureau of Consumer Financial Protection”.

(g) FINANCIAL LITERACY AND EDUCATION IMPROVEMENT ACT.—Section 513 of the Financial Literacy and Education Improvement Act, as amended by section 1013(d) of the Consumer Financial Protection Act of 2010, is amended by striking “Director” each place such term appears and inserting “Chair of the Commission”.

(h) HOME MORTGAGE DISCLOSURE ACT OF 1975.—Section 307 of the Home Mortgage Disclosure Act of 1975, as amended by section 1094(6) of the Consumer Financial Protection Act of 2010, is amended by striking “Director of the Bureau of Consumer Financial Protection” each place such term appears and inserting “Bureau of Consumer Financial Protection”.

(i) INTERSTATE LAND SALES FULL DISCLOSURE ACT.—The Interstate Land Sales Full Disclosure Act, as amended by section 1098A of the Consumer Financial Protection Act of 2010, is amended—

(1) by amending section 1402(1) to read as follows:

“(1) ‘Chair’ means the Chair of the Commission of the Bureau of Consumer Financial Protection;”;

(2) in section 1416(a), by striking “Director of the Bureau of Consumer Financial Protection” and inserting “Chair”; and

(3) by striking “Director” each place such term appears and inserting “Bureau”.

(j) REAL ESTATE SETTLEMENT PROCEDURES ACT OF 1974.—Section 5 of the Real Estate Settlement Procedures Act of 1974, as amended by section 1450 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended—

(1) by striking “The Director of the Bureau of Consumer Financial Protection (hereafter in this section referred to as the ‘Director’)” and inserting “The Bureau of Consumer Financial Protection”; and

(2) by striking “Director” each place such term appears and inserting “Bureau”.

(k) S.A.F.E. MORTGAGE LICENSING ACT OF 2008.—The S.A.F.E. Mortgage Licensing Act of 2008, as amended by section 1100 of the Consumer Financial Protection Act of 2010, is amended—

(1) by striking “Director” each place such term appears in headings and text and inserting “Bureau”; and

(2) in section 1503, by striking paragraph (10).

(l) TITLE 44, UNITED STATES CODE.—Section 3513(c) of title 44, United States Code, as amended by section 1100D(b) of the Consumer Financial Protection Act of 2010, is amended by striking “Director of the Bureau” and inserting “Bureau”.

**SEC. 6. CHAIR OF THE COMMISSION REQUIRED BEFORE TRANSFER.**

Section 1062 of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by adding at the end the following new subsection:

“(d) CHAIR OF THE COMMISSION REQUIRED BEFORE TRANSFER.—Notwithstanding the other provisions of this section, the single calendar date for the transfer of functions to the Bureau under section 1061 shall be the later of—

“(1) the date that would have been designated, but for the application of this subsection; and

“(2) the date on which the Chair of the Commission of the Bureau is confirmed by the Senate.”.

The Acting CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in House Report 112–172. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MRS. MALONEY

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–172.

Mrs. MALONEY. I have an amendment at the desk on behalf of the gentleman from Minnesota (Mr. ELLISON), who is recovering from a knee injury.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, strike line 5 and all that follows through page 3, line 2 (and redesignate succeeding sections accordingly).

Page 10, after line 21, insert the following new subparagraph (and redesignate succeeding subparagraphs accordingly):

(G) by striking section 1023;

The Acting CHAIR. Pursuant to House Resolution 358, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MALONEY. Thank you.

Today is the 1-year anniversary of Dodd-Frank. It is also the date of transferring authority to the CFPB so it can protect consumers in one single place.

The Consumer Financial Protection Bureau is a critical part of last year's financial reform bill. It will ensure that there is a cop on the beat protecting consumers from predatory products and misleading information. But instead of supporting the CFPB on its first day, House Republicans are pushing forward with a bill to weaken this important agency, to derail, delay, and de-fang it.

I want to point out that many of the people on the other side of the aisle that are supporting the Republican change are the exact same ones who voted against Dodd-Frank in the first place, opposed the consumer protections, and opposed the creation of the CFPB.

The bill sets out to change the CFPB so that it is less independent and instead is more bureaucratic. House Republicans want a five-person commission instead of a single director, but the single director structure is exactly like the OCC, the OTS and other financial agencies. A single director promotes more accountability, allows quicker reaction and change to market conditions. A five-person board would be slow, indecisive, and more expensive.

The Office of Management and Budget estimates that this new form will cost \$71 million. And where do they propose to get this money? From a program that was helping consumers who lost their mortgages, their mortgages were underwater, but if we had had a CFPB in place, we could have prevented the subprime crisis in the first place.

One of the problems is that no one in the whole regulatory structure was looking out for consumers. Consumers were an afterthought, a third thought, or were not thought about at all, and this agency will be the first time that someone is looking out for the consumer.

They also want to make it easier for bank regulators to override the CFPB rules so that they can go back to the status quo that led up to the financial crisis in the first place that has cost the American public trillions and trillions of dollars.

The Ellison amendment would delete the section of Dodd-Frank that created the FSOC override. The other body included it as a way to provide a check on a single director, but if they're going to change the entire structure to a five-person commission, then there is no need for that additional check, and the override power of the FSOC would be entirely eliminated.

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So I ask my colleagues to support the Ellison amendment.

Most importantly, Americans favor a strong CFPB. In a poll this last week, it showed that 73 percent favor a strong and independent CFPB protecting consumers. As the chart behind me shows,

they overwhelmingly support the critical functions of the bureau, including better disclosure for credit cards, making it harder for lenders to offer loans which are confusing and with confusing teaser rates and other features, allowing them to come forward with simplified forms so that they could compare prices and get the best price and product for them. It would make risks clear and prices clear.

My colleagues on the other side of the aisle are doing everything they can to defang and delay it.

I now yield the balance of my time to the gentleman from the great State of North Carolina (Mr. MILLER).

The Acting CHAIR. The gentleman is recognized for 45 seconds.

Mr. MILLER of North Carolina. Mr. Chairman, I know that the Republicans' political consultants have said that they need to argue because Americans really do like this agency that is huge and that has dictatorial powers and unchecked accountability. The problem with that argument is that it is completely untrue.

This agency has all of the oversight, more than every other agency has. Before they adopt a rule, they have to let everyone know they're thinking about adopting a rule; they have to take public comment; then they have to propose the rule; then they have to take more public comment. After all that, they can then be taken to court. If the rule is arbitrary and capricious and if there is no evidence to support it, it can be overturned by a court.

There is ample protection in the law already. We do not need the additional check of having the regulators, the supposed watchdogs who did such an abysmal job in the last decade, having a veto over everything they do. There are protections enough already.

Mrs. CAPITO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. I would like to just start by saying I am absolutely amazed at this amendment and that my ranking member is in favor of it, considering that she voted for the bill and that she is voting to strike the section of the oversight, of the FSOC, that she and others who wrote the bill put in there, because that's basically what this amendment does.

Mr. Chairman, I yield the balance of my time to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. I think it is important to note the reason that oversight of the CFPB wasn't included in the original legislation, that being that the CFPB doesn't have to consider safety and soundness when they're making rules. Safety and soundness is the gold standard when we look at our banking industry and how it effectively works within our society. Because that was not in-

cluded—we just looked at consumer protection—I think the rationale was that, well, we should have an outside group review each rule that comes out to make sure it will not undermine our financial sector.

I have to tell you I am quite amazed, though. My friends across the aisle drafted a bill that includes a review process, a review process that only gives a voice to big banks on Wall Street, that only gives a voice to those banks that are too big to fail. So I come out with a commonsense reform. I say, Listen. Let's just not give a voice to your friends on Wall Street. Let's give a voice to the small community banks in rural Wisconsin, to small credit unions in rural Wisconsin. Let's give them a voice, too. Then when we do that, when we make that proposal, Mr. Chairman, it seems like they want to take their ball and go home. They say, Well, if you want to give a voice to small community banks, then no one should have a voice to express their concern for a rule that could be harmful.

I mean, when you look at small community banks that are already over-regulated, small community banks and credit unions which had nothing to do with the financial crisis but are going to be stuck dealing with over 2,000 pages of rules from Dodd-Frank, let's give them a voice to come here and say, This is how these rules will impact and affect us.

So I would say to my friends across the aisle, don't take your ball and go home. Let's actually work together and find a way in which we can give a voice to those banks and those credit unions that don't currently have one.

Mrs. CAPITO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The amendment was rejected.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-172.

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, strike lines 5 through 12 (and redesignate succeeding sections accordingly).

The Acting CHAIR. Pursuant to House Resolution 358, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I thank Mr. FRANK, and I thank the ranking member, and I thank the managers of this legislation as well.

Mr. Chairman, I have become friends with my two poster pictures here because I do think they symbolize sort of the composite of America. My amendment, I think, focuses on making sure that the Consumer Financial Protection Bureau, which is something that consumers asked for—sometimes under the Christmas tree or during the gift-giving season, you get a gift that you may not have asked for, but you know there's a problem or you know you want something, and all of a sudden that gift shows up. That's what the Dodd-Frank bill did with the Consumer Financial Protection Bureau.

Now my friends want to defang, derail and delay this very important legislation. The bureau is one of the strongest provisions of the Dodd-Frank bill, and it was created to consolidate the authorities responsible for consumer protection. It is an important bill because, American consumers, you need to have strong protection: credit cards, buying a car, student loans. We're not trying to undermine businesses. We're simply trying to create an even playing field.

My amendment empowers the consumer board and ensures that it will be able to issue the rules that will protect the average financial consumer. The bill that we're speaking of, as written, empowers the Financial Stability Oversight Council to overrule a consumer victory by a simple majority vote. This will literally turn the authority of the CFPB around and weaken consumer authority.

My amendment restores the two-thirds responsibility, or the two-thirds vote, that is needed to overrule a good vote for the consumers—a good vote for this nurse who may be buying a car; a good vote for this little one whose parents may be overburdened with credit card debt because they signed on to credit cards with enormous interest rates of which they are unaware; or it may be able to help these military families, many of them suffering because of the sons and daughters, husbands and wives who are overseas—to be able to say to these families, you can get a home without being defrauded.

So I ask my colleagues to support this amendment.

Mr. Chair, I rise today in support of my amendment, number 4 to H.R. 1315, the Consumer Financial Protections and Safety Act. My amendment will ensure the Consumer Financial Protection Bureau (CFPB) will be able to make effective decisions on behalf of the public by restoring the two-thirds majority vote in order for the Financial Stability Oversight Council (FSOC) to overturn a CFPB ruling.

The creation of the Consumer Financial Protection Bureau (CFPB) is one of the strongest provisions in the Dodd-Frank legislation passed last year. The Bureau was created to consolidate the authorities responsible for consumer protection.

American consumers need a strong independent CFPB to police credit and payment

markets and to put consumer protection first. The widespread economic crisis has threatened consumer wealth. The impact has reached consumers worldwide. Many Consumers lost their assets, incomes, and ultimately confidence.

Consolidating these regulatory authorities allowed the bureau to exert its influence and enforce consumer protections. With this newly defined power afforded to the CFPB came a new era of oversight. The CFPB has stopped unfair practices, protected the average consumer from fraud and abuse, and held big business accountable to prevent bailouts at the expense of the taxpayers.

#### THE CFPB'S FUNCTIONS

The CFPB will look out for people as they borrow money or use other financial services by:

Implementing and enforcing Federal consumer financial laws;

Reviewing business practices to ensure that financial services providers are following the law;

Monitoring the marketplace and taking appropriate action to make sure markets work as transparently as they can for consumers; and

Establishing a toll-free consumer hotline and website for complaints and questions about consumer financial products and services.

My amendment empowers the CFPB and ensures that it will be able to issue rules that will protect the average financial consumer. H.R. 1316 as written empowers the Financial Stability Oversight Council to overrule regulatory measures passed by the CFPB with a simple majority, instead of the two-thirds majority in current law, this change to a majority vote will make it easier to weaken consumer protections for the CFPB. This will literally return control of rules governing financial products back in the hand of the very agencies that were not able to neither foresee nor offset the financial crisis we are currently recovering from. My amendment restores the 2/3's vote to overturn regulations of the CFPB and it restores the rights of the consumer.

A strong and independent CFPB is the only way to ensure that the best interest of the consumer is protected. This bureau was designed to increase transparency and equality in mortgage practices, credit card procedures and other consumer services.

Allowing the CFPB to set and enforce clear and consistent regulations is a fair and cohesive way to safeguard against the type of practices that contributed directly to the financial meltdown of 2008.

Cities and towns across the nation are still struggling to recover from the collapse of the housing market, and subsequent financial crisis. According to study of 20 metropolitan centers throughout America conducted in 2010 by the National League of Cities, Houston, where I represent the 18th Congressional District is still suffering an unemployment rate of 8.3%, and a foreclosure rate than has risen more than 60% since 2007.

I seek to restore the two-thirds majority needed to overturn a regulation issued by the Bureau of Consumer Financial Protection to safeguard hardworking Americans from fraudulent practices, and predatory loans. This amendment will protect people like Chris from McKinney, Texas.

#### STORIES

Chris: Chris and his family had a modest home, and they were able to afford their mortgage payments until he lost his job. After a year of unemployment, the family's savings were depleted, and there was no money with which to pay their mortgage. Chris still tried to be responsible; he tried to work with the mortgage company to reach a solution, to refinance. Without ever sending him a Notice of Sale, the mortgage company removed his property from the home, changed the locks, and sold the home where Chris and his wife raised their two children.

Chris spent his savings. He tried to work with the mortgage company to save his home. Chris and his family demonstrated good faith; until Chris lost his job, they paid their mortgage each month, and when they reached out for help in order to save their home, there was no help to be found.

Michelle, Houston: Chris' story is similar to that of Michelle, a resident of Houston, who told her story to a local news station. Michelle's home was severely damaged by Hurricane Ike, and she and her husband had difficulties rebuilding. During the construction process, Michelle and her husband had to take wage cuts, and the cost of the home repairs, coupled with the unexpected reduction of income caused them to default on their mortgage.

Michelle was four months behind on payments, and had just moved back into her home, the damage from Hurricane Ike finally repaired, when she received a notice of foreclosure. Desperate and panicked, Michelle contacted a private company that had sent her a letter alleging they could save her home for a fee. After sending the company \$1,400, Michelle was told there was nothing they could do.

Michelle and her husband, like Chris and his wife, were forced to vacate their home due to circumstances beyond their control. Michelle tried everything—she attempted to work with Bank of America, the owner of the mortgage, to modify her loan, or establish a payment plan—to no avail.

#### ADDITIONAL STORIES

Jacob (56) a retired mechanic wanted to purchase \$70,000 CD. He was referred to speak with a financial advisor. Jacob was talked into buying a high risk mutual fund and to pay a \$3,157 up front fee. This man only makes \$25,000 and worked hard to save his money. He ended up losing \$12,000 and was told he would make more money. This man had no experience in stocks, bonds, or mutual funds.

A retired court clerk went to her local bank to discuss a financial matter. She entered the bank and spoke with a bank teller. She asked the bank teller for information about opening an IRA account. The teller directed the customer to speak with a bank advisor. The customer believed she was going to speak with an employee of the bank. Her confusion was understandable as the person that she was directed too did have a desk within the confines of the bank's premises; and the teller stated the individual was a bank advisor. However, as it turns out the advisor was not an employee of the bank. The customer ended up losing thousands of dollars and ended up winning a lawsuit against bank.

Martha: The Home Foreclosures crisis has hit every part of our country. For example, in Oregon, a 62 year old woman named Martha now faces losing her home. Martha owned her three-bedroom house for 20 years and had built up significant equity. She fell behind making payments after quitting her job answering customer service calls for credit card companies at her home. Since then, she's lived off unemployment, social security and a small business incubating and selling quail eggs. She sought a modification but could not get the bank to agree, despite repeatedly submitting documents. "Even though I couldn't afford an attorney, I thought, 'What's the harm?'" Flynn said. "Most people just give up."

Martha finally did end up suing and winning her case. A judge has blocked the bank from evicting Martha, whose home it purchased in foreclosure. The court concluded that her lenders had not properly recorded mortgage documents. Although, this is a great legal win for Martha, she is still in limbo, as there's no clear choice for her and there's no big money at the end of this rainbow, either because even with the victory, Martha may very well end up losing her home. Martha was not a woman who wanted to get rich quick by buying and selling homes. She did not buy her home during the bubble. She has paid her mortgage for 20 years! There are hundreds of other stories of hardworking Americans having to fight big banks on their own. That's why there needs to be this Bureau to protect consumers like Martha.

According to Lisa, Executive Director of a coalition, "Deceptive and abusive mortgage lending—allowed to continue by the existing regulators—was a fundamental cause of the financial crisis, and of the worst recession since the Great Depression. In response, Congress created the consumer bureau, so we will have a cop on the beat with fair play and the public interest as its first priority."

#### FORECLOSURE PRACTICES AND MORTGAGE SERVICING

The Dodd-Frank Act instructed the new agency to replace the Truth in Lending form and the Good Faith Estimate with a single integrated mortgage disclosure.

We learned a series of valuable lessons during the financial crisis. One of the lessons we learned is that it is very easy for lenders to mislead consumers about the true, long-term costs of their loans.

According to Alys, a Staff Attorney in Washington, D.C., the rules need to be fixed to handle loan modifications in a strong, clear manner that can help avoid more foreclosures. "The core requirement that is needed is to stop the practice of pursuing foreclosure at the same time that someone is being reviewed for a loan modification," she said. Consumers continue to receive conflicting information, are required to resubmit the paperwork and can be foreclosed while waiting for word on a loan modification.

The fact is that if you take a good look back at the financial crisis that began in 2008 and continues today, most of it is attributable to predatory and irresponsible mortgage practices that were deplorable but not illegal. In other words, I believe that the most important role of the CFPB in this regard is the creation of new policies and rules to protect individual borrowers and consumers, not only to enforce

existing laws that were and are in some cases woefully inadequate.

The mortgage crisis makes it clear that no one had to break the law to con us . . . the American People. The vast majority of those creative option-ARMS was perfectly legal, terribly innovative and clearly, as they have now been labeled, weapons of mass destruction. So while it is obviously very important to enforce the law, it is more important to make effective laws and rules that can then be efficiently enforced. The CFPB is the government's watch dog to protect consumers. We must ensure the Agency has the power to do its job.

Additionally, one of the other root causes of our current financial malaise was the lack of financial literacy among the general population in this country. The victims of what I will call a legal con game . . . were the citizens who were convinced that they could buy houses that they could not afford by looking at the current mortgages of ARMS. These loans were all run by those avaricious bankers and brokers who had excellent targets, because most buyers really didn't know much about money, or mortgages, or borrowing in general—but unfortunately now they're getting a crash course in foreclosure. There is no law, however wise and rigorously enforced, that can substitute for a financially educated populace. Knowledge is, after all, power. In sum, in order to prevent a repeat of recent financial history, the CFPB must ensure that Americans know as much about financial matters as they do about Kim Kardashian, and it must make and enforce new rules that protect consumers within every financial strata, not just the folks who buy the bonds issued by firms.

Not only did the effects of the housing market collapse force millions from their homes, it reverberated across various financial markets. Access to credit, on which our economy depends, was limited, making it difficult for families to secure affordable loans.

Restoring the two-thirds majority will foster debate and compromise among members of the FSOC, and ultimately lead to more productive solutions between the FSOC and CFPB.

We must ensure that the CFPB is able to advocate for the best interests of the consumer. As we continue on the path to recovery in the wake of the 2008 financial crisis, it is not corporate giants, but average Americans who are still suffering.

In order to bring this country out of its economic downturn, there must be hope, optimism and we must come together in the resilience and enduring legacy of the American Dream. The legacy that has for years past, and will for centuries to come, send the message to the world that on our shores, from sea to sea, anything can be achieved.

I urge my colleagues to support my amendment to restore the two-thirds majority and give the Bureau of Consumer Financial Protection real oversight capabilities. We must protect consumers; we must put the interest of our constituents before those of corporations.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. I oppose the amendment because I am in support of the bill, Mr. DUFFY's bill, which puts a workable and a more reasonable standard that could actually look at consumer rules and regulations that, as he has said, and I think very eloquently, takes in consideration Main Street, the community bankers and the credit unions.

I would like to remind the gentlewoman from Texas, as we were reminded by the gentleman from Massachusetts, that car loans are exempted from this, so we don't have to worry about car loans in terms of their being part of the rule and regulation. That is part of the Dodd-Frank bill. Anyway, I think that a simple majority makes a lot of sense.

I yield 2 minutes to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. I think one of the reasons we modified the rule is that right now, with the two-thirds majority, you basically need seven out of 10 votes to overturn what would be a harmful rule. In the way the law is currently written, one of the voting members is the director of the CFPB, making the standard that much more difficult.

□ 1650

If we're talking about harmful rules to our community banks and our credit unions, let's make sure we have a simple majority that can step in and overturn those rules. Why do we want to set a standard so high that it can't be overturned? It's nearly impossible to overturn it.

And I would commend my friends on the other side of the aisle to make sure there was a review process in the CFPB. But no law is ever perfect, and with that, I think we should come forward today and say how can we better perfect this rule to work for our consumers? And having a simple majority to overturn a rule that could be harmful coming from the CFPB does exactly that.

Ms. JACKSON LEE of Texas. Let me just say as I yield to the gentleman, the ranking member and chairman at the time of passage of this bill, I was given a litany of ills that can attack consumers. I'm glad we have this board, and I'm glad that we are looking to restore the two-thirds oversight to protect these individuals and the nurse and the child. I ask support for the amendment.

I yield the balance of my time to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. First of all, let's resolve one contradiction in the Republican amendment. Some have said, why are you now opposing what you originally supported? Well, this is a clear example. We never supported anything like this. We always thought it had to be two-thirds. And here's what happened.

There is no comparable banking agency which can be overruled by the

other agencies. But the Republicans got very nervous about this and their banker friends were in a bit of a twitter. And they said, Save us from this horrible notion of consumer protection. I say it doesn't speak well for banks if they think consumer protection undermines safety and soundness.

So we said, okay, here's what we'll do. To lower these fears, we will say if it does threaten the whole system, two-thirds can overturn it. We didn't think that was very likely. It was to try to calm people down. They transform it with this amendment into saying that five regulators, because the consumer bureau couldn't vote, five regulators who have overlapping terms who may have been appointed by previous Presidents, regulators who represent the very regulatory agencies that have not been good about consumers can overturn the consumer bureau. This amendment canceled the fundamental reason for having a consumer bureau.

The Acting CHAIR. The time of the gentleman has expired.

Mrs. CAPITO. I yield 3 minutes to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Chairman, this is remarkable.

My friends across the aisle actually include and voted for a review process of the CFPB, and now they come in today and say, Listen, we want to do away with that review process. I mean, how last year did we come into this House and say we're going to vote for a review process of harmful rules coming from the CFPB because it doesn't include the standard of consideration for safety and soundness, but today with my bill, they come in and say, We don't want any review process. That to me, Mr. Chairman, does not make sense.

I don't think it works for the American people, and it doesn't work for small community banks and credit unions who support a review process. Not only that, but they support a voice in that review process. And that's what my bill does.

Mrs. CAPITO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FRANK of Massachusetts. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. DEFAZIO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-172.

Mr. DEFAZIO. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 6, strike "Section" and insert the following:

(a) IN GENERAL.—Section

Page 1, after line 12, insert the following:

(b) CONFLICT OF INTEREST.—Section 1023(c)(3) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by adding at the end the following new subparagraph:

"(C) CONFLICT OF INTEREST.—No member of the Council may vote on the decision to issue a stay of, or set aside, any regulation under this section, if such member has, within the previous 2-year period, been employed by any company or other entity that is subject to such regulation."

The Acting CHAIR. Pursuant to House Resolution 358, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Hopefully, this will be an amendment which can be accepted. It's quite simple.

And what I'm addressing is what The Washington Post has called the revolving door that spins at a dizzying pace here in Washington, D.C. The New York Times has said that Goldman Sachs is "Government Sachs" for all the employees who bounce back and forth between the Nation's Capital, the regulatory bodies, administrative branch, and its Manhattan office tower.

All my amendment simply does is prevent potential conflicts of interest. Remember, a board here has been created in the original bill which can overturn any regulation, fairly unique among independent agencies if there is a board which can overturn the administrative procedures or rules that they adopt on the financial services industry. But in any case, that was in the original bill. This bill would reduce from a two-thirds majority to a 50 percent majority of this 10-member board.

And my amendment just says if there's 10 people sitting on the board and it's potentially a close vote and this is something that's going to affect, say—not to pick on Goldman Sachs—but let's just say Goldman Sachs and a member of the board is a former employee of Goldman Sachs within the last 24 months, that member would have to sit out the vote. Plain and simple. It is a conflict-of-interest rule.

I would hope that this would prove to be noncontroversial.

With that, I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. I would like to tell the gentleman I really see what he's get-

ting at here. And I do think that some of his ideas have merit because of the revolving door appearance of—and in reality probably in some cases preconceived opinions. But I think that if a person is qualified to lead an agency, if a person is qualified to be the Secretary of the Treasury, Chairman of the Federal Reserve, Director of the CFPB, Chair of the FDIC, Comptroller of the Currency, Chairman of the SEC, and there are 10 members on this board, that if we agree to this amendment, we might be narrowing the scope of really talented and qualified people.

I think the vetting process—all of these folks have to be nominated and confirmed by the Senate. I think that any conflicts of interest or possible conflicts of interest could be vetted through the confirmation process.

I think by disqualifying some folks, I think that it, as I said, I think we might miss some good talent. We might chase away folks that have good ideas and vibrant ideas in the area of finance.

With that, I would oppose the gentleman's amendment.

Mr. DEFAZIO. Will the gentlewoman yield?

Mrs. CAPITO. I yield to the gentleman from Oregon.

Mr. DEFAZIO. I think there is a misunderstanding.

They can serve on the board. It's just that if a proposal comes up that directly affects their previous employer and they have been on the board less than 2 years, they would have to sit out that particular vote. They can serve and vote on any and every other procedure, but just not on that particular thing. It's a very restrictive conflict of interest rule.

Mrs. CAPITO. I thank the gentleman for the clarification. I didn't address that in my statement, and you're absolutely right. But I would just continue to oppose the gentleman's amendment.

I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, obviously we've straightened out that misunderstanding, that the folks could serve.

Now let me just harken back to something where I think many of my Republican colleagues agreed with me. I voted against the TARP bailout. Hank Paulson, as I said at the time, I think he was Goldman Sachs's executive standing in as Secretary of the Treasury and meting out justice to some of his competitors in terms of who lived and who died on Wall Street.

So I would think there would be agreement on that side that for future conflicts of interest that these people would be restricted only on that one vote, only as it affects their former employer, only within the last 24 months.

□ 1700

I yield the balance of my time to the gentleman from Massachusetts.

The Acting CHAIR. The gentleman is recognized for 2½ minutes.

Mr. FRANK of Massachusetts. First, the gentleman is correct. I would just note my disagreement with his statement on Secretary Paulson.

But more important, I was struck by the fact that the gentlewoman from West Virginia stood up and opposed the amendment. The gentleman from Oregon then pointed out that her basis for opposing the amendment was incorrect; whereupon the gentlewoman from West Virginia said, Never mind, but I still oppose it, with a less than eloquent explanation. So I think that's unfortunate.

And part of my problem is, I didn't get a chance to talk fully about this rule. This is a terribly unfair rule. I asked the chairman of the Rules Committee yesterday if we could have more time to debate. Not all the amendments were of equal importance. We had the very important amendment by the gentlewoman from Texas to talk about two-thirds versus a majority. This is an important amendment about conflict of interest. We had a very important amendment coming up from the gentlewoman from New York about the powers.

It is outrageous that the Rules Committee said, You only get 5 minutes on each side on each amendment. And the chairman of the Rules Committee—he's a magnanimous fellow—he said to me when I asked, he said, Well, you know what, you can go get a unanimous consent agreement to extend it, which meant he was not suspending the rules of the House. I approached the other side, and I was told—not by the chairman, who has been very gracious in all of this—that the Republican leadership wanted to hurry this bill up.

So we have very fundamental issues not being adequately debated, and this is one of them. I have some differences with the gentleman from Oregon about what I think happened during the TARP. But to have only 10 minutes on this?

And then, frankly, for the chairman of the subcommittee to be so dismissive of a valid amendment, to say, Here's why I am against it, because her staff probably didn't read it before they wrote it, and they gave her the wrong reason, and then she just said, Well, I'm against it because I'm against it. That's an inappropriate way to deal with this serious issue. And it reinforces my view that what we have here is this:

Last year, every single Republican opposed an independent consumer agency, in principle. They now come forward with efforts that would substantially weaken it, that everybody who does support it opposes. And they say, Oh, no, we're not opposed to it. We're just trying to change it.

The gentleman from Oregon has a perfectly reasonable point. I cannot understand, other than simple partisan

rigidity, why it would not be accepted. So I thank the gentleman, and I'm sorry we do not have a more civil atmosphere in which to discuss this.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. PAULSEN

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-172.

Mr. PAULSEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 6, strike "Section" and insert the following:

(a) IN GENERAL.—Section

Page 1, after line 12, insert the following:

(b) PETITION BY NONVOTING MEMBERS; NO RESTRICTIONS ON PETITION SUBJECT MATTER.—Section 1023 of the Dodd-Frank Wall Street Reform and Consumer Protection act is amended by adding at the end the following new subsection:

“(g) PETITION BY NONVOTING MEMBERS.—Notwithstanding any other subsection of this section, the provisions of this section shall apply to a petition by a nonvoting member of the Council to the same extent that they apply to a petition by an agency represented by a member of the Council.

“(h) NO RESTRICTIONS ON PETITION SUBJECT MATTER.—Petitions made under this section may be made by an agency or a nonvoting member of the Council on any subject matter, regardless of the areas of particular expertise of such agency or nonvoting member.”.

The Acting CHAIR. Pursuant to House Resolution 358, the gentleman from Minnesota (Mr. PAULSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PAULSEN. Mr. Chairman, I rise to offer this amendment really to help ensure that we maintain prudent regulation of the financial services industry. Under current law, there are five nonvoting members of the Financial Stability Oversight Council, including a State insurance regulator and a State bank regulator.

This amendment really seeks to ensure and clarify that these regulators on the Financial Stability Oversight Council, who do not have voting rights, still have the authority to challenge any regulations that are put forth by the Consumer Financial Protection Bureau. For example, while it's clear that the CFPB does not have the authority to regulate insurance, it could put

forth a regulation that actually negatively impacts the industry and the economy. So it just makes sense that all the members on the council have the ability to consider the impact that these new rules may have.

Therefore, by clarifying that any member of the Financial Stability Oversight Council may question any regulation and bring that up for clarification and clarify the rights of the nonvoting members, I am seeking to improve the oversight on the CFPB.

I ask for adoption of the amendment. I reserve the balance of my time.

Mr. AL GREEN of Texas. I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. AL GREEN of Texas. I yield 2½ minutes to the gentleman from Maryland (Mr. CUMMINGS) and reserve the right to close.

Mr. CUMMINGS. I thank the gentleman for yielding.

I rise in opposition to the amendment, and I rise in strong opposition to this bill.

This misguided legislation seeks to destroy the Consumer Financial Protection Bureau on its birthday, before it even has time to take its first breath, out of fear that the interests of consumers—our constituents, by the way—may finally have a voice here in Washington. I would note that the CFPB is the only Federal agency that can have its regulations vetoed by other banking regulators serving on the Financial Stability Oversight Council, and this bill would make that veto process even easier.

Among other destructive provisions, H.R. 1315 would exclude the director of the CFPB from serving as a voting member of the FSOC, which would make the director the only banking regulator without a seat on the council.

The CFPB is one of the most important creations of Dodd-Frank because it is the very agency focused on ensuring that the consumer protection products made available in the marketplace will not lead families into economic ruin. Rather than attacking this agency, which is intended to defend the rights of consumers and protect them from predatory practices, we should be standing with the consumers, our constituents, and protecting them from financial entities that would take advantage of them.

Last week, I convened a forum to examine the abuse that servicemembers are suffering at the hands of mortgage servicers. Thousands of U.S. military servicemembers and their families have lost their homes, been charged millions of dollars illegally, and have been subjected to other abuses in violation of Federal law. The CFPB was created precisely to help Americans such as these, our constituents.

I urge the Members of Congress to stand on the side of their constituents by supporting CFPB, and I urge Congress to vote for their constituents by voting against this bill.

Mr. PAULSEN. Mr. Chairman, I know the gentleman was speaking earlier in opposition to the bill, and perhaps there is no opposition to the amendment.

I have no further requests for time, and I yield back the balance of my time.

Mr. AL GREEN of Texas. Mr. Chairman, this amendment is indicative of why we are in opposition to much of what is being said today. This amendment assumes that there is some sort of onerous regulation or some sort of invidious discrimination that has taken place within the CFPB when, in fact, the CFPB has not issued one regulation, not one. And because it has not issued one regulation, one can only assume that much of what is happening today is onerous speculation and invidious prognostication because there seems to be this notion that this agency is going to be harmful, but it hasn't done one thing. There is this concept of throwing out the baby with the bathwater, but there is no bathwater. There is no bathwater to throw out because the baby hasn't done anything.

The CFPB has done absolutely nothing, and we are now trying to overregulate it before it has an opportunity to pass a single regulation. It was not the CFPB that created the crisis. It did not create 3/27s and 2/28s. It did not create prepayment penalties that coincide with teaser rates. It did not create negative amortization. It did not create the dastardly yield spread premium which allowed people to qualify for prime mortgages and be forced into subprime mortgages. The CFPB has done nothing. It is an effort on our part to make sure that many of the onerous actions that took place, that caused us to be in the position that we're in, that these actions cannot happen again.

I stand in opposition to this amendment. I also stand in opposition to the bill because the bill would weaken the CFPB to the extent that it can't do what it is intended to do, and that is protect consumers. Somebody, some agency ought to stand there for consumers. This agency is that agency. It's the watchdog. We do not need a watchdog without any bite. Let's keep the bite in the CFPB. Let's make sure that it can protect consumers and make sure that we don't get the products back on the market that we had before.

This amendment would allow persons who are on the board, who do not have a vote to petition, in a sense, they would become empowered by this ability to petition, even if it doesn't impact the industry that they happen to represent. I stand in opposition to it. I think the CFPB, as presented, is the best way for us to proceed.



The Acting CHAIR. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN).

The amendment was agreed to.

□ 1710

AMENDMENT NO. 5 OFFERED BY MR. MILLER OF NORTH CAROLINA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-172.

Mr. MILLER of North Carolina. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 14, strike "Section" and insert the following:

(a) IN GENERAL.—Section

Page 3, after line 2, insert the following:

(b) SPECIFIC DISCLOSURES REQUIRED.—Section 1023(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by adding at the end the following new paragraph:

"(3) SPECIFIC DISCLOSURES REQUIRED.—With respect to the regulation or provision that is the subject of a petition an agency files with the Council under this section, the agency shall publicly disclose, at the time such petition is filed—

"(A) an analysis of the practice that is the subject matter of such regulation or provision; and

"(B) a list of any specific financial institutions whose safe and sound operation the agency believes would be placed in jeopardy due to such regulation or provision."

The Acting CHAIR. Pursuant to House Resolution 358, the gentleman from North Carolina (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MILLER of North Carolina. Mr. Chair, it is simply not true that we all here want to protect consumers; we just have an honest disagreement about the best way to do it.

This bill really cripples the ability of the CFPB to be an effective watchdog for consumers. And the way that it does it, probably the most harmful part of the bill, is the veto power, the greater veto power it gives the Financial Services Oversight Council and the way that that council has to exercise that veto.

Here is what the CFPB has to do to pass a rule in the first place. First of all, they cannot require any financial institution to do anything. They can't say, You have to give people this mortgage or this credit card contract. They can just forbid. They can say, You can't use this contract, this mortgage, this credit card contract because this cheats people. They cannot require; they can only forbid.

And before they forbid, before they pass a rule that says, You can't do that because it cheats people, it abuses peo-

ple, they have got to consider all the benefits to the consumers that might come from that, as well as to the financial institutions that offer it. They've got to consider whether it really reduces the ability of consumers to get credit, and they've got to consider the effect on the financial institutions, and they've got to consult with all the other regulators whose business it is to make sure that the financial institutions don't go broke. And then they've got to publish it. They've got to let people comment. They've got to build evidence. And if they don't have support for the rule, it can be turned over by a court.

But even before it goes to a court, it goes to this panel, this Financial Stability Oversight Council, and it can be vetoed if they decide that it threatens the stability of the financial system or the safety and soundness of the banking system.

This bill changes it and says, not just that they can overturn it, but they have to overturn it if it threatens the safety and the soundness of financial institutions; in other words, if it would make specific banks go broke.

Some banks, I agree with what the gentleman from Wisconsin has said repeatedly, most small banks, most credit unions have had honest business practices. But there are some sleazy ones out there, and we saw what they did in the last decade.

Under the bill, as it is written, if one of those banks comes forward and says, Unless we can do this sleazy thing, we're going to go out of business, the Financial Stability Oversight Council has to disallow it if it would put them out of business.

Mr. Chairman, some of those banks, some of those sleazy, scuzzy banks need to be out of business. If the only way they can stay in business is by cheating consumers, they should be out of business. But this bill would not allow that to happen. A consumer protection rule could not go into effect if it put specific banks out of business. That's an enormous change, and it cripples the ability of the CFPB to be an effective watchdog for consumers.

What this amendment does is, if any one of those prudential regulators, those watchdogs that are supposed to make sure the banks don't go broke is going to challenge any rule of the CFPB, they have got to say exactly how they think it would threaten the safety and soundness of the financial institutions, make a bank go broke, and they've got to say who they are, who is this rule going to put out of business. Because the American people are entitled to know if this agency, this FSOC, the Financial Stability Oversight Council, is acting on behalf of the American people and on behalf of the consumers or if they are protecting sleazy banks that stay in business whose whole business model is cheating consumers.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. Mr. Chairman, I think I understand the gentleman from North Carolina's amendment. But I would like to just start, in the 5 minutes that I have, to remind everybody who is on the council that is going to be able to allow sleazy financial products to go forward to save the safety and soundness of an institution. That's what the gentleman said.

So we've got the Secretary of the Treasury. We've got the Chairman of the Federal Reserve, the Director of the CFPB, who is the person who is making the regulations, Chairman of the FDIC, Comptroller of the Currency, Chairman of the NCUA, Chairman of the SEC, Chairman of the CFTC, Director of the FHFA, and an insurance representative. That's 10 people, professional regulators that are working in certain areas of the financial markets overseeing our financial stability. It's not Tom, Dick, and Harry off the street trying to figure out if a certain provision, sleazy provision should be allowed to go forward. And I think, in order to convince these folks, or to put your argument forward as to why the rule or regulation would harm the safety and soundness of an institution, I would imagine that these professionals would require much due diligence and proper background work, probably touching on some of the things the gentleman's already talked about, who would be influenced and an analysis of the practice that is the subject matter of the regulation or provision.

I think that the standard is high in any scenario. Certainly, it's impossible in the existing bill. But in Mr. DUFFY's bill, which brings the standard down more in line with protecting community banks and credit unions and other institutions on Main Street and the consumers that so rely on them, that, I think, really this amendment just further complicates, places in jeopardy, I think, makes it more cumbersome, more impossible to meet a standard where the FSOC would be able to oversee a certain rule and regulation.

So I would oppose the gentleman's amendment.

I reserve the balance of my time.

Mr. MILLER of North Carolina. Mr. Chairman, one of the changes that doesn't sound like it does much but really does is when you change the word "may" to "shall." Not only can this FSOC overturn a rule when they think it might affect the safety and soundness of the system, they have to overturn it. They have to overturn it if they think it's going to put a specific bank out of business. That's not a



small change. That's not a high standard. That is a very low standard, and it is one that completely cripples the bill.

I yield the balance of my time to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I would say to my friend, and I thank him, if somebody had put Countrywide out of business, we'd have been in good shape.

But the bias of the Republicans here against consumers and for the banks is very clear. A later amendment will require the consumer bureau to submit very much this kind of information to the Financial Stability Council. So it's not reciprocal.

If the consumer bureau, under their amendment, has a rule or regulation that it has to give all this information to the council but nobody else does, it is one more example of how the consumer bureau is not at all that favored.

Mrs. CAPITO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MILLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MILLER of North Carolina. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

□ 1720

AMENDMENT NO. 6 OFFERED BY MS. JACKSON  
LEE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-172.

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 12, after the semicolon insert "and".

Page 2, strike lines 13 through 20 (and redesignate the succeeding subparagraph accordingly).

The Acting CHAIR. Pursuant to House Resolution 358, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. My friends are back again, those that we have a great deal of respect for. And I am reminded of my colleague, Congressman CUMMINGS, who mentioned the enormous amount of foreclosures that our military families experience.

Maybe we're not clear on what our new board really does, the Consumer Financial Protection Bureau. Let me

make it clear. It makes prices clear; it makes terms and conditions clear; it ensures that mortgage disclosures are short, relevant, and understandable by consumers and lenders and military families; it lets consumers shop for the best product of that price; and it helps consumers understand the true cost of a financial transaction. It acts like a cop on the beat for our consumers. The Financial Stability Oversight Board has its role—to review the actions.

But let me tell you what this bill has just done. In the Dodd-Frank bill, it has been a defined time schedule for the review to take place. So if you are, in essence, hanging with a bad foreclosure or some bad actions, this oversight board can review quickly the decision that the consumer board did to protect you. But you know what has happened now? They have given the oversight board an indefinite amount of time. This is in the backdrop of undergraduates carrying record-high credit card balances, \$3,173.

What my amendment does—it restores reality. It restores a definitive time, a time certain that the oversight board can review the regulation that has given you relief so that you can benefit from the consumer protection. Is that not a simple premise?

I ask my colleagues to accept this amendment.

Mr. Chair, I rise today in support of my amendment, number #3 to H.R. 1315, the Consumer Financial Protections and Safety Act. My amendment will improve certainty with respect to Bureau of Consumer Financial Protection (CFPB) regulations by restoring current time limits in which the Financial Stability Oversight Council (FSOC) must review and act on a petition to overrule a CFPB regulation, and restores a provision allowing a petition to expire if the FSOC fails to act within 45 days of the filing of the petition or upon expiration of a temporary stay.

Under my amendment the FSOC chair may stay the effectiveness of a regulation at the request of a single FSOC member for 90 days. If the FSOC chair does not stay the rule, the FSOC must vote within 45 days of the date the petition is filed. If the FSOC stays the rule, the vote must be taken before the stay elapses. If a vote is not taken within these time frames, the petition is deemed to have been dismissed. This is a basic and reasoned approach to ensure that rules issued by the CFPB are reviewed in a timely fashion by the FSOC and will not result in an endless delay and an endless issuance of stays which would thereby render any CFPB rule ineffective.

Providing the FSOC with unlimited time to review CFPB regulations is yet another way in which this legislation undermines the authority of the CFPB and the necessity for consumer protection standards.

CFPB regulations enacted by the bureau are designed to protect the average consumer from fraud and abuse, and prevent financial institutions from employing unfair practices. This legislation would allow the Financial Stability Oversight Council to review regulatory measures passed by the CFPB without any

time constraints. Under H.R. 1315, the FSOC can avoid making decisions, suspending CFPB regulations in the process, providing the FSOC with a method to circumvent the authority of the CFPB without being held accountable.

A strong and independent CFPB is the only way to ensure that the best interest of the consumer is protected. This bureau was designed to increase transparency and equality in mortgage practices, credit card procedures and other consumer services.

The collapse of the housing market in 2008, and the financial crisis that followed proved how intertwined our financial system is. When securities collapse, due to failing mortgages, credit becomes scarce and companies lay employees off. Losing a job and prolonged unemployment can lead to the loss of one's home. In order to truly safeguard against the irresponsible practices that led to the financial crisis of 2008, we need an agency, such as the CFPB, to ensure that consumers are protected.

It will protect consumers like Charles, who was forced to seek a loan from a small, private lending company he had never heard of. The company required a cosigner for the loan, and stipulated the cosigner had assets worth far more than the loan.

When Charles defaulted on the loan, the company went after his cosigner and his assets from the successful small business he owned. Despite efforts to modify the loan based on Charles' unexpected economic circumstances, the lender targeted his cosigner, resulting in devastating effects to his credit rating.

The predatory loan company went as far as to assign Charles a new loan to cover his debt, using the same cosigner, despite knowing that Charles had no way to pay either of the loans, effectively ruining the credit of both Charles and his cosigner.

If the FSOC is able to indefinitely delay the implementation of CFPB rulings, it greatly reduces the effectiveness of the bureau, and weakens the Dodd-Frank mechanism for consumer protection. We need this Bureau to safeguard the interests of consumers like George, a disabled veteran from Texas, whose doctor helped him apply for loan discharge, under the Disability Act.

A 100% disabled veteran, extenuating circumstances caused George to default on his loan; regardless, his request for loan discharge was denied. As a result of being denied a discharge, George, a registered nurse was not able to renew his nursing license. Which left George without a nursing license and thereby without a license he lost his ability to maintain a nursing position. A job as a nurse would have allowed George to have an income in order to pay back the loan. George found himself in a viscous cycle. George, a man who has honorably served his nation. A man who was wounded in battle . . . that George now a man who cannot pay his loan, cannot attain a license, and cannot find a high paying position. If George was educated on the consequences' of taking out a loan . . . he might have made a different choice. The Bureau gives financial consumers a frame of reference before agreeing to often confusing and convoluted loan schemes.

The CFPB would also prevent predatory companies from taking advantage of people like Carol. One day, while cleaning her home, Carol received a phone call from a debt management company. This company told Carol that they would be able to get her creditors to lower their interest rates, which would allow Carol to pay off her credit card, mortgage and car loan debt in a shorter frame of time.

Carol was told she would save at least \$2,500 and would save much more. Carol was skeptical, especially when she heard the price was \$499, but the salesperson assured Carol she would see lower interest rates within the first 30 days of the program and that these savings would more than cover the fee. The company kept the initial fee, and drove her further into debt by doing nothing to attempt to find solutions to pay her existing debt. She had fallen victim to a scam.

I offer this amendment to ensure that the CFPB exists to enforce regulations to protect consumers, rather than an ineffective body that is used as a tool for political grandstanding. If we are serious about providing the American people with a protection mechanism, we must do so by way of action, not by telling the public what they want to hear.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. What we have done in our bill, as the gentlewoman said, is to give the FSOC as much time as necessary to evaluate the effects of the CFPB rule.

It's easy to imagine, under any scenario, that some of the effects, good effects or bad effects, take more than 3 months to really surface. I mean, we saw what happened with the subprime issue. It didn't bubble up in 90 days. It bubbled up over a period of time. Should it have been stopped? Absolutely. Were people asleep at the switch? Absolutely. And that's why we think that you should have not constraints on the time, but you should have an open-ended time period to find out any different pitfalls that may occur from a certain rule and regulation. And so that's why I would oppose the gentlewoman's amendment going back to the 90 days.

I reserve the balance of my time.

Ms. JACKSON LEE of Texas. I have great respect for my friend from West Virginia, but I'm so glad she said 90 days. My friends, that is 3 months. They want to take away 90 days and put it forever. Almost like Dorothy, we're going to the Wizard of Oz, land of Oz, forever and ever and ever.

And so individuals like Michelle, whose home was damaged during the hurricane, who got costly repairs but had wage cuts and then found that their house might be in foreclosure, they sent a company \$1,400. The company told them there was nothing they

could do and they were foreclosed on. The Bureau, being able to protect them from that now, has oversight over positive regulation, and that oversight to review it or to eliminate it goes on and on and on while Michelle and her husband walk the streets.

Or Jacob, who wanted to just come as a retired mechanic to buy a CD. He wanted to speak to a financial advisor. He was talked into buying a \$3,000 up-front fee. The man he talked to wasn't even in the bank. He only made \$25,000. He wound up losing \$12,000. They want Jacob to wait forever and ever and ever.

I reserve the balance of my time.

Mrs. CAPITO. I appreciate the gentlewoman's passion for this. And I would like to say that as the 90-day rule stands right now, it doesn't say that the rule can't go forward. It simply says that the ability to have a look back to what consumer rules or regulations are put forward, it widens the window there.

So some of the effects of rule and regulation that may, as I said earlier, may not bubble up for a year or two, it may have a cumulative effect, it may have a regional effect. I mean, we have friends in Georgia right now who have had a lot of bank foreclosures. It's more regionally placed, all the foreclosure problems.

I live in a place, actually, where we avoided a lot of the foreclosure problems, but I understand my fellow Members from California and Florida and Texas and Michigan and Ohio, they have regional issues. This doesn't say that you can't allow the rule to go forward. It simply says that it allows you to look back for a longer period than 90 days.

Mr. Chairman, I yield back the balance of my time.

Ms. JACKSON LEE of Texas. I thank the gentlewoman.

I'm asking my colleagues to support this amendment, which restores a 3-month review. There are people in America that don't even know what their interest rates are on their credit card. The Consumer Protection Bureau will help that. We need oversight that is refined and defined to be able to protect the consumer.

With that, I yield the balance of my time to the gentleman from Massachusetts (Mr. FRANK), the ranking member.

The Acting CHAIR. The gentleman is recognized for 1½ minutes.

Mr. FRANK of Massachusetts. Once again, we see this pattern.

The gentleman from New Jersey objected before and said I am imputing motives to them. Yes, I was imputing to them the notion that they knew what they were doing last year when they overwhelmingly, unanimously opposed an independent agency. I don't know who's kidding whom. They don't like the idea of an independent agency.

They do know that politically it's kind of popular, so the tactic is to chip at it here and chip at it there and to do a series of nonreciprocal requirements.

It is clearly the stepchild, the Cinderella of the financial regulators. It's the only financial regulator that can be overruled by the other financial regulator.

They say, How can you have an individual entity? But Members have been here 20 years, and comparable times they have never moved to make the Comptroller of the Currency a commission. They've never moved to subject the Comptroller of the Currency to the appropriation. The consumer chief is just like the Comptroller of the Currency, but that's a banking agency. That's one of those agencies that the chairman of the committee says is there to serve the banks. And as he said in his statement today, they don't worry about the Federal Reserve and the FDIC—with the terrible record the Federal Reserve has had on consumer protection. He said, the chairman of the committee from Alabama, we are worried about an agency whose sole goal is to protect consumers.

So this is one more thing. When it comes to other agencies, my colleagues on the Republican side want to impose deadlines, want to require speed, don't have it hanging over. But, no, the consumer agency is treated differently.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. CAPITO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. QUIGLEY

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112-172.

Mr. QUIGLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 2, after "servation." insert the following: "The Council shall provide live online streaming or broadcasting of the meetings."

The Acting CHAIR. Pursuant to House Resolution 358, the gentleman from Illinois (Mr. QUIGLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

□ 1730

Mr. QUIGLEY. Mr. Chairman, I rise today in support of my amendment to H.R. 1315.

The underlying bill requires that when the Financial Stability Oversight Council meets to deliberate on a CFPB ruling, those meetings would be open to the public.

My amendment takes that one step further and would require that the meeting be live-streamed over the Internet. If what we are concerned about here is transparency and openness, it makes sense that the entire American public have access to these meetings over the Internet, not just people in one city.

This is important to both supporters and critics of the CFPB. If a CFPB ruling is challenged by the FSOC, Americans should be able to observe the proceedings. My amendment will do just that. It makes the proceedings more open, transparent, and accessible. Transparency will help ensure that all parties—banks and consumers—get a fair hearing.

It is also important in terms of regaining the public trust, especially in these times. According to a Pew poll, only 22 percent of Americans trust government to do the right thing. What does that mean? That means that eight out of 10 people in this country think that government will do the wrong thing. The real cost of corruption is the deficit of trust. It is almost impossible to lead without the public's trust. What we need to focus on first and foremost is regaining that trust, principally through transparency. Therefore, I ask that this amendment be supported by both sides.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I claim the time in opposition, but I am not opposed to the gentleman's amendment.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. I would like to congratulate the gentleman on an amendment that provides for sunshine and transparency. When we did the markup, we actually had another amendment along the same lines. I would support the gentleman's amendment.

I yield back the balance of my time.

Mr. QUIGLEY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. QUIGLEY).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. CHU

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112-172.

Ms. CHU. Mr. Chair, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 17, strike "and".

Page 6, line 22, strike the period and insert "; and".

Page 6, after line 22, insert the following new subparagraph:

"(D) researching and reporting to the full Commission about ways to protect consumers from unfair, deceptive, or abusive lending acts or practices, including how language barriers contribute to lack of understanding in lending activities."

The Acting CHAIR. Pursuant to House Resolution 358, the gentlewoman from California (Ms. CHU) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. CHU. Mr. Chairman, my amendment would give additional responsibility to the Commissioner who is already in charge of oversight of the Bureau's activities pertaining to the protection of older consumers, minorities, youth, and veterans. It would require research on how language barriers can lead to unfair and abusive lending practices, and a report to the full Commission on ways to protect consumers from potentially unfair and deceptive practices.

Take the case of Ms. Huang, who went to a car dealership and negotiated a car sale with a salesperson in Chinese. But then when she went to sign the contract, it was totally in English, and she didn't understand it. When she got it translated later, she discovered that she bought a different car with an extremely high interest rate. She went back to the car dealership for redress, but they refused. She was so upset that all she could think of to do was go back to the dealership and wrap herself in a white sheet and hold a sign that said "Cheaters" and walk up and down in front of the dealership in protest. Well, that gained attention. It turned out that many other immigrants had been cheated in this manner as well, so I sponsored a bill in the California State Assembly to address these deceptive practices. But that is just one State and one small fix.

Now I know that the Consumer Financial Protection Safety and Soundness Act does not include oversight of automobile loans, but Ms. Huang's story highlights how persons with language barriers can be victims of deceptive practices. We need someone on a national level looking out for people like Ms. Huang and staying on top of ways people are being duped because of language barriers. And that is just what my amendment will do.

I urge support of my amendment.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I claim time in opposition, but I am not opposed to the gentlewoman's amendment.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. I would like to thank the gentlewoman for her amendment.

I would like to also highlight, in the Dodd-Frank bill, and I'm sure she is

well aware of some of the provisions that are already being made through the CFPB for multilingual outreach and understanding.

During a conference call with a large number of bipartisan congressional staff, the senior officials at the CFPB indicated that the Bureau would have the capacity to translate into 180 languages. That is a very broad reach, I think. And there are other foreign language disclosures outreach by the Secretary of the Treasury to help persons facing language barriers and other aspects around the same issue that the gentlewoman is speaking about.

I am delighted that she wants to amend the Commission because, as we know, and I have spoken more than a few times on this in just the last several hours, about my ardent support for the Commission. There is one Commissioner who is charged with overseeing some special segments of our population, and certainly ones who have language barriers would be included in this.

I yield back the balance of my time.

Ms. CHU. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. I appreciate the gentlewoman from West Virginia making a very important point, seriously, talking about the multilingual aspects, because an important bipartisan part of our committee's work over the years, and we've had some differences, but the gentlewoman from Illinois (Mrs. BIGGERT), the gentleman from Texas (Mr. HINOJOSA) and a number of others have stressed an important part of this Agency's mission is financial literacy.

We all agree that if people were better educated, they could defend themselves better. This is an ongoing, joint effort on our committee. And obviously, if you're trying to do financial literacy, it has to be in a language that the people understand. So I appreciate the gentlewoman highlighting that, and it does help us do it.

I would note, and I think the gentlewoman from California is quite correct in wanting to do this, but you don't need a commission to do it. If there wasn't a commission, we could do it with various agency heads. For example, there has been some concern about making sure that veterans are taken care of and people in the military. One of the things that Elizabeth Warren did, and she did a number of extraordinary things, and I don't know if people are aware of the head of the military Bureau that protects members in the services, a very experienced woman from the military named Holly Petraeus, the wife of General Petraeus. That's an example of how you can do these things.

So the principle that the gentlewoman from California advocates is a

very good one, and I'm sure we'll find a way to accommodate it. I thank her.

Ms. CHU. Mr. Chairman, I would like to say that this does not create any overly burdensome responsibility. Instead, it supports the goal of the legislation. It protects those persons who might be the victims of such unfair and deceptive practices.

What this does is clarify that this specially designated Commissioner would take into account how language barriers might be impacted by such abusive practices, and it makes sure that that is done.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. CHU).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MRS. MALONEY

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112-172.

Mrs. MALONEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 17, after "section," insert the following: "except for subsection (e)."

Page 15, line 23, strike the quotation marks and following period and insert after such line the following:

"(e) FUNCTIONS TO TEMPORARILY BE CARRIED OUT BY THE SECRETARY.—Notwithstanding subsection (d), if no Chair of the Commission of the Bureau has been confirmed by the Senate as of the single calendar date designated for the transfer of functions to the Bureau under section 1061, then until such time as the Chair of the Commission of the Bureau has been so confirmed, the Secretary of the Treasury shall have the authority to carry out the following functions:

"(1) All rulemaking authority with respect to unfair or deceptive acts or practices that would have been conferred upon the Bureau on the designated transfer date, but for the application of subsection (d).

"(2) All authority to carry out examinations of nondepository covered persons that would have been conferred upon the Bureau on the designated transfer date, but for the application of subsection (d).

"(3) All functions of the Bureau under this subtitle that would have been conferred upon the Bureau on the designated transfer date, but for the application of subsection (d)."

The Acting CHAIR. Pursuant to House Resolution 358, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MALONEY. Mr. Chairman, I rise in support of my amendment to H.R. 1315, which will transfer all authority that the CFPB would receive to the Secretary of the Treasury if no Commission chair is in place by July 21 until such time as the confirmation by the other body.

There is no more blatant effort to derail the consumer protections than the

section of this bill that delays the full transfer of authority that the CFPB would have to protect consumers until a Director is in place.

Under the Republican bill, the Bureau would not be able to do anything starting today, even write rules under the existing consumer laws as Dodd-Frank envisioned. As we know, there are 44 Republican Members of the other body that have indicated in writing in a letter to the President that they will not vote to confirm anyone unless President Obama bends to their demands that would weaken the CFPB.

The Republican bill is not about improvements; it's about preventing the CFPB from effectively operating. This week, the President nominated former Ohio Attorney General Richard Cordray to be the CFPB's first Director. He is now the Director of enforcement there, and will bring a voice for State AGs to enforce consumer laws. I hope that the other body will act on his nomination as soon as possible, but we know that there are 44 who say they will not confirm anyone. I do not believe that consumers should have to wait for this process to go forward. They should be protected today.

My amendment says that if they are going to delay the ability of the Agency to protect consumers, at least give that authority to the Secretary of the Treasury until a Director is confirmed to head the Bureau. Now, many of my colleagues on the other side of the aisle have indicated their concern that there is no one officially at the helm; then let Treasury have that authority until a Director has been confirmed so that it can begin to go forward with the protections that Dodd-Frank envisioned.

□ 1740

This includes the authority the bureau is set to receive today as well as the new supervisory authority for nonbank financial institutions and new rulemaking under unfair, deceptive, and abusive practices. Consumers should not have to wait any longer. My amendment will ensure that work can begin to advance the important mission of the CFPB.

I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mrs. CAPITO. I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. I am opposed to the amendment offered by the gentlewoman, my ranking member. We work really well together, I think, on the subcommittee. We obviously have differences, and this is one.

The portion of the bill that she's talking about is actually the portion that I created. It was really a creation of a couple of months ago. Probably in April, I began to think to myself: The

President hasn't made an appointment to the marquee bureau to protect consumers, and he's had almost an entire year to do this. The handwriting was going to be on the wall in terms of trying to get a Senate confirmation. Certainly, you're not going to get one in 4 days, which is what he tried when he nominated somebody on Monday, finally.

So the thought for me is that we have enormous powers vested in one individual. The bill was written to have them. The minority leader was down here saying the oversight that is provided by Senate confirmation is the Congress's stamp of approval of the direction this individual wants to take this bureau. Yet, we have a situation where we have a President who's waited an entire, let's see, 361 days before making an appointment, and we're in a position where we're going to have an acting or recess appointment with a very powerful position without any input or oversight in the nominating process that moves forward and is vested in the United States Senate.

I just think that's a problem. I think that the President had had due time to accomplish this, and we're going to say to the Treasury Secretary, We're going to give it to you. Quite frankly, I think the Treasury Secretary is pretty busy right now dealing with debt limit issues and trying to solve other problems that we have in front of us financially. Our economy, we have 9.2 percent unemployment. We've got to get the wheels turning here, and I'm sure that's where the Secretary is putting his energy, appropriately so.

I just think that this is an agency that's starting with one hand tied behind their back because of the fault of the chief executive who has not appointed a person that could seek and get Senate confirmation, and I think that without that person, with the oversight of a Senate confirmation, taking the reins of this very powerful bureau that's just been created, we would be getting off on the wrong foot.

I would oppose the gentlewoman's amendment.

I yield back the balance of my time.

Mrs. MALONEY. May I inquire as to how much time remains?

The Acting CHAIR. The gentlewoman has 2 minutes remaining.

Mrs. MALONEY. Well, first of all, the President has made an appointment, and he confronts a threat by 44 Members of the other body who say they won't confirm anyone unless the powers of the CFPB are diminished and it's de-fanged and weakened. Consumers should not have to wait for a political confirmation process that the Republicans in the other body have vowed that they're going to hold up. They should be able to move forward with these critical protections and go forward.

I must tell you that the American public is fed up with the delays and the

efforts by the other body to prevent consumer protections. If we had had a CFPB in place, we could have prevented the financial downturn in 2008 which caused the high unemployment that the gentlelady is concerned about.

The CFPB is carefully constructed, urgently needed, and should be allowed to go forward to protect consumers. My amendment will allow that to happen. I urge my colleagues to support it.

I yield to the ranking member.

Mr. FRANK of Massachusetts. Being lectured by a member of the Republican Party on the importance of confirmation at the CFPB is like being lectured about birth control by the Octomom. Forty-four Republican Senators have outrageously announced they will not do their constitutional duty and they will confirm nobody, no matter how good, until we agree to weaken the agency.

So what we have is a perfect double play here between House and Senate Republicans. Senate Republicans say we will confirm nobody, House Republicans say the agency won't function until you get a confirmation, which the Senate Republicans have refused to do.

I wish the President had appointed someone earlier. I'm critical of him for not doing that. But I don't want to punish the American people, the beneficiaries of this, by that failure to appoint earlier. By the way, with the Secretary of the Treasury having the authority until now, a lot has been done. Holly Petraeus was put there. A lot of other people were there. They've done some good stuff.

Let's not give in to the Republican blackmail in the Senate.

Mrs. MALONEY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. CAPITO. I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. Mr. Chairman, I ask unanimous consent that my request for a recorded vote on amendment No. 3 be withdrawn.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Oregon?

Without objection, the request for a recorded vote on amendment no. 3 is withdrawn, and the amendment stands adopted by the voice vote thereon.

There was no objection.

AMENDMENT NO. 10 OFFERED BY MR. LANKFORD

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112-172.

Mr. LANKFORD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:  
**SEC. 7. INSPECTOR GENERAL REPORT.**

Section 1013 of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by adding at the end the following new subsection:

“(h) INSPECTOR GENERAL REPORT.—

“(1) IN GENERAL.—Not later than February 1, 2012, and annually thereafter, the Inspector General of the Board of Governors of the Federal Reserve System and the Bureau of Consumer Financial Protection shall submit a report to the Congress containing the following:

“(A) A list of all new rules, guidelines, and regulations prescribed by the Bureau within the previous fiscal year, with corresponding detailed descriptions of each.

“(B) A detailed list of all authority which the Inspector General believes overlaps with the efforts of other Federal departments and agencies.

“(C) All administrative expenses of the Bureau, including the amount spent on salaries, office supplies, and office space.

“(D) The current amount in the Bureau of Consumer Financial Protection Fund.

“(2) PUBLIC DISCLOSURE.—The Inspector General of the Board of Governors of the Federal Reserve System and the Bureau of Consumer Financial Protection shall make each report submitted under paragraph (1) available to the public, including on the Bureau's website.

“(3) USE OF FUNDS.—The Inspector General shall carry out this subsection using existing funds.”.

The Acting CHAIR. Pursuant to House Resolution 358, the gentleman from Oklahoma (Mr. LANKFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. LANKFORD. Thank you, Mr. Chairman.

I yield myself such time as I may consume.

Similar to Mr. QUIGLEY's amendment earlier—his amendment was to provide transparency at CFPB meetings—this amendment brings transparency to the regulatory process decisions, cost and staff structure.

Both parties want reliable information from the Inspectors General of every agency and of this bureau. Congress has a responsibility for oversight. That responsibility is not possible without good information. This will make the CFPB consistent with other agencies in oversight transparency.

Because this new Federal Bureau is within the Federal Reserve, we must provide, Congress, citizen watchdog groups and the general public with the tools for proper oversight.

The Lankford amendment will put in place a mechanism for bureau transparency. Specifically, this amendment would require the Inspectors General of the Board of Governors of the Federal Reserve and the Consumer Financial Protection Bureau to post online and submit an annual report to Congress each February 1 illuminating four key elements in the bureau's operations during the previous fiscal year:

Number one, a list of all new rules, guidelines, regulations prescribed by the bureau within the previous fiscal year with corresponding descriptions of each.

Number two, a detailed list of all authority that the Federal Reserve Inspector General deems in conflict with other Federal departments and agencies.

Number three, administrative expenses of the bureau, including the amount spent on salaries, office supplies, and office space.

Number four, the current balance at the Consumer Financial Protection Bureau, their fund itself.

As lawmakers, we have to have quality information at our disposal to conduct our constitutionally required duty of oversight. The report required by this amendment would provide Congress and the public a broad look into the operations of the bureau.

With that, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I rise in tentative opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. I could be persuaded as I would like to be, but I am the only speaker, and since I am defending the committee's position, I will reserve the balance of my time.

Mr. LANKFORD. I yield to the gentlelady from West Virginia.

Mrs. CAPITO. I would just like to tell the gentleman I support his amendment. I think it lends itself, again, to transparency and full accountability. I thank him for bringing it forward. Good work from the gentleman from Oklahoma.

Mr. LANKFORD. Mr. Chairman, I yield back the balance of my time.

□ 1750

Mr. FRANK of Massachusetts. I yield myself such time as I may consume.

Mr. Chairman, I appreciate the amendment. I've had a chance to think about it, and I am persuaded by its merits. I think this is a genuinely helpful amendment.

But I do want to take this opportunity in this 5 minutes to talk about broader issues, and I do so, I will say—I would not extraordinarily have done this, to take this 5 minutes in this way, but the rule was so outrageously stingy in refusing adequate debate time on some central issues that we have no option but to use this perfectly reasonable amendment as an opportunity to

say what we were prevented by the rule from saying.

By the way, there's one part of the rule that should be mentioned that I didn't have time to talk about earlier. The regular order that my Republican colleagues promised has been beat up pretty good recently, and certainly by this rule.

The Congressional Budget Office says that their effort to expand the head of the consumer agency to a five-member commission will cost \$71 million over the 5-year period. Now, that violates their CutGo rule, but they don't care that much about violating their rules when it suits their ideology. But they found an offset. What's the offset? The offset is a bill that the House already passed to save money from the Federal Housing Administration, the FHA.

So here's what they're doing. They're reaching back, and the rule retroactively merges the two bills. How's that for the regular order? It's a rule that retroactively takes a bill that already passed, saves money within the FHA, and instead of using that either for deficit reduction entirely or for easing people's ability to get housing, they use it to offset their extra bureaucracy here in this bill.

Beyond that, I want to talk again about the fundamental issues. Some on the Republican side have apparently undergone a conversion. I don't want to not take "yes" for an answer. Apparently they are now in favor of an agency that they vigorously opposed last year and the year before.

We had a special markup. The gentleman from Alabama incorrectly said he never voted against this. Well, someone claiming to be the gentleman from Alabama attended a markup when we voted on this in committee and voted against it, as did the gentleman from West Virginia, as did virtually everyone on the Republican side. Instead, they supported a substitute from the gentleman from Illinois which did nothing—well, I take it back. It said that all the regulators could get together, plus the Secretary of Defense, the Secretary of the Treasury—I don't know who else—and they could set up a hotline for consumers and have a Web site, but any information taken in would go back to those same regulators.

So they have consistently opposed it, and that's why they're so wounded. How dare we say that they're not in favor of this agency? Because we were there when they tried to kill it, we were there when they voted against it, and we understand that they don't want to see it go forward. They are prudent, however. They understand that it would not be a good idea to attack it head-on, so they're trying a sideways attack, most importantly by saying that the bank regulators—they wanted to leave consumer protection with the bank regulators. That was the Biggert substitute.

The FDIC, the Federal Reserve more than anybody else, because they're the key bank regulator of consumer affairs—I don't know who came up with that—they would put the bank regulators back in charge of this agency by letting them overturn by majority vote anything the agency does. They say, Well, we're just going back to where you were. No, we were never for that. In fact, we're totally reversing.

And now we have the amendment of the gentlewoman from New York, and the gentlewoman from West Virginia—you know, there's a children's book where somebody says, I can believe 10 impossible things before breakfast. Well, I'll give the gentlewoman credit for moderation. She only said one impossible thing before dinner. She said we must have a confirmation. Confirmation is important. She should tell that to her Senate colleagues. Forty-four Republican Senators, not the Senator from Massachusetts (Mr. BROWN) or the Senators from Maine, Ms. COLLINS and Ms. SNOWE, 44 of them, enough to filibuster, have said, We wouldn't confirm anybody.

So I hope someone will explain to me: How can the manager of the bill get up and say confirmation is important, we can't allow this to go forward unless there's confirmation, we won't allow the powers to go forward unless there's confirmation, knowing that there can't be confirmation, not because the President was late, as he was—and I was critical of him for doing that—but because the Republican majority says they won't confirm?

And then they complain there might be a recess appointment.

The Acting CHAIR. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Oklahoma (Mr. LANKFORD).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. RIGELL

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112-172.

Mr. RIGELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the of the bill the following new section:

**SEC. 7. ANALYSIS OF REGULATIONS.**

Section 1022 of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by adding at the end the following new subsection:

“(e) ANALYSIS OF REGULATIONS.—

“(1) IN GENERAL.—Each time the Bureau proposes a new rule or regulation, the Bureau shall—

“(A) carry out an initial regulatory flexibility analysis for such proposed rule or regulation, which shall be carried out as closely as possible to those initial regulatory flexibility analyses required under section 603 of title 5, United States Code, but which shall

analyze the financial impact of the proposed rule or regulation on all financial entities, regardless of size; and

“(B) carry out an analysis of whether the proposed rule or regulation will impair the ability of individuals and small business to access credit from financial institutions.

“(2) REPORT.—The Bureau shall issue a report to the Council on the analyses carried out under paragraph (1), and make such analyses available to the public.

“(3) USE OF EXISTING RESOURCES.—The Bureau shall use existing resources to carry out the requirements of this subsection.”.

The Acting CHAIR. Pursuant to House Resolution 358, the gentleman from Virginia (Mr. RIGELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. RIGELL. Mr. Chairman, Americans across this great land are hurting. Families are being hurt by excessively high unemployment. It is right now at 9.2 percent. In the Second District, it's high, and my wife, Teri, and I have dear friends who have lost their family businesses because of, I think, policies that have come out of this very institution, a hyperactive Federal Government.

So I rise today to offer an amendment that would directly address one of the principal reasons that I believe that our small businesses are having such a difficult time—and I know this firsthand because I am a small business owner—and that's a lack of credit.

My amendment would require the Consumer Financial Protection Bureau to submit a financial impact analysis on each proposed rule or regulation that it intends to layer upon our Nation's lenders. It would expand the cost analysis to include financial institutions of all sizes, not just the smaller ones that are currently under the cost analysis portion of the bill. Most importantly, though, the amendment would require the bureau to submit an analysis to the council on how the proposed regulation would impair the ability of individuals and our small businesses to access credit.

I've spent a lot of time, Mr. Chairman, in our district listening to small business owners and our local community bankers, not the big banks up in New York but the local banks. They've given me a clear indication of the struggle that our small business owners are having when it comes to acquiring credit. They're saying, SCOTT, we're not hiring account executives to go out and meet with our small business owners. We're hiring regulatory analysts to figure out and sort through Dodd-Frank, and now there's just yet another layer that's coming upon our local lenders. They're really struggling.

Mr. Chairman, what I've done in this amendment is to offer a reasonable solution that just would require that bureau to pause and to calculate and to



distribute to the public a clear indication of the impact that the regulation would have both on the lending institution and on credit for our small business owners and individuals.

I believe this is a very prudent amendment. Given the hyperactive nature of our Federal Government, it continues to grow, it continues to reach out and, I think, choke out the life of the small business entrepreneur.

I would urge my colleagues to support this amendment. It really is about confidence. The hardworking folks that I know in the district, they want to know that we really are going to start in a reasonable and responsible way to contain this ever-expanding Federal Government.

Mr. Chairman, I close with this. I am not an advocate for no regulation, I'm an advocate for smarter and lighter regulation, and I think this amendment meets that test. I urge my colleagues to vote in favor of it.

I yield back the balance of my time. Mr. MILLER of North Carolina. I claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of North Carolina. I yield 2 minutes to the gentleman from Connecticut (Mr. HIMES).

Mr. HIMES. Mr. Chairman, I was moved to come to the floor to argue in opposition to this amendment and in opposition to the underlying legislation. I was moved because the amendment offered by the gentleman from Oklahoma and the amendment offered by the gentleman from Virginia are both about reports and analyses that this new agency will be required to produce. And it's odd, because to give my friends on the other side credit, they usually stand for more streamlined and efficient government, sometimes to the point that government ceases to function; but they are about efficiency and streamlining, and yet here we're hearing about more reports and more analyses, for the simple reason that this is part of a larger strategy to weigh down, to underfund, and to decapitate an agency they have no interest in seeing survive, an agency that would protect consumers, that would protect that group that was badly and most severely harmed in the disaster that we just went through.

Why? One can speculate. Perhaps it's to stand for the industry, for the financial concerns. But why do that? Why do that when it has been proven time and time again, not just in the last 3 years but over hundreds of years, that financial services is a very volatile and very risky pursuit that if not adequately regulated will do what it has done in the last 3 years, will do what it did in the late 1920s, what it has done hundreds of years prior, collapse in upon itself.

□ 1800

This is regulation that is smart, that is commonsense, and that will protect

the American family from products that could destroy that family. So let's not weigh down this agency. Let's not decapitate it. Let's not underfund it. Let's let it survive to protect American families.

Mr. MILLER of North Carolina. Sometimes it really is helpful, when you want to amend the law, to read the law. This amendment is almost completely redundant, and where it is not redundant, it is annoyingly pointless.

This is what the law already requires:

Before the CFPB can adopt a rule, it has to consider the potential benefits and costs to consumers and to the financial industry. It has to consider the impact of the rule. It has to consider whether it constricts credit, whether it makes it harder for small businesses or individuals—households—to get credit. All this amendment would require is already in the bill.

The CFPB's rulemaking requires that they give notice that they're going to consider a rule, and then they've got to take comment. Then they've got to propose a rule, and then they've got to take comment again. They know that, if anybody is against it, they've got to be prepared to defend it in court, and they've got to show that they developed the evidence that supports the rule and supports what the benefits are and what the costs are and whether it keeps people from getting credit.

What this amendment would also do is to make the CFPB prepare this report when nobody is against it, when everybody is perfectly fine with it, when it doesn't hurt anybody, when it doesn't bother anybody. It's minor. It's procedural. It would still require this silly, pointless report for a rule that nobody is against.

I understand that most Members do not want to make government unwieldy and filled with red tape. This amendment would just make government more unwieldy and filled with more red tape. So I oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. RIGELL).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MILLER of North Carolina. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-172 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Ms. JACKSON LEE of Texas.

Amendment No. 5 by Mr. MILLER of North Carolina.

Amendment No. 6 by Ms. JACKSON LEE of Texas.

Amendment No. 9 by Mrs. MALONEY of New York.

Amendment No. 11 by Mr. RIGELL of Virginia.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 170, noes 239, not voting 23, as follows:

[Roll No. 615]

AYES—170

Ackerman	Frank (MA)	Meeks
Altmire	Fudge	Michaud
Andrews	Garamendi	Miller (NC)
Baca	Gonzalez	Miller, George
Baldwin	Green, Al	Moore
Barrow	Green, Gene	Moran
Bass (CA)	Grijalva	Murphy (CT)
Becerra	Gutierrez	Nadler
Berkley	Hahn	Napolitano
Berman	Hanabusa	Neal
Bishop (NY)	Hastings (FL)	Olver
Boswell	Heinrich	Pallone
Brady (PA)	Higgins	Pascarell
Bralley (IA)	Himes	Pastor (AZ)
Brown (FL)	Hinojosa	Payne
Capps	Hirono	Perlmutter
Capuano	Hochul	Peters
Carnahan	Holt	Pingree (ME)
Carney	Honda	Polis
Carson (IN)	Inslee	Price (NC)
Chu	Israel	Quigley
Cicilline	Jackson (IL)	Rangel
Clarke (MI)	Jackson Lee	Reyes
Clarke (NY)	(TX)	Richardson
Clay	Johnson (GA)	Richmond
Cleaver	Johnson, E. B.	Rothman (NJ)
Clyburn	Jones	Roybal-Allard
Cohen	Kaptur	Ruppersberger
Connolly (VA)	Keating	Rush
Conyers	Kildee	Ryan (OH)
Cooper	Kind	Sánchez, Linda
Costello	Kissell	T.
Courtney	Kucinich	Sanchez, Loretta
Crowley	Langevin	Sarbanes
Cummings	Larsen (WA)	Schakowsky
Davis (CA)	Lee (CA)	Schiff
Davis (IL)	Levin	Schrader
DeFazio	Lewis (GA)	Schwartz
DeGette	Lipinski	Scott (VA)
DeLauro	Loeb sack	Scott, David
Deutch	Lofgren, Zoe	Serrano
Dicks	Lowey	Sewell
Dingell	Lujan	Sherman
Doggett	Maloney	Shuler
Donnelly (IN)	Markey	Sires
Doyle	Matheson	Slaughter
Edwards	Matsui	Smith (WA)
Engel	McCarthy (NY)	Speier
Eshoo	McCollum	Stark
Farr	McDermott	Sutton
Fattah	McGovern	Thompson (CA)
Filner	McNerney	Thompson (MS)



Tierney  
Tonko  
Townsend  
Tsongas  
Van Hollen  
Velázquez

Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt

Waxman  
Welch  
Woolsey  
Wu  
Yarmuth

Hoyer  
Landry  
Larson (CT)  
Lynch

Pelosi  
Pence  
Rogers (AL)  
Schock

Scott, Austin  
Wilson (FL)  
Young (AK)

Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Perlmutter  
Peters  
Pingree (ME)

Polis  
Price (NC)  
Quigley  
Rangel  
Reyes  
Richardson  
Richmond  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Shuler  
Sires

Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Townsend  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

NOES—239

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Austria  
Bachus  
Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishkek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Cansco  
Cantor  
Capito  
Cardoza  
Carter  
Cassidy  
Chabot  
Chaffetz  
Chandler  
Coble  
Coffman (CO)  
Cole  
Conaway  
Cravaack  
Crawford  
Crenshaw  
Critz  
Cuellar  
Culberson  
Davis (KY)  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxx  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson

Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Holden  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mullin  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent

Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paul  
Paulsen  
Pearce  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Holden  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schweikert  
Scott (SC)  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (FL)  
Young (IN)

NOT VOTING—23

Bachmann  
Bishop (GA)  
Black  
Blumenauer

Butterfield  
Castor (FL)  
Costa  
Denham

Ellison  
Giffords  
Griffith (VA)  
Hinchey

Connolly (VA)  
Conyers  
Cooper  
Costello

Hahn  
Hanabusa  
Hastings (FL)  
Heinrich

Higgins  
Himes  
Crowley  
Cuellar  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeback  
Lofgren, Zoe  
Lowey  
Luján

Fleming  
Flores  
Forbes  
Fortenberry  
Foxx  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis

NOES—238

Fleming  
Flores  
Forbes  
Fortenberry  
Foxx  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis

Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paul  
Paulsen  
Pearce  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis

□ 1829

Messrs. BENISHEK and CRITZ changed their vote from “aye” to “no.”

Messrs. ALTMIRE, PALLONE, CLEAVER, CARNEY, Mrs. DAVIS of California, Messrs. DAVIS of Illinois, LARSEN of Washington, GRIJALVA, and GARAMENDI changed their vote from “no” to “aye.”

So the amendment was rejected. The result of the vote was announced as above recorded.

Stated for: Ms. WILSON of Florida. Mr. Chair, on rollcall No. 615, had I been present, I would have voted “aye.”

Stated against: Mr. DENHAM. Mr. Chair, on rollcall No. 615 I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT NO. 5 OFFERED BY MR. MILLER OF NORTH CAROLINA

The Acting CHAIR (Mr. WOMACK). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered. The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 238, not voting 19, as follows:

[Roll No. 616]

AYES—175

Ackerman  
Altman  
Critz  
Andrews  
Baca  
Baldwin  
Barrow  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (NY)  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Capps  
Capuano  
Carnahan  
Carney  
Carson (IN)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Clever  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costello

Courtney  
Higgins  
Himes  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Donnelly (IN)  
Doyle  
Edwards  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heinrich

Higgins  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeback  
Lofgren, Zoe  
Lowey  
Luján

Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Perlmutter  
Peters  
Pingree (ME)

Fleming  
Flores  
Forbes  
Fortenberry  
Foxx  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis

Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paul  
Paulsen  
Pearce  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Rigell  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis

Runyan	Smith (TX)	Walden	McCarthy (NY)	Quigley	Smith (WA)	Ryan (WI)	Southerland	Walsh (IL)
Ryan (WI)	Southerland	Walsh (IL)	McCollum	Rangel	Speier	Scalise	Stearns	Webster
Scalise	Stearns	Webster	McDermott	Reyes	Stark	Schilling	Stivers	West
Schilling	Stivers	West	McGovern	Richardson	Sutton	Schmidt	Stutzman	Westmoreland
Schmidt	Stutzman	Westmoreland	McNerney	Richmond	Thompson (CA)	Schweikert	Sullivan	Whitfield
Schweikert	Sullivan	Whitfield	Meehan	Rothman (NJ)	Thompson (MS)	Scott (SC)	Terry	Wilson (SC)
Scott (SC)	Terry	Wilson (SC)	Meeks	Roybal-Allard	Tierney	Sensenbrenner	Thompson (PA)	Wittman
Sensenbrenner	Thompson (PA)	Wittman	Michaud	Ruppersberger	Tonko	Sessions	Thornberry	Wolf
Sessions	Thornberry	Wolf	Miller (NC)	Rush	Towns	Shimkus	Tiberi	Womack
Shimkus	Tiberi	Womack	Miller, George	Ryan (OH)	Tsongas	Shuster	Tipton	Tipton
Shuster	Tipton	Woodall	Moore	Sánchez, Linda	Van Hollen	Simpson	Turner	Yoder
Simpson	Turner	Yoder	Moran	T.	Velázquez	Smith (NE)	Upton	Young (FL)
Smith (NE)	Upton	Young (FL)	Murphy (CT)	Sanchez, Loretta	Visclosky	Smith (NJ)	Walberg	Young (IN)
Smith (NJ)	Walberg	Young (IN)	Nadler	Sarbanes	Walz (MN)	Smith (TX)	Walden	

NOT VOTING—19

Bachmann	Doggett	Payne
Bishop (GA)	Ellison	Pelosi
Black	Giffords	Schock
Blumenauer	Griffith (VA)	Scott, Austin
Butterfield	Hinchee	Young (AK)
Castor (FL)	Hoyer	
Costa	Landry	

□ 1834

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 240, not voting 17, as follows:

[Roll No. 617]

AYES—175

Ackerman	Cuellar	Hinojosa
Andrews	Cummings	Hirono
Baca	Davis (CA)	Hochul
Baldwin	Davis (IL)	Holt
Barrow	DeFazio	Honda
Bass (CA)	DeGette	Inslee
Becerra	DeLauro	Israel
Berkley	Deutch	Jackson (IL)
Berman	Dicks	Jackson Lee
Bishop (NY)	Dingell	(TX)
Boswell	Doggett	Johnson (GA)
Brady (PA)	Donnelly (IN)	Johnson, E. B.
Braley (IA)	Doyle	Kaptur
Brown (FL)	Edwards	Keating
Capps	Engel	Kildee
Capuano	Eshoo	Kind
Cardoza	Farr	Kissell
Carnahan	Fattah	Kucinich
Carney	Filner	Langevin
Carson (IN)	Frank (MA)	Larsen (WA)
Chu	Fudge	Larson (CT)
Ciilline	Garamendi	Lee (CA)
Clarke (MI)	Gibson	Levin
Clarke (NY)	Gonzalez	Lewis (GA)
Clay	Green, Al	Lipinski
Cleaver	Green, Gene	Loebsack
Clyburn	Grijalva	Lofgren, Zoe
Cohen	Gutierrez	Lowey
Connolly (VA)	Hahn	Lujan
Conyers	Hanabusa	Lynch
Cooper	Hastings (FL)	Maloney
Costello	Heinrich	Markey
Courtney	Higgins	Matheson
Critz	Himes	Matsui

Adams	Fleischmann
Aderholt	Fleming
Akin	Flores
Alexander	Forbes
Altmire	Portenberry
Amash	Foxx
Austria	Franks (AZ)
Bachus	Frelinghuysen
Barletta	Gallely
Bartlett	Gardner
Barton (TX)	Garrett
Bass (NH)	Gerlach
Benishek	Gibbs
Berg	Gingrey (GA)
Biggart	Gohmert
Bilbray	Goodlatte
Bilirakis	Gosar
Bishop (UT)	Gowdy
Blackburn	Granger
Bonner	Graves (GA)
Bono Mack	Graves (MO)
Boren	Griffin (AR)
Boustany	Grimm
Brady (TX)	Guinta
Brooks	Guthrie
Broun (GA)	Hall
Buchanan	Hanna
Bucshon	Harper
Buerkle	Harris
Burgess	Hartzler
Burton (IN)	Hastings (WA)
Calvert	Hayworth
Camp	Heck
Campbell	Hensarling
Canseco	Herger
Cantor	Herrera Beutler
Capito	Holden
Carter	Huelskamp
Cassidy	Huizenga (MI)
Chabot	Hultgren
Chaffetz	Hunter
Chandler	Hurt
Coble	Issa
Coffman (CO)	Jenkins
Cole	Johnson (IL)
Conaway	Johnson (OH)
Cravaack	Johnson, Sam
Crawford	Jones
Crenshaw	Jordan
Crowley	Kelly
Culberson	King (IA)
Davis (KY)	King (NY)
Denham	Kingston
Dent	Kinzinger (IL)
DesJarlais	Kline
Diaz-Balart	Labrador
Dold	Lamborn
Dreier	Lance
Duffy	Lankford
Duncan (SC)	Latham
Duncan (TN)	LaTourette
Ellmers	Latta
Emerson	Lewis (CA)
Farenthold	LoBiondo
Fincher	Long
Fitzpatrick	Lucas
Flake	Luetkemeyer

NOES—240

Lummis	Lungren, Daniel
Luft	E.
Mack	
Manzullo	
Marchant	
Marino	
McCarthy (CA)	
McCaul	
McClintock	
McCotter	
McHenry	
McIntyre	
McKeon	
McKinley	
McMorris	
Rodgers	
Mica	
Miller (FL)	
Miller (MI)	
Miller, Gary	
Mulvaney	
Murphy (PA)	
Myrick	
Neugebauer	
Noem	
Nugent	
Nunes	
Nunnelee	
Olson	
Owens	
Palazzo	
Paul	
Paulsen	
Pearce	
Pence	
Peterson	
Petri	
Pitts	
Platts	
Poe (TX)	
Pompeo	
Posey	
Price (GA)	
Quayle	
Rahall	
Reed	
Rehberg	
Reichert	
Renacci	
Ribble	
Rigell	
Rivera	
Roby	
Roe (TN)	
Rogers (AL)	
Rogers (KY)	
Rogers (MI)	
Rohrabacher	
Rokita	
Rooney	
Ros-Lehtinen	
Roskam	
Ross (AR)	
Ross (FL)	
Royce	
Runyan	

NOT VOTING—17

Bachmann	Costa	Landry
Bishop (GA)	Ellison	Pelosi
Black	Giffords	Schock
Blumenauer	Griffith (VA)	Scott, Austin
Butterfield	Hinchee	Young (AK)
Castor (FL)	Hoyer	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute left in this vote.

□ 1837

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MRS. MALONEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. MALONEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 168, noes 244, not voting 20, as follows:

[Roll No. 618]

AYES—168

Ackerman	Crowley	Hochul
Altmire	Cummings	Holden
Andrews	Davis (CA)	Holt
Baca	Davis (IL)	Honda
Baldwin	DeFazio	Inslee
Barrow	DeGette	Israel
Bass (CA)	DeLauro	Jackson (IL)
Becerra	Deutch	Jackson Lee
Berkley	Dicks	(TX)
Berman	Dingell	Johnson (GA)
Boswell	Doggett	Johnson, E. B.
Brady (PA)	Donnelly (IN)	Jones
Braley (IA)	Doyle	Kaptur
Brown (FL)	Edwards	Keating
Capps	Engel	Kildee
Capuano	Eshoo	Kind
Carnahan	Farr	Kissell
Carney	Fattah	Kucinich
Carson (IN)	Filner	Langevin
Chu	Frank (MA)	Larsen (WA)
Ciilline	Fudge	Larson (CT)
Clarke (NY)	Garamendi	Lee (CA)
Clay	Gonzalez	Levin
Cleaver	Green, Al	Lewis (GA)
Clyburn	Green, Gene	Lipinski
Cohen	Gutierrez	Loebsack
Connolly (VA)	Hahn	Lofgren, Zoe
Conyers	Hanabusa	Lowey
Cooper	Hastings (FL)	Heinrich
Costello	Higgins	Lujan
Courtney	Himes	Lynch
Critz	Hirono	Maloney
		Markey

Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Pallone  
Pascarell  
Pastor (AZ)  
Payne  
Perlmutter  
Peters  
Pingree (ME)

Polis  
Price (NC)  
Quigley  
Rangel  
Richardson  
Richmond  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Sires  
Slaughter

Smith (WA)  
Speier  
Stark  
Sutton  
Terry  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schradler  
Schweikert  
Scott (SC)  
Sensenbrenner  
Sessions  
Shimkus  
Shuler  
Shuster  
Simpson  
Smith (NE)

Bachmann  
Bishop (GA)  
Bishop (NY)  
Black  
Blumenauer  
Butterfield  
Castor (FL)  
Clarke (MI)  
Costa  
Ellison  
Giffords  
Griffith (VA)  
Hincheey  
Hoyer

Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (FL)  
Young (IN)

Landry  
Mack  
Pelosi  
Schock  
Scott, Austin  
Young (AK)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Heinrich  
Hensarling  
Herger  
Herrera Beutler  
Hochul  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Inslie  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino

Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paul  
Paulsen  
Pearce  
Pence  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Rehberg  
Reichert  
Renacci  
Long  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rokita

## NOES—167

Deuth  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Becerra  
Berkley  
Berman  
Bishop (NY)  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Costello  
Courtney  
Critz  
Crowley  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Kind  
Kucinich  
Langevin  
Larsen (WA)  
Larsen (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loebsock  
Lofgren, Zoe  
Lowey  
Luján  
Lynch  
Maloney  
Markey  
Gonzalez  
Granger  
Green, Al  
Green, Gene  
Grijalva  
Hahn  
Hanabusa  
Hastings (FL)  
Higgins  
Himes  
Hinojosa  
Hirono  
Holden  
Holt  
Honda  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee

## NOES—244

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Austria  
Bachus  
Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishkek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Heck  
Capito  
Cardoza  
Carter  
Carter  
Cassidy  
Chabot  
Chaffetz  
Chandler  
Coble  
Coffman (CO)  
Cole  
Conaway  
Cravaack  
Crawford  
Crenshaw  
Cuellar  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann

Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paul  
Paulsen  
Pearce  
Pence  
Peterson  
Petri  
Pitts  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishkek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Bonner  
Crenshaw  
Cuellar  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy

Lummis  
Lungren, Daniel  
E.  
Manzullo  
Marchant  
Marino  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paul  
Paulsen  
Pearce  
Pence  
Peterson  
Petri  
Pitts  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Rahall  
Reed  
Rehberg  
Reichert  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishkek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Bonner  
Crenshaw  
Cuellar  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy

## NOT VOTING—20

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

□ 1841

So the amendment was rejected.  
The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. RIGELL  
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. RIGELL) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.  
The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.  
The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 167, not voting 19, as follows:

[Roll No. 619]

## AYES—246

Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Amash  
Austria  
Capito  
Cantor  
Carter  
Cassidy  
Chabot  
Chaffetz  
Chandler  
Bass (NH)  
Benishkek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Buchanan  
Buerkle  
Burgess

Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy

Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy

Ackerman  
Andrews  
Baca  
Baldwin  
Barrow  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (NY)  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Costello  
Courtney  
Critz  
Crowley  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro

Kind  
Kucinich  
Langevin  
Larsen (WA)  
Larsen (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loebsock  
Lofgren, Zoe  
Lowey  
Luján  
Lynch  
Maloney  
Markey  
Gonzalez  
Granger  
Green, Al  
Green, Gene  
Grijalva  
Hahn  
Hanabusa  
Hastings (FL)  
Higgins  
Himes  
Hinojosa  
Hirono  
Holden  
Holt  
Honda  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee

Pingree (ME)	Schwartz	Tsongas
Polis	Scott (VA)	Van Hollen
Price (NC)	Scott, David	Velázquez
Quigley	Serrano	Visclosky
Rahall	Sewell	Walz (MN)
Rangel	Sherman	Wasserman
Reyes	Sires	Schultz
Richardson	Slaughter	Waters
Richmond	Smith (WA)	Watt
Rothman (NJ)	Speier	Waxman
Roybal-Allard	Stark	Welch
Ruppersberger	Sutton	Wilson (FL)
Rush	Thompson (CA)	Woolsey
Ryan (OH)	Thompson (MS)	Wu
Sarbanes	Tierney	Yarmuth
Schakowsky	Tonko	
Schiff	Towns	

NOT VOTING—19

Bachmann	Ellison	Landry
Bishop (GA)	Giffords	Pelosi
Black	Griffith (VA)	Schock
Blumenauer	Gutierrez	Scott, Austin
Butterfield	Hinches	Young (AK)
Castor (FL)	Hoyer	
Costa	Issa	

□ 1845

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. KINZINGER of Illinois). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. KINZINGER of Illinois, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1315) to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, and, pursuant to House Resolution 358, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

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

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MICHAUD. I am opposed.

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

The Clerk read as follows:

Mr. Michaud moves to recommit the bill H.R. 1315 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 1, after line 4, insert the following new section (and redesignate succeeding sections accordingly):

**SEC. 2. PROTECTING SENIORS FROM ABUSIVE, PREDATORY, UNFAIR, AND DECEPTIVE FINANCIAL PRACTICES.**

(a) IN GENERAL.—Nothing in this Act, or the amendments made by this Act, shall limit the authority of the Bureau of Consumer Financial Protection with respect to a rule or regulation issued by the Bureau, where the primary purpose of such rule or regulation is the prevention of abusive, predatory, unfair, or deceptive acts or practices that prey on the financial security of seniors, including fraud relating to their Social Security and Medicare benefits, foreclosure, robo-signing and reverse mortgages, and pensions or other retirement savings.

(b) SENIOR DEFINED.—For purposes of this Act and section 1023(c)(3)(A) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, the term “senior” shall have the meaning given the term “older individual” under section 102(40) of the Older Americans Act of 1965 (42 U.S.C. 3002(40)).

Page 1, line 12, insert the following before the quotation marks: “, except that the affirmative vote of 3/5 of the members of the Council then serving shall be required if the primary purpose of the regulation is the prevention of abusive, predatory, unfair, or deceptive acts or practices that prey on the financial security of seniors, including fraud relating to their Social Security and Medicare benefits, foreclosure, robo-signing and reverse mortgages, and pensions or other retirement savings”.

Mr. MICHAUD (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

Mr. DUFFY. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

□ 1850

Mr. DUFFY. Mr. Speaker, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

The gentleman from Maine is recognized for 5 minutes.

Mr. MICHAUD. Mr. Speaker, I offer this final amendment today for two reasons. First, to improve the bill one last time before we vote on final passage. And second, to provide Congress an opportunity to come together on an issue that all of us can agree on: protecting our seniors.

In the last 8 years that I have been a Member of Congress, I have had the opportunity to work with Republicans and Democrats alike to ensure that older Americans have the security and the quality of life that they deserve.

I am hopeful my amendment today will present another chance for my friends on both sides of the aisle to

vote for something because it is good policy, regardless of our different politics.

This final amendment would ensure that nothing will prevent the Consumer Financial Protection Bureau from issuing rules or regulations that protect our seniors.

Specifically it makes sure that the bureau is fully able to protect seniors’ Social Security and Medicare benefits, mortgages, pensions, and other retirement savings from fraud.

In my State of Maine, seniors are frequent targets of predatory practices intended to cheat them out of their money. Our Republican Governor Paul LePage recognized this disturbing reality when he announced new efforts to guard seniors from these scams just last month on Elder Abuse Awareness Day. The governor’s efforts and my amendment are badly needed to protect our seniors. A 2010 survey of 7.3 million older Americans found that one out of every five citizens over the age of 65 has been a victim of a fraudulent scheme.

Even more are at risk of becoming victims, 37 percent of seniors are currently being contacted by people calling them asking for money, lotteries, and other scams.

I think we all can agree that Congress needs to act now to stop people from preying on seniors’ finances and to protect their Medicare and Social Security benefits from scams. My final amendment to this bill will do just that.

I want to highlight two stories of fraud targeted at older Americans in my State of Maine. These heart-breaking examples show why it is so important for the Consumer Financial Protection Bureau to be able to protect our seniors.

Carolyn and Ray Thompson live in Brewer, Maine. And like many Mainers, they are big advocates of green energy and like a good opportunity when they see one. So when they heard from their friends about a man who owned a patent for a new form of windmill technology and was looking for investors, Carolyn and Ray were excited about the possibility of investing in windmill projects. So they did invest, to the tune of \$30,000, thinking they were putting their money in an investment that would provide a secure future for their children.

But on a trip to view the windmill technology, they were not impressed by what they saw and became suspicious. Their suspicions were justified, and the opportunity proved to be a scam that took tens of thousands of dollars of their savings. Thankfully, the scammer was convicted of fraud earlier this month, but the Thompsons are unlikely to get their money back.

The second story is about Lucianne, a retired teacher from Caribou, Maine, who passed away last year from breast

cancer. Three years before she died, she met with an insurance agent from Maine who took advantage of her age and repeatedly gave her bad financial advice for his financial gain. He convinced her to buy and finance a snowmobile for him to use. He got her to buy a long-term life insurance policy that she couldn't afford. And he advised her to cash out some of her stock portfolio to make financial expenditures that were bad and that really caused her Medicare premiums to skyrocket.

Lucianne passed away in November and did not live to see the agent lose his license. But her story lives on today as compelling evidence that Congress needs to protect our seniors from fraud.

So I ask my colleagues to join me today to support my amendment. We all have constituents like Lucianne and like Mr. and Mrs. Thompson.

This final amendment will not prevent this bill from moving forward. If it is adopted, it will simply be incorporated into the bill, and the bill will be immediately voted on.

I offer this final amendment today to protect our seniors, and I hope my colleagues on both sides of the aisle will join me in supporting it. I urge everyone to vote "yes" on this final amendment.

I yield back the balance of my time.

Mr. DUFFY. Mr. Speaker, I withdraw my point of order, and I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The point of order is withdrawn.

The gentleman from Wisconsin is recognized for 5 minutes.

Mr. DUFFY. Mr. Speaker, this motion on the floor today is just a political stunt that is going to undo the goodwill of my bill. Let's be clear, after nearly 20 hours of hearings and debates in our subcommittee and in our committee, this issue specifically has not been raised by my friends across the aisle. And then today, we spent nearly 3 hours on the floor and not once was this specific issue raised. This is no more than political theater.

But I have good news for my friends across the aisle, because in our committee we dealt with a similar issue, one where I made a motion to designate one of five commissioners to specifically deal with the protection of our seniors. The bad news is that every Democrat voted against that amendment.

Let's be clear. Everybody in this House wants to make sure their friends, their family members, their neighbors and constituents, when they deal with banks, their transactions are fair and transparent. We want to make sure of that. But I want to specifically talk about one very important issue that is raised in my bill that fixes the underlying law, because when you look at the CFPB as currently written,

there is the ability to have rules reviewed, but the only way a rule can get reviewed is if you are a big bank on Wall Street. If you are one of those banks that participated in the financial crisis, if you are a big bank that is too big to fail, the way the underlying law has been written, Mr. Speaker, you have a voice with the way the current law is written with the CFPB.

What my bill does is it actually gives a voice to small community banks and credit unions who deal with families all across America.

□ 1900

Mr. Speaker, my bill doesn't just give a voice to Wall Street banks, the big banks. What my bill does is it gives a voice to small community banks, gives a voice to credit unions. So if a rule comes out that affects negatively the small community banks and the credit unions, they have a voice to ask that it be overturned. And it's those very small banks and credit unions that our families across this country look to when they want to get a loan for a car or mortgage for their home. Not only that, it's those small banks and credit unions that give capital to small businesses that expand and grow and create jobs for our hardworking families right here in America.

Ladies and gentlemen, this is commonsense reform. This is reform that is going to do justice to the CFPB. I would ask that you join with me and Main Street America and vote against this motion to recommit and vote for the underlying bill.

I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

Mr. MICHAUD. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 183, noes 232, not voting 17, as follows:

[Roll No. 620]

AYES—183

Ackerman  
Altmire  
Andrews  
Baca  
Baldwin  
Barrow  
Bass (CA)  
Becerra  
Berkley  
Berman  
Bishop (NY)

Boren  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)

Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers

Cooper  
Costello  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Inslee  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.

Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Luján  
Lynch  
Maloney  
Markey  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Perlmutter  
Peters  
Pingree (ME)  
Polis  
Price (NC)  
Quigley

Rahall  
Rangel  
Reyes  
Richardson  
Richmond  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schradler  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Shuler  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Townes  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

NOES—232

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Austria  
Bachus  
Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Bonner  
Bono Mack  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman (CO)  
Cole

Conaway  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Eilmlers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)

Graves (MO)  
Griffin (AR)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo

Long	Pearce	Scott (SC)	Crenshaw	Johnson, Sam	Quayle	Kind	Napolitano	Scott, David
Lucas	Pence	Sensenbrenner	Cuellar	Jordan	Rahall	Kissell	Neal	Serrano
Luetkemeyer	Peterson	Sessions	Culberson	Kelly	Reed	Kucinich	Olver	Sewell
Lummis	Petri	Shimkus	Davis (KY)	King (IA)	Rehberg	Langevin	Pallone	Sherman
Lungren, Daniel E.	Pitts	Shuster	Denham	King (NY)	Reichert	Larsen (WA)	Pascarell	Shuler
Mack	Platts	Simpson	Dent	Kingston	Renacci	Larson (CT)	Pastor (AZ)	Sires
Manzullo	Poe (TX)	Smith (NE)	DesJarlais	Kinzinger (IL)	Ribble	Lee (CA)	Payne	Slaughter
Marchant	Pompeo	Smith (NJ)	Diaz-Balart	Kline	Rigell	Levin	Perlmutter	Smith (WA)
Marino	Posey	Smith (TX)	Dold	Labrador	Rivera	Lewis (GA)	Peters	Stark
McCarthy (CA)	Price (GA)	Southerland	Dreier	Lamborn	Roby	Lipinski	Peterson	Sutton
McCaul	Quayle	Stearns	Duffy	Lance	Roe (TN)	Loebsock	Pingree (ME)	Thompson (CA)
McClintock	Reed	Stivers	Duncan (SC)	Lankford	Rogers (AL)	Lofgren, Zoe	Polis	Thompson (MS)
McCotter	Rehberg	Stutzman	Duncan (TN)	Latham	Rogers (KY)	Lowey	Price (NC)	Tierney
McHenry	Reichert	Sullivan	Ellmers	LaTourette	Rogers (MI)	Lujan	Quigley	Tonko
McKeon	Renacci	Terry	Emerson	Latta	Rohrabacher	Lynch	Rangel	Towns
McKinley	Ribble	Thompson (PA)	Farenthold	LeWis (CA)	Rokita	Maloney	Reyes	Tsongas
McMorris	Rigell	Thornberry	Fincher	LoBiondo	Rooney	Matsui	Richardson	Van Hollen
Rodgers	Rivera	Tiberi	Fitzpatrick	Long	Ros-Lehtinen	McCarthy (NY)	Richmond	Velazquez
Meehan	Roby	Tipton	Flake	Lucas	Roskam	McCollum	Rothman (NJ)	Visclosky
Mica	Roe (TN)	Turner	Fleischmann	Luetkemeyer	Ross (AR)	McDermott	Roybal-Allard	Walz (MN)
Miller (FL)	Rogers (AL)	Upton	Fleming	Lummis	Ross (FL)	McGovern	Ruppersberger	Wasserman
Miller (MI)	Rogers (KY)	Walberg	Flores	Lungren, Daniel E.	Royce	Murphy (CT)	Rush	Schultz
Miller, Gary	Rogers (MI)	Walden	Forbes	Mack	Runyan	McNerney	Ryan (OH)	Waters
Mulvaney	Rohrabacher	Walsh (IL)	Fortenberry	Manzullo	Ryan (WI)	Meeks	Sánchez, Linda T.	Watt
Murphy (PA)	Rokita	Webster	Fox	Manzullo	Scalise	Michaud	Sanchez, Loretta	Waxman
Myrick	Rooney	West	Franks (AZ)	Marchant	Schilling	Miller (NC)	Sarbanes	Welch
Neugebauer	Ros-Lehtinen	Westmoreland	Frelinghuysen	Marino	Schmidt	Miller, George	Schakowsky	Wilson (FL)
Noem	Roskam	Whitfield	Gallegly	Matheson	Schrader	Moore	Schiff	Woolsey
Nugent	Ross (FL)	Wilson (SC)	Gardner	McCarthy (CA)	Schweikert	Moran	Schiff	Wu
Nunes	Royce	Wittman	Garrett	McCaul	Scott (SC)	Murphy (CT)	Schwartz	Yarmuth
Nunnelee	Runyan	Wolf	Gerlach	McCotter	McClintock	Nadler	Scott (VA)	
Olson	Ryan (WI)	Womack	Gibbs	McHenry	Sessions			
Palazzo	Scalise	Woodall	Gibson	McIntyre	Shimkus			
Paul	Schilling	Yoder	Gingrey (GA)	McKeon	Shuster			
Paulsen	Schmidt	Young (FL)	Gohmert	McKinley	Simpson			
	Schweikert	Young (IN)	Goodlatte	McMorris	Smith (NE)			
			Gosar	Rodgers	Smith (NJ)			
			Gowdy	Meehan	Smith (TX)			
			Granger	Mica	Southerland			
			Graves (GA)	Miller (FL)	Stearns			
			Graves (MO)	Miller (MI)	Stivers			
			Griffin (AR)	Miller, Gary	Stutzman			
			Grimm	Mulvaney	Sullivan			
			Guinta	Murphy (PA)	Terry			
			Guthrie	Myrick	Thompson (PA)			
			Hall	Neugebauer	Thornberry			
			Hanna	Noem	Tiberi			
			Harper	Nugent	Tipton			
			Harris	Nunes	Turner			
			Hartzler	Nunnelee	Upton			
			Hastings (WA)	Olson	Walberg			
			Hayworth	Owens	Walden			
			Heck	Palazzo	Walsh (IL)			
			Hensarling	Paul	Webster			
			Herger	Paulsen	West			
			Herrera Beutler	Pearce	Westmoreland			
			Huelskamp	Pence	Whitfield			
			Huizenga (MI)	Petri	Wilson (SC)			
			Hultgren	Platts	Wittman			
			Hunter	Poe (TX)	Wolf			
			Hurt	Pompeo	Womack			
			Issa	Posey	Woodall			
			Jenkins	Price (GA)	Yoder			
			Johnson (IL)		Young (FL)			
			Johnson (OH)		Young (IN)			

NOT VOTING—17

Bachmann	Costa	Landry
Bishop (GA)	Ellison	Pelosi
Black	Giffords	Schock
Blumenauer	Griffith (VA)	Scott, Austin
Butterfield	Hinchey	Young (AK)
Castor (FL)	Hoyer	

□ 1919

Mr. JOHNSON of Illinois changed his vote from "aye" to "no."

Mr. CUELLAR and Mrs. NAPOLITANO changed their vote from "no" to "aye."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. FRANK of Massachusetts. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 173, not voting 18, as follows:

[Roll No. 621]

AYES—241

Adams	Bilirakis	Camp
Aderholt	Bishop (UT)	Campbell
Akin	Blackburn	Canseco
Alexander	Bonner	Cantor
Amash	Bono Mack	Capito
Austria	Boren	Carter
Bachus	Boustany	Cassidy
Barletta	Brady (TX)	Chabot
Barrow	Brooks	Chaffetz
Bartlett	Brown (GA)	Chandler
Barton (TX)	Buchanan	Coble
Bass (NH)	Bucshon	Coffman (CO)
Benishkek	Buerkle	Cole
Berg	Burgess	Conaway
Biggert	Burton (IN)	Cravaack
Bilbray	Calvert	Crawford

NOES—173

Ackerman	Connolly (VA)	Gonzalez
Altmire	Conyers	Green, Al
Andrews	Cooper	Green, Gene
Baca	Costello	Grijalva
Baldwin	Courtney	Gutierrez
Bass (CA)	Critz	Hahn
Becerra	Crowley	Hanabusa
Berkley	Cummings	Hastings (FL)
Berman	Davis (CA)	Heinrich
Bishop (NY)	Davis (IL)	Higgins
Boswell	DeFazio	Himes
Brady (PA)	DeGette	Hinojosa
Braley (IA)	DeLauro	Hirono
Brown (FL)	Dicks	Hochul
Capps	Dingell	Holden
Capuano	Doggett	Holt
Cardoza	Donnelly (IN)	Honda
Carnahan	Doyle	Inlee
Carney	Edwards	Israel
Carson (IN)	Engel	Jackson (IL)
Chu	Eshoo	Jackson Lee
Cicilline	Farr	(TX)
Clarke (MI)	Fattah	Johnson (GA)
Clarke (NY)	Filner	Johnson, E. B.
Clay	Frank (MA)	Jones
Cleaver	Fudge	Kaptur
Clyburn	Garamendi	Keating
Cohen		Kildee

NOT VOTING—18

Bachmann	Costa	Landry
Bishop (GA)	Ellison	Pelosi
Black	Giffords	Schock
Blumenauer	Griffith (VA)	Scott, Austin
Butterfield	Hinchey	Speier
Castor (FL)	Hoyer	Young (AK)

□ 1927

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1315, CONSUMER FINANCIAL PROTECTION SAFETY AND SOUNDNESS IMPROVEMENT ACT OF 2011

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 1315, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2584, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112-176) on the resolution (H. Res. 363) providing for consideration of the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other

purposes, which was referred to the House Calendar and ordered to be printed.

FURTHER MESSAGE FROM THE  
SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1103. An act to extend the term of the incumbent Director of the Federal Bureau of Investigation.

LEGISLATIVE BRANCH  
APPROPRIATIONS ACT, 2012

Mr. CRENSHAW. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 2551 pursuant to House Resolution 359, the following amendments be permitted to be offered out of the specified order:

Amendment No. 9 by Mr. MORAN;  
Amendment No. 12 by Mr. HOLT.

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

There was no objection.

GENERAL LEAVE

Mr. CRENSHAW. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2551 and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 359 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2551.

□ 1929

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, with Mr. WOODALL in the chair. The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Florida (Mr. CRENSHAW) and the gentleman from California (Mr. HONDA) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. CRENSHAW. I yield myself such time as I may consume.

Mr. Chairman and ladies and gentlemen of the House, this is the funding bill for the Subcommittee on the Legislative Branch of the Appropriations Committee for 2012.

Everybody knows that we are in the midst of some very difficult economic times. I don't need to tell the Members that we have had deficits of over \$1 trillion for the last couple of years. I don't need to tell people that we've had about \$4 trillion added to our national debt in the last 2½ years. We all know that we have \$14 trillion of national debt, and that equals our entire economy.

□ 1930

The one thing that everyone would agree on is that we just can't keep spending like that. That's just not sustainable. Everyone says that. So we bring this bill in the midst of that kind of discussion, and we want to try to do our part in getting a handle on the way we spend money around this place. We want to try to stop this culture of spending and turn it into a culture of savings.

So when we bring this bill, this Legislative Branch appropriations bill, it will spend 6.4 percent less than last year. That's \$227 million. It will spend 14.2 percent less than what was requested, that's \$474 million.

Now, it's our best effort to keep the commitment that we're going to try to do things more efficiently and more effectively than we have before. How do we do that? Well, we listen to the facts. We had eight formal hearings. We had numerous informal hearings. We listened, we set priorities, we made some tough choices, and we have the bill before us.

I certainly want to thank the members of the subcommittee for their involvement, for their participation, for their hard work, for their input. And a special word of thanks to MIKE HONDA from California, the ranking member, who was involved in the process all along the way and knows the difficult choices that we had to make.

I certainly want to thank our staff, both the majority and minority staff. A lot of times we go home at night and they stay and keep on working, and they helped us get to where we are today to have this final product.

Now, let me just give you some of the highlights of this bill.

If you look at the legislative branch, about 36 percent of the spending goes to the House of Representatives. That's where we are tonight. Half of the money that goes to the House goes to what we call Members' representational accounts, the so-called MRAs. And so we thought that since we've asked every agency in the Federal Government to rein in spending, we've asked them all to tighten their belt, to do more with less, to be more efficient than they ever have been before, we've subjected them to this kind of scrutiny, and we thought it would only be fair to apply that same process to us. That's why the MRAs in this House are reduced by 6.4 percent. All of the com-

mittee staff budgets, they are reduced by 6.4. The leadership budgets are reduced by 6.4 percent.

Now, those MRAs, that's money that's taxpayers' money. We have it available to us to run our offices. We can hire staff. We can lease space. We can buy equipment. We can do a lot of things. We have a lot of discretion.

Now, some people say we shouldn't cut the MRAs. Some people say we cut them too much, that we can't continue to do our job. Well, it seems to me that if we're going to ask every other agency of the Federal Government to do more with less, then we've got to look at our own selves, and that's what we've done here. We've said that we want to lead by example. We want to share in the sacrifice that everyone is sharing throughout the Federal Government. And that's why we did what we did.

Some people say, well, we might have to fire somebody. Again, Members have the money available to them. They can decide how they want to spend it. If they want to have lots of staff, they can have lots of staff. If they want to send lots of mail out, they can send lots of mail out. The MRAs even allow Members to lease a car. There will be an amendment later on to say you can't lease a car if it costs more a thousand dollars a month.

So when you hear people say this is going to make it very difficult for us to do our job, I think what it's going to do is make us as Members be more responsible, be more efficient, set the right priorities and continue to do our job. Because some people say we ought to cut even more.

But I would say that if you look at the facts, we've cut this legislative branch funding by 9 percent over the last 2 years. We cut the MRAs again. Last year we cut them 5 percent. The Appropriations Committee was cut by 9 percent last year. And so I think we've struck a balance between doing more with less, being more efficient, and yet being able to do the things that we need to do in a very efficient and a very safe manner.

Now, there are other agencies that we oversee, and some are extensions of the House, so to speak. The Congressional Budget Office, the Government Accountability Office, these are agencies that provide service to the Members of this body. And as extensions of the House, we felt like they should be subject to the same scrutiny that we were. Their budgets are going to be reduced by 6.4 percent as well. That means they are going to have to be a little smarter, set priorities, work more efficiently.

Actually, as Members, Mr. Chairman, we're going to have to be more judicious in the things that we ask from these agencies. Sometimes we just willy-nilly say, I want a report here, I want a report there. We need to decide



what we really need and what we don't necessarily need, and I think they will be able to continue to do the job that they've been doing all along to supply us with the information we need to be effective Members of this body.

We also oversee the Library of Congress, a wonderful historic building that you can see from this House of Representatives. Very important to us. Their budget has been reduced. They are working with us to make sure that they can continue to provide the services that we need.

We oversee the Architect of the Capitol. He's charged with overseeing over a million square feet of offices all across this Capitol Hill. His budget is being cut, and he's got a list of the projects he needs to do. He's set a priority there, and he will do what needs to be done, but he'll make sure that he doesn't impair the health and the safe-

ty of any Members of this House, any staff, or the people that work on the Hill.

We reduced the budget of the Government Printing Office.

Finally, we oversee the Capitol Police. And a lot has been said about our ability to make sure that we're safe in this area. We didn't reduce the spending for the Capitol Police. We recognize that security is not a luxury; it's something that we need. But we also realize that Members can be more diligent, we can be more aware.

What we learned from this situation in Arizona with our fellow Congresswoman is that our service is not without risk, but many of the things that we need to do from a security standpoint have to do with our own common sense, our own awareness, our own diligence.

So we provide the Capitol Police with the money that they need to not only make sure that we are safe in this House, our staff, and those that work in the Capitol complex are safe, but also the millions of Americans that come here, to make sure they're safe as well.

So I think, Mr. Chairman, we have a bill that strikes the right balance. We recognize the difficult times we're in. We've taken the money we have available. We've set priorities. We made some tough choices. And I think this bill represents some fiscally responsible savings that will allow us to continue to do our job, to do it in a safe and efficient manner. As we have put all of these agencies around the Federal Government under this scrutiny to see if they can do things more efficiently, we have not exempted ourselves.

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2012 (H.R. 2551)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>TITLE I - LEGISLATIVE BRANCH</b>					
<b>HOUSE OF REPRESENTATIVES</b>					
Salaries and Expenses					
House Leadership Offices					
Office of the Speaker.....	4,878	4,877	6,943	+2,065	+2,066
Speaker's Office for Legislative Floor Activities...	498	497	---	-498	-497
Republican Steering Committee.....	941	942	---	-941	-942
Republican Policy Committee.....	344	348	---	-344	-348
Training and Program Development, Majority.....	278	279	---	-278	-279
Cloakroom Personnel, Majority.....	477	477	---	-477	-477
Subtotal, Office of the Speaker.....	7,416	7,420	6,943	-473	-477
Office of the Majority Floor Leader.....	2,433	2,430	2,278	-155	-152
Office of the Minority Floor Leader.....	4,378	4,385	7,433	+3,055	+3,048
Democratic Steering and Policy Committee.....	1,319	1,312	---	-1,319	-1,312
Nine minority employees.....	1,487	1,491	---	-1,487	-1,491
Training and Program Development, Minority.....	277	279	---	-277	-279
Cloakroom Personnel, Minority.....	477	477	---	-477	-477
Subtotal, Office of the Minority Floor Leader...	7,938	7,944	7,433	-505	-511
Office of the Majority Whip.....	2,105	2,108	1,971	-134	-137
Office of the Minority Whip.....	1,629	1,624	1,525	-104	-99
Republican Conference.....	1,680	1,679	1,573	-107	-106
Democratic Caucus.....	1,660	1,657	1,554	-106	-103
Subtotal, House Leadership Offices.....	24,861	24,862	23,277	-1,584	-1,585
Transition to Calendar Year Funding					
Office of the Speaker.....	---	---	1,736	+1,736	+1,736
Office of the Majority Floor Leader.....	---	---	569	+569	+569
Office of the Minority Floor Leader.....	---	---	1,858	+1,858	+1,858
Office of the Majority Whip.....	---	---	493	+493	+493
Office of the Minority Whip.....	---	---	381	+381	+381
Republican Conference.....	---	---	393	+393	+393
Democratic Caucus.....	---	---	388	+388	+388
Subtotal, Transition to Calendar Year Funding...	---	---	5,818	+5,818	+5,818
Members' Representational Allowances Including Members' Clerk Hire, Official Expenses of Members, and Official Mail					
Expenses.....	613,052	633,848	573,939	-39,113	-59,909
Committee Employees					
Standing Committees, Special and Select.....	134,549	134,549	125,965	-8,584	-8,584
Committee on Appropriations (including studies and investigations).....	28,483	28,483	26,666	-1,817	-1,817
Subtotal, Committee employees.....	163,032	163,032	152,631	-10,401	-10,401

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2012 (H.R. 2551)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Salaries, Officers and Employees</b>					
Office of the Clerk.....	28,589	30,516	26,114	-2,475	-4,402
Office of the Sergeant at Arms.....	9,034	15,009	8,140	-894	-6,869
Office of Emergency Management.....	---	4,445	4,445	+4,445	---
Office of the Chief Administrative Officer.....	127,782	130,782	116,782	-11,000	-14,000
Office of the Inspector General.....	5,045	5,045	5,045	---	---
Office for Emergency Planning, Preparedness and Operations.....	4,445	---	---	-4,445	---
Office of General Counsel.....	1,415	1,415	1,415	---	---
Office of the Chaplain.....	179	179	179	---	---
Office of the Parliamentarian.....	2,060	2,060	2,060	---	---
Office of the Parliamentarian.....	(1,466)	(1,466)	(1,466)	---	---
Compilation of precedents of the House of Representatives.....	(594)	(594)	(594)	---	---
Office of the Law Revision Counsel of the House.....	3,258	3,258	3,258	---	---
Office of the Legislative Counsel of the House.....	8,814	8,814	8,814	---	---
Office of Interparliamentary Affairs.....	859	859	859	---	---
Other authorized employees.....	1,249	1,249	347	-902	-902
Office of the Historian.....	597	170	170	-427	---
<b>Subtotal, Salaries, officers and employees.....</b>	<b>193,326</b>	<b>203,801</b>	<b>177,628</b>	<b>-15,698</b>	<b>-26,173</b>
<b>Allowances and Expenses</b>					
Supplies, materials, administrative costs and Federal tort claims.....	3,948	3,948	3,696	-252	-252
Official mail for committees, leadership offices, and administrative offices of the House.....	201	201	201	---	---
Government contributions.....	280,349	276,703	264,848	-15,501	-11,855
Business Continuity and Disaster Recovery.....	22,912	17,098	17,112	-5,800	+14
Transition activities.....	2,907	2,907	2,722	-185	-185
Wounded Warrior program.....	2,000	2,500	2,500	+500	---
Energy demonstration projects.....	2,500	2,500	---	-2,500	-2,500
Office of Congressional Ethic.....	1,548	1,548	1,548	---	---
Miscellaneous items.....	760	760	760	---	---
<b>Subtotal, Allowances and expenses.....</b>	<b>317,125</b>	<b>308,165</b>	<b>293,387</b>	<b>-23,738</b>	<b>-14,778</b>
<b>Total, House of Representatives.....</b>	<b>1,311,396</b>	<b>1,333,708</b>	<b>1,226,680</b>	<b>-84,716</b>	<b>-107,028</b>
<b>JOINT ITEMS</b>					
Joint Economic Committee.....	4,490	4,814	4,203	-287	-611
Joint Committee on Taxation.....	10,530	11,327	10,424	-106	-903
<b>Office of the Attending Physician</b>					
Medical supplies, equipment, expenses, and allowances. Office of Congressional Accessibility Services.....	3,400	3,403	3,400	---	-3
	1,374	1,363	1,363	-11	---
<b>Total, Joint items.....</b>	<b>19,794</b>	<b>20,907</b>	<b>19,390</b>	<b>-404</b>	<b>-1,517</b>
<b>CAPITOL POLICE</b>					
Salaries.....	277,133	299,343	277,133	---	-22,210
General expenses.....	63,004	88,273	63,004	---	-25,269
<b>Total, Capitol Police.....</b>	<b>340,137</b>	<b>387,616</b>	<b>340,137</b>	<b>---</b>	<b>-47,479</b>
<b>OFFICE OF COMPLIANCE</b>					
Salaries and expenses.....	4,077	4,782	3,817	-260	-965
<b>CONGRESSIONAL BUDGET OFFICE</b>					
Salaries and expenses.....	46,771	46,865	43,787	-2,984	-3,078

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2012 (H.R. 2551)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>ARCHITECT OF THE CAPITOL</b>					
General administration.....	106,569	119,150	104,790	-1,779	-14,360
Capitol building.....	33,116	41,545	35,354	+2,238	-6,191
Capitol grounds.....	10,952	10,799	9,852	-1,100	-947
House of Representatives buildings:					
House office buildings.....	100,265	119,647	89,154	-11,111	-30,493
House Historic buildings revitalization fund.....	49,900	50,000	30,000	-19,900	-20,000
Capitol Power Plant.....	126,879	150,101	136,159	+9,280	-13,942
Offsetting collections.....	-7,984	-8,000	-9,000	-1,016	-1,000
Subtotal, Capitol Power Plant.....	118,895	142,101	127,159	+8,264	-14,942
Library buildings and grounds.....	45,703	67,888	38,486	-7,217	-29,402
Capitol police buildings, grounds and security.....	26,958	32,312	21,500	-5,458	-10,812
Botanic garden.....	11,367	12,344	12,000	+633	-344
Capitol Visitor Center:					
CVC Operations.....	22,414	23,016	21,276	-1,138	-1,740
Total, Architect of the Capitol.....	526,139	618,802	489,571	-36,568	-129,231
<b>LIBRARY OF CONGRESS</b>					
Salaries and expenses.....	438,122	462,329	412,446	-25,676	-49,883
Authority to spend receipts.....	-6,337	-6,350	-6,350	-13	---
Subtotal, Salaries and expenses.....	431,785	455,979	406,096	-25,689	-49,883
Copyright Office, salaries and expenses.....	54,367	56,440	50,974	-3,393	-5,466
Authority to spend receipts.....	-36,539	-34,717	-36,513	+26	-1,796
Subtotal, Copyright Office.....	17,828	21,723	14,461	-3,367	-7,262
Congressional Research Service, salaries and expenses.	111,018	117,102	104,091	-6,927	-13,011
Books for the blind and physically handicapped,					
Salaries and expenses.....	68,046	71,927	50,674	-17,372	-21,253
Total, Library of Congress.....	628,677	666,731	575,322	-53,355	-91,409
<b>GOVERNMENT PRINTING OFFICE</b>					
Congressional printing and binding.....	93,580	100,001	78,000	-15,580	-22,001
Office of the Superintendent of Documents, salaries					
and expenses.....	39,831	42,173	35,000	-4,831	-7,173
Government Printing Office Revolving Fund.....	1,656	6,300	---	-1,656	-6,300
Total, Government Printing Office.....	135,067	148,474	113,000	-22,067	-35,474
<b>GOVERNMENT ACCOUNTABILITY OFFICE</b>					
Salaries and expenses.....	565,715	575,153	529,600	-36,115	-45,553
Offsetting collections.....	-19,461	-18,304	-18,304	+1,157	---
Total, Government Accountability Office.....	546,254	556,849	511,296	-34,958	-45,553

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2012 (H.R. 2551)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>OPEN WORLD LEADERSHIP CENTER</b>					
Payment to the Open World Leadership Center Trust Fund.....	11,377	12,600	1,000	-10,377	-11,600
<b>JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT</b>					
Stennis Center for Public Service.....	429	430	---	-429	-430
<b>GENERAL PROVISIONS</b>					
Architect of the Capitol, Capitol Visitor Center (Sec.210) (rescission).....	-14,600	---	---	+14,600	---
Grand total.....	3,555,518	3,797,764	3,324,000	-231,518	-473,764
<b>RECAPITULATION</b>					
House of Representatives.....	1,311,396	1,333,708	1,226,680	-84,716	-107,028
Joint Items.....	19,794	20,907	19,390	-404	-1,517
Capitol Police.....	340,137	387,616	340,137	---	-47,479
Office of Compliance.....	4,077	4,782	3,817	-260	-965
Congressional Budget Office.....	46,771	46,865	43,787	-2,984	-3,078
Architect of the Capitol.....	526,139	618,802	489,571	-36,568	-129,231
Library of Congress.....	628,677	666,731	575,322	-53,355	-91,409
Government Printing Office.....	135,067	148,474	113,000	-22,067	-35,474
Government Accountability Office.....	546,254	556,849	511,296	-34,958	-45,553
Open World Leadership Center.....	11,377	12,600	1,000	-10,377	-11,600
Stennis Center for Public Service.....	429	430	---	-429	-430
General provisions.....	-14,600	---	---	+14,600	---
Grand total.....	3,555,518	3,797,764	3,324,000	-231,518	-473,764
<b>Scorekeeping adjustments:</b>					
GAO buyout authority (CBO estimate).....	---	---	2,000	+2,000	+2,000
Adjustment for CBO's scoring of CR in millions.....	-2,518	---	---	+2,518	---
Total Discretionary (with CBO adjustments).....	(3,553,000)	(3,797,764)	(3,326,000)	(-227,000)	(-471,764)

I reserve the balance of my time.

Mr. HONDA. Mr. Chairman, I yield myself such time as I may consume.

I would like to begin by thanking Chairman CRENSHAW, the Appropriations majority staff, and his personal staff for the professionalism shown during this process. While it is not the bill I would have written, it is the process that I would have followed.

As for the bill, the legislative branch minus the Senate is being cut by 6.4 percent from fiscal year 2011 and 9 percent from fiscal year 2010. These cuts are being done while we had to fix a \$13 million hole for the Capitol Police because of their accounting mistake in fiscal year 2010.

I believe these cuts are harmful to our Members' ability to serve their constituents and to the House's responsibility to provide effective oversight.

The budget allocation is what one could expect given the majority is also cutting women and children's nutrition programs, consumer protection, and other important programs in other bills. The only thing this bill has succeeded in doing, however, is joining the other flawed bills by cutting at the expense of jobs, strong oversight, and commonsense efficiencies. Maybe with this bill, the smallest of all 12, and the one that funds our Members' own operations, the majority will see the real-life impacts of these cuts, one of which is not real deficit reduction.

This bill will cut the Library of Congress by 8.5 percent, including a reduction of over 300 employees, 50 of whom will be cut from our much relied-upon Congressional Research Service. Members should ask their staff how often they use CRS staff for research, particularly in responding to questions and concerns from their constituents.

□ 1940

This bill would cut the Government Printing Office by 16 percent, an agency already planning to let go of 330 employees. There is language encouraging the privatization of GPO's activities, which could make it more expensive for Congress to operate.

The Government Accountability Office, or GAO, is cut by 6.4 percent. Every \$1 spent at GAO results in \$4 in taxpayer savings. This begs the question, is it the majority's priority to not save taxpayers money? Those who claim to want increased oversight of government programs should reject cuts to GAO. They are known as Congress' watchdog, and that watchdog should have teeth.

We have heard that some Members' offices are furloughing staff to meet the 5 percent cut to the Members' Representational Allowance, or MRA, in 2011. Now this bill will further cut MRAs by 6.4 percent. Cuts to the MRA means cuts to Members' day-to-day abilities to effectively represent our and their constituents. From the staff

assistant answering calls from our constituents to the caseworker helping Grandma recover her lost Social Security check, all of these services are funded through MRA. Each office would lose on the average of \$88,000, which would mean two to three staffers per office.

In what world does laying people off recover the economy? The cut-and-grow mantra does not work in the economy as a whole. It certainly will not work in the corridors of Congress. I hope the Members of this body understand that agencies we rely on will have to deny or severely limit services provided to Members' offices because there are fewer people to handle requests. I would say to my colleagues, remember these cuts the next time you have requests of GAO, the Architect of the Capitol, Congressional Research Service, and the Congressional Budget Office.

Beyond that, after the tragic shooting of our friend and colleague GABBY GIFFORDS in Tucson, we were told to increase security in our district offices. But how are we supposed to pay for all of it? Certainly not out of our office budgets that are being whacked, not from the Capitol Police who are flat-funded, and not from the Sergeant at Arms, whose budget is cut 10 percent.

I have a great deal of respect for Chairman CRENSHAW. There are not many things that he could have done differently with the allocation he had to work under. I hope we rethink trying to balance the budget by cutting services to the people who sent us here, our constituents. We can and must do better, Mr. Chairman.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I yield such time as he may consume to the chairman of the full Appropriations Committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank the chairman for yielding the time.

I rise today to commend H.R. 2551, the fiscal year 2012 appropriations act for the legislative branch.

Mr. Chairman, this is the sixth appropriations bill that we will have passed through the House out of 12 bills that will be considered. Three more of the 12 bills are waiting, queued up to come before the House. But this is the sixth. This will make us halfway through the appropriations bills for 2012.

I want to commend Chairman CRENSHAW and Mr. HONDA for their hard work and the blood-curdling decisions they've had to make, because this bill deals with our colleagues and us and the operation of this body that we all love. This bill will help stop government overspending starting in our own backyards. If we're trying to get back on a more sustainable course, we've got to cut spending wherever we can, and we've got to make do with less. Our

constituents asked us to get our own fiscal house in order, and we're leading by example with this legislation.

This legislation prioritizes the safety of the thousands of people who work in and visit the Capitol Complex every day, providing essential funding for the Capitol Police, services for our visitors, and necessary maintenance. But we are keeping to our commitment to reduce spending, and so we've cut back in other areas. We've trimmed the House leadership, Member, and committee budgets by over 6 percent. This legislation provides smaller budgets for our own offices and continues our goal of reducing spending across the entire Federal Government.

To demonstrate my commitment to savings and to prove the feasibility of reduced budgets, earlier this year, we directed that my very own committee, the Appropriations Committee, cut its budget not by the 5 percent that all other committees cut. We said, We'll see your 5 percent and ask for 4 more; and we cut our budget by 9 percent. And this bill continues that reduction, trimming another 6.4 percent. So since January of this year, the Appropriations Committee, when this bill is finished, will have cut its own budget by some 15.4 percent. Just as American families are forced to live within their means, their Representatives in Washington should do the same.

I understand that many of my colleagues are concerned about what these cuts might mean for their own offices. I know making these hard decisions will not be easy for them, just as they were not easy for us to make in the first place. But these cuts are necessary. We can't ask everyone else to make cuts to their budgets and not do the same to ourselves. We all have to share in the sacrifice during this financial crisis, and I'm proud that we're doing our part to help our Nation dig itself out of dangerous job-killing debt so that we can get our economy back on track.

Again, I want to commend Chairman CRENSHAW and Ranking Member HONDA and their staffs on a strong bill that makes these responsible reductions, and I urge our colleagues to support the legislation.

Mr. HONDA. Mr. Chairman, I yield 3 minutes to the gentleman from the beautiful State of Washington (Mr. DICKS), the ranking member of the Appropriations Committee.

Mr. DICKS. I thank the ranking member, the gentleman from California, for yielding to me, and I would like to thank Chairman CRENSHAW, Chairman ROGERS, and the staff on both sides for what they have been able to do to accommodate some of the priorities of Democratic Members as they have assembled the bill.

This bill would fund the legislative branch, minus the Senate, at \$3.3 billion. This represents a 6.4 percent reduction from fiscal year 2011 and a 9 percent reduction from fiscal year 2010.

I appreciate the overview that Congressman HONDA has provided. And at this point, I would simply like to join him in expressing serious concern on behalf of our colleagues regarding security for our district offices and for official events involving Members as well as the general public. After the tragic shooting in Tucson, the Congress was left to reevaluate security in Members' districts. While it is of utmost importance to ensure that citizens continue to have access to their Representatives in Congress, the Tucson event is a reminder that we must be vigilant in providing security to Members, to our staffs, and to our constituents who attend our events.

The effort by the House to improve district security after the shooting put much of the burden on the Members' offices, including the payment for that security. As Members' office budgets are being cut for the second time in a year, there has to be reconsideration of that policy, perhaps with an eye towards a more centralized approach to security.

While we have not seen specific estimates of the costs involved here, it would clearly represent a substantial expense, especially if the budget of the Secret Service is used as a guide. The Capitol Police appropriations recommended in this bill is \$340 million, equal to the fiscal year 2011 level. The Capitol Police protect the entire Capitol Complex, with primary security responsibilities for 541 Members of Congress, Resident Commissioners, and Delegates. By comparison, the House-passed Secret Service appropriation bill included over \$1 billion for the protection of 50 to 70 individuals, including the President.

□ 1950

If the Capitol Police are going to be required to assess more threats against Members and take a more active role in district security, the Capitol Police budget should reflect these increased demands. Conversely, if Members' individual office budgets are going to continue to assume these additional security costs, their budget should somehow reflect this responsibility.

Again, I thank the ranking member for his work on the bill and the chairman and Mr. ROGERS and our staff. We have a great staff, and they do great work for this institution.

Mr. CRENSHAW. I reserve the balance of my time.

Mr. HONDA. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE), the ranking member of the Homeland Security appropriations subcommittee.

Mr. PRICE of North Carolina. Mr. Chairman, I thank the gentleman for

yielding, and I commend both the chairman and the ranking member for their hard work on this bill, although, with an inadequate allocation, there are decisions that have been made that I believe will adversely affect our work, and that I hope can be revisited down the line.

That's not what I want to talk at this moment, though. I want to talk about an unusual feature of the Legislative Branch bill that I hope also can be revisited down the line. I want to call the attention of my colleagues to the elimination of a program that has served this body and our Nation's interests well, the Open World Leadership Center, a unique enterprise, sponsored by the legislative branch of our government, something that I think should make us very proud of this institution and its international outreach. The bill before us today provides only shut down expenses for this program.

Now, Mr. Chairman, I am not going to offer an amendment to restore the program's funding because of the extremely low subcommittee allocation and the absence of acceptable offsets. There simply isn't money lying around to apply to this purpose. But I cannot let this body's commitment to the Open World Program end without voicing my disappointment and my hope that this matter will be reconsidered and can be reconsidered in the context of the Senate bill.

The Open World Leadership Program is a unique program administered by the Library of Congress that, over the years, has earned bipartisan and bicameral support. Since 1999, the program has brought emerging leaders from former Soviet States to all 50 States of our country, providing them a firsthand look at the U.S. democratic process, enabling them to exchange ideas with their American counterparts, and encouraging them to relate what they learn to their home environments.

The participants in Open World are not the people that typically participate in international exchange programs. They're not just the political or business leaders in the capital who venture to other nations frequently. No, they're teachers, they're judges, they're health workers, they're young activists. They're all sorts of people who live often in rural areas and smaller cities.

The program penetrates deeply. In my experience, uniquely so. It penetrates quite deeply, rather than just being another run-of-the-mill exchange program. I know about this, and many other Members in this body do as well. I've participated personally with these leaders as they've come to my district.

This is a well-designed program. It's a program that has made and can make a difference. It doesn't just merely scratch the surface. It involves Russia,

Ukraine, Moldova, Georgia, Azerbaijan, Armenia, Turkmenistan, Kazakhstan, Kyrgyzstan, Tajikistan and Serbia. These countries remain strategically linked to U.S. interests because of their history and also because of their location in Eastern Europe and Central Asia.

The Open World Program is an effective diplomatic tool.

The CHAIR. The time of the gentleman has expired.

Mr. HONDA. I yield the gentleman 2 additional minutes.

Mr. PRICE of North Carolina. The Open World Program is an effective diplomatic tool, and one of the legislative branch's few direct democracy promotion programs.

My colleagues, Open World is not about us. It's not about us. It's not about our institution. It's an instrument of outreach, a unique one. We should be proud of this, a unique instrument of outreach to a critical part of the world. And its loss would be deeply felt.

Now, in previous Congresses there has been some question of whether the Open World Program should be placed where it is administratively, or in the Legislative Branch appropriations bill. I've looked at this. I've concluded that the program's very placement in the legislative branch is, in fact, an asset, making clear the program is not tied to a specific administration with its foreign policy goals and priorities and politics. This, in fact, we're told has sometimes reduced obstacles to participation and has made the program more accessible.

Mr. Chairman, Congress' sponsorship of Open World has made me proud of this institution. We've assumed responsibility, very directly, for projecting our democratic principles and values to countries with histories of oppressive rule. We need to reflect further. We need to think long and hard on what it would mean to drop this program. What does that say about us? What kind of opportunities would we forego? If we do think long and hard, I have some confidence that we would reconsider what the subcommittee has recommended, and I very much hope we will have that opportunity.

Mr. BRADY of Pennsylvania. Mr. Chair, I've seen some bad Legislative branch bills reported from Appropriations in my years here, but this is by far the worst. In my judgment, the committee has failed to attend to the needs of this branch of government and done so for no apparent reason other than its adherence to an ideology exalting short-term political gain over long-term, careful stewardship of this first branch of government. There is no word to describe this bill other than "reckless" and I will not support it in its present form. Funding Capitol Hill's agencies at the levels contemplated in this bill will inflict real damage.

For example, this bill cuts the House itself by 7.9%, not the advertised 6.5%, when one



factors in the cuts to the Architect's House Office Buildings account. Make no mistake: we Members will feel that cut. We will have fewer aides to help us answer our mail and help us with our committee work, so by definition there will be less of that work performed. Our standing committees are where oversight takes place, so federal agencies will have an easier time avoiding congressional scrutiny. Constituents who visit our congressional office buildings will find them in even more dilapidated shape than they already are because we are dramatically underfunding maintenance, something our property-owning constituents know costs only more money in the long run.

Other agencies covered in this bill received similarly short-sighted treatment. The Compliance Office, designed to ensure that Congress lives under the same employment and anti-discrimination laws as private employers, will suffer a 6.4% cut. A cynic might conclude such a cut is designed to cripple a tiny agency inadequately staffed in the first place. The Library of Congress, our country's premier cultural institution, gets cut 8.5%, threatening a return to the days where books sit on the floor for want of staff to shelve them, copyright applications take months to process instead of days, and services decline to libraries nationwide as well as research support to Congress itself.

The bill will cut the Government Printing Office's account for congressional printing by a stunning 16.6%. This appropriation supports the printing and posting online of all our bills, resolutions, reports and the CONGRESSIONAL RECORD. This ill-conceived cut threatens timely and efficient operation of both houses of Congress, especially if paired with an amendment by the gentleman from Indiana to reduce it by \$3.4 million more. Many at the GPO are already worried about potential lay-offs as a result. The Superintendent of Documents account, which enhances public transparency by distributing federal documents to depository libraries nationwide, faces a 12.1% cut in the bill and more if our Indiana colleague's amendment prevails. The Sunlight Foundation, a self-styled transparency advocate, believes GPO's been "drastically cut" even without further reductions.

The Congressional Budget Office and the General Accountability Office, which both help the Congress to assess budgetary accountability, receive 6.4% cuts, signaling the value the committee places on their very important work. To its credit, the bill holds the Architect of the Capitol's cuts for everything but the congressional office buildings to 1.5% below last year. The Architect operates many of our iconic facilities including the Capitol, the Supreme Court and the Library of Congress. If we were serious about preserving these hallmarks of American democracy and in creating jobs to strengthen our struggling economy, we would spend more in this area, not less.

I urge my colleagues to reject this bill. We can do better.

Ms. KAPTUR. Mr. Chair, I rise today in strong opposition to the amendments that would reduce funding appropriated in H.R. 2551, the Legislative Branch Appropriations Act, 2012 for the U.S. Botanic Garden.

As you may know, George Washington, Thomas Jefferson and James Madison initially

had the idea of starting a national botanic garden and helped to establish one on the National Mall in 1820. It is a keystone on our mall and belongs to the American people. The mission of the U.S. Botanic Garden is to demonstrate the aesthetic, cultural, economic, therapeutic and ecological importance of plants to the well-being of humankind. It is a national and global center for learning about how to sustain life on our planet, especially as climate changes and new challenges confront our society's plant life.

According to the Architect of the Capitol, approximately 1 million people visit the U.S. Botanic Garden each year. About 12,000 different plant accessions comprising more than 60,000 plants are displayed for exhibition, study, conservation and exchange with other institutions. The Botanic Garden is America's encyclopedia for sustaining production and life itself.

In addition to displaying some of the world's most rare and endangered plants, the U.S. Botanic Garden provides numerous educational opportunities through its partnerships, workshops, lectures, tours and demonstrations. Some specific education programs include the opportunity to earn a Certification in Botanical Art and Illustration, the Junior Botanist Program and several hands-on activities exploring plant materials. The Gardner instructs the next generation with partnerships across our nation.

Mr. Chair, we are still in the midst of the worst economic crisis since the Great Depression, and a series of odd weather events. The U.S. Department of Agriculture's National Agricultural Statistics Service reports that greenhouse, nursery and floriculture operations account for 2.5 percent of all U.S. farms but employ nearly 5 percent of hired farm workers. This sector has a sales value of \$16.6 Billion. It is a one-of-a-kind endowment America depends on.

From my perspective, it is vitally important that we continue to support institutions such as the U.S. Botanic Garden not only because of its ability to preserve rare and vital plants essential to life but also for its potential to inspire the entrepreneurial spirit. We know its visitors will one day lead to increased economic output and job creation in the agricultural sector of our economy so dependent on innovation and advanced technology.

Therefore, I urge my colleagues to reject any amendment that would reduce funding to the U.S. Botanic Garden.

Mr. VAN HOLLEN. Mr. Chair, I rise in opposition to the FY 2012 Legislative Branch Appropriations Bill. Not because I object to cuts affecting Members of Congress or their staff. I do not. As I have repeatedly said, I believe a responsible solution to our national debt will require shared sacrifice from every American—and that includes Members of Congress, their staff and other employees of this House.

I object to this legislation because of the wrongheaded choices it makes elsewhere in the legislative branch of our government. For example, H.R. 2551 cuts funding for the Government Accountability Office by 6.4%—despite the fact that every dollar spent by the GAO on its oversight activities returns \$4 in savings to the taxpayers. Additionally, as we

wrestle with difficult issues in an increasingly complex world, I think Members of Congress on both sides of the aisle would agree that policymakers need access to more objective and independent expert analysis, not less. Yet this bill slashes funding for the Library of Congress and its widely respected nonpartisan Congressional Research Service by 8.5%—and it cuts funding for the nonpartisan Congressional Budget Office that serves as the definitive scorekeeper for every measure Congress considers by 6.4%.

Mr. Chair, there are responsible and effective ways to reduce federal spending, and there are irresponsible and ineffective ways to reduce Federal spending. Unfortunately, this bill has too much of the latter and not enough of the former.

I urge a no vote.

Mr. PETERS. Mr. Chair, our Nation faces a significant budget deficit and a growing national debt, and we must look for simple, common sense solutions to cut spending as Congress and President Obama work toward a comprehensive, balanced deficit reduction package that will put our Nation on a path to fiscal stability. Members of Congress must lead by example.

As a State Senator in Michigan, I ran my office so efficiently that I was able to return a full year's operating budget to Michigan taxpayers. When I came to Congress at the beginning of 2009, I made it a priority to run my office efficiently, come in under budget, and return the difference to taxpayers. Last session, my office came in \$320,000 under budget, and I am continuing my efforts to save taxpayer dollars at every opportunity.

I rise today to express my support for Section 101 of the Legislative Branch Appropriations Act for fiscal year 2012. This provision ensures that all unused fiscal year 2012 funds from each congressional office account, known as a Member's Representational Allowance (or MRA), be deposited in the Treasury and used for deficit reduction.

Last session, I sponsored legislation that would require all future unspent MRA funds be put toward deficit reduction, and give this requirement the force of law. This bill passed the House with overwhelming bipartisan support. Unfortunately, the Senate did not take action.

While it is encouraging that the legislation we consider today contains a similar provision, this will only apply to unused funds for next year. This is why I introduced H.R. 262, the bipartisan Mandatory Returning of Allowances Act with my colleague, Representative STEVE SCALISE. This bill will ensure that all future unused MRA funds, not just fiscal year 2012 funds, are automatically and permanently used for deficit reduction.

I urge my colleagues to support the Mandatory Returning of Allowances Act, and hope that House leadership will consider bringing this legislation to the floor for a vote.

Mr. HONDA. I yield back the balance of my time.

Mr. CRENSHAW. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule.

The text of the bill is as follows:

H.R. 2551

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, namely:

**TITLE I—LEGISLATIVE BRANCH  
HOUSE OF REPRESENTATIVES**

**SALARIES AND EXPENSES**

For salaries and expenses of the House of Representatives, \$1,226,680,000, as follows:

**HOUSE LEADERSHIP OFFICES**

For salaries and expenses, as authorized by law, \$23,275,773, including: Office of the Speaker, \$6,942,770, including \$25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, \$2,277,595, including \$10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, \$7,432,812, including \$10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, \$1,971,050, including \$5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, \$1,524,951, including \$5,000 for official expenses of the Minority Whip; Republican Conference, \$1,572,788; Democratic Caucus, \$1,553,807. In addition to the amounts made available above, for salaries and expenses under this heading, to be available during the period beginning September 30, 2012, and ending December 31, 2013; \$5,818,948, including: Office of the Speaker, \$1,735,694, including \$6,250 for official expenses of the Speaker; Office of the Majority Floor Leader, \$569,399, including \$2,500 for official expenses of the Majority Leader; Office of the Minority Floor Leader, \$1,858,205, including \$2,500 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, \$492,763, including \$1,250 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, \$381,238, including \$1,250 for official expenses of the Minority Whip; Republican Conference, \$393,197; Democratic Caucus, \$388,452.

**MEMBERS' REPRESENTATIONAL ALLOWANCES  
INCLUDING MEMBERS' CLERK HIRE, OFFICIAL  
EXPENSES OF MEMBERS, AND OFFICIAL MAIL**

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, \$573,939,282.

**COMMITTEE EMPLOYEES**

**STANDING COMMITTEES, SPECIAL AND SELECT**

For salaries and expenses of standing committees, special and select, authorized by House resolutions, \$125,964,870: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2012.

**COMMITTEE ON APPROPRIATIONS**

For salaries and expenses of the Committee on Appropriations, \$26,665,785, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2012.

**SALARIES, OFFICERS AND EMPLOYEES**

For salaries and expenses of officers and employees, as authorized by law, \$177,628,400,

including: for salaries and expenses of the Office of the Clerk, including not more than \$23,000, of which not more than \$20,000 is for the Family Room, for official representation and reception expenses, \$26,114,400, of which \$2,000,000 shall remain available until expended; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages and the Office of Emergency Management, and including not more than \$3,000 for official representation and reception expenses, \$12,585,000 of which \$4,445,000 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than \$3,000 for official representation and reception expenses, \$116,782,000, of which \$3,937,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, \$5,045,000; for salaries and expenses of the Office of General Counsel, \$1,415,000; for the Office of the Chaplain, \$179,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, \$2,000 for preparing the Digest of Rules, and not more than \$1,000 for official representation and reception expenses, \$2,060,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, \$3,258,000; for salaries and expenses of the Office of the Legislative Counsel of the House, \$8,814,000; for salaries and expenses of the Office of Interparliamentary Affairs, \$859,000; for other authorized employees, \$347,000; and for salaries and expenses of the Historian, \$170,000.

**ALLOWANCES AND EXPENSES**

For allowances and expenses as authorized by House resolution or law, \$293,386,942, including: supplies, materials, administrative costs and Federal tort claims, \$3,696,118; official mail for committees, leadership offices, and administrative offices of the House, \$201,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, \$264,848,219; Business Continuity and Disaster Recovery, \$17,112,072, of which \$5,000,000 shall remain available until expended; transition activities for new members and staff, \$2,721,533; Wounded Warrior Program \$2,500,000, to remain available until expended; Office of Congressional Ethics, \$1,548,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, \$760,000.

**ADMINISTRATIVE PROVISIONS**

SEC. 101. (a) **REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.**—Notwithstanding any other provision of law, any amounts appropriated under this Act for "HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES" shall be available only for fiscal year 2012. Any amount remaining after all payments are made under such allowances for fiscal year 2012 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) **REGULATIONS.**—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) **DEFINITION.**—As used in this section, the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

**REPUBLICAN POLICY COMMITTEE**

SEC. 102. (a) Section 109(a) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 74a–13(a)) is amended by striking "the chair of the Republican Conference" and inserting the following: "the Speaker of the House of Representatives (or, if the Speaker is not a member of the Republican Party, the Minority Leader of the House of Representatives)".

(b) Section 109(b) of such Act (2 U.S.C. 74a–13(b)) is amended by striking the period at the end and inserting the following: ", and which shall be obligated and expended as directed by the Speaker (or, if the Speaker is not a member of the Republican party, the Minority Leader)".

(c) The amendment made by subsection (a) shall apply with respect to fiscal year 2012 and each succeeding fiscal year.

**AUTHORITY OF SPEAKER AND MINORITY LEADER TO ALLOCATE FUNDS AMONG CERTAIN HOUSE LEADERSHIP OFFICES**

**SEC. 103. (a) AUTHORITY OF SPEAKER.—**

(1) **AUTHORITY DESCRIBED.**—Notwithstanding any other provision of law (including any provision of law that sets forth an allowance for official expenses), the amount appropriated or otherwise made available during a Congress for the salaries and expenses of any office or authority described in paragraph (2) shall be the amount allocated for such office or authority by the Speaker of the House of Representatives from the aggregate amount appropriated or otherwise made available for all such offices and authorities.

(2) **OFFICES AND AUTHORITIES DESCRIBED.**—The offices and authorities described in this paragraph are as follows:

(A) The Office of the Speaker.

(B) The Speaker's Office for Legislative Floor Activities.

(C) The Republican Steering Committee (if the Speaker is a member of the Republican party) or the Democratic Steering and Policy Committee (if the Speaker is a member of the Democratic party).

(D) The Republican Policy Committee (if the Speaker is a member of the Republican party).

(E) Training and program development—majority (as described under the heading "House leadership offices" in the most recent bill making appropriations for the legislative branch that was enacted prior to the date of the enactment of this Act).

(F) Cloakroom personnel—majority (as so described).

**(b) AUTHORITY OF MINORITY LEADER.—**

(1) **AUTHORITY DESCRIBED.**—Notwithstanding any other provision of law (including any provision of law that sets forth an allowance for official expenses), the amount appropriated or otherwise made available during a Congress for the salaries and expenses of any office or authority described in paragraph (2) shall be the amount allocated for such office or authority by the Minority Leader of the House of Representatives from the aggregate amount appropriated or otherwise made available for all such offices and authorities.

(2) **OFFICES AND AUTHORITIES DESCRIBED.**—The offices and authorities described in this paragraph are as follows:

(A) The Office of the Minority Leader.

(B) The Democratic Steering and Policy Committee (if the Minority Leader is a member of the Democratic party) or the Republican Steering Committee (if the Minority Leader is a member of the Republican party).

(C) The Republican Policy Committee (if the Minority Leader is a member of the Republican party).

(D) Training and program development—minority (as described under the heading “House leadership offices” in the most recent bill making appropriations for the legislative branch that was enacted prior to the date of the enactment of this Act).

(E) Cloakroom personnel—minority (as so described).

(F) Nine minority employees (as so described).

(c) EFFECTIVE DATE.—This section shall apply with respect to any months occurring during the One Hundred Twelfth Congress that begin after the date of the enactment of this Act, and to any succeeding Congress.

REPUBLICAN CONFERENCE AND THE DEMOCRATIC STEERING AND POLICY COMMITTEE

SEC. 104. (a) Section 103(b) of the Legislative Branch Appropriations Act, 1999 (2 U.S.C. 74a-8(b)) is amended—

(1) in the matter preceding paragraph (1), by striking “Subject to the allocation described in subsection (c), funds” and inserting “Funds”;

(2) in paragraph (1), by striking “direct;” and inserting the following: “direct (or, if the Speaker is not a member of the Republican Party, under such terms and conditions as the Minority Leader of the House of Representatives may direct);” and

(3) in paragraph (2), by striking “direct.” and inserting the following: “direct (or, if the Speaker is a member of the Democratic Party, under such terms and conditions as the Speaker may direct).”

(b) Section 103 of such Act (2 U.S.C. 74a-8(c)) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(c) The amendments made by this section shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 1999.

TRANSFER OF HOUSE EMERGENCY PLANNING, PREPAREDNESS, AND OPERATIONS FUNCTIONS TO SERGEANT AT ARMS

SEC. 105. Effective February 1, 2010—

(1) section 905 of the Emergency Supplemental Act, 2002 (2 U.S.C. 1301) is repealed; and

(2) the functions and responsibilities of the Office of Emergency Planning, Preparedness and Operations under section 905 of such Act are transferred and assigned to the Sergeant at Arms of the House of Representatives.

#### JOINT ITEMS

For Joint Committees, as follows:

##### JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, \$4,203,000, to be disbursed by the Secretary of the Senate.

##### JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, \$10,424,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

##### OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including: (1) an allowance of \$2,175

per month to the Attending Physician; (2) an allowance of \$1,300 per month to the Senior Medical Officer; (3) an allowance of \$725 per month each to three medical officers while on duty in the Office of the Attending Physician; (4) an allowance of \$725 per month to 2 assistants and \$580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and (5) \$2,427,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, \$3,400,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

#### OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

##### SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, \$1,363,000, to be disbursed by the Secretary of the Senate.

#### CAPITOL POLICE

##### SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, \$277,132,624, to be disbursed by the Chief of the Capitol Police or his designee.

##### GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than \$5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, \$63,003,740, of which \$2,000,000 shall remain available until September 30, 2014 to be disbursed by the Chief of the Capitol Police or his designee: *Provided*, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2012 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

#### ADMINISTRATIVE PROVISIONS

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 1001. Amounts appropriated for fiscal year 2012 for the Capitol Police may be transferred between the headings “Salaries” and “General Expenses” upon the approval of the Committees on Appropriations of the House of Representatives and the Senate.

WAIVER BY CHIEF OF CAPITOL POLICE OF CLAIMS ARISING OUT OF ERRONEOUS PAYMENTS TO OFFICERS AND EMPLOYEES

SEC. 1002. (a) WAIVER OF CLAIM.—Subject to the approval of the Capitol Police Board, the Chief of the United States Capitol Police may waive in whole or in part a claim of the United States against a person arising out of an erroneous payment of any pay or allow-

ances, other than travel and transportation expenses and allowances, to an officer, member, or employee of the United States Capitol Police, if the collection of the claim would be against equity and good conscience and not in the best interests of the United States.

(b) INVESTIGATION OF APPLICATION; REPORT.—The Chief shall investigate each application for the waiver of a claim under subsection (a) and shall submit a written report of the investigation to the Capitol Police Board, except that if the aggregate amount of the claim involved exceeds \$1,500, the Comptroller General may also investigate the application and submit a written report of the investigation to the Capitol Police Board.

(c) PROHIBITION OF WAIVER UNDER CERTAIN CIRCUMSTANCES.—The Chief may not exercise the authority to waive a claim under subsection (a) if—

(1) in the Chief’s opinion, there exists in connection with the claim an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the officer, member, or employee involved or of any other person having an interest in obtaining a waiver of the claim; or

(2) the Chief receives the application for the waiver after the expiration of the 3-year period that begins on the date on which the erroneous payment of pay or allowances was discovered.

(d) CREDIT FOR WAIVER.—In the audit and settlement of accounts of any accountable officer or official, full credit shall be given for any amounts with respect to which collection by the United States is waived under subsection (a).

(e) EFFECT OF WAIVER.—An erroneous payment, the collection of which is waived under subsection (a), is deemed a valid payment for all purposes.

(f) CONSTRUCTION WITH OTHER LAWS.—This section does not affect any authority under any other law to litigate, settle, compromise, or waive any claim of the United States.

(g) RULES AND REGULATIONS.—The Chief shall promulgate rules and regulations to carry out this section.

(h) EFFECTIVE DATE.—This section shall apply with respect to payments of pay and allowances made at any time after the Chief became the disbursing officer for the United States Capitol Police pursuant to section 1018(a) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(a)).

#### OFFICE OF COMPLIANCE

##### SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), \$3,817,000, of which \$884,000 shall remain available until September 30, 2013: *Provided*, That not more than \$500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

#### CONGRESSIONAL BUDGET OFFICE

##### SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than \$6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, \$43,787,000.

#### ARCHITECT OF THE CAPITOL

##### GENERAL ADMINISTRATION

For salaries for the Architect of the Capitol, and other personal services, at rates of

pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than \$5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, \$104,790,000, of which \$3,199,000 shall remain available until September 30, 2016.

#### CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, \$35,354,000, of which \$10,263,000 shall remain available until September 30, 2016.

#### CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, \$9,852,000.

#### HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, \$89,154,000, of which \$40,631,000 shall remain available until September 30, 2016.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, \$30,000,000, shall remain available until expended.

#### CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, \$127,159,000, of which \$33,377,000 shall remain available until September 30, 2016: *Provided*, That not more than \$9,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2012.

#### LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, \$38,486,000, of which \$12,726,000 shall remain available until September 30, 2016.

#### CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computer Facility, and AOC security operations, \$21,500,000, of which \$3,473,000 shall remain available until September 30, 2016.

#### BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, \$12,000,000: *Provided*, That of the amount made available under this heading, the Architect may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect or a duly authorized designee.

#### CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, \$21,276,000.

#### LIBRARY OF CONGRESS

##### SALARIES AND EXPENSES

For all necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; activities under the Civil Rights History Project Act of 2009; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$412,446,000, of which not more than \$6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2012, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than \$350,000 shall be derived from collections during fiscal year 2012 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$6,350,000: *Provided further*, That of the total amount appropriated, not more than \$12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: *Provided further*, That of the total amount appropriated, \$4,800,000 shall remain available until expended for the digital collections and educational curricula program.

#### COPYRIGHT OFFICE

##### SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, \$50,974,000, of which not more than \$28,029,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2012 under section 708(d) of title 17, United States Code: *Provided*, That not more than \$3,000,000 shall be derived from prior year available unobligated balances: *Provided further*, That the Copyright Office may not obligate or expend any funds derived from

collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That not more than \$5,484,000 shall be derived from collections during fiscal year 2012 under sections 111(d)(2), 119(b)(2), 803(e), 1005, and 1316 of such title: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections and prior year available unobligated balances are less than \$36,513,000: *Provided further*, That not more than \$100,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further*, That not more than \$4,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: *Provided further*, That notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

#### CONGRESSIONAL RESEARCH SERVICE

##### SALARIES AND EXPENSES

For all necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, \$104,091,000: *Provided*, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

#### BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

##### SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), \$50,674,000: *Provided*, That of the total amount appropriated, \$650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

#### ADMINISTRATIVE PROVISIONS

#### REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1101. (a) IN GENERAL.—For fiscal year 2012, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed \$169,725,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

(c) TRANSFER OF FUNDS.—During fiscal year 2012, the Librarian of Congress may temporarily transfer funds appropriated in this Act, under the heading "Library of Congress", under the subheading "Salaries and

Expenses”, to the revolving fund for the FEDLINK Program and the Federal Research Program established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106-481; 2 U.S.C. 182c): *Provided*, That the total amount of such transfers may not exceed \$1,900,000: *Provided further*, That the appropriate revolving fund account shall reimburse the Library for any amounts transferred to it before the period of availability of the Library appropriation expires.

#### TRANSFER AUTHORITY

SEC. 1102. (a) IN GENERAL.—Amounts appropriated for fiscal year 2012 for the Library of Congress may be transferred during fiscal year 2012 between any of the headings under the heading “Library of Congress” upon the approval of the Committees on Appropriations of the House of Representatives and the Senate.

(b) LIMITATION.—Not more than 10 percent of the total amount of funds appropriated to the account under any heading under the heading “Library of Congress” for fiscal year 2012 may be transferred from that account by all transfers made under subsection (a).

#### FUNDS AVAILABLE FOR WORKERS COMPENSATION PAYMENTS

SEC. 1103. (a) IN GENERAL.—Notwithstanding any other provision of law, available balances of expired Library of Congress appropriations shall be available for the purposes of making payments for employees of the Library of Congress under section 8147 of title 5, United States Code without regard to the fiscal year for which the obligation to make such payments is incurred.

(b) EFFECTIVE DATE.—This section shall apply with respect to appropriations for fiscal year 2012 and each fiscal year thereafter.

#### GOVERNMENT PRINTING OFFICE CONGRESSIONAL PRINTING AND BINDING (INCLUDING TRANSFER OF FUNDS)

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, \$78,000,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: *Provided further*, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the pur-

poses of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate: *Provided further*, That notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

#### OFFICE OF SUPERINTENDENT OF DOCUMENTS SALARIES AND EXPENSES (INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, \$35,000,000: *Provided*, That amounts of not more than \$2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2010 and 2011 to depository and other designated libraries: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

#### GOVERNMENT PRINTING OFFICE REVOLVING FUND

The Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: *Provided*, That not more than \$7,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: *Provided further*, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: *Provided further*, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further*, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: *Provided further*, That activities financed through the revolving fund may provide information in any format.

#### GOVERNMENT ACCOUNTABILITY OFFICE SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than \$12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance

payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, \$511,296,000: *Provided*, That, in addition, \$18,304,000 of payments received under sections 782, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: *Provided further*, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

#### ADMINISTRATIVE PROVISION

SEC. 1201. (a) Section 210 of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 60q) is amended—

(1) by striking subsection (d); and  
(2) in subsection (f)(2)(A), by striking “United States Code” and inserting “United States Code, but excluding the Government Accountability Office”.

(b) Section 3521(1) of title 5, United States Code, is amended by striking “section 105” and inserting “section 105 (other than the Government Accountability Office)”.

(c) The amendments made by this section shall apply with respect to voluntary separation incentive payments made during fiscal year 2012 or any succeeding fiscal year.

#### OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), \$1,000,000.

#### TITLE II—GENERAL PROVISIONS

##### MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

##### FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2012 unless expressly so provided in this Act.

##### RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided*, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the House of Representatives and Senate, and clerk hire for Senators and Members of the

House of Representatives shall be the permanent law with respect thereto.

#### CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

#### AWARDS AND SETTLEMENTS

SEC. 205. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(a)) to pay awards and settlements as authorized under such subsection.

#### COSTS OF LBFMC

SEC. 206. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed \$2,000.

#### LANDSCAPE MAINTENANCE

SEC. 207. The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets, in the irregular shaped grassy areas bounded by Washington Avenue, SW on the northeast, Second Street SW on the west, Square 582 on the south, and the beginning of the I-395 tunnel on the southeast.

#### LIMITATION ON TRANSFERS

SEC. 208. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

#### GUIDED TOURS OF THE CAPITOL

SEC. 209. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

#### SPENDING REDUCTION ACCOUNT

SEC. 210. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974, excluding Senate items, exceeds the amount of proposed new budget authority is \$0.

This Act may be cited as the "Legislative Branch Appropriations Act, 2012".

The CHAIR. No amendment to the bill shall be in order except those printed in House Report 112-173. Each such amendment may be offered only in the order printed in the report, except, pursuant to the order of the House of today, amendment No. 9 and amendment No. 12 may be offered out of the specified order. Each such amendment may be offered only by a Member designated in the report, shall be considered read, debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

#### AMENDMENT NO. 1 OFFERED BY MR. HONDA

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112-173.

Mr. HONDA. Mr. Chairman, I rise as the designee of the gentleman from Georgia (Mr. BISHOP) and offer the amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 9, after the dollar amount insert "(reduced by \$1,000,000)".

Page 5, line 22, after the dollar amount insert "(reduced by \$1,000,000)".

Page 6, line 6, after the dollar amount insert "(reduced by \$1,000,000)".

Page 14, line 12, after the dollar amount insert "(increased by \$1,000,000)".

The CHAIR. Pursuant to House Resolution 359, the gentleman from California (Mr. HONDA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HONDA. Mr. Chairman, the amendment I am introducing on behalf of my colleague, SANFORD BISHOP, would increase the Capitol Police by a modest \$1 million for the district office security for Members.

After the shooting of our colleague, Ms. GIFFORDS, the Sergeant-At-Arms and the Capitol Police provided Members with access to security reviews. These reviews and guidelines by the Sergeant-At-Arms provided Members with a litany of equipment and capital improvements that are needed to improve district office security. Even though the recommendations came from our security agencies, Members were left to fund these upgrades through their office budget.

When Members' offices are being cut by more than 10 percent in a year, I'm afraid the strain to continue constituent services will impede any Member's ability to pay for these upgrades. I'm hoping this amendment will be a small step in providing a centralized pot of funds so these upgrades do not go ignored.

The offset is from a lower priority House account that funds transition costs in 2012. It is not a transition year.

□ 2000

Mr. CRENSHAW. Will the gentleman yield?

Mr. HONDA. I yield to the gentleman from Florida.

Mr. CRENSHAW. I just want to say to the gentleman that we are all concerned about security upgrades, and we accept the amendment.

Mr. BISHOP of Georgia. Mr. Chair, I rise today to urge all of my colleagues to support the Bishop amendment to H.R. 2551, the Legislative Branch Appropriations Act for Fiscal Year 2012. This amendment would restore \$1 million in funding to the Capitol Police to provide support for security upgrades to Congressional District offices as recommended by the House Sergeant of Arms earlier this year.

Most members, particularly members from rural districts with more than one district office, will undertake a variety of "security" upgrades and improvements to their local offices as a result of the tragic shooting of Rep. GABRIELLE GIFFORDS and related security threats.

Coupled with the costs of these new upgrades are reductions in the Members' Representational Allowance MRA for the second year in a row. This includes the 5 percent reduction in MRA in place for Fiscal Year 2011 and the proposed 6.4 percent reduction in MRA proposed in the Fiscal Year 2012 Legislative Branch Appropriations bill, which will be considered on the floor this week. The Fiscal Year 2012 proposed reduction in MRA will result in an average hit of approximately \$95,000 per office, which will likely pose a severe strain on Member budgets. Additionally, you should know that security upgrades and improvements to Senate District offices will not be paid through MRA's.

My amendment would simply provide an additional \$1 million in funding via the Capitol Police for security improvements for those offices impacted by new House security policy. The proposed offset comes from the "Transition Activities" account, which essentially provides funding for furniture and related equipment for Freshman members, which of course, should be minimal in Fiscal Year 2012.

Mr. Chair, it would be our intent, that if this amendment is accepted by this House, that the Sergeant at Arms, Capitol Police, members of our Legislative Branch Appropriations Subcommittee and other pertinent House personnel, would work together to devise an effective plan and strategy for the use, approval and disbursement of these funds for district office security purposes.

The pressure and demands which we already have in managing our MRA's are great, and will be more difficult in the coming year. So it is vitally important that we provide Members of this body some financial relief for the costs of district office security improvements.

While the Legislative Branch Appropriations Subcommittee has the smallest budget of the thirteen Appropriations Subcommittees, and some would say that it is the least glamorous, its work is of vital importance to the entire nation.

As most of you know, the Subcommittee is responsible for the protection and preservation of the treasures in the U.S. Capitol and the Library of Congress, the publishing and dissemination of government information by the Government Printing Office, the objective analysis



of our budget and economic decisions by the Congressional Budget Office, and the resources with which we provide representation to our constituents.

However, our collective effectiveness in representing our constituents is potentially at risk given the proposed reductions in our MRA's.

And I would like to remind my colleagues on both sides of the aisle, that after the tragic shootings in Tucson, Members were "strongly encouraged" to provide additional security for themselves, their staff and their constituents in the district—to be paid out of Members' accounts, with possibly some help from the Sergeant at Arms.

With this bill's cut of 6.4 percent in Members' Representational Allowance, combined with the 10 percent in the Sergeant at Arms budget, these improvements in security will be difficult.

Finally, if the Capitol Police are going to assess more threats against Members and take a more active role in district security, then their budget should also reflect these increased demands instead of being frozen.

Mr. Chair, I would also like to enter into the RECORD, a copy of an article that ran in Roll Call, highlighting the need for enhanced safety advancements for Members of Congress, their staffs, and constituencies.

I would ask that you support this important amendment. Thank you for your consideration.

[From Roll Call, July 21, 2011]

CUTS TO SERGEANT-AT-ARMS RAISE CONCERNS FOR SOME

(By Daniel Newhauser)

After the shooting of Rep. Gabrielle Giffords (D-Ariz.) in January, Members began looking into ways to secure their district offices. Now, some Democrats are questioning whether House leaders will give them enough money to do so.

Members' Representational Allowances and the House Sergeant-at-Arms office face budget cuts, while House appropriators have proposed flat funding for the Capitol Police.

At a Rules Committee hearing Wednesday to set parameters for this week's floor debate on the legislative branch spending bill, Rep. Jared Polis—who said he received threats as recently as last week—singled out those cuts as his main concern.

"Security is hardly a luxury," the Colorado Democrat said. "How can you justify cutting the Sergeant-at-Arms by 10 percent?"

Although the Sergeant-at-Arms' budget appears larger than it was last Congress, the increase actually comes because it was combined with the Office of Emergency Management, which was created after 9/11 to assist in emergency planning. That office was flat-funded, while the Sergeant-at-Arms received an \$890,000 cut.

Rep. Ander Crenshaw, chairman of the Appropriations Subcommittee on the Legislative Branch, assured Polis that the reduction would not affect security. In an interview before the hearing, the Florida Republican said administrative employees and equipment purchases would most likely take the hit.

"We made sure that none of the cuts to this office were going to affect any kind of safety issues," he said.

After the Giffords shooting, the Sergeant-at-Arms offered Members free ADT Security assessments in the district offices. The House Administration Committee also authorized Members to use their MRAs to pay for suggested security enhancements.

But between the 5 percent MRA cut of last fiscal year and the 6.4 percent cut proposed for fiscal 2012—a reduction that would average about \$80,000 per office—Members might be put in a situation where they have to choose to fire one employee in order to afford to protect the rest, some Democrats argued.

"We are told that we need to secure our district offices more—for our safety, the safety of our staff and, most importantly, the safety of our constituents," said Rep. Mike Honda (D-Calif.), the subcommittee's ranking member, in a statement. "How are we supposed to pay for that?"

Rep. G.K. Butterfield said he had planned to install bulletproof glass and a digital combination keypad lock at his North Carolina district office, but now he's not so sure.

"That was the plan. Now that we've got this dramatic cut, I don't know what we're going to do," the Democrat said.

Rep. Sanford Bishop said he's skeptical Members will be left with enough money in their MRAs to pay for the upgrades. He was advised to improve lighting and create a barrier between his Georgia offices' public and work areas.

"The security assessments that the Sergeant-at-Arms paid for for all of our offices were very, very telling. But to implement the recommendations for the safety of our constituents and Members and staffs, it's going to cost some funds," the Democrat said. "The MRA is not sufficient."

Bishop has proposed an amendment to the legislative branch bill that would reassign \$1 million from a fund used to assist freshmen in procuring furniture to create a fund within the Capitol Police to assist in paying for district security upgrades.

Sergeant-at-Arms spokeswoman Kern Hanley said that no matter where the budget ends up, the agency would "be able to fully execute our security mission" and that they will help Members efficiently spend their money.

"We will coordinate the provision of professional security assistance to Members by conducting surveys and reviewing office selection options, security systems and policies to aid them in achieving the best value for their security dollars spent," Hanley said in an email.

Republicans said that is the real lesson of the budget cut: Do more with less.

Rep. Michael Grimm, a former FBI agent, said Members can mitigate the security impact of the cuts by raising their awareness when they are at home.

"We have to be a little more efficient but also a little more diligent so the Capitol Police has less work," the New York Republican said. "None of that costs money."

Mr. HONDA. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HONDA).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. WATT

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-173.

Mr. WATT. Mr. Chairman, I have an amendment at the desk that has been made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 9, after the dollar amount insert "(reduced by \$619,200)".

Page 5, line 22, after the dollar amount insert "(reduced by \$619,200)".

Page 6, line 8, after the dollar amount insert "(reduced by \$619,200)".

Page 37, line 7, after the dollar amount insert "(increased by \$619,200)".

The CHAIR. Pursuant to House Resolution 359, the gentleman from North Carolina (Mr. WATT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. WATT. I yield myself 2 minutes.

Mr. Chairman, my amendment to the Legislative Branch bill would decrease funding for the Office of Congressional Ethics, the OCE, by \$619,200 and transfer these funds to the spending reduction account.

I have offered this amendment because I believe there is a substantial bipartisan consensus, one, that the responsibilities of the OCE are redundant and duplicative of the House Ethics Committee; two, that the OCE's operations are substantially staff driven, and the staff has taken the OCE's mission well beyond what was intended in the statute that created the entity; three, that the procedures of the OCE are unfair and sometimes abusive of the rights of Members of the House; four, that a substantial part of the funds we spend on the OCE waste taxpayers' money; and, five, that using those funds to reduce our debt and deficit would be a far better use.

In these difficult budget times, I believe we have an obligation to judge the OCE on the same criteria on which we measure other agencies of the Federal Government. Using those criteria, my amendment proposes to eliminate duplication, demand accountability and adherence to the purposes for which the agency was created, demand fair due process treatment for Members of Congress as we would for other employees in both the private and public sectors, and force us to make a choice about how best to use our over \$600,000 of taxpayer funds.

I reserve the balance of my time.

Mr. CAPUANO. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. CAPUANO. Mr. Chairman, this amendment, as far as I'm concerned, is merely a punishment because some Members haven't liked some of the things the OCE has done. I will tell you that, having drafted the rule, I don't like everything they've done either, but the appropriate way to deal with that is to amend the rules of the House or to try to talk to them to amend their own rules.

There are ways to do the things that others have been concerned about, some of which I share. I have expressed my concern on certain issues to members of the OCE in the past. It's not to just pick a number and slash that number of 40 percent. That is merely, as far



as I'm concerned, draconian punishment to say, We're the boss; you're not. It's not going to change one thing that the OCE does. It will simply make it a little bit more difficult for this House to maintain the integrity level that we have struggled so desperately to gain back over the years.

We've had our troubles. We will have problems in the future. Some of our colleagues will do something that none of us will like. The question is not that. The question is: How does the public see us?

I have a letter that I would like to submit to the RECORD that I think everybody got in their office today from the Campaign Legal Center, the Citizens for Responsibility and Ethics in Washington, Common Cause, Democracy 21, League of Women Voters, Public Citizen, and U.S. PIRG. I don't agree with everything that each one of these organizations stands for either; however, they all agree that this agency, even with its flaws, has improved the reputation of this House when it comes to policing our own Members.

Again, I want to be clear: I do not think that they have done a perfect job. My guess is I don't think most Members think that the Ethics Committee has done a perfect job over the years. That's not the measure. If that's the measure, none of us would be in Congress. We couldn't get anything done because there is no such thing as perfection. The measure is simply: What has been done to improve the image of this House? And I think everyone in Washington who follows these things agrees that the creation of this group and the actions it has taken overall have improved the image of this House. And I would say that a cut of this level is simply a draconian measure to punish them for what they have done as opposed to try to improve what they do in the future.

VOTE NO ON WATT AMENDMENT TO WEAKEN  
OFFICE OF CONGRESSIONAL ETHICS

JULY 21, 2011.

Our organizations strongly urge you to oppose an amendment by Representative Mel Watt that would gut the Office of Congressional Ethics by reducing the funding for OCE by \$619,000 or 40 percent.

The recent dysfunctional performance by the House Ethics Committee has only served to reinforce the critically important role being played by the OCE in the House ethics enforcement process.

The OCE, under bipartisan leadership, has done an outstanding job in carrying out its mission to help protect the integrity of the House. There is absolutely no basis for reducing OCE's funding.

We strongly urge you to vote no on the Watt amendment.

CAMPAIGN LEGAL CENTER,  
CITIZENS FOR  
RESPONSIBILITY AND  
ETHICS IN WASHINGTON,  
COMMON CAUSE,  
DEMOCRACY 21,  
LEAGUE OF WOMEN VOTERS,  
PUBLIC CITIZEN,  
U.S. PIRG.

I reserve the balance of my time.

Mr. WATT. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from North Carolina for yielding, and I rise in support of the gentleman's amendment. And the reason for it is this:

As I watched the structure of the OCE be set up—and I'd say to the gentleman, for over 200 years we've had the Ethics Committee to take care of this business. If we want to amend the rules of the House, let's go back to what the rules of the House are. But the OCE has crossed the line over and over again.

And I would make this point: that they have gone on witch hunts. They have taken pieces of information that came from political opposition on either side and embellished that into things.

And they have violated Roman law, English common law, and the decency of the House by this: Classified confidential information used against Members of Congress who don't have an opportunity to face their accuser, whose reputations have been damaged by sometimes—I'll just say certainly leaks to the press, sometimes, I suspect, willful leaks to the press. We need to go back to the Ethics Committee dealing with this business as it has been for over two centuries.

This bill only passed by one vote a few years ago, and now we have a whole machinery out there whose sole purpose it is to ask activist organizations on both sides to come in and send information in that would be used against Members of Congress.

I support the gentleman's amendment.

Mr. CAPUANO. I yield myself such time as I may consume.

Mr. Chairman, I don't know about Roman law, and I'm a little shaky on English law as well, but I will tell you that it doesn't violate any American laws that I'm aware of. If it did, they would be subject to all kinds of legal proceedings against them.

I understand fully well that some Members didn't like voting for this. They don't like the idea of people other than Members of Congress looking at anything we do. I understand that. And there was a great attempt to try to balance that fear with a movement forward, which is what we did.

I'd like to point out very clearly that when the Congress changed from Democrat to Republican, there was no attempt by anybody that I'm aware of to change one aspect of this rule, not one aspect. That was the appropriate time. Had someone done it, I would have been happy to work with them.

I've expressed my concerns here. I've expressed them to the OCE. I've expressed them to other Members. I share some of these concerns. But I don't

think it's an appropriate thing to simply wheel the old-fashioned political tool of a big, heavy draconian weapon and try to slash their budget and think that you're going to change it. You're not. And you will be perceived, this House will be perceived by the general public for what this is: simply an attempt to roll back our progress on policing our own activities.

I understand that that might make some people comfortable, but it's not the right thing to do and people here know that. This is payback. And I don't mind—I'm one of the few Members of this House who proudly call myself a politician. I understand payback, but let's call it what it is: We don't like what they do, and we're going to defund them. Don't pretend that something else is going on. That's what it is. It will be bad for the House of Representatives, and it will not change the things that people have expressed that they don't like.

I reserve the balance of my time.

Mr. WATT. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. HONDA).

□ 2010

Mr. HONDA. I thank the gentleman.

I really understand that the gentleman from North Carolina is highlighting serious concerns with processes that he sees with the Office of Congressional Ethics, and I share some of his concerns. As well, I share some of the concerns that the gentleman from Massachusetts has. It is really raising the question of trying to improve the ethics process in our House and improving the underlying authorization that may be more appropriate, and seeking more appropriate first steps.

I think this may be a situation where we may not be able to support the gentleman's amendment, but at the same time support the issue of improving what it is that he is seeking. I think that the gentleman from Massachusetts would probably be willing to work on that, and I think my friends on the other side would be willing, too.

Reluctantly, while I am not personally in opposition, I think for this portion of the process, I am in opposition.

Mr. CAPUANO. Mr. Chairman, I yield back the balance of my time.

Mr. WATT. Mr. Chairman, I yield myself the balance of my time.

Let me just address this whole issue of retaliation. This is not retaliation. This is a better use of the money than the OCE is making of it. There is an undercurrent in this House. Everybody knows that the OCE processes have been unfair, undemocratic, and they have singled people out. It should stop, and we should stand up and say that it should stop.

We did not give the OCE the authority to initiate themselves investigations without an outside complaint.

They have systematically done that. And to the extent they have done it, we have provided more funding than I think is appropriate, which is why I got the 40 percent as opposed to 100 percent.

I want them to continue to go on with the investigations that are out there. And when other people initiate them, they should be allowed to pursue them. But they should not be allowed to initiate on their own witch hunts against Members of Congress.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. WATT).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. WATT. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. BROUN OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-173.

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, line 21, after the dollar amount insert “(reduced by \$1,050,750)”.

Page 37, line 7, after the dollar amount insert “(increased by \$1,050,750)”.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, my amendment would reduce funding for the Joint Economic Committee by 25 percent and transfer more than \$1 million to the deficit reduction account.

The Joint Economic Committee is tasked with many of the duties of other congressional committees. Those other congressional committees already perform these duties, such as holding hearings, performing research, and studying the U.S. economy.

We here in America are facing a tremendous financial crisis. The legislative branch should not be excluded during budget cut debates.

The Joint Economic Committee performs overlapping duties that could easily be maintained by the Ways and Means Committee or the Budget Committee, or even the respective leadership policy committees. A 25 percent cut is very modest considering the gravity of the enormous debt that we are accumulating each and every day, and we must begin paying down that debt.

Our debt level is unsustainable, totally unsustainable. We are broke as a Nation. We have to start cutting in every aspect of the government’s expenditures, and I believe the Joint Economic Committee can afford it, and I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. HONDA. Mr. Chairman, I claim time in opposition to the amendment.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. Mr. Chairman, this amendment would cut the Joint Economic Committee by 25 percent, or over \$1 million. The funding included in the bill for the JEC is already less than the funding level provided to the JEC in fiscal year 2008. The Joint Economic Committee is a bicameral congressional committee composed of 10 Members from each, the Senate and the House of Representatives. There are 10 Democrats and 10 Republicans on the committee.

The gentleman does not have an amendment to go after the House Committee, but instead has chosen to go after funding for this joint committee. I hope this isn’t an effort to strike funding because this committee is jointly managed with the Senate. The last thing that this Congress needs is less collaboration between the two bodies. We need to continue collaboration.

The main purpose of the JEC is to make a continuing study of matters related to the U.S. economy, and this is exactly the type of analysis Members from both parties and both bodies need as we try to analyze complex economic issues as a Nation.

I oppose this amendment, and I ask my colleagues to do so the same.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. I rise in opposition to this amendment. I respect very much the gentleman from Georgia’s efforts on cutting and shrinking the size of government, but the Joint Economic Committee is already under the appropriations recommendation operating below the 2006 level. So it is doing more than its share of shrinking and running efficiently.

Unlike other committees, the Joint Economic Committee is created by law to be the counterpart for a Congress to weigh against the President’s Council of Economic Advisers. It is bicameral. It is bipartisan. It provides information important to the size of government, the efficiency of government, and what can get our economy going. An example of the research is the 4 months, weekends, evenings, that was done going through every page and provision of the new 2,801-page health care law and identifying all of the new bureaucracies, agencies, and taxes that will be in between you and your doctor. That research could not be done otherwise. And I want to tell you, our Democrat

friends will tell you that it provides the same type of analysis for their issues.

This is the type of information that Congress needs as we move forward on the critical issues of the economy. This committee has done its share of cuts, and I respectfully oppose this amendment.

Mr. HONDA. I yield back the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I appreciate that this is a bicameral, bipartisan committee. But as I mentioned during my initial remarks, these functions could be very well performed by other committees. These are duplicative services, and so I urge adoption of my amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was rejected.

AMENDMENT NO. 4 OFFERED BY MR. BROUN OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-173.

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 25, after the dollar amount insert “(reduced by \$467,000)”.

Page 37, line 7, after the dollar amount insert “(increased by \$467,000)”.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, my amendment would simply reduce funding for the Office of Compliance to the fiscal year 2008 level and would transfer almost half a million dollars into the spending reduction account.

At a time when we are facing such pressing fiscal crisis, we have a financial fiasco here in America because of the outrageous spending Congress has been doing by both parties. Scaling back the spending for the Office of Compliance to the 2008 level is a modest and reasonable request. We have to continue to make cuts in every corner of the budget that we can, and we have to prioritize paying down our massive Federal debt that is totally unsustainable.

□ 2020

Again, if most offices within the Federal Government can reduce their spending back to 2008 levels, it is only logical for the Office of Compliance to do the very same. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. HONDA. I claim time in opposition to this amendment.

THE CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. The amendment would cut the Office of Compliance by \$467,000, even though the office is cut in the underlying bill by 6.4 percent—the same as the overall bill reduction. I have to question the motives of cutting the Office of Compliance disproportionately to the overall bill. Maybe the gentleman is not aware, but this office was established in 1995 by the Republican Congress to satisfy the Republican Contract with America.

The office implements the Congressional Accountability Act to ensure that Congress complies with safety, discrimination, and accessibility laws that everyone else in the Nation must follow. This amendment suggests that Congress should ease up on requirements to provide our workers with a fair and safe working environment.

Therefore, I oppose this amendment and urge my colleagues to do the same. Mr. DICKS. Will the gentleman yield?

Mr. HONDA. I yield to the gentleman from Washington.

Mr. DICKS. I want to associate myself with the gentleman's remarks and urge a "no" vote on this amendment.

Mr. BROUN of Georgia. I continue to reserve the balance of my time.

Mr. HONDA. I just want to disclose the same comments I did in the last paragraph, that this amendment suggests that Congress should ease up on requirements providing our workers with a fair and safe working environment. I don't think we should back off on that.

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

Mr. BROUN of Georgia. Mr. Chairman, I appreciate my friend Mr. HONDA's comments. I offered eight amendments in total. Only three were held to be in order. So I'm not looking at anything specifically, except for the whole bill, to try to cut spending. Because it's absolutely critical as we go forward that we put this country back on a good fiscal standing. I believe very firmly that we need to look at every single nook and corner, every dollar spent by the Federal Government, and cut wherever we can. I think this is a reasonable request.

I urge adoption of my amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MS. HAYWORTH

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-173.

Ms. HAYWORTH. Mr. Chairman, I offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 14, after the dollar amount insert "(reduced by \$632,780)".

Page 37, line 7, after the dollar amount insert "(increased by \$632,780)".

The CHAIR. Pursuant to House Resolution 359, the gentlewoman from New York (Ms. HAYWORTH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Ms. HAYWORTH. Mr. Chairman, I yield myself 3 minutes.

My amendment proposes that we cut the \$632,780 proposed increase in funding to the Botanic Garden and transfer that amount to the spending reduction account. While the Botanic Garden in the FY12 budget receives an increase, almost every other account in the Legislative Branch appropriations bill has been decreased, including for the Congressional Research Service, the Congressional Budget Office, JEC, JCT, and the Capitol Police Buildings, Grounds, and Security account.

The Botanic Garden provides education and outreach programs, and they are definitely of value. They have been commended in the committee report for their accomplishments. But it is a time of austerity and the Botanic Garden should take the necessary steps to continue to pursue those programs with the same funding as they received in fiscal year '11. Throughout the rest of the legislative branch in the Federal Government we're cutting costs, we're eliminating employee spots, and we're taking other reductive measures. Each of our offices and committees will be operating with additional cuts. The Botanic Garden can itself continue to provide successful services and maintain its venue with the same level of funding as in FY 2011.

I yield 2 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise in support of this amendment submitted with my colleague from New York to reduce the spending at the Botanic Garden. We're in the middle of a spending crisis that may lead to a sovereign debt crisis. In my view, there are very few programs funded by the Federal Government that can be exempt from fiscal responsibility and scrutiny. This is an unprecedented fiscal crisis. I applaud the Appropriations Committee's leadership and commitment to making significant spending reductions in this bill, including reducing personal office expenses and committee budgets.

There are many wonderful museums and points of interest here in Washington, D.C., and the Botanic Garden is among the best. My amendment, which would reduce its funding appropriations and take away its proposed increase, is not based on any act or omission by the Botanic Garden. They run a great program here. But let me be clear: as an avid outdoorsman and a gardener myself, I personally derive much benefit from the Botanic Garden

right here on Capitol Hill. I have visited these beautiful places many times and always learn and see something new.

Our amendment is not intended to make the statement that the Botanic Garden is not a good and worthy program. It is. But it is not constitutionally mandated. It is not essential to providing key services to Americans. It does not generate jobs. It does contribute to the knowledge and understanding of the world, and that has great value.

Our country is in the midst of an epic fiscal crisis that threatens the livelihood and well-being of every single American, and even good and worthy programs such as the United States Botanic Garden cannot be spared from every effort to scale down our Federal budget significantly. This proposed amendment is a fair cut, indeed, in light of our fiscal crisis, a modest cut and consistent with the committee's recommendations for other programs within this bill.

I am confident that even with this reduced budget, the Botanic Garden will be able to offer an educational experience to all of us and to our constituents when they come to visit Capitol Hill. It is for those constituents that we offer this amendment and ask you for your support.

Mr. HONDA. Mr. Chairman, I claim time in opposition to the amendment.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. While I'm not necessarily opposed to the amendment, I think the record should be clear on the funding level in the bill. To suggest that the \$600,000 increase in the Botanic Garden is somehow not needed is simply not true. The funding will be used for painting, electrical upgrades, elevator maintenance, evaporative cooling system upgrades, and the replacement for the vent system used in the plant greenhouse. I applaud the chairman for funding this necessary maintenance work so we do not have more expensive deferred maintenance in the future.

This bill does not fund millions in the maintenance needed by the Architect to sustain and improve our aging national iconic buildings, including the Capitol. However, the chairman found a small amount of funding to try and keep up with the maintenance at the Botanic Garden, and the Members attack because they can get a good headline in the paper.

I reserve the balance of my time.

Ms. HAYWORTH. Mr. Chairman, I certainly respect the point that the gentleman from California has made; but in a time when we are running a deficit of \$14 trillion, at least, we have to seek to pursue sensible measures to reduce budgets wherever we can. And we are, unfortunately, faced with a time in our history in which what is

nice to have or good to have must yield to what we absolutely must have. Therefore, I will defend the proposed reduction in the account that we have made in this amendment.

I reserve the balance of my time.

Mr. HONDA. I believe that there are other amendments forthcoming. I'm just very concerned about it, and I agree with the chairman in making this funding necessary. I know the Botanic Garden. I enjoy it. And I think that the funding that he has provided is sufficient to push forward the maintenance so that we do not incur a greater maintenance problem in the future.

I yield back the balance of my time.

Ms. HAYWORTH. Mr. Chairman, I could not agree more with the gentleman from California that the Botanic Garden is a treasure. I, too, have visited it, with great delight. But I would suggest that we perhaps could get together and seek voluntary contributions to fund this additional budgetary amount so that we can respect the urgent needs of the United States budget and of the United States taxpayers.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Ms. HAYWORTH).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. HAYWORTH. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

□ 2030

AMENDMENT NO. 6 OFFERED BY MR. BROUN OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-173.

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 14, after the dollar amount insert "(reduced by \$3,192,000)".

Page 37, line 7, after the dollar amount insert "(increased by \$3,192,000)".

The CHAIR. Pursuant to House Resolution 359, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Thank you, Mr. Chairman.

My amendment would reasonably reduce funding for the Botanic Garden to the fiscal year 2008 level and transfer more than \$3 million to the spending reduction account. This bill funds the

garden at \$12 million. I'm only asking that the Botanic Garden be funded at \$9 million.

Our Nation is broke. We are broke. There's no question about that. We need to face the fact that we are broke. Yet we continue to add to our enormous debt by borrowing more than \$4 billion each day.

I believe, and I think that the American people would agree, that it is more reasonable to ask the Botanic Garden to stop trimming their hedges and to start trimming their budgets, like many of the other offices have done within the Federal Government and like many families and businesses have done all across this Nation.

We cannot afford to continue down this same path of fiscal irresponsibility that we have been heading down. I urge my colleagues to help me put America back on a different course and to support this amendment.

I reserve the balance of my time.

Mr. CRENSHAW. I claim time in opposition.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. CRENSHAW. I yield myself 1 minute.

Mr. Chairman, we just had an amendment that reduced the funding by \$630,000. Now we have an amendment that will reduce it by 26 percent. I would suggest that that is a little bit extreme.

We as a subcommittee looked at all the agencies that we oversee. We reduced spending, as I said earlier, by 6.2 percent. Some agencies were cut more than others. The Botanic Garden at less than \$600,000 will be at the current spending level this year. We feel like that needs to be where it is so they can continue to do the job they do. With a million people coming there, I think it's important, and I don't think we should cut it another 26 percent.

I reserve the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I yield myself the balance of my time.

I appreciate my good friend ANDER CRENSHAW's remarks about this. When families face hard economic times, they look at extraneous expenses. I love plants. My wife and I work in our yard. We have plants that we baby, and she waters every day, so we certainly have a great appreciation of botanic gardens, plants, and the things that plants bring in the way of enjoyment. But when faced with hard economic times, people don't go out to Home Depot and buy more plants when they can't pay their bills, and that's the situation we're in as a Nation. Though the Botanic Garden is a very beautiful place, with a lot of very beautiful plants in it, I think it's not the responsible thing to continue to try to grow more things that are going to continue to grow the debt and spend money we just simply do not have.

As we've gone through the authorization process in the three committees I'm in, and as we've gone through these appropriation bills, I'm reminded of a saying that was utilized during our founding periods, but with a new twist, and the new twist is this: Don't cut me, don't cut thee, cut that fellow behind the tree. I hear that in the authorization committees over and over again:

"We have to cut our spending but don't cut me. Cut somebody else."

"We have to get our debt under control, but don't cut me. Cut somebody behind the tree."

There's nobody behind the tree. America deserves better. This is a simple cut. The Botanic Garden, as lush and pretty as it is, is not a necessary expenditure of the Federal Government, and I think the American people, if they had a choice, would support this amendment.

Mr. Chairman, I appreciate my good friend ANDER CRENSHAW's comments and the comments from the other side, but we just simply have to stop spending money that we do not have. It's irresponsible to do so, and so I urge the adoption of my amendment.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I yield 2 minutes to the distinguished ranking member of the full Appropriations Committee, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. I thank the gentleman from Florida for yielding.

I just wanted to have the American people understand why we are opposing this amendment.

"The United States Botanic Garden is rooted in the Nation's heritage. During the late 18th century, George Washington, Thomas Jefferson, and James Madison shared the dream of a national botanic garden and were instrumental in establishing one on the National Mall in 1820.

"In continuous operation and open to the public since 1850, the Botanic Garden moved to its present location in 1933, a complex located along the north and south sides of Independence Avenue bordered by First Street and Third Street. The garden includes the Conservatory; the National Garden, which opened in 2006; and Bartholdi Park, which was created in 1932. A plant production and support facility opened in Anacostia in 1933 includes greenhouse bays and maintenance shops."

This is a very important thing to the American people when they come here from all over the country. They want to see the garden, the Botanic Garden, and I just feel that we have to figure a way to fund this and to take care of the facility. This was a dream of the Founders of this Republic, and I think we should honor that dream and we should defeat both of these amendments and do the work that's necessary to keep it in a first-class condition for the American people.

Mr. CRENSHAW. Mr. Chairman, I would like to yield 1 minute to the ranking member of the Legislative Branch Subcommittee, the gentleman from California (Mr. HONDA).

Mr. HONDA. The chairman of the subcommittee should be applauded for adequately funding the operations and necessary maintenance work so we do not have a more expensive deferred maintenance in the future, which usually is the result.

Now, about cutting and about plants. I think I know a little bit about plants and trees and people behind trees. There is someone behind the tree, and sometimes it's a gardener that doesn't know how to prune it to its proper shape so that it will express itself properly.

The Botanic Garden, let's face it, is a national treasure. It is something that people come to to enjoy. It's a heritage that our forefathers left behind that we should be able to maintain now and for the future. It's a place of respite and contemplation, and God knows that we all need that sometimes.

Mr. CRENSHAW. I urge a "no" vote, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

□ 2040

AMENDMENT NO. 7 OFFERED BY MR. ALTMIRE

The CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112-173.

Mr. ALTMIRE. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 16, after the dollar amount insert "(increased by \$1,000,000) (reduced by \$1,000,000)".

The CHAIR. Pursuant to House Resolution 359, the gentleman from Pennsylvania (Mr. ALTMIRE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. ALTMIRE. Mr. Chairman, I ask unanimous consent to modify my amendment with the text that has been placed at the desk.

The CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 7:

Insert "first" after "the".

The CHAIR. Without objection, the modification is agreed to.

There was no objection.

The CHAIR. The Chair recognizes the gentleman from Pennsylvania.

Mr. ALTMIRE. I rise today in support of an important program at the Library of Congress, whose sole mission is to preserve the books and documents that tell our Nation's history. The Library of Congress, a 211-year-old institution and our national library, offers an incredible range of research, interactive programming and innovative technologies. However, most would agree that books remain the fundamental components of any library.

Since 1995, the Library of Congress has been conducting a specific preservation campaign to save its books. The current program, known as the Thirty-Year Mass Deacidification Program, aims to treat and preserve millions of hardbound books, paperback books, manuscripts, newspapers, maps, artworks, music scores, letters, pamphlets, and drawings. The program ensures that future generations are able to enjoy the important historical artifacts that are housed in the Library of Congress.

Many of the older books and papers at the Library of Congress are printed on acidic paper, which can turn brittle and fall apart with age. Deacidification extends the useful life of these works for up to 1,000 years longer than their useful life without treatment. Delaying the acidification process means more books would deteriorate beyond repair. Unfortunately, many old books in the Library's collection are already too brittle or in such poor shape that they cannot be preserved further. We must continue the work now to maintain the remaining books that can still be saved before they deteriorate further.

I am offering this amendment which would restore \$1 million in funding for the Thirty-Year Mass Deacidification Program at the Library of Congress. Decisions that will affect the preservation of our Nation's heritage and history must be made carefully. We have to ensure that the Library has the resources it needs to maintain its collections.

For example, Mr. Chairman, if we cut \$1 million from this project for this 1 year, as this legislation proposes to do, the project will take an estimated 20 years longer to complete while books continue to age and lose years off their useful life. Furthermore, the cut to this particular program is about 20 percent. It's disproportionate to the overall levels of cuts to expenses in other programs within the Library of Congress.

While cuts must be made, this program is something that cannot be put on hold. It cannot wait. Books will continue to decay, and we will risk losing irreplaceable works that chronicle and illustrate our Nation's history.

Mr. CRENSHAW. Will the gentleman yield?

Mr. ALTMIRE. I yield to the gentleman from Florida.

Mr. CRENSHAW. I thank the gentleman for that good amendment, and we have no objection to it.

Mr. ALTMIRE. In reclaiming my time, I appreciate the gentleman's comments. I'm going to go ahead and read my last paragraph if the gentleman doesn't mind, but I do appreciate that.

The Library of Congress, the repository of our national knowledge, does incredibly important work in preserving our Nation's history. In turn, we must provide them with the capacity to preserve their books for generations to come.

I thank the gentleman for his acceptance of the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment, as modified, offered by the gentleman from Pennsylvania (Mr. ALTMIRE).

The amendment, as modified, was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. STUTZMAN

The CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112-173.

Mr. STUTZMAN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 10, after the dollar amount insert "(reduced by \$3,414,150.29)".

Page 29, line 23, after the dollar amount insert "(reduced by \$1,531,990.51)".

Page 37, line 7, after the dollar amount insert "(increased by \$4,946,140.80)".

The CHAIR. Pursuant to House Resolution 359, the gentleman from Indiana (Mr. STUTZMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. STUTZMAN. I yield myself 3 minutes.

Mr. Chairman, I want to thank Chairman DREIER and the entire Rules Committee for ruling this amendment in order and for allowing it to be heard today.

This amendment asks the Government Printing Office to take an additional 4.3 percent cut that, if passed, would bring the total reduction of the GPO for fiscal year 2012 to 20 percent. The additional 4.3 percent cut would mean a total reduction of nearly \$5 million. This may not seem like a lot here in Washington, but the American people demand government to make the same sacrifices at our offices and here in Washington as the families and small business owners make at their homes and places of work. It is our duty to manage our own House in a fiscally prudent manner. Let me lay out some numbers that may put this amendment's small reduction to the GPO in proper perspective.

The GPO spends over \$28 million a year on the CONGRESSIONAL RECORD program alone. Over \$8 million of that amount goes to the printing, binding and distribution of our CONGRESSIONAL RECORD. This includes payment for 4,551 copies of the CONGRESSIONAL RECORD despite the documents having been available digitally since 1994.

I don't know about you, Mr. Chairman, but spending \$28 million to see and print what is said in Congress seems to be a raw deal. It really seems like a subsidy for a magazine that no one really wants to read. I have a couple of examples I'd like to share just to show the printing that goes on within the printing office.

Many of these documents show up in our offices and go straight into the recycling cans. One in particular that I found interesting is this document from the CBO, "Reducing the Deficit: Spending and Revenue Options," which has been printed en masse and is sitting around many of the offices on Capitol Hill. I think that this is a very appropriate measure we can take. When a small business is struggling, it must do without certain luxuries or conveniences. A business may cut marketing and printing costs in turn. A doctor's office might stop its magazine subscriptions it places in its waiting room. They expect us to do the same.

In May of this year, the Public Printer of the United States, who testified before the House Appropriations Legislative Branch Subcommittee, cited nearly 100,000 square feet of wasted government space. He also asked that GPO be taken out of the security business. I would have never guessed that the Government Printing Office spends \$13 million a year on security.

My overall point is that there are creative solutions in order to make this small additional reduction to bring the reduction of the GPO to 20 percent. I applaud the recent internal efforts of Representative LUNGREN of California and Representative GINGREY of Georgia asking Members to opt out of such waste. However, I don't believe that that goes far enough in reducing the spending in this agency.

Mr. Chairman, let me finish by saying that a further 4.3 percent reduction in an office that prints unnecessary publications is not too much to ask. Let's take action. Let's do without as many words, and show Americans we can keep and make cuts of our own here in Congress.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I claim time in opposition.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. CRENSHAW. I thank the gentleman for bringing all of these issues to our attention; but I want to direct him to United States Code, title 44, which basically directs the Government Printing Office to do the things

that they do. So, if the gentleman is concerned, I'd suggest the first thing he do is read title 44 and find out what is required by Congress. If we change that, we might be able to change some of the printing that goes on.

The Government Printing Office only produces what it is ordered to produce by Congress. I think we all know that we've already cut their budget by 16 percent, and I don't know what's magic about the last 4.3 percent. I think our subcommittee, through a series of hearings and informal hearings, looked at the facts. We set some priorities, and we said we're going to reduce the funding by 16 percent. We detail in our report some of the things that are of interest to us. We actually are going to take a look at privatizing the entire Government Printing Office, but once again, so much of that is driven by this title 44.

□ 2050

Already GPO has announced a buyout program. They're going to reduce their workforce by 15 percent through this buyout program. That's 330 positions. And any further significant changes are going to require a change in this printing law.

So while I think the gentleman makes some good points, I simply want to say that we looked at the facts. We reduced the spending by 16 percent. We think that's appropriate.

So I would urge a "no" vote on this amendment.

I reserve the balance of my time.

Mr. STUTZMAN. Mr. Chairman, I yield myself 1 minute.

I do appreciate the points about the responsibilities of the GPO and that they are required by law to print certain documents, but let me give you several examples. And again, let's remind ourselves that all of these—this is actually an environmentally friendly bill. This is an amendment that would actually reduce the cost and the amount of paper that we print many of these words on.

These are all available to any American on the Internet, and especially to each one of us as individuals of Congress, Members of Congress, and to our staff. But we have the CONGRESSIONAL RECORD, the Congressional Directory, the Senate and the House Journals, memorial addresses of Members, nominations, U.S. Code and Supplements, laws and treaties, envelopes provided to Members of Congress for the mailing of documents, House and Senate business and committee calendars, bills, resolutions and amendments, committee reports and prints, committee hearings. All of these are obviously very important documents, but I believe in the day and age that we live in, all of these can be done electronically and digitally and would actually save dollars for the American taxpayer.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I would like to yield 1 minute to the distinguished ranking member of the subcommittee, Mr. HONDA from California.

Mr. HONDA. I thank the chairman for yielding.

My daddy used to say that you should really be careful of zealots because they come in hacking and hewing. I think there are a couple of things that the chairman has pointed out that require some study and thought.

The gentleman who's wanting to do the cutting, he indicated there was a book that was talking about deficits, but that book has been paid by CBO, so it is not a cost of GPO.

And then in terms of security, GPO has the security, but they're required to issue passports, and with passports you have to have security there.

So I think a more studied approach would probably be in place. Cuts for cuts' sake, I think, is, in the words of my father, foolhardy. I would recommend that we slow down and make haste with all deliberate speed, and I agree with my chairman here.

Mr. STUTZMAN. I yield myself 1 minute, the remaining balance of my time, Mr. Chairman.

I understand the gentleman's point about CBO spending their dollars on this publication, but we see these publications around Capitol Hill everywhere. You go to any congressional office and you will see documents and publications that people never use.

Again, let's advance ourselves into the day and age that we live in and using these documents in electronic format.

But also my understanding is that the 16 percent reduction is returning ourselves to the 2009 levels, if my understanding is correct. I believe that we need to reduce ourselves even further than that.

Again, this is a very simple amendment. I think the American people would agree with this and that we are saving every dollar and looking at every opportunity to save tax dollars.

I yield back the balance of my time.

Mr. CRENSHAW. I yield myself such time as I might consume and simply to say that the subcommittee looked at this. We have concerns. We reduced spending by 16 percent. If you want to have any more significant savings, you are going to have to change the printing laws that are there in chapter 54.

So I would simply say I think we've done a good job of what we're trying to do. We are looking for ways. And remember, they print what they're asked to print. When GAO asks them to print something, they pay for it. A lot of people say that we ought to just privatize the whole thing, and that's something we're thinking about doing.

But I think we've cut down sufficiently. I think they can still do their job. They don't need any further cuts. I would urge a "no" vote.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. STUTZMAN).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. CRENSHAW. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana will be postponed.

It is now in order to consider amendment No. 10 printed in House Report 112-173.

It is now in order to consider amendment No. 11 printed in House Report 112-173.

AMENDMENT NO. 13 OFFERED BY MR. PAULSEN

The CHAIR. It is now in order to consider amendment No. 13 printed in House Report 112-173.

Mr. PAULSEN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available in this Act may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Minnesota (Mr. PAULSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PAULSEN. I yield myself such time as I may consume.

My amendment would prevent any funds in the Legislative appropriations bill from being used to distribute printed copies of legislation unless a Member specifically asks or requests for such a copy.

Now, currently when a Member introduces legislation or becomes a cosponsor of a bill, three copies of that bill are sent to the Member's office, and oftentimes many of these copies end up being thrown away or recycled because legislative text is certainly available online and the paper copies just add to the unnecessary clutter.

This amendment would seek to stop that practice. The legislation is available online, and if Members are interested, they could still get a copy of the bill or they can print it obviously offline or request to pick up a printed copy from the printing office.

I understand that there are absolutely valid uses for the printed copies of these bills, and this amendment does not prevent them from being printed.

A similar legislation, Mr. Chairman, was already adopted at the beginning of this Congress that passed the House

399-0. I would ask Members to support this amendment. It's fiscally responsible. It's common sense. It's environmentally the right thing to do as well.

Mr. CRENSHAW. Will the gentleman yield?

Mr. PAULSEN. I yield to the gentleman from Florida.

Mr. CRENSHAW. I think that's a good amendment, and we have no objection. We accept the amendment.

Mr. PAULSEN. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. PAULSEN

The CHAIR. It is now in order to consider amendment No. 14 printed in House Report 112-173.

Mr. PAULSEN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available by this Act may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

The CHAIR. Pursuant to House Resolution 359, the gentleman from Minnesota (Mr. PAULSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PAULSEN. I yield myself such time as I may consume.

Mr. Chairman, this amendment is similar to the last amendment. It would prevent any funds in the Legislative appropriations bill from being used to distribute printed copies of the CONGRESSIONAL RECORD to all 435 Members' offices each day that Congress is in session.

Now, many times copies of the CONGRESSIONAL RECORD are thrown straight into the recycling bin. My amendment would prevent funds from being used to deliver these CONGRESSIONAL RECORD copies to Members' offices. The amendment does not prevent the printing of the CONGRESSIONAL RECORD, just the delivery of the printed copy.

Of course, there are absolutely—as I mentioned in the last amendment, there are legitimate uses for the CONGRESSIONAL RECORD and some offices may require a hard copy, and this amendment does not prevent that. It remains available for pickup from the Legislative Resource Center for all offices.

Again, this is an amendment that is fiscally responsible and environmentally responsible.

I reserve the balance of my time.

□ 2100

Mr. CRENSHAW. Mr. Chairman, I move to strike the last word.

The CHAIR. That may not be done on an amendment.

Mr. CRENSHAW. I think if you read it carefully, the chairman and the ranking member, under the rule, can move to strike the last word.

The CHAIR. On the bill but not on an amendment.

Mr. CRENSHAW. On the bill? So I can't strike it on the amendment?

Then I will rise to claim time in opposition.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. CRENSHAW. I don't necessarily oppose the amendment. In fact, I think it's a good amendment. But I just want to mention a couple of things.

I thank the gentleman from Minnesota for bringing the amendment before us. We are trying to save money. Actually, I think a questionnaire was sent out to ask the Members if they want to receive a CONGRESSIONAL RECORD. Some people responded. Some people didn't respond. But I think like the last amendment that he offered, we are just trying to reduce some of the paperwork. And if people don't want to receive a copy, then they don't have to receive a copy. That might help save a little bit of money. I think on balance, it may create some problems, but I think it's probably a good amendment. And I would be willing to say we accept that amendment.

So with that, I think Mr. HONDA might want to say a word, so I'm going to yield to him for such time as he may consume.

Mr. HONDA. Mr. Chairman, I am not opposed to the amendment, but I figured that I could spend a little time now, since I didn't take it on the last one.

As a Member who represents Silicon Valley, I am supportive of most any effort to move us towards becoming a more paperless Congress. This amendment is easy to support because the Government Printing Office has already taken steps that reduce printed copies of the CONGRESSIONAL RECORD.

GPO has surveyed the House and Senate for their continuing to print copies of the RECORD, along with other print documents, like the Federal Register, the first survey of its kind. And for those offices like my own that told GPO that we want to opt out of having the RECORD delivered to our offices, GPO stopped those deliveries.

I think the gentleman would also be interested in knowing that 68 percent of the costs of producing the CONGRESSIONAL RECORD is incurred whether copies are printed or not. These are the pre-press costs that are used to create the electronic file which they upload for online and also print.

So while I'm not opposed to reviewing how Congress does its work, including its documents requirement, I believe Members should spend some time



getting to know the agency before acting upon it. I think that this move towards a more paperless Congress will start here. It needs to start here with our own practices, and I believe the GPO will accommodate. Again, I support this amendment, as it reinforces steps already taken by our partners at GPO, and I thank our colleague for presenting this.

Mr. PAULSEN. Mr. Chairman, I thank the chairman and the ranking member, and I yield back the balance of my time.

Mr. CRENSHAW. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. THOMPSON  
OF PENNSYLVANIA

The CHAIR. It is now in order to consider amendment No. 15 printed in House Report 112-173.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available in this Act may be used to purchase, acquire, install, or use any medium screw base compact fluorescent lamp or light bulb.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Pennsylvania (Mr. THOMPSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I offer a commonsense, cost-effective, environmentally friendly approach to lighting the Capitol Complex. The amendment states that no funds in the Legislative Branch appropriations bill may be used to buy, acquire, install, or use any compact fluorescent lamp, also known more commonly as a CFL.

I'm offering this amendment for several reasons: One, there are no compact fluorescent lamps manufactured in the United States. This is a very important point. The CFLs that provide light for this Chamber and the Capitol Complex are all foreign-made.

Two, CFLs contain mercury, a known neurotoxin which affects motor and cognitive skills by impairing the brain. If a CFL, or "mercury bomb," as some have called them, breaks, the mercury vapor is released, placing those nearby at risk of inhaling the vapors and absorbing mercury through the lungs. The EPA has set up guidelines for the cleanup of broken CFL bulbs that includes evacuating the room immediately and venting it for at least 10 minutes. Even short-term exposure can potentially cause "memory disturb-

ances, sleep disorders, anger, fatigue, and/or hand tremors," according to recent studies.

Three, since Congress forced the use of foreign-made CFLs 4 years ago, American lighting manufacturers have made substantial investments in technology and have retooled their factories to make new LED and incandescent bulbs which meet the energy efficiency standards Congress mandated.

The best part: These new American-made bulbs are mercury-free, energy-efficient, cost-effective, and provide better lighting than their CFL counterparts. Let me say that again: This amendment does not ban energy-efficient bulbs from the Capitol. On the contrary, it makes sure that the energy-efficient bulbs that are used are mercury-free and made in America.

Let's take a closer look at these two bulbs. This curlicue CFL is energy-efficient by definition. No doubt. This halogen incandescent is also energy-efficient, by definition. This CFL contains mercury, and if it breaks, we have to evacuate the Chamber. This halogen bulb is mercury-free, and if it breaks, we get the broom. This CFL is made in a foreign country. This halogen bulb is made in America, with technologies created by American ingenuity. This CFL adds to our trade deficit. This halogen bulb supports American manufacturing and American jobs. These are good-paying, family sustaining jobs. And that's why the United Steelworkers has been more than happy to lend their support to this amendment.

Mr. Chairman, we can all agree, energy-efficient, cost-effective, environmentally friendly, and American-made is the way to go. I encourage my colleagues on both sides of the aisle to support this commonsense amendment. It's just a bright idea.

I reserve the balance of my time.

Mr. HONDA. I claim time in opposition to the gentleman's amendment.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. Mr. Chairman, the amendment before us would prohibit the purchase, acquisition, installation, or use of any medium compact fluorescent lightbulbs. This amendment seeks to rehash the debate on lightbulb efficiency standards we had during the consideration of H.R. 2417, the BULB Act, which failed when it was brought to a vote earlier this month.

The impact of this amendment on this bill goes beyond a policy argument on whether or not you support these types of energy-saving bulbs. This amendment would prevent Members and staff from literally turning on the lights. If offices have these bulbs, which most do, they would be prohibited from using them.

One reason that folks support doing away with energy-efficient lightbulbs is because they consider them to be a

potential mercury danger. There has been no proof that these lightbulbs expose people to unhealthy levels of mercury. This scare tactic is trying to impose fear and is a result of an overblown media report that exaggerated the potential danger.

These bulbs are safe. They're already installed and are used in the House, and they save taxpayers money. And, oh, by the way, I believe every thermostat we have in our House has quite a bit of mercury in there.

So with that, I urge defeat of this amendment.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. I yield myself such time as I may consume.

I thank the gentleman for laying out his points there. I couldn't disagree more though. These are a result of those standards that were created in previous Congresses, long before I got here. These are energy-efficient bulbs that meet the standards today that were set forth by this body.

This amendment I'm putting forth is a commonsense amendment that recognizes the innovation of American manufacturers. These folks delivered what Congress put out there for an issue to do. And I disagree when it comes to mercury. What I quoted you was from the EPA in terms of, if this bulb were to break in this Chamber, we would be forced to evacuate, simply from breaking one bulb. The EPA tells us that a room would have to be evacuated. It would have to be cleared and ventilated. So that's from the Environmental Protection Agency. These are energy-efficient bulbs, and this is not the only one. Many manufacturers in the United States have risen to the challenge of meeting those new energy-efficiency standards.

□ 2110

Why would we not recognize and utilize American-made bulbs that meet those energy efficiency standards that, frankly, contain no harmful chemicals in terms of mercury, as opposed to one—these bulbs, there is no place in the United States where CFL bulbs are manufactured. This bulb is about foreign jobs.

And so I appreciate the gentleman's point. I just couldn't disagree more.

I reserve the balance of my time.

Mr. HONDA. Mr. Chairman, I find it interesting that the example of the EPA indicating that this mercury would be a danger and so, off the subject then, when we talk about EPA standards and sustaining EPA, I hope that we can be on the same side on that one.

I continue to reserve my time in order to close the debate.

The CHAIR. The Chair recognizes the gentleman from Pennsylvania.

Mr. CRENSHAW. Will the gentleman yield?

Mr. THOMPSON of Pennsylvania. I yield to the gentleman from Florida.

Mr. CRENSHAW. I'm just trying to understand. I know you've got the two light bulbs there. Now, the one on the right, that's the one that's got mercury in it.

Mr. THOMPSON of Pennsylvania. That's correct.

Mr. CRENSHAW. Now, the one on your left, and that's made in America?

Mr. THOMPSON of Pennsylvania. That's made in America.

Mr. CRENSHAW. And that's just as efficient as the one in your right hand?

Mr. THOMPSON of Pennsylvania. It meets the efficiency standards that were—our manufacturers, when those were set by previous Congresses before my time here, our manufacturers, they stepped to the plate and they rose up and they chose to use innovation in their manufacturing. And this is one example of one product that's absolutely energy efficient, no mercury and American-made.

Mr. CRENSHAW. And you can still buy those at the store?

Mr. THOMPSON of Pennsylvania. That's correct.

The CHAIR. The time of the gentleman has expired.

Mr. HONDA. I yield myself such time as I may consume.

Mr. Chairman, the utilization of what you call the curlicue and the other light bulb, I guess the question would remain, in terms of efficiency and sustainability, how long of a lifetime does what you call the curlicue light bulb have versus the other one? It seems to me that when I'm a shopper and I look at prices and I look at the number of hours that it's going to be up there, the number of hours that the newer bulbs have exceed anything that I've seen before.

Mr. THOMPSON of Pennsylvania. Will the gentleman yield?

Mr. HONDA. Yes, but let me finish here. I just wanted to make sure that we don't confuse what we call efficiency with sustainability. I think the sustainability is also a piece that we should be looking at. The production of it, I think, is important, and I don't fight you on the point that we should make more stuff here. We should, and we will. I think that there are more products in Lowe's and Orchard Supply and places like that that exhibit that we are making more of that here.

I yield to the gentleman from Pennsylvania.

Mr. THOMPSON of Pennsylvania. I agree with the gentleman. Return on investment for consumers is important. In my experience with these bulbs, frankly, their durability is excellent. That is one of the things I think that innovation within light bulbs, our light bulb manufacturers have addressed, not just energy efficiency, but also durability, so that we have a bulb, an American-made prod-

uct, that has a great return on investment for our consumers. That's all important. I couldn't agree with you more.

Mr. HONDA. Mr. Chairman, the wording of the gentleman's amendment says none of the funds made available in this act may be used to purchase, acquire, install, and use any medium screw-based compact florescent lamp or light. It also feels like the argument is about whether we can continue to purchase, or are we going to just allow these bulbs that we have in place to stay in place and not ever be removed.

So I think that, one, it's confusing. Two, I'm not sure that we're going to really attain this position of efficiency and sustainability under this amendment that is presented here.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. THOMPSON).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. HONDA. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 16 OFFERED BY MR. HANNA

The CHAIR. It is now in order to consider amendment No. 16 printed in House Report 112-173.

Mr. HANNA. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle in an aggregate amount that exceeds \$1,000 for the vehicle in any month.

The CHAIR. Pursuant to House Resolution 359, the gentleman from New York (Mr. HANNA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. HANNA. Mr. Chairman, right now our Nation is seriously debating its fiscal future. We're making tough decisions to get spending under control. Congress should do the same.

This spending bill for Congress allows us an opportunity to practice what we preach when it comes to excessive spending on the taxpayer dime.

My amendment is quite simple. It states that the CAO may not make MRA payments for the leasing of a vehicle in an amount that exceeds \$1,000 per month. It applies only to individual Member office accounts and would not affect the Capitol Police or other legislative agencies. It would not affect

periodic car rentals, and it does not, it is not the intention of the amendment to affect mobile offices.

This is about preventing the leasing of expensive luxury cars. Currently, there is no cap on how much Members can spend on leased cars. The only requirement is that cars meet certain fuel standards.

This amendment installs a \$1,000 monthly cap. Members of Congress have 2-year terms, which could require a slightly more expensive short-term lease. This amendment accounts for that.

I believe the majority of this body and most Americans can agree that \$1,000 a month for a car is more than reasonable. We do not need to be spending the taxpayers dollars leasing expensive luxury vehicles, and certainly not during these tough economic times.

I would also note that the Senate does not offer any car leasing whatsoever. If Senators can go without car leases, Members of the people's House can get by with less expensive cars.

Wasting taxpayer dollars sends the wrong message to the American public. It only serves to further erode our constituents' faith in us, their elected Representatives.

I urge my colleagues to support this commonsense, cost-conscious amendment.

Mr. CRENSHAW. Will the gentleman yield?

Mr. HANNA. I yield to the gentleman from Florida.

Mr. CRENSHAW. I just want to say that I think that's a good amendment. And I think some of the people that are concerned about the reduction in the MRA, then they won't have to worry about the extra \$1,000 that they were going to spend leasing a car because they won't be able to do that anymore under your amendment.

Mr. HANNA. They won't have it anyway, right?

Mr. CRENSHAW. So we have no objection, and accept the amendment.

Mr. HONDA. Will the gentleman yield?

Mr. HANNA. I yield to the gentleman from California.

Mr. HONDA. I have no objection. I just have a quick comment that I'm okay with including this prohibition. I think the Committee on the House Administration should review this issue and consider making a permanent change to House leasing policy, rather than having the Appropriations Committee carry this temporary fix.

Mr. HANNA. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. HANNA).

The amendment was agreed to.

Mr. CRENSHAW. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HANNA) having assumed the chair, Mr. WOODALL, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

Mr. CRENSHAW. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2551 pursuant to House Resolution 359, the following amendments be permitted to be offered out of the specified order:

Amendment No. 10 by Mr. FLAKE; amendment No. 11 by Mr. FLAKE.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 359 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2551.

□ 2120

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, with Mr. WOODALL in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, amendment No. 16 printed in House Report 112-173 by the gentleman from New York (Mr. HANNA) had been disposed of.

AMENDMENT NO. 10 OFFERED BY MR. FLAKE

The CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 10 printed in House Report 112-173.

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available in this Act for Members' representational allowances or for official mail for committees and leadership offices of the House of Representatives may be used for any mailing that does not bear the official letterhead of the Member, committee, or office involved, other than a publication or document produced by another office of the Government or by an office of a State or local government that is included with such a mailing.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would simply require that all mail sent by Members, committees, and leadership offices be on the official letterhead of the sending office. This amendment would not prevent Members from sending mass mailings or the so-called "499s."

The specific intent of the amendment is to prohibit the use of the four-color glossy mailers that Members occasionally send and that are paid for at taxpayer expense. They are virtually indistinguishable at times from campaign mailers. If I were to hold up an example of franked mail sent out at taxpayer expense with a little tiny disclaimer there saying "paid for at taxpayer expense"—four-color glossy with a big touched-up photo of the Member standing there, typically—you would not be able to tell the difference, unless you looked very, very closely, between that and campaign mailers that are sent out and paid for at the campaign expense.

I think that in this era, particularly given the budget constraints that we're under, for Members of Congress to be sending out what is essentially campaign mail at taxpayer expense should be forbidden. We shouldn't be able to do that.

We have certain rules that even prohibit the mailing of these mailers within 90 days of an election. So we recognize as a body, as an institution, that these are essentially instruments of a campaign; yet we allow it before 90 days. I would say that we are already drawing a line. That line is simply drawn in the wrong place. We should prohibit these four-color glossy mailers from being sent out at taxpayer expense.

With that, I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. CRENSHAW. I yield myself such time as I may consume.

What are we going to do about three-color mailers? How about two-color mailers?

I appreciate what the gentleman is trying to do, and we have rules and regulations in this House, but I don't think we ought to micromanage these MRA accounts. We've talked a lot about them, about the fact that we have reduced them by 6.4 percent, and people have said, gee, I might have to lay off somebody; or now we learn that, since you can lease a car, they might have to give up the lease on their car.

Some people say, I love to send out mail, and whether they send out mail on their letterhead—actually, that might cost more than a postcard. I guess under this amendment you couldn't send out a postcard—it's a lit-

tle bit cheaper—because it wasn't printed on special stationery.

So I really don't think we ought to get in the business of saying what we can send out and what we can't send out. As long as the Members comply with the rules of this House, if they want to spend more money on a more attractive piece of mail that people might very well read, then they ought to be free to do that. If they want to print it on official stationery in blue or black or whatever color ink they want to use, they ought to be able to do that.

Some people think if you put a picture or a chart, people might pay more attention. And if you look at the rules of this House, we've got rules and regulations of how big the charts can be, how big the pictures can be, how big the letters in your name can be. Because I think the point is that we want to communicate with our constituents. If we want to mail them a newsletter, I think we ought to be able to do that, and it ought to be in a way that they would like to read it.

So I don't think we ought to get into the business of telling the Members exactly what they can do and when they can do it and what color it is. I think the rules of this House provide adequate protection, and so I have to oppose my good friend's amendment.

I reserve the balance of my time.

Mr. FLAKE. May I inquire as to the time remaining?

The CHAIR. The gentleman has 3 minutes remaining.

Mr. FLAKE. I thank the gentleman.

I would simply say in response that the gentleman says that we shouldn't be in the business of telling Members what they can mail and when they can mail it. We already are in that business. We do that. We already have a line drawn, 90 days before an election, and we say you can't mail these four-color glossy brochures after 90 days because it would be seen and perceived as electioneering. But what about 91 days before an election?

We have an office here that tells the Members what words they can use to describe a Medicare benefit or some bill that has been passed. If you use it in one way, they say that's disallowed. We shouldn't be in that business. That's the business we shouldn't be in. And we wouldn't be in that business if we just said, hey, don't do electioneering at taxpayer expense.

We all know, believe me, when you see those four-color glossies, you know that's a campaign mailer at taxpayer expense. So we're not fooling anybody by saying we have rules that prohibit it, and let's just stick to the rules of the House.

We do have lines that are drawn; they're just drawn in the wrong place. And I can tell you nothing feeds the cynicism around the country about us, Members of Congress, than to get one

of those mailers and see the tiny print there, "Paid for at taxpayer expense." We shouldn't be in that business.

During the fiscal year 2010 appropriations process the newspaper Roll Call noted that: The House Chief Administrative Officer asked appropriators to raise the Members' Representational Allowances, or MRA, which fund everything needed to run offices, including salaries, travel and supplies, by \$90 million, citing increases due to the election year cycle.

Now, why would an election year cycle be any more expensive than any other? It's because Members all rush to get these glossy mailers out before the 90-day deadline. And we send the 499s. We send 499, you know why? Because anything over 500 is prohibited, so Members will send 499 of them. It's electioneering. We know it. We're not fooling anybody.

We ought to draw the line back a bit so we don't feed this cynicism around the country that says that incumbents have advantages that challengers or others running in these races every 2 years don't. And that's the truth.

Speaking here as an incumbent, we have enough advantages, believe me. We can get on television whenever we want. We can stand here at the pulpit late at night, or otherwise, and offer amendments. We can get our mug on television all we want to. We shouldn't have the advantage of sending out four-color glossy mailers at taxpayer expense. That's what this amendment is about, and I urge adoption of it.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I'm going to yield some time to Mr. HONDA, but I just can't help but realize that you can't mail any mass mailings, whether they're black and white, whether they're four color, eight color, ten color. So I appreciate what the gentleman is trying to do, but he's not going to stop people from sending out newsletters. They can send them out in black and white even if his amendment passed.

Once again, this doesn't save any money. I just think, clearly, Members have these MRAs. They can utilize the money to communicate the best way they can as long as they comply with the rules. And the rules say you can't send out a mass mailer 90 days before an election, whether it's black and white, one color, two colors, four colors, eight colors.

I yield 1 minute to the gentleman from California (Mr. HONDA).

□ 2130

Mr. HONDA. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Flake amendment will prevent Members from sending mailings that do not use official letterhead. The Committee on House Administration handles franking, not one individual

Member who has decided that he does not like the mailing system of other Members.

What the gentleman is trying to prevent is an eligible activity under franking guidelines. I would remind the gentleman that he is now a Member of the majority party. He should reach out to his leadership to change the House franking regulations if he has such a problem.

I do not believe in a one-man regulatory body, and I certainly do not believe one Member should dictate how another Member communicates with his or her constituents. I oppose the amendment on the grounds that the gentleman from Arizona is impinging on individual Members' choices in how they communicate with their constituents.

As I said before, the Committee on House Administration has all those guidelines; and the guidelines even make my job a little tight sometimes, but there is a purpose for the guidelines that they give us, and that is to distinguish between campaigns and making sure there are time lines prior to campaigns. So I appreciate his efforts, but I still oppose the amendment.

Mr. CRENSHAW. Mr. Chairman, I urge a "no" vote, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT NO. 11 OFFERED BY MR. FLAKE

The CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 11 printed in House Report 112-173.

Mr. FLAKE. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available in this Act for Members' representational allowances or for the expenses of committees and leadership offices of the House of Representatives may be used to purchase advertisements that hyperlink to any website maintained by funds provided under a Members' representational allowance, funds provided for salaries and expenses of committees of the House, or funds provided for salaries and expenses of leadership offices of the House.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit Members from purchasing online advertisements that link to a Web site that is maintained by their MRA.

This appropriations bill will fund the legislative branch through much of the

next election cycle. We all know, as I said before, incumbents tend to have a natural advantage over challengers in elections; 98 percent of incumbents are typically reelected. It is largely due to the benefits that we currently have. We shouldn't try to make those better than they are naturally.

Members are allowed to use funds in order to design and obtain an official Web site through house.gov. That is perfectly appropriate, and I am glad we are able to do that. We all have our Web sites that we maintain using our funds, and people should be able to contact their Members of Congress, and that is the easiest way to contact us at this point.

Members are also allowed to maintain various profiles on social networking sites such as Facebook, Twitter, Google Plus, and ones that will be created in the future. Aside from the salaries and expenses of a Member's staff and computers, maintaining a social networking profile doesn't cost anything to the taxpayers.

However, some Members have been using official funds to pay for ads that link either to their official Web site or to one of their social networking profiles. I would submit that while it may serve our purposes, by its very nature, purchasing advertising provides a Member an opportunity for promotion that facilitates greater name identification. Is not broadening name recognition and identification a classic responsibility of a Member's campaign activities?

If there is even a chance that taxpayer money on online ads could be viewed by Members as promoting themselves for campaign purposes, we should not allow it. Especially now that we are in this budget crisis, we shouldn't be allowing Members to use their MRA or taxpayer money to purchase advertising to drive people to their official sites or their social networking sites.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I rise to claim the time in opposition.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. CRENSHAW. Mr. Chairman, this is similar to the last amendment. Members have an MRA. They can spend the money as long as it is under the rules of the House. They can hire staff. They can travel back and forth to their districts, and they can send out letters. And now that we have the Internet, you can use the Internet to communicate with your constituents.

We shouldn't prohibit communication from a Member to a constituent. Certainly no one believes that you ought to be able to use taxpayer dollars to buy political advertising, but I think the rules allow a Member to notify constituents of a town meeting coming up. He can send out a postcard or a four-color flier. He can send out a

letter on his letterhead. If a Member wants to announce that they are seeking applications for appointments to military academies, they can notify people by mail or on the Internet.

So I think we have adequate rules and regulations that make sure that we are not abusing the taxpayers' dollars. And remember, these are dollars that are provided to the Members; and so when you micromanage how they spend it, it doesn't save any money. It just adds a layer of us telling Members how they can do things. And that is not our business.

Again, I urge we defeat this amendment.

I reserve the balance of my time.

Mr. FLAKE. I would say in response that we already have lines that we have drawn. We don't allow Members simply to advertise out on the Internet like a campaign would. That's paid for by campaign activities, not by taxpayer dollars. Yet this is something that has grown and evolved just over the past couple of years, the ability to buy advertisements that drive people to your Web site. This isn't something that we could have foreseen 10 years ago. It has just evolved. We need to bring our regulations in line with current technology.

I would submit that buying online advertising to basically increase your name identification should be beyond what our official money should be used for. There are plenty of ways that Members can announce town halls, service academy nominations, seminars, or any other event that they need to host without buying online advertising with taxpayer dollars. That's what this amendment is about.

The gentleman before brought up a point: Why don't we just take this kind of thing to the Franking Commission or to the administration of the House and say let's change the rules rather than doing it here?

I can tell you why. Typically, there is a partisan environment against spending or against this or against that where you have some kind of debate. But in this case, Republicans and Democrats work together to protect incumbents because we are all incumbents here. Unless you can let the public know what is going on in a forum like this which you don't get when you just go to the Franking Commission, you don't get change.

I can tell you that sending out four-color glossy brochures, as I mentioned in the last amendment, or buying online advertising to direct people to your official site does not pass the smell test or the laugh test outside the Beltway in terms of what taxpayer money should be spent on.

I urge adoption of the amendment.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Chairman, this amendment would prevent Members from purchasing advertising that hyperlinks to their official Web sites. It is unclear what the gentleman from Arizona is attempting to do. His amendment seems to sanction the advertisement as long as the link is to a nonofficial Web site of a Member. But why would a Member link an advertisement highlighting official events to his or her Facebook pages instead of to their House Web site?

This amendment also could make ads more expensive if Members have to put more information in the ads rather than linking them to their House Web site. So while the Member focuses on online advertisements, his amendment actually pertains to all advertisements. It is not clear if this amendment would be interpreted to prevent Members from showing their Web site link on television ads that are used to inform constituents of official events. These advertisements are sanctioned by House administration, and there are seven points that we have to follow.

So I would say that this amendment is not clear in its scope and impact, and it is in contravention of the majority's guidelines on how Members can use their MRA funding.

Mr. CRENSHAW. Mr. Chairman, in closing, it was pointed out that technologies have advanced, and I think the House has stayed current. In 2009, the rules were modified to make sure that these franking rules, these rules that govern communication, apply to the Internet as well.

□ 2140

So we have adequate safeguards in place. We don't need to be micromanaging that. We let the rules of the House prevail.

I urge a "no" vote.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

Mr. CRENSHAW. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLAKE) having assumed the chair, Mr. WOODALL, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GRIFFITH of Virginia (at the request of Mr. CANTOR) for today on account of family reasons.

Mr. BISHOP of New York (at the request of Ms. PELOSI) for today until 3:30 p.m.

Mr. ELLISON (at the request of Ms. PELOSI) for today.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1103. An act to extend the term of the incumbent Director of the Federal Bureau of Investigation; to the Committee on the Judiciary.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 41 minutes p.m.), the House adjourned until tomorrow, Friday, July 22, 2011, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2575. A letter from the Associate General Counsel for Legislation and Regulation Divisions, Department of Housing and Urban Development, transmitting the Department's final rule — SAFE Mortgage Licensing Act: Minimum Licensing Standards and Oversight Responsibilities [Docket No.: FR-5271-F-03] (RIN: 2502-A170) received July 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2576. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Exemptions for Security-Based Swaps (RIN: 3235-AL17) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2577. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Automotive Fuel Ratings Certification and Posting received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2578. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-53; Small Entity Compliance Guide [Docket FAR 2011-0075] received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2579. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Uniform Suspension and Debarment Requirement [FAC 2005-53; FAR Case 2009-036; Item III; Docket 2010-0109, Sequence 1] (RIN: 9000-AL75) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2580. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Extension of

Sunset Date for Protests of Task and Delivery Orders [FAC 2005-53; FAR Case 2011-015; ITEM IV; Docket 2011-0015, Sequence 1] (RIN: 9000-AM08) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2581. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Encouraging Contractor Policies to Ban Text Messaging While Driving [FAC 2005-53; FAR Case 2009-028; ITEM V; Docket 2010-0097, Sequence 1] (RIN: 9000-AL64) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2582. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — West Virginia Regulatory Program [WV-117-FOR; OSM-2011-0006] received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2583. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Revision to the List of Hazardous Substances and Reportable Quantities [Docket No.: PHMSA-2011-0102 (HM-145O)] (RIN: 2137-AE47) received July 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2584. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Partial Exchange of Annuity Contracts (Rev. Proc. 2011-38) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 966. A bill to amend rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes; with an amendment (Rept. 112-174). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1670. A bill to amend the Sikes Act to improve the application of that Act to State-owned facilities used for the national defense; with an amendment (Rept. 112-175, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 363. Resolution providing for consideration of the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112-176). Referred to the House Calendar.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Armed Services discharged from further consideration. H.R. 1670 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. LATHAM:

H.R. 2605. A bill to specify that certain obligations of the United States shall be prioritized in the event that the debt ceiling is reached; to the Committee on Ways and Means.

By Mr. GRIMM (for himself and Mr. MEEKS):

H.R. 2606. A bill to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes; to the Committee on Natural Resources.

By Ms. WOOLSEY:

H.R. 2607. A bill to provide protection for children affected by the immigration laws of the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Missouri (for himself and Ms. VELÁZQUEZ):

H.R. 2608. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; to the Committee on Small Business.

By Mr. COHEN (for himself, Mr. BLUMENAUER, and Mr. CONNOLLY of Virginia):

H.R. 2609. A bill to establish an Office of Livability in the Office of the Secretary of Transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FRANK of Massachusetts (for himself, Mr. JONES, Mr. TIERNEY, Mr. GUINTA, Mr. MARKEY, Ms. PINGREE of Maine, Mr. KEATING, Mr. LYNCH, Mr. COURTNEY, Mr. MICHAUD, Mr. MCINTYRE, Mr. PALLONE, and Mr. MCGOVERN):

H.R. 2610. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to reform procedures for the payment of funds from the asset forfeiture fund, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA (for himself, Mr. LUJÁN, Mr. POLIS, Mr. BACA, and Mr. PIERLUISI):

H.R. 2611. A bill to amend the Workforce Investment Act of 1998 to prepare individuals with multiple barriers to employment to enter the workforce by providing such individuals with support services, job training, and education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MACK (for himself, Mr. GOSAR, Mr. GOWDY, and Mr. ROSS of Florida):

H.R. 2612. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to repeal the authority of the Bureau of Consumer Financial Protection to prohibit certain acts or practices; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 2613. A bill to repeal the Gun-Free School Zones Act of 1990 and amendments to that Act; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 2614. A bill to amend the Internal Revenue Code of 1986 to allow distributions from

retirement accounts to start a business; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 2615. A bill to restore the second amendment rights of all Americans; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 2616. A bill to provide for the safety of United States aviation and the suppression of terrorism; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS (for himself and Ms. CHU):

H.R. 2617. A bill to authorize the Secretary of Education to make grants to promote the education of pregnant and parenting students; to the Committee on Education and the Workforce.

By Mr. QUIGLEY:

H.R. 2618. A bill to enhance certain prohibitions and penalties relating to certain forms of firearms trafficking; to the Committee on the Judiciary.

By Mr. ROONEY (for himself and Mr. DEUTCH):

H.R. 2619. A bill to direct the Secretary of Veterans Affairs to ensure that law enforcement personnel charged with security functions at Department of Veterans Affairs medical centers receive active shooter training; to the Committee on Veterans' Affairs.

By Mr. SCHWEIKERT (for himself, Mr. GRIJALVA, Mr. FRANKS of Arizona, Mr. PASTOR of Arizona, Mr. COLE, and Mr. DENHAM):

H.R. 2620. A bill to provide for treatment of members of a certain Indian tribe under the Native American Housing Assistance and Self-Determination Act of 1996; to the Committee on Financial Services.

By Mr. TIPTON:

H.R. 2621. A bill to establish the Chimney Rock National Monument in the State of Colorado, and for other purposes; to the Committee on Natural Resources.

By Mr. WOLF:

H.R. 2622. A bill to amend title 49, United States Code, to establish a 10-year term of office for any individual appointed as the Assistant Secretary of Homeland Security (Transportation Security Administration), and for other purposes; to the Committee on Homeland Security.

By Mr. AMASH (for himself, Mr. BENISHEK, Mr. CAMPBELL, Mr. CULBERSON, Mr. FLAKE, Mr. GARDNER, Mr. GIBSON, Mr. GOSAR, Mr. GOWDY, Mr. GRAVES of Georgia, Mr. HULTGREN, Mr. KINGSTON, Mr. LABRADOR, Mr. LIPINSKI, Mr. MULVANEY, Mr. NUGENT, Mr. POMPEO, Mr. RIBBLE, Mr. SOUTHERLAND, Mr. WALSH of Illinois, and Mr. WOODALL):

H.J. Res. 73. A joint resolution proposing a spending limit amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FATTAH (for himself, Mr. DAVIS of Illinois, Mr. CLARKE of Michigan, Mr. DAVID SCOTT of Georgia, Mr. AL GREEN of Texas, Mr. SCOTT of Virginia, Mr. CLEAVER, Mr. MEEKS, Mr. LEWIS of Georgia, Mr. RANGEL, and Mr. HINCHEY):



H. Con. Res. 66. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to celebrate the life of Dr. Martin Luther King, Jr., and recognize the Alpha Phi Alpha Fraternity for its work to erect a monument to the civil rights leader; to the Committee on House Administration.

By Ms. WATERS (for herself, Mrs. CHRISTENSEN, Ms. BORDALLO, Ms. ROYBAL-ALLARD, Mr. FRANK of Massachusetts, Ms. LEE, Mr. RANGEL, Mr. COHEN, Mr. TOWNS, Mr. CONYERS, Ms. RICHARDSON, Ms. WILSON of Florida, Mr. DAVIS of Illinois, Ms. NORTON, Ms. JACKSON LEE of Texas, Mr. BACA, Mr. ISRAEL, Mr. RUSH, Mr. CLARKE of Michigan, Ms. SPEIER, Mr. ELLISON, Mr. POLIS, Mr. HASTINGS of Florida, Mr. CICILLINE, and Mr. FILNER):

H. Res. 362. A resolution supporting the goals and ideals of National Clinicians HIV/AIDS Testing and Awareness Day, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WASSERMAN SCHULTZ (for herself, Mr. MCDERMOTT, Mr. HANNA, Mr. HOLT, Mrs. CAPPs, Mr. MCCAUL, Mr. CULBERSON, Mr. ROE of Tennessee, Ms. SCHAKOWSKY, Mr. BARTLETT, Mr. GERLACH, Mr. POE of Texas, Mr. ELLISON, Mr. COOPER, Mr. ROONEY, Mr. GRIMM, Mr. ALTMIRE, Mr. NADLER, Mr. LIPINSKI, Mr. PEARCE, Mr. GIBSON, Mr. GUTIERREZ, Mr. PETERS, Mrs. EMERSON, Mrs. BONO MACK, Mr. MACK, Mr. BARTON of Texas, Mr. CAMPBELL, Mr. FINCHER, Mr. DESJARLAIS, Mr. STUTZMAN, Mrs. BLACKBURN, Mr. BURTON of Indiana, Mrs. NOEM, Mr. SENSENBRENNER, Mr. DOLD, Mr. CAMP, Mr. CRAWFORD, Mr. GUINTA, Mr. SCHWEIKERT, Mr. FLAKE, Mr. QUAYLE, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. GRIJALVA, Mr. PASTOR of Arizona, Mr. SHIMKUS, Mr. SMITH of Washington, Mr. PAULSEN, Mr. RIVERA, Mr. THOMPSON of Pennsylvania, Mr. BARLETTA, Mr. SCHOCK, Mr. WAXMAN, Mr. ISRAEL, Ms. JACKSON LEE of Texas, Mr. COHEN, Mr. PIERLUISI, Ms. BORDALLO, Mr. HASTINGS of Florida, Mrs. NAPOLITANO, Mr. OWENS, Ms. LORETTA SANCHEZ of California, Mr. HINCHEY, Ms. BASS of California, Mr. HOLDEN, Mr. OLVER, Ms. NORTON, Ms. MOORE, Mr. FARR, Mr. LEWIS of Georgia, Ms. PINGREE of Maine, Mr. BUTTERFIELD, Mr. LANGEVIN, Mr. CARDOZA, Mr. WALZ of Minnesota, Mrs. MALONEY, Mr. JACKSON of Illinois, and Ms. SPEIER):

H. Res. 364. A resolution designating room HVC 215 of the Capitol Visitor Center as the "Gabriel Zimmerman Meeting Room"; to the Committee on Transportation and Infrastructure.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LATHAM:

H.R. 2605.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sections 8 and 9 of the Constitution of the United States.

By Mr. GRIMM:

H.R. 2606.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Ms. WOOLSEY:

H.R. 2607.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1

By Mr. GRAVES of Missouri:

H.R. 2608.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, §8, cl.3 "To regulate commerce among foreign nations and the several states."

By Mr. COHEN:

H.R. 2609.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. FRANK of Massachusetts:

H.R. 2610.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution.

By Mr. GRIJALVA:

H.R. 2611.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. MACK:

H.R. 2612.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. PAUL:

H.R. 2613.

Congress has the power to enact this legislation pursuant to the following:

This act is justified by the lack of a mandate or assertion of authority in the United States Constitution for the federal government to establish the laws affected in this act, by Article One of the United States Constitution that grants legislative powers, by the Second Amendment of the United States Constitution that recognizes the right to bear arms, and by the Ninth Amendment and Tenth Amendment of the United States Constitution that recognize that rights and powers are retained and reserved by the people and the states.

By Mr. PAUL:

H.R. 2614.

Congress has the power to enact this legislation pursuant to the following:

The Sixteenth Amendment, which gives Congress the power to lay and collect taxes, clearly gives Congress the authority to allow Americans to use funds from tax-free savings accounts to create new business and create new jobs.

By Mr. PAUL:

H.R. 2615.

Congress has the power to enact this legislation pursuant to the following:

This act is justified by the lack of a mandate or assertion of authority in the United States Constitution for the federal government to establish the laws affected in this act, by Article One of the United States Constitution that grants legislative powers, by the Second Amendment of the United States Constitution that recognizes the right to bear arms, and by the Ninth Amendment and Tenth Amendment of the United States Constitution that recognize that rights and powers are retained and reserved by the people and the states.

By Mr. PAUL:

H.R. 2616.

Congress has the power to enact this legislation pursuant to the following:

This act is justified by the lack of a mandate or assertion of authority in the United States Constitution for the federal government to establish the laws affected in this act, by Article One of the United States Constitution that grants legislative powers, by the Second Amendment of the United States Constitution that recognizes the right to bear arms, and by the Ninth Amendment and Tenth Amendment of the United States Constitution that recognize that rights and powers are retained and reserved by the people and the states.

By Mr. POLIS:

H.R. 2617.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. QUIGLEY:

H.R. 2618.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. ROONEY:

H.R. 2619.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article 1 of the Constitution

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SCHWEIKERT:

H.R. 2620.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 states that Congress has the authority to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. TIPTON:

H.R. 2621.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution: to make rules for the government and regulation of land.

By Mr. WOLF:

H.R. 2622.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to provide for the common defense, as enumerated in the Preamble of the United States Constitution.

By Mr. AMASH:

H.J. Res. 73.

Congress has the power to enact this legislation pursuant to the following:

This resolution is enacted pursuant to the powers conferred by the United States Constitution upon Congress by

Article V, which provides that "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution . . . which shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States . . ."

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:



- H.R. 10: Mr. MARCHANT.  
H.R. 11: Mr. RAHALL.  
H.R. 23: Mr. CRITZ.  
H.R. 58: Mr. CASSIDY, Mr. BOSWELL, and Mr. UPTON.  
H.R. 87: Mr. BROUN of Georgia.  
H.R. 107: Mr. SCOTT of Virginia.  
H.R. 139: Mr. WAXMAN.  
H.R. 178: Mr. BISHOP of New York.  
H.R. 181: Mr. RUPPERSBERGER.  
H.R. 332: Mr. FARR.  
H.R. 333: Mr. GENE GREEN of Texas.  
H.R. 365: Mr. HEINRICH.  
H.R. 397: Mr. FITZPATRICK.  
H.R. 420: Mr. DANIEL E. LUNGREN of California, Mr. WOODALL, Mr. SMITH of Texas, Mr. UPTON, Mr. PAUL, Mr. BONNER, and Mr. JOHNSON of Illinois.  
H.R. 452: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DUFFY, Mr. SHUSTER, Mr. BISHOP of Utah, Mr. TIPTON, Mr. KING of New York, and Mr. FORBES.  
H.R. 456: Ms. CHU and Mr. MEEHAN.  
H.R. 459: Mr. HINCHEY and Mr. MEEHAN.  
H.R. 539: Mr. JOHNSON of Georgia.  
H.R. 540: Mr. SCHIFF.  
H.R. 645: Mr. GRIFFIN of Arkansas, Mr. UPTON, and Mr. BOSWELL.  
H.R. 674: Mr. ROGERS of Michigan, Mr. BENISHEK, Mr. REED, Mr. ROSS of Arkansas, and Mr. WOMACK.  
H.R. 679: Mr. RAHALL.  
H.R. 718: Mr. BOREN, Mr. BLUMENAUER, Mr. LUETKEMEYER, Mr. OLVER, and Mr. HOLDEN.  
H.R. 719: Mr. PERLMUTTER, Ms. DEGETTE, and Mr. HOLT.  
H.R. 734: Mr. HUNTER.  
H.R. 735: Mr. DAVIS of Kentucky and Mr. POMPEO.  
H.R. 748: Mr. RUNYAN.  
H.R. 808: Mrs. CHRISTENSEN.  
H.R. 812: Mr. ANDREWS, Mr. GONZALEZ, and Mr. CRITZ.  
H.R. 835: Ms. VELÁZQUEZ.  
H.R. 860: Mr. MILLER of Florida, Ms. SEWELL, Mr. DOLD, Mr. POLIS, Mr. McCLINTOCK, and Mr. HINCHEY.  
H.R. 885: Mr. BLUMENAUER, Mr. YARMUTH, and Mr. COHEN.  
H.R. 891: Mr. DOGGETT.  
H.R. 959: Mr. SIRES.  
H.R. 972: Mr. POMPEO.  
H.R. 973: Mr. AUSTIN SCOTT of Georgia and Mr. CAMP.  
H.R. 992: Mr. RAHALL.  
H.R. 1042: Mr. CONAWAY and Mrs. BLACKBURN.  
H.R. 1050: Mr. FITZPATRICK.  
H.R. 1063: Mr. CONNOLLY of Virginia.  
H.R. 1080: Mr. CLEAVER.  
H.R. 1084: Mr. BRADY of Pennsylvania and Ms. LEE.  
H.R. 1093: Mr. BOSWELL, Mr. MCKINLEY, Mr. CASSIDY, and Mr. QUAYLE.  
H.R. 1154: Mr. ROTHMAN of New Jersey.  
H.R. 1164: Mr. BILBRAY.  
H.R. 1195: Mr. WELCH.  
H.R. 1219: Mr. CLEAVER.  
H.R. 1236: Mr. LOBIONDO, Ms. BUERKLE, Mr. GRIJALVA, and Mr. SIRES.  
H.R. 1259: Mr. WALDEN, Mr. KINZINGER of Illinois, and Mr. CONAWAY.  
H.R. 1265: Ms. JENKINS, Mr. MARCHANT, and Mr. REHBERG.  
H.R. 1288: Mr. DEUTCH and Mr. BRALEY of Iowa.  
H.R. 1307: Mr. BILBRAY.  
H.R. 1327: Ms. BALDWIN, Mr. LUCAS, Mr. DENT, Mr. ELLISON, Mr. THOMPSON of Mississippi, Mr. KILDEE, Mr. JOHNSON of Georgia, Mr. BOREN, and Mr. CONNOLLY of Virginia.  
H.R. 1330: Mr. JOHNSON of Ohio.  
H.R. 1348: Mr. SARBANES, Mr. OWENS, and Mr. PASCRELL.  
H.R. 1381: Mr. CLEAVER.  
H.R. 1386: Mr. CLEAVER and Mr. GONZALEZ.  
H.R. 1394: Mr. COURTNEY, Mr. YARMUTH, Mr. MICHAUD, Ms. CASTOR of Florida, and Mr. WHITFIELD.  
H.R. 1417: Ms. JACKSON LEE of Texas, Mr. WHITFIELD, Mr. GRIJALVA, and Mrs. NAPOLITANO.  
H.R. 1418: Mr. PALLONE and Mr. CAMPBELL.  
H.R. 1426: Mr. THOMPSON of Pennsylvania, Mrs. NAPOLITANO, Mr. LUJÁN, Mr. PERLMUTTER, and Mr. CAPUANO.  
H.R. 1449: Mr. FITZPATRICK.  
H.R. 1466: Mr. HINOJOSA, and Mr. LUJÁN.  
H.R. 1479: Ms. MCCOLLUM.  
H.R. 1489: Mrs. CHRISTENSEN and Mr. AL GREEN of Texas.  
H.R. 1546: Mr. NADLER, Ms. MCCOLLUM, and Mr. MURPHY of Pennsylvania.  
H.R. 1550: Ms. JACKSON LEE of Texas.  
H.R. 1558: Mr. LATHAM and Mr. FLEMING.  
H.R. 1580: Ms. HERRERA BEUTLER and Ms. SEWELL.  
H.R. 1623: Mr. LARSON of Connecticut, Mr. RANGEL, and Mr. BISHOP of Georgia.  
H.R. 1633: Mrs. MILLER of Michigan.  
H.R. 1648: Mr. WAXMAN, Mr. LEWIS of Georgia, and Mr. CLEAVER.  
H.R. 1659: Mr. MURPHY of Connecticut.  
H.R. 1684: Mr. VISLOSKEY and Mr. RAHALL.  
H.R. 1704: Mr. CAPUANO and Mr. REICHERT.  
H.R. 1735: Ms. TSONGAS.  
H.R. 1744: Mr. DOLD and Mr. OLSON.  
H.R. 1754: Mr. CONNOLLY of Virginia, Ms. WOOLSEY, Mr. WAXMAN, Ms. BORDALLO, Ms. ZOE LOFGREN of California, Mrs. CAPPAS, and Mrs. MCCARTHY of New York.  
H.R. 1756: Mr. FITZPATRICK.  
H.R. 1761: Mr. FARR and Mr. HANABUSA.  
H.R. 1792: Ms. NORTON.  
H.R. 1802: Mr. ROTHMAN of New Jersey and Mr. ROSS of Arkansas.  
H.R. 1815: Mr. SABLAN.  
H.R. 1834: Mr. ROSS of Florida.  
H.R. 1856: Mr. ROGERS of Alabama and Mr. COBLE.  
H.R. 1885: Mr. FORBES and Mr. HARPER.  
H.R. 1911: Mr. STUTZMAN.  
H.R. 1932: Mr. BILBRAY.  
H.R. 2019: Ms. PINGREE of Maine.  
H.R. 2036: Mr. JOHNSON of Ohio.  
H.R. 2056: Mr. MCINTYRE.  
H.R. 2091: Mr. CRITZ.  
H.R. 2092: Mrs. CAPITO.  
H.R. 2094: Mr. REICHERT and Mr. PAYNE.  
H.R. 2140: Mr. KILDEE.  
H.R. 2159: Mr. MCGOVERN.  
H.R. 2164: Mr. CULBERSON.  
H.R. 2168: Mr. COBLE.  
H.R. 2169: Mr. FILNER and Ms. ZOE LOFGREN of California.  
H.R. 2182: Mr. BURGESS.  
H.R. 2187: Mrs. DAVIS of California.  
H.R. 2214: Mr. TIBERI.  
H.R. 2223: Ms. SCHWARTZ.  
H.R. 2236: Mr. NADLER.  
H.R. 2245: Mr. LEWIS of Georgia.  
H.R. 2250: Mr. DEFAZIO, Mr. SCHRADER, Mr. STIVERS, Mr. SHUSTER, Mr. MULVANEY, Mr. COBLE, Mr. CRITZ, Mr. MCHENRY, and Mr. KISSELL.  
H.R. 2286: Mr. BLUMENAUER.  
H.R. 2299: Mr. CAMP.  
H.R. 2305: Mrs. MILLER of Michigan.  
H.R. 2316: Ms. NORTON.  
H.R. 2324: Mr. DEFAZIO and Mr. LARSEN of Washington.  
H.R. 2334: Mr. RYAN of Ohio.  
H.R. 2341: Ms. BROWN of Florida.  
H.R. 2357: Mr. SHUSTER.  
H.R. 2371: Mr. FINCHER.  
H.R. 2380: Mr. BACA.  
H.R. 2402: Mr. DANIEL E. LUNGREN of California and Mr. DIAZ-BALART.  
H.R. 2418: Mr. COURTNEY.  
H.R. 2442: Mr. LANKFORD.  
H.R. 2444: Mr. BACA.  
H.R. 2453: Mr. WOMACK.  
H.R. 2492: Mr. FRELINGHUYSEN, Mr. KING of New York, Mr. CAMPBELL, Mr. DOGGETT, and Mr. GEORGE MILLER of California.  
H.R. 2497: Mr. BILBRAY.  
H.R. 2498: Mr. BISHOP of New York.  
H.R. 2513: Mr. YARMUTH and Ms. WASSERMAN SCHULTZ.  
H.R. 2514: Mr. CONAWAY, Mr. GARRETT, and Mr. POE of Texas.  
H.R. 2527: Mr. CAMP.  
H.R. 2529: Mr. MILLER of Florida and Mr. PETRI.  
H.R. 2547: Ms. SCHAKOWSKY.  
H.R. 2559: Ms. LEE of California and Mr. KIND.  
H.R. 2571: Mr. OWENS.  
H.R. 2581: Mr. CONAWAY, Mr. DANIEL E. LUNGREN of California, and Mr. JOHNSON of Ohio.  
H.R. 2587: Mr. WALBERG, Mr. LANDRY, and Mr. WESTMORELAND.  
H.R. 2594: Mrs. SCHMIDT, Mr. COBLE, Mr. GUINTA, Mr. BUCHSON, Mr. LANKFORD, Mr. GARY G. MILLER of California, Mr. MEEHAN, Mr. LONG, Mr. CRAWFORD, Mrs. MILLER of Michigan, Mr. FARENTHOLD, Mr. BURGESS, Mr. FLEISCHMANN, Mr. BARLETTA, Mr. GRAVES of Missouri, Mr. CRAVAACK, Mr. LARSEN of Washington, Mr. DEFAZIO, and Mr. SENSENBRENNER.  
H.R. 2603: Mr. GARRETT.  
H.R. 2604: Mr. VAN HOLLEN.  
H.J. Res. 28: Ms. FUDGE, Ms. JACKSON LEE of Texas, Ms. LEE, Ms. MOORE, Mr. HASTINGS of Florida, Mr. CONYERS, and Mr. GRIJALVA.  
H.J. Res. 29: Mr. CONYERS and Mr. GRIJALVA.  
H.J. Res. 30: Mr. CONYERS and Mr. GRIJALVA.  
H.J. Res. 31: Mrs. MALONEY.  
H.J. Res. 32: Mr. CONYERS and Mr. GRIJALVA.  
H.J. Res. 33: Mr. CONYERS and Mr. GRIJALVA.  
H.J. Res. 34: Mr. CONYERS and Mr. GRIJALVA.  
H.J. Res. 35: Mr. CONYERS and Mr. GRIJALVA.  
H.J. Res. 36: Mr. CONYERS and Mr. GRIJALVA.  
H.J. Res. 47: Ms. LORETTA SANCHEZ of California.  
H. Con. Res. 63: Mr. KUCINICH and Mrs. MCCARTHY of New York.

H. Res. 16: Mr. FORBES and Mr. CAPUANO.

H. Res. 23: Mr. GRIFFIN of Arkansas.

H. Res. 136: Ms. LEE of California, Mr. BUTTERFIELD, Ms. RICHARDSON, Ms. WILSON of Florida, Ms. JACKSON LEE of Texas, Mr. RUSH, Mr. RANGEL, Mr. TOWNS, Ms. MOORE, Mrs. NAPOLITANO, and Mr. GRIJALVA.

H. Res. 282: Ms. WOOLSEY, Mrs. NAPOLITANO, Mr. BECERRA, Ms. LEE of California, and Mr. CARNEY.

H. Res. 298: Mr. CRENSHAW.

H. Res. 309: Mr. ROTHMAN of New Jersey.

H. Res. 332: Ms. WOOLSEY.

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DELETIONS OF SPONSORS FROM  
PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 605: Ms. BROWN of Florida.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2584

OFFERED BY: MR. PASTOR OF ARIZONA

AMENDMENT No. 2: Page 141, beginning on line 12, strike section 445.

**EXTENSIONS OF REMARKS**

IN HONOR'S LIGHT, IN HONOR OF THE PRESENTATION OF THE MEDAL OF HONOR ON JULY 12, 2011, RANGER SGT. 1ST CLASS LEROY PETRY, 75TH RANGER REGIMENT, THE UNITED STATES ARMY

**HON. GEOFF DAVIS**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. DAVIS of Kentucky. Mr. Speaker, on May 26, 2008, Sgt. 1st Class Leroy Petry of Sante Fe, New Mexico, while on his 8th tour of duty in both Iraq and Afghanistan and in the midst of a firefight, distinguished himself conspicuously by gallantry and intrepidity above and beyond the call of duty. Ranger Sgt. Leroy Petry lost his right hand and suffered severe wounds after picking up a live grenade and throwing it away from his fellow soldiers, thereby saving the lives of his comrades. He also was wounded in both legs and in the midst of the battle tied tourniquets to his legs and arm. Today we honor this great American Hero and the many like him with the presentation of The Medal of Honor to him at The White House by President Barack Obama. I ask that this poem penned in his honor by Albert Caswell, be placed in the RECORD.

IN HONOR'S LIGHT

In . . .  
 In the battle, but comes the light!  
 From out of such darkness, so very bright!  
 All between life and death, that which so ignites!  
 So brilliant, and so very bright!  
 To lead the way, to win that fight!  
 To save their Brother In Arms, its height!  
 While, forsaking one's own most precious life!  
 Shining there, all in their most heroic glare so bright!  
 Leading the way, all in what they so gave so right!  
 All In Honor's Light!  
 For, from only out of one's soul . . . Can but only such brilliance, so flow!  
 Can but only such light but shine so!  
 When, who lives . . . or dies? And who but lives to see another sunrise?  
 When, it all so depends on you!  
 Such Splendid Splendor, Such God-like Light!  
 Which, bring's such tears to even The Angels eyes!  
 All in such selfless sacrifice!  
 While, bathed all In Honor's Light!  
 Goodness! Evil! Darkness! Light!  
 Those Brave Hearts, Who Evil Must Fight!  
 Who so shine, who but bring their light!  
 All In Honor's Light!  
 Moments! Are all we have!  
 When, it all so depends on you!  
 When, death but lies so very close!  
 As when you Leroy, so rose to such new heights!  
 Ranger, all in your most brilliant light!  
 As it all so came shining through!  
 All in valor's most magnificent hue!  
 For what child will now be born?  
 For which love's, will so live on?  
 Who might change the world, or rise . . . all In Honor's Height!

Sgt. 1st Class Petry, All because you! When, All In Honor and Death . . .  
 What your fine heart, so pledged!  
 For what was right and what is true!  
 'Ah yes, Ranger's lead, Leroy as so did you!  
 All for our nation, and that old Red, White and Blue!  
 All for your Brothers In Arms, as your most courageous heart so grew!  
 All in, Your Most Magnificent Hue!  
 All In Honor's Light, So Very True!  
 As why this day Ranger Petry, you so shine so true!  
 With all of those other magnificent's . . .  
 Who now so who, have so shown All Honor's Light so too!  
 As this Medal of Honor, we now bestowed upon You!  
 All In Honor's Light! This hue!  
 OOO-AH!

—by Albert Carey Caswell.

IN HONOR OF PAUL BURIK

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today to honor Mr. Paul Burik, who is being honored at this year's American Nationalities Movement's awards dinner.

Mr. Burik, was born in Budvar, in what was then Czechoslovakia. In 1968, during the Soviet invasion, he and his father managed to escape and settled in Cleveland, Ohio. After graduating from Kent State University with a degree in architecture, Paul spent much of his professional career working as Chief Architect for the City of Cleveland.

Mr. Burik is currently the President of the Cleveland Cultural Gardens Federation, an organization consisting of more than two dozen gardens representing various nationalities. Among the gardens is a Czech Garden. Since he became President, the Cultural Gardens have expanded annually for the past four years and several more nationalities are waiting to build a garden. Mr. Burik is also the President of the Cleveland Chapter of the Czech and Slovak Society of Arts and Sciences, a nonprofit cultural organization.

Mr. Burik currently resides in Avon, Ohio, with his wife, Fran, with whom he has two children and two grandchildren. In Avon, Paul is the co-Founder and Secretary of the French Creek Development Association, an organization dedicated to the improvement and promotion of downtown Avon.

Mr. Speaker and colleagues, please join me in honoring Paul Burik, a man who has dedicated so much of his time and talents to his community and its betterment.

RECOGNIZING THE ACHIEVEMENTS OF NEW YORK PRESBYTERIAN HOSPITAL

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. RANGEL. Mr. Speaker, it is my great honor and privilege to congratulate New York—Presbyterian Hospital for its impressive achievement of once again ranking number one among New York hospitals according to U.S. News and World Report's 2011–2012 Best Hospital Rankings. Nationally, New York—Presbyterian ranked sixth out of almost 5,000 hospitals. The hospital offers the highest quality comprehensive care, which has also landed it on U.S. News' Honor Roll for the eleventh year in a row. Achieving this prestigious distinction is no small feat. In order to reach this list, a hospital must be ranked at or near the top in at least six specialties. New York—Presbyterian is highly ranked in 11. These specialties include Cancer; Cardiology & Heart Surgery; Diabetes & Endocrinology; Geriatrics; Neurology & Neurosurgery; Orthopedics; Psychiatry; and Pulmonology. The hospital is also nationally ranked in 15 adult and 10 pediatric specialties.

New York—Presbyterian Hospital is the largest not-for-profit, non-sectarian hospital in the United States, with 2,409 beds and nearly 2 million inpatient and outpatient visits annually. The hospital has 6,144 affiliated physicians and a staff of nearly 20,000. New York—Presbyterian is a teaching hospital with five major centers located throughout New York State. It is accredited by the Joint Commission and the Commission on Accreditation of Rehabilitation Facilities.

There are many other attributes to this great institution that keep it among the nation's top hospitals. New York—Presbyterian Hospital puts its patients first, staying on the cutting edge of life-saving technology. As the only hospital in the United States affiliated with two Ivy-League medical schools, the hospital seeks to reinvent medical practice, offering breakthrough treatments for brain and prostate cancers. The hospital has centers and institutes dedicated specifically to cardiology and reproductive medicine. New York—Presbyterian Hospital offers world class care, with the largest solid organ transplant program in the nation. Safety and quality are top priorities for the hospital and they have created an award-winning "Patient Safety Fridays" program that has been adopted by medical centers throughout the country.

It brings immense honor to the fifteenth district of New York and to the state as a whole, for the commendable work of this hospital to be recognized on a national scale. I congratulate New York—Presbyterian, the President and CEO of the hospital, Dr. Herbert Pardes,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and encourage them to keep up the great work.

RECOGNITION OF BEVERLY ARMSTRONG AND HER SERVICE TO THE UNITED STATES OF AMERICA AND THE UNITED STATES ARMY

**HON. JOHN W. OLVER**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. OLVER. Mr. Speaker, I rise today to recognize the invaluable service of Beverly Armstrong to the United States of America. Like many military spouses, Beverly has devoted her life to the United States Army as the wife of Retired Sergeant First Class John P. Armstrong and as a Department of the Army Civilian. After twenty-one years of loyal and dedicated service to the U.S. Army as a civilian employee, Beverly retired from Fort Devens, Massachusetts on June 30, 2011.

Beverly Armstrong was born in Fredericksburg, Virginia on October 11, 1947. Beverly met SFC Armstrong when he returned to Virginia in 1967 from his first tour of duty in Vietnam and they married two months later. Shortly after, SFC Armstrong was deployed to Fort Wainwright, Alaska and Fort Leonardwood, Missouri with Beverly by his side. SFC Armstrong was deployed to a second tour of duty in Vietnam two years later where he was wounded by gunfire. SFC Armstrong returned to active duty in Korea and Germany while Beverly remained in the United States. Their last active duty posting was at Fort Devens, Massachusetts where SFC Armstrong retired in 1986.

Beverly and SFC Armstrong both returned to the U.S. Army in 1989 as civilian employees. Beverly continued serving her country and its military as a Military Pay Clerk, Statistician at the U.S. Army Hospital, and a Procurement Clerk and Purchasing Agent, all at Fort Devens. Later, as a Contract Specialist within the Fort Devens Contracting Office, Beverly honored her country by processing contracts for soldiers involved in Operations Desert Storm, Desert Shield, and Enduring Freedom. During her tenure as a federal employee with the U.S. Army, Beverly served with pride and valor just as she has served her country throughout her life.

Beverly Armstrong contributed twenty-one years of civilian service in addition to over forty years as a military spouse. Beverly stood by SFC Armstrong through six deployments including three overseas and one in a combat zone. Military families sacrifice much in the support of our troops. It is only fitting that all Americans recognize their considerable service for our country. On the occasion of her retirement, I commend Beverly for an extensive and auspicious civilian career with the U.S. Army and express my sincere gratitude for her distinguished service to the United States of America.

ADDRESSING OUR NATION'S  
POVERTY PROBLEM

**HON. G.K. BUTTERFIELD**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. BUTTERFIELD. Mr. Speaker, earlier today my colleagues spoke about poverty in America. I regret that I could not join them at that time and now I wish to submit my own remarks. These are very tough times for rural districts such as the one I represent in the northeastern corner of North Carolina. It is the fourth poorest Congressional District in the U.S. 24 percent of the people I represent and 36 percent of the children live below the poverty line. Those are chilling statistics.

There are enormous racial disparities in poverty rates, and they are only getting larger. According to the U.S. Census Bureau, 25.8 percent—one in four—of all black Americans live in poverty compared to an overall national poverty rate of 14.3 percent. This compares to 25.3 percent poverty among Hispanics, 12.5 percent among Asians and 9.4 percent among whites.

The poverty problem in America is getting worse; not better. In 2006, the overall poverty rate was 12.6 percent, and in 2008, the overall poverty rate was 13.2 percent. The poverty rate now is the highest it has been since 1994.

Other indicators are equally alarming. More Americans than ever find themselves in need of food. In 2009, 14.7 percent of U.S. households had difficulty providing enough food for family members at some point during the year. This is the highest level observed since the U.S.D.A. started monitoring food security in 1995. From 2007 to 2009, the number of households using food pantries rose by 44 percent from 3.9 to 5.6 million households.

Similar trends of racial disparities exist amongst individuals lacking health insurance coverage. According to the U.S. Census Bureau, 21 percent—one in five—black Americans are uninsured. This compares to 12 percent among whites and 17.2 percent among Asians. The number of uninsured children has risen to 7.5 million. In total, over 50.7 million people, or 16.7 percent of the country's population lack health insurance coverage—a dramatic increase from 46.3 million in 2008.

Poverty, hunger, and suffering are increasing—especially for people of color—during these difficult economic times. These are sad and terrible realities that a distressing number of my constituents face.

My district has many vivid and unfortunate illustrations of poverty: nearly one in 20 homes in some counties do not have a telephone or a kitchen, and many of my constituents are still living without indoor plumbing. As the national numbers show, eastern North Carolina is not unique in its poverty or suffering. People are poor, getting poorer, and are largely being ignored by policy makers all across the country.

Recent budget plans offered by the other side of the aisle would cut spending from most safety net programs, such as Medicare, Social Security, and food security programs, while increasing defense spending. If these misguided

plans are passed into law, the impacts would be felt by all Americans and we would face a second Great Recession.

As we face an impending debt crisis and unsustainable levels of spending, we must balance our ongoing commitments to job creation and tax code reform while ensuring changes are not made at the expense of children, minorities, and seniors. We have a moral obligation to fight for the millions of Americans who are overlooked and suffering each and every day.

Mr. Speaker, we must work together toward developing comprehensive strategies to eradicate the growing poverty and hunger in the world's wealthiest nation.

IN HONOR OF THE AMERICAN VOLUNTEER GROUP "FLYING TIGERS"

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today to honor the American Volunteer Group (AVG) known in China as "The Flying Tigers," on the occasion of its 70th anniversary.

In 1941, Chinese Generalissimo Chiang Kai-shek authorized retired U.S. Lieutenant General Claire Lee Chennault to create a group of American pilots and airmen to assist and train Chinese aerial forces. With President Franklin D. Roosevelt's permission, Armed Forces members were allowed to volunteer for this assignment. In total, 97 pilots and 185 ground personnel from the U.S. Army, Navy, and Marine Corps volunteered.

The group faced many initial challenges. To start, the group had 100 P-40 fighter planes (painted with the now-famous "shark's face" nose), many of which were in less than ideal condition. Additionally, the group had only four months to train and prepare before action started. However, the AVG was able to establish three separate squadrons: Adam and Eve, the Panda Bears, and Hell's Angels.

The group first saw action on December 20, 1941, just 12 days after the attack on Pearl Harbor. While U.S. air forces and the Royal Air Force were generally unsuccessful against the Japanese at the war's onset, the AVG was notably successful, largely due to Chennault's innovative fighting tactics.

For their efforts, at the group's 50th anniversary, the AVG was rewarded veteran status for service in World War II. The following year they were also rewarded with the Presidential Unit Citation. In 1992, each member of the AVG ground personnel was awarded the Bronze Star and pilots were awarded the Distinguished Flying Cross.

Mr. Speaker and colleagues, please join me in honoring the American Volunteer Group "Flying Tigers," whose bravery and courage in the face of incredible difficulties will inspire future pilots and military servicemen and women for years to come.

COMMEMORATING THE 37TH ANNIVERSARY OF THE TURKISH OCCUPATION OF CYPRUS

**HON. SHELLEY BERKLEY**

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Ms. BERKLEY. Mr. Speaker, I rise to call my colleagues' attention to the 37th anniversary of the Turkish tragic invasion of Cyprus. Turkey's unlawful occupation, which began on this day in 1974, left thousands of innocent Greek Cypriot civilians without their homes, their land, and their families. It is crucial for us to commemorate this unfortunate situation and assist the people of Cyprus in reaching a solution.

Many of the Cypriot generation who suffered the invasion have not lived to see justice or a resolution to this conflict. Although many of the survivors have had the opportunity to return to their homes on the northern side of the island, it was only to discover them occupied by Turkish settlers.

Only Turkey recognizes the occupied northern side of the country as a Turkish Cypriot state, but it does not even provide a valid standard of living to their own citizens. This was made evident through the recent demonstrations by Turkish Cypriots who have displayed their own dissatisfaction with the Turkish occupation.

Thirty-seven years after the invasion, the Turkish government continues to throw obstacles in the path to peace. Instead of compromising, Turkey threatens a deadlock on relations between Turkey and the European Union if the Republic of Cyprus takes over the presidency of the European Union in July 2012. It is clear that Cypriots of all kinds are ready for peace, but how can peace be reached when Turkey will not even accept Cyprus as a member of the European Union? The time has come for Turkey to end their threats, withdraw their troops, and return the territory that is not rightfully theirs. That way, the Cypriots—and the Cypriots alone—can make the decisions affecting their future.

DEBT REDUCTION PLANS EFFECTS ON POVERTY

**HON. MARCIA L. FUDGE**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Ms. FUDGE. Mr. Speaker, I rise today to highlight the devastating effects of the Republican agenda on the poor. Debt reduction plans that gut social safety net programs will put millions of low-income families at risk.

According to the U.S. Census, the number of people in poverty in 2009—43.6 million—is the largest number in the 51 years for which poverty estimates have been published.

In my home state of Ohio, 15.2 percent of the state's population lived in poverty in 2009. Among African-American seniors, 67 percent are at or below the poverty line, and 12 percent of African Americans rely on Medicare to survive.

Cuts to Medicaid will disproportionately affect African-American communities. In 2009, 27 percent of African-Americans—approximately 10 million people, including 6 million children—were covered by Medicaid.

When everyone talks about the budget, all you hear about are numbers. Behind those numbers are people: hard-working Americans or the unemployed or those who are just getting by.

There is an urgent need to resolve the debt ceiling issue and it is beyond irresponsible not to raise the debt limit. We all agree that we have to responsibly reduce the deficit, but not on the backs of the most vulnerable. My job in Congress is to be a voice for the voiceless and I will fight to help these Americans by opposing the Republican budget.

HONORING THE LIFE OF U.S. NAVY CORPSMAN JEFFREY L. WIENER

**HON. CAROLYN MCCARTHY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today to recognize the life of U.S. Navy Corpsman Jeffrey L. Wiener, and honor his memory through the dedication and renaming of the Lynbrook Post Office.

Jeffrey, a native of Lynbrook, NY, dedicated his life to public and volunteer service as a volunteer firefighter, AMT and Navy Corpsman. Jeffrey joined the Navy shortly after September 11, 2001 and immediately volunteered to be assigned to a fighting Marine infantry company. Jeffrey trained as a fighting infantryman who also provided medical services to those who had been wounded. In February of 2005, Jeffrey arrived in Iraq and shortly after, was assigned to a Marine Mobile Assault Platoon (MAP).

On May 7, 2005, while serving with his team in Al-Anbar Province in Iraq, Jeffrey was killed while attempting to help another platoon involved in combat. Jeffrey made the ultimate sacrifice while serving and defending our country and it is for this reason that the U.S. House of Representatives passed a resolution to dedicate the Lynbrook Post Office in his honor.

As of Friday, July 22, 2011, the Lynbrook Post Office will be known as the "Navy Corpsman Jeffrey L. Wiener Post Office Building." This is a fitting tribute to Jeffrey's honor and memory. Jeffrey and his family made the ultimate sacrifice for this country and this is a small gesture to thank them and honor the memory of such a brave and dedicated hero.

Mr. Speaker, it is with great honor and appreciation that I acknowledge the accomplishments of HM2, Jeffrey L. Wiener, USN and pay tribute to him and his family through the dedication of the Navy Corpsman Jeffrey L. Wiener Post Office Building.

PERSONAL EXPLANATION

**HON. MICHAEL E. CAPUANO**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. CAPUANO. Mr. Speaker, earlier in the week I missed several rollcall votes and I wish to state how I would have voted had I been present:

Rollcall No. 601—Yes.  
Rollcall No. 603—No.  
Rollcall No. 604—No.  
Rollcall No. 605—Yes.  
Rollcall No. 606—No.  
Rollcall No. 608—No.  
Rollcall No. 609—No.  
Rollcall No. 610—Yes.  
Rollcall No. 611—No.

OUR UNCONSCIONABLE NATIONAL DEBT

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is \$14,342,887,364,361.82.

On January 6th, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$3,704,461,618,068.02 since then.

This debt and its interest payments we are passing to our children and all future Americans.

IN RECOGNITION OF THE FAMILIES OF OUR LADY QUEEN OF ANGELS' CELEBRATION OF THE 125TH ANNIVERSARY OF OUR LADY QUEEN OF ANGELS CHURCH

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. RANGEL. Mr. Speaker, I rise today to honor, recognize, and celebrate the Families of Our Lady Queen of Angels in celebration of the 125th anniversary of the founding of Our Lady Queen of Angels Church.

Our Lady Queen of Angels Church was constructed in 1886 at the urging of the New York Archbishop Corrigan for the German community that lived in the neighborhood. The church, located in East Harlem, was built by Father Bonaventure, a Capuchin Friar who founded the Capuchins in New York City. The building was designed as a replica of the Portiuncula, the chapel where Francis of Assisi died. Friar Solanus Casey, the only American Capuchin to become Venerable lived at Our Lady Queen of Angels during the 1920s and was very devoted to the congregation. The church holds a rich religious history and a symbolic legacy for the Capuchins.

The church has been an important feature of the East Harlem Community for 125 years. The congregation has opened its doors, providing service and hope, to the poor and immigrant communities. The church has united the community and provided a welcoming place to practice the Catholic faith.

On February 12, 2007 Cardinal Egan, the Archbishop of New York ordered that the church be closed immediately. Although the building itself was closed, the families of Our Lady Queen of Angels refused to abandon the spirit of the parish community. Every Sunday since the closing the congregation has gathered on the sidewalk in front of the church to conduct their own service. Lacking a priest, they conduct the services themselves; the parishioners stand in a tight circle to sing hymns and discuss Bible passages in the context of their own lives. These services take place without fail, regardless of rough weather conditions. In addition to the weekly services, the congregation goes on retreats, celebrates Catholic holy days, and hosts community and ethnic special events.

This parish has demonstrated the power and fortitude of community. They refused to allow the loss of a physical space to destroy the bonds that they share with each other. The congregation serves as a beautiful portrayal of the positive outcome produced by uniting in the face of adversity.

I ask my colleagues and our Nation to join me in this special Congressional Recognition of the Families of Our Lady Queen of Angels as they celebrate the 125th anniversary of the church founding.

37TH ANNIVERSARY OF THE  
TURKISH INVASION OF CYPRUS

**HON. EDWARD R. ROYCE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. ROYCE. Mr. Speaker, today marks the 37th anniversary of the Turkish invasion of Cyprus. The 1974 invasion claimed the lives of approximately 5,000 Greek Cypriots, while 200,000 were forcefully displaced from their homes. This is a dark chapter not only for Hellenes, but for all of Europe.

Thirty-seven years later, 43,000 Turkish soldiers still occupy over 35 percent of Cyprus illegally. This occupied area is one of the most militarized areas in the world, despite the fact that Turkish and Greek Cypriots live in relative harmony.

An agreement for a bi-communal government and power sharing between Greek and Turkish Cypriots would not only serve the best interests for all of Cyprus, but it would also serve the U.S. in promoting peace and stability in the Eastern Mediterranean.

Cyprus has supported the U.S. in the efforts to counter terrorist-related activities and threats to peace and security. During the wars in Afghanistan and Iraq Cyprus has provided over-flight and landing rights to the United States aircraft and port access for U.S. ships. In Beirut barracks bombing in 1983 Cyprus provided the staging ground for the U.S. evacuation and rescue efforts. In July–August

2006, Cyprus served as the principal transit location for people evacuating Lebanon.

Cyprus shares the United States' deep and abiding commitment to upholding the ideals of freedom, democracy, justice, human rights, and the international rule of law, making the unification of Cyprus important. History shows us that Cyprus is a reliable partner to the U.S.

I've met with Cypriot President Demetrios Christofias and his dedication to reunifying Cyprus is commendable, and continues to be his top priority. If only he could be met halfway by Turkey, Cyprus could flourish faster in this global economy with a unifying identity and single sovereignty.

IN HONOR OF MR. WILLIAM  
DENIHAN

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Mr. William Denihan, who is being honored as a Home Grown Hero for his work with Cudell Improvement, Inc. As founder and the first president of the organization, Bill has shown his commitment to "neighbors helping neighbors" and revitalizing the Cudell/Edgewater neighborhood of Cleveland.

Bill has held various leadership roles at the state, county, and local levels for years, always displaying his passion for the public good. He has served as Director of Public Service for the City of Cleveland, Director of Human Resources for the State of Ohio and Cuyahoga County, Executive Director of Ohio's State Employee Relations Board, and Acting Chief of Police. Bill has also taught at Cleveland State University's College of Urban Affairs and at the Ohio Certified Public Managers Program.

Bill founded Cudell Improvement, Inc. in 1974 and served as its first President. The organization is committed to providing assistance primarily to the Cudell/Edgewater neighborhood of Cleveland in a variety of areas, including real estate development, crime prevention, commercial revitalization, and youth services.

Bill currently serves as the Chief Executive Officer for the Alcohol, Drug Addiction, and Mental Health Services Board of Cuyahoga County. He is married with 11 children and 34 grandchildren.

Mr. Speaker and colleagues, join me in honoring Mr. William Denihan who has spent his career serving the people of Ohio and the Cleveland area.

IN HONOR OF MARIN ALSOP

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. FARR. Mr. Speaker, I rise today to honor Maestra Marin Alsop, whose visionary and charismatic leadership has made the Cabrillo Festival of Contemporary Music in

Santa Cruz, California our nation's global leader in the creation and presentation of contemporary music for orchestra.

Born in New York City, Marin Alsop attended Yale University and received her Master's Degree from The Juilliard School and was the first woman to be awarded the Koussevitsky Conducting Prize from the Tanglewood Music Center where she became a protégé of Leonard Bernstein. She has gone on to make history as the first woman to lead a major American orchestra; the first conductor to receive a MacArthur Foundation Fellowship ("genius award"); and the first artist to win both Gramophone's Artist of the Year and the Royal Philharmonic Society's Conductor's Award in the same season. Other prizes include a European Women of Achievement Award, a Classical BRIT Award for Best Female Artist, the Royal Philharmonic Society's BBC Radio 3 Listeners Award, Musical America's Conductor of the Year, and induction as a fellow to the American Academy of Arts and Sciences.

Described by the New York Times as "a conductor with a vision of what an American orchestra could be in the 21st century," Marin Alsop has made Cabrillo a place where composers, musicians, audiences, and the community interact, and where everyone contributes to the process of modern symphonic music making. By the force of her genius and her genuineness, the Festival has become a creative gathering like none other in the world.

A Music Director of vision and distinction who passionately believes that "music has the power to change lives," Marin Alsop has made the Festival a creative force on the international stage. No longer just a presenter of new works, Cabrillo is now an originator of new works, with more and more composers choosing the Festival for the first performance of their newest works. This season there will be a historic seven world premieres, each written to celebrate her special 20th anniversary season.

Mr. Speaker, for all that she has done for living composers and the future of symphonic music as a vibrant American art form, and for all that she will undoubtedly achieve in the years ahead, I extend my most sincere appreciation and congratulations to Marin Alsop on the occasion of her 20th anniversary as music director of the Cabrillo Festival of Contemporary Music.

HONORING THE LIFE OF PASTOR  
MARY ALLEN

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Pastor Mary Allen for her devotion and work with her church and within her community.

Pastor Mary Allen is a loving wife and proud mother of two beautiful children, Minister Monica Allen and Minister Clinton Allen. She has been married to Bishop Clenso Allen for 45 years and they celebrated their wedding anniversary on May 3, 2011.

Prior to her extensive involvement with her church, Pastor Mary Allen was an employee at Chase Manhattan Bank for 17 years. She eventually left the business world to pursue a calling in prayer and righteousness. Pastor Mary Allen has taken up leadership roles as the head of the Daughters of Naomi Women Empowerment Fellowship in her church and as the Director of the Calvary Outreach Ministry. Pastor Mary Allen uses all at her disposal to engage the needy and spread her ministry to them.

In 1995 Pastor Mary Allen attained a higher level of ministry as she was ordained as an Elder. She pursued this higher level of ministry after God called her to proclaim His word and spread her faith among her peers. She is presently serving as co-Pastor under the leadership of her husband Bishop Clenso Allen.

Pastor Mary Allen has acquired several accolades over the years because of her work with the church. On June 15, 2008 she received her Doctor of Divinity Degree from International Christian University in Chesapeake Virginia. In March 2010 she was named by District Attorney Charles Haynes along with 30 other women as Outstanding Women in Brooklyn, New York.

Pastor Mary Allen continues to spread the word of the Lord and works fervently within her community to help the needy. Her favorite Scripture can be found in the book of Philippians 4:13, "I can do all things through Christ that strengthens me".

Mr. Speaker, I urge my colleagues to join me in recognizing the life and accomplishments of Pastor Mary Allen.

HONORING THE LIFE OF HAROLD  
BLANCHARD MACKENZIE

**HON. PETER J. ROSKAM**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. ROSKAM. Mr. Speaker, I rise today to honor the life of Harold Blanchard Mackenzie, a model constituent and a loyal citizen to the United States.

Harold was born on October 14, 1913, in Forsyth, Montana. Harold's great-grandfather and grandfather, Jonathan and Charles Blanchard, were the first two Presidents of Wheaton College in Wheaton, Illinois, where he would often visit as a young boy. He eventually attended Wheaton College, graduating in 1936. He then went on to graduate from law school at Northwestern University in Chicago in 1940 and was admitted to the Illinois Bar.

That same year Harold felt the call of duty and enlisted in the Illinois National Guard in what would become the 9th Armored Division. In 1944, along with the Division, Harold sailed to Europe and participated in some of the most pivotal moments of World War II, including the Battle of the Bulge, the Battle at Bastogne, and the capture of Ludendorf Bridge at Remagen, Germany, in 1945. Harold was also a witness to the horrors of the Holocaust when he visited Buchenwald concentration camp a day after its liberation.

Upon returning home to Wheaton, Harold opened his own firm and practiced law for

over fifty years, earning widespread respect and admiration for his legal advice. Always a generous man with a servant heart, Harold would often do work pro bono.

This generosity was a reflection of his deep faith in God. An active member of Glen Ellyn Evangelical Covenant Church for more than fifty years, Harold would frequently serve on the church's Missions and Evangelism Committees. He also played a key role in the founding of the Christian Medical Society, the Christian Booksellers' Association, the Evangelical Child and Family Agency, and the Missionary Furlough Homes Foundation.

Mr. Speaker and Distinguished Colleagues, Mr. Harold Blanchard Mackenzie was a man who understood well his duty to family, to his country and to God. After ninety-seven years of a life of commitment, love and sacrifice, he is worthy of our deepest honor, respect and admiration. Please join me in remembering him as a shining example of the best the "Greatest Generation" ever had to offer.

IN HONOR OF MAUREEN SILO

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. ENGEL. Mr. Speaker, Maureen Silo, beloved spouse of Susan McMillan, daughter of the late Mary Agnes Burns and the late James Thomas Hanlon, sister to Jean Marie Bruno of Sarasota, FL and James Francis Hanlon of San Antonio, TX and aunt of Matthew Hanlon of San Antonio, TX, Jena Kolt, Kairi Kolt and Lucian MacMillan of the Bronx, passed away on July 17, 2011 at Calvary Hospital, Bronx, NY.

A native of the Bronx, Maureen entered military service in the U.S. Army in 1974. After leaving the Army, Maureen moved back to NYC and became the first female high rise window washer in the City of New York! Maureen worked at the Bronx VA where she met her spouse Susan in 1992. Susan and Maureen became official domestic partners on April 19, 1994. They were legally married on October 4, 2008 in Wellfleet, MA.

Always a humanitarian and champion for the underdog, Maureen found her calling in helping others. She became a social worker after getting her B.A. in Social Work from Lehman College and then graduated from Yeshiva University with an M.A. in Social Work. She worked in the burn unit at Jacobi Hospital during her undergrad internship and at the NYC Gay and Lesbian Anti-violence Project during her graduate internship. She continued to work at AVP after receiving her M.A. for four more years. She then went to work for NYC HRA in July of 2001 as a social worker for victims of domestic violence. She transferred to the Department of Homeless Services in 2004 and became a supervisor/manager.

Maureen also volunteered with the American Red Cross as a mental health worker. She was on the Bronx Disaster Response Team for three years. She worked in Mississippi for two weeks after Hurricane Katrina.

Maureen was a great lover of animals and rescued and provided a safe, secure, loving

home for six dogs and four cats with her spouse Susan over a period of 18 years.

In Judaism there is a phrase about a Woman of Valor and Maureen Silo was such a woman. Through her actions she had shown us all how to live with love and grace even through life's most challenging times. I join with her family and friends in their time of grief and am grateful for her dignity and courage. As said in the Bible: "Who can find a virtuous woman for her price is far above rubies?" Well, that woman was Maureen Silo.

RECOGNITION OF THE 200TH ANNIVERSARY OF THE TOWN OF GREENFIELD, MASSACHUSETTS AS FRANKLIN COUNTY'S SEAT

**HON. JOHN W. OLVER**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. OLVER. Mr. Speaker, I rise today to recognize the 200th anniversary of the designation of the town of Greenfield, Massachusetts as the county seat of Franklin County. The town of Greenfield was incorporated in 1753 and named for the nearby Green River. Hampshire County was divided to create Franklin County in 1811, and Greenfield was designated as the seat of government for Franklin County. After 200 years of development and innovation, Greenfield and Franklin County continue to thrive on the exceptional enthusiasm of their citizenry.

Greenfield has long been associated with commercial development and economic diversification. The strategic location at the confluence of the Deerfield and Connecticut Rivers provided advantages to manufacturers in the 18th century. Throughout the 19th century, major transportation routes linking Springfield, Massachusetts to New Hampshire and also Boston to New York began to pass through Greenfield. The town eventually grew to accommodate the influx of manufacturers which lasted until the conclusion of World War I in 1918.

The ingenuity and resolve of Greenfield citizens ensured that the Great Depression did not cripple its agricultural and industrial workers, as happened elsewhere in America. The U.S. engagement in World War II then worked to stoke new business opportunities in Greenfield, and these economic openings allowed the town and its residents to quickly rebuild from the Depression and spring forward and economically develop further. In 2003, Greenfield grew to the point of adopting a mayoral form of government—thus, officially becoming a city in Massachusetts—in order to continue and improve upon its tradition of providing superior recreational, educational and business opportunities for its residents.

On the occasion of the 200th anniversary of the designation of the town of Greenfield, Massachusetts as the county seat of Franklin County, I congratulate its citizens and praise their dedication and perseverance throughout the town and city's history. I look forward with enthusiastic support as we work together for a prosperous future.



RECOGNIZING FRANK  
WORTHINGTON

**HON. G.K. BUTTERFIELD**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. BUTTERFIELD. Mr. Speaker, I rise to properly recognize the life and military service of Private Frank Worthington of the United States Colored Troops. Private Worthington, a former slave, served during the Civil War and on August 13, 2011, his family will remember his life and military service at Maplewood Cemetery in Wilson, North Carolina with a Civil War headstone dedication ceremony.

Frank Worthington was born a slave. It was a sad and troubled time in our Nation's history. He was a slave on a plantation located in Pitt County, North Carolina. Upon escaping from the plantation, he joined the United States Colored Troops of the Union Army on December 13, 1864 in New Bern, North Carolina. Private Worthington served honorably through the remainder of the War in Companies B & E of the 14th Regiment United States Colored Heavy Artillery.

Recognizing the brave sacrifices of African American soldiers during the Civil War, Private Frank Worthington and 209,144 other names are proudly displayed on the Wall of Honor at the new African American Civil War Museum which will hold its grand opening on July 18, 2011. The new African American Civil War Museum will honor the contributions and sacrifices made by African American soldiers during the Civil War in the preservation of our Union. The inclusion of Private Worthington's name on the Wall of Honor is a worthy tribute, and I know his descendants will feel an immense sense of pride knowing that his name will be forever included in this wonderful museum.

Private Worthington will be further remembered on August 13, 2011 when his family will gather to dedicate an official Civil War headstone from the Department of Veterans Affairs. The family has organized a three-day reunion, culminating with the dedication of the headstone which will forever memorialize his heroic and selfless action on behalf of the Union.

I ask my colleagues join me in offering sincere congratulations and our deepest sense of gratitude to the family of Private Frank Worthington for receiving, after almost 100 years since his death, the proper recognition of a life and military service that contributed immensely to our great country. Our Nation is forever indebted to the service of Private Frank Worthington and other African Americans who served during the Civil War.

TRIBUTE TO THE SERVICE OF  
REVEREND ARTURO GOMEZ

**HON. JOE BACA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. BACA. Mr. Speaker, I rise today to ask Congress to pay tribute to the spiritual leadership and service of Reverend Arturo Gomez.

I want to extend my congratulations to Father Gomez on his retirement on July 24, 2011, after over thirty years of priesthood.

Father Gomez has served our community with humility and compassion. He will leave a legacy of service and spiritual leadership that most people can only hope to strive for. Father Gomez has touched the lives of many people. I want to thank him not only on behalf of our community, but as a parishioner, for his service to the Congregation of St. Catherine of Siena Parish, in union with the diocese of San Bernardino.

Father Gomez's parents and faith in God have helped shape him into the man he has become today. Family has always been a central part of Father Gomez's life. He has said that after Jesus and Mary, his greatest role models of goodness are his parents. They are his heroes. His father, Auerliano, immigrated to the United States from Jalpa, Zacatecas, Mexico, and met his mother, Petra, in Santa Paula, California. Father Gomez is the third oldest of the twelve children the couple raised.

Father Gomez has lived a life of service to others. After graduating at the top of his high school class, he joined the United States Army because he was grateful to God and his country for the aid his family received. Father Arturo trained and served as a medic in Europe. Once he returned home he continued to practice nursing to support his widowed mother and eight younger siblings. Father Arturo waited to enter religious life until the last of his siblings completed high school.

His diligence and steady faith allowed him to earn a Bachelor's degree followed by two Master's degrees. He was ordained into Priesthood on August 23, 1980. Father Gomez entered religious life at the age of thirty and will retire after over thirty years of humble service. Heeding the commandment, love thy neighbor, he has tirelessly advocated on behalf of members of his parish facing deportation.

Father Gomez is a beloved guide and Shepherd to our community. From performing the last rights, to ministering to his flock, he is there to offer a helping hand and his prayers along the way. He has served our community with unwavering faith in the good of humankind. On behalf of my wife, Barbara, and my children, Councilman Joe Baca Jr., Jeremy, Natalie, and Jennifer, we would like to congratulate Father Gomez for his leadership, service, and guidance. We will miss him and his special blessing that he bestowed to me and my family. May the Lord continue to grant him wisdom and watch over him.

STAFF SERGEANT EDWARD D.  
MILLS JR. REMEMBRANCE

**HON. JASON ALTMIRE**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. ALTMIRE. Mr. Speaker, on May 26, 2011, a hero from western Pennsylvania was lost in Afghanistan. Staff Sergeant Edward D. Mills Jr. was killed by a bomb planted by insurgents as he was serving bravely on his third overseas tour since joining the Army in 2005.

I, along with all Americans, am extremely grateful for his brave and honorable service in the United States Army during such an important period in our nation's history. Mills graduated from Union High School and is survived by his wife, Amanda Brenner and parents Edward Mills Sr. and Kathie Greenawalt from New Castle, Pennsylvania.

During his 6-year career as an infantryman, Staff Sergeant Mills received the Air Medal, Army Commendation Medal, Army Achievement Medal, Army Good Conduct Medal, National Defense Service Medal, Afghanistan Campaign Medal with Arrowhead Device, Iraq Campaign Medal, Army Service Ribbon, Overseas Service Ribbon, North Atlantic Treaty Organization Medal, Air Assault Badge, Parachutist Badge, Pathfinder Badge, and Combat Infantryman Badge.

He was an example of service, dedication, and the values that make western Pennsylvania and our country great. We will miss him dearly as a hero and asset to our community, and my thoughts and prayers go out to his family in New Castle.

TRIBUTE TO FRED HELMSING

**HON. JO BONNER**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. BONNER. Mr. Speaker, I rise with sadness to note the recent passing of Mr. Fred Helmsing, a prominent Mobilian and a distinguished south Alabama attorney who was much respected in our community. Mr. Helmsing passed away on July 9 at the age of 70.

A native of Mobile, Fred was a graduate of McGill Institute, Spring Hill College, the University of Alabama School of Law, and New York University. Upon completion of his education, he returned home to Mobile where he embarked upon a long and respected career as an attorney.

Over more than four decades in the legal profession, Mr. Helmsing rose to become the senior partner of one of Mobile's leading law firms, Helmsing, Leach, Herlong, Newman and Rouse. He was also active in many local civic and charitable organizations.

A noted jurist who specialized in complex civil and white-collar criminal litigation, Mr. Helmsing was a member of the Alabama Bar Association, the Florida Bar Association, the Mobile County Bar Association, the Litigation and Taxation Sections of the American Bar Association, and the Farrah Law Society. He was also a fellow in the America College of Trial Lawyers and the Alabama Law Foundation.

Known to his family and close friends as "Big Fred," Mr. Helmsing took great pleasure in the outdoors and conveyed his love of nature to others. He held a lifelong passion for travel and hunting and fishing and was fond of fly-fishing in the American West and shooting pheasants in England. He also spent much time at his hunting lodge in Monroe County, Alabama.

Mr. Speaker, Mobile's legal community and, indeed, all of south Alabama lost a dear friend

with Fred Helmsing's passing. I wish to extend my deepest condolences to his lovely wife of 42 years, Susan; their sons, Frederick and Guy; their daughter, Margaret; his mother, Gertrude; and his two brothers, sister and five grandchildren, as well as a long list of close friends. You are all in our thoughts and prayers as, together, we honor the legacy of a truly good man and great friend.

HONORING THE EFFORTS OF ABBY WAMBACH AND THE UNITED STATES WOMEN'S SOCCER TEAM

**HON. TOM REED**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. REED. Mr. Speaker, I rise today to honor Abby Wambach and the U.S. Women's soccer team for their display of dedication, sportsmanship and skill in the 2011 FIFA Women's World Cup.

Abby Wambach grew up in Pittsford, NY in New York's 29th Congressional District. Her skill set earned her accolades from Umbro and the National Soccer Coaches Association of America following her senior season at Our Lady of Mercy High School in Rochester, NY.

Abby's 600 minutes of play in the 2011 FIFA Women's World Cup was the most of any other participant and her four goals earned her the 'bronze boot'. Including her precision goal in the 104th minute of play in the finals, Abby's four goals were all made using her head, a skill that has defined her as a threat within the keeper's box.

I am proud of the hard work Abby Wambach and the United States Women's soccer team put forth in the 2011 FIFA Women's World Cup and I await their continued growth as a team in preparation for the 2015 tournament in Canada.

ADDITIONAL CONCERNS REGARDING MATTHEW OLSEN'S NOMINATION

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. WOLF. Mr. Speaker, I submit additional concerns about the President's nomination of Matthew Olsen to lead the National Counterterrorism Center.

During a May 7, 2009, Senate hearing, Attorney General Eric Holder said, "With regard to those you would describe as terrorists, we would not bring them into this country and release them, anyone we would consider to be a terrorist."

It is now well known from numerous press accounts, including Newsweek, The Washington Post, and National Journal, that the Obama Administration's Guantanamo Review Task Force, led by Matthew Olsen, recommended the transfer and release of at least two Uyghur detainees, who were members of a recognized terrorist group, to the United States in April 2009. The secret transfer was to take place on or around May 1, 2009.

The Uyghur detainees held at Guantanamo Bay are trained terrorists and members or associates of the Eastern Turkistan Islamic Movement (ETIM), a designated terrorist group affiliated with al Qaeda, as designated by both the U.S. government and the United Nations. Whether their intended victims were Chinese or Americans, a trained terrorist is a terrorist, under U.S. immigration law.

According to testimony and government documents, many of the Uyghur detainees have admitted to training at ETIM camps in Tora Bora under the direction of ETIM leader Abdul Haq prior to their capture by Pakistani authorities in the Federally Administered Tribal Areas (FATA) of Pakistan.

By recommendation of the task force led by Mr. Olsen, the Uyghur detainees were to be secretly settled in an apartment in northern Virginia under an unknown immigration statute. The immigration status of these detainees remains one of the critical unknown questions surrounding this failed effort. A careful reading of U.S. immigration law shows a broad and strict ban on the entry of any member of a terrorist organization.

As a former special counselor to the attorney general, Mr. Olsen should have been well aware of the strict statutory restrictions that would bar the admission of any alien who is affiliated with a recognized terrorist organization into the U.S. As the Senate Select Committee on Intelligence considers Mr. Olsen's nomination to lead the National Counterterrorism Center, they should carefully consider his judgment in recommending the legally-questionable secret release of the Uyghur detainees into the U.S.

Under Title 8, Chapter 12 of U.S. Code on "Inadmissible Aliens," the law clearly and unconditionally bars a member, representative or associate of a recognized terrorist organization from receiving any sort of visa, refugee or asylum to the U.S. The law prohibits entry to the U.S. for any individual who has "engaged in a terrorist activity" or is "a representative of a terrorist organization," "a political, social, or other group that endorses or espouses terrorist activity," "is a member of a terrorist organization," "endorses or espouses terrorist activity or persuades others to endorse or espouse terrorist activity or support a terrorist organization," or "has received military-type training from or on behalf of any organization that, at the time the training was received, was a terrorist organization."

The only limited exception to this strict ban is for the attorney general to exercise "parole" status into the U.S. for a limited amount of time in the case of "significant public benefit." If this option were to be exercised, it would conflict with the administration's stated intent to permanently settle the Uyghur detainees in the U.S. It also would raise serious questions about whether the task force, led by Mr. Olsen, recommended the settlement of terrorist detainees would have "significant public benefit."

The ETIM is a terrorist group that uses violence against civilians for the creation of an independent, Islamic state—in the image of the Taliban's Afghanistan—in the Xinjiang region of China. The group is linked to a number of terrorist attacks in China during the mid-1990s, including several bus bombings that

killed dozens and injured hundreds of innocent civilians, as well as threats of attacks against the 2008 Olympics in Beijing. Over the past decade, the group has predominantly operated out of Afghanistan and Pakistan and has developed close links with al Qaeda and the Taliban.

On August 19, 2002, then Deputy Secretary of State Richard Armitage designated the ETIM as "a terrorist group that committed acts of violence against unarmed civilians." The group was designated by the State Department under Executive Order 13224, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism," which defines terrorist as "activity that (1) involves a violent act or act dangerous to human life, property, or infrastructure; and (2) appears to be intended to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, kidnapping, or hostage-taking." In 2004, the State Department further added the ETIM to the "Terrorist Exclusion List" (TEL) under section 411 of the USA Patriot Act of 2001 (P.L. 107-56), which prohibits members of designated terrorist groups from entering into the U.S.

Later in 2002, the U.S. Embassy in Beijing reported that two members of the ETIM were deported from Kyrgyzstan after allegedly plotting to attack the U.S. embassy there. Following the attempted attack, the U.S., Peoples Republic of China, Afghanistan, and Kyrgyzstan asked the United Nations to designate the ETIM as a terrorist group under Security Council resolutions 1267 and 1390, which provide for the freezing of the group's assets.

In April 2009—the same month the release of the Uyghur detainees was being planned—the Obama Administration added the current leader of the ETIM (also recognized as the ETIP), Abdul Hag, to terrorist lists under Executive Order 13224, following U.N. recognition of Haq, under Security Council Resolution 1267, as an individual affiliated with Osama bin Laden, al Qaeda, or the Taliban. According to Stuart Levey, Treasury under secretary for Terrorism and Financial Intelligence, "Abdul Haq commands a terror group that sought to sow violence and fracture international unity at the 2008 Olympic Games in China."

The ETIM's relationship with al Qaeda has grown since it was invited by the Taliban to conduct training in Afghanistan in the late 1990s, followed by the move of the ETIM headquarters from the Xianjiang region to Kabul in September 1998.9 By 2005, Abdul Haq had been admitted to al Qaeda's "Shura Council and on November 16, 2008, an al Qaeda spokesman "stated that a Chinese citizen named 'Abdul Haq Turkistani' was appointed by Osama bin Laden as the leader of two organizations—'al Qaeda in China' and 'Hizbul Islam Li-Turkistan.'" This appointment was also confirmed by Abu Sulieman, a member of al Qaeda.

It is abundantly clear that the Uyghur detainees held at Guantanamo Bay are affiliated with the ETIM and trained under Abdul Haq in 2001. According to the detainees' sworn statement to U.S. authorities, many acknowledged

that they had trained in an ETIM training camp in Tora Bora from June to November 2001 and at least one confirmed, "The person running the camp was named Abdul Haq."

Following the U.S. invasion of Afghanistan in fall 2001 cooperation between the ETIM and the Taliban increased. It is reported that the ETIM's leader prior to Abdul Hag, Hasan Mahsum, "led his men to support Taliban and fight alongside them against U.S. and the coalition forces. On 2 October 2003, Hasan Mahsum was killed, along with 8 other Islamic militants, by a Pakistani army raid on an al Qaeda hideout in South Waziristan area in Parkistan."

Additionally, a January 2008 al Qaeda in Afghanistan publication, "Martyrs in Time of Alienation," identified 120 "martyrs"—including five Uyghurs from Xianjiang and who trained in Tora Bora—who fought with the Taliban in Afghanistan against U.S. troops. One is reported to have been killed fighting U.S. forces during the invasion in 2001. Hasan Mahsum confirmed, prior to his death in 2003, that ETIM members trained and fought with al Qaeda forces in Afghanistan.

In addition to their affiliation in a designated terrorist organization and association with al Qaeda leader Abdul Hag, these detainees fervently believe in the creation of a Taliban-style Islamist state in northwestern China and do not share American values of respect, tolerance, and religious pluralism. In fact, one recent press account stated that, "Not long after being granted access to TV [at Guantanamo], some of the [Uighurs] were watching a soccer game. When a woman with bare arms was shown on the screen, one of the group grabbed the television and threw it to the ground, according to the officials."

Reports indicate that the ETIM's philosophy has dramatically evolved as a result of their training and cooperation with al Qaeda and the Taliban over the last decade. According to two experts, Rohan Gunaratna and Arabinda Acharya, "In the post-9/11 era, ETIM began to believe in the global jihad agenda. Today, the group follows the philosophy of al-Qaeda and respects Osama bin Laden. Such groups that believe in the global jihad do not confine their targets to the territories that they seek to control . . . [The ETIM] is presenting a threat to Chinese as well as Western targets worldwide."

Although the Uyghur detainees may not have been considered "enemy combatants" by the Obama Administration, U.S. immigration law clearly bars the admission of members of recognized terrorist groups. The Senate should carefully consider the legal steps that Mr. Olsen and his task force recommended be used to bring the ETIM detainees into the U.S. for permanent settlement. If his task force advocated exploiting limited "parole" entry for the detainees with the intended goal of permanent settlement, it would go against the letter and spirit of the law.

#### THE LANDING OF "ATLANTIS"

### HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. POSEY. Mr. Speaker, today is a bitter-sweet day for Florida's Space Coast, for the space program, and for the Nation. As *Atlantis* touched down at 5:57 a.m. today, July 21, 2011, at Kennedy Space Center, another era of exploration closed.

Kennedy Space Center and Cape Canaveral have been the center of America's human space flight program since its inception. Nearly every manned mission has launched from Florida's Space Coast. The Shuttle program is no different. Every Shuttle mission has been processed, assembled, and launched by the talented and dedicated men and women at Kennedy Space Center.

Just as Kennedy Space Center has been an important part of the Shuttle Program, the Shuttle Program has been an essential part of Florida's identity, so much so that it was featured on our State's quarter. From the rumble of the Shuttle lifting off, to the sonic boom felt as the Shuttle traverses Florida on its way to land at Kennedy after another accomplished mission, the Shuttle is a part of Central Florida's culture.

Space Coast residents have cheered the successes the Shuttle Program has seen in its 30 years of service to our Nation: ferrying astronauts, modules, components, and experiments to the International Space Station; launching and repairing numerous satellites including the Hubble; launching three interplanetary probes; and advancing scientific experimentation including microgravity research. After all, the citizens of the Space Coast working at Kennedy Space Center helped make these successes possible.

Our community grieved deeply when, as President Ronald Reagan said, the *Challenger* astronauts "slipped the surly bonds of this Earth," to "touch the face of God," on January 28, 1986, and when the Shuttle *Columbia* failed to make it home on February 1, 2003. The entire Nation wept for the loss of these heroes, but the Space Coast mourned these brave men and women as family.

As we welcome *Atlantis* home for the last time, I would especially like to applaud all of our Shuttle workers from United Space Alliance and other contractors who did the work necessary to keep the Shuttles flying for 30 great years. It is their hard work and dedication that made these missions possible. Our heartfelt gratitude goes out to each and every one of them on this historic, but bittersweet day.

CONGRATULATING NELSON  
MANDELA ON HIS 93D BIRTHDAY

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. RANGEL. Mr. Speaker, I join all people in South Africa and across the world in cele-

brating the Honorable Nelson Mandela's 93d birthday on July 18, 2011. Mandela is an inspirational leader who braved 27 years of imprisonment fighting to free South Africa from the racial oppression of apartheid, and ultimately unified the nation as its first President elected in a free South Africa.

Madiba is my personal hero because he fought and suffered for what was right and did not emerge bitter from the experience. I still remember his graciousness and good humor when I first met him; he started laughing and said, "No, this is not the sponsor of the bloody Rangel Amendment." I am proud to have met and worked with him to bring freedom and dignity to the oppressed in South Africa.

In honor of his birthday, the United Nations recognizes July 18 as Mandela Day. To pay tribute to Mandela's tireless 67-year effort in addressing the biggest issues we face, from combating HIV/AIDS to brokering global peace, we are asked to dedicate 67 minutes to do something for others in need.

I pledge to continue his work to help those in need and encourage everyone to do so as well.

IN HONOR OF THE "ATLANTIS"  
AND THE SHUTTLE PROGRAMS'  
FINAL MISSION: THE ATLANTIS  
STS-135—FERGUSON—HURLEY—  
MAGNUS—WALHEIM

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. OLSON. Mr. Speaker, I submit the following:

Atlantis . . . Hail Atlantis! This, final thrust  
. . . This The Shuttle's Final Mission,  
so as such!

Five . . . Four . . . Three . . . Two . . . One  
. . . Ignition . . . lift off!

As up towards the heavens you now so rush!  
As on this day as is such . . . with this your  
last and most final journey, all our  
hearts but lie in a hush! As from The  
Beginning . . . now to The End!

Oh how so quickly, we've all so been taken  
to so then . . . To such new heights  
we've all so sped!

So shuttled to back and forth, time and  
again!

And because of all of this, to what new  
world's will we one day so transcend?

All because of The Discovery's, The Endeavor's  
. . . that went forth all in your  
stead!

As The Challenger, who so met and held that  
course!

To new Columbia's, with your most heroic  
force! All in your most heroic blood so  
shed!

As to lost worlds discovering, and to new  
ones Atlantis you now report!

Let this Enterprise so continue to go forth!  
Of all of these most distant travelers, all out  
on their most heroic course!

And let not this quest so end!

All in our search for the answers, the truth  
that we all must so comprehend!

Let Us Go Forth, all in our hearts of youth  
begin!

And for all of those many journey's, over all  
of those years.

As have so here, to Man and Womankind  
meant so much!

While, out upon the face of God you've all so stared! So sped!  
 All out there on the very edge of death, hurdling through space as you left!  
 As your fine hearts would so crest!  
 And because of all its majestic beauty, all in tears you were so left!  
 As with this final thrust, suddenly how all of those years have so come and gone!  
 By so fast, so sped!  
 To find answers, to all of those questions . . . to which all our hearts must so be led!  
 While, soaring to new heights . . . as you'd crest!  
 As you've appeared to us so very bright, all in what was said!  
 As out on the night's horizon, streaking across her skies at dusk in flight . . . full speed ahead!  
 With all our hopes and dreams, and fears . . . so carried with you up there, as one we were wed!  
 As together, we've all so waded through . . . through all of those most heartbroken tears!  
 With all of those broken hearts and dreams, that which so tragically appeared . . .  
 With but the loss of, all of those most magnificent courageous pioneers!  
 As but exploration's grave cost so very clear!  
 Of The Challenger and The Columbia so here!  
 With all of those fine lives so lost so very dear! SMITH, SCOBEE, McNAIR, ONIZUKA, McAULIFFE, JARVIS, RESNIK, BROWN, HUSBAND, CLARK, CHAWLA, ANDERSON, McCOOL, RAMON . . .  
 Brave Hearts, all out in their search for new frontiers!  
 Who so boldly so went forth without fear!  
 As for them and their families, but hear our Nation's prayers . . . her tears!  
 As now all of their fine souls are so etched across the heavens, appear's!  
 As a lesson to all of our young, as to what new heights and worlds . . .  
 A heart of courage can so climb to, can so come!  
 As on this day Atlantis, as you So Search For The Truth! All in your hearts of youth, so sung!  
 While, Reaching For The Stars . . . soaring ever forth, as brilliant, as brilliant as any sun!  
 All in your quest for knowledge, but Let This Dream Live On!  
 Let not this be the end, but the beginning of new dreams and suns to form!  
 As on this Mission, The Shuttle Program so comes to her end!  
 Let us give praise and thanks, to all of those who have so shown!  
 So shown us all the way to courage and faith,  
 whose most magnificent hearts have so carried us with them on their ways . . .  
 Who once upon a time, let their dreams take flight to new heights . . . as did they!  
 And go, where no women or man before has so gone!  
 Who upon all of them, all our very futures are so born!  
 While, upon such magnificent structures of Man . . . to new heights they would soar!  
 All because of their most courageous hearts telling them, To Go Forth and Explore!  
 As up to the heavens, and outer space defying death again once more so spoken all with such grace!  
 To take Command, as now they so race!  
 And to all those, who upon this earth who have stood by them so close!  
 Who at Mission Control,

have so shown such brilliance and such vigilance, when it all so meant the most!  
 As The Centurions, The Guardians,  
 of all of those distant travelers up in outer space, who counted upon you, would boast!  
 Living with them, on the very edge of death as you would host . . .  
 As on each new day, all of their very lives were placed!  
 All in what they so faced!  
 Let not this so be the ending, but the beginning . . . but to keep so sending!  
 To so sending up explorers to new worlds, up in outer space!  
 To a world of hopes and dreams, where such hearts of youth can so race . . .  
 Can so plan and scheme . . . Like JFK's Dream, this pace!  
 But, to continue this most important race!  
 And Go Forth!  
 But to find the answers, to new celestial worlds as we are advancing . . .  
 As already, from all of their gifts, so much has so come forth, exists!  
 And yet, so much more but still lies ahead . . .  
 all in our travels up in outer space, all in what is to be written . . . so said!  
 For only if we go forward steadfast, will all of our futures so be blessed, as come to pass!  
 So Hail Atlantis, as you take that one last pass . . . around this earth . . .  
 Take one last long hard look, one last long glance all in its worth!  
 For all of us here so down upon this earth, as you pass! So, ever must we Endeavor to Discovery!  
 To find in you Atlantis, new worlds to explore and see!  
 So Godspeed! Godspeed, fair well Atlantis as you speed!  
 As you and your kind, are but the very height to where Man and Womankind can so be led!  
 Because, whenever we ENDEAVOR . . . in our ENTERPRISE to entertain such thoughts . . .  
 To rise! All in our DISCOVERY, from hearts of courage what can be brought forth . . .  
 No matter what the cost, and not compromise!  
 To new worlds and lost shores, to chart our course evermore . . . to new COLUMBIA'S this force . . . or an ATLANTIS to so explore!  
 Then, will we win as THE CHALLENGER!  
 And to this our world, but all of our futures to so insure!  
 To learn and to grow, to therein there so . . . but to fine the answerers!  
 Of The Universe, to so strive for and know!  
 All bathed in exploration's warm glow!  
 That which lies before us so!  
 Hail Atlantis!  
 Hail Atlantis!  
 Hail Atlantis!  
 As You Soar! As You Go!

Interference Act. This Act was introduced by Congressman TIM SCOTT and I am grateful for his efforts to create jobs.

This positive legislation will prohibit the National Labor Relations Board from overreaching its authority by dictating where private businesses can and cannot choose to create jobs in the United States. It is truly a shame that legislation must be created to counter the overreaching agenda of the job killing NLRB with its bizarre action to stop new jobs at the Boeing facility in South Carolina. I appreciate resistance by South Carolina's Governor Nikki Haley and Attorney General Alan Wilson to stop the bullying of unelected bureaucrats who are killing jobs.

At a time when over 14 million Americans are without work, the government should not be creating policies that interfere with job growth and job creation. The Protecting Jobs from Government Interference Act insures private businesses across the nation will be able to make decisions based on the best interests of their shareholders and workers.

In conclusion, God bless our troops, and we will never forget September 11th in the Global War on Terrorism.

INTRODUCING THE ENTREPRENEURSHIP TAX CUT ACT OF 2011

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. PAUL. Mr. Speaker, I rise to introduce the Entrepreneurship Tax Cut Act of 2011. This bill allows Americans to make penalty-free withdrawals from accounts such as Individual Retirement Accounts (IRAs) or 401(k)s in order to start, or invest in, new businesses. People who make these penalty-free withdrawals will be able to replenish their accounts.

One reason unemployment rates remain so high is that entrepreneurs are unable to obtain the capital they need to create new businesses and new jobs. Clearly, the policy of throwing billions of taxpayer dollars at big banks and allowing the Federal Reserve to shovel billions more into bank coffers has not succeeded. Congress must come up with innovative ways to ensure entrepreneurs and investors can raise the funds to start new businesses and put Americans back to work. Letting Americans use more of their money to start new businesses is a common sense solution to the unemployment problem. Therefore, I urge all my colleagues to help budding entrepreneurs and venture capitalists build new businesses and create the jobs of tomorrow by cosponsoring the Entrepreneurship Tax Cut Act.

NLRB KILLING JOBS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. WILSON of South Carolina. Mr. Speaker, on Tuesday, I became an original cosponsor to the Protecting Jobs from Government

TRIBUTE TO MR. JOSEPH B. (JOE) SALTER

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. BONNER. Mr. Speaker, I rise today to pay tribute to the memory of a truly wonderful

man, Mr. Joseph B. (Joe) Salter, a longtime resident of Albany, Georgia, who passed away this spring after a series of serious health setbacks. Mr. Salter was 82 years old at the time of his passing.

A native of Arlington, Georgia, Joe Salter graduated from Arlington High School in 1945 and served in the United States Air Force during the Korean War. A few years later, in 1952, he graduated from Emory University and went on to spend most of his adult life as a well-respected, successful realtor in the Albany area where he was also an active member of a number of different civic groups such as the Albany Golden K Kiwanis Club, the Albany Jaycees and the Albany Chamber of Commerce.

In work and at home, Joe Salter was first and foremost a man who loved his family, his country and his God and not necessarily in that order. In practically everything he undertook, Mr. Salter sought to expand personal freedom and individual liberties. He was a frequent author of columns and op-ed pieces in the local newspapers of Georgia and through his diverse list of contacts around the country, Mr. Salter soon became known for his heartfelt concerns about the direction of our beloved country. While Joe Salter was the epitome of a southern gentleman, always courteous to one and all, he was also a textbook example of an active and engaged citizen. Many a mayor, congressman, senator and governor knew when Joe Salter was concerned about a matter, especially the role of limited government.

As a husband, father and grandfather, Joe Salter loved his family and worked tirelessly to leave behind a better community, state and country for them to inherit. In addition to being a dedicated family man, Mr. Salter was also a real patriot who loved the men and women of our nation's military as well as our veterans who, like Mr. Salter, had made a lifetime of sacrifices for a better America.

Mr. Speaker, Joe B. Salter was not only a true friend to all who knew him but he was an inspiration to young and old alike and at this time, I would ask the House to join me in extending our deepest sympathies to his widow, Betty Ann, as well as their daughter, Florrie, her husband, Tracy, their son, John, as well as their three grandchildren, Raleigh Elizabeth, Callie Grace and Benjamin Avert.

RECOGNIZING WILLIAM VANDER  
ARK

**HON. KEVIN YODER**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. YODER. Mr. Speaker, I rise today to recognize William Vander Ark of Leawood, Kansas. William was diagnosed with Type 1 diabetes when he was 8 years old. William must act as a mathematician, a physician, a personal trainer and a dietician just to stay alive. His insulin pump functions as his lifeline.

This summer William joined 150 children and teens who participated in the Juvenile Di-

abetes Research Foundation Children's Congress in Washington, DC. Collectively, they are fighting for a cure and working to help raise research money for this chronic, debilitating disease that affects nearly 26 million Americans nationwide.

William is entering high school in the fall and wants a cure for Type 1 diabetes so the disease doesn't change the course of his future. His dream is to become a commercial pilot, but current rules prevent those who have Type 1 diabetes from getting a license. While the law is in place because of safety concerns, there have been large strides in the development of new, transformational technologies since its passage. Despite adversity, William is committed to his dream and knows that if he keeps his mind to it and works hard, he can someday change the rules.

One of these new technologies is the development of an artificial pancreas that is at a critical point in the regulatory process. I, along with numerous other Members of Congress, have written to the U.S. Food and Drug Administration and expressed a strong interest in a timely approval of this life-changing advancement. This technology could dramatically improve the health and quality of life for those, like William, who are living with diabetes.

People with diabetes need better tools to manage their disease and prevent its life threatening and costly complications. We need to move forward in the development of this technology by quickly providing clear and reasonable guidance so this can proceed as soon as possible.

William's passion and zeal have inspired not only me, but have left an impression on my entire staff. His parents should be extremely proud of him and his unwillingness to let a life be dictated by his disease.

THE PASSING OF LILLIAN MOBLEY

**HON. KAREN BASS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Ms. BASS of California. Mr. Speaker, I rise to honor the memory and legacy of South Los Angeles activist and leader, Lillian Mobley.

Lillian Mobley was the matriarch of the African-American community and a legend in South Los Angeles. She was an inspiration for a generation of leaders that walked in her footsteps but nobody could truly walk in her shoes.

Combined tenderness with tenaciousness, Lillian Mobley spoke softly and smiled gently, but underneath it all, was a fiery passion.

Mr. Speaker, I always enjoyed watching the ritual we all practiced at events attended by Mrs. Mobley. One by one we would walk over to her in an orderly manner and pay our respects, the way one should in the presence of a revered elder.

She has left a legacy of greatness behind and the prominent roles she played in establishing and protecting Martin Luther King Hospital and Charles Drew University Medical

School are accomplishments of unbelievable magnitude.

May she rest in peace and may her memory inspire others.

RECOGNIZING THE 37TH ANNIVERSARY OF THE ILLEGAL INVASION OF CYPRUS

**HON. ELTON GALLEGLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2011*

Mr. GALLEGLY. Mr. Speaker, yesterday marked the 37th anniversary of the illegal invasion and ongoing occupation of Cyprus by Turkish forces. During the war, approximately 5,000 Cypriots were killed and close to 200,000 Greek Cypriots were forcibly removed from their homes. This anniversary also marks another year in which Cyprus is divided between north and south and between the Turkish Cypriot and Greek Cypriot communities.

However, despite 37 years of division in Cyprus, I remain hopeful about reaching a just and lasting settlement. Following his election in February 2008, President Demetris Christofias followed through on his commitment to make the solution of the Cyprus problem his top priority. In September of that year, he embarked on full-fledged negotiations with Mehmet Talat, who was at the time the leader of the Turkish Cypriot community. These negotiations are continuing under the new Turkish Cypriot leader Dervis Eroglu.

The ongoing talks aim at reaching a comprehensive settlement for the Cyprus problem with the goal of achieving the unification of Cyprus based on a bi-zonal, bi-communal federation and political equality, as set out in the relevant United Nations Security Council resolutions. The agreement should also lead to a single sovereignty, single citizenship and single international personality for Cyprus.

There are still many difficult issues that need to be resolved before a comprehensive agreement to the Cyprus problem can be achieved. Turkey, which continues to deploy 43,000 troops in Cyprus, is critical to reaching such an agreement. I urge Turkey to work constructively with the Cypriots in support of a negotiated settlement and the peaceful reunification of the island.

For many years, Cyprus has proven to be a loyal friend and ally of the United States. Throughout the wars in Afghanistan and Iraq, Cyprus has provided overflight and landing rights to U.S. aircraft and port access for our ships. In addition, during the Lebanon crisis of 2006, Cyprus served as the principal transit location for people evacuating Lebanon, including 15,000 U.S. citizens. The U.S. and Cyprus also share a deep commitment to freedom, democracy and human rights. Given the longstanding friendship between the U.S. and Cyprus, I call upon the United States Government to become actively engaged in moving forward the negotiations regarding the future of Cyprus.

## SENATE—Friday, July 22, 2011

The Senate met at 9 a.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, the fountain of every blessing, hallowed be Your Name. In these tempestuous times, give our lawmakers strong minds, great hearts, and true faith. Make them people whom the lust of office does not kill or the spoils of office cannot buy. May they be people of honor, who live above the fog in public duty and in private thinking. Lord, empower them to use their gifts to magnify Your Name. May Your Kingdom come and Your will be done on Earth as it is in heaven. Our souls silently wait for You, O God, for from You alone comes salvation. You alone are this Nation's rock and sure defense.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 22, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume

the motion to proceed to the bill H.R. 2560. The time until 10 a.m. will be equally divided and controlled between the two leaders or their designees. At 10 a.m., I will be recognized to make a motion to table the motion to proceed; therefore, Senators should expect a rollcall vote at approximately 10 a.m. To accommodate Senators on both sides, this vote will take a little longer than usual.

I say to you, Mr. President, and to everyone within the sound of my voice, this is an effort to move this piece of legislation off the floor. It is interfering with the negotiations between the White House and the House of Representatives, and it is without merit. This is a motion to table. It is a vote on this bill. And we on this side of the aisle are going to look at every vote cast. We feel comfortable where we are on this issue, and I would suggest to my Republican friends that they should look at where they are on this issue. This is a very, very bad piece of legislation. Anyone voting for it will have to respond in many different ways to the people of their State.

### MEASURE PLACED ON THE CALENDAR—H.R. 2553

Mr. REID. Mr. President, H.R. 2553 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 2553) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings at this time on this bill.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

### CUT, CAP, AND BALANCE

Mr. REID. Mr. President, in about an hour we will vote on the Republicans' so-called cap, cut, and balance legislation. As I have said before—in fact, just a few minutes ago—this is one of the worst pieces of legislation to ever be placed on the floor of the U.S. Senate. It violates the spirit of our Constitution and certainly what we are trying to accomplish here in Washington, and we as a Senate refuse to waste even one more day on this piece of legislation.

We have 11 days left until the United States simply stops paying its bills, and, frankly, we have wasted too much time already. The U.S. House of Representatives needs to know this legislation has expired. It is gone.

Republicans wanted a vote on their radical plan to kill Medicare and Social Security before they would consider helping Democrats avert this crisis. In an hour, they will get that chance. At least one of the Republican Senators went over to a large gathering in the House of Representatives, I am told, and said: We are going to get at least 60 votes.

Please, Mr. President.

Their extreme plan would, within 25 years, cut in half every Federal benefit on the books, including Social Security, Medicare, Medicaid, military pay, veterans' benefits, and much more. Meanwhile, it would erect constitutional protections for hundreds of billions of dollars in special interest tax breaks to oil companies, corporations that ship jobs overseas, and millionaires and billionaires who are able to buy those yachts and corporate jets for which they get tax benefits.

Republicans have demanded we pass this radical proposal before they will even consider cooperating with Democrats to avert a default crisis that would rock the global financial markets. They are, in effect, holding this Nation's economy hostage and demanding the death of Medicare and Social Security as its ransom. But we all know their failed prescription will fail in the U.S. Senate. They do not have the votes to pass a plan that would balance the budget on the backs of seniors and middle-class families while protecting unfair tax breaks for millionaires and billionaires.

So we must move on, Mr. President. And I want to be very, very clear: There is simply no more time to waste debating and voting on measures that have no hopes of becoming law. We have no more time to waste playing partisan games. As the saying goes, indecision becomes decision with time. Our time is running out before this gridlock—this refusal by the other side to move even an inch toward compromise—becomes a decision to default on our debt. The markets are already reacting to our inaction. Every responsible voice, including those of my Republican colleagues—many of them, at least—has warned that much worse is to come if we do not take action and take it soon. That is a risk we cannot afford to take.

So I ask my Republican colleagues again to join Democrats in seeking

common ground. The American people have demanded it of us. Overwhelmingly, they have said a national default is a serious problem—and that is an understatement—and that both parties in Congress must meet in the middle.

We all know there are talks going on between President Obama and Speaker BOEHNER. I wish them well. We await their efforts. What I am told, there will be revenue measures in that. If that is the case, we know constitutionally the matter must start in the House of Representatives.

I say to both the President and to the Speaker here on the Senate floor, representing my Democrats—and I am confident many Republicans—be very careful. Show a lot of caution as this negotiation goes forward because any arrangement must be fair to all of America, not just the wealthy.

Would the Chair announce the proceedings for this morning.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### CUT, CAP, AND BALANCE ACT OF 2011—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2560, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the bill (H.R. 2560) to cut, cap, and balance the Federal budget.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 10 a.m. shall be equally divided and controlled between the two leaders or their designees.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, in about an hour, we are going to vote on a package that was sent to this body by the House of Representatives.

Let me first comment on the context within which we consider this legislation. I think it is very important to remind our colleagues and remind citizens across the country who are perhaps watching and listening that our country is borrowing more than 40 cents of every \$1 we spend. That is unsustainable. It cannot be continued for long.

I think all of us know that the circumstance we are in is extraordinarily serious. Here is what the Chairman of the Joint Chiefs of Staff told us just a year ago:

Our national debt is our biggest national security threat.

I believe that is the case. Our gross debt now is approaching 100 percent of the gross domestic product of the United States. We have not seen a debt

that high since after World War II. It is extraordinarily important that we take on this debt threat. It is extraordinarily important for our country's future economic well-being that we change course.

The legislation that has been sent to us by the House is one of the most ill-considered, ill-conceived, internally inconsistent pieces of legislation I have seen in my 25 years in the U.S. Senate. It has all the earmarks of something that was hastily thrown together, really pasted together.

This legislation includes an amendment to the Constitution of the United States. We are better than this. The Congress is better than this. Certainly, the country is better than this. Let me just be brief.

The fundamental problems with this balanced budget amendment are as follows: One, it restricts the ability to respond to economic downturns, having all the potential to make an economic downturn even more serious. It uses Social Security funds to calculate balance and subjects that important program to the same cuts as other Federal spending, even though it is funded separately. It shifts the ultimate decisions on budgeting in this country to unelected and unaccountable judges. Finally, it requires a State ratification process that could take years to complete. We need a long-term debt resolution now, not in the sweet by-and-by.

The proposal before us has all of the potential to turn a recession into a depression. Why do I say that? Because it would prevent Congress from taking urgent action to provide lift to the economy in the midst of a severe economic downturn.

Here is what Norman Ornstein, a distinguished scholar at the American Enterprise Institute, said about this:

Few ideas are more seductive on the surface and more destructive in reality than a balanced budget amendment [to the constitution]. Here is why: Nearly all our states have balanced budget requirements. That means when the economy slows, states are forced to raise taxes or slash spending at just the wrong time, providing a fiscal drag when what is needed is countercyclical policy to stimulate the economy. In fact, the fiscal drag from the states in 2009–2010 was barely countered by the federal stimulus plan. That meant the federal stimulus provided was nowhere near what was needed but far better than doing nothing. Now imagine that scenario with a federal drag instead.

The Washington Post editorialized:

Worse yet, the latest version [of the balanced budget amendment] would impose an absolute cap on spending as a share of the economy. It would prevent federal expenditures from exceeding 18 percent of the gross domestic product in any year. Most unfortunately, the amendment lacks a clause letting the government exceed that limit to strengthen a struggling economy.

That has all of the potential to turn a recession into a depression.

Two of this country's most distinguished economists, Alan Blinder,

former Vice Chairman of the Federal Reserve, and Mark Zandi, former consultant, adviser to Senator MCCAIN in his Presidential campaign, evaluated the government response to the last downturn. Their conclusion: Absent that Federal response, we would have had "Great Depression 2.0." The legislation before us would have prevented that Federal response.

They call this legislation cut, cap, and balance. They misnamed it. They should have called it "cut, cap, and kill Medicare" because that is precisely what it would do. Why do I say that? Because when I referred earlier to the inconsistency of this legislation, this is what I was referring to. They have two different spending caps in the legislation before us. In one part of the legislation, they say the spending cap would take spending from 24.1 percent of GDP to 19.9 percent. That is in one part of the bill before us. In another part of the bill—the constitutional amendment—they say the spending cap would be 18 percent of GDP. So I do not know who cooked this up, but you would think they would have at least gotten on the same page as to what is the limitation on spending.

What does it mean if you have a balanced budget amendment with a cap of 18 percent of GDP? Here is what it means—by the way, the constitutional provision would certainly trump the conflicting provision that is in this legislation. So the cap would not be 19 percent of GDP, the cap would not be 19.9, it would be 18 percent of GDP. What would that mean? Well, this dotted black line is 18 percent of GDP. If you fund just Social Security, defense and other nonhealth spending, and interest on the debt, you are at 18 percent of GDP. There is not a dime left for Medicare. There is not a dime left for Medicaid. Is that really what they intend? It must be because that is what it says. So Medicare is finished. Medicaid is finished. Anybody who votes for this ought to understand what they are voting to do.

Here is a former top economic adviser to President Reagan. Here is what he said about the amendment that is before us:

In short, this is quite possibly the stupidest constitutional amendment I think I have ever seen. It looks like it was drafted by a couple of interns on the back of a napkin. Every Senator cosponsoring this legislation should be ashamed of themselves.

That is a former top economic adviser to Ronald Reagan.

I have been here 25 years. I don't think I have ever seen a piece of legislation more unprofessionally constructed than the legislation before us.

But those are not the only problems. When they titled this "cut, cap, and balance," they could have also called it "preserve, protect, and defend tax havens and tax shelters" because that is the other consequence of this legislation. Why do I say that? Because it



would take a two-thirds vote to increase revenue—a two-thirds vote. That means attempts to shut down these offshore tax havens, these abusive tax shelters—because they would raise revenue—would take a two-thirds vote.

What does that mean? Well, here is a little building down in the Cayman Islands. I have talked about this many times. It is a little 5-story building that claims to be home to 18,857 companies. They claim they are doing business out of this little building. I have said this is the most efficient building in the world. Quite remarkable that 18,857 companies are doing business out of this little 5-story building. I am told there are not many people coming and going from this building during the day.

Are 18 companies really doing their business—they call this “headquarters.” Is that really their headquarters? We all know that is not their headquarters. We all know what is going on. It is not business; it is monkey business. What they are doing down there is avoiding the taxes all the rest of us pay.

This amendment would protect this scheme. You want to protect this scheme, vote for this amendment. How big is this scheme? Well, here is what our own Permanent Subcommittee on Investigations has told us:

Experts have estimated that the total loss to the Treasury from offshore tax evasion alone approaches \$100 billion a year, including \$40 billion to \$70 billion from individuals and another \$30 billion from corporations engaging in offshore tax evasion. Abusive tax shelters add tens of billions of dollars more.

You want to lock in these abuses? You prefer to pay more in taxes yourself so that people can engage in these scams? Vote for this amendment. Vote for the legislation that is before us. Vote for what is on the floor because you will protect them forever more.

I end as I began. This is perhaps the most ill-conceived, ill-considered, internally inconsistent legislation I have ever seen in my 25 years in the Senate. I hope my colleagues have the wisdom to vote no.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

HONORING THE 88TH BIRTHDAY OF ROBERT DOLE

Mr. COATS. Mr. President, I would like this Chamber to know that today marks the 88th birthday of one of the great Members of this Senate body, a true American hero, former majority leader Bob Dole.

As I reflected on the extraordinary life he has led—I had the privilege of serving under him as a Senator and working with him in the private sector, getting to know him and his wife—I could not help but note that the leadership he provided in comparison to the lack of leadership that is being provided in this body now stands in great

contrast. There is an absence of leadership and seriousness of purpose that Bob Dole would never have allowed had he been majority leader.

I say that because I come to the floor today greatly troubled by the remarks that were made here in this Senate yesterday and again this morning by the majority leader regarding the bill that is before us.

The issue here takes two tracks, one of which is the content of the amendment and the bill that is before us that was voted on by the House of Representatives, passed by the House of Representatives, and sent over for us to debate and pass. We can disagree—and I think there has been some misrepresentation of what this bill actually does—we can disagree about the contents of it, but we have an obligation and a responsibility to debate those contents and to put every Member of this body in a position of saying “yea” or “nay” on amendments that might be offered to improve it or to change it or to modify it and, finally, whether to support it or not support it. The vote here this morning denies us that opportunity. This is a vote on a motion to table.

You know, there are a couple of definitions of “table”—more than a couple. One of those is getting to the table to negotiate something, just as the NFL players and owners are doing and, much more seriously and with many more consequences to the future of this country, what we ought to be doing—putting it on the table, debating it, addressing it, expressing your support or nonsupport, defending it, characterizing, mischaracterizing. That is what this body is about. It is the world’s greatest deliberative body, and we are deciding not to deliberate this bill at all.

The second definition of “table” is taking it off the table. So the majority leader has said: I am not going to allow you to debate it. I am not going to allow amendments. I am not going to allow up-or-down votes so the American people know where we are.

This is a motion to table, so we don’t even have the opportunity to debate it.

It was the majority leader himself who said: We are going to be in session every day until we get this settled. Now he comes down here and says: I am not going to waste 1 more day on this. Yet there is nothing on the agenda. Senators who were told to be here every day, that there will be a vote on Saturday, are now told: We are having a vote this morning—on Friday at 10 o’clock—and then you can go home for the weekend. He hasn’t even told us when we need to come back. What kind of a contradiction is that? What kind of leadership is that? We don’t know whether we are supposed to be here or are not supposed to be here. Are we supposed to be debating what is happening with one of the most serious

crisis we are facing, that the country has ever seen? Particularly in the financial area, it is the most serious, perhaps except for the Great Depression. And we are told we do not even have time to debate this, that this is a waste of time.

I quote the unbelievable statement that has been made by the majority leader:

This piece of legislation is about as weak and senseless as anything that has ever come on this Senate floor.

Really? I can spend half an hour talking about senseless legislation, egregious legislation, discriminatory legislation that has come to this floor and been debated and not just tabled. To characterize the serious efforts of the Members of the House of Representatives and the Members of the Senate, including some Democratic Members, to try to fix this problem—to characterize that as “senseless and wasteful”—“I am not going to spend one more day of time,” he said, “on this senseless legislation.”

I thought on reflection the majority leader would come here this morning and say: Perhaps I overstated the problem. Let me better explain where I think we are, where we need to go.

But, no, he comes down and he doubles down this morning—doubles down—and says: “It is a very, very bad piece of legislation.” “Without merit.” “It gets in the way.” It gets in the way? We are talking about dealing with cutting spending that we know we cannot afford. We talk about putting some caps on it so we don’t keep doing this in the future, so we have a path to fiscal responsibility. We are talking about a balanced budget so we live within our means. That is getting in the way?

This body has failed its responsibility to be faithful to the Constitution and faithful to the people of America. As a consequence of that, we are sitting here saying we are not even going to debate something that was brought forward with hundreds, if not thousands of hours of effort. Maybe you don’t like it, and maybe you don’t agree with it. Well, stand up and say so and tell us what you want to do about it.

The majority leader and his party have not brought one piece of legislation to this floor. The President of the United States has not offered one proposal in writing that we can work with. We have not had the opportunity to debate for 1 minute anything the other side has offered. So we bring something forward, and it is called a “worthless piece of junk.” Is that what the American people sent us here to do?

I came here to find a result to the dire fiscal situation our people are in, and the majority leader comes down here and says we are not responding to the will of the people. Where has he been? What planet is he on? Responding to the will of the people? They are

sick and tired of government spending more than it has. They are sick and tired of being told they are handing over debts to their children that are never going to be repaid. And we are told that we want to take this off the table so we can't even debate it.

I woke up in the middle of the night so frustrated and so angry after spending last evening saying I am hopeful that we can come together and work something out, and the well gets poisoned last evening by the majority leader and gets poisoned again this morning. Those of us who have worked our tails off to try to get something done are told this is a piece of junk. That is not what I came here to do. That is not what we came here to do.

I didn't come here to get mad this morning. But I am just tired of this stuff that goes on around here. When Democrats and Republicans—and the majority leader knows it—are meeting in back rooms together, signing letters together to the President to ask him to step up—32 Democrats and 32 Republicans—the President ignores that and does nothing until the very end, and he comes here and says: Look at me. I took care of everything.

America is worried to death about the future. To say we haven't done anything except put forward a worthless piece of legislation—it is so worthless we are not even going to allow you to talk about it or debate it, we are not allowing amendments to take place, we are not going to give it the respect it is due. So if you do not like it, come down here and tell us you do not like it, and let's have a vote on why you do not like it instead of just simply saying: Take it off the table.

I guess we are all getting frustrated. There is a 100-and-some degree heat index outside. I can understand people getting worked up about all of this sort of thing. But the future of America is at stake. This majority leader is not allowing us to deal with it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNES. Mr. President, I stand here today as a cosponsor of the cut, cap, and balance legislation and as a supporter of that legislation. Here is the insanity that has gripped not only this body but all of Washington. We are literally in here where we will have the third year in a row of deficits over \$1 trillion.

In fact, current projections are that this annual deficit will set a record—a very dubious record, I might add—of \$1.6 trillion-plus. We were promised 3 years ago if this enormous, gargantuan effort to force more spending into the economy with the stimulus plan were passed, that trillion-dollar effort would put this country on a path to recovery. It has done nothing except raise our debt and pass the problem on to our children and grandchildren.

After weeks and months of work on an idea to rein in the spending and to come to grips with where we are in this country, we are literally at a point where, within minutes, we will vote on a motion to table that effort. We will be right back to where we are today. We will be right back to a situation where we will face trillion-dollar deficits. We will be right back to a situation where every economist in the world is telling the United States of America—the largest economy—that its spending is not sustainable. We will be right back to rating agencies looking at our government debt and saying: You have not come up with a plan to rein this in, so you are being targeted to be downgraded.

What we are really right back to is this: We have a government that is too big. We have too many promises that have been made, where no one had any idea how they would be paid for. By the end of the year, we will have a deficit of \$15 trillion, which is significantly understated. In 4 more years, we will have a debt of \$20 trillion, which will still be significantly understated. Somehow there are Members of this body who are arguing that this is a better way—to table cut, cap, and balance so we can return to where we are today.

Is it any wonder that those of us who are concerned about this and concerned about the future of our children and grandchildren are coming to the floor and saying: Wait a minute. This is destroying our Nation.

Mr. President, I have risen today, as I have many times over the last days, to say: Support this effort. Support cut, cap, and balance. I am pleased to be a cosponsor of this very important legislation which has the potential to change the direction of what we are doing. I am going to be one of the people who support this legislation.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, I echo the comments of my colleagues from Nebraska and Indiana who have expressed their support for the cut, cap, and balance approach to dealing with our debt crisis. It had 234 votes in the House, and it is the only plan out there.

As my colleague from Indiana said, the Democratic leadership in the Senate has yet to produce a plan that will meaningfully deal with the greatest crisis our country has faced in my service in the Congress; that is, this massive, out-of-control debt the Senator from Nebraska pointed out which could lead to much higher interest rates along the lines of what we are seeing in some of the European countries, which would absolutely crush this economy.

If we are serious about growing the economy and creating jobs, we have to

get Federal spending under control. We need a smaller Federal economy and a larger private economy. What has been happening since this President took office is that we continue to grow government. We have added 35 percent to the debt. Spending has increased by 24 percent—non-national security discretionary spending—at a time when inflation was 2 percent. Federal spending has been growing at 10 times the rate of inflation. The number of people receiving food stamps has gone up by 40 percent. The unemployment rate is up by 18 percent, and 2.1 million more people are unemployed today than when this President took office.

The policies of this administration are not working when it comes to getting people back to work and getting spending and debt under control.

I was listening to my colleague from North Dakota with great interest when he was here earlier denouncing the whole idea of a balanced budget amendment—like it was coming from some foreign planet. He talked about how ill-conceived and ill-considered and stupid this approach is—cut, cap, and balance.

Well, my observation about that is, the failure of the Democrats to produce a budget in over 800 days is exhibit No. 1 for why we need a balanced budget amendment. We ought to be embarrassed in Washington, DC; we are not doing the people's work; we have not passed a budget in over 800 days. Yet the other side comes down here and denounces the idea of a balanced budget amendment, which all 49 States have some form of, that requires them to balance their budgets every single year.

My colleague from North Dakota knows that. His State has it and my State of South Dakota has it. It is a very straightforward concept that the people of this country clearly understand.

Now, he takes issue with the way this particular balanced budget amendment is written. Fine. Come up with your own proposal. But don't suggest that having a constitutional amendment that requires this place to do something that it hasn't been doing for the last 25 or 30 years is literally a bad idea. What we have today is dysfunctional. It is broken. It doesn't work for the American people. It is an embarrassment. That is why we need to put something on the books that will impose a discipline on this Congress to get spending and debt back under control and help us do something about the runaway debt that is putting a crushing burden on future generations of Americans.

If you don't like this balanced budget amendment and think the cut, cap, and balance proposal is not prescriptive about this particular balanced budget amendment that many of us are cosponsors of, then come up with another one. But let's put something in place

that enshrines a responsibility and obligation and a requirement for us to live within our means every single year.

We cannot continue to spend money we don't have. We have demonstrated year after year around here that we continue to add more and more and more to this debt. Under the President's budget proposal, that debt would have doubled in the next decade. That is why I think when his budget proposal was put on the floor of the Senate it got zero votes. Not a single Democrat or Republican voted in favor of what this President put forward in his budget submission earlier this year.

Since that time there has been an absolute lack of leadership out of the White House. The President has been completely missing in action. The Democratic leadership has put forward no plan of their own. We have in front of us something that achieved majority support in the House a few nights ago when 234 Members of the House voted for this proposal. It is a serious, meaningful effort to cut spending now, cap it in future years, and put in place a balanced budget amendment which is long overdue and, frankly, if it had passed 15 years ago in the Senate, we would not be in the position we are today. It failed by a single vote—one vote—in the Senate in 1997.

I cannot help but think how much better off we would be today in terms of the spending situation had we gotten the necessary two-thirds vote in 1997. But it is never too late to do the right thing. We have an opportunity to do that today.

To hear our colleagues on the other side get up and belittle the effort that has been made by a lot of people who are trying to do something about a problem that will wreck this country if we don't fix it is not befitting of this institution.

This is going to be a tabling motion instead of a debate on cut, cap, and balance because my colleagues have decided this isn't worthy of consideration on the floor of the Senate. I think it is a terrible reflection on this institution, when something is brought forward in good faith—a serious, meaningful effort to address spending and debt and to put this country back on a sustainable fiscal course—and we are not even going to debate it. We are going to have a tabling motion in a few minutes.

I hope my colleagues will defeat that motion and allow us to continue to debate this proposal and get an up-or-down vote on what will meaningfully address the problems this country faces.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, unlike any Republican in the House or the Senate, I have voted for a balanced budget. We balanced the budget under President Clinton. Not only balanced

the budget, started paying down the national debt. He was able to leave hundreds of billions of dollars in surplus to his successor, who determined with Republican votes to go to war in Iraq and pay for the war with a tax cut. That is why we had to borrow the money from China and Saudi Arabia. Not a single Republican voted for a real balanced budget when they had a chance to. In fact, it passed the Senate only because Vice President Gore came and broke the tie.

I was proud to have voted for that balanced budget. Not a gimmick, but a real balanced budget. We had to actually make tough choices. We did it. We balanced it. We had a surplus.

When we talk about amending our Nation's fundamental charter, the Constitution of the United States, it is not something Congress and the American people should feel forced to do in the face of a financial crisis. I take seriously my senatorial oath to support and defend the Constitution.

I know there are a lot of pressure groups demanding that elected representatives sign pledges about what they will and will not do. The pledge I follow, which is the one I was honored to make again at the beginning of this Congress, is to uphold the Constitution. That is what I intend to do as I represent the people of Vermont.

The House-passed bill, H.R. 2560, which the Senate is now considering, claims to impose a balanced budget on future Congresses, but it doesn't even contain the proposed constitutional amendment that supporters are seeking to adopt. Nor did the bill pass with two-thirds of the Republican-controlled House voting in favor.

That threshold is what is required for us to pass a constitutional amendment. The House vote was more than 50 votes short of that necessary number.

The process by which this bill has been brought to the floor of the Senate is an affront to the Constitution that we are sworn to protect and defend. Instead, the House still denies authority needed to meet the Nation's obligations until Congress passes a type of constitutional amendment that will actually make it more difficult for us to reduce our national debt. That kind of constitutional blackmail has no place in our democracy, no place in our laws.

I wonder whether anyone who respects the Constitution can support such an approach. Here is the convoluted language the House bill includes about an amendment to our Constitution:

H.J. Res. 1 in the form reported on June 23, 2011, S.J. Res 10 in the form introduced on March 31, 2011, or H.J. Res. 56 in the form introduced on April 7, 2011, a balanced budget amendment to the Constitution, or a similar amendment if it requires that total outlays not exceed total receipts, that contains a spending limitation as a percentage of GDP, and requires that tax increases be approved by a two-thirds vote in both Houses of Congress.

The Founders didn't include a constitutional requirement for a balanced budget or a prohibition against incurring debt in our Constitution. They knew full well that would have been foolish, dangerous, and self-defeating for the Nation they were seeking to establish.

I respect the wisdom of the Founders and will uphold the Constitution, which has served this Nation so well for the last 223 years. Let's not be so vain as to think we know better than the Founders what the Constitution should prescribe.

I reject the notion that for political reasons we need to rush consideration of an ill-conceived and evolving proposal for a constitutional amendment. I will stand with the Founders. I will defend their work and our Constitution, and I will oppose the proposed series of constitutional amendments, which, incidentally, haven't even had a hearing.

Have we forgotten how the Revolutionary War was financed? Have we forgotten how the national government took on the debt of the states after the Revolutionary War? Have we forgotten that in 1792, just four years after the ratification of the Constitution, the budget deficit was 38 percent of revenues? Have we forgotten how President Jefferson financed the Louisiana Purchase expanding the country westward? Do we not remember what happened during the Civil War, how we emerged from the Great Depression, and won World War II? Do we not even recall that during the administration of the last Democratic President, we had balanced the budget after defeating a proposed constitutional amendment and were reducing the deficit with billions of surpluses?

Amendments to the Constitution of the United States are permanent. They are not bills or resolutions that can be abandoned or fixed. They are not just a bumper sticker or a sound bite. Each word matters to hundreds of millions of Americans and future generations.

I have never seen—and I have been here 37 years—the solemn duty of protecting the Constitution treated in such a cavalier manner. I wish those who so often say they revere the Constitution would show it the respect it deserves rather than treating it like a blog entry.

We have already seen scores of proposed constitutional amendments on budgetary matters. None has been adopted and for good reason. The Senate amendment referenced in the House bill is one of approximately 60 proposed so far this Congress. It remains a moving target, not a finished product worthy of consideration as an addition to our fundamental charter. The House bill itself proposed three different constitutional amendments and a catchall to include some proposal not yet introduced. Last night some members

claimed that this catchall somehow allows flexibility. If we are going to limit the authority on the debt ceiling by requiring a constitutional amendment, there should not be ambiguity in what the amendment would actually do to hardworking Americans. This shows the lack of seriousness with which Republicans have approached this entire matter.

These partisan constitutional amendment proposals are inconsistent with the views of our Founding Fathers. George Washington did not want our Constitution to constrain the national government from being able to respond to events as warranted. He led this Nation into being and knew that financial constraints had no place in the Constitution. The Constitution expressly provides for the power “to borrow money on the credit of the United States” and for Congress “to lay and collect taxes” and duties and “to pay the debts and provide for the general welfare of the United States.” That is what Congress has been required to do since the outset and that is our responsibility today. We should be acting without further delay to preserve the credit of the United States and to provide for our people.

The proposed amendments are also inconsistent with the views of Alexander Hamilton, a key author of the Federalist Papers and the creator of the American financial system that allowed us to become the greatest economic engine in the history of the world. The United States was born in debt, of course, and debt has been needed to fund some of America’s greatest chapters. Hamilton even termed national debt at times “a national blessing.” The Constitution allows for the Federal Government to borrow money at certain times, for wars, infrastructure building, and economic bad times. That fiscal policy can help drive development and unite the Nation. It should not be turned into a divisive wedge against the least powerful among us.

I am concerned this is another example of how some in recent years have sought to impose their view by unilateral objection to compromise with minority obstruction. That has, at times, seemed to be the rule in the last few years. Some have tried to undermine the legitimacy of President Obama. Filibusters and requirements for supermajorities have become routine. They have stymied congressional action on behalf of the American people.

This year should be a cautionary tale that convinces all Americans that the risks of default and ideological impasses to them, to interest rates, to financial markets, and to our household budgets are too great. We need only recall the game of chicken some played with the government shutdown earlier this year. The threat to push the United States into default on its obligations for the first time in our history

is wrong. It is made possible by rules that empower a partisan minority.

I cannot help but think if we don’t take the steps we should, we will see our interest rates go up. We will spend hundreds of billions of dollars in extra interest to China, which they can spend on infrastructure, medical research and education, but we won’t have it here in the United States. That is what the other side seems to want.

We saw this before, in 1996, when a Government shutdown and a debt limit crisis went on for months as part of a partisan “train wreck” intended to extort President Clinton. It is happening, again, this year as some seek to gain political advantage over President Obama. The creditworthiness of the United States is too important to be sacrificed for partisan political advantage but that is what is being threatened. Indeed, this House-passed bill, with its proposed constitutional amendments, makes that more likely, not less.

Charles Fried, President Reagan’s Solicitor General, said a few years ago that supermajority requirements “are against the spirit and genius of our Constitution, which is a charter for democracy; that is, for majority rule.” He was right then, when the Senate rejected an earlier constitutional amendment on budgetary matters, and that truth remains the same today.

We have seen the danger that irresponsible brinkmanship promotes. We should guard against building into the Constitution a supermajority requirement for fiscal policy. That invites political blackmail and gridlock. We have seen enough of that already.

I suggest that Congress should not subject our ability to govern to any greater hurdles that would empower the tyranny of the minority on economic policy. Instead of hamstringing Congress with more supermajority requirements, we should be looking for ways to increase our ability to take necessary action to deal with a fast changing and increasingly interdependent global economy.

The source of our budgetary problems does not lie with the Constitution. The Constitution remains sound. What is lacking is the political judgment and the courage to do what is right.

Having again sought to use the debt ceiling to create a political crisis, congressional Republicans refuse to enact a program of shared sacrifice to put us on a better financial path. In fact, Senate Republicans filibustered the debate of a resolution calling for such a plan.

It is telling that the Republican posture is now to require the Constitution to be amended.

The last time we balanced the budget, not a single Republican voted for that balanced budget, and yet it created enormous surpluses. These proposed constitutional amendments will

not cut a single dime of debt from the Federal budget. Rather than deal with our problems, some want to require that we deface the Constitution with a measure that will, by its own terms, not be effective for 5 years, if it were to be adopted by two-thirds of both Houses of Congress and then ratified by three-fourths of the States. Put another way, that is at least three election cycles from now. They get their bumper stickers today, but kick the can down the road for three election cycles.

Economists have noted that all of the last five Democratic Presidents have reduced public debt as a share of GDP. The last four Republican Presidents did the opposite with the country’s indebtedness increasing during their administrations. During President Reagan and Bush’s administrations the Federal debt more than tripled. During the Clinton administration, budgets were balanced and we were paying down the debt from the budget surplus being generated. Then, during the administration of George W. Bush the debt nearly doubled again to more than \$10 trillion dollars.

We should not amend our Nation’s fundamental charter of liberty to include arbitrary and inflexible requirements in order to look tough on spending, but without regard to the consequences.

A respected Republican Senator from Oregon, Mark Hatfield, had it right 15 years ago when he said that a “balanced budget comes only through leadership and compromise.”

In 1992, the Senate and House took the hard votes to enact a budgetary plan that led us to a balanced budget and budget surpluses during President Clinton’s time in office. Not a single congressional Republican supported the plan. They favored talking about constitutional amendments then, as well. The balance we achieved was later squandered by the next President, as his policies also wreaked havoc with the financial sector and threatened the entire economy. The near meltdown of the financial markets during the last year of the Bush administration and the resulting recession threatened to drive our economy and that of the world into depression just 3 years ago. President Obama and the Congress responded to pull it back from the brink.

In a recent editorial, USA Today put it this way:

[A] funny thing happened after that amendment failed in 1997. Thanks to prior deficit-reduction deals and a strong economy, the federal government ran a surplus in 1998 and for the next three years. Then an economic downturn, huge tax cuts, two unfunded wars and unfunded expansion of Medicare plunged the budget back into the red, where it has been ever since.

The moral is, Congress doesn’t need a constitutional amendment to balance the budget. It just needs the will to do it and the willingness to compromise over how. But rather

than make the tough decisions about spending cuts and revenue increases, it's always easier to vote for a balanced budget amendment.

I will ask that copies of this and other editorials and opinion pieces from leading newspapers be printed in the RECORD.

The House-passed bill is an end-run around the Constitution's requirements for amendment. It does not have the required support of two-thirds of even the House Chamber. Equally important, it is not necessary. Congress has the power now to take steps to avoid a government default and get us on the path to balancing the budget, just as we did at the end of the Clinton administration. This debate is a distraction from the hard work and hard choices that need to be made.

The good news is that we do not need to amend the Constitution to balance the budget. Never have. Never will.

The proposed constitutional amendments would also perpetuate bad policy. They are intended to enshrine tax breaks for millionaires and wealthy corporations. It is no wonder that Alexander Hamilton described supermajority vote requirements as "poison." We need a balanced approach to fix the deficit problem. We cannot merely cut our way to balance any more than eliminating congressional earmarks will balance the budget. We will need to close the most egregious tax loopholes and everyone will have to sacrifice and contribute their fair share.

There should be no mistake: The proposed amendments to the Constitution are not just unnecessary, they are unwise, unsound, and dangerous. In my view, the House-passed bill and the proposed amendments it requires demeans our Constitution. Never in our history have we amended the Constitution—the work of our Founders—to impose budgetary restrictions or to require supermajorities for passing legislation. Yet now we are saying: Let's do it on a whim. Let's do it without any hearings. Let's do it because we can do it.

It would for the first time enshrine minority rule and undermine our constitutional democracy. It will destabilize the separation of powers among our three branches of Government and put into the hands of bureaucrats and judges the fiscal policy of the United States.

Who is to decide what the "GDP" was for a particular time period, what is to be included and what is not? How often do those estimates and artificial constructs get revised? Since when do economic surveys and extrapolations become embedded in the Constitution? What justifies the constitutional permanence of the number 18, as opposed to 17 or 18.5 or 20? Do we really want judges deciding whether an economics line written into the Constitution has been breached? What remedies could

judges order if they find a breach? Who has standing to bring those challenges? None of these questions has been adequately debated or considered.

Alternatively, we could end up with future Congresses having to slash Social Security or Medicare or Medicaid, unable to respond to natural disasters or national security emergencies. I note that the budget proposed this year by Representative RYAN and the House Republicans with all its draconian cuts and the end of Medicare as we know it would not satisfy this arbitrary limit. Nor would the budgets of President Reagan. Consider whether we could witness future Congresses unable to meet the arbitrary limit and going into violation of that unsound constitutional prescription and the Constitution itself?

At the beginning of our Republic, the national Government took on the debts of the States. These proposed constitutional amendments are a recipe for pushing costs and responsibilities onto the states. And doing so at a time when State governments need our help, not more unmet needs.

The Senate Judiciary Committee has considered several balanced budget amendments over the years. The Senate proposal this year is even more extreme than the version the Senate rejected in 1995 and again in 1997. It is reckless and foolish to rush Senate consideration of such a radical proposal to change our Constitution, without process or consideration.

All Senators swear an oath to "support and defend the Constitution of the United States." That is our duty and responsibility. The pending amendments to the Constitution threaten the constitutional principles that have sustained our democratic form of government for more than 200 years. The Constitution allows America to flourish and adapt to new challenges. We have amended it only 17 times since the Bill of Rights was added.

Our Constitution deserves protection. I stand with the Constitution today and I will support the motion to table this ill-conceived legislation.

Mr. President, I ask unanimous consent to have printed in the RECORD the materials to which I referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From USA Today]

OUR VIEW: BUDGET AMENDMENT WRONG  
VEHICLE FOR RIGHT PRINCIPLE

In 1997, the Senate came within a single vote of passing a constitutional amendment mandating a balanced federal budget. Backers made all the same arguments you'll hear today when the House takes up a new version of the old elixir: An amendment will finally force Congress to balance the budget, we'll never have a balanced budget without one, and so on.

But a funny thing happened after that amendment failed in 1997. Thanks to prior deficit-reduction deals and a strong econ-

omy, the federal government ran a surplus in 1998 and for the next three years. Then an economic downturn, huge tax cuts, two unfunded wars and an unfunded expansion of Medicare plunged the budget back into the red, where it has been ever since.

The moral is, Congress doesn't need a constitutional amendment to balance the budget. It just needs the will to do it and the willingness to compromise over how. But rather than make the tough decisions about spending cuts and revenue increases, it's always easier to vote for a balanced budget amendment.

And not just any balanced budget amendment. Rather than embrace the same legislation that almost passed in 1997 and would surely attract Democratic votes this time around, backers have made the latest version so extreme that it's virtually certain not to pass both chambers of Congress, much less the three-fourths of states required for ratification.

This new version—part of the Republicans' "Cut, Cap and Balance" plan—sets a permanent limit on spending equal to 18% of the economy, a level it hasn't achieved since 1966. (The plan of conservative House Budget Committee Chairman Paul Ryan, R-Wis., would leave spending at around 20% of GDP for the next two decades as Baby Boomers retire.) Raising taxes would require two-thirds of votes by the House and Senate.

Reading between the lines, it's clear that many supporters care less about cutting the deficit than about rewriting the Constitution to embrace an economic theory that shrinks government and makes it almost impossible to raise taxes.

Certainly, balancing the budget is a sound goal. We've been supporting it in this space for more than 20 years. Congress and successive presidents have demonstrated an inability to match revenue and spending. Something has to be done to change the incentives.

But the fatal flaw in virtually any balanced budget amendment is that it ties the government's hands in times of economic distress. When those sorts of crises hit, the government needs to be able to move quickly to rescue major financial institutions and deploy "automatic stabilizers," such as unemployment benefits and food stamps that steady the economy until private-sector forces can create a recovery. Failure to intervene caused the Great Depression of the 1930s, and had a balanced budget amendment been in place when the financial crisis struck in 2008, there's no doubt at all that we'd be living through another one now.

Backers also argue that because states have to balance their budgets, the federal government should, too. But the federal government has responsibilities the states don't, most notably to protect national security. And when state revenues collapse, the federal government serves as a critical lifeline.

Preferable alternatives to a constitutional amendment include pay-as-you-go requirements and firm spending caps that require lawmakers to make choices, rather than run up debt. But why make tough choices now when you can vote for a gimmick that someday, maybe, would address the problem?

[From the New York Times, July 4, 2011]

MORE FOLLY IN THE DEBT LIMIT TALKS

Congressional Republicans have opened a new front in the deficit wars. In addition to demanding trillions of dollars in spending cuts in exchange for raising the nation's debt limit, they are now vowing not to act without first holding votes in each chamber on a

balanced budget amendment to the Constitution.

The ploy is more posturing on an issue that has already seen too much grandstanding. But it is posturing with a dangerous purpose: to further distort the terms of the budget fight, and in the process, to entrench the Republicans' no-new-taxes-ever stance.

It won't be enough for Democrats to merely defeat the amendment when it comes up for a vote. If there is to be any sensible deal to raise the debt limit, they also need to rebut the amendment's false and dangerous premises—not an easy task given the idea's populist appeal.

What could be more prudent than balancing the books every year? In fact, forcibly balancing the federal budget each year would be like telling families they cannot take out a mortgage or a car loan, or do any other borrowing, no matter how sensible the purchase or how creditworthy they may be.

Worse, the balanced budget amendment that Republicans put on the table is far more extreme than just requiring the government to spend no more than it takes in each year in taxes.

The government would be forbidden from borrowing to finance any spending, unless a supermajority agreed to the borrowing. In addition to mandating a yearly balance, both the House and Senate versions would cap the level of federal spending at 18 percent of gross domestic product.

That would amount to a permanent limit on the size of government—at a level last seen in the 1960s, before Medicare and Medicaid, before major environmental legislation like the Clean Water Act, and long before the baby-boom generation was facing retirement. The spending cuts implied by such a cap are so draconian that even the budget recently passed by House Republicans—and condemned by the public for its gutting of Medicare—would not be tough enough.

Under the proposed amendments, the spending cap would apply even if the government collected enough in taxes to spend above the limit, unless two-thirds of lawmakers voted to raise the cap. More likely, antitax lawmakers would vote to disburse the money via tax cuts. Once enacted, tax cuts would be virtually irreversible, since a two-thirds vote in both houses would be required to raise any new tax revenue. It isn't easy to change the Constitution. First, two-thirds of both the Senate and House must approve an amendment, and then at least 38 states must ratify the change.

But expect to hear a lot about the idea in the days ahead and in the 2012 political campaign, with Republicans eagerly attacking Democrats who sensibly voted no.

Democrats, undeniably, have a tougher argument to make. A fair and sustainable budget deal will require politically unpopular choices on programs to cut and taxes to raise. Americans deserve to hear the truth: There is no shortcut, no matter what the Republicans claim. Nor is their urgency to impose deep spending cuts now, while the economy is weak, as Republicans are insisting.

What is needed is enactment of a thoughtful deficit-reduction package, to be implemented as the economy recovers. If politicians respect the voters enough to tell them the truth, the voters may reward them at the polls.

[From the Washington Post, July 14, 2011]

A BALANCED BUDGET AMENDMENT ISN'T THE ANSWER  
(Editorial)

Amending the Constitution to require a balanced budget is a bad idea that never dies.

It's not surprising that the current avalanche of debt has inspired renewed calls. Given that the political system appears unable to discipline itself not to spend more—trillions more—than it takes in, why not tie lawmakers' hands to prevent them from piling ever more debt on the national credit card?

The answer: The constitutional cure, while superficially tempting, would be worse than the underlying disease. A balanced-budget amendment would deprive policymakers of the flexibility they need to address national security and economic emergencies. It would revise the Constitution in a way that would give dangerous power to a congressional minority.

The latest push from lawmakers advocating the amendment is to couple a vote on the proposal with an agreement to raise the debt ceiling. On the surface, this argument seems benign enough: Why not give states the chance to decide whether the Constitution should mandate a balanced budget? But policymakers have an independent responsibility to assess whether an amendment is wise. This one, especially in its latest incarnation, is not. It would require a two-thirds vote in both houses of Congress to run a deficit in any year. The same supermajority would be needed to enact any tax increase. Compare those hurdles to the version of the amendment that passed the House in 1995, which called for a slightly lower three-fifths vote in each house to pass an unbalanced budget or increase the debt ceiling and a mere majority vote to increase taxes.

Worse yet, the latest version would impose an absolute cap on spending as a share of the economy. It would prevent federal expenditures from exceeding 18 percent of the gross domestic product in any year. Most unfortunately, the amendment lacks a clause letting the government exceed that limit to strengthen a struggling economy. No matter how shaky the state of the union, policymakers would be prevented from adopting emergency spending, such as the extension of unemployment insurance and other countercyclical expenses that have helped cushion the blow of the current economic downturn. The 18 percent cap on spending is so severe that House Budget Committee Chairman Paul Ryan's economic plan would violate its strictures. So would any budget passed under President Ronald Reagan. With health-care costs rising and the number of retiring baby boomers increasing, it would be next to impossible to keep spending to that low share of the economy.

Both houses of Congress are expected to vote on the amendment next week, but a responsible lawmaker's obligation does not end at voting against this version. Even a less draconian rendition—without the spending cap or with lower thresholds for approving tax increases or running deficits—would be the wrong approach. If a balanced-budget amendment had been in place when the economy crashed in 2008, Congress would have been unable to respond with a stimulus package or efforts to stabilize banks and auto manufacturers. Even if you believe that was the wrong policy response, it is important that Congress retain the flexibility to craft the correct one.

The fiscal situation is perilous. It's commendable that members of Congress are trying to right it. The balanced-budget amendment remains a deeply flawed approach to achieving a noble goal.

[From the New York Times, July 17, 1990]

NO TO A BALANCED BUDGET AMENDMENT

The balanced budget amendment that the House will vote on today is impractical, un-

enforceable and wouldn't end Federal deficits. But it would litter the Constitution with a vacuous promise, and invite greater cynicism in budget-making.

Deficits are arbitrarily defined and easily manipulated. Achieving a specific level, like zero, has no special economic significance. And trying to hit that target could play havoc with valuable Federal programs and a declining economy that might need deficit spending.

Yes, Congress should keep deficits from spiraling upward. But there is no immediate crisis, and the deficit—compared with the size of the economy—has already been cut in half under the Gramm-Rudman-Hollings budget law. More needs to be done. The prudent way is to amend Gramm-Rudman to make it work better, not spoil the precious Constitution in a quixotic search for a quick fix.

The proposed amendment would require a three-fifths vote in both houses to run a deficit. That, say the sponsors, would provide the flexibility to run deficits when they are needed but stymie unnecessary borrowing. But nowhere does the amendment come to grips with political reality. Evasion would be simple. Congress could move programs "off budget," like funds for the savings and loan crisis.

The amendment also would require Congress and the President to agree on revenue and expenditure estimates. But politicians have a common interest in fudging such projections and pretending to pass a balanced budget. The amendment's only safeguard against self-serving projections is the proposed three-fifths vote to raise the debt ceiling. That way legislators eventually would be forced to confront the issue. Yet garnering enough votes would be easy since to vote otherwise would bring the Government to a screeching halt.

As for states that have balanced budget amendments, they also have separate capital accounts. That allows them to borrow money for long-term investments in infrastructure. There is no separate capital account in the Federal budget. So a requirement to balance the budget would create a horrific incentive for Congress to avoid costly investments in railroads, education and research.

Congress has been unable to make the Gramm-Rudman budget law work fully as intended. But amending it to plug loopholes would be far easier, and better, than drafting a skimpily worded constitutional amendment.

[From the Washington Post, July 18, 2011]

WHY A BALANCED-BUDGET AMENDMENT IS TOO RISKY

(By Norman J. Ornstein)

It is no surprise that a constitutional amendment to balance the budget would re-emerge now—there's the symbolism of standing for fiscal rectitude and wrapping that position in the cloak of the Constitution. And nearly all states have constitutional provisions to balance their budgets, so why should the federal government be different?

But the answer to that question is a key reason a constitutional amendment to balance the federal budget would be disastrous.

A sagging economy requires what we call countercyclical policy, stimulus to counter a downturn and provide a boost. The need for countercyclical policy became apparent in the 1930s, after the opposite response to economic trouble caused a dizzying collapse; its application early in Franklin Roosevelt's presidency succeeded in pulling the United States out of the Depression (until a premature tightening in 1937-38 pulled us back down into it).



Countercyclical policy is what every industrialized country in the world employed when the credit shock hit in late 2008, to avoid a global disaster far more serious than the one we faced. Under a balanced-budget amendment, however, no countercyclical policy could emanate from Washington. Spending could not grow to combat the slump. And while the Obama stimulus did not jump-start a robust economic recovery, any objective analysis would find that absent the \$800 billion stimulus, the economy would have spiraled down much further.

State balanced-budget requirements make the option of a federal balanced-budget amendment dangerous. When state revenue declines during economic downturns, state spending on unemployment and Medicaid increases. To balance their budgets, states have to raise taxes and/or cut spending, the opposite of what is needed to emerge from a fiscal funk. This is the economic equivalent of the medieval practice of bleeding to cure any ailment, including anemia. In 2009, the fiscal drag from the states amounted to roughly \$800 billion; in effect, the stimulus from Washington merely replaced the blood lost by the state-level bleeding.

Even balanced-budget amendments that have a waiver for recessions are a risk because there is often a lag between a recession itself and when it is recognized. That lag could produce more inopportune bleeding.

The amendment under consideration has its own deep flaws. The Republican proposal would cap spending each year at 18 percent of gross domestic product. Because the formula is based on a previous year's economy, it would mean, according to Republican economist Don Marron, a cap of more like 16.7 percent of GDP. This in turn means that the House-passed budget proposed by Rep. Paul Ryan, which calls for draconian cuts in Social Security, Medicare, Medicaid and discretionary domestic programs, would not be nearly draconian enough. Accounting for population changes, the 16.7 percent limit would mean slashing Social Security and Medicare well below the levels contemplated by the bipartisan Simpson-Bowles fiscal commission, and cutting discretionary spending by half or more. It is hard to make the case that decapitating food inspection, air traffic control, scientific research, Head Start, childhood nutrition programs and more, as the amendment would almost certainly require, would lead to a healthier economy, itself a necessity to solve the debt problem.

To be fair, the amendment has a safety valve—a two-thirds vote of both chambers can authorize a deficit. But imagine the chances of securing a two-thirds vote in this Congress. Similarly, its requirement that 60 percent of both houses vote to increase taxes or the debt limit would result in political gridlock and opportunities for legislative blackmail.

That this amendment has been endorsed by all 47 Republicans in the Senate, and that a dozen Republicans have pledged not to increase the debt limit without the amendment, are sad commentaries on our politics. But the effects should this amendment be adopted would be frightening.

Norman Ornstein is a resident scholar at the American Enterprise Institute and co-author of "The Broken Branch: How Congress Is Failing America and How to Get It Back on Track."

[From the News Leader, July 17, 2011]

BALANCED BUDGET AMENDMENT UNWISE

Instead of making a good faith effort to work toward a compromise and actually do

something good for the country, Republicans in Congress once again are bandying about a feel-good piece of legislation that could only further hogtie the government.

The balanced budget amendment is a flag conservatives love to run up the pole when they think they can get the American public to hate free-spending Democrats a little bit more. It's disingenuous at best. Congress should not require a special rule that says its members use common sense when making vast and expensive decisions. When it comes to international conflicts, domestic terror threats and economic recessions, the added steps of arguing to get around a balanced budget amendment is not what is needed.

But when it comes to running the government, members of Congress need to use forethought and that not-so-common common sense to avoid unproductive tax cuts, conflicts without reasonable exit strategies and the ability to find solutions when deficits grow too large.

The timing of our own Rep. Bob Goodlatte's amendment might sound quite reasonable to a lot of people right now. But it isn't reasonable. It's another ploy by those who don't want a solution to the real problem, but just a way to make gullible followers believe they've found a solution to our budgetary woes.

A balanced budget amendment does not equal smaller government with less spending. Like any household, the only way to balance a budget is by trimming expenses and adding revenue. Pressed to balance a budget would force Congress to raise taxes, especially if we are to hang on to high-cost government entities like Social Security and Medicare.

It's not a solution. Demanding that a balanced-budget amendment go along with any agreement toward raising the debt ceiling simply will drag the whole thorny mess down even more.

Mr. LEAHY. Mr. President, I yield the floor.

THE PRESIDING OFFICER (Mr. COONS). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, how much time remains on our side?

THE PRESIDING OFFICER. There is 5½ minutes.

Mr. GRAHAM. I would appreciate the Chair letting me know when 4 minutes has expired.

Let us put this debate in context. In 2010, we had a major election in the country. The people who were elected in the House made promises to their constituents: If you send me to Congress, I will try to change the system and deal with the fact our Nation is being run into the ground.

We have more debt than any future generation can ever pay off, with 40 cents of every dollar we spend being borrowed money. If you are born today, you inherit about \$48,000 of debt. We are spending more on Social Security payments than we collect in taxes. Medicare is underfunded by \$30-something trillion over the next 75 years. When you add up all entitlement programs, we are about \$50 trillion short of the promises we have made.

Simply put, the House Republicans who were elected, during their campaigns said: I believe Congress is out of

control. We are going to become Greece, and I want to do something about it.

What did you expect when they got here? They would say: Okay, I have been taught the real way the Congress works, and it is all okay. They did something about it. Congratulations. Anytime a person running for office fulfills the promises they made to their constituents, they have done a great service to democracy.

Cut, cap, and balance is the House effort to reduce spending not 10 years from now but this coming year. The problem with all these plans and the very sincere efforts in the past to solve our debt problems—Gramm-Rudman-Hollings, the Balanced Budget Agreement of 1997 between President Clinton and the Republicans—and I was here then when we achieved balance, because we restricted the growth of entitlements such as Medicare, we restricted doctor and hospital payments, and we actually balanced the budget for a year or two, but then we found out how much it was hurting doctors and hospitals. We didn't institute real reform. We began to nickel and dime doctors and hospitals, and guess what. We stopped the program and we spent all the surpluses.

How do you get \$14-trillion-plus in debt? Both parties are working together. This has been a bipartisan effort for about 30 years to run the country into the ground. I want a break. I want to have a bipartisan effort to save the country from becoming Greece, and the only way you can do that is to put ideas on the table.

Please, I say to my Democratic colleagues, let this debate go forward. If this is not worth debating, what would be? How do you save the country from becoming a debtor nation to the point the next generation can't inherit the American dream? If you have a better plan than cut, cap, and balance, please show it to us. We are willing to raise the debt limit, but we are not going to do it without changing the reason we got in debt.

The cut part reduces spending in 2012 by \$100 billion. That will cause some pain, but it is eminently doable. It is about 3 or 4 percent of the Federal budget. I think most people at home believe they can cut their budget 3 or 4 percent. If they had to do it to save their family, they would. We are talking about saving the country.

The cap is an effort to control spending over 10 years to wipe out the \$1.4 trillion deficit. We are going to become Greece because we are going to have 100 percent of debt to GDP in about the next 20 years, and a trillion-plus deficit has to be changed. You can't do it overnight, but you should be able to do it over 10 years.

The centerpiece of the House legislation is the balanced budget amendment to the Constitution. What rational person believes that Republicans on this



side and Democrats on that side are ever going to find a way to fix our Nation's problems without something new happening?

The PRESIDING OFFICER. The Senator has consumed 4 minutes.

Mr. GRAHAM. I thank the Chair.

After 40 years, the evidence is in. The Congress is broken, and unless you change the system fundamentally, we are going to run our Nation into the ground. So I support a balanced budget amendment.

Here is the way it works: You have to get two-thirds in the Senate and the House and three-fourths of the States have to ratify the balanced budget amendment. Give the people of America a chance to have their say. Let's pass a balanced budget amendment to the Constitution before we take the country and put it in a situation beyond redemption. The only thing that is ever going to change this body, I am sad to say, is some discipline imposed by the Constitution itself.

I promise my colleagues to work with you where I can. But for the rest of my time in the Senate—and I don't know how long it is going to be—I am going to push a balanced budget amendment to the Constitution, because I don't trust the Congress to do the hard work on its own. And when I say that, I mean Republicans too.

Ms. SNOWE. Mr. President, I rise in opposition to the motion to table the motion to proceed to H.R. 2560, the Cut, Cap, and Balance Act of 2011. At this critical juncture in our Nation's history, the Federal Government's record of fiscal recklessness proves we must work to guarantee fiscal responsibility not just for our time, but for all time. In that light, I believe it deserves debate and an open process that would allow for changes and improvements so we can ultimately pass a measure ensuring we are never again confronted with a vote to raise our Nation's debt ceiling. And I am therefore deeply disappointed and troubled that the majority in the Senate is not permitting us to proceed to any further discussion or votes on this bill.

To achieve that goal, an indispensable element of the cut, cap, and balance bill is the balanced budget amendment—and I have been a champion of balanced budget amendments throughout my tenure. And in fact, this legislation before us represents the one and only opportunity we will likely have as we lead up to the debt ceiling deadline to consider and pass just such an amendment. Given our historic \$14.3 trillion national debt, the record \$1.6 trillion deficit for the current fiscal year, and the unrestrained and skyrocketing growth of government programs and services, we have little choice but to seriously and thoroughly debate measures to bring certainty and solutions to our broken budget process. We must commence a process that will

force our government to reevaluate priorities and live within its means.

Indeed, this is a threshold moment in our Nation's history to determine precisely what kind of nation we want to be. Will our fiscal future be held hostage to interests overseas, threatening both our national and economic security? Will we cede our destiny to countries like China, which already holds approximately one-fifth of our gross debt? Or will we seize the financial reins, pass a constitutional balanced budget amendment, and reclaim our future?

Given what is at stake and Congress's perpetual disregard for fiscal responsibility, frankly, the burden is squarely upon the opponents of this resolution to justify how business as usual is sustainable for our Nation. Indeed, last week the President asserted that, "we don't need a constitutional amendment to do our jobs." Well, if that were true, if such an amendment isn't required for us to do our jobs, why then do we find ourselves wallowing in this economic morass? If Congress actually possessed the capacity to forestall skyrocketing debt of its own volition, why are we mired in a major debt crisis?

So let us not be confused as we hear all of the usual diversionary excuses why this amendment shouldn't pass. And having cosponsored a balanced budget amendment 18 times since my very first days in Congress, and having made statements in favor of it 35 times on the Senate and House floor, believe me, I could recite them all by rote—how a balanced budget amendment will be overly restrictive, spending reductions too substantial, and that other measures would be equally effective without changing our Constitution. I recall during a House floor debate in 1992, colleagues asked: What if appropriations exceed estimated revenues? What if the President and Congress underestimate the amount of federal revenues in a fiscal year? What if it requires budgetary adjustments as a result of a contracting economy, or inaccurate estimates?

And my response then was the same as it is now—welcome to the real world! That is what families, businesses and frankly, 49 States that have adopted balanced budget requirements confront day in and day out. State governors and legislators cannot leave their Capitols if their budgets aren't balanced and the U.S. Congress should be no different.

Instead, we have not only a fiscal gap in Washington but a shameful imbalance between the trust the American people have placed in us, and the responsibilities we must carry out if we are to demonstrate worthiness of that trust. The demonstrable reality is that, absent a permanent mechanism that forces the Federal Government to set and fulfill its fiscal priorities, Congress will blithely continue its wayward

practices. Indeed, the reason many lawmakers don't want a balanced budget amendment is the exact reason why it's essential—and that is to permanently end the types of legislative trickery that have brought our country to the edge of a fiscal chasm.

The facts speak for themselves. On March 4, 1997, when the balanced budget amendment failed to pass in the Senate by one vote, our gross debt was \$5.36 trillion, a number we rightly all found staggering! But apparently it wasn't staggering enough, as the abysmal track record following 1997 dramatically demonstrates.

In 1999, just 2 years after that fateful vote in which the balanced budget amendment failed to pass, the debt rose to \$5.6 trillion. By 2002—it was \$6 trillion. In 2004—\$7 trillion. In 2006—\$8 trillion. By 2009—it rose to \$11 trillion, and last year to \$13.5 trillion. The bottom line is that from 1997 to 2011, the national debt has almost tripled. Tripled—to an unprecedented \$14.3 trillion. And now we are asked to raise the ceiling again to \$16.5 trillion.

Our government has balanced its budget only five times in half a century. Five times. Our 1997 deficit was \$22 billion; this year's is projected to be 73 times as high, at \$1.6 trillion. Does anyone know any families out there in America who are voluntarily spending 73 times what they spent in 1997? Families across the country have been paying down their credit cards. They are facing reality, while Congress continues to binge-spend, unabated.

In 1992, I said on the House floor that, "we have no way of knowing how bad things might get if we continue without the balanced budget amendment." Well, regrettably, now we do know, and the situation is dire as our outstanding debt now projected to reach 100 percent of GDP this year—which some economists have labeled an "economic danger zone." In fact, economists report that gross debt levels above 90 percent of GDP slow economic growth by 1 percent per year, resulting in approximately 1 million jobs lost. So I defy anyone to explain how we could have amassed these mind-numbing levels of debt relative to our GDP, and yet a balanced budget amendment is not a necessity.

We have tried every statutory structure possible yet nothing we have implemented has withstood the test of time, circumvention, or clever gimmickry to successfully and consistently bind both the House and the Senate to provide continuity from Congress to Congress, to act in a fiscally responsible manner. Nothing. And no one can disavow the consequences of this lack of self-imposed accountability, which has engendered shockingly deficient oversight and review of our spending and Federal programs, both those already existing, and

those proposed. As a result, we continue to pile on program after program with impunity.

We have witnessed the positive effects of statutory limits with past budget enforcement mechanisms such as the Gramm-Rudman-Hollings Act, the 1990 Budget Enforcement Act, and the 1997 Balanced Budget Act that saved upward of \$700 billion, and those measures led to 4 years of surpluses. But we allowed them to lapse, to wither on the legislative vine, and that has led us directly to the “wild west” mentality of today in which our entire budget and appropriations processes have virtually disintegrated.

Congress is required by law to adopt a budget resolution by April 15, yet in the past 36 years Congress has met that deadline just six times. Throughout the last 10 years, Congress has approved a budget resolution on only six occasions. Congress failed to complete action on a budget resolution for 5 fiscal years—1999, 2003, 2005, 2007, and 2011—that all ended with large, spendthrift, omnibus appropriations measures or continuing resolutions.

Last year, no budget and no appropriations bills passed for the first time since the current budget rules were put into place in 1974, almost resulting in a shutdown of the Federal Government in April 2011. We have had 87 continuing resolutions in the past 14 fiscal years and passed not even a single one of the 12 individual appropriations bills for the current fiscal year. This tacit acceptance of dysfunction in our budget and appropriations processes has only exacerbated the trend-line of unbridled federal spending, and it is symptomatic of the miniscule value Congress has assigned to averting economically corrosive deficits and debt.

It is certainly not as though we lack the time to fulfill our legal requirement to complete budgets by April 15—and just ask the American people if they aren’t required to meet their tax filing deadline on April 15! In fact, the nonpartisan Congressional Research Service reports that from January 5, 2011, through July 1, 2011, the Senate has been in session for 541 Hours, 243 hours of which have been spent in Morning Business—that is 45 percent of our time spent in nonlegislative activity. We couldn’t have voted on a budget resolution? No wonder only 18 percent of the country believes Congress is doing its job, which only makes me wonder—who exactly are those 18 percent?

Even when we had the historic opportunity of 4 consecutive years of Federal surpluses beginning in 1998, we squandered it with a deplorable lack of foresight. In 2001, the last year of surpluses when our debt was \$5.8 trillion, I introduced a legislative trigger mechanism to link long-term Federal budget surplus reductions with actual budgetary outcomes and later led a bipartisan, bi-

cameral group with Senator Bayh to offer a subsequent amendment, recognizing that federal surplus projections were merely that—projections. Yet both measures were dismissed and derided.

And what has been the result? Since 2002, the Nation has run a deficit each and every year and our gross debt has increased from \$6.2 trillion to almost \$15 trillion. Over the past 5 years alone, government has managed to increase spending by a remarkable 40 percent, contributing to the largest budget deficits in our history over the last three consecutive years. We are now borrowing roughly 40 cents of every dollar we spend.

The reality could not be more stark—the balanced budget amendment is the only vehicle before us that will guarantee that a balanced budget will be the rule, rather than the exception—because it will compel Congress, through the ultimate authority of the Constitution—to return to the regimentation and discipline of the budget and appropriations processes, and thereby force the government to establish priorities and abide by those priorities.

To paraphrase a statement I made during one particular balanced budget debate in the House, the Constitution is not for window dressing. It is not to score political points for any particular party. It is not for more games and gimmicks—and in fact, as I have stated many times, if it were a gimmick Congress would have passed it long ago! Rather, the purpose is to protect current and future generations from the crushing weight of ever-escalating debt that threatens America’s security and our very way of life.

There should be no mistake—debt and deficits are always a dangerous combination, and especially at a time when we are experiencing an unprecedented period of long-term unemployment with more than 22 million Americans unemployed or underemployed, and another 2.2 million who want a job, but are so discouraged they stopped looking for work altogether. Consider that, in the 29 months since President Obama took office, unemployment has dipped below 9 percent for only 5 months, and actually increased to 9.2 percent in June. And yet at a moment when every dollar government spends should be wisely dedicated to job creation to return us on the path to prosperity, we are forced to commit an astounding \$200 billion per year just to service our debt.

The cost of net interest alone will more than triple in the next 10 years to reach nearly \$1 trillion per year in 2021. In fact, the CBO’s most recent long-term outlook states that by 2035 interest costs on our Nation’s debt would reach 9 percent of GDP, more than the U.S. currently spends on Social Security or Medicare! And if interest rates

were just one percentage point higher per year, over ten years the deficit would balloon by \$1.3 trillion from increased costs.

Ironically, the conversations in Washington are about how the markets will react if we do not raise the debt ceiling, but the markets are already reacting. Standard & Poor’s recently downgraded the Nation’s outlook from “stable” to “negative,” Moody’s warned that our “AAA” rating could be lost if we do not reduce deficit spending, and large funds like PIMCO are divesting holdings of U.S. bonds.

And let’s be perfectly clear—it is not only our economy that may suffer should we dive into the fiscal abyss. When ADM Mike Mullen, the Chairman of the Joint Chiefs of Staff, identifies the national debt as the single biggest threat to our national security—that ought to compel us to stand up and take notice. Yet in the absence of a balanced budget amendment, any fiscal foothold we may gain with measures implemented in this Congress could be summarily reversed by subsequent Congresses—whereas, a balanced budget amendment would establish an indissoluble contract with future generations that would cement fiscal responsibility in perpetuity.

So let us be unambiguous what this debate is about. It is a fundamental disagreement between those who are concerned about our future economic standards, and those who are willing to erode the economic opportunities that have become the very hallmark of the American dream. You see, the dirty little secret is that those who oppose a balanced budget amendment don’t want their hands tied . . . they don’t want the fiscal restraints. Well, to them I say, this is America—can’t we do better?

Well, we can do better, and we must—and therefore, I will vote to proceed with this legislation. Critically, it contains a provision that exempts Medicare, Social Security, and veterans benefits from the spending caps. At the same time, I recognize it is not a perfect bill. In fact, again I believe there should be a full and open debate during which members can offer amendments to improve this legislation and I regret that the majority here in the Senate will preclude that possibility.

I can foresee a number of improvements I would propose, including the addition of a “pay-for” title in the legislation that would provide for additional, mandatory savings including eliminating ethanol subsidies and direct agricultural payments to high-income farmers, and rescinding unspent stimulus and TARP funds, that could be better utilized within Medicare and Medicaid. And we must also enact straightforward budget policy reforms so that Congress no longer relies on accounting gimmicks. These are but a

number of the improvements that would save billions of dollars and put our nation on a path toward fiscal responsibility.

Again, the central question before us is as old as the founding of our great republic—and that is, what kind of nation do we want to be? That was the same question that historian David McCullough addressed years ago before group of legislators when he discussed the milestones achieved by Congress when leaders worked together.

“Think what your institution has achieved,” he observed. “It was Congress that created the Homestead Act. It was Congress that ended slavery. It was Congress that ended child labor. It was Congress that built the Panama Canal, the railroads and the Interstate System. It was Congress that created Social Security. It was Congress that passed the Voting Rights Act. It was Congress that sent Lewis and Clark to the West, and sent us on voyages to the moon.” And some acts of Congress, he pointed out, like the Marshall plan and lend lease, were achieved under crisis conditions.

I honestly believe that this spirit of accomplishment can be re-captured—and what could be a more fundamental place to start than with the future fiscal health of our Nation? We can either bring disrepute upon ourselves by continuing to mortgage our future to cover the fiscal offenses of today or we can rise to the occasion, meet our moral responsibility, and bequeath the generations to come a nation unencumbered by the shackles of perpetual debt. The choice is ours, and history awaits our answer.

Mr. LEVIN. Mr. President, the path to deficit reduction is difficult, but some of the essentials are clear for all to see. We must cut spending, which will require real sacrifice on the part of American families. We must also add revenue, which has plunged so dramatically thanks to Bush-era tax cuts that flow primarily to the wealthiest among us. And we must avoid proposals that would see the most vulnerable among us pay the highest price for deficit reduction.

That is the path a broad array of budget experts, Democratic and Republican, tell us is the only way to relieve our debt problem. And it is the path the American people tell us they understand that we need to take. In survey after survey, poll after poll, Americans voice their support for a balanced approach to deficit reduction, one in which we cut spending, yes, but also address revenues by closing tax loopholes and asking the wealthiest among us to share in the sacrifices that are required to bring down the deficit. And they tell us, unequivocally, that they do not want us to fall short of our commitment to the most vulnerable, especially those who depend on Social Security and Medicare for a secure retirement.

So this is the true path to deficit reduction: targeted and sometimes painful spending cuts; closing tax loopholes, asking wealthy taxpayers to join in the sacrifices we must make; and protecting the social safety net on which our most vulnerable citizens depend.

We can choose that path, difficult though it may be. Or we could take a path like the one laid out in this legislation—a path leading straight off a cliff. The American public has made it clear to the Republicans in the House of Representatives that its budget objectives, as laid out in the draconian budget plan they sent to us earlier this year, are unacceptable. Rather than heeding that message, Republicans have sent us a plan that’s even worse than the first.

The budget championed by House Republicans this year would have added more than \$6,000 a year to the typical senior’s medical bills. The plan before us today tacks another \$2,500 or more onto that bill.

The budget plan from House Republicans this year cut billions from Medicare to clear the way for billions in tax cuts for the wealthy. The plan before us today would enshrine protection for those tax cuts in the Constitution by requiring two-thirds majorities in both Houses to enact any revenue increase, making it virtually impossible for future Congresses to reverse such disastrous policies, or to remove tax loopholes for oil companies or tax incentives for companies that ship jobs overseas.

The budget plan from House Republicans this year would cost an estimated 700,000 jobs by removing support from an already weakened economy. The economy has, if anything, become more worrisome since that budget came to us, but the legislation before us today follows the same destructive path.

Let us be clear: What Republicans have proposed is to abandon our commitments to the safety, security and prosperity of the American people. They would slash Medicare and Social Security, and leave the rest of the budget so threadbare that it could not cover our important priorities. The American people want us to reduce waste and redundancy in Federal spending. But they do not want us to stop protecting the air we breathe and the water we drink, stop inspecting our food supply, stop patrolling our streets or borders or educating our young people or ensuring safe air travel or any of the things that help keep them safe and healthy and secure. And yet there is no doubt that under this plan, we would stop doing some or all of those things. We would have no choice.

It is especially disturbing that many of the same people arguing for these destructive policies are responsible for the policies that brought on our deficit

to begin with. Republicans are quick to blame President Obama’s policies for the deficit, but the vast majority of our current woes stem from policies adopted during the previous administration by Republican majorities in Congress. Republicans pushed for massive tax cuts, tax cuts that weren’t paid for and that flowed overwhelmingly to the wealthy. Republicans pushed for a war of choice in Iraq that was not paid for.

Our Republican colleagues like to compare the Federal Government to a family. Families have to balance their budgets, they say; why can’t the government? Well, the Federal “family” had a balanced budget under Democrats. Republicans wrecked our fiscal discipline with the Bush tax cuts and wars that were not paid for, and now they want middle-class and vulnerable Americans to pay the price. If the government is a family, then Republicans are the guy who gets a big raise, blows the whole raise plus the family savings on a hot rod, gets fired from his job, loses his income, and decides to stop paying the kids’ tuition so he can keep the hot rod.

That is the path they propose, in this legislation. We can’t follow that path. The better path is difficult, but it is clear. I hope our Republican colleagues will abandon the path of ruin, reject this destructive bill and join us in making the hard choices that the people we serve need us to make, and soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise today to speak of one of my gravest concerns, which is our Nation’s fiscal future.

All of us—Democrats, Republicans, liberals, moderates, conservatives—face a choice about whether we will seize the moment before us and confront our great fiscal nightmare or whether we will let this moment pass us by. Clearly, we face tough and difficult decisions. The decision we make as Members of Congress must be the right and responsible ones or our beloved Nation and our hard-working families will needlessly suffer.

In my State, when I became Governor, we faced challenging times—growing debts and tough budget choices. When I was first elected in November of 2004, the first thing I did afterwards was go to New York and talk to the rating agencies—the people who knew our State best—to find out what our gravest challenges were. I went back home and we started making changes.

I did not blame anyone—any past administration, Republican or Democrat or any other body. I was elected to fix things, not to put blame on people. As West Virginians, not as Democrats or Republicans, we set about fixing the problems of our State. We didn’t raise

tax rates. People came to me and said we needed to do that, but I couldn't look people in the eye and do that without trying to run our State more efficiently.

The difference between what we did back home and what is happening here in Washington is that we faced these choices together. We worked across party lines in a responsible way to address our fiscal challenges. In doing so, we set our State on the right fiscal path and—let me stress again without sacrificing our moral responsibility or obligations to our seniors, our veterans, and the people most challenged in our society. We did that without raising their tax rates.

Right now, because we made the right choices, our State is doing well. Even in these most difficult, challenging financial times, we have had record surpluses every year—6 years in a row. For the last 3 years, we have been one of the few States in the Nation that has an increase in our rating from Standard & Poor's, Moody's and Fitch, the rating agencies. We did this by living within our means. It is the reason why I am such a strong supporter of a balanced budget amendment. It makes you put in place your priorities based on what your values are. I truly believe most Americans support a balanced budget. Every family I know in my State and in this Nation works off of some sort of a budget. Nearly all our State governments operate on a balanced budget. I have never seen another place, except here in our Nation's Capitol—our government in Washington—that puts a budget together based on what they want to spend, not on how much they have to spend.

But how we balance our budget is critically important. We have a moral responsibility and an obligation to our seniors, our families, and those who are the most fragile in our challenged society. That is why I cannot support the cut, cap, and balance plan passed in the House, which we will be voting on shortly. As a moderate Democrat who is also a proud fiscal conservative, I agree with the bill's goal of a balanced budget. However, I cannot support the path it takes.

The cut, cap, and balance plan does not reflect who we are or what we want to be as Americans. I believe we need to cut but not so deeply and without regard for our seniors and the most vulnerable. I believe we need a cap on our spending but not at a level that could destroy the most important and vital programs we have in our society. I strongly believe we need a balanced budget amendment but only one that takes a responsible and reasonable approach.

Clearly, we can all agree it is time for us to make the difficult choice that will get our financial house in order, but we must do so with the right plan

in a responsible manner—one that keeps our promises to our seniors, our veterans and, most importantly, our children. And like it or not, neither Democrats nor Republicans can tackle this enormous challenge on their own. This is not a political problem, this is an American problem, one we all face. We should put politics aside and truly put our country first.

Earlier this week, I saw that spirit at its finest. On Tuesday of this past week, the Presiding Officer, along with 49 of our other colleagues, came together to listen to the Gang of 6, who worked so hard on ideas based on the President's fiscal debt commission. Democrats and Republicans rolled out the first bipartisan proposal to address the Nation's fiscal nightmare. At that meeting, 50 Senators from both parties—evenly split—came together to listen to the hard work of the Senators who spanned the ideological spectrum. At that moment, the Gang of 6 turned into what we affectionately called the "Mob of 50."

And for the first time in these negotiations about our fiscal future, we had a bipartisan plan with momentum that was putting our country first.

We should not waste this moment. We must work together to cut spending and attack waste, fraud, and abuse in every sector of our country, every department, every program that needlessly costs our Nation hundreds of billions of dollars every year.

We must work together to reform our Tax Code, not to raise tax rates but to make fairness a priority. It is simply unfair that hard-working middle-class families in West Virginia and all around this great country would pay more in taxes than a Fortune 500 company such as GE, which didn't pay a cent, or billionaires such as Warren Buffett who pays a lower effective tax rate than his secretary. Democrats and Republicans must work together to remove unnecessary loopholes, subsidies, and tax credits we simply cannot afford in light of our ballooning debt.

It is time to end the three wars we have that we are spending so much on and the resources we can't afford and the lives we can't spare.

I say to all this is a time for us to come together as Americans, to put our politics aside, and do what is right for all of the future of this generation and for this country.

I yield the floor.

Mr. REID. Mr. President, I want to say to my friend from West Virginia, he has been a great addition to the Senate. We of course know he replaced the great, the legendary Robert Byrd. The people of West Virginia should be very happy with the performance of JOE MANCHIN and his executive experience as the Governor of the State of West Virginia, which had an impeccable record with surpluses every year he was there. He has brought this tal-

ent to Washington, and it has been very helpful to us all.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, 5 months ago, President Obama unveiled the only concrete statement he has made to date on our Nation's budget crisis, a 10-year budget plan so preposterous, so unequal to the moment that it was rejected in the Senate by a vote of 97-0. The President's response to this crisis was to pretend it didn't exist.

Two months later, the President doubled down on his vision for a future of debt by demanding that Congress raise the debt limit, without any cuts to spending or a plan to rein it in. It was a total abdication of leadership and it wasn't sustainable.

So over the past several weeks, the President has been doing his best impersonation of a fiscal moderate. He has talked about balance and left it to others to fill in the blanks.

Here is what Democrats in Congress have proposed as a solution: more spending and higher taxes to a debt crisis.

Yesterday, with the clock ticking, we heard reports of a volcanic eruption among Democrats at the suggestion that we should solve this crisis by focusing on reducing Washington spending.

The solution to this crisis is not complicated. If you are spending more money than you are taking in, you need to spend less money. This isn't rocket science. We could solve this problem this morning if Democrats would let us vote on cut, cap, and balance and join us in backing this legislation that Republicans support.

But the first step in solving a problem is to admit you have one, and too many Democrats refuse to admit that Washington has a spending problem. That is why Republicans have insisted that we focus on spending in this debate.

The reason we have a \$14 trillion debt is because no matter how much money Washington has, it always spends more; and the only way to cure the problem is to stop enabling it. Americans get it, and I want to thank every American who has spoken out in favor of cut, cap, and balance. Today, the American people will know where we stand.

A vote to table this bill is a vote to ignore this crisis even longer. A vote to get on this bill is a vote for getting our house in order.

I urge my Democratic colleagues one more time to reconsider their position. Join us in support of a future we can afford.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I say to all my friends, and new Senators, welcome to the United States.

This is a vote on the piece of legislation that was described by my friend, the chairman of the Judiciary, as well as anyone else: It is violative of our Constitution.

This is a vote on this matter, and we are going to dispose of this legislation as it needs to be so President Obama and the Speaker can move forward on a matter that will have some revenue in it and send it over here, and we can move forward to complete our work to make sure we don't default on our debt.

As a result of our conversation here, I move to table the motion to proceed to H.R. 2560 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) and the Senator from Massachusetts (Mr. KERRY) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. McCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 46, as follows:

[Rollcall Vote No. 116 Leg.]

YEAS—51

Akaka	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Inouye	Pryor
Bennet	Johnson (SD)	Reed
Bingaman	Klobuchar	Reid
Blumenthal	Kohl	Rockefeller
Boxer	Landrieu	Sanders
Brown (OH)	Lautenberg	Schumer
Cantwell	Leahy	Shaheen
Cardin	Levin	Stabenow
Carper	Lieberman	Tester
Casey	Manchin	Udall (CO)
Conrad	McCaskill	Udall (NM)
Coons	Menendez	Warner
Durbin	Merkley	Webb
Feinstein	Mikulski	Whitehouse
Franken	Murray	Wyden

NAYS—46

Alexander	Enzi	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Heller	Risch
Brown (MA)	Hoeben	Roberts
Burr	Hutchison	Rubio
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Snowe
Cochran	Johnson (WI)	Thune
Collins	Kirk	Toomey
Corker	Kyl	Vitter
Cornyn	Lee	Wicker
Crapo	Lugar	
DeMint	McConnell	

NOT VOTING—3

Gillibrand	Kerry	McCain
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The motion was agreed to.

• Mr. KERRY. Mr. President, I was necessarily absent for the vote on the motion to table the motion to proceed

to the Cut, Cap, and Balance Act, H.R. 2560. If I were able to attend today's session, I would have supported the motion to table the motion to proceed to the Cut, Cap, and Balance Act, H.R. 2560.●

• Mr. McCAIN. Mr. President, I regret that due to my attendance at a dear friend's funeral this morning, I was not in the Senate to cast my vote for the cut, cap and balance legislation. I fully support cut, cap and balance and I am proud that Republicans put forward a concrete proposal to cut spending, balance the budget, reign in the spiraling debt that imperils our children's future and ensures that our Nation continues to meet its obligations.

The Democratic leadership has failed to put forward any meaningful proposal to break this impasse, but instead continues to set up procedural road blocks to keep Republican plans from passing and force votes on non-binding legislation that will do nothing to solve our problems. The Democrats, led by President Obama, continue to insist that our fiscal difficulties can be fixed by raising taxes on individuals and small businesses—the exact policies that will deepen our economic woes, not fix them.

Both parties must now find a reasonable, responsible path forward to address head-on our debt crisis, end the mortgaging of our children's future and make certain that our Nation meets its debt obligations, as we Americans always have. If Speaker Tip O'Neill and President Ronald Regan could find agreement on such matters, we can too. We must put politics aside and do what is right for our Nation.●

• Mrs. GILLIBRAND. Mr. President, no one disputes that we must act now to reduce our growing debt. The interest we pay on our debt costs us dearly in lost opportunity to invest in America. We spend millions of dollars a year paying interest to countries, like China, that we should be investing here in America to create jobs and get our economy moving again. At the same time, it is essential that we do not, for the first time in history, fail to pay our obligations and default on our debt. Doing so will only make our economic and debt challenges more difficult, and could make it almost impossible to turn our economy around.

Unfortunately, I think this legislation is shortsighted and mistaken. It neither guarantees that the United States will not default on its obligations, nor does it provide a balanced blueprint to addressing our long-term budget obligations. Instead, it would constitutionally protect tax breaks for millionaires and special interest while forcing benefit cuts to Social Security and Medicare beyond those proposed in the House Republican budget.

This legislation also distracts from making the hard choices we need to make to reduce the deficit and at the

same time create jobs and grow our economy. The legislation makes it almost impossible to increase revenues, even on the millionaires and billionaires who are doing just fine in this economy. It also fails to reduce Pentagon spending, which accounts for more than half of our discretionary spending budget, forcing more pain on families, seniors and other hard-working Americans.

We must address our budget challenges, but we cannot do so on the backs of our seniors and working families. For these reasons, I am opposed to this legislation, and while I was ill and could not vote, I would like the record to show that I would have voted to table the motion to proceed on HR 2560, the Cut, Cap and Balance Act. I am strongly opposed to this legislation.●

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business until 2 p.m. today, with Senators permitted to speak during that time for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, there will be no further rollcall votes this week. The next vote will be on Monday at approximately 5:30 p.m. I will give a scheduling update later after I confer with the Republican leader.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOVING FORWARD

Mr. REID. Mr. President, the Senate just conducted a very important vote. We have now demonstrated that the House Republicans' cut, cap, and balance bill is over, done, and dead. This was a necessary step, and this step now allows the process to move forward.

Let me take a moment to discuss where we go from here.

Earlier this week, the Republican leader and I were working together on a path to avert insolvency. It was a fallback plan. It was the second choice for everyone, including me, and the Republican leader I am sure. But earlier this week, it looked as though we needed to go to that fallback plan as soon as possible. Thus, earlier this week, it looked as though the Senate would

have to originate that legislation, perhaps as soon as today, to avoid default.

During the course of the week, however, circumstances have changed. The Speaker and the President have been working diligently together to reach an agreement on a major deficit-reduction measure. As I said earlier this morning, I wish them both very well. That is very important to our country.

The product on which they are working would address, I understand, both taxes and spending. Under the Constitution, the House of Representatives must originate all revenue measures. Therefore, the path to avert default now runs first through the House of Representatives—that is what the Constitution demands—and we in the Senate must wait for them. Therefore, the Senate does not need to originate legislation today.

Earlier this week, I had announced the Senate would need to be in session this weekend. But based on these changed circumstances—and they change fairly rapidly—that is no longer the case.

So at the close of business today, the Senate will be out until Monday. Over the weekend, of course, there will be all kinds of meetings going on, and I will do my best to monitor closely the talks between the President and the Speaker, and I will await word of their hoped-for success.

We will be back on Monday. The Senate will have at least one vote Monday evening, and the Senate will wait anxiously for the House of Representatives to send us their work product so we can later next week pass legislation to prevent a default in our great country.

I am going to consider moving other legislation in case that does not work in the House of Representatives. I received a letter from Senators today as to some suggestions they have. There is a meeting that is going to take place at 11 o'clock today with the Gang of 6. The Republican leader and I will be in on that meeting. We are doing our very best to keep all Senators, Democrats and Republicans, on top of what is going on. But, frankly, in fairness to the Republican leader and to me, a lot of what is going on we don't know. So we are, because of the negotiations—at least I am speaking for myself; I can't speak for the Republican leader, but I have not been in the day-to-day negotiations as to what is going on between the President and the Speaker.

For the third time today, I say as sincerely as I can, I wish them well. It is extremely important we address the debt, and it is extremely important we understand we are no longer talking about credit ratings. We are talking about the default of our debt. I hope this weekend brings good sense and common sense and vitality to the work being done between the President and the House of Representatives.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SECURE FISCAL PATH

Mr. PRYOR. Mr. President, Abraham Lincoln once said:

I am a firm believer in the people. If given the truth, they can be depended upon to meet any national crisis. The great point is to bring them the real facts.

I think that is where we are today. I think we need to bring the people the facts about our Nation's debt. People in my State see through the games being played in Washington. They want solutions, courage, and leadership—the kind that puts us on a more secure fiscal path for the future.

Mr. Bryant of Hot Springs Village, AR, writes:

We know we have to increase the debt ceiling, so let's get serious about finding a solution. . . . Why is this a problem for our politicians? The public expects responsible leadership not the demagoguery we are getting from both sides of the aisle.

That is the sentiment I hear around my State, and I am certain many of my colleagues are hearing this around the Nation.

So here are the facts: For over 230 years, the U.S. Government has honored its obligations. Even in the face of the Civil War, two World Wars, and the Depression, America has paid its bills. Yet now we stand on the brink of tarnishing the full faith and credit of the United States. We stand here because Congress has failed to bring the American people the real facts.

The easiest thing for politicians to do is say they are for lower taxes and for increased spending. This mindset has rung up a \$14.2 trillion national debt. We now borrow 41 cents of every dollar we spend.

Under this debt, combined with the theatrics playing out in the House and the Senate, the unthinkable could happen. The 80 million bills the Federal Government pays could come to a screeching halt. That means millions of seniors may not receive their Social Security checks in the mail, troops may not receive paychecks, Medicare patients could be denied care, and the stock market could significantly drop.

Moreover, credit rating agencies have warned us that we will likely lose our AAA credit rating without immediate action. Interest rates would permanently rise, piling on additional costs for families. The costs of owning a home, buying food, filling a gas tank, sending kids to college, and buying a car will become even more expensive.

There is one more real fact I wish to highlight. A default adds heavily to our

debt. For every 1-percent increase in the interest rates we pay, it adds \$1.3 trillion to the debt. It is no wonder last summer the Chairman of the Joint Chiefs of Staff said, "Our national debt is our biggest national security threat."

The Gang of 6 offers an alternative—a comprehensive roadmap that allows us to tackle the debt in a reasonable, responsible, and fair manner. I applaud MARK WARNER, SAXBY CHAMBLISS, KENT CONRAD, TOM COBURN, MIKE CRAPO, and DICK DURBIN on this bipartisan effort. By leaving out political agendas, these Senators—these statesmen—produced a plan to slash deficits by \$3.7 trillion over 10 years. This plan follows the blueprint put forth by the fiscal commission following a year's worth of study and collaboration.

In addition to an immediate \$500 billion downpayment, the plan puts everything on the table. It balances the need to reduce spending, adjusts entitlement programs, and reforms our Tax Code. While I may not agree with every provision, I do like that it falls on every citizen to contribute to debt reduction. It allows us to achieve measurable results without jeopardizing safety net programs meant to protect the most vulnerable among us.

Furthermore, it avoids gimmicks such as a constitutional amendment or cut, cap, and balance, which offer a nice sound bite but falls short.

I am hopeful a gang of 60 will embrace this plan and that we can include it as part of the final debt ceiling solution.

Congress has created this cliffhanger moment. Americans and leaders all over the world are now watching. The question for Congress remains: Will we rise to the occasion or will we fail?

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### GROWING THE ECONOMY

Mr. MORAN. Mr. President, I am disappointed by the outcome of the vote today in which a proposal I believe had the most merit for moving us in the right direction in regard to raising the debt ceiling and moving us toward the direction of a balanced budget failed in the Senate.

I have spoken this week several times about the importance of cut, cap, and balance. It is the plan that has passed the House of Representatives and was the path we could take here, and I have encouraged my colleagues throughout the week to come together

to try to make this cut, cap, and balance plan the framework by which we resolve this issue of the impending necessity of raising the debt ceiling.

I have said on every occasion it would be irresponsible not to raise the debt ceiling. I do not know exactly what the consequences are and at what point in time those consequences occur, but I do know it would be damaging to the economy. I also believe it would be equally, if not more, irresponsible to simply raise the debt ceiling without taking the necessary steps to put our country on the right path toward a balanced budget in the future.

I thought cut, cap, and balance really did present that opportunity in which we cut spending back to previous years' levels, we cap that spending so it is not more than a certain percentage of our gross national product, our country's economy, and, finally, that we pass a balanced budget amendment, something I have supported since I came to Congress each and every year. I believe we do not have the necessary discipline and courage, the necessity we need to make the decisions to put us on the path toward balancing the budget. Of course, if we approved a balanced budget amendment in the House and the Senate, it still would be considered by the American people through the State legislatures.

So I speak this morning with disappointment that on a straight party-line vote, this issue, this legislation was tabled. But I have also said throughout my conversations about the debt ceiling and about getting our country back on the right path that I believe there is a fourth component to cut, cap, and balance.

In my view, that fourth component is grow—cut, cap, balance, and grow the economy. Certainly, in my view, the Federal Government does not create jobs. But we have millions of Americans across our country who are looking for work, looking for better work, looking for full-time work, and we have way too many people who are discouraged, who have looked for a long time with no success.

In my view, the primary message of the November elections of last year was this insistence that Congress get it right in order to help Americans find employment. It is important. These two things are related in regard to how our country progresses.

As I have indicated, the last time our budget was balanced was at the end of President Clinton's term in office. Yes, there was some spending restraint. There was an inability of Republicans and Democrats to come together and create new programs and big government spending. But what really was happening, what was the primary reason for a balanced budget back in those days was a growing economy.

So if we want to balance our budget, I am one who says, yes, we need more

revenue. But that revenue comes not from tax increases but from a growing economy that puts people to work and generates the revenue that then flows to the Federal Treasury to pay down our debt.

It is actually the most enjoyable aspect of how we could balance the budget. The side benefits beyond an improved fiscal house in Washington, DC, is that Americans would have jobs. We help create an environment in which they can put food on their families' tables, in which they can save for their kids' education, and have the opportunity to save for their own retirement.

So today I once again, in the absence of an agreement between the White House and the House and the Senate—as has been indicated, there are ongoing negotiations about this issue of the debt ceiling. But we ought to be looking also at that opportunity to grow the economy, put people to work, creating those opportunities and raising the revenue necessary to fund, in my view, a much smaller government.

So we ought to be promoting a Tax Code that is fair, that is efficient, is not overly bureaucratic, that is certain. We need a regulatory environment in which every businessperson is not fearful of adding employees or investing in the plant and equipment because they do not know what next government regulation is going to come their way.

I spent much time this year as a member of the Senate Banking Committee where we have heard from bankers across the country, particularly our community banks, where the uncertainty of what next happens under Dodd-Frank determines whether it is desirable to make a loan. What next is the examiner going to say? What next are the regulations going to be?

Access to credit for our small business men and women in Kansas, our farmers and ranchers—the ability to borrow money has a significant role to play in whether we have a growing economy that puts people to work. So we certainly need to have that fair and certain Tax Code. We certainly need to make certain the regulatory environment is totally different than what it is today. And we need to make certain there is no doubt about the ability—due to regulations—that a bank can make a loan to a creditworthy borrower.

We also desperately need a policy in place that encourages domestic production of oil and gas, that helps us reduce the cost of energy. I do not know how we have a booming economy if energy prices are going to continue to escalate at the rates they are. The more that cost of gasoline reduces the spending power of American families, the less likely we are going to have any opportunity to see a growing economy.

Certainly, we have challenges in our housing market that need attention,

and it is difficult for many of us to make decisions about spending more money if we do not have the sense of security that comes from knowing there is value in our homes.

Finally, I want to point out—and the issue I want to focus on for a moment because of what appears to be coming from the Obama administration in regard to trade—there is an indication that, once again, the ability for Congress to consider the trade agreements with Colombia, Panama, and South Korea is being delayed. Much of our country's economy—and certainly in my home State of Kansas—is dependent, and many people by the millions work in the United States because of things we manufacture and agricultural commodities we grow that are exported abroad.

The last three trade agreements that have been negotiated have been pending now for a very long time. The consequences of those trade agreements are significant. I certainly know this as a Kansan. We manufacture airplanes and general aviation. We grow lots of agricultural commodities: wheat, cattle, corn. Much of that is exported, and these countries present opportunities for us to grow our economy and put more people to work.

The South Korea Free Trade Agreement, for example, if approved, is estimated to create 70,000 new jobs. It is estimated that it would be an increase in U.S. exports of \$9.7 billion, and our gross domestic product would increase by over \$10 billion. Yet the framework by which we can begin to increase our exports to those three countries is once again stalled.

The White House announced this week those trade agreements will not be presented to Congress before the August recess. In my view, that is a terrible mistake, and it is particularly a problem because, as we speak, other countries are assuming the role of exporting to those countries, assuming the role that the United States has historically played, and we are being left out in the market.

A free-trade agreement just recently took effect between South Korea and the European Union. Colombia and Canada have an agreement that comes into force on August 15. The more time we delay in approving the opportunity for Americans to export to those countries, the more likely it is that the markets are going to be taken by exporters from other countries.

So while we continue to work to see that an agreement is reached in regard to this issue of the debt ceiling, let's not take any steps back in regard to this issue of growing the economy. Let's continue to work in regard to that Tax Code, in regard to that regulatory environment that so hinders the ability of business to expand, in regard to an energy policy that returns those jobs back home and creates greater



stability in the price and cost of energy. We also need to make certain we have access to credit.

But, finally, today, let me again ask the administration to reconsider their position, and let's put these trade opportunities—the ability to increase exports—back on the table so Congress can adequately address the terms of those agreements and get them in place before we lose more market opportunity around the globe.

This is not about taking care of big business. This is about making certain that business has the opportunity to sell goods and agricultural commodities to those countries, so that in the process of their business growing they put more and more Kansans and Americans to work.

So we have our agenda, and it is an important one for America. Yes, fiscal sanity has to return, but let's not forget the fourth component of cut, cap, balance, and grow the economy. If we do these things, America will be a better place today. But, more importantly, every American child will have the opportunity to pursue the American dream.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KIRK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KIRK. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SILVER FLEECE AWARD

Mr. KIRK. Mr. President, As we continue to debate our economic future I would like to announce July's Silver Fleece Award winner. This month's most wasteful spending project is another example of the egregious Federal spending habits of this government and demonstrates why exactly we need to enact the Cut, Cap and Balance Act.

The Silver Fleece Award for the month of July goes to a \$64 million stimulus award to provide broadband service to Gallatin County, MT. According to an analysis conducted by Navigant Consulting, 93 percent of the households in the project's proposed service area were already served by five or more broadband providers. The fact that tens of millions of taxpayer dollars were spent to subsidize broadband service in an area with already strong private sector representation is reprehensible. Perhaps even more staggering, though, is the taxpayer cost of these services per unserved household.

According to the program's own definition of "unserved household," this project cost taxpayers more than \$340,000 per unserved household.

However, many of these so-called unserved households have access to 3G wireless broadband. Not only are 3G speeds approaching or even meeting administration broadband standards, but 3G will soon be replaced with 4G broadband, which will far exceed current standards. Subtracting the number of homes that had existing access to 3G wireless leaves only seven households in the Gallatin County service area unserved by broadband. It cost the U.S. taxpayer an astounding \$7,112,422 per household to provide broadband service to the truly unserved population.

I wish I could say this project is the exception, but I cannot. This funding was provided through the stimulus' \$3.5 billion Rural Utility Service Broadband Initiative Program. On average, this program cost the taxpayer over \$1,000 per household. In the projects analyzed by the Navigant study, 85 percent of the households served already had access to broadband.

Unfortunately, rural broadband subsidization has been long mismanaged by the Rural Utility Service. A 2009 inspector general report found that just 2 percent of Federal broadband buildout funds provided between 2005 and 2008 went toward unserved communities. The same IG report found that funds were also going to areas that were not rural at all. In fact, 148 of the communities provided with subsidized broadband between 2005 and 2008 were within 30 miles of cities with at least 200,000 inhabitants. We continued to see this occur in the stimulus funding, where in my home State, Cook County, home of Chicago with a population of 2.79 million, and suburban Will County received funds.

Ensuring connectivity in rural America is a worthy endeavor that will bring much needed economic development to small communities around the country. But as we face budget shortfalls and a crippling debt, we cannot afford to subsidize duplicative broadband service to urban and suburban areas.

Now, during the stimulus debate when the bill was considered by the full Appropriations Committee, I raised concerns with the then chair of the Agriculture Subcommittee, ROSA DELAURO on this issue. I said it was a waste of money. I said that we should probably redirect the funds. I said that we should not support this legislation.

I was defeated in the House of Representatives and the stimulus bill was put forward. I even wrote a memo highlighting the waste in this rural broadband initiative.

Unfortunately now seeing—especially in Gallatin County, where we have now subsidized each recipient of unserved

broadband services at a cost of \$7,112,422 per person—we have seen that the remarks that I made in opposition to this funding when I was a member of the House dramatically understated the waste to the U.S. taxpayer.

As we face a future of deficits and debt, we need to highlight the waste of the Rural Broadband Program, which is why the July Silver Fleece award went to this program in Gallatin County, MT.

The PRESIDING OFFICER. The Senator from Montana.

#### CUT, CAP, AND BALANCE ACT

Mr. TESTER. Mr. President, you should see the folks back in Montana and across this country as they watch the news and read the papers, shaking their heads. I do not blame them. I am shaking my head too because we just wasted 2 precious days debating a plan that wipes out Medicare and Social Security, a plan that guts veterans' benefits.

Yes, that is exactly what the plan did. That is exactly why I opposed it. It is incredible to me that some folks have no problem turning their back on America's seniors and America's veterans while at the same time preserving tax loopholes that benefit millionaires and Big Oil and Wall Street and corporations that ship our jobs overseas. That is why Montana and folks across this country are shaking their heads. They do not think much of what is going on in Washington, DC, these days.

My friends in the House know full well this bill is no friend of the seniors and it is no friend of the veterans. They know full well it would force deep cuts in Medicare and Social Security. They know this all so very well. So you know what they did. What do career politicians do when they want people to believe their plan to cut Medicare somehow exempts Medicare? They add language saying "exempt Medicare." That is what they did. Montanans deserve better, and Americans deserve better.

Let's look at the whole truth. Let's first talk about the cuts that are in the cut, cap, and balance plan.

This plan locks in cuts proposed by the controversial House budget plan—otherwise known as the Ryan plan in the House—and it locks them in for a full decade. That means you are going to see more than \$111 billion in cuts this year alone. That is 10 percent. Will it be a 10-percent cut to veterans health care or highway or water infrastructure or education? They will not tell us how they plan to make those cuts. Maybe they will take a little less out of our veterans but at the expense of the police and firefighters. Maybe they will take a few less dollars out of agricultural research but then kick a few more kids out of Head Start.

Now let's talk about the "cap." The plan caps Federal spending at 18 percent of gross domestic product, requiring even further spending cuts. Now, 18 percent brings us to a level this country has not seen since 1966, about the same time Medicare was created. Even Ronald Reagan advocated for a higher rate than 18 percent.

Here is the kicker: The small print you will not hear from the people who already voted for this bill is that the annual interest on our debt and the very things this bill claims to exempt—Medicare, Medicaid, Social Security, veterans' benefits—will cost more than what is allowed under the cap. That means there is to be nothing left to spend on any other program—nothing. That includes the military, our infrastructure, homeland security, and just about everything else. So how is that going to work so that this bill protects Social Security and Medicaid? It will not unless you invent your own math. What are the lawmakers going to do? Do they really intend to close down the Pentagon? I doubt it. But that means they are going to have to go back and cut Medicare and Social Security. Under this bill, it is their only choice. The numbers simply do not add up.

The fact is, we were wasting time even giving it daylight in the Senate, and it is exactly why the folks back home are shaking their heads. They expect us to get a job done responsibly, using common sense in a way that does not dismantle Medicare, Social Security, or hurt our veterans.

I look forward to debating a bipartisan plan to responsibly cut the debt and cut spending. There is one being worked on right now. But the bill the Senate just voted on was not responsible. The Senate rejected it, and rightfully so. Now we need to move to a bipartisan plan that comes out of the middle, not from the partisan extremes.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE BUDGET

Mr. KYL. Mr. President, occasionally, political people say things they probably wish they hadn't said because they are quite foolish.

It is with great disappointment that I focus on something our President recently said. I do so not out of disrespect for him but because what was said is so fundamentally wrong that it deserves to be put out into the public for discussion and, frankly, to get some

response from the President if he wishes to do that.

According to the National Journal, an article by Rebecca Kaplan, from July 21, the President said this:

I think what's absolutely true is that core commitments that we make to the most vulnerable have to be maintained. A lot of the spending cuts that we are making should be around areas like defense spending, as opposed to food stamps.

We are in a great debate about how we should figure out a way to end our deficit spending, get our debt under control. We have to raise the debt ceiling here in a few days. We have had a lot of discussion about the best way to do that. Most people approach the problem by saying: What are the core functions of government, the most important things that are critical to America? You build a budget from that point up. As every family does, you finally get to some things that are good to have, if you can, but sometimes you cannot afford them or not in the same way you have been paying—maybe not going to a movie or going out to dinner.

I think most people would believe that when we all take our oath of office to defend the country, probably the first obligation the Federal Government has is to defend the people, provide for our national security. If we are not able to provide for our national security, there is not much point in trying to protect anything else. That is why the defense of the United States has always been pretty well supported in a bipartisan way, by people in both political parties, in times of peace and in times of war. That is not to say there haven't been debates about defense spending, and whether defense spending sometimes can be cut but, rather, to at least acknowledge that if any function of the government is a core function or, as the President said, "core commitments," it surely ought to be providing for the defense of the American people.

We have also decided over the years that there are ways in which we can help to take care of American citizens who have trouble meeting their own needs. We start with people who are very sick and infirm, or elderly, and we have programs such as Social Security, Medicare, and the Medicaid Program for those economically less fortunate. Over the years, we have developed programs to provide other benefits to American citizens. We provide some housing benefits. We provide what is called food stamps. There is another name for it in the agriculture budget: "Nutrition assistance." It is known as food stamps for people having trouble making ends meet. The government will actually provide them an ability to buy at the grocery store what they need to eat. That is important.

America got along without food stamps for the first couple centuries of

its existence. Certainly a lot of people endured hardship. When a country is wealthy enough to be able to afford to do things for its people, it is certainly an appropriate thing to do. That is certainly the category of food stamps.

But I find it remarkable that the President would conflate the obligations of the government for national security and a program such as the nutritional assistance program the way he has. To describe one as a core commitment of the country—food stamps—and to say the rest of it we can go talk about making cuts that should be around areas of defense spending as opposed to food stamps—I am not trying to pick on food stamps, but the President is the Commander in Chief. He, among all Americans, is responsible for our national security. And for him to suggest that food stamps is a core mission of the government and that national security is less than that, so that if we need to make cuts we should take them from national defense, I find remarkable.

Are food stamps close to what is the core of the American people? As I said, we got along without food stamps for a long time. Churches and families and others took care of folks. When the government was wealthy enough to be able to help folks with food stamps, we decided to do it. We have all been supporters of programs that provide that kind of assistance. But when you have to begin trimming expenses—and, by the way, I am not suggesting there is a proposal here on the table to trim food stamps. What I am saying is that what you don't do is to say there is one thing we are going to protect above all else, and that is food stamps, and we can, instead, get our savings from the defense budget. We have already effectuated enormous savings from the defense budget over the last 3 years.

I thought it might be useful to quote a few things that our most recent Secretary of Defense said. He is retired now. For the last 3 years, he acted as Secretary of Defense, and now he has been out of that job for the last couple of weeks. But at the end of his term as Secretary of Defense, he gave several speeches, and in each one of those he stressed the commitment of the United States not only to the security of the American people but to peace around the world and reminded us there is evil in the world. There are always those who would do us harm. And unless there is somebody in the world—a country such as the United States—willing to stand up to these despots, these troublemakers, we are likely to end up with trouble on our own shores sooner or later. He cautioned, therefore, against further reductions in defense spending, as the President has said.

On several occasions, Secretary Gates said defense had already had cut as much as was advisable. So the question is, Why should we automatically

be assuming it is easy to cut another \$400 billion out of defense, for example; that our key mission here is to protect the core mission, as the President put it, such as food stamps?

I am going to select a few things Secretary Gates has said and then I will ask to have printed in the RECORD a couple of the pieces.

On May 24, Secretary Gates made some remarks to the American Enterprise Institute, and here is a sampling of what he said. In this first quote he is talking about the inventory of military weapons in our arsenal:

The current inventory is getting old and worn down from Iraq and Afghanistan. Some equipment can be refurbished with life-extension programs, but there is no getting around the fact that others must be replaced. When it comes to our military modernization accounts, the proverbial "low hanging fruit"—those weapons and other programs considered most questionable—have not only been plucked, they have been stomped and crushed. What remains are much-needed capabilities—relating to air superiority and mobility, long-range strike, nuclear deterrence, maritime access, space and cyber warfare, ground forces, intelligence, surveillance and reconnaissance—that our nation's civilian and military leadership deem absolutely critical.

He gave examples of a new tanker. He noted the ones we have are twice as old as many of the pilots who are flying them. A new generation strike fighter, the F-35. He said we have to build more ships. The size of the Navy has sunk to the lowest number since prior to World War II. The Army and Marines are doing the bulk of our fighting on the ground. Their combat vehicles and helicopters are worn down after a decade of war. He points out that, at some point, we have to replace our aging ballistic missile submarines, and he calls that a program that illustrates the modernization dilemmas we face.

He said this—again at the speech he gave at AEI:

So as we move forward, unless our country's political leadership envisions a dramatically diminished global security war for the United States, it is vitally important to protect the military modernization accounts—in absolute terms, and as a share of the defense budget.

Let me quote once more from his speech at AEI, and then I wish to move to some remarks he made at some commencement addresses.

One thing Secretary Gates noted is that when we decide we want to reduce defense spending, we have to remember our potential enemies always have a vote. We can assume certain things are of a low probability to happen around the globe, but we can't always be sure that some despot isn't going to try to create trouble somewhere. Here is how he concluded this speech to AEI:

If we are going to reduce the resources and the size of the U.S. military, people need to make conscious choices about what the implications are for the security of the country, as well as for the variety of military op-

erations we have around the world if lower priority missions are scaled back or eliminated. They need to understand what it could mean for a smaller pool of troops and their families if America is forced into a protracted land war again—yes, the kind no defense secretary should recommend any time soon, but one we may not be able to avoid. To shirk this discussion of risks and consequences—and the hard decisions that must follow—I would regard as managerial cowardice.

Then he said this:

In closing, while I have spent a good deal of time on programmatic particulars, the tough choices ahead are really about the kind of role the American people—accustomed to unquestioned military dominance for the past two decades—want their country to play in the world.

That is a serious and sobering reminder by the Secretary of Defense that the American people expect the leaders of the country to understand that when we need our military, it is there, it is capable; that we are being fair with people we have put into harm's way; and that we have given them the very best training and equipment possible.

By the way, my colleague from Arizona, JOHN MCCAIN, has visited Iraq, Afghanistan, and other places where our military men and women have been fighting for many years. One of the thoughts that always strikes me most about his observations when he returns is the quality of our fighting force—the quality of their equipment and their training. They are, clearly, the best military force ever fielded.

We expect that. We have come to expect it. But it doesn't happen automatically. It requires stewardship, and we here in the Congress, as well as the Presidents, are stewards of our national security and all of those who provide it. That is a lesson we can't forget, even in the context of a deficit and debt debate where we are trying desperately to find more ways we can achieve savings.

When Secretary Gates spoke to the Notre Dame graduates on May 22, here are a few of the things he said:

The lessons of history tell us we must not diminish our ability or our determination to deal with the threats and the challenges on the horizon, because ultimately they will need to be confronted. If history—and religion—teach us anything, it is that there will always be evil in the world, people bent on aggression, oppression, satisfying their greed for wealth and power and territory, or determined to impose an ideology based on the subjugation of others and the denial of liberty to men and women.

He continued:

... make no mistake, the ultimate guarantee against the success of aggressors, dictators, and terrorists in the 21st century, as in the 20th, is hard power—the size, strength, and global reach of the United States military.

He also discussed what we are doing around the world, and he said this:

All of these things happen mostly out of sight and out of mind to the average Amer-

ican, and thus are taken for granted. But they all depend on a properly armed, trained and funded American military, which cannot be taken for granted.

He concluded those remarks by saying:

Throughout this process we should keep in mind historian Donald Kagan's observation that the preservation of peace depends upon those states seeking that goal having both the preponderant power and the will to accept the burdens and responsibilities required to achieve it. And we must not forget what Winston Churchill once said, that "the price of greatness is responsibility . . . and the people of the United States cannot escape world responsibility."

Another way of saying this was one of Ronald Reagan's famous sayings—that the best way to preserve peace was to have strength. "Peace through strength." That is, when you become weaker, you tempt the despots around the world to see whether they can gain some territory or some advantage, and to make trouble. You are then playing catchup, having to fight a problem that could have been avoided, perhaps, if that despot knew you had the strength and will to defeat him if he had made any kind of aggressive move. Having the ability to deter is at least as important as the ability to win if the fight occurs because you can avoid a lot of trouble, expense, casualties, and problems if you deter aggression in the first place.

At North Dakota State University, in another commencement speech on May 14, Secretary Gates said this:

... while I don't foresee a repeat of the Cold War days—when we faced off against another military superpower—I believe there is a growing competition underway for global leadership and influence.

It was part of the same message he had spoken of earlier about the importance to be prepared and why we should not just look to the defense budget for savings; that we had to keep our priorities in mind. One of those priorities was our role and responsibility around the world, confirming again what he said, which was:

If the political leadership of this country decides that it must reduce the investment in defense by hundreds of billions of dollars, then I don't think we can afford to have anything that is off the table.

It would seem to me that would include something such as food stamps. Again, what Secretary Gates said was that "defense had already cut as much as was advisable."

All right. I get back to my original point. Maybe I am making too much of a casual observation of the President here, but when the President of the United States describes a core commitment as food stamps and says that, instead, the cuts we are making should be around areas such as defense spending, it tells me the President has his priorities turned around, that they are wrong. His first responsibility is to the American people as Commander in

Chief, and our first responsibility in the Congress is exactly the same—for the security of our country.

We are not going to be a strong country if we are bankrupt. One of the key components to a strong defense is a strong economy so we can generate the wealth we need to produce the kind of military equipment and to field the kind of forces we need to protect our interests. That is why we are focusing so much on the deficit, on spending, and the like. But when we talk about areas that need to be cut, let's remember what the former Secretary of Defense said—defense has been cut enough already. If we are going to keep our commitments around the world, we have to prioritize our spending. I submit that putting food stamps on a higher level of commitment than the national security of the United States is to grossly misplace our priorities. So I hope the President and others within the House and the Senate, in getting about the serious business of finding where we can make cuts—and we surely have to do that—will help to prioritize those things that are absolutely critical and essential to the core of the United States; and those things where, if we have the wealth to do them, we definitely should; and where we can make cuts, we need to; but that the end result of that equation, those tradeoffs, will mean the first priority is the security of the United States.

As we make our decisions here going forward, I will be speaking more about the areas in which we have already slashed defense spending and the areas in which, as Secretary Gates noted, defense spending is going to have to be enhanced if we are going to have the kind of force the American people have come to rely upon.

Mr. President, I ask unanimous consent to have printed in the RECORD two publications. One is from the Weekly Standard, dated July 18, by Max Boot; and the other is a piece by Jamie Fly, posted on July 8 on National Review Online.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From [weeklystandard.com](http://weeklystandard.com), July 18, 2011]

GRAND OLD DOVES?

(By Max Boot)

Opinion polls consistently show that the U.S. military is the most trusted institution in America. Republicans have benefited indirectly from that hard-won reputation because since the 1970s they have been seen as the strong, hawkish party, while Democrats have had to fight the stigma that they are weak and dovish. Republicans wouldn't throw away that aura—one of their strongest electoral assets—just to reach a budget deal with President Obama. Or would they?

There are persistent and worrisome reports that they might. The Hill newspaper, for instance, claims that Republican budget negotiators have been discussing cutting defense by \$600 billion to \$700 billion—considerably more than the already indefensible \$400 bil-

lion in cuts that Obama has said he would like to see over the next decade.

Obama's proposed cuts are bad enough; as former Defense Secretary Robert Gates implicitly warned before leaving office, such deep reductions would seriously impair the military's ability to meet its global commitments. Going beyond what Obama has proposed is simply suicidal—on both substantive and political grounds.

Start with substance: The defense budget did experience a rapid increase during the past decade because of the post-9/11 wars. But the budget is already shrinking—down from \$708 billion this fiscal year to \$670 billion in the next fiscal year. That's a \$38 billion cut, and the budget will decline even more as troops leave Iraq and Afghanistan.

Already the military is feeling the strain of maintaining all of its commitments, including a new war in Libya. Those who suggest, with a straight face, paring back a whopping \$700 billion more—even over the course of a number of years—should be forced to explain which missions currently performed by the U.S. armed forces they are willing to sacrifice.

Should we completely pull out of Afghanistan? Even with the overly hasty withdrawal of surge forces ordered by Obama, we still will have 70,000 troops there at the end of next year, costing at least \$70 billion. Pulling out troops even faster risks giving jihadists their biggest victory since 9/11.

Perhaps we should stop fighting pirates off the coast of Africa? Stop fighting in Libya so that arch-terrorist Muammar Qaddafi can claim a victory over the West? Stop targeting al Qaeda in Pakistan and Yemen and elsewhere? Stop deterring China, North Korea, or Iran? Stop patrolling the Persian Gulf through which much of the world's oil flows? Stop fighting cyberattacks emanating from China and Russia? Stop developing missile defenses to protect the American homeland? Stop supporting Mexico and Colombia in their fights against narcotraffickers? Stop holding military exercises with friendly armed forces from Egypt to the Philippines—exercises that allow us to exert soft power at low cost?

Maybe advocates of budget cuts think we should continue performing all, or most, of those missions with less resources. But that's a cop-out. It's a recipe for stunting on training and personnel, thus creating a "hollow force" of the kind that we last saw in the late 1970s.

The reality is that there is no way the armed forces can perform all, or even most, of their current missions with less money. In fact, despite the growing spending of the past decade for contingency operations, the military has already cancelled a number of important procurement programs. These include the Army's Future Combat System and the Air Force's F-22, the best-in-the-world stealth fighter that was canceled just before China unveiled its own stealth fighter.

For the most part, the armed forces remain reliant on weapons systems designed in the 1960s and 1970s and procured in the 1980s: aircraft such as the A-10, F-15, and F-16, helicopters such as the Apache and Black Hawk, warships such as Los Angeles-class submarines and Ticonderoga-class cruisers, and armored vehicles such as Abrams tanks and Bradley Fighting Vehicles. These are all superb weapons, but they are rapidly aging—and are either being overtaken, or soon will be, by competing models produced abroad that are certain to fall into the hands of our enemies.

Moreover, competing powers such as China and Russia are designing weapons such as

computer bugs and antisatellite missiles that could render much of our current equipment useless. We will have to develop defenses. And that won't be cheap.

At the same time, the Department of Defense must take care of its people—our most precious asset. There are 1.5 million active-duty military personnel, 750,000 civilian Defense Department employees, and 1.5 million personnel in the Reserves and National Guard. We already spend more on personnel costs (\$157 billion this year) than on weapons procurement (\$151 billion) and the imbalance is likely to grow in future years, thereby making it even harder to increase our power-projection capabilities. Yet Congress rebuffed Gates's attempts to institute modest co-payments for the fiscally unsustainable Tricare medical system. That was deemed too politically sensitive.

This is part of a pattern: Congress finds it difficult or impossible to cut specific defense programs because they all have powerful constituencies. But mandating "top-line" cuts may be politically palatable as part of a budget deal because lawmakers won't have to make tough choices about which programs to eliminate and which areas of the world to leave undefended.

Cutting defense won't solve our budget woes. The "core" defense budget, \$553 billion, is small as a percentage of GDP (3.7 percent) and of the federal budget (15 percent). Nor is it the reason why we are piling up so much debt. To reduce the deficit, lawmakers will have to do something about out-of-control entitlement programs.

If Republicans acquiesce in ruinous cuts to the defense budget, they will cease to be known as Ronald Reagan's heirs. Instead they will be remembered as the party of William E. Borah, Hamilton Fish III, and Gerald R. Ford. Remember those GOP giants of the 1930s? They thought a strong defense was unaffordable and unnecessary. But their reputations collapsed on December 7, 1941, when we learned (not for the last time) the price of unreadiness. That is a lesson today's Republicans should remember as they negotiate over the budget.

[From [nationalreview.com](http://nationalreview.com)]

SHORT-SIGHTEDNESS ON DEFENSE CUTS

(By Jamie M. Fly)

As the debt-limit talks enter their final stages, reports are emerging that significant defense cuts may be part of the negotiated package. President Obama, for his part, already proposed cutting \$400 billion in security spending over 12 years in his April 13 speech on fiscal policy. The White House is now apparently trying not just to lock that proposal in, but possibly convince Republicans to even go beyond it via the debt-limit negotiations.

Now that Secretary of Defense Gates—who had warned of the implications of the \$400 billion in cuts—has left the Pentagon, the White House is increasingly highlighting defense as a potential source of significant savings.

On Wednesday, at his "Twitter Town Hall," Obama said, "the nice thing about the defense budget is it's so big, it's so huge, that a one percent reduction is the equivalent of the education budget. Not—I'm exaggerating, but it's so big that you can make relatively modest changes to defense that end up giving you a lot of head room to fund things like basic research or student loans or things like that."

Obama's statement was very misleading. One percent of the president's proposed defense budget for 2012 equals only a fraction of

his \$77.4 billion education budget request—that is, 7.1 percent. Also, the Obama administration has significantly increased education funding (by more than 50 percent), over the course of its three budgets, while defense spending increases have barely matched the rate of inflation.

Indeed, defense has been targeted by the White House Office of Management and Budget each year as the administration compiled its budget requests. It has not been spared the axe by the appropriators on Capitol Hill, who have consistently funded defense at levels less than those requested by the president. In fact, projected defense spending over the next ten years in the current House budget resolution is already \$315 billion less than the amounts the Obama administration projected in its FY2011 request.

All of this is despite the fact that the defense budget is not the source of America's current fiscal woes. Unfortunately, it appears that in the debt-limit talks, both Republicans and Democrats are tempted to avoid the difficult choices posed by significant entitlement reform. Instead, they are contemplating going after defense spending, perhaps assuming there is not a constituency to defend the defense budget at a time when the nation is weary of overseas commitments and many Americans want a renewed focus at home.

This short-sightedness is not a surprise coming from the White House. It is, however, sad to see Republicans heading down this path.

Congressional Republicans should ask themselves whether they want to enter 2012 by surrendering the GOP's traditional credibility on national security. If they endorse Obama's ridiculous \$400 billion in defense cuts—or even worse, agree to deeper cuts—Republicans risk assisting the president's management of American decline, just as the United States enters a very turbulent and uncertain period.

Mr. KYL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### VISIT TO THE SENATE BY PARLIAMENTARIANS OF BRITAIN

Mr. LEAHY. Mr. President, we have a group of British parliamentarians meeting with us. I see the distinguished Republican leader on the floor. Senator COCHRAN and I are leading a delegation to meet with them, and I am about to ask to put the Senate in recess subject to the call of the Chair, which will only be a matter of minutes, I assure my colleagues, so we can bring them on the floor.

I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair.

There being no objection, the Senate, at 12:03 p.m., recessed subject to the call of the Chair and reassembled at

12:13 p.m., when called to order by the PRESIDING OFFICER.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Vermont.

Mr. LEAHY. Mr. President, now that we are back in session, I thank my fellow Members, and Senator COCHRAN especially, for their courtesy in letting us go into recess so that we could bring a group of very distinguished British parliamentarians on the floor.

I would note for the Senate that we meet every 2 years, American Senators and British parliamentarians of both the House of Commons and the House of Lords. We will do it once in England, once here. Two years ago we were over there, and this year we are meeting here. Four years ago, as Senator COCHRAN will recall, we met in the State of Vermont. But with changes in the Senate session, we are going to meet here in the Capitol.

I thank you very much for the courtesy.

I yield to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, it is a distinct honor and pleasure to join Senator LEAHY in welcoming our guests from the United Kingdom to the Senate. This is a tradition we have really enjoyed and benefited from—the close opportunity to talk and discuss issues of mutual interest and concerns—and I think we reflect credit on the good relationship of both of our countries in that process. It is an honor to join him in welcoming them at this time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE DREAM ACT

Mr. DURBIN. Mr. President, it was 10 years ago that my office in Chicago, IL, was contacted by a young woman. Theresa Lee, who is Korean by birth, had been part of something known as the Merit Music Program in Chicago. It is an amazing program. A lady in the later years of her life decided to leave some money to a program that would offer to children in the public schools a musical instrument and instruction. Her belief was that many of these students would take up the offer and that learning a musical instrument could be an important part of their future lives.

She was right. The Merit Music Program, at least as of last year, had a 100-

percent placement rating of graduates in college. It turned out that giving a musical instrument to a young person and giving them a chance to develop that skill did a lot more than create music. It created self esteem, confidence, and a belief they could do something with their lives, even for many students who were from poor families.

Ten years ago, the Merit Music Program contacted us and told us about a young woman named Theresa Lee who was one of their star pupils. She had learned piano and had graduated to a level of competence they had seldom seen in their program. In fact, she had played in a concert and now, as she graduated from high school, she was accepted at several of the major music schools around the United States, including Juilliard. As she filled out the application to go to school, though, she found out she ran into a problem. They asked on the application for the Juilliard School of Music what her nationality or citizenship was.

She turned to her mother and said: What do I put down there?

Her mother said: Theresa, when we brought you to this country you were 2 years old, and I never filed any papers. I don't know what your status is in terms of your nationality.

The mother was an American citizen. Her brother and sister were American citizens. But she had never established her citizenship or claim for citizenship.

At the age of 18, she contacted my office and asked: What should I do?

We took a look at the law, and the law was very clear. Under the law of the United States of America, that young woman who came here at the age of 2 and had not filed any papers had to leave the United States and go to Brazil, which was the last country her parents traveled through on their way to America, and wait 10 years before she could apply to become legal in America. It did not sound fair to me. Two-year-olds do not have much voice in terms of whether they should file papers.

If anybody made a mistake, it was her parents, and they knew it. They could not correct it, though, and the law did not correct it. The law punished her, ultimately sending her back to Korea, a place she could never remember, with a language she did not speak.

So I introduced the DREAM Act, and the DREAM Act said: If you came to America under the circumstance that if you are brought here as a child, if you grew up in this country and graduated from high school, if you had no serious questions about your moral standing in the community, no serious problems with any criminal activity or background, we would give you a chance—just a chance.

The chance was they could either enlist in our military for at least 2 years

or they could complete 2 years of college. If they did that, we would allow them to work toward legal status. All along we would be asking the same questions as the years went by: Have you done anything that would suggest to us that you should not be part of the United States of America? That was the DREAM Act. I introduced the bill 10 years ago.

An interesting story, what happened to Theresa. She went on to school at Julliard, and she did become an accomplished concert pianist. She has played a concert at Carnegie Hall. She has now married an American citizen, and she is legal in the United States. So the story had a happy ending. But for many of these young people it has no happy ending. They end up deported at the age of 18 or 19 because their parents did not file papers or could not file papers on their behalf.

That is why I introduced the DREAM Act, to give these young people a chance. Last month I chaired the first Senate hearing on the DREAM Act. There was compelling testimony from a number of witnesses. The Secretary of the Department of Education, Arne Duncan, testified about the talented students who would be eligible under the DREAM Act: the class valedictorians, the star athletes, honor students, and leaders in ROTC. Their options, however, are limited because they are undocumented. Secretary Duncan explained that the DREAM Act would make America a better and stronger country by giving these young people a chance to fulfill their potential.

Dr. Clifford Stanley testified. He is the Under Secretary for Personnel and Readiness from the Department of Defense. He testified that the DREAM Act would strengthen our national security by giving thousands of highly qualified, well-educated young people a chance to enlist in the Armed Forces.

Homeland Security Secretary Janet Napolitano also testified in favor of the DREAM Act and said this law would strengthen our homeland security by allowing immigration agents to focus their time, attention, and resources on those who clearly are a danger in the United States and should be deported rather than on these young people who had never posed any threat to anyone.

LTC Margaret Stock, who taught immigration law at West Point Military Academy, testified about important restrictions included in the DREAM Act to prevent abuse.

The most compelling testimony came from this young woman, Ola Kaso. Ola Kaso was brought to the United States by her mother from Albania in 1998 when she was 5 years old. Last month she graduated from high school in Warren, MI, with a 4.4 grade point average. She has enrolled in the honors program at the University of Michigan as a pre-med student.

Ola has so much to contribute to America, but even today she faces deportation back to Albania, a country she barely remembers, a country she left when she was 5 years old.

She spoke for thousands of people just like her, young people who call themselves now the Dreamers. I often come to the floor of the Senate to tell their stories, and today I want to tell you about three others.

This is Tapiwa and Dominique Nkata. Tapiwa is on the left, Dominique is on the right. Their parents, John and Joan Nkata, brought the family to the United States from Malawi, in Africa, in 1990. At the time, Tapiwa was 4 years old and Dominique was only 11 months old.

The Nkatas came here legally, so they had work permits. John, an ordained Christian minister, worked as a Hospice counselor, his wife Joan worked as an accountant. The Nkatas filed papers to stay here permanently. For years their case was stuck in immigration court. Finally, in 2009 John and Joan Nkata were granted legal permanent residency in the United States, but by this time Tapiwa and Dominique were adults and unable to obtain legal status through their parents. Had the court moved more quickly and the decision made while they were still children, there would be no question about their documented status.

Earlier this year these two young women were placed in deportation proceedings. Dominique sent me a letter, and here is what she said about being deported to Malawi:

The looming fear of having everything I know, including part of my family, here in the United States while I am removed to the other side of the world, is crippling.

And Tapiwa wrote a letter and said:

I can't imagine my life in Africa. I am an American. I know this culture and speak this language. I pledge allegiance to this flag.

The Department of Homeland Security decided to give a 1-year stay in their deportation to Tapiwa and Dominique. I think that was the right thing to do. It would just be wrong to send these young women, who grew up in America and have so much to contribute, back to Malawi, a country they don't even remember.

Tapiwa is now 25. In 2007—listen to this—Tapiwa—on the left here—graduated summa cum laude from the University of Cincinnati with a degree in finance. For the past 2 years she worked at an accounting firm and dreams of being a certified public accountant. She cannot as long as she is undocumented. In her letter to me she said what America means to her:

Quite simply, when you say 'The American Dream' all around the world they know what you are talking about. People who have never been to our shores, eaten our food, or even spoken our language have heard of a prosperous nation that above all else grants freedom and rights to all people.

Dominique, on the right, is now 21. Last month she graduated from the University of Cincinnati with a double degree in chemistry and premedicine. She is now working at University Hospital and the Jewish Hospital in the research department as a clinical studies assistant. Dominique is studying for the MCAT and plans to apply to medical school when her immigration status is resolved.

Dominique told me:

I dream of being a doctor and giving back to a country that has given so much to me.

So would America be better off if Tapiwa and Dominique are deported to Malawi or if they are allowed to continue to stay in the United States realizing their dreams and making us a better nation?

Let me introduce you to another dreamer. This is Jose Magana. He has a big smile on his face. Jose was brought to the United States from Mexico when he was 2 years old. Jose grew up in Arizona. He graduated as the valedictorian of his high school class. He enrolled in Arizona State University, becoming the first member of his family to attend college. Then Arizona passed a law prohibiting public universities from giving financial aid or in-state tuition rates to undocumented students. Hundreds of students were forced to drop out of school. But Jose persevered. He found his calling on the speech and debate team where he ranked fifth in the Nation.

In 2008 Jose Magana graduated summa cum laude from Arizona State University with a major in business management. Jose couldn't work because of his legal status, so he went to law school. Next year Jose will graduate from Baylor University Law School in Waco, TX.

Despite his potential to give to this country, Jose will not be able to work as a lawyer because of his undocumented status. Jose sent me a letter, and here is what he said:

The worst part of being undocumented is the fact that legally the United States is not considered my home. I have not been to Mexico since I left when I was 2 years old. I don't have any friends or close family in Mexico. If I were to be deported, it would literally be like being thrown into a foreign country with a different language and culture. The United States is my home. I want to give back to this country I love.

Could we use someone with Jose's talent in America? Of course we could. For the last 10 years I have been working on the DREAM Act. There has been one constant: I have had the support not only of my colleagues in the Senate, but I have also had the support of the legislators across the United States. The faith community supports the DREAM Act because it is based on a fundamental moral principle that is shared by every religious tradition, and it is this: It is wrong to punish children for the actions of their parents.

Earlier this month I held a press conference to announce DREAM Sabbath.



The DREAM Sabbath will take place this fall on Friday, September 23; Saturday, the 24th; and Sunday, the 25th. On the DREAM Sabbath, churches, synagogues, mosques, and temples around the country will be asked to dedicate time during their regular weekly worship service to have a conversation about the DREAM Act. When I announced the DREAM Sabbath, I was joined by religious leaders from a variety of faith traditions. One of my real heroes and friends, Cardinal Theodore McCarrick, a good friend, who has been in the fight for social justice for years; Bishop Minerva Carcano, the first Hispanic woman to be elected bishop in the Methodist Church; Rev. Samuel Rodriguez, the president of the Nation's largest Hispanic Christian organization, with more than 30,000 member churches; Rev. Derrick Harkins, pastor of one of the most prominent African-American churches in our Nation's Capital; Rabbi Lisa Grushcow, representing the Hebrew Immigrant Aid Society; and Imam Mohamed Magid, the head of the Nation's largest Muslim organization.

Mr. President, I want to enter into the CONGRESSIONAL RECORD the statements of two religious leaders who participated in that DREAM Sabbath announcement: Sister Simone Campbell, executive director of NETWORK of the Catholic Social Justice Organization; and Bishop Richard Graham of the Lutheran Church.

I ask unanimous consent that those two statements be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DURBIN. In her statement, Sister Campbell quotes the prophet Joel, who spoke of our sons and daughters as prophets. Sister Campbell said:

Our sons and daughters are prophesying to us. They are telling us of a way that our nation should go in order to be whole, to be creative, to lead into the twenty-first century. We, the older generation, need to listen and act. Congress needs to enact the DREAM Act.

At the DREAM Act Sabbath announcement, we were joined by Gaby Pacheco. Gaby has become a great friend of mine. She is a wonderful young lady. She is one of the leaders of the DREAM Act students. Her parents brought her to America from Ecuador when she was 7 years old. She was the highest ranking Junior ROTC student in her high school. The Air Force tried to recruit Gaby. She was unable to enlist because she does not have legal status in the United States. She was brought here as a child. She is working on her bachelor's degree in special education and wants to teach autistic children.

I met her last year after she and three other DREAM Act students lit-

erally walked 1,500 miles from Miami, FL, to Washington, DC, to raise awareness of the DREAM Act. Along the way these four students were joined by hundreds of supporters who came out to welcome them. They called their trip the Trail of Dreams.

The goal of the DREAM Sabbath is to put a human face on the plight of the undocumented students, like Gaby, and educate America about the DREAM Act and, of course, the ultimate goal is to build up support to pass the DREAM Act. DREAM Act students need more than our prayers; they need our help. They need our help to pass the DREAM Act. Dreamers like Tapiwa and Dominique Nkata, Jose Magana, Ola Kaso, and Gaby Pacheco are Americans in their hearts. They have stood every day in the classrooms across America, pledging allegiance to our flag and singing the only National Anthem they know to the only country they know, a country that they love.

They are willing to serve in our military. They are willing to pursue an education to add to a better America. All they need is the permission slip of Congress to give them that chance. I ask my colleagues to support the DREAM Act. It is the right thing to do. It will make America stronger.

#### EXHIBIT 1

[From the Network, July 12, 2011]

STATEMENT BY SISTER SIMONE CAMPBELL,  
EXECUTIVE DIRECTOR

I have worried that the DREAM Act has been mis-named. Calling something a DREAM indicates that it is not real, has no substance, is far beyond reality. That has led me to wonder if it is actually making getting the legislation passed more difficult because everyone thinks dreams don't really come true.

Then I met students who would qualify for an earned path to citizenship if the bill passes. I found out that their dreams are rooted in the daily reality of their lives. They work to learn, support their families, encourage siblings and friends. They strive for better lives for themselves, their families and their communities. They work daily to make dreams come true.

This brought me to the realization that perhaps it is just in Washington where the American dream has become fantasy. The American dream has been built on the imagination and toil of immigrants. Our nation has prospered because of the innovation and creativity of all of the people who have come to create something new. In Washington it is tempting to forget the vision in exchange for partisan wrangling. This is wrong. We must step away from cynicism that second guesses every action and embrace the founding spirit of our nation.

As a person of faith I hold to the prophet Joel echoed in the Acts of the Apostles trusting that the day will come when "Your sons and daughters will prophesy, your young men will see visions, your old men will dream dreams." Our sons and daughters are prophesying to us. They are telling us of a way that our nation should go in order to be whole, to be creative, to lead into the twenty-first century. It is now time for the "old men" (and women) of Congress to dream their dream and take this first step toward

comprehensive immigration reform. We the older generation need to listen and act. Congress needs to enact the DREAM Act this year.

STATEMENT OF THE REV. RICHARD GRAHAM,  
BISHOP OF THE METROPOLITAN WASHINGTON,  
DC SYNOD OF THE EVANGELICAL LUTHERAN  
CHURCH IN AMERICA

As the bishop of the Metropolitan Washington, DC Synod of the Evangelical Lutheran Church in America, ELCA, I strongly support the Development, Relief and Education for Alien Minors, DREAM Act. The DREAM Act is critical legislation that would provide lawful permanent residency to undocumented youth who attend college or serve in the U.S. military for two years. DREAM Act supporters include President Obama, a number of former President George W. Bush administration officials, and the ELCA Presiding Bishop, the Rev. Mark S. Hanson.

Last year I joined Lutheran Immigration and Refugee Service and Lutheran leaders to urge Congress to pass the DREAM Act. Although I was disappointed that the Senate failed to pass the bill, I stand committed to working with congregations in my synod to advance just and humane solutions for these ambitious and talented young people.

The DREAM Act is envisioned to bear fruit for young people who came to this country as children. They are Americans in every way except that they are not U.S. citizens. The DREAM Act would provide a path to U.S. citizenship for children who arrived in the United States before the age of 16, graduate high school or receive a GED, go to college or serve in the military and demonstrate that they are of good moral character. These young people should be allowed a path to become U.S. citizens because they have already proven that they are Americans and they should not be deported back to a country they do not know.

This issue is important to Lutherans in the United States. Lutherans and Lutheran congregations have strong immigrant roots. Almost all Lutherans can remember back a generation or two to when their grandparents or great grandparents struggled as new immigrants in this country. It is this immigrant tradition and our commitment to welcoming the stranger, regardless of immigration status, that compels the ELCA to support and call for the immediate passage of the DREAM Act.

#### TRIBUTE TO DOUG AURAND

Mr. DURBIN. Mr. President, I want to take a moment to thank a friend of mine who is leaving public service soon after more than four decades of service in Winnebago County, IL. Doug Aurand won his first political race in 1970 when he was elected Winnebago County treasurer. Truth be told, he wasn't supposed to win that race. The voters of Winnebago County had not elected a Democrat to a countywide position in 138 years. Apparently, nobody told Doug. He ran as a write-in candidate and campaigned in his first election like it was the most important race he could possibly run.

He filled out the campaign schedule every day by knocking on every door and talking to every voter he could find. When the votes were counted on



election night, Doug Aurand made history by becoming the first Democratic treasurer in Winnebago County, IL. He was reelected seven times.

Doug Aurand was born in Dixon, IL, hometown of Ronald Reagan, and he was every bit as proud to be a Democrat as President Reagan was to be a Republican. But Doug never allowed his political affiliation to influence the way he treated his constituents. When you walked into the county treasurer's office in Rockford, you weren't Republican or Democrat; you were a taxpayer who deserved straight answers, good service, and respect. That is how Doug saw it, and that is why voters reelected him to the treasurer's office many times.

Two stories will tell you what kind of treasurer he was. One of the first actions Doug took as county treasurer was to put the local banks on notice that they would have to bid for Winnebago County's bank business. No more awarding the county's banking business on the basis of friendship and political connections. Whichever bank offered the highest interest rates would get the job. Competitive investing brought tens of millions of dollars and higher interest payments to the county, a real savings for taxpayers.

Doug also whittled down his staff. When he came in there were 30 people. By the time he left, they were down to 9, and their service never suffered.

Another example of the sort of treasurer Doug was, in the late 1970s an elderly man came in the office to pay his tax bill, and he pulled out a big bag of coins. He was literally counting his coins to pay his tax bill. Doug went up to say hello to him, and he noticed that the coins were all silver—mercury dollars and silver dollars—valuable collector's items.

Doug told the man his coins were worth more than face value, and he didn't just stop there. He arranged for a professional appraisal of the coins. In the end, not only was the elderly man able to pay his tax bill, but he also took home a nest egg. That is the kind of conscientious public servant Doug Aurand is.

In 1999 Doug announced he was stepping down after 28½ years as county treasurer. At that time he was in a life-and-death struggle with smoking-related cancer and his prognosis was not good. He defied the odds, beat cancer, resumed his political career, winning election as Harlem Township supervisor and a Winnebago County board member.

After 10 years, he lost his reelection bid to the county board last November, and he will step down from the Harlem Township board next month. It will be shortly after his 70th birthday, leaving behind 40 years and 8 months of public service.

Doug Aurand grew up on a farm in rural Winnebago County. He was one of

six kids, including three foster children. His family raised miniature horses. Doug's dad also worked in the factory. Doug served in the Air Force during the Vietnam war, came home and started working as a mail carrier. That is when he got the political bug.

Federal law prohibits public employees from running for office, so Doug gave up the security of the Postal Service job for the insecurity of public life.

He is a passionate supporter of ordinary working people and the American labor movement, and he considers himself a fiscal conservative when it comes to saving taxpayers money. Ask Doug's friend who his political hero is in life, and he will tell you one name: Hubert Horatio Humphrey. Doug is a happy warrior. He loves politics, shaking hands, talking to voters, and debating the issues.

The high point of his year was at the Winnebago County Fair where he spent hours and hours talking to every one of the visitors at the fair.

Doug gives back to the community in ways other than politics. Only 2 percent of the boys who enter the Boy Scouts ever make it to Eagle Scout. I was in the other 98 percent, Doug was one of those in the 2 percent. He was an Eagle Scout leader for more than 30 years. He has been a leader and friend to hundreds of Eagle Scouts. Doug and his wife Julie have attended scores of graduations and weddings of Doug's former Eagle Scouts.

He also speaks frequently to young people about the health dangers of smoking, which he learned through his own life experience. Cancer cost Doug Aurand a small part of his tongue. That would have been a loss for any of us who fancy ourselves to be public speakers, and for Doug it presented some special challenges. But Doug's problem wasn't in his expression and diction; it was in his mastery of malapropisms. Everyone who knows him has a favorite example of Doug's creative way with words. One common "Dougism: In speaking about events that are over and done and can't be changed, he often refers to "water over the bridge" or "water under the dam." Another friend says his favorite is the way Doug pronounces the word "protege." He calls it "proto-joy."

Because of Doug's decades of service as a public officeholder, Eagle Scout leader and friend to so many, Doug Aurand does indeed have "proto-joys" all across Winnebago County and beyond.

Doug and his wife Julie are going to retire in Florida, but their influence will continue to be felt in Illinois for years to come. Julie's famous donkey cookies—and she always had a box waiting for me when I got up to Rockford—are certainly going to be missed by this Senator.

In closing, I wish Doug a happy 70th birthday and happy retirement. I

thank Julie, the Aurand children, David and Christine, and the grandchildren, Bill and Tom, for sharing their husband, father, and grandfather with the people of Illinois and Winnebago County. Doug Aurand's service to America has made a real difference.

The PRESIDING OFFICER. The Senator from New Jersey.

#### HONORING THE TENTH ANNIVERSARY OF SEPTEMBER 11, 2001

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 237 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the title of the resolution.

The legislative clerk read as follows:

A resolution (S. Res. 237) expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the measure.

Mr. LAUTENBERG. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 237) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 237

Whereas at 8:46 AM, on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York;

Whereas 17 minutes later, at 9:03 AM, hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center;

Whereas at 9:37 AM, the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense;

Whereas at approximately 10:00 AM, the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others;

Whereas nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001;

Whereas tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed;

Whereas countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events;

Whereas the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history;

Whereas the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day;

Whereas the New York Police Department suffered 23 fatalities as a result of the terrorist attacks;

Whereas the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored;

Whereas 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day;

Whereas 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States;

Whereas on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001, and their families;

Whereas the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life;

Whereas in December 2001, Congress and the President joined together to designate September 11 as Patriot Day (Public Law 107-89);

Whereas in September 2002, and each September thereafter through September 2008, President Bush issued Proclamations 7590, 7702, 7812, 7929, 8047, 8174, and 8286 (67 Fed. Reg. 57125; 68 Fed. Reg. 53013; 69 Fed. Reg. 55717; 70 Fed. Reg. 54467; 71 Fed. Reg. 53959; 72 Fed. Reg. 51553; 73 Fed. Reg. 52773) proclaiming September 11 of that year, respectively, as Patriot Day;

Whereas in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460);

Whereas in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

Whereas September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation;

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks;

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided

the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives;

(4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States;

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

(6) on the 10th anniversary of this tragic day in United States history—

(A) calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including—

- (i) media outlets;
- (ii) houses of worship;
- (iii) military organizations;
- (iv) veterans organizations;
- (v) airlines;
- (vi) airports;
- (vii) railroads;
- (viii) sports teams;
- (ix) the Federal Government;
- (x) State and local governments;
- (xi) police, fire, and other public institutions;
- (xii) educational institutions;
- (xiii) businesses; and
- (xiv) other public and private institutions; and

(B) encourages the observance of the moment of remembrance or prayer to last for 1 minute beginning at 1:00 PM Eastern Daylight Time by, to the maximum extent practicable—

- (i) ceasing all work or other activity; and
- (ii) marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that I be permitted to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, there are so many things here we can disagree about, but I wish to say thank you to all of my colleagues. One hundred of us have joined together in overwhelming numbers to support this historic legislation which creates a national moment of remembrance to commemorate the tragedy of 9/11.

Few events, if any, have done more to change the course of American history as much as the horrifying terrorist attacks on September 11, 2001—nearly 10 years ago. It was one of the worst days in American history on our soil—a day that placed a permanent cloud over America and the free world. Few, if any, Americans can forget where they were that fateful Tuesday morning when our country was gripped with shock and disbelief and it felt as though our world had turned upside down.

I was traveling at the time. I was in the Middle East. When the news came that an airplane struck the trade tow-

ers, the first conclusion I came to was it was a stray airplane from a nearby airfield, and that was it. But the news kept coming, and people in the streets of the city I was in were tearing at the terrible news about what happened to America.

Almost 3,000 people, including more than 700 people from my own State of New Jersey, were brutally massacred in that attack. That is more American lives lost than on D-day when thousands of Americans stormed Normandy.

Many of the victims were hard at work. On a typical weekday, 50,000 people worked in the Twin Towers, with another 200,000 passing through as visitors. It is impossible to believe that these towering facilities, with their huge infrastructure, could be burned, melted, and brought to the ground. Many of the people who lost their lives lost them saving others, including 343 firefighters, 60 police officers, and other first responders, as they answered the call of others who desperately needed their help. Some became heroes that day, such as those on United Flight 93, who took on the hijackers who were in the aisles to try and bring that airplane to its target. But the people stood up and fought against them—heroes, brave and courageous—to prevent that airplane from reaching its intended target.

Tragically, a decade after the Twin Towers fell, the toll of 9/11 is still climbing. More than 85,000 first responders, cleanup workers, and community residents are dealing with the aftermath of this tragedy. There are victims who are being monitored or receiving medical treatment after breathing the toxic fumes and the dust at Ground Zero.

As we all know, the wounds that came from 9/11 are not just physical. Witnesses of the tragedy saw people jumping from high stories of the buildings because they could no longer stand the heat, the smoke. The witnesses of the tragedy, the thousands of survivors who narrowly escaped the attacks, and the families of the victims who will never see their loved ones again still bear the scars of that awful day.

Life changed in countless ways for all Americans on September 11, affecting every move we make. All of us are reminded of 9/11's legacy almost every day as we wait in line to present our ID when we travel, go to work, or when we hear news of further attempts on the lives of Americans.

There are approximately 50,000 baggage checkers and screeners working every day to keep us safe at airports across the country. In fact, the Federal Department of Homeland Security—created in the wake of 9/11—has more than 230,000 employees and spends more than \$40 billion each year protecting us from similar onslaughts.

As is Pearl Harbor, 9/11 can be described as a day that will live in infamy. With Pearl Harbor, with all of its pain and sacrifice, an end to that conflict finally came and normalcy was restored to our country after some years. But our enemy today continues its search for ways to bring pain and suffering to Americans. They keep searching for technology and weapons, and 10 years later we are still fighting them.

As we near the 10th anniversary of 9/11, it is important for us to remember what brought us to this point. That is why I am so proud and grateful to see the Senate unanimously approve this legislation, which—as we approach the 10th anniversary of 9/11—calls on our country to pause on September 11 for a moment of remembrance. What is planned is that at 1 p.m. eastern time that day, all Americans will be called upon to cease all work and activity and spend a moment in silence reflecting on what happened on 9/11, 2001. Our local, State, and national institutions—from sports teams and railroads to broadcasters and places of worship—will be called upon to mark this minute with church bells or sirens to recall the honor of those victims. This will be a striking symbol of American solidarity, signaling to the world that we remain united against those who threaten our freedom. It will also be a powerful nationwide expression of America's patriotic spirit and our refusal to forget the thousands of innocent lives we lost in the destruction of 9/11.

Many of us recall the love of country we experienced in the days and weeks and months after the attacks in 2001. During that period, it seemed as though everywhere we turned, we saw an American flag. As a nation, we were willing to set aside our differences to mourn our losses and mourn the losses of friends and acquaintances and neighbors, and we decided to work together to defeat those who threaten our way of life. I believe the national moment of remembrance can help us recapture that spirit of unity and remind everyone how strong we are when we stand together.

I thank my colleagues for the outpouring of support for this legislation and hope they will be able to encourage their constituents to participate in this moment of remembrance. Every Member of the Senate joined together as cosponsors to create this moment of remembrance, representing all political views in every corner of this great Nation. We want everybody to participate, including State and local governments, the military, veterans organizations, the news media, houses of worship, and sports teams.

The 9/11 Moment of Remembrance will be a way to pay tribute to the lives lost and forever changed by the events in Pennsylvania, the Pentagon, and at Ground Zero. Let there be no doubt: 9/

11 changed our country forever, and a tragedy of this magnitude demands memory and vigilance. As a nation, we must keep alive the memories of the many courageous Americans we lost that day. We must be vigilant on behalf of the thousands of families who suffered incalculable losses—losses that must never be forgotten. During the past decade, through our pain and sorrow has come the realization that this vigilance must be maintained so nothing like that can happen again.

So once again I say thank you to my colleagues for supporting this measure. It will send a powerful signal to the rest of the world and remind us how strong America is when we all stand together.

With that, Mr. President, I yield the floor, and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CUT, CAP, AND BALANCE

Mr. HATCH. Mr. President, the American people deserve an accounting of what happened on the floor this morning. The citizens of Utah, whom I am honored to represent, and citizens all over this country thought the Senate would be voting on the cut, cap, and balance bill later this week. I am an original cosponsor of this bill in the Senate. I have signed the cut, cap, and balance pledge. I have always supported a balanced budget amendment to the Constitution.

This year, it is one of my proudest achievements to have introduced S. J. Res. 10, a balanced budget amendment that is supported by every Republican in this body for the first time in all the balanced budget amendments brought to this floor. It is the strongest balanced budget amendment ever written—one that fundamentally deals with our spending crisis. I am honored to have worked with my colleague and friend from Utah, Senator LEE, in crafting this amendment. We worked with Senator CORNYN and 44 other Republicans as well. I am honored to be working with old and new friends, such as Senators CORNYN, KYL, PAUL, TOOMEY, RUBIO, and many other Republicans in pursuing this constitutional amendment for the American people.

The cut, cap, balance legislation the Senate tabled today culminates in a balanced budget amendment, but also includes the short-term deficit reduction that families and markets are demanding.

Cut, cap, balance provides meaningful deficit reduction for the next year

and spending caps for the years that follow. It sets us on a path toward a balanced budget. It addresses the gross overspending of the Federal Government in the short term, taking on the deficits and debt that are holding back economic growth and permanently burdening American families and businesses.

Most importantly, cut, cap, balance would fix the problem of government overspending permanently. It would eliminate the bias in Washington for ever more spending by requiring Congress to send a balanced budget constitutional amendment to the States for ratification prior to any increase in the debt ceiling.

The more the American people hear about this plan, the more they like it. They know the President has no plan. They know the markets are done with promises to cut spending down the road. They know raising taxes is not the solution to a government spending problem. The President and congressional Democrats know the people know this. That is why they have pulled out all the stops to kill this bill's momentum.

The President threatened to veto cut, cap, balance. But that did not do the trick. So after the House passed cut, cap, balance, the President all of a sudden supported the so-called Gang of 6 proposal. His advisers knew they had a problem. All of his clever talk about raising taxes on oil companies and corporate jets and yachts was not distracting the American people from a simple fact: My friends on the other side of the aisle have no credible plan for balancing the budget. The President has no credible plan for balancing the budget. He has not offered anything that would help us get to a balanced budget, nor do I believe he ever will offer anything. They have speeches and executive summaries of bills that will be written down the road; they have plans and proposals for future spending cuts that remain a mystery to everyone; they have budget frameworks; but they have no plan.

The chairman of the Senate Budget Committee has a budget outline. But here is the Senate Democratic caucus budget proposal. Let me refer to this goose egg up here on the chart. That is the Democratic caucus budget proposal—a big goose egg.

As meager as this is, I have to hand it to them, it beats the President's budget proposal. The President has offered us nothing, and we have a big goose egg here in the Senate.

The American people are done with this. The people of Utah know the same people who brought you the stimulus—the policy equivalent of taking \$1 trillion in taxpayer dollars and throwing it into the Potomac River—the same people who brought you \$2.6 trillion in new spending and \$½ trillion in new taxes with Obamacare, are not credible

when they now boast of their commitment to deficit reduction and balanced budgets.

The most recent proposal is from the Gang of 6. We are still looking at this proposal. I will not condemn anyone who makes a good-faith effort to get to the bottom of our serious problems. Their efforts might be on the side of the angels, but the devil is in the details, and many of us have real questions about this proposal. Specifically, we want to know what the revenue impact will be, because by some accounts it will raise taxes by between \$2 trillion and \$3 trillion.

At the very least, the American people understand that the President's desperate embrace of this plan is to avoid, once again, dealing with the deficit. Whatever its substantive merits or demerits, this proposal is a commitment to dealing with deficit reduction later. But later is too late. We need to deal with deficit reduction now. The people of this Nation are telling us this over and over. They are lighting up the Capitol switchboard. I am confident that my colleagues on the other side are hearing the message loudly and clearly: Balance the budget now. Get spending under control now. A last minute op-ed from the President telling us to "go big" on a debt deal is a little too late. We are facing our third straight year of trillion dollar deficits. Our debt is now over \$14.3 trillion.

The President has shown no serious signs of getting this fiscal crisis under control. He offered up a dead-on-arrival budget in February. When even his friends in the mainstream media panned his budget for its total lack of attention to our looming debt crisis, he offered his budget mulligan with a much ballyhooed speech on deficit reduction. But a speech is not a plan. Meanwhile, it has been over 800 days since Senate Democrats have produced a budget, thus abdicating their most basic of duties.

The American people are finished with this dithering. They know what the solution is. The President and the majority leader no doubt saw the polling yesterday on the cut, cap, balance plan.

Here is the bottom line: Nearly two-thirds of the American people support it. But that is only half the story. Here is the rest: Everyone likes cut, cap, balance—not just Republicans, not just Democrats. It makes sense.

American families want deficit reduction, and with this plan they get it. No vague platitudes or speeches or rallies about reducing the deficit. This plan reduces the deficit and it fixes the underlying problem, which is Washington's predisposition toward more spending.

The President frequently demands that Congress put partisanship aside and come to a deficit reduction agreement. But the American people are one

step ahead of them. The cut, cap, balance plan, along with the balanced budget amendment to the Constitution, wins support across the board. Sixty-three percent of Democrats back cut, cap, balance. Fifty-three percent of those who oppose the tea party support it.

Democrats threw everything they had at this bill. They absurdly called it the "cut, cap, and destroy Medicare plan." What bull. The left is becoming a caricature of itself when it comes to demagoguery on the issue of Medicare. I think the American people have caught on that liberals claim that when the Republicans turn on the lights in the morning, they are working to destroy Medicare. Bull. These claims no longer have credibility. The left is out of talking points. Their constituents are telling them to pass cut, cap, balance. They know it won't destroy anything. It will save this country.

So instead of having a vote on it, Democrats decided to pull the plug on the vote. Ordinarily, it is not a good idea to actively undermine the will of the people.

But in this case, there is a method to their madness. The President and his hard-left supporters are in a real pickle. They refuse any structural reforms to our biggest spending programs—the programs that are driving our country toward a fiscal collapse—but they know they cannot come clean with the American people about the tax increases that will hit squarely on the middle class if these structural reforms fail to occur. So they do nothing. Unable to talk straight with citizens who are demanding a balanced budget, they do nothing. They focus on \$21 billion in tax benefits that go to energy companies over 10 years when we have a \$1.5 trillion deficit this year—this year.

This is how Peter Roff at U.S. News and World Report put it:

The president and congressional Democratic leaders are still dug in, trying to pull a rabbit out of their hat that will get them what the political coalition behind them demands: new taxes, new spending, and no real cuts.

This is not going to happen. So unable to thread the needle between the President's hard-left base that refuses spending reductions and the majority of taxpayers demanding deficit reduction, what do they do? They punt.

Today, they managed to avoid a vote on the bipartisan cut, cap, and balance plan. There was a great deal of bluster surrounding this dodge. To distract the American people from the fact that they were running from a fight, the rhetoric was laid on pretty thick. This is what we heard about this bill. According to my friends on the other side, cut, cap, and balance is "as weak and senseless as anything that has ever come on this Senate floor." It is "anathema to what our country is all

about." This is "some of the worst legislation in the history of this country." Now, let's be clear what they are talking about. They are smearing a bill that would balance the budget. They are trashing a bill that requires a balanced budget constitutional amendment.

I personally am glad to know where the other side stands, but they do not stand with the American people. They certainly don't stand with my home State of Utah. The American people think balancing the budget is precisely what America is all about. Reining in spending, restoring the Constitution, and securing the liberty and prosperity of America's families is exactly what Congress should be doing.

I am disappointed in what happened here today, but I am also confident this fight is not over. The left might be able to hide from a vote on balancing the budget by a simple motion to table—which they are hoping obscures their desire to not balance the budget—but they cannot hide from the markets and the legacy of debt President Obama has given this country because that is a real threat to our credit rating.

Yesterday, Standard & Poor's made clear that avoiding the default was only one variable in their rating of U.S. credit. This is what Standard & Poor's said:

We have previously stated our belief that there is a material risk that efforts to reduce future budget deficits will fall short of the target set by Congressional leaders and the administration. In this light, we see at least a one-in-two likelihood that we could lower the long-term rating by one or more notches on the U.S. within the next three months and potentially as soon as early August . . . if we conclude that Washington hasn't reached what we consider to be a credible agreement to address future budget deficits.

Now, after years of reckless spending by President Obama and his Democratic allies, the chickens are coming home to roost. We face an imminent debt crisis, and a failure to take it on will impose a crushing burden on America's families and businesses. Our economy is stagnant, and the failure of the President to lead on deficit reduction now threatens higher interest rates and will slow it even further.

This is Standard & Poor's analysis of the impact of a debt downgrade due to a failure of deficit reduction:

We assume that under this scenario we would see a moderate rise in long-term interest rates (25–50 basis points), despite an accommodative Fed, due to an ebbing of market confidence, as well as some slowing of economic growth (25–50 basis points on GDP growth) amid an increase in consumer and business caution.

For an economy that is slogging along with anemic growth and job creation, this warning should wake people up. It should make the President and the left get serious about deficit reduction. But, instead, the President is still casting about for a plan.

It is important to remind people that we have a plan. It is called cut, cap, and balance. It culminates in a balanced budget amendment to the Constitution, and it is supported broadly by the American people. Some folks on the other side claim to be for a balanced budget. They claim to stand with the people. But on a party-line vote they voted to table this proposal today.

When America's Founders came together in the summer of 1787 to draft our Constitution, they faced many challenges. But at heart they had a respect for republican government, they had a respect for the sovereign power of the American people, and they understood that the fundamental principle of popular sovereignty gave the Constitution its legitimacy. For that reason, the Constitution they wrote was clear that the voice of the people should be loudest on the most pressing issues.

The provisions for amending the Constitution provided that on the most important issues, the people rule directly. The Constitution belongs to the people. It only became law because it was ratified by the people, and it can only be changed by the people.

Our Nation is deeply in debt, and this debt now threatens the very liberty of our families and the vitality of our economy. It is a threat to current and future prosperity. Most importantly, it is a threat to limited constitutional government. The people know this. They know it in their guts. They know the problem here is spending. Our problem is too much spending, not too little taxation, and they know what the solution is: cut, cap, balance, and a balanced budget amendment to the Constitution.

There will be talk now about moving on, but I am not moving on. Democrats want to write the obituary on this bill and turn to some new plan or framework this President produces one way or the other, I guess. But no plan this President produces will get us to balance. Cut, cap, and balance does.

I am not so sure what my friends on the other side are afraid of. The founder of their party, Thomas Jefferson, had a deep respect for the democratic process and the sovereignty of the people. What are they so afraid of? Why not pass cut, cap, and balance? Why not send a balanced budget amendment to the States for ratification? If liberals have a better argument, they can lead a fight against the amendment in the States. All they need is 13 States to defeat the balanced budget amendment. Why not let the people decide?

During the last Presidential campaign, the President frequently told his admirers: Yes, we can. Well, now the American people are saying it back to him. They are telling him they want to balance the budget and that we can balance the budget. We can and we should pass cut, cap, and balance and

send a balanced budget constitutional amendment to the States for ratification.

I will just repeat it: If the Democrats so hate the idea of a constitutional amendment to balance the budget, all they have to do is get 13 States to vote against ratification. We have to get 38 States to vote for ratification. That may seem like an overwhelming job, but I don't think so. I think the amendment would be ratified so quickly, Democratic heads would be spinning and, I might add, maybe even some Republican heads as well.

All I can say is this country is in trouble. This country is on the way down to self-destruction unless we get it under control, and I don't see one program from the other side that even comes close to showing how we get this under control—except more taxes and more spending. I guarantee, if we raise taxes, they would spend every stinking dime of it. That has been the history of my 35 years in the Senate, as the most senior Republican. All I can say is we are not going to let them get away with it anymore. We are a minority now, but I believe we can get back in the majority.

I think the Democrats would do themselves a great favor if they would vote for cut, cap, and balance and a constitutional amendment and let the people—let the people—decide. Let them make this decision. Come on, Democrats, all you need to do is get 13 States. What are you so afraid of? I think what is so fearful is that this waltz that has been going on of big spending all these years is going to come to an end.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. HATCH. Mr. President, I ask unanimous consent that we recess subject to the call of the Chair.

There being no objection, the Senate, at 2:16 p.m., recessed subject to the call of the Chair and reassembled at 2:21 p.m. when called to order by the Presiding Officer (Mr. MANCHIN).

Mr. NELSON of Florida. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE SPACE PROGRAM

Mr. NELSON of Florida. Mr. President, yesterday the space shuttle

*Atlantis* came back in the early morning darkness with those xenon lights illuminating that 3-mile-long runway at the Kennedy Space Center. That is a location that a century ago a set of grandparents of mine had homesteaded under the old Homestead Act, worked the land for the required 4 years. I have a copy of the deed signed by Woodrow Wilson in 1917 to my grandparents. Over three-quarters of a century later, the thought was not lost on me, when we went in that early morning darkness to the launchpad, that my grandparents would have never, ever believed that, so many years later, a grandson was going to literally leave the face of the Earth from almost the old homestead where they had to swat mosquitoes and fight off rattlesnakes and alligators as they eked a living out of that Florida soil.

That was the location *Atlantis* came back to yesterday morning after a 13-day flawless mission after having been launched by the finest launch team in the world. That launch team is now having to disperse in part because we are shutting down the space shuttle program after 30 glorious years. It is an incredible flying machine, with 135 very successful missions that allowed us to do incredible work in space with human beings interacting and, of course, 2 tragic missions—the destruction of *Challenger* on ascent 25 years ago and the destruction of *Columbia* on reentry just a few years ago, in the early part of this last decade.

There would not be as much angst in the space community if the new rockets were ready. The problem is that the rockets are being designed, and in some cases being built, but they then have to be human-rated; that is, all the redundancies for safety as well as the escape systems have to be designed and developed for the new rockets. One of those new rockets is going to fly this fall. It will launch and rendezvous with the International Space Station and will deliver cargo, but it is going to take a few years to rate that for humans. That all the more adds to the angst, the angst of people who have lost their jobs and now do not see the American rocket that is ready to fly immediately upon the shutdown of the space shuttle program.

I have been surprised that we have a lot of people in America who think the space program is being shut down. We have an International Space Station up there at about 225 miles. This thing is huge. It is 120 yards long. From one end zone to another of a football field, that is how big it is. There are six human beings up there doing research right now.

We have trials in the Food and Drug Administration on drugs that have been developed on that International Space Station. The first one that is in trials right now is a vaccine for salmonella. Another one that is getting

ready to start trials is a vaccine for MRSA, the highly infectious bacterial disease in hospitals that we find so difficult to control because you cannot get an antibiotic that will control it.

I wanted to say for America's space team, "a job well done." A number of us, including Senator HUTCHISON and myself, had introduced and we passed last week the resolution commemorating the men and women of NASA. Indeed, their congratulations and commendations are certainly in order on a job well done.

The space program lives. The space program will go to greater heights. We will go to Mars, and we will see Americans venture out into the cosmos for even greater discoveries.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### MORNING BUSINESS

Mr. DURBIN. I ask unanimous consent that the Senate proceed to morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNANIMOUS CONSENT REQUESTS— H.R. 2553

Mr. DURBIN. Mr. President, we are facing a deadline tonight. At midnight, the current reauthorization of the Federal Aviation Administration expires. That expiration will mean that no funds can be collected or paid out of the airport and airway trust fund starting tomorrow, July 23. The trust fund provides the primary source of funding for the Federal Aviation Administration through excise taxes imposed on airline tickets, aviation fuel, and air cargo shipments.

We asked the Federal Aviation Administration and the Secretary of Transportation what would happen if the extension is not passed today in the Senate, and he said as follows: There will be a partial shutdown of Federal Aviation Administration operations. Approximately 4,000 non-essential FAA staff will be furloughed. Mr. President, 143 of these employees, incidentally, work in my State, mostly in Chicago.

The Airport Improvement Program, which provides construction project grants to airports, will be shut down and unable to obligate grants for projects. Projects already obligated will be able to continue—for example, the O'Hare Airport, Quad City's runways in Illinois—but obligating funds for new projects will be suspended. If the extension continues for a period of time, there may be reimbursement issues with projects that are underway.

There is an unresolved question as to whether this failure to extend the FAA authorization will have an impact on

the fees we collect, the aviation taxes and fees we collect from airlines for their operations. It is not clear yet whether we will lose that revenue or whether we can capture it if we reach an agreement at a later time.

Majority Leader REID and Chairman JAY ROCKEFELLER have told House leaders that a shutdown is likely unless a clean extension can be passed. The Senate is hotlining a clean extension today, which I will go to next. There are no objections to this clean extension on the Democratic side, but we do expect an objection from the Republican side.

I want to tell you the request I make for this extension, this clean extension, is in the name of chairman JAY ROCKEFELLER from your State of West Virginia. This is a sad commentary on the political state of affairs in Congress today. This is the 21st extension of this authorization. How could we possibly explain to America that we have been unable so many times to extend this authorization for something so critical to our commerce and our economy? But now we are facing the most serious challenge we ever had when it comes to this extension, and that is the expiration of it this evening. It will have a direct impact on the people who work for the FAA and a direct impact on their operations.

Now, I might add, very quickly, to give peace of mind to people, this will not have an impact on air traffic control or the safety of our airlines. Not at all. But the orderly operation of the FAA is at risk.

What is this all about? It is a battle over a program called Essential Air Service. Essential Air Service, if I am not mistaken, was initiated by your predecessor, Senator Robert C. Byrd of West Virginia. At the time of deregulation of airlines a decision was made that the smaller communities across America needed a helping hand to maintain air service. We have it in Illinois. Over the years we have reconsidered it, amended it, changed it. It is a shadow of what it started out to be. It is a very small program by standards of the original program.

There is a battle going on between the House and the Senate now, between Republicans in the House and the Democratic leadership in the Senate, about the future of this program. I just want to say in all fairness and all honesty, for goodness' sake, to both sides, save that battle for another day. Let us not jeopardize the operations of the Federal Aviation Administration because of a squabble over an important but relatively small program, and that is what is going to happen. What we are going to hear after I make this request is an objection on the Republican side to extending this authorization of the Aviation Administration with a clean extension, making no statement about changing policy. It just says

don't jeopardize the operations of the FAA. Let's keep them in business. Let's fight this out next week or the week after on the Essential Air Service issue, but let's move forward and let the FAA do its business with a clean bill that does not take sides over who is right and who is wrong on Essential Air Service.

What I am offering is neutrality, political neutrality, a clean extension, but I am afraid what I will get back is an insistence if you don't take the House Republican proposal, we will shut it down. I don't think that is a good choice for America. Let us, as politicians, do our battles. Let's never do them at the expense of ordinary people across America who are trying to do good work to improve our airports and make sure we have the safest runways and safest air operations in the world. That should be our highest priority.

So I am going to make this request for a clean extension without getting into this political squabble at all. I hope the Republicans will not object. I hope we can extend this authorization for the Federal Aviation Administration.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 109, H.R. 2553, that a Rockefeller-Hutchison substitute amendment which is at the desk be agreed to, the bill, as amended, be read a third time and passed, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HATCH. Mr. President, I want to take a few minutes to explain my objection to the legislation just offered by my esteemed colleague. I want to make it absolutely clear that a long-term FAA reauthorization is a priority for this country and a priority for myself, and I have said as much repeatedly. The consent request just offered by my colleague, even if accepted, would not prevent a lapse of current law. As my colleagues are likely aware, the House has completed legislative business for the week, so the only way to prevent a disruption to FAA funding is to pass Chairman MICA's bill the House passed earlier this week. I worked with Finance Committee Chairman BAUCUS to report a tax title from the Finance Committee to the bill that passed the Senate earlier this year.

However, since then progress on a long-term reauthorization has been slow. I share House Transportation and Infrastructure Committee Chairman MICA's frustration that favors to organized labor have overshadowed the prospects for long-term FAA reauthorization.



Last year the National Mediation Board changed the rules under which employees of airlines and railroads are able to unionize. For decades the standard has been that a majority of employees would have to agree in an election to form a union. However, the new National Mediation Board rules changed that standard so that all it takes to unionize is a majority of employees voting. This means that the NMB wants to count an employee who doesn't vote as voting for big labor. Somehow, organized labor is able to claim that it is democratic to appropriate someone else's vote without that person's input and participation. The FAA reauthorization bill that passed the House earlier this year will undo this heavyhanded rule and lets airline employees decide for themselves how to use their own votes. The House bill would merely undo a big partisan favor done at the behest of big labor, and put efforts to unionize airline workforces on the same footing they have been on for years. The House bill does not create a new hurdle for unionization; instead it restores the longstanding ability of airline employees to make decisions for themselves.

As I said, it is unfortunate that kowtowing to big labor has effectively grounded efforts to get a long-term FAA reauthorization off the ground. The lack of a long-term bill is bad for airports all across the country because they don't have the funding stability to plan and complete projects. Kicking the can further down the road is not a viable alternative to actually doing what is in the best interest of passengers, commercial users of air transportation, and our airlines and airports.

As a Senate conferee to the FAA bill, I stand ready to do everything I can to break the cycle of short-term extensions, and to do something that hasn't been done around here for more than 7½ years, and get FAA reauthorization off the ground.

So, Mr. President, having said all of that, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2553, which was received from the House; that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object, Mr. President, the Senator from Utah is my friend. We have worked on many issues together and in this particular moment in time we are in disagreement. What he has presented to you is one side of a story, one side of a debate and said unless you accept the House Republican position, which has not been resolved, we are going to lay off 4,000 people at midnight tonight. Do you think that means anything to them?

What I offered was a clean extension of which I didn't get into the merits, which said let's put this debate aside and that debate aside and keep the agency working, the Federal Aviation Administration. He said, no, either take the Republican approach or else, and, incidentally, he told me at the outset the House Republicans have gone home. They are gone. They sent this over and said take it or leave it or close it down. That is not a very sound choice for our country. I am sorry if the Senator from Utah objected to a clean extension so we can keep up these operations. I object because I don't believe it is a fair approach.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Mr. President, I am getting a little tired of the National Labor Relations Board usurping the power of the Congress of the United States and enacting labor laws by fiat of the Board that are hardly going to be upheld by the courts, but nevertheless it will take years to reduce them and take them away. In this particular case the National Mediation Board has changed the longstanding rule when you vote to unionize, it is the vote of all employees. This means that you could have a vote, and this is what I think the House is trying to stop and to change. That means you can have a vote with less than half of the employees and it would be the majority of those who vote. Now, that has never been the law, it has never been the case, and it is clearly a heavyhanded approach towards the FAA, and I think that is one reason why the House has taken this very strong position.

I understand my friend on the other side, and we are friends and we have worked together on some of the issues, and I have a tremendous amount of admiration for him and his ability to lead and express himself. He is one of the best people of expression in the history of the Senate, and I have great respect for him. But that is one of the main reasons why the House is up in arms and I have to say our side is up in arms as well.

We have to stop this changing laws without the consent of Congress just by the fiat of those on the National Labor Relations Board and the National Mediation Board. It is not right and upturns hundreds of years of labor law, and, frankly, it is wrong and I am on the side of the House in this matter because of it.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, perhaps if I were as persuasive as my colleague just said, he would not have objected. Having said that, when we speak about heavy hands, we don't have to worry about the heavy hand of the House on this issue because they went home. They took off. They left, which means

that 4,000 people would be furloughed this evening.

#### TRIBUTE TO DR. PAUL SMITH

Mr. McCONNELL. Mr. President, I rise today to honor Dr. Paul Smith, a physician whose story has been chosen to be recorded as part of the London, KY, "Living Treasures" project.

Dr. Smith's career path began when he graduated pre-med from Cumberland College in 1949 at age 19. After attending the University of Kentucky, where he hitchhiked to class every day, Dr. Smith was accepted into the University of Louisville medical school. Unable to obtain a rural scholarship through traditional channels, Dr. Smith received a scholarship from the Tri-County Women's Club in Knox, Whitley, and Laurel counties. The only condition was that he return to one of the counties and practice medicine there for 4 years.

Before being called up for service in the U.S. Air Force, Dr. Smith worked for a doctor in Cumberland, where he met his wife. After a year of dating, Dr. Smith and his wife of 53 years, Ann, were married and moved together to the Lake Charles Air Force base in Louisiana. Their daughter Jan was born on base as Smith trained and served as a doctor.

After completing his service with the Air Force, Dr. Smith moved to London and opened up his own practice. He routinely made dozens of house calls to London residents—both in the city and out in the country. Dr. Smith also offered OB services and often worked in the emergency room of nearby Marymount Hospital when other doctors were too busy.

After 38 years of dedicated service to the London community, Dr. Smith retired in 1998. Even in his retirement, Dr. Smith volunteers at the free medical clinic run at the Community Christian Church.

The State of Kentucky is lucky to have individuals like Dr. Paul Smith, who dedicate their lives to better those of others. As he has shown us all, Dr. Smith is truly a great Kentuckian.

Mr. President, the Laurel County-area newspaper the Sentinel Echo recently published a detailed interview with Dr. Smith and his wife in which they discuss Dr. Smith's accomplishments and contributions. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Sentinel-Echo, May 25, 2011]

#### LONDON'S LIVING TREASURES: PART 2

Following is the second installment of the Living Treasures Project. It is the story of Dr. Paul Smith, who served Laurel County as a family physician for 38 years. Dr. Smith shared fascinating details about his life as a medical student and doctor, which meant



hitchhiking to class, making house calls and working with the nuns at Marymount Hospital. During his interview, Dr. Smith was joined by his wife of 53 years, Ann.

"I used to go to the library when I was in high school and read all the books I could about family physicians, some of them from Kentucky and otherwise, just the real stories of rural physicians. I took pre-med at Williamsburg's Cumberland College, graduated with a diploma after two years, in 1949. I was 19.

#### WORKING STUDENT

After I finished Williamsburg, I needed funds to go on to the University of Kentucky. I ended up getting an emergency certificate to teach at Henderson Settlement in Frakes, Ky., for one year and saved up enough. I had an aunt who worked there, and I had room and board pretty much for free except I'm sure my parents gave them a lot of vegetables. I saved all my money and went to University of Kentucky in 1950.

Those years were very lean and, unfortunately with no car or transportation, I hitchhiked every day back and forth to the university. I went to work at the narcotic hospital out at Leestown Pike in Lexington usually at 4 p.m. After classes, I'd have to scurry over to Leestown Pike and put my thumb out and just barely make it to work, usually.

Before I finished my degree, the Korean War started. I had applied for medical school, but I hadn't heard anything. I had already been called up for the draft, passed my physical for the Army. They would defer you a semester at a time but by then they were getting hard up to give deferrals to everybody, so there was a good possibility I was going to have to go to the service.

When I was home for Christmas vacation, I got my letter of acceptance to the medical school at the University of Louisville, the only one I could afford even though the tuition was just \$800 a year. It felt great because that's what I wanted. When I got accepted, my father went to the bank in Pineville to try to borrow money and the banker said, "No, not on a medical student, too many of them flunk out."

I got deferred and finished the year and went on to Louisville.

When I went back to medical school my sophomore year, I got a job as an extern at Baptist. We'd do histories and physicals of patients and, every third night, I was on call for the lab.

When I finished medical school, there was still a doctor's draft. You had to do two years in the service unless you were over 35 or unless you were in the service before. That was looming over me when I finished medical school, but I still had my internship to complete, which I did at Good Samaritan Hospital in Lexington in 1957.

When I finished, I joined the Air Force. I knew I'd be called in six to 12 months, so I had to look for a job. Finally, one of the surgeons told me that he knew this surgeon in Lynch and Cumberland that could use a doctor. I signed on with him and that's the best thing I did in my life because that's where I met my wife.

#### MARRIAGE MATERIAL

How'd we meet? Her mother had to have her gallbladder out and she can tell it better than I can.

ANN: I went back home to teach school, but they put me in first grade. I did everything to try to do a crash course on elementary. I was cutting paper dolls for my students, preparing for the next day. Paul walked in and when he walked out, I said,

"Mother, I think I'm going to marry that guy." She said, "Just hush." He's the only person I ever pursued.

DR. SMITH: I was real impressed with her, but I was a little leery. I rented a room in Cumberland. I'd usually go to the drive-in at night and eat. Well, she and another girl started showing up there about every night. I got suspicious, but my impression was good all along.

I was in Cumberland almost a year to the day. I was called into the service on the 5th of July. In the meantime, though, we dated and got married June 14, 1958, Flag Day. It was a nice wedding. Like most people, I thought we were going to have a little wedding and when I went in, the church was full.

ANN: It was a small church. And my mother had decorated it with a lot of mountain flowers.

DR. SMITH: We went together to the service and we went to basic training. I had to go four weeks in Montgomery, Ala. That was an awakening too because neither one of us liked the racism. I didn't like that at all.

In training, doctors had to go out and shoot one time. I can't say I hit a thing. I'd shot a BB gun before and a .22, but they put a .45 in my hand for the first time. I aimed perfectly at the target and when I pulled it, it went up like that. I shot my however-many rounds I had to shoot. I only went to the rifle range once but we marched and flew in airplanes a lot.

In October '58, I was assigned to Lakes Charles, La. It was a small base, the hospital was constructed during the war so it was not very fancy, but it was a nice base. That's where we had our first daughter, Jan.

Now, I've got to go back and fill in before I went to medical school, because that's important. I'd applied for a rural scholarship and I was sure with my grades I would get one. But it seemed they'd given all of them out. At that time, I was going to have to hold up medical school for a year to earn what I needed, but one of the students ahead of me knew the Tri-County Women's Club from Knox. Whitley and Laurel had raised money for a rural scholarship and, to their knowledge, it had never been filled. I interviewed and they were in favor of me getting it. With the scholarship, I agreed I would go back to practice in Knox, Whitley or Laurel for four years.

That was one reason I didn't even consider staying in the service because I had that obligation, and I felt it was a deep obligation.

#### LAUREL COUNTY-BOUND

I found out Dr. Robert Pennington in London might need a doctor. I came over here and it was a Wednesday afternoon and Dr. Pennington was off on Wednesday afternoon and he showed me all around town.

I didn't have an office, but it turns out that Dr. Pennington and his brother had an office built up over the old fire department on Broad Street. It had a space for a lab and space for three examining rooms and a waiting room, already plumbed and wired. So that looked good and the rent looked good, \$65 a month.

Then the next day, Dr. Pennington located me a house I could rent. It was up on Falls Road. We unloaded on July 5, 1983 and I got busy getting my office together because, see, I had no equipment. Marymount Hospital was nice to me, they loaned me one or two of the bedside tables. My brother was doing a residency in surgery in Lexington and they wanted to get rid of an old surgical table. Owner of The Sentinel, Martin Dyche, through him, I got a Cole metal desk, a filing cabinet and a chair.

Next to my office, there was the taxi park and they had five or six taxis there. They were busy all the time. They had a ringer out there on the telephone pole so you could hear it ring all the time.

London was a rural town, everything closed on Wednesday at noon except me. I decided, since most of the doctors took off on Wednesday afternoon that I was going to work and I'd take off on Thursday afternoon.

We had three drug stores, the original Begley's, Robert Dyche had Dyche Drug Store and then there was City Drug Store, it was down near where the theatre is now, where the old Hob Nob used to be. Of course London Bucket was here, which handled plumbing, Hoskin's Five and Ten, and then the department stores, you had Hackney's, Daniel's, and several others. Where Weaver's is now was their pool hall and women were not allowed in the pool hall. If Ann or somebody wanted their hotdog, they had a window up there and they'd sell you the hotdog out the window. It was a bustling little Main Street, but don't expect anything after 5 o'clock.

I opened my practice about July 15, and I averaged four to five patients a day the first year and I couldn't have paid my rent with that because an office visit was \$3 and a house call was \$5 in the city and \$10 outside in the county. But I made a lot of house calls, some I got paid for, some I didn't.

ANN: We ate well. In those first years I learned to can beans, freeze corn, I learned to do so much. They brought not just a bushel of beans, but two or three. It was overwhelming, by then I had three little kids to take care of—Jan, Elizabeth and Paul Ray—but I felt like it was a sin not to use that food. But anyway, we did know it would be slow for the first couple of years, so we planned ahead.

DR. SMITH: We didn't want to go in debt and we didn't. I probably made most of my money in the E.R. The other doctors were all so busy they didn't care about leaving their office full of patients and running to the emergency room. So I got called all the time to the E.R. and that's how I picked up a lot of patients, because they had to be healthy to climb two floors of steps up to my office.

In 1961, in March or April, Dr. D.D. Turner decided he was going to quit general practice and go into the health department in western Kentucky. He came to see me about taking over his practice. I was happy because then I'd be on a ground floor, they wouldn't have to climb those steps. Then things started picking up.

Our days were 24-7. Five of us physicians did OBs. When I came here, three of the doctors were still delivering at home. I told them up front I wasn't going to do home deliveries. I told them I was charging \$50 for delivery, \$10 for a circumcision. I tell you, you didn't make any money back then if you were in medicine. Not here. Many of a time I would leave at 7 in the morning and make rounds and I'd come home for dinner, maybe, but I'd go out again and make house calls. I would make 10 or 12 house calls a day.

A year after I started, we moved from the house on Falls Street.

ANN: But then Dr. Pennington, he was always finding stuff for us. He knew this house on Ninth Street was going on the market. He said don't tell a soul.

DR. SMITH: So we moved here. Dr. Pennington decided for us. For one thing, look how close it is to the hospital. I could go over there and be in the delivery room in three or four minutes.

Marymount was run by the Sisters. It was great to work with them, I never could remember all their names, I was bad about

that, I'd call them all "Sister." We had eight or 10 of them up here. They were great to work with, they were very good nurses.

#### CHANGES IN MEDICINE

When I first came here, polio was dying down because the first vaccine had come out. But measles was the big thing. We didn't have any measles vaccinations, and it wouldn't be unusual to go out to a house and see a kid with 104, 105 temperature with measles and two or three other siblings with measles. The only thing you could do is advise them how to bathe them, how to cool them off.

Mumps, had a lot of mumps. And, of course, pneumonias and a lot of hepatitis. One year, just in my practice, I had two or three kids from the high schools where they still had outdoor toilets. They would come in with jaundice and they had hepatitis, and of course we didn't have any vaccines.

A lot of changes have occurred. Technology is one of the biggest changes and it's good and bad. It's good because we can now do a better job with some things. In the 1960s, we didn't have any Echocardiograms. CT or MRI hadn't been heard of. The part that I don't like that's changed is doctors no longer sit and do history and physicals and talk to people. When I was externing during medical school, each history and physical, you'd spend 30 to 40 minutes. None of this five-minute stuff.

I quit OB in '85 because we were getting some OB doctors in and also malpractice had gotten so bad. When we got more lawyers, that's when things changed, that's it, that's what changed it. I want to say around early '70s.

Medicine changed so. The insurance companies would fight you constantly in your office and you had to fight constantly to get people in the hospital. You'd be arguing with some nurse up in Chicago or somewhere. That's when my blood pressure started going up, honestly.

I closed my office in 1998, but I've worked some since then, I'd work some now if I didn't have back trouble. I loved being a doctor, listen, I still do. I help with the free clinic now at the Community Christian Church. I liked that you could see people from the time they were born until they died. And you followed them all the way through. I loved all of it, really, just taking care of the families, getting to know the people."

#### CAMPUS SEXUAL VIOLENCE ELIMINATION ACT

Mr. CASEY. Mr. President, I rise today to speak about legislation I have introduced, the Campus Sexual Violence Elimination Act, or Campus SaVE Act, and to urge my colleagues to support this bill.

I want to start by sharing some deeply disturbing statistics with you:

Between 20 and 25 percent of all female undergraduates in America are victims of sexual assault or attempted sexual assault each year.

Most cases of sexual assault occur between acquaintances—between 85 and 90 percent of reported sexual assaults on college women are perpetrated by someone they know, and nearly half of such sexual assaults occur on a date.

Young adults age 18 and 19 experience the highest rates of stalking among any age group.

As the father of four daughters, one of whom who just graduated from college and another who is in college now, these statistics are terrifying. But I was even more distressed to learn that many of these victims never come forward. Those who do often do not get the support and the assistance they need to heal and to be able to continue their education safely and successfully.

The Campus SaVE Act will address many of these issues by setting out a clear framework to promote transparency and accountability. The legislation consolidates existing policies under both the Jeanne Clery Act and title IX to ensure that institutions of higher education have comprehensive procedures in place to address domestic violence, dating violence, sexual assault and stalking.

Institutions of higher education are already required to report certain crime statistics as a result of the Clery Act, a law championed by our former colleague, Senator Specter, after Jeanne Clery was raped and murdered in her college dorm room in 1989.

But only one-third of U.S. colleges correctly report their crime statistics, leading to misclassification and underrepresentation of attempted and completed instances of sexual assault. They are not currently required to break down their data on different types of sex offenses, leading to confusion and unclear data about reports of domestic violence, dating violence, and stalking.

The Campus SaVE Act will also address the need for education and awareness in the entire campus community. Currently, less than half of all colleges and universities offer any sexual assault prevention training; the Campus SaVE Act will require that these institutions provide prevention and awareness programs for all incoming students and new employees.

This education is essential. Many students attending college are away from home for the first time and are still in their teenage years and learning about adult relationships. We cannot assume that they know what dating violence is; we cannot assume that they know what constitutes consent in a sexual relationship.

A victim also may not know what to do when something bad happens: less than 5 percent of rapes or attempted rapes are reported, and fewer than half of colleges and universities spell out policies for filing criminal charges and campus reports. However, when students know how to report victimization and how their school will respond, students are more likely to report instances of sexual assault or attempted sexual assault.

Dickinson College in Carlisle, PA, recently saw students hold a sit-in for 3½ days, displaying their frustration over the college's weak sexual assault policy. One student remarked, "We don't

have a consolidated document that runs you through what you should do and also allows you to understand that there are federal laws that protect you."

This is exactly what the Campus SaVE Act would require. It sets standards for institutions so that everyone in the community understands their rights and responsibilities. Fortunately, the administration at Dickinson College later agreed to strengthen its policies relating to sexual assault.

Under the Campus SaVE Act, students will know that if they report being a victim of domestic violence, dating violence, sexual assault, or stalking, they will receive an explanation of their rights. They need to know they have a right to report these offenses to law enforcement authorities. They need to know that the college or university has an obligation to help them seek a protective order, if they want such an order. They need to know that they will receive contact information for the resources available to them, such as counseling and legal assistance. Finally, they need to know about safety planning such as changing their living arrangements, class schedule, work schedule, and travel options so that they feel safe in their environment.

The bill will also ensure that these incidents are properly reported by making institutions include in their annual security reports statistics on domestic violence, dating violence, sexual assault, and stalking that were reported to campus police or local police agencies.

Many colleges and universities are doing this right: they have procedures in place to deal with domestic partner violence, dating violence, sexual assault, and stalking; they provide support to victims, and they have prevention programs to educate the community about these terrible acts.

In another case in Pennsylvania this year, a student at Kutztown University told authorities that she had been raped on campus by a male student. After this young woman reported the assault, a second female student came out and said that she had been raped a few weeks earlier. These two instances of young women standing up and reporting their assaults pulled others out of the shadows. Another two female students went to authorities with reports of sexual assault. All four women knew their attackers. In response to the rape and sexual assault reports, the university put a notice on their Web site and sent e-mails to students, faculty, and staff about the occurrences.

Kutztown University and Dickinson College have taken concrete steps to improve their responses, but much remains to be done. Congress cannot legislate a campus culture, but we can pass legislation to help institute the

processes and procedures that will educate students in order to prevent intimate partner violence and provide support for victims who do come forward, which will encourage other victims to speak up and seek help.

Colleges and universities must do everything possible to protect students from violence and provide information about students' rights and the resources available to help them.

I urge my colleagues to join me in supporting the Campus Sexual Violence Elimination Act so that our children can go to college without fear and those who violate campus policies relating to intimate partner violence will be held accountable for their actions.

#### CLEAN WATER ACT JURISDICTIONAL EXPANSION

Mr. BARRASSO. Mr. President, I rise today to submit for the RECORD an article written by Bobbie Frank, executive director of the Wyoming Association of Conservation Districts and published on July 16, 2011, in the Wyoming Livestock Roundup. The article's title is "Muddy waters: EPA, Army Corps Seek to Define More Jurisdiction as Federal."

I have concluded, just as this article has, that the Clean Water Act, CWA, jurisdictional guidance being proposed by the Environmental Protection Agency, EPA, allows the U.S. Army Corps of Engineers and EPA to regulate waters now considered entirely under State jurisdiction. This unprecedented exercise of power will allow EPA to trump States rights, and vitiate the authority of State and local governments to make local land and water use decisions. This is particularly troubling when we have seen no evidence that the States are misusing or otherwise failing to meet their responsibilities.

Enormous resources will be needed to expand the CWA Federal regulatory program. Not only will there be a host of landowners and project proponents who will now be subject to the CWA's mandates and costs of obtaining permits, but an increase in the number of permits needed will lead to longer permitting delays. Increased delays in securing permits will impede a host of economic activities in Wyoming and across the United States. Commercial and residential real estate development, agriculture, ranching, electric transmission, transportation, energy development, and mining will all be affected, and thousands of jobs will be lost.

In May of this year, 19 Senators joined me in a letter to EPA expressing our strong opposition to this guidance. I will continue to fight to protect our States from this Washington power grab.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### MUDDY WATERS: EPA, ARMY CORPS SEEK TO DEFINE MORE JURISDICTION AS FEDERAL

(By Bobbie Frank, Executive Director, Wyoming Association of Conservation Districts)

The conservation districts in this state are definitely committed to watershed health and water quality work, and their commitment is evident through their actions: conservation district employees who are several months pregnant wade streams in the winter to collect water samples, and retired conservation district supervisors volunteer their time to help with water quality monitoring and implementing water quality management practices.

Many landowners, community leaders and homeowners have and continue to volunteer hundreds of hours working on watershed plans, and then they work hard to implement those plans. There is no shortage of dedicated and concerned citizens working to maintain and improve the water quality of this state, and every two years the Wyoming Association of Conservation Districts (WACD) publishes its "Watersheds Progress Report" to show all of the incredible efforts at the local level across Wyoming. The 2009 edition is available on our website.

Highlighting the dedication to water quality is important to recognize, in the context of this discussion, because, inevitably, when one starts debating the issue of regulatory jurisdiction—federal versus state—if one leans toward less federal intervention and regulation, then it is easy for others to try to paint one as anti-clean water. As one district supervisor put it, "The only conservation that matters is that which gets put on the ground."

In April 2011 the Environmental Protection Agency (EPA) published draft guidance that would replace previous agency guidance issued in 2003 and 2008, detailing modifications to which waters EPA and the Army Corps of Engineers (Corps) would regulate under the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act). Who should have the authority over water quality issues, the federal government or the respective states, continues to be a hot topic of debate. Key Supreme Court decisions have refined the EPA's and the Corps' authority over the regulation of certain types of waters.

In the past several years there have also been attempts in Congress to advance legislation to redefine "waters of the United States." These bills would have resulted in a definition that would have included a number of waters that are currently not subject to federal regulation, or are in a "gray" area. These attempts did not move forward. As a result, that which cannot be done through the appropriate processes, i.e. legislation and/or rules, apparently will be done through the development of "guidance."

The two primary decisions, the Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers (SWANCC) and *Rapanos v. United States* (Rapanos), resulted in restricting federal authority over certain types of waters.

First, the SWANCC decision removed from federal regulation isolated wetlands by nullifying the "migratory bird rule." In a nutshell, the agencies, via regulation, exerted jurisdiction over these types of isolated waters by arguing that isolated wetlands will have waterfowl in them that would fly

to another state and land in another isolated wetland, hence there was interstate commerce occurring on these waters to render them under federal jurisdiction.

The other suit, *Rapanos*, resulted in what is argued by the agencies to be a complicated and unmanageable approach to determining jurisdiction. Many lauded the decision as a win for reining in the heavy hand of the agencies. In *Rapanos*, the court addressed CWA protections for wetlands adjacent to non-navigable tributaries, and issued five opinions with no single opinion commanding a majority of the court. The plurality opinion, authored by Justice Scalia, stated that "waters of the United States" extended beyond traditional navigable waters to include "relatively permanent, standing or flowing bodies of water." There is a lot more detail to this opinion, but suffice it to say, the outcome was additional limitations placed on federal jurisdiction.

A comparison of the December 2008 memorandum issued by EPA and Corps guiding agency personnel on which waters would be jurisdictional and this new proposed guidance, provides for some significant changes in what waters would be regulated. The agencies specifically state in the draft guidance: "However, after careful review of these opinions, the agencies concluded that previous guidance did not make full use of the authority provided by the CWA to include waters within the scope of the Act, as interpreted by the Court."

The 2008 guidance established a "significant nexus" standard, whereby the agency would have to determine on a fact-specific basis whether certain types of waters, such as wetlands, tributaries or traditional navigable waters, fell under federal jurisdiction. This significant nexus standard would contemplate the flow functions of the tributary itself and the functions performed by all wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical and biological integrity of downstream traditional navigable waters. The significant nexus also included consideration of hydrologic and ecologic factors.

This 2011 draft guidance takes the same type of approach, but expands on the significant nexus approach by establishing that waters that are in "close proximity" or "proximate other waters" to traditional navigable waters will also fall under jurisdiction. Basically, the guidance establishes a watershed approach to determining significance. In essence, based on our analysis, most waters in a watershed draining to a "traditional navigable water" or interstate water, would ultimately meet the "significant nexus" test and be subject to federal regulatory oversight.

There is a list of certain types of waters that would "generally" not fall under federal jurisdiction. Note the term "generally." There is a potential that some of the specifically exempt waters, such as reflecting pools, ornamental waters, gullies, etc., could also be jurisdictional.

Also of import is the application of the above as it pertains to the different provisions of the Clean Water Act. The agencies acknowledge in the guidance that "although SWANCC and *Rapanos* specifically involved section 404 of the CWA and discharges of dredged or fill material, the term 'waters of the United States' must be interpreted consistently for all CWA provisions that use the term. These provisions include the section 402 National Pollutant Discharge Elimination System (NPDES) permit program, the section 311 oil spill program, the water quality standards and total maximum daily load

programs under section 303, and the section 401 State water quality certification process.”

This issue is not about whether our water resources should be protected or not, which is often the spin on this issue. It is about whether the authority to regulate certain types of waters should lie with the federal government or should be retained by the states. WACD's comments reflect the opinion that, on those waters falling outside of the traditional “navigable,” interstate waters' realm should be regulated by the states. It has been our experience that those closest to the issue are typically most knowledgeable and capable of commonsense, cost effective approaches to resource protection and management.

WACD and the conservation districts have a solid record of projects that do successfully protect water quality in a commonsense, cost effective approach that benefits all water users and the state. The EPA's 2011 draft guidance document hinders our ability to continue this mission by oftentimes placing districts in a position of reacting to federally driven requirements and priorities versus the highest priority resource issues in our communities.

Thanks to Senator Barrasso for his diligent efforts on this issue. We appreciate his work to ensure that the federal agencies don't try to evade the appropriate processes and expand their authorities.

#### ADDITIONAL STATEMENTS

##### REMEMBERING TOM WILLIAMS, JR.

• Ms. LANDRIEU. Mr. President, today I wish to remember a great man and a wonderful friend, Mr. Tom Williams, Jr. Mr. Williams passed away on June 21, 2011, in Scottsdale, AZ, and leaves behind his wife Gloria; son Tom Williams, III; daughter Nicol Williams-Pruitt; son-in-law Jason Pruitt; and grandson Nicolas Pruitt. To Mr. Williams' family, please accept my condolences for your loss.

Mr. Williams and I met through a shared passion for the advancement of America's small businesses. In fact, Mr. Williams started his own small business in 1982 in Oakland, CA, an accounting firm called Williams, Adley & Company. In the beginning, Williams and Adley were the only two employees, but over the next few decades, they grew to be a three-office firm with two locations in California and one in Washington, DC. The firm now boasts over 100 employees.

In addition to his professional success, Mr. Williams has been a champion for small business-friendly legislation. He was a leader in changing the size standards for the accounting industry and fought tirelessly to improve access for small accounting firms to government contracts. Similarly, my colleagues in the Senate may remember language in the Small Business Jobs Act mandating annual reviews of the accounting firm size standards, a provision suggested by Mr. Williams.

Mr. Williams was also a pillar in his community. He helped establish the

San Francisco Chapter of the National Association of Black Accountants, NABA, served in a number of NABA positions, including president, and was awarded their Small Business Entrepreneur of the Year Award. He was also an active member of the California Society of Public Accountants.

But perhaps the best description of Mr. Williams comes from the motto of the very company he created: “Good people, doing great things.” Mr. Williams, you were indeed a good person who did great things. I sincerely thank you for all of your contributions.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 1:55 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1315. An act to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, to rescind the unobligated funding for the FHA Refinance Program and to terminate the program, and for other purposes.

H.R. 2551. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1315. An act to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, to rescind the unobligated funding for the FHA Refinance Program and to terminate the program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2551. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes; to the Committee on Appropriations.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2553. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes (Rept. No. 112-39).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 27. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 846. A bill to designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1406. A bill to designate the United States courthouse under construction at 510 19th Street, Bakersfield, California, as the Myron Donovan Crocker United States Courthouse; to the Committee on Environment and Public Works.

By Ms. SNOWE (for herself and Ms. CANTWELL):

S. 1407. A bill to amend title XVIII of the Social Security Act to establish accreditation requirements for suppliers and providers of air ambulance services, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 1408. A bill to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Ms. COLLINS, Mr. LIEBERMAN, and Mr. BROWN of Massachusetts):

S. 1409. A bill to intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending; to the Committee on Homeland Security and Governmental Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LAUTENBERG (for himself, Mr. TOOMEY, Mr. MENENDEZ, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. CASEY, Mr. LIEBERMAN, Mr. BLUMENTHAL, Mr. WEBB, Mr. WARNER, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 237. A resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 242

At the request of Mr. ROCKEFELLER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 242, a bill to amend title 10, United States Code, to enhance the roles and responsibilities of the Chief of the National Guard Bureau.

S. 742

At the request of Mr. BROWN of Ohio, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 742, a bill to amend chapters 83 and 84 of title 5, United States Code, to set the age at which Members of Congress are eligible for an annuity to the same age as the retirement age under the Social Security Act.

S. 745

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 745, a bill to amend title 38, United States Code, to protect certain veterans who would otherwise be

subject to a reduction in educational assistance benefits, and for other purposes.

S. 834

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 834, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 838

At the request of Mr. TESTER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 971

At the request of Mr. THUNE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 971, a bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1176

At the request of Ms. LANDRIEU, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1265

At the request of Mr. BINGAMAN, the names of the Senator from California (Mrs. BOXER) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1297

At the request of Mr. BURR, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1297, a bill to preserve State and institutional authority relating to State

authorization and the definition of credit hour.

S. 1346

At the request of Mr. LEVIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1346, a bill to restrict the use of offshore tax havens and abusive tax shelters to inappropriately avoid Federal taxation, and for other purposes.

S. 1370

At the request of Mrs. BOXER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1370, a bill to reauthorize 21st century community learning centers, and for other purposes.

S. 1395

At the request of Mr. BARRASSO, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1395, a bill to ensure that all Americans have access to waivers from the Patient Protection and Affordable Care Act.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1408. A bill to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am very pleased to introduce today the Data Breach Notification Act of 2011.

This bill would require that consumers be notified when their sensitive personally identifiable information has been exposed in a data breach and also that law enforcement receive notice of major breaches of data security.

In 2003, California was the pioneer in requiring data breach notification. Forty-six States, the District of Columbia, Puerto Rico, and the Virgin Islands now have similar laws.

Consumers in all states deserve to benefit from these protections; businesses should not be subject to 46 different and at times conflicting laws; and Federal law enforcement critically needs to receive information about major breaches occurring across the country.

I have introduced data breach notification legislation in several prior Congresses. During the last Congress, that legislation, called the Data Breach Notification Act, S. 139, passed through the Judiciary Committee and was reported to the Senate floor. Unfortunately, the bill stalled there and went no further.

President Obama included similar data breach notification provisions in his broad cybersecurity proposal, released just last month.

The bill I am introducing today is identical to the bill I have introduced

in the past. This legislation is long overdue and should finally be enacted now, during this Congress.

I have 3 points to make about this bill.

First, this bill will protect consumers, who need to know when their sensitive data has been exposed so they can take measures to protect themselves.

According to the Federal Trade Commission, between 8 and 10 million American consumers are victims of identity theft each year.

In April of 2007, a Zogby survey found that an astonishing 91 percent of adult users of the Internet said they were concerned that their identities might be stolen.

They have good reason to be concerned.

According to the Privacy Rights Clearinghouse, over 500 million records containing sensitive personally identifiable information have been exposed in data breaches since 2005.

Earlier this year, a giant security breach at Epsilon, an online marketing firm, exposed the personal information of millions of American consumers, along with information about stores where they had been customers. The breach raised serious concerns that data thieves would use this personal information to subject consumers to targeted, fraudulent e-mails, used to try to trick people into turning over even more personal information.

Last year, data thieves acquired identity data on roughly 3.3 million student loan borrowers from the Educational Credit Management Corp.—a number that accounts for almost five percent of all Federal student loan recipients. The data included names, addresses, social security numbers, and other personal data, creating the opportunity for identity theft.

In 2009, Federal officials indicted three men on charges of stealing data linked to more than 130 million credit cards by hacking into five major companies' computer systems. The companies were Heartland Payment Systems, 7-Eleven, the Hannaford Brothers supermarket chain, and two other companies not named in the indictment.

The problem is getting worse, not better. Recently, one major breach hit Citibank, exposing information of more than 360,000 bankcard customers. Another massive data breach exposed information about more than 100 million Sony customers.

Nor is the problem limited to businesses. In my home state of California, the state Department of Public Health was hit by its second major data breach in this year alone, affecting thousands of current and former state employees.

It is long past time for Congress to pass a national breach notification standard to ensure that when consumers' information is at risk, they

know it and can take the necessary steps to protect themselves.

Second point: what works for consumers here also is a winning proposition for the business community.

Under some estimates, the business community loses as much as 48 billion dollars each year in fraudulent transactions involving stolen identities.

Additionally, under the current legal framework, businesses must comply with 46 different State laws to determine what kind of notice is necessary when a breach occurs. As long as it is not watered down, one Federal standard makes much more sense than 46 different State laws. It would ensure consumers are notified about dangerous breaches and can protect themselves, while also giving companies one clear law to follow.

Third and finally, this bill will help Federal law enforcement officials as they work to protect our cyber security.

Jeffrey Troy, Deputy Assistant Director of the FBI's Cyber Division, urged businesses in 2009 to support Federal breach notification legislation. As he explained, Federal officials need to receive information about data breaches in order to link those attacks to others and potentially stop similar attacks at other organizations. "Connecting the dots" is critical to this effort.

We live in a new world today, where attacks come not only through traditional means but also through cyberspace with hackers breaking into our electrical grid or viruses like the Conficker worm making their way through private computers across the country. It is essential that we give the FBI and other law enforcement agencies the tools they need to identify and eliminate potential cyber-threats.

The Federal Trade Commission, former President George W. Bush's Identity Theft Task Force, and the Business Software Alliance have all called for federal data breach notification legislation. The Data Breach Notification Act also has been supported by the Consumers Union and the Information Technology Association of America.

This bill will protect consumers, cut costs for businesses, and give law enforcement officials additional resources they need.

I urge my colleagues to support this important measure.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1408

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Data Breach Notification Act of 2011".

#### SEC. 2. NOTICE TO INDIVIDUALS.

(a) IN GENERAL.—Any agency, or business entity engaged in interstate commerce, that uses, accesses, transmits, stores, disposes of or collects sensitive personally identifiable information shall, following the discovery of a security breach of such information notify any resident of the United States whose sensitive personally identifiable information has been, or is reasonably believed to have been, accessed, or acquired.

(b) OBLIGATION OF OWNER OR LICENSEE.—

(1) NOTICE TO OWNER OR LICENSEE.—Any agency, or business entity engaged in interstate commerce, that uses, accesses, transmits, stores, disposes of, or collects sensitive personally identifiable information that the agency or business entity does not own or license shall notify the owner or licensee of the information following the discovery of a security breach involving such information.

(2) NOTICE BY OWNER, LICENSEE OR OTHER DESIGNATED THIRD PARTY.—Nothing in this Act shall prevent or abrogate an agreement between an agency or business entity required to give notice under this section and a designated third party, including an owner or licensee of the sensitive personally identifiable information subject to the security breach, to provide the notifications required under subsection (a).

(3) BUSINESS ENTITY RELIEVED FROM GIVING NOTICE.—A business entity obligated to give notice under subsection (a) shall be relieved of such obligation if an owner or licensee of the sensitive personally identifiable information subject to the security breach, or other designated third party, provides such notification.

(c) TIMELINESS OF NOTIFICATION.—

(1) IN GENERAL.—All notifications required under this section shall be made without unreasonable delay following the discovery by the agency or business entity of a security breach.

(2) REASONABLE DELAY.—Reasonable delay under this subsection may include any time necessary to determine the scope of the security breach, prevent further disclosures, and restore the reasonable integrity of the data system and provide notice to law enforcement when required.

(3) BURDEN OF PROOF.—The agency, business entity, owner, or licensee required to provide notification under this section shall have the burden of demonstrating that all notifications were made as required under this Act, including evidence demonstrating the reasons for any delay.

(d) DELAY OF NOTIFICATION AUTHORIZED FOR LAW ENFORCEMENT PURPOSES.—

(1) IN GENERAL.—If a Federal law enforcement agency determines that the notification required under this section would impede a criminal investigation, such notification shall be delayed upon written notice from such Federal law enforcement agency to the agency or business entity that experienced the breach.

(2) EXTENDED DELAY OF NOTIFICATION.—If the notification required under subsection (a) is delayed pursuant to paragraph (1), an agency or business entity shall give notice 30 days after the day such law enforcement delay was invoked unless a Federal law enforcement agency provides written notification that further delay is necessary.

(3) LAW ENFORCEMENT IMMUNITY.—No cause of action shall lie in any court against any law enforcement agency for acts relating to the delay of notification for law enforcement purposes under this Act.

#### SEC. 3. EXEMPTIONS.

(a) EXEMPTION FOR NATIONAL SECURITY AND LAW ENFORCEMENT.—



(1) IN GENERAL.—Section 2 shall not apply to an agency or business entity if the agency or business entity certifies, in writing, that notification of the security breach as required by section 2 reasonably could be expected to—

(A) cause damage to the national security; or

(B) hinder a law enforcement investigation or the ability of the agency to conduct law enforcement investigations.

(2) LIMITS ON CERTIFICATIONS.—An agency or business entity may not execute a certification under paragraph (1) to—

(A) conceal violations of law, inefficiency, or administrative error;

(B) prevent embarrassment to a business entity, organization, or agency; or

(C) restrain competition.

(3) NOTICE.—In every case in which an agency or business entity issues a certification under paragraph (1), the certification, accompanied by a description of the factual basis for the certification, shall be immediately provided to the United States Secret Service.

(4) SECRET SERVICE REVIEW OF CERTIFICATIONS.—

(A) IN GENERAL.—The United States Secret Service may review a certification provided by an agency under paragraph (3), and shall review a certification provided by a business entity under paragraph (3), to determine whether an exemption under paragraph (1) is merited. Such review shall be completed not later than 10 business days after the date of receipt of the certification, except as provided in paragraph (5)(C).

(B) NOTICE.—Upon completing a review under subparagraph (A) the United States Secret Service shall immediately notify the agency or business entity, in writing, of its determination of whether an exemption under paragraph (1) is merited.

(C) EXEMPTION.—The exemption under paragraph (1) shall not apply if the United States Secret Service determines under this paragraph that the exemption is not merited.

(5) ADDITIONAL AUTHORITY OF THE SECRET SERVICE.—

(A) IN GENERAL.—In determining under paragraph (4) whether an exemption under paragraph (1) is merited, the United States Secret Service may request additional information from the agency or business entity regarding the basis for the claimed exemption, if such additional information is necessary to determine whether the exemption is merited.

(B) REQUIRED COMPLIANCE.—Any agency or business entity that receives a request for additional information under subparagraph (A) shall cooperate with any such request.

(C) TIMING.—If the United States Secret Service requests additional information under subparagraph (A), the United States Secret Service shall notify the agency or business entity not later than 10 business days after the date of receipt of the additional information whether an exemption under paragraph (1) is merited.

(b) SAFE HARBOR.—

(1) IN GENERAL.—An agency or business entity shall be exempt from the notice requirements under section 2, if—

(A) a risk assessment concludes that there is no significant risk that a security breach has resulted in, or will result in, harm to the individual whose sensitive personally identifiable information was subject to the security breach;

(B) without unreasonable delay, but not later than 45 days after the discovery of a se-

curity breach (unless extended by the United States Secret Service), the agency or business entity notifies the United States Secret Service, in writing, of—

(i) the results of the risk assessment; and

(ii) its decision to invoke the risk assessment exemption; and

(C) the United States Secret Service does not indicate, in writing, and not later than 10 business days after the date of receipt of the decision described in subparagraph (B)(ii), that notice should be given.

(2) PRESUMPTIONS.—There shall be a presumption that no significant risk of harm to the individual whose sensitive personally identifiable information was subject to a security breach if such information—

(A) was encrypted; or

(B) was rendered indecipherable through the use of best practices or methods, such as redaction, access controls, or other such mechanisms, that are widely accepted as an effective industry practice, or an effective industry standard.

(c) FINANCIAL FRAUD PREVENTION EXEMPTION.—

(1) IN GENERAL.—A business entity will be exempt from the notice requirement under section 2 if the business entity utilizes or participates in a security program that—

(A) is designed to block the use of the sensitive personally identifiable information to initiate unauthorized financial transactions before they are charged to the account of the individual; and

(B) provides for notice to affected individuals after a security breach that has resulted in fraud or unauthorized transactions.

(2) LIMITATION.—The exemption by this subsection does not apply if—

(A) the information subject to the security breach includes sensitive personally identifiable information, other than a credit card number or credit card security code, of any type; or

(B) the information subject to the security breach includes both the individual's credit card number and the individual's first and last name.

#### SEC. 4. METHODS OF NOTICE.

An agency, or business entity shall be in compliance with section 2 if it provides both:

(1) INDIVIDUAL NOTICE.—

(A) Written notification to the last known home mailing address of the individual in the records of the agency or business entity;

(B) telephone notice to the individual personally; or

(C) e-mail notice, if the individual has consented to receive such notice and the notice is consistent with the provisions permitting electronic transmission of notices under section 101 of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7001).

(2) MEDIA NOTICE.—Notice to major media outlets serving a State or jurisdiction, if the number of residents of such State whose sensitive personally identifiable information was, or is reasonably believed to have been, acquired by an unauthorized person exceeds 5,000.

#### SEC. 5. CONTENT OF NOTIFICATION.

(a) IN GENERAL.—Regardless of the method by which notice is provided to individuals under section 4, such notice shall include, to the extent possible—

(1) a description of the categories of sensitive personally identifiable information that was, or is reasonably believed to have been, acquired by an unauthorized person;

(2) a toll-free number—

(A) that the individual may use to contact the agency or business entity, or the agent of the agency or business entity; and

(B) from which the individual may learn what types of sensitive personally identifiable information the agency or business entity maintained about that individual; and

(3) the toll-free contact telephone numbers and addresses for the major credit reporting agencies.

(b) ADDITIONAL CONTENT.—Notwithstanding section 10, a State may require that a notice under subsection (a) shall also include information regarding victim protection assistance provided for by that State.

#### SEC. 6. COORDINATION OF NOTIFICATION WITH CREDIT REPORTING AGENCIES.

If an agency or business entity is required to provide notification to more than 5,000 individuals under section 2(a), the agency or business entity shall also notify all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis (as defined in section 603(p) of the Fair Credit Reporting Act (15 U.S.C. 1681a(p)) of the timing and distribution of the notices. Such notice shall be given to the consumer credit reporting agencies without unreasonable delay and, if it will not delay notice to the affected individuals, prior to the distribution of notices to the affected individuals.

#### SEC. 7. NOTICE TO LAW ENFORCEMENT.

(a) SECRET SERVICE.—Any business entity or agency shall notify the United States Secret Service of the fact that a security breach has occurred if—

(1) the number of individuals whose sensitive personally identifying information was, or is reasonably believed to have been acquired by an unauthorized person exceeds 10,000;

(2) the security breach involves a database, networked or integrated databases, or other data system containing the sensitive personally identifiable information of more than 1,000,000 individuals nationwide;

(3) the security breach involves databases owned by the Federal Government; or

(4) the security breach involves primarily sensitive personally identifiable information of individuals known to the agency or business entity to be employees and contractors of the Federal Government involved in national security or law enforcement.

(b) NOTICE TO OTHER LAW ENFORCEMENT AGENCIES.—The United States Secret Service shall be responsible for notifying—

(1) the Federal Bureau of Investigation, if the security breach involves espionage, foreign counterintelligence, information protected against unauthorized disclosure for reasons of national defense or foreign relations, or Restricted Data (as that term is defined in section 11y of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y))), except for offenses affecting the duties of the United States Secret Service under section 3056(a) of title 18, United States Code;

(2) the United States Postal Inspection Service, if the security breach involves mail fraud; and

(3) the attorney general of each State affected by the security breach.

(c) TIMING OF NOTICES.—The notices required under this section shall be delivered as follows:

(1) Notice under subsection (a) shall be delivered as promptly as possible, but not later than 14 days after discovery of the events requiring notice.

(2) Notice under subsection (b) shall be delivered not later than 14 days after the United States Secret Service receives notice of a security breach from an agency or business entity.



**SEC. 8. ENFORCEMENT.**

(a) **CIVIL ACTIONS BY THE ATTORNEY GENERAL.**—The Attorney General may bring a civil action in the appropriate United States district court against any business entity that engages in conduct constituting a violation of this Act and, upon proof of such conduct by a preponderance of the evidence, such business entity shall be subject to a civil penalty of not more than \$1,000 per day per individual whose sensitive personally identifiable information was, or is reasonably believed to have been, accessed or acquired by an unauthorized person, up to a maximum of \$1,000,000 per violation, unless such conduct is found to be willful or intentional.

(b) **INJUNCTIVE ACTIONS BY THE ATTORNEY GENERAL.**—

(1) **IN GENERAL.**—If it appears that a business entity has engaged, or is engaged, in any act or practice constituting a violation of this Act, the Attorney General may petition an appropriate district court of the United States for an order—

- (A) enjoining such act or practice; or
- (B) enforcing compliance with this Act.

(2) **ISSUANCE OF ORDER.**—A court may issue an order under paragraph (1), if the court finds that the conduct in question constitutes a violation of this Act.

(c) **OTHER RIGHTS AND REMEDIES.**—The rights and remedies available under this Act are cumulative and shall not affect any other rights and remedies available under law.

(d) **FRAUD ALERT.**—Section 605A(b)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681c-1(b)(1)) is amended by inserting “, or evidence that the consumer has received notice that the consumer’s financial information has or may have been compromised,” after “identity theft report”.

**SEC. 9. ENFORCEMENT BY STATE ATTORNEYS GENERAL.**

(a) **IN GENERAL.**—

(1) **CIVIL ACTIONS.**—In any case in which the attorney general of a State or any State or local law enforcement agency authorized by the State attorney general or by State statute to prosecute violations of consumer protection law, has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the engagement of a business entity in a practice that is prohibited under this Act, the State or the State or local law enforcement agency on behalf of the residents of the agency’s jurisdiction, may bring a civil action on behalf of the residents of the State or jurisdiction in a district court of the United States of appropriate jurisdiction or any other court of competent jurisdiction, including a State court, to—

- (A) enjoin that practice;
- (B) enforce compliance with this Act; or
- (C) obtain civil penalties of not more than \$1,000 per day per individual whose sensitive personally identifiable information was, or is reasonably believed to have been, accessed or acquired by an unauthorized person, up to a maximum of \$1,000,000 per violation, unless such conduct is found to be willful or intentional.

(2) **NOTICE.**—

(A) **IN GENERAL.**—Before filing an action under paragraph (1), the attorney general of the State involved shall provide to the Attorney General of the United States—

- (i) written notice of the action; and
- (ii) a copy of the complaint for the action.

(B) **EXEMPTION.**—

(1) **IN GENERAL.**—Subparagraph (A) shall not apply with respect to the filing of an ac-

tion by an attorney general of a State under this Act, if the State attorney general determines that it is not feasible to provide the notice described in such subparagraph before the filing of the action.

(ii) **NOTIFICATION.**—In an action described in clause (i), the attorney general of a State shall provide notice and a copy of the complaint to the Attorney General at the time the State attorney general files the action.

(b) **FEDERAL PROCEEDINGS.**—Upon receiving notice under subsection (a)(2), the Attorney General shall have the right to—

(1) move to stay the action, pending the final disposition of a pending Federal proceeding or action;

(2) initiate an action in the appropriate United States district court under section 8 and move to consolidate all pending actions, including State actions, in such court;

(3) intervene in an action brought under subsection (a)(2); and

(4) file petitions for appeal.

(c) **PENDING PROCEEDINGS.**—If the Attorney General has instituted a proceeding or action for a violation of this Act or any regulations thereunder, no attorney general of a State may, during the pendency of such proceeding or action, bring an action under this Act against any defendant named in such criminal proceeding or civil action for any violation that is alleged in that proceeding or action.

(d) **RULE OF CONSTRUCTION.**—For purposes of bringing any civil action under subsection (a), nothing in this Act regarding notification shall be construed to prevent an attorney general of a State from exercising the powers conferred on such attorney general by the laws of that State to—

- (1) conduct investigations;
- (2) administer oaths or affirmations; or
- (3) compel the attendance of witnesses or the production of documentary and other evidence.

(e) **VENUE; SERVICE OF PROCESS.**—

(1) **VENUE.**—Any action brought under subsection (a) may be brought in—

(A) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(B) another court of competent jurisdiction.

(2) **SERVICE OF PROCESS.**—In an action brought under subsection (a), process may be served in any district in which the defendant—

- (A) is an inhabitant; or
- (B) may be found.

(f) **NO PRIVATE CAUSE OF ACTION.**—Nothing in this Act establishes a private cause of action against a business entity for violation of any provision of this Act.

**SEC. 10. EFFECT ON FEDERAL AND STATE LAW.**

The provisions of this Act shall supersede any other provision of Federal law or any provision of law of any State relating to notification by a business entity engaged in interstate commerce or an agency of a security breach, except as provided in section 5(b).

**SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary to cover the costs incurred by the United States Secret Service to carry out investigations and risk assessments of security breaches as required under this Act.

**SEC. 12. REPORTING ON RISK ASSESSMENT EXEMPTIONS.**

(a) **IN GENERAL.**—The United States Secret Service shall report to Congress not later than 18 months after the date of enactment

of this Act, and upon the request by Congress thereafter, on—

(1) the number and nature of the security breaches described in the notices filed by those business entities invoking the risk assessment exemption under section 3(b) of this Act and the response of the United States Secret Service to such notices; and

(2) the number and nature of security breaches subject to the national security and law enforcement exemptions under section 3(a) of this Act.

(b) **REPORT.**—Any report submitted under subsection (a) shall not disclose the contents of any risk assessment provided to the United States Secret Service under this Act.

**SEC. 13. DEFINITIONS.**

In this Act, the following definitions shall apply:

(1) **AGENCY.**—The term “agency” has the same meaning given such term in section 551 of title 5, United States Code.

(2) **AFFILIATE.**—The term “affiliate” means persons related by common ownership or by corporate control.

(3) **BUSINESS ENTITY.**—The term “business entity” means any organization, corporation, trust, partnership, sole proprietorship, unincorporated association, venture established to make a profit, or nonprofit, and any contractor, subcontractor, affiliate, or licensee thereof engaged in interstate commerce.

(4) **ENCRYPTED.**—The term “encrypted”—

(A) means the protection of data in electronic form, in storage or in transit, using an encryption technology that has been adopted by an established standards setting body which renders such data indecipherable in the absence of associated cryptographic keys necessary to enable decryption of such data; and

(B) includes appropriate management and safeguards of such cryptographic keys so as to protect the integrity of the encryption.

(5) **PERSONALLY IDENTIFIABLE INFORMATION.**—The term “personally identifiable information” means any information, or compilation of information, in electronic or digital form serving as a means of identification, as defined by section 1028(d)(7) of title 18, United States Code.

(6) **SECURITY BREACH.**—

(A) **IN GENERAL.**—The term “security breach” means compromise of the security, confidentiality, or integrity of computerized data through misrepresentation or actions that result in, or there is a reasonable basis to conclude has resulted in, acquisition of or access to sensitive personally identifiable information that is unauthorized or in excess of authorization.

(B) **EXCLUSION.**—The term “security breach” does not include—

(i) a good faith acquisition of sensitive personally identifiable information by a business entity or agency, or an employee or agent of a business entity or agency, if the sensitive personally identifiable information is not subject to further unauthorized disclosure; or

(ii) the release of a public record not otherwise subject to confidentiality or nondisclosure requirements.

(7) **SENSITIVE PERSONALLY IDENTIFIABLE INFORMATION.**—The term “sensitive personally identifiable information” means any information or compilation of information, in electronic or digital form that includes—

(A) an individual’s first and last name or first initial and last name in combination with any 1 of the following data elements:

(i) A non-truncated social security number, driver’s license number, passport number, or alien registration number.

(ii) Any 2 of the following:

(I) Home address or telephone number.

(II) Mother's maiden name, if identified as such.

(III) Month, day, and year of birth.

(iii) Unique biometric data such as a finger print, voice print, a retina or iris image, or any other unique physical representation.

(iv) A unique account identifier, electronic identification number, user name, or routing code in combination with any associated security code, access code, or password that is required for an individual to obtain money, goods, services or any other thing of value; or

(B) a financial account number or credit or debit card number in combination with any security code, access code or password that is required for an individual to obtain credit, withdraw funds, or engage in a financial transaction.

#### SEC. 14. EFFECTIVE DATE.

This Act shall take effect on the expiration of the date which is 90 days after the date of enactment of this Act.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 237—EX-PRESSING THE SENSE OF THE SENATE REGARDING COMING TOGETHER AS A NATION AND CEASING ALL WORK OR OTHER ACTIVITY FOR A MOMENT OF REMEMBRANCE BEGINNING AT 1:00 PM EASTERN DAYLIGHT TIME ON SEPTEMBER 11, 2011, IN HONOR OF THE 10TH ANNIVERSARY OF THE TERRORIST ATTACKS COMMITTED AGAINST THE UNITED STATES ON SEPTEMBER 11, 2001

Mr. LAUTENBERG (for himself, Mr. TOOMEY, Mr. MENENDEZ, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. CASEY, Mr. LIEBERMAN, Mr. BLUMENTHAL, Mr. WEBB, Mr. WARNER, Mr. REID of Nevada, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED of Rhode Island, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER,

Mr. RUBIO, Mr. SANDERS, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

#### S. RES. 237

Whereas at 8:46 AM, on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York;

Whereas 17 minutes later, at 9:03 AM, hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center;

Whereas at 9:37 AM, the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense;

Whereas at approximately 10:00 AM, the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others;

Whereas nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001;

Whereas tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed;

Whereas countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events;

Whereas the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history;

Whereas the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day;

Whereas the New York Police Department suffered 23 fatalities as a result of the terrorist attacks;

Whereas the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored;

Whereas 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day;

Whereas 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States;

Whereas on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001, and their families;

Whereas the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life;

Whereas in December 2001, Congress and the President joined together to designate

September 11 as Patriot Day (Public Law 107-89);

Whereas in September 2002, and each September thereafter through September 2008, President Bush issued Proclamations 7590, 7702, 7812, 7929, 8047, 8174, and 8286 (67 Fed. Reg. 57125; 68 Fed. Reg. 53013; 69 Fed. Reg. 55717; 70 Fed. Reg. 54467; 71 Fed. Reg. 53959; 72 Fed. Reg. 51553; 73 Fed. Reg. 52773) proclaiming September 11 of that year, respectively, as Patriot Day;

Whereas in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460);

Whereas in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

Whereas September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation;

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks;

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives;

(4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States;

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

(6) on the 10th anniversary of this tragic day in United States history—

(A) calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including—

- (i) media outlets;
- (ii) houses of worship;
- (iii) military organizations;
- (iv) veterans organizations;
- (v) airlines;
- (vi) airports;
- (vii) railroads;
- (viii) sports teams;
- (ix) the Federal Government;
- (x) State and local governments;
- (xi) police, fire, and other public institutions;
- (xii) educational institutions;
- (xiii) businesses; and
- (xiv) other public and private institutions; and

(B) encourages the observance of the moment of remembrance or prayer to last for 1 minute beginning at 1:00 PM Eastern Daylight Time by, to the maximum extent practicable—

(i) ceasing all work or other activity; and  
 (ii) marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

#### PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that two fellows in Senator BINGAMAN's office, Charlayne Hayling and Sandra Wilkniss, be granted floor privileges during consideration of H.R. 2560.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### GOVERNMENT CHARGE CARD ABUSE PREVENTION ACT OF 2011

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 104, S. 300.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 300) to prevent abuse of Government charge cards.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 300

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Government Charge Card Abuse Prevention Act of 2011".

#### SEC. 2. MANAGEMENT OF PURCHASE CARDS.

(a) **REQUIRED SAFEGUARDS AND INTERNAL CONTROLS.**—The head of each executive agency that issues and uses purchase cards and convenience checks shall establish and maintain safeguards and internal controls to ensure the following:

(1) There is a record in each executive agency of each holder of a purchase card issued by the agency for official use, annotated with the limitations on single transactions and total transactions that are applicable to the use of each such card or check by that purchase cardholder.

(2) Each purchase cardholder and individual issued a convenience check is assigned an approving official other than the cardholder with the authority to approve or disapprove transactions.

(3) The holder of a purchase card and each official with authority to authorize expenditures charged to the purchase card are responsible for—

(A) reconciling the charges appearing on each statement of account for that purchase card with receipts and other supporting documentation; and

(B) forwarding such reconciliation to the certifying official in a timely manner to enable the certifying official to ensure that the Federal Government ultimately pays only for valid charges.

(4) Any disputed purchase card charge, and any discrepancy between a receipt and other supporting documentation and the purchase card statement of account, is resolved in the manner prescribed in the applicable governmentwide purchase card contract entered into by the Administrator of General Services and in accordance with all laws and executive agency regulations.

(5) Payments on purchase card accounts are made promptly within prescribed deadlines to avoid interest penalties.

(6) Rebates and refunds based on prompt payment, sales volume, or other actions by the agency on purchase card accounts are reviewed for accuracy and properly recorded as a receipt to the agency that pays the monthly bill.

(7) Records of each purchase card transaction (including records on associated contracts, reports, accounts, and invoices) are retained in accordance with standard Government policies on the disposition of records.

(8) Periodic reviews are performed to determine whether each purchase cardholder has a need for the purchase card.

(9) Appropriate training regarding the proper use of purchase cards is provided to each purchase cardholder in advance of being issued a purchase card and periodically thereafter and to each official with responsibility for overseeing the use of purchase cards issued by an executive agency in advance of assuming such oversight duties and periodically thereafter.

(10) The executive agency has specific policies regarding the number of purchase cards issued by various component organizations and categories of component organizations, the credit limits authorized for various categories of cardholders, and categories of employees eligible to be issued purchase cards, and that those policies are designed to minimize the financial risk to the Federal Government of the issuance of the purchase cards and to ensure the integrity of purchase cardholders.

(11) The executive agency utilizes effective systems, techniques, and technologies to prevent or identify fraudulent purchases.

(12) The executive agency invalidates the purchase card of each employee who—

(A) ceases to be employed by the agency, immediately upon termination of the employment of the employee; or

(B) transfers to another unit of the agency immediately upon the transfer of the employee unless the agency determines that the units are covered by the same purchase card authority.

(13) The executive agency takes steps to recover the cost of any erroneous, improper, or illegal purchase made with a purchase card or convenience check by an employee, including, as necessary, through salary offsets.

(b) **GUIDANCE ON MANAGEMENT OF PURCHASE CARDS.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall review the existing guidance and, as necessary, prescribe additional guidance governing the implementation of the safeguards and internal controls required by subsection (a) by executive agencies.

(c) **PENALTIES FOR VIOLATIONS.**—

(1) **IN GENERAL.**—The head of each executive agency shall provide for appropriate adverse personnel actions or other punishment to be imposed in cases in which employees of the agency violate agency policies implementing the guidance required by subsection (b) or make improper, erroneous, or illegal purchases with purchase cards or convenience checks.

(2) **DISMISSAL.**—Penalties prescribed for employee misuse of purchase cards or convenience checks shall include dismissal of the employee, as appropriate.

(3) **REPORTS ON VIOLATIONS.**—The guidance prescribed under subsection (b) shall direct each head of an executive agency with more than \$10,000,000 in purchase card spending annually, and each Inspector General of such an executive agency, on a semiannual basis, to submit to the Director of the Office of Management and Budget a joint report on violations or other actions covered by paragraph (1) by employees of such executive agency. At a minimum, the report shall set forth the following:

(A) A description of each violation.

(B) A description of any adverse personnel action, punishment, other action taken against the employee for such violation.

(d) **RISK ASSESSMENTS AND AUDITS.**—The Inspector General of each executive agency shall—

(1) conduct periodic assessments of the agency purchase card or convenience check programs to identify and analyze risks of illegal, improper, or erroneous purchases and payments in order to develop a plan for using such risk assessments to determine the scope, frequency, and number of periodic audits of purchase card or convenience check transactions;

(2) perform analysis or audits, as necessary, of purchase card transactions designed to identify—

(A) potentially illegal, improper, erroneous, and abusive uses of purchase cards;

(B) any patterns of such uses; and

(C) categories of purchases that could be made by means other than purchase cards in order to better aggregate purchases and obtain lower prices (excluding transactions made under card-based strategic sourcing arrangements);

(3) report to the head of the executive agency concerned on the results of such analysis or audits; and

(4) report to the Director of the Office of Management and Budget on the implementation of recommendations made to the head of the executive agency to address findings of any analysis or audit of purchase card and convenience check transactions or programs for compilation and transmission by the Director to Congress and the Comptroller General.

(e) **DEFINITION OF EXECUTIVE AGENCY.**—In this section, the term "executive agency" has the meaning given such term in section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1)) 133 of title 41, *United States Code*, except as provided under subsection (f)(1).

(f) **RELATIONSHIP TO DEPARTMENT OF DEFENSE PURCHASE CARD REGULATIONS.**—

(1) **IN GENERAL.**—The requirements of subsections (a) through (d) shall not apply to the Department of Defense.

(2) **CONFORMING AMENDMENTS.**—Section 2784 of title 10, *United States Code*, is amended—

(A) in subsection (b), by adding at the end the following new paragraphs:

"(11) That each purchase cardholder and individual issued a convenience check is assigned an approving official other than the cardholder with the authority to approve or disapprove transactions.

"(12) That the Department of Defense utilizes effective systems, techniques, and technologies to prevent or identify fraudulent purchases.

"(13) That the Department of Defense takes appropriate steps to invalidate the purchase card of each employee who—

“(A) ceases to be employed by the Department of Defense, immediately upon termination of the employment of the employee; or

“(B) transfers to another unit of the Department of Defense immediately upon the transfer of the employee unless the Secretary of Defense determines that the units are covered by the same purchase card authority.

“(14) That the Department of Defense takes appropriate steps to recover the cost of any erroneous, improper, or illegal purchase made with a purchase card or convenience check by an employee, including, as necessary, through salary offsets.

“(15) That the Inspector General of the Department of Defense conducts periodic assessments of purchase card or convenience check programs to identify and analyze risks of illegal, improper, or erroneous purchases and payments and uses such risk assessments to develop appropriate recommendations for corrective actions.”; and

(B) by adding at the end the following new subsection:

“(d) SEMI-ANNUAL REPORT.—The Secretary of Defense and the Inspector General of the Department of Defense, shall submit to the Director of the Office of Management and Budget on a semiannual basis a joint report on illegal, improper, or erroneous purchases and payments made with purchase cards or convenience checks by employees of the Department of Defense. At a minimum, the report shall include the following:

“(1) A description of each violation.

“(2) A description of any adverse personnel action, punishment, or other action taken against the employee for such violation.

“(3) A description of actions taken by the Department of Defense to address recommendations made to address findings arising out of risk assessments and audits conducted pursuant to this section.”.

### SEC. 3. MANAGEMENT OF TRAVEL CARDS.

Section 2 of the Travel and Transportation Reform Act of 1998 (Public Law 105-264; 5 U.S.C. 5701 note) is amended by adding at the end the following new subsection:

“(h) MANAGEMENT OF TRAVEL CHARGE CARDS.—

“(1) REQUIRED SAFEGUARDS AND INTERNAL CONTROLS.—The head of each executive agency that has employees that use travel charge cards shall establish and maintain the following internal control activities to ensure the proper, efficient, and effective use of such travel charge cards:

“(A) There is a record in each executive agency of each holder of a travel charge card issued on behalf of the agency for official use, annotated with the limitations on amounts that are applicable to the use of each such card by that travel charge cardholder.

“(B) Rebates and refunds based on prompt payment, sales volume, or other actions by the agency on travel charge card accounts are monitored for accuracy and properly recorded as a receipt of the agency that employs the cardholder.

“(C) Periodic reviews are performed to determine whether each travel charge cardholder has a need for the travel charge card.

“(D) Appropriate training is provided to each travel charge cardholder and each official with responsibility for overseeing the use of travel charge cards issued by [an] the executive agency.

“(E) Each executive agency has specific policies regarding the number of travel charge cards issued for various component organizations and categories of component

organizations, the credit limits authorized for various categories of cardholders, and categories of employees eligible to be issued travel charge cards, and designs those policies to minimize the financial risk to the Federal Government of the issuance of the travel charge cards and to ensure the integrity of travel charge cardholders.

“(F) Each executive agency ensures its contractual arrangement with each servicing travel charge card issuing contractor contains a requirement to evaluate the creditworthiness of an individual before issuing that individual a travel charge card, and that no individual be issued a travel charge card if that individual is found not creditworthy as a result of the evaluation (except that this paragraph shall not preclude issuance of a restricted use travel charge card or pre-paid card when the individual lacks a credit history or has a credit score below the minimum credit score established by the Office of Management and Budget). The Director of the Office of Management and Budget shall establish a minimum credit score for determining the creditworthiness of an individual based on rigorous statistical analysis of the population of cardholders and historical behaviors. Notwithstanding any other provision of law, such evaluation shall include an assessment of an individual’s consumer report from a consumer reporting agency as those terms are defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a).

“(G) Each executive agency utilizes effective systems, techniques, and technologies to prevent or identify improper purchases.

“(H) Each executive agency ensures that the travel charge card of each employee who ceases to be employed by the agency is invalidated immediately upon termination of the employment of the employee.

“(I) Each executive agency utilizes, where appropriate, direct payment to the holder of the travel card contract.

“(2) GUIDANCE ON MANAGEMENT OF TRAVEL CHARGE CARDS.—Not later than 180 days after the date of the enactment of the Government Charge Card Abuse Prevention Act of 2011, the Director of the Office of Management and Budget shall review the existing guidance and, as necessary, prescribe additional guidance for executive agencies governing the implementation of the requirements in paragraph (1).

“(3) PENALTIES FOR VIOLATIONS.—

“(A) IN GENERAL.—Consistent with the guidance prescribed under paragraph (2), each executive agency shall provide for appropriate adverse personnel actions to be imposed in cases in which employees of the executive agency fail to comply with applicable travel charge card terms and conditions or applicable agency regulations or commit fraud with respect to a travel charge card, including removal in appropriate cases.

“(B) REPORTS ON VIOLATIONS.—The guidance prescribed under paragraph (2) shall require each head of an executive agency with more than \$10,000,000 in travel card spending annually, and each inspector general of such an executive agency, on a semiannual basis, to submit to the Director of the Office of Management and Budget a joint report on violations or other actions covered by subparagraph (A) by employees of such executive agency. At a minimum, the report shall set forth the following:

“(i) A description of each violation.

“(ii) A description of any adverse personnel action, punishment, or other action taken against the employee for such violation or other action.

“(4) RISK ASSESSMENTS AND AUDITS.—The inspector general of each executive agency shall—

“(A) conduct periodic assessments of the agency travel charge card program and associated internal controls to identify and analyze risks of illegal, improper, or erroneous travel charges and payments in order to develop a plan for using such risk assessments to determine the scope, frequency, and number of periodic audits of travel charge card transactions;

“(B) perform periodic analysis and audits, as appropriate, of travel charge card transactions designed to identify potentially improper, erroneous, and illegal uses of travel charge cards;

“(C) report to the head of the executive agency concerned on the results of such analysis and audits; and

“(D) report to the Director of the Office of Management and Budget on the implementation of recommendations made to the head of the executive agency to address findings of any analysis or audit of travel charge card transactions or programs for compilation and transmission by the Director to Congress and the Comptroller General.

“(5) DEFINITIONS.—In this subsection:

“(A) The term ‘executive agency’ means an agency as that term is defined in subparagraphs (A) and (B) of section 5701(1) of title 5, United States Code.

“(B) The term ‘travel charge card’ means any Federal contractor-issued travel charge card that is individually billed to each cardholder.”.

### SEC. 4. MANAGEMENT OF CENTRALLY BILLED ACCOUNTS.

(a) REQUIRED INTERNAL CONTROLS FOR CENTRALLY BILLED ACCOUNTS.—The head of an executive agency that has employees who use a travel charge card that is billed directly to the United States Government shall establish and maintain the following internal control activities:

(1) Items submitted on an employee’s travel voucher shall be compared with items paid for using a centrally billed account on any related travel to ensure that an employee is not reimbursed for an item already paid for by the United States Government through a centrally billed account.

(2) The executive agency shall dispute unallowable and erroneous charges and track the status of the disputed transactions to ensure appropriate resolution.

(3) The executive agency shall submit requests to servicing airlines for refunds of fully or partially unused tickets, when entitled to such refunds, and track the status of unused tickets to ensure appropriate resolution.

(b) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall review the existing guidance and, as necessary, prescribe additional guidance for executive agencies implementing the requirements of subsection (a).

### SEC. 5. CONSTRUCTION.

Nothing in this Act shall be construed to excuse the head of an executive agency from the responsibilities set out in section 3512 of title 31, United States Code, or in the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

Mr. DURBIN. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any

statements relating to the matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The bill (S. 300), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that on Monday, July 25, 2011, at 4:30 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 83 and 84; that there be 1 hour for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on Calendar Nos. 83 and 84 in that order; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR MONDAY, JULY 25, 2011

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, July 25; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks the Senate be in a period of morning business until 4:30 p.m. with Senators permitted to speak for up to 10 minutes each; further, that at 4:30 p.m., the Senate observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police

who were killed 13 years ago in the line of duty defending this Capitol, the people who work here, and its visitors against an armed intruder; finally, I ask unanimous consent that following morning business, the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. DURBIN. Mr. President, the first rollcall vote next week will be at approximately 5:30 p.m. on confirmation of the nomination of Paul A. Engelmayer to be U.S. District Judge for the Southern District of New York.

#### ADJOURNMENT UNTIL MONDAY, JULY 25, 2011, AT 2 P.M.

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 2:44 p.m., adjourned until Monday, July 25, 2011, at 2 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### NATIONAL INSTITUTE OF BUILDING SCIENCES

JAMES T. RYAN, OF UTAH, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2013. VICE JAMES BROADDUS, RESIGNED.

##### EXPORT-IMPORT BANK OF THE UNITED STATES

LARRY W. WALTHER, OF ARKANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2013. VICE J. JOSEPH GRANDMAISON, TERM EXPIRED.

##### DEPARTMENT OF STATE

MARY B. DEROSA, OF THE DISTRICT OF COLUMBIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SIXTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

FRANK E. LOY, OF THE DISTRICT OF COLUMBIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SIXTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

KENDRICK B. MEEK, OF FLORIDA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SIXTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED

WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

MAJ. GEN. JOSEPH E. MARTZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

LT. GEN. MICHAEL FERRITER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

LT. GEN. ROBERT L. CASLEN, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

MAJ. GEN. DAVID G. PERKINS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be major general*

BRIG. GEN. BERT K. MIZUSAWA

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### *To be brigadier general*

COL. BRIAN R. COPES

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF NAVAL OPERATIONS, UNITED STATES NAVY AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5033:

##### *To be admiral*

ADM. JONATHAN W. GREENERT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF NAVAL OPERATIONS, UNITED STATES NAVY AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5035:

##### *To be admiral*

VICE ADM. MARK E. FERGUSON III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be vice admiral*

VICE ADM. HARRY B. HARRIS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be admiral*

VICE ADM. CECIL E. D. HANBY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be vice admiral*

REAR ADM. SCOTT H. SWIFT

## HOUSE OF REPRESENTATIVES—Friday, July 22, 2011

The House met at 9 a.m. and was called to order by the Speaker.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Compassionate and merciful God, we give You thanks for giving us another day.

As this House comes together at the end of a long week, bless the work of its Members. Give them strength, fortitude, and patience. Fill their hearts with charity, their minds with understanding, and their wills with courage to do the right thing for all of America.

The work that they have is difficult work. May they rise together to accomplish what is best for our great Nation and, indeed, for all the world, for You have blessed us with many graces and have given us the responsibility of being a light shining on a hill.

May all that is done this day be for Your greater honor and glory. Amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. FITZPATRICK) come forward and lead the House in the Pledge of Allegiance.

Mr. FITZPATRICK led the Pledge of Allegiance as follows:

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

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

### GENERAL AVIATION

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

Mr. POMPEO. Mr. Speaker, President Obama has systematically and recklessly attacked the general aviation industry. It's one of America's last remaining great manufacturing industries, employing over 1.2 million people

and contributing \$150 billion in economic activity each year. He has demonized its users and drawn a line in the sand for higher taxes.

And whom is President Obama hurting? Bill Gates? Warren Buffett? No. He's hurting line workers in Wichita, Kansas, and all over the country. He's hurting small business owners trying to get from Topeka to Des Moines to close a business deal.

These attacks on our industry are only a diversion, a distraction from the failed economic policies of this administration. His policies have left us with a \$1.6 trillion deficit this year alone and a loss of over 2 million jobs during his time in office.

Mr. Speaker, the aviation industry is not asking for a bailout like he gave the auto guys. Just leave us alone. Get out of the way. We have a community that just wants to create jobs and grow our economy. That may not be your agenda, Mr. President, but it is certainly mine.

### THE CHAINED CPI

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

Mr. KUCINICH. The latest attack on elderly beneficiaries of Social Security is a scheme by which seniors' cost of living benefits would be cut through something called a "chained" consumer price index—the CPI—chained involves a formula which recalculates the cost of living.

The theory behind the chained CPI is that as the cost of living goes up, consumers—in this case, seniors—buy cheaper products. For example, if poor seniors cannot afford to buy and eat steak but can only afford to buy and eat cheaper cat food, their cost of living benefit would be chained to the cost of the cat food because it's cheaper than steak; and as a result, seniors will see their cost of living benefit reduced to the cheaper product and get a smaller Social Security check.

The chained CPI sets up seniors for a reduced standard of living. If you must afford less, you get less Social Security benefits.

The chained CPI, chaining seniors to poverty. It's time to break those chains.

### COMMEMORATING THE LIFE AND SERVICE OF MASTER SERGEANT KENNETH B. ELWELL

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

Mr. FITZPATRICK. Madam Speaker, today I have the high honor and solemn task of rising to commemorate the life and service of Master Sergeant Kenneth Elwell, who was killed in action in Afghanistan this past Sunday.

Sergeant Elwell, who enlisted in the Army shortly after his graduation from Council Rock North High School, was killed along with a fellow infantryman by an IED during a routine foot patrol in Kandahar on the morning of July 17. He leaves behind a wife Kristen and two children, Elise and Nicholas of Fort Wainwright, Alaska; his mother Janice of Holland, Bucks County, Pennsylvania; and countless other family and friends whose lives he touched.

While those close to Sergeant Elwell have lost a husband, father, son, brother, and friend, America too has lost a hero. He served our Nation because he loved our Nation. His sister summed up his services perfectly when she said, "He did what he loved, so we could do the simple, everyday things that we take for granted." And although the grief of the family must be overwhelming, I hope that they're able to take a measure of solace in the gratitude of the Nation that Kenneth died defending.

Tonight his community will honor and remember him, but it is the duty of all of us here in Congress and across our grateful Nation to never forget his ultimate sacrifice and the family that he leaves behind.

### COMMEMORATING LIBERIAN INDEPENDENCE DAY

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

Mr. CICILLINE. Madam Speaker, I rise to honor and recognize the rich history of Liberia as we mark Liberian Independence Day on July 26. We honor people of Liberia and those individuals of proud Liberian descent who are celebrating 164 years of independence.

Today we celebrate a great country, its people, their traditions, and the mark they have made on cities like Providence, Rhode Island, and others, making them great places to live, work, and raise families. Rhode Island's flourishing Liberian community has played an important role in making the State what it is today, and I would like to thank them for their great contributions. I am proud to honor your heritage and the difference you have made in our State and in this country.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Recently, along with my colleagues here in the Congress, I had the opportunity to welcome the President of the Republic of Liberia, Her Excellency Ellen Johnson Sirleaf, to Washington and confirmed our support for Liberian peace efforts. May we continue to be inspired to support the people of Liberia through their democratic tradition as we celebrate Liberian Independence Day.

#### IT'S TIME TO GET SERIOUS ABOUT THE DEFICIT

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, last night I had a town hall. Obviously I wasn't there; I had to be here. So we did it by way of Internet. And it was amazing how the consensus of those who were there was a request for those of us to take seriously our leadership responsibilities and do something about the fiscal mess we are in.

In answering them, I was thinking about what the President's bipartisan deficit commission leaders said about the plan we passed here in the House. They called it a serious, honest, straightforward approach to addressing our Nation's enormous fiscal challenges. It sounds like that's the answer to the questions that were being asked last night by our constituents.

Interestingly enough, there is a poll out, rendering an opinion by the American people on the Cut, Cap, and Balance bill that we passed here in the House. Over 60 percent of the American people happen to think it's a good idea. Perhaps we ought to stop the name calling and look at what the American people are telling us to do and get serious, as the President's bipartisan deficit commission said, and come up with a serious, honest, straightforward approach to addressing our Nation's enormous fiscal challenge.

#### REPRESENTING MY CONSTITUENTS

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

Mr. WALZ of Minnesota. Madam Speaker, I am told on a daily basis by my Republican colleagues what the American people want. I certainly respect the election certificates of my colleagues. I would ask they respect mine. I also am not sure where they find the time to travel to these other districts to hear what is being said. My colleagues and my constituents are telling me we were sent here to make democracy work, to come up with a balanced approach, and take this country's fiscal responsibilities seriously.

The poll the gentleman just mentioned, in the CBS poll that came out yesterday, two-thirds of the American public want a balanced approach. That means a combination of cuts to revenues to balance our fiscal crisis. With that being said, we have a large number of Members who take pledges, pledges to not raise taxes, pledges to not ask oil companies to pay one penny more. The only pledge a Member of this House should ever make is when they raise their hand to serve the Constitution and this country.

I'm also told many times in this House what the intent of our Founding Fathers was. Now, while that's open for debate, there is one thing I'm certainly positive about: When our Founders gathered together, they created a government, not a Wall Street bank.

□ 0910

#### AN EQUITABLE SOLUTION

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

Mr. DEFAZIO. In December the President caved to the Republicans and extended all the Bush tax cuts, immediately increasing this year's deficit by \$400 billion and the 10-year deficit by \$4 trillion, precipitating the great debt and deficit crisis.

Now we're hearing from the press today that the President is preparing yet another great cave. Instead of saying we will have some revenues to solve this problem, he is apparently about to cut a deal that will be all cuts.

So it's ironic. He cuts taxes to create a crisis, and then we cut spending to protect the tax cuts because tax cuts create jobs, except they haven't created jobs, but we've got to continue to protect them. It's all very, very sad.

If we get rid of all the Bush tax cuts—\$4 trillion—no cuts in Social Security, no cuts in Medicare, no cuts in veterans benefits, and \$4 trillion less in deficits, now, that would be an equitable solution.

#### TAX CUTS FOR THE WEALTHY

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

Mr. MURPHY of Connecticut. Madam Speaker, in the 5 years leading up to the economic collapse in 2008, 67 percent of the new wealth that was created in this Nation accumulated in the hands of the richest 1 percent. They now control about two-fifths of all the money in this Nation. But our Republican friends block them out of their line of sight when they look to see who can pay for our mounting deficit. They see only Social Security recipients and Medicare recipients, the disabled and the hungry.

It was bad enough that we were crazy enough as a Nation to fight two tril-

lion-dollar wars while cutting taxes for the wealthy at the same time. Now Republicans are asking only the most vulnerable to help pay for it and threatening to collapse the world's economy by defaulting on American debt at the same time.

I won't stand for it, Madam Speaker, and my constituents won't either. Social Security and Medicare recipients didn't get us into two mismanaged wars. They didn't get the benefit of the Bush tax cuts, and they shouldn't have to pay for it.

#### LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012

##### GENERAL LEAVE

Mr. CRENSHAW. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 2551, and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 359 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2551.

□ 0913

##### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, with Mrs. BIGGERT (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, July 21, 2011, amendment No. 11 printed in the House Report 112-173 offered by the gentleman from Arizona (Mr. FLAKE) had been disposed of.

##### AMENDMENT NO. 12 OFFERED BY MR. HOLT

The Acting CHAIR. Pursuant to the order of the House of Thursday, July 21, 2011, it is now in order to consider amendment No. 12 printed in House Report 112-173.

Mr. HOLT. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 211. There is appropriated, for salaries and expenses of the Office of Technology Assessment as authorized by the Technology Assessment Act of 1972 (2 U.S.C. 471 et seq.),



hereby derived from the amount provided in this Act for the payment to the House Historic Buildings Revitalization Trust Fund \$2,500,000.

The Acting CHAIR. Pursuant to House Resolution 359, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Madam Chair, for 23 years, Congress had the benefit of a really excellent organization, the Office of Technology Assessment. The OTA helped Congress look at the policy implications of new technologies. Then 16 years ago, OTA was defunded. When Congress turned out the lights, they argued that other organizations would provide what OTA did—think tanks, academies, universities.

We now have 16 years of evidence that we have not gotten from these other sources what we got from OTA. We need OTA now more than ever, and my amendment would shift a mere \$2.5 million into OTA to breathe life back into this important agency that had a great record of improving congressional decisionmaking, preventing tax dollar waste, and generally improving the debate on many policy issues.

OTA is still on the books; it was simply defunded and, with this amendment, can be funded again. The money comes from a well-funded, little used trust fund for Capitol building revitalization.

The OTA produced thorough, balanced nonpartisan studies on a huge variety of policy-relevant subjects. Listen to some of the reports, all produced by OTA in the years before it was defunded 16 years ago:

Adverse Reaction to Vaccines, Retiring Old Cars to Save Gasoline and Reduce Emissions, Environmental Impact of Bioenergy Crop Production, Testing in Schools, Treatment of Alzheimer's Disease.

Think about it; these studies, a few of the many on issues of great concern to us today, were written before 1995. The OTA was the best tool Congress has had to deal with our inability to look forward, to recognize and comprehend trends, to find perspective in problem solving—in other words, our congressional attention deficit disorder.

Sixteen years ago, Congress hoped to save money by cutting OTA, and, in the process, we lost one of our best opportunities to save money by avoiding costly mistakes. It is documented that OTA saved taxpayers several hundred million dollars by understanding the best IT system for use by the Social Security Administration, millions of dollars of savings through better Agent Orange programs, billions of dollars by avoiding a poorly constructed Synfuels Corporation.

Now, not every OTA project found favor with everyone. Some in Congress

did not like to hear OTA call into question some of the extravagant claims of the missile defense contractors. But history shows OTA was right, and the missile defense folks at the Pentagon have spent a decade working around the problems uncovered.

Some in Congress complained that OTA reports did not have the quick turnaround of, say, CRS, but that is just the point. OTA is the antidote to the myopia that comes from our very short attention cycle.

OTA never advocated policy solutions; it didn't play politics. These are our jobs, but we need help. OTA was of Congress and for Congress. They knew our language and our decisionmaking framework. That's why our organizations never really filled the void created by the defunding of OTA.

If we had a functioning OTA in recent years, I think there's little doubt that we could have been more aware of and better prepared to deal with looming shortages of vaccines, to incorporate new designs for flood control levees, to extend high quality medical care to rural regions, to employ effective techniques for oil spill cleanup, or to reduce the risks of cell phone hacking, to name just a few issues of current interest.

The Office of Technology Assistance is not, and never was, a panacea. However, it is the best institutional tool we have had to recognize the policy implications of technology trends, to digest arguments involving technology, to expose some of our own blind spots—in other words, to illuminate and inform our legislating.

We in Congress have not distinguished ourselves in recognizing and comprehending trends and implications of technology. Now, most of our colleagues here in this body do not know OTA ever existed. Most Members do not miss it. This shows, I think, just how badly we need it. Always the first step in dealing with a shortcoming is acknowledging that we have it. We badly need OTA.

I reserve the balance of my time.

□ 0920

Mr. CRENSHAW. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. CRENSHAW. Madam Chairman, I yield myself such time as I may consume.

I appreciate very much the gentleman from New Jersey's passion for this program. He mentioned that they turned out the lights in 1996, some 15 years ago, and I can't help but wonder why the lights haven't been turned on in the last 15 years.

I talked to the gentleman yesterday, and I didn't know much about the OTA, but I couldn't help but wonder why, in the midst of the financial mess that we

find our country in, he would pick this time to try to resuscitate a program that has lay sleeping for 15 years. I don't know whether he has tried every year to resuscitate this program and nobody was listening. I hope he has tried before. There were probably times when money was more plentiful and he might have had a better chance of bringing back a new program, a little more government, but I think this is just bad timing.

I told him that if he wants to continue to try to educate the Members and tell them what a wonderful program this was up until 1996, there may be some day that it would be resuscitated. But the Members should know that in 2008 we gave \$2.5 million to the Government Accountability Office to do these kind of technological assessments, and they've been doing that for the last 4 years.

Mr. HOLT. Will the gentleman yield?

Mr. CRENSHAW. I yield to the gentleman from New Jersey.

Mr. HOLT. In answer to your two questions, the first is, as I said, the fact that this body doesn't know that it lacks OTA is the strongest argument of how badly we need it.

Mr. CRENSHAW. Well, reclaiming my time, if this was simply a question of education, I hope the gentleman has been working diligently for the past few years as hard as he worked for the last 24 hours to make people aware and to crank this thing back up. But again, this is the wrong time to try to start a new government program.

Mr. HOLT. Will the gentleman yield further?

Mr. CRENSHAW. I yield to the gentleman.

Mr. HOLT. As for the funding, there is an offset from a little-used fund, a trust fund for building revitalization that is unlikely to be spent in the coming year.

Mr. CRENSHAW. Reclaiming my time, that's an interesting question too. I appreciate that question. And that \$30 million is there to use to make sure that we protect the health and safety of people in our buildings here.

So I understand it won't cost any more money, but it's just a brand-new Federal program that I think is not a good time to be trying to do that. Again, if you've been trying to do that for the last 15 years and no one has been listening, then it must not be all that great a program. But once again, I appreciate your being a champion of that, and maybe someday it will come back to life.

I reserve the balance of my time.

Mr. HOLT. Madam Chairman, I yield such time as he may consume to the gentleman from California (Mr. HONDA), the ranking member of the subcommittee.

The Acting CHAIR. The gentleman from California is recognized for 30 seconds.

Mr. HONDA. Madam Chair, to answer the question about whether it's a new program, it isn't. It was defunded back in '96.

Since 2008, through GAO, we have been trying to fund it through their end and build it up since then, but still a lot of folks didn't understand that this body really does need the kind of technological development in the public and private sector and harness outside experiences in the form of advisory panels and peer review, something that GAO and CRS cannot do, and we can do it through this program.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CRENSHAW. Madam Chairman, I would just simply say, as I urge my colleagues to vote "no" on this, again, I thank the gentleman for bringing it to our attention. It seems strange that it hasn't been funded for the last 15 years. I think this is not the year to crank it back up, resuscitate it. I think we have plenty of bipartisan research that's available to the Members. And maybe there are some private and non-private corporations, big foundations that might want to do this on a voluntarily basis. But again, I urge a negative vote.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CRENSHAW. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

Mr. DICKS. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I yield to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

Madam Chair, I want to speak about an amendment Mr. MORAN is about to offer. This is about the use of Styrofoam in our cafeterias. You may remember that in 2007, then-Speaker NANCY PELOSI established the Greening the Capitol program, and the goal was to make the U.S. House of Representatives a national leader in resource stewardship and sustainable business practices, and we made significant progress.

One of the places where we made progress was we replaced the Styrofoam in the cafeteria and used recyclable dishware. We are now back to Styrofoam. McDonalds doesn't use Styrofoam. Years ago, McDonalds and other fast food restaurants replaced Styrofoam with recyclable paperboard

containers. There is no reason we can't do that. There is no reason we shouldn't do it.

Polystyrene is practically unrecyclable. Most polystyrene containers end up in landfills and incinerators. There are cancer-causing chemicals that are used during its manufacture. In 1986, the EPA report on solid waste named polystyrene manufacturing the fifth largest creator of hazardous waste.

We should adopt the Moran amendment and do it the right way.

Mr. DICKS. Madam Chair, I yield back the balance of my time.

AMENDMENT NO. 9 OFFERED BY MR. MORAN

The Acting CHAIR. Pursuant to the order of the House of Thursday, July 21, 2011, it is now in order to consider amendment No. 9 printed in House Report 112-173.

Mr. MORAN. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title) insert the following:

LIMITATION ON USE OF FUNDS FOR  
POLYSTYRENE CONTAINERS

SEC. 211. None of the funds made available in this Act may be used to obtain polystyrene containers for use in food service facilities of the House of Representatives.

The Acting CHAIR. Pursuant to House Resolution 359, the gentleman from Virginia (Mr. MORAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. MORAN. Madam Chairman, at the beginning of the year, the House did away with the composting program that had been part of the Green the Capitol Initiative. It has been a success. People around the country were watching it and in fact following the example that we set. But at the beginning of the year, as I say, the House of Representatives instituted the use of polystyrene containers instead of clean, biodegradable material.

My amendment would limit the use of funds made available by this Legislative Branch appropriations bill to obtain polystyrene products in our food service facilities. We should show our commitment to the health of our visitors and our employees and to the future of our environment. We should lead by example. That's the program that we had in place until this January.

The House should be using recyclable and biodegradable products and should be avoiding polystyrene foam packaging. We should be a model institution for others to follow. As the gentleman from Vermont said, over 20 years ago, McDonalds and other fast food restaurants replaced polystyrene foam with recyclable and paperboard

containers. Making that our standard is the least we can do.

The House of Representatives is the only member of the Capitol Complex to revert to foam packaging. Neither the Senate, the Library of Congress, nor the Capitol Visitors Center food service centers use polystyrene products. Congress should be setting the standard for sustainability in the 21st century. We should be leading by example.

And my amendment provides a way through which we can show that leadership to the thousands of constituents who visit our offices each year.

Polystyrene is practically unrecyclable. Most polystyrene containers end up in landfills or incinerators; and problems with polystyrene include cancerous chemicals that are used during its manufacture, minimal recyclability, enormous bulk during disposal, and toxic byproducts that are released during incineration.

A 1986 EPA report on solid waste named the polystyrene manufacturing process the fifth largest creator of hazardous waste, and toxic chemicals leak out of these containers into the food and drink they contain and endanger the human health and reproductive systems of the people who visit the Capitol and who work in the Capitol.

□ 0930

105 Members have sent a letter to House leadership asking that they eliminate polystyrene from House food service operations. My amendment would do just that by limiting the funds made available in this act from being used to obtain polystyrene containers.

I reserve the balance of my time.

Mr. CRENSHAW. Madam Chair, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. CRENSHAW. Madam Chair, I yield myself 1 minute simply to give you three good reasons why we should defeat this amendment.

Number one, it really doesn't do anything because we don't spend any money in this bill for House restaurant services. They are funded through a revolving trust fund, and that money comes from another source. So it wouldn't have any impact in the first place.

Number two, if it did have any impact, all it would do is raise the cost of everything in the restaurants, which would be passed on to the folks. That's not a great thing, to spend more money.

Number three, my last good reason, the gentleman mentioned that this year there was a bipartisan letter from the chairman of the House Administration Committee along with the ranking member to say we tried this program and we're going to end it.

So for those three reasons, I think it is appropriate to vote "no."

I reserve the balance of my time.

Mr. MORAN. Madam Chair, with regard to the argument that the gentleman makes, first of all it seems to me that we should set ourselves on record, and the appropriations bill is the ultimate source of funding for the Capitol complex. But the argument that this will save money it seems to me is deficient when we are talking about human health. I mean, we could choose not to spend money on purifying our water. We'd save a lot of money. Just let people drink out of the tap or get their water wherever. But we feel that the health of our employees and our constituents who visit us is important enough that we should spend that extra money.

Science is telling us that, in fact, toxics leak from this material into the food and the drink that our employees and our constituents are using. We may not be as fully aware of that, but we know that polystyrene is a toxic material. It seems to me we should err on the side of caution, particularly when the health of our employees and our constituents is concerned.

I reserve the balance of my time.

Mr. CRENSHAW. Madam Chair, I yield 3 minutes to the gentleman from California, Chairman LUNGREN, the chairman of the House Administration Committee and the author of the letter that ended the program in January.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

Let me just reiterate, this came to my attention as chairman of the House Administration Committee when we received a letter from the Democratic side of the aisle as part of the transition team recommending that we discontinue this part of the greening initiative process, Greening the Capitol process; that is, this one did not work. It was a Democrat who told us we ought to get rid of it.

So once I heard that, I also heard complaints from both Democratic and Republican Members of the House and their staffs that the recyclable utensils we had didn't work—didn't work—and they asked for something that did work. And so we cancelled the program.

This idea about Styrofoam being a real health hazard, Linda Birnbaum, who is the toxicologist who heads the government agency that declared styrene a likely cancer risk, said this: Let me put your mind at ease right away about Styrofoam. In finished products, certainly styrene is not an issue.

The gentleman has said, and the other gentleman from Vermont said, that we ought to follow McDonald's. They no longer have this product. Well, yesterday my staff went out and got this product from McDonald's, which is Styrofoam; and got this product from McDonald's, which is Styrofoam; and got this product from McDonald's,

which is Styrofoam. So I don't know where they get this information.

Lastly, they should understand that polystyrene is approved as safe for use in food service by the FDA. Anything that contains food product that comes into contact with individuals must be approved by the FDA. This is approved by the FDA.

Also, this week we are receiving bids back from our request for proposal on trying to get a waste energy recycling program to get rid of the waste that we have here on the Hill. This is to turn it into energy by way of heat energy and capture any of the offensive by-products that may be produced. This is what we are doing.

Look, you can have good science and you can have bad science. You can have smart science and you can have dumb science. You can have science or you can have no science. Now, I'm not sure which of the latter categories this proposal falls into, but it's not science. Science suggests that this is something that ought to be appropriate.

There are any number of producers of polystyrene in Members' districts around this country. There are 2,100 users of it. This amounts to billions of dollars and thousands of jobs, tens of thousands of jobs, 8,000 just in California alone.

So once again, we are using bad science to scare people. And what's the impact? It's going to cost more money. I approved of this program because it saves a half a million dollars in a single year—half a million dollars. It will save energy, and we will have literally no residue when we move from waste to energy production. It's a win/win/win situation.

By the way, members of our staffs have thanked me for doing this. They now have utensils that actually are usable.

Mr. MORAN. Madam Chair, first of all, the letter that was sent did not request polystyrene products by any means. It was referring to another product that was corn based. Certainly Mr. BRADY was not recommending dangerous Styrofoam material.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CRENSHAW. Madam Chairman, I yield the balance of my time to the gentleman from California (Mr. CALVERT), a member of the subcommittee.

Mr. CALVERT. Madam Chairman, before I came here to Congress, I was in the restaurant business. We had to please the customers that we served. We certainly couldn't give them an inferior product. Only in Washington, D.C., would we spend more and get less. The gentleman from California has referenced \$500,000 a year more in cost, and if you did a survey of the people who used those products, it would be dismal.

I had the experience of putting a fork in a hot piece of meat one day, and it

melted. That is ridiculous. We in Congress should not give inferior products to people who work here and serve here, and spend more money for it.

So with that, Madam Chairman, let's just do the commonsense thing here and get a product that works and spend less money.

Mr. CRENSHAW. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MORAN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

Mr. CRENSHAW. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DANIEL E. LUNGREN of California) having assumed the chair, Mrs. BIGGERT, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1383. An act to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.

#### RECESS

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

Accordingly (at 9 o'clock and 41 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1002

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CRENSHAW) at 10 o'clock and 2 minutes a.m.

LEGISLATIVE BRANCH  
APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 359 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2551.

□ 1003

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, with Mrs. BIGGERT (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 9 printed in House Report 112-173 offered by the gentleman from Virginia (Mr. MORAN) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-173 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. WATT of North Carolina.

Amendment No. 5 by Ms. HAYWORTH of New York.

Amendment No. 6 by Mr. BROUN of Georgia.

Amendment No. 8 by Mr. STUTZMAN of Indiana.

Amendment No. 15 by Mr. THOMPSON of Pennsylvania.

Amendment No. 12 by Mr. HOLT of New Jersey.

Amendment No. 9 by Mr. MORAN of Virginia.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. WATT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. WATT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 102, noes 302, answered “present” 7, not voting 21, as follows:

[Roll No. 622]

AYES—102

Bartlett	Gingrey (GA)
Bass (CA)	Gohmert
Benishek	Granger
Bishop (UT)	Graves (GA)
Blackburn	Graves (MO)
Boustany	Green, Al
Brady (PA)	Hensarling
Brady (TX)	Herger
Brooks	Huizenga (MI)
Broun (GA)	Jackson Lee
Brown (FL)	(TX)
Burgess	Johnson, E. B.
Burton (IN)	Jordan
Camp	King (IA)
Campbell	Kingston
Canseco	Kline
Carson (IN)	Lamborn
Carter	Lee (CA)
Cassidy	Lewis (GA)
Chaffetz	Lummis
Clarke (NY)	Mack
Cleaver	Mica
Clyburn	Miller (FL)
Coble	Moore
Cole	Myrick
Conyers	Neugebauer
DesJarlais	Nunnelee
Duncan (TN)	Olson
Engel	Pastor (AZ)
Farenthold	Paul
Fattah	Payne
Fincher	Pearce
Flores	Petri
Foxx	Pompeo
Fudge	Price (GA)

NOES—302

Ackerman	Culberson	Hanna
Adams	Cummings	Harper
Aderholt	Davis (CA)	Harris
Alexander	Davis (KY)	Hartzler
Altmire	DeFazio	Hastings (FL)
Amash	DeGette	Hastings (WA)
Andrews	DeLauro	Hayworth
Austria	Denham	Heck
Bachus	Dent	Heinrich
Baldwin	Deutch	Herrera Beutler
Barletta	Diaz-Balart	Higgins
Barrow	Dicks	Himes
Barton (TX)	Dingell	Hinojosa
Bass (NH)	Doggett	Hirono
Becerra	Dold	Hochul
Berg	Donnelly (IN)	Holden
Berkley	Doyle	Holt
Berman	Dreier	Honda
Biggert	Duffy	Hoyer
Bilbray	Duncan (SC)	Huelskamp
Bilirakis	Ellmers	Hultgren
Bishop (NY)	Emerson	Hunter
Bonner	Eshoo	Hurt
Bono Mack	Farr	Inslie
Boren	Filner	Israel
Boswell	Fitzpatrick	Issa
Braley (IA)	Flake	Jackson (IL)
Buchanan	Fleischmann	Jenkins
Bucshon	Fleming	Johnson (GA)
Buerkle	Forbes	Johnson (IL)
Calvert	Fortenberry	Johnson (OH)
Cantor	Frank (MA)	Johnson, Sam
Capito	Franks (AZ)	Jones
Capps	Frelinghuysen	Kaptur
Capuano	Gallegly	Keating
Cardoza	Garamendi	Kelly
Carnahan	Gardner	Kildee
Carney	Garrett	Kind
Chabot	Gerlach	King (NY)
Chu	Gibbs	Kinzinger (IL)
Cicilline	Gibson	Kissell
Clarke (MI)	Gonzalez	Kucinich
Coffman (CO)	Goodlatte	Labrador
Cohen	Goss	Lance
Conaway	Gowdy	Langevin
Connolly (VA)	Green, Gene	Lankford
Cooper	Griffin (AR)	Larsen (WA)
Costa	Grijalva	Larson (CT)
Costello	Grimm	Latham
Cravaack	Quinta	LaTourette
Crawford	Guthrie	Latta
Crenshaw	Gutierrez	Levin
Critz	Hahn	Lewis (CA)
Crowley	Hall	Lipinski
Cuellar	Hanabusa	LoBiondo

Loebsack	Palazzo	Schrader
Long	Pallone	Schwartz
Lowey	Pascarell	Schweikert
Lucas	Pelosi	Scott (SC)
Luetkemeyer	Perlmutter	Serrano
Lujan	Peters	Sessions
Lungren, Daniel	Peterson	Sewell
E.	Pingree (ME)	Sherman
Lynch	Pitts	Shuler
Maloney	Platts	Simpson
Manzullo	Poe (TX)	Sires
Marchant	Polis	Slaughter
Marino	Posey	Smith (NJ)
Markey	Price (NC)	Smith (WA)
Matheson	Quayle	Speier
Matsui	Quigley	Stark
McCarthy (CA)	Rahall	Stivers
McCarthy (NY)	Rangel	Sullivan
Reed	Reed	Sutton
McClintock	Rehberg	Terry
McCollum	Reichert	Terry
McCotter	Renacci	Thompson (CA)
McDermott	Reyes	Thompson (PA)
McGovern	Rigell	Tiberi
McHenry	Rivera	Tierney
McKeon	Roby	Tipton
McMorris	Rogers (AL)	Tonko
Rodgers	Rohrabacher	Tsongas
McNerney	Rokita	Turner
Meehan	Rooney	Van Hollen
Michaud	Ros-Lehtinen	Velázquez
Miller (MI)	Roskam	Visclosky
Miller (NC)	Ross (AR)	Walden
Miller, Gary	Ross (FL)	Walz (MN)
Miller, George	Rothman (NJ)	Wasserman
Moran	Roybal-Allard	Schultz
Mulvaney	Royce	Waters
Murphy (CT)	Runyan	Waxman
Murphy (PA)	Ruppersberger	Webster
Nadler	Ryan (OH)	Welch
Napolitano	Sanchez, Loretta	Whitfield
Neal	Sarbanes	Wittman
Noem	Scalise	Wolf
Nugent	Schakowsky	Womack
Nunes	Schiff	Wu
Olver	Schilling	Yoder
Owens	Schmidt	Young (FL)

ANSWERED “PRESENT”—7

Chandler	Lofgren, Zoe	Sánchez, Linda
Courtney	Meeks	T.
Edwards		Yarmuth

NOT VOTING—21

Akin	Castor (FL)	Landry
Baca	Clay	McIntyre
Bachmann	Davis (IL)	McKinley
Bishop (GA)	Ellison	Paulsen
Black	Giffords	Pence
Blumenauer	Griffith (VA)	Schock
Butterfield	Hinchee	Young (AK)

□ 1037

Messrs. RIVERA, WOMACK, GRIMM, Mrs. NOEM, Mr. SULLIVAN, Mrs. HARTZLER, Messrs. KINZINGER of Illinois, AUSTRIA, DENHAM, Mrs. BONO MACK, Messrs. REED, LUJAN, WAXMAN, Mrs. BIGGERT, Messrs. CRAVAACK, PITTS, Ms. ROYBAL-ALLARD, Messrs. VISCLOSEY, JOHNSON of Illinois, BECERRA, Ms. WASSERMAN SCHULTZ, Messrs. PERLMUTTER, SCOTT of South Carolina, DUNCAN of South Carolina, GOWDY, MCGOVERN, MULVANEY, GARY G. MILLER of California, Ms. BUERKLE, Messrs. LEWIS of California, NUNES, TIBERI, MCCOTTER, Ms. VELÁZQUEZ, Mrs. EMERSON, Messrs. ROHRABACHER, HASTINGS of Florida, ROONEY, HUNTER, HURT, BOREN, FLEISCHMANN, and COSTELLO changed their vote from “aye” to “no.”

Messrs. HERGER, SHUSTER, CASSIDY, RIBBLE, KINGSTON, CARSON of Indiana, BURGESS, and BURTON of

Indiana changed their vote from “no” to “aye.”

Mr. YARMUTH changed his vote from “no” to “present.”

Mr. MEEKS changed his vote from “aye” to “present.”

Messrs. CONAWAY and HARPER changed their vote from “present” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MS. HAYWORTH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. HAYWORTH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 299, noes 112, not voting 21, as follows:

[Roll No. 623]

AYES—299

Adams	Coble	Gibbs
Aderholt	Coffman (CO)	Gibson
Alexander	Cole	Gingrey (GA)
Altmire	Conaway	Gohmert
Amash	Connolly (VA)	Goodlatte
Andrews	Cooper	Gosar
Austria	Costa	Gowdy
Bachus	Costello	Granger
Baldwin	Courtney	Graves (GA)
Barletta	Cravaack	Graves (MO)
Barrow	Crawford	Green, Al
Bartlett	Crenshaw	Griffin (AR)
Barton (TX)	Critz	Grimm
Bass (NH)	Cuellar	Guinta
Benishek	Culberson	Guthrie
Berg	Davis (CA)	Hahn
Biggert	Davis (KY)	Hall
Bilbray	DeFazio	Hanna
Bilirakis	DeLauro	Harper
Bishop (NY)	Denham	Harris
Bishop (UT)	Dent	Hartzler
Blackburn	DesJarlais	Hastings (WA)
Bonner	Deutch	Hayworth
Bono Mack	Diaz-Balart	Heck
Boren	Donnelly (IN)	Heinrich
Boswell	Doyle	Hensarling
Boustany	Dreier	Herger
Brady (TX)	Duffy	Herrera Beutler
Braley (IA)	Duncan (SC)	Higgins
Brooks	Duncan (TN)	Himes
Broun (GA)	Ellmers	Hochul
Buchanan	Emerson	Holden
Bucshon	Eshoo	Holt
Buerkle	Farenthold	Huelskamp
Burgess	Fincher	Huizenga (MI)
Burton (IN)	Fitzpatrick	Hultgren
Calvert	Flake	Hunter
Camp	Fleischmann	Hurt
Campbell	Fleming	Insee
Canseco	Flores	Israel
Cantor	Forbes	Issa
Capito	Fortenberry	Jenkins
Cardeza	Fox	Johnson (IL)
Carney	Franks (AZ)	Johnson (OH)
Carter	Frelinghuysen	Johnson, E. B.
Cassidy	Gallely	Johnson, Sam
Chabot	Gardner	Jones
Chaffetz	Garrett	Jordan
Chandler	Gerlach	Keating

Kelly	Myrick
Kind	Neugebauer
King (IA)	Noem
Kingston	Nugent
Kinzinger (IL)	Nunes
Kissell	Nunnelee
Kline	Olson
Labrador	Owens
Lamborn	Palazzo
Lance	Paul
Lankford	Pearce
Larsen (WA)	Perlmutter
Larson (CT)	Peters
Latham	Peterson
Latta	Petri
Lewis (CA)	Pingree (ME)
Lipinski	Pitts
LoBiondo	Platts
Loebsack	Poe (TX)
Lofgren, Zoe	Polis
Long	Pompeo
Lucas	Posey
Luetkemeyer	Price (GA)
Lujan	Quayle
Lummis	Reed
Lungren, Daniel E.	Rehberg
Lynch	Reichert
Mack	Renacci
Manzullo	Ribble
Marchant	Richardson
Marino	Rigell
Matheson	Rivera
McCarthy (CA)	Roby
McCarthy (NY)	Roe (TN)
McCaul	Rogers (AL)
McClintock	Rogers (KY)
McCotter	Rogers (MI)
McHenry	Rohrabacher
McKeon	Rokita
McMorris	Rooney
Rodgers	Ros-Lehtinen
Meehan	Roskam
Mica	Ross (AR)
Michaud	Ross (FL)
Miller (FL)	Rothman (NJ)
Miller (MI)	Royce
Miller, Gary	Runyan
Miller, George	Ryan (WI)
Mulvaney	Scalise
Gosar	Schiff
Murphy (CT)	Schilling
Murphy (PA)	Schmidt

NOES—112

Ackerman	Hanabusa
Bass (CA)	Hastings (FL)
Becerra	Hinojosa
Berkley	Hirono
Berman	Honda
Briden (PA)	Hoyer
Brown (FL)	Jackson (IL)
Capps	Jackson Lee (TX)
Capuano	Johnson (GA)
Carnahan	Johnson (GA)
Carson (IN)	Kaptur
Chu	Kildee
Cicilline	King (NY)
Clarke (MI)	Kucinich
Clarke (NY)	Langevin
Clay	LaTourette
Cleaver	Lee (CA)
Clyburn	Levin
Cohen	Lewis (GA)
Conyers	Lowe
Crowley	Maloney
Cummings	Matsui
DeGette	McCollum
Dicks	McDermott
Dingell	McGovern
Doggett	McNerney
Flake	Meeks
Edwards	Miller (NC)
Engel	Moore
Farr	Moran
Fattah	Nadler
Finer	Napolitano
Frank (MA)	Neal
Fudge	Olver
Garamendi	Pallone
Gonzalez	Pascarell
Green, Gene	Pastor (AZ)
Grijalva	Payne
Gutierrez	Pelosi

Schrader	Price (NC)
Schwartz	Quigley
Schweikert	Rahall
Scott (SC)	Rangel
Scott, Austin	Reyes
Sensenbrenner	Richmond
Sessions	Roybal-Allard
Sherman	Ruppersberger
Shimkus	Rush
Shuler	Ryan (OH)
Shuster	Sánchez, Linda T.
Simpson	Sanchez, Loretta
Smith (NE)	Sarbanes
Smith (NJ)	Schakowsky
Smith (TX)	Scott (VA)
Smith (WA)	Scott, David
Southerland	Serrano
Speier	Sewell
Stearns	Sires
Stivers	Slaughter
Stutzman	Stark
Sullivan	Sutton
Terry	Thompson (MS)
Thompson (CA)	Towns
Thompson (PA)	Van Hollen
Thornberry	Velázquez
Tiberi	Visclosky
Tierney	Wasserman
Tipton	Schultz
Tonko	Waters
Tsongas	Waxman
Turner	Welch
Upton	Wilson (FL)
Walberg	Woolsey
Walden	Wu
Walsh (IL)	Yarmuth
Walz (MN)	
Watt	
Webster	
West	
Westmoreland	
Whitfield	
Wilson (SC)	
Wittman	
Wolf	
Womack	
Woodall	
Yoder	
Young (FL)	
Young (IN)	

NOT VOTING—21

Akin	Castor (FL)	Markey
Baca	Davis (IL)	McIntyre
Bachmann	Ellison	McKinley
Bishop (GA)	Giffords	Paulsen
Black	Griffith (VA)	Pence
Blumenauer	Hinchee	Schock
Butterfield	Landry	Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1041

Mr. AL GREEN of Texas changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 153, noes 260, not voting 19, as follows:

[Roll No. 624]

AYES—153

Adams	Flores	Lamborn
Akin	Forbes	Lankford
Amash	Fox	LoBiondo
Bartlett	Franks (AZ)	Long
Barton (TX)	Gallely	Luetkemeyer
Bass (NH)	Gardner	Lujan
Benishek	Garrett	Mack
Bilbray	Gerlach	Manzullo
Bishop (UT)	Gibbs	Marchant
Blackburn	Gibson	Matheson
Bono Mack	Gingrey (GA)	McCarthy (CA)
Brady (TX)	Gohmert	McCaul
Brooks	Goodlatte	McClintock
Brown (GA)	Gowdy	McCotter
Buchanan	Graves (GA)	McHenry
Buerkle	Graves (MO)	Miller (FL)
Burgess	Green, Gene	Miller (MI)
Burton (IN)	Griffin (AR)	Miller, Gary
Campbell	Hall	Mulvaney
Canseco	Harris	Murphy (PA)
Carter	Carney	Myrick
Cassidy	Hensarling	Neugebauer
Chabot	Herger	Noem
Chaffetz	Huelskamp	Nugent
Chaffetz	Huizenga (MI)	Nunes
Coffman (CO)	Hultgren	Nunnelee
Conaway	Hunter	Olson
Costello	Hurt	Palazzo
Culberson	Issa	Paul
Denham	Jenkins	Petri
DesJarlais	Johnson (OH)	Platts
Donnelly (IN)	Johnson, E. B.	Poe (TX)
Duffy	Johnson, Sam	Pompeo
Duncan (SC)	Jordan	Posey
Duncan (TN)	Keating	Price (GA)
Farenthold	King (IA)	Quayle
Fincher	Kingston	Reichert
Flake	Kissell	Renacci
Fleischmann	Kline	Ribble
Fleming	Labrador	Rigell

Rogers (MI)  
Rohrabacher  
Rokita  
Ros-Lehtinen  
Roskam  
Ross (FL)  
Royce  
Ryan (WI)  
Scalise  
Schilling  
Schrader

Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Smith (NE)  
Smith (TX)  
Smith (WA)  
Southerland  
Stearns  
Stutzman

Sullivan  
Terry  
Thornberry  
Walsh (IL)  
Webster  
West  
Wilson (SC)  
Wittman  
Woodall  
Yoder  
Young (IN)

Visclosky  
Walberg  
Walden  
Walz (MN)  
Wasserman  
Schultz  
Waters

Watt  
Waxman  
Welch  
Westmoreland  
Whitfield  
Wilson (FL)  
Wolf

Womack  
Woolsey  
Wu  
Yarmuth  
Young (FL)

Jordan  
Kind  
King (IA)  
Kingston  
Kissell  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Larsen (WA)  
Latta  
LoBiondo  
Loeb sack  
Long  
Luetkemeyer  
Luján  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Matheson  
Matsui  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McMorris  
Rodgers  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Miller, George  
Mulvaney  
Murphy (CT)  
Murphy (PA)

Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Owens  
Palazzo  
Paul  
Pearce  
Peters  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Polis  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roe (TN)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Royce  
Ryan (WI)  
Scalise  
Schiff

Schilling  
Schmidt  
Schrader  
Schweikert  
Scott (SC)  
Scott, Austin  
Olson  
Sensenbrenner  
Sessions  
Sherman  
Shuler  
Shuster  
Smith (NE)  
Smith (NJ)  
Smith (WA)  
Southerland  
Speier  
Stearns  
Stutzman  
Terry  
Thompson (CA)  
Thornberry  
Tiberi  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Wu  
Yarmuth  
Yoder  
Young (IN)

## NOES—260

Ackerman  
Aderholt  
Alexander  
Altmire  
Andrews  
Austria  
Bachus  
Baldwin  
Barletta  
Barrow  
Bass (CA)  
Becerra  
Berg  
Berkley  
Berman  
Biggert  
Bilirakis  
Bishop (NY)  
Bonner  
Boren  
Boswell  
Boustany  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Bucshon  
Calvert  
Camp  
Cantor  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carson (IN)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Coble  
Cohen  
Cole  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (KY)  
DeFazio  
DeGette  
DeLauro  
Dent  
Deutch  
Diaz-Balart  
Dicks  
Dingell  
Doggett  
Dold  
Doyle  
Dreier  
Edwards  
Ellmers  
Emerson  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Fitzpatrick  
Fortenberry

Frank (MA)  
Frelinghuysen  
Fudge  
Garamendi  
Gonzalez  
Gosar  
Granger  
Green, Al  
Grijalva  
Grimm  
Guinta  
Guthrie  
Gutierrez  
Hahn  
Hanabusa  
Hanna  
Harper  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heinrich  
Herrera Beutler  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Inslie  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson (IL)  
Jones  
Kaptur  
Kelly  
Kildee  
Kind  
King (NY)  
Kinzinger (IL)  
Kucinich  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lucas  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Maloney  
Marino  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McKeon  
McMorris  
Rodgers  
McNerney  
Turner  
Upton  
Van Hollen  
Velázquez

Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pearce  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree (ME)  
Pitts  
Polis  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reed  
Rehberg  
Reyes  
Richardson  
Richmond  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rooney  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schmidt  
Schwartz  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Slaughter  
Smith (NJ)  
Speier  
Stark  
Stivers  
Sutton  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Tiberi  
Tierney  
Tipton  
Tonko  
Towns  
Tsongas  
Chabot  
Chaffetz  
Chandler  
Coble  
Coffman (CO)

Baca  
Bachmann  
Bishop (GA)  
Black  
Blumenauer  
Butterfield  
Castor (FL)

Davis (IL)  
Ellison  
Giffords  
Griffith (VA)  
Hinchey  
Landry  
McIntyre

McKinley  
Paulsen  
Pence  
Schock  
Young (AK)

## NOT VOTING—19

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

□ 1046

Mr. JOHNSON of Illinois changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 8 OFFERED BY MR. STUTZMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. STUTZMAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 194, not voting 20, as follows:

[Roll No. 625]

AYES—218

Adams  
Akin  
Altmire  
Amash  
Andrews  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishak  
Berg  
Bilirakis  
Bishop (UT)  
Blackburn  
Bono Mack  
Brady (TX)  
Brooks  
Brown (GA)  
Buchanan  
Bucshon  
Buckle  
Duncan (TN)  
Eshoo  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Flores  
Forbes  
Fortenberry  
Frank (MA)  
Franks (AZ)  
Gallegly  
Gardner  
Garrett

Cohen  
Conaway  
Costello  
Courtney  
Cravaack  
Crawford  
Culberson  
Davis (CA)  
Davis (KY)  
DeLauro  
Denham  
Dent  
DesJarlais  
Deutch  
Doggett  
Dold  
Donnelly (IN)  
Duffy  
Duncan (SC)  
Duncan (TN)  
Eshoo  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Flores  
Forbes  
Fortenberry  
Frank (MA)  
Franks (AZ)  
Gallegly  
Gardner  
Garrett

Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Guinta  
Guthrie  
Hall  
Harris  
Hartzler  
Heck  
Hensarling  
Herger  
Himes  
Hochul  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Inslie  
Israel  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jones

Ackerman  
Aderholt  
Alexander  
Austria  
Bachus  
Baldwin  
Barletta  
Barrow  
Bass (CA)  
Becerra  
Berkley  
Berman  
Biggert  
Billbray  
Bishop (NY)  
Bonner  
Boren  
Boswell  
Boustany  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Calvert  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carson (IN)  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cole  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Crenshaw  
Critz  
Crowley  
Cuellar  
Cummings  
DeFazio  
DeGette  
Diaz-Balart  
Dicks  
Dingell  
Doyle  
Dreier

## NOES—194

Edwards  
Ellmers  
Emerson  
Engel  
Farr  
Fattah  
Filner  
Fleming  
Foxo  
Frelinghuysen  
Fudge  
Garamendi  
Gonzalez  
Granger  
Green, Al  
Green, Gene  
Grijalva  
Grimm  
Gutierrez  
Hahn  
Hanabusa  
Hanna  
Harper  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heinrich  
Herrera Beutler  
Higgins  
Hinojosa  
Hirono  
Holden  
Holt  
Honda  
Hoyer  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (GA)  
Conyers  
Johnson, E. B.  
Kaptur  
Keating  
Kelly  
Kildee  
King (NY)  
Kinzinger (IL)  
Kucinich  
Langevin  
Larson (CT)  
Latham  
LaTourette  
Lee (CA)  
Levin

Lewis (CA)  
Lewis (GA)  
Lipinski  
Lofgren, Zoe  
Lowe  
Lucas  
Lynch  
Maloney  
Marino  
Markey  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McKeon  
McNerney  
Meehan  
Meeks  
Michaud  
Miller (NC)  
Moore  
Moran  
Nadler  
Napolitano  
Neal  
Olver  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Pingree (ME)  
Price (NC)  
Quigley  
Rahall  
Rangel  
Rehberg  
Reyes  
Richardson  
Richmond  
Roby  
Rogers (AL)  
Rogers (KY)  
Rokita  
Rothman (NJ)  
Roybal-Allard  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.

Sanchez, Loretta Stark  
 Sarbanes Stivers  
 Schakowsky Sutton  
 Schwartz Thompson (MS)  
 Scott (VA) Thompson (PA)  
 Scott, David Tierney  
 Serrano Tipton  
 Sewell Tonko  
 Shimkus Towns  
 Simpson Tsongas  
 Sires Turner  
 Slaughter Van Hollen  
 Smith (TX) Velázquez

Visclosky  
 Walz (MN)  
 Wasserman  
 Schultz  
 Waters  
 Watt  
 Waxman  
 Welch  
 Wilson (FL)  
 Wolf  
 Woolsey  
 Young (FL)

Mulvaney  
 Murphy (PA)  
 Myrick  
 Neugebauer  
 Noem  
 Nunes  
 Nunnelee  
 Olson  
 Palazzo  
 Paul  
 Pearce  
 Peterson  
 Pitts  
 Platts  
 Poe (TX)  
 Posey  
 Price (GA)

Quayle  
 Reed  
 Roby  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross (FL)  
 Runyan  
 Ryan (WI)  
 Scalise  
 Schilling  
 Schmidt  
 Scott (SC)  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Southerland

Stearns  
 Stutzman  
 Thompson (PA)  
 Tiberi  
 Tipton  
 Turner  
 Walberg  
 Walsh (IL)  
 Webster  
 West  
 Westmoreland  
 Wilson (SC)  
 Wittman  
 Womack  
 Woodall  
 Yoder

Rush  
 Ryan (OH)  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schrader  
 Schwartz  
 Schweikert  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell  
 Sherman  
 Shimkus  
 Shuler  
 Shuster  
 Simpson

Sires  
 Slaughter  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Speier  
 Stark  
 Stivers  
 Sullivan  
 Sutton  
 Terry  
 Thompson (CA)  
 Thompson (MS)  
 Thornberry  
 Tierney  
 Tonko  
 Towns  
 Tsongas  
 Upton

Van Hollen  
 Velázquez  
 Visclosky  
 Walden  
 Walz (MN)  
 Wasserman  
 Schultz  
 Waters  
 Watt  
 Waxman  
 Welch  
 Whitfield  
 Wilson (FL)  
 Wolf  
 Woolsey  
 Wu  
 Yarmuth  
 Young (FL)  
 Young (IN)

NOT VOTING—20

Baca Davis (IL)  
 Bachmann Ellison  
 Bishop (GA) Giffords  
 Black Griffith (VA)  
 Blumenauer Hinchey  
 Butterfield Landry  
 Castor (FL) McIntyre

Ackerman  
 Adams  
 Akin  
 Alexander  
 Altmire  
 Amash  
 Andrews  
 Bachus  
 Baldwin  
 Barrow  
 Bartlett  
 Bass (CA)  
 Bass (NH)  
 Becerra  
 Benishek  
 Berkley  
 Berman  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (NY)  
 Bono Mack  
 Boren  
 Boswell  
 Brady (PA)  
 Brady (TX)  
 Braley (IA)  
 Brooks  
 Brown (FL)  
 Bucshon  
 Buerkle  
 Calvert  
 Camp  
 Capito  
 Capps  
 Capuano  
 Cardoza  
 Carnahan  
 Carney  
 Carson (IN)  
 Cassidy  
 Chaffetz  
 Chandler  
 Chu  
 Cicilline  
 Clarke (MI)  
 Clarke (NY)  
 Clay  
 Cleaver  
 Clyburn  
 Coffman (CO)  
 Cohen  
 Cohen  
 Cole  
 Connolly (VA)  
 Conyers  
 Cooper  
 Costello  
 Courtney  
 Crenshaw  
 Critz  
 Crowley  
 Cuellar  
 Culberson  
 Cummings  
 Davis (CA)  
 DeFazio  
 DeGette  
 DeLauro  
 Dent  
 Deutch  
 Diaz-Balart  
 Dicks  
 Dingell  
 Dingfong  
 Doggett  
 Dold  
 Doyle

NOES—283

Dreier  
 Duffy  
 Edwards  
 Ellmers  
 Emerson  
 Engel  
 Eshoo  
 Farenthold  
 Farr  
 Fattah  
 Filner  
 Fitzpatrick  
 Flake  
 Fleming  
 Flores  
 Fortenberry  
 Foy  
 Frank (MA)  
 Franks (AZ)  
 Frelinghuysen  
 Fudge  
 Garamendi  
 Gardner  
 Garrett  
 Gonzalez  
 Goodlatte  
 Gosar  
 Green, Al  
 Green, Gene  
 Grijalva  
 Guthrie  
 Gutierrez  
 Hahn  
 Moore  
 Moran  
 Murphy (CT)  
 Nadler  
 Napolitano  
 Neal  
 Nugent  
 Olver  
 Owens  
 Pallone  
 Pascarell  
 Pastor (AZ)  
 Payne  
 Pelosi  
 Perlmutter  
 Peters  
 Petri  
 Pingree (ME)  
 Polis  
 Pompeo  
 Price (NC)  
 Quigley  
 Rahall  
 Rangel  
 Rehberg  
 Reichert  
 Renacci  
 Reyes  
 Ribble  
 Richardson  
 Richmond  
 Rigell  
 Rivera  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Ross (AR)  
 Rothman (NJ)  
 Roybal-Allard  
 Royce  
 Ruppertsberger

Latham  
 LaTourette  
 Lee (CA)  
 Levin  
 Lewis (CA)  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Loebsack  
 Lofgren, Zoe  
 Lowey  
 Luján  
 Lungren, Daniel  
 E.  
 Lynch  
 Maloney  
 Markey  
 Matheson  
 Matsui  
 McCarthy (CA)  
 McCarthy (NY)  
 Fudge  
 McClintock  
 McCollum  
 McDermott  
 McGovern  
 McNerney  
 Meehan  
 Meeks  
 Mica  
 Michaud  
 Miller (NC)  
 Miller, George  
 Moore  
 Moran  
 Murphy (CT)  
 Nadler  
 Napolitano  
 Neal  
 Nugent  
 Olver  
 Owens  
 Pallone  
 Pascarell  
 Pastor (AZ)  
 Payne  
 Pelosi  
 Perlmutter  
 Peters  
 Petri  
 Pingree (ME)  
 Polis  
 Pompeo  
 Price (NC)  
 Quigley  
 Rahall  
 Rangel  
 Rehberg  
 Reichert  
 Renacci  
 Reyes  
 Ribble  
 Richardson  
 Richmond  
 Rigell  
 Rivera  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Ross (AR)  
 Rothman (NJ)  
 Roybal-Allard  
 Royce  
 Ruppertsberger

NOT VOTING—19

Baca Davis (IL)  
 Bachmann Ellison  
 Bishop (GA) Giffords  
 Black Griffith (VA)  
 Blumenauer Hinchey  
 Butterfield Landry  
 Castor (FL) McIntyre

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1051

Mr. LUJÁN changed his vote from “no” to “aye.”  
 So the amendment was agreed to.  
 The result of the vote was announced as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. THOMPSON OF PENNSYLVANIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. THOMPSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 130, noes 283, not voting 19, as follows:

[Roll No. 626]

AYES—130

Aderholt  
 Austria  
 Barletta  
 Barton (TX)  
 Berg  
 Bishop (UT)  
 Blackburn  
 Bonner  
 Boustany  
 Broun (GA)  
 Buchanan  
 Burgess  
 Burton (IN)  
 Campbell  
 Canseco  
 Cantor  
 Carter  
 Chabot  
 Coble  
 Conaway  
 Costa  
 Cravaack  
 Crawford  
 Davis (KY)  
 Denham  
 DesJarlais  
 Donnelly (IN)

Duncan (SC)  
 Duncan (TN)  
 Fincher  
 Fleischmann  
 Forbes  
 Gallegly  
 Gerlach  
 Bonner  
 Gibson  
 Gingrey (GA)  
 Gohmert  
 Gowdy  
 Granger  
 Graves (GA)  
 Graves (MO)  
 Griffin (AR)  
 Grimm  
 Guinta  
 Hall  
 Harper  
 Hartzler  
 Hastings (WA)  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt

Issa  
 Johnson (OH)  
 Johnson, Sam  
 Jordan  
 Kelly  
 King (NY)  
 Kissell  
 Kline  
 Lamborn  
 Latta  
 Long  
 Lucas  
 Lueltkemeyer  
 Lummis  
 Mack  
 Manzullo  
 Marchant  
 Marino  
 McCaul  
 McCotter  
 McHenry  
 McKeon  
 McMorris  
 Rodgers  
 Miller (FL)  
 Miller (MI)  
 Miller, Gary

Dreier  
 Duffy  
 Edwards  
 Ellmers  
 Emerson  
 Engel  
 Eshoo  
 Farenthold  
 Farr  
 Fattah  
 Filner  
 Fitzpatrick  
 Flake  
 Fleming  
 Flores  
 Fortenberry  
 Foy  
 Frank (MA)  
 Franks (AZ)  
 Frelinghuysen  
 Fudge  
 Garamendi  
 Gardner  
 Garrett  
 Gonzalez  
 Goodlatte  
 Gosar  
 Green, Al  
 Green, Gene  
 Grijalva  
 Guthrie  
 Gutierrez  
 Hahn  
 Moore  
 Moran  
 Murphy (CT)  
 Nadler  
 Napolitano  
 Neal  
 Nugent  
 Olver  
 Owens  
 Pallone  
 Pascarell  
 Pastor (AZ)  
 Payne  
 Pelosi  
 Perlmutter  
 Peters  
 Petri  
 Pingree (ME)  
 Polis  
 Pompeo  
 Price (NC)  
 Quigley  
 Rahall  
 Rangel  
 Rehberg  
 Reichert  
 Renacci  
 Reyes  
 Ribble  
 Richardson  
 Richmond  
 Rigell  
 Rivera  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Ross (AR)  
 Rothman (NJ)  
 Roybal-Allard  
 Royce  
 Ruppertsberger

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1057

Messrs. JOHNSON of Illinois, DUFFY, PETRI, SULLIVAN, ROYCE, ROHRBACHER, and SHUSTER changed their vote from “aye” to “no.”  
 Messrs. MACK and LONG changed their vote from “no” to “aye.”  
 So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. HOLT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 235, not voting 21, as follows:

[Roll No. 627]

AYES—176

Ackerman  
 Andrews  
 Bachus  
 Baldwin  
 Barrow  
 Bartlett  
 Bass (CA)  
 Becerra  
 Berkley  
 Berman  
 Bishop (NY)  
 Boren  
 Boswell  
 Brady (PA)  
 Brooks  
 Brown (FL)

Capps  
 Capuano  
 Cardoza  
 Carnahan  
 Carson (IN)  
 Chaffetz  
 Chu  
 Cicilline  
 Clarke (MI)  
 Clarke (NY)  
 Clay  
 Cleaver  
 Clyburn  
 Cohen  
 Connolly (VA)  
 Conyers

Cooper  
 Costa  
 Costello  
 Courtney  
 Critz  
 Crowley  
 Cummings  
 Davis (CA)  
 DeFazio  
 DeGette  
 DeLauro  
 Deutch  
 Dicks  
 Dingell  
 Doggett  
 Doyle



Edwards  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Garamendi  
Gibson  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Hayworth  
Heinrich  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holt  
Honda  
Hoyer  
Insole  
Israel  
Jackson (IL)  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)

Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lowe y  
Lujan  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Peterson  
Peterson  
Pingree (ME)  
Polis  
Price (NC)  
Rahall  
Rangel  
Reyes  
Richmond  
Ross (AR)

## NOES—235

Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Amash  
Austria  
Barletta  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggert  
Billbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Bonner  
Bono Mack  
Boustany  
Brady (TX)  
Broun (GA)  
Buchanan  
Buchson  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Capito  
Carney  
Carter  
Cassidy  
Chabot  
Chandler  
Coble  
Coffman (CO)  
Cole  
Conaway  
Cravaack  
Crawford  
Crenshaw  
Cuellar  
Culberson  
Davis (KY)  
Denham

Dent  
DesJarlais  
Diaz-Balart  
Dold  
Donnelly (IN)  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ehlers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gingrey (GA)  
Gohmert  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck  
Hensarling  
Herger

Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Scott (VA)  
Scott, David  
Serrano  
Sewell  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko  
Townes  
Tsongas  
Van Hollen  
Velázquez  
Vislosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

Miller (FL)  
Miller (MI)  
Miller, Gary  
Moore  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paul  
Pearce  
Perlmutter  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Quigley  
Reed  
Rehberg  
Reichert  
Renacci  
Ribble  
Richardson

Baca  
Bachmann  
Bishop (GA)  
Black  
Blumenauer  
Brace (IA)  
Butterfield  
Castor (FL)  
Davis (IL)  
Ellison  
Giffords  
Goodlatte  
Griffith (VA)  
Hinche y

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

## NOT VOTING—21

Landry  
McIntyre  
McKinley  
Paulsen  
Pence  
Schock  
Young (AK)

□ 1102

Mr. ISRAEL changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 9 OFFERED BY MR. MORAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 234, not voting 19, as follows:

[Roll No. 628]

AYES—179

Ackerman  
Altmire  
Andrews  
Baldwin  
Bartlett  
Bass (CA)  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Boswell  
Brady (PA)  
Braley (IA)  
Burgess  
Capps  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)

Conyers  
Cooper  
Costa  
Costello  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Fortenberry  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez  
Green, Al  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Hayworth  
Heinrich  
Higgins  
Himes  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Insole  
Israel  
Jackson (IL)  
Johnson (GA)

Johnson, E. B.  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lujan  
Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Pingree (ME)  
Polis  
Price (NC)  
Quigley  
Rahall

## NOES—234

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Austria  
Bachus  
Barletta  
Barrow  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggert  
Billbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Brown (FL)  
Buchanan  
Buchson  
Buerkle  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman (CO)

Graves (MO)  
Green, Gene  
Griffin (AR)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jackson Lee  
King (TX)  
Flores  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lankford  
Latham  
LaTourette  
Latta

Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McMorris  
Rodgers  
McNerney  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo

NOT VOTING—19

Baca  
Bachmann  
Bishop (GA)  
Black  
Blumenauer  
Butterfield  
Castor (FL)

Davis (IL)  
Ellison  
Giffords  
Griffith (VA)  
Hinchev  
Landry  
McIntyre

□ 1106

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mrs. BIGGERT, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, and, pursuant to House Resolution 359, reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (TX)  
Southerland  
Stearns  
Stivers  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Walberg  
Walden  
Walsh (IL)  
Walz (MN)  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yoder  
Young (FL)  
Young (IN)

McKinley  
Paulsen  
Pence  
Schock  
Young (AK)

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 252, nays 159, not voting 21, as follows:

[Roll No. 629]

YEAS—252

Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Austria  
Bachus  
Barletta  
Barrow  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Berkley  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Bonner  
Bono Mack  
Boren  
Boustany  
Brady (TX)  
Brooks  
Buchanan  
Bucshon  
Buerkle  
Burton (IN)  
Calvert  
Camp  
Canseco  
Cantor  
Capito  
Carney  
Carter  
Cassidy  
Chabot  
Chaffetz  
Chandler  
Coble  
Coffman (CO)  
Cole  
Conaway  
Costa  
Costello  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Cuellar  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Doggett  
Dold  
Donnelly (IN)  
Dreier  
Duffy  
Duncan (SC)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar

Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Al  
Griffin (AR)  
Grimm  
Palazzo  
Pearce  
Peters  
Peterson  
Petri  
Pitts  
Hartzler  
Hastings (WA)  
Hayworth  
Hensarling  
Herger  
Herrera Beutler  
Higgins  
Himes  
Hirono  
Hochul  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Inslee  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Keating  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Larsen (WA)  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Loeb sack  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel E.  
Lynch  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McMorris  
Rodgers  
McNerney  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (CT)  
Murphy (PA)  
Myrick

Ackerman  
Amash  
Andrews  
Baldwin  
Bartlett  
Bass (CA)  
Becerra  
Berman  
Bishop (NY)  
Boswell  
Brady (PA)  
Braley (IA)  
Broun (GA)  
Brown (FL)  
Burgess  
Campbell  
Capps  
Capuano  
Cardoza  
Carnahan  
Carson (IN)  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Critz  
Crowley  
Cummings  
Davis (CA)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doyle  
Duncan (TN)  
Edwards  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Flake  
Frank (MA)  
Franks (AZ)  
Fudge

NAYS—159

Garamendi  
Gonzalez  
Green, Gene  
Grijalva  
Gutierrez  
Hahn  
Hanabusa  
Hastings (FL)  
Heck  
Heinrich  
Hinojosa  
Holden  
Reyes  
Holt  
Honda  
Hoyer  
Israel  
Jackson (IL)  
Jackson Lee  
Cardoza (TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Kildee  
Kind  
Kucinich  
Langevin  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Lofgren, Zoe  
Lowe  
Lujan  
Maloney  
Markey  
Matsui  
McCollum  
McDermott  
McGovern  
Meeks  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Moran  
Nadler  
Napolitano  
Neal  
Oliver  
Pallone  
Pascrell  
Pastor (AZ)

NOT VOTING—21

Baca  
Bachmann  
Bishop (GA)  
Black  
Blumenauer  
Butterfield  
Castor (FL)

Davis (IL)  
Ellison  
Giffords  
Griffith (VA)  
Hinchev  
Landry  
McIntyre

□ 1125

Mr. LEVIN changed his vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PAULSEN. Madam Speaker, on rollcall No. 629 I was unable to attend today's vote on H.R. 2551—Legislative Branch Appropriations. Had I been present, I would have voted “yea.”

PERSONAL EXPLANATION

Mr. PENCE. Madam Speaker, I was absent from the House floor during rollcall votes 615 and 622–629. Had I been present I would have voted “no” on 615, “aye” on 622, “aye” on 623, “aye” on 624, “aye” on 625, “aye” on 626, “no” on 627, “no” on 628, and “yea” on 629.

ADJOURNMENT TO MONDAY, JULY 25, 2011

Mr. CRENSHAW. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next, when it shall convene at 10 a.m. for morning-hour debate and noon for legislative business.

The SPEAKER pro tempore (Ms. BUERKLE). Is there objection to the request of the gentleman from Florida?

There was no objection.

#### HONORING GOVERNOR BRUCE SUNDLUN

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

Mr. CICILLINE. Madam Speaker, I rise this afternoon to honor a great citizen, a good friend, and a wonderful political leader, Rhode Island Governor Bruce Sundlun, who passed away last evening.

My fellow Rhode Islanders and I have lost a great friend and a great leader in Bruce's passing. He will be long remembered for leading Rhode Island through some very difficult times. His commitment to public service and his honorable and courageous service to our country both at home and abroad set him apart as a great American.

Governor Sundlun distinguished himself as a patriotic war hero, a talented business leader, a spirited athlete, and a gifted political leader.

A great friend to me, his courage and passion set him apart as one remarkable man whose spirit will live on in our memories. His legacy and visionary accomplishments, including leading Rhode Island out of the credit union crisis, establishing Rite Care, a national model for health care for low-income families and children, and his vision for our State's airport expansion at T.F. Green will continue to benefit Rhode Islanders for many years to come.

My thoughts and prayers continue to be with the entire Sundlun family. Governor Bruce Sundlun will be sorely missed.

#### FAA BILL

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Madam Speaker, I'm excited about the number of Members who welcome guests to the United States Capitol. It is an important place because it belongs to the American people. I'm delighted that the Poindexter family has joined me.

But many of those people who have traveled have traveled by airplanes and have gone through the Nation's airports.

I am the ranking member on the Transportation Security Committee

addressing security issues across America; and I am disappointed, but I would like to say a little outraged, that right now the FAA bill is held up on minor issues such as whether or not we'll allow our workers to engage in discussions about their work conditions. It is being held up because the bill cancels FAA and air traffic controllers in small airports and the supplemental support, if you will, the supplemental support that has been given to small airports in rural areas.

It's time to get to work. Our Republican friends need to stop holding up this bill for minor issues so that Americans can fly in safety and security.

□ 1130

#### THE FUTURE OF MEDICARE

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

Mr. SCHWEIKERT. Thank you, Madam Speaker.

I promise I will not take the whole 60 minutes, because I know many folks have flights to get to.

Madam Speaker, one of the reasons I'm here—and we are also working on some additional, shall we say, display items for maybe next week. Maybe I'm out of my mind, but this last couple of weeks I've been actually reading from top to bottom, beginning to end, the Medicare trustees' Federal hospital insurance and Federal supplemental medical insurance trust fund actuarial report for 2011. It's actually more interesting than you would think, because you go through about 270 pages, lots of great information, not that hard to read, so anyone that's actually watching this, I strongly suggest, if you have the stomach for it and you really need a little help in falling asleep, this might be the occasion. Google it, take it off the Internet, but do this for me: This is one of those occasions I'm going to ask you to go to the very end of the report and start with the last three pages, because that's what I'm standing here to talk about is you have a report that basically gives a window of a dozen-some years of actuarial soundness, but when you get to the last three pages, it basically says something like Roseannadanna, that character from Saturday Night Live from 20 years ago: "Never mind."

I brought a couple of the boards we already had printed up to sort of demonstrate what's going on, and then I wanted to talk about this.

Day after day after day after day in the political theater of this Congress, I see Members walk up to the floor, walk up to the press, send out press releases

saying, "We don't want to change Medicare as it is in law today." How many times have we heard the attacks on the Republicans saying, "They're trying to change Medicare as we know it"? I need you to think about that comment, because what's in this report is Medicare as it is in law today. You need to understand what the left is defending and the crash that is just a few years away; and I'm standing here today to defend the fact that, as Republicans, we're saving the program. We are actually trying to find a way to make Medicare actuarially sound so that you and I can have it but also our kids and our grandkids can have it.

So let's actually first walk through the numbers, and then I'm going to read parts of these last three pages. I promise it's more interesting than it sounds, and it's more depressing than you can ever imagine, and this is the current law.

All right. A couple of primers on some spending out there.

2010, how much of our spending is mandatory?

2016, you'll start to notice mandatory spending is consuming everything we are.

Another point of reference. Today, when we borrow, we're actually having to borrow to cover all the discretionary. That's defense. That's all the alphabet agencies. We even have to borrow today to cover a portion of the mandatory spending. Think of that. The Medicares, the Social Securities, the Medicaid, the VA benefits, interest on the debt are actually living on borrowed money. I would think that would set off an alarm bell in someone's head that there's something horribly wrong out there.

So let's actually bounce on to this graph and just sort of give you a concept of how fast these numbers are eroding and why things like the battle over cut, cap, and balance are going on in this body, because there seems a willingness here by many Members—and I've got to be very careful how I phrase this—that I believe telling the public the truth of how difficult these numbers are and how dangerous they are to our Republic may mean they don't get reelected, may mean they have to stand up in front of an audience that for years and years and years they've said, "Don't worry. It's fine." How do you go back in front of that same audience and now tell them, well, maybe the numbers weren't fine, because the truth is in front of us right now.

Here is the 2010 sort of breakdown. Department of Defense, Military, Other Discretionary. We use this one, because this is last year's numbers. It's all done. We know what it was.

Do you see this? That's probably about 62, 63 percent of all spending was in the mandatory category. Think of this. This here, from the President's

own numbers, is the 2016 projection, which is four budget cycles away, because, remember, right now we're working on the 2012. This is the 2016.

Do you see the difference in these two boards? Do you see that growth in that blue area? We go from something in the low sixties to 72, and I have one person who keeps telling me it's 73 percent of all spending.

But think of this. In about 13½ years, every dime of this pie chart, every dime of spending, will be consumed by the mandatory portion of our spending. So 13½ years. There's nothing left in defense. There's nothing left in the alphabet agencies. Mandatory spending, the entitlements, consume everything we are. And, remember, this is as the law is written today. So every time you see a Member walk up and say, "I don't want to make changes; I want to keep everything as it is in law today," they're basically saying your future is a crash. Everything will be consumed in these mandatory numbers.

Now let's actually walk through a couple of things that are in these last three pages of the 2011 Medicare actuarial report. Once again, please, I ask you, if you don't believe me, if you're someone who has trouble believing these statements that I come here to the floor and try to walk through, go take it off the Internet yourself and read these last three pages.

Part of the premise here is, to his credit—and I believe he is actually the chief actuary for Medicare, actually wrote a little Statement of Actuarial Opinion, the last three pages, and he puts it in perspective. He basically says, yeah, the numbers in here are fine if you live in a fantasy world and assume Congress will never make certain changes. And understand, baked into these numbers, you'll love this one. I'll read it, and then I'll explain what this means. This is in the second paragraph. I'm going to read the second half of this paragraph:

"They are not reasonable as an indication of actuarial future costs. Current law would require a physician fee reduction of an estimated 29.4 percent on January 1, 2012—an implausible expectation."

Did you hear that? Built into these numbers, January 1—what is that? Five months from now? January 1, doctors are to get a 29.4 percent cut in their compensation, and that's built into these numbers because these numbers don't work without taking that type of hit to the doctors.

How many doctors are going to see Medicare patients come January 2 when they've taken a 29.4 percent cut? So what traditionally happens around here is the Members of this body sometime in November, December, we're going to run to the floor, we're going to say that's not fair, we want to make sure Medicare recipients can actually see their doctor, and we're going to go

back and raise up that compensation and keep it flat. We're going to get rid of that 29.4 percent cut that's already built into the law. The next day we should have a new actuarial report saying, oh, by the way, the dozen-some years that we said Medicare was fine is crashing, because it's built on premises that don't have reality.

I'm trying to find nice ways to phrase this. When you read an actuarial report, it's based on current law. What happens if built into that current law is absolute fantasy, and that 29.4 percent cut, which I will be one of the people who will walk onto this floor and do my best to stop that because that's not fair. It's not fair to the doctors. It's not fair to the people in the program. But you've got to understand. Then when Members of this body walk up here and say, "We want no changes to Medicare," when they say they want no changes, are they saying they want the law as it is today? They want doctors in January to get a 29.4 percent cut? You can't have it both ways. You can't walk up here and say, "We want to keep the law exactly as it is, no protection, no changes."

"Oh, by the way, you're never going to see your doctor again after January 2."

You have to actually go through more of these last three pages, this statement of opinion. It's devastating. And you start to realize the political theater around here hasn't been telling our public the truth. They're more concerned about winning political points than helping the American people understand we have a huge, important program here that's about to collapse under its own weight. We have the documents. We have the data. We're trying to step up and be responsible. But by being responsible, you get demagogued, you get attacked, you have people going out and holding up little protest signs. And then you talk to them and say, "Hey, read this," and they read it, and they look at you with these eyes saying, "I can't believe my own side's been lying to me. Why didn't they fess up and tell us this was coming?"

□ 1140

There are a couple of other things in here. Medicare prices for hospitals, skilled nursing facilities, home health, hospice, ambulatory surgery centers, diagnostic laboratories, and many other services would be less than half of their levels under prior law. That is built into this Medicare actuarial report. Think that through. Built into the formulas today, those groupings are going to be receiving half the compensation? How many of them are ever going to treat, take care, diagnose, or provide hospice care for Medicare recipients? That's what the Republicans are trying to save. We're trying to fix it. We're trying not to let that happen.

Anyone that says they do not want changes to Medicare, they are actually

supporting the downfall of the program. And that is actually why I stand here. I will be back next week with a series of slides that actually break out a number of segments from this Medicare actuary report, because it's time we start having Members come to this floor and tell the truth.

One last little thing here. For these reasons, the financial projections shown in this report for Medicare do not represent a reasonable expectation for actual program operations. What the Medicare actuary is basically saying is, What we've based much of the rhetoric on around here, if you dig into the numbers, this program has already changed as people know it. It was changed last year when they did the health care takeover vote. It's already built into the law.

As a Republican, we're trying to find ways to save this program, make it actuarially sound so it is there for the folks who are on it, for our children, for ourselves, and for the next generation. We are here to do the right thing. And if you don't believe me, go pull the report, and read through it yourself.

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

#### AMERICA'S DEBT CEILING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. KING of Iowa. Madam Speaker, it is my privilege to be recognized to address you here on the floor of the House of Representatives, and I always appreciate the honor and the privilege.

I, like every Member in this Congress, and most Americans, have some strong opinions about the workings and the necessity for this Congress to step up and lead, as we have led, on the issue of the debt ceiling.

And I will start with this: Some weeks ago, the Secretary of the Treasury, Tim Geithner, laid out a date; and he said August 2 is a hard break deadline beyond which we can't extend our borrowing and our spending and that the government will not be able to pay its bills, and we will have to default on our debt. That, I think, Madam Speaker, is an irresponsible statement on the part of the Secretary of the Treasury, and we should keep in mind that his first boss is the President of the United States.

So the things that come out of the mouth of the Secretary of the Treasury often reflect the best interests of the President and perhaps are explicit or implied directive that comes from the President. And I happen to have this belief that when someone goes to work for the President, their judgment becomes what they think the President would do if he happened to be doing their job.

I have watched the transition of executive offices over the years, in places like the Governor's office in Iowa, where I come from and have served in the Iowa Senate before I came here. I watched as the transition in the executive branch took place, and I watched as some of the people that survived the transition did so by accommodating their positions to that of their new chief executive officer, their new Governor.

I watched as the United States of America has transitioned from a George W. Bush administration to a Barack Obama administration. And I have watched as some of the survivors of that transition accommodated their positions to their new President, their new Commander in Chief. So I'm a little cynical about the knowledge base and what is declared to be the deep convictions of some of the appointees of the President.

When I hear the Secretary of the Treasury say, This August 2 date is the date beyond which we can't go, we can't borrow beyond that, and so we'll have to start defaulting on our debt, why does Tim Geithner say that? I say he does because that accommodates the President's argument that this "we've got to put up or shut up date" is a hard date, August 2, beyond which is a financial calamity. I don't believe that, Madam Speaker. I don't believe we get into a financial calamity if we go on the other side of August 2.

It may be a fairly accurate calculated date, beyond which we won't have the borrowing capacity to continue to pay our bills on time. I think that's probably close to August 2. I don't know that it's the accurate date of August 2, however. So I just caution people to think about what it really means when you hear a Cabinet official take a position and promise Americans that they can count on their word. You know, they're sometimes falling on their sword for the President of the United States.

In fact, the Secretary of the Treasury, Tim Geithner, doesn't give me a lot of confidence. Just a few weeks ago as he was under oath before the Small Business Committee, I asked him his opinion on several of the top economists that America and the world have produced throughout history. A couple of those people would be Adam Smith and John Maynard Keynes. And Secretary of the Treasury Tim Geithner's response was—and I remind you, Madam Speaker, under oath—his response was, he is not an economist; therefore, he wouldn't offer an opinion on lead economists in the history of the country and the world because he's not a trained economist.

So when Tim Geithner tells us that we have a deadline of August 2 and it's a potential calamity, is he giving us an economic opinion? He refused to give an economic opinion when he was

under oath. So when he's in front of the press, is that a different equation? Is he an economist or isn't he? He says he's not. If he says he's not, then should I accept his word that the Secretary of the Treasury is not an economist?

Therefore, I would have to tell you, Madam Speaker, I would discount his opinion because he's a self-professed noneconomist. And it seems as though America wants to accept the word of the Secretary of the Treasury even though he has put disclaimers out there on his own credibility multiple times. And I will just put another disclaimer out there on his own credibility by saying the President of the United States impacts the opinion of his Cabinet members and his other appointees.

So here's what the President has said, Madam Speaker, and that's this. In so many words, speaking of it, he said, I can't guarantee that the pensions of our military or that Social Security for our seniors will be paid on time. That was a statement that he made a little over a week ago. Yet I listened to that. Madam Speaker, I have to tell you that it wasn't a directly factual statement made by the President. He has to know this. He has to know the truth.

The truth is the President of the United States is the only person who can guarantee that our military pensions are paid on time, and he's the only person that can guarantee our Social Security is paid on time. He's the only person that can guarantee that the revenue stream that's coming in, which is \$200 billion a month, on average, would be used in a priority fashion to service our debt, to pay our military on time, to pay the military pensions on time, to take care of our national security interests, to pay the Social Security on time, and to pay the Medicare bills on time.

□ 1150

Take the seniors off the table, along with our military, as I have clearly advocated when I introduced the Promises Act a little over a week ago. The Promises Act pays our military first, services our debt second; goes no further than that. We did a major press conference on that issue—myself, Congressman GOHMERT, and MICHELE BACHMANN of Minnesota. We laid that principle out.

There are others that have good bills out here. TOM MCCLINTOCK has a good bill that requires that we service our debt, pay the debt on time. It's called the Full Faith and Credit Act. It's mirrored, I believe, off of that of PAT TOOMEY in the Senate. It has a good number of cosponsors.

LOUIE GOHMERT has a good bill that guarantees that our troops are paid on time every time. It doesn't go far enough. It's got a sunset date on it. It

doesn't happen to include hitting a debt ceiling. It addresses the funding gap that came from the CR a few months ago, but the concept of it is good, and he's led very well on it.

DAN WEBSTER from Florida has a very good prioritization bill. His bill, and should we send it to the President and it becomes law, services the debt first. That's about \$20 billion a month. It pays the military second. That's about \$11 billion a month. And now that's \$31 billion. If you divide 31 billion by 200 billion, 31 divided by 200 works out to be 15.2 percent. So 15.2 percent of the incoming revenue stream is all that it takes to guarantee that our military is paid on time every time, and that they, in harm's way, defending our liberty with their lives on the line and sacrificing their lives from time to time, should never have to wonder if their earned paycheck is going to be transferred into their account for their family on time every time. That should be a guarantee that this Congress makes, and it should be a guarantee that lasts for all time. My bill does that.

I believe the language in DANIEL WEBSTER's bill does that as well. But, in any case, his services the debt first, pays the military second, provides that the President can direct funding into national security issues third, pays the Social Security fourth and the Medicare bills fifth. I actually think his is the best bill. I would take it and massage it and flip a couple of things within it, but I am not taking a deep objection to it, nor do I think that we wouldn't get the job done with DAN WEBSTER's bill. I think we would.

But I would like to see a prioritization bill be moved here in the House of Representatives and send it over to the Senate. We've already passed Cut, Cap, and Balance. We've said, Here's the debt ceiling increase. You send a constitutional amendment to the States so they can ratify an amendment that guarantees that this Congress would be bound to a balanced budget.

The balanced budget amendment passed here in this House in 1995, and it was messaged down that hallway to the Senate in '95. And it was brought up on the floor of the Senate with the votes counted for passage. One Senator flipped unexpectedly, and the balanced budget amendment failed on the floor of the Senate that day in '95. Had that balanced budget amendment passed, it would have been messaged to the States for ratification.

It requires three-quarters of the States to ratify a constitutional amendment, which clearly would have been the case for a balanced budget amendment. Had the States had that opportunity, I believe they would have ratified a balanced budget amendment. Had they done so, I believe, Madam Speaker, that we would not be having

this discussion today. I believe that we would have enshrined in our Constitution a requirement that this Congress be bound by the same standards that most of the States are, balanced budget amendments. And if that had been the case, we would not be having this discussion. We wouldn't have this overspending. We wouldn't have more than \$3 trillion in deficit spending that's been driven by the President of the United States.

Some say Republicans are responsible, too. Republicans spent too much money, too, and in that case, I'd agree with that.

But here's the real comparison, and it's this: During the height of the Iraq war, with expenses going out in armed conflict in the Middle East, when things were going badly there, this Congress came within \$160 billion of balancing the budget. A little bit more economic activity, a little tweak here or there, and we would have seen a balanced budget in the middle of the past decade, in the middle of the Iraq war. We fell \$160 billion short. All right. I'll take that on us. We should have done a better job. We should have had enough cushion that we achieved a balanced budget. We didn't get that done.

But today, the President's deficit is \$1.65 trillion. And I no longer have to say trillion with a "t." I used to have to say billion with a "b." Sometimes people were thinking million when you said billion. But now we talk about trillions, and then the concept of we don't have to say trillion with a "t" anymore. It comes out of our mouths. We're discussing trillions of dollars.

So the President has given us a \$1.65 trillion single-year deficit, more than 10 times greater than the \$160 billion deficit that Republicans had during the height of the Iraq war. That's his responsibility, over \$3 trillion in deficit spending in two short budget years.

By the way, no budget approved by Democrats during that period of time. Nothing brought up in the Senate now. We did pass the Ryan budget. We voted on an RSC budget. I stuck with the toughest and the strongest budget that we could bring to this floor, one that balanced in less than 9 years. I'm a little embarrassed to say that. I'm a little embarrassed to say a budget that balances in less than 9 years, but it's easier to say that than it is a budget that balances in 26 years. And that's the budget that Democrats voted against because it didn't spend enough money.

The Ryan budget balances in 26 years, when my sons are ready for retirement. That's too long. I want something much shorter than that. I'd like to find a way to balance this budget tomorrow if I could, but the price to do that would be too many calamities across this country. So we need to get there as fast as we can before the financial markets leave us. We need to

get there before we become the Greece of the world. This isn't going to wait 26 years to be resolved.

And if you want to push the American economy and our credit over the edge, just adopt the ideas that come out of the Democrat side of the aisle or out of the HARRY REID majority in the Senate—the ideas that we should extend the debt ceiling without restraint; whatever the President asks for, give it to him; let him borrow and spend money—and somehow or another, the magic of Obamanomics is going to create this huge economic chain letter of spending. There's always another sucker in a chain letter, isn't there? The President believes that. He believes there's always another sucker in a chain letter. And so he wants to borrow and borrow and borrow and spend and spend and spend and take something like FDR's New Deal to the infinite power and apply it to today's economy, and somehow the magic of the consumer-driven economy will save us from our lack of discipline, and the economy will start to grow again.

I'll submit, Madam Speaker, another viewpoint on this. I think this. I think that last summer was not "recovery summer" as it was declared to be by the President of the United States. Nobody is saying this summer is "recovery summer" with 9.2 percent unemployment. I would submit instead that we have to recover from Obamanomics before we actually will be in recovery.

We may have already recovered from the downward spiral of the recession that was the financial crisis that came to us in the fall of 2008. We may have already recovered from that, but we've not recovered from Obamanomics. We've not recovered from the economic stimulus plan. We've not recovered from the \$3 trillion in unnecessary spending. We have interest. We have to service this debt.

I think there are a good number of Americans by now that have lived through this, and on the other side of this recession that we've been in, they will be learning this again, this thing that I know from experience, and it's this: If you are too highly leveraged, another loan—borrowing more money with more interest to pay and more principal to pay—doesn't sometimes help you. Sometimes when you're too highly leveraged, you just simply have to go broke and declare that you're insolvent, and now maybe you get a chance to start again.

But businesses have been beaten down, beaten down, beaten down, and along comes a natural disaster, like, for example—to inject it into this CONGRESSIONAL RECORD—the natural disaster of the Missouri River floods of 2011 that go on right now. We have victims that are underwater now and that are so far behind that a disaster loan at low interest rates over a long term doesn't help them because they won't be able to service their loan.

□ 1200

They won't have the cash flow to do it. They will just have another interest payment; they will just have another principal payment, and it weighs them down to the point where they can't recover.

This Federal Government could find itself in the same position. The Federal Government has to pay the interest; the Federal Government has to pay the principal. Who's going to pay that? The American people. It has to come out of the profits of the private sector in order for that to happen.

And when we look at the growth in government spending and government spending-created jobs when it's created from borrowed money, it's got to come from somewhere. Where does it come from? It comes from the private sector. What does the private sector produce that can be tapped and taxed by, let's say, Tim Geithner, the IRS? Well, first of all, the Federal Government taxes all productivity in America. Every single thing that's productive the Federal Government has figured out how to tax.

If you punch a time clock in the morning—let's say Monday morning, 8 o'clock, Americans by the millions step up and punch that time clock. From that instant forward, Uncle Sam has his hand out. It just comes out automatically. He hears the time clock, and his hand goes out. It's like a Pavlovian reflex that comes from Uncle Sam. There's a mystical little image of Uncle Sam there beside that time clock, and when he hears that noise, it's like Pavlov's dog. When he heard the bell ring, he salivated because he got fed when the bell rang. And when the time clock kicks in, Uncle Sam's hand goes out.

And all the money that you earn from that moment forward until he gets his fill goes into Uncle Sam's hand for that day. And some time—oh, maybe, if you're lucky, before noon—he gets enough of it that he can put his hand in his pocket and walk away for the day. Uncle Sam has taxed—he has punished, actually—your productivity because there is a disincentive to produce if the government is going to take your production from you and put it in its pocket.

Now, we don't mind sharing some of this. I mean, we go to church and provide our donations there, and Americans are very generous people when it comes to charity. There is no one more generous than Americans when it comes to that. But it is discouraging to have the Federal Government take the first dollar from the first hour and every dollar from every hour until they get all that they want. But that's what happens.

But out of that, out of that first lien on all productivity—and by the way, Madam Speaker, it's not just those people who punch the time clock; it's

those people that work on commission, too. If your commission check is, say, 10 percent of what you sell, Uncle Sam is going to get his out of that before you get your commission. You all know that. If you have earnings, savings or investment, Uncle Sam is going to get his tax out of that, too. It is a punishment for productivity.

The Federal Government taxes all productivity in America, and they tax it first. They have the first lien on all earnings, savings and investment in America. And then out of that—and by the way, that private sector that I'm talking about produces goods and services that have a marketable value here in this country and abroad. That's our export market. That's what has value. And the rest of all of this is just what supports it and what runs off of taxes on it, but you have to increase the productivity of your goods and services that have a marketable value domestically and abroad if you're going to recover from this economy.

The private sector in America has to produce those goods and services in a volume and in a competitive way adequate to recover now from Obamanomics, to recover from the more than \$3 trillion in irresponsible spending. And it has to have enough confidence that the government is not going to step in and punish that productivity and tax that productivity by increasing taxes on it or putting that heavy burden of regulation on it, and someone put out a number here a couple of weeks ago that the annual burden of regulation is something like \$1.7 trillion a year in America.

I can tell you, Madam Speaker, what it was like for me when I started a business up in 1975. I didn't have any money, I didn't have any capital, but I thought I knew how to do something that had a marketable value, and I had enough confidence to step up and do that; but my fear was, not that I couldn't do the work or that I couldn't market, sell my skills or that I couldn't manage the books or fix the equipment or get it moved to the location or do the job, do all the things that were part of the function of the business that I started.

My fear was that the government would come in and punish me in a way that I didn't expect, that the government would come in and maybe do an IRS audit at a time that—we all feared the IRS then. I think we do now. That happened. It happened over and over again. It looked like the IRS wanted to haunt me there for a while. And to this day, I don't think that I did anything other than comply with all of those laws. I was punished anyway.

Another fear I had was: What about government regulation? How could I possibly know which government regulator would come swooping in on me and shut my business down and punish me with penalties that I couldn't an-

ticipate? Fortunately, I was never really at that point where the regulators came in and shut me down in that fashion, but many businesses have been. The weight of this regulation—if that's the number, \$1.7 trillion a year—is a tremendous amount of American capital that is consumed in trying to comply with regulators.

I would pose this question, Madam Speaker: Out of the millions of businesses that there are, let's just say, does anyone know of a single business in America that has ever uttered a statement or put up on their Web site or printed a business card that would say words to the effect of: "We are in compliance with all government regulations"? Can anybody think of a single business that has made such a statement or taken such a stand? I'd say not.

Now, I ask that question because it is a good question that calls us to examine why it is that no business claims that they're complying with all government regulations. The reason is because it's impossible, Madam Speaker.

Years ago, I had a task of doing seminars in five different States at State conventions. And one of the things that I began to do was ask my colleagues who were in similar business—and these were self-employed people. Most of them started the businesses themselves. Sometimes they were second- and third-generation businesses as King Construction is today, a second-generation business.

But I would ask the question, How many agencies regulate our trade, Earth-moving business? How many agencies regulate our trade? And so they would say, well, the EPA does and the DNR does and the IRS does and the DOT does and the tax man does. And as we began writing that down on a—it was a chalkboard in those days—we came to this conclusion that we were directly regulated by 43 different agencies. So I would begin to ask the question—in a closed room, no press—are you in compliance with these EPA regulations? And then we would have a long discussion about how hard it was.

And they were never comfortable, even back then in the eighties, that they were in compliance with the EPA regulations, because they could always be read in a different way by the next generation of environmental extremists that would get a job. Where would you go? What if you're genetically born to be an environmental extremist? Where would you look for a job? The EPA. And wouldn't you think that you had a cause that was as worthy as the cause of your father or your mother, who advanced the Clean Water Act and the Endangered Species Act and a number of the other environmental legislation that passed through here without a lot of restraint in the seventies, and had some justification then, and did clean up our waters and our sewers and

our landfills and continue to do so to this day?

They had a cause. They were on a crusade of environmental clean-up back in the seventies, and now their children have jobs working for the EPA, and they have a belief and a conviction and a crusade that is as powerful to them as it was to their parents or their successors, the earlier generation.

But we've cleaned up the environment a lot since the seventies. Most people now enjoy clean water and good sanitary sewer systems and a pretty good system of handling the waste that comes out of society. But the people that are involved as regulators don't see it that way because they have a cause, and now they think they need to trudge forward on a cause. They will never be satisfied because that's what they do.

So regulations are never going to be all complied with; they keep changing the rules as you go forward. Now they want to regulate anybody that has a 1,000-gallon fuel tank, that it has to have a storage levee or dike built around it or some type of a structural containment for that, as if there's going to be a spill in every location and it can't be cleaned up. Well, we know they can be cleaned up. We don't have a problem, but they have a solution for us regardless. That's just the EPA. And we can go on down the line.

Is anybody in compliance with every IRS opinion?

□ 1210

The old story goes this way. If you want an argument, just ask two lawyers their opinion. Well, if you want an argument, just ask two representatives of the IRS their opinion and you will get two different opinions, almost as a rule. Anything that's halfway contentious, you'll get two different opinions, which means no one can be confident they are in compliance with the IRS rules because the rules aren't clear enough. Even the people who enforce them can't agree what they are. We can go on down the line.

In my State, the Department of Natural Resources, they do enforce the EPA rules. There are conflicting opinions there, and the conflicting opinions go on and on and on. But, Madam Speaker, it's not just 43 agencies. Those are the 43 that we identified that regulated my trade back in the 1980s. Now there's a Web site called Constitution Daily that counted these all up a couple of years ago, and they came up with 682 different agencies. Now, I'll admit, these are departments and divisions of agencies, but 682 entities that regulate in America—682. No one person could memorize them all. It's impossible to know all of the regulations that they have written.

We have ObamaCare now coming at us, grinding up and consuming American liberty. And what do we get out of



that? 2,600 pages of legislation, and the regulations at this point have reached over 8,700 pages of regulations just on ObamaCare. And we saw here the other day that the CEO of Home Depot said he believes that ObamaCare, itself, will generate over 150,000 pages of regulation.

Now, it makes it real clear, even if you are a huge, huge corporation, you cannot analyze all of this and be sure that you are in compliance with regulations. So what do businesses do? One is they don't start up because of fear of all of this. Who in their right mind would start up a business right now that employed 51 people, for starters? They would be under the requirement to establish the health insurance plan that the government would approve for every one of their employees. So instead, they sit on their capital and they don't invest, and part of it is the tax burden.

Another thing we know is if this Congress doesn't act between now and the end of 2012, we will see a huge tax increase. That was part of the negotiations last fall that bridged us over until we get past another Presidential election. So we have a huge tax increase ahead of us when the Bush brackets expire, and it triggers back in all of those brackets—all of that going on—while there is \$23.6 billion that is automatically appropriated, that \$23.6 billion of the \$105.5 billion that is automatically appropriated, and I say deceptively appropriated in ObamaCare, itself.

So we have ObamaCare regulations going in place. The roots of ObamaCare are going down. The American people are starting to think that we don't have the determination here in this House to repeal ObamaCare.

I come here, Madam Speaker, to remind you and anybody that might be listening to this deliberation here on the floor of the House that this House has passed the repeal of ObamaCare. Every Republican voted to repeal ObamaCare. We sent it over to the Senate. The Senate also held a vote, and every Republican in the Senate voted to repeal ObamaCare. However, they didn't pass the repeal in the Senate, and so the repeal failed. Well, that had something to do with the President, who has a lot of belief in his signature piece of legislation. His future and his destiny are wrapped up in ObamaCare.

However, we know that the American people have said that they want all of ObamaCare ripped out by the roots. They want it gone, lock, stock, and barrel, with not one shred, not one DNA particle of ObamaCare left behind. The American people understand that ObamaCare is a malignant tumor that is metastasizing and consuming the liberty of the American people, and it must be repealed. This House is resolute in their repealing of ObamaCare.

We have also passed out of this House with a significant majority the legisla-

tion that cuts off all funding that would be used to enforce or implement ObamaCare. We did that as a part of the CR that came out of here that finally the President signed. They stripped the funding out of it and voted it out in the Senate at the direction of HARRY REID.

So, Madam Speaker, this House is resolute. The American people are resolute. And I will make this prediction that I think needs to be understood, and that is this: If President Obama is reelected in 2012, that will guarantee that all of ObamaCare will be implemented and enforced. That operation of its implementation will be completed by 2014. That's kind of the schedule that it's on now. If the President is reelected, we get ObamaCare as the law of the land in perpetuity.

If he is not and we elect another President, a different President, that will be on the foundation that we will repeal ObamaCare under the signature of the next President of the United States.

I see that the Speaker of the House has arrived on the floor, and I'd be happy to yield to whatever cause that might be.

Mr. BOEHNER. Let me thank my colleague for yielding.

Mr. Speaker, there is a huge gulf between Washington, D.C., and the American people. They are dealing with tough times. They're struggling to pay their bills. They look to Washington, and they see politicians who can't stop spending money, their money.

Listen, we're broke, and we need to stop the out-of-control spending spree that's going on in Washington, D.C.

The House has acted. We passed a bill that raised the debt limit, cuts spending, puts real reforms in place, and requires that Congress send to the States a balanced budget amendment. It's called Cut, Cap, and Balance. We've done our job.

The Democrats who run Washington have done nothing. They can't stop spending the American people's money. They won't, and they have refused. The Senate majority leader says that they won't offer a plan to cut spending or a plan to raise the debt limit. Frankly, that's irresponsible.

Mr. Speaker, where is their plan?

President Obama talks about being the adult in the room. Where is his plan to cut spending and raise the debt limit?

Listen, we're in the fourth quarter here. We're fighting for jobs; we're fighting for the country's future, and we're fighting for the American people.

Mr. KING of Iowa. Reclaiming my time, may I inquire how much time I have remaining?

The SPEAKER pro tempore (Mr. GARDNER). The gentleman has approximately 12 minutes.

Mr. KING of Iowa. Thank you, Mr. Speaker.

I am very happy that the Speaker arrived on the floor to make that point. The point is this: We have passed Cut, Cap, and Balance. We have done our job. Now the challenge is for the United States Senate and the President of the United States to do their job.

I would prefer they just accept the model that has been messaged down that hallway over to the Senate, and I'd prefer that the President would endorse that and step up in the next few minutes and say let's get this done. This can be done in a very short period of time. All we have to do is agree. Instead, the President and the Democrats in the majority in the Senate seem to want to insist upon tax increases being part of any package that might come through.

Well, this goose that lays the golden egg is the free enterprise private sector goose. This goose has to live off of some profits, and they have to have profit in order to have jobs.

I would add to the Speaker's statement the question about it has been about jobs. We've done our job. This is about jobs. But I think we fail to remind the American people that wages are what pay for jobs. Nobody is going to say, I have a job, but it doesn't pay. The money has to come from somewhere. Where does it come from?

That needs to be stated and restated that the money for wages that pays for jobs has to come out of profit. Nobody can operate at a loss, so companies have to make some money. If they don't have an opportunity to do so because of the burden of taxes or because of the burden of regulation or the burden of the indecision in not knowing what the government is going to do next, which keeps a lot of that capital on the sidelines, they are not going to expand or do new hires. In fact, they're not going to provide wages and benefit packages of increases unless they have profit.

□ 1220

So I'm one of those people that thinks I want businesses to make money. I want them to make money, and I want them to expand the jobs, and I want them to invest the money with confidence they can make more. If it goes to their head too far and they become too vertically integrated or too monopolistic, then it's up to the entrepreneurs out there to take a look and say, I think I can gather the capital together and compete against them and provide a good or a service that has a better value—and make money doing it. And in doing so, that profit turns into jobs.

I am one who has met payroll for over 1,440 consecutive weeks. I made it every week on time. There were times that we didn't do very well in our household because I paid me last. I paid the employees first because they're the frontline troops. I paid the interest at

the bank second because I had to have the capital to operate. You set those priorities when you go through those things. But jobs come from profit. And let's have a scenario that allows businesses to invest and to have confidence in the future. And Cut, Cap, and Balance does lay out the right scenario.

I know that Speaker BOEHNER has been concerned about hitting this August 2 deadline that I think is not as hard a deadline as Tim Geithner believes it is. I think the Secretary of the Treasury is carrying water for the President of the United States and putting statements out there. I think the President of the United States is willfully scaring seniors.

I think he's doing so when he says that he can't guarantee that military pensions or Social Security would be paid on time. Mr. Speaker, yes, they can. The only person on the planet that can guarantee they would be paid on time is the President of the United States. So you couldn't be any more wrong than when he says he can't guarantee it. Yes, he can. Does he know this truth? Can he not understand his job? He seems to exert his power where it doesn't exist. Doesn't he know that he can exert his power where it does exist?

I'll just tell this anecdote that was part of a political commercial, and I'll let people draw their own conclusions on this. Back in 1996, when Bill Clinton was up for reelection, there was a commercial that was run, and it was the face and voice of—a lot of us think of him as Moses since he passed away—Charlton Heston. He looked into the camera, and he was speaking presumably to President Clinton when he said, Mr. President, when you say something that's wrong and you don't know that it's wrong, that's a mistake. But when you say something that's wrong and you know that it's wrong, that's a lie. That was what Charlton Heston said back in 1996.

I reflect upon those words today, and I make this point that I know the truth. The American people need to know the truth. And that truth is the President of the United States can set the priorities on how to spend the \$200 billion a month on average that comes in in revenue stream. All he has to do is step outside the Oval Office, step up to the microphones in the East Room or outside in this nice, beautiful, warm summertime we have in Washington, D.C., and say, I'm going to set those priorities.

If we can't make a deal with Speaker BOEHNER, who was just here on the floor, and with HARRY REID and MITCH MCCONNELL and all the folks that have to vote in the Senate—and by the way, the people that have to vote here in the House—if we can't make a deal, here's what I'd do. The President could do this in the next minute. I'm going to make sure our troops get paid first—on

time every time. He can say that. He can say, And right behind that \$11 billion a month comes \$20 billion a month out of the funding stream we have. Whether we borrow or not, I'm going to guarantee that we service our debt, \$20 billion. And then, I want to make sure to take care of the national security issues. Those things will change, but I'll work those priorities. Right behind that we'll pay Social Security, and right behind that we'll pay Medicare.

If the President stood up and said that, we would have confidence that he isn't going to be in the business of scaring seniors or putting doubt into the minds of our military while they are dodging bullets in places like Afghanistan. We would have confidence. But instead, he says he can't guarantee. Mr. Speaker, we know he can. We know he can guarantee. We should push that on him out of this House to let him know where we stand so the American people understand there is a moral standard here. One is: Tell the truth. The second moral standard is: Pay our military. The third moral standard is: Guarantee the full faith and credit of the United States Government. I've laid out the rest of these priorities, Mr. Speaker.

Cut, Cap, and Balance is an important position to stand on. This leverage that's here now must be used or we shirk our responsibility. Had the leverage been stronger back in 1995, that extra vote in the Senate that I spoke about some minutes ago would have been there, I believe. I believe the balanced budget amendment would have been sent to the States, and I believe the States would have ratified it. If that had been part of the Constitution the day I came here in January of 2003, I wouldn't have had to walk around on this floor and go find the chairman of the Budget Committee and say, Where's our balanced budget? And I wouldn't have gotten the answer back that I did get that day, We can't balance the budget. It's too hard. Well, if it was too hard in January of 2003, how hard is it now? It is a lot harder.

Yes, we can balance the budget. The States do that. The question becomes: When we send a balanced budget amendment to the States, do they ratify it? A lot of them would right away. Some of them would hold a special session to ratify a balanced budget to send that message as quickly as possible. But then you get out there to some of those States that have decided that they want to do irresponsible spending. California and Illinois come to mind. A lot of States went to austerity. They decided, We're going to borrow money, and we're going to ask the Federal Government to bail us out. In those States, if they're needed for ratification, there will have to be a changing of the political guard within their State legislatures. That means constitutional conservatives will step up,

step out of their normal walk of life, advance themselves as candidates to run for State legislatures on the agenda of: I will go there, and I will push to ratify a constitutional amendment for a balanced budget. Those candidates that stand on that position will be elected in significant numbers in the States where they're needed. And over a period of time we have a chance that the State legislatures would ratify—three-quarters of them—a balanced budget amendment. If that happens, it would be a wonderful gift for our posterity. It would be one of the best things that we could do in a generation, Mr. Speaker. And I urge that the American people weigh in on this and demand that the Senate and the President embrace Cut, Cap, and Balance.

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

#### BALANCING THE BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

There are a lot of things going on right now. One of them should be the business of the country. This body this week passed what many have said was truly historic. A truly historic bill passed the House of Representatives. It was not exactly what I wanted. I thought there was too much in it in the way of debt ceiling increase. I thought there was not enough in the way of budget cuts.

But what we found in the Cut, Cap, and Balance bill was that it included a provision that, before the debt ceiling would ever be increased again, we would have to have a constitutional amendment pass the House of Representatives with two-thirds and pass the Senate with two-thirds, which would not send it to the President for him to veto, as apparently he wants to do, but it would send it to the States directly. There's no provision for the President to sign a constitutional amendment after it passes the House and Senate with two-thirds of the vote. It goes to the States. If three-fourths ratify it, it's a part of the Constitution.

□ 1230

But in order to get the debt ceiling raised, we would have to have a balanced budget amendment to the Constitution pass the two-thirds in the House and Senate. That seemed like an appropriate thing to do because, as many of us have said, the only way we're voting for a debt ceiling increase is if there is a real game changer as part of that that we can't get any other way that will set this country on the course to being fully fiscally responsible.

One of the reasons so many of us on both sides of the aisle ran for Congress was to come try to make sure that the liberties and the opportunities that we had growing up would be available to future generations. The only reason that I was born in the greatest country in the history of mankind was because prior generations did smart things, did things that the Bible would say are blessed things. They did things that caused future generations to be blessed. It wasn't because I deserved it. I'd done nothing in my mother's womb to deserve to have the liberties and opportunities I'd had, but it was because prior generations sacrificed. So many laid down their lives so that we would have these opportunities.

So we have an open process.

It's supposed to be.

We've got people in the gallery, Mr. Speaker. We've got people who are free to come to the U.S. Capitol because we're in the people's House right now. There are people across Capitol Hill—Members who have their televisions on. People don't come to the floor like they once did to listen to speeches here, because they can sit in the comfort of their own offices and do other work and have C-SPAN on and listen. That has been going on for 30 years, and it has been a helpful thing. You can see what's going on on the floor and not just around Capitol Hill but all over the country. Most of us came here to try to make sure that those same opportunities are afforded to others.

There are a lot of different motivations, a lot of noble motivations for running for Congress, but I think most of us came here for that purpose. We disagree on the way to do it, but it is shocking that there could be so much disagreement over the absolute historic, unwavering principle that any nation that continually spends more than it brings into its government will cease to exist as a government. There is no historic element contrary to that. You can't find it. If a country, if a government, keeps spending more than it brings in, it is going to cease to exist.

The only question remains: When does that happen?

There are movements around the world to try to end the dollar as being the world's reserve currency. When that happens, the dollar is going to fall farther than it ever has, and it may not recover. That's why I think some countries want to see that happen. That's probably why George Soros wants to see that happen. We also are told that our rating of our indebtedness, our bonds, may be downgraded if we don't get our indebtedness under control. It only makes sense that that would happen if we don't get our spending under control.

It should be a no-brainer, but apparently that is a malady that exists here in Washington. Under the rules of the House of Representatives, I certainly

can't say that there is anybody in the House or Senate who has no brain. We know, biologically, you have to have a brain, but it is possible that you can have a brain and not use it fully. I don't know how you explain the vote that took place right through that door and down that hall at the end of the Senate today. I don't know how to explain that. It's not that the Senate today had too much work to get done or too many bills to take up that they just didn't have time to try to save the country from ceasing to exist because it can't stop spending.

So it wasn't because there are too many other bills to take up. They have no bill to deal with the financial issues of this country. There is no bill down there that is going to be brought to the floor that will save this country from its own government's stupidity. According to the House rules, it's not that there is anybody stupid here in the House and Senate, but as a group, sometimes we do very stupid things. I would submit that what has happened today, from an historic standpoint, is a statement that, although nobody in a body, according to the House rules, is stupid, a body can do a stupid thing.

So, even though there are no other bills being brought to the Senate floor to take up and vote on today, even though there are bills that have been filed to take care of this very issue, there is a Cut, Cap, and Balance bill in the Senate that has been filed to address this issue. Many have signed onto bills that will address these issues. They're down there, but they're not bringing them to the floor. There's not an overwhelming amount of work to be done on the Senate floor today, so they bring up the Cut, Cap, and Balance bill—not for debate.

Why would anybody be afraid of debating a bill that so many believe could help us save the country for future generations? Why would you be afraid to bring that up?

If you don't want to talk about it, if you don't want to have a debate on the House or the Senate floor on some bill that so many believe will help us save the country for future generations, you make a procedural move called a "motion to table," and that is what happened in the Senate today.

What courage that took.

It must have taken a lot of courage, and I'm not kidding about that when you know that there are so many people in the Senate body who want to talk about a game changer, who want to talk about what they believe with all their hearts could set us on a course to fiscal responsibility, that could save the country for future generations. You know all those people wanted to talk about it. It takes a lot of courage to stand up and say, "I move to table that bill." Now, I don't know what the motivation is that would cause someone to stand up and say, "I move to

table. I second that." I don't know. I don't know why you would move to table.

I don't know the motivation, but I know it takes courage when right at half of the 100 people in the Senate want to take this bill up and talk about it and debate it and maybe amend it—because I would love to amend it. I would love to knock down the \$2.4 trillion in debt ceiling increase. I'd love to raise the amount of cuts. There are a number of things I'd like to tighten up in that bill, but it was the best bill we had available. What a great idea. Bring it to the floor. Let's talk about it. Let's amend it. Let's get it done.

The thing is, when you're in the majority of the House or the Senate and if you don't like a bill and if you bring it to the floor on an open rule, you can amend it on the floor. You can have the debate on whether or not it ought to be amended. We just went through that, and we voted for and against a lot of different amendments this week, many of which I didn't think we necessarily needed to vote on, but that's part of the process.

Why would anyone in the Senate be afraid of having that process on the Cut, Cap, and Balance bill?

I don't get it.

I know it took courage to move to table when all the polls show America is concerned about its future. Poll after poll shows that American adults in around the 70 percentage area believe that the next generation will not have the opportunities that our generation had. You know those feelings are out there in America. You know that there is a group that wants to change the way we do business in Washington, so we have to live within the amount of money that comes in and not spend more than that. You know that feeling is out there. You know that this is a bill that could change the way we do business.

Why wouldn't you want to even allow it to the Senate floor to talk about it?

It took courage to move to table. Here are the courageous Senators who voted to table, which means to prevent debate on the Cut, Cap, and Balance bill in the Senate. It truly took courage for these people in the face of 60, 70—some have indicated 80—but 60, 70 percent of America that wants us to get our financial house in order. There is a bill that will mandate that we do that. So it takes courage to prevent that bill from coming to the floor, not for a vote on the bill, but just to debate the bill, to talk about it in front of God and everybody on the Senate floor. It took courage.

□ 1240

I don't know the motivation for all of these people voting to prevent debate and prevent the bill from coming to the floor. I just know that these people had

courage to prevent what the majority of the American people believe needs to be discussed and debated and voted on.

And these are the Senators with that courage to prevent what the majority of the American people wanted done:

From Hawaii, Senator AKAKA; from Montana, Senator BAUCUS; and from Alaska, Senator BEGICH; from Colorado, Senator BENNET; from New Mexico, Senator BINGAMAN; from Connecticut, Senator BLUMENTHAL; from California, Senator BOXER; from Ohio, Senator BROWN; Washington State, Senator CANTWELL; from Maryland, Senator CARDIN; from Delaware, Senator CARPER; from Pennsylvania, Senator CASEY; from North Dakota, Senator CONRAD; from Delaware, Senator COONS; from Illinois, Senator DURBIN; from California, Senator FEINSTEIN; from Minnesota, Senator FRANKEN.

And then these are the people who had the courage to say: We will not allow the debate on the floor of the Senate that might lead to a balanced budget amendment being passed. We're not going to allow that to come to the Senate floor.

So let me go through the remainder of the Senators.

Senator HAGAN from North Carolina, Senator HARKIN from the State of Iowa, Senator INOUE from Hawaii, Senator JOHNSON from South Dakota, Senator KLOBUCHAR from Minnesota, Senator KOHL from Wisconsin, Senator LANDRIEU from Louisiana, Senator LAUTENBERG from New Jersey, Senator LEAHY from Vermont, Senator LEVIN from Michigan, Senator LIEBERMAN from Connecticut, Senator MANCHIN from West Virginia, Senator McCASKILL from Missouri, Senator MENENDEZ from New Jersey, Senator MERKLEY from Oregon, Senator MIKULSKI from Maryland, Senator MURRAY from Washington.

And again, I attribute nothing but courage to these people for voting to prevent what a vast majority of American people want to have debated on the Senate floor. They were able to have the courage to say: We're not going to allow debate. We're not going to allow the chance that you might get this bill passed that could save America for future generations.

Further courageous Senators: Senator NELSON from Florida, Senator NELSON from Nebraska, Senator PRYOR from Arkansas, Senator REED from Rhode Island, Senator REID from Nevada, Senator ROCKEFELLER from West Virginia, Senator SANDERS from Vermont, Senator SCHUMER from New York, Senator SHAHEEN from New Hampshire, Senator STABENOW from Michigan, Senator TESTER from Montana, Senator UDALL from Colorado, Senator UDALL from New Mexico, Senator WARNER from Virginia, Senator WEBB from Virginia, Senator WHITEHOUSE from Rhode Island, and Senator WYDEN from Oregon.

It took a lot of courage to take a stand and vote in the Senate that: we will not allow debate on this floor over a balanced budget amendment. We're not going to allow it despite the vast majority of Americans knowing that we have to get our fiscal house in order, knowing that a balanced budget amendment would force this body and the Senate body to do just that, knowing that that would prevent the White House from ever demanding that we spend \$3.8 trillion when we're only bringing in \$2.1 or \$2.2 trillion, knowing that it would force Congress and the government to live within their means. They had the courage to stand up and say: We're not going to allow that debate. We're not going to allow the risk that you might pass a bill that forces us to be fiscally responsible. It took a courageous stand, and they stood and took that stand.

Now, to have the President of the United States stand before the American public and say, I can't guarantee that seniors will get their Social Security checks, just requires a little bit of research to find out that apparently the President, just like all of us in Congress, we rely on our staffs; we rely on those around us to get us information so that we can speak truthfully from the information we glean for ourselves that our staffs help us gather.

That tells you, though, that whoever is helping the President is not giving him truthful, accurate information because the fact is the President is the only person in this country who can guarantee that Social Security checks will go out just as the law requires. I can guarantee that the money is there and that it will be good even if this Congress does nothing for 3 years. Even if everything else falls apart, we can guarantee that the Social Security trust fund has, right now, \$2.6 trillion in treasury notes in the Social Security trust fund that can be converted to cash, that can, by law, only be used for Social Security benefits and expenses.

So, the only reason that I or anyone else here in the House could not absolutely unforeseen guarantee that seniors will get their Social Security checks is because there is one element that could prevent that on the 2nd or 3rd of August, and that's if the President or Timothy Geithner ordered that checks would not go out, knowing—well, I don't know if the President knows. He may not have been given accurate information. I know Timothy Geithner knows that there is \$2.6 trillion in the Social Security trust fund, that in 1985 there was a shortfall, and there was not enough cash to pay Social Security payments, and so they sold some of the treasury notes to get cash to make sure all of the Social Security checks were paid. 1985.

Some were apparently concerned that might not have been legal. So in 1996, a Republican majority in Congress

passed a law that basically says, hey, if there is a shortfall some month, then since there are trillions of dollars in the treasury notes in the Social Security trust fund, the administration can sell those treasury notes, just enough to make up the shortfall and assure that Social Security checks will go out. They made that a matter of law so that the administration may do that.

What I've been proposing that we should make as a part of a prioritization bill that passed—we bring before the House and pass it, bring before the Senate, and these same courageous people would probably table that, too, but it would say not that Social Security is a group of bills with others that must be paid, because by law Social Security is separate. By law, it is paid with Social Security payroll taxes; and by law, if there's not enough cash to do that some month, you may take the treasury notes and sell just enough to make up that shortfall.

Since the United States bonds and treasury notes are still about the most desirable financial bond note to be purchased in the world, especially when you look at the alternatives—Greece, Portugal, Spain, France—not a lot of good choices. So they're buying our notes, and they would. That would continue at least until we quit paying our bills properly.

□ 1250

But I think the law ought to be changed to say not "may" but "must," so that in the future no President could ever go before the American public and say, "I can't guarantee Social Security checks won't go out," because he is the one person in America that is the only person in America that is the Secretary of the Treasury, that can stop them from going out, and if we make that "may" a "must" or a "shall," then he has no option. Then we can guarantee that Social Security checks will not be interrupted, because then we would know that the President has no option. He cannot interrupt the money that is there from going to Social Security recipients. It has to go, or he violates the law, and that could be grounds, if he stepped in—heck, if he stepped in even now and said, "look, the money's there in the trust fund, but I want to make a political issue out of this and I need a crisis in order to do that, so I'm going to step in and prevent the Social Security checks from going out this month," there would have to be action taken against the President. That is just irresponsible. I think it's totally inappropriate for a President to scare our seniors.

I also think it's totally inappropriate to scare our military, and that's why I've been pushing for months a bill to ensure that people in harm's way never have to have it cross their mind that their check may not go home to their

families. They should never have to have that cross their mind, never have it be a thought. I thought about that a month or so ago as I accompanied the body of one of our heroes from New York to Gladewater, Texas. The family, the military member, should never have to worry that their check won't be there. If there is a shutdown, if the government decides, we've got money here, but we're not going to pay our bills, well, we ought to make sure that a number of things get done.

We keep being told that, gee, what if we default? There is absolutely, unequivocally no reason we would default on our debt unless for some strange reason the President and the Treasury Secretary, either/or, decide that they want to create and instigate such a financial crisis that they get whatever they want. That's the only reason there would be a default.

As Steve Moore from the Wall Street Journal said yesterday, there's nothing that magic about August 2. There is no way that the President or Tim Geithner would be insane enough not to pay what we owe as it comes due. It's one thing for Secretary Geithner not to pay his taxes for 4 years in a row. It's quite another to put a nation at risk by refusing to send out the payments for the debts as they come due for the U.S.

It should also be noted that there are hundreds of billions of dollars that the United States owes to the United States. So if the United States doesn't pay itself, what are we going to do—send out a notice that the United States didn't pay the United States, so we're deadbeats now? I mean, come on. There is so much political gamesmanship going on, and we were sent here to deal with the critical issues of this country, and being financially responsible is one of those things.

Now, I doubt that very many people actually look at the back of their dollar bills, and I know they're having more and more trouble getting those dollar bills; but if you look at the back of the dollar bills, on either side, you see the two sides of the United States great seal that was adopted initially in the first version around the time of the revolution. The eagle has changed a little bit over the centuries but was basically this by 1790.

Some people think that "e pluribus unum," which is on the light fixture up here, Latin meaning "out of many, one," come from all over the world and come to America, we become one people, we speak one language, we become one people, "e pluribus unum." Some think that's the national motto. It's not. It's part of the great seal and has been since the Revolution. "E pluribus unum" is on the ribbon that runs through the eagle's mouth.

You've got 13 stars that cause us to remember the 13 original States.

You've got a pyramid symbolizing this masterful, huge work, and above

the pyramid is an eye in a triangle with a glow around it. The eye was put in the great seal back in the 1700s to symbolize the eye of God, the all-seeing eye of God. It's why there's the halo, the glow, around it. And above those words in Latin are the words "annuit coeptis." They're also above one of the doors in the Senate, so that every Senator can look up, and if they know what the Latin means, they should be deeply touched and should be reminded of how important our job is, because "annuit coeptis" on the back of every dollar bill everywhere in America means this: He, God, has smiled on our undertaking.

The reason that the Senate desired to have "annuit coeptis" above one of the doors is so Senators would be reminded that at this country's inception, He, God, smiled on our undertaking. I can't help but wonder, today, as the all-seeing eye of God symbolized here looks at what is going on with our financial irresponsibility and our refusal to even debate becoming financially responsible in the Senate, if He, God, continues to smile on our undertaking.

Some bank, for a joke at one time, had said, "In God we trust. From all others, we accept cash." In God We Trust is our national motto. And as I mentioned to Prime Minister Netanyahu as he came down the aisle before he took the podium here and spoke recently, I said, "Keep in mind the entire time you're addressing us, our national motto is above your head." He said, "I had already thought about that."

Everybody in this body ought to think about it. Our trust is in God, but does He have any trust in us after what has been done, spending so much more than the amount we've been entrusted with as stewards? We've got to do better.

Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman has 1 minute remaining.

□ 1300

To close, I want to finish with a short prayer that was prayed by the U.S. Senate Chaplain in the 1940s, Peter Marshall:

"May our prayer, O Christ, awaken all Thy human reminiscences, that we may feel in our hearts the sympathizing Jesus. Thou hast walked this earthly vale and hast not forgotten what it is to be tired, what it is to know aching muscles, as Thou didst work long hours at the carpenter's bench. Thou hast not forgotten what it is to feel the sharp stabs of pain, or hunger or thirst. Thou knowest what it is to be forgotten, to be lonely. Thou dost remember the feel of hot and scalding tears running down Thy cheeks.

"O, we thank Thee that Thou wert willing to come to Earth and share

with us the weaknesses of the flesh, for now we know that Thou dost understand all that we are ever called upon to bear. We know that Thou, our God, art still able to do more than we ask or expect. So bless us, each one, not according to our deserving, but according to the riches in glory of Christ Jesus, our Lord. Amen."

From the Senate history.

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

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members to refrain from improper references to the Senate.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GRIFFITH of Virginia (at the request of Mr. CANTOR) for today on account of family reasons.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 1 o'clock and 1 minute p.m.), under its previous order, the House adjourned until Monday, July 25, 2011, at 10 a.m. for morning-hour debate.

#### OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Gary L. Ackerman, Sandy Adams, Robert B. Aderholt, W. Todd Akin, Rodney Alexander, Jason Altmire, Justin Amash, Robert E. Andrews, Steve Austria, Joe Baca, Michele Bachmann, Spencer Bachus, Tammy Baldwin, Lou Barletta, John Barrow, Roscoe G. Bartlett, Joe Barton, Charles F. Bass, Karen Bass, Xavier Becerra, Dan Benishek, Rick Berg, Shelley Berkley, Howard L. Berman, Judy Biggert, Brian P. Bilbray, Gus M. Bilirakis, Rob Bishop, Sanford D. Bishop, Jr., Timothy H. Bishop, Diane Black, Marsha Blackburn, Earl Blumenauer, John A. Boehner, Jo Bonner, Mary Bono Mack, Madeleine Z. Bordallo, Dan Boren, Leonard L. Boswell, Charles W. Boustany, Jr., Kevin Brady, Robert A. Brady, Bruce L. Braley, Mo Brooks, Paul C. Broun, Corrine Brown, Vern Buchanan, Larry Bucshon, Ann Marie Buerkle, Michael C. Burgess, Dan Burton, G. K. Butterfield, Ken Calvert, Dave Camp, John Campbell, Francisco "Quico" Canseco, Eric Cantor, Shelley Moore Capito, Lois Capps, Michael E. Capuano, Dennis A. Cardoza, Russ Carnahan, John C. Carney, Jr., André Carson, John R. Carter, Bill Cassidy, Kathy Castor, Steve Chabot, Jason Chaffetz, Ben Chandler, Donna M. Christensen, Judy Chu, David N. Cicilline, Hansen Clarke, Yvette D. Clarke, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Howard Coble, Mike Coffman, Steve Cohen, Tom Cole, K. Michael Conaway, Gerald E. "Gerry" Conolly, John Conyers, Jr., Jim Cooper, Jim

Costa, Jerry F. Costello, Joe Courtney, Chip Cravaack, Eric A. "Rick" Crawford, Ander Crenshaw, Mark S. Critz, Joseph Crowley, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Danny K. Davis, Geoff Davis, Susan A. Davis, Peter A. DeFazio, Diana DeGette, Rosa L. DeLauro, Jeff Denham, Charles W. Dent, Scott DesJarlais, Theodore E. Deutch, Mario Diaz-Balart, Norm Dicks, John D. Dingell, Lloyd Doggett, Robert J. Dold, Joe Donnelly, Michael F. Doyle, David Dreier, Sean P. Duffy, Jeff Duncan, John J. Duncan, Jr., Donna F. Edwards, Keith Ellison, Renee L. Ellmers, Jo Ann Emerson, Eliot L. Engel, Anna G. Eshoo, Eni F.H. Faleomavaega, Blake Farenthold, Sam Farr, Chaka Fattah, Bob Filner, Stephen Lee Fincher, Michael G. Fitzpatrick, Jeff Flake, Charles J. "Chuck" Fleischmann, John Fleming, Bill Flores, J. Randy Forbes, Jeff Fortenberry, Virginia Foxx, Barney Frank, Trent Franks, Rodney P. Frelinghuysen, Marcia L. Fudge, Elton Gallegly, John Garamendi, Cory Gardner, Scott Garrett, Jim Gerlach, Bob Gibbs, Christopher P. Gibson, Gabrielle Giffords, Phil Gingrey, Louie Gohmert, Charles A. Gonzalez, Bob Goodlatte, Paul A. Gosar, Trey Gowdy, Kay Granger, Sam Graves, Tom Graves, Al Green, Gene Green, Tim Griffin, H. Morgan Griffith, Raúl M. Grijalva, Michael G. Grimm, Frank C. Guinta, Brett Guthrie, Luis V. Guterrez, Janice Hahn, Ralph M. Hall, Colleen W. Hanabusa, Richard L. Hanna, Jane Harman\*, Gregg Harper, Andy Harris, Vicky Hartzler, Alcee L. Hastings, Doc Hastings, Nan A. S. Hayworth, Joseph J. Heck, Martin Heinrich, Dean Heller\*, Jeb Hensarling, Wally Herger, Jaime Herrera Beutler, Brian Higgins, James A. Himes, Maurice D. Hinchey, Rubén Hinojosa, Mazie K. Hirono, Kathleen C. Hochul, Tim Holden, Rush D. Holt, Michael M. Honda, Steny H. Hoyer, Tim Huelskamp, Bill Huizenga, Randy Hultgren, Duncan Hunter, Robert Hurt, Jay Inslee, Steve Israel, Darrell E. Issa, Jesse L. Jackson, Jr., Sheila Jackson Lee, Lynn Jenkins, Bill Johnson, Eddie Bernice Johnson, Henry C. "Hank" Johnson, Jr., Sam Johnson, Timothy V. Johnson, Walter B. Jones, Jim Jordan, Marcy Kaptur, William R. Keating, Mike Kelly, Dale E. Kildee, Ron Kind, Peter T. King, Steve King, Jack Kingston, Adam Kinzinger, Larry Kissell, John Kline, Raúl R. Labrador, Doug Lamborn, Leonard Lance, Jeffrey M. Landry, James R. Langevin, James Lankford, Rick Larsen, John B. Larson, Tom Latham, Steven C. LaTourette, Robert E. Latta, Barbara Lee, Christopher J. Lee\*, Sander M. Levin, Jerry Lewis, John Lewis, Daniel Lipinski, Frank A. LoBiondo, David Loebsack, Zoe Lofgren, Billy Long, Nita M. Lowey, Frank D. Lucas, Blaine Luetkemeyer, Ben Ray Lujan, Cynthia M. Lummis, Daniel E. Lungren, Stephen F. Lynch, Connie Mack, Carolyn B. Maloney, Donald A. Manzullo, Kenny Marchant, Tom Marino, Edward J. Markey, Jim Matheson, Doris O. Matsui, Kevin McCarthy, Carolyn McCarthy, Michael T. McCaul, Tom McClintock, Betty McCollum, Thaddeus G. McCotter, Jim McDermott, James P. McGovern, Patrick T. McHenry, Mike McIntyre, Howard P. "Buck" McKeon, David B. McKinley, Cathy McMorris Rodgers, Jerry McNerney, Patrick Meehan, Gregory W. Meeks, John L. Mica, Michael H. Michaud, Brad Miller, Candice S. Miller, Gary G. Miller, George Miller, Jeff Miller, Gwen Moore, James P. Moran, Mick Mulvaney, Christopher S. Murphy, Tim Murphy, Sue Wilkins Myrick, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Randy Neugebauer, Kristi L. Noem, Eleanor Holmes Norton, Richard Nugent, Devin Nunes, Alan

Nunnelee, Pete Olson, John W. Olver, William L. Owens, Steven M. Palazzo, Frank Pallone, Jr., Bill Pascrell, Jr., Ed Pastor, Ron Paul, Erik Paulsen, Donald M. Payne, Stevan Pearce, Nancy Pelosi, Mike Pence, Ed Perlmutter, Gary C. Peters, Collin C. Peterson, Thomas E. Petri, Pedro R. Pierluisi, Chellie Pingree, Joseph R. Pitts, Todd Russell Platts, Ted Poe, Jared Polis, Mike Pompeo, Bill Posey, David E. Price, Tom Price, Benjamin Quayle, Mike Quigley, Nick J. Rahall II, Charles B. Rangel, Tom Reed, Denny Rehberg, David G. Reichert, James B. Renacci, Silvestre Reyes, Reid J. Ribble, Laura Richardson, Cedric L. Richmond, E. Scott Rigell, David Rivera, Martha Roby, David P. Roe, Harold Rogers, Mike Rogers, Mike Rogers, Dana Rohrabacher, Todd Rokita, Thomas J. Rooney, Ileana Ros-Lehtinen, Peter J. Roskam, Dennis Ross, Mike Ross, Steven R. Rothman, Lucille Roybal-Allard, Edward R. Royce, Jon Runyan, C. A. Dutch Ruppersberger, Bobby L. Rush, Paul Ryan, Tim Ryan, Gregorio Kilili Camacho Sablan, Linda T. Sánchez, Loretta Sanchez, John P. Sarbanes, Steve Scalise, Janice D. Schakowsky, Adam B. Schiff, Robert T. Schilling, Jean Schmidt, Aaron Schock, Kurt Schrader, Allyson Y. Schwartz, David Schweikert, Austin Scott, David Scott, Robert C. "Bobby" Scott, Tim Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, Terri A. Sewell, Brad Sherman, John Shimkus, Heath Shuler, Bill Shuster, Michael K. Simpson, Albio Sires, Louise McIntosh Slaughter, Adam Smith, Adrian Smith, Christopher H. Smith, Lamar Smith, Steve Southerland, Jackie Speier, Cliff Stearns, Steve Stivers, Marlin A. Stutzman, John Sullivan, Betty Sutton, Lee Terry, Bennie G. Thompson, Glenn Thompson, Mike Thompson, Mac Thornberry, Patrick J. Tiberi, John F. Tierney, Scott Tipton, Paul Tonko, Edolphus Towns, Niki Tsongas, Michael R. Turner, Fred Upton, Chris Van Hollen, Nydia M. Velázquez, Peter J. Visclosky, Tim Walberg, Greg Walden, Joe Walsh, Timothy J. Walz, Debbie Wasserman Schultz, Maxine Waters, Melvin L. Watt, Henry A. Waxman, Daniel Webster, Anthony D. Weiner, Peter Welch, Allen B. West, Lynn A. Westmoreland, Ed Whitfield, Frederica Wilson, Joe Wilson, Robert J. Wittman, Frank R. Wolf, Steve Womack, Rob Woodall, Lynn C. Woolsey, David Wu, John A. Yarmuth, Kevin Yoder, C.W. Bill Young, Don Young, Todd C. Young

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2585. A letter from the Planning and Regulatory Branch, Department of Agriculture, transmitting the Department's final rule — Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Exclusion of Combat Pay From WIC Income Eligibility Determinations (RIN: 0584-AE04) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2586. A letter from the Planning and Regulatory Affairs Branch, Department of Agriculture, transmitting the Department's final rule — Child and Adult Care Food Program Improving Management and Program Integrity (RIN: 0584-AC24) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2587. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corpora-

tion, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2588. A letter from the Chief, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Rules and Regulations Implementing the Truth in Caller ID Act of 2009 [WC Docket No. 11-39] received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2589. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-53; Introduction [Docket FAR 2011-0076, Sequence 5] received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2590. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Equal Opportunity for Veterans [FAC 2005-53; FAR Case 2009-007; Item I; Docket 2010-0101, Sequence 1] (RIN: 9000-AL67) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2591. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Unique Procurement Instrument Identifier [FAC 2005-53; FAR Case 2009-023; Item II; Docket 2010-0094, Sequence 1] (RIN: 9000-AL70) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2592. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; TINA Interest Calculations [FAC 2005-53; FAR Case 2009-034; Item VI; Docket 2010-0098, Sequence 1] (RIN: 9000-AL73) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2593. A letter from the Deputy Secretary, Department of the Interior, transmitting the Department's final rule — Reorganization of Title 30, Code of Federal Regulations [Docket No. ONRR-2011-0015] (RIN: 1012-AA06) received July 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2594. A letter from the Associate General Counsel for Legislation and Regulation Division, Department of Housing and Urban Development, transmitting the Department's final rule — Adjustment of Civil Money Penalty Amount for Inflation [Docket No. FR-5490-F-01] (RIN: 2501-AD02) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under Clause 2 of rule XII the following action was taken by the Speaker:

Mr. UPTON: Committee on Energy and Commerce. H.R. 1938. A bill to direct the



President to expedite the consideration and approval of the construction and operation of the Keystone XL oil pipeline, and for other purposes; with an amendment (Rept. 112-140, Pt. 1). Ordered to be printed.

Ms. FOX: Committee on Education and the Workforce. H.R. 2117. A bill to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965; with an amendment (Rept. 112-177). Referred to the Committee of the Whole House on the State of the Union.

Mr. HUNTER: Committee on Education and the Workforce. H.R. 2218. A bill to amend the charter school program under the Elementary and Secondary Education Act of 1965; with an amendment (Rept. 112-178). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KING of New York (for himself and Mr. WOLF):

H.R. 2623. A bill to establish a National Commission to Review the National Response Since the Terrorist Attacks of September 11, 2001; to the Committee on Homeland Security.

By Mr. BOSWELL:

H.R. 2624. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for qualified tuition and related expenses; to the Committee on Ways and Means.

By Ms. DEGETTE:

H.R. 2625. A bill to amend the Public Health Service Act with respect to human subject research to improve protections for human subjects and, where appropriate because of the type research involved, to reduce regulatory burdens; to the Committee on Energy and Commerce.

By Mr. MARKEY (for himself and Mr. MCGOVERN):

H.R. 2626. A bill to suspend temporarily the duty on certain high-performance loudspeakers; to the Committee on Ways and Means.

By Mr. MARKEY (for himself and Mr. MCGOVERN):

H.R. 2627. A bill to suspend temporarily the duty certain electrical transformers rated at 40VA; to the Committee on Ways and Means.

By Mr. MILLER of Florida (for himself, Mr. TURNER, Mr. WESTMORELAND, Mr. GIBSON, Mr. LOBIONDO, Mr. GRIMM, Mr. WITTMAN, Mr. LAMBORN, Mr. MCKINLEY, Mr. GRIFFIN of Arkansas, Mrs. HARTZLER, Mr. FORBES, Mr. WOMACK, and Mr. RIGELL):

H.R. 2628. A bill to prohibit the awarding of Federal grants and contracts to 4-year institutions of higher education that fail to offer academic credit for the successful completion of courses offered by a Senior Reserve Officers' Training Corps program; to the Committee on Education and the Workforce.

By Mr. SHIMKUS (for himself and Ms. ESHOO):

H.R. 2629. A bill to amend the National Telecommunications and Information Administration Organization Act to modify the 9-1-1, E9-1-1, and Next Generation 9-1-1 program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WU (for himself, Mr. BURTON of Indiana, Mr. COURTNEY, Mr. DEFAZIO,

Mr. SABLAN, and Mr. MURPHY of Connecticut):

H.R. 2630. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of emergency service volunteers as independent contractors; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H. Res. 365. A resolution expressing the sense of the House of Representatives that Congress should cut the United States' true debt burden by reducing home mortgage balances, forgiving student loans, and bringing down overall personal debt; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California (for herself, Ms. BORDALLO, and Mr. LEWIS of Georgia):

H. Res. 366. A resolution supporting the goals and ideals of "National Passport Month"; to the Committee on Foreign Affairs.

By Mr. PASCRELL (for himself and Mr. TIBERI):

H. Res. 367. A resolution urging the people of the United States to observe October of each year as Italian and Italian American Heritage Month; to the Committee on Oversight and Government Reform.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KING of New York:

H.R. 2623.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. BOSWELL:

H.R. 2624.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause of the U.S. Constitution: Article I Section 8 Clause 3

By Ms. DEGETTE:

H.R. 2625.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. MARKEY:

H.R. 2626.

Congress has the power to enact this legislation pursuant to the following:

"clause 3 of section 8 of article I of the Constitution."

By Mr. MARKEY:

H.R. 2627.

Congress has the power to enact this legislation pursuant to the following:

"clause 3 of section 8 of article I of the Constitution."

By Mr. MILLER of Florida:

H.R. 2628.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. SHIMKUS:

H.R. 2629.

Congress has the power to enact this legislation pursuant to the following:

the power of the Congress to provide for the general welfare, to regulate commerce, and to make all laws which shall be necessary and proper for carrying into execution Federal powers, as enumerated in section 8 of article I of the Constitution of the United States.

By Mr. WU:

H.R. 2630.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 100: Mr. FITZPATRICK.

H.R. 110: Mr. HIMES.

H.R. 179: Mr. FORBES.

H.R. 181: Mr. RUNYAN and Mr. FORBES.

H.R. 186: Mr. FORBES.

H.R. 198: Ms. CHU.

H.R. 432: Mr. ROTHMAN of New Jersey.

H.R. 452: Mrs. LUMMIS and Mrs. NOEM.

H.R. 593: Mr. BARTLETT, Mr. FRANKS of Arizona, Mr. MURPHY of Pennsylvania, Mr. ROE of Tennessee, Mr. HALL, Mr. LAMBORN, and Mr. MANZULLO.

H.R. 615: Mr. RYAN of Wisconsin and Mr. CRAWFORD.

H.R. 645: Mr. QUAYLE and Mrs. HARTZLER.

H.R. 687: Mr. BISHOP of New York and Mr. FORBES.

H.R. 969: Mr. DESJARLAIS.

H.R. 997: Mrs. SCHMIDT.

H.R. 1093: Mr. HARPER and Mr. UPTON.

H.R. 1116: Mrs. MCCARTHY of New York.

H.R. 1146: Mr. BROUN of Georgia.

H.R. 1161: Mr. JOHNSON of Illinois.

H.R. 1164: Mr. LUCAS.

H.R. 1173: Mr. SCHOCK.

H.R. 1179: Mr. TERRY, Mr. MCCLINTOCK, and Mr. SENSENBRENNER.

H.R. 1240: Mr. RAHALL.

H.R. 1244: Mr. SESSIONS.

H.R. 1254: Mrs. BONO MACK.

H.R. 1288: Mr. RUPPERSBERGER and Mr. JOHNSON of Ohio.

H.R. 1327: Mr. WAXMAN.

H.R. 1354: Mr. RAHALL.

H.R. 1370: Mr. ROSS of Arkansas.

H.R. 1380: Mr. NEAL.

H.R. 1386: Mr. ROTHMAN of New Jersey.

H.R. 1427: Mr. KILDEE and Mr. FORTENBERRY.

H.R. 1449: Ms. ZOE LOFGREN of California.

H.R. 1465: Ms. PINGREE of Maine.

H.R. 1546: Mr. LEWIS of Georgia.

H.R. 1588: Mr. HINOJOSA and Mr. TERRY.

H.R. 1591: Ms. JENKINS.

H.R. 1732: Mr. RAHALL.

H.R. 1734: Mrs. MYRICK.

H.R. 1776: Mr. BLUMENAUER.

H.R. 1817: Mr. CAPUANO.

H.R. 1834: Mr. SCHILLING.

H.R. 1905: Mr. MARCHANT, Mr. PITTS, Mr. BURGESS, Mr. NUGENT, Mr. COSTELLO, Mr. CHAFFETZ, Mr. AUSTRIA, and Mr. MILLER of Florida.

H.R. 1916: Mr. PETERSON, Mr. WAXMAN, Mr. SMITH of Washington, and Mr. ANDREWS.

H.R. 1996: Mr. COBLE.

H.R. 2020: Ms. BUERKLE.



H.R. 2033: Mr. CLEAVER.  
 H.R. 2040: Mr. GOWDY.  
 H.R. 2071: Mr. NUNES.  
 H.R. 2117: Mr. GRAVES of Missouri, Mr. BACHUS, Mr. ROGERS of Alabama, Mr. SMITH of Texas, Mr. ROSKAM, Mr. MCCAUL, Mr. BROOKS, and Mr. KISSELL.  
 H.R. 2124: Mr. HALL.  
 H.R. 2140: Mr. GALLEGLEY.  
 H.R. 2195: Mr. FARR.  
 H.R. 2214: Mr. AUSTRIA, Mrs. NOEM, Mr. FINCHER, Mr. DENT, Mr. FITZPATRICK, Mr. KELLY, Mr. REED, Mr. GRIMM, Mr. BUCSHON, Mr. GRIFFIN of Arkansas, and Mr. MEEHAN.  
 H.R. 2223: Mr. JOHNSON of Ohio.  
 H.R. 2236: Ms. CHU.  
 H.R. 2264: Mr. DREIER.  
 H.R. 2319: Mr. MILLER of Florida and Mr. ISSA.  
 H.R. 2324: Mr. GERLACH.  
 H.R. 2369: Mrs. CAPPS, Ms. JENKINS, and Mr. JOHNSON of Ohio.  
 H.R. 2401: Mr. RIBBLE.  
 H.R. 2402: Mr. HUIZENGA of Michigan and Mr. FINCHER.  
 H.R. 2426: Ms. FOXX, Mrs. ROBY, and Mr. SCOTT of South Carolina.  
 H.R. 2437: Mr. HANNA, Mr. DAVIS of Illinois, Mr. YARMUTH, and Ms. HIRONO.  
 H.R. 2492: Mr. FITZPATRICK.  
 H.R. 2494: Mr. COHEN.  
 H.R. 2500: Ms. MOORE, Mr. HALL, Mr. AUSTRIA, Mr. ROE of Tennessee, Mr. SMITH of Texas, Mr. BISHOP of New York, Mr. CARSON of Indiana, and Mr. GIBBS.  
 H.R. 2529: Mr. STIVERS.  
 H.R. 2540: Mr. RANGEL, Mr. SCOTT of Virginia, and Ms. JACKSON LEE of Texas.  
 H.R. 2544: Mr. JACKSON of Illinois, Ms. LEE of California, and Mr. RYAN of Ohio.  
 H.R. 2563: Mr. GUTHRIE.  
 H.R. 2587: Mr. SESSIONS and Mr. HURT.  
 H.J. Res. 47: Ms. MCCOLLUM.  
 H.J. Res. 69: Mr. RUSH and Mr. FRELINGHUYSEN.  
 H. Con. Res. 62: Mr. FORBES.  
 H. Res. 130: Ms. RICHARDSON.  
 H. Res. 177: Mr. JONES.  
 H. Res. 207: Mr. MCKINLEY.  
 H. Res. 295: Mr. FILNER.  
 H. Res. 352: Mr. ROHRBACHER.  
 H. Res. 364: Mr. RICHMOND, Mr. BRALEY of Iowa, Mr. MURPHY of Connecticut, Mr. POLIS, Mr. BERMAN, Mr. ACKERMAN, Mr. MCGOVERN, Ms. MCCOLLUM, Ms. BALDWIN, Ms. BERKLEY, Mr. MICHAUD, Mr. DEFazio, Mr. ANDREWS, Mr. SCHIFF, Mr. BARROW, Ms. HOCHUL, Mr. MATHESON, Ms. GRANGER, Ms. ROS-LEHTINEN, and Mr. LUETKEMEYER.

#### DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. CRITZ on House Resolution 310: Earl Blumenauer, David E. Price, Collin C. Peterson, Edolphus Towns, Loretta Sanchez, Corrine Brown, Heath Shuler, and Jim McDermott.

Petition 2 by Mr. GOHMERT on H.R. 1297: Bill Posey, Sue Wilkins Myrick, André Carson, Trent Franks, Mike Pence, Tim Scott, Jason Altmire, Marsha Blackburn, David P. Roe, Rob Bishop, Thomas J. Rooney, and Cynthia M. Lummis.

#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2584

OFFERED BY: MRS. CHRISTENSEN

AMENDMENT NO. 3: At the end of the bill (before the short title), insert the following:

#### TITLE VII—DEREK M. HODGE VIRGIN ISLANDS IMPROVEMENT ACT OF 2011

##### SEC. 701. SHORT TITLE.

This title may be cited as the "Derek M. Hodge Virgin Islands Improvement Act of 2011".

##### SEC. 702. TAX-FREE DISTRIBUTIONS FROM CERTAIN RETIREMENT PLAN ASSETS INVESTED UNDER A VIRGIN ISLANDS INVESTMENT PROGRAM.

(a) IN GENERAL.—Part I of subchapter D of chapter 1 of the Internal Revenue Code of 1986 (relating to pension, profit-sharing, stock bonus plans, etc.) is amended by adding at the end the following new section:

##### "SEC. 409B. TREATMENT OF DISTRIBUTIONS FROM CERTAIN RETIREMENT PLAN ASSETS INVESTED UNDER A VIRGIN ISLANDS INVESTMENT PROGRAM.

"(a) IN GENERAL.—If an individual under the age of 61 makes a one-time designation of an amount of qualified retirement savings as being under investment by the Virgin Islands Investment Program for at least 30 years, then, as of the close of the 10th year, such amount (and any earnings properly allocable to such amount) shall be treated for purposes of this title—

"(1) as a designated Roth account in the case of qualified retirement savings described in subsection (b)(1), or

"(2) as a Roth IRA in the case of qualified retirement savings described in subsection (b)(2).

No amount shall be includible in gross income by reason of the change in treatment under the preceding sentence.

"(b) QUALIFIED RETIREMENT SAVINGS.—For purposes of this section, the term 'qualified retirement savings' means—

"(1) amounts attributable to elective deferrals under an applicable retirement plan, and

"(2) amounts held in an individual retirement plan which is not a Roth IRA.

"(c) VIRGIN ISLANDS INVESTMENT PROGRAM.—For purposes of this section—

"(1) IN GENERAL.—The term 'Virgin Islands Investment Program' means a program of the Virgin Islands which meets the requirements of paragraphs (2), (3), (4), and (5).

"(2) MAXIMUM AMOUNT ACCEPTED FOR MANAGEMENT.—A program meets the requirements of this paragraph if the amount accepted for management under the program does not exceed \$50,000,000,000.

"(3) FEES AND TAXES.—A program meets the requirements of this paragraph if—

"(A) the fees charged by investment managers under the program do not exceed the fees customarily imposed by investment managers for managing like qualified retirement savings outside the Virgin Islands Investment Program,

"(B) the program imposes an annual tax (in addition to the fees permitted under subparagraph (A)) equal to—

"(i) 1.5 percent of the amount designated for management under the program for the first 10 years of the account, and

"(ii) 1 percent of the amount designated for management under the program for the remainder of the life of the account without regard to account balance, and

"(C) the 1 percent tax is imposed notwithstanding the Roth designation.

"(4) INVESTMENT MANAGER.—A program meets the requirements of this paragraph if the investment managers under the program are chosen by the Governor of the Virgin Islands.

"(5) SEPARATE ACCOUNTING.—A program meets the requirements of this paragraph if the program—

"(A) establishes separate accounts for each type of qualified retirement savings held for the benefit of each individual and any earnings properly allocable to such assets, and

"(B) maintains separate recordkeeping with respect to each account.

"(d) USE OF 1 PERCENT ANNUAL TAX.—

"(1) REVENUES TO THE VIRGIN ISLANDS DURING FIRST 20 YEARS.—

"(A) IN GENERAL.—Revenues from the tax referred to in subsection (c)(3)(B) shall be collected, held, and distributed for the benefit of the Virgin Islands in a manner similar to section 7652(b) (relating to rum excise tax).

"(B) DISTRIBUTIONS TO VIRGIN ISLANDS.—Funds and accrued interest described in subsection (d)(1)(A) may be paid from escrow to the Virgin Islands for expenditure only if—

"(i) the expenditure is pursuant to a qualified infrastructure development plan, and

"(ii) the expenditure is approved by the Secretary of the Interior as being pursuant to such plan.

"(C) QUALIFIED INFRASTRUCTURE DEVELOPMENT PLAN.—For purposes of this paragraph, the term 'qualified infrastructure development plan' means a plan for improving and enhancing the infrastructure of the Virgin Islands which is—

"(i) developed and approved by the committee described in subparagraph (D), and

"(ii) approved by the Governor of the Virgin Islands.

"(D) COMMITTEE.—The committee described in this subparagraph is a committee—

"(i) comprised of 5 members, each serving a term of either three or five years—

"(I) 2 of whom are appointed by the Governor of the Virgin Islands, one for a 3-year and one for a 5-year term,

"(II) 2 of whom are appointed by the Virgin Islands legislature, one for a 3-year and one for a 5-year term, and

"(III) 1 of whom is appointed by the Secretary of the Interior for a 5-year term, and

"(ii) with respect to which a vacancy is filled in the manner in which the original appointment was made.

"(2) REVENUES TO THE UNITED STATES AND THE VIRGIN ISLANDS.—

"(A) DURING FIRST 20 YEARS.—Revenues from the fee referred to in subsection (c)(3)(B) imposed on designated assets after the first 10 years under management by the Virgin Islands Investment Program shall be collected by the United States Treasury in a manner similar to section 7652, upon which—

"(i) ½ of the proceeds shall be distributed to the Virgin Islands for the first 10 years of management, and

"(ii) half of the proceeds shall be distributed to the Virgin Islands for the next 10 years of management.

"(B) AFTER THE FIRST 20 YEARS.—Beginning in the 21st year, the entire 1 percent tax collected shall be retained by the United States Treasury.

"(C) MINIMUM HOLDING PERIOD.—No withdrawals may be made by an investor from the account during the minimum holding period of ten years. Should the investor choose to withdraw money from the account during the minimum holding period, the investor would forfeit the tax advantages of the Fund. Any funds so withdrawn would be included in gross income and subject to Federal income tax, minus payments of the 1 percent tax.

"(3) EARLY WITHDRAWAL.—Should an investor withdraw the entire balance of the funds

after the 10-year minimum holding period but before the end of the 30 years, his account will be liable for the entire 1 percent tax for each of the remaining years.

“(e) OTHER DEFINITIONS.—For purposes of this section—

“(1) ELECTIVE DEFERRALS; APPLICABLE RETIREMENT PLAN.—The terms ‘elective deferrals’ and ‘applicable retirement plan’ have

the respective meanings given such terms by section 402A.

“(2) VIRGIN ISLANDS.—The term ‘Virgin Islands’ means the United States Virgin Islands.

“(3) SECRETARY OF THE INTERIOR.—The term ‘Secretary of the Interior’ means the Secretary of the Interior or his designee.”.

(b) CLERICAL AMENDMENT.—The table of sections for such part I is amended by adding at the end the following new item:

“Sec. 409B. Treatment of distributions from certain retirement plan assets invested under a Virgin Islands investment program.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

## EXTENSIONS OF REMARKS

### STATEMENT ON THE 37TH ANNI- VERSARY OF THE ILLEGAL TURKISH INVASION OF CYPRUS

#### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 22, 2011

Mrs. MALONEY. Mr. Speaker, this week, once again, we commemorate the tragic anniversary of the 1974 illegal Turkish invasion of Cyprus. Thirty-seven years later, Turkey continues forcibly to occupy more than one-third of Cyprus with more than 43,000 troops. This amounts to almost one Turkish soldier for every two Turkish Cypriots. It is time for Turkey to withdraw its troops from Cyprus so that the island can move forward as one nation.

As co-chair and co-founder of the Congressional Hellenic Caucus, I have worked diligently with my colleagues in the Caucus out of our mutual concern for the continued division and occupation of Cyprus. We have 137 members today, making us one of the largest caucuses in Congress.

My Caucus co-chair, Rep. BILIRAKIS, and I passed a resolution in the House in the last Congress calling for the protection of religious sites and artifacts from and in Turkish-occupied areas of northern Cyprus as well as for general respect for religious freedom. And we continue to work, with the Caucus, to raise awareness of the Cyprus problem and the role the U.S. can play to support the negotiations.

Cyprus is playing a vital role in European affairs while also strengthening relations with the United States. It has joined with us on issues important to our own security, including the fight against terrorism and other international crimes. Ending the island's tragic division will pave the way to prosperity and peace throughout the entire region.

To date, Turkey has repeatedly ignored all U.N. Resolutions pertaining to Cyprus and has continued to occupy the island in complete violation of international law. Turkey has continued to do so despite the fact that it has been a member of the U.N. Security Council since January 2009. Turkey has also refused to abide by the Judgments of the European Court of Human Rights in numerous cases, thereby continuing to violate the basic human rights of the Cypriot people. This is an outrage.

The current negotiations aim at reaching a comprehensive settlement of the Cyprus problem based on a bizonal, bicommunal federation with political equality, as defined in the relevant U.N. Security Council resolutions, with a single sovereignty, single citizenship and single international personality. The solution must reunite the island, its people, its institutions and its economy and safeguard the human rights and fundamental freedoms of all Cypriots and the withdrawal of Turkish occupation forces from Cyprus.

The United States and the international community must continue to provide support to this process. The people of Cyprus deserve a unified and democratic country, and I remain hopeful that a peaceful settlement will be found so that the division of Cyprus will come to an end.

As Secretary Clinton remarked last year: "The reunification of the island is in the best interests of not only the people of Cyprus, but the region, and it could set an example for the international community as well."

### PERSONAL EXPLANATION

#### HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 22, 2011

Ms. SPEIER. Mr. Speaker, I was unfortunately unable to cast a vote on rollcall 621 on the evening of July 21, 2011.

I strongly support the Consumer Financial Protection Bureau and its mandate to protect American consumers and I would have voted NO on passage of H.R. 1315. The CFPB will provide families a level playing field upon which to shop for the full range of financial products.

The CFPB is the most accountable regulatory body in the world. And their work has already begun. Starting today, the CFPB credit card hotline is up and running, fielding complaints from American consumers and beginning to hold companies accountable. Consumers can reach them at 855-411-CFPB or online at [consumerfinance.gov](http://consumerfinance.gov).

Families will finally have a cop on the beat looking out for their interests. But American consumers should be forewarned, if you have a complaint, report it now. Because, as we speak, Republicans in Congress are doing all they can to take away your consumer protections.

### COMMEMORATING THE 350TH ANNI- VERSARY OF THE FIRST SET- TLEMENT OF STATEN ISLAND

#### HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 22, 2011

Mr. GRIMM. Mr. Speaker, I rise today to honor the 350th Anniversary of the first settlement of Staten Island. Staten Island makes up most of the 13th District of New York and I am proud to call it home, and anyone who has ever lived on Staten Island or visited this unique place knows how wonderful it is. Deep in the heart of Staten Island and all her residents, lives an enthralling history, so rich with the American experience, as to rival the other

boroughs of New York City and indeed every community across the nation.

Since before her founding, this island has been for many a place of tolerance, liberty, and justice. It was a new land that promised religious and political freedom more than a century before the Founding Fathers immortalized those freedoms in the Declaration of Independence and the Constitution; the very same declaration that was first revealed to the British Troops in the American Revolution at none other than the Rose and Crown Tavern, which once stood at the corner of what is now Amboy Road and New Dorp Lane. It was here on Staten Island that His Majesty as well as the world first learned of the colonies' fearless declaration of their independence. Even before this, the first European settlers to set foot on this Island in 1661 had one essential thing in common: they were all seeking freedom from violent persecution. Dutch, French, and Belgian Protestants, including Peter Billiou, Staten Island's most prominent early settler whose house still stands in Historic Richmondtown, found a haven of hope and peace on this gleaming gem amidst the Narrows. The Island also served as a refuge for many other freedom fighters, most notable among them, Giuseppe Garibaldi, the Father of Italian Unification, who used his time as a resident of Rosebank to raise money and support to free the Italian people from imperial oppression.

This has come to be a defining aspect of the legacy of Staten Island. It is this borough that has come to exemplify so proudly the promise emblazoned on that beautiful Lady that lights the way of the Staten Island Ferry and in her younger years first revealed to my grandparents and many of your grandparents that they had finally reached the land where liberty lives and thrives. In the period between and after the two world wars, while much of humanity wallowed under communist and fascist regimes, countless men and women sought refuge here on Staten Island. Waves of immigrants including Italians, Irish, Greeks, Russians, Poles, Liberians, Sri Lankans and many, many more came to these shores in search of a better life for themselves and their families. "Give us your tired, give us your poor, give us your huddled masses yearning to be free" is a call that this Island faithfully answered, and it has served us well—for the culture of the island has been shaped by the vibrant, rich, and complementing cultures of the many diverse groups of people who proudly call this place home.

Three centuries ago in the early 1700's, a local schoolteacher quoted scripture when she remarked that Staten Island had already become a bustling community full of men and women from "All the nations under heaven." It is a mark of distinction that we continue to proudly display, however today, we consider ourselves all citizens of the greatest nation.

Mr. Speaker, please join me, and Americans from all different origins and backgrounds, in

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

embracing one of the most central and meaningful things we all have in common, and that is the love and pride we have for our hometown of Staten Island. And of course, in wishing her a very happy 350th birthday, may she have many, many more.

THE PASSING OF JOHN DOWLIN

**HON. JEAN SCHMIDT**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mrs. SCHMIDT. Mr. Speaker, I rise today to remember former Hamilton County Commissioner John Dowlin, who passed away on July 15th at the age of 81.

After spending 38 years at Procter and Gamble and 28 years as the Mayor of Sharonville, Ohio, John Dowlin served 13 years on the Hamilton County Board of County Commissioners.

Throughout his distinguished career, John became known for his principles, his work ethic, and especially his bow ties.

I had the opportunity to work with Commissioner Dowlin when I was in the state legislature, and I always found him to be honest and fair.

Commissioner Dowlin was the kind of person we should all strive to be, standing up for what he believed was right—even when others believed he was wrong.

He is survived by his loving wife, Sarah, four children, and nine grandchildren.

The world is a better place because of John Dowlin. May he rest in peace.

Mr. Speaker, please join me in honoring the life of a true public servant.

PERSONAL EXPLANATION

**HON. H. MORGAN GRIFFITH**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mr. GRIFFITH of Virginia. Mr. Speaker, due to family matters, I was unable to vote on consideration of H.R. 1315, the Consumer Financial Protection Safety and Soundness Improvement Act of 2011 on Thursday, July 21, 2011. I was also unable to vote on consideration of H.R. 2551, the Legislative Branch Appropriations Act, 2012 on Friday, July 22 2011.

Had I been present, I would have voted to support H.R. 1315. For the Amendments to H.R. 1315, I would have voted to support the Rigell Amendment. I would have voted to oppose the Jackson Lee Amendment #1, the Miller Amendment, the Jackson Lee Amendment #2, the Maloney Amendment, and the Motion to Recommit.

Had I been present, I would have voted to support H.R. 2551. For the amendments to H.R. 2551, I would have voted to support the Hayworth Amendment, the Broun Amendment, and the Stutzman Amendment. I would have voted to oppose the Watt Amendment, the Thompson Amendment, the Holt Amendment, and the Moran Amendment.

IN RECOGNITION OF THE FIFTEENTH ANNIVERSARY OF PINNACLE TECHNICAL RESOURCES

**HON. PETE SESSIONS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mr. SESSIONS. Mr. Speaker, I rise today to congratulate Pinnacle Technical Resources, Inc. on its fifteenth anniversary this year.

Located in Dallas, Texas, Pinnacle was born in a living room and quickly matured into an award-winning information technology staffing company. Under the leadership and vision of Chief Executive Officer Nina Vaca-Humrichouse, Pinnacle expanded nationwide and created over 20,000 jobs, consequently ranking six straight years as one of the fastest growing companies in its industry. In 2009, Pinnacle received the CIO 100 Award for its development of PROGATA, a proprietary industry-leading software tool.

Beyond their financial success, Pinnacle emphasizes social responsibility and actively encourages employees to contribute to the local community. Boy Scouts of America, United Way, Habitat for Humanity, and the Greater Dallas Hispanic Chamber of Commerce Foundation are among the many non-profit organizations Pinnacle supports. This year, Pinnacle also provided scholarships to thirty-two high school students to attend the Dallas Hispanic Youth Institute, a well-regarded summer symposium.

Pinnacle Technical Resources embodies the entrepreneurial spirit of America; a concept with humble beginnings that transformed into a fast-growing and nationally recognized company. Mr. Speaker, I ask my esteemed colleagues to join me in congratulating the staff and leadership of Pinnacle Technical Resources as they celebrate fifteen years of success.

HUDSON RIVER SCHOOL OF PAINTERS

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mr. ENGEL. Mr. Speaker, I wish to call my colleagues' attention to the Hudson River School of Painters, the first American school of painters that contributed to an appreciation of the American landscape and conservation of this country's natural beauty. At the time of its operation in the 19th Century, it was a significant achievement in American art and culture that commemorated American landscapes in a manner unseen before by American citizens and others around the world.

Recently, I had the distinct honor to unveil the first of a series of historic bronze markers along the Hudson River. These bronze markers are designed to indicate where painters put their easels in order to create a panorama and vista of the river itself. The historic bronze marker, created by Greg Wyatt, Director of the Academy of Art at the Newington-Cropsey Foundation in Hastings-on-Hudson, New York,

honor the sites where painters such as Jasper F. Cropsey, Thomas Cole, Frederic Edwin Church, and Asher Durand stood to create paintings reflecting their unique perspectives on nature. Additional sites are planned this coming year at Hook Mountain State Park and Newburgh, New York.

In light of this occasion, I would like to commend my colleague Representative MAURICE HINCHEY in his long record of support for both the rebirth of study of this first American school of painting, and for his determination to present to Congress and the American people the importance of the Hudson Valley to our cultural heritage.

I also would like to commend the Architect of the Capitol for displaying two paintings purchased by Congress after the Civil War from the famous 19th century Hudson River School painter Albert Bierstadt. They are entitled "Discovery on the Hudson" and "Entrance into Monterey," and are available for viewing in the Capitol Visitors Center. I urge all of my colleagues and their constituents to appreciate these wonderful pieces of art.

IN RECOGNITION OF DR. HERBERT PARDES

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mr. RANGEL. Mr. Speaker, I rise today to honor, recognize, and celebrate my dear friend, Dr. Herbert Pardes, on his retirement as President and Chief Executive Officer of New York-Presbyterian Hospital.

Dr. Herbert Pardes has dedicated his life to advancing the medical profession and patient care. He received his medical degree from the State University of New York in Brooklyn and completed his residency in psychiatry at Kings County Hospital. He also received additional psychoanalytic training at the New York Psychoanalytic clinic.

Since 1999, Dr. Pardes has been President and CEO of New York-Presbyterian Hospital. Under his guidance the hospital has achieved an incredibly impressive record; it is top-ranked in the New York metropolitan area and is consistently ranked among the best academic medical institutions in the Nation. The Hospital is the largest not-for-profit hospital and one of the most comprehensive hospitals in the world.

Dr. Pardes has always been an active advocate for academic medicine and advancing medical technology. The importance he places on academic medicine has helped to produce a generation of new highly skilled doctors to combat emerging health issues. He participates at the State and local level by supporting legislation that increases the quality of care in hospitals. He is a passionate supporter for achieving the best possible medical care for all who need it.

Dr. Pardes was appointed by Congress and President George W. Bush to serve on the Commission on Systemic Interoperability, which initiated action to develop a national health information technology infrastructure. During the Clinton administration he served on

an advisory commission on consumer protection and quality in the health care industry. He is Chairman Emeritus of the eHealth Initiative and serves on the boards of the Macy Foundation and Markle Foundation, which are dedicated to improving quality, safety and efficiency in health care.

Dr. Pardes is devoted to enhancing patient care. He implemented a campaign called We Put Patients First to humanize the hospital experience for patients and their families. He also launched myNYP.org, a website which allows patients and families to access personal health records online. Dr. Pardes has also strived towards fostering close interaction between the hospital and communities in New York. He initiated the Lang Youth Medical Program, a six-year science education and mentoring program for middle and high school students, and helped start the WIN for Asthma outreach program along with other community health screening events.

I greatly admire the leadership that Dr. Pardes has provided to the medical community. He has demonstrated great care for his patients and has tirelessly worked to improve their experience and the quality of their health care. He is an extraordinary example of the tremendous changes that can be accomplished through the dedication of one individual.

I ask my colleagues and a very grateful Nation to join me in this special Congressional Recognition of Dr. Herbert Pardes.

A TRIBUTE IN HONOR OF AUDREY RUST ON THE OCCASION OF HER RETIREMENT FROM PENINSULA OPEN SPACE TRUST

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 22, 2011

Ms. ESHOO. Mr. Speaker, I rise today to honor Audrey Rust, a highly distinguished constituent, a nationally recognized leader of land preservation and a cherished friend on her 24 years as President, CEO and Executive Director of Peninsula Open Space Trust (POST).

Under her exceptional leadership since 1987, Ms. Rust has led POST, the Palo Alto, California based nonprofit land trust and has worked successfully in partnership with public agencies and private landowners to bring permanent protection to thousands of acres of open space lands in San Mateo, Santa Clara and Santa Cruz counties. Recognized across the country as a conservation innovator and champion, she has helped protect local landscapes that are now part of the National Park System, the National Wildlife Refuge System, the California State Parks, as well as county and city parks, regional open space preserves and private farmlands.

Before coming to POST, Ms. Rust worked with the Sierra Club, Yale University and Stanford University. She has served on the boards of numerous local, State and national organizations, primarily in the conservation and housing arena. She has received the Times Mirror-Chevron National Conservationist of the Year Award; the League of California Voters

Environmental Leadership Award; the Cynthia Pratt Laughlin Medal; the Garden Club of America's top environmental honor; and the Jacqueline Kennedy Award from JFK University for her achievements in land conservation. Ms. Rust is a graduate of the University of Connecticut at Storrs.

I've been privileged to know and work with Audrey Rust for many years. She has been a friend, a mentor, and an inspiration to me and to thousands more. Audrey is one of the great environmental heroes of our Nation. Her determination and focus have shaped an extraordinary legacy and our entire Nation is grateful to her for leading the way in saving and preserving the world-class beauty and natural integrity of the Peninsula, South Bay and Coastside of California for generations to come.

Mr. Speaker, I'm very proud to have my Bay Area colleagues—Leader NANCY PELOSI; Representative SAM FARR; Representative MIKE HONDA; Representative ZOE LOFGREN; Representative JERRY MCNERNEY, and Representative JACKIE SPEIER join me in honoring Audrey Rust. I ask the entire House of Representatives to join me in honoring and thanking Audrey Rust for her unparalleled record of leadership and wish her a joyful retirement. Audrey Rust is indeed a national treasure and it is a privilege to represent her and call her my friend.

### COMMENDING THE U.S. WOMEN'S SOCCER TEAM

### HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 22, 2011

Ms. SLAUGHTER. Mr. Speaker, I rise today to commend our U.S. Women's Soccer Team in their thrilling race to the World Cup Final. Although it was ultimately Japan who captured the World Cup Trophy, as a country we could not be more proud of our team, their tremendous effort throughout the Cup, and their grace in accepting defeat. Regardless of the outcome, there is much to be said about how their playing inspired a country. The attention of the world has turned to women's sports, and these women are serving as positive role models to young girls across the globe. It has been a long twelve years since the heroics of the victorious US Women's National Team in the 1999 World Cup, and I want to congratulate the 2011 team for exemplifying champions, win or lose. The image of Brandi Chastain, fists clenched, basking in the glory of a World Cup victory that captivated our spirits all those years ago still hangs on the wall of my office.

As a representative from western New York, I especially want to congratulate the amazing performance of Abby Wambach, a native of my hometown: Rochester, New York. She scored her 100th career international goal in Rochester and she carries with her the support of Rochesterians wherever she goes. She is a four-time winner of the U.S. Soccer Athlete of the Year award, and is currently the fourth all-time leading scorer in international soccer history. She scored the gold-medal-

winning goal in the 2004 Olympics and saved the quarterfinal match in this year's cup against Brazil when she scored a gut-wrenching equalizer off her head in the final moments. In the semi final victory over France, she tallied two more scores, including the go-ahead goal against France in the 79th minute. Of the two amazing goals scored by the U.S. in the finals, Abby scored the go-ahead header in extra time, and Alex Morgan, a player for the Western New York Flash, scored the other.

Alex, a 22-year-old phenom, has impressed the world with her quick feet and prominence as a striker, and she is being heralded as the future star of U.S. women's soccer. The entire Upstate New York area is beaming with pride and admiration of these two players as they represented our area so well.

The fervor and enthusiasm for our team was encapsulated in the hero's welcome Abby received when she returned to Rochester, with several of her teammates in tow. It was "Abby Wambach Day" in Rochester, and she received a key to the city in commendation of her awe-inspiring talents. The regularly scheduled game between magicJack of Boca Raton, FL and the Western New York Flash saw a sellout crowd of 15,404, a record for the 3-year-old league. It is clear that we have all been infused with a love of the game and a respect for our players, and I hope that passion never dies.

The success of the U.S. Women's National Team is of particular importance because it shows young women and girls that like men, they too can earn the respect and admiration of the world through hard work, teamwork, and perseverance on the athletic field.

Since 2004, I've sponsored legislation in the House that would help high schools improve opportunities for girls in sports, and thereby encourage greater participation of both girls and boys in athletics. H.R. 458, the High School Athletics Accountability Act, would require that high schools report basic data on the number of female and male students in their athletic programs and the expenditures made for their sports teams. Without information about how athletic opportunities and benefits are being allocated at the high school level, female students may be deprived of their chance to participate in athletics.

And participation in sports has a multitude of positive effects on young women and girls, both physically and socially. For many young women, sports are often their ticket to higher education through athletic scholarships. I've met with so many Olympic gold medalists that told me without Title IX, which gave them access to athletic scholarships; they never would have had the chance to go to college. While we have made significant strides towards equity in athletics—since the 1972 enactment of Title IX the number of women competing in college sports has soared by more than 500 percent while the number of high school girls competing in sports increased by over 1,000 percent—we must continue to monitor our progress and ensure that our nation's young women have the rights and opportunities they deserve.

This year's Women's World Cup was thrilling and is indicative of the amazing talent of our U.S. Women's National Team. The success of our team has captivated men, women

and children who nervously watched as the squad overcame Brazil in the last minute to triumph in penalty kicks, and then swept past France with their athleticism shining as they moved onto the final. I proudly cheered for them as they faced Japan on Sunday in the final, and was filled with admiration for their relentlessness on the field. Their accomplishments as a team are inspiring: two Women's World Cups, three Olympic Gold Medals, and eight Algarve Cups, earning them a commendation as one of the finest teams in the world. I must also congratulate Japan for their performance and sportsmanship in a game that was watched by millions around the globe, and that kept everyone on the edge of their seats into the final penalty kicks. Though the U.S. team was ultimately unsuccessful in a heartbreaking 3–1 penalty shootout, I cannot imagine a more deserving adversary in Japan, who so recently suffered a devastating earthquake and tsunami. I hope this victory will bring joy to their people, and I know that the Japanese citizens are as proud of their team as we are of ours.

Abby and her teammates have been role models for all with their poise both on and off the field and their dedication to the sport. I could not be more proud of her and her teammates as role models for young women interested in sports. I encourage children of all ages to be as inspired by the success of the U.S. Women's National team as I am, and to get involved with sports so that everyone can reap the benefits of this highly beneficial activity. Best of luck to the U.S. Women's National Team in the future; I know this is not the last time we will be cheering for them in the World Cup Finals. With the London 2012 Olympic Games on the horizon, we won't have to wait long to see them back in action on the world stage. Go USA!

TRIBUTE TO KYLE D. PAGERLY

**HON. TIM HOLDEN**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mr. HOLDEN. Mr. Speaker, I rise today to honor Berks County Deputy Sheriff Kyle Pagerly for his service and sacrifice to Pennsylvania and the United States. Deputy Kyle Pagerly was killed in the line of duty on June 29, 2011.

Kyle was a 2001 graduate of Wilson High School in West Lawn, Berks County, PA. Following his graduation he served honorably as a U.S. Army Military Police Officer in Kosovo and Iraq. Upon returning home, Kyle pursued a career in law enforcement and graduated from the Reading Police Academy, Federal Prison Academy, and Philadelphia Canine Academy.

Kyle proudly served as a Deputy in the K–9 Unit of the Berks County Sheriff's Department with his German Shepherd partner, Jynx. He loved to be outdoors, hiking, and enjoying nature. He was an active runner and loved to work out. He ran a marathon in 2010 and completed numerous triathlons.

On June 29, 2011 Deputy Pagerly was part of a fugitive task force dispatched to serve a

warrant in Albany Township. When task force members arrived, the suspect fled into the nearby woods. Deputy Pagerly and his partner Jynx pursued him when the suspect opened fire. Once Deputy Pagerly was hit, Jynx attempted to pull him to safety and alerted other officers of the shooter's presence. Deputy Pagerly was gravely wounded and airlifted to a nearby hospital where he succumbed to his wounds. Had it not been for Deputy Pagerly and his partner's actions, it is very possible that more lives could have been lost.

Deputy Kyle Pagerly died a hero. He dedicated his life to the protection of his fellow man. He gave life, even through his death, by donating his organs and tissues so that others can live. Kyle's death has not been forgotten by the community he loved and served. At Deputy Pagerly's memorial service, Berks County Sheriff Eric Weaknecht retired Kyle's call number and awarded his partner Jynx the Medal of Honor. Deputy Sheriff Kyle Pagerly was later awarded the same Medal of Honor posthumously.

A memorial fund has been set up in Kyle's name, numerous benefits have been held in his honor, and thousands of people have joined Facebook pages dedicated to his life and memory. Kyle Pagerly is survived by his wife, Alecia Anne, as well as his parents, his siblings, and his first child, due in January.

Mr. Speaker and fellow colleagues, please join me in honor and remembrance of a true American hero, Deputy Sheriff Kyle D. Pagerly.

IN TRIBUTE TO THE REVEREND  
DR. ROLAN LEWIS WOMACK, JR.  
AND REVEREND DR. BETTY  
WASHINGTON WOMACK

**HON. GWEN MOORE**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Ms. MOORE. Mr. Speaker, I rise to pay tribute to Reverend Dr. Rolan Lewis Womack, Jr. and Reverend Dr. Betty Washington Womack, the founding pastor and first lady of Milwaukee's Progressive Baptist Church. After 23 years of dedicated service to their congregation and the greater Milwaukee community, they are retiring to their native Texas.

While fulfilling his role as pastor/teacher/prophet, Dr. Rolan Womack completed his Doctor of Ministry degree at United Theological Seminary in Dayton, Ohio. He is a native of Houston, Texas and is a graduate of Texas Southern University with an earned Masters of Divinity degree from Northern Baptist Theological Seminary in Lombard, Illinois. Dr. Betty Womack is a native of Galveston, Texas, a graduate of Huston-Tillotson College and an earned Masters of Education degree from Sam Houston State University in Huntsville, Texas. She served as Director of Student Services in the Beaver Dam School District and received her administrative certification at the University of Wisconsin-Milwaukee. She received a Doctorate of Education from Milwaukee's Cardinal Stritch University.

Dr. Rolan Womack has a social justice activism and community advocacy ministry that

features an Afrocentric frame of reference. He is one of the strongest advocates in the community and is a frequent guest on local radio talk shows and local television on issues related to justice and public education. Dr. Rolan Womack has been featured in Education Weekly and other periodicals and has participated in educational forums in many major cities.

The ministry at Progressive Baptist includes a Youth Ministry, Music and Stage Ministry, Discipleship and Men's Fellowship, Women's Fellowship, W.I.N.G.S. HIV–AIDS ministry and Custodial and Fiscal Ministries. Dr. Betty Womack has a strong commitment to the development of youth and youth programs at Progressive. She has fostered the Christian development of youth by organizing and administering Vacation Bible School and Youth Outings to historic and scientific sites. Together they actively work with new members in Foundation classes to integrate them into the life of Progressive Church. Dr. Betty Womack is the past president of the W.I.N.G.S. HIV–AIDS ministry.

She is the past President of the Wisconsin Pastor's Wives Association and the former Executive Board Member of the American Baptist Education Association of Wisconsin. He is the past president of the Wisconsin Baptist Pastors Conference, a director of the Minority Ministers Alliance, past General Secretary of the Wisconsin General Baptist State Convention, and serves on the boards of various organizations. They are the proud parents of two daughters: Cheray and Brooke.

Mr. Speaker, I am proud that I can call them friends. I commend them for their many years of valued service to citizens of the 4th Congressional District. I wish them the very best in their retirement.

TRIBUTE TO THE 2011 BRONX  
DOMINICAN DAY PARADE

**HON. JOSÉ E. SERRANO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the twenty-second annual Bronx Dominican Parade and Festival which will take place on Sunday, July 24, 2011. This famed event is eagerly anticipated by the Dominican and Bronx communities each year. It is a wonderful celebration of the spirit and richness of Dominican culture.

Under the continued leadership of Felipe Febles and Rosa Ayala, the Bronx Dominican Day Parade, Inc., La Gran Parada Dominicana del Bronx, has grown into an important institution that increases the self-awareness and pride of the Dominican people in order to promote economic development, education, cultural recognition, and advancement.

Dominicans have made invaluable contributions to the city, as well as to the entire nation. Although the highest concentration of Dominican people live in Washington Heights, a significant number have enriched the Bronx with their unique culture and spirit. The Dominican culture is one characterized by, among other

things, diverse multi-culturalism, strong family values, distinctive art, amazing music and unique cuisine. We are grateful that so many have chosen to make the Bronx home.

Mr. Speaker, the roots of Dominican New Yorkers lie in a country with a fascinating history and arresting beauty. The Dominican Republic is the home of a number of people from various heritages. As a result, the culture is charged with strong Taino, African, and European influences. One visit to the Dominican Republic will put to rest any questions one might have as to why Dominicans in America retain such a strong sense of pride in their homeland and never stop missing it.

The achievements and contributions made by Dominican-Americans and Dominican residents have spanned the realms of politics, science, the Armed Forces, literature, public service, and the arts, and undoubtedly make them an integral part of American society.

The Bronx Dominican Day Parade and Festival of the Bronx is a great opportunity to celebrate Dominican culture, history, and its bright future.

Mr. Speaker, I ask my colleagues to please join me in honoring the Dominican Day Parade and Festival of the Bronx.

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#### PERSONAL EXPLANATION

### HON. MARTIN HEINRICH

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mr. HEINRICH. Mr. Speaker, I unfortunately missed two votes this evening, which included rollcall votes 601 and 602. If I had been present, I would have voted in favor of rollcall vote No. 601, H.R. 33. If I had been present, I would have voted in favor of rollcall vote No. 602, on Approving the Journal.

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#### TRIBUTE TO COHOCTON VOLUNTEER FIRE DEPARTMENT

### HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mr. REED. Mr. Speaker, I rise today to honor the brave men of women of the Cohocton Volunteer Fire Department who have tirelessly served our local and national community for 125 years. As the Cohocton Volunteer Fire Department celebrates its 125th anniversary, I applaud the many ways they have served our community.

From July 22–24, members of the department will hold several events commemorating the service of their valiant volunteers. Historical displays, parades, competitions and dinners will be held. The department will even be publishing a commemorative book on its history to celebrate this milestone.

For the past 125 years, members have selflessly given their time and energy to serve our community throughout periods of emergency and disaster. While the Cohocton Volunteer Fire Department should be commemorated for all of their service to our community, I want to

especially highlight their tireless work during the 1972 Flood, the Ice Storm of 1991 and the Blizzard of 1993—three major storms which devastated the Chemung Valley.

Furthermore, the department also aided the national community during the terrorist attacks of September 11, 2001. Under a mutual aid request, the department sent an ambulance and personnel to the Twin Towers Site after the attack. The ambulance was equipped with medical supplies donated by the local community for use by the FDNY.

Members of the Cohocton Volunteer Fire Department have repeatedly risked their lives in order to save our friends and neighbors. I am proud to recognize such a self-sacrificing and courageous organization. I congratulate the Cohocton Volunteer Fire Department and thank them for their 125 years of service.

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#### PERSONAL EXPLANATION

### HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mrs. BLACK. Mr. Speaker, on amendment rollcall No. 615, No. 616, No. 617, No. 618, No. 619, No. 620 as well as rollcall No. 621 for final passage of H.R. 1315, I am not recorded because I was attending to a family matter. Had I been present, I would have voted: No—Representative Sheila Jackson Lee Amendment No. 4; no—Representative Brad Miller Amendment; no—Representative Sheila Jackson Lee Amendment No. 3; no—Representative Carolyn Maloney Amendment; yes—Representative Scott Rigel Amendment; no—Democrat Motion to Recommit; and yes—Final Passage of H.R. 2551.

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#### PERSONAL EXPLANATION

### HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I missed votes on July 21, 2011 in order to attend the funeral of one of my staffers. Had I been present, I would have voted "yea" on rollcall votes 612, 613, 614, 619, 621 and "no" on rollcall votes 615, 616, 617, 618, and 620.

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CONGRESSWOMAN MAXINE  
WATERS' STATEMENT ON THE  
LOSS OF HER FRIEND AND COM-  
MUNITY ICON, LILLIAN  
HARKLESS-MOBLEY

### HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Ms. WATERS. Mr. Speaker, I am heartbroken that one of my closest and dearest friends, Lillian Mobley, has passed away. I worked with Lillian—known throughout South

Los Angeles communities as "Ms. Mobley"—for over 3 decades. We have marched together, participated in protests together, and fought off anyone who attacked our community together. Lillian was my 'shero.'

Lillian Mobley is without a doubt the most accomplished and successful community activist South Los Angeles has ever had. She helped found numerous community institutions and organizations that include Martin Luther King Jr. Hospital, Charles Drew Medical Center, Los Angeles Southwest College, Black Women's Forum, the Lillian Mobley South Central Multipurpose Senior Citizens Center, Mothers in Action, Grandma's Hands Los Angeles Birthing Project, Watts Towers Community Action Council and others. She is on the Walk of Fame in Watts, has a building named after her at the Maxine Waters Employment Preparation Center, a clinic at Martin Luther King Jr. Hospital that also houses a bust of her image, the Mother of Africa statue at WLCAC was dedicated to her as well as the amphitheater at Watts Towers and a Family Housing Center, and of course the senior center she founded that now carries her name.

She served on the board of over 20 organizations and was highly sought after by politicians hoping to win her endorsement to be elected to office. And it was only if Lillian believed that their election to office would benefit the community and help preserve the very institutions she helped to create like Martin Luther King Jr. Hospital would she support them.

Lillian Mobley is one of the icons of South Central and the Watts communities of Los Angeles that has helped to educate the city and the country about the problems of poor people and working folks and the struggles that they encounter on a daily basis. She was the voice that articulated their pain, their challenges, their hopes and dreams. Lillian has joined the legendary African American women who have passed on but clearly left their marks on the hearts and souls of the people they fought for. Women like Mary Henry, Caffie Greene, Jonnie Tillman, Margaret Wright, Edna Aliewine and Opal Jones.

We spent countless hours in meetings on issues related to health, seniors, youth, and education. Lillian was not only concerned with these issues, she tackled them with vigor. She was all about doing the work, even the 'grunt work' as she liked to call it, to bring resources to help families and youth in South Central Los Angeles and Watts. She did all of this while battling with her own health issues. If Lillian was not at an important meeting it was only because she couldn't attend either due to her grueling dialysis schedule or because she was hospitalized. Lillian was a woman before her time who maintained her empathy and concern for the young and old. She was truly humble in her work and never asked or expected any recognition form of recognition from others.

One of the greatest experiences we had together was taking 80 African American women on a trip to Africa. Lillian was so happy and proud to travel to the motherland and said it was one of the most enjoyable moments of her life. I will hold on to this and other fond memories I have of Lillian to help come to grips with this devastating loss.

I join with other elected officials, community leaders, and the residents of South Central,



Watts and South Los Angeles in paying homage to our queen, Lillian Mobley.

IN HONOR OF SUE POPP

**HON. DORIS O. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Ms. MATSUI. Mr. Speaker, it is with profound sadness that I rise to honor the life of my good friend, Sue Popp, who passed away on July 11, 2011, in Sacramento, California. Sue was not only a close friend of mine, and someone I knew for almost 40 years, but she was a friend to Sacramento—someone who spent her life dedicated to public service, providing for others, and championing causes for the less fortunate.

Born in 1938 to a prominent Sacramento family, Sue spared no expense to help provide for those she cared for. Her entire life was dedicated to her friends and the people she loved. If she saw the good in you, you had a friend and defender for life.

Sue was a dedicated humanitarian as well as a trusted friend. She spent a lifetime chairing many of Sacramento's non-profit boards, raising money for her favorite charities, and serving her community. No effort was more important to her than the plight of Sacramento's youth. She developed a close bond to the children of Sacramento early in her philanthropic life. This spirit of generosity carried with her as she served in the Stanford Home for Children, Junior League, Fairytale Town, Capitol Public Radio, the Crocker Art Museum, and the Sacramento Country Day School Auction, where I had the distinct honor to serve with Sue as her co-chair.

Without a doubt, Sue was one of the most dynamic women I have ever had the privilege to know. Her passing leaves a tremendous void in Sacramento, both in terms of her unwavering dedication to improve the lives of those she touched, but also in terms of her sheer presence. The warmth and generosity Sue exuded to friend and stranger alike is seldom seen in today's world. We will be hard-pressed to replace it. She was truly a friend to Sacramento—one that will be dearly missed by all.

Mr. Speaker, I ask my colleagues to join me in honoring the life of Sue Popp—someone who dedicated her life to doing what was right, and serving others. She leaves a legacy of boundless generosity, charisma, energy, and class. We should each aspire to follow her example in our own lives, both professionally and personally. I will miss her dearly, and pray that her son, Curtis, his wife, Susan, and her grandchildren, Fletcher and Olivia, will find comfort in the fact that Sue provided so much love and kindness to those of us who had the honor to share in her life.

COMMEMORATING THE 37TH ANNIVERSARY OF THE TURKISH INVASION OF CYPRUS

**HON. STEVEN R. ROTHMAN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to commemorate the 37th anniversary of the Turkish invasion of Cyprus and to remember this tragic event for the Greek Cypriot people.

The commemoration of the 1974 Turkish military invasion of the island of Cyprus serves as a solemn reminder for all freedom-loving people to mourn those who lost their lives in the invasion and to condemn the ongoing Turkish occupation. For the past 37 years, Cyprus has endured the illegal military occupation of over one third of its territory by the Turkish armed forces, an occupation which stands in violation of more than 75 U.N. Security Council resolutions calling for the withdrawal of Turkish troops. Despite this unjust infringement upon Cyprus, both the United States and the Cypriot governments remain committed to achieving a peaceful resolution of this dispute through diplomatic negotiations.

The strong relationship between the United States and Cyprus is not based solely on a shared interest in ending the Turkish occupation of Cyprus, but also on the fact that both countries share a deep and abiding commitment to upholding the ideals of freedom, democracy, justice, human rights, and the international rule of law. The United States and the rest of the international community have a moral obligation to stand with Cypriots as they work to reunify their island and end the Turkish military occupation.

As a friend of Cyprus, I will continue to work with my colleagues to realize a reunification of the island as a bi-communal and bi-zonal federation that will protect the human rights and fundamental freedoms of all Cypriots. However, any solution must include a prompt withdrawal of Turkish occupation forces. Cypriot President Demetris Christofias remains committed to negotiating a just, viable solution to this problem in accordance with the many U.N. Security Council Resolutions adopted on this issue since 1974, with the High Level Agreements of 1977 and 1979, and on the basis of the ideals and principles upon which the European Union was founded.

Mr. Speaker, today I urge my colleagues to join me in recognizing the 37th anniversary of this violent invasion that brutally divided the island nation of Cyprus, and to encourage Turkish Cypriot leaders to negotiate in good faith with their Greek Cypriot counterparts to settle this dispute and to develop a plan for reunification that addresses the serious concerns of all Cypriots. The reunification of Cyprus must remain a priority for this Congress and for the international community. On this important anniversary, we mourn the deaths of those killed in the invasion and the lost opportunities for reunification over the years, but we look forward to a future of a reunited and peaceful Cyprus.

CELEBRATING THE REVIVAL OF "THE RICKEY"

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Ms. NORTON. Mr. Speaker, I ask the House to join me in celebrating the revival of "The Rickey," a cocktail of Presidents and Members of Congress who, in the 1880s, frequented Shoemaker's Bar, which today is the home of the J.W. Marriott Hotel, near the White House.

The invention of The Rickey, made with a combination of gin or bourbon, half a lime, ice, and sparkling water, is attributed to Colonel Joe Rickey. The cocktail became well known nationally, appears in cocktail books, and was recently named the District of Columbia's native cocktail in a resolution introduced by D.C. Council member Jack Evans and approved by the D.C. Council.

This week at the J.W. Marriott, D.C. residents celebrated The Rickey as I unveiled a plaque commemorating it as a part of the city's rich history. Much of the energy for the revival of The Rickey as D.C.'s cocktail was driven by Garrett Peck, author of "Prohibition in Washington, DC: How Dry We Weren't," and Bob Madigan, who acted as emcee at the celebration.

As Congress tries to reach a sensible compromise on the debt limit, we would do well to remember The Rickey, the drink dejour at a time when Presidents, Members of Congress, and members of the press on "Newspaper Row," as that part of 14th Street was known, drank together and enjoyed good relations. Let us take the spirit of The Rickey to heart this week and settle our debt-limit differences. Having a Rickey might even help.

I ask the House to join me in commending the J.W. Marriott for their recognition of the political history of the city, especially to a part of Washington's history that will humanize politicians.

HONORING DAN AGUILAR

**HON. THOMAS J. ROONEY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 22, 2011*

Mr. ROONEY. Mr. Speaker, it is with great honor that I rise to pay tribute to a true American hero, Dan Aguilar of Palm City, Florida. Dan has been awarded the Silver Plaque International Alpine Solidarity Award, given to individuals who have risked their lives to save others in dangerous mountain accidents. Dan is a well-known mountain rescuer who deserves both the admiration and praise of this body.

Dan grew up in Dallas, Texas, where he resided for 18 years. After graduating from Crozier Tech High School, he served in the U.S. Army for four years. Upon returning to the United States, he moved to Vail where he began his renowned career in mountain rescue. Dan's love for the mountains has seen him travel the globe and conquer the most

dangerous alpine trails in the world. What's more, his mountain climbing adventures have taken him to Mexico, Ecuador, Alaska and Argentina. But it is not his accomplishments as a climber or mountain hiker that have earned him this prestigious award, but rather it is his courage as a mountain rescuer.

In the early 1980s Dan suffered the crushing loss of a dear friend that completely changed his view of climbing. For some time he was unable to even fathom climbing again, but this experience eventually drove him to the line of work that has made him a living legend. Through his dedication and perseverance he became a valuable member of the Vail Mountain Rescue Group for nearly 2 decades.

For Dan, saving the life of another seemed to come naturally. In fact, the Silver Plaque International Alpine Solidarity Award is not the first time he has received recognition for his devotion to helping others. He has also been awarded the Mountain Rescue Association's Outstanding Individual Service Award. In all, it is estimated that Dan has been involved in around 500 different rescue missions, since his involvement with Mountain Rescue. His advanced rescue skills have also been utilized in rescues on Mt. Rainier in Washington, the Pamirs in Russia, and the Aconcogua in South America.

Dan's commitment and incredible compassion to help others have earned him a leg-

endary reputation and the admiration of people around the world. According to Tim Cochrane, a fellow member of Mountain Rescue, "Aguilar is the first volunteer rescuer in North America to win the award."

Mr. Speaker, on behalf of the State of Florida and U.S. Congress, I congratulate Dan on this distinguished and well-deserved award. He is an American who deserves our gratitude and praise.

Dan, your community, State, and Nation are proud of you!

**SENATE—Monday, July 25, 2011**

The Senate met at 2 p.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O, God, You are our God. Our thirsty souls seek You. Lord, we look to You for help, longing to see Your power and might because Your loving kindness is better than life.

Guide our Senators. Conform their lives more and more to fulfill Your purposes, using them as instruments of good in a challenging world. May they yield themselves to Your Spirit that Your promised kingdom of truth and righteousness may become the kingdom of all humanity.

Lord, today as we remember the 1998 U.S. Capitol shooting tragedy, we pause to thank You for the sacrifice of Officer Jacob J. Chestnut and Detective John M. Gibson.

We pray in Your merciful Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable CHRISTOPHER A. COONS led the Pledge of Allegiance, as follows:

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

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 25, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. COONS thereupon assumed the chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. REID. Mr. President, following any leader remarks, the Senate will be in a period of morning business until 4:30 this afternoon. At 3:40 p.m., the Senate will conduct a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson of the U.S. Capital Police who were killed 13 years ago defending this Capitol against an armed intruder.

At 4:30 p.m., the Senate will be in executive session to consider the nomination of Paul Englemayer to be United States District Judge for the Southern District of New York and Ramona Manglona to be District Judge for the Northern Mariana Islands.

At 5:30 p.m., there will be a rollcall vote on confirmation of the Englemayer nomination. The Manglona nomination is expected to be confirmed by voice vote.

Additional rollcall votes are possible this evening.

**OFFICERS JACOB J. CHESTNUT AND JOHN M. GIBSON**

Mr. REID. Mr. President, every day people from across this great Nation around the globe come here to visit the Capitol—to see the seat of American democracy. Every day, those of us who are fortunate to have been elected by our home States to serve in Congress also come here to represent this Nation and the American people in that democracy. Every day a brave and dedicated group of men and women come here to serve as Capitol police officers, to ensure that whether we are here to work or to visit, we are safe from harm. In 1998, two of those dedicated police officers gave their lives protecting this Capitol and the people in this Capitol. They were Special Agent John Gibson and Officer Jacob Chestnut. Thirteen years ago yesterday, a man entered the House side of the Capitol building with a gun, shot officer Chestnut at point-blank range.

Agent Gibson warned tourists and staff to take cover and then confronted the gunman. Although Agent Gibson was also shot, he prevented anyone else from being killed. Both officers died that day. They served a combined 36 years on the force, protecting their fellow men and women.

When I first came to Washington, I worked the night shift—the swing shift—as a Capitol police officer. That is why I feel a particular closeness to the Capitol police. When I worked, I was never in danger. I was never called on to put my life on the line. I only hope I would have shown the bravery

Agent Gibson and Officer Chestnut displayed that afternoon they were killed.

I was a Member of the Senate when Agent Gibson and Officer Chestnut gave their lives to save the lives of others. I know nothing can make up for the loss of a cherished loved one. We hope their families and friends take some comfort in knowing those of us who were here that day hold them in our memories and in our hearts. While I know it is little solace to their families, the tragedy of that day made the Capitol a safer place. It led to the construction of the Capitol Visitor Center which prevents a madman such as the one who shot Agent Gibson and Officer Chestnut from entering the Capitol. We are all grateful for their sacrifice, and we are grateful that every day devoted men and women like them guard these hallowed halls.

**BUDGET NEGOTIATIONS**

Mr. REID. Mr. President, some of those dedicated police officers stood guard Saturday and Sunday as we worked to reach an agreement to avert a default on our national debt. Leaders in both parties were here throughout the weekend. Differences still separate our two sides, but work toward an agreement continues.

This afternoon I will put on the floor a proposal that I hope will break that impasse. This legislation would put to rest the specter of default. It would cut \$2.7 trillion from the deficit over the next decade. It would not raise any new revenue or make any cuts to Medicare, Medicaid, or Social Security. All the cuts included in this package have previously been supported by Republicans. The proposal provides everything the House Republicans have said they needed from an agreement to avert default and cut the deficit. I hope my colleagues on the other side will still know a good deal when they see it. I hope they will remember how to say yes.

The tea-party-led House of Representatives has held up a resolution of these negotiations for weeks because they did not want oil companies, corporations that ship jobs overseas, and millionaires and billionaires in their corporate jets to pay their fair share. If they now oppose an agreement that meets every one of their demands, it will be because they have put politics first and the good of this Nation and the economy last.

I hope they will not continue to insist on the kind of short-term fix they opposed a few short weeks ago, and they know Democrats in the Senate

will not pass and President Obama will not sign.

Economists have already said a short-term solution is no solution at all. It will not give the markets the certainty they need. The credit rating agencies have said a short-term Band-Aid could have many of the same effects of default: downgrade of U.S. debt, soaring interest rates, and an effective tax increase for every American family and business.

The financial markets do not trust the rightwing tea-party-led House of Representatives. They do not believe they should hold this process hostage, and they do not want them to do it again in 6 months. We need to make the right decision now, and we need to do it because the economy is on the line.

This is what one market analyst said about a plan to avert for only a few months. "From the markets' point of view, a two-stage plan is a nonstarter because we now know it is amateur hour on Capitol Hill and we don't want to be painted in this corner again."

The markets need certainty; America needs certainty; the world needs certainty; and an agreement that provides that certainty is within our grasp. Democrats have done more than just meet Republicans in the middle. We have met them all the way. Now we will see whether Republicans are against any agreement at all or whether they remember how to say yes when the compromise on the table gives them everything they have demanded.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

Mr. McCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

#### ANNIVERSARY OF THE DEATHS OF J.J. CHESTNUT AND JOHN GIBSON

Mr. McCONNELL. Mr. President, as visitors walk through the Capitol for the first time, they eventually come across a plaque near one of the entrances on the East Front that memorializes an event which took place 13 years ago yesterday.

It was 13 years ago that Officers Jacob Joseph Chestnut and Detective John Michael Gibson made the ultimate sacrifice to protect all who were working and visiting the Capitol on that Friday afternoon.

And every year at this time, we take a moment to step back from our work,

put aside our differences, and remember these good men whose sacrifice stands as a permanent reminder of the debt we owe to them, and to all those who continue to put themselves on the front line every day to defend the rest of us—from the Capitol Police force, to local law enforcement officials, to those serving overseas.

America has always been blessed to have men and women rise up in every generation who are willing to put their Nation ahead of their lives. Today, we honor two in particular who did so in this building. Officer Chestnut was a 20-year veteran of the Air Force, a loving husband, and a father of five.

Detective Gibson had served 3 years on Congressman Tom DeLay's protective detail. Both had served 18 years on the Capitol Police force. A friend of Detective Gibson's recalled shortly after the shooting that just a few days before, John told him he had never had to draw his weapon on the job. Yet despite being mortally wounded on the day he died, John did not hesitate to return fire, wounding the intruder. Calling upon his instincts and training, Detective Gibson's actions saved many lives that day.

Officer Chestnut and Detective Gibson exemplify the best America has to offer. And that is why we honor them here today.

My friend the majority leader is a former Capitol Police officer. He understands more than anyone in this Chamber the honor and dedication, as well as the risks associated with the job. I know he joins me in honoring Jacob Joseph Chestnut and John Michael Gibson, as well as all Capitol Police who put their lives on the line every day to protect us and this institution.

To all members of the Capitol Police force: thank you for your service and your professionalism. Your duties do not go unnoticed. And on this day that we remember Officer Chestnut and Detective Gibson, I would also like to take a moment to remember the families of these good men who have been so deeply affected by this tragedy. Our prayers continue to go out to them. May God continue to protect them as their loved ones protected us.

#### BUDGET NEGOTIATIONS

Mr. McCONNELL. Mr. President, I would like to say a few words now about the ongoing debt ceiling discussions.

I think the American people can be excused for being a little confused at this point as to what is going on here in Washington and a little bit frustrated. I am too, frankly.

There is no reason in the world that the American people should have had to wake up this morning unsure of whether Washington was going to resolve this problem.

Candidly, as of Saturday afternoon, I had no doubt that a solution was at hand.

That is just what we did. We came together in good faith and decided to do the right thing. Everyone agrees default wasn't an option, so we put together a responsible proposal that prevented default while reducing Washington spending.

Republicans and, yes, some Democrats, have been clear for months that tax hikes couldn't be part of the package. We have also been clear that serious cuts would have to be part of any package.

So taking all this into consideration, the responsible path forward was clear to everyone: a plan that avoided default and required additional savings before any further increase in the debt ceiling.

Leaders from both parties in both Houses agreed this was the right path forward legislatively. The only thing to do at that point was to present this bipartisan solution to the President.

What was the President's response? Unfortunately, to demand the largest single debt increase in history, \$½ trillion more than the previous biggest increase Democrats approved 2 years ago when they controlled both Congress and the White House.

This was the President's justification, as he put it on Friday:

The only bottom line I have is that we have to extend the debt ceiling through the next election, into 2013.

That is a direct quote from the President of the United States. There is absolutely no economic justification for insisting on a debt limit increase that brings us through the next election. It is not the beginning of a fiscal year. It is not the beginning of a calendar year. Based on his own words, it is hard to conclude that this request has to do with anything, in fact, other than the President's reelection.

Look, Congress has raised the Federal debt limit 62 times since 1972. The average length of an increase over that period is just over 7 months. But now the President says it has to be nearly 2 years. Why? So he can continue to spend as he pleases.

This weekend, we offered the President a bipartisan proposal to avoid default so we could have the time we need to put together a serious plan for getting our house in order, and he rejected it out of hand—not for economic reasons, understand, but, as he put it, "to extend this debt ceiling through the next election."

Time is running out. With all due respect to the President, we have more important issues to worry about than getting through the next election.

A bipartisan plan to resolve this crisis was literally within our reach this weekend. The President has to know this approach is the responsible path forward, and we ought to put it back on the table.

Congressional leaders of both parties have shown they are willing to work in

good faith. I suggest the President reconsider their offer rather than veto the country into default.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. The Senate will now be in a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Minnesota is recognized.

#### NORWAY TERRORIST ATTACK

Ms. KLOBUCHAR. Mr. President, I rise to share my deepest sympathies for the people of Norway who, as my colleagues know, experienced a despicable terrorist act this past Friday, July 22.

In the Senate, I represent the State of Minnesota. It is a State that has the largest number of people of Norwegian heritage outside the country of Norway itself.

The influence of Norwegian culture can be found throughout our State, and the bonds between Norway and Minnesota continue to be incredibly strong to this day. That is why the shock of Friday's violence hit us so close to home.

This past weekend, I joined Minnesotans and the whole world in offering our country's prayers and sympathy to the people of Norway. I attended a memorial service at the Mindekirke Norwegian Lutheran Memorial Church in Minneapolis, where hundreds of people of Norwegian heritage gathered to go to mourn their loss.

It is especially heartbreaking that a mass murder such as this would take place in a country such as Norway. The world knows Norway as a country that is both peaceful and peace-seeking.

After all, Norway is home to the Nobel Peace Prize, and it has offered safe haven to refugees and the politically persecuted from all around the world. It just doesn't make sense.

I am a parent. My daughter is the same age as many of the young people who were at that camp. She was there with our family at the memorial service on Sunday. The kids at this camp were idealistic kids. They were teenagers. They were at the camp because of their interest in their community and in democracy.

It is very hard and very painful even to think about such a cold-blooded attack and the massacre of so many innocent children. It is a kind of terrible tragedy that puts all of us to the test.

It tests our resilience, our trust, and our faith.

On Saturday morning, I spoke with Ambassador Strommen, Norway's Ambassador to the United States. I conveyed the deepest sympathies of the people of our State. He assured me that, even though this is a very difficult time, Norway is strong, the Norwegian people are strong, and they will make it through this time of trouble and sorrow.

We will stand by them. But we will also stand against the hate that inspired this action. We are starting to get a sense, over the last 2 days, of what motivated this madman. We know now that while most of the people attacked were native Norwegians, there were also people from other countries, immigrants to Norway, new citizens there.

We all need to remember that my State was originally settled by Norwegians, Swedes, Danes, and Germans, but we also remember there were other waves of immigrants who came too, including Slovenians, such as my relatives, as well as people from Poland, Russia, and most recently in Minnesota the Hmong people have a major presence, as well as people from Somalia. We must remember what made our State, our country, and Norway such vibrant places for democracy is that openness, that freedom, and it is that tolerance.

I reminded my friends at the Norwegian church on Sunday morning of something President Clinton actually said after the Oklahoma City bombing, when he spoke at that memorial. He said this:

Let us let our own children know that we will stand against the forces of fear. When there is talk of hatred, let us stand up and talk against it. When there is talk of violence, let us stand up and talk against it.

I call on my colleagues to stand true to those words. We will continue to confront the forces of fear and hatred with that same spirit of faith, tolerance, and good will. Let us continue to stand strong in support of our allies and friends in Norway. Today, our thoughts and prayers are with them.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, let me associate myself with the remarks of the Senator from Minnesota. My wife and I traveled to Oslo, Norway, a few years ago and were deeply touched by the hospitality of the people there and the peacefulness of the country. It is almost too much to bear to think about what they have gone through as a result of this recent tragedy. I appreciate her remarks.

#### REMEMBRANCE OF FALLEN OFFICERS

Mr. KYL. Mr. President, the majority and minority leaders talked about the

sacrifice of two of our Capitol police officers who died in the line of duty protecting people here at the Capitol and our remembrance of them on this day. The Chaplain also prayed that we remember their sacrifice.

I think it is important for us to pause in circumstances such as this, especially when we are involved in such deeply divided discussions about the issues of the day that confront us.

#### DEBT CEILING

Mr. KYL. Mr. President, I also thought it interesting that, regarding the issues we are debating that so deeply divide us, a Wall Street Journal op-ed today appeared, which is one of those rare times when the author puts into a much larger perspective, a more cosmic perspective, what we are talking about and puts it in moral terms—long-term moral terms—rather than just Democrats versus Republicans and the fight of the day.

Mr. President, I ask unanimous consent that this article be printed in the RECORD after my remarks. It is written by Arthur C. Brooks and is called "The Debt Ceiling and the Pursuit of Happiness."

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KYL. Arthur Brooks is the head of AEI, American Enterprise Institute, and he has written on the subject of happiness in our country and how we get there. His most recent book is called "The Battle: How the Fight Between Free Enterprise and Big Government Will Shape America's Future."

His theme in this article was similar to the one in the book, which is that we have the system we have because Americans have found that it is a system which most leads us to the pursuit of happiness, the achievement of success, and things that are important in our lives. He talks about the fight we are engaged in now about extending the debt ceiling as being a fight against 50-year trends toward statism, which he identifies as a state that would be very disappointing to Americans, where we would not have the ability to pursue our dreams or the same opportunity we have today to be successful if we take risks and to utilize the full potential of the free market system.

He says, "Consider a few facts," and this is the one thing I will quote from his article:

The Bureau of Economic Analysis tells us that total government spending at all levels has risen to 37 percent of the gross domestic product today from 27 percent in 1960—and is set to reach 50 percent by 2038. The Tax Foundation reports that between 1986 and 2008, the share of Federal income taxes paid by the top 5 percent of earners has risen to 59 percent from 43 percent. Between 1986 and 2009, the percentage of Americans who paid zero or negative Federal income taxes has increased to 51 percent from 18.5 percent. And

all this is accompanied by an increase in our national debt to 100 percent of gross domestic product today from 42 percent in 1980.

All of these, obviously, portend a trend toward statism, toward the funding of the state through increased taxation by fewer and fewer people but at a greater and greater amount of money. In his view and in mine, it will ultimately reduce the kinds of incentives that the free market system provides for Americans to be able to earn and hire others and to assist our economy to grow and, in the process, to increase our standard of living.

This is one of the reasons why Republicans have been so focused on reducing spending as the solution to the problem we face in Washington today. Our problem is not that we don't tax Americans enough; our problem is that we spend too much here in Washington. That is manifested by the statistic that now we are spending almost 25 percent of the GDP. We were up to 25, and we are headed back up there. Yet just 3 short years ago, we were at the average level of spending in our country of about 20 percent of GDP. So spending has skyrocketed in the last 3 years.

If a physician is wanting to treat a patient's condition, the physician diagnoses the patient for what is wrong and then treats that illness. What is wrong with us today is that Washington spending is out of control. That is the diagnosis. What is the treatment? The treatment is not to pile more taxes onto an already sick economy. The treatment is to reduce the amount of government spending.

That is what Republicans have urged us to do. The American people, fortunately, are in the same place.

I will cite three surveys that make the point. One of them is a Rasmussen survey, just reported July 22, of likely voters in the country. It asks the question: Would you fear that the debt deal would raise taxes too much or too little? Would you fear that the debt deal will cut spending too little or cut spending too much?

The answer was interesting. Among likely voters, the answer is this: 62 percent of voters believe the deal will raise taxes too much. Only 26 percent think we will raise taxes too little.

On the spending side, 56 percent are afraid it will cut spending too little. Only 25 percent think it will cut spending too much.

We can see the American people are with us here. They understand our problem is spending, not taxes. They are worried we are not going to reduce spending enough and that, in fact, we are going to increase taxes too much. Rasmussen had already done a survey a week before of likely voters. It asked: Do you favor including a tax hike in the deal?

This was interesting. Fifty-five percent of voters said no. Only 34 percent of likely voters said yes. So the major-

ity, by far, is saying don't include a tax hike in the deal. Again, they understand what the problem is: It is not taxes, it is spending.

CNN had a poll a few days before that, and the question—there were several questions in the poll, but the one that struck my eye asked about raising the debt ceiling only if we also cut spending, cap it at certain levels, and pass a balanced budget amendment. That is the so-called cut, cap, and balance proposal that passed the House of Representatives but was tabled by our Democratic colleagues here in the Senate last week. CNN reports that by a 2-to-1 margin the American people thought we should cut, cap, and balance—66 percent favored, only 33 percent opposed.

It is interesting to me the American people have internalized the same thing as we Republicans; and probably the reason Republicans are expressing this is because we have been listening to our constituents who have been telling us this. Our concern is not that we should raise taxes; our concern is that we should cut spending. That is why we have been saying what we have been saying here.

I find it interesting even the President himself—in an earlier time—shared the same sentiment. In August of 2009 he made a similar point. In December of last year, when the tax rates that have been in existence for decades were extended for another 2 years, he said: You don't raise taxes in a recession. He is exactly right. And, by the way, at the time he said that, growth in the quarter was at about 6 percent of GDP. Today, growth is less than 2 percent of GDP. So our economic situation has gotten worse since then. We are up to 9.2 percent unemployment. Obviously, you don't raise taxes in a recession. When you have a bad economic condition, the worst medicine is to raise taxes.

Another point Republicans have been trying to make with regard to this difference between raising taxes or reducing spending is that usually a couple of things happen when Congress sets out to do this. You get the permanent increases in taxes, but you never get the same dollar for dollar or \$2 or \$3 for \$1 that you are promised in reductions in spending. Moreover, when you aim at hitting the millionaires and billionaires—which is usually the excuse for raising taxes—you end up hitting a lot of other folks.

One of the things we are concerned about is exactly what happened with the alternative minimum tax. We tried to make sure 128 specific millionaires didn't get out of paying taxes because of deductions and credits they could take, and so we put into effect the alternative minimum tax. Today, the alternative minimum tax affects 25 million Americans. So when you aim at the millionaires, you hit everybody

else. In fact, that is exactly what would happen under the proposal of the President today.

The President says we need to hit the millionaires and billionaires. Well, there are 319,000 American households that report incomes of over \$1 million a year, but there are 3.6 million other households that would be affected in the same way by the President's tax increase because they are also in the top two income tax brackets. So when you raise the top two brackets, you are not just going to hit the millionaires and billionaires, you are also going to hit a lot of other Americans who don't report incomes of over \$1 million a year.

Probably the primary reason Republicans have argued we should not be raising taxes in this bad economic time is that it is a job killer. This is illustrated by many things, one of which is the President's own Small Business Administration. One of the taxes the President has proposed hiking would hit small businesses especially hard. According to the Office of Advocacy of the Obama Small Business Administration, this tax "could ultimately force many small businesses to close." Why would you impose a tax on small businesses that could ultimately force many of them to close? It is the wrong medicine for a sick economy.

In addition to the fact we always end up hitting a lot more than the millionaires and billionaires, and that taxes are forever but the savings never quite seem to materialize, the most important point here is that raising taxes is a job killer. Two-thirds of all the jobs coming out of a recession are in the small business sector. Fifty-four percent of all jobs in the country are created by small business.

Republicans are going to continue to push for reductions in spending as the way forward here, and I hope during this next week we will be able to get together with our House colleagues, and Republicans and Democrats alike will be able to at least rally around one thing we can all agree on: spending has to be reduced. If later on we need to have discussions about tax reform, that is a debate I think all of us wish to have. Our Tax Code needs reforming. But let's do that not in the context of raising revenues but rather in the context of making it a Tax Code that would enable us to grow more. At the end of the day, that is what we should all be for. Because a growing pie means there is more for everyone—rich and poor alike—the families of America as well as the governments. I hope my colleagues will focus on what the American people are telling us through these surveys: Let's reduce spending, not increase taxes.

## EXHIBIT 1

[From the Wall Street Journal, July 25, 2011]  
THE DEBT CEILING AND THE PURSUIT OF  
HAPPINESS

(By Arthur C. Brooks)

The battle over the debt ceiling is only the latest skirmish in what promises to be an ongoing, exhausting war over budget issues. Americans can be forgiven for seeing the whole business as petty, selfish and tiresome. Conservatives in particular are beginning to worry that public patience will wear thin over their insistence that our nation's government-spending problem must be remedied through spending cuts, not by raising more revenues.

But before they succumb to too much caution, budget reformers need to remember three things. First, this is not a political fight between Republicans and Democrats; it is a fight against 50-year trends toward statism. Second, it is a moral fight, not an economic one. Third, this is not a fight that anyone can win in the 15 months from now to the presidential election. It will take hard work for at least a decade.

Consider a few facts. The Bureau of Economic Analysis tells us that total government spending at all levels has risen to 37% of gross domestic product today from 27% in 1960—and is set to reach 50% by 2038. The Tax Foundation reports that between 1986 and 2008, the share of federal income taxes paid by the top 5% of earners has risen to 59% from 43%. Between 1986 and 2009, the percentage of Americans who pay zero or negative federal income taxes has increased to 51% from 18.5%. And all this is accompanied by an increase in our national debt to 100% of GDP today from 42% in 1980.

Where will it all lead? Some despairing souls have concluded there are really only two scenarios. In one, we finally hit a tipping point where so few people actually pay for their share of the growing government that a majority become completely invested in the social welfare state, which stabilizes at some very high level of taxation and government social spending. (Think Sweden.)

In the other scenario, our welfare state slowly collapses under its weight, and we get some kind of permanent austerity after the rest of the world finally comprehends the depth of our national spending disorder and stops lending us money at low interest rates. (Think Greece.)

In other words: Heads, the statist win; tails, we all lose.

Anyone who seeks to provide serious national political leadership today—those elected in 2010 or who seek national office in 2012—owe Americans a plan to escape having to make this choice. We need tectonic changes, not minor fiddling.

Rep. Paul Ryan's (R., Wis.) budget plan is the kind of model necessary. But structural change will only succeed if it's accompanied by a moral argument—an unabashed cultural defense of the free enterprise system that helps Americans remember why they love their country and its exceptional culture.

America's Founders knew the importance of moral language, which is why they asserted our unalienable right to the pursuit of happiness, not to the possession of property. Similarly, Adam Smith, the father of free-market economics, had a philosophy that transcended the mere wealth of nations. His greatest book was "The Theory of Moral Sentiments," a defense of a culture that could support true freedom and provide the greatest life satisfaction.

Yet today, it is progressives, not free marketeers, who use the language of moral-

ity. President Obama was not elected because of his plans about the taxation of repatriated profits, or even his ambition to reform health care. He was elected largely on the basis of language about hope and change, and a "fairer" America.

The irony is that statisticians have a more materialistic philosophy than free-enterprise advocates. Progressive solutions to cultural problems always involve the tools of income redistribution, and call it "social justice."

Free-enterprise advocates, on the other hand, speak privately about freedom and opportunity for everybody—including the poor. Most support a limited safety net, but also believe that succeeding on our merits, doing something meaningful, and having responsibility for our own affairs are what give us the best life. Sadly, in public, they always seem stuck in the language of economic efficiency.

The result is that year after year we slip further down the redistributionist road, dissatisfied with the growing welfare state, but with no morally satisfying arguments to make a change that entails any personal sacrifice.

Examples are all around us. It is hard to find anyone who likes our nation's current health-care policies. But do you seriously expect grandma to sit idly by and let Republicans experiment with her Medicare coverage so her great-grandchildren can get better treatment for carried interest? Not a chance.

If reformers want Americans to embrace real change, every policy proposal must be framed in terms of self-realization, meritocratic fairness and the promise of a better future. Why do we want to lower taxes for entrepreneurs? Because we believe in earned success. Why do we care about economic growth? To make individual opportunity possible, not simply to increase wealth. Why do we need entitlement reform? Because it is wrong to steal from our children.

History shows that big moral struggles can be won, but only when they are seen as decade-long fights and not just as a way to prevail in the next election. Welfare reform was first proposed in 1984 and regarded popularly as a nonstarter. Twelve years of hard work by scholars at my own institution and others helped make it a mainstream idea (signed into law by a Democratic president) and perhaps the best policy for helping the poor to escape poverty in our nation's history. Political consultants would have abandoned welfare reform as unworkably audacious and politically suicidal. Real leaders understood that its moral importance transcended short-term politics.

No one deserves our political support today unless he or she is willing to work for as long as it takes to win the moral fight to steer our nation back toward enterprise and self-governance. This fight will not be easy or politically safe. But it will be a happy one: to share the values that make us proud to be Americans.

Mr. KYL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MOMENT OF SILENCE TO HONOR OFFICER JACOB J. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson of the U.S. Capitol Police.

(Moment of silence.)

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I thank the Chair for leading the moment of silence we just had for Officer Jacob Chestnut and Detective John Gibson of the U.S. Capitol Police.

It is important to recognize that each and every day the citizens of the United States come to the Capitol. They are able to visit this Chamber and visit the offices of their elected Senators and, across the building, the offices of the Members of the House of Representatives. They are able to do so because the Capitol Police maintain a form of security that gives us this access while at the same time protects the functioning of democracy from the very real threats of a changing world.

So it is appropriate that the east front door was renamed the Memorial Door in honor of Officer Jacob Chestnut and Detective John Gibson and that we take this moment to recognize the service of all of the members of the Capitol Police who not only protect all of those who work here, all of those who legislate here, but all of the citizens of the country who come to advocate for their concerns.

Mr. WICKER. Mr. President, I want to take this opportunity to pay tribute to two law enforcement officers who lost their lives in the line of duty at the U.S. Capitol on July 24, 1998.

Thirteen years ago today, Officer Jacob Chestnut and Detective John Michael Gibson each of whom had spent 18 years on the Capitol Police force, lost their lives while safeguarding the Capitol against an armed, emotionally disturbed individual. As a Member of the U.S. House of Representatives at this time, I interacted with these officers on a regular basis. Their tragic, violent deaths profoundly affected us all.

We want these officers' family members and friends to know that these two fine police officers did not die in vain; if not for their courageous and immediate response, many more innocent people could have been injured or killed on that day in 1998.

On this date, we take a moment to remember the sacrifice made by these law enforcement officers on our behalf. We keep them, their families, friends, and former colleagues in our thoughts and prayers.

I also want to take this opportunity to thank all law enforcement officers serving at the local, State, and Federal



level who put their lives on the line for the American public every day. Our Nation is fortunate to have so many fine men and women serving as law enforcement officers in Mississippi and across the Nation.

Mr. MERKLEY. Thank you, Mr. President. I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

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#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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#### EXECUTIVE SESSION

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NOMINATION OF PAUL A. ENGELMAYER TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

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NOMINATION OF RAMONA VILLAGOMEZ MANGLONA TO BE JUDGE FOR THE DISTRICT COURT FOR THE NORTHERN MARIANA ISLANDS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report:

The bill clerk read the nomination of Paul A. Engelmayer, of New York, to be United States District Judge for the Southern District of New York; Ramona Villagomez Manglona, of the Northern Mariana Islands, to be Judge for the District Court for the Northern Mariana Islands.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour for debate on the nominations, equally divided and controlled in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I understand the vote will be at 5:30; is that correct?

The PRESIDING OFFICER. There is debate for 1 hour. If no time is yielded back, the vote will be at 5:36.

Mr. LEAHY. Mr. President, I will yield back 6 minutes of my time so the vote can begin at 5:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MOMENT OF SILENCE

Mr. LEAHY. Mr. President, I note the Senate observed a moment of silence

for John Gibson and Jacob Chestnut, who were killed in the Capitol in 1998 on July 24. Both were excellent police officers—one uniformed, one plain clothes—in the protective division. My wife and I knew both John Gibson and Jacob Chestnut, and we were at both of their memorial services. Both were fine officers, and I am glad we had a moment of silence.

We sometimes forget that we have a lot of very good police officers, both in the uniform division and the plain clothes division, in this Capitol. They are here to protect us at all times of day or night, no matter what the weather or what the circumstances. It is something we should keep in mind. We often can go home when the session ends, but they are here to make sure everything is still safe. So we owe all of them a debt of gratitude, and I hope all of them will remain safe. It is a tragedy that Officers Gibson and Chestnut were not able to remain safe but died protecting the Capitol.

Today, the Senate is finally going to vote on two judicial nominations reported unanimously by the Judiciary Committee in early April.

Let me put that into perspective. Way back when snow was still falling in my State, every single Republican and every single Democrat voted for these two nominees. In past years they would have been confirmed probably in a voice vote that same week in a wrap-up session. For some reason, my friends on the other side think it should be different with a Democratic President than it was for a Republican President, or for that matter, all past Presidents.

Despite the support of every Democrat and every Republican on the Judiciary Committee, the nominations of Paul Engelmayer to fill a judicial emergency vacancy in the Southern District of New York, and Ramona Manglona to fill a 10-year term in the District Court for the Commonwealth of the Northern Mariana Islands, have been stalled for 3½ months on the Senate's Executive Calendar. These are the kinds of qualified, consensus judicial nominations that in past years—whether under President Ford, President Carter, President Reagan, or either of the President Bushes—would have been confirmed promptly rather than being forced to languish for months because of Republican refusal to consent to debate and vote on nominations.

At a time when judicial vacancies remain above 90 throughout this country, these needless delays perpetuate the judicial vacancy crisis that Chief Justice Roberts, a Republican appointee, wrote of last December and that the President, the Attorney General, bar associations and chief judges around the country have urged us to join together to end. Imagine the example we set to litigants by saying: "Well, we

can't hear your litigation, no matter how important it is. You are going to have to wait year after year after year because we don't have a judge. We can't get one confirmed." The Senate can do a better job working to ensure the ability of our Federal courts to provide justice to our fellow Americans around the country.

Recently, Chief Judge Moreno of the Southern District of Florida wrote to the Senate leaders urging that they expedite action on two nominations to fill judicial emergency vacancies in that district. Both Kathleen Williams and Robert Scola are among the many judicial nominees who were reported unanimously by the Judiciary Committee, yet both are being delayed for no good reason.

Chief Judge Moreno writes:

[T]he judicial shortage with three vacancies in our district is becoming acute. For this reason, I ask your assistance in expediting both confirmations. The Judiciary Committee has found the nominees qualified and the people of South Florida eagerly await their service.

Both of these nominees have the support of their home State Senators—Senator NELSON, a Democrat, and Senator RUBIO, a Republican. The two Senators have set aside partisan actions, and the Senate Judiciary Committee has set aside partisan actions by voting for the nominees unanimously. Why should they be held up because of partisan actions on this floor?

Kathleen Williams and Robert Scola are among the 27 judicial nominees reviewed by the Judiciary Committee and reported favorably to the Senate for final action who are being stalled. I am glad that we are finally being allowed to consider the 2 nominees who will be confirmed today, but they have been waiting since early April. This is not traditional, and there are still 25 who languish.

This is not how the Senate has acted in years past with other Presidents' judicial nominees. It is not accurate to pretend that real progress is being made in these circumstances. After we have these two votes, we will still have 25 nominees sitting on the calendar who could be disposed of within an hour, yet they are blocked week after week after week. That is not progress. We may be making progress in the committee, but if the nominees are blocked on the floor, it is not progress. Vacancies are being kept high, consensus nominees are being delayed, and it is the American people—Republicans, Democrats, and Independents alike—that are being made to suffer.

This is another area in which we must come together for the American people. Let us do something for the American people, and not just for our political parties. There is no reason Senators cannot join together to finally bring down the excessive number of vacancies that have persisted in our

Federal courts throughout the Nation for far too long. It is not a Republican or Democratic issue, it is an American issue.

Between now and the August recess the Senate should consider all of the judicial nominees ready for a final vote, including those desperately needed in southern Florida backed by Senator NELSON and Senator RUBIO.

I expect the two nominations we are going to consider today will be confirmed overwhelmingly. They are examples of the almost two dozen consensus nominees who are being stalled for no good reason. Mr. Engelmayer is a nominee with unassailable credentials. After receiving his undergraduate and law school degrees with honors from Harvard Law School, Mr. Engelmayer served as a law clerk to Judge Patricia Wald of the United States Court of Appeals for the District of Columbia and then to Justice Thurgood Marshall on the Supreme Court. He worked as a Federal prosecutor in the Southern District of New York for 9 years, where he climbed the ranks from a young lawyer to become Chief of the Major Crimes Unit. Mr. Engelmayer served for 2 years as an Assistant Solicitor General for the United States. Since 2000, he has been a partner in the law firm WilmerHale, where he practices civil and criminal litigation and regularly dedicates himself to pro bono work. The ABA's Standing Committee on the Federal Judiciary unanimously rated him well qualified to serve, its highest rating. He is supported by his home state Senators.

Ramona Villagomez Manglona is currently an Associate Judge on the Superior Court for the Commonwealth of the Northern Mariana Islands (CNMI), having previously served as a Justice Pro Tempore on the Guam Supreme Court and a Judge Pro Tempore on the Guam Superior Court. From 1998 to 2003, she worked in the CNMI Office of the Attorney General in several capacities, including a term as Attorney General. Born in Saipan, Northern Mariana Islands, Judge Manglona earned her B.A. from the University of California, Berkeley and her J.D. from the University of New Mexico. When confirmed, Judge Manglona will be the first indigenous person to serve as a U.S. District Court Judge in the Commonwealth of the Northern Mariana Islands. Her confirmation should also save money and help ease the burden on judges who have had to travel to the Pacific from the mainland to provide judicial resources.

I, again, thank Senator GRASSLEY for his cooperation in working with me to make progress in the committee concerning judicial nominations in regular order. We have made progress in the committee, but it goes for naught if we cannot get nominees confirmed on the floor. Our work in the committee has

not been matched in the Senate, where agreements to debate and vote on judicial nominations are too few and too far between. These are only the sixth and seventh nominations the Senate has considered in the last 2 months, at a time when vacancies have remained at or above 90, and despite the many consensus nominees that have been voted on in a bipartisan fashion by the committee and are now waiting for a vote on the Senate floor.

These will be only the 13th and 14th nominees confirmed this year who had their hearings this year. The other confirmations were all from the group considered by the Judiciary Committee last year, but were renominated after having had their confirmations delayed unnecessarily last year. Ignoring the words of the Chief Justice and others concerned with the continuing high number of judicial vacancies, Senate Republicans have continued the pattern and practice of delay for virtually all judicial nominees.

In addition to the 2 nominations we consider today, there are currently 25 judicial nominations that have been fully considered by the Judiciary Committee and sent to the Senate for final action. Of them, 20 were unanimously reported, by Republicans and Democrats, without a single negative vote. At the very least, we ought to take up those 20. The two nominations we consider today were reported in April. There remain 13 judicial nominations on the calendar reported favorably by the committee way back in May or earlier, 11 of which were reported unanimously. When I urged the Senate to take up and vote on the many judicial nominations that were on the calendar and ready for action before the Memorial Day recess, Republican Senators would not agree to consider a single one. With almost a score of judicial nominees available to the Senate for final action, only one was considered before the July 4 recess. That is not the way to make real progress.

Regrettably, the Senate has not reduced vacancies as dramatically as we did during the Bush administration. Federal judicial vacancies around the country still number too many, and they have persisted for far too long. Whereas the Democratic majority in the Senate reduced vacancies from 110 to 60 in President Bush's first two years, Senate Republicans' insistence on objections and delays have resulted in judicial vacancies still numbering more than 90 two and a half years into President Obama's term. By now, judicial vacancies should have been reduced to similar levels, but we have barely kept up with attrition.

In fact, the Senate has reversed course during the Obama administration given Republican objections, and the slow pace of confirmations are keeping judicial vacancies at crisis levels. Over the eight years of the Bush

administration, from 2001 to 2009, we reduced judicial vacancies from 110 to a low of 34. That has now been reversed, with vacancies staying near or above 90 for the last two years. The vacancy rate—which we reduced from 10 percent to 6 percent by this date in President Bush's third year, and ultimately to less than 4 percent in 2008—is back above 10 percent.

By this time in the third year of the Bush administration, the Senate had confirmed 136 judges. That is over 40 percent more than the number of President Obama's nominees we have been allowed to process to confirmation. We have a long way to go to do as well as we did during President Bush's first term, when we confirmed 205 of his judicial nominations. The Senate confirmed 100 of those judicial nominations during the 17 months I was Chairman during President Bush's first 2 years in office. In the other 31 months, Republicans were able to do another 105. So again, we demonstrated we are ready to work faster with President Bush than even his Republican Senators were—and we certainly worked a lot faster than we have been able to work now. President Obama is now in his 30th month in office and we have only been allowed to consider and confirm 91 of his Federal Circuit and District Court nominees. Compare that to the 100 I did in 17 months for President Bush.

The delays continue, despite the needs of the Federal judiciary, as evidenced by Chief Judge Moreno's recent letter, which I ask unanimous consent to be made part of the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LEAHY. I would note that the delays in confirmation of President Obama's consensus nominees, nominees agreed to by both Republicans and Democrats, are to the detriment of all Americans. Most people, when they go into court, do not go in as a Republican or Democrat. They are just an American seeking justice. But the courts' doors are now being closed; closed because the Senate will not allow confirmation of the judges who could open those doors. That is wrong. It is a stain on the judiciary, and it is a stain on this body.

#### EXHIBIT 1

U.S. DISTRICT COURT,  
SOUTHERN DISTRICT OF FLORIDA,  
Miami, FL, July 21, 2011.

Re Nominations of Kathleen Williams and Robert Scola to the U.S. District Court for the Southern District of Florida.

Senator MITCH MCCONNELL,  
Russell Senate Office Building,  
Washington, DC.

DEAR SENATOR MCCONNELL: As Chief Judge of the United States District Court for the Southern District of Florida, I urge you to

expedite the Senate's confirmation of Kathleen Williams and Robert Scola to the positions of district judges in our district. I understand that the Judiciary Committee has sent both nominations by unanimous voice vote and is awaiting a vote by the full Senate. Ms. Williams, our district's Federal Public Defender, has been awaiting confirmation for the longest period of any present nominee to the district court in the entire country. State Judge Robert Scola's nomination is of a more recent vintage but the litigants are eagerly awaiting his confirmation.

The judgeship Ms. Williams has been nominated to fill has been vacant for two years! At the present time, our district has three vacancies. Unfilled positions in our Court present an undue hardship on the citizens residing in the Southern District of Florida, particularly those with cases pending in the affected division of the Court. Our district is huge and heavily populated. It includes the most populous counties in Florida, Miami-Dade, Broward (where Fort Lauderdale is located) and Palm Beach Counties. The district also includes Monroe, St. Lucie, Highlands, Okeechobee, Martin, and Indian River Counties.

We have been laboring under a judicial shortage for quite some time. The Judicial Conference of the United States has for the past several years annually recommended to Congress three additional permanent judgeships and to convert one temporary judgeship into a permanent one.

This shortage is exacerbated by the fact that we are one of the busiest district courts in the nation. Our district had 10,556 new filings in both criminal and civil cases in 2010, an increase of 6.7% over the year 2000. The latest national statistics (FY 2010) are attached and show that our district is first in "weighted filings" in the Eleventh Circuit.

In sum, the judicial shortage with three vacancies in our district is becoming acute. For this reason, I ask your assistance in expediting both confirmations. The Judiciary Committee has found the nominees qualified and the people of South Florida eagerly await their service.

Please call me if I can provide any additional information. I thank you in advance for your consideration of this important matter.

Sincerely,

FEDERICO A. MORENO,  
*Chief U.S. District Judge.*

Mr. LEAHY. I suggest the absence of a quorum, and I ask unanimous consent that the time be equally charged to both parties.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, today the Senate will vote on the nomination of Paul Engelmayer to be United States District Judge for the Southern District of New York and Ramona Villagomez Manglona to be Judge for the District Court for the Northern Mariana Islands. The seat to which Mr. Engelmayer is being considered has been deemed a judicial emer-

gency. With this vote, we will have confirmed 29 article III judicial nominees. Eighteen have been for such judicial emergencies. Ms. Manglona's confirmation vote marks the second article IV judicial confirmation this year. I am pleased we are moving forward with filling two more vacancies.

We continue to make great progress in processing President Obama's judicial nominees. As of today, the Senate has confirmed 60 percent of President Obama's nominees since the beginning of his Presidency. That is not including the two Supreme Court Justices nominated by President Obama. As I am sure my colleagues recall, those nominations consumed a considerable amount of time in the committee and on the Senate floor.

During this Congress, the Judiciary Committee has held hearings on more than 72 percent of the President's nominees. Another hearing is scheduled to take place this Wednesday. During the comparable time period for President Bush, only 64 percent of President Bush's nominees had hearings by this time. We have also reported 64 percent of the judicial nominees, compared to only 56 percent of President Bush's nominees.

Let me say just a few words about Mr. Engelmayer and then Judge Manglona. Mr. Engelmayer graduated summa cum laude from Harvard University in 1983. He then graduated magna cum laude from Harvard Law School in 1987. Following law school, the nominee clerked for Judge Patricia Wald on the U.S. Court of Appeals for the District of Columbia and then for Justice Thurgood Marshall of the Supreme Court of the United States.

After his clerkships, Mr. Engelmayer joined the U.S. Attorney's Office for the Southern District of New York as an assistant U.S. attorney. In 1994, he became an assistant to the Solicitor General of the United States. In 2000, the nominee entered private practice with Wilmer Hale and was later named Partner-in-Charge of the New York office.

The ABA Standing Committee on the Federal Judiciary has given Mr. Engelmayer a unanimous "Well Qualified" rating. I support this nomination and congratulate him on his professional accomplishments.

Now I have a few words about Judge Manglona. Judge Manglona received her bachelor of arts degree from the University of California at Berkeley in 1990. In 1996, she graduated from the University of New Mexico School of Law. Following law school, the nominee clerked for the Superior Court of the Commonwealth of the Northern Mariana Islands. She then worked in the Attorney General's Office and in 2002, the Governor appointed her attorney general for the Northern Mariana Islands. In 2003, she was appointed to serve as an associate judge for the

Northern Mariana Islands Superior Court. During her time on the superior court, she has also served as a judge pro tem on the Guam Superior Court and the Guam Supreme Court.

The ABA Standing Committee on the Federal Judiciary has rated Judge Manglona unanimously "Qualified." I also support this nomination and congratulate her on her professional accomplishments.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. We have an unusual situation. It looks nice outside today. The Sun is shining. But earlier today, if someone looked out the window, we had some violent storms. They are all over the area. We have Senators stuck in airplanes trying to get out of New York. We have one Senator traveling from the Midwest stuck in Richmond, VA, now. I think it would be in everyone's interest—and I apologize to people who worked hard to get back here today—but I think it is in everyone's interest that we not have a vote tonight. We have a lot of people who simply would miss the vote unless we keep it open for a matter of hours. I again apologize to people who came here to vote, but I think this is the best thing to do. I have spoken to the Republican leader and this is what we should do.

I ask unanimous consent the votes scheduled for tonight be vitiated, and that on Tuesday, July 26, at 12:15 p.m., the Senate proceed to executive session and resume consideration of the nominations, Calendar Nos. 83 and 84, that there be 2 minutes for debate, equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on Calendar Nos. 83 and 84, in that order; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we proceed to a period of morning business, with Senators permitted to speak for up to 10

minutes each. We will be in morning business until 7 o'clock tonight.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DEBT CEILING EXTENSION

Mr. WICKER. Mr. President, I ask to speak as in morning business. I certainly will not take 10 minutes that the majority leader has requested because I know the Senator from Alabama is eager to speak. I wish to make sure I understand where we are with regard to the debt ceiling.

I have an article from *The Hill*, dated yesterday. It points out—it heard the same thing in the speech the rest of the Nation heard when the President spoke—the President said he would be willing to work on any plans lawmakers brought to him over the week-end. The President went on to say:

The only bottom line I have is that we have to extend this debt ceiling through the next election, into 2013.

I ask my colleagues what does the election of 2012 have to do with the debt ceiling? What does it have to do with deciding to pay our obligations after August 2? What does it have to do with avoiding the calamity we have all heard about from both sides of the aisle and certainly from the administration? It strikes me as very odd that most debt ceiling extensions have been about 7 months during a decade-long period, and for some reason because of the election of 2012, the President of the United States wants to extend the deadline past that election into 2013. I think it makes Americans wonder if the President is playing politics with this very important issue.

The President went on to say in the press conference that we all listened to that he wondered if the Republicans were able to say yes to any agreement. That was the President on Friday evening. Now we come to Washington, DC today with the clock ticking, 8 days away from a supposed debacle, and I read in today's *Wall Street Journal* this report by Jamie Dupree, President Obama last night rejected a bipartisan deal offered to him by congressional leaders of both parties which would have provided for a short-term extension of the debt limit in order to avoid a U.S. Government default. The agreement involved Speaker BOEHNER, Senate Majority Leader REID, and Senate GOP Leader MCCONNELL. In fact, according to this *Wall Street Journal* article, staffers from Senator REID and Senator MCCONNELL's offices were working on the legislative language together on Sunday. When REID took the bipartisan, bicameral plan down to the White House, it was rejected by the President.

I ask my colleagues: Who is unable to say yes? The Democratic majority leader of this body said yes to a bipartisan agreement. The Republican

Speaker of the House of Representatives, the leader of that majority in the other body, said yes to an agreement. Senator REID's colleague and friend, the Republican leader, Senator MCCONNELL, said yes to a bipartisan agreement, and then Senator REID was given the task of taking it to the President of the United States and the President rejected it.

I think Americans have a right to ask who is unable to say yes to a bipartisan deal that gets us out of this box. Who is playing politics with this issue? The public debt is \$14.2 trillion. We meet the deadline a week from tomorrow. The clock is ticking. The President had an opportunity to say yes to a bipartisan agreement endorsed by the leadership of this Congress and yet he said no. I am calling on this President, on my President, to do the right thing by the American people and to do the right thing for our country and for our economy and ask this bipartisan group of leaders to come back to the White House and say yes to the agreement which they offered him last night.

I thank the President. I thank the Senator from Alabama for allowing me to go in front of him.

I yield the floor.

Mr. SESSIONS. Mr. President, I know we have talked about having an opportunity to digest and analyze and score any kind of proposal. I understand this afternoon the majority leader, Senator REID, said he would propose legislation tonight and file cloture tonight, and that would, according to the rules of the Senate, move this vote up to early Wednesday morning. That would give us only tomorrow, 1 day, to digest a bill that would impact our spending trajectory for the next decade. I would ask my experienced colleague, who was a distinguished Member of the House and now in the Senate, does that cause him concern?

Mr. WICKER. I think absolutely it should cause concern and this is something both parties have campaigned on in the past, the lack of transparency, the lack of time, things being rushed through at the last minute. But my larger point is that on Friday afternoon the President was calling for a plan, any plan. He said there was only one condition: We must be political about it. We must get past the presidential reelection in 2012. Then on Sunday night not just any plan was presented to the President but a bipartisan plan by both leaders in this body on behalf of their membership and the Republican Speaker of the House who said, we believe we can get this through, and the President rejected it out of hand. That is the larger point.

The point of the Senator from Alabama is well taken. The legislative language is important. The agreement in concept is one thing, but as he is pointing out, the legislative language is also important. As ranking member of the

Budget Committee, he knows full well Members need time to see if the language actually reduced the concepts into writing that can be enforced and work long term to get us out of this horrendous debt crisis we are in. I appreciate the Senator's point.

Mr. SESSIONS. I thank the Senator. I appreciate that. The point the Senator made is tremendously important. All year we have conducted Senate business, with regard to the financial future of our country, in the most troubling way. It is unlike anything we have done in our history. I would say from a structural, systemic circumstance, this Nation has never had a more serious debt problem. We are borrowing 40 cents of every dollar we spend. Yes, we do have a war going on that is costing \$150 billion this year. But the deficit this year will be \$1.5 trillion. It is not the war. That is only about 10 percent of our deficit, unfortunately.

Back in World War II, we could see our way out of the war and into our victory, and we saw great growth in the future. But the deficits we are now accruing every day, every week, every month are significant because they are going to be hard to change. We are spending more than we take in and we have got to change. We can change. If we do change we will get this country back on a growth path.

I have repeatedly warned against avoiding the normal budget process this year, a process required by law but that this Senate under the Democratic leadership explicitly refused to do—the majority leader said it would be foolish to produce a budget. We are now about 820 days or so without a budget. For over 2 years we have not had a budget for the United States of America, and they never even attempted to move a budget even though a law says we should pass one by April 15. Well, it doesn't put anybody in jail. Maybe that is what it should have done. Maybe a bunch of people would be in jail today. Maybe we would have a budget if we had some teeth in the axe. It is the statute of the United States that requires we have a budget and we do not have one.

Then we begin to hear the warnings 6 months ago that we would reach a point where we would need to raise the debt limit, the debt ceiling we have. Congress has said: Mr. President, you can borrow money, but only so much. You cannot borrow more than the amount, \$14-some-odd trillion, that is all. If you need to borrow more, Congress will have to approve it. We have the power of the purse under the Constitution.

This has been brewing for some time. I have been warning about this, since we have not done our job, since the Budget Committee has not met about these issues, the Appropriations Committee has not met about these issues,

the Finance Committee has not met about the tax and mandatory entitlement programs that are under their jurisdiction. No work has been done all year. None. We are told not to worry, our leaders are going to meet a few times in secret. This little group failed, and this group with the Vice President met and that didn't work. Then they are going to meet with the President, and that didn't work. Finally, last night, as Senator WICKER said, it did appear an agreement was reached between the Democratic leadership and the Republican leadership on a bill that at least would get us past this debt crisis. They had the leadership agreement. I have not read it. I do not know what is in it. I am going to know what is in the bill. I have a constitutional responsibility, as do the other 99 Senators here, to make a good judgment on it.

It is odd that after all of that a bipartisan agreement was reached, and the President walked away from it. Now he is going to blame Speaker BOEHNER, who produced a budget. The Republican House produced a far-reaching, historic budget that would actually change the debt trajectory of our country and put us on the right path, the path to restoring prosperity and the creation of jobs. This debt is so large it is a wet blanket, as Speaker BOEHNER said. I called it an anchor, a weight that is pulling down the economy, as expert economists have told us. Not just me. Experts tell us that when you have this much debt, you lose 1 million jobs a year that would otherwise be created.

We have a serious problem, and I am not pleased about it. I felt all along that this is exactly what was going to happen. Somewhere in the back of the minds of the President or the leaders or somebody was the idea that they would bring up a plan at the eleventh hour, fiftieth minute, bring it to the floor of the Senate, and say: If you don't vote it, Members of the Senate, if you don't vote for it, Members of the House, we are going to have a debt crisis and it will all be your fault. Well, I am not interested in that. I am not going to vote for any kind of significant legislation, as this is, until I have had a chance to read it and think about it. Majority Leader REID told us of his plan this afternoon and he told us not to worry, he has a 1-page summary. Trust us. He is going to introduce legislation tonight and we will vote Wednesday morning, and it will be good for America. Just do what I tell you and go along and mind your manners and we will get this thing taken care of. Trust me.

Well, the American people have been trusting Washington too long. The American people know there is no justification whatsoever in this country for spending so much money that 40 percent of every dollar we spend has to be borrowed. They know better. They

know we have no business spending \$3,700 billion when we take in only \$2,200 billion. That is what happened in this last election. They said: Oh, these tea party people, they are not good Americans. They are angry. They are mad. That is not good. You are bad people. Well, give me a break. Why shouldn't they be? If we had a recall election, we all ought to be voted out of office, I suppose. There is no way we should ever have been in this situation.

Now under the pressure of the American people and fear of the next election, why did the President reject this bipartisan agreement? Well, it would require us to meet again next year. We will need to talk about more cuts because the cuts they are talking about are clearly insufficient to meet the challenge we are facing today—clearly insufficient. We have to do more.

So if a person runs up their credit card too much and they hit the limit and they want the limit raised, the person who is loaning the money—the American people—would like to know, have you changed your habits? Are you going to do better? Let's see a plan—a budget—a plan that gets us out of this fix. That has been steadfastly rejected by the leadership in this Senate all year, and we knew we were heading to this date. So Senator REID is throwing something out there. Let's talk a little bit about what appears to be in it.

The President has had a friendly press on most of the things he has proposed. He proposed a budget—the Democratic Senate never produced one, but by law the President has to produce one. Every President has to produce one every year. So the President produced one this year. The lowest annual deficit in that budget would be \$740 billion. The highest deficit President Bush ever had was \$450 billion, and he was criticized for that. The lowest he would have in 10 years was \$750 billion, and in the 10th year it was back over \$1 trillion, according to the Congressional Budget Office's analysis of his budget. So that is where we are heading. That is the kind of thing the President has submitted to us.

Do my colleagues know what he said about it? He said: I am proud of my budget. It will have America living within its means.

Can we believe the President of the United States said that—that a budget with a lowest annual deficit of over \$700 billion was living within our means?

He also said, "It would add no more to our debt." And his budget director, Mr. Jack Lew, said the same thing. He actually testified to that effect before the Budget Committee. It was breathtaking.

So forgive me if I am not buying into a proposal based on one page. It was produced this afternoon. It said we are going to reduce the deficit by \$2.7 trillion. Forgive me if I am not buying

into that until I see it and it has been scored. That is what I think ought to happen here today.

By the way, we have heard the debates—and Speaker BOEHNER used this phrase and others have used it: we want to have dollar for dollar spending reduction to debt limit increase. What that means is that if we increase the debt ceiling and allow the government to borrow another \$1 trillion, we should cut spending by \$1 trillion. That is just a rough idea. I don't know how they came up with that. That is what they came up with.

Remember, the debt is still going up every year because we are still spending more than we take in. This is like Wimpy in the old "Popeye" cartoon. Wimpy said: Give me a hamburger today, and I will pay you tomorrow. So we are going to get the immediate ability to borrow \$1 trillion, \$2 trillion more, raising the debt limit that much, on a promise that we will reduce spending by that amount over 10 years—not 1 year but 10 years.

This is a dangerous process. This is the kind of rhetoric that has put us in the position we are in today, which is that 40 cents of every dollar we spend is borrowed. It is what is threatening the financial future of our country, this kind of thinking in Washington, and we have to change that. We have to be honest about our numbers. As the ranking Republican on the Budget Committee, I feel an obligation. And our staff is eager to see the legislative language, not a one-page outline, about what will actually happen with our spending. We want to be sure the promises made with this bill are more accurate than the ones President Obama made when he said his budget would call for us to live within our means when it plainly does not.

I will mention a couple of things at this point that jump out at me from the one-page outline we have seen.

Majority Leader REID says his plan would produce savings of \$2.7 trillion, but really it appears to represent a \$1.2 trillion or so reduction in discretionary spending, and the rest of it is accrued in other ways. Speaker BOEHNER's proposal has discretionary spending reductions of about the same, but what is obvious is that Speaker BOEHNER's commission would reduce spending more and has a target, a goal to reach an additional \$1.8 trillion. The one produced by Senator REID, on the other hand, mentions a commission, but has no reduction in spending as a requirement of that commission. They don't have any obligation to produce a reduction in spending.

What else is in there? Another factor is that we are now drawing down the cost of our military efforts in Afghanistan and Iraq. Last year, we spent a little over \$150 billion. This year, we will spend a little over \$100 billion. The plan is to at least be down to \$50 billion

in 2 or 3 years. So over the 10-year period, there will be about 8 years, nearly, at \$50 billion or so spent on the war instead of \$150 billion. That is part of the plan we have been operating on for a long time. So \$150 billion for the war is not a baseline projection of the United States. It was never projected to continue at that level. So hopefully we can bring it below \$50 billion. Maybe we won't get to \$50 billion; I don't know. But what is the reasonable estimate? I think the House Republicans and the President said it would drop to \$50 billion, so that should be the baseline projection for the rest of the time. That is \$1 trillion total. So if we take \$1 trillion out of the \$2.7 trillion in savings, we are down to \$1.7 trillion in savings.

Another thing is that since the \$1 trillion is war-related spending, as Mr. REID wants it, it is not a real reduction from baseline spending. It is always considered to be extra, war-related emergency spending. And he claims interest savings on this money as another \$200 billion. So now we have about \$1.2 trillion right there, overstating his cuts through the elimination of the war. Speaker BOEHNER does not do that. His numbers are far more accurate and honest and realistic.

I also would like to point out that when we talk about spending and how we measure it, we have to know what the baseline is. One reason this country is broke and is in financial crisis is because we claim we are cutting spending when we are actually increasing spending.

The way it works is the Congressional Budget Office produces an assumption that we will increase spending at the rate of inflation or some other rate over a period of years. Then, if we reduce that rate of spending increase a little bit, politicians claim they have produced savings, that they have cut spending. But spending is not really reduced. Spending is still going up. There are various baselines out there that are used to calculate this, and it is very significant over 10 years and even more so over 20 years. So we hear people saying: We are cutting spending under this plan. So for Speaker BOEHNER or Senator REID, either one of those plans, I am confident will show we are spending a good bit more money in the 10th year than we are spending today.

This is confusing to the American people. I am really convinced the only way we can honestly compare the plans is to go back to basics—the way families do it: Do you increase your spending or not, based on what you spent last year? You take a flat level, and how much do you increase it over the next year, 2 years, 10 years? How much does it go up? That is the way to do it. Then we can compare plans. Then we can see what Speaker BOEHNER has, what Congressman RYAN has in his

budget plan for 10 years. Senator TOOMEY proposed a very thoughtful 10-year budget plan that balanced our budget in 10 years. That was not easy to do, but he did it. We need to be thinking like that and get away from this confusing mishmash, which we use to claim that we are saving \$1 trillion when really nobody plans for us to be spending \$150-plus billion on the war in Iraq and Afghanistan for the next 10 years. That money has never been projected to be spent in that fashion.

So we are in a situation where it is important for the country to reach an agreement and we need to pass something that raises the debt ceiling for America. I hate to say that, but it is a fact. It would be too disruptive not to do that. But, in exchange for that, as a part of that process, we truly need to start bringing our house into financial order. We are in disarray and discord, but if we were to do that, we could leave this a better country for our children and grandchildren.

I know some just want to increase spending and then raise taxes to pay for it. The Defense Department last year got about a 2-percent increase, a 3-percent increase. Next year, there is projected to be a 2-percent increase in some of the budget numbers. It might not happen because we don't have even that much money.

But we know how much nondefense discretionary spending increased during this time of record deficits under President Obama's leadership, not counting the almost \$900 billion in stimulus money. Baseline, nondefense discretionary spending increased 24 percent between 2008 and 2010, and now we are seeing the biggest deficits ever. President Bush never had any increases in baseline spending like that—never. It is just stunning.

There was a huge Democratic majority in the Senate and in the House, and the President wanted his investments, and he got these huge increases, and now they want to raise taxes to pay for it and keep it up there and maintain it. We can't afford to maintain that level. We have to bring it back down to 2009, 2008, 2007 levels. The country is not going to go bankrupt—broke—and people are not going to be thrown into the streets if we return to those levels of spending. If we make some tough choices, the same way cities and counties and families are doing all over America, we can get this house in order. That is what we are going to have to do.

I look forward to studying plans put forward by the majority leader and to studying the plan put forward by Speaker BOEHNER. The American people need time to know what is in them and what they mean to us in terms of taxing and spending, deficits, and interest payments. And then Congress needs to have time to vote on it.

Again, I repeat my deep frustration that we have not conducted this in

open, public debate for months now, utilizing the established Senate procedure of regular order. Instead, we have attempted to solve this big problem in secret, behind closed doors, with just a few people. I believe that is contrary to the historical understanding of the role of Congress, and I am not happy about it. I oppose it, I object to it, and I expect to have an appropriate amount of time to consider whatever plan comes forward.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, this weekend, driving around the Twin Cities, I was listening to public radio. The host of the program introduced a Republican member of the House Budget Committee. The member, whom I will not name to spare him or her a great deal of embarrassment, was asked about the consequences of not raising the debt ceiling.

The member assured the host and listeners that failing to raise the debt ceiling would not create a default for a number of reasons. Among them was, according to this member, we can pay out all the Social Security checks to seniors because—and I quote—"the money is in the trust fund."

Well, of course, there is \$2.6 trillion of assets in the trust fund, but the Social Security trust fund is composed entirely of Treasury notes. Allow me to quote from the Congressional Research Service:

By law, Social Security revenues credited to the trust fund . . . are invested in non-marketable U.S. government obligations. These obligations are physical (paper) documents issued to the trust fund and held by the Social Security Administration. When the obligations are redeemed, the Treasury must issue a check (a physical document) to the Social Security trust fund for the interest earned on the obligations.

CRS continues:

However, unlike a private trust that may hold a variety of assets and obligations of different borrowers, the Social Security trust fund can hold only non-marketable U.S. government obligations. The sale of these obligations by the U.S. government to the Social Security trust fund is federal government borrowing (from itself) and counts against the federal debt limit.

Now, I have no idea what this Republican member of the House Budget Committee believes is in the Social Security trust fund. Stacks of hundred-dollar bills? Gold bricks? Warehouses of freezers with steaks in them?

To me, it is shocking—shocking—that a Member of Congress—let alone a member of the House Budget Committee—can be so wildly ignorant of the basic workings of our government. We come to Washington to work together to solve our Nation's problems. How are we to do that if Members are unwilling or unable to come to even the most rudimentary understanding of our government?



None of us is immune to making mistakes. Yet we find ourselves in this moment of existential crisis, with the full faith and credit of the United States being held hostage by a menagerie of ideologues who invent their own realities and are only too happy to share these fantasies with an unsuspecting public.

We are playing with disaster. Can we please just stick to the facts? The fact is, if we do not act immediately, we will see a downgrade of our credit rating and possibly even default on our debt. Both would be entirely counter-productive to our goal of shrinking our deficits and growing our economy. We cannot control the fantasies of clueless ideologues, but we must act responsibly and do our jobs. And we must do it now.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MANCHIN). Without objection, it is so ordered.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. Mr. President, I ask unanimous consent that the Senate now stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 6 p.m., recessed subject to the call of the Chair and reassembled at 7:21 p.m. when called to order by the Presiding Officer (Mr. BLUMENTHAL).

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, thank you very much for your patience and also for being willing to be here when most are doing other things.

#### SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT—Resumed

Mr. REID. Mr. President, what is the pending business?

The PRESIDING OFFICER. The clerk will report the pending business. The legislative clerk read as follows:

A bill (S. 1323) to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

Pending:

Reid amendment No. 529, to change the enactment date.

Reid amendment No. 530 (to amendment No. 529), of a perfecting nature.

Reid motion to commit the bill to the Committee on Finance, with instructions, Reid amendment No. 531, of a perfecting nature.

Reid amendment No. 532 (to the instructions (amendment No. 531) of the motion to commit), of a perfecting nature.

Reid amendment No. 533 (to amendment No. 532), of a perfecting nature.

Mr. REID. Mr. President, I ask unanimous consent to vitiate the action with respect to the pending amendments and motion to commit relative to S. 1323.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I now withdraw the pending motion to commit.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. REID. Mr. President, I now withdraw the pending first-degree amendment No. 529.

The PRESIDING OFFICER. The amendment is withdrawn.

#### AMENDMENT NO. 581

(Purpose: To cut spending, maintain existing commitments, and for other purposes)

Mr. REID. Mr. President, I have an amendment at the desk which is a perfecting amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 581.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. REID. The yeas and nays are ordered, Mr. President?

The PRESIDING OFFICER. The yeas and nays are ordered.

#### AMENDMENT NO. 582 TO AMENDMENT NO. 581

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 582 to amendment No. 581.

The amendment is as follows:

At the end, add the following new section:  
**SECTION XXX. EFFECTIVE DATE**

The provisions of this Act shall become effective 1 day after enactment.

#### MOTION TO COMMIT WITH AMENDMENT NO. 583

Mr. REID. Mr. President, I have a motion to commit the bill with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill (S. 1323) to the Committee on Finance with instructions to report back forthwith with the following amendment numbered 583.

The amendment is as follows:

At the end, add the following new section:  
**SECTION EFFECTIVE DATE.**

The provisions of this Act shall become effective 3 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. REID. Mr. President, I am sorry. I may not have been listening closely enough. Did the Chair order the yeas and nays?

The PRESIDING OFFICER. The yeas and nays have been ordered.

#### AMENDMENT NO. 584

Mr. REID. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 584 to the instructions of the motion to commit.

The amendment is as follows:

In the amendment, strike "3 days" and insert "2 days".

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 585 TO AMENDMENT NO. 584

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 585 to amendment No. 584.

The amendment is as follows:

In the amendment, strike "2 days" and insert "1 day".

Mr. REID. Mr. President, what we have done is put in the process our efforts, sound legislation to end the budget crisis we are in. It, in effect, does everything the Republicans have asked. It is dollar-for-dollar; that is, it increases the amount of spending cuts we make to arrive at \$2.7 trillion, which, in effect, would carry the country into sometime in 2013.

It consists of, as I indicated, what Republicans have agreed upon: discretionary spending, \$1.2 trillion; mandatory, \$100 billion; something called the Overseas Contingency Fund, which is warfighting, that is scored both by CBO and the Office of Management and Budget to the tune of about \$1 trillion. That saves about \$400 billion in interest. That is \$2.7 trillion.

There are other issues in this matter, including it allows us to finish our appropriations bills for the next 2 years. We have a joint committee that will allow us to work to do more for the long term. So it is a sound piece of legislation.



As I indicated, virtually everything we have in there has been suggested by the Republicans, and now they need to take "yes" for an answer. We have given them "yes."

For example, the Overseas Contingency Fund—this passed the House of Representatives with 5 Republicans voting no; 230, approximately, Republicans voted yes. Over here in the Senate, the same thing came up. Forty Republicans voted for it.

So we should move on. But the sad part is it appears my friends in the House of Representatives are being led by a very determined group to have us default on our debt. They are driven by probably 80 Republicans who seem to be calling the shots. It is unfortunate.

We cannot have a short-term extension. That is what their legislation is that the Speaker indicated he was going to send to us today. Every Democrat—not virtually every Democrat—every Democrat will vote against that legislation. The President, if there was some way it passed—which it will not—would veto it. They are wasting the time of the American people. Now is the time to do what legislators must do, and that is compromise. But my friends in the House, they do not even have to compromise. All they have to do is say "yes" because we have given them what they have asked for.

#### HONORING OUR ARMED FORCES

##### STAFF SERGEANT LEX LEWIS

Mr. JOHNSON of South Dakota. Mr. President, I rise today to pay tribute to SSG Lex Lewis and his heroic service to our country. As a cavalry scout in the B Troop, 1st Squadron, 10th Cavalry Regiment, 4th Infantry Division, of Fort Carson, CO, Staff Sergeant Lewis was serving in support of Operation Enduring Freedom. On July 15, 2011, he died of injuries sustained when his dismounted patrol received small arms fire in Farah Province, Afghanistan.

A graduate of Rapid City Central High School, Staff Sergeant Lewis began his military career in the Navy, where he was stationed in Japan. He joined the Army in 1999 and was on his third deployment, having previously served two tours in Iraq. From 2006–2007 Staff Sergeant Lewis served in Rapid City as a member of the South Dakota Army National Guard. During his military career, his awards and decorations included two Army Commendation Medals and five Army Achievement Medals. He was posthumously promoted to the rank of Staff Sergeant and awarded a Bronze Star Medal and a Purple Heart.

Staff Sergeant Lewis will be remembered as a dedicated soldier and a good friend. He demonstrated professionalism in his job and was known as a reliable man who you could count on. Former colleague Sgt. Dwayne Graves

recalls, "He was just a real likeable guy. He'd do anything for you. You definitely want him watching your back." As a young man, Staff Sergeant Lewis knew he wanted to serve his country. His mother remembers his childhood spent playing soldier. He will be deeply missed by those who survive him: his wife Molly, step-daughter Ariel, stepbrother Frank, half-sister, Lacy, and his mother, Betty.

Staff Sergeant Lewis gave his all for his soldiers and his country. Our Nation owes him a debt of gratitude, and the best way to honor his life is to emulate his commitment to our country. Mr. President, I join with all South Dakotans in expressing my deepest sympathy to the family and friends of SSG Lex Lewis. He will be missed, but his service to our Nation will never be forgotten.

#### ADDITIONAL STATEMENTS

##### REMEMBERING BOB STENEHJEM

• Mr. HOEVEN. Mr. President, today I honor the life and exemplary service of North Dakota's late Senate majority leader Bob Stenehjem. Bob died last week in a car accident in Alaska on his way back from doing one of the things he loved best when not working: fishing in the great outdoors.

During the 10 years he served as majority leader of the North Dakota Senate and the nearly 20 years he served as a State senator, I counted Bob as a friend, a colleague, and a partner in the important work we were doing to build a stronger, more dynamic North Dakota.

It has been said many times by many people that Bob had the ability to see all sides of an issue and appreciate everyone's interest. That is an invaluable quality for a leader and essential to a good legislator. He worked well with others and considered among his dearest friends many on the opposite side of the aisle who held a different philosophical viewpoint. Bob could disagree without being disagreeable and always respected the opinions of others. It was that ability that helped him to forge good legislation for the people of North Dakota.

As a public servant, as a citizen, Bob's deep love of North Dakota informed every decision he made in the legislature, and his legacy today is a more vibrant and secure State than it was when he was first elected to represent District 30 in 1993. His remarkable service and devotion to North Dakota benefited our State and our people in countless ways over the years, helping to bridge differences and improve the quality of life for all North Dakotans.

Mikey and I extend our deepest sympathy to his wife Kathy and the entire Stenehjem family on this tragic loss.

Our thoughts and prayers go out to them, and we pray that they will take comfort in knowing that he served his State and his fellow North Dakotans well.●

#### TRIBUTE TO DR. MAX HARRY WEIL

• Mr. NELSON of Nebraska. Mr. President, today I wish to note the golden anniversary of an event that has saved thousands and thousands of lives.

It was 50 years ago this year that the Institute of Critical Care Medicine was founded as a nonprofit public foundation at the University of Southern California School of Medicine.

Thus was born the concept that life-threatened patients have a substantially better chance of survival if minute-to-minute care is provided by highly trained physicians and nurses in emergency rooms and in special intensive care, coronary care, and post-operative care units.

This concept that dangerously ill patients have a better chance at recovery under the care of specially trained physicians and nurses in emergency rooms and intensive care units is standard today but it was revolutionary in 1961.

Considered one of the fathers of critical care medicine who founded the Institute of Critical Care Medicine a half century ago, Dr. Max Harry Weil is also the founding president of the Weil Institute of Critical Care Medicine that continues to operate in Rancho Mirage, CA.

My colleague, Senator BARBARA BOXER would like to join me in recognizing Dr. Weil and his institute and offer our congratulations on a half century of medical success and best wishes on many more successful years to come.

Mrs. BOXER. Mr. President, I am pleased to join my colleague, Senator NELSON, in recognizing an extraordinary Californian who has done so much, not just to save lives in his community but to advance the practice of medicine in order to save lives around the world.

Recognized as one of the fathers of critical care medicine, 50 years ago Dr. Weil cofounded the Weil Institute of Critical Care Medicine, an international center for clinical education and research in Rancho Mirage, CA.

The institute is renowned for conducting groundbreaking research into finding new ways of monitoring and dealing with life-threatening circulatory shock, heart failure, acute lung failure and infections.

In addition to this impressive record, Dr. Weil led the institute's work in training members of the community in CPR, giving thousands of Californians the basic training they need to help save lives.

I know that I join thousands of Californians and patients who have benefited from Dr. Weil's work many of

them without even knowing it in thanking him for his dedication and his service to our Nation.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT DECLARING A NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT TRANSNATIONAL CRIMINAL ORGANIZATIONS—PM 15

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report and papers; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order (the "order") declaring a national emergency with respect to the unusual and extraordinary threat that significant transnational criminal organizations pose to the national security, foreign policy, and economy of the United States.

Organized crime is no longer a local or regional problem; it has become a danger to international stability. Significant transnational criminal organizations have become increasingly sophisticated and dangerous to the United States, and their activities have reached such scope and gravity that they destabilize the international system. These groups have taken advantage of globalization and other factors to diversify their geographic scope and range of activities. They have increased and deepened their ties to governments and the international financial system, relying not only on bribery and violence, but also more and more on the ability to exploit differences among countries and to create and maintain legal facades to hide illicit activities.

The specific harms that significant transnational criminal organizations threaten today are many. They corrupt—and in some cases co-opt—governments, thereby destabilizing them

and weakening democratic institutions and the rule of law. They threaten U.S. economic interests by subverting, exploiting, and distorting legitimate markets, and could gain influence in strategic sectors of the world economy.

Significant transnational criminal organizations that engage in cybercrime threaten sensitive public and private computer networks, undermine the integrity of the international financial system, and impose costs on the American consumer. Those that engage in the theft of intellectual property not only erode U.S. competitiveness, but also endanger the public health and safety through the distribution of tainted and counterfeit goods. Many of them also engage in drug trafficking.

Finally, significant transnational criminal organizations increasingly support the activities of other dangerous persons. Some of these organizations are involved in arms smuggling, which can facilitate and aggravate violent civil conflicts. Others are involved in human smuggling, exacerbating the problem of forced labor. There is also evidence of growing ties between significant transnational criminal organizations and terrorists.

The Executive Order I have issued today is one part of a comprehensive strategy to address the growing threat of transnational organized crime. The order targets significant transnational criminal organizations and the networks that support them, striking at the core of those networks—their ability and need to move money. It does this by blocking the property and interests in property of four transnational criminal organizations, listed in the Annex to the order, that currently pose significant threats to U.S. domestic and foreign economic interests, as well as to U.S. promotion of transparency and stability in the international political and financial systems. The order provides criteria for the further blocking of persons determined by the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State:

to be a foreign person that constitutes a significant transnational criminal organization;

to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any person whose property and interests in property are blocked pursuant to the order; or

to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Attorney General and the Secretary of State, to take

such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order.

The order is effective at 12:01 a.m. eastern daylight time on July 25, 2011. All executive agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA,  
THE WHITE HOUSE, July 24, 2011.

#### MESSAGE FROM THE HOUSE

At 2:09 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Clerk be directed to request the Senate to return to the House of Representatives the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2619. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Identification of Critical Safety Items" (RIN0750-AH92) (DFARS Case 2010-D022) received in the Office of the President of the Senate on July 21, 2011; to the Committee on Armed Services.

EC-2620. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Defense Advanced Research Projects Agency (DARPA), Strategic Plan, February 2011"; to the Committee on Armed Services.

EC-2621. A communication from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report entitled "2011 Report to Congress on Sustainable Ranges"; to the Committee on Armed Services.

EC-2622. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to South Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC-2623. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Financial Stability Oversight Council Secured Creditor Haircut Study; to the Committee on Banking, Housing, and Urban Affairs.

EC-2624. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department

of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Real Estate Settlement Procedures Act (RESPA): Technical Corrections and Clarifying Amendments" (RIN2502-AH85) received in the Office of the President of the Senate on July 21, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2625. A communication from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Retail Foreign Exchange Transactions" (RIN3064-AD81) received in the Office of the President of the Senate on July 21, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2626. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Office of Thrift Supervision Integration; Dodd-Frank Act Implementation" (RIN1557-AD41) received in the Office of the President of the Senate on July 21, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2627. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States" (RIN0694-AF21) received in the Office of the President of the Senate on July 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2628. A communication from the Acting General Counsel, Department of Energy, transmitting, pursuant to law, a report relative to the Dodd-Frank Wall Street Reform and Consumer Protection Act and regulations issued by the Department that require the use of an assessment of the credit-worthiness of a security or money market instrument; to the Committee on Energy and Natural Resources.

EC-2629. A communication from the Deputy Assistant Administrator for Operations, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Endangered Status for the Largetooth Sawfish" (RIN0648-XQ03) received in the Office of the President of the Senate on July 21, 2011; to the Committee on Environment and Public Works.

EC-2630. A communication from the Chairman of the Broadcasting Board of Governors, transmitting, pursuant to law, the Board's Annual Report for 2010; to the Committee on Foreign Relations.

EC-2631. A joint communication from the Secretary of Agriculture and the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to Thefts, Losses, or Releases of Select Agents or Toxins for Calendar Year 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-2632. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to implementation of menu and vending machine labeling; to the Committee on Health, Education, Labor, and Pensions.

EC-2633. A communication from the Program Manager, Information Sharing Environment, Office of the Director of National Intelligence, transmitting, pursuant to law, a report entitled, "Annual Report to the Congress on the Information Sharing Envi-

ronment"; to the Select Committee on Intelligence.

EC-2634. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report related to Delayed-Notice Search Warrants and Extensions during fiscal year 2010; to the Committee on the Judiciary.

EC-2635. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a legislative proposal relative to violence against Native women; to the Committee on the Judiciary.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY:

S. 1410. A bill to amend the Internal Revenue Code of 1986 to provide incentives for life sciences research; to the Committee on Finance.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mr. COBURN):

S. 1411. A bill to require the Public Printer to establish and maintain a website accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place, and for other purposes; to the Committee on Rules and Administration.

By Mr. KERRY (for himself and Mr. BROWN of Massachusetts):

S. 1412. A bill to designate the facility of the United States Postal Service located at 462 Washington Street, Woburn, Massachusetts, as the "Officer John Maguire Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WYDEN (for himself and Mr. CRAPO):

S. 1413. A bill to amend the Internal Revenue Code of 1986 to temporarily increase the investment tax credit for geothermal energy property; to the Committee on Finance.

#### ADDITIONAL COSPONSORS

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 202

At the request of Mr. PAUL, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 202, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes.

S. 242

At the request of Mr. ROCKEFELLER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 242, a bill to amend title 10, United States Code, to enhance the roles and responsibilities of the Chief of the National Guard Bureau.

S. 371

At the request of Mr. LAUTENBERG, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 371, a bill to improve the efficiency, operation, and security of the national transportation system to move freight by leveraging investments and promoting partnerships that advance interstate and foreign commerce, and for other purposes.

S. 384

At the request of Mrs. FEINSTEIN, the names of the Senator from Arizona (Mr. KYL) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 401

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 401, a bill to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law.

S. 497

At the request of Ms. MIKULSKI, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 497, a bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes.

S. 543

At the request of Mr. WYDEN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 543, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property.

S. 570

At the request of Mr. TESTER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

S. 609

At the request of Mr. INHOFE, the names of the Senator from Kentucky (Mr. MCCONNELL), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Louisiana (Mr. VITTER), the Senator from Texas (Mrs. HUTCHISON), the Senator from Georgia (Mr. ISAKSON), the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), the Senator from Texas (Mr. CORNYN), the Senator from Mississippi (Mr. WICKER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Idaho (Mr. RISCH), the Senator from Utah (Mr. LEE), the Senator from Kentucky (Mr. PAUL), the Senator from Arizona (Mr. MCCAIN), the Senator from Wyoming (Mr. BARRASSO) and the Senator from North Carolina

(Mr. BURR) were added as cosponsors of S. 609, a bill to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates.

S. 658

At the request of Ms. KLOBUCHAR, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 658, a bill to provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes.

S. 829

At the request of Mr. CARDIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 829, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 834

At the request of Mr. CASEY, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from California (Mrs. BOXER) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 834, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 968

At the request of Mr. LEAHY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 979

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 979, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 1048, a bill to expand

sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1228

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1228, a bill to prohibit trafficking in counterfeit military goods or services.

S. 1294

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1294, a bill to promote the oil independence of the United States, and for other purposes.

S. 1346

At the request of Mr. LEVIN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1346, a bill to restrict the use of offshore tax havens and abusive tax shelters to inappropriately avoid Federal taxation, and for other purposes.

S. 1369

At the request of Mr. CRAPO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1369, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 1370

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1370, a bill to reauthorize 21st century community learning centers, and for other purposes.

S. 1392

At the request of Ms. COLLINS, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 1392, a bill to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes.

S. 1395

At the request of Mr. BARRASSO, the names of the Senator from Nebraska (Mr. JOHANN) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 1395, a bill to ensure that all Americans have access to waivers from the Patient Protection and Affordable Care Act.

S.J. RES. 17

At the request of Mr. MCCONNELL, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Kansas (Mr.

ROBERTS) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 199

At the request of Mr. REID, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. Res. 199, a resolution supporting the goals and ideals of "Crohn's and Colitis Awareness Week".

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself and Mr. BROWN of Massachusetts):

S. 1412. A bill to designate the facility of the United States Postal Service located at 462 Washington Street, Woburn, Massachusetts, as the "Officer John Maguire Post Office"; to the Committee on Homeland Security and Governmental Affairs.

Mr. KERRY. Mr. President, last December, in the middle of a New England blizzard, armed robbers descended on the Kohl's department store in Woburn, MA. They threatened the employees of the store and fled with money and jewelry. Officer John "Jack" Maguire, on duty that night, rushed to the scene in his cruiser. Responding to his fellow officer's call for assistance in a foot chase, Officer Maguire blocked the gunman's path with his cruiser and got out of his vehicle to confront the gunman. The two exchanged gunfire, which killed the gunman and left Officer Maguire mortally wounded. Officer Maguire's death marks the first officer killed in the line of duty in Woburn, MA, since the department was established back in 1847.

On behalf of the Maguire family, Woburn Mayor Scott Galvin, Woburn Chief of Police Richard Kelley, and the residents of Woburn, I am introducing legislation to rename the U.S. Post Office on Washington Street in Woburn the Officer John Maguire Post Office.

This post office is only a few hundred yards from the spot where Officer Maguire was killed. I believe it is a fitting honor to a public servant who gave his life protecting the city of Woburn. It is my hope that when people pass by the Post Office on Washington Street, they will be reminded of the sacrifices made by both Officer John “Jack” Maguire and his family.

By Mr. WYDEN (for himself and Mr. CRAPO):

S. 1413. A bill to amend the Internal Revenue Code of 1986 to temporarily increase the investment tax credit for geothermal energy property; to the Committee on Finance.

Mr. WYDEN. Mr. President, I am pleased to join with my colleague from Idaho, Sen. MIKE CRAPO, in introducing the Geothermal Tax Parity Act of 2011. This legislation will modify an existing investment tax credit for geothermal energy authorized under Section 48 of the Federal tax code. Although both solar energy and geothermal energy projects are eligible for an investment tax credit under Section 48, they are not equal. While I am a strong supporter of solar energy technology and support the solar energy tax credit, I am also a strong advocate for having a level playing field when it comes to government incentives. That is why this bill is called the Geothermal Tax Parity Act, because it will create parity in the tax code for these two important renewable energy resources.

This bill would provide geothermal energy with the same 30 percent investment tax credit that is now available to solar energy and fuel cell technologies in Section 48 and extend this 30 percent tax credit for geothermal through December 31, 2016, as it is for these other technologies. Without this legislation, new geothermal energy projects would be allowed only a 10 percent investment tax credit under Section 48. This legislation will create a more level playing field among clean, renewable energy technologies and help stimulate investment in geothermal energy projects.

Geothermal energy can provide a continuous supply of renewable energy with very few environmental impacts. Although the United States has more geothermal capacity than any other country, this potential energy resource has not been widely developed. This is due in large part to the high initial cost and risk involved in locating and developing geothermal resources. Extending the 30 percent tax credit through 2016 will help geothermal developers obtain the financing they need to make investments in exploration and development.

This legislation is identical to a bipartisan companion bill, H.R. 2408, that our colleagues from the Pacific Northwest, Rep. DAVID REICHERT from Washington and Rep. EARL BLUMENAUER

from Oregon have sponsored in the House.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1413

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Geothermal Tax Parity Act of 2011”.

**SEC. 2. TEMPORARY INCREASE IN INVESTMENT TAX CREDIT FOR GEOTHERMAL ENERGY PROPERTY.**

(a) IN GENERAL.—Subclause (II) of section 48(a)(2)(A)(i) of the Internal Revenue Code of 1986 is amended by striking “paragraph (3)(A)(i)” and inserting “clause (i) or (iii) of paragraph (3)(A)”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after the date of the enactment of this Act.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 581. Mr. REID proposed an amendment to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

SA 582. Mr. REID proposed an amendment to amendment SA 581 proposed by Mr. REID to the bill S. 1323, supra.

SA 583. Mr. REID proposed an amendment to the bill S. 1323, supra.

SA 584. Mr. REID submitted an amendment intended to be proposed to amendment SA 583 proposed by Mr. REID to the bill S. 1323, supra.

SA 585. Mr. REID proposed an amendment to amendment SA 584 submitted by Mr. REID to the amendment SA 583 proposed by Mr. REID to the bill S. 1323, supra.

**TEXT OF AMENDMENTS**

**SA 581.** Mr. REID proposed an amendment to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; as follows:

Strike all after “Section” and insert the following:

**1. SHORT TITLE AND TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the “Budget Control Act of 2011”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

**TITLE I—DISCRETIONARY SPENDING CAPS AND ENFORCEMENT**

Sec. 101. Discretionary spending limits.

Sec. 102. Senate budget enforcement.

**TITLE II—OTHER SPENDING CUTS**

Subtitle A—Spectrum Auction Proposals and Public Safety Broadband Network

Sec. 211. Definitions.

**PART I—AUCTIONS OF SPECTRUM AND SPECTRUM MANAGEMENT**

Sec. 221. Clarification of authorities to repurpose Federal spectrum for commercial purposes.

Sec. 222. Incentive auction authority.

Sec. 223. Incentive auctions to repurpose certain mobile satellite services spectrum for terrestrial broadband use.

Sec. 224. Permanent extension of auction authority.

Sec. 225. Authority to auction licenses for domestic satellite services.

Sec. 226. Auction of spectrum.

Sec. 227. Report to Congress on improving spectrum management.

**PART II—PUBLIC SAFETY BROADBAND NETWORK**

Sec. 241. Reallocation of D Block for public safety.

Sec. 242. Flexible use of narrowband spectrum.

Sec. 243. Public Safety Trust Fund.

Sec. 244. Public safety research and development.

Sec. 245. Incentive auction relocation fund.

Sec. 246. Federal infrastructure sharing.

Sec. 247. FCC report on efficient use of public safety spectrum.

Subtitle B—Federal Pell Grant and Student Loan Program Changes

Sec. 251. Federal Pell Grant and student loan program changes.

Subtitle C—Farm Programs

Sec. 261. Definition of payment acres.

**TITLE III—JOINT SELECT COMMITTEE ON DEFICIT REDUCTION**

Sec. 301. Establishment of Joint Select Committee.

Sec. 302. Expedited consideration of joint committee recommendations.

Sec. 303. Funding.

Sec. 304. Rulemaking.

**TITLE IV—PUBLIC DEBT**

Sec. 401. Public debt.

**TITLE I—DISCRETIONARY SPENDING CAPS AND ENFORCEMENT**

**SEC. 101. DISCRETIONARY SPENDING LIMITS.**

(a) POINT OF ORDER.—It shall not be in order in the House of Representatives or the Senate to consider any bill, resolution, amendment, motion or conference report that includes any provision that would cause the discretionary spending limits as set forth in this section to be exceeded.

(b) LIMITS.—

(1) IN GENERAL.—In this section, the term “discretionary spending limits” has the following meaning subject to adjustments in paragraph (2) and subsection (c):

(A) For fiscal year 2012—

(i) for the security category \$606,000,000,000 in budget authority; and

(ii) for the nonsecurity category \$439,000,000,000 in budget authority.

(B) For fiscal year 2013—

(i) for the security category \$607,000,000,000 in budget authority; and

(ii) for the nonsecurity category \$440,000,000,000 in budget authority.

(C) For fiscal year 2014, \$1,068,000,000,000 in budget authority.

(D) For fiscal year 2015, \$1,089,000,000,000 in budget authority.

(E) For fiscal year 2016, \$1,111,000,000,000 in budget authority.

(F) For fiscal year 2017, \$1,134,000,000,000 in budget authority.

(G) For fiscal year 2018, \$1,156,000,000,000 in budget authority.

(H) For fiscal year 2019, \$1,180,000,000,000 in budget authority.

(I) For fiscal year 2020, \$1,204,000,000,000 in budget authority.

(J) For fiscal year 2021, \$1,228,000,000,000 in budget authority.

## (2) AUTHORIZED ADJUSTMENT TO LIMITS.—

(A) ADJUSTMENTS FOR BUDGET SUBMISSION.—When the President submits a budget under section 1105 of title 31, United States Code, OMB shall calculate and the budget shall include adjustments to discretionary spending limits (and those limits as cumulatively adjusted) for the budget year and each out year equal to the baseline levels of new budget authority using up-to-date concepts and definitions minus those levels using the concepts and definitions in effect before such changes. Such changes may only be made after consultation with the committees on Appropriations and the Budget of the House of Representatives and the Senate and that consultation shall include written communication to such committees that affords such committees the opportunity to comment before official action is taken with respect to such changes.

(B) ADJUSTMENTS FOR CONGRESSIONAL ENFORCEMENT.—For the purposes of Congressional enforcement of the limits in this section, the Chairmen of the Committees on the Budget of the Senate and House may adjust the discretionary spending limits in amounts equal to the adjustments made pursuant to subparagraph (A) as contained in the President's budget. Any adjustment made pursuant to this subparagraph shall not constitute a repeal or change to the limits contained in this section.

## (C) ESTIMATES AND OTHER ADJUSTMENTS.—

## (1) IN GENERAL.—

(A) LIMITS AND SUBALLOCATIONS FOR CONGRESSIONAL ENFORCEMENT.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), (3), or (4), or the offering of an amendment thereto or the submission of a conference report thereon—

(i) for the purposes of enforcement of the discretionary spending limits in the Senate and the House of Representatives, the Chairman of the Committee on the Budget of that House may adjust the discretionary spending limits in this section, the budgetary aggregates in the concurrent resolution on the budget most recently adopted by the Senate and the House of Representatives, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose; and

(ii) following any adjustment under clause (i), the Committee on Appropriations of that House may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(B) OTHER ADJUSTMENTS.—For the purposes of determining an end of the year sequester pursuant to subsection (f), when OMB submits a sequestration report under subsection (f)(7) for a fiscal year, OMB shall calculate, and the sequestration report and subsequent budgets submitted by the President under section 1105(a) of title 31, United States Code, shall include, adjustments to discretionary spending limits (and those limits as adjusted) for the fiscal year and each succeeding year through 2021 upon the enactment of a bill or resolution relating to any matter described in paragraphs (2), (3), or (4).

## (C) ESTIMATES.—

(i) CBO ESTIMATES.—As soon as practicable after Congress completes action on any discretionary appropriation, CBO, after consultation with the Committees on the Budget of the House of Representatives and the Senate, shall provide OMB with an estimate of the amount of discretionary new budget authority for the current year (if any) and the budget year provided by that legislation.

## (ii) OMB ESTIMATES AND EXPLANATION OF DIFFERENCES.—

(I) IN GENERAL.—Not later than 7 calendar days (excluding Saturdays, Sundays, and legal holidays) after the date of enactment of any discretionary appropriation, OMB shall make publicly available on the day it is issued and, on the following day, shall be printed in the Federal Register a report containing the CBO estimate of that legislation, an OMB estimate of the amount of discretionary new budget authority for the current year (if any) and the budget year provided by that legislation, and an explanation of any difference between the 2 estimates.

(II) DIFFERENCES.—If during the preparation of the report OMB determines that there is a significant difference between OMB and CBO, OMB shall consult with the Committees on the Budget of the House of Representatives and the Senate regarding that difference and that consultation shall include, to the extent practicable, written communication to those committees that affords such committees the opportunity to comment before the issuance of the report.

(D) ASSUMPTIONS AND GUIDELINES.—OMB estimates under subparagraph (C) shall be made using current economic and technical assumptions. In its final sequestration report, OMB shall use the OMB estimates transmitted to the Congress under this paragraph. OMB and CBO shall prepare estimates under this paragraph in conformance with scorekeeping guidelines determined after consultation among the House and Senate Committees on the Budget, CBO, and OMB.

(E) ANNUAL APPROPRIATIONS.—For purposes of this paragraph, amounts provided by annual appropriations shall include any new budget authority for the current year (if any) and the advance appropriations that become available in the budget year from previously enacted legislation.

(2) OTHER ADJUSTMENTS.—Other adjustments referred to in paragraph (1)(B) are as follows:

## (A) CONTINUING DISABILITY REVIEWS AND SSI REDETERMINATIONS.—

(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations in a fiscal year of the amount specified in clause (ii) for continuing disability reviews and Supplemental Security Income redeterminations under the heading "Limitation on Administrative Expenses" for the Social Security Administration, and provides an additional appropriation for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, or one or more initiatives that the Office of the Chief Actuary determines would be at least as cost effective as a redetermination of eligibility under the heading "Limitation on Administrative Expenses" for the Social Security Administration of an amount further specified in clause (ii), then the discretionary spending limits, allocation to the Committees on Appropriations of each House, and aggregates for that year may be adjusted by the amount in budget authority not to exceed the additional appropriation provided in such legislation for that purpose for that fiscal year

(ii) AMOUNTS SPECIFIED.—The amounts specified are

(I) for fiscal year 2012, an appropriation of \$758,000,000, and an additional appropriation of \$237,000,000;

(II) for fiscal year 2013, an appropriation of \$758,000,000, and an additional appropriation of \$390,000,000;

(III) for fiscal year 2014, an appropriation of \$778,000,000, and an additional appropriation of \$559,000,000;

(IV) or fiscal year 2015, an appropriation of \$799,000,000, and an additional appropriation of \$774,000,000;

(V) for fiscal year 2016, an appropriation of \$822,000,000, and an additional appropriation of \$778,000,000;

(VI) for fiscal year 2017, an appropriation of \$849,000,000, and an additional appropriation of \$804,000,000;

(VII) for fiscal year 2018, an appropriation of \$877,000,000, and an additional appropriation of \$831,000,000;

(VIII) for fiscal year 2019, an appropriation of \$906,000,000, and an additional appropriation of \$860,000,000;

(IX) for fiscal year 2020, an appropriation of \$935,000,000, and an additional appropriation of \$890,000,000; and

(X) for fiscal year 2021, an appropriation of \$963,000,000, and an additional appropriation of \$924,000,000.

(ii) DEFINITIONS.—As used in this subparagraph, the terms "continuing disability reviews" and "Supplemental Security Income redeterminations" mean continuing disability reviews under titles II and XVI of the Social Security Act and redeterminations of eligibility under title XVI of the Social Security Act.

(iv) REPORT.—The Commissioner of Social Security shall provide annually to the Congress a report on continuing disability reviews and Supplemental Security Income redeterminations which includes—

(I) the amount spent on continuing disability reviews and Supplemental Security Income redeterminations in the fiscal year covered by the report, and the number of reviews and redeterminations conducted, by category of review or redetermination;

(II) the results of the continuing disability reviews and Supplemental Security Income redeterminations in terms of cessations of benefits or determinations of continuing eligibility, by program; and

(III) the estimated savings over the short-, medium-, and long-term to the old-age, survivors, and disability insurance, supplemental security income, Medicare, and Medicaid programs from continuing disability reviews and Supplemental Security Income redeterminations which result in cessations of benefits and the estimated present value of such savings.

## (B) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—

(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations in a fiscal year to the Internal Revenue Service of not less than the first amount specified in clause (ii) for tax compliance activities to address the Federal tax gap (taxes owed but not paid), and provides an additional appropriation for tax compliance activities to address the Federal tax gap of an amount further specified in clause (ii), then the discretionary spending limits, allocation to the Committees on Appropriations of each House, and aggregates for that year may be adjusted by the amount in budget authority not to exceed the amount of additional or enhanced tax enforcement provided in such legislation for that fiscal year.

(ii) AMOUNTS SPECIFIED.—The amounts specified are—

(I) for fiscal year 2012, an appropriation of \$5,186,000,000, and an additional \$715,000,000 for additional or enhanced tax enforcement;

(II) for fiscal year 2013, an appropriation of \$5,186,000,000, and an additional \$1,281,000,000 for additional or enhanced tax enforcement;

(III) for fiscal year 2014, an appropriation of \$5,333,000,000, and an additional \$1,639,000,000 for additional or enhanced tax enforcement;



(IV) for fiscal year 2015, an appropriation of \$5,489,000,000, and an additional \$2,016,000,000 for additional or enhanced tax enforcement;

(V) for fiscal year 2016, an appropriation of \$5,662,000,000, and an additional \$2,465,000,000 for additional or enhanced tax enforcement;

(VI) for fiscal year 2017, an appropriation of \$5,858,000,000, and an additional \$2,447,000,000 for additional or enhanced tax enforcement;

(VII) for fiscal year 2018, an appropriation of \$6,065,000,000, and an additional \$2,421,000,000 for additional or enhanced tax enforcement;

(VIII) for fiscal year 2019, an appropriation of \$6,284,000,000, and an additional \$2,383,000,000 for additional or enhanced tax enforcement;

(IX) for fiscal year 2020, an appropriation of \$6,493,000,000, and an additional \$2,371,000,000 for additional or enhanced tax enforcement; and

(X) for fiscal year 2021, an appropriation of \$6,705,000,000, and an additional \$2,361,000,000 for additional or enhanced tax enforcement.

(iii) DEFINITION.—In this subparagraph, the term “additional appropriation for tax compliance activities” means new and continuing investments in expanding and improving the effectiveness and efficiency of the overall tax enforcement and compliance program of the Internal Revenue Service. Such new and continuing investments include, but are not limited to, additional resources for implementing new authorities and for conducting additional examinations, audits, and enhanced third party data matching;

(iv) FIRST AMOUNT.—The first amount specified in clause (ii) is the amount provided for a fiscal year under the heading “Enforcement” for the Internal Revenue Service.

(v) AMOUNT FURTHER SPECIFIED.—The amount further specified in clause (ii) is the amount under one or more headings in an appropriations act for the Internal Revenue Service that is specified to pay for the costs of the additional appropriation tax compliance activities, but such amount shall be “0” (zero) unless the appropriations act under the heading “Operations Support” for the Internal Revenue Service provides that such sums as are necessary shall be available, under the “Operations Support” heading, to fully support tax enforcement and compliance activities.

(C) HEALTH CARE FRAUD AND ABUSE CONTROL.—

(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations in a fiscal year for program integrity or fraud and abuse activities under the heading “Health Care Fraud and Abuse Control Account” program for the Department of Health and Human Services of up to the amount specified in clause (ii), then the discretionary spending limits, allocation to the Committees on Appropriations of each House, and aggregates for that year may be adjusted in an amount not to exceed the amount in budget authority provided for that program for that fiscal year.

(ii) AMOUNTS SPECIFIED.—The amounts specified are—

(I) for fiscal year 2012, an appropriation of \$581,000,000;

(II) for fiscal year 2013, an appropriation of \$610,000,000;

(III) for fiscal year 2014, an appropriation of \$640,000,000;

(IV) for fiscal year 2015, an appropriation of \$672,000,000;

(V) for fiscal year 2016, an appropriation of \$706,000,000;

(VI) for fiscal year 2017, an appropriation of \$725,000,000;

(VII) for fiscal year 2018, an appropriation of \$745,000,000;

(VIII) for fiscal year 2019, an appropriation of \$765,000,000;

(IX) for fiscal year 2020, an appropriation of \$786,000,000; and

(X) for fiscal year 2021, an appropriation of \$807,000,000.

(iii) DEFINITION.—As used in this subparagraph the term “program integrity or fraud and abuse activities” means—

(I) those activities authorized by section 1817(k)(3) of the Social Security Act; and

(II) those activities, including administrative costs, in the Medicare Advantage and the Medicare Prescription Drug Program authorized in title XVIII of the Social Security Act, in section 1893 of the Social Security Act, in Medicaid authorized in title XIX of the Social Security Act, and in the Children’s Health Insurance Program (“CHIP”) authorized in title XXI of the Social Security Act.

(iv) REPORT.—The report required by section 1817(k)(5) of the Social Security Act for each fiscal year shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the funds provided by this adjustment.

(D) UNEMPLOYMENT INSURANCE IMPROPER PAYMENT REVIEWS.—

(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations in a fiscal year of the amount specified in clause (ii) for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews under the heading “State Unemployment Insurance and Employment Service Operations” for the Department of Labor, and provides an additional appropriation for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews under the heading “State Unemployment Insurance and Employment Service Operations” for the Department of Labor of up to an amount further specified in clause (ii), then the discretionary spending limits, allocation to the Committees on Appropriations of each House, and aggregates for that year may be adjusted by an amount in budget authority not to exceed the additional appropriation provided in such legislation for that purpose for that fiscal year.

(ii) AMOUNTS SPECIFIED.—The amounts specified are—

(I) for fiscal year 2012, an appropriation of \$60,000,000, and an additional appropriation of \$10,000,000;

(II) for fiscal year 2013, an appropriation of \$60,000,000, and an additional appropriation of \$15,000,000;

(III) for fiscal year 2014, an appropriation of \$61,000,000, and an additional appropriation of \$19,000,000;

(IV) for fiscal year 2015, an appropriation of \$61,000,000, and an additional appropriation of \$24,000,000;

(V) for fiscal year 2016, an appropriation of \$62,000,000, and an additional appropriation of \$28,000,000;

(VI) for fiscal year 2017, an appropriation of \$63,000,000, and an additional appropriation of \$28,000,000;

(VII) for fiscal year 2018, an appropriation of \$64,000,000, and an additional appropriation of \$29,000,000;

(VIII) for fiscal year 2019, an appropriation of \$64,000,000, and an additional appropriation of \$30,000,000;

(IX) for fiscal year 2020, an appropriation of \$65,000,000, and an additional appropriation of \$31,000,000; and

(X) for fiscal year 2021, an appropriation of \$66,000,000, and an additional appropriation of \$31,000,000.

(iii) DEFINITIONS.—As used in this subparagraph, the terms “in-person reemployment and eligibility assessments” and “unemployment improper payment reviews” mean reviews or assessments conducted in local workforce offices to determine the continued eligibility of an unemployment insurance claimant under the Federal Unemployment Tax Act, Title III of the Social Security Act, and applicable State laws, to ensure they are meeting their obligation to search for work as a condition of eligibility, and to speed their return to work.

(3) OVERSEAS DEPLOYMENTS AND RELATED ACTIVITIES.—

(A) CAP ADJUSTMENT.—The discretionary spending limits, allocation to the Committees on Appropriations of each House, and aggregates for that year may be adjusted by an amount in budget authority not to exceed the amount provided in such legislation for that purpose for that fiscal year, but not to exceed in aggregate the amounts specified in subparagraph (B) for any—

(i) bills reported by the Committees on Appropriations of either House or in the Senate, passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committees on Appropriations of either House;

(iii) amendments between the Houses, Senate amendments to such amendments offered by the authority of the Committee on Appropriations of the Senate, or House amendments to such amendments offered by the authority of the Committee on Appropriations in the House of Representatives; or

(iv) conference reports; making appropriations for overseas deployments and related activities.

(B) LEVELS.—

(i) LEVELS.—The initial levels for overseas deployments and related activities specified in this subparagraph are as follows:

(I) For fiscal year 2012, \$126,544,000,000 in budget authority.

(II) For the total of fiscal years 2013–2021, \$450,000,000,000 in budget authority.

(ii) LEVELS FOR CONGRESSIONAL ENFORCEMENT.—For each fiscal year after fiscal year 2012, Congress shall adopt in the concurrent resolution on the budget for that fiscal year an adjustment for overseas deployments and related activities, provided that Congress may not adopt an adjustment for any fiscal year that would cause the total adjustments for fiscal years 2013–2021 to exceed the amount authorized in subclause (II).

(iii) ACCOUNTING FOR OVERSEAS DEPLOYMENT AND RELATED ACTIVITIES.—In any report issued under section 7(f), the Office of Management and Budget shall state the total amount of spending on overseas deployments and related activities for fiscal years 2013–2021 and the estimated amount of budget authority adjustment remaining for that period.

(C) ADJUSTMENT FOR OFFSET OVERSEAS DEPLOYMENT COSTS.—The levels set in subparagraph (B) may be further adjusted by the amount of budget authority provided in legislation for additional costs associated with overseas deployments and related activities if the amount of budget authority above those levels is offset.

(4) ADJUSTMENTS FOR DISASTER FUNDING.—

(A) IN GENERAL.—If, for fiscal years 2011 through 2021, appropriations for discretionary accounts are enacted that Congress designates as being for disaster relief in statute, the adjustment shall be the total of such



appropriations in discretionary accounts designated as being for disaster relief, but not to exceed the total of—

(i) the average funding provided for disasters over the previous ten years, excluding the highest and lowest years; and

(ii) for years when the enacted new discretionary budget authority designated as being for disaster relief for the preceding fiscal year was less than the average as calculated in (A) for that year, the difference between the enacted amount and the allowable adjustment as calculated in (A) for that year.

(B) OMB REPORT.—The Office of Management and Budget shall report to the Committees on Appropriations in each House the adjustment for disaster funding for fiscal year 2011, and a preview report of the estimated level for fiscal year 2012, not later than 30 days after enactment of this section.

(d) LIMITATIONS ON CHANGES TO THIS SECTION.—Unless otherwise specifically provided in this section, it shall not be in order in the Senate or the House of Representatives to consider any bill, resolution (including a concurrent resolution on the budget), amendment, motion, or conference report that would repeal or otherwise change this section.

(e) WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsections (a) through (d) shall be waived or suspended only—

(A) by the affirmative vote of three-fifths of the Members, duly chosen and sworn; or

(B) if the provisions of section (f)(8) are in effect.

(2) APPEAL.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the measure. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(f) END-OF-YEAR SEQUESTER FOR EXCEEDING DISCRETIONARY CAPS.—

(1) SEQUESTRATION.—

(A) IN GENERAL.—Not later than 15 calendar days after Congress adjourns to end a session, there shall be a sequestration to eliminate a budget-year breach, if any, within the discretionary categories as set by subsection (b).

(B) OVERSEAS DEPLOYMENTS.—Any amount of budget authority for overseas deployments and related activities for fiscal year 2012 in excess of the levels set in subsection (c)(3)(B)(i), or for fiscal years 2013–2021 that would cause the total adjustment for fiscal years 2013–2021 to exceed the amount authorized in section (c)(3)(B)(II), that is not otherwise offset pursuant subsection (c)(3)(C)(i) shall be counted in determining whether a breach has occurred in the security category (for fiscal years 2012 and 2013) or the discretionary category (thereafter).

(C) EMERGENCY SPENDING.—

(i) EFFECT OF DESIGNATION IN STATUTE.—If, for any fiscal year, appropriations for discretionary accounts are enacted that Congress designates as emergency requirements in statute pursuant to this subsection, the total of such budget authority in discretionary accounts designated as emergency requirements in all fiscal years from such appropriations shall not be counted in determining whether a breach has occurred, and shall not count for the purposes of Congressional enforcement.

(ii) DESIGNATION IN THE HOUSE OF REPRESENTATIVES.—If an appropriations act in-

cludes a provision expressly designated as an emergency for the purposes of this section, the Chair shall put the question of consideration with respect thereto.

(iii) POINT OF ORDER IN THE SENATE.—

(I) IN GENERAL.—When the Senate is considering an appropriations act, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(II) SUPERMAJORITY WAIVER AND APPEALS.—

(aa) WAIVER.—Subclause (I) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(bb) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(III) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of subclause (I), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(IV) FORM OF THE POINT OF ORDER.—A point of order under subclause (I) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(V) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, an appropriations act, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable under the same conditions as was the conference report. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(2) ELIMINATING A BREACH.—Each non-exempt account within a category shall be reduced by a dollar amount calculated by multiplying the baseline level of sequesterable budgetary resources in that account at that time by the uniform percentage necessary to eliminate a breach within that category.

(3) MILITARY PERSONNEL.—

(A) IN GENERAL.—The President may, with respect to any military personnel account, exempt that account from sequestration or provide for a lower uniform percentage reduction than would otherwise apply, provided that the President has notified Congress of the manner in which such authority will be exercised pursuant to paragraph (7)(A)(ii).

(B) REDUCTIONS.—If the President uses the authority to exempt any military personnel from sequestration under paragraph (7)(A)(ii), each account within subfunctional

category 051 (other than those military personnel accounts for which the authority provided under clause (i) has been exercised) shall be further reduced by a dollar amount calculated by multiplying the enacted level of non-exempt budgetary resources in that account at that time by the uniform percentage necessary to offset the total dollar amount by which budget authority is not reduced in military personnel accounts by reason of the use of such authority.

(4) PART-YEAR APPROPRIATIONS.—If, on the date specified in paragraph (1), there is in effect an Act making or continuing appropriations for part of a fiscal year for any budget account, then the dollar sequestration calculated for that account under paragraphs (2) and (3) shall be subtracted from—

(A) the annualized amount otherwise available by law in that account under that or a subsequent part-year appropriation; and

(B) when a full-year appropriation for that account is enacted, from the amount otherwise provided by the full-year appropriation.

(5) LOOK-BACK.—If, after June 30, an appropriation for the fiscal year in progress is enacted that causes a breach within a category for that year (after taking into account any sequestration of amounts within that category), the discretionary spending limits for that category for the next fiscal year shall be reduced by the amount or amounts of that breach.

(6) WITHIN-SESSION SEQUESTRATION.—If an appropriation for a fiscal year in progress is enacted (after Congress adjourns to end the session for that budget year and before July 1 of that fiscal year) that causes a breach within a category for that year (after taking into account any prior sequestration of amounts within that category), 15 days after such enactment there shall be a sequestration to eliminate that breach within that category following the procedures set forth in paragraphs (2) through (4).

(7) REPORTS.—

(A) SEQUESTRATION PREVIEW REPORT.—

(i) IN GENERAL.—Not later than 5 days before the date of the President's budget submission for CBO, and the date of the President's budget submissions for OMB, OMB and CBO shall issue a preview report regarding discretionary spending based on laws enacted through those dates. The preview report shall set forth estimates for the current year and each subsequent year through 2021 of the applicable discretionary spending limits for each category and an explanation of any adjustments in such limits under this section.

(ii) NOTIFICATION REGARDING MILITARY PERSONNEL.—On or before the date of the sequestration preview report, the President shall notify the Congress of the manner in which he intends to exercise flexibility with respect to military personnel accounts under subsection (f)(3).

(iii) EXPLANATION OF DIFFERENCES.—The OMB reports shall explain the differences between OMB and CBO estimates for each item set forth in this subsection.

(B) SEQUESTRATION UPDATE REPORT.—Not later than August 15 for CBO, and August 20 for OMB, OMB and CBO shall issue a sequestration update report, reflecting laws enacted through those dates, containing all of the information required in the sequestration preview reports. This report shall also contain a preview estimate of the adjustment for disaster funding for the upcoming fiscal year.

(C) FINAL SEQUESTRATION REPORT.—Not later than 10 days after the end of session for CBO, and 14 days after the end of session for OMB (excluding weekends and holidays),

OMB and CBO shall issue a final sequestration report, updated to reflect laws enacted through those dates, with estimates for each of the following:

(i) For the current year and each subsequent year through 2021 the applicable discretionary spending limits for each category and an explanation of any adjustments in such limits under this section, including a final estimate of the disaster funding adjustment.

(ii) For the current year and the budget year the estimated new budget authority for each category and the breach, if any, in each category.

(iii) For each category for which a sequestration is required, the sequestration percentages necessary to achieve the required reduction.

(iv) For the budget year, for each account to be sequestered, estimates of the baseline level of sequesterable budgetary resources and the amount of budgetary resources to be sequestered.

(8) **SUSPENSION IN THE EVENT OF LOW GROWTH.**—Section 254(i) and subsections (a), (b)(1), and (c) of section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 with respect to suspension of this section for low growth only shall apply to this section, provided that those sections are deemed not to apply to titles III and IV of the Congressional Budget Act of 1974 and section 1103 of title 31, United States Code.

(g) **DEFINITIONS.**—

(1) **NONSECURITY CATEGORY.**—The term “nonsecurity category” means all discretionary appropriations, as that term is defined in section 250(c)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985, not included in the security category defined in this Act, but does not include any appropriations designated for overseas deployments and related activities pursuant to section (c)(3), or appropriations designated as an emergency pursuant to this Act.

(2) **SECURITY CATEGORY.**—The term “security category” includes discretionary appropriations, as that term is defined in section 250(c)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985, in budget functions 050 and 700, but does not include any appropriations designated for overseas deployments and related activities pursuant to section (c)(3), or appropriations designated as an emergency pursuant to this Act.

(3) **DISCRETIONARY CATEGORY.**—The term “discretionary category” includes all discretionary appropriations designated as an emergency pursuant to this Act, as that term is defined in section 250(c)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985, but does not include any appropriations designated for overseas deployments and related activities pursuant to section (c)(3), or appropriations designated as an emergency pursuant to this Act.

(4) **ADVANCE APPROPRIATION.**—The term “advance appropriation” means appropriations of new budget authority that become available one or more fiscal years beyond the fiscal year for which the appropriation act was passed.

(5) **DISCRETIONARY SPENDING LIMITS.**—The term “discretionary spending limits” means the amounts specified in section 101 of this Act.

(6) **DEFINITIONS.**—To the extent they are not defined in this section, the terms used in this section shall have the same meaning as the terms defined in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(h) **SEQUESTRATION RULES.**—

(1) **IN GENERAL.**—Subsections (g) and (k) of section 256 of the Balanced Budget and Emergency Deficit Control Act of 1985 shall apply to sequestration under this Act.

(2) **INTERGOVERNMENTAL FUNDS.**—For purposes of sequestration under this section, budgetary resources shall not include activities financed by voluntary payments to the Government for goods and services to be provided for such payments, intragovernmental funds paid in from other Government accounts, and unobligated balances of prior year appropriations.

**SEC. 102. SENATE BUDGET ENFORCEMENT.**

(a) **IN GENERAL.**—

(1) For the purpose of enforcing the Congressional Budget Act of 1974 through April 15, 2012, including section 300 of that Act, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels set in subsection (b)(1) shall apply in the Senate in the same manner as a concurrent resolution on the budget for fiscal year 2012 with appropriate budgetary levels for fiscal years 2011 and 2013 through 2021.

(2) For the purpose of enforcing the Congressional Budget Act of 1974 after April 15, 2012, including section 300 of that Act, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels set in subsection (b)(2) shall apply in the Senate in the same manner as a concurrent resolution on the budget for fiscal year 2013 with appropriate budgetary levels for fiscal years 2012 and 2014 through 2022.

(b) **COMMITTEE ALLOCATIONS, AGGREGATES AND LEVELS.**—

(1) As soon as practicable after the date of enactment of this section, the Chairman of the Committee on the Budget shall file—

(A) for the Committee on Appropriations, committee allocations for fiscal years 2011 and 2012 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(B) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2011, 2012, 2012–2016, and 2012–2021 consistent with the Congressional Budget Office’s March 2011 baseline adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the Congressional Budget Office’s March 2011 baseline, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(C) aggregate spending levels for fiscal years 2011 and 2012 and aggregate revenue levels fiscal years 2011, 2012, 2012–2016, 2012–2021 consistent with the Congressional Budget Office’s March 2011 baseline adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the Congressional Budget Office’s March 2011 baseline, and the discretionary spending limits set forth in this Act for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(D) levels of Social Security revenues and outlays for fiscal years 2011, 2012, 2012–2016, and 2012–2021 consistent with the Congressional Budget Office’s March 2011 baseline adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the Congressional Budget Office’s March 2011 baseline, for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(2) Not later than April 15, 2012, the Chairman of the Committee on the Budget shall file—

(A) for the Committee on Appropriations, committee allocations for fiscal years 2012 and 2013 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(B) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2012, 2013, 2013–2017, and 2013–2022 consistent with the Congressional Budget Office’s March 2012 baseline for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(C) aggregate spending levels for fiscal years 2012 and 2013 and aggregate revenue levels fiscal years 2012, 2013, 2013–2017, and 2013–2022 consistent with the Congressional Budget Office’s March 2012 baseline and the discretionary spending limits set forth in this Act for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(D) levels of Social Security revenues and outlays for fiscal years 2012 and 2013, 2013–2017, and 2013–2022 consistent with the Congressional Budget Office’s March 2012 baseline budget for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) **SENATE PAY-AS-YOU-GO SCORECARD.**—

(1) Upon the date of enactment of this section, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Senate Committee on the Budget shall reduce any balances of direct spending and revenues for any fiscal year to zero.

(2) Not later than April 15, 2012, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Senate Committee on the Budget shall reduce any balances of direct spending and revenues for any fiscal year to zero.

(3) Upon resetting the Senate paygo scorecard pursuant to paragraph (2), the Chairman shall publish a notification of such action in the Congressional Record.

(d) **FURTHER ADJUSTMENTS.**—

(1) The Chairman of the Committee on the Budget may revise any allocations, aggregates, or levels set pursuant to this section to account for any subsequent adjustments to discretionary spending limits made pursuant to this Act.

(2) With respect to any allocations, aggregates, or levels set or adjustments made pursuant to this section, sections 412 through 414 of S. Con. Res. 13 (111th Congress) shall remain in effect.

(e) **EXPIRATION.**—

(1) Sections (a)(1), (b)(1), and (c)(1) shall expire if a concurrent resolution on the budget for fiscal year 2012 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

(2) Sections (a)(2), (b)(2), and (c)(2) shall expire if a concurrent resolution on the budget for fiscal year 2013 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

**TITLE II—OTHER SPENDING CUTS**

**Subtitle A—Spectrum Auction Proposals and Public Safety Broadband Network**

**SEC. 211. DEFINITIONS.**

In this subtitle, the following definitions shall apply:

(1) **700 MHZ BAND.**—The term “700 MHz band” means the portion of the electromagnetic spectrum between the frequencies from 698 megahertz to 806 megahertz.

(2) 700 MHZ D BLOCK SPECTRUM.—The term “700 MHz D block spectrum” means the portion of the electromagnetic spectrum between the frequencies from 758 megahertz to 763 megahertz and between the frequencies from 788 megahertz to 793 megahertz.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—Except as otherwise specifically provided, the term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

(4) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(5) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(6) CORPORATION.—The term “Corporation” means the Public Safety Broadband Corporation established under section 244.

(7) EXISTING PUBLIC SAFETY BROADBAND SPECTRUM.—The term “existing public safety broadband spectrum” means the portion of the electromagnetic spectrum between the frequencies—

(A) from 763 megahertz to 768 megahertz;

(B) from 793 megahertz to 798 megahertz;

(C) from 768 megahertz to 769 megahertz; and

(D) from 798 megahertz to 799 megahertz.

(8) FEDERAL ENTITY.—The term “Federal entity” has the same meaning as in section 113(i) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(i)).

(9) NARROWBAND SPECTRUM.—The term “narrowband spectrum” means the portion of the electromagnetic spectrum between the frequencies from 769 megahertz to 775 megahertz and between the frequencies from 799 megahertz to 805 megahertz.

(10) NIST.—The term “NIST” means the National Institute of Standards and Technology.

(11) NTIA.—The term “NTIA” means the National Telecommunications and Information Administration.

(12) PUBLIC SAFETY ENTITY.—The term “public safety entity” means an entity that provides public safety services.

(13) PUBLIC SAFETY SERVICES.—The term “public safety services”—

(A) has the meaning given the term in section 337(f) of the Communications Act of 1934 (47 U.S.C. 337(f)); and

(B) includes services provided by emergency response providers, as that term is defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

#### PART I—AUCTIONS OF SPECTRUM AND SPECTRUM MANAGEMENT

##### SEC. 221. CLARIFICATION OF AUTHORITIES TO REPURPOSE FEDERAL SPECTRUM FOR COMMERCIAL PURPOSES.

(a) ELIGIBLE FEDERAL ENTITIES.—Section 113(g)(1) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)(1)) is amended to read as follows:

“(1) ELIGIBLE FEDERAL ENTITIES.—Any Federal entity that operates a Federal Government station authorized to use a band of frequencies specified in paragraph (2) and that incurs relocation costs because of planning for a potential auction of spectrum frequencies, a planned auction of spectrum frequencies, or the reallocation of spectrum frequencies from Federal use to exclusive non-Federal use, or shared Federal and non-Federal use shall receive payment for such costs

from the Spectrum Relocation Fund, in accordance with section 118 of this Act. For purposes of this paragraph, Federal power agencies exempted under subsection (c)(4) that choose to relocate from the frequencies identified for reallocation pursuant to subsection (a), are eligible to receive payment under this paragraph.”.

(b) ELIGIBLE FREQUENCIES.—Section 113(g)(2)(B) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)(2)(B)) is amended to read as follows:

“(B) any other band of frequencies reallocated from Federal use to non-Federal or shared use, whether for licensed or unlicensed use, after January 1, 2003, that is assigned—

“(i) by competitive bidding pursuant to section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)); or

“(ii) as a result of an Act of Congress or any other administrative or executive direction.”.

(c) DEFINITION OF RELOCATION AND SHARING COSTS.—Section 113(g)(3) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)(3)) is amended to read as follows:

“(3) DEFINITION OF RELOCATION AND SHARING COSTS.—For purposes of this subsection, the terms ‘relocation costs’ and ‘sharing costs’ mean the costs incurred by a Federal entity to plan for a potential or planned auction or sharing of spectrum frequencies and to achieve comparable capability of systems, regardless of whether that capability is achieved by relocating to a new frequency assignment, relocating a Federal Government station to a different geographic location, modifying Federal Government equipment to mitigate interference or use less spectrum, in terms of bandwidth, geography, or time, and thereby permitting spectrum sharing (including sharing among relocated Federal entities and incumbents to make spectrum available for non-Federal use) or relocation, or by utilizing an alternative technology. Comparable capability of systems includes the acquisition of state-of-the-art replacement systems intended to meet comparable operational scope, which may include incidental increases in functionality. Such costs include—

“(A) the costs of any modification or replacement of equipment, spares, associated ancillary equipment, software, facilities, operating manuals, training costs, or regulations that are attributable to relocation or sharing;

“(B) the costs of all engineering, equipment, software, site acquisition, and construction costs, as well as any legitimate and prudent transaction expense, including term-limited Federal civil servant and contractor staff necessary to carry out the relocation activities of an eligible Federal entity, and reasonable additional costs incurred by the Federal entity that are attributable to relocation or sharing, including increased recurring costs above recurring costs of the system before relocation for the remaining estimated life of the system being relocated;

“(C) the costs of research, engineering studies, economic analyses, or other expenses reasonably incurred in connection with—

“(i) calculating the estimated relocation costs that are provided to the Commission pursuant to paragraph (4) of this subsection, or in calculating the estimated sharing costs;

“(ii) determining the technical or operational feasibility of relocation to 1 or more potential relocation bands; or

“(iii) planning for or managing a relocation or sharing project (including spectrum coordination with auction winners) or potential relocation or sharing project;

“(D) the one-time costs of any modification of equipment reasonably necessary to accommodate commercial use of shared frequencies or, in the case of frequencies reallocated to exclusive commercial use, prior to the termination of the Federal entity’s primary allocation or protected status, when the eligible frequencies as defined in paragraph (2) of this subsection are made available for private sector uses by competitive bidding and a Federal entity retains primary allocation or protected status in those frequencies for a period of time after the completion of the competitive bidding process;

“(E) the costs associated with the accelerated replacement of systems and equipment if such acceleration is necessary to ensure the timely relocation of systems to a new frequency assignment or the timely accommodation of sharing of Federal frequencies; and

“(F) the costs of the use of commercial systems (including systems not utilizing spectrum) to replace Federal systems discontinued or relocated pursuant to this Act, including lease, subscription, and equipment costs over an appropriate period, such as the anticipated life of an equivalent Federal system or other period determined by the Director of the Office of Management and Budget.”.

(d) SPECTRUM SHARING.—Section 113(g) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)) is amended by adding at the end the following:

“(7) SPECTRUM SHARING.—A Federal entity is permitted to allow access to its frequency assignments by a non-Federal entity upon approval of NTIA, in consultation with the Director of the Office of Management and Budget. Such non-Federal entities shall comply with all applicable rules of the Commission and the NTIA, including any regulations promulgated pursuant to this section. Any remuneration associated with such access shall be deposited into the Spectrum Relocation Fund established under section 118. A Federal entity that incurs costs as a result of such access is eligible for payment from the Fund for the purposes specified in paragraph (3) of this section. The revenue associated with such access shall be at least 110 percent of the estimated Federal costs.”.

(e) SPECTRUM RELOCATION FUND.—Section 118 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928) is amended—

(1) in subsection (b), by inserting before the period at the end the following: “and any payments made by non-Federal entities for access to Federal spectrum pursuant to section 113(g)(7) (47 U.S.C. 113(g)(7))”;

(2) by amending subsection (c) to read as follows:

“(c) USE OF FUNDS.—

“(1) FUNDS FROM AUCTIONS.—The amounts in the Fund from auctions of eligible frequencies are authorized to be used to pay relocation costs, as such costs are defined in section 113(g)(3), of an eligible Federal entity incurring such costs with respect to relocation from any eligible frequency.

“(2) FUNDS FROM PAYMENTS BY NON-FEDERAL ENTITIES.—The amounts in the Fund from payments by non-Federal entities for access to Federal spectrum are authorized to be used to pay the sharing costs, as such costs are defined in section 113(g)(3), of an eligible Federal entity incurring such costs.

“(3) TRANSFER OF FUNDS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Director of OMB may transfer at any time (including prior to any auction or contemplated auction, or sharing initiative) such sums as may be available in the Fund to an eligible Federal entity to pay eligible relocation or sharing costs related to pre-auction estimates or research, as such costs are described in section 113(g)(3)(C).

“(B) LIMITATION.—The Director of OMB may not transfer more than \$100,000,000 associated with authorize pre-auction activities before an auction is completed and proceeds are deposited in the Spectrum Relocation Fund.

“(C) APPLICABILITY.—The Director of OMB may transfer up to \$10,000,000 to eligible Federal entities for eligible relocation or sharing costs related to pre-auction estimates or research, as such costs are described in section 113(g)(3)(C), for costs incurred prior to the date of the enactment of the Budget Control Act of 2011, but after June 28th, 2010.”

(3) in subsection (d)—

(A) in paragraph (1), by inserting “and sharing” before “costs”;

(B) in paragraph (2)(B)—

(i) by inserting “and sharing” before “costs”; and

(ii) by inserting “and sharing” before the period at the end; and

(C) by amending paragraph (3) to read as follows:

“(3) REVERSION OF UNUSED FUNDS.—

“(A) IN GENERAL.—Any amounts in the Fund that are remaining after the payment of the relocation and sharing costs that are payable from the Fund shall revert to and be deposited in the General Fund of the Treasury not later than 15 years after the date of the deposit of such proceeds to the Fund, unless within 60 days in advance of the reversion of such funds, the Director of OMB, in consultation with the Assistant Secretary for Communications and Information, notifies the appropriate committees of Congress that such funds are needed to complete or to implement current or future relocations or sharing initiatives.

“(B) DEFINITION.—In this paragraph, the term ‘appropriate committees of Congress’ means

“(i) the Committee on Appropriations of the Senate;

“(ii) the Committee on Commerce, Science, and Transportation of the Senate;

“(iii) the Committee on Appropriations of the House of Representatives; and

“(iv) the Committee on Energy and Commerce of the House of Representatives.”;

(4) in subsection (e)(2)—

(A) by inserting “and sharing” before “costs”;

(B) by inserting “or sharing” before “is complete”; and

(C) by inserting “or sharing” before “in accordance”; and

(5) by adding at the end the following:

“(f) ADDITIONAL PAYMENTS FROM THE FUND.—Notwithstanding subsections (c) through (e), after the date of the enactment of the Budget Control Act of 2011, and following the credit of any amounts specified in subsection (b), there are hereby appropriated from the Fund and available to the Director of the OMB up to 10 percent of the amounts deposited in the Fund from the auction of licenses for frequencies of spectrum vacated by Federal entities, or up to 10 percent of the amounts deposited in the Fund by non-Federal entities for sharing of Federal spectrum. The Director of OMB, in consultation with the Assistant Secretary for Communications

and Information, may use such amounts to pay eligible Federal entities for the purpose of encouraging timely access to such spectrum, provided that—

“(1) any such payment by the Director of OMB is based on the market value of the spectrum, the timeliness of clearing, and needs for essential missions of agencies;

“(2) any such payment by the Director of OMB is used to carry out the purposes specified in subparagraphs (A) through (F) of paragraph (3) of subsection 113(g) to enhance other communications, radar, and spectrum-using investments not directly affected by such reallocation or sharing but essential for the missions of the Federal entity that is relocating its systems or sharing frequencies;

“(3) the amount remaining in the Fund after any such payment by the Director is not less than 10 percent of the winning bids in the relevant auction, or is not less than 10 percent of the payments from non-Federal entities in the relevant sharing agreement; and

“(4) any such payment by the Director shall not be made until 30 days after the Director has notified the Committees on Appropriations and Commerce, Science, and Transportation of the Senate, and the Committees on Appropriations and Energy and Commerce of the House of Representatives.”.

(F) COMPETITIVE BIDDING; TREATMENT OF REVENUES.—Subparagraph (D) of section 309(j)(8) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)) is amended by inserting “excluding frequencies identified by the Federal Communications Commission to be auctioned in conjunction with eligible frequencies described in section 113(g)(2)” before “shall be deposited”.

(G) PUBLIC DISCLOSURE AND NONDISCLOSURE.—If the head of an executive agency of the Federal Government determines that public disclosure of any information contained in notifications and reports required by section 113 or 118 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923 and 928) would reveal classified national security information or other information for which there is a legal basis for nondisclosure and such public disclosure would be detrimental to national security, homeland security, public safety, or jeopardize law enforcement investigations, the head of the executive agency shall notify the NTIA of that determination prior to release of such information. In that event, such classified information shall be included in a separate annex, as needed. These annexes shall be provided to the appropriate subcommittee in accordance with appropriate national security stipulations, but shall not be disclosed to the public or provided to any unauthorized person through any other means.

**SEC. 222. INCENTIVE AUCTION AUTHORITY.**

(a) IN GENERAL.—Paragraph (8) of section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) is amended—

(1) in subparagraph (A), by striking “(B), (D), and (E),” and inserting “(B), (D), (E), and (F),”; and

(2) by adding at the end the following:

“(F) INCENTIVE AUCTION AUTHORITY.—

“(i) AUTHORITY.—Notwithstanding any other provision of law, if the Commission determines that it is consistent with the public interest in utilization of the spectrum for a licensee to relinquish voluntarily some or all of its licensed spectrum usage rights in order to permit the assignment of new initial licenses through a competitive bidding process subject to new service rules, or the designation of new spectrum for unlicensed use, the

Commission may disburse to that licensee a portion of any auction proceeds that the Commission determines, in its discretion, are attributable to the licensee’s relinquished spectrum usage rights.

“(ii) REPACKING.—When assigning spectrum to television broadcast station licensees pursuant to clause (i), if the Commission determines that it is in the public interest to modify the spectrum usage rights of any incumbent licensee in order to facilitate the assignment of such new initial licenses subject to new service rules, or the designation of spectrum for an unlicensed use, the Commission may disburse to such licensee a portion of the auction proceeds for the purpose of relocating to any alternative frequency or location that the Commission may designate.

“(iii) UNLICENSED SPECTRUM.—

(I) IN GENERAL.—With respect to frequency bands between 54 and 72 MHz, 76 and 88 MHz, 174 and 216 MHz, 470 and 698 MHz, 84 MHz (referred to in this clause as the ‘specified bands’) shall be assigned via a competitive bidding process until the winning bidders for licenses covering 90 megahertz for the specified bands deposit the full amount of their bids in accordance with the instructions of the Commission. In addition, if more than 90 megahertz of spectrum from the specified bands is made available for alternative use utilizing payments under this subsection, and such spectrum is assigned via competitive bidding, a portion of the proceeds may be disbursed to licensees of other frequency bands for the purpose of making additional spectrum available.

(II) NOTICE.—The Chairman of the Commission, in consultation with the Director of OMB, shall notify the Committees on Appropriations and Commerce, Science, and Transportation of the Senate, and the Committees on Appropriations and Energy and Commerce of the House of Representatives of the methodology for calculating such payments to licensees at least 3 months in advance of the relevant auction, and that such methodology consider the value of spectrum vacated in its current use and the timeliness of clearing; and

(iv) TREATMENT OF REVENUES.—Notwithstanding subparagraph (A), and except as provided in subparagraphs (B), (C), and (D), all proceeds (including deposits and up front payments from successful bidders) from the auction of spectrum under this subparagraph shall be deposited with the Public Safety Trust Fund established under section 243 of the Budget Control Act of 2011.

“(G) ESTABLISHMENT OF INCENTIVE AUCTION RELOCATION FUND.—

(i) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ‘Incentive Auction Relocation Fund’.

(ii) ADMINISTRATION.—The Assistant Secretary shall administer the Incentive Auction Relocation Fund using the amounts deposited pursuant to this section.

(iii) CREDITING OF RECEIPTS.—There shall be deposited into or credited to the Incentive Auction Relocation Fund any amounts specified in section 243 of the Budget Control Act of 2011.

(iv) AVAILABILITY.—Amounts in the Incentive Auction Relocation Fund shall be available to the NTIA for use—

“(I) without fiscal year limitation;

“(II) for a period not to exceed 18 months following the later of—

“(aa) the completion of incentive auction from which such amounts were derived; or

“(bb) the date on which the Commission issues all the new channel assignments pursuant to any repacking required under subparagraph (F)(ii); and

“(III) without further appropriation.

“(v) USE OF FUNDS.—Amounts in the Incentive Auction Relocation Fund may only be used by the NTIA, in consultation with the Commission, to cover—

“(I) the reasonable costs of licensees that are relocated to a different spectrum channel or geographic location following an incentive auction under subparagraph (F), or that are impacted by such relocations, including to cover the cost of new equipment, installation, and construction; and

“(II) the costs incurred by multichannel video programming distributors for new equipment, installation, and construction related to the carriage of such relocated stations or the carriage of stations that voluntarily elect to share a channel, but retain their existing rights to carriage pursuant to sections 338, 614, and 615.”.

**SEC. 223. INCENTIVE AUCTIONS TO REPURPOSE CERTAIN MOBILE SATELLITE SERVICES SPECTRUM FOR TERRESTRIAL BROADBAND USE.**

(a) IN GENERAL.—To the extent that the Commission makes available spectrum licenses on some or all of the frequencies between 2000 and 2020 MHz and 2180 and 2200 MHz for terrestrial broadband use, such licenses shall be assigned pursuant to the authority provided in section 309(j)(8) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)), including, as appropriate, subparagraph (F) of such section.

(b) TERMINATION OF AUTHORITY.—The authority granted under subsection (a) shall terminate on September 30, 2021.

**SEC. 224. PERMANENT EXTENSION OF AUCTION AUTHORITY.**

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is repealed.

**SEC. 225. AUTHORITY TO AUCTION LICENSES FOR DOMESTIC SATELLITE SERVICES.**

Section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) is amended by adding the following:

“(17) AUTHORITY TO AUCTION LICENSES FOR DOMESTIC SATELLITE SERVICES.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, the Commission shall use competitive bidding under this subsection to assign any license, construction permit, reservation, or similar authorization or modification thereof, that may be used solely or predominantly for domestic satellite communications services, including satellite-based television or radio services. The Commission may, however, use an alternative approach to assignment of such licenses or similar authorities if it finds that such an alternative to competitive bidding would serve the public interest, convenience, and necessity.

“(B) DEFINITION.—In this paragraph, the term ‘predominantly for domestic satellite communications services’ means a service provided in which the majority of customers that may be served are located within the geographic boundaries of the United States.

“(C) EFFECTIVE DATE AND APPLICATION.—This paragraph shall take effect on the date of enactment of this paragraph and shall apply to all Commission assignments or reservations of spectrum for domestic satellite services, including, but not limited to, all assignments or reservations for satellite-based television or radio services as of the effective date.”.

**SEC. 226. AUCTION OF SPECTRUM.**

(a) IDENTIFICATION OF SPECTRUM.—Not later than 1 year after the date of enactment

of this Act, the Assistant Secretary shall identify and make available for immediate reallocation or sharing with incumbent Government operations, at a minimum, 15 megahertz of contiguous spectrum at frequencies located between 1675 megahertz and 1710 megahertz, inclusive, minus the geographic exclusion zones, or any amendment thereof, identified in NTIA’s October 2010 report entitled “An Assessment of Near-Term Viability of Accommodating Wireless Broadband Systems in 1675–1710 MHz, 1755–1780 MHz, 3500–3650 MHz, and 4200–4220 MHz, 4380–4400 MHz Bands”.

(b) AUCTION.—

(1) IN GENERAL.—Not later than January 31, 2016, the Commission shall conduct the auctions of the following licenses, by commencing the bidding for:

(A) The spectrum between the frequencies of 1915 megahertz and 1920 megahertz, inclusive.

(B) The spectrum between the frequencies of 1995 megahertz and 2000 megahertz, inclusive.

(C) The spectrum between the frequencies of 2020 megahertz and 2025 megahertz, inclusive.

(D) The spectrum between the frequencies of 2155 megahertz and 2175 megahertz, inclusive.

(E) The spectrum between the frequencies of 2175 megahertz and 2180 megahertz, inclusive.

(F) Subject to paragraph (2), 25 megahertz of spectrum between the frequencies of 1755 megahertz, minus appropriate geographic exclusion zones.

(G) The spectrum identified pursuant to subsection (a).

(2) LIMITATION.—The Commission may conduct the auctions of the licenses described in paragraph (1) unless the President determines that—

(A)(i) such spectrum should not be reallocated due to the need to protect incumbent Federal operations; or

(ii) reallocation must be delayed or progressed in phases to ensure protection or continuity of Federal operations; and

(B) allocation of other spectrum—

(i) better serves the public interest, convenience, and necessity; and

(ii) can reasonably be expected to produce receipts comparable to auction of spectrum frequencies identified in this paragraph.

(c) AUCTION ORGANIZATION.—The Commission may, if technically feasible and consistent with the public interest, combine the spectrum identified in paragraphs (4), (5), and the portion of paragraph (6) between the frequencies of 1755 megahertz and 1780 megahertz, inclusive, of subsection (b) in an auction of licenses for paired spectrum blocks.

(d) FURTHER REALLOCATION OF CERTAIN OTHER SPECTRUM.—

(1) COVERED SPECTRUM.—For purposes of this subsection, the term “covered spectrum” means the portion of the electromagnetic spectrum between the frequencies of 3550 to 3650 megahertz, inclusive, minus the geographic exclusion zones, or any amendment thereof, identified in NTIA’s October 2010 report entitled “An Assessment of Near-Term Viability of Accommodating Wireless Broadband Systems in 1675–1710 MHz, 1755–1780 MHz, 3500–3650 MHz, and 4200–4220 MHz, 4380–4400 MHz Bands”.

(2) IN GENERAL.—Consistent with requirements of section 309(j) of the Communications Act of 1934, the Commission shall reallocate covered spectrum for assignment by competitive bidding unless the President of the United States determines that—

(A) such spectrum cannot be reallocated due to the need to protect incumbent Federal systems from interference; or

(B) allocation of other spectrum—

(i) better serves the public interest, convenience, and necessity; and

(ii) can reasonably be expected to produce receipts comparable to what the covered spectrum might auction for without the geographic exclusion zones.

(3) ACTIONS REQUIRED IF COVERED SPECTRUM CANNOT BE REALLOCATED.—

(A) IN GENERAL.—If the President makes a determination under paragraph (2) that the covered spectrum cannot be reallocated, then the President shall, within 1 year after the date of such determination—

(i) identify alternative bands of frequencies totaling more than 20 megahertz and no more than 100 megahertz of spectrum used primarily by Federal agencies that satisfy the requirements of clauses (i) and (ii) of paragraph (2)(B);

(ii) report to the President and appropriate committees of Congress and the Commission an identification of such alternative spectrum for assignment by competitive bidding; and

(iii) make such alternative spectrum for assignment immediately available for reallocation.

(B) AUCTION.—If the President makes a determination under paragraph (2) that the covered spectrum cannot be reallocated, the Commission shall commence the bidding of the alternative spectrum identified pursuant to subparagraph (A) within 3 years of the date of enactment of this Act.

(4) ACTIONS REQUIRED IF COVERED SPECTRUM CAN BE REALLOCATED.—If the President does not make a determination under paragraph (1) that the covered spectrum cannot be reallocated, the Commission shall commence the competitive bidding for the covered spectrum within 3 years of the date of enactment of this Act.

(e) AMENDMENTS TO DESIGN REQUIREMENTS RELATED TO COMPETITIVE BIDDING.—Section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) is amended—

(1) in paragraph (3)—

(A) in subparagraph (E)(ii), by striking “; and” and inserting a semicolon; and

(B) in subparagraph (F), by striking the period at the end and inserting a semicolon; and

(2) by amending clause (i) of the second sentence of paragraph (8)(C) to read as follows:

“(i) the deposits—

“(I) of successful bidders of any auction conducted pursuant to subparagraph (F) or to section 226 of the Budget Control Act of 2011 shall be paid to the Public Safety Trust Fund established under section 243 of the Budget Control Act of 2011; and

“(II) of successful bidders of any other auction shall be paid to the Treasury;”.

**SEC. 227. REPORT TO CONGRESS ON IMPROVING SPECTRUM MANAGEMENT.**

Not later than 90 days after the date of enactment of this part, the NTIA shall submit to the appropriate committees of Congress a report on the status of the NTIA’s plan to implement the recommendations contained in the “President’s Memorandum on Improving Spectrum Management for the 21st Century”, 49 Weekly Comp. Pres. Doc. 2875, Nov. 29, 2004.

**PART II—PUBLIC SAFETY BROADBAND NETWORK**

**SEC. 241. REALLOCATION OF D BLOCK FOR PUBLIC SAFETY.**

(a) IN GENERAL.—The Commission shall reallocate the 700 MHz D block spectrum for

use by public safety entities in accordance with the provisions of this Act.

(b) SPECTRUM ALLOCATION.—Section 337(a) of the Communications Act of 1934 (47 U.S.C. 337(a)) is amended—

(1) by striking “24” in paragraph (1) and inserting “34”; and

(2) by striking “36” in paragraph (2) and inserting “26”.

**SEC. 242. FLEXIBLE USE OF NARROWBAND SPECTRUM.**

The Commission may allow the narrowband spectrum to be used in a flexible manner, including usage for public safety broadband communications, subject to such technical and interference protection measures as the Commission may require and subject to interoperability requirements of the Commission and the Corporation (to be established in subsequent legislation, to provide governance of the network, development of standards to promote system-wide interoperability and security, and implementation grants, where necessary, to state, local and Tribal entities).

**SEC. 243. PUBLIC SAFETY TRUST FUND.**

(a) ESTABLISHMENT OF PUBLIC SAFETY TRUST FUND.—

(1) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the “Public Safety Trust Fund”.

(2) CREDITING OF RECEIPTS.—

(A) IN GENERAL.—There shall be deposited into or credited to the Public Safety Trust Fund the proceeds from the auction of spectrum carried out pursuant to—

(i) section 102 of this Act; and

(ii) section 309(j)(8)(F) of the Communications Act of 1934, as added by section 102 of this Act.

(B) AVAILABILITY.—Amounts deposited into or credited to the Public Safety Trust Fund in accordance with subparagraph (A) shall remain available until the end of fiscal year 2017. Upon the expiration of the period described in the prior sentence such amounts shall be deposited in the General Fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(b) APPROPRIATION.—There is hereby appropriated from the Public Safety Trust Fund to the Secretary of Commerce \$7,000,000,000, to remain available through fiscal year 2017, for the establishment of a national network to support secure and interoperable public-safety broadband communications: *Provided*, That the Secretary may make shall make these amounts available to a Public Safety Broadband Corporation, to be established in a subsequent statute, to support the Corporation’s activities in providing governance of such network; in developing standards to promote systemwide interoperability and security of such network; in entering into contracts with the National Institute of Standards and Technology (NIST), for NIST to provide services to the Corporation; and in making grants, as necessary, to State, local, and tribal entities for their activities in support of such network: *Provided further*, That the Secretary shall make these amounts available to such Corporation after submission of a spend plan by the Corporation and approval by the Secretary of Commerce, in consultation with the Secretary of Homeland Security, Director of the Office of Management and Budget, and Attorney General of the United States.

**SEC. 244. PUBLIC SAFETY RESEARCH AND DEVELOPMENT.**

After approval by the Office of Management and Budget of a spend plan developed

by the Director of NIST, up to \$300,000,000 for fiscal year 2012 shall be made available for use by the Director of NIST to carry out a research program on public safety wireless communications. If less than \$300,000,000 is approved by the Office of Management and Budget, the remainder shall be transferred to the Public Safety Broadband Corporation, to be established in subsequent statute, and be available to support the Corporation’s activities in providing governance of a national network to support secure and interoperable public-safety broadband communications; in developing standards to promote systemwide interoperability and security of such network; and in making grants, as necessary, to State, local, and tribal entities for their activities in support of such network.

**SEC. 245. INCENTIVE AUCTION RELOCATION FUND.**

Not more than \$1,000,000,000 shall be deposited in the Incentive Auction Relocation Fund established under section 309(j)(8)(G) of the Communications Act of 1934.

**SEC. 246. FEDERAL INFRASTRUCTURE SHARING.**

(a) IN GENERAL.—The Administrator of General Services shall establish rules to allow public safety entities licensed or otherwise permitted to use spectrum allocated to the Public Safety Broadband Corporation and other non-Federal users of spectrum to have access to those components of Federal infrastructure appropriate for the construction and maintenance of the nationwide public safety interoperable broadband network to be established under this part or operation of a commercial or other non-Federal wireless networks.

(b) REQUIRED PAYMENT.—Rules established by the Administrator shall require payments from public safety entities or other non-Federal users to cover at least the full incremental costs of using Federal infrastructure.

(c) PAYMENT ABOVE FULL INCREMENTAL COST.—The Administrator may adopt rules to charge more than the full incremental cost of using the Federal infrastructure if demand for use of a component of Federal infrastructure by non-Federal entities is greater than can be accommodated, as determined by the Administrator. However, the rules established by the Administrator shall prioritize use by Federal agencies over public safety entities and prioritize use by public safety entities over commercial or other non-Federal entities.

(d) USE OF FUNDS.—Remuneration received for use of Federal infrastructure is available to the Administrator without further appropriation to pay for the full incremental costs of using the infrastructure. Any amounts received above the full incremental cost shall be deposited in the general fund of the Treasury.

**SEC. 247. FCC REPORT ON EFFICIENT USE OF PUBLIC SAFETY SPECTRUM.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act and every 2 years thereafter, the Commission shall, in consultation with the Assistant Secretary and the Director of NIST, conduct a study and submit to the appropriate committees of Congress a report on the spectrum allocated for public safety use.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) an examination of how such spectrum is being used;

(2) recommendations on how such spectrum may be used more efficiently;

(3) an assessment of the feasibility of public safety entities relocating from other bands to the public safety broadband spectrum; and

(4) an assessment of whether any spectrum made available by the relocation described in paragraph (3) could be returned to the Commission for reassignment through auction, including through use of incentive auction authority under subparagraph (G) of section 309(j)(8) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)), as added by section 222.

**Subtitle B—Federal Pell Grant and Student Loan Program Changes**

**SEC. 251. FEDERAL PELL GRANT AND STUDENT LOAN PROGRAM CHANGES.**

(a) FEDERAL PELL GRANTS.—Section 401(b)(7)(A)(iv) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)) is amended—

(1) in subclause (II), by striking “\$3,183,000,000” and inserting “\$13,683,000,000”; and

(2) in subclause (III), by striking “\$0” and inserting “\$7,500,000,000”.

(b) TERMINATION OF AUTHORITY TO MAKE INTEREST SUBSIDIZED LOANS TO GRADUATE AND PROFESSIONAL STUDENTS.—Section 455(a) of the Higher Education Act of 1965 (20 U.S.C. 1087e(a)) is amended by adding at the end the following:

“(3) TERMINATION OF AUTHORITY TO MAKE INTEREST SUBSIDIZED LOANS TO GRADUATE AND PROFESSIONAL STUDENTS.—Notwithstanding any provision of this part or part B, for any period of instruction beginning on or after July 1, 2012—

“(A) a graduate or professional student shall not be eligible to receive a subsidized Federal Direct Stafford Loan under this part;

“(B) the maximum annual amount of Federal Direct Unsubsidized Stafford Loans such a student may borrow in any academic year (as defined in section 481(a)(2)) or its equivalent shall be the maximum annual amount for such student determined under section 428H, plus an amount equal to the amount of Federal Direct Subsidized Loans the student would have received in the absence of this paragraph; and

“(C) the maximum aggregate amount of Federal Direct Unsubsidized Stafford Loans such a student may borrow shall be the maximum aggregate amount for such student determined under section 428H, adjusted to reflect the increased annual limits described in subparagraph (B), as prescribed by the Secretary by regulation.”.

(c) INAPPLICABILITY OF TITLE IV NEGOTIATED RULEMAKING AND MASTER CALENDAR EXCEPTION.—Sections 482(c) and 492 of the Higher Education Act of 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to the amendments made by this section, or to any regulations promulgated under those amendments.

**Subtitle C—Farm Programs**

**SEC. 261. DEFINITION OF PAYMENT ACRES.**

(a) IN GENERAL.—Section 1001(11) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702(11)) is amended—

(1) in subparagraph (A)—

(A) by striking “subparagraph (B)” and inserting “subparagraphs (B) and (C)”; and

(B) by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) in the case of direct payments for the 2012 crop year, 59 percent of the base acres for the covered commodity on a farm on which direct payments are made.”.

(b) PAYMENT ACRES FOR PEANUTS.—Section 1301(5) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8751(5)) is amended—



(1) in subparagraph (A)—

(A) by striking “subparagraph (B)” and inserting “subparagraphs (B) and (C)”; and

(B) by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) in the case of direct payments for the 2012 crop year, 59 percent of the base acres for peanuts on a farm on which direct payments are made.”.

### TITLE III—JOINT SELECT COMMITTEE ON DEFICIT REDUCTION

#### SEC. 301. ESTABLISHMENT OF JOINT SELECT COMMITTEE.

(a) DEFINITIONS.—In this title:

(1) JOINT COMMITTEE.—The term “joint committee” means the Joint Select Committee on Deficit Reduction established under subsection (b)(1).

(2) JOINT COMMITTEE BILL.—The term “joint committee bill” means a bill consisting of the proposed legislative language of the joint committee recommended under subsection (b)(3)(B) and introduced under section 302(a).

(b) ESTABLISHMENT OF JOINT SELECT COMMITTEE.—

(1) ESTABLISHMENT.—There is established a joint select committee of Congress to be known as the “Joint Select Committee on Deficit Reduction”.

(2) GOAL.—The goal of the joint committee shall be to reduce the deficit to 3 percent or less of GDP.

(3) DUTIES.—

(A) IN GENERAL.—

(i) IMPROVING THE SHORT-TERM AND LONG-TERM FISCAL IMBALANCE.—The joint committee shall provide recommendations and legislative language that will significantly improve the short-term and long-term fiscal imbalance of the Federal Government and may include recommendations and legislative language on tax reform.

(ii) CONSIDERATION OF OTHER BIPARTISAN PLANS.—As a part of developing the joint committee’s recommendations and legislation, the joint committee shall consider existing bipartisan plans to reduce the deficit, including plans developed jointly by Senators or Members of the House.

(iii) RECOMMENDATIONS OF HOUSE AND SENATE COMMITTEES.—Not later than October 14, 2011, each committee of the House and Senate may transmit to the joint committee its recommendations for changes in law to reduce the deficit consistent with the goals described in paragraph (2) for the joint committee’s consideration.

(B) REPORT, RECOMMENDATIONS, AND LEGISLATIVE LANGUAGE.—

(i) IN GENERAL.—Not later than November 23, 2011, the joint committee shall vote on—

(I) a report that contains a detailed statement of the findings, conclusions, and recommendations of the joint committee and CBO and the Joint Committee on Taxation estimate required by paragraph (5)(D)(ii); and

(II) proposed legislative language to carry out such recommendations as described in subclause (I).

(ii) APPROVAL OF REPORT AND LEGISLATIVE LANGUAGE.—The report of the joint committee and the proposed legislative language described in clause (i) shall require the approval of not fewer than 7 of the 12 members of the joint committee.

(iii) ADDITIONAL VIEWS.—A member of the joint committee who gives notice of an intention to file supplemental, minority, or additional views at the time of final joint committee vote on the approval of the report and legislative language under clause (ii), shall

be entitled to 3 calendar days in which to file such views in writing with the staff director of the joint committee. Such views shall then be included in the joint committee report and printed in the same volume, or part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the joint committee report may be printed and transmitted immediately without such views.

(iv) TRANSMISSION OF REPORT AND LEGISLATIVE LANGUAGE.—If the report and legislative language are approved by the joint committee pursuant to clause (ii), then not later than December 2, 2011, the joint committee shall submit the joint committee report and legislative language described in clause (i) to the President, the Vice President, the Speaker of the House, and the Majority and Minority Leaders of both Houses.

(v) REPORT AND LEGISLATIVE LANGUAGE TO BE MADE PUBLIC.—Upon the approval or disapproval of the joint committee report and legislative language pursuant to clause (ii), the joint committee shall promptly make the full report and legislative language, and a record of the vote, available to the public.

(4) MEMBERSHIP.—

(A) IN GENERAL.—The joint committee shall be composed of 12 members appointed pursuant to subparagraph (B).

(B) APPOINTMENT.—Members of the joint committee shall be appointed as follows:

(i) The majority leader of the Senate shall appoint 3 members from among Members of the Senate.

(ii) The minority leader of the Senate shall appoint 3 members from among Members of the Senate.

(iii) The Speaker of the House of Representatives shall appoint 3 members from among Members of the House of Representatives.

(iv) The minority leader of the House of Representatives shall appoint 3 members from among Members of the House of Representatives.

(C) CO-CHAIRS.—

(i) IN GENERAL.—There shall be 2 Co-Chairs of the joint committee. The majority leader of the Senate shall appoint one Co-Chair from among the members of the joint committee. The Speaker of the House of Representatives shall appoint the second Co-Chair from among the members of the joint committee. The Co-Chairs shall be appointed not later than 14 calendar days after the date of enactment of this section.

(ii) STAFF DIRECTOR.—The Co-Chairs, acting jointly, shall hire the staff director of the joint committee.

(D) DATE.—Members of the joint committee shall be appointed not later than 14 calendar days after the date of enactment of this section.

(E) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the joint committee. Any vacancy in the joint committee shall not affect its powers, but shall be filled not later than 14 calendar days after the date on which the vacancy occurs in the same manner as the original appointment. If a member of the committee leaves Congress, the member is no longer a member of the joint committee and a vacancy shall exist.

(5) ADMINISTRATION.—

(A) IN GENERAL.—To enable the joint committee to exercise its powers, functions and duties, there are authorized to be disbursed by the Senate the actual and necessary expenses of the joint committee approved by the co-chairs, subject to Senate rules and regulations.

(B) EXPENSES.—In carrying out its functions, the joint committee is authorized to

incur expenses in the same manner and under the same conditions as the Joint Economic Committee as authorized by section 11 of Public Law 79-304 (15 U.S.C. 1024(d)).

(C) QUORUM.—7 members of the joint committee shall constitute a quorum for purposes of voting, meeting, and holding hearings.

(D) VOTING.—

(i) PROXY VOTING.—No proxy voting shall be allowed on behalf of the members of the joint committee.

(ii) CBO AND JOINT COMMITTEE ON TAXATION ESTIMATES.—CBO and Joint Committee on Taxation shall provide estimates of the legislation (as described in paragraph (3)(B)) in accordance with sections 201(f) and 308(a) of the Congressional Budget Act of 1974 (2 U.S.C. 601(f) and 639(a)), including estimates of the effect on interest payments on the debt. In addition CBO shall provide information on the budgetary effect of the legislation beyond fiscal year 2021. The joint committee may not vote on any version of the report, recommendations, or legislative language unless an estimate described in this clause is available for consideration by all the members at least 48 hours prior to the vote as certified by the Co-Chairs.

(E) MEETINGS.—

(i) INITIAL MEETING.—Not later than 45 calendar days after the date of enactment of this section, the joint committee shall hold its first meeting.

(ii) AGENDA.—The Co-Chairs shall provide an agenda to the joint committee members not less than 48 hours in advance of any meeting.

(F) HEARINGS.—

(i) IN GENERAL.—The joint committee may, for the purpose of carrying out this section, hold such hearings, sit and act at such times and places, require attendance of witnesses and production of books, papers, and documents, take such testimony, receive such evidence, and administer such oaths the joint committee considers advisable.

(ii) HEARING PROCEDURES AND RESPONSIBILITIES OF CO-CHAIRS.—

(I) ANNOUNCEMENT.—The joint committee Co-Chairs shall make a public announcement of the date, place, time, and subject matter of any hearing to be conducted not less than 7 days in advance of such hearing, unless the Co-Chairs determine that there is good cause to begin such hearing at an earlier date.

(II) WRITTEN STATEMENT.—A witness appearing before the joint committee shall file a written statement of proposed testimony at least 2 calendar days prior to appearance, unless the requirement is waived by the Co-Chairs, following their determination that there is good cause for failure of compliance.

(G) TECHNICAL ASSISTANCE.—Upon written request of the Co-Chairs, a Federal agency shall provide technical assistance to the joint committee in order for the joint committee to carry out its duties.

(c) STAFF OF JOINT COMMITTEE.—

(1) IN GENERAL.—The Co-Chairs of the joint committee may jointly appoint and fix the compensation of staff as they deem necessary, within the guidelines for Senate employees and following all applicable Senate rules and employment requirements.

(2) ETHICAL STANDARDS.—Members on the joint committee who serve in the House of Representatives shall be governed by the House ethics rules and requirements. Members of the Senate who serve on the joint committee and staff of the joint committee shall comply with Senate ethics rules.

(d) TERMINATION.—The joint committee shall terminate on January 13, 2012.



**SEC. 302. EXPEDITED CONSIDERATION OF JOINT COMMITTEE RECOMMENDATIONS.**

(a) **INTRODUCTION.**—If approved by the majority required by section 301(b)(3)(B)(ii), the proposed legislative language submitted pursuant to section 301(b)(3)(B)(iv) shall be introduced in the Senate (by request) on the next day on which the Senate is in session by the majority leader of the Senate or by a Member of the Senate designated by the majority leader of the Senate and shall be introduced in the House of Representatives (by request) on the next legislative day by the majority leader of the House or by a Member of the House designated by the majority leader of the House.

(b) **CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.**—

(1) **REFERRAL AND REPORTING.**—Any committee of the House of Representatives to which the joint committee bill is referred shall report it to the House without amendment not later than December 9, 2011. If a committee fails to report the joint committee bill within that period, it shall be in order to move that the House discharge the committee from further consideration of the bill. Such a motion shall not be in order after the last committee authorized to consider the bill reports it to the House or after the House has disposed of a motion to discharge the bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except 20 minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, the House shall proceed immediately to consider the joint committee bill in accordance with paragraphs (2) and (3). A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(2) **PROCEEDING TO CONSIDERATION.**—After the last committee authorized to consider a joint committee bill reports it to the House or has been discharged (other than by motion) from its consideration, it shall be in order to move to proceed to consider the joint committee bill in the House. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to the joint committee bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(3) **CONSIDERATION.**—The joint committee bill shall be considered as read. All points of order against the joint committee bill and against its consideration are waived. The previous question shall be considered as ordered on the joint committee bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the joint committee bill. A motion to reconsider the vote on passage of the joint committee bill shall not be in order.

(4) **VOTE ON PASSAGE.**—The vote on passage of the joint committee bill shall occur not later than December 23, 2011.

(c) **EXPEDITED PROCEDURE IN THE SENATE.**—

(1) **COMMITTEE CONSIDERATION.**—A joint committee bill introduced in the Senate under subsection (a) shall be jointly referred to the committee or committees of jurisdiction, which committees shall report the bill without any revision and with a favorable recommendation, an unfavorable recommendation, or without recommendation, not later than December 9, 2011. If any committee fails to report the bill within that period, that committee shall be automatically

discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

(2) **MOTION TO PROCEED.**—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of session after the date on which a joint committee bill is reported or discharged from all committees to which it was referred, for the majority leader of the Senate or the majority leader's designee to move to proceed to the consideration of the joint committee bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the joint committee bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the joint committee bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint committee bill is agreed to, the joint committee bill shall remain the unfinished business until disposed of.

(3) **CONSIDERATION.**—All points of order against the joint committee bill and against consideration of the joint committee bill are waived. Consideration of the joint committee bill and of all debatable motions and appeals in connection therewith shall not exceed a total of 30 hours which shall be divided equally between the Majority and Minority Leaders or their designees. A motion further to limit debate on the joint committee bill is in order, shall require an affirmative vote of three-fifths of the Members duly chosen and sworn, and is not debatable. Any debatable motion or appeal is debatable for not to exceed 1 hour, to be divided equally between those favoring and those opposing the motion or appeal. All time used for consideration of the joint committee bill, including time used for quorum calls and voting, shall be counted against the total 30 hours of consideration.

(4) **NO AMENDMENTS.**—An amendment to the joint committee bill, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint committee bill, is not in order.

(5) **VOTE ON PASSAGE.**—If the Senate has voted to proceed to the joint committee bill, the vote on passage of the joint committee bill shall occur immediately following the conclusion of the debate on a joint committee bill, and a single quorum call at the conclusion of the debate if requested. The vote on passage of the joint committee bill shall occur not later than December 23, 2011.

(6) **RULINGS OF THE CHAIR ON PROCEDURE.**—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint committee bill shall be decided without debate.

(d) **AMENDMENT.**—The joint committee bill shall not be subject to amendment in either the House of Representatives or the Senate.

(e) **CONSIDERATION BY THE OTHER HOUSE.**—

(1) **IN GENERAL.**—If, before passing the joint committee bill, one House receives from the other a joint committee bill—

(A) the joint committee bill of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no joint committee bill had been received from the other House

until the vote on passage, when the joint committee bill received from the other House shall supplant the joint committee bill of the receiving House.

(2) **REVENUE MEASURE.**—This subsection shall not apply to the House of Representatives if the joint committee bill received from the Senate is a revenue measure.

(f) **RULES TO COORDINATE ACTION WITH OTHER HOUSE.**—

(1) **TREATMENT OF JOINT COMMITTEE BILL OF OTHER HOUSE.**—If the Senate fails to introduce or consider a joint committee bill under this section, the joint committee bill of the House shall be entitled to expedited floor procedures under this section.

(2) **TREATMENT OF COMPANION MEASURES IN THE SENATE.**—If following passage of the joint committee bill in the Senate, the Senate then receives the joint committee bill from the House of Representatives, the House-passed joint committee bill shall not be debatable. The vote on passage of the joint committee bill in the Senate shall be considered to be the vote on passage of the joint committee bill received from the House of Representatives.

(3) **VETOES.**—If the President vetoes the joint committee bill, debate on a veto message in the Senate under this section shall be 1 hour equally divided between the majority and minority leaders or their designees.

(g) **LOSS OF PRIVILEGE.**—The provisions of this section shall cease to apply to the joint committee bill if—

(1) the joint committee fails to vote on the report or proposed legislative language required under section 201(b)(3)(B)(i) by November 23, 2011; or

(2) the joint committee bill does not pass both Houses by December 23, 2011.

**SEC. 303. FUNDING.**

Funding for the joint committee shall be derived from the applicable account of the House of Representatives, and the contingent fund of the Senate from the appropriations account "Miscellaneous Items," subject to Senate rules and regulations.

**SEC. 304. RULEMAKING.**

The provisions of this title are enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

**TITLE IV—PUBLIC DEBT****SEC. 401. PUBLIC DEBT.**

Subsection (b) of section 3101 of title 31, United States Code, is amended by striking the dollar limitation contained in that subsection and inserting "\$16,994,000,000,000".

**SA 582.** Mr. REID proposed an amendment to amendment SA 581 proposed by Mr. REID to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; as follows:

At the end, add the following new section:  
**SECTION XXX. EFFECTIVE DATE.**

The provisions of this Act shall become effective 1 day after enactment.

**SA 583.** Mr. REID proposed an amendment to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; as follows:

At the end, add the following new section:  
**SECTION EFFECTIVE DATE.**

The provisions of this Act shall become effective 3 days after enactment.

**SA 584.** Mr. REID submitted an amendment intended to be proposed to amendment SA 583 proposed by Mr. REID to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; as follows:

In the amendment, strike "3 days" and insert "2 days".

**SA 585.** Mr. REID proposed an amendment to amendment SA. 584 submitted by Mr. REID to the amendment SA 583 proposed by Mr. REID to the bill S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit; as follows:

In the amendment, strike "2 days" and insert "1 day".

#### ORDERS FOR TUESDAY, JULY 26, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., on Tuesday, July 26; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 12:15 p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes; that following morning business, the Senate proceed to executive session under the previous order; and that the Senate recess following the rollcall vote on the Engelmayer nomination until 2:15 p.m. to allow for the weekly

caucus meetings; finally, I ask that at 2:15 the Senate resume consideration of S. 1323, which is the legislative vehicle for the debt limit increase.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. REID. Mr. President, there will be a rollcall vote on the confirmation of the Engelmayer nomination tomorrow at approximately 12:15.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:28 p.m., adjourned until Tuesday, July 26, 2011, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

##### *To be major general*

BRIGADIER GENERAL TRULAN A. EYRE  
BRIGADIER GENERAL MARK R. JOHNSON  
BRIGADIER GENERAL BRUCE W. PRUNK  
BRIGADIER GENERAL HAROLD E. REED  
BRIGADIER GENERAL ROY E. UPTGRAFF III

##### *To be brigadier general*

COLONEL PATRICK D. AIELLO  
COLONEL AARON J. BOOHER  
COLONEL KEVIN W. BRADLEY  
COLONEL DAVID T. BUCKALEW  
COLONEL PETER J. BYRNE  
COLONEL PAUL D. CUMMINGS  
COLONEL VYAS DESHPANDE  
COLONEL BRIAN T. DRAVIS  
COLONEL BRENT J. FEICK  
COLONEL MARK K. FOREMAN  
COLONEL DAVID R. FOUNTAIN  
COLONEL TIMOTHY L. FRYE  
COLONEL PAUL D. GRUVER  
COLONEL MICHAEL A. HUDSON  
COLONEL SALVATORE J. LOMBARDI  
COLONEL STEPHEN E. MARKOVICH  
COLONEL RICHARD L. MARTIN  
COLONEL BRIAN A. MILLER  
COLONEL WILLIAM W. POND  
COLONEL JONATHAN T. WALL  
COLONEL JENNIFER L. WALTER

##### IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### *To be major general*

BRIGADIER GENERAL DAVID B. ENYEART

##### *To be brigadier general*

COLONEL RANDY A. ALEWEL  
COLONEL KAREN D. GATTIS  
COLONEL CATHERINE F. JORGENSEN  
COLONEL BLAKE C. ORTNER  
COLONEL TIMOTHY P. WILLIAMS  
COLONEL DAVID E. WILMOT

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### *To be major general*

BRIGADIER GENERAL STEPHEN E. BOGLE  
BRIGADIER GENERAL DOMINIC A. CARIELLO  
BRIGADIER GENERAL DAVID J. ELICERIO  
BRIGADIER GENERAL SHERYL E. GORDON  
BRIGADIER GENERAL RONALD W. HUFF  
BRIGADIER GENERAL GERALD W. KETCHUM  
BRIGADIER GENERAL WILLIAM L. SEEKINS  
BRIGADIER GENERAL RICHARD E. SWAN  
BRIGADIER GENERAL JOE M. WELLS

##### *To be brigadier general*

COLONEL MATTHEW P. BEEVERS  
COLONEL JOEL E. BEST  
COLONEL MICHAEL E. BOBECK  
COLONEL JOSEPH M. BONGIOVANNI  
COLONEL BRENT E. BRACEWELL  
COLONEL ALLEN E. BREWER  
COLONEL LEON M. BRIDGES  
COLONEL ERIC C. BUSH  
COLONEL SCOTT A. CAMPBELL  
COLONEL WILLIAM R. COATS  
COLONEL ALBERT L. COX  
COLONEL SYLVIA R. CROCKETT  
COLONEL TERRY A. ETHRIDGE  
COLONEL KEVIN R. GRIESE  
COLONEL JOHN J. JANSEN  
COLONEL DONALD O. LAGACE, JR.  
COLONEL LOUIS J. LANDRETH  
COLONEL WILLIAM S. LEE  
COLONEL JERRY H. MARTIN  
COLONEL ROBERT A. MASON  
COLONEL CRAIG M. MCGALLIARD  
COLONEL CHRISTOPHER J. MORGAN  
COLONEL TODD M. NEHLS  
COLONEL KEVIN L. NEUMANN  
COLONEL MICHAEL J. OSBORN  
COLONEL LANNIE D. RUNCK  
COLONEL GEORGE M. SCHWARTZ  
COLONEL DAVID O. SMITH  
COLONEL TERENCE P. SULLIVAN  
COLONEL ALICIA A. TATE-NADEAU  
COLONEL THOMAS P. WILKINSON  
COLONEL WILBUR E. WOLF III  
COLONEL DAVID C. WOOD

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF NAVAL PERSONNEL, UNITED STATES NAVY, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5141:

##### *To be vice admiral*

VICE ADM. SCOTT R. VAN BUSKIRK

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be general*

LT. GEN. CHARLES H. JACOBY, JR.

## HOUSE OF REPRESENTATIVES—Monday, July 25, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. CAMPBELL).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC.  
July 25, 2011.

I hereby appoint the Honorable JOHN CAMPBELL to act as Speaker pro tempore on this day.

JOHN BOEHNER,  
Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

### A WEEK IN POLITICAL WONDERLAND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. We begin another week in political wonderland. The Dow falls 100 points at the opening bell. What is it that we should do?

Well, if we had the knowledge and problem-solving skills of average college sophomore economic students, or women in a church study group, before the week is out, we would take some simple steps.

First, we would understand that, in a divided government with real economic challenges, no one group is allowed, especially those representing a minority opinion, to have their way entirely.

Then, we would begin by repealing the silly debt ceiling limitation, a law that was enacted in 1917 when the United States was about to embark upon a borrowing binge in World War I. It was used to look like we were fiscally responsible, a charade that we have done dozens of times since.

The fact is, these are debts we've already incurred, and the United States

will honor them. What sort of theatrics are we going to go through until we finally own up?

Next, we would actually deal with the twin challenges of unsustainable spending and tax cuts along with the need to restore our economy and compete in a global business environment.

In an ideal world, my Republican friends would use their opportunity over the next 10 weeks to actually show how they would control spending in a way that is possible within the political process. In fact, they would have two opportunities between now and the election to actually shut down the government, if they didn't get their way, to highlight that effort.

We would also deal with a real consensus on things like military spending. There's broad agreement across party lines. For example, why shouldn't we, more than a half century after the end of World War II, 22 years after the collapse of the Soviet Union, bring those troops home from Europe? Of course we can do that, and it's a start of many things that would help us restore balance to our military spending.

Next, we can deal meaningfully with our health care costs. Many parts of the United States spend far less money for Medicaid, Medicare than the high-spending areas. We know how to do this and, in fact, those low-spending, high value areas provide better quality health care. Let's use the power of the Health Care Reform Act to accelerate those reforms and spread them around America, saving money and improving the quality of care.

Turn to the Tax Code. The American public would support a modest reasonable tax reform that would actually raise some revenue by closing unjustified tax loopholes and be able to deal with fairness and simplicity. More people would actually pay their taxes. We would have more revenue, and there would be more confidence in the system.

We should deal with our infrastructure deficit, something that doesn't get as much attention around here as it should. We have a serious deficiency in terms of basic infrastructure, transportation, sewer, water, trillions of dollars of a deficit that is building, undermining our competitiveness in a global economy. We would have modest user fees to support needed improvement, together with intelligent use of credit that would put hundreds of thousands of people to work, strengthening not just the economy, but improving our health and our global competitiveness.

We would reform agricultural spending. Those college students could figure out what the experts have told us: that we can actually provide more support for America's farmers and ranchers, improve the environment, put more resources into nutrition for our children in schools, all the time strengthening American agriculture, saving money. This isn't rocket science.

Finally, we would launch a very public American process on how to strengthen Social Security; protect that lifeline for our seniors in a way that brings people together rather than divides them. Any Rotary Club with 10 people, an Internet connection and a sheet of butcher paper could come up with one, two or three alternatives that would solve the problem over the next 50 years and would be acceptable to the American public.

This doesn't have to be so hard. It doesn't need to risk knocking the economy into another tailspin. Done right, we can meet our real challenges in a way that puts us on a sustainable economic path. We can rebuild and renew America, and unite our country to meet our challenges ahead.

### RECESS

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

Accordingly (at 10 o'clock and 7 minutes a.m.), the House stood in recess until noon.

□ 1200

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks, O God, for giving us another day.

Please hear our prayers for the Members of this assembly, upon whom the authority of government is given. Help them to understand the tremendous responsibility they have to represent both their constituencies and the people of this great Nation of ours.

This is a great but complex task. Grant them as well the gift of wisdom to sort through what competing interests might exist to work a solution

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

that can serve all of the American people.

Finally, give each Member peace and equanimity and give all Americans generosity of heart to understand that governance is not simple but difficult work, at times requiring sacrifice and forbearance.

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

#### THE JOURNAL

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

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

Mr. POE of Texas. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

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

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. POE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Missouri (Mr. CLAY) come forward and lead the House in the Pledge of Allegiance.

Mr. CLAY led the Pledge of Allegiance as follows:

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

#### ANOTHER AMERICAN MURDERED IN MEXICO

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

Mr. POE of Texas. Mr. Speaker, Mexican bandits have killed yet another American. The reason: His family couldn't come up with the \$10,000 ransom.

Jorge Dieppa was a court translator for the Federal court in El Paso, Texas. He also was a lecturer at UTEP. Dieppa had gone to Juarez to get his car fixed, but he was kidnapped on July 6. When his relatives didn't pay the ransom, he was murdered. He was found bound with duct tape after being stabbed repeatedly.

Juarez is the border city of death. Thousands of Mexicans have been murdered there as well as several Americans. Rogue bandits and drug cartels rule the city. They rein terror on peo-

ple through violence, racketeering, extortion, robbery, kidnapping, and drug deals.

The violence in "death city" is not the only border town with an atmosphere of outlawry. Other border towns such as Nuevo Laredo and Matamoros are dangerous for honest persons. Violence in Mexico affects the U.S. border towns with the cross-border crime, including reports of Americans with Spanish surnames being kidnapped and held for ransom.

Failure to realize that crime in "death city" and other Mexican border towns is real and expanding is to live like Alice in Wonderland.

And that's just the way it is.

#### AMERICA NEEDS WHITE HOUSE LEADERSHIP

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

Mr. BROOKS. During Barack Obama's 2 years as a freshman Senator, America's debt increased \$400 billion. During Obama's next 2 years in the Senate majority, America's debt increased another \$1.8 trillion. As President, Barack Obama drove up America's debt another \$3 trillion. In Barack Obama's time in Washington, America's debt load has increased by more than \$5 trillion. That's a 50 percent increase in just 6 years.

Do you see the pattern? The longer Obama is in Washington, the worse America's debt and the weaker America becomes.

What is President Obama's solution? Obama submits record-high budgets to Congress that continue Washington's unsustainable spending binge. Obama demands a debt ceiling increase with no spending cuts.

Mr. President, America needs White House leadership. If you have a written solution to this debt crisis, please submit it. The American people deserve no less.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CAMPBELL). The gentleman is reminded to address his remarks to the Chair.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 22, 2011.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 22, 2011 at 3:28 p.m.:

That the Senate passed S. Res. 234.

That the Senate passed S. 300.

With best wishes, I am

Sincerely,

KAREN L. HAAS,  
Clerk.

□ 1210

#### CUT, CAP, AND BALANCE

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

Mr. LANDRY. Mr. Speaker, I had an opportunity this weekend to go home to Louisiana, which I enjoyed doing. I heard from a State senator of mine who is also a banker. He said that he had a gentleman come in his office this weekend, asking for some more money on his loan. He said, Well, in order to do that, you have to give us some more information. We have to see your debt-to-income ratio—your assets versus your liabilities. So, after looking at that, he explained to him that, if the ratio doesn't work, he can't lend him any more money.

If you were to plug in that same ratio of what our Federal regulators are requiring of our financial institutions when they look upon the American people and American businesses, you would find that if we put that same set of rules on this government that, basically, our Federal regulators would not let us borrow any more money.

The point of the matter, Mr. Speaker, is that we have a spending problem here in Washington. We cannot raise this debt ceiling unless we do three things: unless we cut, we cap, and we balance our budget.

#### THE TRUTH: AMERICA'S DEBT CEILING MUST BE RAISED

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, my good friend did what many of us did, my neighbor in Louisiana. I went home to Texas, and interacted with so many constituents, many of them asking the question: Why? I believe it's important to ask the question: Why not?

Let me tell you, my friends, that we don't need to politicize the debt ceiling, which has been raised many, many times, but we do need to tell the truth: for if the debt ceiling is not raised, trillions of dollars will be lost, not of those of us who sit on this floor, but from the portfolios and packages for seniors and 401(k)s.

If you want to talk about \$1 trillion, talk about what will be lost to our seniors and hardworking Americans in collapsing their 401(k)s. There is no option. There is not an option for the

short term. That's a joke. That's politics to start us back again in April or March. Let's go forward with the proposed Reid plan. Let's get a deficit reduction; raise the debt ceiling; cut what we can and go into regular order. That is the responsible, adult way to go.

America is watching. America is looking. I am not going to stand by while trillions of dollars are lost. I ask my Republican friends to join us in a reasoned response to America's concerns.

PROVIDING FOR CONSIDERATION OF H.R. 2584, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 363 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 363

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in section 2 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for further amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill, as amended, back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill, as amended, and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The amendment considered as adopted in the House and in the Committee of the Whole is as follows: Strike section 427.

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

Mr. BISHOP of Utah. For the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I

yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days during which they may revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, this resolution provides an open rule for the consideration of H.R. 2584. It allows any Member of the House to offer amendments which are germane and comply to the House rules. The rule allows priority recognition for the amendments that have been preprinted in the CONGRESSIONAL RECORD. I am pleased to support this resolution, which continues the record of our Rules Committee in this Congress of providing for as open and fair and orderly a process as possible.

□ 1220

I commend our chairman, Mr. DREIER, for continuing the record of fairness and openness in the formulation of this rule, which is in contrast to some rules that we have had in past years.

Mr. Speaker, H.R. 2584 provides \$27.5 billion overall for programs within the Department of Interior and the Forest Service, Environmental Protection Agency, the Indian Health Service, and other agencies. But it is a bill that strikes a fiscally responsible balance between providing funds for ongoing Federal programs while also saving the taxpayers 7 percent over last year's enacted levels. It puts us back roughly to the 2009 levels.

There are some who will claim that there are certain programs that have been hurt heavily. It is true, for example, that the Environmental Protection Agency has an 18 percent reduction in funding in this bill. Please remember, though, that this was made possible simply because of unprecedentedly high record appropriations for EPA in 2009, of which \$3 billion remains unobligated.

In an era when 42 to 44 cents of every dollar that we spend goes for interest, it makes no sense in continuously overappropriating line items where money is not needed, not used, and sits there vacant.

This is a bill that oftentimes for those of us who live in the West has been full of riders year after year after year. It probably makes no difference here, but I realize that some are going to be very sensitive to this issue. I know the gentlelady from New York is very concerned about these potential issues that may be on this bill. And why should she not be? If you include

the military, 0.8 percent of New York is owned by the Federal Government. I will contrast that with my State, which has 64 percent owned by the Federal Government. And we're not the highest.

This is an issue and a bill that is very important to those of us. And, Mr. Speaker, this is a good bill; it is an extremely fair rule. It can't get any fairer than this one. I urge its adoption.

I reserve the balance of my time.

Ms. SLAUGHTER. I thank the gentleman from Utah, my colleague, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, in these tough times we must make choices that reflect our values and our belief that we solve our toughest problems through shared sacrifice and working together. Unfortunately, today we consider yet another bill that is devoid of these values.

Once again, today's legislation places the burden on the American people while rewarding the special interests and the lobbyists who walk these halls.

One of the many riders inserted into the bill will effectively open up a million acres of national forest and other public land around the Grand Canyon National Park because people want to mine uranium there.

Democrats have great concerns about maintaining the integrity of the Grand Canyon and the effect of uranium mining on water quality, not to mention the spectacle that shows us auctioning off a national treasure with the proceeds going to mostly foreign-owned entities.

Who is it that wants to drill for uranium and mine for uranium? Russia, their state atomic energy corporation, and South Korea's state-owned utility. In other words, we will give up the Grand Canyon and potable water, likely, to benefit the Russians and South Koreans. And any mining that is included in this bill comes under a bill that was signed by Ulysses S. Grant in 1872. We have not raised royalties on anything that anybody takes from us, including foreign entities as they come here to mine our resources.

At the same time, the majority proposes crippling cuts to the EPA that will cut programs that protect our air and water. There are few more important responsibilities in making sure when we go to the kitchen sink that the water coming out is safe. We know a human being may live as long as he or she may without food—four days without water. If our Nation can't protect these most basic of our life necessities, we have indeed fallen far.

Today's bill would also prohibit the use of government moneys to add animals to the Endangered Species List but allows the use of government money to take species off the same list. This policy change threatens the Endangered Species Act and the environmental protections that come with it.

The misguided priorities in this bill will directly impact my district, and my colleague is right about that, and the citizens I am elected to represent. But not just them.

Twenty percent of the freshwater on this planet resides in the Great Lakes. Most of us who live around the Great Lakes believe it is our responsibility to take care of them and to pass it on to future generations. But in recent years, the Great Lakes have been damaged by pollution and invasive species carried on to our water by foreign vessels. We have allowed that.

New York, of course, being closest to the Atlantic Ocean and the St. Lawrence Seaway, has enacted stronger laws against dumping ballast, and this bill punishes us for doing that.

The invasive species are not damaging just an ecosystem but a way of life for the Great Lakes communities that line the shore, as well as endangering our freshwater. The EPA has come to the aid of these communities by dedicating funding to restore the Great Lakes. But today's bill would bar New York State from receiving any restoration funding from the EPA and leave the Great Lakes to be overrun by private polluters and the invasive species they have delivered from overseas.

Any bill that stands up for foreign shipping magnates but won't provide a cent to help Americans should never see the light of day and will never receive my vote.

Today's legislation also harms the arts. If today's bill takes effect, the National Endowment for the Arts will have lost 20 percent of its funding in 2 years. Now, these cuts target a program that works. In fiscal year 2010, we invested \$167.5 million into the NEA—remember that number, \$167.5—for the purpose of providing funding to non-profit arts organizations.

The funding created \$166.2 billion in total economic activity, supported 5.7 million jobs, and, for the \$167 million, generated back \$12.6 billion in tax revenue to the United States Treasury. And that does not count what happens to help improvements to States' treasuries and local treasuries.

Today's legislation targets a program proven to create jobs and contribute to the economic and the cultural well-being of our Nation. You would think that people who are elected to the Congress of the United States would really want a program like that not only to survive but to grow. But, no, here they are cutting the budget once again.

Our country is blessed with stunning natural beauty and a wealth of natural resources that are unparalleled anywhere in the world. But in one final swipe at our national interest, today's bill cuts the budget for the Land and Water Conservation Fund by a whopping 78 percent. The Land and Water Conservation Fund ensures that our national treasures will be here for our

children and our grandchildren, a mission that apparently deserves 78 percent less money than it did the year before. A cut like that says all you need to know about the priorities of the majority and the special interests that are being served.

If getting our fiscal house in order is truly about shared sacrifices, this bill does not reflect it. We could have started by asking oil and gas companies to pay their fair share after profiting so richly from resources found on American soil. Instead, the majority rejected an amendment that would have asked oil and gas companies to pay a little more so the Nation can fund programs to clean up the most polluted lands in our country. The majority will not even allow this amendment to receive a vote on the floor.

Today's bill asks nothing of the companies that are making record profits. Instead, cuts to programs and services and the agencies that serve the American people and protect our environment for future generations.

Mr. Speaker, a bill like this does not reflect our values. It is not up to the standards the American people have come to expect and deserve. It puts special interests over our general welfare, and it fails totally to invest in our future. We can and we must do better.

I am pleased to now yield 3 minutes to my colleague from New York, the ranking Democrat on the Water Resources and Environment Subcommittee, Mr. BISHOP.

□ 1230

Mr. BISHOP of New York. I thank my friend from New York for yielding.

I rise in opposition to this rule and to the underlying bill. As every member of the Rules Committee knows, the Interior and Environment appropriations bill that we will debate today simply violates the rules of the House. Unfortunately, the Rules Committee has waived all points of order against the bill, preventing Members from striking provisions that are clearly in violation of House rules.

In particular, title V of the bill includes the Reducing Regulatory Burdens Act of 2011, H.R. 872, a bill that amends the Clean Water Act, which is solely within the jurisdiction of the Transportation and Infrastructure Committee and the Water Resources and Environment Subcommittee, of which I am the ranking member.

Furthermore, the provision amends the Federal Insecticide, Fungicide, and Rodenticide Act, better known as FIFRA, that is under the jurisdiction of the House Agriculture Committee.

As we all know, advancing authorizing legislation within an appropriations vehicle is not within the jurisdiction of the Committee on Appropriations, and it stands in stark contrast to clause 2(b) of rule XXI of the House

rules, which states, in part, "A provision changing existing law may not be reported in a general appropriation bill"; and yet that is precisely what title V is: a change in existing law.

Not only is the inclusion of title V in the underlying bill a violation of House rules, but it is also legislatively redundant. The House has already passed H.R. 872 earlier this year under suspension of the rules. The bill is now being considered in the Senate, where it has been reported out of the Senate Agriculture Committee.

In my opinion, including H.R. 872 in the Interior appropriations bill will hamper negotiations between Senators and between the House and the Senate to get a final bill that everyone can be disappointed with—frankly, that's what's at stake here—but that can pass both Chambers and be enacted into law before the court-ordered deadline of October 31, 2011. Let me say that again: There is a court-ordered deadline of October 31, 2011, to resolve this issue.

Mr. Speaker, I will be offering an amendment to strike title V when it comes up during debate this week. However, I am deeply disappointed that the Rules Committee has blatantly ignored the rules of the House by eliminating the ability of Members to raise a point of order against provisions of an appropriations bill that changes existing law.

There are approximately 39 policy riders included in the Interior appropriations bill. And let's be clear: These are policy earmarks, and these earmarks undermine the jurisdiction of authorizing committees and undermine the ability of the House and the Senate to work its will. It is unfortunate that the Rules Committee is protecting these new earmarks from the rules of the House.

I urge a "no" vote on the rule and a "no" vote on the underlying bill.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

We find that this particular bill is a great illustration of one of the problems that we have here in the House of Representatives and, indeed, with government. Our land policy in the United States is one historically that had no purpose or organization to it. It simply happened. But what happened happened disproportionately throughout this country, which is why 1 out of every 3 acres in America is now owned by the Federal Government.

I defy anyone on that side to find for any a constitutional provision that would allow that ownership; but, nonetheless, it is.

The unfortunate thing is it is disproportionate. One out of every 2 acres in the West is owned by the Federal Government. That means 52 percent of the area west of Denver is owned by the Federal Government. Four percent of the area east of Denver is owned by

the Federal Government, much of that in military installations.

As I said, the State of New York has 0.3 percent of its land owned by the Federal Government, 0.8 percent if you include military. The State of Virginia has 8 percent owned by the Federal Government, almost all military. The gentleman from Massachusetts, who will be here as well, 1.1 percent of his State is owned by the Federal Government.

And so it means different issues for my State, which is 65 percent owned by the Federal Government; Alaska; Nevada, which is almost 90 percent owned by the Federal Government; Idaho, which is over 60 percent owned by the Federal Government. Things take place differently.

That's why, for example, things like the Land and Water Conservation Fund is a nice fund if it were used to preserve what we already have. Unfortunately, that fund is used to buy more territory, with an administration decision and mindset that no land should ever be given back or given up; more should be accumulated. That's why it's the ability of this appropriations bill to try to put that money—not simply to cut it, but to move it into preservation as opposed to access to buying more land, which makes sense to us in the West because we recognize this heavy-handed tyranny that takes place.

Let me just give you one simple example that was brought up here that deals with uranium mining in Arizona, one of the so-called "riders" in this particular appropriations bill. It takes place in what is called the Arizona Strip, which has led some people to mistakenly think that we were going to be strip mining around the Grand Canyon.

The Arizona Strip is the size of the State of New Jersey. That is the area between Utah and the Colorado River. In that area in 1984, Morris Udall, who was at the time the chairman of the Resources Committee here in the House, created a wilderness compromise in which a wilderness area was to be created in the State of Arizona. In that, 56 percent of the State of Arizona was put off limits to any kind of mining endeavors whatsoever. In exchange, certain areas were put specifically for those types of mining areas, including areas in the Arizona Strip, this New Jersey-sized piece of the State of Arizona. The unfortunate thing is it was always intended to be used there for mining purposes because there is a great deal of uranium ore there.

Unlike other kinds of mining, this ore is found in little pipes, strips within the ground that go up and down. And what you need to do is simply bore into the pipe, find the ore in the middle, take it out, and then replace all the stuff back in. So once you are done

with that mine, no one ever sees that it was there in the first place. The ore that is taken out is not left in Arizona. It's actually going to be shipped for processing somewhere else. So there will be no tailings. There will be no wind pollution. There will be no dust issues whatsoever.

Certain special interest groups said, well, it could change the water quality that goes through Colorado and then would eventually flow to Las Vegas and do something strange in Las Vegas, as if that were ever possible. Unfortunately, as stated by the Arizona Department of Environmental Quality, their mines and mining groups, there have been certain interest groups that have inferred, with no substantive supporting data, that groundwater in this particular area of the Colorado River may be contaminated by uranium mining. That simply won't happen, and it won't happen because of where the ore is. The ore is found 100 feet below the surface. There is only 12 inches of rain a year there. There is no particular kind of any runoff that will take place. It is also found 1,000 feet above the aquifer with clay underneath, so there is no way there can be any kind of leaching that goes into the aquifer.

The bottom line is there will never, never be any kind of contamination on this water, which was the excuse used to justify a political reason for taking this land that had been part of the '84 agreement off the table, and it could not be used again.

Unfortunately, the EPA gets involved in this one again because they have determined that if the uranium—or whatever they call the uranium—gets into the water and it's more than 30 parts per billion, that's unsafe. Unfortunately, there are uranium pipes within the Grand Canyon itself which already erode into the water, and it creates a situation where, naturally occurring, there are 4 parts per billion. So they did some testing at existing mines up in the Kanab Creek area to find out what would happen if actually some of this uranium were to leach into the water, and it would increase that 4 number to 6 parts per billion.

In essence, what they are saying is: You could take all of the tailings that could come from these potential mines and dump them into the Colorado River, and you still would not reach the level set by the EPA for drinking water. In fact, the uranium that naturally occurs in the Colorado River, even if you had a catastrophe, is still lower than uranium levels found in freshwater lakes in the desert area.

Now, why isn't all that considered? Because the decision to withdraw that area from mining was not based on science. If it were based on science, then the Department of Environmental Quality of Arizona would not have testified that there was no scientific basis

for it. The State of Arizona would not have passed a piece of legislation decrying the withdrawal of that particular area. The guy who was actually part of the National Parks Conservation Association as well as the Audubon Society and the Save the Redwoods League, who was actually the one that did the scientific study in '84 when the original design by Mo Udall was made, simply said there was no legitimate evidence to say there could be any contamination of that air, which basically means the withdrawal of this land was done for political purposes, not scientific purposes.

So to put a provision back into this bill saying that if you're going to do this kind of stuff, it had darn well better be on a scientific basis and not a political basis makes sense. It's one of the right things to do in here.

□ 1240

I realize we have some other speakers here; so I'm not going to take all the time yet, but I would desperately like to talk about the clean water provisions, the navigable water provisions and what EPA does with those because it has a different impact on those of us in the West, where almost all of our land is controlled by them, versus those in the East, where almost no land is controlled by them and they have a great deal of freedom to develop the resources on their own.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I would like to respond for a minute before I yield to the gentleman from Massachusetts.

I have, from the Las Vegas Sun of July 22, an article saying that the previous allowing of uranium mining has caused great damage. This watershed gives water to 26 million people and provides 90 percent of the water used in southern Nevada.

Let me quote from the paper:

"As it is, the Colorado River is already endangered by the uranium mines"—which the gentleman talked about has not hurt anybody at all—"that sit in the watershed, some perilously close to the water. The moratorium also doesn't prevent existing mining claims from being developed. The Interior Department says there are about 3,500 claims in the area. Adding the potential for more uranium to enter the water doesn't make sense. Republicans in Congress should quit trying to repeal the moratorium and should instead work to protect the Grand Canyon and the Colorado River. It makes no sense to put millions of people's drinking water at risk."

I will put that in the RECORD, if I may, and a New York Times editorial of June 28, "Mining and the Canyon." Absolute harm is being done.



[From the Las Vegas Sun, June 22, 2011]

REPUBLICANS SHOULD QUIT TRYING TO ROLL  
BACK URANIUM MINING MORATORIUM

Interior Secretary Ken Salazar in June issued a six-month moratorium on new uranium mining claims on 1 million acres near the Grand Canyon. The ban provides time for the government to complete a study of the effects of uranium mining in the area.

A final report is due this fall, and Salazar said the department is considering banning new mining claims in the area for the next 20 years.

The issue is important. Uranium mining threatens not only the beauty and ecosystem of the Grand Canyon, but it also poses a threat to the Colorado River, which is a key source of water for about 26 million people in Arizona, Nevada and California. The Colorado River, which forms Lake Mead, provides 90 percent of the water used in Southern Nevada.

Salazar cited a concern for water quality in announcing the moratorium extension because the 1 million acres are in the Colorado River watershed. Water officials worry that more uranium mines could result in radioactive material streaming into the river.

The Grand Canyon and the Colorado River need to be protected. The moratorium on new claims was put in place because of an incredible spike in mining interest in the area under the George W. Bush administration. The Grand Canyon doesn't need to see any more mining around it.

Environmental groups and Colorado River water users cheered Salazar's decision, but in Congress, Salazar's announcement was targeted by some Republicans who claimed it was a bad policy.

In a news release issued this month, Rep. Jeff Flake, R-Ariz., boasted about inserting a provision to block the administration from enforcing the moratorium in the spending bill that covers the Interior Department. The bill passed the House Appropriations Committee this month. Flake claimed that mining "can create jobs and stimulate the economy in Northern Arizona."

But Flake's argument is shameful. He is using the nation's poor economy as an excuse to force a dangerous policy on the country.

Flake's argument is part of the larger Republican attempt to roll back any sort of regulation. In passing the interior spending bill from his committee, Appropriations Chairman Hal Rogers complained about what he called the administration's "widespread regulatory overreach" and pledged to cut it.

But when it comes to clean water, Congress shouldn't be cutting back. People need to be confident their water supply is protected, and if the Republican plan moves forward, there will be serious doubt.

As it is, the Colorado River is already endangered by uranium mines and tailing piles that sit in the watershed, some perilously close to the water. The moratorium also doesn't prevent existing mining claims from being developed. The Interior Department says there are about 3,500 hard-rock mining claims in the area. Adding the potential for more uranium to enter the water doesn't make sense.

Republicans in Congress should quit trying to repeal the moratorium and should instead work to protect the Grand Canyon and the Colorado River. It makes no sense to put millions of people's drinking water at risk.

[From the New York Times, June 28, 2011]

MINING AND THE CANYON

The Obama administration has extended for six months a 2009 moratorium on new

uranium mining claims on one million acres around the Grand Canyon. This is good news; even better is the promise from Ken Salazar, the interior secretary, that he will soon recommend a 20-year ban on new claims in the region. That is the maximum allowed under the 1872 mining law.

With uranium prices rising, the number of mining claims have jumped sharply over the last few years. There have been about 3,500 claims in the Grand Canyon-area alone. If developed, they would generate toxic wastes that would threaten the Colorado River—the source of drinking water for roughly 27 million people—the aquifer and the Grand Canyon ecosystem in general.

Mr. Salazar said he could not cancel valid existing claims, but there is likely to be little actual mining. The decision to "withdraw" the land from future claims creates new regulatory hurdles for existing claimants, who must demonstrate, among other things, that they had discovered actual mineral deposits before the 2009 moratorium. Only a handful have been able to do so.

There have been the usual complaints from mining lobbyists and their Congressional allies. Representative Jeff Flake, a Republican from Arizona, has threatened to use the interior appropriations bill to block Mr. Salazar's plan. The moratorium will have little effect on the country's uranium supply, most of which comes from Wyoming and New Mexico.

It will protect a treasured national park and the drinking water for millions of people.

I am now pleased to yield 5 minutes to the gentleman from Massachusetts, a member of the Rules Committee, Mr. MCGOVERN.

Mr. MCGOVERN. I want to thank the ranking member, the gentlelady from New York, for yielding me the time.

I rise today to oppose this rule and the underlying legislation.

Mr. Speaker, I have two children, ages 13 and 10, and one of our favorite things to do as a family is to go hiking. We have hiked all over this great country. We have a love and a respect for our open spaces and for our environment. Unfortunately, the Republicans' fiscal year 2012 Interior appropriations bill throws that into grave danger.

This Interior appropriations bill represents an unprecedented departure from our Nation's decades-long bipartisan commitment to protecting our shared environment, magnificent natural resources and our cherished cultural treasures. It's a shame that my Republican colleagues prioritize tax breaks and incentives for highly profitable oil companies over the Grand Canyon, the Cape Cod National Seashore, State parks, and even public health.

Mr. Speaker, I could be here all day talking about the harmful cuts and misplaced priorities that are included in this bill: from the more than 25 policy riders that do not belong in an appropriations bill, that do everything from gutting the Endangered Species Act to allowing uranium drilling by foreign companies alongside the Grand Canyon, to the harsh cuts in EPA funding that will result in millions of Americans being exposed to dirtier air and dirtier water.

I give my Republican colleagues credit. They have left no stone unturned in their environmental assault. Unfortunately, though, that stone will be covered in toxic algae, coal ash, and polluted water if they have their way.

One of the most egregious cuts in this bill is to the Land and Water Conservation Fund. The Land and Water Conservation Fund has been one of the greatest conservation success stories over the past 50 years, protecting thousands and thousands of acres of land at the Federal and State levels. States rely on this funding and demonstrate their commitment to its value by providing matching funding for State park and recreational purposes. Not only that, but the Land and Water Conservation Fund has a dedicated source of funding derived from oil and gas leasing in the Outer Continental Shelf and is authorized to accumulate \$900 million annually from its dedicated sources. Nonetheless, my Republican friends forget all of this and still slash the Land and Water Conservation Fund funding by 78 percent from the current fiscal year. This represents the lowest level of funding in the 45-year history of the Land and Water Conservation Fund. What's most troubling is that, in the committee report, my Republican colleagues acknowledge the enormous value of the Land and Water Conservation Fund but then go right ahead and decimate its budget.

The bill also cuts clean water and safe drinking water grant programs by nearly 40 percent, threatening Americans' ability to access clean water and adding to the already significant backlog of safe drinking water infrastructure projects.

Look, I know it's politically popular to demonize the EPA right now, and at times I've had my own strong disagreements with the EPA on certain issues, but this Interior appropriations bill is not the way to meaningfully address any of those disagreements. This bill puts the priorities of special interests and scoring cheap political points over public health and our natural resources. It's as simple as that.

Mr. Speaker, I realize that these are tough budgetary times, but what troubles me about the Republicans' approach to this appropriations process is that so many of their cuts are aimed at programs that will lower the standard of living and lessen the quality of life for a majority of Americans. This appropriations process should be about lifting people up, not putting people down, and it should be about a decent respect for our environment, and certainly a respect for our environment over corporate special interests.

When we talk about protecting our environment, we're talking about quality of life issues that impact every single person in this country. This bill undermines our historic bipartisan commitment to our environment.

I would urge my colleagues to reject this rule and reject the underlying bill.

Mr. BISHOP of Utah. I am once again appreciative that data from newspaper articles were put into the RECORD, because the newspapers have a tendency of quoting one another and also quoting environmental groups. Unfortunately, the data still says the same thing from those who know, the scientific community, that actually knows what they're talking about, who said:

"A few environmental groups claim, without providing any scientific supporting data, that the groundwater in the Colorado would be contaminated with uranium mining. We conclude that even the most implausible accident would increase the amount of uranium in the Colorado River by an amount that is undetectable over those that occur there normally."

Another said: "I continue to view such activities as posing no credible threat of environmental harm to either the Grand Canyon National Park or the Colorado River that flows through it. I can see no credible justification for a 1.1 million-acre withdrawal from mineral entry of lands to the north and south of the park."

Another said: "It is important to note that the research conducted by the United States Geological Survey and the preliminary findings by the University of Arizona confirm uranium exploration and mining pose no threat to the Grand Canyon watershed or the park."

This is the study. This is the scientific data. It would be nice if, for once, we used this data instead of quoting one another and quoting things that have no basis in science.

With that, I yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK), a member of the Natural Resources Committee.

Mr. BENISHEK. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of this rule and final passage of the bill. In a time when government is borrowing over 40 cents for every dollar it spends, this bill makes needed cuts and puts forward a responsible and sensible framework for managing our Nation's natural resources.

I represent a vast district in northern Michigan that includes Federal forests, national parks, and three Great Lakes. I am particularly pleased that the committee included language to boost and streamline timber harvests in Federal forests, similar to legislation that I introduced earlier this year.

Right now on the Federal forests, for them to plan a timber harvest takes nearly 8 years to complete a harvest, from the beginning of the attempt to sell a parcel of land for timber and the actual harvesting; whereas, certified sustainable State forests take less than 2 years and certified sustainable county forests take a year.

Basically it comes down to jobs in my district. We have a lot of Federal land in northern Michigan, and people in my district depend on the timber industry for jobs. Every little town has a mill, a flooring mill. Jobs, high-paying jobs, and the frustration that comes from having a forest full of timber and being unable to harvest it because of onerous regulations and rules result in a less healthy forest and less jobs for northern Michigan.

We have a long way to go to responsibly harvest timber in northern Michigan and elsewhere in this country, but I believe this is a good start, and I am certainly looking forward to working with this committee in the future to continue to promote jobs in northern Michigan.

□ 1250

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds before yielding to the gentleman from Massachusetts.

We're always being told what's junk science in here, but I will tell you right now, I really think that the science is very strong, and thank goodness there's a moratorium on this mining around the Grand Canyon.

I am now pleased to yield 5 minutes to the gentleman from Massachusetts (Mr. MARKEY), who will make it very clear.

Mr. MARKEY. This spending bill represents one of the most egregious assaults on our Nation's environment in the history of our country. If this bill were to pass, our air will be smoggier. Our climate will be hotter. Our water will be more polluted. Our public lands will become more despoiled.

Simply put, this legislation is so toxic, H.R. 2584 is so toxic, that you'd better handle it wearing a hazmat suit because there are so many future environmental crimes committed against the environment in our country that you have to handle this bill with extreme care.

The actual title of this bill is Interior Environment and Related Agencies Appropriations for 2012. But it could be called the Have the Republicans Been Outside Act.

It's hot, ladies and gentlemen. It is hot. The world is warming. All of the evidence has been pointing in this direction for decades, and people are living it on a daily basis.

It's appropriate that this bill starts with the word "interior," because only the House Republicans who have been cooped up inside for weeks debating whether to crater our economy could possibly ignore what's going on outside in our natural environment.

The weather forecasters said we were trapped under a heat dome last week. Well, the Republican majority, under this Capitol dome, would commit us to even more dangerous heat if this bill passes.

And believe it or not, this bill bans the Environmental Protection Agency

from increasing the fuel economy standards of the vehicles which we drive in our country, which will basically put the brakes on the all-electric vehicle, plug-in hybrid revolution.

Now, I know that's what the auto industry wants. I know that's what the oil industry wants. They don't want to see cars become more and more efficient so we don't have to consume all that oil so that we can tell OPEC we don't need their oil any more than we need their sand.

But in this bill, they actually ban the EPA from improving the fuel economy standards of the vehicles that we drive, and they ban all 50 States from improving the efficiency of the vehicles that we drive.

And how else could you explain that this bill would increase smog and dirty air days if you didn't have the House Republicans living in their own world?

When families are planning their summer trips to explore our national parks, how else could you explain a bill that allows for mining of nuclear fuel uranium near Grand Canyon National Park?

Under this bill, when families go to enjoy the sunset across the canyon, it won't just be the sun that's causing the glow, but the radiation as well from the uranium mining.

And when Americans are canceling vacations because they can't pay for gas, how else can you explain a bill that would tell auto companies to stop making more fuel-efficient cars and trucks?

If you live in an air conditioned mansion with an indoor pool and you have your bottled water delivered, then this bill makes perfect sense to you, especially if you also work for the oil, coal mining, or chemical industries. For those industries, this bill represents their summer vacation from regulation. For the rest of us, it is a one-way ticket to a dirtier environment for the United States of America.

House Republicans have a tough time raising the debt ceiling, but with this bill they are proving to have no reservations when it comes to raising the death ceiling with more pollution in our air, in our water, making us less healthy, making us more likely to be able to contract diseases that we would not otherwise.

It is bad enough that the House Republicans want to take Medicare away from grandma, but now they want to make the air she and her grandkids breathe and the water they drink more polluted. This bill would cause more premature deaths, more asthma, more harm to children from toxins like mercury.

Yes, they don't want to lift the debt ceiling, but they will be lifting the death ceiling because of the exposure to all of these chemicals, all of these pollutants.

Vote "no" on the Republican appropriations bill.

Mr. BISHOP of Utah. Mr. Speaker, I know that what we do here on the floor is often riveting drama for those who are watching on television. Let me, in some respects, not try to add to that drama and go back to facts, something we don't necessarily like around here.

We've already talked about this so-called uranium issue showing facts. The chart that we just saw from the gentleman from Massachusetts was an interesting chart. The area of the United States that was colored on that chart is the area that there are those in this administration, indeed, on this floor, want to be owned by the Federal Government here.

Let me talk to you just a moment—and I'll even grant some time to the gentlelady from New York if she could actually answer this one—and talk about what some of these issues do to those of us who live under what Nelson Rockefeller called the "deadening hand of bureaucracy" because, once again, in the East you don't have to deal with these situations; in the West we do.

Let me talk about simply the Environmental Protection Agency and some of the brilliant things they do in the name of trying to clean up our water and our air and make life more livable for us. One of the suburbs of my community—and I call it a suburb simply because my community only has, what, 18,000 people in it; so I like calling it a suburb—has no rivers, no creeks, no streams, no anything. It does have irrigation ditches. Starting at the top of the mountain, the irrigation water flows down so it covers all the fields, as normally you would want to do.

We passed legislation for the Clean Water Act allowing the Federal Government, especially the EPA, to come in and monitor water that is navigable water systems on interstate commerce. The Great Salt Lake in Utah is all confined in the State of Utah. There are no outlets. That's why it's salty. There is nothing more intra-navigable than the Great Salt Lake.

But because in the 1880s some of the pioneers used to ship sheep over there for summer grazing on the islands in the Great Salt Lake, it is now part of the interstate commerce system and part of the navigable water system of the United States, therefore controllable by the Environmental Protection Agency.

Now, let's see what they did in my particular community. In this community where there were irrigation ditches, the overflow from the irrigation ditches ran down, and the Environmental Protection Agency said the runoff from those irrigation ditches would eventually go into the Great Salt Lake; therefore, that runoff from a ditch was part of the navigable water systems of the United States and controllable as wetlands by the Environmental Protection Agency, even

though that irrigation runoff to get to the Great Salt Lake would actually have to run down the mountain, through a culvert for the city road, through one for the train tracks, through one that was the side road of the freeway, through the northbound freeway, through the barrel pit, through the southbound freeway, through another one of the adjacent roads to the southbound freeway, up a 3 percent grade to an area that had been previously determined to be not wetlands area, and eventually into the Bear River system which was stopped from going to the Great Salt Lake by the Bear River Bird Refuge.

□ 1300

They claim that could happen. And because of that, the water from the irrigation system was navigable waters of the United States and the Environmental Protection Agency claimed jurisdiction over it, which meant that the citizens of that community could not expand their sewer system. Instead, they had to take money out of their pockets to ship their sewage either to Brigham City or Willard because the Environmental Protection Agency now controlled the navigable waters because we gave them the power to do that under the Clean Water Act.

One of the things I am talking about here and one of the frustrations we have illustrated by this bill is, unfortunately, time after time these agencies funded in this bill do not consider what they do to real people. Real people in my community are being harmed time after time by decisions made from bureaucrats sitting here in Washington, and then we wonder why we rail against these environmental groups, why we rail against these agencies, and why we don't want to have some kind of control over this process. And the only vehicle we seem to have is the appropriation bill.

The Land and Water Conservation Fund is used to buy more land to get more control; if it were not, we would not complain about it. The EPA is used to get more control over people's lives, and they hurt people in the process. If it were not so, we would not complain about it. The withdrawing of uranium mining on the Arizona strip was done, despite all the scientific testimony, for political reasons. Were it not done so, we would not complain about it.

This is a decent bill, which moves us a step forward to try to control our spending habit, dealing with what is really the core issue and core responsibility of our agencies and trying not to harm people.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time. May I inquire of my colleague if he has further speakers.

Mr. BISHOP of Utah. May I inquire how much time actually remains.

The SPEAKER pro tempore. The gentleman from Utah has 11 minutes remaining, and the gentlewoman from New York has 9 minutes remaining.

Mr. BISHOP of Utah. To the gentlelady from New York, I have a brilliant 11-minute speech welling within my bosom; but if you are willing to close, I will be willing to close as well.

Ms. SLAUGHTER. I thank you for that, and I am willing to close.

Mr. Speaker, let me just close with this: I think we have demonstrated that this bill contains an astonishing array of devastating cuts and special interest riders that jeopardize the water we drink, the air we breathe, and our country's national heritage.

I urge a "no" vote on the rule and the underlying legislation.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I think we've also proven in this bill that we are moving in the right direction to try to control the excesses that continuously take place here and still maintain the core responsibilities that have to be there, and we have done it in a rule that is adamantly fair. It is an open rule that will allow anyone to bring anything down here to the floor until we do a UC agreement that stops it. It is a good rule, and I urge adoption of that particular rule.

In closing, I will once again reiterate the fairness of this open rule. I urge its adoption, and I urge the adoption of the underlying legislation.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### REQUESTING RETURN OF OFFICIAL PAPERS ON H.R. 1309

Mrs. BIGGERT. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 368

*Resolved*, That the Clerk of the House of Representatives request the Senate to return to the House the bill (H.R. 1309) entitled "An Act to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes".

The resolution was agreed to.

A motion to reconsider was laid on the table.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. The Chair will remind the House that on July 24, 1998, at 3:40 p.m., Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun.

At 3:40 p.m. today, the Chair will recognize the anniversary of this tragedy by observing a moment of silence in their memory.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed, as follows:

Adopting House Resolution 363 and agreeing to the Speaker's approval of the Journal.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

**PROVIDING FOR CONSIDERATION OF H.R. 2584, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012**

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 363) providing for consideration of the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 205, nays 131, not voting 96, as follows:

[Roll No. 630]

**YEAS—205**

Adams	Bonner	Coffman (CO)
Aderholt	Bono Mack	Conaway
Akin	Boustany	Cravaack
Alexander	Brooks	Crawford
Amash	Broun (GA)	Culberson
Austria	Bucshon	Denham
Bachus	Buerkle	Dent
Barletta	Burgess	DesJarlais
Bartlett	Calvert	Diaz-Balart
Bass (NH)	Camp	Dreier
Benishek	Campbell	Duffy
Biggert	Canseco	Duncan (SC)
Bilbray	Cantor	Duncan (TN)
Bilirakis	Capito	Ellmers
Bishop (GA)	Carter	Emerson
Bishop (UT)	Chabot	Farenthold
Black	Chaffetz	Fincher
Blackburn	Coble	Fitzpatrick

Flake	Kline
Fleischmann	Lance
Fleming	Landry
Flores	Lankford
Forbes	Latham
Fortenberry	LaTourette
Fox	Latta
Franks (AZ)	Lewis (CA)
Frelinghuysen	LoBiondo
Galleghy	Long
Gardner	Lucas
Garrett	Luetkemeyer
Gerlach	Lummis
Gibbs	Manzullo
Gibson	Marino
Gingrey (GA)	McCaul
Gohmert	McClintock
Goodlatte	McCotter
Gowdy	McHenry
Graves (GA)	McKeon
Griffin (AR)	McKinley
Griffith (VA)	McMorris
Grimm	Rodgers
Guinta	Meehan
Guthrie	Mica
Hall	Miller (FL)
Hanna	Miller (MI)
Harper	Mulvaney
Harris	Murphy (PA)
Hastings (WA)	Neugebauer
Hayworth	Noem
Heck	Nugent
Hensarling	Nunes
Herger	Nunnelee
Herrera Beutler	Olson
Huelskamp	Palazzo
Huizenga (MI)	Paulsen
Hultgren	Pearce
Hunter	Pence
Hurt	Petri
Issa	Pitts
Jenkins	Platts
Johnson (IL)	Poe (TX)
Johnson (OH)	Pompeo
Johnson, Sam	Price (GA)
Jones	Quayle
Jordan	Reed
Kelly	Rehberg
King (NY)	Reichert
Kingston	Renacci
Kinzinger (IL)	Ribble

**NAYS—131**

Ackerman	Frank (MA)
Altmire	Fudge
Andrews	Grijalva
Barrow	Hahn
Bass (CA)	Hanabusa
Bishop (NY)	Hastings (FL)
Blumenauer	Heinrich
Boswell	Higgins
Brady (PA)	Himes
Butterfield	Hinojosa
Capps	Hochul
Capuano	Holden
Cardoza	Holt
Carnahan	Honda
Carney	Hoyer
Carson (IN)	Inslee
Castor (FL)	Israel
Chu	Jackson (IL)
Cicilline	Jackson Lee
Clarke (MI)	(TX)
Clarke (NY)	Johnson (GA)
Clay	Johnson, E. B.
Cleaver	Kaptur
Clyburn	Keating
Connelly (VA)	Kildee
Conyers	Kind
Cooper	Kucinich
Costa	Langevin
Courtney	Larsen (WA)
Critz	Lee (CA)
Crowley	Levin
Cuellar	Lewis (GA)
Cummings	Lowe
Davis (CA)	Lujan
Davis (IL)	Lynch
DeLauro	Markey
Deuth	Matheson
Dicks	Matsui
Doggett	McCarthy (NY)
Donnelly (IN)	McCollum
Edwards	McGovern
Filner	McIntyre

Rigell	Walz (MN)
Rivera	Wasserman
Roby	Schultz
Roe (TN)	
Rogers (AL)	
Rogers (KY)	
Rogers (MD)	
Rokita	
Rooney	
Ros-Lehtinen	
Ross (FL)	
Royce	
Runyan	
Ryan (WI)	
Scalise	
Schilling	
Schmidt	
Schock	
Schweikert	
Scott (SC)	
Scott, Austin	
Sessions	
Shimkus	
Shuster	
Simpson	
Smith (NE)	
Smith (NJ)	
Smith (TX)	
Southerland	
Stivers	
Stutzman	
Terry	
Thompson (PA)	
Thornberry	
Tipton	
Turner	
Upton	
Walberg	
Walden	
Webster	
West	
Westmoreland	
Whitfield	
Wilson (SC)	
Wittman	
Womack	
Woodall	
Yoder	
Young (AK)	
Young (IN)	

Waxman	Yarmuth	
Woolsey		
Wu		
<b>NOT VOTING—96</b>		
Baca	Gonzalez	Payne
Bachmann	Gosar	Pelosi
Baldwin	Granger	Perlmutter
Barton (TX)	Graves (MO)	Posey
Becerra	Green, Al	Price (NC)
Berg	Green, Gene	Quigley
Berkley	Gutierrez	Richardson
Berman	Hartzler	Rohrabacher
Boren	Hinchey	Roskam
Brady (TX)	Hirono	Ross (AR)
Braley (IA)	King (IA)	Rothman (NJ)
Brown (FL)	Kissell	Roybal-Allard
Buchanan	Labrador	Rush
Burton (IN)	Lamborn	Ryan (OH)
Cassidy	Larson (CT)	Sánchez, Linda
Chandler	Lipinski	T.
Cohen	Loebuck	Schakowsky
Cole	Lofgren, Zoe	Scott, David
Costello	Lungren, Daniel	Sensenbrenner
Crenshaw	E.	Shuler
Davis (KY)	Mack	Smith (WA)
DeFazio	Maloney	Stearns
DeGette	Marchant	Sullivan
Dingell	McCarthy (CA)	Tiberi
Dold	McDermott	Velázquez
Doyle	McNerney	Walsh (IL)
Ellison	Miller, Gary	Waters
Engel	Myrick	Watt
Eshoo	Nadler	Welch
Farr	Napolitano	Wilson (FL)
Fattah	Oliver	Wolf
Garamendi	Owens	Young (FL)
Giffords	Paul	

□ 1337

Ms. WOOLSEY and Messrs. MORAN and CARNEY changed their vote from "yea" to "nay."

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

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CASSIDY. Mr. Speaker, on rollcall No. 630, I was unavoidably detained. Had I been present, I would have voted "yea."

Mrs. MYRIK. Mr. Speaker, I was unable to participate in the following vote. If I had been present, I would have voted as follows: Rollcall vote 630, on agreeing to the resolution—H. Res. 363, providing for consideration of H.R. 2584, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes—I would have voted "yea."

Mr. COLE. Mr. Speaker, on Monday, July 25, 2011, I was unavoidably detained and missed the first vote in a series of two votes. I missed rollcall vote No. 630. Had I been present and voting, I would have voted as follows: Rollcall vote No. 630: "yea" (On agreeing to H. Res. 363).

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Monday, July 25, 2011, I was absent during rollcall vote No. 630. Had I been present, I would have voted "nay" on H. Res. 363—Rule providing for consideration of H.R. 2584—Interior, Environment, and Related Agencies Appropriations Act, 2012 because it waives all points of order against the bill. H.R. 2584 includes many harmful policy riders that violate the House rules by legislating on an appropriations bill.

Mr. AL GREEN of Texas. Mr. Speaker, today I was unavoidably detained and missed

the following vote: H. Res. 363—Rule providing for consideration of H.R. 2584—Interior, Environment, and Related Agencies Appropriations Act, 2012. Had I been present, I would have voted “no” on this resolution.

Mr. BECERRA. Mr. Speaker, earlier today I was unavoidably detained and missed rollcall vote 630. If present, I would have voted “nay” on rollcall vote 630.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker’s approval of the Journal, on which the yeas and nays were ordered.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays 108, answered “present” 2, not voting 89, as follows:

[Roll No. 631]

YEAS—233

Aderholt	Doggett	LaTourette
Akin	Dreier	Latta
Alexander	Duncan (SC)	Levin
Austria	Duncan (TN)	Lewis (CA)
Bachus	Edwards	Long
Barletta	Ellmers	Lucas
Barrow	Emerson	Luetkemeyer
Bartlett	Farenthold	Lujan
Bass (NH)	Fincher	Manzullo
Becerra	Flake	Marino
Benishkek	Fleischmann	McCarthy (CA)
Biggert	Fleming	McCarthy (NY)
Bilirakis	Flores	McCaul
Bishop (GA)	Fortenberry	McClintock
Bishop (UT)	Frank (MA)	McCollum
Black	Franks (AZ)	McHenry
Blackburn	Frelinghuysen	McIntyre
Blumenauer	Gallegly	McKeon
Bonner	Gingrey (GA)	McKinley
Bono Mack	Goodlatte	Meehan
Boustany	Gowdy	Mica
Brooks	Graves (GA)	Michaud
Broun (GA)	Green, Al	Miller (MI)
Bucshon	Griffin (AR)	Moore
Buerkle	Griffith (VA)	Moran
Butterfield	Grimm	Mulvaney
Calvert	Guinta	Murphy (CT)
Camp	Guthrie	Murphy (PA)
Campbell	Hall	Myrick
Cannoco	Hanabusa	Neugebauer
Capito	Harper	Nunes
Capps	Hastings (WA)	Nunnelee
Carnahan	Hayworth	Olson
Carney	Heinrich	Palazzo
Carter	Hensarling	Paulsen
Cassidy	Herger	Pence
Castor (FL)	Higgins	Petri
Chabot	Hinojosa	Pingree (ME)
Chaffetz	Hochul	Pitts
Cicilline	Huizenga (MI)	Platts
Clarke (MI)	Hultgren	Polis
Clay	Hunter	Pompeo
Cleaver	Hurt	Price (GA)
Clyburn	Inslee	Quayle
Coble	Issa	Rangel
Coffman (CO)	Jenkins	Rehberg
Cole	Johnson (GA)	Reichert
Connolly (VA)	Johnson (IL)	Ribble
Conyers	Johnson, Sam	Rigell
Cooper	Jones	Rivera
Crawford	Jordan	Roby
Critz	Kaptur	Roe (TN)
Cuellar	Kelly	Rogers (AL)
Culberson	Kildee	Rogers (KY)
Cummins	King (NY)	Rogers (MI)
Davis (CA)	Kingston	Rokita
Davis (IL)	Kline	Rooney
DeLauro	Lance	Ros-Lehtinen
Denham	Langevin	Ross (FL)
DesJarlais	Lankford	Royce
Diaz-Balart	Larson (CT)	Runyan

Ruppersberger  
Ryan (WI)  
Scalise  
Schiff  
Schmidt  
Schock  
Schrader  
Schwartz  
Schweikert  
Scott (SC)  
Scott (VA)  
Scott, Austin  
Scott, David  
Serrano  
Sessions  
Sewell  
Sherman

Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Speier  
Stutzman  
Thompson (PA)  
Thornberry  
Tsongas  
Turner  
Upton  
Van Hollen  
Walberg  
Walden

Walsh (IL)  
Walz (MN)  
Wasserman  
Schultz  
Waxman  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woolsey  
Yarmuth  
Yoder  
Young (IN)

NAYS—108

Ackerman  
Adams  
Altmire  
Andrews  
Bass (CA)  
Bilbray  
Bishop (NY)  
Boswell  
Brady (PA)  
Burgess  
Capuano  
Cardoza  
Carson (IN)  
Chu  
Clarke (NY)  
Conaway  
Costa  
Courtney  
Crawaack  
Crowley  
Dent  
Deutch  
Dicks  
Donnelly (IN)  
Duffy  
Filner  
Fitzpatrick  
Forbes  
Flores  
Fudge  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Grijalva  
Hahn

Hanna  
Harris  
Hastings (FL)  
Heck  
Herrera Beutler  
Himes  
Holden  
Holt  
Honda  
Hoyer  
Huelskamp  
Israel  
Jackson (IL)  
Jackson Lee  
(TX)  
Johnson (OH)  
Johnson, E. B.  
Keating  
Kind  
Kinzinger (IL)  
Kucinich  
Landry  
Larsen (WA)  
Latham  
Lee (CA)  
Lewis (GA)  
LoBiondo  
Lowe  
Lummis  
Lynch  
Maloney  
Markey  
Matheson  
Matsui  
McCotter  
McGovern  
Meeks

Miller (FL)  
Miller (NC)  
Miller, George  
Neal  
Noem  
Nugent  
Pallone  
Pascarell  
Pastor (AZ)  
Pearce  
Peters  
Peterson  
Poe (TX)  
Rahall  
Reed  
Renacci  
Reyes  
Richmond  
Sanchez, Loretta  
Sarbanes  
Schilling  
Slaughter  
Stark  
Stivers  
Sutton  
Terry  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tipton  
Towns  
Visclosky  
Woodall  
Wu  
Young (AK)

ANSWERED “PRESENT”—2

Amash

Gohmert

NOT VOTING—89

Baca  
Bachmann  
Baldwin  
Barton (TX)  
Berg  
Berkley  
Berman  
Boren  
Brady (TX)  
Braley (IA)  
Brown (FL)  
Buchanan  
Burton (IN)  
Cantor  
Chandler  
Cohen  
Costello  
Crenshaw  
Davis (KY)  
DeFazio  
DeGette  
Dingell  
Dold  
Doyle  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Garamendi  
Giffords

Gonzalez  
Perlmutter  
Granger  
Graves (MO)  
Green, Gene  
Gutierrez  
Hartzler  
Hinchee  
Hirono  
King (IA)  
Kissell  
Labrador  
Lamborn  
Lipinski  
Loebsack  
Lofgren, Zoe  
Lungren, Daniel  
E.  
Mack  
Marchant  
McDermott  
McMorris  
Rodgers  
McNerney  
Miller, Gary  
Nadler  
Napolitano  
Oliver  
Owens  
Paul  
Payne

Pelosi  
Perlmutter  
Posey  
Price (NC)  
Quigley  
Richardson  
Rohrabacher  
Roskam  
Ross (AR)  
Rothman (NJ)  
Roybal-Allard  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Schakowsky  
Sensenbrenner  
Shuler  
Sires  
Smith (WA)  
Stearns  
Sullivan  
Tiberi  
Tonko  
Velázquez  
Waters  
Watt  
Welch  
Wilson (FL)  
Young (FL)

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. STEARNS. Mr. Speaker, my flight was delayed on July 25, 2011 and I was unable to cast my vote on rollcall vote Nos. 630 and 631. Had I been present, I would have voted “yea” on both.

PERSONAL EXPLANATION

Mr. ROSS of Arkansas. Mr. Speaker, on Monday, July 25, 2011, I was not present for votes 630 and 631. Had I been present for rollcall 630, I would have voted no. Had I been present for rollcall 631, I would have voted yea.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for votes in the House Chamber today. Had I been present, I would have voted “yea” on rollcall votes 630 and 631.

PERSONAL EXPLANATION

Mr. LOEBSACK. Mr. Speaker, on July 25, 2011, I was not present for two recorded votes because my flight from Iowa to Washington, DC was significantly delayed. I had returned to Iowa to meet with constituents and regret that I was not present to cast my vote on rollcall Nos. 630 and 631.

GENERAL LEAVE

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2584 and that I may include tabular material on the same.

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

There was no objection.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore (Mr. WEBSTER). Pursuant to House Resolution 363 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2584.

□ 1348

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other

□ 1347

So the Journal was approved.

purposes, with Mr. CAMPBELL in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Idaho (Mr. SIMPSON) and the gentleman from Virginia (Mr. MORAN) each will control 30 minutes.

The Chair recognizes the gentleman from Idaho.

Mr. SIMPSON. I yield myself such time as I may consume.

Mr. Chairman, I am pleased to bring to the floor H.R. 2584, the fiscal year 2012 Interior, Environment, and Related Agencies appropriations bill.

As we begin, I want to personally thank Mr. MORAN, Mr. DICKS, and each of the members of our subcommittee for their active participation in the bipartisan spirit that has been part of our deliberations this year. Regardless of our positions on this bill, I do sincerely appreciate their constructive contributions.

Mr. Chairman, we're living at a time when the Federal Government borrows more than 40 cents on each dollar that it spends. We are also living in a time of record deficits and debt. While reductions in discretionary spending alone will not totally erase the deficit, we all know that reducing Federal spending is a necessary first step.

The fiscal year 2012 Interior and Environment bill is funded at \$27.5 billion, which is \$2.1 billion, or 7 percent below the fiscal year enacted level, and \$3.8 billion, or 12 percent below the budget request.

Overall, funding within this bill is essentially level within fiscal year 2009 spending. The subcommittee has made some very difficult choices in preparing this budget proposal. In total, 235 Members of the House submitted over 1,700 programmatic requests to the subcommittee for consideration.

While the bill makes significant spending reductions across many agencies and programs, it also provides ample funding to address the needs of key accounts supported by a bipartisan cross-section of Members. For instance, fire suppression at the Department of the Interior and the Forest Service is fully funded at the 10-year average.

The bill includes a \$37 million increase over fiscal year 2011 for the Bureau of Ocean Energy Management to hire new inspectors and move forward with offshore oil and gas permitting and leasing while also improving safety. And Members will be pleased to know that the operations of our national parks are sustained at levels only slightly below last year, which means every park unit in the country will be operational and fully staffed without the threat of furloughs or layoffs.

Finally, this bill also makes critical investments in Indian Country. Building upon efforts initiated by Mr. DICKS

and Mr. MORAN, this bill continues to make investments in human health and wellness programs in Indian Country, affecting health care, education, and self-determination. Overall, the Department of the Interior is funded at \$9.9 billion, which is a \$715 million, or 7 percent, reduction below last year's enacted level.

As I mentioned, we've done some things that Secretary Salazar will support. The Secretary and I have had many discussions about these issues as well as some areas where funding isn't what he would like to see. One of those areas relates to the funding of the Endangered Species Act.

Since the ESA was enacted, there have been 2,018 species listed and only 21 species recovered. By any calculation, that's a pretty poor track record. Any other program with such a poor rate of success would have long since been terminated. There isn't one member of this subcommittee opposed to recovering endangered species; but the ESA has become so contentious, so political, and so litigious that it has become a policy failure. The authorization for the ESA appropriation expired 20 years ago, and the assumption has been that the Appropriations Committee would continue to fund it year in and year out, as it has in the past.

In fact, Members might be interested to know that 26 percent of the funding in this bill is for programs in which the authorizations have expired. That's not how the process is supposed to work, Mr. Chairman. And just as we are going back to regular order and passing appropriation bills, we need to return to regular order when it comes to working with the authorizers to update and fix laws that no longer work or have expired.

It's time to fix the ESA. The best way to do that is for the authorizers and stakeholders in the conservation community to come to the table to fix what is broken so we can actually begin recovering species. We are sending that message today.

Climate change is another item of interest to members of this committee. Most of the Members know that I am not a climate change naysayer. The fact is that climate change funding has been increasing over the past few years, and no one has any idea how or whether its funding is being coordinated between various agencies. The GAO came to the same conclusion in a report released in May of this year. The GAO said: "Without further improvement in how Federal climate change funding is defined and reported, strategic priorities are set, and funding is aligned with priorities, it will be difficult for the public and Congress to fully understand how climate change funds are accounted for and how they are spent." As a result of this ongoing concern, climate change funding in this bill is reduced by \$83 million, or 22 percent.

The bill also makes significant reductions in funding for land acquisition. Land acquisition was funded at \$301 million in the current fiscal year. The President had requested \$900 million for next year. We funded it at \$66 million in this bill to complete land acquisitions currently under consideration. I would personally like to see more funding in the LWCF. The problem is, we just don't have the money.

It's also worth noting that while we increase funding for oil and gas rig inspections, we don't pay for them by including the President's proposed \$38 million increase for additional onshore gas and oil fees or the \$55 million increase for additional offshore oil and gas fees. These issues are best left to the authorizing committees of jurisdiction. And I hope that by next year, the authorizing committees will address this issue.

There are a few other items that may be of interest to Members that I'll mention briefly: The U.S. Geological Survey is funded at \$1.1 billion, which is \$30 million, or 3 percent, below the FY11-enacted level. The next-generation Landsat satellite imaging program, which has been a cooperative venture with NASA, was proposed to be transferred entirely to USGS without any corresponding funding from NASA. Because projected costs are estimated to increase tenfold over the next 2 years and because Landsat is a widely used governmental and private sector resource, this bill sends the proposal back to the administration with instructions to start over.

Within the EPA, the bill includes \$15 million for a new competitive grant program to fund rural water technical assistance, which is widely supported on both sides of the aisle. The NEA and the NEH are both funded at \$135 million, which is a level too low for some Members and too high for others. It's worth noting that both sides worked together in an effort to maintain several longstanding proven programs that the administration had slated for termination.

The bill provides funding for the Smithsonian at levels just below the FY11-enacted level and includes \$50 million to begin construction of the National Museum of African American History and Culture and \$75 million for revitalization of existing Smithsonian buildings. The bill also provides a \$30 million down payment to begin construction next year of a memorial to honor the memory of Dwight D. Eisenhower.

I suspect that most of the headlines from House consideration of this bill will focus on the committee's attention to the EPA. We need to continue funding the EPA in order for business to obtain the necessary permits to operate in accord with the environmental laws.

Through EPA funding, we also continue to address our Nation's critical

water and wastewater infrastructure needs. However, one of the major underlying themes to this year's work is the sheer volume of regulatory actions being pursued by agencies in the absence of legislation and without clear congressional direction.

My intense opposition to the EPA's efforts to control nearly every industry in this country is no secret. The EPA's unrestrained effort to regulate greenhouse gases and the pursuit of an overly aggressive regulatory agenda are signs of an agency that has lost its bearings.

Wherever I go, the biggest complaint I hear about the Federal Government is about how the EPA is creating economic uncertainty and killing jobs. This isn't a partisan issue. Members of both parties have said that the EPA's regulatory actions vastly exceed its authority and congressional intent. The responsibility to determine whether or not to expand that authority rests solely with Congress, not with the EPA. We have included a number of provisions in the base bill to address some of these issues and more were added in full committee. We saw during consideration of H.R. 1 earlier this year and we will see again on the House floor even more efforts to rein in the EPA.

I know some of my Democrat friends will be especially critical of the spending reductions in EPA accounts. While we all recognize the importance of the clean drinking water and safe drinking water State revolving funds, we also know funding them, as we have in the past, is not possible. We need to find a better long-term funding source for water infrastructure projects, something that a number of Members have been working on.

It's also worth pointing out that these accounts received \$6 billion in Recovery Act funds in 2009 and still have nearly \$3 billion in previously appropriated funding that they have yet to spend. In calendar year 2009, the EPA received over \$25 billion in combined stimulus funding and regular appropriation. So it should come as no surprise that the funding for the EPA was reduced by \$1.5 billion, or 18 percent, from current levels.

Much will be said today about the subcommittee's allocation of the policy provisions in this bill; but just remember, at the end of the day, what this committee is attempting to do is all about reducing spending, creating more certainty in the marketplace, and promoting an economic environment conducive to job growth. If there's one thing that we should have learned in the last couple of years, it's that we can't spend our way to an economic recovery. That didn't work. All it did was make the hole we're in much deeper.

I know Mr. MORAN and Mr. DICKS may not agree, but the legislative provisions in this bill and those that will be added today and on the House floor, they are not special interests. They're about jobs. They're about protecting businesses and hardworking Americans from frivolous lawsuits. They're about creating certainty in the marketplace, and they're about assuring businesses that employ people that it's safe to begin hiring people again without the threat of the EPA, under the guise of protecting our environment, imposing millions of dollars of penalties through regulations that are unreasonable or simply defy common sense.

Is this a perfect bill? No. But I've never seen a perfect bill. This is a bill

that makes some very tough choices on spending. It's a bill that attempts to rein in the excesses of the EPA, and it's a bill that sends a clear message to stakeholders in Congress that it's time to get busy on renewing expiring authorizations. I wish we had more money to spend on a variety of programs that I, and other Members, believe are important. I also wish we didn't have a \$1.6 trillion deficit. I wish we weren't \$14.5 trillion in debt. I wish the economy was booming and that unemployment was something we only read about in history books. Unfortunately, wishing doesn't make it so. These are the economic and political realities that we have to face.

□ 1400

In closing, I'd like to thank the staff on both sides of the aisle for their hard work in producing this bill. Most Members don't realize how much time and effort staff members put into this. On the minority side, I'd like to thank Rick Healy and Shalanda Young, as well as Tim Aiken and Pete Modaff. They have played an integral role in the process, and their efforts are very much appreciated.

On the majority side, I'd like to thank the subcommittee staff: Colin Vickery, Grace Stephens, who, by the way, just had a baby last week—she held off until she was sure we had this bill through the full committee—Erica Rhoad, Jason Gray, Darren Benjamin, and Dave LesStrang. I'd also like to thank Missy Small, Kaylyn Bessey and Lindsay Slater on my personal staff for their great work.



DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>TITLE I - DEPARTMENT OF THE INTERIOR</b>					
<b>BUREAU OF LAND MANAGEMENT</b>					
<b>Management of Lands and Resources</b>					
<b>Land Resources:</b>					
Soil, water and air management.....	62,989	46,303	46,303	-16,686	---
Range management.....	76,915	71,603	87,532	+10,617	+15,929
Forestry management.....	9,945	9,730	9,945	---	+215
Riparian management.....	22,805	23,052	22,718	-87	-334
Cultural resources management.....	16,816	25,614	16,131	-685	-9,483
Wild horse and burro management.....	75,753	75,008	63,986	-11,767	-11,022
Subtotal.....	265,223	251,310	246,615	-18,608	-4,695
<b>Wildlife and Fisheries:</b>					
Wildlife management.....	37,430	36,973	37,430	---	+457
Fisheries management.....	13,599	13,354	13,354	-245	---
Subtotal.....	51,029	50,327	50,784	-245	+457
Threatened and endangered species.....	22,159	21,668	21,668	-491	---
<b>Recreation Management:</b>					
Wilderness management.....	19,664	19,587	18,421	-1,243	-1,166
Recreation resources management.....	49,153	57,170	49,153	---	-8,017
Subtotal.....	88,817	76,757	67,574	-1,243	-9,183
<b>Energy and Minerals:</b>					
Oil and gas.....	70,130	39,632	74,582	+4,452	+34,950
Oil and gas permit processing fund.....	45,500	32,500	32,500	-13,000	---
(Pilot offices, Sec. 365, permit processing fund)...	(21,000)	(20,973)	(20,973)	(-27)	---
Subtotal, Oil and gas/permit processing fund....	115,630	72,132	107,082	-8,548	+34,950
Oil and gas offsetting permit processing fees.....	-45,500	-32,500	-32,500	+13,000	---
Inspection fees.....	---	37,950	---	---	-37,950
Offsetting collections, inspection fees.....	---	-37,950	---	---	+37,950
Coal management.....	9,724	7,054	7,054	-2,670	---
Other mineral resources.....	10,597	8,415	10,415	-182	+2,000
Renewable energy.....	---	19,735	19,735	+19,735	---
Subtotal, Energy and minerals.....	90,451	74,836	111,786	+21,335	+36,950
<b>Realty and Ownership Management:</b>					
Alaska conveyance.....	29,108	16,622	16,622	-12,486	---
Cadastral survey.....	12,392	12,015	12,015	-377	---
Land and realty management.....	56,400	32,657	32,657	-23,743	---
Subtotal.....	97,900	61,294	61,294	-36,606	---
<b>Resource Protection and Maintenance:</b>					
Resource management planning.....	42,426	40,621	35,621	-6,805	-5,000
Abandoned mine lands.....	---	19,851	19,851	+19,851	---
Resource protection and law enforcement.....	27,685	27,067	27,067	-618	---
Hazardous materials management.....	17,028	16,668	16,668	-360	---
Subtotal.....	87,139	104,207	99,207	+12,068	-5,000
<b>Transportation and Facilities Maintenance:</b>					
Operations.....	6,047	---	---	-6,047	---
Annual maintenance.....	31,879	41,226	38,226	+6,347	-3,000
Deferred maintenance.....	34,429	30,008	30,008	-4,421	---
Subtotal.....	72,355	71,234	68,234	-4,121	-3,000

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Land and resources information systems.....	16,697	15,852	15,852	-845	---
<b>Workforce and Organizational Support:</b>					
Information systems operations.....	15,343	14,697	14,697	-646	---
Administrative support.....	50,287	49,209	49,209	-1,078	---
Bureauwide fixed costs.....	91,307	93,576	91,307	---	-2,269
Subtotal.....	156,937	157,482	155,213	-1,724	-2,269
Challenge cost share.....	1,202	9,467	---	-1,202	-9,467
National landscape conservation system, base program..	31,870	39,345	20,000	-11,870	-19,345
(National landscape conservation system,total program)	(74,635)	---	---	(-74,635)	---
Subtotal, Management of lands and resources.....	961,779	933,779	918,227	-43,552	-15,552
<b>Mining Law Administration:</b>					
Administration.....	36,696	39,696	39,696	+3,000	---
Offsetting collections.....	-47,696	-54,000	-54,000	-6,304	---
Subtotal, Mining Law Administration.....	-11,000	-14,304	-14,304	-3,304	---
Total, Management of lands and resources.....	950,779	919,475	903,923	-46,856	-15,552
<b>Construction</b>					
Appropriation.....	4,617	3,576	3,576	-1,041	---
<b>Land Acquisition</b>					
Land Acquisition.....	18,584	46,620	---	-18,584	-46,620
Inholding, emergency, and hardship.....	1,497	1,500	3,000	+1,503	+1,500
Acquisition management.....	1,875	1,880	1,880	+5	---
Total, Land acquisition.....	21,956	50,000	4,880	-17,076	-45,120
<b>Oregon and California Grant Lands</b>					
Western Oregon resources management.....	96,929	98,056	98,056	+1,127	---
Western Oregon information and resource data systems..	2,124	1,926	1,926	-198	---
Western Oregon transportation & facilities maintenance	11,136	11,002	11,002	-134	---
Western Oregon construction and acquisition.....	314	310	310	-4	---
Western Oregon national monument.....	831	749	749	-82	---
Total, Oregon and California grant lands.....	111,334	112,043	112,043	+709	---
<b>Range Improvements</b>					
Improvements to public lands.....	7,873	7,873	7,873	---	---
Farm Tenant Act lands.....	1,527	1,527	1,527	---	---
Administrative expenses.....	600	600	600	---	---
Total, Range improvements.....	10,000	10,000	10,000	---	---
<b>Service Charges, Deposits, and Forfeitures</b>					
Rights-of-way processing.....	16,400	16,400	16,400	---	---
Energy and minerals cost recovery.....	2,600	7,300	7,300	+4,700	---
Recreation cost recovery.....	1,000	1,500	1,500	+500	---
Adopt-a-horse program.....	500	450	450	-50	---
Repair of damaged lands.....	5,600	3,100	3,100	-2,500	---
Cost recoverable realty cases.....	900	900	900	---	---
Timber purchaser expenses.....	100	50	50	-50	---
Commercial film and photography fees.....	200	200	200	---	---
Copy fees.....	2,000	1,100	1,100	-900	---
Trans Alaska pipeline.....	4,000	1,125	1,125	-2,875	---
Subtotal (gross).....	33,300	32,125	32,125	-1,175	---
Offsetting fees.....	-33,300	-32,125	-32,125	+1,175	---
Total, Service Charges, Deposits & Forfeitures..	---	---	---	---	---

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Miscellaneous Trust Funds and Permanent Operating Funds</b>					
Current appropriations.....	15,200	19,700	19,700	+4,500	---
<b>TOTAL, BUREAU OF LAND MANAGEMENT.....</b>	<b>1,113,886</b>	<b>1,114,794</b>	<b>1,054,122</b>	<b>-59,764</b>	<b>-60,672</b>
(Mandatory).....	(25,200)	(29,700)	(29,700)	(+4,500)	---
(Discretionary).....	(1,088,686)	(1,085,094)	(1,024,422)	(-64,264)	(-60,672)
<b>UNITED STATES FISH AND WILDLIFE SERVICE</b>					
<b>Resource Management</b>					
<b>Ecological Services:</b>					
<b>Endangered species:</b>					
Candidate conservation.....	11,448	11,426	10,670	-778	-756
<b>Listing and critical habitat:</b>					
Critical habitat.....	9,472	10,431	---	-9,472	-10,431
Listing.....	11,430	8,847	---	-11,430	-8,847
International listing.....	---	1,500	---	---	-1,500
Petitions.....	---	3,866	---	---	-3,866
Subtotal.....	20,902	24,644	---	-20,902	-24,644
Consultation and HCPs.....	61,877	62,888	53,462	-8,415	-9,426
Recovery.....	81,219	83,692	74,575	-6,644	-9,117
Subtotal, Endangered species.....	175,446	182,650	138,707	-36,739	-43,943
<b>Habitat conservation:</b>					
Partners for fish and wildlife.....	55,304	59,400	39,400	-15,904	-20,000
Conservation planning assistance.....	36,791	38,368	21,368	-15,423	-17,000
Coastal programs.....	15,137	15,436	13,436	-1,701	-2,000
National wetlands inventory.....	5,292	5,238	4,238	-1,054	-1,000
Subtotal, Habitat conservation.....	112,524	118,442	78,442	-34,082	-40,000
Environmental contaminants.....	13,316	13,825	11,825	-1,491	-2,000
Subtotal, Ecological services.....	301,286	314,917	228,974	-72,312	-85,943
<b>National Wildlife Refuge System:</b>					
Wildlife and habitat management.....	226,963	240,241	199,859	-27,104	-40,382
Visitor services.....	75,631	77,621	72,906	-2,725	-4,715
Refuge law enforcement.....	38,071	37,558	31,637	-6,434	-5,921
Conservation planning.....	11,862	8,283	11,723	-139	+3,440
Refuge maintenance.....	139,532	139,172	139,172	-360	---
Subtotal.....	492,059	502,875	455,297	-36,762	-47,578
<b>Migratory Birds, Law Enforcement &amp; International Conservation:</b>					
Migratory bird management.....	52,175	54,423	50,423	-1,752	-4,000
Law enforcement.....	62,930	62,634	58,634	-4,296	-4,000
International affairs.....	13,119	12,991	12,991	-128	---
Subtotal.....	128,224	130,048	122,048	-6,176	-8,000
<b>Fisheries and Aquatic Resource Conservation:</b>					
National fish hatchery system operations.....	48,856	42,761	46,149	-2,707	+3,388
Maintenance and equipment.....	18,180	18,060	18,060	-120	---
Aquatic habitat and species conservation.....	71,903	75,191	64,134	-7,769	-11,057
Subtotal.....	138,939	136,012	128,343	-10,596	-7,669

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Cooperative landscape conservation &amp; adaptive science:</b>					
Cooperative landscape conservation.....	14,727	20,247	10,000	-4,727	-10,247
Adaptive science.....	16,243	17,236	10,000	-6,243	-7,236
Subtotal.....	30,970	37,483	20,000	-10,970	-17,483
<b>General Operations:</b>					
Central office operations.....	42,720	39,941	38,777	-3,943	-1,164
Regional office operations.....	42,836	42,299	41,480	-1,356	-819
Servicewide bill paying.....	36,360	36,097	32,941	-3,419	-3,156
National Fish and Wildlife Foundation.....	7,537	8,537	7,537	---	-1,000
National Conservation Training Center.....	23,930	23,658	23,658	-272	---
Subtotal.....	153,383	150,532	144,393	-8,990	-6,139
Total, Resource Management.....	1,244,861	1,271,867	1,099,055	-145,806	-172,812
<b>Construction</b>					
<b>Construction and rehabilitation:</b>					
Line item construction projects.....	9,810	12,149	2,365	-7,445	-9,784
Bridge and dam safety programs.....	1,851	1,855	1,855	+4	---
Nationwide engineering service.....	9,143	9,084	7,584	-1,559	-1,500
Total, Construction.....	20,804	23,088	11,804	-9,000	-11,284
<b>Land Acquisition</b>					
Acquisitions.....	35,374	108,990	---	-35,374	-108,990
Highlands Conservation Act.....	---	5,000	4,000	+4,000	-1,000
Inholdings/emergencies and hardships.....	4,990	5,000	3,000	-1,990	-2,000
Exchanges.....	1,996	2,000	---	-1,996	-2,000
Acquisition management.....	10,534	13,570	6,570	-3,964	-7,000
User pay cost share.....	1,996	2,000	1,477	-519	-523
Refuge land protection planning.....	---	3,440	---	---	-3,440
Total, Land acquisition.....	54,890	140,000	15,047	-39,843	-124,953
<b>Landowner Incentive Program</b>					
Rescission of prior year balances.....	-4,941	---	---	+4,941	---
<b>Cooperative Endangered Species Conservation Fund</b>					
<b>Grants and administration:</b>					
Conservation grants.....	11,101	17,000	---	-11,101	-17,000
HCP assistance grants.....	10,000	13,500	---	-10,000	-13,500
Snake River Water Rights Act of 2004.....	4,987	---	---	-4,987	---
Administration.....	2,854	3,354	2,854	---	-500
Subtotal, Grants and administration.....	28,942	33,854	2,854	-26,088	-31,000
<b>Land acquisition:</b>					
Species recovery land acquisition.....	11,000	19,646	---	-11,000	-19,646
HCP land acquisition grants to states.....	19,938	46,500	---	-19,938	-46,500
Subtotal, Land acquisition.....	30,938	66,146	---	-30,938	-66,146
Total, Cooperative Endangered Species Conservation Fund.....	59,880	100,000	2,854	-57,026	-97,146
<b>National Wildlife Refuge Fund</b>					
Payments in lieu of taxes.....	14,471	---	13,980	-491	+13,980

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>North American Wetlands Conservation Fund</b>					
North American Wetlands Conservation Fund.....	37,425	50,000	20,000	-17,425	-30,000
<b>Neotropical Migratory Bird Conservation Fund</b>					
Migratory bird grants.....	3,992	5,000	---	-3,992	-5,000
<b>Multinational Species Conservation Fund</b>					
African elephant conservation fund.....	1,735	1,950	1,477	-258	-473
Rhinoceros and tiger conservation fund.....	2,604	2,450	1,969	-635	-481
Asian elephant conservation fund.....	1,735	1,950	1,477	-258	-473
Great ape conservation fund.....	2,170	1,950	1,969	-201	+19
Marine turtle conservation fund.....	1,736	1,450	983	-753	-467
<b>Total, Multinational Species Conservation Fund..</b>	<b>9,980</b>	<b>9,750</b>	<b>7,875</b>	<b>-2,105</b>	<b>-1,875</b>
<b>State and Tribal Wildlife Grants</b>					
State wildlife grants (formula).....	49,900	67,000	20,000	-29,900	-47,000
State wildlife grants (competitive).....	4,990	20,000	---	-4,990	-20,000
Tribal wildlife grants.....	6,986	8,000	2,000	-4,986	-6,000
<b>Total, State and tribal wildlife grants.....</b>	<b>61,876</b>	<b>95,000</b>	<b>22,000</b>	<b>-39,876</b>	<b>-73,000</b>
<b>TOTAL, U.S. FISH AND WILDLIFE SERVICE.....</b>	<b>1,503,238</b>	<b>1,694,705</b>	<b>1,192,615</b>	<b>-310,623</b>	<b>-502,090</b>
<b>NATIONAL PARK SERVICE</b>					
<b>Operation of the National Park System</b>					
<b>Park Management:</b>					
Resource stewardship.....	343,640	356,276	336,742	-6,898	-19,534
Visitor services.....	239,817	251,299	240,817	+1,000	-10,482
Park protection.....	362,143	364,895	362,143	---	-2,752
Facility operations and maintenance.....	695,020	706,538	691,020	-4,000	-15,518
Park support.....	442,967	448,679	442,967	---	-5,712
<b>Subtotal.....</b>	<b>2,083,587</b>	<b>2,127,687</b>	<b>2,073,689</b>	<b>-9,898</b>	<b>-53,998</b>
External administrative costs.....	166,463	169,190	166,463	---	-2,727
<b>Total, Operation of the National Park System....</b>	<b>2,250,050</b>	<b>2,296,877</b>	<b>2,240,152</b>	<b>-9,898</b>	<b>-56,725</b>
<b>National Recreation and Preservation</b>					
Recreation programs.....	587	585	585	-2	---
Natural programs.....	11,172	13,376	11,172	---	-2,204
Cultural programs.....	24,882	24,804	24,804	-78	---
International park affairs.....	1,646	1,638	1,638	-8	---
Environmental and compliance review.....	433	431	431	-2	---
Grant administration.....	1,749	1,740	1,740	-9	---
Heritage Partnership Programs.....	17,401	8,993	8,993	-8,408	---
<b>Total, National Recreation and Preservation....</b>	<b>57,870</b>	<b>51,567</b>	<b>49,363</b>	<b>-8,507</b>	<b>-2,204</b>
<b>Historic Preservation Fund</b>					
State historic preservation offices.....	46,407	50,000	42,500	-3,907	-7,500
Tribal grants.....	7,984	11,000	7,000	-984	-4,000
<b>Total, Historic Preservation Fund.....</b>	<b>54,391</b>	<b>61,000</b>	<b>49,500</b>	<b>-4,891</b>	<b>-11,500</b>

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Construction					
General Program:					
Line item construction and maintenance.....	121,159	70,347	70,347	-50,812	---
Emergency and unscheduled.....	3,853	3,861	3,861	+8	---
Housing.....	4,955	2,965	2,965	-1,990	---
Dam safety.....	2,495	1,250	1,250	-1,245	---
Equipment replacement.....	13,723	13,750	13,750	+27	---
Planning, construction.....	10,104	7,712	7,712	-2,392	---
Construction program management.....	38,527	37,590	37,590	-937	---
General management plans.....	14,830	14,646	14,646	-184	---
Rescission of prior year balances.....	-25,000	---	---	+25,000	---
<b>Total, Construction.....</b>	<b>184,646</b>	<b>152,121</b>	<b>152,121</b>	<b>-32,525</b>	<b>---</b>
Land and Water Conservation Fund (rescission of contract authority).....	-30,000	-30,000	-30,000	---	---
Land Acquisition and State Assistance					
Assistance to States:					
State conservation grants (formula).....	37,126	78,000	---	-37,126	-78,000
State conservation grants (competitive).....	---	117,000	---	---	-117,000
Administrative expenses.....	2,794	5,000	2,794	---	-2,206
<b>Subtotal.....</b>	<b>39,920</b>	<b>200,000</b>	<b>2,794</b>	<b>-37,126</b>	<b>-197,206</b>
National Park Service:					
Acquisitions.....	32,767	109,000	---	-32,767	-109,000
American Battlefield Protection Program.....	8,982	10,000	2,000	-6,982	-8,000
Emergencies and hardships.....	1,007	12,000	1,250	+243	-10,750
Acquisition management.....	7,134	12,000	7,250	+116	-4,750
Inholdings, donations, and exchanges.....	5,000	17,000	5,000	---	-12,000
<b>Subtotal.....</b>	<b>54,890</b>	<b>160,000</b>	<b>15,500</b>	<b>-39,390</b>	<b>-144,500</b>
<b>Total, Land Acquisition and State Assistance.....</b>	<b>94,810</b>	<b>360,000</b>	<b>18,294</b>	<b>-76,516</b>	<b>-341,706</b>
Rescission.....	-625	---	---	+625	---
<b>TOTAL, NATIONAL PARK SERVICE.....</b>	<b>2,611,142</b>	<b>2,891,565</b>	<b>2,479,430</b>	<b>-131,712</b>	<b>-412,135</b>

UNITED STATES GEOLOGICAL SURVEY

Surveys, Investigations, and Research

Ecosystems:					
Status and trends.....	22,403	22,079	20,985	-1,418	-1,094
Fisheries: Aquatic and endangered resources.....	23,694	22,660	22,660	-1,034	---
Wildlife: Terrestrial and endangered resources.....	49,078	48,544	44,230	-4,848	-4,314
Terrestrial, Freshwater and marine environments.....	35,763	40,230	37,227	+1,464	-3,003
Invasive species.....	10,795	14,086	10,580	-215	-3,506
Cooperative research units.....	19,104	18,824	14,438	-4,666	-4,386
<b>Total, Ecosystems.....</b>	<b>160,837</b>	<b>166,423</b>	<b>150,120</b>	<b>-10,717</b>	<b>-16,303</b>
Climate and Land Use Change:					
Climate variability:					
Climate science centers.....	20,921	25,573	25,573	+4,652	---
Research and development.....	28,468	24,141	15,055	-13,413	-9,086
Carbon sequestration.....	9,955	14,345	---	-9,955	-14,345
Science support for DOI bureaus.....	4,990	8,860	---	-4,990	-8,860
<b>Subtotal.....</b>	<b>64,334</b>	<b>72,919</b>	<b>40,628</b>	<b>-23,706</b>	<b>-32,291</b>

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Land Use Change:</b>					
Land remote sensing.....	62,387	21,975	73,792	+11,405	+51,817
Geographic analysis and monitoring.....	11,420	11,511	11,511	+91	---
Subtotal.....	73,807	33,486	85,303	+11,496	+51,817
Total, Climate and Land Use Change.....	138,141	106,405	125,931	-12,210	+19,526
<b>Energy, Minerals, and Environmental Health:</b>					
Minerals resources.....	52,168	44,164	52,168	---	+8,004
Energy resources.....	27,750	27,392	27,750	---	+358
Contaminant biology.....	9,216	8,695	9,216	---	+521
Toxic substances hydrology.....	10,778	8,267	10,778	---	+2,511
Total, Energy, Minerals, and Env Health.....	99,912	88,518	99,912	---	+11,394
<b>Natural Hazards:</b>					
Earthquake hazards.....	55,979	52,326	55,979	---	+3,653
Volcano hazards.....	24,464	23,359	24,464	---	+1,105
Landslide hazards.....	3,318	3,278	3,318	---	+40
Global seismographic network.....	5,379	5,332	5,379	---	+47
Geomagnetism.....	2,097	2,073	2,097	---	+24
Coastal and marine geology.....	44,728	47,501	44,728	---	-2,773
Total, Natural Hazards.....	135,965	133,869	135,965	---	+2,096
<b>Water Resources:</b>					
Groundwater resources.....	8,481	6,947	8,481	---	+1,534
National water quality assessment.....	64,234	57,540	64,234	---	+6,694
National streamflow information program.....	27,100	26,913	30,000	+2,900	+3,087
Hydrologic research and development.....	11,932	12,008	12,008	+76	---
Hydrologic networks and analysis.....	30,719	33,940	30,719	---	-3,221
Cooperative Water Program.....	63,471	62,252	65,561	+2,090	+3,309
Water Resources Research Act Program.....	6,486	---	6,500	+14	+6,500
Total, Water Resources.....	212,423	199,600	217,503	+5,080	+17,903
<b>Core Science Systems:</b>					
Biological information management and delivery.....	18,563	15,113	15,113	-3,450	---
Nat'l Geological & Geophysical Data Pres Program.....	998	---	600	-398	+600
National cooperative geological mapping.....	27,712	25,397	27,712	---	+2,315
National Geospatial Program.....	65,755	65,365	65,755	---	+390
Total, Core Science Systems.....	113,028	105,875	109,180	-3,848	+3,305
<b>Administration and Enterprise Information:</b>					
Science support.....	77,229	79,620	77,229	---	-2,391
Security and technology.....	23,430	21,072	21,072	-2,358	---
Information resources.....	17,988	15,863	15,863	-2,125	---
Total, Admin and Enterprise Information.....	118,647	116,555	114,164	-4,483	-2,391
<b>Facilities:</b>					
Rental payments and operations & maintenance.....	97,427	93,485	93,485	-3,942	---
Deferred maintenance and capital improvement.....	7,292	4,807	7,292	---	+2,485
Construction.....	---	2,500	---	---	-2,500
Total, Facilities.....	104,719	100,792	100,777	-3,942	-15
Total, Surveys, Investigations, and Research....	1,083,672	1,018,037	1,053,552	-30,120	+35,515
<b>National Land Imaging</b>					
National land imaging.....	---	99,817	---	---	-99,817
<b>TOTAL, UNITED STATES GEOLOGICAL SURVEY.....</b>	<b>1,083,672</b>	<b>1,117,854</b>	<b>1,053,552</b>	<b>-30,120</b>	<b>-64,302</b>



DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION, AND ENFORCEMENT</b>					
(Formerly the Minerals Management Service)					
Ocean Energy Management					
Offshore Energy and Minerals Management:					
Renewable energy.....	23,192	23,073	21,413	-1,779	-1,660
Leasing and environmental program.....	65,352	75,410	75,410	+10,058	---
Resource evaluation.....	35,057	34,733	34,733	-324	---
Regulatory program.....	88,368	143,319	110,319	+21,951	-33,000
Information management program.....	20,484	20,468	20,468	-16	---
Subtotal.....	232,453	297,003	262,343	+29,890	-34,660
Royalty Management:*					
Compliance and asset management.....	67,559	---	---	-67,559	---
Revenue and operations.....	41,805	---	---	-41,805	---
Subtotal.....	109,364	---	---	-109,364	---
*now ONRR under Office of the Secretary					
General Administration:					
Executive direction.....	5,751	3,040	3,040	-2,711	---
Policy and management improvement.....	5,441	10,039	10,039	+4,598	---
Administrative operations.....	21,215	12,324	12,324	-8,891	---
General support services.....	29,665	21,022	21,022	-8,643	---
Subtotal.....	62,072	46,425	46,425	-15,647	---
Total (gross).....	403,889	343,428	308,768	-95,121	-34,660
Use of receipts and cost recovery fees.....	-154,890	-160,163	-160,163	-5,273	---
Inspection fees.....	-10,000	-62,000	-10,000	---	+52,000
Total, Ocean Energy Management.....	238,999	121,265	138,605	-100,394	+17,340
Oil Spill Research					
Oil spill research.....	11,744	14,923	14,923	+3,179	---
Subtotal, Bureau of Ocean Energy Management, Regulation, and Enforcement.....	250,743	136,188	153,528	-97,215	+17,340
OCS Connect (rescission)(Sec. 128, P.L. 111-242).....	-25,000	---	---	+25,000	---
<b>TOTAL, BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION, AND ENFORCEMENT.....</b>	<b>225,743</b>	<b>136,188</b>	<b>153,528</b>	<b>-72,215</b>	<b>+17,340</b>
<b>OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT</b>					
Regulation and Technology					
Environmental restoration.....	161	---	---	-161	---
Environmental protection.....	94,578	87,438	92,019	-2,559	+4,581
Technology development and transfer.....	15,455	14,478	14,478	-977	---
Financial management.....	513	506	506	-7	---
Executive direction.....	16,219	15,947	15,947	-272	---
Civil penalties.....	100	100	100	---	---
Total, Regulation and Technology.....	127,026	118,469	123,050	-3,976	+4,581

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Abandoned Mine Reclamation Fund</b>					
Environmental restoration.....	15,015	9,495	9,495	-5,520	---
Technology development and transfer.....	5,751	3,550	3,550	-2,201	---
Financial management.....	6,443	6,406	6,406	-37	---
Executive direction.....	8,308	7,992	7,992	-316	---
<b>Total, Abandoned Mine Reclamation Fund.....</b>	<b>35,517</b>	<b>27,443</b>	<b>27,443</b>	<b>-8,074</b>	<b>---</b>
<b>TOTAL, OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT.....</b>					
	<b>162,543</b>	<b>145,912</b>	<b>150,493</b>	<b>-12,050</b>	<b>+4,581</b>
<b>BUREAU OF INDIAN AFFAIRS</b>					
<b>Operation of Indian Programs</b>					
<b>Tribal Government:</b>					
Aid to tribal government.....	31,886	30,541	30,541	-1,345	---
Consolidated tribal government program.....	71,710	76,520	71,710	---	-4,810
Self governance compacts.....	148,951	155,084	148,951	---	-6,133
Contract support.....	219,560	195,490	228,000	+8,440	+32,510
Indian self determination fund.....	1,996	2,000	2,000	+4	---
New tribes.....	310	315	315	+5	---
Small and needy tribes.....	---	2,950	2,950	+2,950	---
Road maintenance.....	26,390	25,431	25,431	-959	---
Tribal government program oversight.....	8,786	8,762	8,762	-24	---
<b>Subtotal.....</b>	<b>509,589</b>	<b>497,093</b>	<b>518,660</b>	<b>+9,071</b>	<b>+21,567</b>
<b>Human Services:</b>					
Social services.....	33,879	35,627	33,879	---	-1,748
Welfare assistance.....	74,911	74,911	74,911	+150	---
Indian child welfare act.....	11,053	10,867	10,867	-186	---
Housing improvement program.....	12,598	12,619	12,619	+21	---
Human services tribal design.....	430	430	430	---	---
Human services program oversight.....	3,900	3,373	3,373	-527	---
<b>Subtotal.....</b>	<b>136,621</b>	<b>137,827</b>	<b>136,079</b>	<b>-542</b>	<b>-1,748</b>
<b>Trust - Natural Resources Management:</b>					
Natural resources, general.....	4,547	5,124	5,124	+577	---
Irrigation operations and maintenance.....	11,910	11,939	11,939	+29	---
Rights protection implementation.....	28,442	29,602	29,602	+1,160	---
Tribal management/development program.....	6,782	8,651	6,782	---	-1,869
Endangered species.....	1,248	1,247	1,247	-1	---
Integrated resource information program.....	2,105	2,109	2,109	+4	---
Cooperative landscape conservation.....	419	200	419	---	+219
Agriculture and range.....	28,863	28,883	28,883	+20	---
Forestry.....	43,644	44,195	43,644	---	-551
Water resources.....	10,150	10,839	10,150	---	-689
Fish, wildlife and parks.....	11,340	13,342	11,341	+1	-2,001
Resource management program oversight.....	6,632	6,121	6,121	-511	---
<b>Subtotal.....</b>	<b>156,082</b>	<b>162,252</b>	<b>157,361</b>	<b>+1,279</b>	<b>-4,891</b>
<b>Trust - Real Estate Services.....</b>	<b>145,821</b>	<b>125,457</b>	<b>122,596</b>	<b>-23,225</b>	<b>-2,861</b>
<b>Education:</b>					
Elementary and secondary programs (forward funded)..	520,048	526,117	520,048	---	-6,069
(Tribal grant support costs)	(46,280)	(46,373)	(46,373)	(+93)	---
Post secondary programs (forward funded).....	64,192	64,321	64,321	+129	---
<b>Subtotal, forward funded education.....</b>	<b>584,240</b>	<b>590,438</b>	<b>584,369</b>	<b>+129</b>	<b>-6,069</b>
Elementary and secondary programs.....	76,939	122,730	102,730	+25,791	-20,000
Post secondary programs.....	61,603	60,380	60,380	-1,223	---
Education management.....	29,916	22,006	22,006	-7,910	---
<b>Subtotal, Education.....</b>	<b>752,698</b>	<b>795,554</b>	<b>769,485</b>	<b>+16,787</b>	<b>-26,069</b>

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R. 2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Public Safety and Justice:</b>					
Law enforcement.....	305,893	330,391	318,391	+12,498	-12,000
Tribal courts.....	27,088	23,445	23,445	-3,643	---
Fire protection.....	1,109	873	873	-236	---
Subtotal.....	334,090	354,709	342,709	+8,619	-12,000
<b>Community and economic development.....</b>					
Executive direction and administrative services.....	36,856	34,865	34,865	-1,991	---
(housing improvement, road maint, etc. in bill lang).....	258,089	251,935	251,935	-6,154	---
	(59,545)	(48,049)	(48,049)	(-11,496)	---
Total, Operation of Indian Programs.....	2,329,846	2,359,692	2,333,690	+3,844	-26,002
<b>Construction</b>					
Education.....	140,509	52,104	102,104	-38,405	+50,000
Public safety and justice.....	17,864	11,329	11,329	-6,535	---
Resources management.....	42,075	33,012	33,012	-9,063	---
General administration.....	2,039	2,035	2,035	-4	---
Construction management.....	7,093	6,512	6,512	-581	---
Total, Construction.....	209,580	104,992	154,992	-54,588	+50,000
<b>Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians</b>					
White Earth Land Settlement Act (Admin).....	624	625	625	+1	---
Hoopla-Yurok settlement fund.....	250	250	250	---	---
Pyramid Lake water rights settlement.....	142	142	142	---	---
Nez Perce/Snake River.....	15,432	9,450	9,450	-5,982	---
Navajo Water Resources Development Trust Fund.....	5,988	6,000	6,000	+12	---
Navajo Gallup Water Settlement.....	---	4,388	4,388	+4,388	---
Duck Valley Water Rights Settlement.....	11,976	12,000	12,000	+24	---
Puget Sound regional shellfish settlement.....	6,487	---	---	-6,487	---
Soboba Band/Luiseno Indian Settlement.....	5,488	---	---	-5,488	---
Total, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians.....	46,387	32,855	32,855	-13,532	---
<b>Indian Guaranteed Loan Program Account</b>					
Indian guaranteed loan program account.....	8,199	3,114	8,114	-85	+5,000
<b>TOTAL, BUREAU OF INDIAN AFFAIRS.....</b>	<b>2,594,012</b>	<b>2,500,653</b>	<b>2,529,651</b>	<b>-64,361</b>	<b>+28,998</b>
<b>DEPARTMENTAL OFFICES</b>					
<b>Office of the Secretary, Salaries and Expenses</b>					
Executive direction.....	18,210	---	---	-18,210	---
Policy, management and budget.....	36,663	---	---	-36,663	---
Hearings and appeals.....	7,151	---	---	-7,151	---
Central administrative services.....	41,586	---	---	-41,586	---
Bureau of Mines workers compensation.....	570	---	---	-570	---
Indian Arts and Crafts Board.....	1,308	---	---	-1,308	---
Consolidated Appraisal services.....	12,112	---	---	-12,112	---
National Museum of American Latino Commission.....	998	---	---	-998	---
Leadership and administration.....	---	129,418	119,032	+119,032	-10,386
Management services.....	---	34,643	21,755	+21,755	-12,888
Office of Natural Resources Revenue.....	---	119,609	109,364	+109,364	-10,245
Total, Office of the Secretary, Salaries and expenses.....	118,598	283,670	250,151	+131,553	-33,519

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Insular Affairs</b>					
<b>Assistance to Territories</b>					
<b>Territorial Assistance</b>					
Office of Insular Affairs.....	9,262	9,480	9,262	---	-218
Technical assistance.....	15,271	13,804	13,804	-1,467	---
Maintenance assistance fund.....	2,443	2,241	2,241	-202	---
Brown tree snake.....	2,994	3,000	2,994	---	-6
Coral reef initiative.....	998	1,000	998	---	-2
Water and wastewater projects.....	791	---	791	---	+791
Empowering Insular Communities.....	1,996	4,120	1,996	---	-2,124
<b>Subtotal, Territorial Assistance.....</b>	<b>33,755</b>	<b>33,645</b>	<b>32,086</b>	<b>-1,669</b>	<b>-1,559</b>
American Samoa operations grants.....	22,707	22,752	22,752	+45	---
Northern Marianas covenant grants.....	27,720	27,720	27,720	---	---
<b>Total, Assistance to Territories.....</b>	<b>84,182</b>	<b>84,117</b>	<b>82,558</b>	<b>-1,624</b>	<b>-1,559</b>
<b>Compact of Free Association</b>					
Compact of Free Association - Federal services.....	2,808	2,818	2,808	---	-10
Discretionary payments - program grant assistance.....	2,000	---	---	-2,000	---
Enewetak support.....	499	236	499	---	+263
Compact payments, Palau (section 122).....	12,000	---	---	-12,000	---
<b>Total, Compact of Free Association.....</b>	<b>17,307</b>	<b>3,054</b>	<b>3,307</b>	<b>-14,000</b>	<b>+253</b>
<b>Total, Insular Affairs.....</b>	<b>101,489</b>	<b>87,171</b>	<b>85,865</b>	<b>-15,624</b>	<b>-1,306</b>
<b>Office of the Solicitor</b>					
Legal services.....	47,510	49,481	47,510	---	-1,971
General administration.....	16,244	16,385	16,244	---	-141
Ethics.....	1,192	2,610	1,192	---	-1,418
<b>Total, Office of the Solicitor.....</b>	<b>64,946</b>	<b>68,476</b>	<b>64,946</b>	<b>---</b>	<b>-3,530</b>
<b>Office of Inspector General</b>					
Audit and investigations.....	38,800	39,203	38,800	---	-403
Administrative services and information management.....	9,693	10,268	9,693	---	-575
<b>Total, Office of Inspector General.....</b>	<b>48,493</b>	<b>49,471</b>	<b>48,493</b>	<b>---</b>	<b>-978</b>
<b>Office of Special Trustee for American Indians</b>					
<b>Federal Trust Programs</b>					
Program operations, support, and improvements.....	157,942	150,103	150,103	-7,839	---
(Office of Historical Accounting).....	(31,534)	(31,171)	(31,171)	(-363)	---
Executive direction.....	2,736	2,216	2,216	-520	---
<b>Total, Office of Special Trustee for American Indians.....</b>	<b>160,678</b>	<b>152,319</b>	<b>152,319</b>	<b>-8,359</b>	<b>---</b>
<b>TOTAL, DEPARTMENTAL OFFICES.....</b>	<b>494,204</b>	<b>641,107</b>	<b>601,774</b>	<b>+107,570</b>	<b>-39,333</b>
(Mandatory).....	(27,720)	(27,720)	(27,720)	---	---
(Discretionary).....	(466,484)	(613,387)	(574,054)	(+107,570)	(-39,333)

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>DEPARTMENT-WIDE PROGRAMS</b>					
Wildland Fire Management					
Fire Operations:					
Preparedness.....	290,452	276,964	276,964	-13,488	---
Fire suppression operations.....	398,951	270,611	270,611	-128,340	---
Subtotal, Fire operations.....	689,403	547,575	547,575	-141,828	---
Other Operations:					
Hazardous fuels reduction.....	183,314	156,763	183,314	---	+26,551
Burned area rehabilitation.....	33,203	13,046	13,046	-20,157	---
Fire facilities.....	6,137	6,137	6,137	---	---
Joint fire science.....	6,000	6,000	6,000	---	---
Rural fire assistance.....	---	---	7,000	+7,000	+7,000
Subtotal, Other operations.....	228,654	181,946	215,497	-13,157	+33,551
Subtotal, Wildland fire management.....	918,057	729,521	763,072	-154,985	+33,551
Rescission of unobligated balances.....	-200,000	---	---	+200,000	---
Use of emergency suppression funds.....	---	---	-189,000	-189,000	-189,000
Total, Wildland fire management.....	718,057	729,521	574,072	-143,985	-155,449
FLAME Wildfire Suppression Reserve Account					
FLAME wildfire suppression reserve account.....	60,878	92,000	92,000	+31,122	---
Total, all wildland fire accounts.....	778,935	821,521	666,072	-112,863	-155,449
Central Hazardous Materials Fund					
Central hazardous materials fund.....	10,155	10,149	10,149	-6	---
Natural Resource Damage Assessment Fund					
Damage assessments.....	3,896	3,743	3,743	-153	---
Program management.....	1,937	1,906	1,406	-531	-500
Restoration support.....	616	614	614	-2	---
Total, Natural Resource Damage Assessment Fund..	6,449	6,263	5,763	-686	-500
Working Capital Fund.....	85,651	73,119	57,019	-28,632	-16,100
<b>TOTAL, DEPARTMENT-WIDE PROGRAMS.....</b>	<b>881,190</b>	<b>911,052</b>	<b>739,003</b>	<b>-142,187</b>	<b>-172,049</b>
<b>GENERAL PROVISIONS</b>					
State royalty administrative cost deduction (BOEMRE).. (net receipt sharing - both on and offshore)	-42,000	-42,000	-42,000	---	---
Geothermal Energy Receipts (Sec. 423).....	-8,000	---	---	+8,000	---
Geothermal receipts amendment (P.L. 111-212).....	8,000	---	---	-8,000	---
<b>TOTAL, GENERAL PROVISIONS.....</b>	<b>-42,000</b>	<b>-42,000</b>	<b>-42,000</b>	<b>---</b>	<b>---</b>
<b>TOTAL, TITLE I, DEPARTMENT OF THE INTERIOR....</b>	<b>10,627,630</b>	<b>11,111,830</b>	<b>9,912,168</b>	<b>-715,462</b>	<b>-1,199,662</b>
Appropriations.....	(10,913,196)	(11,141,830)	(9,942,168)	(-971,028)	(-1,199,662)
Rescissions.....	(-285,566)	(-30,000)	(-30,000)	(+255,566)	---
(Mandatory).....	(52,920)	(57,420)	(57,420)	(+4,500)	---
(Discretionary).....	(10,574,710)	(11,054,410)	(9,854,748)	(-719,962)	(-1,199,662)

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
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	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>TITLE II - ENVIRONMENTAL PROTECTION AGENCY</b>					
<b>Science and Technology</b>					
Air toxics and quality.....	120,517	---	---	-120,517	---
Clean Air and Climate.....	---	134,370	120,082	+120,082	-14,288
(Climate protection program).....	---	(16,345)	(16,345)	(+16,345)	---
Climate protection program.....	16,828	---	---	-16,828	---
Enforcement.....	15,293	15,326	15,293	---	-33
Homeland security.....	46,176	42,036	42,036	-4,140	---
Indoor air and Radiation.....	1,264	6,758	6,758	+5,494	---
IT / Data management / Security.....	3,657	4,108	3,657	---	-451
Operations and administration.....	69,660	76,521	70,050	+390	-6,471
(Rent).....	(30,237)	(35,661)	(35,661)	(+5,424)	---
(Utilities).....	(19,851)	(20,195)	(20,195)	(+344)	---
(Security).....	(10,327)	(10,714)	(10,714)	(+387)	---
Pesticide licensing.....	6,578	6,831	6,578	---	-253
Research: Air, climate and energy.....	---	108,000	93,000	+93,000	-15,000
Research: Chemical safety and sustainability.....	---	138,057	125,514	+125,514	-12,543
(Research: Computational toxicology).....	(21,054)	(21,211)	(21,054)	---	(-157)
(Research: Endocrine disruptor).....	(15,950)	(16,888)	(15,950)	---	(-938)
Research: Clean air.....	102,404	---	---	-102,404	---
Research: Human health and ecosystems.....	243,894	---	---	-243,894	---
Research: Land protection.....	13,372	---	---	-13,372	---
Research: National priorities.....	---	---	5,000	+5,000	+5,000
Research: Pesticides and toxics.....	27,285	---	---	-27,285	---
Research: Safe and sustainable water resources.....	117,297	118,776	108,532	-8,765	-10,244
Research: Sustainable and healthy communities.....	---	171,026	154,324	+154,324	-16,702
Research: Sustainability.....	25,486	---	---	-25,486	---
Water: Human health protection.....	3,769	3,787	3,787	+18	---
<b>Total, Science and Technology.....</b>	<b>813,480</b>	<b>825,596</b>	<b>754,611</b>	<b>-58,869</b>	<b>-70,985</b>
(transfer from Superfund).....	(26,780)	(23,016)	(23,016)	(-3,764)	---
<b>Environmental Programs and Management</b>					
Air toxics and quality.....	207,272	---	---	-207,272	---
Brownfields.....	23,680	26,397	23,680	---	-2,717
Clean air and climate.....	---	315,286	263,741	+263,741	-51,545
(Climate protection program).....	---	(111,419)	(91,997)	(+91,997)	(-19,422)
Climate protection program.....	107,530	---	---	-107,530	---
Compliance.....	106,874	119,648	106,874	---	-12,774
Enforcement.....	255,850	268,218	226,656	-29,194	-41,562
(Environmental justice).....	(6,856)	(7,397)	(6,856)	---	(-541)
Environmental protection: National priorities.....	---	---	15,000	+15,000	+15,000
Geographic programs:					
Great Lakes Restoration Initiative.....	299,400	350,000	250,000	-49,400	-100,000
Chesapeake Bay.....	54,391	67,350	50,000	-4,391	-17,350
San Francisco Bay.....	5,333	4,847	4,847	-486	---
Puget Sound.....	38,095	19,289	30,000	-8,095	+10,711
Long Island Sound.....	5,333	2,962	2,962	-2,371	---
Gulf of Mexico.....	4,572	4,464	4,464	-108	---
South Florida.....	1,653	2,061	1,653	---	-408
Upper Mississippi River Basin.....	---	6,000	---	---	-6,000
Lake Champlain.....	3,048	1,399	1,399	-1,649	---
Lake Pontchartrain.....	1,143	955	955	-188	---
CARE(Community Action for a Renewed Environment).....	1,865	2,384	---	-1,865	-2,384
Other geographic activities.....	1,209	1,296	---	-1,209	-1,296
<b>Subtotal.....</b>	<b>416,042</b>	<b>463,007</b>	<b>346,280</b>	<b>-69,762</b>	<b>-116,727</b>

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	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Homeland security.....	12,856	11,300	11,300	-1,556	---
Indoor air and radiation.....	25,887	33,770	33,770	+7,883	---
Information exchange / Outreach.....	133,979	145,210	120,936	-13,043	-24,274
(Children and other sensitive populations:					
Agency coordination).....	(7,491)	(10,795)	(6,515)	(-976)	(-4,280)
(Environmental education).....	(9,713)	(9,885)	---	(-9,713)	(-9,885)
International programs.....	19,068	19,447	16,195	-2,873	-3,252
IT / Data management / Security.....	99,549	95,413	93,372	-6,177	-2,041
Legal/science/regulatory/economic review.....	122,657	128,610	89,234	-33,423	-39,376
Operations and administration.....	496,017	507,535	476,419	-19,598	-31,116
(Rent).....	(162,578)	(170,807)	(170,807)	(+8,229)	---
(Utility).....	(13,182)	(11,221)	(11,221)	(-1,961)	---
(Security).....	(30,836)	(29,266)	(29,266)	(-1,570)	---
Pesticide licensing.....	116,889	110,523	110,523	-6,366	---
Resource Conservation and Recovery Act (RCRA).....	118,043	116,871	112,643	-5,400	-4,228
Toxics risk review and prevention.....	100,123	115,297	100,123	---	-15,174
(Endocrine disruptors).....	(8,554)	(8,268)	(8,268)	(-286)	---
Underground storage tanks (LUST / UST).....	12,966	12,866	12,866	-100	---
Water: Ecosystems					
National estuary program / Coastal waterways.....	26,748	27,058	26,748	---	-310
Wetlands.....	26,505	27,368	21,199	-5,306	-6,169
Subtotal.....	53,253	54,426	47,947	-5,306	-6,479
Water: Human health protection.....	104,188	107,324	98,324	-5,864	-9,000
Water quality protection.....	223,747	225,486	192,550	-31,197	-32,936
Total, Environmental Programs and Management....	2,756,470	2,876,634	2,498,433	-258,037	-378,201
Office of Inspector General					
Audits, evaluations, and investigations.....	44,701	45,997	41,099	-3,602	-4,898
(transfer from Superfund).....	(9,955)	(10,009)	(9,955)	---	(-54)
Buildings and Facilities					
Homeland security: Protection of EPA personnel					
and infrastructure.....	7,055	8,038	7,055	---	-983
Operations and administration.....	29,373	33,931	29,373	---	-4,558
Total, Buildings and Facilities.....	36,428	41,969	36,428	---	-5,541
Hazardous Substance Superfund					
Audits, evaluations, and investigations.....	9,955	10,009	9,955	---	-54
Compliance.....	1,234	1,222	1,222	-12	---
Enforcement.....	191,621	191,615	181,615	-10,006	-10,000
Homeland security.....	41,707	41,834	41,834	+127	---
Indoor air and radiation.....	2,454	2,487	2,454	---	-33
Information exchange / Outreach.....	1,431	1,433	1,433	+2	---
IT /data management/security.....	17,408	16,080	16,080	-1,328	---
Legal/science/regulatory/economic review.....	1,528	1,677	1,528	---	-149
Operations and administration.....	136,648	138,069	136,369	-279	-1,700
(Rent).....	(43,798)	(47,112)	(47,112)	(+3,314)	---
(Utility).....	(3,741)	(3,765)	(3,765)	(+24)	---
(Security).....	(8,396)	(8,282)	(8,282)	(-114)	---
Research: Chemical safety and sustainability*.....	4,027	3,342	3,342	-685	---
Research: Sustainable communities**.....	20,546	17,706	17,706	-2,840	---
Research: Sustainability.....	95	---	---	-95	---



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<b>Superfund cleanup:</b>					
Superfund: Emergency response and removal.....	200,498	194,895	194,895	-5,603	---
Superfund: Emergency preparedness.....	9,345	9,263	9,263	-82	---
Superfund: Federal facilities.....	31,135	26,242	26,242	-4,893	---
Superfund: Remedial.....	605,368	574,499	574,499	-30,869	---
Superfund: Support to other Federal agencies.....	5,908	5,858	5,858	-50	---
Subtotal.....	852,254	810,757	810,757	-41,497	---
Total, Hazardous Substance Superfund.....	1,280,908	1,236,231	1,224,295	-56,613	-11,936
(transfer to Inspector General).....	(-9,955)	(-10,009)	(-9,955)	---	(+54)
(transfer to Science and Technology).....	(-26,780)	(-23,016)	(-23,016)	(+3,764)	---
* Formerly Research: Human health and ecosystems					
** Formerly Research: Land protection					
<b>Leaking Underground Storage Tank Trust Fund (LUST)</b>					
Enforcement.....	789	832	789	---	-43
Operations and administration.....	1,854	1,591	1,591	-263	---
Research: Sustainable communities*.....	397	454	454	+57	---
Underground storage tanks (LUST / UST).....	109,835	109,604	102,835	-7,000	-6,769
(LUST/UST).....	(12,410)	(11,982)	(11,982)	(-428)	---
(LUST cooperative agreements).....	(63,066)	(63,192)	(56,423)	(-6,643)	(-6,769)
(Energy Policy Act grants).....	(34,359)	(34,430)	(34,430)	(+71)	---
Total, Leaking Underground Storage Tank Trust Fund.....	112,875	112,481	105,669	-7,206	-6,812
* Formerly Research: Land protection					
<b>Inland Oil Spill Program (formerly Oil Spill Response)</b>					
Compliance.....	135	138	138	+3	---
Enforcement.....	2,288	2,902	2,288	---	-614
Oil.....	14,698	19,472	14,698	---	-4,774
Operations and administration.....	537	536	536	-1	---
Research: Sustainable communities*.....	684	614	614	-70	---
Total, Inland Oil Spill Program.....	18,342	23,662	18,274	-68	-5,388
* Formerly Research: Land protection					
<b>State and Tribal Assistance Grants (STAG)</b>					
Alaska Native villages.....	9,980	10,000	---	-9,980	-10,000
Brownfields projects.....	99,800	99,041	60,000	-39,800	-39,041
Clean water state revolving fund (SRF).....	1,521,950	1,550,000	689,000	-832,950	-861,000
Diesel emissions grants.....	49,900	---	30,000	-19,900	+30,000
Drinking water state revolving fund (SRF).....	963,070	990,000	829,000	-134,070	-161,000
Mexico border.....	9,980	10,000	---	-9,980	-10,000
Subtotal, Infrastructure assistance grants.....	2,654,680	2,659,041	1,608,000	-1,046,680	-1,051,041
<b>Categorical grants:</b>					
Beaches protection.....	9,880	9,900	9,880	---	-20
Brownfields.....	49,396	49,495	49,396	---	-99
Environmental information.....	9,980	10,200	9,980	---	-220
Hazardous waste financial assistance.....	103,139	103,412	103,139	---	-273
Lead.....	14,535	14,855	14,535	---	-320
Multi-media tribal implementation.....	---	20,000	---	---	-20,000
Nonpoint source (Sec. 319).....	175,505	164,757	150,505	-25,000	-14,252
Pesticides enforcement.....	18,674	19,085	18,674	---	-411
Pesticides program implementation.....	13,493	13,140	13,140	-353	---
Pollution control (Sec. 106).....	238,786	250,264	204,264	-34,522	-46,000
(Water quality monitoring).....	(18,463)	(11,300)	(11,300)	(-7,163)	---
Pollution prevention.....	4,930	5,039	4,930	---	-109
Public water system supervision.....	105,489	109,700	105,489	---	-4,211
Radon.....	8,058	8,074	8,058	---	-16
State and local air quality management.....	236,107	305,500	201,580	-34,527	-103,920

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Toxics substances compliance.....	5,089	5,201	5,089	---	-112
Tribal air quality management.....	13,273	13,566	13,273	---	-293
Tribal general assistance program.....	67,739	71,375	62,875	-4,864	-8,500
Underground injection control (UIC).....	10,869	11,109	10,869	---	-240
Underground storage tanks.....	2,495	1,550	1,550	-945	---
Wetlands program development.....	16,796	15,167	15,167	-1,629	---
Subtotal, Categorical grants.....	1,104,233	1,201,389	1,002,393	-101,840	-198,996
Total, State and Tribal Assistance Grants.....	3,758,913	3,860,430	2,610,393	-1,148,520	-1,250,037
Subtotal, ENVIRONMENTAL PROTECTION AGENCY.....	8,822,117	9,023,000	7,289,202	-1,532,915	-1,733,798
Rescission.....	-140,000	-50,000	-140,000	---	-90,000
TOTAL, TITLE II, ENVIRONMENTAL PROTECTION AGENCY Appropriations.....	8,682,117	8,973,000	7,149,202	-1,532,915	-1,823,798
Rescissions.....	(8,822,117)	(9,023,000)	(7,289,202)	(-1,532,915)	(-1,733,798)
	(-140,000)	(-50,000)	(-140,000)	---	(-90,000)

TITLE III - RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Forest and Rangeland Research

Forest inventory and analysis.....	66,805	61,939	66,805	---	+4,866
Research and development programs..... (Global Climate Change Science).....	239,832 (31,793)	233,834 (28,357)	210,477 ---	-29,355 (-31,793)	-23,357 (-28,357)
Total, Forest and rangeland research.....	306,637	295,773	277,282	-29,355	-18,491

State and Private Forestry

Forest Health Management:					
Federal lands forest health management.....	56,737	55,613	54,501	-2,236	-1,112
Cooperative lands forest health management.....	48,821	43,942	43,063	-5,758	-879
Subtotal.....	105,558	99,555	97,564	-7,994	-1,991
Cooperative Fire Protection:					
State fire assistance.....	32,358	33,201	32,537	+179	-664
Volunteer fire assistance.....	6,680	7,000	6,680	---	-320
Subtotal.....	39,038	40,201	39,217	+179	-984
Cooperative Forestry:					
Forest stewardship.....	32,548	29,449	28,860	-3,688	-589
Forest legacy.....	52,894	135,000	3,000	-49,894	-132,000
Subtotal.....	52,894	135,000	3,000	-49,894	-132,000
Community forest and open space conservation.....	1,000	5,000	1,000	---	-4,000
Urban and community forestry.....	32,040	32,377	29,042	-2,998	-3,335
Forest resource information and analysis.....	5,026	---	4,925	-101	+4,925
Subtotal, Cooperative Forestry.....	123,508	201,826	66,827	-56,681	-134,999
International forestry.....	9,492	---	5,000	-4,492	+5,000
Total, State and Private Forestry.....	277,596	341,582	208,608	-68,988	-132,974

National Forest System

Land management planning.....	45,033	205,602	30,033	-15,000	-175,569
Inventory and monitoring.....	167,219	---	165,219	-2,000	+165,219
Recreation, heritage and wilderness.....	281,627	290,498	281,627	---	-8,871

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(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grazing management.....	49,738	45,445	55,445	+5,707	+10,000
Forest products.....	336,049	---	336,722	+673	+336,722
Vegetation and watershed management.....	184,341	---	184,341	---	+184,341
Wildlife and fish habitat management.....	140,260	---	140,260	---	+140,260
(Integrated resource restoration).....	---	(854,242)	---	---	(-854,242)
Restoration of Management and Resources.....	---	659,242	---	---	-659,242
Collaborative Forest Landscape Restoration Fund.....	14,970	40,000	30,000	+15,030	-10,000
Priority watersheds and jobs stabilization.....	---	80,000	---	---	-80,000
Legacy roads and trails.....	---	75,000	---	---	-75,000
Minerals and geology management.....	83,560	78,805	83,560	---	+4,755
Landownership management.....	91,765	85,875	91,765	---	+5,890
Law enforcement operations.....	144,254	144,059	144,059	-195	---
Valles Caldera National Preserve.....	3,432	---	3,432	---	+3,432
<b>Total, National Forest System.....</b>	<b>1,542,248</b>	<b>1,704,526</b>	<b>1,546,463</b>	<b>+4,215</b>	<b>-158,063</b>
<b>Capital Improvement and Maintenance</b>					
<b>Facilities:</b>					
Maintenance.....	90,450	82,661	42,661	-47,789	-40,000
Construction.....	44,550	18,124	7,000	-37,550	-11,124
<b>Subtotal.....</b>	<b>135,000</b>	<b>100,785</b>	<b>49,661</b>	<b>-85,339</b>	<b>-51,124</b>
<b>Roads:</b>					
Maintenance.....	167,868	148,944	166,885	-983	+17,941
Construction.....	27,327	8,874	35,000	+7,673	+26,126
<b>Subtotal.....</b>	<b>195,195</b>	<b>157,818</b>	<b>201,885</b>	<b>+6,690</b>	<b>+44,067</b>
<b>Trails:</b>					
Maintenance.....	69,821	63,422	63,846	-5,975	+424
Construction.....	18,560	18,766	18,560	---	-206
<b>Subtotal.....</b>	<b>88,381</b>	<b>82,188</b>	<b>82,406</b>	<b>-5,975</b>	<b>+218</b>
Deferred maintenance.....	9,158	9,136	9,136	-22	---
Legacy road and trail remediation.....	44,910	---	35,000	-9,910	+35,000
<b>Subtotal, Capital improvement and maintenance...</b>	<b>472,644</b>	<b>349,927</b>	<b>378,088</b>	<b>-94,556</b>	<b>+28,161</b>
Deferral of road and trail fund payment.....	-13,000	-12,000	-12,000	+1,000	---
<b>Total, Capital improvement and maintenance.....</b>	<b>459,644</b>	<b>337,927</b>	<b>366,088</b>	<b>-93,556</b>	<b>+28,161</b>
<b>Land Acquisition</b>					
Acquisitions.....	19,235	72,500	---	-19,235	-72,500
Acquisition management.....	9,000	12,000	7,000	-2,000	-5,000
Cash equalization.....	400	1,000	1,000	+600	---
Critical inholdings/wilderness protection.....	4,299	4,500	4,500	+201	---
<b>Total, Land Acquisition.....</b>	<b>32,934</b>	<b>90,000</b>	<b>12,500</b>	<b>-20,434</b>	<b>-77,500</b>
Acquisition of land for national forests, special acts	1,048	955	955	-93	---
Acquisition of lands to complete land exchanges.....	250	227	227	-23	---
Range betterment fund.....	3,600	3,262	3,262	-338	---
Gifts, donations and bequests for forest and rangeland research.....	50	45	45	-5	---
Management of national forest lands for subsistence uses.....	2,577	---	2,000	-577	+2,000
<b>Wildland Fire Management</b>					
<b>Fire operations:</b>					
Wildland fire preparedness.....	673,650	1,006,052	1,006,052	+332,402	---
Wildland fire suppression operations.....	995,511	538,720	538,720	-456,791	---
<b>Subtotal, Fire operations.....</b>	<b>1,669,161</b>	<b>1,544,772</b>	<b>1,544,772</b>	<b>-124,389</b>	<b>---</b>

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Other operations:</b>					
Hazardous fuels.....	349,584	62,015	334,584	-15,000	+272,569
(Hazardous Fuels Base Program)*.....	(334,614)	(249,015)	---	(-334,614)	(-249,015)
(Collaborative Forest Landscape Restoration Fund)**	(9,980)	---	---	(-9,980)	---
(Biomass Grants).....	(4,990)	(5,000)	(5,000)	(+10)	---
Rehabilitation.....	11,477	---	---	-11,477	---
Fire plan research and development.....	23,869	21,734	21,734	-2,135	---
Joint fire sciences program.....	7,984	7,262	7,262	-722	---
Forest health management (federal lands).....	20,710	12,983	17,983	-2,727	+5,000
Forest health management (co-op lands).....	11,405	6,366	10,366	-1,039	+4,000
State fire assistance.....	64,870	45,564	61,032	-3,838	+15,468
Volunteer fire assistance.....	8,982	6,366	7,366	-1,616	+1,000
<b>Subtotal, Other operations.....</b>	<b>498,881</b>	<b>162,290</b>	<b>460,327</b>	<b>-38,554</b>	<b>+298,037</b>
<b>Subtotal, Wildland fire management.....</b>	<b>2,168,042</b>	<b>1,707,062</b>	<b>2,005,099</b>	<b>-162,943</b>	<b>+298,037</b>
* Non-WUI haz fuels moved to IRR under FY12 request					
**Moved to IRR under FY12 request					
Rescission.....	-200,000	-192,000	---	+200,000	+192,000
Use of emergency suppression funds.....	---	---	-200,000	-200,000	-200,000
<b>Total, Wildland fire management.....</b>	<b>1,968,042</b>	<b>1,515,062</b>	<b>1,805,099</b>	<b>-162,943</b>	<b>+290,037</b>
<b>FLAME Wildfire Suppression Reserve Account</b>					
FLAME wildfire suppression reserve account.....	290,418	315,886	290,418	---	-25,468
Rescission.....	-200,000	---	---	+200,000	---
<b>Total, all wildland fire accounts.....</b>	<b>2,058,460</b>	<b>1,830,948</b>	<b>2,095,517</b>	<b>+37,057</b>	<b>+264,569</b>
Forest Service payments to communities (leg proposal).....	---	328,000	---	---	-328,000
<b>Total, Forest Service without Wildland fire.....</b>	<b>2,626,584</b>	<b>2,774,297</b>	<b>2,417,430</b>	<b>-209,154</b>	<b>-356,867</b>
<b>TOTAL, FOREST SERVICE.....</b>	<b>4,685,044</b>	<b>4,933,245</b>	<b>4,512,947</b>	<b>-172,097</b>	<b>-420,298</b>

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

Indian Health Services

Clinical Services:

IHS and tribal health delivery

Hospital and health clinic programs.....	1,762,865	1,963,886	1,858,433	+95,568	-105,453
Dental health program.....	152,634	170,859	166,492	+13,858	-4,367
Mental health program.....	72,786	81,117	78,023	+5,237	-3,094
Alcohol and substance abuse program.....	194,409	211,693	202,102	+7,693	-9,591
Contract health services.....	779,927	948,646	836,685	+56,758	-111,961
(Catastrophic health emergency fund).....	(47,904)	(58,000)	(51,500)	(+3,596)	(-6,500)
<b>Subtotal.....</b>	<b>2,962,621</b>	<b>3,376,201</b>	<b>3,141,735</b>	<b>+179,114</b>	<b>-234,466</b>

Preventive Health:

Public health nursing.....	63,943	70,613	68,646	+4,703	-1,967
Health education.....	16,649	18,190	17,680	+1,031	-510
Community health representatives program.....	61,505	65,746	63,867	+2,362	-1,879
Immunization (Alaska).....	1,930	2,064	2,005	+75	-59
<b>Subtotal.....</b>	<b>144,027</b>	<b>156,613</b>	<b>152,198</b>	<b>+8,171</b>	<b>-4,415</b>

Urban health program.....	43,053	46,745	45,525	+2,472	-1,220
Indian health professions.....	40,661	42,016	41,934	+1,273	-82
Tribal management.....	2,581	2,762	2,757	+176	-5
Direct operations.....	68,583	73,636	70,095	+1,512	-3,541

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Self-governance.....	6,054	6,329	6,317	+263	-12
Contract support costs.....	397,693	461,837	573,761	+176,068	+111,924
<b>Total, Indian Health Services.....</b>	<b>3,665,273</b>	<b>4,166,139</b>	<b>4,034,322</b>	<b>+369,049</b>	<b>-131,817</b>
<b>Indian Health Facilities</b>					
Maintenance and improvement.....	53,807	57,078	55,439	+1,632	-1,639
Sanitation facilities construction.....	95,665	79,710	77,002	-18,663	-2,708
Health care facilities construction.....	39,156	85,184	85,724	+46,568	+540
Facilities and environmental health support.....	192,701	210,992	205,083	+12,382	-5,909
Equipment.....	22,618	24,705	24,011	+1,393	-694
<b>Subtotal, Indian Health Facilities.....</b>	<b>403,947</b>	<b>457,669</b>	<b>447,259</b>	<b>+43,312</b>	<b>-10,410</b>
Use of prior year unobligated balances.....	---	---	-20,000	-20,000	-20,000
<b>Total, Indian Health Facilities.....</b>	<b>403,947</b>	<b>457,669</b>	<b>427,259</b>	<b>+23,312</b>	<b>-30,410</b>
<b>TOTAL, INDIAN HEALTH SERVICE.....</b>	<b>4,069,220</b>	<b>4,623,808</b>	<b>4,461,581</b>	<b>+392,361</b>	<b>-162,227</b>
<b>NATIONAL INSTITUTES OF HEALTH</b>					
National Institute of Environmental Health Sciences...	79,054	81,085	79,054	---	-2,031
<b>AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY</b>					
Toxic substances and environmental public health.....	76,638	76,337	74,039	-2,599	-2,298
<b>TOTAL, DEPARTMENT OF HEALTH AND HUMAN SERVICES..</b>	<b>4,224,912</b>	<b>4,781,230</b>	<b>4,614,674</b>	<b>+389,762</b>	<b>-166,556</b>
<b>OTHER RELATED AGENCIES</b>					
<b>EXECUTIVE OFFICE OF THE PRESIDENT</b>					
Council on Environmental Quality and Office of Environmental Quality.....	3,153	3,444	2,661	-492	-783
<b>CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD</b>					
Salaries and expenses.....	10,777	11,147	10,000	-777	-1,147
<b>OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION</b>					
Salaries and expenses.....	7,984	9,570	7,530	-454	-2,040
<b>INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT</b>					
Payment to the Institute.....	8,283	9,225	7,900	-383	-1,325
<b>SMITHSONIAN INSTITUTION</b>					
<b>Salaries and Expenses</b>					
<b>Museum and Research Institutes:</b>					
National Air and Space Museum.....	18,359	18,246	18,246	-113	---
Smithsonian Astrophysical Observatory.....	24,336	24,035	24,035	-301	---
Major scientific instrumentation.....	3,814	3,822	3,814	---	-8
Universe Center.....	200	300	200	---	-100
National Museum of Natural History.....	48,318	48,163	48,163	-155	---
National Zoological Park.....	23,306	23,352	23,306	---	-46
Smithsonian Environmental Research Center.....	3,765	3,773	3,756	-9	-17
Smithsonian Tropical Research Institute.....	14,867	12,239	12,239	-2,628	---
Biodiversity Center.....	500	2,100	500	---	-1,600

DEPARTMENT OF THE INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS BILL, 2012 (H.R.2584)  
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	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Arthur M. Sackler Gallery/Freer Gallery of Art.....	6,123	6,135	6,113	-10	-22
Center for Folklife and Cultural Heritage.....	2,295	2,300	2,282	-13	-18
Cooper-Hewitt, National Design Museum.....	4,051	4,244	4,051	---	-193
Hirshhorn Museum and Sculpture Garden.....	4,347	4,356	4,347	---	-9
National Museum of African Art.....	4,452	4,461	4,452	---	-9
World Cultures Center.....	300	300	300	---	---
Anacostia Community Museum.....	2,059	2,063	2,048	-11	-15
Archives of American Art.....	1,876	1,880	1,858	-18	-22
National Museum of African American History and Culture.....	13,298	13,437	12,894	-404	-543
National Museum of American History.....	22,392	22,637	22,349	-43	-288
National Museum of the American Indian.....	32,335	31,900	31,900	-435	---
National Portrait Gallery.....	5,987	5,999	5,967	-20	-32
Smithsonian American Art Museum.....	9,325	9,343	9,245	-80	-98
American Experience Center.....	300	800	300	---	-500
<b>Subtotal, Museums and Research Institutes.....</b>	<b>246,605</b>	<b>245,885</b>	<b>242,365</b>	<b>-4,240</b>	<b>-3,520</b>
<b>Mission enabling:</b>					
<b>Program support and outreach:</b>					
Outreach.....	9,592	9,291	9,291	-301	---
Communications.....	2,490	2,594	2,342	-148	-252
Institution-wide programs.....	11,607	10,928	10,839	-768	-89
Office of Exhibits Central.....	3,006	3,012	2,982	-24	-30
Museum Support Center.....	1,870	1,874	1,858	-12	-16
Museum Conservation Institute.....	3,230	3,236	3,119	-111	-117
Smithsonian Institution Archives.....	2,189	2,193	2,054	-135	-139
Smithsonian Institution Libraries.....	9,963	9,983	9,963	---	-20
<b>Subtotal, Program support and outreach.....</b>	<b>43,947</b>	<b>43,111</b>	<b>42,448</b>	<b>-1,499</b>	<b>-663</b>
Office of Chief Information Officer.....	45,526	46,144	43,536	-1,990	-2,608
Administration.....	33,293	33,949	33,293	---	-656
Inspector General.....	2,602	2,607	2,602	---	-5
<b>Facilities services:</b>					
Facilities maintenance.....	70,000	72,107	70,000	---	-2,107
Facilities operations, security and support.....	192,916	192,727	192,727	-189	---
<b>Subtotal, Facilities services.....</b>	<b>262,916</b>	<b>264,834</b>	<b>262,727</b>	<b>-189</b>	<b>-2,107</b>
<b>Subtotal, Mission enabling.....</b>	<b>388,284</b>	<b>390,645</b>	<b>384,606</b>	<b>-3,678</b>	<b>-6,039</b>
<b>Total, Salaries and expenses.....</b>	<b>634,889</b>	<b>636,530</b>	<b>626,971</b>	<b>-7,918</b>	<b>-9,559</b>
<b>Facilities Capital</b>					
Revitalization.....	91,940	84,830	59,580	-32,360	-25,250
Facilities planning and design.....	32,810	140,170	65,170	+32,360	-75,000
<b>Total, Facilities Capital.....</b>	<b>124,750</b>	<b>225,000</b>	<b>124,750</b>	<b>---</b>	<b>-100,250</b>
<b>TOTAL, SMITHSONIAN INSTITUTION.....</b>	<b>759,639</b>	<b>861,530</b>	<b>751,721</b>	<b>-7,918</b>	<b>-109,809</b>
<b>NATIONAL GALLERY OF ART</b>					
<b>Salaries and Expenses</b>					
Care and utilization of art collections.....	36,828	36,708	36,708	-120	---
Operation and maintenance of buildings and grounds....	29,209	35,499	31,209	+2,000	-4,290
Protection of buildings, grounds and contents.....	23,729	23,509	23,509	-220	---
General administration.....	20,759	23,065	20,759	---	-2,306
<b>Total, Salaries and Expenses.....</b>	<b>110,525</b>	<b>118,781</b>	<b>112,185</b>	<b>+1,660</b>	<b>-6,596</b>

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	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Repair, Restoration and Renovation of Buildings</b>					
Base program.....	48,125	19,219	13,938	-34,187	-5,281
<b>TOTAL, NATIONAL GALLERY OF ART.....</b>	<b>158,650</b>	<b>138,000</b>	<b>126,123</b>	<b>-32,527</b>	<b>-11,877</b>
<b>JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS</b>					
Operations and maintenance.....	22,455	23,200	22,455	---	-745
Capital repair and restoration.....	13,892	13,650	13,650	-242	---
<b>TOTAL, JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS.....</b>	<b>36,347</b>	<b>36,850</b>	<b>36,105</b>	<b>-242</b>	<b>-745</b>
<b>WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS</b>					
Salaries and expenses.....	11,203	11,005	10,000	-1,203	-1,005
<b>NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES</b>					
<b>National Endowment for the Arts</b>					
<b>Grants and Administration</b>					
<b>Grants:</b>					
Direct grants.....	67,243	58,208	54,200	-13,043	-4,008
Challenge America grants.....	7,984	8,000	6,000	-1,984	-2,000
New Our Town.....	---	5,000	2,000	+2,000	-3,000
Subtotal.....	75,227	71,208	62,200	-13,027	-9,008
<b>State partnerships:</b>					
State and regional.....	39,469	34,737	37,000	-2,469	+2,263
Underserved set-aside.....	10,683	9,402	9,000	-1,683	-402
Subtotal.....	50,152	44,139	46,000	-4,152	+1,861
Subtotal, Grants.....	125,379	115,347	108,200	-17,179	-7,147
Program support.....	1,876	2,845	1,750	-126	-1,095
Administration.....	27,435	28,063	25,050	-2,385	-3,013
<b>Total, Arts.....</b>	<b>154,690</b>	<b>146,255</b>	<b>135,000</b>	<b>-19,690</b>	<b>-11,255</b>
<b>National Endowment for the Humanities</b>					
<b>Grants and Administration</b>					
<b>Grants:</b>					
Bridging cultures.....	1,500	4,000	2,000	+500	-2,000
Federal/State partnership.....	42,450	40,100	38,000	-4,450	-2,100
Preservation and access.....	16,500	15,600	12,750	-3,750	-2,850
Public programs.....	15,000	13,800	12,000	-3,000	-1,800
Research programs.....	16,250	14,900	12,250	-4,000	-2,650
Education programs.....	13,750	13,550	12,000	-1,750	-1,550
Program development.....	500	500	500	---	---
We The People Initiative grants.....	3,219	---	4,750	+1,531	+4,750
Digital humanities initiatives.....	4,000	4,250	3,500	-500	-750
Subtotal, Grants.....	113,169	106,700	97,750	-15,419	-8,950



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<b>Matching Grants:</b>					
Treasury funds.....	4,800	2,750	2,000	-2,800	-750
Challenge grants.....	9,471	8,750	8,000	-1,471	-750
Subtotal, Matching grants.....	14,271	11,500	10,000	-4,271	-1,500
Administration.....	27,250	28,055	27,250	---	-805
Total, Humanities.....	154,690	146,255	135,000	-19,690	-11,255
=====					
TOTAL, NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES.....	309,380	292,510	270,000	-39,380	-22,510
=====					
<b>COMMISSION OF FINE ARTS</b>					
Salaries and expenses.....	2,289	2,400	2,234	-55	-166
<b>NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS</b>					
Grants.....	2,994	---	---	-2,994	---
<b>ADVISORY COUNCIL ON HISTORIC PRESERVATION</b>					
Salaries and expenses.....	5,896	6,108	5,498	-398	-610
<b>NATIONAL CAPITAL PLANNING COMMISSION</b>					
Salaries and expenses.....	8,490	8,154	8,133	-357	-21
<b>UNITED STATES HOLOCAUST MEMORIAL MUSEUM</b>					
Holocaust Memorial Museum.....	49,024	52,694	50,524	+1,500	-2,170
<b>PRESIDIO TRUST</b>					
Operations.....	14,970	12,000	12,000	-2,970	---
<b>DWIGHT D. EISENHOWER MEMORIAL COMMISSION</b>					
Salaries and expenses.....	---	6,000	2,000	+2,000	-4,000
Capital construction.....	---	83,768	28,000	+28,000	-55,768
Total, DWIGHT D. EISENHOWER MEMORIAL COMMISSION.....	---	89,768	30,000	+30,000	-59,768
=====					
TOTAL, TITLE III, RELATED AGENCIES.....	10,299,035	11,258,880	10,458,050	+159,015	-800,830
Appropriations.....	(10,699,035)	(11,450,880)	(10,458,050)	(-240,985)	(-992,830)
Rescissions.....	(-400,000)	(-192,000)	---	(+400,000)	(+192,000)
=====					
<b>TITLE IV - GENERAL PROVISIONS</b>					
Cabin user fee (Sec. 417).....	2,000	---	---	-2,000	---
=====					
GRAND TOTAL.....	29,610,782	31,343,710	27,519,420	-2,091,362	-3,824,290
Appropriations.....	(30,436,348)	(31,615,710)	(27,689,420)	(-2,746,928)	(-3,926,290)
Rescissions.....	(-825,566)	(-272,000)	(-170,000)	(+655,566)	(+102,000)
Discretionary total.....	29,559,000	31,289,290	27,465,000	-2,094,000	-3,824,290

I reserve the balance of my time.

Mr. MORAN. I yield myself such time as I may consume.

Mr. Chairman, this is a sad day, a sad day for the environment and for America's great natural and cultural heritage. H.R. 2584, with its deep cuts in important environmental and natural resource programs and shocking array of special interest riders and funding limitations, falls far short of meeting our responsibilities to protect and wisely use our Nation's natural resources.

The bill before the House today is more than \$2 billion below the current spending level, and it's almost \$4 billion below the President's request. It's even \$324 million below the CR level of H.R. 1 that was passed by the House just in February.

Given the subcommittee's punishingly low 302(b) allocation, I do recognize the difficulties that Chairman SIMPSON of the subcommittee and Chairman ROGERS of the full committee faced in crafting the bill. I do appreciate their efforts, Mr. SIMPSON's efforts particularly and Mr. COLE's, to protect funding for American Indian programs. I only wish that that protection could have extended to other important portions of this bill.

But as bad as the funding cuts are in this bill, what is most important is the extent to which the majority has filled this bill with extremist legislative riders and funding limitations. The bill is short on needed funds and long on antienvironmental riders.

H.R. 2584 is not so much a spending bill as the fulfillment of a wish list for special interests. Oil companies, cattle grazers, industrial agribusiness, miners, and those who wish to pollute our air and water for greater profit all have their special provisions tucked away into this bill. It is a dump truck of provisions for special interests.

In addition, this bill picks up where H.R. 1 left off and includes dozens of deep cuts in conservation and environmental protection programs, while the extractive or consumptive uses of our public lands are shielded from cuts and given a pass from complying with our Nation's landmark environmental laws. We continually hear from the majority that the pain of budget cuts has to be shared by all, but in this bill they have chosen winners and losers—the extractors and the exploiters and the despoilers of the forests are the winners and the animals and the people who depend upon clean air and water are the losers. The animals, the environment, the forests, the waterways, and humans who depend on clean air and water all lose.

This bill continues the majority's assault on the Environmental Protection Agency with deep cuts. After the EPA budget was cut by 16 percent in the current fiscal year, the majority is now proposing a further reduction of 18 percent for next year. In other words, a 34

percent cut in environmental protection. Cuts of nearly 40 percent are made to the clean water and safe drinking water grant programs, just at the time when the States and localities have run out of money to try to provide for clean water and to deal with storm water overflow and all of the plumbing infrastructure that is necessary throughout our country. When the majority says it wants to rein in the EPA, what they're really reining in is the ability to protect clean air and clean water. It also cuts more than 600 positions in EPA's regulatory workforce.

I am extremely disappointed at the majority's decision to prohibit funds for the Endangered Species Act listings and critical habitat designations. These are the vital first steps needed to begin the recovery process for 260 species currently at risk of extinction. Under the guise of sending a signal to the authorizing committee, this bill attacks the very heart of the Endangered Species Act. There are a great many unauthorized programs in this bill.

Wildlife programs overall are hard hit by this bill. State and tribal wildlife grants are cut by two-thirds, multinational species conservation by a fifth, and cooperative endangered species conservation by 95 percent. Even funding for the National Wildlife Refuge System will be cut by 7½ percent.

Our national parks and forests, wildlife refuges, wilderness areas, and other conservation units deserve better than what this bill provides. As stewards of these magnificent resources that were passed down to us, we have a responsibility to defend and preserve them for future generations. Spending reductions like the 78 percent cut to the Land and Water Conservation Fund, a nearly 80 percent cut to the Land and Water Conservation Fund to the lowest level it has ever been, and a 33 percent cut to the National Landscape Conservation System will place at risk some of our most precious resources.

I would also like to note that this bill is about more than our natural resources and the environment, and while the cultural activities and institutions are a small portion of the bill, they are a vital part of our communities and they do enhance our economy and our way of life. Yet these programs and activities would receive substantial cuts under this bill as well.

I am also struck by the contradictions contained in H.R. 2584. Here are just two examples:

On the one hand, the bill allocates millions of dollars to restore the Everglades in Florida, yet the majority includes a funding limitation that will permit the pollution of the Everglades. The bill also includes funding to deal with the continuing fallout from uranium mining on the Navajo Indian Reservation, yet it includes language that will expose Grand Canyon National

Park and the millions of Americans who depend upon the Colorado River for their drinking water to the well-known dangers of uranium mining, and they give away the publicly owned uranium to a foreign-owned Asian mining company. Imagine, giving away publicly owned uranium to a foreign firm.

The list of legislative riders and funding limitations in the bill is long: National Environmental Policy Act waivers, limitations on judicial review, and the blocking of air and water pollution controls. Whole legislative texts have been dumped into this bill. These riders and limitations have nothing to do with deficit reduction and everything to do with carrying out an extreme ideological agenda.

Repealing environmental regulations doesn't save money; it costs money. Keeping toxins out of our air and water is a great deal cheaper than cleaning up the damage or dealing with the adverse health effects. Preventing the Deepwater Horizon disaster would have been far cheaper than having to clean it up after the fact.

Each rider or funding limitation seems designed to benefit one industry or another. These provisions have become the new earmarks, with 39 such provisions already in the bill, and more are going to be proposed to be added.

While this bill rewards businesses and industries that seek to delay or undermine environmental protections, it penalizes others who try to do the right thing. As just one example, American Electric Power recently announced it's going to stop work on a low-carbon, coal-fired power plant, carbon sequestration, showing it can work, but they're going to stop work on it in light of the pullback in regulating emissions related to climate change. They see what the Congress is doing, they see what their competitors are doing, so they've decided not to do the right thing because we're making it too expensive to do the right thing.

With the funding cuts and special interest provisions, it's no wonder that the Statement of Administration Policy on H.R. 2584 runs five pages with its veto threat. I concur with the administration's views on the bill and under general leave will submit the administration's statement.

We owe it to our constituents and our communities to protect the air we breathe and the water we drink, to protect public health from the dangers of mercury and arsenic and lead. Imagine, we have more than 500 coal-fired power plants in this country and they emit more than 78,000 pounds of mercury, and yet one drop of mercury will poison an entire lake.

□ 1410

That's what we should be looking to, and not tying EPA's hands. We ought to be good stewards of the abundant natural and cultural heritage passed

down to us. President Johnson noted in 1964, and I'm going to quote, "If future generations are to remember us with gratitude rather than contempt, we must leave them something more than the miracles of technology. We should be leaving them a glimpse of the world as it was in the beginning, not just after we got through with it."

Mr. Chairman, H.R. 2584 falls far short of our responsibility to present and future generations. And so I obviously oppose the bill.

STATEMENT OF ADMINISTRATION POLICY

H.R. 2584—DEPARTMENT OF THE INTERIOR, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012  
(Rep. Rogers, R-KY)

The Administration strongly opposes House passage of H.R. 2584, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012. The Administration is committed to ensuring the Nation lives within its means and reducing the deficit so that the Nation can compete in the global economy and win the future. That is why the President put forth a comprehensive fiscal framework that reduces the deficit by \$4 trillion, supports economic growth and long-term job creation, protects critical investments, meets the commitments made to provide dignity and security to Americans no matter their circumstances, and provides for our national security.

The Administration strongly opposes a number of provisions in this bill, including ideological and political provisions that are beyond the scope of funding legislation. If the President is presented with a bill that undermines ongoing conservation, public health, and environmental protection efforts through funding limits or restrictions, his senior advisors would recommend he veto the bill.

While overall funding limits and subsequent allocations remain unclear pending the outcome of ongoing bipartisan, bicameral discussions between the Administration and congressional leadership on the Nation's long-term fiscal picture, the Administration has concerns regarding the level of resources the bill would provide for a number of programs in a way that undermines core government functions, investments key to economic growth and job creation, as well as protection of public health and the environment and preservation of our Nation's natural resource heritage, including, but not limited to:

*Department of the Interior (DOI)*

Fish and Wildlife Service (FWS) Conservation Grants. The level of funding provided to the North American Wetlands Conservation Act and State and Tribal Wildlife grants, as well as the termination of Neotropical Migratory Bird Conservation Act grants, would threaten the ability of States and private organizations to conserve and provide access to habitat, undermining the conservation of game and non-game species.

Safety Inspection Fees. The bill does not include user fees to cover inspections of oil and gas production facilities offshore and onshore. Without these fees, taxpayers, rather than industry, would have to shoulder the cost of these operations, which are critical to ensuring safe and responsible energy development.

FWS Operations. The funding provided for operations would seriously degrade the ability of FWS to maintain the network of Na-

tional Wildlife Refuges and fulfill other statutory responsibilities. This would result in delays in environmental compliance reviews, which could impede major infrastructure projects, including road construction, water delivery, and other federally funded projects that directly benefit State and local governments.

Landsat. The bill does not provide funding to begin the acquisition of the next Landsat satellite, ending a 40-year stream of data that is used by Federal, State, local and Tribal governments and the private sector to make informed land and resource management decisions and to assess the impacts of those decisions over time.

*DOI and Department of Agriculture (USDA), Forest Service*

Land and Water Conservation Fund (LWCF). The funding in the bill for LWCF programs would deny willing sellers the opportunity to sell land holdings, and severely impair the ability of Federal, State, and local officials, as well as private landowners, to preserve and manage areas important to wildlife, recreationalists, and sportsmen and women.

Wildland Fire Suppression. The bill's funding for suppression is substantially below the 10-year average, which is the accepted method for calculating suppression requirements. While the bill directs DOI and the Forest Service to use emergency fire suppression balances to make up the shortfall, this strategy carries high risk given the high fire activity to date and the cancellation of balances in FY 2011 appropriations.

*Environmental Protection Agency (EPA)*

EPA Operating Budget. At the funding level provided, EPA will be unable to implement its core mission of protecting human health and the environment. Research necessary to support this mission will be curtailed, and restoration of key ecosystems such as the Great Lakes and the Chesapeake Bay will be delayed.

State Revolving Funds (SRFs). The level of funding provided in the bill would result in approximately 400 fewer wastewater and drinking water projects, and impede EPA's ability to reach the long-term goal of providing approximately 5 percent of total water infrastructure funding annually.

State Categorical Grants. The funding provided in the bill for grants to States would impede States' ability to carry out critical public health and environmental activities such as air quality monitoring and water quality permitting. This would greatly reduce core high-priority State environmental programs at a time of declining State budgets.

Greenhouse Gas (GHG) Programs. The reductions in funding for GHG programs and regulations severely limit actions the Administration could take under current law to permit, control, and monitor greenhouse gases and would block EPA's efforts to reduce GHG emissions from vehicles and large stationary sources.

Great Lakes Restoration Initiative (GLRI). The level of resources for the GLRI would reduce the ability of Federal agencies and their partners to clean up contaminated sediments, fight invasive species, restore habitat, and improve water quality in this critical ecosystem.

High Priority Ecosystems Funding. The level of funding provided for the Chesapeake Bay would jeopardize the successful clean-up of the Nation's largest estuary.

Responsible Energy Development and Oil Spill Response. The level of resources in the

bill would eliminate efforts to increase the frequency of environmental compliance inspections at oil facilities. In addition, the bill does not include emergency transfer authority necessary to improve the Government's ability to prevent and respond to oil spills.

Smart Growth. The bill terminates funding for EPA's Smart Growth program, which contributes to efforts to assist communities in coordinating infrastructure investments and minimizing environmental impact of development.

*National Endowment for the Arts (NEA).*

The funding in the bill for the NEA, which is the largest national funder of the arts in the United States, would cut support for arts organizations across the country during a time when private and State arts funding is also highly constrained.

*Council on Environmental Quality.*

The Administration's ability to guide the Executive Branch's environmental policies and programs will be substantially reduced at the funding level in the bill.

The Administration strongly opposes problematic policy and language issues that are beyond the scope of funding legislation, including, but not limited to, the following provisions in this bill:

Restrictions on Implementing the Endangered Species Act. Preventing FWS from implementing key provisions of the Endangered Species Act will only result in increased costs and delays in the future.

Mountain Top Mining Reform. Preventing the Office of Surface Mining from developing or implementing the stream buffer zone rule could increase the risk of litigation and potentially delay sustainable coal mining.

Mineral Withdrawal Prohibition. Prohibiting DOI from restricting new mining claims on approximately 1 million acres of Federal lands near the Grand Canyon will reverse a temporary moratorium on new uranium and other mining claims. The Secretary of the Interior is currently assessing the impact to water quality in Grand Canyon National Park to ensure that any future uranium or other mining activity in the area does not lead to the human health and environmental impacts seen from previous mining-caused contamination of ground water and drinking water supplies.

Gray Wolves. The Endangered Species Act expressly gives the public the right to challenge listing decisions. Restricting judicial review of any published final rule to delist gray wolves in Wyoming or the Great Lakes region from the Endangered Species Act would deny the public an opportunity to make sure that a future listing decision on gray wolves is based on science.

Protecting Wilderness Characteristics Secretarial Order. Prohibiting the Bureau of Land Management (BLM) from implementing Secretarial Order 3310, which directs BLM to use the public resource management planning process to designate certain lands with wilderness characteristics as "Wild Lands" is unnecessary given the Department's policy that includes collaboration with stakeholders to identify public lands that may be appropriate candidates for congressional designation under the Wilderness Act.

Greenhouse Gas (GHG) Emissions from Stationary Sources. Preventing EPA from regulating GHG emissions from stationary sources would prevent the Agency from proposing or finalizing new regulations to control GHG emissions from power plants and petroleum refineries, increasing the risk of

long-term environmental consequences from GHG emissions. EPA is under two settlement agreements to complete these rules in 2012.

**Clean Air Act Permitting.** Section 431(a)(2-4) of the bill effectively overrides Federal and State-issued permits for emissions from industrial facilities that are very large emitters of greenhouse gases by stating that the Clean Air Act's requirement to obtain a permit has no legal effect and that no lawsuits may be brought against a facility due to uncontrolled greenhouse gas emissions.

**Light-Duty Greenhouse Gas Standards.** Section 453 of the bill undermines Executive Branch efforts to set standards that will save consumers money at the pump and reduce GHG emissions through increased vehicle fuel efficiency on Model Year 2017-2025 Light-Duty Vehicles.

**Utility Maximum Achievable Control Technology (MACT)/Transport Rule.** Section 462 of the bill blocks EPA from implementing its utility MACT rule to control air toxics emissions, as well as the Cross-State Air Pollution Rule controlling interstate transport of nitrogen oxides and particulate matter emissions from power plants. This provision interferes with the long-delayed implementation of major air pollution rules covering pollution from power plants.

**Mountaintop Mining Coordination and Guidance.** Section 433 of the bill prohibits implementing or enforcing an EPA/Army Corps of Engineers (Corps)/Office of Surface Mining coordination Memorandum of Understanding and EPA guidance on the Clean Water Act/National Environmental Policy Act and mountaintop mining. This issue is currently undergoing judicial review and should be allowed to conclude without congressional intervention.

**Clean Water Act.** Section 435 of the bill would stop an important Administration effort to provide clarity around which water bodies are covered by the Clean Water Act. The Administration's work in this area will help to protect the public health and economic benefits provided to the American public by clean water, while also bringing greater certainty to business planning and investment and reducing an ongoing loss of wetlands and other sensitive aquatic resources. The existing regulations were the subject of two recent Supreme Court cases, in which the Court itself indicated the need for greater regulatory clarity regarding the appropriate scope of the Clean Water Act jurisdiction.

**Outer Continental Shelf Drilling.** Section 443 of the bill limits EPA's Clean Air Act permitting authority for Outer Continental Shelf drilling and would eliminate the Agency's discretion in considering human health and environmental protections when issuing these permits.

**Integrated Risk Information System.** Section 444 of the bill withholds funding for EPA to take administrative action following its assessment of risk for certain chemicals. This provision would delay scientific assessment of environmental contaminants and could delay regulatory or other Agency actions designed to protect public health.

**Limiting Compliance of the Endangered Species Act.** Section 447 of the bill would prevent EPA from implementing a biological opinion related to pesticides if the opinion identifies modifying, canceling, or suspending registration of a pesticide registered under FIFRA. This could undermine efforts to protect species from being put into jeopardy from a Federal project and could stop development and delay issuance of permits.

**Lead Renovation and Repair Rule.** Section 450 of the bill prohibits funding for EPA to

implement the 2008 Lead Renovation, Repair and Painting (RRP) rule, as amended, until after industry develops and EPA approves different lead paint test kits. This would undermine efforts to protect sensitive populations from exposure to lead, a known toxin to children and developing fetuses, during home renovation projects. The currently available test kits allow renovators to comply with the 2008 rule.

**Reducing Emissions from Cement Facilities.** The language would prevent common sense deployment of technology that has been around for decades that will improve public health by reducing emissions of pollutants, including known carcinogens such as dioxin, from cement facilities.

**Fighting Fraud, Waste, and Abuse.** Sections 449 and 451 of the bill fall short of their intended purposes of protecting the interest of the Nation's taxpayers. The Administration looks forward to working with the Congress to achieve the common goal of fighting fraud, waste, and abuse in Federal contracts, grants, and other Federal assistance.

The Administration looks forward to working with the Congress as the fiscal year 2012 appropriations process moves forward to ensure the Administration can support enactment of the legislation.

I reserve the balance of my time.

The Acting CHAIR (Mr. POE of Texas). The Committee will rise informally.

The SPEAKER pro tempore (Mr. HASTINGS of Washington) assumed the chair.

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#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Pate, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

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#### DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The Committee resumed its sitting.

Mr. SIMPSON. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky (Mr. ROGERS), the esteemed chairman of the full committee.

Mr. ROGERS of Kentucky. I rise today to commend this bill to our colleagues and urge that it be passed. It includes \$27.5 billion in Federal spending. That's a reduction of \$2.1 billion below last year, \$3.8 billion below the President's request.

Some have complained that these cuts are too much, too fast. But it's important to remember that these agencies and programs have seen unprecedented massive increases in spending in recent years. This sort of excess has contributed to our astronomical debt and is threatening our recovery. We simply can't fund unnecessary and ineffective programs when we are borrowing 42 cents on every dollar we spend. We just simply can't afford it.

This legislation makes smart, significant cuts across each and every agency

funded by this bill. The bill still adequately funds the agencies that are important to the health of our citizens, the stability of our economy, and the preservation of our environment, but we've made some priority adjustments in areas that can and should withstand lower budgets.

Some areas that will see bigger reductions include climate change programs, which are trimmed 22 percent from last year, and land acquisition funding, which is at a level nearly 79 percent lower than last year.

Frankly, many of the cuts in this bill are just plain common sense, particularly when it comes to the Environmental Protection Agency. The reductions and provisions in this bill were made with very good reason—to rein in unparalleled, out-of-control spending and job-killing overregulation by the EPA.

Though we all appreciate the core mission of the EPA, this agency has lost grips with economic reality and has become the epitome of the continued and damaging regulatory overreach of this administration. We can't allow an agency to circumvent the authority of Congress, especially when it has such destructive effects on our Nation's economic recovery.

I'd like to say that we've heard from Americans all across the country and across every sector of the economy who attribute harsh regulatory burdens to their economic uncertainty, uncertainty that's crushing job growth.

It's my hope that this legislation sends the message loud and clear: Legislation by regulation must stop. We've restricted funding for EPA personnel, as well as addressed EPA's flawed greenhouse gas regulations and de facto moratorium on mining permits in Appalachia. It's my hope that provisions like these will return the EPA to a better working order, facilitating a more effective government, sending money where it really needs to go, and removing burdensome barriers to job creation to clear the way for economic recovery.

Mr. Chairman, I want to thank Chairman SIMPSON and Ranking Member MORAN, the subcommittee, and all of the staff for all their hard work on this very tough bill. Chairman SIMPSON has led the way on an excellent bill, I think, that makes good on our promise to reduce government spending with real significant spending reforms.

His subcommittee, Mr. Chairman, held 22 oversight hearings, more than any other of the 12 subcommittees on Appropriations. I'm confident that they've gone above and beyond their duty to ensure that these cuts come from wasteful and redundant programs. I know these decisions were not made lightly, were not made easy, but they are responsible, and will help us move in the right direction.

Although it's been difficult at times, the House should be proud to be moving this year's appropriations process in regular order, the first time in years. With this bill we will have finished more than half of the fiscal 12 appropriation bills before the recess. And nearly all of the bills have been moved through subcommittee or full committee, and therefore are on cue to come to the full body. This return to regular order has contributed to thoughtful, collaborative appropriations bills that reflect the will of the American people and will help get our Nation's finances in order.

I urge my colleagues to support this bill.

Mr. MORAN. Mr. Chairman, I yield 4 minutes to the gentleman from Washington (Mr. DICKS), the very distinguished ranking member of the full Appropriations Committee.

Mr. DICKS. I rise to state my opposition to H.R. 2584, the FY 2012 Interior and Environment appropriations bill.

But before I state the reasons for my strong opposition, I want to, again recognize Chairman SIMPSON, Ranking Member MORAN and their staffs for all the hard work that was necessary to put together the FY 2012 Interior and Environment appropriations bill. I also want to repeat my gratitude to the majority for being inclusive when developing this bill.

That being said, however, the low allocation foisted on the Interior Subcommittee made it impossible to develop a bill that is responsible and reasonable, so it is no surprise that the resulting bill will harm the environment and our ongoing efforts to preserve America's natural heritage. Two key examples of this potential damage are that the bill includes the lowest level of spending in the Land and Water Conservation Fund in more than 40 years, and funding levels for EPA not seen in more than a decade.

Overall, the allocation for the bill is 7 percent below the amount enacted in the current year, a level that will have a negative impact on our natural resource agencies and on the Environmental Protection Agency. After the EPA took a substantial cut of 16 percent in the current fiscal year, 2011, the Republican majority is now proposing a further reduction in the agency's budget of 18 percent. You add that together, it's a 34-percent reduction in just this year.

This bill would substantially diminish the capacity of EPA to carry out its responsibilities, which may actually be the goal of some of my colleagues on the other side. But the repercussions will be felt across the Nation, including an ever-growing backlog of water treatment infrastructure projects and a decline in air and water quality.

As was pointed out in a recent Washington Post article, the vast majority of the EPA's funds pass through to

States and localities that are already squeezed by budget cuts.

□ 1420

These infrastructure projects create jobs in communities all across the country and provide one of the most basic services taxpayers expect—clean water. The Bush administration's EPA administrator estimated that there was a \$688 billion nationwide backlog of clean water infrastructure projects, and that total is even larger today. That backlog will not disappear if we just ignore it, but as we have seen in so many cases this year, the majority has decided to push this problem further down the road.

In addition to the clearly insufficient levels of funding across the board in this legislation, we were surprised that the majority also included a wish list of special interest riders to the bill that will handcuff the EPA and the Department of the Interior. These types of riders are largely ideological, have no impact on deficit reduction, and will be rejected by the Senate and the President, hopefully.

It seems that special interest riders have become the new earmarks—and I support earmarks. This bill was made even worse when the majority adopted more special interest riders with amendments that were approved at full committee, and I fear that there will be more policy amendments offered on the floor as we consider this bill.

One of the riders is language that would effectively block any funding to the Fish and Wildlife Service for new listings under the Endangered Species Act. As Mr. MORAN said, there are 260 candidate species waiting to be listed, and they will not receive the protection of the Endangered Species Act.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MORAN. I yield 1 additional minute to the gentleman.

Mr. DICKS. Here is the situation that the Fish and Wildlife Service faces in the administration of the ESA. Speaking of that 260, of that total, there are just under 30 species that are poised for listing in the near future. The spending provisions in this bill would block further activity to protect these declining species. And remember, if you delay listing too long, a species will go extinct, thus making recovery impossible.

I also will be strongly supporting the amendments that aim to remove these riders. These amendments include an attempt to protect Grand Canyon National Park and the folks who depend on the Colorado River for drinking water from the potential danger from new uranium mines. Another amendment that I strongly support will increase funding for sanitation facilities for Native American communities.

In closing, I do want to reiterate my praise expressed at subcommittee

mark for Chairman SIMPSON, Mr. MORAN, Mr. COLE and other subcommittee members for the funding levels for programs serving American Indians. It is gratifying that this subcommittee's bipartisan commitment to tribal programs forged over the last few years has been continued by the new majority.

Mr. SIMPSON. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. HASTINGS) for the purpose of colloquy.

Mr. HASTINGS of Washington. I thank the chairman for yielding.

Mr. Chairman, as you know, 2 months ago, the Secretary of the Interior announced that the U.S. Fish and Wildlife Service would remove gray wolves from the Endangered Species Act list in areas covering the northern Rocky Mountain States and roughly the easternmost one-third of the State of Washington, the eastern quarter of the State of Oregon, and a small piece of Utah. I understand that H.R. 2584 also would exempt from judicial review any final rule issued by the Secretary that delists wolves in the State of Wyoming and the western Great Lakes. So I commend the chairman for your leadership to see that these States are given a chance to succeed in their management of species.

As with other decisions, the Secretary of the Interior's May announcement does not resolve the problem for many agricultural areas in States that don't fit neatly within the Fish and Wildlife Service's arbitrarily set geographical boundaries, and it reverses a policy that the Fish and Wildlife Service itself implemented by regulation in 2003 in which wolves were delisted in all of the State of Washington and other areas with appropriate State recovery measures in place.

Under the current administration's policy, in my own district in central Washington, wolves will be delisted on the eastern side up to a highway that cuts through a heavy agriculture area. Wolves on one side of the highway will be listed, the other side not. The same is true in Oregon and Utah.

I appreciate the steps the gentleman has included in this bill to create a more rational approach toward delisting these recovered wolves by allowing the States to manage the populations using sound wildlife management principles. I want to confirm my understanding that the bill and accompanying report language on page 10 is intended to include all States in their entirety within the northern Rocky Mountain area, including Washington, Oregon, and Utah.

Mr. SIMPSON. Will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the chairman.

Mr. SIMPSON. I thank the gentleman for yielding.

Yes. Our intent is to make it clear that States with approved management

plans should be given authority to manage delisted wolf populations in their States. The language in the bill ensures that delisting decisions are made by scientists on the ground, not judges in courtrooms.

The report language clarifies that similar bill language should apply to areas where wolves have expanded beyond their original population boundaries once State management plans are in place and the Fish and Wildlife Service determines that the population should be delisted. That language is intended to address States that currently face mixed management challenges, like Washington, Oregon, and Utah.

I know your concern about this issue, and Representative WALDEN from Oregon has shared with me similar concerns as well.

Mr. HASTINGS of Washington. Reclaiming my time, I thank the gentleman for that clarification.

As we both know, the problem goes far beyond wolves. The ESA has nearly 1,400 listed species in the U.S. and hundreds of millions of dollars being spent by local, State, Federal, and private entities on ESA activities; yet Federal agencies are being regularly sued for poor science and poorly drafted regulations, and only 20 species have been recovered.

Do you agree with me that the Endangered Species Act is broken and needs to be modernized and updated?

I yield to the chairman.

Mr. SIMPSON. I thank the gentleman for yielding.

Yes, today's ESA is so highly contentious, political, and litigious that it has become a failure of public policy. Funding authorization for ESA programs expired nearly two decades ago, but because we have continued to fund them, ESA reform continues to stay on the back burner.

This bill calls for a "timeout" for unauthorized funding of new critical habitat or ESA listing decisions in order to encourage authorizers and stakeholders to come to the table to bring the ESA into the 21st century, which it is not now.

Mr. HASTINGS of Washington. Reclaiming my time, a couple of weeks ago Secretary Salazar acknowledged, "There are changes and improvements that can be made to how we deal with endangered species" and that "we need to have an endangered species program that does, in fact, work." I couldn't agree more with the Secretary's statement.

The Natural Resources Committee that I chair has jurisdiction over ESA, as well as NOAA and the Fish and Wildlife Service, and we will be working in coming months to conduct robust oversight and look at much needed proposals to update this law. I appreciate your leadership and look forward to working with you on this very important issue.

I yield to the chairman.

Mr. SIMPSON. I thank the gentleman.

It is important that authorizing committees like yours be able to modernize landmark laws like the ESA—laws that were widely supported when they were passed but no longer work as Congress originally intended. No less than 56 agencies or programs in this bill have expired authorizations, and stakeholders and interested Members of Congress should know that these programs are also at risk of defunding if they are not reauthorized. Our bill, hopefully, will provide incentive for stakeholders who have been unwilling to participate in the reform process to finally entertain serious reform of the ESA, which I am sure your committee will actively pursue.

Mr. HASTINGS of Washington. Reclaiming my time, that certainly is the intent that we tend to pursue.

Mr. MORAN. Mr. Chairman, the minority would respectfully request of the majority that such colloquies, including the one that just transpired, as well as future ones, be shared with the minority. They are meant to be a clarification of language and funding in the bill. And they may very well prompt actions on our part to strike language if we don't fully understand what the intent was, and that may very well apply to the delisting of wolves. So we would appreciate, when the majority engages in colloquies, sharing that language with the minority.

Would the gentleman like to respond? I yield to the gentleman from Idaho.

Mr. SIMPSON. I thank the gentleman for yielding.

I have no problem sharing with you the colloquies that we engage in.

Mr. MORAN. Good. So we would like a copy of the colloquy that just transpired.

Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. SERRANO), the ranking member of the Financial Services Appropriations Committee.

□ 1430

Mr. SERRANO. Mr. Chairman, I rise today to express my opposition to H.R. 2584, the Interior Appropriations bill for fiscal year 2012. First, however, I would like to acknowledge both Chairman SIMPSON and Congressman MORAN, who have worked in a bipartisan and collaborative way throughout the lengthy hearing and markup process. It has been a pleasure for me to serve as a member of this subcommittee.

Unfortunately, this subcommittee's insufficient spending allocation has resulted in deep cuts in funding for important agencies and programs. In addition, numerous anti-environmental riders have been attached to this legislation.

Although there are many to choose from, I would like to mention a few of

these cutbacks and what their impact will be on specific agencies and programs. For example, the Land and Water Conservation Fund, which is crucial in helping to fund land acquisition and in protecting threatened and endangered species, was funded at \$66 million, which is \$834 million below the budget request.

State and Tribal Wildlife Grants, which play an important role in making sure that we have strategic and effective wildlife conservation programs, were funded at \$22 million, or \$73 million below the request.

The Environmental Protection Agency, EPA, is funded at \$7.1 billion, which is \$1.8 billion below the request. At this funding level, the EPA will be prevented from accomplishing many of its missions to protect our environment.

There are so many destructive riders attached to this legislation that it is difficult to figure out which ones to highlight during my brief remarks. One that specifically harms my State of New York was added during full committee markup. This rider prevents the Great Lakes States from receiving any EPA funding if they have implemented ballast water rules that have stronger timelines or standards than the Federal or international requirements that are currently in effect. Because New York has been at the forefront of efforts to require ships to treat their ballast water before discharging it into New York's waterways, our State will be immediately affected. States should have the right to protect their own waters from dangerous aquatic invasive species.

Another particularly harmful rider would stop the EPA from limiting greenhouse gas emissions from stationary sources for a 1-year period. Overall, 69 percent of greenhouse gas emissions in the United States come from stationary sources, such as our electric utilities and petroleum refineries. This rider, which prevents the EPA from acting, will have far reaching and devastating consequences on our Nation's air quality. In particular, my Bronx congressional district, which has one of the highest asthma rates in the Nation, will continue to suffer from poor air quality.

Because of the sharp reductions included in this bill to the programs and agencies that protect our environment, enrich our lives through the arts, and increase recreational opportunities; and because of the riders that harm our wildlife, our land, our water, and our air quality, I will be voting against this bill.

Mr. SIMPSON. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CALVERT), a valued member of the subcommittee.

Mr. CALVERT. Mr. Chairman, I rise in strong support of the Fiscal Year 2012 Interior, Environment and Related Agencies Appropriations bill. I would

like to thank Chairman SIMPSON and Ranking Member MORAN for being excellent leaders on the subcommittee. It has been a pleasure to work with both of them. I especially commend the 22 oversight hearings that our subcommittee held this year. The subcommittee works hard, and we have done our due diligence in putting this bill together.

The FY 2012 Interior and Environment Appropriations bill recognizes the current economic environment and the past 4 years of out-of-control spending. It is \$2.1 billion below last year's level, and \$3.8 billion below the President's 2012 request. It is a focused and lean bill which supports funding for duties which are clearly the responsibility of the Federal Government and makes tough decisions about how we allocate taxpayers' dollars.

The bill fully funds Federal firefighters and Forest Service Wildland Fire Management. It ensures our national parks, which belong to the American people, remain fully operational in 2012. And it includes \$30 million for diesel emissions reduction grants to retrofit old diesel engines with cleaner burning ones, a program that has been successfully implemented across the United States and is contributing to cleaner air.

The bill also reduces the EPA inflated budget back down to the 2006 level and cuts \$46 million in requested funding for burdensome regulation of greenhouse gases, which means control of carbon dioxide, a regulation unilaterally adopted by the administration that is making the U.S. less competitive in the world and sending American jobs overseas.

Finally, yes, Mr. Chairman, there are many spending reductions in this bill, including programs I support. However, we have to start somewhere to bring economic sanity back to the budgeting process, and this is one of the first of many steps to come.

In conclusion, I am pleased to support this bill. I urge my colleagues to support the bill.

Mr. MORAN. Mr. Chairman, I yield 5 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chairman, as a member of the Interior Environment Appropriations Subcommittee, I have great respect for Chairman SIMPSON, Ranking Member MORAN, and the staffers on both sides of the aisle.

One important aspect of this bill is Chairman SIMPSON and Representative COLE have worked together with Democrats to protect critical education and health care investments in Indian Country as part of our trust relationship with the 565 tribes in this country. Native American children, families and elders will all benefit as a result of our efforts.

However, on virtually every other aspect of this bill, particularly on the en-

vironment, this appropriations bill is a radical attempt to take America backwards from 40 years of bipartisan progress in protecting human health and our environment.

There are nearly 40 special interest policy riders in this bill. It is outrageous that these riders protect corporate polluters while attacking clean water, clean air, our public lands, and wildlife conservation. Representatives WAXMAN, MARKEY and RUSH, as ranking members of the House Energy and Commerce Committee and Natural Resources Committee have sent letters expressing their grave concern about these extreme, destructive policy riders that have no business being on an appropriations spending bill.

This abuse of the legislative process to further Republicans' radical agenda on behalf of polluters and special interests should not be tolerated. These policy riders put the public health of Americans at risk and will imperil America's natural heritage for future generations. In particular, Republicans have chosen to mount an unprecedented assault on the Environmental Protection Agency, an agency created by President Richard Nixon.

Clearly, Republicans have now come full circle and this bill makes House Republicans the most polluter-friendly Congress in nearly two generations. In addition to gutting EPA's budget, Republicans have added 10 policy riders that will make the air we breathe dirtier and eight policy riders that will make the water we drink more polluted and toxic. The Republican riders halt the EPA's work under the Clean Air Act to protect the public health from impacts of carbon dioxide pollution, mercury emissions, sulfur dioxide, soot and smog. This will jeopardize the health of millions of children suffering from asthma and put more Americans at risk for strokes, heart disease, and other respiratory and cardiovascular diseases.

In 2010, the EPA found the Clean Air Act saved 160,000 lives nationwide. That's equivalent to the entire population of Tempe, Arizona. By 2020, that number is expected to grow to 230,000 lives saved, leading to \$2 trillion in economic benefits.

Republican riders also stop EPA's work under the Clean Water Act to clean our rivers, streams, lakes, and to protect our drinking water from the impacts of coal mining, storm water discharge, and toxic nutrient pollution and pesticides.

Essentially, House Republicans are telling the American people that protecting public health and the environment from corporate polluters is no longer important. And despite the Tea Party Republicans' supposed ban on earmarks, this bill is loaded with earmarks for a few privileged polluters and special interests.

□ 1440

Here are just four out of a dozen Republican earmarks contained in this bill:

An earmark for foreign companies to allow for uranium mining adjacent to the Grand Canyon, one of America's most treasured places;

An earmark for Shell Oil to ignore environmental regulations to drill offshore in the Arctic Ocean;

An earmark for a few sheep farmers subsidized by U.S. taxpayers on U.S. land so they can evade environmental laws that protect bighorn sheep;

A special earmark for the State of Texas to continue its illegal air permitting program in violation of the Clean Air Act.

These dirty, toxic, and dangerous earmarks to a few special interests come at the expense of cleaner water, healthier air, our cherished national parks, and endangered wildlife. Minnesotans are deeply troubled by this reckless bill that endangers the health of our communities while destroying our natural resources that are our children's inheritance. This is one of the most extreme pieces of anti-environmental legislation to ever come to the floor of the House. As far as the American people are concerned, H.R. 2584 should be declared a toxic Superfund site that is so dangerous to human health and the environment that it needs to be remediated rather than passed into law.

I urge my colleagues to oppose this bill and its abandonment of 40 years of progress we have made in protecting the American people's health and the American national heritage.

Mr. SIMPSON. Mr. Chairman, I yield 2 minutes to an esteemed colleague and member of the subcommittee, the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. I thank the Chairman for yielding.

Mr. Chairman, I rise in strong support of this legislation, and I want to praise the process by which we arrived at this. This is probably the hardest-working subcommittee on a very hard-working Appropriations Committee; 22 separate hearings, a very open process. I think even the minority that disagreed with some of the decisions that were made would agree that they were made fairly, openly, transparently, and by votes. And the American people can look at what we did.

Usually, when you come to this floor, you come to debate and to disagree. We're certainly going to have a great deal of that over the course of the next several days as we work through the main legislation and the many amendments which undoubtedly will be offered. But I want to focus today on an area of bipartisan agreement, and that's the decisions that were made regarding funding in Indian Country and Native American programs.

Mr. Chairman, our chairman generously mentioned, and appropriately



mentioned, the hard work that Mr. MORAN and Mr. DICKS did in setting the foundation for the progress that's being built upon this year. What he was too modest about was his own role, first as a ranking member and then as the chairman, and also seeing that an appropriate focus was placed on Indian Country. Frankly, while I disagree with the administration in many places, I want to thank them as well because in many cases, they had great suggestions, they certainly put forward serious proposals, and they've been very easy to work with in Native American issues. So there's a lot of praise here to go around.

Most importantly, I think from an appropriations standpoint, the numbers speak for themselves. The Bureau of Indian Affairs funding was cut, but actually cut less than the President requested. The Indian Health Service got a 9 percent increase—almost \$400 million. You can run through the program. IHS staffing for new facilities, \$63 million. Fully funded at the President's request. Road maintenance, \$25 million. Funded at the President's request. Indian guaranteed loan program, something to help tribes as they move into private industries, actually funded above the President's request. Contract support costs, fully funded, \$228 million. Indian Health Service, fully funded, \$574 million.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SIMPSON. I yield the gentleman 1 additional minute.

Mr. COLE. I thank the gentleman.

Contract support, again, fully funded or funded at very near what the President requested. Most importantly, language put in to make sure that those contracts are actually fully funded by the BIA, something that has not always happened in the past. Again, important language on joint ventures whereby we encourage tribes to take some of their revenue, work with the Federal Government, reinvest in health care facilities, other needed infrastructure improvements in Indian Country.

I say all this just to point out that while we have serious disagreements and serious debates, and while we made very hard decisions, overall funding is, as Chairman SIMPSON suggested, down 7 percent from last year and certainly well below the request that the President made. In this area, defending one of the most challenged populations in the country, Republicans and Democrats alike can be exceptionally proud of what was done and the priorities when we put, again, the most challenged people that we deal with on that committee in the most favored position. That hasn't always happened. I want to thank my friend Chairman SIMPSON for making sure it happened and my friends Mr. MORAN and Mr. DICKS for doing the same.

Mr. MORAN. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentleman for yielding.

Mr. Chairman, I strongly oppose the FY 2012 Interior appropriations bill in its current form. Not only am I deeply troubled by the bill's lack of infrastructure investment that would create jobs, grow the economy, and protect public health, but it is unfortunate that the Appropriations Committee has included several dozen egregious special interest policy earmarks in the bill that will undermine our Nation's commitment to clean water, clean air, and the environment, which are fundamental to local economies like the one I represent.

We've heard from our friends on the Appropriations Committee that we must make difficult decisions in these trying economic times. I couldn't agree more. Furthermore, we've heard from the chairman of the subcommittee that he believes that many of the programs that are cut are good programs, but that we must be willing to make cuts to reduce our growing debt.

Consider this: The bill cuts \$2.1 billion from 2011 levels for the Department of the Interior, EPA, and other agencies. However, if we were to eliminate the Bush tax cuts only for those households earning more than a million dollars per year, we could save the revenues necessary to preserve these critical agencies in less than 18 days. The bill provides \$1.4 billion less for the Clean Water State Revolving Fund, a fund that is critical to both environmental protection and economic development. If we were to eliminate the Bush tax cuts, we could reestablish our commitment to clean water within 12 days, affecting only those tax cuts from people who make a million dollars a year or more. That's a reasonable price to pay for the economic development that would result.

Over the past several months we have heard repeatedly that we must do all that we can to prevent taxing our Nation's job creators, a sentiment with which I agree in principle. However, in my district and districts all across this country, it is the environment that is the job creator. The economy of my district depends on clean water, clean air, and safe, swimmable beaches. The cuts in this bill place all of these in jeopardy. If the Republican priorities in this bill prevail, we could put an effective tax rate of zero on the small businesses in my district and it wouldn't help at all because they would have no income—and no income means no jobs.

Mr. SIMPSON. I yield 2 minutes to the esteemed former chairman of the full committee, the member emeritus of several subcommittees, the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Thank you, Mr. Chairman.

I want to express my deep appreciation to the chairman of the subcommittee as well as the ranking member, especially for the number of public hearings they had reviewing all of the programs of this subcommittee, taking us back to regular order in almost unprecedented form, making sure the public had a chance to talk to us about their view as to how these programs were working.

As we meet today, the country is faced with a crisis regarding our debt. Should we raise the national debt ceiling or not? That debate is swirling around whether we should reduce spending or we should increase taxes to fund additional spending desired by the administration and the former majority. It's very, very important to know that we are at a crisis point in terms of spending. With that backdrop, we can hear the same debate taking place in this very committee discussion. People complaining about not enough money for EPA, for example.

The fact is that most of these programs are over-funded relative to just a few years ago, and the debate and the concern is an expression about a desire for more spending or a lack of increased funding above and beyond the wish list of many around here. The fundamental issue ought to be discussed in terms of how programs have worked and not worked.

I've heard many complaints about air quality questions today by the other side. It was, Mr. Chairman, my privilege to write the toughest environmental laws in the country relative to improving air quality. Years ago, as we discussed implementing those policies in my State of California, the center of the discussion was to make sure we focus upon the real problems.

□ 1450

We can solve the problems of stationary sources, we said then, very quickly, very easily—up to 97 percent-plus of their pollution. The real problem lies with the automobile, doing something serious about that. What people do driving their cars is the key to the question.

The EPA has failed us in many, many a way in dealing with these major challenges, and I would suggest that any number of issues that might be raised is illustrated by the one endangered species I'd mentioned. That endangered species is the desert tortoise.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SIMPSON. I yield the gentleman an additional 30 seconds.

Mr. LEWIS of California. We could have solved that problem years ago by planting endless numbers of eggs in the East Mojave. Instead, the EPA decided to ignore and the environmentalists decided to ignore that potential, saying it took too long to plant those and have them grow to adulthood. The fact

is, over the last 15 years, had we done that, we would not have that endangered species any longer. Recently, we learned the only healthy population of the desert tortoise was on the National Training Center Army base where they took care of the animals versus what we did in the environment. Indeed, the EPA deserves some serious review as well as reauthorization.

Mr. MORAN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), an extraordinary champion of the environment.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy.

I am uncomfortable coming to the floor and having to speak against this bill. There is nobody in Congress I have more respect and affection for than the subcommittee chairman; but this bill is an example of why the Republican budget gimmick last week was a fool's errand. If ever enacted, the public would be outraged.

These critical programs of EPA are not overfunded. Just talk to anybody in your home community who is dealing with things like the revolving fund for sewer and water.

This bill is not balanced. There are opportunities where there could have been fees and charges from people who profit from the activities of this bill. But no. Instead, we are shifting costs to the public and damage to the environment. We are actually giving more money to some of the special interests that profit from these activities.

We are slashing things that matter to most Americans—the ability of the EPA to protect our families and their environment and land acquisition to protect American treasures. It's going to cost hundreds of thousands of jobs in rural and small town America where people rely on our open spaces, our public lands, our parks and recreational activities.

It shortchanges America's future.

The jihad against climate change continues from my friends on the Republican side of the aisle, and it's ironic. When people can barely walk outside in Washington, D.C. and when we're dealing with drought, flood, wildfires, the extreme weather events across the country, the scientists tell us that it's related to human activity, and this budget reduces our ability to deal with climate change and extreme weather events.

I agree that the subcommittee has a very difficult job, in part, because of the unrealistic numbers that were given to them; but sadly, if you look at the bill in its entirety, I must take gentle exception to Chairman ROGERS saying we all support the core mission of EPA. Sadly, anybody who reads this bill understands that that's not the case and that it's being brought to us in a way that simply undermines that core mission that means so much to

Americans, to our environment, and to our future.

The Acting CHAIR. The gentleman from Idaho has 1 minute remaining, and the gentleman from Virginia has 30 seconds remaining.

Mr. SIMPSON. I reserve the balance of my time.

Mr. MORAN. Mr. Chairman, the reality is that this is a bad bill. There may be some good people who have been involved in putting it together. I like the distinguished chairman of the subcommittee, but the fact is that this would severely restrict our government's ability to improve the quality of our air and water. It would substantially cut programs that, I think, many of the American people take for granted. Our environment will be despoiled by this bill if it becomes enacted, so I would strongly urge that this body vote against it.

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

Mr. SIMPSON. In closing, I thank the Members for the debate that has gone on with regard to this bill.

I notice that Members on the other side of the aisle continually refer to some of the policy provisions that are in this bill as policy rider/special interest legislation. In fact, they were called "earmark legislation" in this bill, but they are special interest.

Let me tell you that the only special interest that I care about right now are the unemployed people in this country who are looking for a job. If you talk to any business in this country, the one thing they will tell you is the uncertainty created by the potential regulation and proposed regulation by the EPA is stopping them from expanding their businesses because they have no idea—no idea—what it's going to cost to hire a new employee.

They are the biggest wet blanket on our economy that we have today, so we need to do something about it. We need to rein them back in because they are totally out of control. That's what this bill does.

This is under an open rule. That means Members will have the opportunity, if they have different ideas and if they can get a majority of the votes, to remove some of these things. If so, they can remove them, but I'd suspect more are going to be added rather than removed as this bill moves through its full consideration.

Ms. MATSUI. Mr. Chair, I rise in strong opposition to this incredibly shortsighted legislation before us today. The bill is a direct attack on the environment and as a result an assault on public health and our economy.

The programs included in the Interior and Environment Appropriations bill affect so many aspects of our lives including clean air, clean water, public health and support for the arts.

Unfortunately, at the funding level provided, the Environmental Protection Agency will be fundamentally dismantled, making the agency unable to implement its core mission of pro-

tecting the environment and promoting public health.

The bill also removes funding for programs that help modernize buildings and other infrastructure and funding for innovative projects that are helping communities implement smarter water management solutions that protect clean water and save consumers money.

In my district, the Sacramento and American Rivers provide 85 percent of drinking water to those that live in the City of Sacramento that is over 400,000 of my constituents. Mr. Chair, we rely on federal support to ensure the water we drink is safe. Without the proper level of funding I am very worried that we are going down a path of unknown consequences.

This bill also hurts Sacramento by slashing funds for the EPA's Office of Smart Growth which has worked closely with the Sacramento Area Council of Governments to ensure sustainable, positive growth in our region. In a time when local governments are suffering massive cuts, the investment in the Office of Smart Growth offers our communities assistance that will help them grow and revitalize their local economies.

Mr. Chair, the Sacramento area is on a path to become a national leader in the green economy, with over 230 companies, and 14,000 jobs. It is critical that we support policies that foster new innovation, and job growth in the green economy. Unfortunately, this bill does not do that!

What's more, this bill would cut the National Endowment of the Arts and the National Endowment for the Humanities by 13 percent. Both NEA and NEH grants are essential for our local economies. This funding is fundamental to supporting a thriving arts scene in my district, creating jobs and inspiring local students. As a former docent of the Crocker Art Museum in Sacramento, I can tell you firsthand the effect that an individual piece of art or a trip to a museum can have on a child. These are cuts we cannot afford to make.

In previous years, the Interior and Environment Appropriations bill has provided an opportunity to move our nation forward and make progress in areas as diverse as climate change to water use efficiency. But in this Congress, this Majority is forcing us to take a huge step backwards.

As a whole, this legislation has an unprecedented number of special-interest policy riders that endanger public health and go beyond the scope of the legislation.

In an austere budget environment, we can all agree that cuts need to be made but cuts to public health, cannot and should not be made just to give subsidies to Big Oil and Wall Street Executives.

I urge my colleagues on the other side of the aisle to consider the dangerous and unprecedented ramifications this bill would have on our constituents. I strongly reject this egregious proposal.

Ms. SLAUGHTER. Mr. Chair, I rise today to defend our democracy from the egregious attacks on our legislative process that are abundant in the underlying legislation. The FY 2012 Interior Appropriations bill is rife with policy riders that legislate on an appropriations bill, which is in violation of Rules of the House. As a long serving Member of the House Rules Committee, I have seen a fair share of policy

riders attached to legislation, but never in the history of my time here in the House have I seen such blatant disregard for the House rules and departure from regular legislative order.

There are dozens of these anti-environment policy riders—or should I say these pro-industry earmarks that are included in the underlying legislation. There is an entire stand-alone bill included in this must-pass legislation—an entire bill that couldn't muster enough support to be passed into law on its own virtues—that is standing in our way from funding the government in the upcoming fiscal year.

Last Thursday in the Rules Committee I offered a motion to amend the rule to strike the waiver that protects these offensive riders from points of order. If the Majority had voted in support of regular order and adopted my amendment, the Members of this House would have had the opportunity to raise points of order against these assaults on our environment here on the floor and strike them from the bill. Predictably, though, my motion failed on a party-line vote.

If the Majority had followed regular and adopted my amendment to the rule in Committee, Members of the House could have been able to strike riders that:

Put more toxic mercury, arsenic, and lead into our air and puts our children's health at risk; Allow more soot pollution in our air;

Block EPA from moving forward with carbon pollution standards for new vehicles after 2016;

Put as many as 34,000 lives at risk;

Threaten the health of millions of Americans;

Threaten the health of America's children, elderly citizens and other vulnerable populations;

Block EPA from limiting dangerous air pollution from livestock production and manure management;

Ban EPA from doing its job to enforce the Clean Air Act in Texas;

Exempt oil companies from complying with Clean Air Act standards;

Put the drinking water of 117 million Americans at risk;

Prevent EPA from protecting communities' clean water supplies;

Allow unregulated discharge of pesticides directly into waterways;

Threaten the health and environment of communities across Appalachia by blocking a number of protections against the destruction and pollution from mountaintop removal coal mining;

Put thousands of people living near coal ash ponds at risk of toxic disasters;

Put Americans' drinking water and waterways at risk of sewage and urban runoff pollution;

Block EPA from moving forward with new rules to minimize the adverse environmental impacts of power plant cooling water intake structures;

Block protections for more than 1 million acres of land around the Grand Canyon;

Put public lands at risk of destruction;

Put the Delaware Water Gap and parts of the Appalachian Trail at risk of development; and

Put endangered species at risk of harmful pesticides.

So here we are tonight, fighting for our fellow citizens' right to clean air and clean drinking water with one of the few tools we have left as the minority in the House—our voices and the privilege to represent our constituents on the House floor. We are fighting to uphold decades of successful, bipartisan environmental laws that have protected our environment and improved our public health.

Each policy rider goes against our nation's values and our belief that we solve our toughest problems through shared sacrifice and working together. When these policy riders are all combined, they place a suffocating burden on the American people while rewarding special interests and the lobbyists who walk these halls.

Under this bill, the nation's clean air protections would be devastated, leaving our children exposed to life-threatening pollution. This bill would cause hundreds of thousands more Americans to suffer from the dangerous and deadly impacts of air pollution. The bill's policy riders prevent the EPA from doing its job to protect public health and won't cut one dime from the deficit.

The EPA has been actively engaged in helping clean up the air in Tonawanda, New York, which I proudly represent, and I stand by the agency's ability to continue doing the good work to improve the quality of life for those residents. Rolling back the Clean Air Act, as is proposed under this legislation, will lead to more air pollution, more hospital visits and more deaths. We must support the Clean Air Act so that all Americans can breathe easier.

I will mention one more of these abhorrent policy riders that should be struck from the bill. There is a rider in this legislation that will effectively open up a million acres of national forest and other public land around Grand Canyon National Park to new uranium mining claims. Democrats have concerns about maintaining the integrity of the Grand Canyon and the effect of uranium mining on water quality, not to mention the spectacle of auctioning off a national treasure with the proceeds going to mostly foreign-owned entities, including Russia's state atomic energy corporation and South Korea's state-owned utility. America is not for sale, Mr. Chair, even if Republicans would like us to believe otherwise.

Mr. Chair, I stand firmly in opposition to the Majority's daily attempts to whittle away at the rules of the House. I urge my colleagues to oppose the Majority's protection of policy riders that endanger our public health and environment in favor of private interests, and to oppose the underlying legislation.

Mrs. MALONEY. Mr. Chair, I rise in opposition to the FY 2012 Interior Appropriations. At a time when Congress should be preventing a default crisis and working on job creation, the Majority has chosen to endanger our environment and public health by threatening the air we breathe, the water we drink, the national parks we play in, the wildlife we treasure, and the museums we explore. We cannot ignore the jobs that would be lost as a result of the cuts to the agencies this bill funds.

This bill would overturn 40 years of bipartisan environmental and public health protections. Gutting rules and regulations such as those in the Clean Air Act and the Clean

Water Act would harm our Nation's health just as cities and towns across the country are struck by a record breaking heat wave. Instead of trying to reduce emissions and improve air quality, the House Majority wants to give a carve out to some of the biggest contaminants contributing to global warming.

It is shocking that in the aftermath of several disastrous oil spills, instead of fully funding oversight and enforcement for oil and gas extraction, my colleagues on the other side of the aisle have reduced that funding while increasing the budget for the oil and gas extraction programs that benefit big oil. Instead of punishing the flagrant polluters, the Majority chooses to reward them. In addition to reducing oversight capabilities, this legislation cuts important programs that promote clean and efficient energy solutions that would help America reduce its dependence on foreign oil.

If enacted, this bill would result in very steep cuts to programs that are important to keeping New York happy and healthy. These include across the board cuts to programs such as the Great Lakes Restoration Initiative to combat invasive species and the Long Island Sound Restoration. The bill includes a provision on ballast water rules that is a direct attack on New York's strong rules to protect state waters from aquatic invasive species. Our guidelines are more stringent than federal and some international guidelines, which under this bill would actually prevent New York from receiving any related EPA funds.

Every state in the union depends on the Clean Water and Drinking Water State Revolving Funds to help manage wastewater and protect our drinking water. This bill drastically cuts funding to these programs by 55 percent and 14 percent as compared to last year. The Land and Water Conservation Fund that helps states and communities preserve public parks is cut by 78 percent. With more than three dozen anti-environment policy riders attached to the bill including those to remove the Endangered Species Act protections and to prohibit EPA cross-state air pollution standards, my colleagues on the other side of the aisle are using this Appropriations bill to push their own agenda and ideology at the expense of our health and that of our land, water and wildlife. This bill hurts those most vulnerable to contaminants such as our children suffering from asthma, and removes important protections for all creatures great and small.

I urge a "no" vote on this dangerous bill that jeopardizes the health of our country and our future.

Ms. WATERS. Mr. Chair, I rise to oppose the underlying bill and the numerous extreme, anti-environmental riders included therein.

I rise to oppose the underlying bill and the numerous extreme, anti-environmental riders included therein.

Mr. Chair, this bill is full of anti-environmental riders. These riders are legislative provisions that were attached to an appropriations bill because they are far too extreme to pass Congress on their own merits. Together, these riders undermine decades of progress protecting our nation's environmental heritage. They threaten the air we breath and the water we drink.

One of the riders in this bill stops the Environmental Protection Agency, EPA, from giving Clean Water Act protection to critical headwaters and streams that supply drinking water to about 117 million Americans.

Another rider prevents the EPA from updating its stormwater discharge regulations to manage polluted stormwater runoff, which contaminates water supplies and contributes to beach closures. Last year was the second highest year on record for beach closings and advisories.

Yet another rider changes current law to eliminate requirements for chemical companies to obtain permits for pesticides entering rivers and streams. This will mean even more of these toxic poisons in our lakes, rivers, fishing places, and drinking water supplies.

The Cross-State Air Pollution rider prohibits EPA from implementing a rule to protect communities from pollution caused by power plants upwind of them. EPA estimates that this rule will prevent up to 34,000 premature deaths, 15,000 heart attacks, 400,000 cases of aggravated asthma, and 1.8 million sick days a year beginning in 2014.

The Mercury and Air Toxics rider blocks EPA from finalizing a rule reducing emissions of mercury and other toxics from power plants. EPA estimates that this rule could deliver as much as \$140 billion in health benefits and prevent 17,000 premature deaths each year.

The Cement Kilns rider prohibits EPA from enforcing limits on emissions of mercury, particulate matter, and hydrochloric acid from cement kilns. These limits would reduce mercury pollution and fine particulate matter from cement kilns by 92 percent, preventing up to 2,500 premature deaths and avoiding 17,000 cases of aggravated asthma each year.

Finally, the Offshore Drilling rider allows oil companies to pollute more by exempting support vessels involved in offshore oil drilling from regulation. This provision undermines the ability of the EPA to ensure that oil drilling on the Outer Continental Shelf proceeds safely, responsibly, and with opportunities for stakeholder input. We've already seen from the BP oil spill how dangerous offshore oil drilling can be.

On top of all of these dangerous riders, this bill slashes funding for the EPA by 18 percent below the 2011 level, in addition to the 16 percent cut that was inflicted on the agency when compared to the 2010 level. These cuts would leave the Environmental Protection Agency unable to effectively regulate pollution or protect public health, even when it is not prevented from doing so by an anti-environmental rider.

This entire bill is a threat to our public lands and our public health, and I urge my colleagues to vote against it.

Mr. CLEAVER. Mr. Chair, I appreciate the House's need to reduce the deficit and cut back on spending. Tightening our belts is something we need to do. However, these cuts should be targeted—with a doctor's scalpel instead of a machete—so that we do not collapse the economy that we are trying so hard to build up. Unfortunately, the Interior bill we are currently debating is the work of a machete. This bill cuts or eliminates funding for countless programs that exist to help communities—including the Environmental Protection

Agency's Smart Growth Programs and the Office of Sustainable Communities.

The EPA Office of Sustainable Communities is part of an inter-agency partnership with the Department of Transportation and the Department of Housing and Urban Development. It was established to provide a resource for communities who need technical assistance to plan for economic growth and development and account for a changing population.

The services offered by the EPA Sustainable Communities Office are in high demand—they have been able to assist only 9% of interested communities due to budget and time constraints. Since 2005, over 1,300 communities have requested assistance from the EPA; 122 have been assisted, all for a total of \$4.5 million.

This is a program that helps local governments expand their economic development options and make their communities more attractive to business and local citizens. The EPA's Office of Sustainable Communities works with HUD and DOT to make government better at helping communities develop housing, transportation and energy efficiency plans. This partnership removes barriers and cuts bureaucratic red tape, which means more efficient investments.

My home state of Missouri is already benefiting from the work of the Partnership for Sustainable Communities. Last fall, my district of Kansas City received a \$4.5 million grant from the Partnership. The Sustainable Communities Regional Planning Grant brings together assistance from HUD, DOT, and EPA to study six development corridors that connect 30 communities to Kansas City's urban core and coordinate housing, transportation and environmental protection along these corridors. The Kansas City region also received a \$50 million TIGER grant for investments in regional transit corridors, additional transit centers, bus stop improvements, as well as sidewalk, street, and transit improvements in the city's Green Impact Zone in the urban core.

Kansas City also received a grant that will support outreach and production of a handbook of tools and incentives designed to facilitate the redevelopment of older commercial brownfield sites in urban and suburban locations throughout the city. Commercial brownfields sites often include contamination and can be challenging to redevelopment in suburban communities.

The first phase of the project will inventory the tools, incentives, and techniques available locally to create smart growth designs and revitalize brownfields. Research will then be performed on relevant national models and best practices in these fields. A handbook will be compiled containing information on smart growth techniques for brownfield commercial sites that can cut development costs, offer unique amenities, and respond to environmental impacts. It will also highlight relevant brownfield incentives, tools, and strategies.

A design workshop will be conducted for two local, commercial brownfield sites, one urban and one suburban. The results of the workshop will be incorporated into the handbook, which will be presented at a series of roundtable events held for developers, landowners, and others involved in the redevelopment process. The project will actively seek

input from the community on methods to make commercial site reuse attractive and to determine the needs of communities near commercial brownfield sites. The results may be used to suggest improvements to city codes and policies to encourage reuse and smart growth design of brownfield sites. This project will help balance regional growth in urban and suburban locations through marketing assistance for both areas, and encourage mixed-use redevelopment to better meet community service and housing needs.

Additionally, Missouri's capital, Jefferson City, has received EPA assistance to improve an area in the city core that serves as the gateway to the State Capitol and the larger Capital Complex.

Smart Growth projects similar to the projects I highlighted in Missouri are in 200 communities and almost all 50 states. Seven members of the Interior Appropriations Subcommittee have at least one Sustainable Communities project in their district. These programs within EPA, HUD, and DOT provide assistance to communities for the tools they need to create the community that people want to live in. This partnership removes barriers and cuts bureaucratic red tape, which means more efficient investments. If we are truly interested in cutting costs at the government level, we should be promoting efficient and cross-cutting government programs like this one, instead of de-funding them.

Ms. BERKLEY. Mr. Chair, I rise today in support of funding for the National Endowment for the Humanities. As a former President of the Southern Nevada Public Broadcasting Station, I have long been an advocate of funding our Nation's cultural agencies. Arts and humanities play a valuable role in my home State of Nevada, not only because they enrich our culture, but also because they create much-needed jobs in our communities.

Programs funded by the National Endowment for the Humanities are particularly critical to enhancing the quality of K–12 education in Nevada. In 2010, Nevada Humanities produced and supported programs that reached 228 K–12 educators and nearly 55,000 K–12 student participants throughout the State. The humanities play an important role in preparing our students for the future, encouraging them to seek knowledge and wisdom and to reflect on the values and traditions that have shaped this great Nation.

The study of arts and humanities enriches our knowledge about our world and the value of different cultures, which is essential in today's global economy. These efforts preserve the great accomplishments of the past, help us understand the present, and bring clarity and insight to the future. Providing funding for humanities programs is a smart investment for our Nation because it teaches our young people to be thoughtful and well-rounded leaders of tomorrow and creates much-needed jobs today. As a proud member of the Congressional Arts Caucus and a passionate patron of the arts and humanities, I am committed to protecting these investments now and for generations to come.

Mr. POSEY. Mr. Chair, I filed an amendment to the 2012 Department of the Interior appropriations bill that would provide a 25-mile buffer along Florida's coast to ensure that new

oil and gas drilling would not take place above the Outer Continental Shelf within 25 miles of Florida's coast line.

After reviewing the Interior bill and current drilling policies in the Atlantic and the Gulf, I have decided to hold off offering the amendment on the floor for this particular bill, which covers only the next fiscal year. There is not an imminent threat of drilling near Florida's coast due to current restrictions on leasing and drilling.

That said, going forward, I look forward to working with my colleagues in the future to tap more of our own domestic energy resources while taking common sense steps to preserve Florida's tourism economy.

It is important to note, as the amendment is drafted, that directional drilling within 25 miles would still be allowed.

The amendment make no changes—zero, nada, zilch—to the Gulf moratorium that is in place, or the Department of the Interior's current lease plans in the Atlantic.

Tourism is Florida's number one industry. My amendment would ensure that beach tourism is not harmed. Obviously, neither you nor your constituents would prefer seeing a drilling platform in lieu of a sunrise.

Just as fuel is important to our economy, so are our beaches. The amendment encourages the best possible stewardship of both, while protecting beach goers' line of sight, and preserving the scenic vistas that tourists come to Florida to enjoy.

Getting Florida's economy turned around is important. Our economy has already been harmed by the end of the Space Shuttle program. Agriculture, construction, and housing sectors continue to struggle.

Preserving a 25-mile buffer would send a message to visitors, nationwide and worldwide, that we are protecting the pristine nature of our shores that have traditionally drawn hundreds of thousands of visitors each year. It says to millions of tourists that we remain open for their tourism business now and into the future.

Preserving a 25-mile buffer would be an important step toward ensuring that tourism, a bright and recovering sector of our economy, which brings an enormous amount of foreign dollars and tax revenue into the United States, continues to recover.

Again, this amendment would pertain only to drilling above the Outer Continental Shelf. Directional drilling within 25 miles would still be allowed.

I hope all of my colleagues would support this or a similar amendment in future legislation. This issue is ultimately important to every member of this House.

I look forward to you, and your constituents, visiting our wonderful beaches. They are some of the best in the world, and—with your help—they will remain that way.

Mr. SIMPSON. I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendment printed in section 2 of House Resolution 363 is adopted. During consideration of the bill for fur-

ther amendment, the Chair may accord priority in recognition to a Member offering an amendment who has caused it to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2584

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, namely:*

TITLE I—DEPARTMENT OF THE INTERIOR

AMENDMENT OFFERED BY MR. SIMPSON

Mr. SIMPSON. Mr. Chairman, I offer a manager's amendment, and I ask unanimous consent that it be in order to consider the amendment en bloc and at this point in the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. SIMPSON. Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The text of the amendment is as follows:

Page 48, line 3, insert "all" before "funds".

Page 48, line 5, strike "exhausted" and insert "obligated".

Page 67, line 14, after the dollar amount, insert "(reduced by \$6,812,000)".

Page 81, line 8, after the dollar amount, insert "(increased by \$40,000,000)".

Page 105, line 19, insert "to the National Endowment for the Humanities" after "available".

Page 125, lines 14 and 15, strike "may establish" and "programs".

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. The manager's amendment before us makes several technical and conforming changes to the bill. These are all noncontroversial changes, and they have been shared with the minority. I believe the minority is supportive of the amendment, and I urge its adoption.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Idaho (Mr. SIMPSON).

The amendment was agreed to.

Mr. CLAY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. CLAY. I rise for the purpose of entering into a colloquy with the distinguished chairman of the Interior Appropriations Subcommittee.

I want to thank you, Mr. Chairman and Ranking Member MORAN, for your

leadership and for this opportunity to discuss an important and urgent matter.

As the chairman knows, there are two acts that seek to conserve marine mammals—the Endangered Species Act and the Marine Mammal Protection Act. I am not here to debate the merits of those acts but to discuss an inadvertent and unexpected consequence of them.

□ 1500

There is what seems to be a contradiction when it comes to the protection of polar bears. Exactly the opposite may be happening.

Mr. SIMPSON. Will the gentleman yield?

Mr. CLAY. I yield to the gentleman from Idaho.

Mr. SIMPSON. I thank the gentleman from Missouri for yielding.

I am aware of this issue. This is one of those times when a law whose intent is to protect may be unintentionally causing harm.

Mr. CLAY. Mr. Chairman, you are correct. This is an urgent issue, as we know, of polar bears, specific bears today that are in danger of being lost and which could be saved by importation into the United States. While it was the intent of Congress to protect these animals, the acts were never intended to be bureaucratic obstacles to common sense and to saving their lives.

Some brief background is in order. Mr. Chairman, section 101 of the Marine Mammals Protection Act established a moratorium on the importation of marine mammals. However, section 102 and 104 of the act allow for the issuance of permits for the importation of marine mammals under certain circumstances.

Now, the act generally prohibits permits from public display of marine mammals from a species of stock designated as depleted, which is defined as one that is listed as an endangered species or threatened species under the Endangered Species Act.

On May 15, 2008, the Secretary of the Interior listed the polar bear as a threatened species under the Endangered Species Act; and since then, no permits for the importation of polar bears for the health and welfare of the animals or for the purposes of public display have been issued by the Secretary. The act does require that conservation plans for taking animals include proposals to enhance their habitat which, in this case, is impossible.

One of the main reasons the polar bear was listed as threatened is the loss of their habitat. It is not possible to comply with this requirement, and we urge the Secretary to take this into consideration when making a final determination on these permits.

There is also a requirement that such takings be for scientific purposes. Mr.

Chairman, I think you would agree that establishing successful captive breeding programs for a threatened species fits into the Congress's intent for scientific purposes. Declining habitat conditions for the polar bear and an increasing number of human-bear interaction have resulted in an increase in the number of polar bears brought into temporary or permanent captivity in Canada in recent years, including an increase in the number of non-releasable animals and orphaned cubs.

Canadian institutions cannot house all of these bears and any animals not placed in suitable facilities could be used, euthanized or left to die in the wild.

The Government of Manitoba, Canada, has passed legislation allowing such bears to be exported from Canada for purposes of captive maintenance and public display at accredited zoological institutions in the United States. These are institutions that have undergone a thorough and rigorous review and inspection process by zoological professionals to examine all aspects of an institution's operation.

Prior to issuing those permits, the Secretary of the Interior should determine the institution is accredited by the Association of Zoos and Aquariums and meets specific public display criteria as determined by the Secretary.

Mr. Chairman, I would like to clarify that it is your understanding that under these acts, the Secretary of the Interior may issue permits for the importation into the U.S. of live polar bears for the purpose of public display at appropriate accredited zoological institutions. Upon a finding that such importation of such will benefit the health and welfare of the animal or is otherwise consistent with the conservation of the polar bears, in addition with the other areas, the Secretary's authority is granted under the Marine Mammals Protection Act, section 102(b) and 104(c)(4)(A).

Again, I want to thank the chairman for this opportunity.

The Acting CHAIR. The time of the gentleman has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. CLAY was allowed to proceed for 3 additional minutes.)

Mr. CLAY. I yield to the gentleman from Idaho.

Mr. SIMPSON. I agree with the gentleman from Missouri, and I want to be clear. I hope the Secretary of the Interior and the Fish and Wildlife Service hear us clearly when we say that it is the sense of the committee that under these acts the Secretary of the Interior may issue permits for the importation into the United States of live polar bears for the purposes of public display at appropriate accredited zoological institutions upon a finding that such importation will benefit the health and

welfare of the animal or is otherwise consistent with the conservation of the polar bear.

I thank the gentleman for raising the matter and for working with me on this important issue.

Mr. CLAY. I thank the chairman, as well as Ranking Member DICKS for requesting additional time.

I yield back the balance of my time. The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau and the assessment of mineral potential of public lands pursuant to Public Law 96-487 (16 U.S.C. 3150(a)), \$918,227,000, to remain available until expended; of which \$3,000,000 shall be available in fiscal year 2012 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred.

AMENDMENT OFFERED BY MR. MORAN

Mr. MORAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 20, insert after the dollar amount the following: "(reduced by \$18,663,000)".

Page 92, line 1, insert after the dollar amount the following: "(increased by \$18,663,000)".

Mr. MORAN (during the reading). I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Mr. Chairman, as I noted previously, there are a lot of winners and losers in H.R. 2584.

Two of the winners are the oil and gas companies and the cattle grazers who use our publicly owned land. One of the losers is Indians who need Sanitation Facilities.

My amendment would do two things. First, it decreases funding from the increase in the bill for the BLM's oil and gas and grazing management programs. Second, the amendment would restore the Indian Sanitation Facilities Program by what it was cut below the current spending level. I find it ironic that the majority refused to allow the administration to collect an inspection

fee from the oil and gas industry but had no problem in providing more taxpayer subsidies for the oil and gas industry.

The oil and gas industry gets about \$4 billion in subsidies per year. Likewise cattle ranchers get about \$400 million in subsidies per year by paying their ridiculously low fee of \$1.35 per month per cow while States charge so much more. Texas, for example, charges \$65 to \$150 per cow per month to graze on State-owned lands, but the Federal Government charges only \$1.35. Well, in this bill, they would see an increase in taxpayer resources devoted to grazing management from \$75 million to \$90 million, a 20 percent increase. Why not ask them to at least pay the cost of administering their grazing subsidy?

If our national budget is truly about shared sacrifice, how about starting with the oil and gas companies that have profited so handsomely from the resources owned by the American public and from ranchers whose use of the public lands is heavily subsidized by the American taxpayer.

The second part of my amendment provides an additional \$18.6 million for the Indian Sanitation Facilities Program. It would simply restore funding to last year's level.

At the end of fiscal year 2010, there were about 230,000 Native American homes in need of sanitation facilities including 34,000 homes without running water. According to the Indian Health Service, Native Americans in these homes are at extremely high risk for gastrointestinal disease and respiratory disease at rates similar to Third World countries. Additionally, the Indian Health Service has noted that many of these homes without services are very remote with limited access to health care, which increases the importance of improving environmental conditions in these homes.

The least we can do is to provide the same level of funding that was provided this current year to the Indian Sanitation Facilities Program, which is an integral component of the Indian Health Services disease prevention activities.

I urge support of the amendment.

Mr. Chairman, again, the chairman suggested that there were no special interests. Well, this disproves that. There are special interests. Oil and gas companies already getting subsidies from the American taxpayer of about \$4 billion a year, they get increases in this bill. We're simply asking them to pay a little more towards the Federal Government's cost of managing the fees that they should be paying.

□ 1510

Just a little bit more, we're asking them to pay. And we're also asking the ranchers who, again, get special interest subsidies of about \$400 million in this bill, more money for the ranchers,



more subsidy, more subsidy for the oil and gas companies; and yet at the same time, we cut the money that would provide sanitation facilities for 230,000 Native American homes in need, and 34,000 of those homes are without even potable water. They are the losers. Oil and gas companies and the grazers are the winners in this bill. That's why I would urge support for the amendment, Mr. Chairman.

Mr. SIMPSON. I move to strike the last word.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment offered by my friend and colleague from Virginia.

Honoring our Nation's obligations to American Indians and Alaskan Natives is an unshakable bipartisan sentiment shared by Members of the Interior Appropriations Subcommittee and is an accomplishment in this bill that I am most proud of. This bill increases funding for Indian Health Services by \$392 million over the current fiscal year while almost virtually everything else is being cut, a 10 percent increase that also happens to be one of the rare and, by far, the largest increases in this bill. This bill includes the same \$19 billion cut for sanitation facilities that was proposed by the President. And I note that the President's Indian Health Service budget was an additional \$162 million higher than this bill.

The problem is the offset. The BLM's management of land resources account has already been cut by \$43.5 million below the FY 2011 and \$15.5 million below the President's budget request. This account funds the management of the BLM's more than 245 million surface acres and 700 million subsurface acres. Further cuts to this account are not appropriate.

Mr. Chairman, am I proud of the increases we were able to provide in this bill and in previous bills by my predecessors Mr. MORAN and Mr. DICKS? You bet I am. Will I continue to fight for more funding for Indian country despite the attacks from virtually every other interest group who isn't happy with their share of the pie? You bet I will. Will I stand by and let my friend and colleague from Virginia continue to systematically dismantle the budget of the largest landowner in the West, the BLM? Absolutely not. I urge my colleagues to vote "no" on this amendment.

I yield back the balance of my time.

Mr. DICKS. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I support my friend from Virginia's amendment which would increase funding for the Indian Health Service sanitary facilities construction program. The amendment would pro-

vide \$18 million for this important health program, which would bring the funding level back up to the enacted level for this year. The offset for this increase comes from a couple of programs that help support the private sector energy and livestock industries.

I think this amendment is a very good deal for the American taxpayer. And, by the way, if you've ever been out in Indian country, one of the problems that they have is a lack of sanitary facilities. I can think of the Skokomish Indians in my district in Mason County, Washington, where they have a very serious need for new sanitary facilities. And across Indian country, this is still a major problem. In fact, there was a group of scientists a few years ago who were asked, What was the greatest thing that happened in the 20th century to improve health care? They came up with sewers and sanitary facilities as the thing that improved health care around the world the most substantially.

The Indian Health Service program to construct sanitary facilities that would benefit from this amendment improves the lives of some of our poorest fellow citizens. The Indian Health Service program provides funding for people who often lack basic sanitary facilities, such as the delivery of potable water to their homes. For me, the choice is simple. I urge my colleagues to choose to help provide basic sanitation to Native Americans by making small cuts to programs that assist the energy and livestock industries. This is a good amendment and should be adopted.

I yield back the balance of my time.

Ms. MCCOLLUM. I move to strike the last word, Mr. Chairman.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, I rise to also support the Moran amendment for providing more access to clean drinking water.

And to Chairman SIMPSON's point, we did do a good job working together to significantly improve the quality of life in Indian country, and we did that working together. But one area in which some of us felt we could have done a little better is in the area of Indian sanitation. We're seeking to put the funding level back to where this Chamber had it in FY 2011, not a cut. And the way that we're asking to do that—and I will speak to the issue of grazing because I offered the amendment in the full Appropriations Committee—is to ask cattle ranchers to pay a fair fee to graze their cattle. A fee of \$1.35, as Mr. MORAN pointed out, is less than what most States are charging for the use of their public lands. And it is significantly less, as I found in some information gathering that I did, than the private sector charges for the use of their lands.

When we have our lands at \$1.35, not only is it not of benefit to the taxpayers, but it leads to overgrazing of our lands, which does nothing to help improve the quality of public lands for future generations of cattle ranchers. Fifteen million dollars to grazers in this bill, \$4 million to oil and gas. And the numbers again: 230,000 Native American homes without sanitation facilities; 34,000 homes without clean, safe drinking water.

No infant and no child in this country or in Indian country should be at risk of gastrointestinal disease rates that are found in Third World countries. Let us provide the same level of funding that we had in the FY 2011 bill for Indian sanitation. Let us support clean drinking water for our children.

I yield back the balance of my time, Mr. Chairman.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SIMPSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

#### AMENDMENT OFFERED BY MR. HUELSKAMP

Mr. HUELSKAMP. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 20, after the dollar amount, insert "(reduced by \$70,000,000)".

Page 4, line 6, after the dollar amount, insert "(reduced by \$4,880,000)".

Page 8, line 18, after the dollar amount, insert "(reduced by \$85,000,000)".

Page 9, line 18, after the dollar amount, insert "(reduced by \$11,804,000)".

Page 10, line 1, after the dollar amount, insert "(reduced by \$15,047,000)".

Page 10, line 4, after the dollar amount, insert "(reduced by \$4,000,000)".

Page 10, line 7, after the dollar amount, insert "(reduced by \$120,000)".

Page 14, line 19, after the dollar amount, insert "(reduced by \$9,000,000)".

Page 15, line 8, after the dollar amount, insert "(reduced by \$32,000,000)".

Page 32, line 12, after the dollar amount, insert "(reduced by \$75,000,000)".

Page 39, line 7, after the dollar amount, insert "(reduced by \$47,000,000)".

Page 65, line 5, after the dollar amount, insert "(reduced by \$150,000,000)".

Page 65, line 19, after the dollar amount, insert "(reduced by \$900,000,000)".

Page 66, line 10, after the dollar amount, insert "(reduced by \$16,000,000)".

Page 68, line 11, after the dollar amount, insert "(reduced by \$771,000,000)".

Page 68, line 12, after the dollar amount, insert "(reduced by \$344,000,000)".

Page 68, line 15, after the dollar amount, insert "(reduced by \$427,000,000)".

Page 76, line 22, after the dollar amount, insert "(reduced by \$78,000,000)".

Page 78, line 1, after the dollar amount, insert "(reduced by \$12,500,000)".



Page 88, line 9, after the dollar amount, insert “(reduced by \$432,000,000)”.

Page 96, line 16, after the dollar amount, insert “(reduced by \$9,000,000)”.

Page 103, line 14, after the first dollar amount, insert “(reduced by \$12,000,000)”.

Page 105, line 7, after the dollar amount, insert “(reduced by \$135,000,000)”.

Page 105, line 18, after the dollar amount, insert “(reduced by \$135,000,000)”.

Page 105, line 19, after the dollar amount, insert “(reduced by \$125,000,000)”.

Page 105, line 22, after the dollar amount, insert “(reduced by \$10,000,000)”.

Page 105, line 24, after the dollar amount, insert “(reduced by \$8,000,000)”.

Page 158, line 25, after the dollar amount, insert “(increased by \$3,000,231,000)”.

Mr. HUELSKAMP (during the reading). I ask unanimous consent the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. HUELSKAMP. Today I rise on behalf of the Republican Study Committee to offer an amendment to bring the Interior appropriations bill in line with the RSC budget.

Mr. Chairman, credit rating agencies around the country are threatening to downgrade our debt, and not because we won't pass a debt ceiling increase but more so because we have not passed a credible plan to pay that debt back. Every child born in America today owes the Federal Government over \$46,000, and that bill rises every day.

The times we are in demand that we look at the effectiveness of every Federal dollar we spend, and that is why I offer this amendment today. This amendment makes cuts across the bill, but the biggest cuts come from the EPA. In my opinion, no agency in our Federal Government has done more to negatively impact our economy than the EPA.

In my district in western Kansas, EPA foot-dragging and redtape is delaying the construction of a new power plant. The construction of the plant would create 1,900 construction jobs and 261 permanent jobs, yet they cannot even break ground. Region VII is asking for changes. Environmental groups continue to file lawsuits based on EPA rules, exacting a death-by-litigation strategy against the rural electric cooperative members seeking to build this plant.

□ 1520

According to a study by the U.S. Chamber of Commerce, 351 proposed solar, wind, wave, biofuel, coal, gas, nuclear and energy transmission projects have been delayed or canceled due to significant impediments, such as regulatory barriers, including inefficient review processes and the attendant lawsuits and threats of legal action.

The study found that these projects would produce 1.9 million new jobs during construction and almost 800,000 jobs on an ongoing basis. These jobs are simply in limbo when our economy sorely needs them. In fact, not a week seems to go by without the EPA issuing a new rule or regulation that increases costs to businesses and consumers. BoilerMACT, water cooling intakes for power plants, interstate air quality, dust and other particulate matter, ozone, and the list goes on and on.

These actions not only drive up costs but they create higher degrees of uncertainty in our fragile economy. And when the EPA isn't hampering our economy at home, they are sending our tax dollars abroad. Nearly \$1.3 million was sent to China in grants over the past 2 years. Yes, that's right, these grants were sent to the China Coal Institute, the China University of Petroleum, the China Urban Construction Design and Research Academy, and the China Association of Rural Energy Industry. I guess the hundreds of billions of dollars of debt we owe them is not enough.

The EPA has long given up sound scientific methods to ensure a clean environment for a left-wing agenda that heaps billions in costs on our economy in exchange for nearly immeasurable incremental changes in our water and air quality.

Mr. Chairman, this amendment also zeroes out funding for the NEA and the NEH. Federal spending on the arts and humanities has long been controversial, not only for the nature of some of the grants but also for the fact that I believe the Federal Government should not play such a role in our society and certainly should not at a time when we are facing an impending debt crisis. If we cannot make relatively easy decisions to eliminate this funding, how can the American people expect us to make the harder decisions necessary to balance our Federal budget?

Mr. Chairman, the amendment also ends funding for National Heritage Area grants. This provision was included as a result of the YouCut program where the American people could vote on a government program to cut, and this is the one they selected. Federal funding for heritage areas was supposed to be seed capital to get them up and running for the States, localities, and private sector who requested them. Many of the grants have exceeded their original 10-year limitation. Even the President recommended a 50 percent cut in his budget for them, which was included in the bill; but in this time of much needed Federal spending restraint, it is time to cut them altogether.

Mr. Chairman, I encourage my colleagues to pass this amendment and help put us on a track to balance our budget in the next decade.

I yield back the balance of my time.

Mr. MORAN. I rise in strong opposition to this amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Mr. Chairman, this amendment cuts every environmental, conservation, and cultural program across the bill, totaling \$3 billion in cuts, and then puts those funds in the spending reduction account.

The funding in the bill is already grossly inadequate, and this amendment would cut the bill by more than 10 percent. The amendment zeroes out U.S. Fish and Wildlife construction by cutting \$12 million. It zeroes out U.S. Fish and Wildlife land acquisition by cutting \$15 million. It zeroes out Forest Service land acquisition. It zeroes out the National Endowment for the Arts. It zeroes out the National Endowment for the Humanities. It cuts State and local water infrastructure by \$770 million, 30 percent, even though the infrastructure needs across this country, as Mr. DICKS has stated, is \$688 billion.

This amendment goes on to cut the National Park Service, the Office of the Secretary, Wildland Fire Management, EPA Science and Technology, et cetera, et cetera, et cetera.

Mr. Chairman, we should all oppose these draconian cuts. They don't make sense. I don't think the gentleman proposing them necessarily knows what the full impact would be. I suspect, though, that if his constituents, let alone the American people, knew what was being attempted, they would agree with me that this amendment should be soundly defeated.

I yield back the balance of my time.

Mr. BLUMENAUER. I move to strike the last word.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. Thank you, Mr. Chairman.

I want to join with my good friend from Virginia in speaking against this amendment, although I do appreciate my friend from Kansas in offering it, because this is precisely what would be required if the budget gimmick that was offered by the Republicans last week to restrict funding to 1966 levels, a budget level that was never met by Ronald Reagan, who never proposed a budget that was less than 21 percent, but this is exactly what would be required. It's why the House is going to demonstrate the schizophrenia on the part of my friends on the other side of the aisle, because this amendment is going to be rejected, I predict. It will be rejected, even though that is what they would wish on the American public.

Zeroing out the resources for the National Humanities, for the NEA, things that, when push comes to shove, the American public embraces, supports,

have dramatic economic impact at home, that leverage private dollars, but this is just the tip of the iceberg. I appreciate it being offered. I wish that people would look at it closely because this is what is being proposed by our Republican friends in their effort going forward.

Mr. Chairman, at this point I will yield back, but I do hope people pay close attention to what is embodied here, because this is a taste of what people have in store for the American public.

Mr. SIMPSON. I move to strike the last word.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to this amendment, and while I appreciate my good friend from Kansas's passion for cutting spending, the reality is that this is exactly what we're doing. This bill comes in under the allocation. We passed the budget earlier this year on the floor—we're the only body to have passed a budget, actually. The Senate has not passed one yet. We were given an allocation, and this bill comes in under that allocation.

We all know that we cannot balance this budget simply by cutting, but we also know that reducing Federal spending is a necessary priority and a first step toward getting us toward a balanced budget.

I think that this amendment goes too far. It would take \$3 billion from the numerous accounts in this bill, including the BLM, Fish and Wildlife Service, National Park Service, NEA and NEH, as was mentioned, and transfer it to the budget reduction account.

While I appreciate the gentleman's concern that he expressed about the impact that the EPA is having in this country on job creation, and I have said repeatedly that when I go out and give a speech somewhere to a chamber of commerce or Lions Club or whatever, I'll talk about the Interior bill and the agencies that we fund, and when I get to the EPA, someone in the audience will say, Just defund it, get rid of it, and it's the first applause line in the speech. That's the reputation the EPA has out in the public, and that's the concern that the public has about the direction that the EPA is headed.

So I appreciate the gentleman's concern about the EPA; but as I try to explain to people, you can't just do away with the EPA because if you're out there and you have a business and the underlying law requires you to get an air quality permit or a water permit or something like that and you call the EPA to get your air quality permit and no one's there to answer the phone, to help you with that, then you've got a problem. We don't want to eliminate the EPA. What we want to do is rein the EPA back in, because I think

they've got an overly aggressive agenda; and, as I have said, I think they're the biggest wet blanket on the growth in our economy that there is.

I rise in opposition to the amendment, and I would hope that my colleagues would oppose the amendment.

Ms. WOOLSEY. I move to strike the last word to oppose this amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, what the American people want from their leaders in Washington can be summed up in a single word: jobs, J-O-B-S. The Republicans have now controlled the House for more than 200 days, and they haven't lifted a finger to address the single overriding priority of the people we work for, that is, jobs.

□ 1530

It's a gross failure of leadership.

Instead, what's on their agenda this week? Only the biggest assault on environmental protections in several decades.

I have yet, Mr. Chairman, to see a poll where Americans are clamoring for the Congress to undermine pollution controls, damage public health, and unravel a 40-year bipartisan conservation consensus. I can't think of a single environmental program or initiative that is spared under the base legislation, and this amendment makes it even worse.

The base bill would mean more toxic mercury, arsenic and soot pollution released in our air. It leaves the area surrounding the Grand Canyon, the Grand Canyon, an iconic national park, open to toxic uranium mining.

It cuts the Land and Water Conservation Fund by 78 percent. It tears the heart out of the Clean Water Act, and it guts the Endangered Species Act. And it removes those pesky regulatory obstacles that keep pesticides out of our waterways.

The Republicans want to block EPA's efforts to protect communities from stormwater runoff and to issue new energy-efficiency standards for new vehicles after 2016. Everything we've put in place that makes sense is what they want to get rid of.

And on and on and on and on it goes, Mr. Chairman, one extreme policy rider after another. None of this will do anything to save taxpayers money. It is an absolute frontal assault on the water we drink, the air we breathe, the public lands we cherish.

This is a big special interest giveaway, and that is simple. It's a classic example of legislating to benefit friends and benefactors, Big Oil and other corporate polluters at the expense of national interests. The Nation's natural resources are not ours to exploit at our will. They are on loan to us. We must be the responsible stewards.

It will be a moral failure if we don't pass an improved environmental bill, and if we don't pass an environment to the next generation, one that is in even better condition than the one we have today.

But that's what this disgraceful legislation would do. It breaks a covenant that the American people take very seriously, a covenant they actually take for granted. It's Republican extremism run amok on steroids, voraciously rampaging out of control.

The base bill, H.R. 2584, must be stopped. This amendment cannot see the light of day. I urge all my colleagues to vote "no."

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I want to commend Chairman SIMPSON for opposing this amendment. This is an amendment that goes way too far. This bill is \$3.8 billion, almost \$4 billion below what the President requested. It's \$2 billion below the FY11 level, which we just passed a few months ago, and it would have a devastating effect on our environment.

When I hear people talk about growing the economy by cutting the budget, I wonder what school of economics they attended. In fact, there was an outstanding article just a few weeks ago in *The New York Times* that really laid out the basic problem we have in this economy, and that is that consumer spending has dropped by 7 percent. Normally, in previous recessions, it only went down 3 percent.

So then when you cut State and local government funding, when you cut Federal funding, you make a bad situation worse in terms of consumption. And that is why the economy has slowed down, and that's why it's not going to go up as a result of these kinds of reckless cuts being offered by the other side.

Let me give you one example. The former EPA administrator, Christine Todd Whitman, from New Jersey, did a study of what the backlog on wastewater treatment facilities was. And it was \$688 billion, and this was in 2002. It's definitely gone up.

And yet we're slashing, and would slash again, the amount of money for the Clean Water Revolving Fund and the Safe Drinking Water Revolving Fund and the State and Tribal Assistance Grants. Those are exactly the programs that we should be plussing up in order to get people back to work. It's infrastructure. That's one thing we used to be able to agree on, both Democrats and Republicans in this House, that we need infrastructure work. This will put people to work.

How are you going to get the deficit down? Not by slashing government

spending. You're going to get it by putting people back to work. When you put them back to work, they start paying taxes, they start buying goods, and that will drive down the deficit. It will drive down unemployment.

This reckless amendment from the gentleman from Kansas, again, would make this bad situation even worse in terms of job creation. So I am pleased that the majority is resisting this ill-thought-out amendment, and I urge its defeat.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. HUELSKAMP).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HUELSKAMP. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kansas will be postponed.

AMENDMENT OFFERED BY MR. CLEAVER

Mr. CLEAVER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 20, after the dollar amount, insert "(reduced by \$3,000,000)".

Page 65, line 19, after the dollar amount, insert "(increased by \$3,000,000)".

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. CLEAVER. Mr. Chairman, in the committee report for this bill, the appropriations committee included some language expressing concerns in regard to the Environmental Protection Agency's Urban Waters Initiative and provides no funding in the bill for this program for fiscal year 2012.

I understand the committee's reluctance to extend funding for new broad, cross-cutting initiatives, given our economic situation. However, I feel this initiative has immense value to millions of people who live in urban centers and who rely on the government to ensure that they have clean water to drink and use in their daily lives. This amendment would restore partial funding for the Urban Waters Initiative for fiscal year 2012. This amendment does not increase the spending by one single penny.

Cities share one key characteristic: they're full of people, buildings, and businesses. Because everyone shares the same relative space, air and water environmental impacts are concentrated in smaller areas, including waterways. Urban waters take on large amounts of pollution from a variety of sources, including industrial discharges, mobile sources, such as cars and trucks, residential/commercial wastewater, trash and polluted stormwater runoff from urban land-

scapes. As urban populations often share centralized water sources, this pollution creates public and environmental health hazards like lowered drinking water quality and water bodies that aren't safe for human swimming.

The EPA launched the Urban Waters Program to address water quality challenges in the urban watersheds and build capacity of disadvantaged communities through projects that revitalize these watersheds. If maintained properly, urban waters can also yield positive impacts for populations in both urban and upstream communities. Revitalization of waterways can spur employment and the growth of local businesses and promote improvements in housing, safety, and quality of life in these areas.

□ 1540

The Acting CHAIR (Mr. REICHERT). The gentleman will suspend.

MOMENT OF SILENCE IN MEMORY OF OFFICER JACOB J. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The Acting CHAIR. Pursuant to the Chair's announcement of earlier today, the House will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

Will all present please rise for a moment of silence.

The gentleman from Missouri may proceed.

Mr. CLEAVER. Communities across the country are coming together, working with the EPA, State and local agencies, and taking steps to access, restore, and benefit from their urban waters and the surrounding lands. My Missouri 5 District, a large section of which is Kansas City, is one such community. The EPA regional staff are working with Kansas City and local citizen groups to monitor water supply and plan and conduct improvements to the Blue River watershed and Brush Creek.

Covering 270 square miles, the Blue River compromises the largest watershed in the greater Kansas City metropolitan area. Its drainage is divided between the States of Kansas and Missouri and flows through three counties, 12 cities, and 10 school districts. Brush Creek is the most visible tributary to the Blue River and runs completely through an area that we are trying to rebuild called the Green Impact Zone. The EPA is monitoring water quality along the watershed and assisting in local efforts to conduct large-scale watershed planning for Brush Creek and the Blue River.

Whether as a part of a cleanup leading to waterfront development or putting monitoring in place to ensure safe drinking water with the EPA's help, community groups across the country have taken the initiative, engaging volunteers, community organizations,

and local and State government to make their waters safe for many uses.

This amendment provides \$3 million for urban waters within the EPA's Environmental Programs and Management account, though it is by no means the maximum amount of funds that this program could utilize. It will ensure that this vital, community-driven initiative can continue, and I ask for the approval of this amendment.

I yield back the balance of my time.

Mr. SIMPSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR (Mr. POE of Texas). The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to this amendment.

The amendment would take \$3 million from the BLM Management of Lands and Resources and transfer it to the EPA's Urban Waters Initiative. The BLM Management of Lands and Resources account has already been cut by \$43.5 million below the FY11 and \$15.5 million below the President's budget request. This account funds the management of the BLM's more than 245 million surface acres and 700 million subsurface acres. Further cuts to this account would not be appropriate.

We eliminated funding for the EPA's new Urban Waters Initiative because it was duplicative funding. Regardless of whether a water body is in an urban or a rural area, EPA and States should be addressing the most impaired waters first, and there are a number of well-established programs that handle that. There is no need for a separate, duplicative initiative in order to protect our urban waters; it only results in duplicative spending.

I urge my colleagues to vote "no" on this amendment.

I yield back the balance of my time.

Mr. MORAN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Mr. Chairman, I support the distinguished gentleman from Missouri. Mr. CLEAVER's amendment would add a modest \$3 million to the Environmental Protection Agency for the Urban Waters Initiative, which the subcommittee refused to fund.

EPA and the Department of the Interior announced the first pilot demonstrations of this program last month. They included Baltimore's Patapsco watershed, the Anacostia watershed in the District of Columbia and Maryland, the Bronx and Harlem River watersheds in New York, the South Platte River in Denver, the Los Angeles River watershed, the Lake Pontchartrain area in New Orleans, and the northwest Indiana area, all areas in drastic need of attention.

The subcommittee report chides EPA for reprioritizing funds to begin the program in fiscal year 2011 without the

express approval of the committee. But my friends on the other side should know that when you fund the government under a continuing resolution, the agency has more flexibility. If we don't want EPA or any other agency to decide how to prioritize funding, then we should pass real bills. And, frankly, they did exactly the right thing in moving forward with this Urban Waters Initiative—that's where the need is.

Furthermore, denying funds to urban watersheds—where a majority of our population lives—because of a dislike for all things EPA does is simply unfair to these urban communities.

On a bipartisan basis, we have worked together to provide needed funding for rural water programs. We agree that should be a priority, but we should also show the same level of commitment for the Urban Waters Initiative.

This program will also capitalize on work being done through EPA's broader geographic programs, such as Chesapeake Bay and Lake Pontchartrain. These are two very critical water bodies that are endangered. I don't think I need to get into the extent of the endangerment for Chesapeake Bay and certainly not Lake Pontchartrain. Imagine, just think back to what happened in New Orleans just a few years ago. This offset is from the management account of the Bureau of Land Management, which is adequately funded in the bill.

So I really do support this amendment, and I would urge all of my colleagues to do the same.

Mr. DICKS. Will the gentleman yield?

Mr. MORAN. I would be happy to yield to the gentleman from Washington State.

Mr. DICKS. I just want to associate myself with the gentleman's remarks. I support this amendment.

I can think back to when I was going to the University of Washington, when Lake Washington, which is between Seattle and Bellevue, was completely polluted and you couldn't swim in it. The people there bonded themselves and completely restored the lake. Today, that is some of the most valuable property in the entire Pacific Northwest.

So these urban water initiatives are critically important for the environment and for the health of the people of those areas.

I think this is a modest amendment, and I urge our colleagues to accept it.

Mr. MORAN. I very much thank the distinguished ranking member of the full Appropriations Committee.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. CLEAVER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MORAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Missouri will be postponed.

Mr. INSLEE. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. INSLEE. Mr. Chairman, it is true that no bill is perfect, but this bill is truly atrocious. I have come here as co-chair of the Sustainable Energy and Environment Coalition to talk about how this bill represents a wholesale failure to really recognize our stewardship responsibilities of the greatness of this country. And it is a great country. I fly across it every Monday and Friday, and the words of the song that God's grace was shed on thee in this country are really true. But this bill shows nothing but disdain for the precious assets of clean air, clean water, and good open ground that we have in this country.

I'm sad to say that when you look out across America today you will see Republicans and Democrats out recreating—they understand what a beautiful playground we have in our national lands and clean water—but right now all this bill is is a playground for the special interests. And it's sad to say that a party that we have worked with historically has now turned its back on its stewardship responsibility. Teddy Roosevelt, who started this effort, would be rolling over in his grave to see this wholesale abandonment of this stewardship responsibility of this great country.

Republicans and Democrats alike want more clean air; this bill gives them less. They want more clean water; this bill gives them less. They want more open good ground; this bill gives them less. And the reason is is that it's based on a huge, mistaken belief that dirty air is good for our economy, that dirty water is good for our economy, and that despoiled land is good for our economy. These are falsehoods.

You want to talk about job creation, I'd like to talk about some jobs we would like to create and keep that are damaged by this bill. Right now in Puget Sound out in Washington State, we have historically grown some of the best oysters in the world in Hood Canal and other places. And now, because of water pollution, the oyster industry that employs thousands of people in my State is endangered by water pollution.

□ 1550

Now, one would think, when we're trying to protect jobs in every industry, including the oyster industry, we

might be interested in preventing pollution that destroys a whole industry. But no, that's not what this bill does. This bill weakens our ability to protect against dirty water and storm water pollution that is endangering jobs in my State and other places in this Nation. Now, if you go to talk to people in this industry, they'll say their jobs are important. But according to this bill, they are not. What's important are the special interests and the ability to degrade our environmental protection.

Take a look at the alternative fuels industry that is now growing across this country and its ability to create millions of new jobs. A few weeks ago, I was at a company called Targeted Growth. Targeted Growth had an idea a few years ago of creating biofuels that we could fly airplanes with. Five years ago, people thought this was a pipe dream. But because of their intellectual prowess, just a few weeks ago, using Targeted Growth biofuels, we flew the first transoceanic flight using biofuels from camelina that can be grown in my State and refined in my State, the first time in American history. That's something to be proud of.

Now, one would think in a bill like this, we would help new job-creating industries like that get started. But no. What this bill does is degrade the clean energy parts of our law that would give inspiration and additional innovation and investment in these clean energy industries.

This bill is an anti-job creation bill because it makes the assumption that dirty air and sick people are good for economic growth, and that is not a recipe for economic growth in this country.

Now I'll just talk about one thing. There has been an 80 percent reduction in our Land and Conservation Water Fund, which is very disturbing, and it should be to Democrats and Republicans alike. This is one thing I hope we can fix in this bill, and it is not something that is so urban or rural. I think about this little city park in Mossy Rock, Washington. A police officer said, Why do I get all of these kids hanging around the bars? Let's get them in something. Let's get them off the streets. Using some of these funds, we now have a city park being built in Mossy Rock, Washington. Is that such a dangerous thing for our economy?

I hope the Bass amendment is successful later on so we can at least fix one thing in this bill. Otherwise, reject this bill.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. Mr. Chairman, I take modest exception to the comments of my good friend from the State of Washington because, having read "Wilderness Warrior" about Teddy

Roosevelt, there is no doubt that T.R. is spinning in his grave.

This Interior Environment appropriations bill represents an abdication of responsibility on the part of the Federal Government. Not only does the bill cut funding for clean air, clean water, and protection of public lands, it is polluted with anti-environmental riders. These riders have nothing to do with reducing the deficit and everything to do with undermining the role of the Federal Government in protecting our Nation's environment and public health.

This is a partisan attack on 40 years of progress to protect our health and environment. It places profit-seeking interests of large polluters over the health of the American public, privatizing the benefits while forcing the children and elderly to bear increased health care costs.

Most of all, this bill is a waste of time. In the midst of a looming debt crisis, we are engaged in a rhetorical debate about legislation that moves us backward and will never become law, either defeated in the Senate or vetoed by the President.

Republicans are risking the stability of our economy for the opportunity to demonstrate once again they are more concerned in protecting industry profits than the American people.

In the midst of a heat wave in Washington, D.C., and around the country, the bill pretends that climate change isn't happening, and even prevents the EPA from following the law and a Supreme Court decision to reduce greenhouse gas emissions. It threatens 2 million jobs and over \$363 billion of the Nation's economy that depends on the support of the programs of the Department of the Interior.

There are devastating cuts to clean water and the State revolving funds. The Land and Water Conservation Fund, as is referenced, an 80 percent cut, the most dramatic reduction in 45 years. It cuts EPA's operating budget, oversight budget for offshore drilling, and will leave communities around the country struggling to provide services to their citizens and even comply with Federal laws.

In Oregon, the cuts to public lands funding will mean missed opportunities to protect special places like the Columbia River Gorge.

It will also cripple local economies. Studies have shown that for every billion dollars invested in water infrastructure, between 20,000 and 26,000 jobs are created. It cuts almost a billion dollars from the State revolving fund that helps States finance federally mandated upgrades in repairs to water and sewer systems. It will put additional pressure on already tight local budgets, as well as potentially increasing water and sewer rates. And in communities like mine, we've seen them skyrocket in recent years.

The bill rolls back lifesaving and cost-saving measures under the Clean Air Act and other environmental laws which were enacted to protect the health and environment of the American people. It should be no surprise that it is cheaper and easier to prevent toxics like mercury and arsenic from going into our air and water in the first place than trying to remove them later. The EPA studies show that the benefits far outweigh the costs.

There is no doubt why a number of public health organizations, including the American Lung Association, the American Public Health Association, and the American Academy of Pediatrics have all written to Congress opposing these clean air policy riders.

The policy riders in the spending bill can only be described as fulfilling a special interest wish list. From blocking clean air regulations and oversight of mining to preventing Federal action to clarify the jurisdiction of the Clean Water Act and to a new moratorium on listings in the Endangered Species Act, the bill countless times ignores the needs of our communities and instead implements what polluting industries have been asking for. Why are we talking about allowing new mining around the Grand Canyon?

Finally, most paradoxically, this bill restricts the funding for the EPA Office of Sustainable Communities. This is an office that provides technical assistance and guidance to local communities that wish to plan for increased economic growth and development, and account for the changes in their community and demographic impacts. This office has been in existence for over 15 years. It is an extraordinarily useful tool to help communities understand how to put the pieces together, how to coax out more value. The demand is so high for their services, they can only help 9 percent of the applicants. Now would not be the time, it would seem, to make it harder for communities who want to encourage economic development and growth in a thoughtful and sustainable fashion.

I urge my colleagues to vote against this bill. We can and must do better for our communities.

Mr. SIMPSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. I yield to the gentleman from New York for the purpose of a colloquy.

Mr. SERRANO. Mr. Chairman, during our full committee markup on the Interior bill, Congressman LATOURETTE offered an amendment to prevent the Great Lakes States from receiving any EPA funding if they have implemented ballast water rules that have stronger timeliness or standards than the Federal or international requirements that are currently in effect.

At the time, Mr. Chairman, I asked that we look more thoughtfully at the

potential impact this amendment might have.

Since that markup, I have heard concerns from numerous groups and the State of New York. In addition, it is my understanding that both EPA and the Coast Guard are working towards finalizing national standards. Would you be willing as we move toward conference with the Senate to work with the New York Members, Congressman LATOURETTE, and other Great Lakes Members to help us find a workable solution to this problem of invasive species and ballast water discharges?

Mr. SIMPSON. I thank the gentleman for his question.

The gentleman from New York has spoken to me about these concerns, and I am aware that this is a serious issue that will have an immediate impact on the State of New York and other Great Lakes States. Before conference, I will work with you, Congressman LATOURETTE, and other Great Lakes Members to try to resolve these concerns.

Mr. SERRANO. I thank the gentleman for his assistance.

Mr. LATOURETTE. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Ohio.

Mr. LATOURETTE. I want to commend the gentleman from New York (Mr. SERRANO) for the reasoned and balanced approach he has taken to this. Rather than filing a knee-jerk reaction either in committee or now on the floor, he has recommitted to working together to solve this problem.

□ 1600

It's a problem that needs to be solved. And I just want the record to be clear: In 2008, the New York Department of Environmental Conservation—not the State legislature, not the State—enacted ballast water exchange regulations that would have gone into effect, had they pushed the issue, that are 100 times more stringent than the international standard and would have gone to 1,000 times more stringent a year after that. Only two States, New York and Minnesota, had something in their regulations called "innocent passage," and that is it applies to all ships that pass through New York's water, whether they take on ballast water or discharge ballast water or whatever.

I take a backseat to no one in this Congress on the issue of invasive species in the Great Lakes. My first piece of legislation I wrote was with Senator John Glenn, the Invasive Species legislation, in 1996. But this particular provision by the New York Port Authority would cripple and perhaps eliminate commerce on the Great Lakes.

So this deserves thoughtful consideration. It deserves our study. And I would again commit to the gentleman from New York (Mr. SERRANO) to work with you and the chairman to find a

way that solves this horrible problem of invasive species in ballast water or anything else but doesn't stop interstate commerce on the Great Lakes.

Mr. SIMPSON. I yield back the balance of my time.

Mr. WAXMAN. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. Mr. Chairman and my colleagues, I rise in strong opposition to this bill. I hope the press and the American people are paying attention to what's going on on the House floor. I know the news is all about raising the debt ceiling and all the cuts or revenues that might be involved before we can get legislation to do something that has been routinely done—almost automatically done—every year or two for decades.

What is happening on the House floor deserves the attention of the American people. This is the most antienvironmental House of Representatives in history. The new Republican majority seems intent on restoring the robber-baron era where there were no controls on pollution from power plants, oil refineries, and factories.

This year, we've witnessed weather disaster after weather disaster. There have been massive floods, record-breaking fires, record-breaking droughts, and now record-breaking heat waves. Yet earlier this year, the House passed a bill that repealed EPA's scientific finding that climate change is occurring, is caused by man, and is a serious threat. We don't hear about the connection between these weather events and climate change and carbon emissions. We're not hearing about it when we watch the daily news shows and we're not hearing about it from this administration.

I just sent, recently, a letter to Secretary Chu, the Secretary of Energy, a Nobel Prize winner, asking him to speak out. We need to educate the American people so we can educate our colleagues here in the House of Representatives.

In this bill, the Republican majority wants to block EPA from issuing regulations to reduce carbon emissions from power plants and oil refineries that are causing this catastrophic climate change. The majority also wants to block regulations to cut carbon pollution from motor vehicles, even though these regulations help break our dangerous dependence on oil, save American families money, and clean the air we breathe.

This House can deny science, we can amend our Nation's laws, but we cannot rewrite the laws of nature. The longer we ignore the scientific reality that our actions are destabilizing the environment, destabilizing our climate, the more costly and disruptive our response will need to be—and the

more we endanger our children's future.

When we were debating carbon regulations earlier this year, my colleagues on the other side of the aisle claimed that they supported reductions in what they call "real" air pollution, whatever that means. But it turns out they're gutting those protections as well. This legislation includes provisions that will block landmark rules to protect the health of our children by cutting air pollution and reducing toxic mercury pollution.

The bill blocks the Cross-State Air Pollution rule—an important rule that is designed to prevent dirty power plants in one State from contributing to air quality problems in other downwind States. EPA estimates that this rule will prevent up to 34,000 premature deaths and nearly 2 million sick days a year beginning in 2014.

The bill indefinitely delays mercury and air toxics standards from power plants. Mercury is a potent neurotoxin that damages brain development in infants and children, impairing their ability to think and learn. EPA's mercury rule will clean up this pollution and prevent 17,000 premature deaths each year.

Republicans like to argue that environmental regulations must be justified by a rigorous cost-benefit analysis. Well, these regulations have been thoroughly analyzed and their benefits are 10 times greater than their cost, yet they want to stop those regulations from going into place.

These essential health protections are not being targeted because they are too costly. They are being targeted because they are opposed by powerful special interests like oil companies and electric utilities. We need to stop putting the special interests ahead of the public interest.

This bill poses a choice: Are we for protecting pregnant women, infants, and children from toxic pollution or are we for protecting the profits of special interests? A strong and vital EPA is in our national interest and the public interest. If we disarm EPA—as this bill would do—there is no one to stand up to the polluters and protect American families.

I yield back the balance of my time.  
Ms. CHU. I move to strike the last word.

The Acting CHAIR (Mr. WESTMORELAND). The gentlewoman from California is recognized for 5 minutes.

Ms. CHU. I rise today in strong opposition to the 2012 Interior appropriations bill, the most anti-environment bill I've seen on the House floor since I was elected to Congress.

If this bill passes, our air will be more polluted, our water will be dirtier, and we will know that much of what we love will disappear. This bill rolls back the clock to a time when big companies could poison our streams and

rivers with impunity, when power plants could freely contaminate the air we breathe, and when our national treasures were destroyed by corporations, all for a bigger profit.

First, the bill slashes funding to the EPA by \$1.8 billion, stealing funding that keeps our drinking water and wastewater systems clean.

Then it guts the Land and Water Conservation Fund. This program has done more than any other to expand local parks, recreational green spaces, and public lands enjoyed by hundreds of millions of Americans. This bill cuts this program by 80 percent, to its lowest level in history, nearly eliminating efforts to ensure that our treasured places are protected for families to enjoy for generations to come.

Then it abolishes the National Oceanic and Atmospheric Administration Climate Service, which is crucial to understanding how the changes in our national climate affect our farms, coastal communities, and businesses.

Finally, it proposes crippling cuts to the development of renewable energy sources and energy efficiency, only making our Nation more dependent on importing oil and gas from foreign countries. But what's worst of all is that these cuts severely jeopardize the 12.5 million jobs that could be created as a result of American clean energy innovation and undermine growth in our Nation's clean tech industries.

Even though some are calling this a cost-cutting bill, it's really a bill to pad the pockets of big corporations and the worst polluters. Unbelievably, it gives away \$55 million in subsidies to oil and gas companies and blocks the necessary increase in fees to inspect oil and gas stations from disasters like the BP gulf spill. That's not all.

The bill includes 39 different environmental policy bans that open up our natural resources to greedy polluters and keep our environmental agencies from doing their jobs to protect us from contamination. It allows more soot pollution in our air by blocking critical public health standards that ensure our air is very healthy for Americans to breathe.

It blocks the EPA from implementing greenhouse gas pollution standards for new cars in 5 years, jeopardizing 7,000 new jobs and the estimated 2.4 million barrels of oil a day saved in just two decades. It prohibits my home State of California from moving ahead with its own clean air standard. It exempts oil companies from complying with Clean Air Act standards for offshore drilling—again, protecting the special interests of Big Oil.

□ 1610

It puts the drinking water of 117 million Americans at risk by blocking EPA from keeping our water clean—half of America's streams and some 20 million acres of wetlands. It allows the

unregulated discharge of pesticides directly into our rivers and lakes.

This bill is a direct attack, a declaration of war, on our air, water, wildlife, and wildlands. It is clear that this bill isn't about cutting spending. It is about cutting years off our children's lives by increasing their exposure to contaminants in the air and water. The Republicans are putting polluters ahead of the health and safety of the American people, so I urge my colleagues to oppose this bill.

I yield back the balance of my time.

Mr. SERRANO. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, when some of us go home and we speak to different groups about how Congress conducts its business, one of the parts of those conversations that may be hard to understand is that we have personal relationships and that we have people on both sides of the aisle who we respect and we like. So especially during these times it becomes difficult for some of us when, for instance, a person like myself looks at a Chairman ROGERS or a Chairman WOLF or a Chairman SIMPSON, and we know that these are good people who are totally confused as to what it is we're supposed to be doing.

You say to a Republican these days, Good morning; and he or she answers, Cut the budget.

The sky is blue.

Cut the budget.

We all understand the need to get certain amounts of spending under control, but the problem is that some folks—and this bill shows that—continue to totally misunderstand that, yes, we may have economic issues that we have to deal with—that's a given—but we are also still—and are perhaps forever—the greatest country on Earth.

How did we get there?

We didn't get there because we decided every couple of years to simply cut the budget. We got there because we invested money; because we created, yes, rules; because we created, yes, laws that protected our way of life and the way that we wanted our future generations to be treated.

What you see across the board now is this belief that if you get the budget down to a certain number—and I say this profoundly sarcastically, perhaps, that some people would like to get it to zero, and I don't know what happens constitutionally after that if the budget is at zero—then the country will do better and everything will be well. Couple that with the fact that, while some folks on that side are, in fact, strong believers that you must cut spending, others have taken the opportunity to roll back language, to roll back regulations that have made the environment

safer, that have made our lives better, that have made us safer as Americans.

The public is being told it's about cutting the budget. The public is being told it's about not having a national debt. The public is being told it's about the future of our country in terms of what we owe. Yes, that is a legitimate concern; but what the country is not being told is that, for instance, in this bill, through riders, we are going back, perhaps not even to the sixties, but to the fifties or even the forties on environmental issues and on other issues.

So what we need to do is to continue to be a voice on this side, as well as the folks on that side who believe as I do, that this is a wrong route to take and that we have to continue to stand up and say, We all understand the need to address the issues we have to, but we can't throw away everything that we've had; we can't throw away everything that we've built, and we can't simply not invest in the future.

I sit on other committees, committees that have traditionally given us an opportunity to invest. Somewhere right now in this country, there is a person, male or female, sitting with a white robe, in a laboratory, who is coming up with the next medicine, the next Velcro, if you will—the next invention that will make us a better Nation and a better society, that will help us and help the world.

If you look at those budgets—and they'll be coming to a floor near you pretty soon—those budgets are devastated when it comes to investing money in research. So, while it's good to tell the public to cut the budget, we need to be honest and say, In the process, we may set you back 30 or 40 years.

I yield back the balance of my time.

Mr. SARBANES. I move to strike the last word.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. SARBANES. This bill, H.R. 2584, is a terrible bill. It is a terrible bill for our country, and it represents an assault on our environment.

Actually, I was looking through the various assessments about this bill, this Interior and Environment appropriations legislation for 2012, from different advocacy groups out there that are concerned about the environment, that are concerned about clean air and clean water. That's the word they kept using, "assault." This is an assault on clean water. It's an assault on clean air. It's an assault on conservation. It continues the assault that was begun at the beginning of this year with H.R. 1—to completely dismantle our environmental protections.

I confess to you, I just don't understand the motivations of our colleagues on the other side of the aisle. Do we not breathe the same air? Do we not drink the same water? Do we not traverse the same beautiful terrain across

this country? I can't imagine. I can't fathom what the motivation is to engage in this wholesale attack on our environment.

Let's look at that attack.

They are proposing to cut the EPA's budget. This is the agency that is charged with protecting our environment. They are proposing to cut that budget by 18 percent below 2011 levels and by 40 percent below 2010 levels.

I come from the Chesapeake Bay. I grew up fishing for crabs in the Nanticoke River on the Eastern Shore of Maryland. My grandmother lived in Salisbury. That's where we used to go during the summers. This would be devastating for the Chesapeake Bay. It cuts funding to the Chesapeake Bay Program, which is designed to put the Bay on a pollution diet so we can clean up the Chesapeake Bay. This would undermine that. It puts all these policy riders on it. It's loaded up with policy riders. It would prevent the regulation of coal ash as a hazardous waste. We have that issue in my district, regulating coal ash. I want the Environmental Protection Agency to be able to do that work, but this bill would undermine it. So it is an assault on clean water, and that affects the Chesapeake Bay.

Let's look at what else it does.

It's an assault on clean air. This bill, with all of these policy riders, would block standards to cut air pollution from cement kilns, delaying standards for power plants by 6 months, standards that would do—what?—reduce mercury, arsenic and lead in the air. Don't we want to do that? So why would we undermine that effort?

It would exempt oil companies. Now, this is no surprise. That has become a common practice. How many exemptions can we give to the oil and gas industry? Here is another one. It would exempt oil companies from complying with the Clean Air Act in offshore drilling operations. It's an assault on clear air. Do you know what? A study was done by the EPA that said the air quality improvements under the Clean Air Act, if maintained for the period from 1990 to 2020, will result in \$2 trillion in savings for this country and will prevent 230,000 deaths. So why would you want to undermine the protections with respect to our clean air?

□ 1620

It's an assault on environmental education, taking funding away from the National Park Service in terms of needed construction that has to be done. It's an assault on our National Wildlife Refuges. The reduction in funding for our National Wildlife Refuges would result in 140 of them being closed. That's 25 percent of them across the country. It's an assault on conservation, reducing the Land and Water Conservation Fund to a 45-year low of \$66 million. That's an 80 percent cut from 2011 levels.



But here is the great shame of it.

The great shame of it is the American people are ready to step up and be stewards of the environment. They want to do that. They want to take ownership in their own backyards, but they can't do it if the Federal Government isn't there as a partner, so I urge the defeat of this bill.

I yield back the balance of my time.

Mr. HOYER. I move to strike the last word.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. HOYER. The American public was concerned mainly about two things in this last election:

A, jobs—trying to get opportunities for themselves and their children and young people to earn a living. They were also concerned, correctly, about the debt and deficit that confronts this country. Those were the two items that they were very focused on and concerned about, and I think almost everyone on this floor shares their concerns.

I got no message from any voter that I ought to come to Congress and undermine the air, water, land that they survive on, recreate on and rely on for the quality of their lives. Not one constituent, whether they voted for me or against me, said, "Undermine the protections of our land and water and air." Not one. However, that is what we're dealing with today—not jobs, not deficit—but undermining the integrity of our air, our water and our land.

I rise, therefore, Mr. Chairman, in strong opposition to this bill, which puts some of our Nation's most precious natural resources at severe risk. This bill slashes funding for the Environmental Protection Agency by nearly 20 percent, after a year in which its funding already declined by 16 percent. The result of these cuts will be an agency unequipped.

Now, Mr. Chairman, I don't have to address you, but if I didn't under the rules have to address you, I would address all of America about their concerns about this undermining of the Environmental Protection Agency. Americans want the environment protected. They don't want that effort undermined.

It will mean higher risks of dirtier air, unsafe water and carbon pollution in our atmosphere. No American said that that's what they wanted when they talked to me.

This bill also includes a rider that would defund the listing of endangered species and habitats—a true failure of environmental stewardship.

Perhaps worst of all, this bill comes with 39 separate anti-environment riders that cater to some of our Nation's most powerful special interests.

Now maybe I missed it. Maybe there's an American somewhere who said, "Look, protect the special inter-

ests and undermine our environment," but I just missed talking to them maybe. Maybe that was it.

These riders would endanger and exploit our public resources, including such treasures as the Grand Canyon and the Colorado River, the quality of our Nation's air and water for the private gain of just a few.

The Land and Water Conservation Fund, which reinvests money we can gain from offshore oil and gas drilling into protecting our public lands—now, we have just seen a dramatic assault on our lands on the gulf coast—it's cut 78 percent from the current year's funding in this bill.

Communities waiting for funding for new sewer and drinking water systems will find a 40 percent cut from current levels. No American asked me for that.

In 1995, the very first vote the new Republican majority cast was on a bill like this one, one that attempted to slash the EPA and an active wish list of special interest priorities. The year is different but the policy is the same. But there was one major difference. That failed bill had just 17 environmental riders—less than half of this one. This one has 39. These provisions do nothing to control spending. They are end-runs simply around laws to protect our environment.

Now, as then, the wish list deserves to be voted down. Sherry Boehlert, who was a member of the Natural Resources Committee, stood on this floor when that 1995 bill was offered. A Republican leader in the House of Representatives said: Do not do this to our land, our air, and our water.

Let me close by quoting the wise words of the ranking member of the Interior Appropriations Subcommittee, my colleague and friend Congressman JIM MORAN: "There are those who want to make this controversy between humans and the environment, but that is a false assertion."

I urge you to read the balance of Mr. MORAN's quote in opposing this bad bill.

I yield back the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. H.R. 2584 is, without question and without precedent, the most regressive, destructive, and shameless attack on our environmental protections, this country's public health, and conservation in over four decades.

This is accomplished through the backdoor changes, 40 ideologically driven policy riders in the legislation, and it's easily the biggest payout to polluters and special interests who helped craft these riders and who are now adding those to our laws. And it's also accomplished on the riders, riders on an appropriations bill that legislates.

It's also accomplished through defunding agencies, such as the EPA, so that their oversight is weakened and their enforcement becomes non-existent.

Giveaway public lands. These mechanisms are used in this legislation to not only undermine but to dismantle protections that have been part of the legacy of this Nation for years upon years and decade upon decade. Matters of life and death to the American people, clean air and clean water, are left without funding to protect American families.

And the legislation before us does not create jobs. If the reason of the deficit—the reason that this is being done, as we hear from the other side, is for deficit reduction, that sounds hollow and contrived when one measures the cost of public health and cleanup that awaits the taxpayer in the very near future. It sounds hollow when the taxpayer sees the tax breaks, the public resource giveaways, and unregulated privileges to industry and big business. It seems hollow when the average American taxpayer suffers both the financial and human costs of this legislation.

Let me use one example of a rider introduced by my colleague from Arizona, a son of Arizona, to the Grand Canyon. This would effectively defund any opportunity to study, to analyze the consequences of uranium mining on 1 million acres around the Grand Canyon.

□ 1630

If anything else were to be an important point for this Congress, it is the icon of all our national parks, the Grand Canyon. And the uranium mining in that area has caused damage to people and the environment for years upon years. And now with this rider, we are perpetuating the same climate, the same strategy that has caused the problems in the area. We are jeopardizing the water, the Colorado River, and water users in Nevada, California, and Arizona. And they use an expert; they tout an expert, as of today and recently, a person who rationalized that there will be no real damage to the Grand Canyon. Isn't it ironic and somewhat interesting to note that this expert is sitting on 30 or more mining claims in the withdrawal area around the Grand Canyon and would stand to do very, very well financially upon the sale and resale of these claims? This is the expert.

This legislation, H.R. 2584, is a feeding frenzy for polluters, Big Oil, and speculators who make their huge profits by cutting corners, ignoring regulations, and skirting the responsibilities that we all have to follow the law. Now their mission has an eager partner—the majority of the House of Representatives. I urge my colleagues to vote "no" on this legislation and to protect

the health of the American people and the health of our legacy as a Nation.

I yield back the balance of my time.

Mr. LATOURETTE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATOURETTE. Mr. Chairman, as we sit and endure this mini-filibuster about how horrible Republicans are when it comes to this bill and the environment, I want to give a perspective about how some of these riders actually got in the bill.

I and a number of my colleagues have spent a lot of time talking with this EPA, this EPA administrator, and it's like talking to this lectioner. Nothing gets through. And I want to bring to your attention one particular matter that I put in this bill that's a rider, and it has to do with the U.S. EPA draft notice 2010-X, and that was a notice that went out to the manufacturers of lawn fertilizers.

Now, everybody in the Chamber would agree that the people who manufacture lawn fertilizer, what they put in the bag should be safe; it should not harm the environment; and it should actually what do it's supposed to do, and that's grow grass or do something else. However, the EPA, because they had precious little to do, decided that they weren't content with regulating what was in the bag. They want to regulate what's on the bag, and not the list of ingredients but what the product is called.

So draft regulation 2010-X says that these companies need to reevaluate the trademark names—some of them that have been in effect since the 1960s—and remove those that the EPA determines are misleading to the public. Now I sat down with Ms. Jackson, the administrator of the EPA, and went over this. She sort of smiled and said, You know what, this really doesn't make a lot of sense to me. I brought it up in subcommittee last year and withdrew it at the request of the then-majority who said they'd work on it. Well, it's still here.

And here is a list of the words that they determined you can't use if you are in a lawn fertilizer business: "Germ shield," "100 percent protection," "professional grade," "pro," "safe," "safer," "safest," "natural," "environmentally safe," and "green."

Now, hold on a minute. There's a company in Ohio. It's not in my district—full disclaimer—but it's called Scotts, and they make a product called Turf Builder. They also make a product called Turf Builder Pro. This draft notification tells them they can't call it "Pro" anymore because it's misleading to the public, even though the word "Pro" was installed to create a brand that small hardware stores could sell so you didn't have to go to the big-boxes, the Wal-Marts, the Kmart, and those other companies. So it's a niche

brand for smaller retailers. But you can't call it that anymore.

You can't claim that a bag of lawn fertilizer does anything green, unless that "green" applies to livability and sustainability. Now, Mr. Chairman, when I was growing up, green was a color. This folder was green. Not anymore. If I can't demonstrate this folder has something to do with livability and sustainability, I am misleading the people that are watching this program.

There's another company in Ohio that's over in Toledo—Ms. KAPTUR's district—they have a product called Anderson's Golf Pro. And the EPA has indicated that they are not allowed to call it "Golf Pro" anymore because you don't have to use the seed or the weed and seed on a golf course. You could use it, Mr. Chairman, on your front lawn. So they have to call it "Anderson's Pro." Well, wait a minute—they can't call it "Pro" anymore either because that's misleading. So they can call it "Anderson's" and hope you can figure out what you are supposed to do with it.

I told my friends at Scotts, You have really barely scratched the surface on this thing because the product that Scotts manufactures that I like so much is Miracle-Gro. Now can you imagine, Mr. Chairman, how is the EPA going to be able to certify when I put that Miracle-Gro on my tomato plant that a miracle has occurred? You are going to put a tremendous burden on the Vatican. All these little old ladies are going to be at the airport, flying over to Rome to talk to the College of Cardinals and say, Did a miracle occur? That's why some of these riders are in here. You have to be able to talk to people. And if they won't talk to you, you have to take action, as is contemplated by the Constitution as a co-equal branch in the government. We have done that. And I'm sorry that it offends some of our colleagues.

I yield back the balance of my time.

Mr. HOLT. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. Mr. Chairman, when Americans think of America, they think of our great resources. Now for Big Oil, that probably means the oil that's found on public lands and off our shores, where they can get it for a song and charge a fortune.

But for most Americans, it's the spacious skies and purple mountain majesties. This bill, this legislation that we're considering here now has no appreciation for America's priceless resources. According to the League of Conservation Voters, though, going farther than just beautiful vistas or purple mountain majesties, "This bill is the biggest assault on the air we breathe, the water we drink, and the wildlife and wild places we hold dear to

ever come before Congress." Continuing, the Clean Water Network or the American Lung Association or the American Public Health Association or Physicians for Social Responsibility, they all go on to point out that the budget cuts or policy riders in this legislation undermine the laws that protect public health and reduce health care costs for all by preventing adverse health outcomes, including cancer, asthma attacks, strokes, and emergency department visits. It is not just for the beauty of this country, although that might be reason enough to try to preserve all of these things; it is for the health of America's people.

This legislation would put children's health at risk at the same time that it would be exempting oil companies from complying with clean air standards. We cannot tolerate this. Unregulated discharge of pesticides into our waterways, withholding funding for wild lands, allowing uranium mining all around the Grand Canyon. Mr. Chairman, this is an unprecedented attack, and not just on those things I've mentioned, not just on lifesaving public health protections and essential pollution control; it's an attack on science as well.

This bill includes reductions in funding for the U.S. Geological Survey, research in climate and land use, scientific research, monitoring, modeling, forecasting. Let me give an example: The LandSat 7 satellite just in the past month has been used to track the largest fire in Arizona's history. Yet because of the cuts that would come to pass through this legislation, the data coming from the LandSat system would go unrecorded, unanalyzed, unused. Talk about false economy.

And it's an unprecedented attack on our public lands. The largest cut in the Land and Water Conservation Fund that most of the Members of this House have seen in their service. And I must say, that's particularly important to a State like mine, New Jersey. My constituents reside in the most densely populated State in the Union, and yet they've demonstrated again and again with their votes their support for open space preservation, for fighting sprawl, for providing their kids, our kids, with safe places to experience the outdoors.

□ 1640

Mr. Chairman, there is a long list of reasons, and you'll be hearing still more about why this is terrible legislation.

I yield back the balance of my time.

Ms. TSONGAS. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Massachusetts is recognized for 5 minutes.

Ms. TSONGAS. Mr. Chairman, I rise in strong opposition to the underlying bill, H.R. 2584, and am disappointed that my colleagues on the other side of

the aisle are using this appropriations process to put at risk the air that we breathe, the water that we drink, our public lands, and our public health.

For example, this bill would dismantle the Clean Water Act, which would not only undermine our constituents' access to clean and healthy waterways but also would mean the loss of tens of thousands of jobs.

My district, the Fifth District of Massachusetts, is home to dozens of remarkable rivers and streams which are a key part of the history, culture, economy, and natural beauty of the Fifth District. Most of our rivers have excellent water quality; and it is common on warm days to see people swimming, fishing, and paddling. But our rivers were not always so hospitable. There was a time when the Merrimack River, one of the largest watersheds in New England and the river that flows through my hometown of Lowell, was a depository for waste and pollution. For 150 years, the Merrimack River was one of the 10 most polluted rivers in the country. It was the Clean Water Act enforcement of the early 1970s that changed the future of our rivers. Because of the act, and the enforcement authority it afforded the EPA, a clean-up plan was put in place and polluters and violators were held responsible. Slowly, the Merrimack and surrounding rivers were monitored and improved to meet the clean water standards we take for granted today. This is just one unfortunate example, but replicated all across our country, to our great good fortune and that of our children and grandchildren.

While some States may adequately protect their waters on their own, not all do. That is why Congress has given the EPA the authority to protect our waterways under the Clean Water Act. We must continue to strengthen safeguards for rivers and streams to ensure that all across the country Americans enjoy the benefit of clean, safe water.

I urge my colleagues to reject the shortsighted proposal to undercut the Clean Water Act and help protect America's clean water legacy.

I yield back the balance of my time.

Ms. DELAURO. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. Mr. Chairman, I rise in strong opposition to a reckless and unconscionable Interior appropriations bill put forward by the House Republican majority. Once again, they have put a radical, out-of-touch agenda and the desires of Big Oil and big polluters before the interests of the American people, the need to create jobs, and the health of our environment. This appropriations bill is more than just a danger to the health and safety of American families. It represents the worst assault on clean air and clean water in our Nation's history.

This legislation slashes funding for the Environmental Protection Agency by 18 percent. The majority has shown time and time again that it opposes any environmental regulation that might hurt the bottom line of polluters. But it doesn't stop there.

This legislation also slashes the Clean Water State Revolving Fund, which helps States finance wastewater system improvements by providing 55 percent of the resources, meaning that America's waterways will be put at risk of sewage and urban runoff pollution, and good middle class jobs will be lost. And it cuts the Land and Water Conservation Fund, which protects national parks, forests, and wildlife refuges from development, by 78 percent. In addition, this partisan legislation includes at least 38 policy riders that, for purely ideological reasons, would harm American families and the environment.

The bill would prohibit the EPA from implementing rules to protect communities from power plant pollution. It blocks the EPA from restoring Clean Water Act protections to more than half of our Nation's streams and 20 million acres of wetlands, meaning the drinking water of 117 million Americans is put at risk. It blocks the EPA from moving forward on fuel efficiency standards that will reduce foreign oil imports and cut pollution. It blocks the EPA from regulating carbon pollution at power plants, refineries, and industrial sites. It even stops indefinitely long overdue standards to control air pollution from toxic mercury, endangering pregnant women, infants and children.

This legislation would open up more of our coastline to offshore drilling and 1 million acres of land around the Grand Canyon, a national treasure, to toxic uranium mining.

Mr. Chairman, there was a time when the Republican Party was known as defenders of the environment. It was a Republican President, Teddy Roosevelt, who inaugurated the National Forest Service and who worked to conserve 230 million acres of American land, including the Grand Canyon, which is now put at risk. He called the canyon, and I quote, a natural wonder, which is in kind absolutely unparalleled throughout the rest of the world. "Leave it as it is," he said. "You cannot improve on it. The ages have been at work on it, and man can only mar it."

It was a Republican President, Richard Nixon, who signed significant expansions of the Clean Air and Clean Water Acts and who brought life to the Environmental Protection Agency. Twenty years later, another Republican President, George Bush, Sr., expanded the Clean Air Act even further to protect Americans' health.

Yet today, a Republican majority brings us an Interior appropriations

bill which undoes all of this good work, which endangers American families and threatens to do permanent and irrevocable damage to the environment.

I urge my colleagues in the majority, return to your roots to once again put the American people before the interests of polluters, and to oppose this disastrous legislation.

I yield back the balance of my time. Mr. TONKO. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Mr. Chair, I rise in opposition to the underlying bill. Instead of working on a bipartisan solution to address the looming default crisis or to create American jobs, today House Republicans have brought to the floor H.R. 2584, unprecedented legislation that would gut pollution controls and public health protections in order to give bigger profits to Big Oil and other special interest polluters.

By attaching more than three dozen policy riders to this bill, the House GOP is attempting to use a spending bill to make backdoor changes to 40 years of Federal laws that protect clean air, water, lands, and wildlife. The legislation would also cripple the budgets of key Federal agencies charged with protecting American citizens and our natural resources.

This is a new low for the 112th Congress, which has already seen the new House GOP majority attempt to gut the Clean Air Act, overturn the Clean Water Act, repeal cost-saving energy efficiency standards, and pull the plug on American jobs in clean energy innovation and manufacturing. This legislation would overturn 40 years of bipartisan progress protecting the American people and the environment.

One area I choose to focus on is the continued attacks on the Clean Air Act, which has saved hundreds of thousands of lives and improved the health of Americans in every State. It protects the air we breathe and the water we drink. It protects our children from developing asthma and our seniors from developing emphysema. According to the American Lung Association, in 2010 alone, the Clean Air Act saved over 160,000 lives. Since 1990, the EPA estimates the Clean Air Act prevented an estimated 843,000 asthma attacks, 18 million cases of respiratory illness among children, 672,000 cases of chronic bronchitis, 21,000 cases of heart disease, and 200,000 premature deaths.

It is clear that the Republican majority is doing all it can to stop EPA from carrying out its mission of protecting public health and protecting the environment. Many will claim that the EPA is moving at a faster pace than any other administration in history. However, the EPA has proposed fewer Clean Air Act rules under President Obama over the past 24 months than in

the first 2 years of either President Bush or President Clinton.

That is why in December of 2010, 280 groups, including the American Heart Association, the American Lung Association, the American Public Health Association and others sent a letter urging the Congress to "reject any measure that would block or delay the United States Environmental Protection Agency from doing its job to protect all Americans from life-threatening air pollution."

□ 1650

This bill, an appropriation bill, is not the place to legislate these types of changes. These should be policy changes, not made during this process.

The Clean Air Act is promoting innovation and breaking Americans' oil dependence, but Republicans would give big polluters a loophole to roll back our clean energy progress and continue our addiction to foreign oil. The Clean Air Act is good for the economy. Many studies have shown that the Clean Air Act's economic benefits far exceed any costs associated with the law by as much as 40-1 ratio.

As President Obama so eloquently spoke of during his State of the Union address, we must out-innovate, out-educate, and out-build our global competitors and win the future. Rolling back a law that protects the air our children breathe to allow oil companies, companies that are already reaping record profits the ability to spew chemicals, smog, soot and pollution into the air just to please a lobbyist or a big oil corporation is irresponsible and, yes, extreme.

The Clean Air Act has been on the books for decades with positive results for our economy, our environment, and our businesses. Rolling back these protections will hurt our most vulnerable. We simply cannot afford to go backward.

I yield back the balance of my time.

Mr. CICILLINE. I move to strike the last word, Mr. Chairman.

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. CICILLINE. Mr. Chairman, the Interior and Environment appropriations bill before us today represents an all-out assault on clean air, clean water, and land conservation efforts in our country. To be clear, passage of this measure is an absolute abandonment of this body's responsibility to provide for the general welfare of the United States.

This bill seriously undermines the significant advances that we've made as a country as responsible stewards of our land and natural resources, our wildlife, our air, and our water. And perhaps most important, this legislation is a threat to the health and well-being of all Americans.

Some have argued that the riders attached to this bill are sensible and an

attempt to rein in what they call the excesses of the Environmental Protection Agency and job-killing regulations. This is an absurd claim. This legislation is nothing more than a complete caving in to special interests and Big Oil and some of our Nation's worst polluters.

For the people I represent in the First Congressional District of Rhode Island, the stunning reductions to the EPA and the related policy riders that strike against the gains we've made to clean air and clean water are a threat to public health and the environment.

Let me give you one example, Mr. Chairman: According to reports from Rhode Island Clean Water Action, Rhode Island has the third highest rate of childhood asthma in the Northeast and the fifth highest nationally. The State spends \$316 million providing health care for problems attributed to particulate matter every year.

What's more, 27,000 Rhode Island children currently suffer from asthma. The average length of a hospitalization stay for children with asthma in Rhode Island is 2 days, with an average cost of \$7,840.

My colleagues on the other side of the aisle need to realize that the drastic reductions and the anti-environment riders in this bill threaten not only our air and water quality, but they will have real and economic consequences on real people, on real families, increasing health care costs, generating additional lost days of work and productivity, and inciting detrimental long-term health and developmental consequences for our children.

In addition, this bill slashes vital infrastructure funding that's not only essential to protecting our environment and public health, but also creates jobs and supports State and local economic development opportunities.

This bill sets the Clean Water State Revolving Fund at 55 percent, or \$833 million below the FY 2011 level. The bill sets the Drinking Water State Revolving Fund 14 percent below the fiscal year 2011 level, and that's a cut of \$134 million.

I'd like to read an excerpt from the 2010 annual report of the Rhode Island Clean Water Finance Agency, the entity charged with administering Federal and State programs relating to municipal wastewater and drinking water financial assistance: "A revolving fund allows the perpetual availability of funds to assist local governmental units in meeting water quality goals by providing loans and other forms of financial assistance. Our primary goals are to provide low-cost means to reduce pollution caused by wastewater, help provide safe drinking water, and to provide low interest loans to cities and towns to help citizens repair failed, failing or substandard septic systems."

Undeniably, at this moment we're working to rein in our public debt, we

have to be smart about the investments we make. Just consider the mission of this State agency whose efforts are supported through the Clean Water and Drinking Water State Revolving Funds to provide low-cost means to reduce pollution caused by wastewater and to provide safe drinking water. These are fundamental objectives to safeguard the health and well-being of Rhode Islanders and of men, women and children all across this country.

And what's the response by our friends on the other side of the aisle in this Congress? To cut these vitally important infrastructure programs by more than \$1 billion. If this Congress wants to be serious about reining in spending, we can no longer try to fool ourselves with the misguided belief that critical infrastructure projects, especially those supported through State revolving funds that protect our health and environment, are going to miraculously become less expensive with time.

Reducing Federal funds that help support these kinds of projects to improve our water and wastewater systems will only incite deferred maintenance. Deferred maintenance only makes future projects more expensive and, in many instances, will increase the likelihood of infrastructure failures that threaten public health and the environment and impede economic growth. These will undoubtedly cost us more in the long run.

Some have called this bill the worst assault on clean air and clean water in history. I strongly urge my colleagues to reject this assault on the health, welfare, and economic vitality of our States, our cities, and our towns. Let us not be known as the Congress who betrayed our solemn responsibility to be good stewards of the earth.

I urge my colleagues to reject this bill.

I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Having set sail in search of new shores for pirating and profiteering, it's quite apparent that the GOP is lost at sea under the helm of a confused, misguided leadership. Under the guise of austerity and deficit reduction, they have plotted our Nation on a fateful course that will only result in the surging of torrents of sewage, untreated chemicals and other hazardous materials into our rivers, streams and creeks, along with factories, plants and refineries belching smoke, smog and mercury into our blue skies. Sick children and the aged who suffer from asthma, respiratory illnesses, they'll get sicker and sicker, while oil and gas companies and mining companies get fatter and fatter.

Mr. Chair, as I see it, this bill is nothing more than an attempt to remove 40 years of Federal laws that protect our air, water, land, and wildlife. Only in a Republican-controlled House would we increase access to oil and gas leases, while reducing our ability to ensure drilling operations are environmentally safe.

Only in a Republican-controlled House would we reduce the ability of States to safely manage their sewage and wastewater run off.

And, Mr. Chair, only in a Republican-controlled Congress would we allow more uranium mining near the Grand Canyon.

Mr. Chair, these efforts are opposed by the majority of Americans who believe in oversight of drilling operations, protection from tainted drinking water, and those who believe that the Grand Canyon, with all of its majestic beauty, should be a natural national treasure for the enjoyment of families and tourists, not a wasteland laid bare by mining companies whose insatiable appetite for profit is equaled only by the magnitude of the damage they would inflict upon our environment.

□ 1700

These aren't the rants and raves of liberal environmentalists hell-bent on protecting nature at all costs. These are the sentiments of red-blooded Americans who believe that our natural resources, like the Grand Canyon, improve our quality of life.

The American people don't want progress if progress means that our skies get darker, our water gets murkier, and they don't want our wildlife to go extinct, but clearly that will be the effect of this bill should this ill-gotten measure pass.

Mr. Chairman, day after day, week after week, and month after month House Republicans hand out life preservers to special interests while kicking the American people overboard like the bundled tea kicked overboard by the real tea partiers at the start of the American Revolution. Sure our children have asthma, but big business gets to pump more pollution into our air. Sure our water is tainted, but special interests get to dump runoff in our streams. Yes, our endangered species are slowly fading away, but now we can drill in their habitats. What happens, Mr. Chairman, when our air becomes too dirty to breathe, when our water becomes too dirty to drink, and when our wildlife all go extinct?

I urge a "no" vote on this bill. But before I close, I would like to remind my colleagues across the aisle that the captain always goes down with the ship. And that's the real deal.

Mr. Chairman, I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Colleagues, Mr. Chairman, if I might, I just wanted to start by acknowledging the loss of our valiant Capitol Police, Officer Jacob J. Chestnut and Detective John M. Gibson, who were honored today. I just wanted to acknowledge the men and women of the United States Capitol Police for their service, and my sympathy again to the families of Officer Chestnut and Detective John M. Gibson.

I also wanted to make note of my worshipping with the Norwegian Seamen's Church yesterday in Houston and let the Norwegian people and the people of Norway, of course, know that America stands with them during this very difficult time.

I thought it was appropriate to acknowledge those tragedies because it is a time when we have had to come together. And I also believe that as we look at where we are today, this should be an opportunity for us to be able to come together. So I'm disappointed in this legislation because it really does not seem to call us to do that.

I want to remind America and my colleagues that we are 50 States, but there are times when we act on behalf of our States and districts and there are times when it is important to exist as a single nation.

One single State did not defend the Nation after the attacks on Pearl Harbor; we came together. One State on its own or one region did not end segregation and establish civil rights; we did it together.

There are times when the stakes are so high that we simply must unite. And so I raise the question of: Where are we with this bill that seems to attack both clean air and clean water by repealing requirements that prevent pesticides sprayed from chemical companies from entering rivers and streams?

I come from the energy sector, and I believe that the energy sector creates jobs. I also believe that we can be a good neighbor, strong in our domestic development and production, but also concerned about clean air, clean water and the environment.

When you listen to those who have worked in this area for so long, you hear opposition from the Wilderness Society that says this Interior bill is an extreme assault on America's bedrock—environmental protection; the Clean Water Network that says these severe spending and budgetary cuts in this bill include not only cuts but a series of policy riders, really having no place in the appropriations process; and the American Lung Association, the American Public Health Association, Physicians for Social Responsibility, these budget cuts and/or policy riders would impact EPA's ability to do their job.

I don't know if our Members realize that in 2011 we cut 16 percent from the

EPA; now we want to cut 18 percent, over \$1.5 billion. That cripples the very agency that protects our water and our air, protects our children and our elderly.

What is the response to our responsibility to be the custodians of this wonderful Nation? What a beautiful country we have. And then to hear that another one-third is being cut from the National Landscape and Conservation System that does monuments and trails and our wild rivers. How many families pack up in times that are hard and take those family members on a road trip to travel the beauty of this Nation—the tall mountains, the deep valleys, and the wonderful rivers?

Well, let me tell you what this legislation will do. It will be a bill with a litany of additional cuts, important for programs that cut climate change prevention programs, the Fish and Wildlife, and the Bureau of Indian Affairs. It is a program that, in essence, assaults what we're trying to do here in America.

How many friends know that we have been able to prevent 230,000 deaths each year by regulating toxins in the air? We've already heard my colleagues come to the floor of the House and talk about the rising increase in many cities of asthma.

So let me make it very clear: We want to create jobs. I have joined together where we can deregulate and disentangle the regulations that would keep us from creating jobs. But I also believe that when it comes to protecting the Nation's assets, we join together as Republicans and Democrats.

I remind you that none of this creates jobs. I remind you that we have already engaged in these cuts. Isn't it interesting that in regular order we are now doing, even though there is disagreement, what our friends on the other side of the aisle said they can't do? That's why they're not raising the debt ceiling. But I will tell you that these draconian cuts, along with the draconian debate on the debt ceiling, is what is going to undermine America.

Let's stand as Americans unified to fix this crisis.

First, I would like to thank my friends in the Congressional Progressive Caucus who are here today to stand up for the environment, and the health of our constituents. I am saddened that so many of my Republican friends are willing to sacrifice the quality of the very air we breathe, and water that we drink.

This harmful legislation cuts the budget of the Environmental Protection Agency (EPA) by 18 percent, in addition to a 16 percent cut in funding for FY 2011. This is unacceptable; in order to protect the environment without harming industry, we must reach a compromise instead of haphazardly slashing the EPA budget.

The cuts to the EPA budget included in the bill reduce funding for the Clean Water and Drinking Water State Revolving Fund, grants

for state implementation of environmental programs, and restorative funding for the Great Lakes, Chesapeake Bay and Puget Sound.

The Administration estimates that cuts to the Clean Water State Revolving Fund will cut off funding for nearly 400 wastewater and drinking water infrastructure projects, resulting in thousands of lost jobs.

These cuts purposefully limit the EPA's ability to ensure that all Americans have access to drinking water that does not contain harmful pathogens and toxins that expose Americans to serious risks, such as typhoid, hepatitis, cancer, and organ damage.

This legislation has attached several riders to further undermine the Clean Water Act, by repealing requirements that prevent pesticides sprayed by chemical companies from entering rivers and streams, and stopping the EPA from treating coal ash as hazardous waste.

The assault on public health does not stop with the quality of our drinking water; this bill also takes drastic steps to weaken the Clean Air Act. A rider is attached that will prevent the EPA from implementing the Cross-State Air Pollution Rule, a regulation that was implemented to protect the public from dangerous air pollution and prevent up to 34,000 premature deaths, 15,000 heart attacks, and 400,000 cases of aggravated asthmas.

As a Representative of the 18th District of Houston, I am firmly committed to protecting the air we breathe, the water we drink, and the land we need for our survival. Since 1999, Houston has exchanged titles with Los Angeles for the poorest air quality in the nation. The poor air quality is attributed to the amount of aerosols, particles of carbon and sulfates in the air. The carcinogens found in the air have been known to cause cancer, particularly in children. The EPA is the very agency charged with issuing regulations that would address this serious problem. Those regulations should be of course fair while doing the job they are intended to do.

But, my friends, the disregard this bill shows for the health of the American people does not stop there. Another rider prohibits the EPA from finalizing regulations to reduce mercury emissions from factories. There is no reason why Energy, jobs creation and the environment cannot work harmoniously.

Not only does this legislation irresponsibly eradicate life saving provisions of the Clean Air and Water Acts, it also cuts the Land and Water Conservation Fund (LWCF) budget by 78 percent. The LWCF funds many park and outdoor recreation areas that contribute over \$700 billion to the economy and facilitate 6.5 million jobs.

This bill makes a litany of additional cuts to important programs that cut climate change prevention programs, the Fish and Wildlife Service, and the Bureau of Indian Affairs. It is full of perks for special interest, and reduces our ability to facilitate the upkeep of National Parks, protect the Grand Canyon, and add species to the endangered species list.

I am outraged that my friends on the other side of the aisle would consider passing this legislation that compromises our access to healthy air and clean water; that reverses EPA regulations that were implemented to save lives. Public lands, national parks, the air, the water, the wildlife in this nation belongs to ev-

eryone, and I cannot support a bill that trades the quality of these precious resources for benefits to big business and special interest groups.

There are times in which we are 50 states, and times when we exist as a single, united, nation. One single state did not defend the nation after the attacks on Pearl Harbor. One state, on its own, did not end segregation and establish Civil Rights. There are times when the stakes are too high, when we must unite as states and act as one.

Our Nation's parks are maintained by the National Park Service. The Park Service is responsible for preserving, restoring, and maintaining our Nation's monuments for the enjoyment of all Americans.

Recently, the Martin Luther King, Jr., National Memorial has joined other historic sites on our Nation's Mall. Martin Luther King, Jr., gave his life in the pursuit of a dream. His "I Have a Dream" speech has been read and heard by millions of men, women, and children around the world.

The Martin Luther King, Jr. National Memorial is one of many cherished sites honoring men and women who have advanced the society we know today; historic sites that include Freedman town and the Vietnam Veterans Memorial. When the Republicans cut the National Park Service, they cut our ability to maintain and preserve our Nation's monuments.

The Martin Luther King, Jr. National Historic site is operated by the National Park Service (under U.S. Department of the Interior). This legislation contains \$2.5 billion for the NPS, which is \$132 million below last year's level. Operation of the National Park System is funded at \$2.2 billion, which is \$10 million below FY 2011 enacted levels. This funding will allow all National Parks to remain open and NPS activities to continue through next year without furloughs or reductions in full time or seasonal employees. These cuts result in the loss of jobs and the loss of our Nation's cherished and prized history.

The EPA has a broad responsibility, for research, standard-setting, monitoring and enforcement with regard to five environmental hazards: air pollution, water pollution, solid waste disposal, radiation, and pesticides. The EPA represents a coordinated approach to each of these problems. There has been a systematic effort to tie the hands of the EPA's ability to protect our environment and thereby protect the long term health of our Nation. Cuts to the EPA are just another means to bring down the agency. The EPA can keep our environment safe without hindering job creations. There are many critics out there who despise the EPA because they say that it is a burden to economic growth. I say that this is nonsense, for healthy populations are the foundation for prosperity.

Let us not forget what happened in Woburn, Massachusetts in the 1980s, where numerous families were afflicted with cancer as a result of toxins being placed in the water. It was the work of brilliant lawyers in conjunction with the EPA who proved that the chemical entities involved deliberately placed toxins in the water.

Let us also not forget The Love Canal of the 1970s near Niagara Falls either. In this region, scores of women had miscarriages and many

more were contaminated from chemical wastes in the water. Are supporters of this bill encouraging our country to go back to a time when these problems were common?

Because the issues associated with Woburn and the Love Canal are well in the past, supporters of cuts to the EPA must feel that the water people drink is perfectly safe to drink and does not need to be regulated. Just last year in the small town of Crestwood, outside of Chicago, it was discovered that town officials were secretly introducing tainted well water into the town water supply for years. The people were told that the water came from Lake Michigan. When the story broke, the Department of Public Health conducted a survey of disease rates and found that men in the town had high rates of kidney and gastrointestinal cancer. I, for one, will not tolerate this and I know the American people will not tolerate this as well. The American people will not tolerate the fear of turning on their faucets and wondering whether or not the water coming out has lead, plutonium, or wastes from chemical entities.

Protecting the quality of our air and water, protecting the health of each and every one of our constituents, is an example of a time when Congress must consider the implications beyond our districts and our states.

Surely preventing 230,000 deaths each year by regulating toxins in the air, and ensuring that millions will not lose their access to healthy drinking water is not controversial. I urge my colleagues to consider the constituents they represent, and take essential steps to protect the environment. Until that time, I cannot, and will not, support this damaging legislation.

The Acting CHAIR. The time of the gentlewoman has expired.

Mrs. CAPPS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Mrs. CAPPS. Mr. Chairman, I want to speak in strong opposition to this reckless bill and the abundance of extraneous and irresponsible provisions that it contains.

Right now we are down to the wire on defaulting on our debt. But instead of focusing on a way forward, the majority is offering up this ill-conceived piece of legislation, a bill that is polluted—and I emphasize "polluted"—with unrelated and inappropriate riders that do not belong in a spending bill. The reality is that these riders will have very little impact on our national deficit, but they will have a huge and lasting effect on our health, our environment, and our natural resources.

So why are these programs being targeted? Well, we've seen this before with H.R. 1 earlier this year, and we're seeing it again now. The majority is choosing to reward Big Oil and polluters at the expense of the air we breathe, the water we drink, and the wildlife and wild places we hold dear.

Mr. Chairman, it's not an exaggeration to say that this bill drastically undermines our government's ability

to protect our environment. This bill jeopardizes the conservation and protection of places like the Channel Islands National Park in my congressional district and the wildlife this special place harbors; closing a quarter of national wildlife refuges across the country, affecting places like the Guadeloupe Dunes near Santa Maria; slashing support for Federal programs that support our outstanding natural areas, like the Piedras Blancas Light Station or the Carrizo Plain National Monument in California; opening up protected and sensitive areas in California's national forest to off-road vehicle use, putting places like Los Padres National Forest at risk; and blocking the protection of wilderness-quality lands.

And as the bill stands, Mr. Chairman, it would bar new listings of threatened and endangered species as well as critical habitat designations. And it would gut the successful Land and Water Conservation Fund, which is our Nation's principal source of Federal funding to preserve irreplaceable lands and waters.

Under this disaster of a bill, the LWCF would be reduced to the lowest level in its 45-year history, an 80 percent cut compared to last year's funding.

□ 1710

And who will benefit from this cut? Not the American taxpayer because this fund is paid for from offshore drilling revenues. Instead, communities will lose important conservation and recreation projects that create jobs and improve the quality of life for working and middle class Americans.

But this assault isn't limited to our lands and wildlife. This dirty legislation is also littered with riders that seek to gut the protections of the Clean Water and Clean Air Acts, such as preventing the EPA from strengthening limitations on polluted storm water runoff, blocking the EPA's oversight on water used by power plants, and impeding the clarification of which streams and wetlands are protected under the act.

Under the House spending plan, the Clean Water and Drinking Water State Revolving Funds will also see significant cuts. These are the funds established for States to complete water infrastructure projects, projects which create jobs and provide clean, safe drinking water. The riders in this bill, Mr. Chairman, are also an assault on the very air we breathe. They would prevent the EPA from limiting carbon pollution from power plants and other stationary sources, from updating limits on smog and mercury emissions.

One rider would block the EPA from setting new mileage standards for cars, and won't even allow the State of California to set its own standards. Surely we can think of better solutions to solve our fiscal problems rather than

attacking our air, our water, and our lands. Sadly, this Interior appropriations bill deeply undermines our important role of passing on an America whose land, water, and air are clean, healthy, productive, beautiful, and accessible for all to enjoy.

I strongly urge my colleagues to vote "no" on this terrible, terrible bill.

I yield back the balance of my time.

Mr. KIND. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. KIND. Mr. Chairman, as one of the former cochairs and leaders of the Congressional Sportsmen's Caucus, the largest, bipartisan, bicameral caucus in this Congress, I reluctantly rise in strong opposition to this Interior appropriations bill.

Mr. Chairman, this bill falls short on so many different levels—especially our responsibility to future generations to be good stewards of the public lands, the vital natural resources, and the wildlife that we have within our borders.

But don't take my word for it, Mr. Chairman. We have had a tradition in this place for many years of having strong, bipartisan support for reasonable, sensible, land and water conservation programs. That's why earlier this month, a coalition of over 640 outdoor recreation entities sent a letter to each of our offices, including the Congressional leadership, expressing their deep concern and dismay over the funding cuts proposed in this appropriation bill.

This letter was signed by entities such as the Boone and Crockett Club, Congressional Sportsmen's Foundation, Ducks Unlimited, National Fish and Wildlife Foundation, National Wild Turkey Foundation, Theodore Roosevelt Conservation Partnership, and Trout Unlimited, and it was also signed by the president of The Wilderness Society, Bill Meadows, and a board member of the Civil War Trust, John Nau. I would like to read that letter at this time.

"We are a broad coalition of organizations representing millions of members with very diverse political backgrounds and areas of interest united behind a shared belief that natural resource conservation, outdoor recreation, and historic preservation, and investments in them, are vital to the future of our great Nation.

"Like you, we are concerned about our Nation's fiscal health. The Nation faces unsustainable future fiscal deficits, which must be addressed. As part of the overall solution to our deficit challenges, we know that conservation, recreation, and historic preservation programs will not and should not be exempted from scrutiny. We are willing to engage in a process to find further savings in spending and review the eco-

nomical and budgetary benefits of critical conservation, outdoor recreation, and historic preservation programs.

"The Federal budget cannot and should not be balanced disproportionately on the backs of conservation, outdoor recreation, and preservation. Doing so will impose on the future generations whose well-being depends on the conservation and preservation of our common natural and historic resources.

"As a diverse community of taxpayers and voters who care about natural resource conservation, outdoor recreation, and historic preservation, we stand ready to work with you on serious efforts to address our Nation's economic and fiscal challenges, as they relate to investments in, and tough choices about, the programs we care about. We urge this Congress to address the Federal deficit while still investing in critical conservation, recreation, and historic preservation programs in 2012."

Mr. Chairman, these groups realize, as many of us realize too, this is more than just being good stewards of the land and doing right by future generations. Investment in these vital programs is crucial for economic development and job creation in this country. The Outdoor Industry Foundation has issued a survey from year to year showing the economic impact of many of these conservation programs on outdoor recreation activities. They found that outdoor recreation contributes \$730 billion annually to the U.S. economy, supports 6½ million private sector jobs, one out of every 20 jobs, and stimulates 8 percent of consumer spending.

In Wisconsin, my home State, hunting and fishing alone supports 57,000 jobs, and \$400 million in State revenue. Sportsmen spend \$3.1 billion annually, which helps stimulate the Wisconsin economy and other States.

Mr. Chairman, the irony in all this is that these organizations and these programs have been giving at the idol of deficit reduction for some time. In fact, over the last 30 years, American investment in parks, wildlife, clean water, and clean air has fallen from 1.7 percent of overall Federal budget to less than 0.6 percent. So throughout the years, there has been a continual reduction in funding for these programs. The irony is that for many of these programs, for every public dollar used, it is leveraged to draw in more private sector dollars. This too will be in great jeopardy with the dismantling of these programs. These aren't programs you can just turn on and off with a spigot. You need a continuity of care to keep them going. With funding reductions of this magnitude, it will be difficult, if not impossible, to maintain that continuity of care. Whether it is to clean water, clean air, to wildlife preservation and enhancement, all of



these programs are under a direct assault with this Interior appropriations bill.

With the Land and Water Conservation Fund, an 80 percent proposed cut, the irony with this program is that it is funded by oil royalties. It has been a grand bargain that has been used in the past to allow development of oil on public lands.

I encourage my colleagues to vote “no” on this appropriations bill. We can do better than this. We have to do better.

JULY 6, 2011.

Hon. HARRY M. REID,  
*U.S. Senate,*  
*Washington, DC.*

Hon. JOHN A. BOEHNER,  
*House of Representatives,*  
*Washington, DC.*

DEAR MAJORITY LEADER REID AND SPEAKER BOEHNER: We are a broad coalition of organizations representing millions of members with very diverse political backgrounds and areas of interest united behind a shared belief that natural resource conservation, outdoor recreation, and historic preservation, and investments in them, are vital to the future of our great nation.

Like you, we are concerned about our nation’s fiscal health. The nation faces unsustainable future fiscal deficits, which must be addressed. As part of the overall solution to our deficit challenges, we know that conservation, recreation, and historic preservation programs will not and should not be exempt from scrutiny. We are willing to engage in a process to find further savings in spending, and review the economic and budgetary benefits of critical conservation, outdoor recreation, and historic preservation programs.

The Federal budget cannot and should not be balanced disproportionately on the backs of conservation, outdoor recreation and preservation. Doing so will impose on the future generations whose well-being depends on the conservation and preservation of our common natural and historic resources.

As a diverse community of taxpayers and voters who care about natural resource conservation, outdoor recreation, and historic preservation, we stand ready to work with you on serious efforts to address our nation’s economic and fiscal challenges, as they relate to investments in, and tough choices about, the programs we care about. We urge this Congress to address the federal deficit while still investing in critical conservation, recreation and historic preservation programs in 2012.

Please see attached for list of signers as of 7/6/11.

Thank you.

BILL MEADOWS,  
*President, The Wilderness Society.*

JOHN NAU,  
*Board Member, Civil War Trust.*

We are a broad partnership of nonprofits, organizations and businesses that represent tens of millions of American citizens who believe we must elevate the importance of natural resource conservation, outdoor recreation, and historic preservation programs.

#### LIST OF SIGNATORIES

##### NATIONAL ORGANIZATIONS

Access Fund, Alliance of National Heritage Areas, American Alpine Club, American As-

sociation for State and Local History, American Bird Conservancy, American Canoe Association, American Cultural Resources Association, American Farmland Trust, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), American Fisheries Society, American Fly Fishing Trade Association, American Forest Foundation, American Hiking Society, American Land Conservancy, American Mountain Guides Association, American Recreation Coalition, American Rivers, American Trails, American Whitewater, Association of Fish & Wildlife Agencies, Bird Conservation Network, Blue Goose Alliance, Boone and Crockett Club, Catch-A-Dream Foundation, Choose Outdoors, City Parks Alliance, Civil War Trust, Congressional Sportsmens Foundation, Conservation Force, Dallas Safari Club, Defenders of Wildlife, Delta Waterfowl Foundation, Ducks Unlimited, Endangered Species Coalition.

Great Old Broads for Wilderness, HistoriCorps, International Mountain Bicycling Association, Izaak Walton League of America, Land Trust Alliance, Marine Fish Conservation Network, National Alliance of Forest Owners, National Association of Forest Service Retirees, National Association of State Park Directors, National Audubon Society, National Conference of State Historic Preservation Officers, National Fish and Wildlife Foundation, National Marine Sanctuary Foundation, National Park Trust, National Parks Conservation Association, National Preservation Institute, National Shooting Sports Foundation, National Wild Turkey Federation, National Wildlife Federation, National Wildlife Refuge Association, Northern Forest Canoe Trail, Openlands, Organic Farming Research Foundation, Orion—The Hunters’ Institute, Outdoor Alliance, Outdoor Industry Association, Outdoors America, Outward Bound U.S.A., Partnership for the National Trails System, Pheasants Forever, Portland Trails, Preservation Action, Public Lands Foundation, Quality Deer Management Association, Restore America’s Estuaries, Rocky Mountain Elk Foundation.

Saving Birds Thru Habitat, Sierra Club, Society for American Archaeology, The Center for Desert Archaeology, The Center for Large Landscape Conservation, The Coastal States Organization, The Colorado Mountain Club, The Conservation Fund, The Forest Land Group, The Hawk Migration Association of North America, The Land Connection, The Lands Council, The National Trust for Historic Preservation, The Nature Conservancy, The Trumpeter Swan Society, The Trust for Public Land, The Wilderness Society, Theodore Roosevelt Conservation Partnership, Tread Lightly!, Trout Unlimited, Western Rivers Conservancy, WildEarth Guardians, Wildlands CPR, Wildlife Forever, Wildlife Management Institute, Winter Wildlands Alliance.

##### STATE, LOCAL, AND REGIONAL NONPROFITS AND ORGANIZATIONS

Agricultural Stewardship Association, Alabama Historical Commission, Alabama Trust for Historic Preservation, Alaska Association for Historic Preservation, Alliance for Historic Landscape Preservation, Alliance for Historic Wyoming, Alliance for New York State Parks, Alton Marketplace/Illinois Main Street, American Society of Landscape Architects, Amigos de la Sevilleta, Amigos de los Rios, Ammonoosuc Chapter of Trout Unlimited (New Hampshire), Angel Island Immigration Station Foundation, Appalachian Highlands Conservancy, Appalachian Mountain Club, Arabia Mountain National

Heritage Area, Arkansas Historic Preservation Program, Arlington Heritage Alliance, Ascutey Mountain Audubon Society, Ashland Mainstreet, Inc., Audubon Outdoor Club, Audubon Society of Northern Virginia, Baltimore Department of Recreation and Parks, Baltimore National Heritage Area, Bear-Paw Regional Greenways, Bedminster Regional Land Conservancy, Berkley Conservation Institute, Bernheim Arboretum and Research Forest, Bird City Wisconsin, Blue Mountain Land Trust, Bosco-Milligan Foundation, Boston Harbor Island Alliance, Branford Land Trust, Breckenridge Outdoor Education Center, Bull Moose Sportsmen’s Alliance, CA Japanese American Community Leadership Council, Cahaba Riverkeeper, California Capitol Historic Preservation Society, California Council of Land Trusts, California Heritage Council, California Preservation Foundation, California State Historic Preservation Office, Californians for Western Wilderness, Carolina Mountain Land Conservancy, Cascade Land Conservancy, Cashiers Historical Society, Catawba Riverkeeper Foundation, Inc., Center for Desert Archeology, Central Coast Land Conservancy, Central Virginia Battlefields Trust, Charles River Watershed Association, Chassahowitzka National Wildlife Refuge.

Complex, Inc., Cherokee County Historical Society, Cherokee Forest Voices, Chesapeake Conservancy, Chesapeake Wildlife Heritage, Chicago Wilderness, Chisago Lakes Main Street Initiative, Chisholm Trail Heritage Museum, Cienega Watershed Partnership, City of Madisonville, City of Minneapolis, Department of Community Planning and Economic Development, City of Shelby, Clinton Brown Company Architecture ReBuild, Coastal Conservation League, Colorado Mountain Club, Colorado Preservation, Inc., Columbus Landmarks Foundation, Community Open Land Trust, Connecticut Audubon Society, Connecticut Preservation Action, Connecticut State Historic Preservation Office, Conservation Council for Hawaii, Conservation Federation of Missouri, Conservation Trust for North Carolina, Cooks Creek Watershed Association, Crossroads of the American Revolution, Crow Canyon Archaeological Center, D&R Canal Watch, DC Preservation League, Deer Creek Museum, Glenrock Historical Commission, Delaware and Raritan Canal Coalition, Delaware Highlands Conservancy, Delmarva Ornithological Society, Eau Claire Historic Preservation Foundation, Endangered Habitats League, Environmental League of Massachusetts, Finger Lakes Land Trust, Fire Island Land Trust, Florida Trail Association, Inc.

Florida Trust for Historic Preservation, Foothills Conservancy of North Carolina, Forest Trust, Foundation for Historical Louisiana, Four Corners School of Outdoor Education, Frederick Historic Sites Consortium, Friends of Acadia, Friends of Back Bay, Friends of Blackwater, Friends of Camas National Wildlife Refuge, Friends of Congaree Swamp, Friends of Dyke Marsh, Friends of Great Swamp National Wildlife Refuge, Friends of Hagerman National Wildlife Refuge, Texas, Friends of Hakalau Forest, Friends of Heinz Refuge at Tinicum, Friends of Ironwood Forest, Friends of Las Vegas National Wildlife Refuge, Friends of Louisiana Wildlife Refuges, Inc., Friends of Loxahatchee National Wildlife Refuge, Friends of Necedah National Wildlife Refuge, Friends of Nevada Wilderness, Friends of Noxubee Refuge, Friends of Princeton Nursery Lands, Friends of Princeton Open Space, Friends of Rachel Carson National Wildlife

Refuge, Friends of Red Rock Canyon, Friends of Sherburne National Wildlife Refuge, Friends of Shiawassee National Wildlife Refuge, Friends of Sunhaze Meadows National Wildlife Refuge, Friends of the Arapaho Wildlife Refuge Complex, Friends of the Chassahowitzka National Wildlife Refuge Complex, Inc., Friends of the Florida Panther Refuge, Friends of the National Wildlife Refuges of Rhode Island, Friends of the Neches River, Friends of the Prairie Learning Center.

Friends of the Refuge Headwaters, Friends of the Sonoran Desert National Monument, Friends of the Southwest Louisiana Wildlife Refuges and Wetlands, Friends of the Tampa Bay National Wildlife Refuges, Friends of Tualatin River National Wildlife Refuge, Friends of Wallkill River, Friends of Wertheim National Wildlife Refuge, Georgetown Trust for Conservation & Preservation, Georgia Forest Watch, Georgia Land Conservation Center, Georgia Trust for Historic Preservation, Glendale Heritage Preservation, Gold Coast & Hamburg Historic District Association, Grand Canyon Trust, Grand Canyon Wildlands Council, Grand Traverse Regional Land Conservancy, Great Egg Harbor Watershed Association, Greater Houston Preservation Alliance, Greater Lovell Land Trust, Greater Yellowstone Coalition, Greenbelt Land Trust, Guam Historic Resources Division, Harris Center for Conservation Education, Harrodsburg First, Hawk Mountain Sanctuary Association, Heart of the Civil War Heritage Area, Heart of the Lakes for Land Conservation Policy, Heritage Alliance of Northeast Tennessee & Southwest Virginia, Heritage Nebraska, Heritage Ohio, Historic Annapolis, Historic Boulder, Inc., Historic Charleston Foundation, Historic Chicago Bungalow Association, Historic Denver, Historic FL Keys Foundation.

Historic Fort Worth, Inc., Historic Hawaii Foundation, Historic Kansas City Foundation, Historic Madison, Inc., Historic Preservation Alliance of Arkansas, Historic Preservation Commission of South Bend & Joseph County, Historic Preservation League of Oregon, Historic Seattle, Historic Valley Junction Foundation, History Colorado, Hoosier Environmental Council, Housatonic Valley Association, Hudson Highlands Land Trust, Huyck Preserve and Biological Research Station, Ice Age Trail Alliance, Idaho Conservation League, Idaho Rivers United, Idaho State Historic Preservation Office, Idaho State Historical Society, Illinois Audubon Society, Illinois Environmental Council, Illinois Historic Preservation Agency, Indian River Lakes Conservancy, Iowa Wildlife Federation, Jackson County Tourism, Jay Heritage Center, Jefferson Land Trust, John G. Riley House Museum, Kentucky Woodland Owners, Keweenaw Land Trust, Kingston Greenways Association, Kingston Historical Society, Land Conservancy of Adams County, Land Trust for Santa Barbara County, Land Trust for the Little Tennessee, Landmarks Illinois, Lewis and Clark Trail Heritage Foundation, Life of the Land, Little Beaver Creek Land Foundation, Los Alamos Historical Society, Main Street Corning.

Main Street Perryville, Maine Preservation, Malheur Wildlife Associates, Marine Conservation Institute, Maryland Commission on African American History and Culture, Maryland Historical Trust, Maryland Ornithological Society, Mendocino Land Trust, Messa Land Trust, Michigan Historic Preservation Network, Milford Preservation Trust, Minneapolis Heritage Preservation Commission, Minnesota Forestry Associa-

tion, Mississippi Heritage Trust, Mississippi Land Trust, Mississippi River Trust, Mississippi SHPO, Missoula Parks and Recreation, Monadnock Conservancy, Montana Association of Land Trusts, Montana Audubon, Montana Preservation Alliance, Montana Wildlife Federation, Montpelier Mansion, Mount Grace Land Conservation Trust, MS Dept. of Marine Resources, Nantucket Historic District Commission, Napa County Landmarks, National Committee for the New River, National Outdoor Leadership School, Natural Resources Council of Maine, Natural Resources Initiative of Mississippi, Naturaland Trust, Nevada Conservation League & Education Fund, New Jersey Conservation Foundation, New Jersey Recreation and Park Association, New London Landmarks, New Mexico Archeological Council, New Mexico Heritage Preservation Alliance, New Mexico Wildlife Federation.

New River Land Trust, New York City Audubon, New York-New Jersey Trail Conference, NH Association of Conservation Commissions, North Carolina Coastal Land Trust, North Carolina Historic Preservation Office, North Country Trail Association, North County Conservancy, North Dakota Historical Society and State Historic Preservation Office, North Preston Properties, North Shore Land Alliance, Northeast Wilderness Trust, Northern Forest Canoe Trail, Northern Sierra Partnership, Northern Virginia Conservation Trust, Northwest Watershed Institute, Norwalk Preservation Trust, Oakland Heritage Alliance, Oblong Land Conservancy, Ohio Archeological Council, Ohio Forestry Association, Ohio Historic Preservation Office, Ohio Historical Society, Oklahoma Historical Society, Old Escondido Historic District, Open Space Institute, Oregon Natural Desert Association, Oregon Wild, Oregon-California Trails Association, Outside Las Vegas Foundation, Pacific Crest Trail Association, Pacific Rivers Council, Parker River Clean Water Association, Pasadena Heritage, Passaic River Coalition, Peconic Land Trust, Pleasant River Wildlife Foundation, Prairielands Preservation Foundation Board, Preservation Alliance of Philadelphia, Preservation Alliance of Minnesota, Preservation Alliance of West Virginia, Preservation America.

Preservation Buffalo Niagara, Preservation Commission, Rock Island, Illinois, Preservation Foundation of Palm Beach, Preservation Kentucky, Preservation Louisville, Preservation Pennsylvania, Preservation Resource Center, Preservation Texas, Inc., Preservation Trust of Vermont, Preservation Wayne, Preserve Calavera, Preserve Rhode Island, Providence Preservation Society, Public Land and Water Access Association, Putnam County Coalition to Preserve Open Space, Quindaro Ruins/Underground Railroad-Exercise 2011, Redlands Conservancy, Richland County Conservation Commission, Ridges to Rivers Open Space Network, Rio Grande Return, Riveredge Bird Club, Rock Island Arsenal Historical Society, Rock Island Preservation Society, Rowayton Arts Center, Sacred Sites International, Saginaw Basin Land Conservancy, Salem Audubon Society, Saline Historic Downtown Alliance, San Juan Citizens Alliance, San Luis Valley Ecosystem Council, Santa Fe Conservation Trust, Saratoga Springs Preservation Foundation, Sayre Main Street, Inc., SC Coastal Conservation League, Scenic Hudson, Scenic Virginia, Scott County Historic Preservation Society, Sequoia Riverlands Trust, Serpentine Art & Nature Commons, Inc., SEWEE Association, Sheepscoot Valley Conservation Association.

Society for the Protection of New Hampshire Forests, Soda Mountain Wilderness Council, Solano Land Trust, Somers Land Trust, Sourland Planning Council, Southern Appalachian Highlands Conservancy, Spokane Preservation Advocates, St. Marks Refuge Association, Inc., Stanford White Casino Theatre corp., State Historic Preservation Office, Wisconsin Historical Society, State Historical Society of South Dakota, Swan Ecosystem Center, Tampa Bay National Wildlife Refuges, Taos Land Trust, Tapeal Greenway Association, Tennessee Clean Water Network, Tennessee Ornithological Society, Tennessee Parks and Greenways Foundation, Tennessee Riverkeeper, Texas Land Conservancy, The Arkansas Audubon Society, The Audubon Society of Greater Denver, The Cazenovia Preservation Foundation, The Clinch Coalition, The Connecticut Ornithological Association, The Conservancy of Montgomery County, The Cragmoor Conservancy, Inc., The Delaware River Greenway Partnership, The Foundation for Historical Louisiana, The Georgia Conservancy, The Grand Staircase Escalante Partners, The Great Swamp Conservancy, The Harris Center for Conservation Education, The Historical Society of Harford County, Inc., The Journey Through Hallowed Ground Partnership, The Lake County Forest Preserve District, The Land Conservancy for Southern Chester County, The Land Conservancy of New Jersey, The Maryland Historical Trust.

The Mississippi Department of Archives and History, The Oblong Land Conservancy, Inc., The Prairie State Conservation Coalition, The Preservation League of New York State, The Trustees of Reservations, The Villagers Inc., The Warwick Conservancy Inc., TN Environmental Council, Torne Valley Preservation Association, Tug Hill Tomorrow Land Trust, Tulsa Foundation for Architecture, Upper Midwest Archaeology, Utah Heritage Foundation, Valley Conservation Council, Vanceburg Renaissance on Main, Vermont Land Trust, Virgin Islands Historic Preservation Office, Virginia Forest Watch, Voyageurs National Park Association, Wallowa Land Trust, Inc., Washington Water Trails Association, Washington Wildlife and Recreation Coalition, Washington Wildlife Federation, Weeks Bay Foundation, Western North Carolina Alliance, Western Reserve Land Conservancy, Western Resource Advocates, WHALE—New Bedford, Wheeler Wildlife Refuge Association, Whidbey Camano Land Trust, Wildlife Mississippi, Williamsburg Main Street Program, Willistown Conservation Trust, Winyah Rivers Foundation, Woodstock Land Conservancy, WV Land Trust, Young Preservation Associates of Pittsburgh.

#### INDUSTRIES AND ASSOCIATIONS

1% for the Planet, Acorn Products, Advanced Flexible Materials, Inc. American Alpine Institute, American Outdoor Products, Inc., American Sportfishing Association, Angling Trade Magazine, B.A.S.S. LLC, Backpacker Magazine, Big Agnes, Bison Belts, Black Diamond, Blue Ridge Outdoors Magazine, BlueWater Ropes, Boa Technology Inc., Brandwise, Inc., Breathe Magazine, C4 Waterman, CamelBak, CarbonVerde, LLC, Cascade Designs, Inc., Casual Adventure, Chaco, Colorado Kayak Supply, Confluence Films, Conservation Easement Consultants, Dale of Norway, Inc., Dansko, Inc., Deckers Outdoor Corporation, Deneki Outdoors, Deuter USA, Inc., DNF Media, Inc.—Outdoor USA Magazine, Eastern Mountain Sports, Ecosystem Management Consultants, Elevation Outdoors Magazine, Evergreen Mountain Bike Alliance, Far Bank Enterprises, Fly Fish

10k, Forest Capital Partners, G.Loomis, Inc., Gerber Legendary Blades, GoMotion Inc., Gramicci, Great Outdoor Store, Harboe Architects, PC, HCFR Outdoors, LLC.

Honey Stinger, Hornady Manufacturing, Horny Toad, Hurricane Kayaks, Immersion Research, Injinji, Karhu, KINeSYS Inc., Kokatat, Lafuma America Inc., Lawson Hammock, LEKI USA Inc., Leupold & Stevens, Liberty Mountain, Light and Motion, Loksak Inc., LOWA Boots LLC, Marmot Mountain, LLC, Merrell, Metolius Mountain Products Inc., Momentum Media PR, Morsel Munk, LLC, Mountain Gazette, Mountain Gear, Mountain Mama, Mountain Shades, Mountain Tools, Nantahala Outdoor Center, National Marine Manufacturers Association, Nau, Inc., NEMO Equipment, Inc., Nester Hosiery, New England Wood Pellet LLC, New Forests Inc., Noelani Hawaii SUP LLC, North Preston Properties, Oboz Footwear, One Source Apparel, Orvis, Osprey Packs, Outdoor Divas, Outdoor Industries and Associations Association.

Outside Adventure Film School, Pack Rat Outdoor Center, Paddlers Supply, Pennsylvania Fly Fishing Company, Petzl, Piragis Northwoods Company, Prana, Product Architects Inc., Pure Fishing, Red Wing Shoe Company, Reflex Sourcing Inc., REI, Remington Arms Company, Rock Creek Outfitters, Rose Creek Anglers, Inc., Sanitas Sales Group, Sasquatch, Saucony, Serac Adventure Films, Sierra Business Council, Skinny Skis, Small Planet, Smith Optics, SnowSports Industries America, Sport Chalet, Inc., Sporting Culture Advisors, Sportworks Northwest, Inc., Sullivan-Bishop Agency LLC, Suspenz Storage Racks, Terra Public Relations, Terra Strenua Outfitters, Terramar Sports Inc., The Fly Shop, Inc., The Forest Group, The Lyme Timber Company, The Mountaineers, The Painted Trout, The Seeley Lake Nordic Ski Club, The South Carolina Aquarium, The Trailhead, The Walton Works, LLC, Thompson Manufacturing, Inc., Tierra Environmental, Timbuk2, Twenty Two Designs, LLC, W & W associates, Inc., Waterwisp Flies, West Coast Corp., Wild River Outfitters, Inc., Yellow Dog Flyfishing Adventures.

I yield back the balance of my time. Mr. ANDREWS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. ANDREWS. Mr. Chairman, there is an unfortunate time-honored tradition in the House of people coming to the floor and objecting to reductions in spending with heartfelt arguments as to why the spending is necessary and never offering any suggestions about where the money might be made up instead. That, frankly, is one of the reasons we have the huge deficits and debts that we do. So I want to break with that tradition and talk to you about a spending reduction I have a great concern about and then talk about how we might make it up instead.

There is not a person in this House who has not been touched in some way by cancer in their family, in someone they love, some friend. I don't think there is anybody here who hasn't had the heartbreak of dealing with malignancy in their family. Let me say from the outset, Mr. Chairman, I don't think

there is a Member of this House that doesn't want to do everything he or she could to deal with solving that problem. There is not a Member in this place, Republican or Democrat, who is indifferent to the problem of fighting cancer.

Now, cancer comes from a lot of things. It's genetic. It's hereditary. It comes from foods. But a lot of it comes from the environment. It comes from water. If the water we drink or we cook with or we bathe in is not clean, it can sometimes be the trigger that triggers the dreaded disease of cancer for someone we care about.

So a long time ago when this was discovered in the 1960s, there was a bipartisan agreement to try to do something to try to clean the water of this country and keep it clean. It was upheld by Presidents like Ronald Reagan and George Bush, Bill Clinton, Jimmy Carter, Barack Obama, many others, Democrats and Republicans in control of Congress.

That's why I have to look at the bill before us today and just be astonished by the fact that the Clean Water Fund is cut by 55 percent. Let me say that again. The fund that has been set up to protect the clean water of our country that is consumed by Democrats and Republicans, liberals and conservatives, cut by 55 percent. The amount of that cut is about \$833 million below the amount of money that we spent last year; about \$833 million.

□ 1720

Usually, people stop there. But I want to talk about where we should get the money instead.

Now, \$833 million is less than 3 days' worth of spending in Iraq and Afghanistan. How about that? We will spend more than \$833 million in the next 3 days in Kabul and Baghdad, in part to help build clean water systems there, in part to help create jobs there. I just think that's inexcusable that we find ourselves in a position where we're spending in 2 or 3 days in Iraq and Afghanistan what we could spend to eliminate this cut and provide clean drinking water for the people of our country.

The amount of subsidies we're going to give oil companies—the oil companies made record profits in 2010. They made about \$60 billion in profits, if I'm not mistaken—\$77 billion, actually, in profits last year. We'll spend six times as much of this cut in the Clean Water Fund to give money away to those oil companies this year. These are people who made \$77 billion in profits last year, whose stocks are off the charts, who are paying their CEOs hundreds of millions of dollars in compensation, and we're going to give them about \$7 billion from the wallets of the people of this country this year. That's six times the amount of this cut in the Clean Water Fund.

So I understand if you come to the floor you've got the responsibility of saying, Well, if you don't want to cut this, you've got the responsibility to say, Where else should we get it from? I think that's a reasonable rule under which to live.

So, ladies and gentlemen of the House, my proposal would be this: Let's not reduce the Clean Water Fund by 55 percent. Let's not say to cities and villages and towns and States and Indian tribes around our country that the money that we lend to them—we don't give it to them; most of the time it's a loan—to help build clean water systems that bring clean water to our kitchens and our homes and our places of worship and work, hospitals, let's not reduce that. Instead, let's take 2½ days of what we're going to spend in Iraq and Afghanistan and put it there. Let's take one-sixth of the money we're going to hand to the oil companies and put it there.

This is something we shouldn't do. I yield back the balance of my time. Ms. LEE. I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. LEE. I rise in strong opposition to H.R. 2584, the Interior appropriations bill.

As a member of the Appropriations Committee, I want to thank Ranking Member MORAN and our full committee ranking member, Congressman DICKS, for leading the fight every step of the way against this Republican assault on the environment.

Sadly, Mr. Chair, this bill is nothing more than a vehicle for bigger profits for Big Oil and other special interest polluters.

This bill and all it contains destroys critical environmental standards established to protect the public's health. By attaching more than 40 extremely dangerous policy riders, the Republicans take direct aim on the water we drink, the air we breathe, and the environment in which we live. This terrible legislation guts the budgets of key Federal agencies charged with protecting our citizens and our national resources. It terminates air quality standards as well as land and water conservation funding that will impact all communities in our country. But these cuts will hit my home State of California especially hard.

Mr. Chair, I'm proud to serve as a Representative of California's Ninth Congressional District, which has long been at the forefront of the environmental movement, including working on critical issues of climate change as well as fighting for renewable energy, green jobs, and environmental justice.

This bill undermines the Clean Air Act's ability to crack down on air pollution, threatening the quality of life for our children, our families, our communities, including my constituents in

the East Bay, many of whom suffer unfairly from poor air quality.

Now, let me just tell you this personal story. Many of my childhood friends who grew up with me in my neighborhood, a polluted neighborhood in El Paso, Texas, many of them were dead before they turned 55 years of age, or many of them who are still alive have chronic or debilitating diseases. These tragedies can be directly related to environmental degradation of the neighborhoods in which I lived and grew up in in El Paso, Texas.

Also, let me just say, this bill is unjust because it really does refuse to fund EPA at a level where there can be some justice in terms of the overall programs of environmental administration, where it can implement its core mission of protecting human health and the environment. This means that more women and more children and more people facing or living in poverty and more communities of color are bearing the brunt once again of pollution, environmental degradation, and climate change. Sadly, this is in line with the Republican plan to balance the budget on the backs of the poor.

Rather than Republicans taking actions to create jobs, this bill guts funding to create jobs—especially green jobs. Rather than the Republicans taking action to protect our Nation's clean water supply and open spaces, this bill takes us back to dirty water and closed parks. Rather than taking action to ensure that people across this country can trust our government—and they want to trust us—to protect the water that they drink and the air that they breathe, this bill rolls back the standards and protections aimed at protecting public health.

Mr. Chairman, as a person of faith, I believe that there is a moral and ethical responsibility to protect the natural resources provided by our Creator. This measure before us prohibits us from acting on that very, very serious and important responsibility.

How can we here make decisions that knowingly harm people? How can we make decisions that pollute our environment? How can we make these crass decisions, as Members of Congress, that will increase health hazards leading to diseases such as cancer?

People elect us because they trust us to make decisions that protect and enhance their quality of life. They want us to preserve our beautiful planet. Future generations are counting on us. This bill really does let them down.

We need to defeat this horribly destructive bill and move quickly to matters that the American people expect us to address, like to create jobs, raise our debt ceiling, and to protect the public health.

I yield back the balance of my time. Ms. SCHAKOWSKY. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. While our Nation stumbles toward a potential default, the Republican Party is wasting our time with consideration of a bill that will not move through the Senate and which the President has already threatened to veto. But even though this legislation is a futile effort, it does clearly articulate the philosophy of the Republicans in this House of Representatives. This is a bill that really makes one shake one's head. It is an astonishing effort to destroy hard-won, longstanding, and successful and popular laws. It cuts valuable health and environmental programs. It caps the responsibility of corporate polluters and balances minimal cost savings on the back of our most precious natural resources.

H.R. 2584, the funding bill for the Department of the Interior and Environmental Agencies, completely guts funding for public lands and public health programs that the American people care about and desperately need.

A 64 percent cut to the State and Tribal Wildlife Grants program and a 95 percent cut to the Cooperative Endangered Species Conservation Funds means we can expect a rapid increase in endangered and extinct species on Federal and non-Federal lands alike.

An 80 percent reduction in the Land and Water Conservation Fund means we should not expect adequate maintenance of landmarks, including Harpers Ferry, West Virginia; Yellowstone National Park; or California's Big Sur coast.

□ 1730

A 40 percent cut to the National Landscape Conservation System means 27 million acres of national monuments, wilderness areas, scenic rivers, and other treasures will be inadequately protected.

A 60 percent cut to the North American Wetlands Conservation Act means our birds, fish and wildlife resources will lose protections that keep these populations viable.

A 55 percent reduction to the Clean Water State Revolving Fund means less protection for water quality improvement projects in the United States.

And a prohibition of funding for the Great Lakes Restoration Initiative means my home State of Illinois and the great Lake Michigan will lose millions of dollars in Federal assistance to promote good jobs and clean drinking water for millions of our citizens.

While this bill severely cuts these and other priorities, it provides hand-outs to corporate polluters in the form of policy riders. These riders would threaten the enforcement of the public health and environmental laws which have protected our country for decades.

One rider reverses a moratorium on uranium mining on the rim of the Grand Canyon, and would turn one of

our Nation's most iconic landmarks into an eyesore. Another extends loopholes in the Clean Water Act, jeopardizing drinking water for 117 million Americans; and many others weaken the Clean Air Act and limit regulations against toxic air pollution, which saved an estimated 160,000 lives just last year.

The Clean Air Act and Clean Water Act have protected American health and welfare for 40 years, and have been the catalyst for green energy investment and job creation. More than 80 percent of the American people believe the EPA should not be prevented from performing its duties, and the Gallup Poll reports that four out of five Americans are personally concerned about the water they drink, as well they should.

Although this legislation is dead on arrival at the White House, it poses a fundamental debate about the type of country we want to hand over to our children and grandchildren. Do we want to be a Nation that oversees the disappearance of animal populations, wetlands and national parks because we aren't willing to ask for one penny more from millionaires and billionaires? Do we want to be a Nation that turns away from water treatment and infrastructure in the hopes that no one will notice? Do we want to be a Nation that values the profits of corporate polluters over the health of children?

The Republican majority has clearly stated its position. I oppose this bill. The funding cuts and destructive policy riders that riddle this bill turn back the clock on vital environmental and health policies. We owe it to our children and grandchildren to uphold our commitment to clean air, clean water and preserved natural resources.

This weekend, my granddaughter, who celebrated her 10th birthday, had her party on Lake Michigan and enjoyed the precious clean water. I urge my colleagues to vote against this attack on our American resources and our values.

I yield back the balance of my time.

Mr. LEWIS of California. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. LEWIS of California. Mr. Chairman, I've been listening from afar to this discussion on the floor, which is so, so fascinating. The former majority, wanting so desperately to become the majority again, is suggesting that by way of this bill we're taking the heart out of America's infrastructure program.

The fact is, in just recent years, the former majority increased spending in all of these categories at levels that would almost startle the people if they'd ever see the detailed facts. The fact that we are not increasing spending to their wish lists ahead, in some way, becomes a cut in their mind's eye

when we're faced with the reality that the covered wagon that took us to California from the East is about to go over the cliff of bankruptcy if we don't do something about spending. This same voice, or series of voices, is currently doing battle over the debt limitation, and they're suggesting that we're holding this up because of some loopholes in taxes for the so-called "rich."

Conversations taking place by many of the rich of the House indeed reflect the reality that what they really want is more spending and more funding for these programs. While we're attempting to make an effort to cut back spending and to cut the impact of government on the private sector, these same voices will not give up until they have an opportunity to impose more taxes.

One of the two parties having this discussion wants more spending on government programs and wants more taxes. The other side of this discussion would suggest we ought to cut back spending, make sense out of our budget and, indeed, recognize that the private sector, in keeping some money in their jeans in order to invest in the private sector, is really the way to create jobs.

With that, it's fascinating to watch this discussion. I'll be glad to come back three or four more times and have this discussion, Mr. Chairman. In the meantime, I certainly would hope more people would talk about what they really know about the environment or really know about the Interior bill rather than the rhetoric that is part of next year's campaign.

I yield back the balance of my time.

Mr. GARAMENDI. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. What a fortuitous moment to have the opportunity to follow my colleague from California.

Indeed, I do know something about the Interior budget. I was the Deputy Secretary at the Department of the Interior, and I know full good and well what the Department of the Interior means to America.

Early this morning, I left Sacramento. My mind was very much on the debate you just suggested: What are we going to do about the deficit?

But it didn't take long to realize, as I sat by the window, as I moved over the Sierra Nevada mountains into Nevada, then across to the Rockies, and across this entire Nation—for most of the way, it was rather clear—that we have an awesome, unbelievably beautiful country. We're the strongest Nation in the world, and we have great economic strength.

This bill, however, would take this great Nation, the great beauty and the incredible people of America, and put them at risk. It would put this Nation's

extraordinary beauty and resources at risk. That's what this is about. This isn't going to solve the budget deficit one way or the other. This is a miniscule part of the overall Federal budget. It is important—important because it is about this Nation's physical and human health. We're talking about the Environmental Protection Agency.

This bill as written would bring to the people of America poison. It is the poisoning of our rivers and our air. Use whatever word you want about clean-up—use the nice words—but we're talking about poisoning the rivers and the air of America. That's what this bill does. When you take the Environmental Protection Agency and you take away its ability to protect us, then you are allowing poisons to be in our water and in our air and in our land.

You look at this bill, and you're talking about the extraordinary physical nature of America. Do you want the great mountains of the Appalachians to be flattened so you can have more coal to burn and then foul the atmosphere? That's what this bill does.

Do you want to take away the ability of this Nation to protect your precious Mojave Desert? That's what this bill does.

Do you want to allow those who would destroy by grabbing the resources of this Nation without even bothering to pay a decent royalty? That's what this bill does whether it's the oil in the gulf or the copper in a new mine in Arizona.

I've listened to the Republican bills day after day on this floor and in committee, and they would strip away the protections that Americans want for their health and for their land. That's not what we should be doing.

Do you want to know where the money is? My colleague from New Jersey said it very well:

It's in Afghanistan and it's in Baghdad. We're building the bridges. We're cleaning the rivers. We're providing the water and the electrical systems there to the tune of \$150 billion a year.

Bring our troops home. Bring our money back to America. Build America. Rebuild America. There is the answer. Not in this way will you ever solve the deficit.

By the way, this bill lays off people—15,000 people at the EPA alone. This bill will not build infrastructure. This bill will take away the infrastructure for our sanitation systems, for our water systems. That's what this bill does.

□ 1740

My colleague from California knows full good and well what's intended here. It's to give our resources to the polluters. It's to foul our air. It's to remove the ability of the people of America, not some government in Washington but the people of America, who

have for the last 40 years demanded clean water, that their resources be protected, that the commons be protected. It is the people of America that want a future that's good for their children, that want a future that's viable, that want a future that does not have poisoned water and air. That's what the people of America want. This bill goes exactly the wrong direction.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the fiscal 2012 Interior and Environmental appropriations bill.

I do want to start on a positive note. The bill would restore the President's proposed cuts to mitigation fish hatcheries. That's a good thing. It would increase funding for the Indian Health Service, and it would largely maintain funding for the National Park Service operations and the Smithsonian. So I commend the subcommittee for those decisions.

But I'm afraid the list of positive things is pretty short. So I want to, in the time I have, list some of the devastating cuts that this bill includes. And while our friend from California has suggested that these really aren't deep cuts, I believe the content of this bill belies that notion.

The bill before us picks up where H.R. 1 left off last spring making numerous and deep cuts to the programs that protect our air, water, public lands, and wildlife. Here are just a couple of the most egregious cuts in this bill:

First to the Land and Water Conservation Fund. This funds the acquisition of public lands so they're protected from development and can be enjoyed by future generations. The Land and Water Conservation Fund has a dedicated revenue stream from offshore drilling royalties. It takes nothing from the General Fund. And yet this bill would cut Land and Water Conservation funding by 80 percent—the lowest level for the program in 45 years.

It threatens completion of the acquisition of the Rocky Fork tract in Tennessee and several treasures in North Carolina that need protection. Every Member of this body should ask: How many acquisition projects would this halt in my State? There is no reassuring answer.

Secondly, the Environmental Protection Agency, the bill continues the Republican majority's assault on the EPA. After imposing a 16 percent cut in the current fiscal year, the majority is now proposing a further 18 percent reduction in the agency's budget. That would push agency staffing to 1991 levels. The goal of a cut so massive is plain and simple: to ensure that the

EPA doesn't have the resources it needs to fulfill its core mission, and that mission includes lifesaving and life-enhancing research, largely based in my district, that Research Triangle part.

Third, the Clean Water and Drinking Water State Revolving Fund. The SRFs provide funding directly to the States to fund water infrastructure projects that enable communities to better manage wastewater and polluted runoff and to protect clean and safe drinking water. This provides one of the most basic services taxpayers expect—clean water. And yet this bill would cut funding for these two programs by nearly a billion dollars combined.

Given how essential water supply is to economic growth, this is ironic at this particular time as our communities struggle to retain and regain jobs. I suggest to colleagues, ask your State and local governments how they're going to make up this difference.

Mr. Chairman, as if these cuts weren't bad enough, the majority has loaded this bill with legislative policy riders and funding limitations that will roll back 40 years of progress towards clean air and clean water.

These anti-environmental riders have no place in an appropriations bill. They will not save the country a penny, and they will cost tens of thousands of lives. They will expose our children, families, and communities to unnecessary illnesses, and they will degrade our irreplaceable natural resources.

The majority claims that these cuts are needed to demonstrate fiscal discipline. Mr. Chairman, this book is a textbook case in false economies. In gutting critical environmental protection programs, it piles up frightful economic and human costs for the future.

Our constituents and our environment today and in future generations deserve better than what this bill is offering. I urge my colleagues to oppose this shortsighted appropriations bill.

I yield back the balance of my time.

Mr. CONNOLLY of Virginia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CONNOLLY of Virginia. Well, congratulations. This is probably the most radical anti-environment bill that the House of Representatives has ever considered. It cuts open space funding to the lowest level in a half a century. It opens the Grand Canyon to uranium mining. It denies the existence of climate change and eliminates funding for Federal agencies to monitor and adapt to it. It contains more than three dozen anti-environment policy riders that eviscerate the Clean Air Act, the Clean Water Act, the Endangered Species Act, the National Environmental Policy Act, and other landmark environmental statutes.

The bill desecrates the legacy of Teddy Roosevelt and a long line of bi-

partisan conservation leaders while it also endangers public health.

The Republican majority claims to be concerned about spending, but this reckless bill will impose billions of dollars, Mr. Chairman, of health care costs on Americans by increasing the incidence of asthma, emphysema, heart attacks, and even premature death. This anti-environmental bill will increase health care costs by up to \$539 billion according to the Congressional Research Service. Since Medicare, Medicaid, and CHIP are responsible for 33.9 percent of total health care costs, this Republican bill will cost taxpayers some \$179 billion more.

In addition, it will cause more than 60,000 premature deaths, 20 million lost days of work, and 36,800 additional heart attacks in America.

This bill eliminates funding for critical and conservation priorities, completely defunding the Forest Legacy program. It defunds the Chesapeake Bay Restoration program. It blocks Environmental Protection Agency implementation of public health standards for particulate, lead, greenhouse gas and other pollutants. It allows the unregulated destruction of one of America's two most biodiverse regions, southern Appalachia, by repealing Clean Water Act standards to protect streams from mountaintop removal.

It imperils the cleanliness of public drinking water by allowing unregulated disposal of coal, waste, and pesticides, and casts into regulatory purgatory developers and others seeking clarity of Clean Water Act regulations.

The Republican majority seems to be living in an alternative reality. As Americans face unprecedented drought in the Southwest, record floods in the Mississippi basin, record heat here in eastern and midwestern cities, accelerating sea level rises, and other symptoms of global warming, this bill blocks funding even to monitor global warming. Not only do the Republicans deny the existence of global warming, apparently, they have even blocked funding to monitor its impacts.

This reckless policy rider doesn't just endanger polar bears, coral reefs, and countless other species and ecosystems; it endangers American infrastructure from the Norfolk Naval Base to the Jefferson Memorial.

It endangers public health by increasing smog pollution and heat-related deaths, as we've seen from the recent heat wave that swept across the east and midwest United States, setting record temperatures here in Washington, D.C., Newark, and other cities across this eastern seaboard.

I urge my colleagues to reject this reckless legislation that defunds critical public lands programs, eviscerates 40 years of bipartisan environmental standards, and desecrates the memory of Teddy Roosevelt.

I yield back the balance of my time.

□ 1750

Mr. POLIS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. Mr. Chairman, our country is facing an incredibly important moment as critical decisions need to be made regarding the national debt and our long-term deficit and how to constrain spending. Members on both sides of this aisle recognize the reality that we need to restore fiscal responsibility in our budget.

However, Mr. Chairman, in times of national importance, we need to stay focused on what our country needs and what's best for the American people and avoid the temptation to play politics, as this bill does.

Far too much has been carried out by the majority party under the guise of cutting the deficit and fiscal responsibility when it's actually policy-making to implement a hard right, radical, anti-environmental agenda which can actually cost more money in the short, medium, and long term.

Mr. Chairman, the cuts proposed by the majority in this bill have nothing to do with fiscal responsibility. They have everything to do with implementing radical anti-environmental ideology. The bill makes sweeping cuts to critical programs that protect the public's health, reduce our expenditures for health care, protect our environment, and keep industry from running over the public and consumer rights.

Yet at the same time it does that, Mr. Chairman, this bill actually increases spending on programs that are little more than handouts and subsidies to oil and gas companies and mining companies, in particular, one that the government waste watchdog group Taxpayers for Common Sense has called "the granddaddy of Federal subsidies." This isn't about saving taxpayer money in this bill; it's about slashing environmental protections while giving handouts and subsidizing the dirtiest, most influential industries.

There's more pork in this bill than in an Iowa hog lot. This is supposed to be a spending bill that attempts to balance various budget priorities against one another. It's not supposed to be a grab bag of provisions demanded by the Nation's worst polluters, energy companies, and other special interests who receive handouts under this bill.

Yes, this bill would do away with the Clean Water Act, putting the rest of us in danger because mountaintop coal mining companies and factory farms want it. This bill does away with key provisions of the Clean Air Act, undermines protections of our public lands, and repeals the Endangered Species Act to satisfy a few at the expense of the many.



The bill will put more toxic mercury, arsenic, and lead into our air and put our children's health at risk by blocking standards to cut toxic air pollution from cement kilns, allow more soot pollution in our air, block EPA from moving forward with carbon pollution standards for new vehicles after 2016, jeopardizing a process projected to create up to 700,000 new jobs and save 2.4 million barrels of oil every day by 2030.

States would also be blocked from moving ahead with their own clean car standards, threatening the health of America's children, elderly citizens, and other vulnerable populations by blocking EPA's ability to limit dangerous carbon pollution from power plants and other large stationary sources.

This bill also expedites uranium mining in the Grand Canyon, gives special legal exemption to grazing on public lands, eliminates endangered species protections for animals from big horned sheep to grey wolves, and more. Yet it increases spending for the 1879 mining law and other elements that actually threaten to endanger our environment and are an additional handout to Big Oil.

Mr. Chairman, this bill isn't a serious funding proposal. It's a polluter's wish list of subsidies, handouts, and pork. The majority can call it what they will, but don't say that this bill serves the cause of cut-cutting while it lards up programs that are little more than a subsidy to wealthy mining and drilling interests.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. RICHMOND

Mr. RICHMOND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 20, after the dollar amount, insert "(decreased by \$6,000,000)".

Page 19, line 20, after the dollar amount, insert "(increased by \$5,000,000)".

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. RICHMOND. Mr. Chairman, what this amendment does is increase the funding for our Bureau of Ocean Energy Management, Regulation and Enforcement by \$5 million. And what it would do is it would allow BOEMRE to quicken the pace of permit approval and, in turn, promote the rate of oil and gas investment in the gulf region. To accomplish this, we will reduce the Rangeland Management Fund by \$6 million, which still leaves that fund above its fiscal year 2011 funding level.

Let me point out to you why this is the wise thing to do. In response to the Deepwater Horizon explosion and the resulting oil spill last year, in May, the administration issued a temporary moratorium, halting permits of oil and gas production on the Outer Continental Shelf. The moratorium was lifted

in October of last year; but since then, the issuance of permits has been slow. President Obama directed BOEMRE to reorganize itself into two independent groups: one that handles revenue from oil and gas leasing, and the other that regulates the oil and gas industry. This is all a change that most of us believe is necessary and wise.

However, the speed of permitting activity has not returned to pre-Deepwater Horizon levels. There is a significant and growing backlog of drilling plans pending approval. The number of pending deepwater exploration and development plans has increased by more than 250 percent. This is up from a historical average of 18 plans pending to now nearly 65 pending approval.

Also there's a drastic decline in drilling permit approvals. Deepwater exploration and development drilling permit approvals have also declined by approximately 80 percent, down from an average of nearly 160 per year to a pace of only 30 per year. Shallow water exploration and development drilling permits approvals have also dropped by nearly 50 percent from an average of 390 per year to a pace of fewer than 180 a year.

Mr. Chairman, I will tell you that there was a recent study that showed that increasing the pace of permitting and, subsequently, the pace and scale of investment in the gulf would create 230,000 domestic jobs in 2012 as well as more than \$44 billion in U.S. gross domestic product.

I just want to focus on that number for a second, Mr. Chairman, because as we have been here for the 112th Congress, the American people have been demanding that we use the money we have efficiently so that we can invest in the American people and get a return on our investment. So here we are asking the American people for \$5 million and are asking our colleagues on the other side of the aisle who earlier this year proposed legislation that was purported to increase drilling and to lower gas prices. Well, now they have the opportunity to take \$5 million, invest it in BOEMRE, and have the opportunity to create 230,000 jobs.

There are 14.1 million people in this country who are actively seeking employment and cannot find it. Here we have a chance to help 230,000 of them in fiscal year 2012 alone, and we have the ability to increase our gross domestic product by \$44 million.

Mr. Chairman, I think that's what the American people are demanding. They want us to use our money wisely. That's what this amendment does. And I will just ask my colleagues on both sides of the aisle to support this. It's a job creation amendment.

I yield back the balance of my time.

Mr. LATOURETTE. I move to strike the last word.

The Acting CHAIR (Mr. CHAFFETZ). The gentleman from Ohio is recognized for 5 minutes.

Mr. LATOURETTE. Mr. Chairman, I rise in opposition to this amendment.

The amendment would take \$6 million from BLM's Lands and Resources and transfer it to BOEMRE. The BLM's management account has already been cut \$43.5 million below fiscal year 11, \$15.5 million below the President's request. This fund allows the BLM to take care of more than 245 million surface acres and 700 million subsurface acres; further cuts to this account would not be warranted.

I want to commend the gentleman for the location where he wants to send the money. I have no big opposition to the increase in the BOEMRE spending. But we did the best we could to balance this particular piece of legislation. BOEMRE has already been increased by \$37 million above fiscal year 2011. It's also been increased significantly in several continuing resolutions. Therefore, because of the location of the offset, I urge our colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. RICHMOND).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RICHMOND. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT OFFERED BY MR. RICHMOND

Mr. RICHMOND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 20, after the dollar amount insert "(reduced by \$10,617,000)".

Page 10, line 21, after the dollar amount insert "(increased by \$10,617,000)".

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

□ 1800

Mr. RICHMOND. Mr. Chairman, again I rise to talk about what I consider to be wise investments into the future and the stability of this great country.

For the last 21 years, the North American Wetlands Conservation Act has created jobs and served as an important investment tool in our Nation's economy and for wetlands in every single State. NAWCA has been responsible for restoring over 26 million acres of wetlands, equivalent to the size of the State of Ohio. Not only did it restore over 26 million acres, it also creates nearly 7,500 jobs annually



and hundreds of millions in worker earnings every year.

If we look at the fiscal year 2011 appropriations with \$37.5 million, it is down from \$47.6 million for fiscal year 2010. This bill allocates only \$20 million for fiscal year '12, a cut of 47 percent from fiscal year '11 levels and 58 percent from fiscal year '10 levels.

Here is the important point, Mr. Chairman: The law requires that each Federal dollar put into the program be matched by \$1 in non-Federal funds. Because the competition for these dollars is so great, on average, each Federal dollar is matched 3 to 1.

Mr. Chairman, over and over again I keep saying that the American people are looking for us to spend money in this great country, where we get a return on our investment. Now we have another program where, for every dollar we spend on this program, the American people get \$3. That's what we should be doing in this time of great economic hardship.

I am asking my colleagues on the other side to look at where we're spending money in this bill and put money where we're going to get a good return on our investment, we're going to create jobs, and at the same time we're going to preserve and restore our wetlands.

That, Mr. Chairman, I think, is the responsible thing to do, the wise thing to do, and I would encourage all of my colleagues to support it.

I would now yield to the gentleman from Illinois.

Mr. DAVIS of Illinois. I want to thank the gentleman from Louisiana for yielding.

I rise in support of the Richmond amendment and in opposition to H.R. 2584, the Interior and Environment appropriations, and I do so because we cannot afford to make such drastic cuts to programs that benefit our Nation's drinking water, deplete our air pollution standards, and reduce the beautiful landscape.

For example, in Illinois, where I live, the drinking water systems face a required investment of \$13.5 billion over the next 20 years to replace aging facilities and comply with safe drinking regulations. In 2009, total Federal funding for drinking water was less than \$3 billion, which included a one-time \$2 billion infusion of funds from the American Recovery and Reinvestment Act.

Within Cook County, a large portion of my district, we can take only half an inch of rainwater before flooding takes place. This means sewer water and other contaminants flood both the streets and homes. We cannot afford to reduce the health and safety of our citizens, and we cannot disrupt our environment.

Again, I thank the gentleman for yielding, urge support of his amendment, and urge that we defeat the overall appropriation bill.

Mr. RICHMOND. Mr. Chairman, in closing, I would just say that this is another one of my small attempts to make an awful bill just a little bit better, and I would encourage my colleagues on both sides of the aisle to support the amendment.

I yield back the balance of my time.

Mr. LATOURETTE. Mr. Chairman, I move to strike the last word in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATOURETTE. I thank the Chair.

Again, I want to commend the gentleman from Louisiana for his amendment, but he again targets the account that we talked about in the last amendment, and that is the Bureau of Land Management's land and resources account which, as I indicated during the last amendment, is already cut by \$43½ million below the fiscal year '11 level and \$15½ million below the President's request.

In addition, this time the gentleman attempts to reach the Secretary's account and wants to reduce it by \$6.8 million. Nobody likes to stand up for bureaucrats or the Secretaries around here, but that account has already been cut by \$33½ million. Any further reductions could impede the new Office of Natural Resource Revenue, which collects royalties for on- and offshore oil and gas production, which I know is so important to our friends in the minority.

For those reasons, again not because of the place where the gentleman wants to put the additional funds but because of where they come from, I urge opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. RICHMOND).

The amendment was rejected.

AMENDMENT OFFERED BY MS. HOCHUL

Ms. HOCHUL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 3, after the dollar amount insert "(reduced by \$4,452,000)".

Page 3, line 17, after the first dollar amount insert "(reduced by \$4,452,000)".

The Acting CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Ms. HOCHUL. Mr. Chairman, I believe my amendment is going to have appeal for both sides of the aisle. I have sat here and listened for some time, particularly on the Republican side, about the need to be cutting our expenses. Well, my amendment does just that.

My amendment actually removes \$4.4 million in spending increases and returns those very funds to deficit reduction. Those of us who also believe that

the taxpayers should not hand over an additional \$4.4 million just to help out the oil and gas industry would also support this amendment.

What my amendment does is remove a \$4.4 million increase in funding for oil and gas management. I just cannot stand here and support an additional increase in taxpayer spending at a time when the other parts of this budget are being slashed.

Forgive me today if I don't have a lot of sympathy for Big Oil. Last quarter, Exxon posted \$11.4 billion in profits, in one quarter alone, Mr. Chairman. Royal Dutch Shell posted over \$6 billion profit in one quarter alone. The additional \$4.4 million added to help out the oil and gas companies to cover their permit application processing is literally pocket change for these big companies.

We live in tough economic times, and we all came to Congress to make tough decisions. We need to cut spending. That's why I ask my colleagues on both sides of the aisle to support my amendment and cut this spending increase.

My amendment, I assure you, does not address the merits of drilling whatsoever. This is simply an issue of fairness for the taxpayers. In times of government austerity and record profits for oil companies, this amendment is a simple statement that these companies should pay for the administrative expenses associated with processing their applications.

Some people don't have a problem asking our seniors, our families, and our small businesses to pay more during these tough times. Well, I do. I think it is fundamentally unfair to increase spending in their areas while at the same time we are hurting our seniors. Almost every other area of this bill is being slashed, but the one that greases the skids for oil companies to get their approval is being increased over last year's budget. Something is just not right with our national priorities, and I believe that reasonable Democrats and Republicans will agree.

Mr. Chairman, I yield back the balance of my time.

Mr. SIMPSON. I move to strike the last word in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I appreciate the gentlewoman's concern for the budget deficit and reducing the budget deficit, but I rise in opposition to this amendment.

This amendment would limit the BLM from spending \$4.5 million of offsetting collections for the processing of application of permits to drill. The BLM still collects the fees, they just wouldn't be able to spend the funds.

Mr. Chairman, this makes little sense as those fees offset the cost to administer the oil and gas permitting

program. In other words, these programs are paid for by the industry, not by taxpayers. In other words, the BLM will have the cost of these programs but won't be allowed to spend the fees it has collected.

So I have a problem with this amendment, and I would urge my colleagues to vote "no."

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. HOCHUL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. HOCHUL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

□ 1810

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. MORAN of Virginia.

An amendment by Mr. HUELSKAMP of Kansas.

An amendment by Mr. CLEAVER of Missouri.

An amendment by Mr. RICHMOND of Louisiana.

An amendment by Ms. HOCHUL of New York.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. MORAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, noes 237, not voting 20, as follows:

[Roll No. 632]

AYES—175

Ackerman	Bishop (GA)	Carney
Andrews	Bishop (NY)	Carson (IN)
Baca	Blumenauer	Castor (FL)
Baldwin	Brady (PA)	Chandler
Barrow	Brown (FL)	Chu
Bass (CA)	Butterfield	Cicilline
Becerra	Capps	Clarke (MI)
Berkley	Capuano	Clarke (NY)
Berman	Carnahan	Clay

Cleaver	Jackson Lee
Clyburn	(TX)
Cole	Jenkins
Connolly (VA)	Johnson (GA)
Conyers	Johnson, E. B.
Cooper	Jones
Courtney	Kaptur
Critz	Keating
Crowley	Kildee
Cummings	Kind
Davis (CA)	Kucinich
Davis (IL)	Langevin
DeGette	Larsen (WA)
DeLauro	Larson (CT)
Deutch	Lee (CA)
Dicks	Levin
Doggett	Lewis (GA)
Donnelly (IN)	Lipinski
Doyle	Loebsack
Edwards	Lofgren, Zoe
Ellison	Lowey
Engel	Lujan
Eshoo	Maloney
Farr	Markey
Fattah	Matsui
Finer	McCarthy (NY)
Frank (MA)	McCollum
Fudge	McGovern
Garamendi	McIntyre
Gonzalez	McNerney
Gosar	Meeks
Green, Al	Michaud
Green, Gene	Miller (NC)
Grijalva	Miller, George
Gutierrez	Moore
Hahn	Moran
Hanabusa	Murphy (CT)
Hastings (FL)	Nadler
Heinrich	Napolitano
Higgins	Neal
Himes	Pallone
Hinojosa	Pascrell
Hirono	Pastor (AZ)
Hochul	Payne
Holden	Pelosi
Holt	Perlmutter
Honda	Peters
Hoyer	Pingree (ME)
Inslee	Polis
Israel	Posey
Jackson (IL)	Price (NC)

NOES—237

Adams	Coffman (CO)
Aderholt	Conaway
Akin	Costa
Alexander	Cravaack
Altmire	Crawford
Amash	Crenshaw
Austria	Cuellar
Bachus	Culberson
Barletta	Davis (KY)
Bartlett	Denham
Barton (TX)	Dent
Bass (NH)	DesJarlais
Benishke	Diaz-Balart
Biggert	Dold
Bilbray	Dreier
Bilirakis	Duffy
Bishop (UT)	Duncan (SC)
Black	Duncan (TN)
Blackburn	Ellmers
Bonner	Emerson
Bono Mack	Farenthold
Boswell	Fincher
Boustany	Fitzpatrick
Brady (TX)	Flake
Brooks	Fleischmann
Broun (GA)	Fleming
Bucshon	Flores
Buerkle	Forbes
Burgess	Fortenberry
Burton (IN)	Fox
Calvert	Franks (AZ)
Camp	Frelinghuysen
Campbell	Gallegly
Canseco	Gardner
Canor	Garrett
Capito	Gerlach
Cardoza	Gibbs
Carter	Gibson
Cassidy	Gingrey (GA)
Chabot	Gohmert
Chaffetz	Goodlatte
Coble	Gowdy

Quigley	Lewis (CA)
Rahall	LoBiondo
Rangel	Long
Reyes	Lucas
Richmond	Luetkemeyer
Rothman (NJ)	Lummis
Roybal-Allard	Lungren, Daniel E.
Ruppersberger	Manzullo
Rush	Marchant
Ryan (OH)	Marino
Sánchez, Linda T.	Matheson
Sanchez, Loretta	McCarthy (CA)
Sarbanes	McCaul
Schakowsky	McClintock
Schiff	McCotter
Schrader	McHenry
Schwartz	McKeon
Scott (VA)	McKinley
Scott, David	McMorris
Serrano	Rodgers
Sewell	Meehan
Sherman	Mica
Sires	Miller (FL)
Slaughter	Miller (MI)
Smith (WA)	Miller, Gary
Speier	Mulvaney
Stark	Murphy (PA)
Sutton	Myrick
Thompson (CA)	Neugebauer
Thompson (MS)	Noem
Tierney	Nugent
Tipton	Nunes
Tonko	Nunnelee
Towns	Olson
Tsongas	Owens
Van Hollen	Palazzo
Velázquez	Paul
Visclosky	Bachmann
Walz (MN)	Berg
Wasserman	Boren
Schultz	Bralley (IA)
Watt	Buchanan
Waxman	Cohen
Welch	Costello
Wilson (FL)	DeFazio
Woolsey	Dingell
Wu	Giffords
Yarmuth	Graves (MO)

Paulsen	Scott (SC)
Pearce	Scott, Austin
Pence	Sensenbrenner
Peterson	Sessions
Luetkemeyer	Petri
Pitts	Shimkus
Platts	Shuster
Poe (TX)	Simpson
Pompeo	Smith (NE)
Price (GA)	Smith (NJ)
Quayle	Smith (TX)
Reed	Southerland
Rehberg	Stearns
Reichert	Stivers
Renacci	Stutzman
Ribble	Renacci
Rigell	Sullivan
Rivera	Terry
Roby	Thompson (PA)
Roe (TN)	Thornberry
Rogers (AL)	Tiberi
Rogers (KY)	Turner
Rogers (MI)	Upton
Rohrabacher	Walberg
Rokita	Walden
Rooney	Walsh (IL)
Ros-Lehtinen	Webster
Roskam	West
Ross (AR)	Westmoreland
Ross (FL)	Whitfield
Royce	Wilson (SC)
Runyan	Wittman
Ryan (WI)	Wolf
Scalise	Womack
Schilling	Woodall
Schmitt	Yoder
Schock	Young (AK)
Schweikert	Young (FL)
	Young (IN)

NOT VOTING—20

Bachmann	DeFazio	McK
Berg	Dingell	McDermott
Boren	Giffords	Olver
Bralley (IA)	Graves (MO)	Richardson
Buchanan	Hinchey	Shuler
Cohen	King (IA)	Waters
Costello	Lynch	

□ 1837

Messrs. CASSIDY, BOSWELL, and SOUTHERLAND changed their vote from "aye" to "no."

Mr. COLE, Ms. JENKINS, Messrs. PERLMUTTER, HOLDEN, SCHRAEDER, DONNELLY of Indiana, and PAYNE changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HUELSKAMP

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kansas (Mr. HUELSKAMP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 126, noes 284, not voting 22, as follows:

[Roll No. 633]

AYES—126

Adams	Graves (GA)	Olson
Akin	Griffith (VA)	Palazzo
Amash	Guinta	Paul
Bachus	Hall	Pearce
Bartlett	Harper	Pence
Benishek	Harris	Pitts
Bishop (UT)	Hartzler	Poe (TX)
Black	Hensarling	Pompeo
Blackburn	Herger	Posey
Boustany	Huelskamp	Price (GA)
Brady (TX)	Huizenga (MI)	Quayle
Brooks	Hultgren	Renacci
Broun (GA)	Hunter	Ribble
Buerkle	Hurt	Rigell
Burgess	Issa	Roe (TN)
Burton (IN)	Jenkins	Rogers (AL)
Cambell	Johnson (OH)	Rohrabacher
Canseco	Johnson, Sam	Rokita
Cassidy	Jordan	Rooney
Chabot	Kingston	Roskam
Chaffetz	Kline	Ross (FL)
Coffman (CO)	Labrador	Royce
Conaway	Lamborn	Ryan (WI)
Culberson	Scalise	Ryan (WI)
DesJarlais	Lankford	Scalise
Duncan (SC)	Latta	Scott (SC)
Duncan (TN)	Long	Scott, Austin
Farenthold	Luetkemeyer	Sensenbrenner
Fincher	Manzullo	Sessions
Flake	Marchant	Smith (NE)
Fleischmann	McCarthy (CA)	Southerland
Fleming	McCaul	Stearns
Flores	McHenry	Stutzman
Forbes	Miller (FL)	Sullivan
Foxx	Miller (MI)	Thornberry
Franks (AZ)	Miller, Gary	Walberg
Garrett	Mulvaney	Walsh (IL)
Gibbs	Myrick	Webster
Gingrey (GA)	Neugebauer	Westmoreland
Gohmert	Nugent	Wilson (SC)
Goodlatte	Nunes	Woodall
Gowdy	Nunnelee	Yoder
		Young (IN)

NOES—284

Ackerman	Clyburn	Gerlach
Aderholt	Coble	Gibson
Alexander	Cole	Gonzalez
Altmire	Connolly (VA)	Gosar
Andrews	Conyers	Granger
Austria	Cooper	Green, Al
Baca	Costa	Green, Gene
Baldwin	Courtney	Griffin (AR)
Barletta	Cravaack	Grijalva
Barrow	Crawford	Grimm
Barton (TX)	Crenshaw	Guthrie
Bass (CA)	Critz	Gutierrez
Bass (NH)	Crowley	Hahn
Becerra	Cuellar	Hanabusa
Berkley	Cummings	Hanna
Berman	Davis (CA)	Hastings (FL)
Biggart	Davis (IL)	Hastings (WA)
Bilbray	Davis (KY)	Hayworth
Bilirakis	DeGette	Heck
Bishop (GA)	DeLauro	Heinrich
Bishop (NY)	Denham	Herrera Beutler
Blumenauer	Dent	Higgins
Bonner	Deutch	Himes
Bono Mack	Diaz-Balart	Hinojosa
Boswell	Dicks	Hirono
Brady (PA)	Doggett	Hochul
Brown (FL)	Dold	Holden
Bucshon	Donnelly (IN)	Holt
Butterfield	Doyle	Honda
Calvert	Dreier	Hoyer
Camp	Duffy	Insole
Cantor	Edwards	Israel
Capito	Ellison	Jackson (IL)
Capps	Ellmers	Jackson Lee
Capuano	Emerson	(TX)
Cardoza	Engel	Johnson (GA)
Carnahan	Eshoo	Johnson (IL)
Carney	Farr	Johnson, E. B.
Carson (IN)	Fattah	Jones
Carter	Filner	Kaptur
Castor (FL)	Fitzpatrick	Keating
Chandler	Fortenberry	Kelly
Chu	Frank (MA)	Kildee
Cicilline	Frelinghuysen	Kind
Clarke (MI)	Fudge	King (NY)
Clarke (NY)	Gallegly	Kinzinger (IL)
Clay	Garamendi	Kissell
Cleaver	Gardner	Kucinich

Lance	Owens	Serrano
Langevin	Pallone	Sewell
Larsen (WA)	Pascrell	Sherman
Larson (CT)	Pastor (AZ)	Shimkus
Latham	Paulsen	Simpson
Lee (CA)	Payne	Sires
Levin	Pelosi	Slaughter
Lewis (CA)	Perlmutter	Smith (NJ)
Lewis (GA)	Peters	Smith (TX)
Lipinski	Peterson	Smith (WA)
LoBiondo	Petri	Speier
Loeb sack	Pingree (ME)	Stark
Lofgren, Zoe	Platts	Stivers
Lowey	Polis	Sutton
Lucas	Price (NC)	Terry
Lujan	Quigley	Thompson (CA)
Lummis	Rahall	Thompson (MS)
Lungren, Daniel	Rangel	Thompson (PA)
E.	Reed	Tiberi
Lynch	Rehberg	Tierney
Maloney	Reichert	Tipton
Marino	Reyes	Tonko
Markey	Richmond	Towns
Matheson	Rivera	Tsongas
Matsui	Roby	Turner
McCarthy (NY)	Rogers (KY)	Upton
McClintock	Rogers (MI)	Van Hollen
McCollum	Ros-Lehtinen	Velázquez
McCotter	Ross (AR)	Visclosky
McGovern	Rothman (NJ)	Walden
McIntyre	Royal-Allard	Walz (MN)
McKeon	Runyan	Wasserman
McKinley	Ruppersberger	Schultz
McMorris	Rush	Watt
Rodgers	Ryan (OH)	Waxman
McNerney	Sánchez, Linda	Welch
Meehan	T.	West
Meeks	Sanchez, Loretta	Whitfield
Mica	Sarbanes	Wilson (FL)
Michaud	Schakowsky	Wittman
Miller (NC)	Schiff	Wolf
Miller, George	Schilling	Womack
Moran	Schmidt	Woolsey
Murphy (CT)	Schock	Wu
Murphy (PA)	Schrader	Yarmuth
Nadler	Schwartz	Young (AK)
Napolitano	Schweikert	Young (FL)
Neal	Scott (VA)	
Noem	Scott, David	

NOT VOTING—22

Bachmann	Dingell	Moore
Berg	Giffords	Olver
Boren	Graves (MO)	Richardson
Braley (IA)	Hinchey	Shuler
Buchanan	King (IA)	Shuster
Cohen	LaTourette	Waters
Grimm	Mack	
DeFazio	McDermott	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in the vote.

□ 1844

Mr. GUTIERREZ changed his vote from “aye” to “no.”

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CLEAVER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. CLEAVER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 165, noes 248, not voting 19, as follows:

[Roll No. 634]

AYES—165

Ackerman	Gutierrez	Pascrell
Andrews	Hahn	Payne
Baca	Hanabusa	Pelosi
Baldwin	Hastings (FL)	Perlmutter
Bass (CA)	Heinrich	Peters
Becerra	Higgins	Petri
Berkley	Himes	Pingree (ME)
Berman	Hinojosa	Polis
Bishop (GA)	Hirono	Price (NC)
Bishop (NY)	Hochul	Quigley
Blumenauer	Holt	Rangel
Brady (PA)	Honda	Reichert
Brown (FL)	Hoyer	Richmond
Butterfield	Inslee	Rothman (NJ)
Capps	Israel	Royal-Allard
Capuano	Jackson (IL)	Ruppersberger
Carnahan	Jackson Lee	Rush
Carney	(TX)	Ryan (OH)
Carson (IN)	Johnson (GA)	Sánchez, Linda
Castor (FL)	Johnson (IL)	T.
Chandler	Johnson, E. B.	Sanchez, Loretta
Chu	Kaptur	Sarbanes
Cicilline	Keating	Schakowsky
Clarke (MI)	Kildee	Schiff
Clarke (NY)	Kind	Schwartz
Clay	Kucinich	Scott (VA)
Cleaver	Langevin	Scott, David
Clyburn	Larsen (WA)	Sensenbrenner
Connolly (VA)	Larson (CT)	Serrano
Conyers	Lee (CA)	Sewell
Cooper	Levin	Sherman
Courtney	Lewis (CA)	Sires
Crowley	Lewis (GA)	Slaughter
Cummings	Lipinski	Smith (WA)
Davis (CA)	Loeb sack	Speier
Davis (IL)	Lofgren, Zoe	Stark
DeGette	Lowe	Sutton
DeLauro	Lynch	Thompson (MS)
Dent	Maloney	Tierney
Deutch	Markey	Tonko
Dicks	Matsui	Tsongas
Doggett	McCarthy (NY)	Upton
Dold	McCollum	Van Hollen
Doyle	McGovern	Velázquez
Edwards	McNerney	Visclosky
Ellison	Meeks	Walz (MN)
Engel	Michaud	Wasserman
Eshoo	Miller (NC)	Schultz
Farr	Miller, George	Watt
Fattah	Moore	Waxman
Filner	Moran	Welch
Frank (MA)	Murphy (CT)	Wilson (FL)
Fudge	Nadler	Woolsey
Garamendi	Napolitano	Wu
Gonzalez	Neal	Yarmuth
Green, Al	Pallone	

NOES—248

Adams	Burton (IN)	Duncan (SC)
Aderholt	Calvert	Duncan (TN)
Akin	Camp	Ellmers
Alexander	Campbell	Emerson
Altmire	Canseco	Farenthold
Amash	Cantor	Fincher
Austria	Capito	Fitzpatrick
Bachus	Cardoza	Flake
Barletta	Carter	Fleischmann
Barrow	Cassidy	Fleming
Bartlett	Chabot	Flores
Barton (TX)	Chaffetz	Forbes
Bass (NH)	Coble	Fortenberry
Benishek	Coffman (CO)	Foxx
Biggart	Cole	Franks (AZ)
Bilbray	Conaway	Frelinghuysen
Bilirakis	Costa	Gallely
Bishop (UT)	Cravaack	Gardner
Black	Crawford	Garrett
Blackburn	Crenshaw	Gerlach
Bonner	Critz	Gibson
Bono Mack	Cuellar	Gingrey (GA)
Boswell	Culberson	Gohmert
Boustany	Davis (KY)	Denham
Brady (TX)	Davis (MI)	Goodlatte
Brooks	DesJarlais	Gosar
Broun (GA)	Diaz-Balart	Gowdy
Bucshon	Donnelly (IN)	Granger
Buerkle	Dreier	Graves (GA)
Burgess	Duffy	Green, Gene

Griffin (AR) Matheson  
 Griffith (VA) McCarthy (CA)  
 Grijalva McCaul  
 Grimm McClintock  
 Guinta McCotter  
 Guthrie McHenry  
 Hall McIntyre  
 Hanna McKeon  
 Harper McKinley  
 Harris McMorris  
 Hartzler Rodgers  
 Hastings (WA) Meehan  
 Hayworth Mica  
 Heck Miller (FL)  
 Hensarling Miller (MI)  
 Herger Miller, Gary  
 Herrera Beutler Mulvaney  
 Holden Murphy (PA)  
 Huelskamp Myrick  
 Huizenga (MI) Neugebauer  
 Hultgren Noem  
 Hunter Nugent  
 Hurt Nunes  
 Issa Nunnelee  
 Jenkins Olson  
 Johnson (OH) Owens  
 Johnson, Sam Palazzo  
 Jones Pastor (AZ)  
 Jordan Paul  
 Kelly Paulsen  
 King (NY) Pearce  
 Kingston Pence  
 Kinzinger (IL) Peterson  
 Kissell Pitts  
 Kline Platts  
 Labrador Poe (TX)  
 Lamborn Pompeo  
 Lance Posey  
 Landry Price (GA)  
 Lankford Quayle  
 Latham Rahall  
 LaTourette Reed  
 Latta Rehberg  
 LoBiondo Renacci  
 Long Reyes  
 Lucas Ribble  
 Luetkemeyer Rigell  
 Luján Rivera  
 Lummis Roby  
 Lungren, Daniel Roe (TN)  
 E. Rogers (AL)  
 Manzullo Rogers (KY)  
 Marchant Rogers (MI)  
 Marino Rohrabacher

Rokita  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross (AR)  
 Ross (FL)  
 Royce  
 Runyan  
 Ryan (WI)  
 Scalise  
 Schilling  
 Schmidt  
 Schock  
 Schrader  
 Schweikert  
 Scott (SC)  
 Scott, Austin  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Southerland  
 Stearns  
 Stivers  
 Stutzman  
 Sullivan  
 Terry  
 Thompson (CA)  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Capuano  
 Cardoza  
 Carnahan  
 Carney  
 Carson (IN)  
 Cassidy  
 Castor (FL)  
 Chandler  
 Cicilline  
 Whitfield  
 Wilson (SC)  
 Wittman  
 Wolf  
 Womack  
 Woodall  
 Yoder  
 Young (AK)  
 Young (FL)  
 Young (IN)

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 221, noes 192, not voting 19, as follows:

[Roll No. 635]  
 AYES—221

Ackerman  
 Alexander  
 Altmire  
 Andrews  
 Baca  
 Bachus  
 Baldwin  
 Barrow  
 Bartlett  
 Barton (CA)  
 Bass (CA)  
 Becerra  
 Berkeley  
 Berman  
 Bishop (GA)  
 Bishop (NY)  
 Blumenauer  
 Boswell  
 Bustany  
 Brady (PA)  
 Brady (TX)  
 Brooks  
 Jackson (IL)  
 Jackson Lee  
 Butterfield  
 Capps  
 Johnson (GA)  
 Johnson, E. B.  
 Jones  
 Jordan  
 Kaptur  
 Keating  
 Kildee  
 Kind  
 King (NY)  
 Kucinich  
 Lance  
 Landry  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Lee (CA)  
 Levin  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Loebsack  
 Lofgren, Zoe  
 Lowey  
 Lynch  
 Maloney  
 Markey  
 Matheson  
 Matsui  
 McCarthy (NY)  
 McCaul  
 McCollum  
 McGovern  
 Doyle  
 Edwards  
 Ellison  
 Engel  
 Eshoo  
 Farr  
 Fattah  
 Filner  
 Fitzpatrick  
 Fleming  
 Flores  
 Frank (MA)  
 Fudge  
 Garamendi  
 Gerlach  
 Gibbs  
 Gibson  
 Gohmert  
 Gonzalez

Green, Al  
 Green, Gene  
 Grimm  
 Gutierrez  
 Hahn  
 Hall  
 Hanabusa  
 Hanna  
 Harper  
 Hastings (FL)  
 Higgins  
 Himes  
 Hinojosa  
 Hirono  
 Hochul  
 Holden  
 Holt  
 Honda  
 Hoyer  
 Inslee  
 Israel  
 Jackson (IL)  
 Johnson (GA)  
 Johnson, E. B.  
 Jones  
 Jordan  
 Kaptur  
 Keating  
 Kildee  
 Kind  
 King (NY)  
 Kucinich  
 Lance  
 Landry  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Lee (CA)  
 Levin  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Loebsack  
 Lofgren, Zoe  
 Lowey  
 Lynch  
 Maloney  
 Markey  
 Matheson  
 Matsui  
 McCarthy (NY)  
 McCaul  
 McCollum  
 McGovern  
 McHenry  
 McIntyre  
 McNeerney  
 Meehan  
 Meeks  
 Mica  
 Michaud  
 Miller (NC)  
 Miller, George  
 Moore  
 Moran  
 Mulvaney  
 Murphy (CT)  
 Murphy (PA)  
 Nadler  
 Napolitano  
 Neal  
 Nugent  
 Nunnelee

Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt  
 Issa  
 Jenkins  
 Johnson (IL)  
 Johnson (OH)  
 Johnson, Sam  
 Kelly  
 Kingston  
 Kinzinger (IL)  
 Kissell  
 Klaine  
 Labrador  
 Lamborn  
 Lankford  
 Latham  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Ellmers  
 Emerson  
 Farenthold  
 Fincher  
 Flake  
 Fleischmann  
 Forbes  
 Fortenberry  
 Foy  
 Franks (AZ)  
 Frelinghuysen  
 Gallegly  
 Gardner  
 Garrett  
 Gingrey (GA)  
 Goodlatte  
 Gosar  
 Gowdy  
 Granger  
 Graves (GA)  
 Griffin (AR)  
 Griffith (VA)  
 Grijalva  
 Guinta  
 Guthrie  
 Harris  
 Hartzler  
 Hastings (WA)  
 Hayworth  
 Heck  
 Heinrich  
 Hensarling  
 Herger  
 Herrera Beutler

Quayle  
 Quigley  
 Rahall  
 Reed  
 Rehberg  
 Reichert  
 Reyes  
 Ribble  
 Rigell  
 Rivera  
 Roby  
 Kingston  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Ros-Lehtinen  
 Roskam  
 Royce  
 Runyan  
 Ryan (WI)  
 Schmidt  
 Schock  
 Schrader  
 Schweikert  
 Scott (SC)  
 Scott, Austin  
 Sessions  
 Simpson  
 Smith (NE)  
 Smith (TX)  
 Stearns  
 Stivers  
 Stutzman  
 Terry  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Turner  
 Upton  
 Walberg  
 Walden  
 Webster  
 Whitfield  
 Wilson (SC)  
 Wittman  
 Wolf  
 Womack  
 Woodall  
 Yoder  
 Young (AK)  
 Young (FL)  
 Young (IN)

NOT VOTING—19

Bachmann  
 Berg  
 Boren  
 Braley (IA)  
 Buchanan  
 Cohen  
 Costello

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 1850

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. RICHMOND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. RICHMOND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

NOES—192

Adams  
 Aderholt  
 Akin  
 Amash  
 Austria  
 Barletta  
 Bass (NH)  
 Benishek  
 Biggert

Bilbray  
 Bilirakis  
 Bishop (UT)  
 Black  
 Blackburn  
 Bonner  
 Bono Mack  
 Broun (GA)  
 Bucshon

NOT VOTING—19

Bachmann  
 Berg  
 Boren  
 Braley (IA)  
 Buchanan  
 Cohen  
 Costello

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 1856

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. HOCHUL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. HOCHUL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 141, noes 271, not voting 20, as follows:

[Roll No. 636]

AYES—141

Ackerman	Hanabusa	Peters
Andrews	Hastings (FL)	Pingree (ME)
Baldwin	Higgins	Polis
Bass (CA)	Hirono	Price (NC)
Becerra	Hochul	Quigley
Berkley	Holt	Rangel
Berman	Honda	Rothman (NJ)
Bishop (NY)	Hoyer	Roybal-Allard
Blumenauer	Inslee	Ruppersberger
Boswell	Israel	Rush
Brady (PA)	Jackson (IL)	Ryan (OH)
Brown (FL)	Johnson (GA)	Sánchez, Linda
Butterfield	Johnson, E. B.	T.
Capps	Kaptur	Sanchez, Loretta
Capuano	Keating	Sarbanes
Carnahan	Kildee	Schakowsky
Carney	Kind	Schiff
Castor (FL)	Kucinich	Schrader
Chu	Langevin	Schwartz
Cicilline	Larson (CT)	Scott (VA)
Clarke (MI)	Lee (CA)	Scott, David
Clarke (NY)	Levin	Serrano
Clay	Lewis (GA)	Sewell
Cleaver	Loeb sack	Sherman
Clyburn	Lofgren, Zoe	Sires
Connolly (VA)	Lowe y	Slaughter
Conyers	Lynch	Smith (WA)
Courtney	Maloney	Speier
Cummings	Markey	Stark
Davis (CA)	Matsui	Sutton
Davis (IL)	McCarthy (NY)	Thompson (CA)
DeLauro	McCollum	Tierney
Deutch	McGovern	Tonko
Dicks	McNerney	Towns
Doggett	Meeks	Tsongas
Doyle	Michaud	Van Hollen
Edwards	Miller (NC)	Velázquez
Ellison	Miller, George	Visclosky
Engel	Moore	Walz (MN)
Eshoo	Moran	Wasserman
Farr	Murphy (CT)	Schultz
Fattah	Nadler	Watt
Filner	Napolitano	Waxman
Frank (MA)	Neal	Welch
Fudge	Pallone	Wilson (FL)
Garamendi	Pascrell	Woolsey
Gutierrez	Payne	Yarmuth
Hahn	Pelosi	

NOES—271

Adams	Campbell	Duncan (TN)
Aderholt	Canseco	Ellmers
Akin	Cantor	Emerson
Alexander	Capito	Farenthold
Altmire	Cardoza	Fincher
Amash	Carson (IN)	Fitzpatrick
Austria	Carter	Flake
Baca	Cassidy	Fleischmann
Bachus	Chabot	Fleming
Barletta	Chaffetz	Flores
Barrow	Chandler	Forbes
Bartlett	Coble	Fortenberry
Barton (TX)	Coffman (CO)	Foxx
Bass (NH)	Cole	Franks (AZ)
Benishkek	Conaway	Frelinghuysen
Biggert	Cooper	Galle g y
Bilbray	Costa	Gardner
Bilirakis	Cravaack	Garrett
Bishop (GA)	Crawford	Gerlach
Bishop (UT)	Crenshaw	Gibbs
Black	Critz	Gibson
Blackburn	Cuellar	Gingrey (GA)
Bonner	Culberson	Gohmert
Bono Mack	Davis (KY)	Gonzalez
Boustany	DeGette	Goodlatte
Brady (TX)	Denham	Gosar
Brooks	Dent	Gowdy
Brown (GA)	DesJarlais	Granger
Bueshon	Diaz-Balart	Graves (GA)
Buerkle	Dold	Green, Al
Burgess	Donnelly (IN)	Green, Gene
Burton (IN)	Dreier	Griffin (AR)
Calvert	Duffy	Griffith (VA)
Camp	Duncan (SC)	Grijalva

Grimm	Marchant	Rogers (MI)
Guinta	Marino	Rohrabacher
Guthrie	Matheson	Rokita
Hall	McCarthy (CA)	Rooney
Hanna	McCaul	Ros-Lehtinen
Harper	McClintock	Roskam
Harris	McCotter	Ross (AR)
Hartzler	McHenry	Ross (FL)
Hastings (WA)	McIntyre	Royce
Hayworth	McKeon	Runyan
Heck	McKinley	Ryan (WI)
Heinrich	McMorris	Scalise
Hensarling	Rodgers	Schilling
Herger	Meehan	Schmidt
Herrera Beutler	Mica	Schock
Himes	Miller (FL)	Schweikert
Hinojosa	Miller (MI)	Scott (SC)
Holden	Miller, Gary	Scott, Austin
Huelskamp	Mulvaney	Sensenbrenner
Huizenga (MI)	Murphy (PA)	Sessions
Hultgren	Myrick	Shimkus
Hunter	Neugebauer	Shuster
Hurt	Noem	Simpson
Issa	Nugent	Smith (NE)
Jackson Lee	Nunes	Smith (NJ)
(TX)	Nunnelee	Smith (TX)
Jenkins	Olson	Southerland
Johnson (IL)	Owens	Stearns
Johnson (OH)	Palazzo	Stivers
Johnson, Sam	Pastor (AZ)	Stutzman
Jones	Paul	Sullivan
Jordan	Paulsen	Terry
Kelly	Pearce	Thompson (MS)
King (NY)	Pence	Thompson (PA)
Kingston	Perlmutter	Thornberry
Kinzinger (IL)	Peterson	Tiberi
Kissell	Petri	Tipton
Kline	Pitts	Turner
Labrador	Platts	Upton
Lamborn	Poe (TX)	Walberg
Lance	Pompeo	Walden
Landry	Posey	Walsh (IL)
Rankford	Price (GA)	Webster
Larsen (WA)	Quayle	West
Latham	Rahall	Westmoreland
LaTourette	Reed	Whitfield
Latta	Rehberg	Wilson (SC)
Lewis (CA)	Reichert	Wittman
Lipinski	Renacci	Wolf
LoBiondo	Reyes	Womack
Long	Ribble	Woodall
Lucas	Richmond	Wu
Luetkemeyer	Rigell	Yoder
Lujan	Rivera	Young (AK)
Lummis	Roby	Young (FL)
Lungren, Daniel	Roe (TN)	Young (IN)
E.	Rogers (AL)	
Manzullo	Rogers (KY)	

NOT VOTING—20

Bachmann	Crowley	Mack
Berg	DeFazio	McDermott
Boren	Dingell	Olver
Braley (IA)	Giffords	Richardson
Buchanan	Graves (MO)	Shuler
Cohen	Hinche y	Waters
Costello	King (IA)	

□ 1903

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. SIMPSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. NUGENT) having assumed the chair, Mr. CHAFFETZ, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1938, NORTH AMERICAN-MADE ENERGY SECURITY ACT

Mr. WEBSTER, from the Committee on Rules, submitted a privileged report (Rept. No. 112–181) on the resolution (H. Res. 370) providing for consideration of the bill (H.R. 1938) to direct the President to expedite the consideration and approval of the construction and operation of the Keystone XL oil pipeline, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

FBI DIRECTOR EXTENSION ACT, 2011

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1103) to extend the term of the incumbent Director of the Federal Bureau of Investigation.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1103

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. FINDINGS.

Congress finds that—

(1) on May 12, 2011, the President requested that Congress extend the term of Robert S. Mueller III as Director of the Federal Bureau of Investigation by 2 years, citing the critical need for continuity and stability at the Federal Bureau of Investigation in the face of ongoing threats to the United States and leadership transitions at the Federal agencies charged with protecting national security;

(2) in light of the May 1, 2011, successful operation against Osama bin Laden, the continuing threat to national security, and the approaching 10th anniversary of the attacks of September 11, 2001, the President's request for a limited, 1-time exception to the term limit of the Director of the Federal Bureau of Investigation, in these exceptional circumstances, is appropriate; and

(3) this Act is intended to provide a 1-time exception to the 10-year statutory limit on the term of the Director of the Federal Bureau of Investigation in light of the President's request and existing exceptional circumstances, and is not intended to create a precedent.

SEC. 2. CREATION OF NEW TERM OF SERVICE FOR THE OFFICE OF DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

Section 1101 of the Omnibus Crime Control and Safe Streets Act of 1968 (28 U.S.C. 532

note) is amended by adding at the end the following:

“(c)(1) Effective on the date of enactment of this subsection, a new term of service for the office of Director of the Federal Bureau of Investigation shall be created, which shall begin on or after August 3, 2011, and continue until September 4, 2013. Notwithstanding the second sentence of subsection (b) of this section, the incumbent Director of the Federal Bureau of Investigation on the date of enactment of this subsection shall be eligible to be appointed to the new term of service provided for by this subsection, by and with the advice and consent of the Senate, and only for that new term of service. Nothing in this subsection shall prevent the President, by and with the advice of the Senate, from appointing an individual, other than the incumbent Director of the Federal Bureau of Investigation, to a 10-year term of service subject to the provisions of subsection (b) after the date of enactment of this subsection.

“(2) The individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection may not serve as Director after September 4, 2013.

“(3) With regard to the individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection, the second sentence of subsection (b) shall not apply.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1103, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Speaker, this September 11 marks the 10-year anniversary of the worst terrorist attack in U.S. history. America is fortunate not to have suffered another attack of such magnitude and devastation in the past decade. America has remained safe but not because those who are determined to deny us our freedoms and destroy our way of life have given up. We are safe because of the men and women who serve our country with devotion and distinction—those who serve in our Armed Forces, our intelligence community, and our law enforcement agencies.

These public servants and their families make tremendous sacrifices to keep us safe and to keep terrorists on the run. Their work is often unrecognized and underappreciated. In addition to ensuring that terrorists are denied victory, some of our public servants

also protect us from crime and ensure that justice is served.

The agency that is charged with this unique duty is the Federal Bureau of Investigation. The FBI director is limited to a 10-year nonrenewable term. Congress imposed this restriction to ensure political independence and to act as a restraint on unbridled power and the potential for misuse of that power.

In just a few weeks, the current FBI director, Robert S. Mueller, III, will conclude his 10-year term. The President has asked for a one-time 2-year extension for Mr. Mueller to ensure continuity in America's national security team. The killing of Osama bin Laden and personnel changes in key national security posts make these unusual times that justify a short-term extension.

Director Mueller has shown himself a dedicated public servant who has kept terrorists at bay and reduced crime.

Mr. Mueller assumed leadership of the FBI on September 4, 2001, just 1 week prior to the attacks of September 11, 2001. During his tenure, he has reformed the FBI to ensure that it is able to address not only terrorist threats, but also threats posed by traditional criminals. This request for an extension was made not by Mr. Mueller but by the President of the United States.

Mr. Mueller has agreed to accept this extension if it is approved by Congress. It's not every day that the House, the Senate, and the White House can agree, but this is something we all can agree is essential.

This bill creates a new, one time only 2-year term of service for the director of the Federal Bureau of Investigation. Mr. Mueller will be eligible to be appointed to this new term of service with the advice and consent of the Senate. The Senate will hold a confirmation vote after the President signs this bill.

This new term would expire on September 4, 2013, after which, Mr. Mueller would no longer serve as director. This bill does not prevent the President from appointing a different individual to a new tenured term by and with the advice and consent of the Senate.

If the President wants to continue the services of the incumbent, this bill allows that to happen for a limited time and in a constitutional manner. I urge my colleagues to support this bill to continue the service of FBI Director Robert S. Mueller, III, for an additional 2 years.

Mr. Speaker, I reserve the balance of my time.

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

□ 1910

I am pleased to join with the chairman of the committee in support of the Senate bill that would allow for the extension of the term of FBI Director

Robert Mueller whose 10-year term expires on August 2.

On May 12 of this year, President Obama announced his desire to extend that term by 2 years. At the time, the President said, “In his 10 years at the FBI, Bob Mueller has set the gold standard for leading the bureau. Given the ongoing threats facing the United States, as well as the leadership transitions at other agencies like the Defense Department and Central Intelligence Agency, I believe continuity and stability at the FBI is critical at this time.”

I agree with the President's remarks, and I am confident that Director Mueller will continue to work with integrity and respect for Americans' rights as he ensures the safety of the American people. The Nation needs, now as much as at any time in our history, an FBI that is capable of a multifaceted mission to best protect us from a variety of criminal threats, which has been proven under Mueller's leadership. I congratulate him on his noteworthy 10-year term and look forward to continuing to work with him and with the Committee on the Judiciary.

The job of the Federal Bureau of Investigation is critical, and that agency must have experienced and capable leadership. There are many threats which the FBI must concentrate its limited resources on, ranging from interstate violent crime, organized crime, human trafficking, exploitation of children, corporate fraud, mortgage fraud, cybercrime, and domestic terrorism.

As time advances, so do the demands we place on the FBI and its agents across the country. We appreciate the difficulty the Director must face when determining how to allocate resources. As these demands grow and the nature of the threats evolve, I hope the FBI will maintain an appropriate degree of focus on the types of crime that impact average Americans every day, whether it be fraud against seniors, corporate officers defrauding investors, civil rights violations by those who abuse power, theft of individual identities, or electronic intrusions into people's privacy.

Director Mueller is the right person to continue to lead the Federal Bureau of Investigation in confronting these challenges at this time. He has proven himself to be honest, frank, and committed to the rule of law.

While this extension is unusual, it is important that we grant it so that we have continuity in the leadership of the FBI at this critical time. I urge support of this important measure.

I yield 2 minutes to our distinguished Member from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. As a member of the Homeland Security Committee, I want to join my colleagues on the Judiciary Committee, on which I also serve, to note the

uniqueness of our times. There's a point that I think is very important about the continuity of existing FBI Director Mueller; and that is that we live not only in dangerous times, but we also live in times where resources are being strained. Questions are being raised about the resources necessary for law enforcement; and certainly a leader who understands the broad needs of the American public and the collaborative needs, collaborating with other law enforcement because of past experiences, is very important.

Mr. Mueller, in his 10 years, has had collaborative efforts with all of the Federal law enforcement agencies and has opened up a dialogue between local and State law enforcement agencies. Just ask New York to tell you how important that is; ask Texas or a number of our other large States with assets that are in the eye of the storm of potential terrorist acts.

So I join with my colleagues and acknowledge the leadership of the President for asking the FBI Director to stay for 2 extra years and that this does not undermine the 10-year term that is by law. I ask colleagues to support this legislation.

Mr. Speaker, I rise today in support of S. 1103, a bill to extend the term of the incumbent Director of the Federal Bureau of Investigation (FBI). Director Robert Mueller has shown extraordinary leadership, and made fundamental changes to the FBI for the better protection of the American people.

Director Mueller has a long and distinguished history of public service. After completing college, he joined the United States Marine Corps, and is a decorated Vietnam veteran. Director Mueller served as the Chief of the Criminal Division in the U.S. Attorney's office in San Francisco, and prosecuted cases of financial fraud, corruption and terrorism as the Assistant U.S. Attorney in Boston, before being named U.S. Attorney in San Francisco.

President Bush nominated Mr. Mueller as the sixth FBI Director on September 4, 2001, just one week prior to the attacks of September 11. Director Mueller has since led the Bureau in modernizing its approach to law enforcement, and developed an intelligence driven organization with a focus on prevention. By centralizing intelligence management, and coordinating intelligence and counterterrorism efforts, Director Mueller has improved the effectiveness of his agency.

Over the last ten years, Director Mueller has overseen the transformation of the FBI, from a reactive investigatory agency, to a far more proactive bureau that uses intelligence to seek out threats before they materialize. His visionary leadership has increased collaboration between the FBI and other intelligence gathering agencies, including foreign partners, established partnerships between the bureau, businesses, private industry stakeholders, and the general public, and greatly increased communication between FBI field offices and state and local law enforcement bodies.

During his tenure leading the agency, Director Mueller has increased resources to combat the threat of terrorism, without neglecting its

other duties. Just last week, the FBI arrested 16 individuals for engaging in cyber attacks. Last Thursday, the FBI, along with the Drug Enforcement Agency, and other Federal law enforcement bodies, arrested over 70 individuals connected with La Familia Michoacana, one of the most violent drug trafficking organizations in Mexico. Additionally, in the past week, FBI efforts led to indictments on charges of drug trafficking, international kidnapping and coercion, and human trafficking.

Under Director Mueller's leadership, the FBI has made unprecedented improvements to face the challenges of hatred and global terrorism; the agency has thwarted a plot to detonate a bomb in the Sears Tower, arrested individuals engaged in a massive recruiting effort to attract young people to jihadist groups, and stopped an attack on Fort Dix. Director Mueller and his agency have achieved these, and a litany of other accomplishments, without asking for applause or recognition.

The FBI is America's primary federal agency responsible for investigating and preventing acts of terrorism. Now, more than ever, when we are faced with aggression from an enemy intent on destroying our way of life, the leader of the FBI must be able to meet the challenges ahead. The future of our nation is not entirely of our choosing; we are faced with an assault on our principles and freedoms we did not seek to galvanize, and a confrontation with intolerance and evil we did not expect. With strategic and forward looking leaders like Director Mueller, we will overcome these challenges.

As a senior Member of the Committee on Homeland Security, I agree with the President's recommendation that extending Director Mueller's term for two additional years will greatly benefit our national security. I am pleased at the bipartisan support that this legislation has received.

Mr. CONYERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I have no requests for time, and I yield back the balance of my time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, S. 1103.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### RESTORING GI BILL FAIRNESS ACT OF 2011

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 1383) to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Vet-

erans Educational Assistance Improvements Act of 2010, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

On page 3, strike lines 10 and 11 and insert the following:

Code, who, since January 4, 2011, has been enrolled in the same non-public institution of higher learning in a State in

Beginning on page 4, strike line 12 and all that follows through page 5, line 3, and insert the following:

(a) EXTENSION.—Section 3729(b)(2)(B) of title 38, United States Code, is amended—

(1) in clause (i)—

(A) by striking “January 1, 2004” and inserting “October 1, 2011”; and

(B) by striking “3.00” both places it appears and inserting “3.30”;

(2) in clause (ii)—

(A) by striking “January 1, 2004, and before October 1, 2011” and inserting “October 1, 2011, and before October 1, 2012”; and

(B) by striking “3.30” both places it appears and inserting “2.80”; and

(3) in clause (iii), by striking “October 1, 2011” and inserting “October 1, 2012”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of October 1, 2011, or the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from California (Mr. FILNER) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of the Senate amendments to H.R. 1383, as amended, the Restoring GI Bill Fairness Act of 2011. The bill would temporarily restore the Post-9/11 GI Bill program's original method of paying tuition and fees to veterans attending private schools in several States.

When the original Post-9/11 GI Bill was enacted, veterans were promised that the VA would pay 100 percent of tuition and fees up to a State's most expensive in-state undergraduate tuition and fee charges at a public institution of higher learning. The State-based cap applied to veterans who chose both public and private schools. What this meant to some veterans attending schools in certain States was tuition and fee payments could be well in excess of \$20,000 annually. Veterans applied and enrolled in these schools based on that original promise.

However, in an effort to “fix” some elements of the original GI Bill, Congress left those veterans in a bind. The Post-9/11 Veterans Educational Assistance Improvements Act of 2010, which was enacted on January 4, 2011, made several changes. And one of those changes included a national cap of \$17,500 on tuition and fee payments for veterans attending private schools, a change that will go into effect 1 week



from today. For veterans that were enrolled in certain private schools in several States, including New York, Texas, Arizona, Michigan, New Hampshire, Pennsylvania, and South Carolina, this change has real consequences. They will see their tuition and fee payments reduced by thousands of dollars. And, Mr. Speaker, I just don't think that's fair.

We shouldn't change the rules on these veterans when they had already decided to attend the school of their choice and made financial decisions based on those rules. On May 23, the House unanimously voted to keep the original promise made to these veterans in H.R. 1383. The Senate has now acted on that bill, and we're ready to finish the job and send the bill to the President before these cuts can take place.

□ 1920

Similar to the original House measure, the Senate amendment would temporarily restore the cap on tuition and fees to the State-based method effective on August 1, 2011. This increase would apply only to veterans who were enrolled in nonpublic institutions of higher learning in the seven States that I mentioned previously before the 4th of January of 2011—in other words, they had to have already been enrolled on the 4th of January of this year—a change from the House-passed version which was actually April 1 of 2011. Veterans who initially enrolled after January 4, 2011, would be subject to the new cap.

Mr. Speaker, it has come to our attention that some veterans are concerned about the January 4 eligibility date. We have talked with VA. They have assured us that any veteran who has applied and was accepted to a school on or before the 4th of January of 2011 will be covered under this particular bill we are considering on the floor today. Veterans who applied or were accepted after that date will be grandfathered under H.R. 1383.

I believe VA's interpretation of the bill accurately reflects the House's intent. I would note that this bill, as amended, passed the Senate unanimously, and, of course, it passed this body unanimously as well.

I reserve the balance of my time and would encourage a positive vote by all my colleagues.

Mr. FILNER. I yield myself such time as I may consume.

Mr. Speaker, I also rise in support of H.R. 1383, as amended. I thank Chairman MILLER for the work he has done on the bill to make sure it was palatable in both the House and the Senate.

Let me just say, though, for the record, the GI Bill updates which we passed last Congress were passed with the full support of virtually every veterans service organization in the Nation, the majority of which submitted

letters of support and strongly advocated for the bill, which included this tuition cap which we have been talking about. Everyone was well aware of the effect of the tuition cap, so I was sort of surprised when these same folks started talking about what they called "unintended consequences." I think everybody knew the consequences.

I know that many of our veterans made plans about their education based on the laws in effect before they started. And while most States ended up getting an increase with the new national average, a few States also saw a decrease. It is in these States that H.R. 1383, as amended, seeks to hold harmless our veterans from the so-called "unintended consequences" of the tuition cap.

Our veterans have indeed, as Chairman MILLER pointed out, earned their education benefits, and I firmly believe that we should seek to avoid any actions that may interfere with the use of their benefits. I am pleased that we are here today taking action to alleviate this potential burden on a small population of these student veterans. The start of the new school year, of course, is right around the corner, so I hope that with our quick action today we will have this issue solved in time for the new academic year.

We have made quite a few changes to improve the so-called Post-9/11 GI Bill, and more changes are still being contemplated. As a veterans' committee and as a Congress, we must continue to work hard to ensure future changes do not delay or diminish benefits. Veterans are our priority, and we will protect their interests.

I have no further requests for time, Mr. Speaker, and I yield back the balance of my time.

#### GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the Senate amendments to H.R. 1383.

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

There was no objection.

Mr. MILLER of Florida. I have no further requests for time.

Once again, I encourage all Members to support my motion to concur in the Senate amendments.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 1383.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MILLER of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### BLOCKING PROPERTY OF TRANSNATIONAL CRIMINAL ORGANIZATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-46)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order (the "order") declaring a national emergency with respect to the unusual and extraordinary threat that significant transnational criminal organizations pose to the national security, foreign policy, and economy of the United States.

Organized crime is no longer a local or regional problem; it has become a danger to international stability. Significant transnational criminal organizations have become increasingly sophisticated and dangerous to the United States, and their activities have reached such scope and gravity that they destabilize the international system. These groups have taken advantage of globalization and other factors to diversify their geographic scope and range of activities. They have increased and deepened their ties to governments and the international financial system, relying not only on bribery and violence, but also more and more on the ability to exploit differences among countries and to create and maintain legal facades to hide illicit activities.

The specific harms that significant transnational criminal organizations threaten today are many. They corrupt—and in some cases co-opt—governments, thereby destabilizing them and weakening democratic institutions and the rule of law. They threaten U.S. economic interests by subverting, exploiting, and distorting legitimate markets, and could gain influence in strategic sectors of the world economy.

Significant transnational criminal organizations that engage in cybercrime threaten sensitive public and private computer networks, undermine the integrity of the international financial system, and impose costs on the American consumer. Those that engage in the theft of intellectual property not only erode U.S. competitiveness, but also endanger the public health and safety through the distribution of tainted and counterfeit goods.

Many of them also engage in drug trafficking.

Finally, significant transnational criminal organizations increasingly support the activities of other dangerous persons. Some of these organizations are involved in arms smuggling, which can facilitate and aggravate violent civil conflicts. Others are involved in human smuggling, exacerbating the problem of forced labor. There is also evidence of growing ties between significant transnational criminal organizations and terrorists.

The Executive Order I have issued today is one part of a comprehensive strategy to address the growing threat of transnational organized crime. The order targets significant transnational criminal organizations and the networks that support them, striking at the core of those networks—their ability and need to move money. It does this by blocking the property and interests in property of four transnational criminal organizations, listed in the Annex to the order, that currently pose significant threats to U.S. domestic and foreign economic interests, as well as to U.S. promotion of transparency and stability in the international political and financial systems. The order provides criteria for the further blocking of persons determined by the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State:

to be a foreign person that constitutes a significant transnational criminal organization;

to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any person whose property and interests in property are blocked pursuant to the order; or

to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Attorney General and the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order.

The order is effective at 12:01 a.m. eastern daylight time on July 25, 2011. All executive agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA,  
THE WHITE HOUSE, July 24, 2011.

#### RECOGNIZING BARRY WONENBERG

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

Mr. SABLAN. Mr. Speaker, 50 years ago, President Kennedy observed that “the life of the arts, far from being an interruption, a distraction, in the life of a nation, is very close to the center of the nation’s purpose—and is a test of the quality of a nation’s civilization.”

I ask you to join me today in recognizing Barry Wonenberg, an artist in the Northern Mariana Islands, who very much embodies the ideal of which the President spoke, and who, through his avocations as both artist and educator, has, for more than 20 years, broadened our community’s appreciation of art, creativity, and culture—and encouraged others to explore, and achieve in, artistic endeavors as well.

Today, Barry is representing the United States at the 12th International Sculpture Symposium in Changchun, China. Artists from 96 different countries are creating sculptures there which will be added to some 500 sculptures already exhibited in that city from previous symposia. We all watch the progress on the massive clay sculpture Barry is creating, wish him well, and thank him for representing the Northern Marianas and America with such distinction.

Fifty years ago, President Kennedy observed that “the life of the arts, far from being an interruption, a distraction, in the life of a nation, is very close to the center of a nation’s purpose—and is a test of the quality of a nation’s civilization.” I ask you to join me today in recognizing Barry Wonenberg, an artist in the Northern Mariana Islands who very much embodies the ideal of which the president spoke, and who, through his avocations as both artist and educator has, for more than 20 years, broadened our community’s appreciation of art, creativity, and culture—and encouraged others to explore, and achieve in, artistic endeavors as well.

Barry came to the Commonwealth in 1989 under an artist-in-residence contract and he initially aided in the design of lesson plans and textbooks for the local public school system, including the first-ever Northern Marianas History textbook. Not long thereafter, Barry accepted a teaching position at Northern Marianas College, where he developed a ceramics program and has assisted in the development of other arts-related curricula.

Barry’s true passion as an artist, and the area in which he has inspired most students, though, remains sculpture and pottery—which he has been crafting for 35 years. As in most cultures around the world, these arts represent a tangible link to our local historical past. The mediums also inspire exploration, consideration, and interpretation of the natural beauty that abounds in our contemporary island environment.

Barry’s passion for pottery has led to local and international distinction. In 2003, Barry was a recipient of the Governor’s Humanities Award in the CNMI. He was celebrated for

bringing local cultural elements of design into the vision of the contemporary artist, which has aided the preservation of a primary indigenous cultural art.

In 2008, Barry was one of 31 sculptors worldwide invited to participate in the International Sculpture Symposium in Changchun, China. His ten-foot-high bronze and stainless steel sculpture has a permanent place in the Changchun World Sculpture Park, which is home to hundreds of sculptures from artists around the world. In 2010 he was again chosen to represent the Northern Mariana Islands at the Symposium. Out of 1,060 submissions from around the world, 29 artists were selected to attend the Symposium. Of those 29 artists, four were chosen to create two works of art each. Barry was one of those four.

Barry’s artistic talents have also benefited our island community in some very real and significant ways. For example, he joined with others to transform a underutilized area of our local hospital into a calming therapeutic garden for psychiatric patients. He also served as an advisor to a group that worked to apply for, and receive, funding through NOAA’s Prescott Grant Program to engage in a regional study of marine mammal stranding, which will include the development of an interpretive display of the skeletons of marine mammals recovered from the waters around our islands. In aid of local charitable fundraising efforts, Barry also regularly contributes his work for auction or raffle by social service organizations in the Commonwealth.

Today, as a nation, we face challenges to the arts—for both financial and ideological reasons. I hope that we all consider the nexus between the arts and our civilization, globally and locally, as we debate the issues. And I also hope that you will join me in paying tribute to Barry Wonenberg—who has spent much of his life, to the benefit of the Northern Mariana Islands, practicing what President Kennedy preached.

#### TRIBUTE TO TERRY R. GORSUCH

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

Mr. TIPTON. Mr. Speaker, I rise today to pay tribute to an American hero. Not a hero in our typical sense of the word but in a context of heroism that we have seen replicated across the face of this great Nation. Today, Mr. Speaker, I pay tribute to Terry R. Gorsuch.

He was a man who embodied the characteristics that we rightly honor in our country. He worked hard, overcame adversity, and in business he innovated. He risked all and, by the grace of God and through perseverance, was rewarded with his successful company, Triad Western Constructors.

The story could stop there, but he believed his greatest accomplishment and blessing in life was his family—married to his loving wife, Rita, for 45 years, raising their two children, Traci and Terry D., and then seeing their children grow to adulthood, marry, and

blessed the family with two grandchildren, Gracine and Jaydine.

Terry R. Gorsuch lived the American Dream. He worked hard, played by the rules, loved his family, and always extended a helping hand to others. He could not win his final battle as he succumbed to Lou Gehrig's disease, but his admirable moral fiber held firm even as the final sands of his time slipped from beneath his feet.

We don't often reflect on the heroes who make this country work and help make this country what it is, but today, Mr. Speaker, I am proud to honor an American hero, Terry R. Gorsuch.

□ 1930

#### CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CHRISTENSEN. Mr. Speaker, this evening the Congressional Black Caucus is pleased that our Democratic leadership has given us the opportunity to once again come to the floor for the first Democratic hour this evening.

I want to just talk a little bit about some of the people who came and visited me in my office in my district this morning. I had a visit from AARP leadership and some of their advocates and volunteers this morning in my St. Croix office. They came to bring this petition to the office, signed by hundreds of people just on one of my islands. And it says:

"Dear Members of Congress,

"Seniors and future retirees earned their benefits after a lifetime of hard work and paying into the system. Yet some Members of Congress from both parties are considering harmful cuts to Medicare and Social Security"—I know nobody in the Congressional Black Caucus is considering those kinds of cuts—"as a part of a deal to pay the Nation's bills. A deal like that could dramatically increase health care costs for seniors and future retirees, threaten their access to doctors, hospitals and nursing homes, and reduce benefit checks they rely on to pay the bills.

"Instead of cutting the benefits of seniors and future retirees, Congress should be reducing wasteful spending and closing tax loopholes. Instead of shifting more health care costs to seniors, Congress should be working to hold down health care costs for everyone," as the Democrats worked very hard to do last year when we passed the Patient Protection and Affordable Care Act.

So these undersigned are calling on us to oppose any deal that would make harmful cuts to the Medicare and Social Security benefits Americans have

been working on for all these years. And this is just the beginning, Mr. Speaker and colleagues. There will be more of these petitions to come.

Some of the participants that came to my office this morning are: Aloma Peters, Lucie Rodriguez, Elizabeth Torruela, Nicolas Encarnacion, Luz D. Sierra, Theodora Moorehead, Ann Thomas, Ellarine Batiste, Joan Sackey, Miguel Ramos, Ramomta Cagnes, Doris Brown, Paul Simmonds, Denyce Singleton, Genny Dargan, and Lumoz Ayala, but representing the hundreds of people that sent this petition to the Congress of the United States.

In my district, and they talked about this this morning, we have one of the highest utility bills in our country, and they're just trying to figure out what they would do if their Social Security checks were not coming to them next month.

But a default is not just catastrophic for individuals on Social Security. It would be catastrophic for everyone. It's catastrophic for our Nation and our economy. The poor, of course, would lose their safety net and the ability to pull themselves out of poverty, the help that they need.

And the middle class will also pay a price. It would be so catastrophic that mortgage payments would increase by over \$1,000 for the average family. Credit card interest would increase by \$250 for the average family. Families could pay an additional \$182 per year on utilities. I'm sure our utilities in the Virgin Islands would be much higher than that. And families could pay an additional \$318 per year on food. They could lose thousands of dollars in their retirement savings.

We are so proud and honored to have a leader like Leader NANCY PELOSI, who has represented us in all of the discussions at the White House, and has stood strong for Democratic priorities and kept the voices of House Democrats and the interests of the American people on the table.

We have heard of two different proposals that are coming forth this evening. It's interesting that Speaker BOEHNER has brought forth a proposal with, still, no tax hikes. We were never talking about tax hikes, Mr. Speaker. We were talking about letting the temporary Bush tax cuts for the wealthiest Americans expire, as they were always intended to expire.

His proposal speaks about entitlement reforms and savings. I just read the letter from the AARP, the petition, at least in part, which calls on us to save Social Security, Medicare, and Medicaid. Yet the Republican proposal would include entitlement reforms and savings.

And again, here comes the balanced budget amendment, a budget amendment that would be required before the end of the year. And then a short-term

lifting of the debt ceiling, something that will not bring the stability to our economy and that would still put our credit in the world at risk.

He says it's a two-step approach to hold President Obama accountable. Is that what this is all about? Or is it that we're trying to restore the good faith and credit of this Nation?

Their two-step approach to hold President Obama accountable, I don't think he needs to be held accountable. He's been a good President, and he doesn't need us to help him be accountable.

They have cuts. They want cuts that exceed the debt hike, the hike in the debt ceiling. I think that's a new one. I thought that originally we talked about having a balance between the lifting of the debt ceiling and the cuts.

Caps to control future spending. Well, we know what that would mean. All the programs that our communities, the communities that we represent, would lose funding for programs that they need. Again, here comes the balanced budget amendment and entitlement reforms and, of course, no tax hikes.

Now, I've been joined by several of my colleagues, and I'd like them to join in this Special Order if they are ready at this point in time. And I'm always pleased to be joined on these Monday evenings by the gentlelady from Houston, Texas, Congresswoman SHEILA JACKSON LEE, and we're glad to yield to her such time as she might consume.

Ms. JACKSON LEE of Texas. I thank the gentlelady from the Virgin Islands. And let me thank you for persisting in discussing these issues with our colleagues. You have been determined, and your leadership has caused us to have this, I think, very thoughtful discussion more often than not.

I'm also pleased to be joined by my friend and colleague from Virginia, who has developed tenure on these issues dealing with the budget and has always been helpful, Mr. SCOTT, on really sort of getting us through the weeds.

And in an hour or two, or approximately an hour and a half maybe, the President will speak to the Nation. And I believe that this President truly appreciates democracy and, frankly, has no problem with coming to the American people in a straightforward and honest manner.

□ 1940

But it really is important I think to educate ourselves, to educate our colleagues, because with all the chatter, it seems as if they've lost their way.

Soon after the President speaks tonight—I believe around 9 o'clock—Mr. BOEHNER will come forward. But if our Republican friends come forward, are they coming forward with facts? Will they educate the American people to

inform them that the debt ceiling has been raised 100 times before? Will they educate the American people that probably for the first time in 2011 they have actually put “debt ceiling” in your vocabulary. Now it’s going to be highlighted in Webster’s dictionary. Most Americans did not know that terminology, but I think those of us who remember our history and those who studied the Constitution—even those of us who are lawyers remember the importance of studying the Constitution, and will always remember the words the “full faith and credit of the United States.” Even in difficult days that keeps the country going. Why? Because the world buys America’s Treasury notes. They buy it willingly and openly and excitedly, which means that our dollar is strong and that people are happily holding on to the Treasury note, again, because they believe that America will never default on her debt.

Now if you wanted to get more detailed, I’d refer you to the 14th Amendment, section 4. There’s a lot of chatter about what it means, but the clear language says that the public debt shall not be questioned. Of course it lists wars and other issues that occurred in the historical perspective of that amendment, but scholars have not formed opposition to the thought—hardcore opposition—that it also lives today and really means that we must recognize the public debt and pay our bills. So full faith and credit and a constitutional premise for doing what we should do.

So why don’t we just move forward so that on August 2, or even before that, we will not have to face our seniors looking for their Social Security check, or maybe even visit a nursing home, as I have done over the last 2 weeks and before, and see seniors who are able to pay their way, but others who are on Medicaid. So I don’t think that we should suggest that this is a drama and a dramatization to say that some seniors will be put out on the curb because they depend upon Medicaid. Even those who worked but had jobs that did not allow them to have a 401(k) or long-term care, they depend upon Medicaid.

And as we look at the plan that we will hear tonight, it’s been put on the Web site by Speaker BOEHNER, there is a great deal of fear that Social Security—or apprehension might be the word that we want to use—that really the Medicare, Medicaid, and Social Security safety net are in the eye of the storm. And so when you look at no tax hikes—which we have heard a number of people raise their voices on that, and I think it should be noted that the Obama administration and this Democratic leadership in the last Congress gave tax cuts over and over again, and particularly gave tax cuts to the working and middle class. The stimulus package, the American Recovery and

Reinvestment Act, gave tax cuts. But how do you truly say to the American people that we’re trying to do what you do, which is to tighten your belts, that is, looking realistically at the right kinds of cuts—and most economists will tell you that the cuts should be long range. They tell you it makes no sense to talk about cuts overnight. In fact, it’s unrealistic. The family sits at the kitchen table trying to balance their books. It is almost impossible for them, in the next 24 hours, to have a total change. They have to, over a measured period of time—maybe someone gets another job, maybe someone finds an increased amount of wages, and then they, over time, cut their budget and begin to pay bills. America has to pay its bills right now. But over the timeframe, we need to look for ways to raise revenue.

So let me just share with you: A friend of ours, a colleague, Congressman BISHOP has shared this very potent poster that is very easy to understand. We need to allow those tax cuts for a small percentage of the American public—and this is not a class warfare situation. I believe it is important for people to enjoy their wealth, to create wealth, to create jobs, but this is what we call equal sacrifice, accepting the burden of being an American, rising to the cause when you’re called upon to serve. No one can compare to the men and women right now as we stand here that are on the front lines of Iraq and Afghanistan. No one can compare to families who are welcoming flag-draped coffins home right now because their soldiers died on the battlefield. We can’t compare to that. But right now America needs all of us, and she needs us to stand up and be counted.

And so there are wealthy persons like Warren Buffett and Bill Gates who for a long period of time indicated that these tax cuts need to expire. Here is the revenue right here. There are 30,000 households that report incomes of more than \$1 million. One day of the Bush tax cuts for millionaires expiring gives us \$120 million. That may provide the resources for our national parks and wildlife. It may as well shore up hospitals that really depend upon Medicare reimbursement. It might help in a military family’s pay increase. Then of course if you take one week of allowing those tax cuts to expire, here is revenue to the Federal Government—here you get \$857 million. That is one week. Just a reminder, in terms of moneys that were spent, we created 3 million jobs—and I’ll get to that. I think I’m going to hold that point because I want you to see the difference—\$857 million comes in for one week. That’s Pell grants for our students; that’s allowing research at the NIH for cancer, cures for cancer and as well for heart disease, stroke, neurological disease; payments for those suffering from mental health needs.

And then if you just go 1 month of the expiration of the Bush cuts, you have \$3.43 billion. Now in the Recovery and Reinvestment, the President, because of the crisis he faced—which was none of the Clinton surplus was left; it was all gone because of two unpaid wars—he had to come in and save us. So about \$800 billion in the Recovery Act put 3 million jobs on the table. It created 3 million jobs. Just imagine what would happen if those tax cuts expired. We would have \$3.43 billion, and we would have the opportunity to multiply that, which I think goes in about six times—math on the floor of the House—a little less than that, four times. It would create 4 times 3 million: 12 million jobs—real quick math here.

So the question is, and let me reverse that math because I see BOBBY SCOTT looking up. I thought it was 343; it’s only 3. So I won’t do any math on the floor of the House, but I will say that it will create jobs. Because we had \$800 billion—I was reading that as \$343 billion. So it was \$3.43, and then if we do 1 year of Bush cuts, it will be \$41 billion. And so we can take a portion of the \$800 billion and we can see the jobs that will be created by \$3 billion and \$41 billion.

What I will say to you, my friends, is that the announcement that is going to be made by the Speaker doesn’t give us that flexibility. It truly undermines the safety network of Medicare, Medicaid, and Social Security, but it also puts in some elements that clearly undermine the running of this country.

A balanced budget amendment is not realistic for the United States because the Federal Government takes care of 50 States, not just one. And our friends will tell us that these States have balanced budgets. It’s okay when you’re taking care of one household, but if you’re taking care of 300 million households plus, when that particular State that needs the Federal Government—like Missouri during the horrible tornados, or Alabama, or the floods, or any other manmade or natural disaster—they want us to be able to help them. A balanced budget amendment would not allow that.

□ 1950

And then the caps to control spending do not allow the discretion to be able to make priorities when priorities are necessary.

The last point I want to make about what our Speaker will be announcing tonight to calm the markets is that this is going to be a bifurcated process. Let me say to my colleagues, if you are having fun now, just think about 4 months from now or 6 months. We will have to go through this again. Another debate about the debt ceiling. And I remind you, we have raised it 100 times before. Most Americans have never heard of it because we worked with the

Presidents, like President Reagan who in 1983 wrote his own Republican Senate majority leader, Senator Baker, and said you cannot not pass the debt ceiling. It is incalculable to think of America defaulting on her bills.

So here we go with a proposal that would cause us to have to vote twice in a 6-month period. What does that mean? It means that a young couple trying to buy a house sees a surge in their interest rate. It means if you have a credit card, it may be defunct only because you cannot afford to pay the surging interest rate. Fees for you to buy a house might skyrocket. Housing costs might go up. Houses might stop being built.

So I would simply ask my colleagues today: let's be Americans. Let's look at what we can do together. Just allow these tax cuts to expire and allow us to be able to calculate this amount of money. And, again, \$3.43 billion and \$41 billion makes a difference in the lives of Americans.

So I thank the gentlelady from the Virgin Islands for allowing me to share some thoughts and to hopefully dispel some myths, and also some fears. It is \$14.3 trillion. It is a big number, but economists will tell you that America is not broke. It's not broken, either. It is at a stage when we need to come together to raise this debt ceiling and go back into regular order.

Whether I agree or disagree with what the House Republicans bring forward in the appropriation process, we can hassle that out on the floor of the House. But we will allow America to pay her bills. And soldiers on the battlefield will not fear that grandparents are not getting their Social Security, or worrying about their family members getting compensation that they are truly due because of the sacrifice that their loved ones are making on behalf this Nation. I believe America is going to stand up and be counted.

Mrs. CHRISTENSEN. I thank you, and I thank you for bringing the charts so we can see very clearly how much money is lost from just not taking the tax cuts back to the Clinton tax rates. You can imagine, and I'm not doing any math on the floor, either, but how much money we have lost during the time those cuts have been in place and will continue to lose through next year.

The Republican proposal that is being brought to us now, I don't see any investment for the future. No investment in education, no investment in relieving ourselves of our dependence on foreign fuel or continuing to invest in health care or creating jobs. There is nothing like that. It is just cut, cut, cut; and the economists also tell us that this is not the time to be cutting spending.

We have a budget guru here with us this evening, the person who leads us every year in putting together a fan-

tastic Congressional Black Caucus budget, one that not only invests in the future and in all of those things that I talked about, but also has every year, has found a way while investing to also reduce the deficit.

I am pleased to yield to the gentleman from Virginia.

Mr. SCOTT of Virginia. I thank the gentlelady for yielding. If we are going to talk about how bad the budget situation is now, I think it makes sense to explain how we got here.

First, in the early 1990s, the budget had gone totally out of whack. The first President Bush got together with the Democratic leadership of the House and Senate. Unfortunately, we had to break his pledge on "read my lips, no new taxes," and they came to an agreement and did a little bit to fix the budget.

In 1993 after President Clinton came in, we did some serious work about the budget. We raised some taxes and got the budget under control in the 1993 budget. When you vote on budgets, they are tough budgets. President Bush to a large extent can credit his decision to address the budget with new taxes as part of the reason for his defeat.

And when the Democrats, without a single Republican vote in the House, and not a single Republican vote in the Senate, passed the 1993 budget, 50 Democrats lost their seats. It was a tough vote. You lose your seats when you have very serious deficit reduction. But as a result of that 1993 budget, we not only balanced the budget in just a few short years, but we went into significant surplus and created a record number of jobs. The Dow Jones Industrial Average almost quadrupled.

In 1995, when the Republicans got in control by demagoguing the votes that we cast fixing the budget, they came in and tried to undermine everything in the entire budget. President Clinton let the government get shut down rather than sign those irresponsible budgets that the Republicans passed.

As a result of his tenacity and holding on to his original plan, the budget was balanced in a few short years. Now, there are some in Congress who talk about the historic balanced budget amendment in the mid-90s. Well, if they hadn't come to such agreement, the balance would have balanced itself. We didn't know when we voted on that, as a matter of fact, whether the budget had already gone into surplus. They hadn't finished counting the money. It went from a 290 deficit, we got down to \$10 billion, and the agreement slowed down the progress a little bit. But we still went into surplus.

In 2001, Chairman Greenspan was answering questions like, what's going to happen when we pay off the entire national debt held by the public? What's going to happen to interest rates? What's going to happen to the bond market when there are no government

bonds? How do you calculate investment strategy when you don't have government bonds setting the no-risk limit, and you have increased rate of return after that, how do you calculate investment strategies if there are no government bonds because you have paid them all off?

By 2008, it was projected we would owe no money to China, Japan, and Saudi Arabia. We would have paid off our entire national debt. So people are thinking this is hard. We had done it. In 2001, by August of 2001, after the first round of tax cuts, we had already gone broke. Instead of the surplus, Social Security surplus, they were talking about the lock box, put that away for Social Security, Medicare surplus, put that in the lock box for Medicare. We had a surplus over that.

By August of President Bush's first year, we had gone through all of the surplus, and we were into Social Security and Medicare by August. You cannot blame September 11 for the fact that we had already gone broke a month before. And so after two tax cuts, not paid for, after prescription drug benefit not paid for, a couple of wars not paid for, we are in the ditch.

Now, during the Clinton administration, we had PAYGO. You wanted to spend some more money, you had to come up with the money to pay for it. You wanted to cut taxes, you had to cut some programs, you had to pay for it. Everything you did, you had to pay for it. When President Bush came in, they did away with PAYGO and put us in the ditch.

Now we're so far in the ditch that most experts suggest we need \$4 trillion in deficit reduction to get back to a point where we are fiscally responsible. About \$4 trillion. The Simpson-Bowles committee came up with one plan with a lot of this and a little of that—\$4 trillion. But there is one interesting thing that you could do to come up with almost \$4 trillion: let all of the Bush tax cuts expire. Done. That is all you have to do.

As a matter of fact, in the Congressional Black Caucus budget this year, we started off with that premise. Let them all expire. But we wanted to extend some, and so we paid for them. We cut the oil loopholes and extended some, and we cut some other loopholes, and added this tax and cut this. We got to a point where we could extend a lot of the tax cuts because we paid for them.

□ 2000

If you want to know what deficit reduction looks like without revenue, you can look at the continuing resolution earlier this year. It started out at \$66 billion, which annualized, was about a hundred billion. And 10 years, that would be about a trillion. If you look at what was in that first trillion dollars that they wanted to cut, it was

so bad that they couldn't get it passed. They ended up having to compromise. We had cuts in the safety net like community health centers, cuts in energy assistance for low-income seniors, cuts in community action agencies, and we had cuts in investments in the future. Head Start, Pell Grants got cut. Scientific research and NASA all got cut.

And then just perfunctory parts of government. FBI agents got cut. We're sitting up in the Judiciary Committee trying to figure out how to deal with many of the problems we've got, and half of it is we don't need new criminal laws. We need new FBI agents to investigate the cases. FBI agents were cut; 4,000 fewer. Clean Water Grants, Environmental Protection, all cut. Air traffic controllers. There are so few. They're working so hard that they're falling asleep on the job. They were cut.

The next round of cuts would be, obviously, Medicare and housing and other programs were next on the chopping block. We could not get—they could not get that passed. As a matter of fact, by the time they finished, now they're going to a program suggesting that we need to cut not \$1 trillion but \$2 trillion or \$3 trillion. If you couldn't get the first trillion passed because you're so deep into the things that people believe in, things that—Clean Water Grants, food inspectors. There are so few food inspectors in that budget that some meatpacking plants would have to close because they are obligated to have a Federal meat inspector on site. And if you can't be on site, you can't operate. They had so few meat inspectors that they anticipated many of the companies would have to close down or at least close temporarily because there were so few.

Now they're trying to figure out how you can do \$2 trillion or \$3 trillion worth of cuts. They came up with this idea of the debt ceiling. The debt ceiling is something that recognizes the fact that we've already spent the money. So you raise the debt ceiling not because you're spending any money but because you have already spent the money. It's a perfunctory kind of thing. Dozens of times, almost once a year over the last 50 years, we've had to increase the debt ceiling. Democrats and Republicans all have had to vote for the debt ceiling.

The charade about the thing is usually the majority party has to cast the tough votes and the minority party gets to talk about fiscal irresponsibility and grandstand a little bit, but it's never in the context that there's any question about whether the debt ceiling is going to be increased. Speeches are made, but it's in the context it's going to pass. And you can make a speech about it.

Now they're saying, Maybe we won't increase the debt ceiling. Nobody knows what would happen if the debt

ceiling were not increased, if we defaulted on our bonds, if we didn't send out Social Security checks. Nobody knows what would happen—what would happen to the investments, what would happen to the interest rates. We had a temporary technical glitch a few years ago where checks were a day or two—couple of days late going out and they calculate that as a result of that little glitch we paid about half a percent higher interest rate for many years.

Now, a 1 percent interest rate on the national debt now is about in the range of \$100 billion. So if you're looking at what would happen if you defaulted on the debt and people charged more interest, well, that's the order of magnitude that we would be talking about. We shouldn't have to even discuss what would happen "if," because it could be anything. And who would want to find out? We ought to just go ahead and increase the debt ceiling and not use it as a threat that unless you do this, we'll blow up the economy. I would hope that our leadership would not capitulate to those kind of threats because if you capitulate this time, in October they can shut down October by not passing appropriations bills. Don't get "my way or the highway" to close down the government. In a year or so you would have to do the debt ceiling again. Same thing.

So if you capitulate to these kinds of childish threats, there will be no end to it and you will certainly invite them back. As a matter of fact, what is going on now is they're kind of slow-walking us through some cuts that never could have been made in the normal legislative process. Last year, in December, we extended the Bush tax cuts. That cost \$400 billion a year. Now we're broke, and we need to come up with about \$400 billion a year, as if we had forgotten what we did last December.

Now, when we extended those tax cuts, there's no mention of how it would be paid for. It would have been nice to know what the plan was, whether we're going to have to cut Social Security or Medicare in order to afford the tax cuts that were extended in December. Now they're going to try to get some cuts that they couldn't otherwise get if you're making rational choices. And legislative process is about choices. If you want a program, you ought to pay for it. If you're willing to pay the taxes, then you can have your program. Not willing to pay the taxes, can't have your program.

Last year we passed health care reform. It cost a trillion dollars. We raised more than a trillion dollars in taxes. That's a balanced approach. If we didn't want to pay the taxes, we couldn't have the program. And so that's the balanced approach that we're not making as we go along now because the next step in this process will be not cuts but caps.

No program will be cut if any deal comes on. These \$2 trillion or \$3 tril-

lion deals come back. Not a single program will be cut. There will just be caps. Three months from now, when you try to appropriate under those caps, you'll wonder why you can't afford Head Start, why you can't afford any food inspectors, why you can't afford any FBI agents, because the caps are so low.

If you put them all together, if you had made your choices, if you had known you were going to have to cut Head Start and FBI agents and Clean Water Grants when you cut taxes, maybe you wouldn't have cut the taxes. You should have made the choices all at once.

Ms. JACKSON LEE of Texas. Will the gentleman yield?

Mr. SCOTT of Virginia. I yield to the gentlelady from Texas.

Ms. JACKSON LEE of Texas. I think you said playing politics. Is that the same as a schoolyard game of playing chicken? And in the course of what you just said, is there any light for creating jobs in this approach that is being taken, where you have no revenue and you have cuts, with no plan? I see no opportunity for creating jobs.

Mr. SCOTT of Virginia. In terms of jobs, much has been said about the reason why you would not want to increase taxes in an economic downturn. Because you would adversely effect the economy. That's true. But if you have spending cuts, the effect on the economy is not only larger but more direct and more immediate. Increases in taxes don't hit until the following year. As soon as you cut spending, somebody is getting fired. Jobs get lost immediately when you have spending cuts.

So for the same reason that they say you can't increase taxes during an economic downturn, the stronger argument could be made that you should not have any spending cuts. The estimates on some of the Republican plans are that hundreds of thousands of jobs would be lost if those plans had been enacted.

Now, one of the real tragedies about all this discussion is sometimes—talk about rhetoric in politics—some people are talking about this so-called balanced budget amendment as a condition of moving forward. Well, one of the things about the legislation that we'll consider called the balanced budget amendment is a bill that has a misleading title. It says: Proposing a balanced budget amendment to the Constitution. Guess what that legislation does not require?

Mrs. CHRISTENSEN. Will the gentleman yield?

Mr. SCOTT of Virginia. I yield to the gentlelady from the Virgin Islands.

Mrs. CHRISTENSEN. Does it require a balanced budget?

Mr. SCOTT of Virginia. It does not require a balanced budget. What it does is require a three-fifths vote to pass a



budget that is not unbalanced. Every budget we consider this year was not in balance the first year. So the Ryan budget that passed would have required a three-fifths vote. The Republican Study Committee plan that was not balanced the first year that in the fullness of time would cut discretionary spending 50, 60, or 70 percent was not in balance the first year. It would require a three-fifths vote.

Now, as I said, when you cast those tough votes, the first President Bush lost his Presidency trying to balance the budget. Fifty Democrats lost their seats in 1993 trying to balance the budget.

□ 2010

I will guarantee you that there will be Republicans who will lose their seats for voting for the Ryan plan because it included, essentially, a repeal of Medicare and replacing it with an inadequate voucher, and they're going to lose their seats over it. We already picked up one seat in upstate New York where that Ryan plan was an issue, but when you vote on real deficit reduction, people will lose their seats.

If you were to move the threshold up to three-fifths and if you were the chief sponsor of a severe deficit reduction plan, common sense will let you know that it will be harder to pass if you move that thing up to three-fifths. So the enactment will make it harder to pass deficit reduction. Once you need three-fifths, there is no limit to how irresponsible you can get. The tax cut extensions of \$400 billion in December, that got three-fifths. You could have more tax cuts and more additional spending totally out of control, and all you'd need is three-fifths.

Mrs. CHRISTENSEN. But the caps would be in place.

Mr. SCOTT of Virginia. The caps are another part.

Mrs. CHRISTENSEN. They would be in place as part of the bill, but you couldn't raise any revenue.

Mr. SCOTT of Virginia. There are four provisions.

The first is you need three-fifths to pass a budget. That's going to make it harder to pass a budget. The second provision is a two-thirds vote to raise taxes. So, if you're trying to balance a budget, having a two-thirds vote to raise taxes will obviously make it harder to balance the budget. This thing is called a "balanced budget amendment." The first two provisions obviously make it harder to balance the budget.

The third provision is you need a two-thirds vote to pass a budget that spends more than 18 percent of the gross national product, a two-thirds vote to pass if it's more than 18 percent of GDP. We haven't been that low since we passed Medicare, so that's going to put a lot of pressure on the Medicare program. Guess what? If you put all

these things together with the pressure on Medicare, we know we can cut the benefits with a simple majority, but to save the program with new taxes: two-thirds in the House and two-thirds in the Senate.

There is another little insulting provision at the end. It's a three-fifths vote to raise the debt ceiling, and raising the debt ceiling this year has been enough of a spectacle that they want it to be an annual, everyday occurrence.

You have this thing called the "balanced budget amendment," which will make it harder to balance the budget, and it would certainly put pressure on Social Security and Medicare by allowing those programs to be cut with a simple majority. Yet to save them with new revenues like increasing the amount right now with Social Security a little over \$100,000—no more Social Security tax—and if we were to extend that like Medicare to all of your income, we could pretty much solve the problem, but you couldn't do that without a two-thirds vote. You couldn't close an oil loophole to save Social Security without a two-thirds vote—but to cut the benefits, a simple majority. They want to inflict the balanced budget amendment in there to preserve their oil company millionaire loopholes and jeopardize Social Security and Medicare and put us in a budget situation where it will be virtually impossible to ever balance the budget.

People should read the bill past the title. Most people, when they hear the title, they start debating whether it's a good idea or a bad idea to have a balanced budget or whether it's a good idea or a bad idea to balance the budget every year without exception, which would not allow countercyclical spending in times of downturn.

Now, interestingly enough, the gentlelady from Texas and I serve on the Judiciary Committee, and we heard one of the Representatives from Arizona talk about the Arizona balanced budget amendment and how that works on the State level. Then we did a little research to find out: How did Arizona balance its budget?

We found out, first of all, they got billions of dollars of stimulus money to help them balance the budget, but that wasn't enough. Do you know, in the last couple of years, the Arizona State government has sold—sold—their State capitol and sold their Supreme Court building and leased it back? They got hundreds of millions of dollars in the kitty that helped them balance the budget by selling the State capitol and by selling the Supreme Court. That's what a balanced budget amendment does for you, I guess.

We need to make sure that we don't get lost in the rhetoric about the misleading titles of legislation, and we need to actually read past the title in the balanced budget amendment.

Mrs. CHRISTENSEN. That happened so often with some of these bills.

I thank you for taking us through the history of how we got to where we are, because there is a lot of rhetoric that tries to hide how we got here: the fact that hard votes were taken in '93, that President Clinton did leave a large surplus and that, by the end of President Bush's term, we were in a deep deficit and then in a recession—a recession that was not created by this President but inherited by this President. When they talk about, yes, President Obama has increased the deficit, what should he do—allow us to fall deeper into a recession?

Mr. SCOTT of Virginia. What would he do? What would the Republicans have supported him doing to reduce the deficit? Would they have supported increased taxes? What spending are they talking about with specificity?

Mrs. CHRISTENSEN. They have never accepted increased taxes, not in any crisis.

Mr. SCOTT of Virginia. Legislation is about choices. I mean, if you want a Head Start program, you've got to pay for it. If you want clean water grants, you've got to pay for them. We need to be making these choices, not in the context of threats about blowing up the economy, but by making the rational choices about what kind of vision and what kind of future we think we want. Some of us think that education is important. You have to pay taxes to get a good education. Some people think that clean water grants are important. Some people think that scientific research, food inspectors, FBI agents, air traffic controllers are important. There are a lot of things we like in government, and you've got to pay for them.

Mrs. CHRISTENSEN. Thank you again for joining us and for laying out that history.

Ms. JACKSON LEE of Texas. To add to what my colleague just said, we are also in a climate of fighting against terrorism, and in order to secure the homeland, you have to make choices about how you invest, so I have a different opinion. I think, if you invest money, you get innovation and you get jobs; and none of what has been said by Speaker BOEHNER says anything about innovation, jobs, and he has no, seemingly, understanding of the importance of securing the homeland.

Mr. Speaker, I am joined this evening by Members of the Congressional Black Caucus to call upon Congress to pass a bill that increases the debt ceiling so that we can avoid economic disaster and continue to work for the American people in repairing our economy and creating jobs.

While I support bipartisan efforts to increase the debt limit and to resolve our differences over budgetary revenue and spending issues, I cannot support any measure that unduly constrains the ability of Congress to deal effectively with America's economic, fiscal, and job creation troubles.

Since the debt limit was first put in place, Congress has increased it over 100 times; in



fact, it was raised 10 times within the past decade. Congress last came together and raised the debt ceiling in February 2010. Today, the debt ceiling currently stands at \$14.3 trillion. In reality, that limit has already been eclipsed, but due to accounting procedures by Treasury Secretary Geithner, the debt limit can be avoided until August 2nd.

Congress must act now in order to avert a crisis. Never in the history of America has the United States defaulted on its debt obligations.

We must be clear on what this issue means for our country. United States Treasury bonds have traditionally been one of the safest investments another country or investor could make. For foreign nations and investors, purchasing a U.S. Treasury bond meant that they held something virtually as safe as cash, backed by the full faith and credit of the United States government.

As we continue to discuss the necessity of increasing our debt ceiling, I have heard the concerns of many of my constituents and the American people regarding the size of our national debt and the care with which taxpayer money is spent. I, too, am concerned about these issues; for to burden future generations of Americans with tremendous amounts of debt should not be a way to avoid our fiscal responsibilities to the American people. However, the task of resolving our debt ceiling crisis must take precedence over other concerns, including political ideology.

Prior to the existence of the debt ceiling, Congress had to approve borrowing each time the federal government wished to borrow money in order to carry out its functions. With the onset of World War I, more flexibility was needed to expand the government's capability to borrow money expeditiously in order to meet the rapidly changing requirements of funding a major war in the modern era.

To address this need, the first debt ceiling was established in 1917, allowing the federal government to borrow money to meet its obligations without prior Congressional approval, so long as in the aggregate, the amount borrowed did not eclipse a specified limit.

In turn, with the proceeds from the bonds, the federal government of the world's largest economy is able to finance its operations. If the United States defaults on its debt obligations, the financial crisis that in 2008 would pale in comparison, according to economic experts. The ensuing economic catastrophe would not only place the U.S. economy in a tailspin, but the world economy as well.

The fact that Congress, a body that typically has its fair share of political battles, has never played political chicken when it came to raising the debt ceiling should give us all pause, and is a testament to the seriousness with which we must approach this issue. However, this time around, some of my Republican colleagues have created an impasse based upon an ideological commitment to spending cuts.

While I understand and share the concern of my Republican colleagues with respect to deficit spending, and will continue to work with them in order to find reductions, now is not the time to put ideology over pragmatism. The reality is that, on August 3rd, the United States will begin to default on its debt obligations if the debt ceiling is not raised.

This detour into a spending debate is as unnecessary as it is perilous, as increasing the

debt ceiling does not obligate the undertaking of any new spending by the federal government. Rather, raising the debt limit simply allows the government to pay existing legal obligations promised to debt holders that were already agreed to by Presidents and Congresses, both past and present. Raising the debt limit simply matches the amount the United States is allowed to borrow to the amount it already owes.

Moreover, the impending crisis would have already occurred were it not for the extraordinary measures taken by Treasury Secretary Timothy Geithner, including the suspension of the investment in securities to finance the Civil Service Retirement and Disability Fund, as well as the redemption of a portion of those securities already held by that fund.

If the United States defaults on its obligations on August 3rd, the stock market will react violently to the news that for the first time in history, America is unable to keep its promises to pay. Not once in American history has the country's full faith and credit been called into question. Credit rating agencies like Moody's and Standard & Poors stand ready to downgrade the triple A rating that America currently enjoys.

Once America defaults, investors who purchase U.S. bonds and finance our government will be less likely to lend to America in the future. Just as a person who defaults on a loan will find it harder to convince banks to lend them money in the future, a country that defaults on its debt obligations will find it harder to convince investors to lend money to a government that did not pay them back. Showing the world that the United States does not pay its debts makes the purchasing of that debt less desirable because it requires the assumption of more risk on the part of the investors.

Furthermore, any investors who continue to purchase U.S. Treasury bonds will demand much higher interest rates in order to cover the increased risk. Once a default occurs, investors figure that the chance of the United States defaulting again is much greater, and will require the government to pay higher rates of interest in order to make the loan worth the risk for investors to take on.

Imagine the impact on our stock market if we do not pay our debts. As we have seen throughout the recent financial crisis, a bad stock market hurts not only big businesses and large investors on Wall Street, but small businesses and small investors as well. Families with investments tied to the stock market, such as 401(k)s, pension plans, and savings, will once again see the value of their investments drop. The American people are tired of the uncertainty of the value of their retirement accounts. With uncertainty still lingering in the markets and in the minds of citizens, we must not allow another wild fluctuation in the markets to occur due to default.

One of the major reasons that the job market continues to remain so stagnant is the fact that the flow of credit to small businesses that enables them to hire and expand has slowed.

Increasing the debt ceiling is the responsible thing to do. Congress has already debated and approved the debt that an increased ceiling makes room for. However, my Republican colleagues have chosen to use this as an opportunity to hold the American people hostage

to their extreme agenda. They knew that the "Cut, Cap, and Balance Act" was not a realistic proposal and that it was not going to pass the Senate. They just wanted to waste time.

Mr. Speaker, along with the Congressional Black Caucus, I believe that Congress should increase the debt ceiling to meet the obligations the United States has already promised to undertake. By refusing to do so, it endangers our economy and the recovery of our jobs.

Last week Republicans introduced the "Cut, Cap and Balance Act" which I aptly named the "Tap Dance, Loser Club, and Bust Bill." Because it tap danced around raising our debt ceiling and acting in a responsible manner to pay our nation's debt obligations. That bill would have forced our nation to join a losers club as it would have eliminated important social programs such as Medicaid, Medicare, Social Security, and Pell grants. The theme for the Republicans seems to be a focus on cutting programs for the most at need and ignoring the need to focus on job creation. This bill busts the hopes and dreams of our children, seniors, and military families. It busts the hopes to grow our nation in the future. The "Tap Dance, Loser Club, and Bust Bill" was just a distraction and now we have the opportunity to once again get serious about raising our debt. We can not continue to waste a tremendous amount of time. The Deadline is right around the corner. The American people cannot have a government that is the embodiment of living check to check. We must do something NOW!

For a moment think about the American people. Step back and envision the faces of those who will be impacted if we are not successful in finding common ground. They are the faces of the elderly who will not receive their social security payments. They are the faces of children and infants who will not receive their WIC benefits. They are the faces of hardworking every day Americans, including the multitudes of poor working families who will not be able to receive the benefits they need from government run programs that are keeping them from falling into homelessness. When you think of our future, also see our present. Without raising this debt limit we are putting the present and the future of Americans at risk.

Mrs. CHRISTENSEN. I thank you for adding that again.

At this time, I would like to yield to the former chair of the Congressional Black Caucus, Congresswoman BARBARA LEE from Oakland, who is also chair of the Out of Poverty Caucus. A lot of times—well, even up to this weekend—nobody is talking about the poor.

I thank you for starting the Out of Poverty Caucus and for leading us through an agenda that continues even today of pathways out of poverty and for bringing us to the floor every day for the last couple of weeks to talk about how the Republican policies, the bills that they are proposing and the way they're holding the debt ceiling hostage are hurting the poor in our country.

Ms. LEE. Let me thank Congresswoman CHRISTENSEN for leading this Special Order tonight.

I also thank you for your leadership on behalf of, really, my constituents and on behalf of the entire country because it is so important that you as first vice chair of the Congressional Black Caucus—and chairman CLEAVER, who chairs the Congressional Black Caucus—continue to be the conscience of the Congress and to speak out and sound the alarm about the consequences of possible bad political and policy decisions. So thank you very much for what you're doing. It's so important that these issues be swept from under the rug and discussed in an open forum.

The debate and the discussion with Congressman BOBBY SCOTT and Congresswoman SHEILA JACKSON LEE were very important to have because I think that the public, who is listening to this discussion, will understand the history and the background and the technical aspects about this budget and deficit reduction plan that the Speaker is bringing forward, which really do, once again, put the American people as pawns, I think, in a game that they are not responsible for playing. People cannot wait any longer. They are tired of having their futures threatened by Republican politicians who are playing games that put the entire Nation and our economy at risk.

As for the Ryan budget and now this debt ceiling plan put forth by the Republicans, I'll tell you that what comes to mind is, when you look at it and when you listen to what's in it, it's a "you're on your own" kind of plan. For those who are wealthy and those are beholden to special interests and hedge fund billionaires and millionaires and all of those who have benefitted from the tax cuts, they'll be fine; but for those, as you mentioned earlier, who are poor or who could possibly fall from middle income into the ranks of the poor, this debt ceiling plan put forth by the Republicans is morally wrong and is fiscally unsound. We don't want to see the majority of the American people on their own once again, so I'm glad we're here tonight discussing this.

A Republican default on our debt, this would devastate the retirement savings of millions of American seniors—just devastate. We know that Social Security, Medicare, Medicaid—these government safety net programs—have provided for millions of our seniors to live a decent life in their golden years and to not fall into the ranks of poverty. Now all of these programs are on the chopping block. It makes no sense. A Republican default on our debts, it would weaken our entire economy and weaken our national security, and we heard earlier that hundreds of thousands of jobs could be lost, that even more jobs would be lost.

We should be about creating jobs, not putting forth measures that would take us further down the road into a recession and, for some, a depression.

□ 2020

In fact, it's very simple. America must pay our bills on time, and we must do this in a way that does not devastate the safety net for our senior citizens and our children's future.

Either you are on the side of the American people and want to safeguard vital human needs programs like Medicare, Medicaid, Social Security, critical food benefits for families and children—or you're on the side of the billionaires and the bankers, financial services industries, subsidies for massive oil company profits. You're on one side or the other in this debate.

The Congressional Black Caucus continues to be on the side of our Nation's most vulnerable populations, who, in these very hard economic times, depend on these vital safety net programs for their survival day-in and day-out. Meanwhile, we keep hearing claims from the other side of the aisle that only misdirect attention.

America really is not broke. We're the richest and we're the strongest country in the world, and we still have the best ideas, the best workers, the best schools, and the largest economy in the world. But we won't be for long if the Republicans have their way.

You know, you often wonder for those who say that default will not wreak havoc on the country. There are some who I think could care less if we went into default because if you listen to what they're saying, it doesn't really bother a lot of Members here. And that, to me, is tragic.

Some tell us that the future is bleak and that the government cannot afford to invest in a prosperous and growing America. But the truth is that raising the debt ceiling should be very simple. It should be a simple vote by all of us to allow the United States Treasury to fund all of its programs and obligations and debts of the entire Federal Government that are already in the law.

Republicans in the House have already voted to support and pass a \$9 trillion increase in the national debt. And now again, instead of working to create jobs and help our Nation rise out of this great recession, and depression for many, the Republicans are really playing a high-stakes game of chicken with the safety net and with the security of every single American so that they can protect the massive—and Congressman SCOTT and yourself talked about this—\$400 billion tax cut that Congressman SCOTT warned us we would have to pay for some time soon. It came sooner rather than later, Congressman SCOTT. And we listened to you, and those of us who voted "no," we tried. But here we are with your prediction coming true.

Here we're asking once again those who have been hurt, the most vulnerable, to pay once again. And that is just downright wrong.

A failure to raise the debt limit would mean an immediate stop to over 40 percent of the entire Federal Government. Our soldiers would not get paid, Social Security, Medicare, and Medicaid payments would be delayed. And the health and safety of every single American would be threatened, along with the health of our very fragile economy.

The incredibly irresponsible position that the Republicans have taken protecting tax breaks for the super rich, Wall Street corporations, Big Oil, that seems to be more important than preventing the United States government from defaulting on our debts.

And let me just remind those who want to cut Medicare and dismantle Medicare. That's basically what they want to do. Medicare recipients did not create the national debt. And that is unconscionable to even talk about balancing the budget or paying down the debt on the backs of our most vulnerable populations, including those who are facing living in poverty.

And let me remind our Republican colleagues again that the Congressional Black Caucus, under the leadership of Chairman CLEAVER, Congresswoman CHRISTENSEN, Congressman BOBBY SCOTT, already offered a budget—and he mentioned it earlier—that would have saved \$5.7 trillion from the deficit, protected our most vulnerable communities, and would have ensured the stability of Medicare, Medicaid, and Social Security. And our budget was balanced.

So the country is not broke. We know how we got here—two wars, these massive tax cuts for the very wealthy, Wall Street going amok. So it's time to be real, and it's time to be truthful. It's time to be honest, and it's time to make sure that the decisions we make here will not dig us deeper into the hole. America really doesn't have any more time for these Republican games.

Let me also conclude by talking about those who are unemployed because if we don't do something quickly, the ranks of the unemployed are going to grow even greater. And unemployment compensation is really survival funds, survival compensation, until we figure out how we're going to create jobs. And incidentally, the Republicans haven't put forth any job plan since they've been in power.

But these long-term unemployed Americans who have run out of their unemployment compensation, known as the 99ers, they continue to face uncertainty and hardships, and the House must act now to stand with these individuals.

H.R. 589, which my colleague, Congressman SCOTT, and I introduced earlier this year, Congresswoman

CHRISTENSEN and many members of the Congressional Black Caucus are co-sponsors. This would add 14 weeks of unemployment emergency compensation. It would make these benefits retroactively available to people who have exhausted all of their benefits and are still unemployed. Extending these benefits for long-term unemployed individuals will stimulate our economy, empower more consumers, and create more jobs.

So this extension should be in any deficit reduction plan because we know that not only is it the right thing to do, the morally correct thing to do, this is the economically prudent thing to do in terms of passing an emergency extension. It really should be the first step in taking bold steps to create millions of jobs for Americans.

So we should be working to pass a jobs bill that would help people find this pathway out of poverty. We should help keep middle-income individuals from falling into poverty. We should be looking at a budget and a plan that, yes, will help pay down our debt. Yes, it is part of deficit reduction—that incorporates deficit reduction as part of it. But no, that does not cut Medicare, Social Security, or Medicaid. And we should really be trying to figure out a way to create some jobs for people. I mean, that's the bottom line. That's what we need to do.

Thank you again, Congresswoman CHRISTENSEN, for calling this Special Order today. We should make sure that the world knows that the Congressional Black Caucus continues to call attention to the games that Republicans are playing that will threaten our national security interests as well as our economic interests. And the fact that we're here working to try to create some jobs and to help ensure that this debt ceiling is raised, that's the bottom line.

Mrs. CHRISTENSEN. Thank you, Congresswoman BARBARA LEE.

I just want to mention that when we had our job summit about a week and a half ago, we passed out some information to those in attendance that added up about 30 job-creating pieces of legislation that just the CBC has introduced in this year. I don't believe that the Republican majority has brought any job-creating bills to the floor, and in this recovery, that's what we need, jobs.

I know sometimes we were accused of class warfare, but we're not pitting the poor against the rich or the middle class against the rich. We just think that everyone needs to be on the side of our country. We are calling for shared sacrifice and for fairness.

And really, this ought to be a clean raising of the debt ceiling. The cuts we're talking about that are going to hurt the people of this country are too important for us to be rushing through and using to hold the debt ceiling hostage.

□ 2030

So let's not hold such a critical thing as our ability to pay our bills and take care of our seniors, our children, our people with disabilities, and preserving our creditworthiness not only for Americans but the whole world depends on us, and we cannot let them down. We cannot let the American public down, including my constituents. We cannot let our country down and all of the countries in the world who depend on us.

With that, I thank my colleagues for joining me. I want to, once again, thank the AARP for their petitions and for their strong advocacy on behalf of not only seniors but all Americans and our country.

I yield back the balance of my time. Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the United States has reached the current debt ceiling, which is set by law at \$14.294 trillion, and Congress must act by August 2, 2011 to avoid defaulting on its loans. If Congress fails to reach an agreement on raising the debt ceiling, it will cripple our economy, halt our recovery and end up costing taxpayers more in the long-run. For those reasons, I agree with financial analysts and experts who say that raising the debt ceiling is necessary to ensure our fiscal stability and continued economic recovery.

Although the bill to raise the debt limit did not pass in the U.S. House of Representatives in May, I voted in favor of the measure because the consequences would have been disastrous for our economy.

The Republican leadership brought this bill to the floor, but ironically urged their Members not to vote for it. The national debt limit is not a joke and needs to be taken very seriously. Normally, the periodic raising of the national debt limit is a noncontroversial legal necessity to ensure that the U.S. does not default on its debt obligations to foreign creditors and maintains its credit rating.

Raising the debt limit does not authorize new spending—it simply allows the government to finance existing legal obligations that Congresses and presidents of both parties have made in the past. The United States Congress has acted 78 times to raise, extend, or revise the debt limit; 49 times under Republican presidents and 29 times under Democratic presidents.

While no one is more frustrated than I am about our current fiscal state of affairs, I support responsible efforts to bring down our national debt. I firmly believe that it is a mistake to compound past irresponsibility with further irresponsibility on this issue. If Congress fails to increase the debt limit, the government would start to default on its foreign owned debts, which would have "calamitous" consequences for the U. S. economy. Not to mention it would be unprecedented in American history.

In addition, if the United States defaulted: Investors would be less likely to lend to this country; borrowing costs, not only for the federal government, but for families, businesses and local governments would increase; and so would interest rates for municipal bonds, mortgages, car loans, and student and business loans.

Mr. Speaker, America's debt is a non-partisan concern. Both parties share responsibility for ensuring that this nation's bills are paid. I stand ready to work with all of my colleagues to meet our obligations and put forward a productive plan to reduce the deficit.

#### GOP DOCTORS CAUCUS

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

Mr. GINGREY of Georgia. Mr. Speaker, I thank my leadership, the majority leader on the Republican side, the Speaker of the House, and our conference chairman, Representative JEB HENSARLING, for giving us the opportunity—us, the House GOP Doctors Caucus—to have the Special Order hour this evening.

It's kind of convenient, Mr. Speaker; my colleagues on the other side of the aisle, the well-respected Members, my friends from the Congressional Black Caucus, were talking about the budget and what we're trying to do with regard to moving forward, talking, of course, about safety net programs and entitlement programs, such as Social Security and Medicare. And that's a great segue into the topic of our discussion this evening because it's going to be about the Medicare program.

We, on our side of the aisle in the Republican-passed House budget, take a responsible approach to solving the Medicare crisis, which the trustees have said to all Members of Congress—not Republicans, not Democrats, not House Members, not Senate Members, but all of us—that according to the trustee report, by the year 2024, if we don't do something about the Medicare program as it currently exists, as it's currently funded, the amount of spending that occurs year after year—and will only increase as more and more of our baby boomers are reaching age 65—if we don't do something about that, then that Medicare part A hospital trust fund is not supported by any constituent premiums, it's going to go broke. It absolutely is going to go broke.

So I say to my Democratic colleagues who just spoke, the compassionate thing—and I know they have great compassion for those who, maybe through no fault of their own, can't help themselves; but the compassionate thing, Mr. Speaker, is to save the program, to guarantee, preserve it for current Medicare recipients. Indeed, even for folks that are only 55 years old today, Medicare, as we know it, would be protected, would be strengthened for all of those individuals. And by the time those who are 55 years old today become 65, in 10 years, around 2024, there would be something like 65 million seniors and a smaller

number of disabled individuals in the Medicare program as we know it. They would be in that Medicare program as we know it for the rest of their natural lives. And thank God, because of good health care in this country, women, I think, are living on average to age 82 and men maybe to age 78. So these 65 million people will be on Medicare for a long time. Medicare as we know it.

My colleagues didn't mention this in their hour; but what we do in our budget is go forward with a plan for younger folks—indeed, even for my grandchildren, my 10 grandchildren, the oldest two are 13-year-old twins—but let's say them, or 25-year-olds, 35-year-olds, 45-year-olds, indeed, we create the adult approach, the mature approach to solving the Medicare problem so that it will be there for them instead of nothing come 2024. And maybe some of us have paid for 25 years that FICA tax that's taken out of our paychecks every week or every month.

So I say to my friends, this idea that President Obama has and the leadership of your party of just simply kicking the can down the road doesn't get the job done. It's what we call sometimes—and I know all of us know the expression “whistling past the graveyard,” in other words, pretending that a problem doesn't exist. And that's an unconscionable approach.

I am very pleased tonight, Mr. Speaker, to have a number of my colleagues who have joined with us. Some of them are a part of the House GOP Doctors Caucus. We are mostly medical doctors. There are a number of registered nurses in our caucus. We have a lot of health care providers. There are dentists. But in the aggregate, the members of the House GOP Doctors Caucus are medical professionals who spent a lot of their lives practicing medicine and providing care, indeed, under Medicaid and the Medicare programs, seeing those patients mostly at a financial loss, but still very willing to try to help those folks who need us to be there for them in these safety net programs.

I think in the aggregate, the membership of the House GOP Doctors Caucus may have over 350 years of clinical experience. Some of us are getting a little long in the tooth and a little gray by the sideburns. But we are now Members of Congress, and we are trying to do things for our constituents and the seniors of this great country of ours to make sure that we preserve and protect programs like Medicare and Medicaid. And that's what this is all about tonight.

I want to first yield to my friend from Tennessee, my co-OB/GYN doctor. Dr. PHIL ROE has been a Member of this body now for 4 years and has been a great asset. And I know that Dr. ROE has a bill that he wants to address concerning some problems that were enacted under ObamaCare.

I would gladly yield to Dr. ROE from Tennessee.

Mr. ROE of Tennessee. I thank the gentleman for yielding. It's a pleasure to be here tonight.

Mr. Speaker, I go back to when Medicare first began. In 1965, there was a problem identified in America where we had a group of our citizens, as they became 65 years of age and older, that didn't have access to quality health care. So a plan was put in place, along with Medicaid for our poor citizens at that point, to access quality care.

In 1965, the Medicare program was a \$3 billion program. There was no Congressional Budget Office at that time. The estimates were in 25 years that this would be a \$15 billion program. It actually turned out to be over a \$100 billion program in 1990. In 2010, it will be somewhere about \$550 billion.

We also have, as has been pointed out in our previous hour by our friends from the Congressional Black Caucus, that we have a tremendous deficit. We're borrowing 42, 43 cents of every dollar that we spend in this country. So that's why the discussion was started.

I came to Washington—really, I practiced medicine, as Dr. GINGREY said, for over 30 years and realized that we had a serious problem not just in Medicare but in health care. So we came to work on health care reform. In the Physicians Caucus in the previous Congress, there were nine of us in the caucus. Not one of us was consulted on the Affordable Health Care Act. I mean, decades worth of experience, over 200 years of experience in the Congress at that time, and no one—not one of us—was actually consulted.

□ 2040

The way I looked at the problem in our health care system was we had three problems:

One is we had a problem where the system was too expensive. When you go to the doctor, it cost too much money to go see a physician. Number two, we had a group of people out there who didn't have affordable health care coverage. Maybe the husband is a carpenter, as in our area, maybe the wife worked at a local diner or somewhere else that didn't provide insurance coverage. Thirdly, we had a liability problem in this country.

So what did we do? We had an over 2,000-page bill that got through the House and got to the Senate and failed. The Senate dusted a bill off that was 2,500-plus pages, that never went through a committee hearing, that nobody on the House had a chance to do, and I know that the three physicians that are here tonight all read that bill. When I read that bill, Mr. Speaker, I found some things in there, as did my colleagues, which greatly worried us.

How do they fund this bill? Only Washington could fund anything like

this. Dr. GINGREY has pointed out that we're trying to save Medicare. Medicare is a system that the Congressional Budget Office says by 2020 will be out of money; 2024, by the actuaries at CMS say will be broke.

There are four parts of Medicare: Medicare part A, which is paid for by your premiums. That's your hospitalization.

Medicare part B, that's doctor services and some lab services. That's only funded 25 percent from your premiums. The other 75 percent comes from the general fund, the taxpayers.

Medicare Advantage, which was cut drastically by the Affordable Care Act.

And Medicare part D, which is a prescription drug plan, also is only funded 25 percent by our premiums. I'm a Medicare recipient myself, as of last year.

So what did the administration do and the Senate do to fund this Affordable Health Care Act? They took out of an already underfunded program, as I just pointed out, \$500 billion, and Dr. GINGREY just pointed out moments ago that we're adding about 3 million baby boomers per year, so 10,000 per day or more. We're adding millions of new recipients while pulling out of that over \$500 billion, and we call this “saving Medicare.”

We're not talking about tonight, on our hour, the budget impasse. We're talking about what's already been passed. And one of the things I found in there, Mr. Speaker, was a very little known board called the Independent Payment Advisory Board. Before, Medicare has had this board in there, which was strictly that, MedPAC. It was an advisory board to Congress, to say, hey, we've got some problems here with funding; maybe we should look over here. Congress would then have the ability to make those decisions.

Mr. GINGREY of Georgia. If the gentleman will yield, I would like to call my colleagues' attention to this poster, because this is exactly what Dr. ROE, Mr. Speaker, is talking about now, this IPAB, Independent Payment Advisory Board. I want all my colleagues to see this poster because this is what Dr. ROE is taking us through at this point.

Mr. ROE of Tennessee. Mr. Speaker, what I did when I read this, I looked at it and thought, how was this created and why was it created?

This board has 15 members that are appointed by the administration, by the President, and, quite frankly, I don't want a Republican President or a Democratic President doing this. These people are then approved by the Senate for a 6-year term. They're paid about \$165,000 a year.

And what is their charge? Well, their charge is, is if Medicare spending hits certain targeted limits, that cuts occur first to providers and for prescription drugs and then later to hospitals. What worries me about this is right now we

have a problem—and Dr. PAUL BROWN is here tonight, who's a primary care physician—with our patients with their Medicare, finding a physician to take care of them.

What happens is if you hit these targeted limits and physician payments are cut, access to care is going to be cut, quality of care is going to be cut, and, thirdly, the cost to our seniors is going to go up. What also worries me is that this board very much mimics the board that's in England called NICE, the National Institute of Clinical Excellence. This board makes recommendations to their health board there about what care is provided to patients. President Obama has taken this board, he's going to use this, and he actually wants to increase the power of it to help hold Medicare costs down. Ultimately what will happen, when you have more demand for services than you have money to pay for it, is your care will be rationed. That's the fear that we have.

Our concern is, and I've gone to seniors in my district and been very clear and pointed this out at town hall meetings and have held town hall meetings with seniors and said, We want to provide you quality access of care. That's what I do as a doctor. I want to be able to see those patients and have them help us solve this problem. I think that's the issue that we have, Mr. Speaker, is how do we provide the care for the money we have and provide quality of care and access for our patients? I am extremely concerned that the IPAB will do just the opposite of that.

Mr. GINGREY of Georgia. I thank the gentleman very much for his presentation on the IPAB, that board which Dr. ROE describes, Mr. Speaker and my colleagues. Again, I'm going to refer back to a previous poster that I wanted to present as Dr. ROE got into talking about the Democrats' solution to so-called "save Medicare."

They wanted initially to ignore the problem, the fact that Medicare is going broke. As I pointed out in my opening remarks, Medicare today will be broke in less than 10 years. Without action, the Social Security trustees report that Medicare seniors will either see a 22 percent benefit cut or workers will see a 22 percent hike in payroll taxes. So basically, not really completely ignoring the problem, but what the Democrats want to do is create this so-called IPAB board, which Dr. ROE describes. They say there will be no rationing, yet they're restricted in the recommendations that they can make in regard to cuts, and those cuts will be to providers; they will be to pharmaceutical companies that provide the drugs that so greatly keep people alive today that in the past were ending up in the emergency room with strokes because of uncontrolled high blood pressure, needing amputations because

of uncontrolled diabetes or needing to be on a dialysis machine because of uncontrolled renal disease. All of these have been helped by Medicare part D. So, clearly, the plan that the Obama administration and our Democratic colleagues have is not for saving Medicare.

At this time, let me yield the floor to my colleague from Georgia, fellow physician and member of the House GOP Doctors Caucus, Dr. PAUL BROWN.

Mr. BROWN of Georgia. Thank you, Dr. GINGREY. I appreciate you yielding a few minutes.

I wanted to kind of break all this down so that the American people could understand very clearly what we're talking about tonight. I've got a little poster here that shows President Obama's and the Democrats' Medicare solution.

This is their Medicare plan. They deny the problem. They deny the problem that the gentleman from Georgia was just talking about with this huge, huge problem, where Medicare is going to go broke in a matter of just a decade. They want to delay any fixes. In fact, Medicare as we know it today exists no longer. ObamaCare took care of that. And they want to destroy it. They will destroy it by letting it go broke.

So this is the Democrat Party's health care plan: Deny It, Delay It, and Destroy It by letting it go broke.

Just recently, one of the government accounting groups released something that should scare every senior, every taxpayer, and every American.

□ 2050

They said that Medicare, within the next couple of decades—that's a lot of zeroes in this; 63 and a lot of zeros. This is the unfunded liability of Medicare over just the next several decades.

Mr. GINGREY of Georgia. If the gentleman will yield, that would be \$63 trillion, if I'm not mistaken.

Mr. BROWN of Georgia. Well, I just tried to make it so that the zeroes didn't confuse folks. The unfunded liability for Medicare is \$63 trillion. This is unsustainable. There's no way to take care of this.

We need to shore up Medicare. We need to make sure that it's strengthened so that our future generations, not only the senior citizens today, can continue to get Medicare, but the future generations also.

Now, what does \$63 trillion of unfunded liabilities mean to everybody in this country? I mean, that's too big a number for everybody to really consider. So I broke it down to every family in the United States. Every family's part of this \$63 trillion of unfunded liabilities for Medicare, as it exists today, is over \$500,000 per family, \$500,000 per family of unfunded liabilities for Medicare just in the next several decades.

Now, I don't know about most families, but my family can't afford to pay \$500,000 and neither can the government.

Mr. GINGREY of Georgia. I've got a poster that points out just exactly what the gentleman from Georgia, Dr. BROWN, is saying.

If you look, colleagues, at the bottom of this poster, CBO estimates individual and corporate income tax rates would have to rise by 90 percent through the year 2050 to finance Medicare and Medicaid. And if Medicare is not fixed, millions of workers today will lose the money that they have invested. And, indeed, they have invested with that payroll tax over those many years of their employment.

Mr. BROWN of Georgia. Thank you, Dr. GINGREY. What the American people need to understand is that we need to strengthen Medicare and Social Security for future generations.

This picture right here is a picture of my two grandchildren, Tillman and Cile Surratt. I love these two kids greatly. They won't see Medicare, and they're going to see an America that's quite different from the one that we see today if we don't make some major changes, major changes in Medicare and Social Security. If we don't shrink them and make them economically viable for my grandchildren, that are 6 and 7, my grandchildren won't see Medicare. They won't see Social Security. And, in fact, people who are 45 or 50 today won't see Social Security or Medicare if we don't strengthen them, if we don't do the necessary hard work of bringing about those changes to strengthening Medicare and Social Security to make them economically viable.

I hear our Democrat colleagues all the time talk about it's the children. I've heard our former Speaker talk about it's about the children so much that I wanted to throw up.

But the thing is, when you talk about it's the children and their future, we've got to deal with this debt. We've got to deal with Social Security and Medicare and make them economically viable by strengthening them, by making them so that they're still available when my kids get grown.

And we're going down a road right now—this President and the Democrats in the Senate and the Democrats here in the House have a three-word plan. Their plan is a three-word plan for Social Security and Medicare: deny the problem. They're denying it. They're delaying doing anything about it. And they're going to destroy it, because both Medicare and Social Security are going broke if we don't strengthen it, if we don't make it economically viable, if we don't do the necessary hard work that this Congress and Republicans are trying to do.

But what do we hear from our colleagues on the other side? Demagoguery and trying to play politics. It's

time to stop the politics. It's time to stop playing games.

The American people deserve the truth. No more accounting gimmicks. No more playing with numbers. No more double talk, political speak.

This is the Democrats' plan—deny it, delay it, destroy it—for Medicare, Social Security and this country economically. We've got to change it, and that's what Republicans are working very hard to do.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman very much. And while we're on the "D" word, if you will, deny, delay, demagogue, I'll use another, D word, and it's really the softest thing I can say about the Democrats' plan, and that is disingenuous.

For them to stand up, or for the President to stand up and say that he's going to fix Medicare, at the same time, Dr. ROE talked about this earlier in the evening, I'm going to refer back to him in just a few minutes, but at the same time, in the creation of a whole new entitlement program in March of last year, we know it as ObamaCare. Officially, I guess I should say, it's called the Patient Protection and Affordable Care Act. I think it's the unaffordable care act in that it cost \$1 trillion.

But where did the money come from to pay for this new entitlement program that really has nothing to do with seniors?

Well, my colleagues, look at this poster to my left, your right. Here's where at least half of the money came from. Cutting Medicare, cutting Medicare by \$575 billion. I mean, right out of the Medicare program. That included home health care; it included Hospice. But the biggest cut was \$130 billion, that's bullet point No. 2, \$130 billion from the Medicare Advantage plans. And my colleagues know this, and I'm sure they'll want to comment on it, of the 47 million people, 45, 47 million people today who are on Medicare, about seven to 10 million of them receive their medical care on the Medicare Advantage option, which gives them more benefits, more bang for the buck; and it covers a lot of preventive services that are not given, not offered in traditional Medicare as we know it.

So that cut, \$130 billion, that's something like a 14 percent cut out of that program. That means that at least half of these seniors are going to have to go back into Medicare as we know it and get a lesser benefit.

In fact, it's been said by the actuary of Medicare, Richard Foster, on April 22, 2010, that 15 percent of hospitals, nursing homes, and home health care providers will close because Medicare pays less under ObamaCare.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. GINGREY of Georgia. I want to yield just briefly again to the gentleman from Georgia before I yield

some additional time to my colleague, our cochair of the House GOP Doctors Caucus, the gentleman from Pennsylvania.

Mr. BROUN of Georgia. I thank you for yielding just a moment to me because I want to add to that statistic; 15 percent of hospitals, nursing homes, and home health care will close because Medicare pays less under ObamaCare. That's absolutely true. A lot of those hospitals are going to be in rural communities because rural communities are going to be hit the hardest.

Right now I'm a primary care doctor. As the gentleman knows, I'm a family doctor. I've done general medicine for almost 40 years now.

The American Academy of Family Physicians said right now, today, one in eight family docs will not accept Medicare at all. Only one in three doctors, according to the American Medical Association limits how many Medicare patients that they take.

□ 2100

That is a marked rise. Back in 2004, only 6 percent of all doctors limited their Medicare patients. In 2008, it went up to 8 percent. Now it's almost one-third limit the amount of Medicare patients that they see. And one in eight family docs don't take Medicare at all; they can't afford to because of the low reimbursement rates. And IPAB is going to hit those folks that much harder.

During our Special Order when we were discussing ObamaCare I made a comment that somebody may have a free health care card in their pocket, but it's going to be as worthless as a Confederate dollar after the War Between the States because nobody will take it, and that's exactly where we are headed. So I just wanted to add that.

Mr. GINGREY of Georgia. I thank the gentleman from Georgia.

I now yield to my cochair of the House GOP Doctors Caucus, the gentleman from Pennsylvania, Dr. TIM MURPHY.

Mr. MURPHY of Pennsylvania. Thank you, Dr. GINGREY.

I want to talk for about 5 minutes here on an issue that you brought up, Dr. GINGREY, about the \$575 billion from the Medicare program that also cuts \$135 billion from Medicare Advantage plans, forcing over 7 million seniors out of their current Medicare plan unless they pay more.

I wanted to help point out that while the President and others are out there saying we're trying to cut Medicare and what it does, nothing could be further from the truth. What we're trying to do here is show how if Medicare is handled differently—not by IPAB or a board of bureaucrats, but by letting the plans work and letting doctors work, they can drive down cost by improving quality.

Let me explain what happened in the Medicare Advantage program that was gutted in the health care bill that was passed out of the House. Well, seniors are able to make choices right now—with Medicare, they can get Medicare part D drug coverage and supplemental Medigap policies with the Medicare Advantage plan. What the Medicare Advantage plan does is allows some management of diseases that are chronic illnesses, which is very different from the current fee-for-service where somebody would get paid based upon the number of procedures they do. Under the regular Medicare fee-for-service plan, hospital readmission rates—that's 30 days post-discharge for the country—in 2007 was over 18 percent, but the average readmission rate across Medicare Advantage was 13.5 percent. Why? Because it allowed physicians and nurses to talk to the patient, to follow the patient, to work with the disease, to make sure whatever complication they had—an infection or heart disease or lung disease or an orthopedic problem—to pay that physician and staff to work for them.

Here is another interesting thing: The Medicare fee-for-service rate of preventable emergency department visits was 15.5 visits per 100 beneficiary months in 2007. But the average rate across Medicare Advantage plans and study was two visits per 100 beneficiary months—86 percent lower than Medicare's national average.

Here's another point: Actual cost for the drug plan we know, Medicare part D, comes out 40 percent under budget because insurers are forced to compete with each other. Now imagine this: Seniors can choose Medicare supplemental plans, and those plans compete for seniors' coverage. The drug plans compete for seniors' coverage. What happens if seniors are allowed to also choose their main Medicare plan? Well, listen to this additional issue about drugs: The Intercontinental Marketing Services, IMS—I should say this comes from the Deloitte & Touche Web site—the Institute for Healthcare Informatics study concluded: The average cost for drugs frequently used by Medicare prescription drug part D beneficiaries declined since the implementation of the program in 2006. Between January, 2006, and December, 2010, for the top ten therapeutic classes, part D drugs decreased by over one-third, from \$1.50 to \$1. The study projected that costs will continue to decline by 57 percent from 2006 to 2015, reaching 65 cents by the end of 2015. That's a massive decline. Why? Because plans are competing against each other. Plans innovate, they try and do things better and smarter, with better quality, and they ask seniors to choose their plan. Seniors then, by signing their name, can choose a plan that works for them.

Why not allow seniors to have Medicare choice with their major Medicare



plan? Why not allow seniors to have Medicare Advantage instead of gutting the program? This is the very thing we're saying; by improving efficiencies and qualities within the program, a lot of cost can be reduced. It can't be reduced, however, by the status quo. As you pointed out, Dr. GINGREY, and my colleagues, keeping the status quo means there won't be Medicare. There will be Medicare for those currently on it. It won't be there for their children and certainly not for their grandchildren. We want to save Medicare, but you can't save it by the continued way it's being done now.

Quite frankly, the system that's being done out there now to frighten seniors, to say that if we don't simply pass this debt limit increase without strings attached, that seniors won't have Social Security or Medicare, this is such a falsehood. And it's a serious problem in two ways: One, it's serious because it's telling a falsehood to seniors; and two, it looks down upon seniors thinking that they're susceptible, not smart enough to figure out that this is false.

It is so important, and we want the American public to understand: We are trying to save Medicare because we do want it to be there for the future, but it means making it more efficient. And what's wrong with letting doctors be the ones who call the shots on improving care?

Mr. GINGREY of Georgia. Mr. Speaker, I appreciate so much the gentleman from Pennsylvania, who has spent his professional life providing medical services to his patients, just as so many of the doctors in the caucus.

Talking about this cut to Medicare Advantage, as Dr. MURPHY described that method of getting care, Mr. Speaker, it is exactly what we continue to talk about today of wanting to reward health care based on quality and not necessarily quantity. Just strictly fee-for-service—the number of times you go to see a provider and that provider getting paid, albeit a small amount—is not a very efficient way. And certainly a much more efficient way—and we continue to talk about this—is to provide quality of care. And Dr. MURPHY correctly pointed out, Mr. Speaker, that's exactly what Medicare Advantage does; it offers a quality of care and a wellness provision. Were we paying these plans a little too much for those services? I don't know, maybe, possibly. But if you're going to cut any amount, certainly 14 percent, \$130 billion, is too much because that guts those plans.

But whatever savings you get out of Medicare, shouldn't they stay in the Medicare program, if you believe the Medicare actuary and the trustees that say that if we don't do something by 2024, the trust fund, the hospital trust fund is depleted, there is no more Medicare as we know it or any other way.

So if you're going to find savings in the Medicare program, you don't take that money, \$575 billion, and use it to create a whole new entitlement program so that everybody in the whole country has health insurance whether they need it or not, whether they want it or not. I can think of a lot of things in the Medicare program where this money could be well spent. How about long-term care, extended care facility coverage to keep that money in Medicare? Instead, what ObamaCare comes up with is something called the CLASS Act—which is a classless act, Mr. Speaker, because it is a misleading program that can't fund itself, that absolutely can't fund itself.

So there are so many things about ObamaCare and Obama's plan to save Medicare—which really, as Dr. BROWN pointed out, is no plan at all, other than what Dr. ROE has pointed out in regard to this Independent Payment Advisory Board that is going to cut spending for the most vulnerable seniors, those that are the sickest, those that incur the highest cost. And they say there is no rationing, but it will indeed, as my colleagues have pointed out, Mr. Speaker, be denial of care.

At this point, I would like to yield back to the gentleman from Tennessee to talk a little bit more about that.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

Mr. Speaker, I do want to point out one thing that Dr. GINGREY just pointed out, which was one of the reasons that the American people don't trust politicians. The CLASS Act may be a good idea. The CLASS Act began this year where you have some money taken out of your paycheck and put in a savings account over here. It's supposed to be about \$87 billion in 5 years, and we can't get it out until that 5-year period of time occurs and this money has accumulated. At that time it's supposed to pay for long-term care, about \$50 per day. But guess what happens, Mr. Speaker? What happens is that we borrow the money out and spend it on current health care and call this an asset.

□ 2110

We have counted that money twice; two times. We have done that with Social Security already. I find this absolutely offensive, on August 2, 10 days, about a week from now, we have had the audacity to tell people who have paid into Social Security for 40 or 50 years they will not be able to get their check. Why? Because the Federal Government has spent that money. We are doing the same thing again with the CLASS Act. There has already been legislation to perhaps overturn that.

I want to get back to something a little more basic, and that is to the examining room with the patient. The people who should be making health care decisions should be a family, the pa-

tient and their physician, sitting around and talking about what their options are, not some 15 people appointed bureaucrats in Washington, D.C.

By the way, Dr. GINGREY and Mr. Speaker, we have over 190 cosponsors, including a bipartisan cosponsorship to the repeal of IPAB, including every physician, every health care provider on the Republican side and Dr. CHRISTENSEN, who was down here just a moment ago on the Democratic side. It is a bipartisan agreement that we should overturn this. The American Medical Association believes it should be overturned. Over 270 major medical organizations see through this as a very bad thing for patients.

The reason we are worried about it, we have heard Dr. BROWN speak about it, and we have heard you speak about it, Mr. Speaker. Ultimately it will affect the quality of care. Why? Because if you don't have access to your doctor, the quality of your care will go down.

The other thing I want to mention is we talk about changing Medicare. Quite frankly, I'm going to go through just a few of the things that already have been changed in this Affordable Care Act. Beginning in 2010, there were Medicare cuts to hospitals, long-term care and inpatient rehabilitation services.

In 2011, it has been pointed out that the Medicare Advantage plans, the seniors did get a \$250 check to fill the doughnut hole. The wealthier seniors began paying higher premiums for Medicare part D; that's in 2011. Medicare imaging cuts, Medicare reimbursement cuts: when seniors get a CT scan or an MRI, Medicare cuts for durable medical equipment began, ambulance services, ambulatory service centers, diagnostic labs, durable medical equipment, wheelchairs. Seniors prohibited from purchasing power wheelchairs unless they rent for 13 months.

In 2012, elimination of the deduction for the employer expenses for Medicare drug subsidies, that is how they raised \$4.5 billion. And that is not to improve our current underfunded Medicare plan. That is to create another entitlement. Medical expense deduction, you raise the threshold for deducting medical expenses from 7½ to 10 percent. That raises \$15 billion to be spent elsewhere. That is a tax right there.

Hospice care is being cut. Dialysis, Medicare cuts to dialysis treatment will be cut in 2012.

In 2014, this Independent Payment Advisory Board begins. And, by the way, they are getting, I believe it's \$12 million a year to fund this right now. If there is any way we can cut off funding to that board right now, it should be done.

In 2015, a permanent cut to the payment rate to home health agencies. On and on. We have felt these cuts because they haven't come to fruition yet.



What we are trying to do with Medicare is to salvage the program for future generations.

A promise made is a promise kept. If you are 55 years and older, with Social Security and Medicare, nothing happens. I hear all the time about a voucher. This is a voucher system and so forth. Here is what a voucher is. A voucher is when I go to my mailbox, something comes that says this has so much value. You take this piece of paper and purchase something with it. Premium support is where the Federal Government, through its massive ability to go out and negotiate prices, exactly like they do for you and me, Mr. Speaker, in our health care plan here in Congress, they negotiate with numerous companies through the Federal exchange. Our plan is called the Federal Employees Health Benefit Plan, and they negotiate the best price. And what happens is all during the campaign, the last 2 years I have heard seniors and others say, Congressman, I want exactly what you have. That is exactly what we are trying to do.

A higher income senior like myself, and you and the others in this room, will pay a higher premium. And folks with preexisting conditions and lower income will pay much lower. And they will have those choices. As Dr. MURPHY pointed out, why do we think that will save money and why are we doing it. It has been pointed out that it is a catastrophe waiting to happen if we do not do something.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman from Tennessee, Dr. ROE. What he was describing, if I can elaborate a little more on that point to our colleagues because I think some still are confused, possibly on both sides of the aisle, but clearly this plan that is put forth in the House budget, and it's the Republican budget because we are in the majority. It is sometimes referred to as the Paul Ryan budget because he is chairman of the Budget Committee. It is sometimes referred to as the Path to Prosperity.

But in that budget which we sent to the Senate; and, unfortunately, the Senate majority leader has deep-sixed it, if you will, but in that budget plan that Dr. ROE was referring to, it has taken the responsible approach based on the trustees' estimate of the Medicare program going totally broke by the year 2024, and that information is bipartisan. That's the Medicare board of trustees.

To ignore that, as my colleague from Georgia said in his remarks, the "D" words, to defund, to deny, what were some of the others, Dr. BROWN? To deny, delay, destroy, demagogue, and I added to those "D" words their plan is rather disingenuous, but what Dr. ROE was describing is to protect and preserve Medicare as we know.

Whether it is traditional Medicare, maybe we can salvage Medicare Advan-

tage, and hold harmless anybody that is over age 55, 55 through 65. They were 10 years away from being eligible for a Medicare benefit. So they will be in those plans as we know it. But this approach that Dr. ROE so adequately describes, Mr. Speaker, this premium support program, not a voucher, as he pointed out, the premium support program, which by the way would be administered by the Office of Personnel Management, the same folks that talk to us and find out what kind of health care benefit we want, those Members who are under 65, that you pick and choose and you negotiate. They will do the same thing for future, those under age 55 today, future Medicare beneficiaries. They will get the best bang for the buck, the best care for their individual needs.

Now, it is estimated that in 2022 that premium support amount on average will be \$8,000 a year. Now, our Democratic friends, Mr. Speaker, want to say, Well, that's not enough. That's not enough. Seniors are going to have to reach in their pocket.

But what they don't tell you, Mr. Speaker, is that premium will be higher for anybody who comes into the Medicare program who is already sick, who already has several things wrong with them; and that certainly is possible.

When I got Medicare eligible, I had already had open heart surgery. So these people will have a higher premium than the average of \$8,000 a year. And as they age, even if their health is perfect the day they come into Medicare, they become Medicare eligible—they may have the Methuselah gene and have wonderful health. They may jog 3 miles a day, don't smoke, don't drink excessively, don't skydive—but as they get older, that premium support will automatically go up because we know statistically that as you get older the chances of something happening are greater.

And last but not least, the higher your income, the lower your premium support.

□ 2120

So our seniors, who need it the most, will get a higher—they won't get the average \$8,000. They will get a higher premium support. I think it is a wonderful plan, Mr. Speaker. I absolutely do. It shows the responsibility of the majority party in this House of Representatives.

Of course, as my colleagues have pointed out, what is the plan from the Democrats, the Democrat majority in the Senate and from this President: deny it, delay it, destroy it, demagogue it. Or, as my colleague from Tennessee has pointed out, kill it by creating this Independent Payment Advisory Board, IPAB, which will, without question, lead to denial of care and rationing.

I yield to my colleague from Tennessee.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

One of the things, Mr. Speaker, that I want to emphasize is having no plan is a prescription for disaster for our country. We have a solemn obligation to provide health care for our seniors. We have made that promise. And how do we do it? Again, back to what I said, I do not want a board that is appointed by a Democrat or Republican or any bureaucrat. What I want is I want health care decisions made by physicians, the patient, and their family. The way that is going to happen is through this plan where we use premium support to allow people choice and to have them make those choices, not insurance companies and certainly not the Federal Government.

From what I have seen up here in my two terms is I don't want a bunch of Federal bureaucrats in charge of my bypass operation or my gallbladder operation—or my bunion operation, for that matter. I want my doctor in charge of it. That is who I want making those decisions, along with my family.

I think this is one of the biggest discussions we will have in this Congress is how we do this right. Not only does it affect the budget. Forget the budget. Forget all that right now. We are talking about people's lives. We are talking about the care that they get. And right now, as I mentioned, these changes are already made. This is already in the current law that I talked about just a minute ago.

When you talk about Medicare as it is, folks, it's been changed, big time. When this board kicks in—and there's a very good article if you are sort of a wonk like I am and want to go back to the *New England Journal of Medicine*, one of our major journals, in, I believe it was, May of 2010. Their estimate was—this is one of our major scientific journals—that this IPAB board would have kicked in 21 of the last 25 years if it had been in place. So it's not some idle threat that this will happen. If you look retrospectively at what's happened, it would have happened 21 out of 25 times.

What would that mean? That would mean, as Dr. BROWN, Mr. Speaker, pointed out just a moment ago, as these payments for physicians go down and down and down below their cost of providing the care, they no longer can see you. You lose access to your doctors, like Dr. BROWN.

Mr. GINGREY of Georgia. What Dr. ROE is talking about, Mr. Speaker, is on top of these cuts that our medical providers are currently facing under this so-called flawed formula sustainable growth rate, which I'm sure I'm correct on this, in the past 9 years every calculation has been a cut to provider reimbursement to the point now that while we in Congress have had the ability to mitigate that, that if these

cuts finally in the aggregate come due December 31 of this year, it is a 30 percent cut. So we haven't solved that problem yet for our providers but yet we are adding on top of that this IPAB board that can make additional cuts to provider reimbursement without any ability of the Congress, we the Members of Congress, to stop that injustice.

Mr. ROE of Tennessee. A good point.

Peter Orszag, who was the previous OMB Director here, said this is one of the biggest losses of power the Congress has given up since the Federal Reserve. That's been almost a hundred years ago. What we're doing is the Congress takes two-thirds to overturn what they recommend in this IPAB. We could do it if we get a two-thirds vote. And it is not appealable. You don't have any appeal to a court system to do anything about this.

Mr. GINGREY of Georgia. If the gentleman will yield, still, we can overrule with a two-thirds vote. But we still have to find cuts in the Medicare program somewhere else for the same dollar amount.

Mr. ROE of Tennessee. The gentleman is correct.

What would happen is we could make those cuts, but they have to be made somewhere else. The cuts have to be made. Nowhere should Congress give up its ability to do that. We are, our House, the House side, we're the representatives of the people. We are the closest to them. We have 700,000 constituents that we go talk to every time we get home. And we ought to be beholden to those folks in our districts across this country and not to some board up here in Congress that is not accountable to anybody.

Mr. GINGREY of Georgia. I thank the gentleman.

The gentleman from Georgia is kind enough to have stayed with us throughout the hour, and I would like to yield additional time to him, if he would like.

Mr. BROUN of Georgia. Thank you, Dr. GINGREY. I would certainly like the time.

The American people need to understand that the purpose of ObamaCare, the bottom line really was expressed by the President himself when he said he wanted everybody in this country in one pool. What's that mean for everybody? It means socialized medicine. That's what all IPAB and all these cuts and everything is geared to do is to force doctors out of private practice, make them employees of the Federal Government, make patients subject to some bureaucrat here in Washington and tell them what kind of health care they can get.

And the Democrats' plan is to deny, to delay, and to destroy Medicare by letting it go broke. But I want to just add, Dr. GINGREY, to your other "d," the demagoguery that we see. I want to give three examples because the facts

have really been, by and large, hidden from the American people.

AARP did an ad, a new one, talking about all the places where the Feds could cut spending, like treadmills for shrimp—well, I certainly want to cut that out—but instead, Republicans insist on cutting seniors' Medicare. Well, that's not true. AARP and the Democrats want to cut Medicare by destroying it, letting it go broke.

An ad put out by the Gender Project, a liberal nonprofit group, shows an elderly woman being heaved off the side of a cliff, with her being in a wheelchair, and asks: Is America beautiful without Medicare? Ask PAUL RYAN and his friends in Congress.

That is nothing but bald-faced lies, because we are trying to make sure that seniors get, as Dr. ROE said, a promise made, a promise kept. We want to shore up Medicare and Social Security. We want to strengthen Medicare, not destroy it, like the Democrats are going to do.

Let me give you a third example, then I will yield back.

On the Republican budget, President Obama said in his speech at George Washington University just last month: "Instead of guaranteed health care, you will get a voucher. If that voucher isn't worth enough to buy the insurance that is available in the open marketplace, well, tough luck. You're on your own. Put simply, it ends Medicare as we know it." President Obama.

It's demagoguery. It's lies, bald-faced lies designed to try to scare the American people, particularly senior citizens. We are trying to shore up Medicare. We are trying to strengthen Medicare. We are trying to save Medicare from going broke. But the Reid-Pelosi-Obama ObamaCare is to deny it, to delay it, to destroy it, and to demagogue it.

Mr. GINGREY of Georgia. As I said earlier, the kindest thing I can say is it is disingenuous.

Stop the Democrats' plan to end Medicare. If left alone, the Democrats' Medicare cut plan created in ObamaCare threatens Medicare seniors today as well as those who will come into the program tomorrow.

So, colleagues, how do we stop the Democrats' Medicare cut plan first and foremost? We need to repeal ObamaCare. But we need to vote and support Dr. ROE's bill to repeal this IPAB board and tell President Obama and Democrats that Medicare reform should not rely on restricting benefits and access for sick and disabled seniors in need.

As we conclude tonight, let me just say, colleagues, oppose the Democrats' Medicare cut board. Visit the GOP Doctors Caucus Web site and sign the online petition. Oppose the Democrats' plan to destroy Medicare.

And here are the Web sites: [doctorscaucus.gingrey.house.gov](http://doctorscaucus.gingrey.house.gov) or

[doctorscaucus.murphy.house.gov](http://doctorscaucus.murphy.house.gov), the two cochairs of the House Doctors Caucus.

Mr. Speaker, I thank our leadership for giving us an opportunity to bring to the American public and to our colleagues on both sides of the aisle the true facts of this case—that we have a plan; the President has no plan.

I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BERG (at the request of Mr. CANTOR) for today on account of attending the funeral of his good friend, former North Dakota State Senate Majority Leader Bob Stenehjem.

Mr. BACA (at the request of Ms. PELOSI) for July 22 on account of attending a funeral in the district.

Mr. DEFAZIO (at the request of Ms. PELOSI) for today on account of travel delays.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today until 5 p.m.

Ms. RICHARDSON (at the request of Ms. PELOSI) for today.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 300. An act to prevent abuse of Government charge cards; to the Committee on Oversight and Government Reform; in addition to the Committee on Armed Services for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

#### ADJOURNMENT

Mr. BROUN of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 26, 2011, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

2595. A letter from the Administrator, Risk Management Agency, Department of Agriculture, transmitting the Department's final rule — Common Crop Insurance Regulations; Extra Long Staple Cotton Crop Provisions [Docket No.: FCIC-10-0002] (RIN: 0563-AC27) received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2596. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Successor

Entities to the Netherlands Antilles (DFARS Case 2011-D029) (RIN: 0750-AH32) received July 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2597. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] [Internal Agency Docket No. FEMA-B-1195] received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2598. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] [Internal Agency Docket No. FEMA-B-1199] received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2599. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Extension of Temporary Exemptions for Eligible Credit Default Swaps to Facilitate Operation of Central Counterparties to Clear and Settle Credit Default Swaps [Release Nos. 33-9232; 34-64800; 39-2476; File No. S7-02-09] (RIN: 3235-AK26) received July 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2600. A letter from the Deputy Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priority; National Institute on Disability and Rehabilitation Research (NIDRR) — Rehabilitation Research and Training Center (RRTCs) — Interventions to Promote Community Living Among Individuals with Disabilities [CDFR Number: 84.133B-1] received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2601. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Revision to the Validated End-User Authorization for CSMC Technologies Corporation in the People's Republic of China [Docket No.: 1101519290-1298-01] (RIN: 0694-AF25) received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2602. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security for Foreign Policy Interests of the United States [Docket No.: 110128065-1135-01] (RIN: 0694-AF12) received June 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2603. A letter from the Associate Director, Department of the Treasury, transmitting the Department's final rule — Libyan Sanctions Regulations, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2604. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Native American Graves and Repatriation Act Regulations — Definition of "Indian tribe" (RIN: 1024-AD98) received June 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

for printing and reference to the proper calendar, as follows:

Mr. KLINE: Committee on Education and the Workforce. H.R. 2587. A bill to prohibit the National Labor Relations Board from ordering any employer to close, relocate, or transfer employment under any circumstance; with an amendment (Rep. 112-179). Referred to the Committee of the Whole House on the State of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 2445. A bill to amend the Elementary and Secondary Education Act of 1965 to provide States and local educational agencies with maximum flexibility in using Federal funds provided under such Act, and for other purposes; with an amendment (Rept. 112-180). Referred to the Committee of the Whole House on the State of the Union.

Mr. WEBSTER: Committee on Rules. House Resolution 370. Resolution providing for consideration of the bill (H.R. 1938) to direct the President to expedite the consideration and approval of the construction and operation of the Keystone XL oil pipeline, and for other purposes (Rept. 112-181). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. LUMMIS (for herself and Ms. KAPTUR):

H.R. 2631. A bill to amend the Packers and Stockyards Act, 1921, to prohibit the use of certain anti-competitive forward contracts; to the Committee on Agriculture.

By Mr. NUNES (for himself, Ms. SCHWARTZ, Mr. MEEHAN, Mr. PASCRELL, Mr. GERLACH, Mr. ALTMIRE, Mr. DENT, and Mr. FATTAH):

H.R. 2632. A bill to amend the Internal Revenue Code of 1986 to provide incentives for life sciences research; to the Committee on Ways and Means.

By Mr. COBLE (for himself and Mr. COHEN):

H.R. 2633. A bill to amend title 28, United States Code, to clarify the time limits for appeals in civil cases to which United States officers or employees are parties; to the Committee on the Judiciary.

By Mr. FILNER:

H.R. 2634. A bill to direct the Secretary of State to provide assistance for certain individuals affected by exposure to Agent Orange and the Secretary of Veterans Affairs to enhance the availability of medical care for descendants of veterans of the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Foreign Affairs, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS (for himself and Ms. SPEIER):

H.R. 2635. A bill to amend title 31, United States Code, to suspend the Presidential \$1 Coin Program when coin stockpiles are sufficient to meet the needs for one year, and for other purposes; to the Committee on Financial Services.

By Mr. GARY G. MILLER of California (for himself, Mr. BACHUS, Mrs. MCCARTHY of New York, and Mr. FRANK of Massachusetts):

H.R. 2636. A bill to authorize depository institutions, depository institution holding

companies, Fannie Mae, and Freddie Mac to lease foreclosed property held by such entities for up to 5 years, and for other purposes; to the Committee on Financial Services.

By Ms. CHU (for herself and Mr. LOEBSACK):

H.R. 2637. A bill to strengthen student achievement and graduation rates and prepare young people for college, careers, and citizenship through innovative partnerships that meet the comprehensive needs of children and youth; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 2638. A bill to authorize the adjustment of status for immediate family members of individuals who served honorably in the Armed Forces of the United States during the Afghanistan and Iraq conflicts, and for other purposes; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Mr. ACKERMAN, Ms. BALDWIN, Ms. BASS of California, Ms. BERKLEY, Mr. BERMAN, Mr. BLUMENAUER, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mrs. CAPPAS, Mr. CAPUANO, Mr. CARNAHAN, Ms. CHU, Mr. CIGILLINE, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURE, Mr. DEUTCH, Mr. DOGGETT, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GARAMENDI, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HINCHAY, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LOEBSACK, Ms. ZOE LOFGREN of California, Mrs. MALONEY, Mr. MARKEY, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Connecticut, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. PALLONE, Mr. PAYNE, Mr. PETERS, Ms. PINGREE of Maine, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Ms. RICHARDSON, Mr. ROTHMAN of New Jersey, Mr. RUSH, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. SCHA-KOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SHERMAN, Mr. SIREN, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. STARK, Ms. SUTTON, Mr. THOMPSON of California, Mr. TIERNEY, Mr. TOWNS, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, Ms. WOOLSEY, Mr. WU, and Mr. YARMUTH):

H.R. 2639. A bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

By Mr. MARKEY (for himself, Mr. KEATING, Mr. FRANK of Massachusetts, Mr. NEAL, Mr. CAPUANO, Mr. TIERNEY, Mr. MCGOVERN, Mr. LYNCH, Ms. TSONGAS, and Mr. OLVER):

H.R. 2640. A bill to designate the facility of the United States Postal Service located at 462 Washington Street in Woburn, Massachusetts, as the "Officer John Maguire Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. YOUNG of Alaska:

H.R. 2641. A bill to authorize the Secretary of Commerce to convey real property, including improvements, of the National Oceanic and Atmospheric Administration in Ketchikan, Alaska, and for other purposes; to the Committee on Natural Resources.

By Mrs. BIGGERT:

H. Res. 368. A resolution requesting return of official papers on H.R. 1309; considered and agreed to.

By Mr. TERRY:

H. Res. 369. A resolution to state the belief of the House of Representatives that the President and the Secretary of the Treasury have the authority to choose the order in which to pay obligations of the United States; to the Committee on Ways and Means.

By Ms. WILSON of Florida:

H. Res. 371. A resolution expressing support for designation of a "Hear My Cry Day" in schools across the United States; to the Committee on Education and the Workforce.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. LUMMIS:

H.R. 2631.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: [The Congress shall have Power] To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. NUNES:

H.R. 2632.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution of the United States.

By Mr. COBLE:

H.R. 2633.

Congress has the power to enact this legislation pursuant to the following:

Clause 9 and clause 18 of section 8 of Article I of the Constitution.

By Mr. FILNER:

H.R. 2634.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. POLIS:

H.R. 2635.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3  
The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article I, Section 8, Clause 5

The Congress shall have Power to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures.

By Mr. GARY G. MILLER of California:

H.R. 2636.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power to regulate interstate commerce).

By Ms. CHU:

H.R. 2637.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article 1, Section 8, Clause 3 and Article 1, Section 9, Clause 7 of the Constitution of the United States of America, the authority to enact this legislation rests with the Congress.

By Mr. FILNER:

H.R. 2638.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution

By Mrs. LOWEY:

H.R. 2639.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution.

By Mr. MARKEY:

H.R. 2640.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7.

By Mr. YOUNG of Alaska:

H.R. 2641.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Ms. ROYBAL-ALLARD.

H.R. 24: Mr. ACKERMAN, Mr. HARPER, Ms. KAPTUR, Mr. OLVER, Mr. RYAN of Wisconsin, Mr. BRADY of Texas, Mr. HINCHEY, Mr. FRANKS of Arizona, Mrs. EMERSON, Mr. ISSA, Ms. DELAURO, Ms. BROWN of Florida, Mr. MARCHANT, Mr. TIERNEY, Ms. BERKLEY, Mrs. BLACKBURN, Ms. GRANGER, Mr. WALDEN, Mr. UPTON, Mr. PRICE of Georgia, Mr. CARDOZA, and Mr. GOHMERT.

H.R. 49: Mr. ROE of Tennessee and Mr. DAVIS of Kentucky.

H.R. 87: Mr. WALSH of Illinois.

H.R. 114: Mr. GRIFFIN of Arkansas.

H.R. 136: Mr. MURPHY of Pennsylvania and Ms. FUDGE.

H.R. 176: Ms. RICHARDSON, Ms. JACKSON LEE of Texas, and Mr. RANGEL.

H.R. 210: Ms. CLARKE of New York, Mr. NADLER, and Mr. HECK.

H.R. 303: Mr. WEST.

H.R. 361: Mr. HALL.

H.R. 371: Mr. HURT, Mr. LANDRY, Mr. WOODALL, Mr. WESTMORELAND, Mr. SCHILLING, Mr. RIBBLE, Mr. ROYCE, Mr. HUIZENGA of Michigan, Mrs. BIGGERT, Mr. FITZPATRICK, Mr. SMITH of Texas, Mr. POE of Texas, Mr. RIGELL, and Mrs. ADAMS.

H.R. 376: Mr. LATHAM.

H.R. 402: Ms. SCHAKOWSKY.

H.R. 420: Mr. PENCE, Mr. KING of Iowa, Mr. QUAYLE, Mr. RYAN of Wisconsin, Mr. HARPER, and Mr. BACHUS.

H.R. 431: Mr. WITTMAN and Mr. LOBIONDO.

H.R. 440: Mr. LEVIN.

H.R. 451: Mr. LUETKEMEYER.

H.R. 452: Mr. SCOTT of South Carolina, Mr. REED, and Mr. RENACCI.

H.R. 459: Mr. POMPEO.

H.R. 546: Mr. FLEISCHMANN and Mr. JACKSON of Illinois.

H.R. 574: Mr. DEFazio.

H.R. 583: Mr. CUMMINGS, Ms. FUDGE, Mr. STARK, Mr. AL GREEN of Texas, Ms. SCHKOWSKY, Mr. RANGEL, Ms. WOOLSEY, Mr. BARROW, Ms. JACKSON LEE of Texas, and Mr. TONKO.

H.R. 645: Mr. KINGSTON and Mr. HARPER.

H.R. 664: Ms. HIRONO and Mr. BOSWELL.

H.R. 680: Mr. HULTGREN.

H.R. 687: Mr. YOUNG of Alaska.

H.R. 688: Ms. RICHARDSON.

H.R. 711: Mr. GUTIERREZ.

H.R. 719: Mr. TIPTON and Mr. CONNOLLY of Virginia.

H.R. 721: Mr. SMITH of New Jersey.

H.R. 735: Mrs. NOEM.

H.R. 743: Mr. SCHIFF.

H.R. 835: Mr. WEST.

H.R. 886: Mr. SCALISE, Mr. GINGREY of Georgia, and Mr. WITTMAN.

H.R. 959: Mr. HULTGREN and Ms. VELÁZQUEZ.

H.R. 1041: Mr. BOREN and Mr. TERRY.

H.R. 1058: Mr. QUAYLE.

H.R. 1154: Mr. ROHRABACHER.

H.R. 1195: Mr. TIERNEY and Mr. ROTHMAN of New Jersey.

H.R. 1206: Mr. MARINO and Mr. HALL.

H.R. 1219: Mr. RYAN of Ohio and Mr. ROTHMAN of New Jersey.

H.R. 1283: Mr. COURTNEY, Mr. RUNYAN, and Mr. WEST.

H.R. 1291: Mr. NUNNELEE.

H.R. 1311: Mr. CARNEY.

H.R. 1331: Mr. GOODLATTE.

H.R. 1342: Mr. COSTA.

H.R. 1348: Mr. CARNEY.

H.R. 1351: Ms. VELÁZQUEZ, Mr. LIPINSKI, and Mr. GEORGE MILLER of California.

H.R. 1358: Mr. STIVERS.

H.R. 1386: Mr. BOREN.

H.R. 1394: Ms. LEE of California, Ms. CLARKE of New York, Mr. RUSH, Mr. DAVIS of Illinois, Ms. NORTON, and Mr. FRANK of Massachusetts.

H.R. 1397: Mr. MILLER of North Carolina.

H.R. 1461: Mr. LUJÁN.

H.R. 1464: Mr. MORAN and Mr. JACKSON of Illinois.

H.R. 1465: Ms. LEE of California.

H.R. 1466: Mr. RANGEL.

H.R. 1479: Mr. ROGERS of Kentucky.

H.R. 1489: Mr. FILNER and Ms. BALDWIN.

H.R. 1505: Mr. FLEISCHMANN, Mr. FLORES, and Mr. LAMBORN.

H.R. 1558: Mr. ROONEY.

H.R. 1588: Mr. MCHENRY.

H.R. 1666: Mr. CLEAVER.

H.R. 1681: Mr. PALLONE.

H.R. 1697: Mr. WITTMAN, Mr. MCINTYRE, and Mr. SCHRADER.

H.R. 1754: Mr. GEORGE MILLER of California, Mr. HONDA, Mr. CARDOZA, Mr. FILNER, and Mr. BILBRAY.

H.R. 1815: Mr. MARKEY.

H.R. 1817: Ms. BORDALLO.

H.R. 1845: Mr. BOSWELL and Mr. MCKINLEY.  
H.R. 1852: Mr. LARSEN of Washington, Mr. CONNOLLY of Virginia, Mr. RUNYAN, and Ms. BERKLEY.

H.R. 1855: Mrs. MALONEY and Mr. SCHIFF.

H.R. 1865: Mr. POMPEO.

H.R. 1897: Ms. DEGETTE, Mr. WOLF, and Mr. BOREN.

H.R. 1959: Mr. LEWIS of Georgia.

H.R. 1981: Mr. STARK and Mr. PIERLUISI.

H.R. 1995: Mr. CARSON of Indiana.

H.R. 2005: Ms. MCCOLLUM and Mr. WALZ of Minnesota.

H.R. 2016: Mr. PETERS.  
 H.R. 2025: Mr. BROOKS.  
 H.R. 2028: Ms. WOOLSEY and Mr. WAXMAN.  
 H.R. 2032: Mr. HERGER, Mr. PLATTS, Mr. GALLEGLY, Mr. GARDNER, and Mr. GRIFFIN of Arkansas.  
 H.R. 2069: Ms. NORTON.  
 H.R. 2086: Mr. HINOJOSA.  
 H.R. 2092: Mrs. ELLMERS.  
 H.R. 2107: Mr. BLUMENAUER and Mr. WELCH.  
 H.R. 2140: Mr. CONNOLLY of Virginia.  
 H.R. 2146: Mr. LATHAM.  
 H.R. 2164: Mr. ROGERS of Alabama, Mrs. CAPITO, Mr. STEARNS, Mr. ROGERS of Michigan, and Mr. MILLER of Florida.  
 H.R. 2189: Mr. CONYERS.  
 H.R. 2210: Mr. ROTHMAN of New Jersey, Mr. KUCINICH, Mr. FILNER, Mrs. MALONEY, Mr. DEFazio, Mr. DEUTCH, Mr. BLUMENAUER, and Ms. CHU.  
 H.R. 2217: Mr. BROOKS.  
 H.R. 2247: Mr. QUIGLEY.  
 H.R. 2250: Mr. REHBERG.  
 H.R. 2304: Mr. MICA.  
 H.R. 2310: Ms. DEGETTE.  
 H.R. 2324: Mr. TOWNS.  
 H.R. 2337: Mr. McDERMOTT, Mr. OLVER, Mr. HOLT, Ms. BASS of California, Mrs. SCHMIDT, Mr. MARINO, Mr. GRAVES of Georgia, Mr. ELLISON, Mr. JONES, Ms. BALDWIN, and Mr. VAN HOLLEN.  
 H.R. 2362: Mr. HASTINGS of Florida, Mr. LARSON of Connecticut, and Mr. COHEN.  
 H.R. 2397: Mr. LOESACK.  
 H.R. 2402: Mr. JOHNSON of Ohio and Mr. GINGREY of Georgia.  
 H.R. 2407: Mr. DEUTCH.  
 H.R. 2414: Mr. JOHNSON of Illinois.  
 H.R. 2429: Mr. LATTA.  
 H.R. 2433: Mr. YOUNG of Indiana.  
 H.R. 2443: Mr. YOUNG of Indiana.  
 H.R. 2449: Ms. MOORE, Mr. STARK, and Mr. BLUMENAUER.  
 H.R. 2453: Mr. HANNA.  
 H.R. 2457: Mr. COBLE.  
 H.R. 2469: Mr. SOUTHERLAND.  
 H.R. 2492: Mr. CARNAHAN, Ms. NORTON, Mr. WEST, Mr. HIMES, and Mr. CARSON of Indiana.  
 H.R. 2497: Mr. KING of Iowa.  
 H.R. 2524: Mr. HONDA and Ms. SCHAKOWSKY.  
 H.R. 2530: Mr. ROTHMAN of New Jersey, Mr. BOREN, Mr. BISHOP of New York, Mr. LOBIONDO, and Mr. ACKERMAN.  
 H.R. 2534: Mr. HUIZENGA of Michigan, and Mr. LONG.  
 H.R. 2541: Mr. RAHALL.  
 H.R. 2543: Mr. FILNER and Mr. McDERMOTT.  
 H.R. 2544: Mr. PASCRELL, Mr. DOYLE, and Mr. MORAN.  
 H.R. 2559: Mr. SCHIFF and Mr. RYAN of Ohio.  
 H.R. 2576: Mr. SCHRADER.  
 H.R. 2581: Mr. HUIZENGA of Michigan, Mr. BARLETTA, and Mr. RIVERA.  
 H.R. 2587: Mr. HARPER and Mrs. BLACK.  
 H.R. 2594: Mr. FILNER, Ms. BROWN of Florida, and Mr. SOUTHERLAND.  
 H.R. 2597: Mr. GRIMM.  
 H.R. 2600: Mr. LANGEVIN, Mr. ISRAEL, Mr. BACHUS, Mr. LEWIS of Georgia, Mr. DAVIS of Illinois, Mr. MICHAUD, and Mr. CRENSHAW.  
 H.R. 2605: Mr. HECK and Mr. GINGREY of Georgia.  
 H.J. Res. 8: Ms. NORTON.  
 H.J. Res. 13: Mr. HALL.  
 H.J. Res. 41: Mr. BOSWELL.  
 H.J. Res. 69: Mr. NEAL.  
 H.J. Res. 73: Mr. BISHOP of Utah, Mr. POLIS, and Mr. SCOTT of South Carolina.  
 H. Con. Res. 4: Ms. NORTON.  
 H. Con. Res. 39: Mr. BURTON of Indiana.  
 H. Res. 60: Mr. ALEXANDER, Mr. CARDOZA, Mr. GRAVES of Missouri, Mr. PRICE of North Carolina, and Mr. MCCOTTER.

H. Res. 134: Mr. SCHIFF, Mr. DOGGETT, and Mr. SMITH of Texas.  
 H. Res. 207: Mr. PLATTS.  
 H. Res. 295: Ms. DELAURO.  
 H. Res. 304: Mr. MURPHY of Connecticut.  
 H. Res. 361: Mr. CAPUANO, Mr. MURPHY of Connecticut, Mr. MCGOVERN, Mr. LEWIS of Georgia, Mr. JACKSON of Illinois, Mr. RUSH, Ms. DEGETTE, Ms. DELAURO, Mr. FALCOMA, Mr. BERMAN, Mr. COHEN, Mr. FARR, Mr. RANGEL, Mr. HONDA, Ms. JACKSON-LEE of Texas, Ms. MCCOLLUM, Ms. WATERS, Ms. MOORE, Mr. ELLISON, and Mr. McDERMOTT.  
 H. Res. 364: Mr. WOLF, Mr. GEORGE MILLER of California, Mr. WEST, Mr. OLSON, Mr. BENISHEK, Mr. CONNOLLY of Virginia, Ms. SCHWARTZ, Mr. YARMUTH, Mr. DEUTCH, Ms. CASTOR of Florida, Mr. CARNEY, Mr. HEINRICH, Mr. JOHNSON of Georgia, Mr. BISHOP of New York, Mr. McNERNEY, Mr. RYAN of Ohio, Mr. DOYLE, Mr. BRADY of Pennsylvania, Mr. STARK, Mr. ROTHMAN of New Jersey, Mr. VAN HOLLEN, and Mrs. MCCARTHY of New York.

#### AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2584

OFFERED BY: MR. AMASH

AMENDMENT NO. 4: At the end of the bill, before the short title, insert the following:

FUNDING LIMITATION FOR NATIONAL CAPITAL AREA PERFORMING ARTS PROGRAM

SEC. \_\_\_\_ None of the amounts made available in the Act may be used for the National Capital Area Performing Arts Program.

H.R. 2584

OFFERED BY: MR. AMASH

AMENDMENT NO. 5: Page 14, line 7, after the first dollar amount, insert "(decreased by \$2,206,000)".

Page 158, line 25, after the dollar amount, insert "(increased by \$2,206,000)".

H.R. 2584

OFFERED BY: MR. SULLIVAN

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ No funds made available by this Act may be used to implement—

(1) the decision of the Administrator of the Environmental Protection Agency entitled "Partial Grant and Partial Denial of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent" published in the Federal Register on November 4, 2010 (75 Fed. Reg. 68093 et seq.); or

(2) the decision of the Administrator of the Environmental Protection Agency entitled "Partial Grant of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent" published in the Federal Register on January 26, 2011 (76 Fed. Reg. 4662 et seq.).

H.R. 2584

OFFERED BY: MR. HUELSKAMP

AMENDMENT NO. 7: Page 2, line 20, after the dollar amount, insert "(reduced by \$70,000,000)".

Page 4, line 6, after the dollar amount, insert "(reduced by \$4,880,000)".

Page 8, line 18, after the dollar amount, insert "(reduced by \$85,000,000)".

Page 9, line 18, after the dollar amount, insert "(reduced by \$11,804,000)".

Page 10, line 1, after the dollar amount, insert "(reduced by \$15,047,000)".

Page 10, line 4, after the dollar amount, insert "(reduced by \$4,000,000)".

Page 10, line 7, after the dollar amount, insert "(reduced by \$120,000)".

Page 14, line 19, after the dollar amount, insert "(reduced by \$9,000,000)".

Page 15, line 8, after the dollar amount, insert "(reduced by \$32,000,000)".

Page 32, line 12, after the dollar amount, insert "(reduced by \$75,000,000)".

Page 39, line 7, after the dollar amount, insert "(reduced by \$47,000,000)".

Page 65, line 5, after the dollar amount, insert "(reduced by \$150,000,000)".

Page 65, line 19, after the dollar amount, insert "(reduced by \$900,000,000)".

Page 66, line 10, after the dollar amount, insert "(reduced by \$16,000,000)".

Page 68, line 11, after the dollar amount, insert "(reduced by \$771,000,000)".

Page 76, line 22, after the dollar amount, insert "(reduced by \$78,000,000)".

Page 78, line 1, after the dollar amount, insert "(reduced by \$12,500,000)".

Page 88, line 9, after the dollar amount, insert "(reduced by \$432,000,000)".

Page 96, line 16, after the dollar amount, insert "(reduced by \$9,000,000)".

Page 103, line 14, after the first dollar amount, insert "(reduced by \$12,000,000)".

Page 105, line 7, after the dollar amount, insert "(reduced by \$135,000,000)".

Page 105, line 18, after the dollar amount, insert "(reduced by \$135,000,000)".

Page 105, line 19, after the dollar amount, insert "(reduced by \$125,000,000)".

Page 105, line 22, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 105, line 24, after the dollar amount, insert "(reduced by \$8,000,000)".

Page 158, line 25, after the dollar amount, insert "(increased by \$3,000,231,000)".

H.R. 2584

OFFERED BY: MR. FLORES

AMENDMENT NO. 8: At the end of the bill (before the short title), add the following new section:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

H.R. 2584

OFFERED BY: MR. BURGESS

AMENDMENT NO. 9: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used by the Environmental Protection Agency to, pursuant to section 211 of the Clean Air Act (42 U.S.C. 7545), register, or consider registration of, a fuel that contains greater than 10 volume percent ethanol.

H.R. 2584

OFFERED BY: MR. BURGESS

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used by the Environmental Protection Agency to register, or consider registration of, a fuel pursuant to—

(1) the decision of the Administrator of the Environmental Protection Agency entitled "Partial Grant and Partial Denial of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent" published in the Federal Register on November 4, 2010 (75 Fed. Reg. 68094 et seq.); or

(2) the decision of the Administrator of the Environmental Protection Agency entitled "Partial Grant of Clean Air Act Waiver Application Submitted by Growth Energy To

Increase the Allowable Ethanol Content of Gasoline to 15 Percent” published in the Federal Register on January 26, 2011 (76 Fed. Reg. 4662 et seq.).

H.R. 2584

OFFERED BY: MR. CARTER

AMENDMENT No. 11: Page 15, line 8, after the dollar amount, insert “(decreased by \$11,000,000) (increased by \$11,000,000)”.

H.R. 2584

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 12: Page 105, line 18, after the dollar amount insert “(reduced by \$2,510,000)”.

Page 158, line 25, after the dollar amount insert “(increased by \$2,510,000)”.

H.R. 2584

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 13: Page 105, line 18, after the dollar amount insert “(reduced by \$13,500,000)”.

Page 158, line 25, after the dollar amount insert “(increased by \$13,500,000)”.

H.R. 2584

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 14: Page 101, line 10, after the dollar amount insert “(reduced by \$55,624,000)”.

Page 158, line 25, after the dollar amount insert “(increased by \$55,624,000)”.

H.R. 2584

OFFERED BY: MR. BERG

AMENDMENT No. 15: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to promulgate, implement, administer, or enforce a Federal implementation plan under the Clean Air Act (42 U.S.C. 7401 et seq.) that imposes any standard or requirement to address regional haze pursuant to subpart P of part 51 of title 40, Code of Federal Regulations (relating to protection of visibility).

H.R. 2584

OFFERED BY: MR. LATHAM

AMENDMENT No. 16: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to finalize or implement any rule-making under section 308 of the Federal Water Pollution Control Act (33 U.S.C. 1318) pertaining to a settlement agreement related to the case captioned “National Pork Producers Council v. EPA, No. 08-61093” or “NRDC v. EPA, No. 09-60510”.

H.R. 2584

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 17: Page 4, line 6, after the dollar amount, insert “(decreased by \$4,880,000)”.

Page 10, line 1, after the dollar amount, insert “(decreased by \$15,047,000)”.

Page 15, line 19, after the dollar amount, insert “(decreased by \$18,294,000)”.

Page 78, line 1, after the dollar amount, insert “(decreased by \$12,500,000)”.

Page 158, line 25, after the dollar amount, insert “(increased by \$\_\_\_\_\_)”.

H.R. 2584

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 18: Page 76, line 2, insert after the dollar amount the following: “(reduced by \$20,860,800)”.

Page 158, line 25, insert after the dollar amount the following: “(increased by \$20,860,800)”.

H.R. 2584

OFFERED BY: MR. LANDRY

AMENDMENT No. 19: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available in this Act may be used to pay the salary of individuals appointed to their current position through, or otherwise carry out, paragraph (1), (2), or (3) of section 5503(a) of title 5, United States Code.

H.R. 2584

OFFERED BY: MR. GOSAR

AMENDMENT No. 20: At the end of the bill, before the short title, insert the following:

FUNDING LIMITATION RELATED TO BORDER PATROL ACTIVITIES

SEC. \_\_\_\_ . None of the funds made available under this Act may be used to enforce any regulation that would impede or obstruct the United States Border Patrol from patrol activities on Federal lands.

H.R. 2584

OFFERED BY: MR. GOSAR

AMENDMENT No. 21: Page 31, line 3, strike “not”.

H.R. 2584

OFFERED BY: MR. BROUN OF GEORGIA

AMENDMENT No. 22: Page 4, line 6, after the dollar amount, insert “(decreased by \$4,880,000)”.

Page 10, line 1, after the dollar amount, insert “(decreased by \$15,047,000)”.

Page 15, line 19, after the dollar amount, insert “(decreased by \$18,294,000)”.

Page 78, line 1, after the dollar amount, insert “(decreased by \$12,500,000)”.

Page 158, line 25, after the dollar amount, insert “(increased by \$50,721,000)”.

H.R. 2584

OFFERED BY: MS. RICHARDSON

AMENDMENT No. 23: Page 66, line 10, after the dollar amount, insert “(reduced by \$10,000,000)”.

Page 68, line 11, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 68, line 23, after the dollar amount, insert “(increased by \$5,000,000)”.

H.R. 2584

OFFERED BY: MR. FARENTHOLD

AMENDMENT No. 24: At the end of the bill, before the short title, insert the following:

FUNDING LIMITATION RELATED TO SPEED LIMIT REDUCTION IN PADRE ISLAND NATIONAL SEASHORE

SEC. \_\_\_\_ . None of the funds made available in this Act may be used issue a preliminary rule or a final rule, or to take any other action to reduce the legal speed limit in Padre Island National Seashore.

H.R. 2584

OFFERED BY: MR. FARENTHOLD

AMENDMENT No. 25: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . No funds made available by this Act may be used on any activity interfering with States’ efforts to regulate the energy recovery technology known as hydraulic fracturing by making recommendations that apply national solutions to unique State or regional issues, including well construction and disclosure.

H.R. 2584

OFFERED BY: MR. LANDRY

AMENDMENT No. 26: At the end of the bill, before the short title, insert the following:

FUNDING LIMITATION RELATED TO REGULATION OF OFFSHORE SERVICE CONTRACTORS

SEC. \_\_\_\_ . None of the funds made available under this Act may be used to regulate non-

lease holders under the Outer Continental Shelf Lands Act (43 U.S.C. 331 et seq.).

H.R. 2584

OFFERED BY: MR. MURPHY OF PENNSYLVANIA

AMENDMENT No. 27: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used by the Environmental Protection Agency for grants to foreign governments or organizations.

H.R. 2584

OFFERED BY: MR. POE OF TEXAS

AMENDMENT No. 28: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used by the Environmental Protection Agency to prohibit the use of sulfuryl fluoride for agricultural purposes, including for the control of insect pests in harvested and processed foods and in food handling and processing facilities.

H.R. 2584

OFFERED BY: MR. POE OF TEXAS

AMENDMENT No. 29: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used by the Environmental Protection Agency for grants for programs, projects, or activities outside the United States.

H.R. 2584

OFFERED BY: MR. ROSS OF FLORIDA

AMENDMENT No. 30: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to conduct aerial surveys of any facility in the State of Florida in Polk county or Hillsborough county that is listed in the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS).

H.R. 2584

OFFERED BY: MR. AUSTIN SCOTT OF GEORGIA

AMENDMENT No. 31: Page 103, line 14, after the dollar amount insert “(reduced by \$1,660,000)”.

Page 158, line 25, after the dollar amount insert “(increased by \$1,660,000)”.

H.R. 2584

OFFERED BY: MR. AUSTIN SCOTT OF GEORGIA

AMENDMENT No. 32: Page 32, line 12, after the dollar amount, insert “(reduced by \$12,507,550)”.

Page 158, line 25, after the dollar amount, insert “(increased by \$12,507,550)”.

H.R. 2584

OFFERED BY: MR. AUSTIN SCOTT OF GEORGIA

AMENDMENT No. 33: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used for climate change research, activities, or programs.

H.R. 2584

OFFERED BY: MR. TERRY

AMENDMENT No. 34: At the end of the bill (before the short title) insert the following:

SEC. \_\_\_\_ . None of the funds made available under this Act may be used to pay attorneys fees under the Equal Access to Justice Act (5 U.S.C. 504; 28 U.S.C. 2412) that arise out of any administrative proceeding or civil action in which the party commencing the proceeding or action would suffer no economic loss as a result of not prevailing in the proceeding or action.

H.R. 2584

OFFERED BY: MR. HUELSKAMP

AMENDMENT No. 35: At the end of the bill (before the short title), insert the following:

SEC. 6XX. None of the funds made available by this Act may be used to provide grants to the People's Republic of China.

H.R. 2584

OFFERED BY: MR. HUELSKAMP

AMENDMENT No. 36: At the end of the bill, before the short title, insert the following:

FUNDING LIMITATION RELATED TO THE HERITAGE PARTNERSHIP PROGRAM

SEC. \_\_\_\_ . None of the funds made available by this Act may be used for the Heritage Partnership Program.

H.R. 2584

OFFERED BY: MR. HUELSKAMP

AMENDMENT No. 37: At the end of the bill (before the short title), insert the following:

SEC. 6XX. None of the funds made available by this Act may be used to provide assistance to the Government of the People's Republic of China.

H.R. 2584

OFFERED BY: MR. POMPEO

AMENDMENT No. 38: Page 127, line 25, strike "from manure management systems".

H.R. 2584

OFFERED BY: MR. POMPEO

AMENDMENT No. 39: Page 65, line 19, after the dollar amount, insert "(reduced by \$6,246,000)".

Page 158, line 25, after the dollar amount, insert "(increased by \$6,246,000)".

H.R. 2584

OFFERED BY: MR. POMPEO

AMENDMENT No. 40: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to enforce the requirements of section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) against a refiner (as defined in section 80.1142(a)(1) of title 40, Code of Federal Regulations) for operations conducted in 2012 fiscal year.

H.R. 2584

OFFERED BY: MR. GOSAR

AMENDMENT No. 41: Page 76, lines 10 and 13, insert after each dollar amount the following: "(increased by \$10,000,000)".

Page 80, line 1, insert after the dollar amount the following: "(reduced by \$10,000,000)".

H.R. 2584

OFFERED BY: MR. NUGENT

AMENDMENT No. 42: At the end of the bill, before the short title, insert the following:

FUNDING LIMITATION RELATED TO ESTABLISHING A MANATEE REFUGE IN FLORIDA

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to implement or finalize the proposed rule published in the Federal Register on June 22, 2011, at 76 Fed. Reg. 36493 (related to Endangered and Threatened Wildlife and Plants; Proposed Rule To Establish a Manatee Refuge in Kings Bay, Citrus County, Florida).

H.R. 2584

OFFERED BY: MR. REED

AMENDMENT No. 43: Page 108, line 17, after the dollar amount, insert "(reduced by \$12,000,000)".

Page 158, line 25, after the dollar amount, insert "(increased by \$12,000,000)".

H.R. 2584

OFFERED BY: MR. REED

AMENDMENT No. 44: Page 32, line 12, insert after the dollar amount the following: "(reduced by \$8,291,000)".

Page 76, line 2, insert after the dollar amount the following: "(increased by \$8,291,000)".

H.R. 2584

OFFERED BY: MR. POSEY

AMENDMENT No. 45: At the end of the bill (before the short title) add the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used by the Department of the Interior for any oil or gas preleasing, leasing, or related activities for any area of the Outer Continental Shelf located within 25 miles of the State of Florida.

H.R. 2584

OFFERED BY: MR. POSEY

AMENDMENT No. 46: At the end of the bill (before the short title) add the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used by the Department of the Interior for any new oil or gas preleasing, leasing, drilling, or related activities using facilities that are visible from shore for any area of the Outer Continental Shelf located within 25 miles of the State of Florida.

H.R. 2584

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 47: Page 14, line 19, after the dollar amount, insert "(increased by \$2,000,000)".

Page 32, line 12, after the dollar amount, insert "(decreased by \$2,500,000)".

H.R. 2584

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 48: Page 14, line 19, after the dollar amount, insert "(increased by \$3,500,000)".

Page 32, line 12, after the dollar amount, insert "(decreased by \$2,500,000)".

H.R. 2584

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 49: Page 14, line 19, after the dollar amount, insert "(increased by \$2,000,000)".

Page 32, line 12, after the dollar amount, insert "(decreased by \$3,000,000)".

H.R. 2584

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 50: At the end of the bill, before the short title, insert the following:

FUNDING LIMITATION

SEC. \_\_\_\_ . None of the funds made available by this Act may be used in contravention of National Historic Preservation Act (16 U.S.C. 470) or the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333).

H.R. 2584

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 51: Page 32, line 12, after the dollar amount, insert "(decreased by \$5,000,000)".

Page 76, line 2, after the dollar amount, insert "(increased by \$4,000,000)".

H.R. 2584

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 52: At the end of the bill, before the short title, insert the following:

FUNDING LIMITATION

SEC. \_\_\_\_ . None of the funds made available by this Act may be used in contravention of sections 405(b) or 410(b) of Public Law 101-593.



## EXTENSIONS OF REMARKS

RECOGNIZING HUMAN TECHNOLOGIES CORPORATION AND THE ABILITYONE PROGRAM

**HON. RICHARD L. HANNA**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. HANNA. Mr. Speaker, today I rise to recognize a program, which in the last several years, has helped more than 47,000 Americans who are blind or who have significant disabilities gain skills and training that ultimately led to gainful employment: The AbilityOne Program.

The AbilityOne Program harnesses the purchasing power of the Federal Government to buy products and services from participating community-based nonprofit agencies that are dedicated to training and employing individuals with disabilities. This program affords Americans with disabilities the opportunity to acquire job skills and training, receive good wages and benefits, and gain greater independence and quality of life.

This comes in a segment of the population that has suffered from significant unemployment. But opportunities through the AbilityOne Program have come a long way in helping to bring people with disabilities into a working society. I am proud to acknowledge that Human Technologies Corporation, also known as HTC, represents one of the many Social Enterprises dedicated to the mission of enhancing the lives of people with disabilities.

HTC is a company made up of six diverse businesses which provide a wide-range of resources that expand opportunities for people with disabilities in New York and provide high quality products and services for Federal customers throughout the United States and Puerto Rico. A DLA Not for Profit Vendor of the Year recipient, HTC manufactures apparel and equipage items for several branches of the military and provides sophisticated employee uniform program management and distribution of apparel to thousands of Federal civilian employees for the U.S. Forest Service, Army Corps of Engineers and will soon manage the Air Force Civilian Police uniform program. In addition to the manufacture and distribution of apparel and equipage, HTC provides building maintenance and associated groundskeeping services for GSA, NAVFAC and the Air Force. HTC performs to the highest standards and does so through the employment of individuals with significant disabilities. In 2010 HTC provided more than 416 jobs for persons with disabilities and an additional 123 jobs for people without disabilities resulting in more than 415,400 hours of employment.

HTC, and its Property Management Group division, is responsible for the cleaning of my district office in Utica. I could not be more pleased with the service provided by these

men and women. I am proud to say that among the workforce is a Vietnam War Veteran with a disability named Herb. Herb has been employed by HTC for more than 24 years. His dedication and quality work allows me to be of even greater service to my constituents every day. I was also visited this past month in my Washington D.C. office by another AbilityOne/HTC employee named Sandy. Sandy is a sewing machine operator and cuts and sews trousers and shirts for the thousands of Federal employees HTC serves in its uniform program line of business. HTC and the AbilityOne Program have given individuals like Herb and Sandy exactly what every American wants and deserves—an opportunity. They have been afforded countless ways to make a difference in both their lives, and in ours, each day and we as a community, and as a country, benefit from their hard work, skills and dedication.

HTC believes that work is inherently dignified and fulfilling, and that individuals with disabilities and other barriers to employment deserve the opportunity to work and to achieve their fullest potential. The direct impact of such an organization on the lives of Americans with disabilities cannot be overstated and as such, the AbilityOne Program and Social Enterprises like HTC are invaluable.

Mr. Speaker, it is with great pleasure that I extend my support to the AbilityOne Program. I also want to commend the dedication and commitment of Richard E. Sebastian, Jr., HTC's President and Chief Executive Officer and his staff for helping individuals who are blind or have significant disabilities find employment. Their work helps people live fuller lives and become contributors to each of their communities and to our country. I also commend each AbilityOne employee who works every day to provide valuable products and services to Federal agencies throughout this great land and in so doing, improve their own lives by engaging in meaningful work.

MAJOR FUEL DISTRIBUTOR CALLS FOR ENFORCING DODD-FRANK ANTI-SPECULATION PROVISIONS

**HON. BARNEY FRANK**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. FRANK of Massachusetts. Mr. Speaker, last month, I met in my office with Joseph Petrowski, who is the Chief Executive Officer of the Cumberland Gulf Group of Companies, headquartered in the district of my friend and colleague, the gentleman from Massachusetts (Mr. MARKEY). I was interested in meeting with Mr. Petrowski to get his view of the current debate that is going on as to whether or not we should be taking action at the Federal level

to curb speculation in the energy industry. As Mr. Petrowski notes in the accompanying letter, the Cumberland Gulf Group includes "Gulf Oil, which distributes motor fuels through a network of more than 3,500 gasoline stations in over 27 States, 12 proprietary oil terminals, and more than 70 other supply terminals." As he notes, "Gulf Oil supplies gasoline, heating oil, diesel fuel, jet fuel and kerosene through its terminal network."

Mr. Speaker, the central point is that Mr. Petrowski, as someone who is in the business of selling various forms of fuel, for the ultimate purchase by individual consumers, rebuts those who argue that speculation is irrelevant to the price that is paid at the pump and elsewhere by consumers, as Mr. Petrowski notes in the accompanying letter, "Today with price levels more volatile than ever, prices higher than ever, and open interest larger than ever, and both exchange and off exchange volume of trade a double digit multiple to physical usage, there is little doubt that speculation is a key determinant of prices and may very well be the determining factor in setting prices."

Mr. Speaker, this point deserves great emphasis—to repeat, because of the centrality of this to our policy debate, the CEO of one of the leading distributors of gasoline, oil and diesel fuel affirms, based on the experience he has had in this industry for many years and the current economics, "there is little doubt that speculation is the key determinant of prices and may very well be the determining factor in setting prices."

Mr. Speaker, there has been a totally misguided effort here in this House to slash funds for the Commodity Futures Trading Commission and the Securities and Exchange Commission, and to suspend until late next year the authority given by the Financial Reform bill to Federal regulators to limit speculation. Mr. Petrowski makes very clear that the effect of this is to add to higher prices through unchecked speculation, and given the authority that he brings to this issue, I ask that his very thoughtful letter on this subject be printed here.

I know, Mr. Speaker, that in addition to affirming the importance of speculation, Mr. Petrowski makes some other thoughtful suggestions about legislative changes and it is my intention to study these carefully and after that talk with my colleagues on the Financial Services Committee about acting on Mr. Petrowski's suggestions in some respects. But the key point is to affirm here what one of the leading voices in the fuel business thinks about speculation and the impact it has on the prices ultimately paid by retailers.

CUMBERLAND GULF GROUP  
OF COMPANIES,

*Framingham, MA, July 7, 2011.*

HON. BARNEY FRANK,  
*U.S. House of Representatives, Rayburn House  
Office Building, Washington, DC.*

DEAR REPRESENTATIVE FRANK: While I understand some of the criticism of the Dodd-

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Frank legislation, no legislation and no reform effort is ever going to be perfect. All administrative oversight and legislative response is a continuous process as markets and technologies evolve. Dodd-Frank was not the end point of financial reform but a good first step in addressing market structure in a way that would improve performance. Having worked in the commodities and energy business for over 35 years, I am well aware of how the commodity markets operate and what factors determine the price of energy, food stuffs, and other essential commodities. I am a strong advocate of free markets but only the most naive would claim that free markets can exist and flourish without parameters and a framework of rules and procedures that render the process fair. This has always been so but never more so than today. Globalization, technology, and securitization among other factors have amplified the need for effective legislative and administrative oversight.

In my current capacity, I serve as CEO of the Cumberland Gulf Group. Under that umbrella sits Gulf Oil, which distributes motor fuels through a network of more than 3,500 gasoline stations in over 27 states, 12 proprietary oil terminals, and more than 70 other supply terminals. Gulf Oil supplies gasoline, heating oil, diesel fuel, jet fuel and kerosene through its terminal network. Before coming to Gulf Oil, I served as the Chief Executive Officer and President of Louis Dreyfus Energy Corp., one of the largest commodities traders in the world. In both capacities, as a trader and now a fuel purchaser and supplier, I am intimately familiar with the inner workings of the derivatives market.

As in any market, supply and demand play a critical role for energy prices. The perception of the future pace of both supply and demand are often more of a determinant of prices than actual supply and demand. This can be frustrating to members of the general public who sometimes see a price rise or fall without any tangible change in current supply or demand. Yet today with price levels more volatile than ever, prices higher than ever, and open interest larger than ever, and both exchange and off exchange volume of trade a double digit multiple to physical usage, there is little doubt that speculation is a key determinant of prices and may very well be the determining factor in setting prices. And even if the disproportionate increase in trade volume to physical usage were not disturbing and one believed that in the end the average price was still set by supply and demand forces rather than financial speculation (an assertion with which I would disagree), volatility induced by excess speculation is not in the best interests of efficient markets, the general public and industrial activity. Simply put, an oil market that goes from \$40/barrel to \$147 per barrel and back to \$32 per barrel in less than a year is destructive to society and beneficial to only a very few.

I should note that speculation is not necessarily a bad thing—it brings liquidity to the market and allows commercial entities to hedge their risk on future contracts for the trade of physical goods. However, there has been a rapid increase of the participation in the market by non-commercial entities such as hedge funds and financial institutions. Those entities, depending on their behavior, have the ability not only to speculate in the market but manipulate the market. It is the regulation of these entities that is most necessary and the Dodd-Frank Act brings regulation to this market through a requirement of mandatory clear-

ing of swaps and the placement of position limits on certain futures contracts, including energy. Financial markets in certain aspects do resemble a casino and I am not making a moral judgment on casinos but even a casino has rules of engagement and enforcement that ensure a level playing field. A rigged casino is certainly not good for most participants and in the long run is not good for the casino itself. Instruments of risk sharing and markets of financial intermediation perform a vital function but they do not grow spontaneously nor do they exist for long in a state of nature absent oversight and rule making.

I have set forth some preliminary thoughts below on reforms we need to improve market performance set forth below and would welcome the opportunity to discuss these issues in more detail with you, your staff and others on the Financial Services Committee.

1. Make the exchange requirements of what it means to be a "hedger" much more stringent. Today, almost anyone with a small and insignificant physical position can qualify as a "hedger". Also large entities with massive financial strength can qualify as a hedger, exceed the speculative limits in a given index or exchange instrument, manipulate that index and then trade multiple volume contracts off that index in non-exchange business. We see a proliferation of financial and bank entities entering the physical market for no other reason but to qualify for the more generous liberties afforded a "hedger".

2. Raise the margin requirements for non-hedgers significantly to minimize speculator-driven volatility and still allow enough liquidity in the market so that entities with real business purposes can transact. This will drive weaker speculators out of the market. It will also dramatically reduce volatility because the Variance Margin buffer could be increased dramatically which would stop the phenomenon of leverage that has often been at the foundation of many financial train wrecks (see mortgage market). Assume you are a \$10/bbl balance sheet company. You buy 1 barrel of oil costing \$100 and you only have to post \$6, the market goes from \$100 to \$96, you are poised to sell quickly because you know if it goes to \$90, you are out of business, so you start selling to make sure you can pull back your initial margin to cover your variance margin and live to fight another day (and likely lose as 90% of speculators do). Now imagine the same scenario with \$30 margin requirements. The market would never move enough for the trader to be concerned about not having enough initial margin to pull back to cover the variance. The fundamental/technical influence would shift hard back towards the fundamental. I am not certain exactly what the right margin increase should be (though 500% is not out of the question from my perspective), but it is clear that today the margin requirements are too low. The phenomenon of sharp spikes in the absence of attributing "events" is evidence of a highly leveraged market.

3. The government should create a government-backed exchange that helps long term consumers and producers hedge. If a small land owner owns a 3,000 bbl/day well in middle Kansas and wants to lock in his price at \$95 a barrel for 5 years, how does he do it? Is he going to sell 5.5 million barrels of futures on Nymex and post \$32,000,000 in initial margin? What happens if the price goes up \$40 per barrel? Mr. Small Producer is going to pay the exchange \$220,000,000 in margin and claw it back 3,000 bbls a day at a time? I think not. Right now some of the banks will do that business but they are enjoying

"healthy" margins. If the government came in and provided the credit umbrella (through a government sponsored exchange) they would bring a lot of production to the hedging market and would also incentivize both producers and consumers to think long term. Users should have the opportunity to lock in costs for longer durations and sellers should be able to hedge out their revenue streams but credit, financing costs, and other structural factors remain impediments to development. While some might criticize this proposal based upon the recent issues in the mortgage markets, this would be an important reform to allow small businesses to participate in the commodities markets. Such liquidity was not the problem with mortgages, it was leverage, lack of transparency, complexity, and very simply in many cases dishonesty, that brought down the housing market.

In general, all markets operate best when they are transparent, liquid and not over leveraged. I am hopeful that Congress will allow the Commodities Futures Trading Commission to proceed with the implementation of the Dodd-Frank Act. I strongly believe we will see positive effects from this regulation on not only the price of oil but many other commodities upon which our country relies.

Sincerely,

JOSEPH H. PETROWSKI,  
CEO.

#### EGYPT ASSESSMENT

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 25, 2011

Mr. ENGEL. Mr. Speaker, I rise to call attention to the Report on a Trip to Cairo, Egypt, written by R. Leslie Deak, and presented to the Policy and Planning section of the Joint Chiefs of Staff. Mr. Deak is an American businessman who has spent the last nine years living part of each year in Egypt. He is on the Board of Advisors of the Center for a New American Security and is a Trustee of the National Defense University Foundation.

This is an interesting and important document, and I commend it to my colleagues.

EGYPT ASSESSMENT: REPORT ON TRIP TO  
CAIRO, EGYPT

(By R. Leslie Deak)

PRESENTED TO J-5 JCS, MAY 11, 2011

(Pentagon—Policy and Planning for Joint  
Chiefs of Staff)

I just returned from two weeks in Egypt. During my trip, I spent most of my time in Cairo reestablishing existing contacts and developing contacts with new players in the emerging power structure.

I met with informed figures in the business, political, legal, journalism and religious fields. I also had extensive contact with our people over there to get their assessment and to gauge their views against those from the Egyptians.

The country is a transition that will likely end in a manner not to our liking. There are some efforts that can be undertaken at this time to help try to impact the outcome if implemented rapidly.

I have summarized the current situation, explored in more depth the key areas of concern and suggested actions that may help impact on the outcome.

*First Impressions*

The fall of Mubarak's regime is widely welcomed. There is a palpable relief among people that the repression and corruption are finally easing. This is mixed with an uncertainty about what the future holds. This is very much an Inch Allah moment at all levels that I had contact with.

The impression of the US is poor. We are viewed as a contributory factor to the problems because of our prior support for Mubarak and our wavering during the early stages of the revolution. Our direct involvement in their affairs is not welcomed. Our operating in the background and providing support is more acceptable.

The society in general is fascinated with the unfolding spectacle of arrests, incriminations and the extent of the corruption. Politics and then soccer are the subjects discussed, in that order. Since there is uncertainty about the future, most attention is focused on the past and day-to-day life.

Prices are up by thirty percent from before the revolution but people seem to take it in stride. The Government is raising public employee salaries dramatically and is hiring unemployed workers in great numbers in order to try to maintain social stability. Continued and worsening inflation in the near term is inevitable and the population is reacting accordingly—retaining or acquiring property, jewelry, hoarding, converting pounds to foreign currency when possible, etc.

Withdrawal of Egyptian Pounds was just liberalized. Foreign currency withdrawals are restricted to the equivalent of EL10,000 per day in foreign currency. Transfers abroad are restricted to \$100,000 maximum per account and need individual approval from the Central Bank.

Tourism, second largest source of external funds after Suez, is off by 85%. Although the recent lifting of the USDOS Travel Advisory initially helped increase interest in travel from the US to Egypt, the recent sectarian conflict has been a new setback. The consensus opinion is that travel will not recover until the Fall at the earliest assuming that the security situation stabilizes by that time.

Recently, traffic police have returned to the streets in Cairo but regular police, special police, detectives and prosecutors have not yet returned. Our people have been informed by sources they consider reliable, that police presence is back up to 65%. Reliable Egyptian sources I spoke with put the figure closer to 50%. Police salaries have been increased ten-fold (to EL 3,000-4,000 per month) and law school graduates are being recruited to become police. Internal security is nonoperational and is supposedly being overhauled. All US assisted police training programs have been suspended over concerns of working with bad actors.

While Cairo is safe during the daytime, at night there is occasionally sporadic gunfire. Travel outside populated areas carries dangers of hijacking. There is widespread carrying of firearms by the population and no apparent consequence or prosecution for use of deadly force in self-defense.

Politically, the general belief is that things will work out and that the Muslim Brotherhood will play a role in the country's future but will not dominate. Unfortunately, I do not agree with this assessment.

*Where Things are Heading*

The following analysis is conjecture on my part. However, I vetted the conclusions against all of my sources in Egypt and here and, sadly, found that none could refute them.

*Economics*

The country seems to be sliding towards a modified socialism with the government set to play a significantly increased role in the economy. We can expect that most, if not all, of the economic reforms implemented over the last five years to be rolled back.

The government is already beginning to abrogate contracts and seize properties implicated in any dealings with the prior government. Since the Mubarak regime and their cronies were involved in every aspect of the economy, no prior business arrangement is immune—this is especially true where deals were based on the use of or access to State assets (land, businesses, natural resources, etc.)

Another current problem for the private sector is that there is no place to get a reliable or binding decision on which to make business judgments since the current Cabinet is transitional and their decisions are subject to change in the future.

The public sector is growing dramatically both in terms of cost and size as the Supreme Council races to prevent uprisings from the lower class.

They recognize that they are going to soon be facing a massive external liquidity squeeze and are casting about for any sources of foreign funds available in order to be able to continue to import essential staples. Their foreign policy reflects this with their playing off the U.S., Iran and Saudi to see who will give them money first.

I believe we can expect increasing economic and, eventually, social instability due to the deteriorating economic trends.

*Politics*

In my opinion, I see little likelihood of the Muslim Brotherhood not becoming the dominant force in Egypt in the near term. This will occur despite the desire by the population as a whole to have a more representative secular government.

To understand this conclusion, some background is in order.

For the last eighty years, the Muslim Brotherhood (MB) has been providing social services to a growing sector of the population. They provide health care, education, food, shelter, counseling, adjudicate disputes, etc. This impact has become especially pronounced over the last thirty years as increasing resources were diverted from government services and wound up in the pockets of corrupt officials. During this time, the MB had developed a highly efficient network that is well integrated into the society throughout the country and especially in the poorer areas and in the rural areas in Upper Egypt (the South) and the Delta.

The military, which is a conscript army, is largely drawn from this lower socio-economic half of the population. Accordingly, they are familiar with, and are largely sympathetic to, the MB. They do not currently view them as a threat. In fact, virtually all of the Military officers I have met over the years are religiously conservative as are their families.

An alliance with the MB does not pose an issue for the military and in fact helps solve two critical issues that the military faces.

The first issue is complicity—the military leadership is assumed to be complicit in all of the corruption and problems of the old regime. They have been able to shelter almost all of the ex-military from prosecution, but pressure is mounting to throw them to the wolves. This does not bode well for the current leadership and they are focused on protecting themselves from prosecution with

any new civilian government that they allow to emerge. I believe that they have reached this accommodation with the MB.

Secondly, is the issue of the patronage system. The military controls thirty percent patent of the economy and much of the land in Egypt. The proceeds from these enterprises and sale of land are used to provide benefits and perks to the officer corps so as to maintain loyalty and discipline. If anything interrupts this arrangement, the senior staff faces the danger of possible insurrection from the junior officers. I believe the MB recognizes the need to maintain this system and has reached an accommodation with the military to continue it.

With these two issues apparently resolved, I believe that the military cleared the path for accelerated elections in September knowing that the MB would dominate the elections despite the desire by the opposition forces to see a more balanced and secular (civil) outcome. They then dissolved the NDP in order to further strengthen the MB.

Unfortunately, barring a change in the timing of the elections or a suspension by the Military due to security concerns, the MB will sweep the elections simply due to their organizational capabilities. They recently raised their public target from 35% to 50% of the seats. I personally believe that they will ultimately win more than 70% of the seats. This will place them in position to dominate the process that will result in a new constitution that has been mandated as part of the recent referendum.

Except for the MB, there is no organization with the capability to get out the vote. The opposition is highly fragmented and disorganized. There is a possibility that the old parliamentarians may run for election independently and serve to weaken the MB, but it is unlikely. The old members benefitted from their positions in Parliament and under the current environment will most likely not run (as one told me, it cost him EGP 5 million to win each election but he could make EGP 50 million through his position—he has no interest in exposing his past activities of running again with no prospect of recovering his investment—I believe this is representative of the situation in general).

While this has been going on in the background, much international and public attention has been kept focused on the Presidential election. This is a diversion since the new President will have very proscribed powers. The MB has indicated that they will not run, but they are negotiating with the candidates and will throw their weight behind the one that will assure their interests.

The recent issue with the Salafis is largely viewed as manufactured by the MB in order to make the MB appear more moderate. I would personally expect that the MB and the military will resolve the Salafi problem once it has served its purpose.

*What Can be Done*

The first thing that needs to be done is to improve our image with the Egyptian people. We can do this through several actions.

First, we could use our current available resources to help locate and freeze funds that belong to the long list of individuals under detention or indictment. Publicizing our efforts to assist in this manner will be front page news throughout the Middle East and will have an enormous positive impact on public perception of the U.S. in Egypt. I recommend this while at the same time acknowledging the broader impact such an action may have on investors from other countries.

Secondly, we should remain neutral and supportive of the election process and their

right to set their own destiny regardless of the outcome. It will be very important for us not to be seen as judgmental of, or in opposition to, the outcome of the election. Any perceived effort on our part to influence the election will backfire and both damage our reputation and adversely impact any individual or group perceived to be supported by us.

This does not mean that we have to sit back and accept the long term impact of the elections.

If we hope to see the situation improve, then the next, and immediate, focus should be to ramp up our efforts to work with groups that can bring influence to bear on the constitutional process. These include the opposition groups, the youth groups, the emerging parties, the Copts and the military and possibly the new President once we know who it is.

The only way to short-circuit the MB dominating the constitutional process after the election is to help the opposition organize to focus the issues and bring people out in to the streets again. We can also try to work in the background to convince the military that it is in everyone's interest to assure a balanced and open constitutional process. The street protests will help in this effort.

To the extent that our assistance is requested, we can also work with those domestic change agents with whom contact has already been established in order to help them work towards an open process so as to assure a fully representational political process in the future.

As long as the constitutional process can be opened up so that it is representative, it is likely that the MB will be a one-election phenomenon and that we will see an outcome like Kuwait. Any group that wins this election is doomed to fail because of the deteriorating economic and security situation. The only real concern we should have is what happens next. I believe that we can have an impact on that outcome which will serve the interest of both Egypt and the U.S.

However, our window of opportunity is closing quickly.

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HONOR THE LIFE OF JAMES T.  
MOLLOY

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. HIGGINS. Mr. Speaker, I rise today to honor and celebrate the life of James T. "Jimmy" Molloy, former Doorkeeper of the House of Representatives. Jimmy was one of my district's finest citizens, a proud and favorite son of South Buffalo, New York and undoubtedly one of the greatest public servants in our Nation's Capitol for over 40 years. Jim's passing marked a sad day throughout Capitol Hill and throughout Jim's neighborhood, a loss that will be felt for years to come, yet his gracious spirit and world-class stories will be remembered by all those who were fortunate enough to call Jimmy Molloy a friend.

James T. Molloy was born in South Buffalo on June 3, 1936, to Matthew Molloy and Katherine Hayden Molloy. Educated in Buffalo's Catholic schools, he followed his father's footsteps by working in the grain elevators of Buffalo's waterfront and fighting fires as a proud member of the Buffalo Fire Department.

Through his labor, James T. Molloy paid his own way through Canisius College, a great Jesuit institution in Western New York, and became a lifelong friend of Western New York working families. He was a member of the AFL-CIO, the International Brotherhood of Longshoremens and International Association of Firefighters. After pursuing studies at St. John's University Law School, James T. Molloy worked as a schoolteacher in the cities of Buffalo and Lackawanna. He also worked in the office of Erie County District Attorney where he met his wife, Roseanne.

Jim came to Washington in 1968 at the invitation of New York Congressman John Rooney. During his service in the House Finance Office, he oversaw the legislative appropriations for the House as they grew from \$75 million to \$126 million per year. James T. Molloy was elected doorkeeper of the United States House of Representatives in 1974 and proudly remained in that post through the 103d Congress, serving as the primary aide to Speakers Carl Albert, Thomas "Tip" O'Neill, James Wright and Tom Foley.

In fact, Jim was the last of 30 people to hold the position of doorkeeper from its establishment in 1789 to its elimination in 1995. Within this capacity, he introduced Presidents and numerous heads of state to our august body. He coordinated 71 joint sessions of Congress, as well as many other special events, within this Chamber. Jim also acted as a vital connection between his hometown, South Buffalo, New York, and Congress, inspiring countless men and women from the Buffalo area to consider careers in public service. Additionally, Jim served as chairman of the board on the Wright-Patman Congressional Credit Union, a position he held for 30 years.

James T. Molloy was awarded numerous honors for his life's work in public service. He received the Outstanding Citizen Award for the New York State AFL-CIO, the President's Award from the New York State Federation of Police, the United States Senate Youth Alumni Association Outstanding Service, and the Sid Yudin Congressional Staffer of the Year Award from Roll Call. In July of 2005, I considered it a privilege and an honor to sponsor a bill in the U.S. House of Representatives to name a South Buffalo Post Office in James T. Molloy's honor. This recognition was so well deserved and a lasting reminder of Jim's strong commitment to his neighborhood and our great Nation.

I was deeply saddened upon learning of the passing of James T. Molloy. To pay respect to his legacy, I issued the following statement:

"For 20 years South Buffalo's own James T. Molloy served as the House of Representatives doorkeeper, a prestigious title held by only 34 people going back to 1789. As the individual with control of access to the House Chambers he held great authority but was especially known for greeting Western New Yorkers visiting the Capitol with particular affection. Generations of local residents, many of whom can be found working on the Hill today, benefited from his welcoming spirit and institutional knowledge."

"Jim was a friend and confidant. In my first days and months in Congress he was generous with his time and advice, passing on valuable lessons I keep with me today. He will

be dearly missed by those in Washington, DC and friends and family locally but we have peace knowing that our own legendary and beloved doorkeeper has now gone on to meet a doorkeeper of a much higher power."

Mr. Speaker, our country has suffered a great loss with Jim's passing and my deepest condolences are with his wife, Roseanne, his daughter, Amy and son-in-law Michael Bogardus, his beloved grandchildren Catherine and Caroline and Jim's siblings Janet Molloy and Kathleen and William Straub, as well as extended family members and friends. As someone who was blessed to know Jimmy Molloy, I will always carry his memory through these halls.

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PERSONAL EXPLANATION

**HON. JAMES A. HIMES**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. HIMES. Mr. Speaker, I was unable to be present to cast my vote on final passage of H.R. 2018, The Clean Water Cooperative Federalism Act of 2011. I wish the record to reflect my intentions had I been able to vote.

Had I been present for rollcall No. 573, I would have voted "no."

This bill is an assault on the fundamental water protections the American people rely on and would reverse decades of progress. It significantly undermines the Clean Water Act, jeopardizes public health, and gravely affects our environment and economy.

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PERSONAL EXPLANATION

**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. BLUMENAUER. Mr. Speaker, due to the celebration of my daughter's wedding, I was unable to be in Washington, DC for votes during the week of July 18. Had I been present for the votes that week, I would have voted as follows:

Rollcall vote 602: I would have voted in favor of H.R. 33, legislation amending the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act.

Rollcall vote 606: I would have voted against H.R. 2560, legislation submitting a constitutional amendment to the States that would irresponsibly limited the government's ability to respond to wars, disasters, or other challenges as well as changing Congressional voting procedures that would end majority rule.

Rollcall vote 611: I would have voted against H.R. 2553, legislation that, while extending the operations of the Federal Aviation Authority, would undermine labor relations.

Rollcall vote 621: I would have voted against H.R. 1315, legislation undermining consumer protections implemented as part of the Dodd-Frank Act.

Rollcall vote 629: I would have voted against H.R. 2551, ideologically driven legislation that cuts funding for House and joint operations by \$227 million (6.4 percent) from FY11 enacted levels, which is \$472 million (12.4 percent) below the requested amount. These cuts risk possible layoffs and pay-cuts for legislative branch staff, which will damage Congress' ability to fulfill its Constitutional duties and responsibilities to the public. For example, the Library of Congress, which is the nation's oldest federal cultural institution and provides critical resources to Members of Congress, was severely cut to 13.7 percent below the request. I was also dismayed by the cuts to related agencies such as Congressional Research Service, Government Accountability Office and Congressional Budget Office, which provide crucial assistance and oversight to Congress. These cuts will make the Legislative Branch less effective, not more efficient.

IN RECOGNITION OF THE MICHAEL ALLEN DAVIDSON 9/11 FOUNDATION

**HON. FRANK PALLONE JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. PALLONE. Mr. Speaker, I rise today to recognize the philanthropic activities of the Michael Allen Davidson (M.A.D.) 9/11 Foundation and their efforts to provide a new playground facility in Neptune, New Jersey. The late Michael Davidson is remembered as a young professional determined to make a difference in the lives of those around him, yet tragically lost his life in the North Tower of the World Trade Center on September 11, 2001. The new playground facility in Neptune has been erected in his honor and will continue to stand as a symbol of Michael's spirit and fortitude.

Michael Allen Davidson was an impressive individual, dedicated to building a successful professional career while assisting others. Michael was a member of the Rutgers University Class of 1997 and applied his educational background to become a successful trader. In 2001, Michael was to be named the youngest Partner at Cantor Fitzgerald, located on the 104th floor of the World Trade Center, North Tower. At the early age of 27, Michael tragically lost his life during the terrorist attacks on September 11, 2001. He is remembered for his uncanny ability to make others smile and laugh. These characteristics are a testament to his continuous outpouring of love and compassion for others.

The M.A.D. 9/11 Foundation has continued to organize various philanthropic activities in honor of the late Michael Davidson. Playgrounds, for children ages 2 through 5, have been erected in Tinton Falls, Wall, and Eatontown, New Jersey. The most recent project in Neptune has expanded the recreational facilities for children in the community and continues to provide a beautiful landscape for children to grow, while commemorating the life of an outstanding individual. Among many other projects, the foundation has also committed to fund the majority of a

rehabilitation project—a World Trade Center replica memorial that sits in front of the Tinton Falls Fire Department. The M.A.D. 9/11 Foundation has been supported by caring individuals dedicated to making a difference in the community on behalf of the late Michael Allen Davidson.

As a result of their outstanding efforts, the M.A.D. 9/11 Foundation was awarded the 2001 Fay S. Mathewson Award, presented by the New Jersey Recreation and Parks Association as a testament to their contributions to the Monmouth County community. They are also the recipient of the 2009 Monmouth County Parks and Recreation Difference Maker Award and the Tinton Falls Appreciation Award.

Mr. Speaker, once again please join me in thanking the Michael Allen Davidson 9/11 Foundation for their dedication to the Monmouth County community and commemorate the life of Michael Allen Davidson.

PERSONAL EXPLANATION

**HON. DIANE BLACK**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mrs. BLACK. Mr. Speaker, on amendment rollcall Nos. 622, No. 623, No. 624, No. 625, No. 626, No. 627, No. 628 as well as rollcall No. 629 for final passage of H.R. 2551, I am not recorded because I was attending to a family matter. Had I been present, I would have voted:

"Yes"—Representative Melvin Watt Amendment;

"Yes"—Representative Nan Hayworth Amendment;

"No"—Representative Paul Broun Amendment;

"Yes"—Representative Marlin Stutzman Amendment;

"No"—Representative Glenn Thompson Amendment;

"No"—Representative James Moran Amendment;

"No"—Representative Rush Holt Amendment; and

"Yes"—Final Passage of H.R. 2551.

MASSACHUSETTS AND PROFESSIONAL FOOTBALL WILL GREATLY MISS MYRA KRAFT

**HON. BARNEY FRANK**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. FRANK of Massachusetts. Mr. Speaker, last week, one of Massachusetts' leading citizens succumbed to a long illness, which she had courageously fought. Myra Kraft was the partner and wife of Robert Kraft, and co-owner of the New England Patriots. Under the leadership of the Kraft family, the Patriots became one of the great sports franchises in America, not simply because of their extremely impressive record of Super Bowl championships, but because of the honorable way in which they

conducted their business, and because of the great contributions they made to their community. I have the honor of representing the Town of Foxboro, in which the Patriots play, and in which the Kraft family created a wonderful commercial complex that adds a great deal to the economic and cultural life not just of the town but of the entire region.

Mr. Speaker, I've had the pleasure of walking through the complex with members of the Kraft family and I can report to you that the residents of New England—not just Massachusetts—are understandably great enthusiasts of the work the family has done.

Myra Kraft was an extraordinary contributor to the society around her, not just through the work of the Patriots, but through her great charitable efforts. She was a leading member of the organized work of the Jewish community of Greater Boston, but her good works were not confined.

All of Massachusetts will miss her, even those who did not know of the work she did, because she was not one to seek publicity for her efforts. And those of us who did have the privilege of knowing her are particularly saddened by her loss.

Mr. Speaker, the Boston Globe for Friday, July 22, in its lead editorial expressed what our community feels about Myra Kraft and I ask that because she presented such a wonderful example of good citizenship in a democracy, that this editorial be printed.

[From the Boston Globe, July 22, 2011]

MYRA KRAFT WAS A ROLE MODEL FOR FAMILY LOYALTY AND GIVING

Bob Kraft, the developer turned football impresario, made the once-derided New England Patriots a symbol of local pride. Myra, his wife of 48 years, made the Kraft family a symbol of civic responsibility. Her numerous charitable works, including chairing the local boards of the Combined Jewish Philanthropies and the Boys & Girls Clubs, paralleled Bob's rise in the statewide business community.

The Krafts were an unbreakable unit. Bob and Myra's four sons shared in all their parents' endeavors. On May 3, the Greater Boston Chamber of Commerce honored the family for their work on behalf of the community, fueled by Myra's tireless exertions.

She was too ill to attend the banquet, but her husband, sons, daughters-in-law, and grandchildren all stood proudly together on the dais—an honor guard of which any mother would be eternally proud,

"I got it right the first time," quipped Bob, referring to Myra, whom he married when she was just 20. Myra Kraft, who died Wednesday and for whom services will be held today made many contributions to the Boston area. Foremost among them is the example she set for family loyalty and shared commitment. It will live on not only through her offspring, but through others who tightened their own family bonds, even if in a small way, in response to her inspiration.

RECOGNIZING THE 2011 SAGE  
WORLD CUP

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. HIGGINS. Mr. Speaker, I rise today to recognize the 2011 SAGE World Cup, which is being hosted by Canisius College in Buffalo, NY.

SAGE (Students for the Advancement of Global Entrepreneurship) is an international network dedicated to creating leaders, innovations, and social enterprises to address the world's needs. Founded in 2002 by Dr. Curtis L. DeBerg, the network now extends to over 500 high schools in 17 countries, and is run completely by volunteers.

Each year, the winners of SAGE's national competitions advance to the "SAGE World Cup," where teams are judged not only on marketplace viability, but also on social impact, environmental stewardship, and civic engagement. This year, the World Cup will be held in Buffalo and Niagara Falls, NY.

Mr. Speaker, I hope that you will join me in honoring SAGE and its 2011 World Cup participants, whose dedication to creating better futures for themselves and others through socially responsible enterprises and businesses is commendable.

IN HONOR OF MRS. IRENE M.  
MORROW

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mrs. Irene Morrow who is being honored at this year's American Nationalities Movement's awards dinner.

Mrs. Morrow began her work in the public sector in 1964 when she was appointed as Deputy Registrar for the Board of Elections and began working for the Notary Public Commission. During the same year, she began serving as Deputy Auditor in the Cuyahoga County Auditor's Office where she would remain for eight years. Subsequently, Irene worked as the Personnel Administrator and Secretary of the Civil Service Commission for seventeen years. In 1978 she was elected Executive Secretary and Treasurer of the American Nationalities Movement, a post which she retained until 2011. In 2004, Irene established the Ralph J. Perk Foundation, an organization which works to fund free mammograms and prostate screenings for the inner-city poor.

Mrs. Morrow has received numerous awards and honors throughout her decades of public service. She was presented with the Keys to the City of Cleveland from Mayor Ralph J. Perk and then Mayor George V. Voinovich in 1977 and again in 1985. In 1982 she was honored as one of the forty most outstanding women in Ohio by Mrs. Barbara Bush. She has also received accolades from the Polonia Foundation of Ohio in 1985, the American Nationalities Movement in 1988, and she was

presented with an Appreciation Award from the United Hungarian Societies in 2007. Last year, she was inducted into the International Hall of Fame of Greater Cleveland.

Irene is married to Mr. Edward Morrow, and together they have six children and six grandchildren. She continues to serve on the Advisory Board of Fairview Park and Lutheran Hospitals.

Mr. Speaker and colleagues, please join me in honoring Mrs. Irene M. Morrow, a woman who has done so much for her community and for her country.

IN RECOGNITION OF THE MURID  
ISLAMIC COMMUNITY IN AMERICA'S  
23RD ANNUAL CHEIKH  
AHMADOU BAMBA MBACKE ISLAMIC  
CULTURAL WEEK  
CELEBRATION IN NEW YORK CITY

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. RANGEL. Mr. Speaker, I rise today to honor, recognize, and celebrate the Murid Islamic Community in America's 23rd Annual Cheikh Ahmadou Bamba Mbacke Islamic Cultural Week Celebration in New York City. On Thursday, July 21, the Murid Islamic Community in America (MICA) will host its annual welcome reception at Wadleigh Secondary School for the Performing & Visual Arts in Harlem, where they will officially launch the North American Tour of the Cheikh Ahmadou Bamba Mbacke Islamic Cultural Weeks.

The Honorable Iman Ababacar Dabo, President of the Murid Islamic Community in America and The Honorable Serigne Mame Mor Mbacke, grandson to Cheikh Ahmadou Bamba Mbacke will pay special tribute to my brother, the Honorable David N. Dinkins, first African American and 106th Mayor of the City of New York. David Dinkins was the first public official outside of Senegal, West Africa to proclaim "Cheikh Ahmadou Bamba Day" in celebration of his profound philosophies of Universal Peace and International Brotherhood.

Cheikh Ahmadou Bamba was born in the year 1271 (A.H.), which is 1853 in Mbacke Baol, a small village in Senegal. Cheikh Ahmadou Bamba Mbàkke was born in the village of Mbacké Mbàkke Bawol in Wolof in the Kingdom of Baol, the son of a Marabout from the Xadir Qadriyya brotherhood, the oldest in Senegal. A religious prayer leader, poet and monk, Ahmadou Bamba founded the Mouride brotherhood in 1883 and the city of Touba. In one of his numerous writings, Matlabul Fawzeyni the quest for happiness in both worlds, Sheikh Ahmadou Bamba describes the purpose of the city, which he founded in 1887. In his concept, Touba should reconcile the spiritual and the temporal.

Cheikh Ahmadou Bamba intended to have the spiritual capital of Brotherhood, by showing all the characteristics of a Muslim city. He is the son of Muhammad, and grandson of Abibul-allah, who was the son of Muhammad. His father Mohammad Ibn Habiballah was a famous Juriconsult and a well-respected Imam. The Cheikh's mother was known as

Diaratoullah close to Allah, because of her renowned piety and chastity. Cheikh Ahmadou Bamba memorized the Holy Qu'ran very early. He was very educated in the different fields of Islamic sciences and the Arabic language. He wrote many books in the teaching of Islam, and great poems dedicated to the Prophet Muhammad.

As his fame spread, the French colonial government worried about Bamba's growing power and potential to wage war against them. He had converted a number of traditional kings and their followers and no doubt could have raised a huge military force, as Muslim leaders like Umar Tall and Samory Touré had before him.

The French sentenced him to exile in Gabon 1895-1902 and later in Mauritania 1903-1907. However, these exiles fired stories and folk tales of Bamba's miraculous survival of torture, deprivation, and attempted executions, and thousands more flocked to his organization. On the ship to Gabon, forbidden from praying, Bamba is said to have broken his leg irons, leapt overboard into the ocean and prayed on a prayer rug that appeared on the surface of the water or, when the French put him in a furnace, he simply sat down in it and drank tea with Muhammad. In a den of hungry lions, the lions slept beside him, etc.

By 1910, the French realized that Bamba was not interested in waging war against them, and was in fact quite cooperative, eventually releasing him to return to his expanded community. In 1918, he won the French Legion of Honor for enlisting his followers into World War I. The French allowed him to establish his community in Touba, believing in part that his doctrine of hard work could be made to serve French economic interests. The French government allowed his movement to grow, and in 1926, he began work for the great Mosque at Touba, where he is buried. Upon his death in 1927, The Cheikh has been succeeded by his descendants as hereditary leaders of the Brotherhood with absolute authority over their followers.

Murid Islamic Community in America MICA is a non-profit organization was founded in 1989 to spread the teachings of Cheikh Ahmadou Bamba in accordance with the Quran and the Sunnah of the Prophet Muhammad. I ask my colleagues and our nation to join me in this special Congressional Recognition in celebration of Cheikh Ahmadou Bamba Mbacke Islamic Cultural Week in New York City.

IN HONOR OF JAMES T. MOLLOY

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Mr. James T. Molloy, the former Doorkeeper for the U.S. House of Representatives.

Mr. Molloy was born in South Buffalo on June 3, 1936, the son of Matthew Molloy (a Buffalo firefighter) and Catherine Hayden Molloy. He graduated from Bishop Timon High School and proceeded to work in waterfront

grain elevators. He also joined the Buffalo Fire Department before continuing his education at Canisius College. Upon graduating, Mr. Molloy began teaching in Buffalo and Lackawanna, New York.

Mr. Molloy was a member of the Erie County Democratic Party and later moved to Washington, DC, where he became the Chief Finance Officer of the House of Representatives. In 1974, he became the Doorkeeper of the House, a position that he would hold for the next 20 years. Throughout his tenure as doorkeeper, Mr. Molloy was able to make many friends in Washington, including Speaker Thomas O'Neill, Jr. and President Reagan. He was known around Washington as a "Buffalo Guy." Tom Brokaw called him "the pride of South Buffalo" each year when he introduced Mr. Molloy as the President walked out for the State of the Union.

Mr. Molloy has received many awards throughout his lifetime, including having a U.S. post office building on South Park Avenue named after him in 2006. He was also recognized by the New York AFL-CIO, the New York State Federation of Police and the United States Senate Youth Alumni Association.

Mr. Speaker and colleagues, please join me in honoring Mr. James T. Malloy, a man whose presence in Washington will be sorely missed.

IN OPPOSITION TO CUTS TO HIGH SPEED RAIL FUNDING

**HON. DORIS O. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 25, 2011

Ms. MATSUI. Mr. Speaker, I rise to voice my opposition to the cuts to high-speed rail included in H.R. 2354, the Fiscal Year 2012 Energy and Water Development Appropriations bill.

At a time when this Congress should be focused on creating jobs, investing in our infrastructure, and supporting transportation alternatives, the bill before us unfortunately includes a provision to cut funding for high-speed rail. These cuts are both harmful and short-sighted, and will limit key opportunities for job growth and economic development throughout our nation.

According to a recent study from the U.S. Conference of Mayors, building high-speed rail networks in the U.S. will have a significant positive economic impact. The study shows that in the four urban areas surveyed, high-speed rail could add \$19 billion in new business development and 150,000 jobs. We should not be turning our backs on this historic opportunity.

It is clear: investing in rail, whether it is high-speed, or inter-city, has the potential to create desperately-needed jobs in communities around the country. Case in point: in October last year, a contract awarded to the Siemens Transportation Systems manufacturing plant in my district of Sacramento, California to build 70 new electric trains for Amtrak is creating 200 local jobs—not to mention that they employ approximately 64,000 people throughout the country. Not only is Siemens

creating jobs, but they are also building a high-quality product that will make train travel more efficient and environmentally friendly. These trains are built in an environmentally-friendly way, using solar energy developed on site.

In Sacramento, rail is not just a part of our history, it is our future.

In April, we broke ground on a track relocation project that will not only improve safety and efficiency, but will pave the way for the development of both an intermodal transportation facility and future economic growth in our downtown. This project is creating 350 jobs onsite, and 1,100 jobs in total. It will also make room for high-speed rail.

What is happening in Sacramento is a snapshot of the interest in rail statewide. The voters in my home state of California have approved plans to build a high-speed rail network that will eventually link Sacramento to San Diego, and communities throughout the state. This high-speed rail line will create jobs, provide viable transportation options to residents and visitors alike, and reduce our dependence on foreign oil.

But as forward-thinking as California is, progress will be held back if the provisions to cut high-speed rail funding are included in the final version of this bill.

In my district alone, we would lose millions of dollars intended for rail projects funded by the American Recovery and Reinvestment Act. This rescission would result in the loss of many jobs and endanger the necessary safety and efficiency improvements need for the tracks between Sacramento and Davis.

I think we can all agree that now is not the time to remove opportunities for improved job growth and economic recovery. Yet, my Republican colleagues are doing just that by including the elimination of funding for high-speed rail in this bill.

It is my hope that the Senate approves a final bill that restores this funding, and that the President signs into law a bill that appropriately invests in our infrastructure: levees and rail alike.

IN HONOR OF THE 100TH ANNIVERSARY OF THE OMEGA PSI PHI FRATERNITY

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 25, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the 100th anniversary of the Omega Psi Phi fraternity, the first African-American national fraternal organization with roots in a historically African-American college.

The Omega Psi Phi fraternity was founded at Howard University in Washington, D.C. on November 17, 1911. As illustrated by the prominent careers of its four founders, Bishop Edgar Amos Love, Dr. Oscar James Cooper, Professor Frank Coleman and Dr. Ernest Everett Just, members of Omega Psi Phi are known to go on to successful careers.

Omega Psi Phi is dedicated to the principles of "manhood, scholarship, perseverance and uplift." The fraternity has also shown a strong

commitment to philanthropy and community. It began a National Social Program in 1945 to aid with health, housing, civil rights and educational issues of the African-American community. Furthermore, the fraternity has made annual donations of \$50,000 to the United Negro College Fund since 1955.

Mr. Speaker and colleagues, please join me in recognizing the 100th anniversary of the founding of the Omega Psi Phi fraternity, whose members have been strong community supporters and leaders since the fraternity's origin. I wish the alumni and current members of the Omega Psi Phi fraternity the best in all of their future endeavors.

IN HONOR OF THE MONTEREY COUNTY FAIR ON ITS 75TH ANNIVERSARY

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 25, 2011

Mr. FARR. Mr. Speaker, I rise today to honor the Monterey County Fair on the occasion of its 75th anniversary. The mission of the Fair, to create, produce and offer quality events in their unique setting of 22 oak-studded acres, has educated, entertained and inspired our people for 75 years.

The Monterey County Fairground is a State owned Multi-Use Facility, generating \$22.9 million annually in spending activity over its history and contributing 300 full-time and part-time jobs. This year's theme, chosen by the 7th District Agricultural Association, will be "Horse'n Around" and was inspired by the artwork of artist Jo Mora. This summer, from August 31st to September 5th, livestock demonstrations, displays and auctions will recall and promote the rich agricultural heritage and diverse resources of Monterey County. The money raised from the auctions goes towards scholarships for local students and includes the participation of over 5,000 of Monterey County's youth through the Future Farmers of America and 4-H programs.

The Monterey County Fair prides itself on being an inclusive environment where everyone in Monterey County can join in the festivities. Seniors' Day, Kids' Day, Special Friends' Day and Military Day ensure that citizens of all abilities and income levels can participate and enjoy the fair.

Mr. Speaker, in closing, I want to hold up the Monterey County Fair as a model for other community and cultural events. On behalf of the whole House, I acknowledge the valuable contributions of the Monterey County Fair, and invite the community to join the celebration of its 75th Anniversary. May their continued success inspire many more generations to celebrate our agricultural and cultural heritage.

PERSONAL EXPLANATION

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 25, 2011

Mr. GRAVES of Missouri. Mr. Speaker, on Thursday, July 21, I missed a rollcall vote.



Had I been present, I would have voted "yea" on No. 612.

IN HONOR OF TERRANCE R.  
DUNCAN

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. FARR. Mr. Speaker, I rise today to honor the career of my good friend, Terrance Duncan, who is retiring from the Superior Court of California of Monterey County on August 17, 2011. Terry honorably served as a judicial officer in the Monterey County Courts for over 29 years. We shared the Monterey Courthouse as a workplace before he was sworn in as a Court Commissioner.

Since Terry's appointment as a Municipal Court Commissioner in 1982, he worked tirelessly to help serve justice in Monterey County. In 1995 he was elected as a Municipal Court Judge and elevated to the Superior Court in 2000. As a judge Terry presided over thousands of criminal and civil cases in Salinas, Monterey, and King City. From 2003 to 2005 he served as the Presiding Judge of the Superior Court.

Terry's dedication to the teaching of the legal system is inspiring. He served as an instructor for the California Center for Judicial Education and Research where he taught judicial skills and ethics to both new and experienced Judges. Throughout California, Terry educated students in places like the California Judicial College, the Stanford Law School Trial Advocacy Program and the Monterey College of Law Community Education Program.

Terry has also been an active member of the legal community by being a part of many prestigious organizations. He served as an Officer and Director of the California Judges' Association, was President of the California Court Commissioners' Association, and he was also the President of the Board of Trustees of the Monterey College of Law.

Not only is Terry an active member of his professional community but he has also been heavily involved with helping the community of Monterey County. He was the founder in 1989 and President of Monterey County Sober Graduation which is an all-volunteer organization that introduced the concept of sober graduation activities for high school seniors. Terry was also President of the Monterey Kiwanis Club and director of the Sports Car Racing Association of the Monterey Peninsula (SCRAMP). SCRAMP is an organization that makes major donations to charities each year. Terry also served as a Board President of the Beacon House alcohol recovery home in Pacific Grove, along with numerous other community activities serving those in need.

Mr. Speaker, I know I speak for the whole House as I commend the contribution Terry has made to Monterey County's justice system. This is not the end of a career of service to the legal system for I know that Terrance will continue to serve the County of Monterey and the legal community in other capacities. Our region is fortunate to have the quality of leadership that Judge Terrance Duncan exemplifies.

PAYING TRIBUTE TO MARINE SCIENCE TECHNICIAN SECOND CLASS NICOLE EMMONS FOR BEING SELECTED AS THE MILITARY TIMES COAST GUARD SERVICE MEMBER OF THE YEAR

**HON. C.W. BILL YOUNG**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to Marine Science Technician Second Class Nicole Emmons, of Clearwater Florida, for her selection as the Military Times Coast Guard Service Member of the Year. Nicole exemplifies the best in our nation's military and serves as a shining example of how one person can make an impact at the community, the state and the national level.

Nicole Emmons was chosen as both the Marine Safety Unit Lake Charles, Louisiana and the Coast Guard Sector Houston-Galveston's Enlisted Person of the Year by area Chiefs, Senior Chiefs and Master Chiefs. Working with the Contingency Preparedness/ Incident Management Division at Marine Safety Unit Lake Charles, Nicole contributed countless hours to stand-up her unit's first Homeland Security Division. As one of three Law Enforcement instructors, she shoulders significant responsibility. She organizes a month-long training program for new members, leads hands-on practice sessions and organizes qualifications boards. Nicole Emmons also worked during off-duty hours in mission requirements associated with specially targeted vessels and has participated in over 20 security boardings.

Displaying exceptional initiative, she deployed to the Marine Safety Unit Port Arthur Incident Command Post, providing her expertise as a Situation Unit Leader in the aftermath of the EAGLE OTOME's 450,000 gallon crude oil spill. She filled a key role in providing operational commanders with continuous feedback regarding the progress of the clean-up efforts and was awarded the Coast Guard Commandant's Letter of Commendation. During the Deepwater Horizon oil spill, she was awarded the Coast Guard's Special Operations Ribbon for training reservist pollution investigators. In November of 2010, she transferred to the Planning Division and immediately accepted several large areas of responsibility well above her pay grade, including providing critical updates needed for the Geographic Response Plan and Area Response Plan.

Nicole Emmons also serves her community. She helped create the unit's Moving Assistance Team to minimize the financial burden of local moves for fellow shipmates. She is a founding member of her unit's COMPASS program, which promotes community outreach and diversity education in local high schools. Serving as the Vice President of the Human Relations Council, she helps to provide a safe, open forum for discussing human relation issues and celebrating different cultures.

Nicole Emmons' service to the community also includes volunteering for the local Boys and Girls Club, Big Brothers/Big Sisters Lunch Buddy program and mentoring an academi-

cally and socially challenged child. She has participated in charity fund-raising and community events, such as the Ethel Precht Breast Cancer 3K, the Coast Guard Relay for Life and volunteering for the Lake Charles Special Olympics Torch Run.

Along with all of her numerous career achievements, Nicole holds two Bachelor of Arts degrees from the University of North Carolina at Chapel Hill.

Mr. Speaker, on behalf of a grateful Nation, I join my colleagues today in saying thank you to Marine Science Technician Second Class Nicole Emmons for her extraordinary dedication to duty and service to this country through her outstanding performance in the United States Coast Guard and her community. We wish Nicole, her husband Michael, and her family all the best in her remarkably bright future.

HONORING MR. LOU VIVERITO AND STICKNEY TOWNSHIP FOR EXPANDING STICKNEY'S HEALTHCARE CLINIC

**HON. DANIEL LIPINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, July 25, 2011*

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Mr. Lou Viverito, President of Stickney Public Health District, and to recognize his efforts in constructing a new wing to a medical center in Stickney, Illinois. The wing, which opened on July 23, 2011, will provide quality healthcare for the residents of Stickney, a township in my district, for generations to come.

Mr. Viverito's career in public service spans five decades, starting in 1965. Since that time, he has held many positions, but public health has always been his passion. He has served as a State Senator, reaching positions of leadership in that capacity. Mr. Viverito was elected President of Stickney Public Health District in 1973, and has worked tirelessly for his constituents in Stickney since then. Mr. Viverito's decades of work will culminate in a brand new section of Stickney's health center that will preserve the wellbeing of thousands over the next several decades.

Stickney's new medical center stands as a testament to dedicated public service and intelligent public policy. The six million dollar health center will open after years of work from public servants who put the needs of their citizenry first: the Officials of Stickney Township, the Stickney Public Health District, and especially Lou Viverito. The project was completed without any increases in taxes and without a bond issue, showing how responsible planners can bring substantial public good to a community without the need for public debt.

The medical center is a continuation of a long history of quality health care for the residents of Stickney. Since the founding of Stickney's Public Health District in 1946, residents have enjoyed excellent care for little or no cost. Medical professionals will continue to offer ambulatory health care, podiatry, immunizations, maternal health, WIC nutrition programs, school health services, communicable

disease control, chronic disease management, elderly community care, behavioral health, and dental services in this state-of-the-art facility.

Please join me in honoring Mr. Viverito, the Officials of Stickney Township, and the Stickney Public Health District on their accomplishment. I know this project will have wide-ranging positive effects for Stickney residents for years, and I thank Mr. Viverito for his pivotal role in bringing this idea to fruition.

VICTIMS OF AGENT ORANGE  
RELIEF ACT OF 2011

**HON. BOB FILNER**

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES  
*Monday, July 25, 2011*

Mr. FILNER. Mr. Speaker, from 1961 to 1971, approximately 19 million gallons of fifteen different herbicides, including 13 million gallons of Agent Orange, were sprayed over the southern region of Vietnam. Many, including Agent Orange were based with the toxic contaminant, known as dioxin.

It is estimated that between 2.1 million and 4.8 million Vietnamese people were present during the spraying of Agent Orange and other herbicides and many more were or continue to be exposed through contact with the environment and food that was contaminated, or as offspring of those exposed who now suffer from illnesses and deformities.

Today there are still dozens of environmental hot spots in Vietnam which contaminate the food, soil, sediment and wildlife and continue to expose Vietnamese to dioxin.

Agent Orange exposure continues to negatively affect the lives of men and women in Vietnam and in the United States. Many victims' lives are cut short and others live with disease, disabilities and pain, often untreated or unrecognized.

Therefore, Congress resolves to address and remediate the ongoing problems and concerns that arose or will arise from the use of these deadly Agents during the Vietnam War in both the United States and in Vietnam.

I strongly urge my colleagues to support H.R. 2634.

DOG PARK COMPETITION OFFERS  
LESSON OF UNITY

**HON. NICK J. RAHALL II**

OF WEST VIRGINIA  
IN THE HOUSE OF REPRESENTATIVES  
*Monday, July 25, 2011*

Mr. RAHALL. Mr. Speaker, perhaps the dog days of summer, exacerbated by the hot air sometimes generated in this city, are contributing to our current budget morass. Rather than throwing our hands up, and saying everything is going to the dogs, I want to share with our colleagues, that man's best friend, and maybe our only friend in this city, Mr. Speaker, can be a rallying cry for unity and a lesson on how to get things done.

In fact, Mr. Speaker, the good people of Huntington, West Virginia, are rallying support for their city in a nationwide contest that has

a grand prize of \$100,000 to construct the town's first off-leash dog park.

Huntington is a town devoted to beautiful, peaceful and useful parks, and has a long and proud history of maintaining a grand system of parks. Moreover, Huntington has a tradition of coming together, when it seems the world as they know it, is coming apart. I refer of course to the tragic loss of Marshall University's football team in 1970. Ultimately, and with sheer determination as their only ally at times, the University and the City produced National Championship teams. Herein, I do believe, lie lessons for our fellow Americans, for the members of this body, and the entire Congress.

At last count, Huntington was in first place in the contest that will be decided by Internet voting and ends next week. Local businesses and media are all supporting this community driven effort. This past weekend, Hillbilly Hot Dogs in downtown Huntington sponsored a hot dog eating contest to draw attention to the campaign. As the winning contestant Ron Clark said, the proposed park can be a "good place to make great friends." Maybe members of this body ought to take a few minutes each morning to walk their pooches and pass some pleasantries with their colleagues.

My little dog, Billie Sue, will enjoy romping with Huntington's proud pets in their newest park and I look forward to chatting with my constituents old and new. Whatever the final outcome however, Huntington will have fiercely and fairly campaigned to the final second. But I know I join Huntingtonians in saluting every community taking part in this contest that has reawakened pride, stirred spirit and strengthened ties across the country. Huntington will always be in first place with that commitment. I ask my colleagues to reflect upon Huntington's example in the coming days.

CONGRESSIONAL COMMENDATION  
COMMEMORATING THE LIFE OF  
DEACON HORACE A. MCKNIGHT,  
II

**HON. CORRINE BROWN**

OF FLORIDA  
IN THE HOUSE OF REPRESENTATIVES  
*Monday, July 25, 2011*

Ms. BROWN of Florida. Mr. Speaker, this communication is forwarded with great love, respect and admiration on behalf of the constituents of the Third Congressional District of Florida and myself as we pay tribute to the life of Deacon Horace A. McKnight, II.

We are all deeply saddened by the loss of this most loved and admired gentleman, who, by his sheer determination served his country, his community, his church and most proudly, his family, immediate and extended. Mr. McKnight, a World War II Veteran served valiantly for an ideal, a place in his heart that would be a testament to one's ability to rise above the mediocre and the perceived notions of others, in order to serve the common good for all. His was a selfless and true act of patriotism and love of country and he perhaps knew that with such service, the lives of his flintily and his fellow countrymen would be made better. He was right, and his act of serv-

ice at that time in our history and his dedication, helped shape the social direction of an entire nation and paved the way for all he was to accomplish and did, for many to benefit from.

Horace McKnight, husband to his beloved childhood sweetheart Delia of forty-seven years, father, brother, uncle, grandfather, great grandfather, friend, church and community leader and entrepreneur, was and shall always be our example of a leader and caring man, deserving of all the accolades and acknowledgements received and most deserved. This quiet, calm, confident gentleman and "Chief Deacon", was a giant among men who saw a job and just got it done, without fanfare or applause. It is this manner of applause, great respect and love we now bestow upon our dear Horace. And in so doing, we say thank you for all you have done, for all you stand for and most assuredly, for all that you have meant to so many of us. We are eternally grateful for having known, loved and respected Horace McKnight, and are blessed for, and by, his manner of life, living and giving. A true gentleman was he. God Bless each one, and may the memory of Deacon Horace A. McKnight remain with you always.

HONORING HAL DAVID

**HON. HOWARD L. BERMAN**

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES  
*Monday, July 25, 2011*

Mr. BERMAN. Mr. Speaker, I rise today to honor my good friend Hal David on the occasion of his 90th birthday. Hal is being honored by his many colleagues, family and friends for his ability to touch the lives of others through the art of songwriting.

Hal is a first-generation American, born in Brooklyn to immigrant parents. One of his earliest ventures in using his musical talents to help others occurred when he served in the U.S. Army Entertainment Section during World War II, along with his colleagues Carl Reiner and Werner Klemperer. Four years after the conclusion of the war, Hal—along with Don Rodney—co-wrote his first hit record, "The Four Winds and the Seven Seas" recorded by Vic Damone. Hal continued to write hits, including "Bell Bottom Blues" for Teresa Brewer, "Brokenhearted Melody" for Sarah Vaughan and "Johnny Get Angry" for Joanie Sommers.

Hal then began his legendary collaboration with composer Burt Bacharach. The two comprised one of the best-known songwriting teams of the 50's and 60's. The incredibly prolific duo Hal and Burt wrote four songs that were nominated for Academy Awards, with "Raindrops" from the 1969 film Butch Cassidy and the Sundance Kid winning the Oscar for "Best Song." The two also co-wrote the score for the hit 1968 Broadway musical Promises, Promises, for which the original cast recording won a Grammy Award. The show was revived last year with Hal's original lyrics.

In addition to his career as a lyricist, Hal also served as President of the American Society of Composers, Authors and Publishers. I was fortunate enough to meet and work with

him during these years. Hal's devotion to his art was apparent as he led the battle against source licensing efforts and today he continues to serve on ASCAP's Board of Directors.

Hal also spent ten years as the Chairman and CEO of the Songwriters Hall of Fame. During his tenure, the Songwriters Hall of Fame established an important digital presence and launched a gallery at the Grammy Museum in Los Angeles.

As a result of his professional accomplishments, Hal has been inducted into both the Songwriters Hall of Fame and the Nashville Songwriters Hall of Fame. He has also received the prestigious Songwriters Hall of Fame Towering Song Award and its Johnny Mercer Award. Hal has also been honored with The Recording Academy's Grammy Trustees Award and the British Performing Rights Society's Ivor Novello Award, becoming the first American citizen ever to receive that award. He is also listed as a "Distinguished Patron of the Arts" at the Los Angeles Music Center and serves as a member of the Board of Governors at Cedars Sinai Medical Center.

Mr. Speaker and distinguished colleagues, I ask that you join me in thanking Hal for the joy his music has brought to our lives, and in wishing him a happy birthday and many happy returns.

HONORING LIEUTENANT COLONEL  
WILLIAM R. TRACY ON HIS PROMOTION TO THE RANK OF COLONEL IN THE UNITED STATES AIR FORCE

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 25, 2011

Mr. LIPINSKI. Mr. Speaker, I rise today to honor a great American and constituent of Illinois' 3rd Congressional District, Lieutenant Colonel William R. Tracy. On July 29th, 2011, he will be promoted to the rank of Colonel in the United States Air Force. William Tracy's talent and commitment were obvious 25 years ago when he received his appointment to the United States Air Force Academy from my father, Representative William O. Lipinski. I am privileged today to recognize Lt. Col. Tracy for his exemplary service to our country.

Upon his graduation from the United States Air Force Academy in 1990 as a Second Lieutenant, Lt. Col. Tracy served for three years as a maintenance officer at Luke Air Force Base in Arizona. After his completion of flight training to become an F-15C Eagle Pilot, Lt. Col. Tracy served at Tyndall Air Force Base. Over the past 17 years he has accumulated more than 2,000 flying hours, including participation in no-fly missions over both northern and southern Iraq. While taking part in these no-fly missions, Lt. Col. Tracy was awarded a Purple Heart for injuries sustained when an insurgent's bomb exploded near him in Saudi Arabia.

Lt. Col. Tracy graduated in the top ten percent of his class at the Air Force Staff and Command Academy, demonstrating his intellect and work ethic, and received his pro-

motion to Lieutenant Colonel upon graduation from the Air Force War College. Due to his excellent leadership qualities, the Air Force placed Lt. Col. Tracy as commanding officer of a Test and Evaluation Squadron at Nellis Air Force Base, where he currently serves today.

I would like to recognize the dedication, skill, and valor Lt. Col. Tracy has displayed throughout his career in the United States Air Force. We are all thankful for his service and the sacrifices he has made during his lifetime of service to the United States. I congratulate Lt. Col. William R. Tracy on his promotion and I will continue to follow his career closely as he continues to be an asset to our armed services.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 26, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 27

- 10 a.m.
- Finance  
To hold hearings to examine chief executive officer (CEO) perspectives on how the tax code affects hiring, businesses and economic growth. SD-215
- Homeland Security and Governmental Affairs  
To hold hearings to examine ten years after 9/11, focusing on emergency communications. SD-342
- Judiciary  
To hold hearings to examine fulfilling our treaty obligations and protecting Americans abroad. SD-226
- Appropriations  
Departments of Labor, Health and Human Services, and Education, and Related Agencies Subcommittee  
To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of Education. SD-124
- Veterans' Affairs  
To hold hearings to examine the lifetime costs of supporting the newest generation of veterans. SD-562

Joint Economic Committee

To hold hearings to examine maximizing America's prosperity, focusing on how fiscal rules can restrain Federal over-spending. SR-216

10:30 a.m.

Commerce, Science, and Transportation  
Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee

To hold hearings to examine defending United States economic interests in the changing arctic, focusing on if there is a strategy. SR-253

2 p.m.

Armed Services  
Readiness and Management Support Subcommittee

To hold hearings to examine financial management and business transformation at the Department of Defense. SR-232A

2:30 p.m.

Commerce, Science, and Transportation  
Consumer Protection, Product Safety, and Insurance Subcommittee

To hold hearings to examine improving highway and vehicle safety, focusing on reauthorization of the National Highway Traffic Safety Administration. SR-253

Judiciary

To hold hearings to examine the nominations of Edgardo Ramos, of Connecticut, Andrew L. Carter, Jr., and Jesse M. Furman, all to be a United States District Judge for the Southern District of New York, James Rodney Gilstrap, to be United States District Judge for the Eastern District of Texas, and Jennifer Guerin Zippis, to be United States District Judge for the District of Arizona. SD-226

JULY 28

9:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine the nomination of Brian T. Baenig, of the District of Columbia, to be Assistant Secretary of Agriculture; to be immediately followed by a hearing to examine opportunities for specialty crops and organics in the farm bill. SD-G50

Armed Services

To hold hearings to examine the nominations of Admiral Jonathan W. Greenert, USN for reappointment to the grade of admiral and to be Chief of Naval Operations, and Lieutenant General Charles H. Jacoby, Jr., USA to be general and to be Commander, United States Northern Command, and Commander, North American Aerospace Defense Command, both of the Department of Defense. SD-106

9:45 a.m.

Health, Education, Labor, and Pensions

To hold hearings to examine Food and Drug Administration (FDA) user fees, focusing on advancing public health. SD-430

10 a.m.  
 Commerce, Science, and Transportation  
 Aviation Operations, Safety, and Security  
 Subcommittee  
 To hold hearings to examine aviation  
 fuels, focusing on needs, challenges,  
 and alternatives. SR-253

Energy and Natural Resources  
 To hold hearings to examine the nomina-  
 tions of Charles DeWitt McConnell, of  
 Ohio, to be Assistant Secretary of En-  
 ergy for Fossil Energy, and Rebecca R.  
 Wodder, of Virginia, to be Assistant  
 Secretary of the Interior for Fish and  
 Wildlife. SD-366

Finance  
 To hold hearings to examine the nomina-  
 tions of Janice Eberly, of Illinois, to be  
 Assistant Secretary of the Treasury,  
 and Juan F. Vasquez, of Texas, to be a  
 Judge of the United States Tax Court.  
 SD-215

Judiciary  
 Business meeting to consider S. 401, to  
 help Federal prosecutors and investiga-  
 tors combat public corruption by  
 strengthening and clarifying the law,  
 S. 657, to encourage, enhance, and inte-  
 grate Blue Alert plans throughout the  
 United States in order to disseminate  
 information when a law enforcement  
 officer is seriously injured or killed in  
 the line of duty, S. 409, to ban the sale  
 of certain synthetic drugs, S. 605, to  
 amend the Controlled Substances Act  
 to place synthetic drugs in Schedule I,  
 S. 839, to ban the sale of certain syn-  
 thetic drugs, and the nominations of  
 Steve Six, of Kansas, to be United  
 States Circuit Judge for the Tenth Cir-  
 cuit, Morgan Christen, of Alaska, to be  
 United States Circuit Judge for the  
 Ninth Circuit, Scott Wesley Skavdahl,  
 to be United States District Judge for  
 the District of Wyoming, Sharon L.  
 Gleason, to be United States District  
 Judge for the District of Alaska,  
 Yvonne Gonzalez Rogers, to be United  
 States District Judge for the Northern  
 District of California, and Richard G.  
 Andrews, to be United States District  
 Judge for the District of Delaware.  
 SD-226

1:30 p.m.  
 Commission on Security and Cooperation  
 in Europe  
 To hold hearings to examine United  
 States policy and the Organization for  
 Co-operation in Europe, focusing on  
 making good on commitments and  
 challenges, including unresolved con-  
 flicts, ethnic tension, corruption and  
 lack of governance, racism and intoler-  
 ance, and trafficking in persons.  
 210, Cannon Building

2 p.m.  
 Appropriations  
 Financial Service and General Government  
 Subcommittee  
 To hold hearings to examine Federal dis-  
 aster assistance budgeting, focusing on  
 the role of the Federal government in

mitigating the economic impact of se-  
 vere weather events through long-term  
 budgetary planning. SD-138

2:15 p.m.  
 Indian Affairs  
 To hold an oversight hearing to examine  
 enforcing the "Indian Gaming Regu-  
 latory Act", focusing on the role of the  
 National Indian Gaming Commission  
 and tribes as regulators. SD-628

2:30 p.m.  
 Homeland Security and Governmental Af-  
 fairs  
 To hold hearings to examine the nomina-  
 tions of Mark D. Acton, of Kentucky,  
 and Robert G. Taub, of New York, both  
 to be a Commissioner of the Postal  
 Regulatory Commission. SD-342

Energy and Natural Resources  
 National Parks Subcommittee  
 To hold hearings to examine S. 264, to di-  
 rect the Secretary of the Interior to  
 convey to the State of Mississippi 2  
 parcels of surplus land within the  
 boundary of the Natchez Trace Park-  
 way, S. 265, to authorize the acquisi-  
 tion of core battlefield land at Cham-  
 pion Hill, Port Gibson, and Raymond  
 for addition to Vicksburg National  
 Military Park, S. 324, to amend the  
 Chesapeake and Ohio Canal Develop-  
 ment Act to extend to the Chesapeake  
 and Ohio Canal National Historical  
 Park Commission, S. 764, to amend the  
 Wild and Scenic Rivers Act to make  
 technical corrections to the segment  
 designations for the Chetco River, Or-  
 egon, S. 864, to designate a Disting-  
 uished Flying Cross National Mem-  
 orial at the March Field Air Museum in  
 Riverside, California, S. 883, to author-  
 ize National Mall Liberty Fund D.C.  
 to establish a memorial on Federal land  
 in the District of Columbia to honor  
 free persons and slaves who fought for  
 independence, liberty, and justice for  
 all during the American Revolution, S.  
 888, to amend the Wild and Scenic Riv-  
 ers Act to designate a segment of  
 Illabot Creek in Skagit County, Wash-  
 ington, as a component of the National  
 Wild and Scenic Rivers System, S. 925,  
 to designate Mt. Andrea Lawrence, S.  
 970, to designate additional segments  
 and tributaries of White Clay Creek, in  
 the States of Delaware and Pennsyl-  
 vania, as a component of the National  
 Wild and Scenic Rivers System, S. 1063,  
 to allow for the harvest of gull eggs by  
 the Huna Tlingit people within Glacier  
 Bay National Park in the State of  
 Alaska, and S. 1134, to authorize the  
 St. Croix River Crossing Project with  
 appropriate mitigation measures to  
 promote river values. SD-366

Intelligence  
 Closed business meeting to consider  
 pending calendar business. SH-219

AUGUST 2

10 a.m.  
 Health, Education, Labor, and Pensions  
 To hold hearings to examine health re-  
 form and health insurance premiums,  
 focusing on empowering states to serve  
 consumers. SD-430

2:30 p.m.  
 Foreign Relations  
 To hold hearings to examine the nomina-  
 tions of Francis Joseph Ricciardone,  
 Jr., of Massachusetts, to be Amba-  
 sador to the Republic of Turkey, and  
 Norman L. Eisen, of the District of Co-  
 lumbia, to be Ambassador to the Czech  
 Republic, both of the Department of  
 State. SD-419

AUGUST 3

10 a.m.  
 Foreign Relations  
 To hold hearings to examine the nomina-  
 tion of Wendy Ruth Sherman, of Mary-  
 land, to be Under Secretary of State  
 for Political Affairs. SD-419

Health, Education, Labor, and Pensions  
 Business meeting to consider S. 958, to  
 amend the Public Health Service Act  
 to reauthorize the program of pay-  
 ments to children's hospitals that oper-  
 ate graduate medical education pro-  
 grams, and S. 1094, to reauthorize the  
 Combating Autism Act of 2006 (Public  
 Law 109-416), an original bill entitled,  
 "Workforce Investment Act Reauthor-  
 ization of 2011", and any pending nomi-  
 nations. SD-430

Judiciary  
 To hold hearings to examine cybercrime,  
 focusing on updating the "Computer  
 Fraud and Abuse Act" to protect  
 cyberspace and combat emerging  
 threats. SD-226

2:30 p.m.  
 Energy and Natural Resources  
 Public Lands and Forests Subcommittee  
 To hold hearings to examine S. 1024, to  
 designate the Organ Mountains and  
 other public land as components of the  
 National Wilderness Preservation Sys-  
 tem and the National Landscape Con-  
 servation System in the State of New  
 Mexico, S. 1090, to designate as wilder-  
 ness certain public land in the Cher-  
 okee National Forest in the State of  
 Tennessee, S. 1144, to amend the Soda  
 Ash Royalty Reduction Act of 2006 to  
 extend the reduced royalty rate for  
 soda ash, S. 1149, to expand geothermal  
 production, and S. 1344, to direct the  
 Secretary of Agriculture to take imme-  
 diate action to recover ecologically  
 and economically from a catastrophic  
 wildfire in the State of Arizona. SD-366